

Fort Phil Kearny Historic Site

Wyoming State Historic Site, National Landmark and Interpretive Center



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The Bozeman Trail National Historic Trail Proposal Questions & Answers

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The purpose of communicating with the public and decision makers is to secure a good understanding of the benefits of National Historic Trail designation and preserving this American history; to make clear to landowners that private property rights will never be encumbered, that significant economic benefits to local communities can come from increased tourism, and that the public will be deeply involved in the decisions.

The Bozeman Trail was established in 1863 as a 535-mile "shortcut" from the Oregon Trail on the North Platte River near Casper, Wyoming to the gold fields around Virginia City, Montana Territory.

The trail likely followed ancient trade and travel routes established and used by indigenous cultures for centuries. The trail passed through the heart of hunting lands east and north of the Bighorn Mountains claimed by Lakota, Northern Cheyenne, Northern Arapaho, and Crow Tribes. Increased civilian use prompted a campaign by the tribes against the incursion. In response the U.S. military established Forts Reno and Phil Kearny in Wyoming and C.F. Smith in Montana to protect travelers. Conflict escalated, resulting in what is commonly called "Red Cloud's War" with numerous skirmishes and three major battles including the Fetterman battle in 1866, and the Wagon Box, and Hay Field fights in 1867.

In 1868 military use of the trail was discontinued. The Forts were abandoned due to spiraling costs, completion of the Union Pacific railroad line, and agreement with Indian Tribes for U.S. military withdrawal in the Laramie Treaty of 1868. It was used again in 1876 by the forces of General George Crook and shortly after the Battles of the Rosebud and the Little Bighorn, the route was opened and used by settlers. Today, segments of the Bozeman Trail route are present on private, state, and federally managed public lands in Montana and Wyoming.

Who are the proponents seeking designation of the Bozeman Trail as a National Historic Trail?

Fort Phil Kearny/Bozeman Trail Association is a 501 (c)(3) non-profit organization dedicated to the preservation, development, education, and promotion of the Bozeman Trail and associated historic sites, including the designated National Historic Landmarks of Fort Phil Kearny, Fetterman Battlefield, and Wagon Box Battle Field.
www.fortphilkearny.com

[Our Montana](#) is a 501 (c)(3) non-profit association with a mission to promote stewardship and enjoyment of Montana's natural, historic, and recreational resources.
www.ourmontana.org.

What are the benefits of National Historic Trail designation?

Designation of the Bozeman Trail as a National Historic Trail will provide clear and lasting documentation of the significance of the Trail and associated events to our national history for current and future generations.

National designation will illuminate the rich and dynamic history of Native American cultures on the western plains. The migration of tribes onto the plains, transformation to a horseback culture, responses to Euro-American expansion, and contributions of American Indian leaders who were of central importance during that expansion are of critical historic significance to Indian tribes as well as the nation at large.

National designation will enhance preservation efforts, education opportunities, and visitor experiences along the trail route and at associated historic sites on public lands where public access is available and prudent.

National Trail status will strengthen grant requests from museums, local communities, counties, states, Indian Tribes, federal land management agencies, and non-profit associations to improve and expand education regarding historic events and the rich cultural history of Indian peoples affected by these events.

National Trail status would increase interest in visitation, and hence income at numerous associated historic sites and museums along the trail corridor in Montana and Wyoming.

A representative sample includes: the Rosebud Battlefield, Western Heritage Center, Park County Museum, Fort Ellis site, Museum at the Rockies, and Pioneer Museum in Montana, and the Hoofprints of the Past Museum, Gatchell Museum, Fort Phil Kearny, Bozeman Trail Museum, and Museum at the Bighorns in Wyoming.

Increased visitation and longer duration visits to publicly available trail segments and associated sites and museums will directly benefit local economies.

What is the process for National Historic Trail designation?

