

Union Calendar No. 421

106TH CONGRESS
2^D SESSION

H. R. 2833

[Report No. 106-740]

To establish the Yuma Crossing National Heritage Area.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 1999

Mr. PASTOR introduced the following bill; which was referred to the
Committee on Resources

JULY 17, 2000

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on September 9, 1999]

A BILL

To establish the Yuma Crossing National Heritage Area.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; DEFINITIONS.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the*
5 *“Yuma Crossing National Heritage Area Act of 2000”.*

6 (b) *DEFINITIONS.*—*In this Act:*

1 (1) *HERITAGE AREA.*—*The term “Heritage*
2 *Area” means the Yuma Crossing National Heritage*
3 *Area established in section 3.*

4 (2) *MANAGEMENT ENTITY.*—*The term “manage-*
5 *ment entity” shall mean the Yuma Crossing National*
6 *Heritage Area Board of Directors referred to section*
7 *3(c).*

8 (3) *MANAGEMENT PLAN.*—*The term “manage-*
9 *ment plan” shall mean the management plan for the*
10 *Yuma Crossing National Heritage Area.*

11 (4) *SECRETARY.*—*The term “Secretary” means*
12 *the Secretary of the Interior.*

13 **SEC. 2. FINDINGS AND PURPOSE.**

14 (a) *FINDINGS.*—*The Congress finds the following:*

15 (1) *Certain events that led to the establishment*
16 *of the Yuma Crossing as a natural crossing place on*
17 *the Colorado River and to its development as an im-*
18 *portant landmark in America’s westward expansion*
19 *during the mid-19th century are of national historic*
20 *and cultural significance in terms of their contribu-*
21 *tion to the development of the new United States of*
22 *America.*

23 (2) *It is in the national interest to promote, pre-*
24 *serve, and protect physical remnants of a community*
25 *with almost 500 years of recorded history which has*

1 *outstanding cultural, historic, and architectural value*
2 *for the education and benefit of present and future*
3 *generations.*

4 *(3) The designation of the Yuma Crossing as a*
5 *national heritage area would preserve Yuma's history*
6 *and provide related educational opportunities, pro-*
7 *vide recreational opportunities, preserve natural re-*
8 *sources, and improve the city and county of Yuma's*
9 *ability to serve visitors and enhance the local econ-*
10 *omy through the completion of the major projects*
11 *identified within the Yuma Crossing National Herit-*
12 *age Area.*

13 *(4) The Department of the Interior is responsible*
14 *for protecting the Nation's cultural and historic re-*
15 *sources. There are significant examples of these re-*
16 *sources within the Yuma region to merit the involve-*
17 *ment of the Federal Government in developing pro-*
18 *grams and projects, in cooperation with the Yuma*
19 *Crossing National Heritage Area and other local and*
20 *governmental bodies, to adequately conserve, protect,*
21 *and interpret this heritage for future generations*
22 *while providing opportunities for education, revital-*
23 *ization, and economic development.*

24 *(5) The city of Yuma, the Arizona State Parks*
25 *Board, agencies of the Federal Government, corporate*

1 *entities, and citizens have completed a study and*
2 *master plan for the Yuma Crossing to determine the*
3 *extent of its historic resources, preserve and interpret*
4 *these historic resources, and assess the opportunities*
5 *available to enhance the cultural experience for re-*
6 *gion's visitors and residents.*

7 *(6) The Yuma Crossing National Heritage Area*
8 *Board of Directors would be an appropriate manage-*
9 *ment entity for a heritage area established in the re-*
10 *gion.*

11 *(b) PURPOSE.—The objectives of the Yuma Crossing*
12 *National Heritage Area are as follows:*

13 *(1) To recognize the role of the Yuma Crossing*
14 *in the development of the United States, with par-*
15 *ticular emphasis on the roll of the crossing as an im-*
16 *portant landmark in the westward expansion during*
17 *the mid-19th century.*

18 *(2) To promote, interpret, and develop the phys-*
19 *ical and recreational resources of the communities*
20 *surrounding the Yuma Crossing, which has almost*
21 *500 years of recorded history and outstanding cul-*
22 *tural, historic, and architectural assets, for the edu-*
23 *cation and benefit of present and future generations.*

24 *(3) To foster a close working relationship with*
25 *all levels of government, the private sector, and the*

1 *local communities in the Yuma community and em-*
2 *power the community to conserve its heritage while*
3 *continuing to pursue economic opportunities.*

4 (4) *To provide recreational opportunities for*
5 *visitors to the Yuma Crossing and preserve natural*
6 *resources within the Heritage Area.*

7 (5) *To improve the Yuma region's ability to*
8 *serve visitors and enhance the local economy through*
9 *the completion of the major projects identified within*
10 *the Heritage Area.*

11 **SEC. 3. YUMA CROSSING NATIONAL HERITAGE AREA.**

12 (a) *ESTABLISHMENT.*—*There is hereby established the*
13 *Yuma Crossing National Heritage Area.*