Pursuant to the National Trails Act of 1968, as amended, a constituency group such as a state or local government, local community, or trails organization will approach Congress with a request for legislation to direct the Secretary of Interior to complete a National Trails System Feasibility and Suitability Study to evaluate as to whether the trail warrants National designation. The finding must include a supporting recommendation from the National Park System Advisory Board. If the trail warrants designation Congress may pass final legislation formally listing the trail as a National Historic Trail.

What does a feasibility and suitability study involve?

A key component of the Study is full public participation, including consultation with other federal agencies, state and local governments, Indian Tribes, local communities, private landowners, and other interested parties. The lead agency will hold public meetings and request comments. Public participation will be utilized to gauge the level of desirability for listing of the Bozeman Trail as a National Historic Trail.

The lead federal agency will verify and document the original route location(s). They will conduct an extensive study of the historic record to verify that the Bozeman Trail meets the three criteria of significance for listing as a National Historic trail including:

(A) It must be a trail or route established by historic use and must be historically significant as a result of that use;

(B) It must be of national significance with respect to any of several broad facets of American history;

(C) It must have significant potential for public recreational use or historical interest based on historical interpretation and appreciation;

The lead federal agency will also research and address, with public input, additional topics as required by the National Trails Act of 1968, as amended. Pertinent topics include:

(1) the proposed designated route, (2) areas adjacent to such trails, to be utilized for scenic, historic, natural, cultural, or developmental purposes; (3) characteristics which make the proposed trail worthy of designation; (4) status of land ownership and current and potential use along the designated route; (5) estimated cost of acquisition of lands or interest in lands, if any; (6) plans for developing and maintaining the trail and the cost thereof; relative uses of public land, estimated visitation, economic and social benefits, and estimated management costs; (7) proposed Federal administering agency (for portions of the trail on public lands); (8) extent to which a State or public and private

organizations might reasonably be expected to participate in acquiring the necessary lands and in the administration thereof; (9) the relative uses of the lands involved, including: the number of anticipated visitor-days; the number of months which such trail, or segments thereof, will be open for recreation purposes; the economic and social benefits which might accrue from alternate land uses; and the estimated operational costs of such trail; (10) the anticipated impact of public outdoor recreation use on the preservation of a proposed national historic trail and its related historic and archeological features and settings, including the measures proposed to ensure evaluation and preservation of the values that contribute to their national historic significance; and (11) To qualify for designation as a national historic trail, a trail must meet historic significance criteria A, B, and C listed above.

Topics addressing potential for land acquisitions and estimated cost are applicable on a case by case basis. Pursuant to the Trails Act Congress limits fee title acquisition of to an average of ¼ mile on each side of a trail segment, and only with the consent of the landowner.

Is the Bozeman Trail worthy of a feasibility and suitability study?

Yes. In 2002 the National Park Service, in cooperation with the Western History Association published a preliminary assessment of historic trails entitled "The Clash of Cultures Project: Assessing the National Significance of Trails associated with U.S. Army/American Campaigns in the Trans-Mississippi West." In the assessment the authors found that the Bozeman Trail meets the three criteria of significance for listing as a National Historic Trail under the broad theme of Military Campaigns. The "Clash of Cultures" assessment include these preliminary findings:

1. The Bozeman Trail is nationally significant for its associations with the Powder River campaign and the Red Cloud War; indeed it was the establishment and use of the trail that was the cause of those conflicts.
2. The National Trails Systems Act states that a National Historic Trail "must be a trail or route established by historic use and must be historically significant as a result of that use." The Bozeman Trail meets this definition since it was the actual establishment and use of the trail itself that precipitated the Powder River Campaign and Red Cloud's War. Furthermore, the trail was used as a military campaign trail by both the U.S. Army and American Indians – Lakota, Arapaho, and Cheyenne – during those conflicts.
3. The documented presence of intact trail segments on public lands and the opportunity for education and recreation at numerous associated historic sites and museums along the route in both states underscores the potential for public recreation or historical interpretation.

If a feasibility study is authorized by Congress the proponents recommend that additional research be conducted to determine if the Bozeman trail also meets the significance criteria under the broad themes of Native American History, Prehistoric Travel Routes, Exploration, and Trade and Commerce which would include historic mining booms.

Does the Trail have to exhibit physical integrity?

No. The National Trails Act does not emphasize physical integrity of National Historic Trails, which are defined as "extended trails which follow as closely as possible and practicable the original trails or routes of travel of national historic significance". The route need not currently exist as a discernible trail to qualify for significance but its location must be sufficiently known.

The identification, preservation, management, and enjoyment of intact trail segments on public lands with available and appropriate access can follow formal listing. Future field studies would be used to develop preservation and interpretive opportunities on public lands.

Would private landowners be impacted?

No. Designation does not encumber private property rights with any type of federal restrictions or management requirements. Nor does national designation allow public visitation unless authorized by the landowner.

The exception is if a project is a mix of federal ownership/minerals, requires a federal permit or license, or utilizes federal funding or resources to implement a project on private land. In these cases, projects would comply with the National Historic Preservation Act (NHPA), to consider adverse effects to cultural resources eligible for nomination to the National Register of Historic Places (NRHP), including eligible segments of the Bozeman Trail. This is not a change from current federal regulations.

Would access to private land be required for the feasibility study?

No. If implemented, the feasibility and suitability study does not involve documentation of trail segments. Access to private land is not needed to determine the general route of the trail or analyze potential public benefits specifically on public lands.

Can landowners with trail segments on their property actively participate in the National trails program?

Yes. There are a variety of opportunities of landowners to engage in preservation and education for trail segments on their property. In example, a landowner may grant public access to trail segments. They may seek grant funding for preservation, interpretive signing, or a National Register of Historic Places study of their trail segment.

It is important to note that private landowners may choose not to actively participate.

Would multiple uses on federally managed public lands, including split mineral estate settings, be changed by National Trail designation?

No. The Resource Management Plans (RMPs) for the Casper and Buffalo Bureau of Land Management (BLM) field offices currently provide protective buffers and management direction for the Bozeman Trail on BLM and split estate lands as if it is a National Historic Trail. National Trail designation would not change or increase these protective measures. The Bozeman Trail has been evaluated as eligible for nomination to the NRHP in Montana and Wyoming. Several intact trail segments in Wyoming have been listed on the National Register. Federal agencies are required to consider potential effects by federal undertaking to the Bozeman Trail by proposed federal undertakings on public land, and where split estate minerals occur, pursuant to Section 106 of the NHPA. We have consulted with the BLM and the Wyoming State Historic Preservation Office to confirm there would be no change to the BLM RMPs due to National Trail designation.

Would authorization of uses or projects on state lands be affected by National Trail designation?

State Historic Preservation Offices (SHPOs) provides comments on cultural resources to the Offices of State Lands for consideration as part of the States land use and authorization review process. Historic Trails included in SHPO comments usually meet one of the following conditions: trails that have been formally listed on the NRHP, determined eligible by the Keeper of the NRHP, or trails designated under the National Historic Trails Act.

To be included in Wyoming SHPO recommendations, trail segments must be intact, retain historic integrity and be within the parcel boundary. In general, they recommend a 1/4 mile buffer be made around the trail where any drilling location is in direct line of sight of the trail. If a trail segment no longer retains historic integrity, or SHPO cannot confidently determine the current integrity of the trail segment, it is not included in SHPO comments. SHPO may note the presence of suspected contributing segments of the National Historic Trails in the comments.

Public Outreach

The project committee and board members of the FPK/BTA and Our Montana are eager and willing to meet with State and local government officials, private landowners, Indian Tribes, and other interested citizens or organizations to discuss the National Historic Trails Act and our proposal. To discuss the proposal or schedule a meeting, please contact the committee members at Bozemannah@gmail.com

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