14 (b) *BOUNDARIES.*—*The Heritage Area shall be com-*
15 *prised of those portions of the Yuma region totaling ap-*
16 *proximately 21 square miles, encompassing over 150 identi-*
17 *fied historic, geologic, and cultural resources, and*
18 *bounded—*

19 (1) *on the west, by the Colorado River (including*
20 *the crossing point of the Army of the West);*

21 (2) *on the east, by Avenue 7E;*

22 (3) *on the north, by the Colorado River; and*

23 (4) *on the south, by the 12th Street alignment.*

24 (c) *MANAGEMENT ENTITY.*—*The management entity*
25 *for the Heritage Area shall be the Yuma Crossing National*

1 *Heritage Area Board of Directors which shall include rep-*
2 *resentatives from a broad cross-section of the individuals,*
3 *agencies, organizations, and governments that were in-*
4 *involved in the planning and development of the Heritage*
5 *Area before the date of the enactment of this Act.*

6 **SEC. 4. COMPACT.**

7 (a) *IN GENERAL.*—*To carry out the purposes of this*
8 *Act, the Secretary of the Interior shall enter into a compact*
9 *with the management entity.*

10 (b) *COMPONENTS OF COMPACT.*—*The compact shall*
11 *include information relating to the objectives and manage-*
12 *ment of the Heritage Area, including each of the following:*

13 (1) *A discussion of the goals and objects of the*
14 *Heritage Area.*

15 (2) *An explanation of the proposed approach to*
16 *conservation and interpretation of the Heritage Area.*

17 (3) *A general outline of the protection measures*
18 *to which the management entity commits.*

19 **SEC. 5. AUTHORITIES AND DUTIES OF MANAGEMENT**
20 **ENTITY.**

21 (a) *AUTHORITIES OF THE MANAGEMENT ENTITY.*—
22 *The management entity may, for purposes of preparing and*
23 *implementing the management plan, use funds made avail-*
24 *able through this Act for the following:*

1 (1) *To make grants to, and enter into coopera-*
2 *tive agreements with, States and their political sub-*
3 *divisions, private organizations, or any person.*

4 (2) *To hire and compensate staff.*

5 (3) *To enter into contracts for goods and serv-*
6 *ices.*

7 (b) *MANAGEMENT PLAN.—*

8 (1) *IN GENERAL.—Taking into consideration ex-*
9 *isting State, county, and local plans, the management*
10 *entity shall develop a management plan for the Herit-*
11 *age Area.*

12 (2) *CONTENTS.—The management plan required*
13 *by this subsection shall include—*

14 (A) *comprehensive recommendations for*
15 *conservation, funding, management, and devel-*
16 *opment of the Heritage Area;*

17 (B) *actions to be undertaken by units of*
18 *government and private organizations to protect*
19 *the resources of the Heritage Area;*

20 (C) *a list of specific existing and potential*
21 *sources of funding to protect, manage, and de-*
22 *velop the Heritage Area;*

23 (D) *an inventory of the resources contained*
24 *in the Heritage Area, including a list of any*
25 *property in the Heritage Area that is related to*

1 *the themes of the Heritage Area and that should*
2 *be preserved, restored, managed, developed, or*
3 *maintained because of its natural, cultural, his-*
4 *toric, recreational, or scenic significance;*

5 *(E) a recommendation of policies for re-*
6 *source management which considers and details*
7 *application of appropriate land and water man-*
8 *agement techniques, including the development of*
9 *intergovernmental cooperative agreements to pro-*
10 *tect the historical, cultural, recreational, and*
11 *natural resources of the Heritage Area in a man-*
12 *ner consistent with supporting appropriate and*
13 *compatible economic viability;*

14 *(F) a program for implementation of the*
15 *management plan by the management entity, in-*
16 *cluding plans for restoration and construction,*
17 *and specific commitments of the identified part-*
18 *ners for the first 5 years of operation;*

19 *(G) an analysis of ways in which local,*
20 *State, and Federal programs may best be coordi-*
21 *nated to promote the purposes of this Act; and*

22 *(H) an interpretation plan for the Heritage*
23 *Area.*

24 *(3) SUBMISSION TO SECRETARY.—The manage-*
25 *ment entity shall submit the management plan to the*

1 *Secretary for approval not later than 3 years after*
2 *the date of enactment of this Act. If a management*
3 *plan is not submitted to the Secretary as required*
4 *within the specified time, the Heritage Area shall no*
5 *longer qualify for Federal funding.*

6 *(c) DUTIES OF MANAGEMENT ENTITY.—In addition to*
7 *its duties under subsection (b), the management entity*
8 *shall—*

9 *(1) give priority to implementing actions set*
10 *forth in the compact and management plan, includ-*
11 *ing steps to assist units of government, regional plan-*
12 *ning organizations, and nonprofit organizations in*
13 *preserving the Heritage Area;*

14 *(2) assist units of government, regional planning*
15 *organizations, and nonprofit organizations with—*

16 *(A) establishing and maintaining interpre-*
17 *tive exhibits in the Heritage Area;*

18 *(B) developing recreational resources in the*
19 *Heritage Area;*

20 *(C) increasing public awareness of and ap-*
21 *preciation for the natural, historical, and archi-*
22 *tectural resources and sites in the Heritage Area;*

23 *(D) restoring any historic building relating*
24 *to the themes of the Heritage Area; and*

1 (E) ensuring that clear, consistent, and en-
2 vironmentally appropriate signs identifying ac-
3 cess points and sites of interest are put in place
4 throughout the Heritage Area;

5 (3) encourage, by appropriate means, economic
6 viability in the Heritage Area consistent with the
7 goals of the management plan;

8 (4) encourage local governments to adopt land
9 use policies consistent with the management of the
10 Heritage Area and the goals of the management plan;

11 (5) consider the interests of diverse governmental,
12 business, and nonprofit groups within the Heritage
13 Area;

14 (6) conduct public meetings at least quarterly re-
15 garding the implementation of the management plan;
16 and

17 (7) for any year in which Federal funds have
18 been received under this Act, make available for audit
19 all records pertaining to the expenditure of such funds
20 and any matching funds, and require, for all agree-
21 ments authorizing expenditure of Federal funds by
22 other organizations, that the receiving organizations
23 make available for audit all records pertaining to the
24 expenditure of such funds.

1 (d) *PROHIBITION ON THE ACQUISITION OF REAL*
2 *PROPERTY.*—*The management entity may not use Federal*
3 *funds received under this Act to acquire real property or*
4 *an interest in real property. Nothing in this Act shall pre-*
5 *clude any management entity from using Federal funds*
6 *from other sources for their permitted purposes.*

7 (e) *SPENDING FOR NON-FEDERALLY OWNED PROP-*
8 *ERTY.*—*The management entity may spend Federal funds*
9 *directly on non-federally owned property to further the pur-*
10 *poses of this Act, especially in assisting units of government*
11 *in appropriate treatment of districts, sites, buildings, struc-*
12 *tures, and objects listed or eligible for listing on the Na-*
13 *tional Register of Historic Places.*

14 **SEC. 6. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

15 (a) *TECHNICAL AND FINANCIAL ASSISTANCE.*—*The*
16 *Secretary may, upon request of the management entity,*
17 *provide technical and financial assistance to the manage-*
18 *ment entity to develop and implement the management*
19 *plan. In assisting the management entity, the Secretary*
20 *shall give priority to actions that in general assist in—*

21 (1) *conserving the significant natural, historic,*
22 *and cultural resources which support the themes of the*
23 *Heritage Area; and*

1 (2) *providing educational, interpretive, and rec-*
2 *reational opportunities consistent with resources and*
3 *associated values of the Heritage Area.*

4 (b) *APPROVAL AND DISAPPROVAL OF MANAGEMENT*
5 *PLAN.—The Secretary, in consultation with the Yuma*
6 *Crossing National Heritage Area Board of Directors, shall*
7 *approve or disapprove the management plan submitted*
8 *under this Act not later than 90 days after receiving such*
9 *management plan.*

10 (c) *ACTION FOLLOWING DISAPPROVAL.—If the Sec-*
11 *retary disapproves a submitted compact or management*
12 *plan, the Secretary shall advise the management entity in*
13 *writing of the reasons therefor and shall make recommenda-*
14 *tions for revisions in the management plan. The Secretary*
15 *shall approve or disapprove a proposed revision within 90*
16 *days after the date it is submitted.*

17 (d) *APPROVING AMENDMENTS.—The Secretary shall*
18 *review substantial amendments to the management plan for*
19 *the Heritage Area. Funds appropriated pursuant to this*
20 *Act may not be expended to implement the changes made*
21 *by such amendments until the Secretary approves the*
22 *amendments.*

23 (e) *DOCUMENTATION.—Subject to the availability of*
24 *funds, the Historic American Building Survey/Historic*
25 *American Engineering Record shall conduct those studies*

1 *necessary to document the cultural, historic, architectural,*
2 *and natural resources of the Heritage Area.*

3 **SEC. 7. SUNSET.**

4 *The Secretary may not make any grant or provide any*
5 *assistance under this Act after September 30, 2015.*

6 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

7 *(a) IN GENERAL.—There is authorized to be appro-*
8 *priated under this Act not more than \$1,000,000 for any*
9 *fiscal year. Not more than a total of \$10,000,000 may be*
10 *appropriated for the Heritage Area under this Act.*

11 *(b) 50 PERCENT MATCH.—Federal funding provided*
12 *under this Act, after the designation of the Heritage Area,*
13 *may not exceed 50 percent of the total cost of any assistance*
14 *or grant provided or authorized under this Act.*

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