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SENATE

{ REPORT
104-379

VANCOUVER NATIONAL HISTORIC RESERVE ACT OF 1995

SEPTEMBER 30, 1996.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 1127]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1127) to establish the Vancouver National Historic Reserve, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Vancouver National Historic Reserve Act of 1996”.

SEC. 2. VANCOUVER NATIONAL HISTORIC RESERVE.

(a) ESTABLISHMENT.—There is established the Vancouver National Historic Reserve in the State of Washington, (referred to in this section as the “Reserve”), consisting of the area described in the report entitled “Vancouver National Historic Reserve Feasibility Study and Environmental Assessment” published by the Vancouver Historical Study Commission and dated April 1993 as authorized by Public Law 101–523 (referred to in this Act as the “Vancouver Historic Reserve Report”).

(b) ADMINISTRATION.—(1) The Reserve shall be administered through a general management plan developed in accordance with this section, and approved by the Secretary of the Interior (hereinafter referred to as the “Secretary”) and the Secretary of the Army.

(2) The general management plan shall be completed no later than three years after the date of enactment of this Act.

(3) The general management plan shall be prepared by the Secretary, in consultation with the Historic Preservation Office of the State of Washington, the Department of the Army, and the City of Vancouver, Washington.

(4) The general management plan shall be developed in accordance with the specific findings and recommendations of the Vancouver Historic Reserve Report, along with any other considerations not otherwise in conflict with the Report, and shall include at a minimum a statement of purpose, an interpretive plan, and an economic plan for Pearson Field.

(c) NO LIMITATION ON FAA AUTHORITY.—The establishment of the Reserve shall not limit—

(1) the authority of the Federal Aviation Administration over air traffic control, or aviation activities at Pearson Airpark; or

(2) limit operations and airspace in the vicinity of Portland International Airport.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$400,000 per year for operational costs for each fiscal year following enactment of this Act and \$5,000,000 for development costs.

PURPOSE OF THE MEASURE

The purposes of S. 1127 are to establish the Vancouver National Historic Reserve in the State of Washington and to create a partnership among member agencies to coordinate preservation, management and use of the reserve.

BACKGROUND AND NEED

Significant events in the history and development of the Pacific Northwest and the United States in general have occurred in the Vancouver, Washington area. A particularly rich collection of cultural resources is located adjacent to the Columbia River. These resources include Fort Vancouver National Historic Site, Vancouver Barracks, Pearson Airpark, the Columbia Riverfront, and the site of the original Kaiser Shipyards. In 1990, Congress passed legislation authorizing the creation of a Vancouver Historical Study Commission and directed the Commission to determine the feasibility of establishing a Vancouver National Historical Reserve. The Commission completed a feasibility study and an environmental assessment in 1993. The Commission's study selected creation of a National Historical Reserve as the best management strategy for protecting resources within the study area. S. 1127, if enacted, would establish the reserve in accordance with the study.

The Hudson Bay Company founded Fort Vancouver in 1825 as part of their fur trade operation. In 1948, Congress established Fort Vancouver National Monument as a unit of the National Park System. In 1961, legislation changed the site's designation to national historic site and authorized a maximum additional acreage. This legislation also provided for the acquisition of non-Federal lands to be added to the historic site.

The National Park Service entered into an offer-to-sell agreement with the city of Vancouver to purchase the western portion of the then Pearson Airport so that the site of the Fort Vancouver stockade and immediately adjacent area would be encompassed within the historic site. This 1972 purchase agreement included city-reserved rights for the continued operation of Pearson Airport for 30 years (2002). In 2002, airport operations are to cease, and the National Park Service intends to remove activities deemed to be incompatible with the purposes of the historic site. The historic site consists chiefly of reconstructed buildings and archaeological features associated with the Fort's operation.

Vancouver Barracks, also included in the proposed Reserve, served as the principle administrative outpost of the U.S. Army in the Pacific Northwest from its founding in 1849 until World War I. The Barracks supported U.S. military activities ranging from the Indian wars of the late nineteenth century to providing major fa-

cilities for support of U.S. military ventures throughout the Pacific during the Spanish American and two World Wars. The history and significance of Officers Row and Pearson Airpark are primarily related to their functions as part of the Barracks' military operations. Vancouver Barracks has been determined eligible for the National Register of Historic Places, and Officers Row has been separately listed on the National Register; the eligibility of Pearson Airpark, either individually or as a component of the Barracks has yet to be determined.

Other elements to be included are the Kaiser Shipyards and the Columbia River waterfront, significant for recreation and open space values.

The recommended reserve area encompasses some 366 acres, the majority of which are currently in public ownership, including lands managed by the National Park Service, U.S. Army, State of Washington, and City of Vancouver.

LEGISLATIVE HISTORY

Senators Gorton and Murray introduced S. 1127 on August 7, 1995. The Subcommittee on Parks, Historic Preservation, and Recreation held a hearing on the bill on December 12, 1996 (S. Hrg. 104-432). During the 103rd Congress, a similar measure, H.R. 4607 was introduced in the House and ultimately incorporated into a larger national heritage areas bill, H.R. 5044. H.R. 5044 passed the House on October 5, 1994 and was referred to the Senate but no further action was taken. At the business meeting on September 12, 1996, the Committee on Energy and Natural Resources ordered S. 1127 favorably reported, as amended.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on September 12, 1996, by a unanimous voice vote of a quorum present, recommends that the Senate pass S. 1127.

COMMITTEE AMENDMENT

During the consideration of S. 1127, the Committee adopted an amendment in the nature of a substitute. The amended bill eliminates the section of the original bill authorizing and describing the structure and responsibilities of the Vancouver National Historic Reserve Partnership.

The substitute states that the Reserve will be administered through a general management plan, approved by the Secretary of the Interior and the Secretary of the Army. The amendment states that the general management plan will be developed by a partnership comprised of a representative of the National Park Service, a representative of the Historic Preservation Office of the State of Washington, a representative of the Department of the Army, and a representative of the city of Vancouver, Washington. In the original bill, the development of a general management plan had been the responsibility of the Vancouver National Heritage Partnership.

The amendment contains language clarifying that the establishment of the Reserve will not limit the authority of the Federal Aviation Administration over air traffic control or aviation activi-

ties at Pearson Airpark, or limit operations and airspace in the vicinity of Portland International Airport.

The amended bill specifies the level of appropriations to be authorized: \$400,000 per year for operating costs for each fiscal year following enactment of the Act and \$5 million for development costs.

SECTION-BY SECTION ANALYSIS

Section 1 titles the bill the “Vancouver National Historic Reserve Act of 1995.”

Section 2(a) establishes the Vancouver National Historic Reserve in the State of Washington as described in a report.

Section 2(b)(1) directs that the Reserve be administered through a general management plan, to be approved by the Secretary of the Interior and the Secretary of the Army.

Section 2(b)(2) directs that the plan be completed within three years.

Section 2(b)(3) directs that the plan be prepared by the Secretary of the Interior, in consultation with the Historic Preservation Office of the State of Washington, the Secretary of the Army, and the city of Vancouver, Washington.

Section 2(b)(4) directs the management plan be developed in accordance with findings and recommendations in the Vancouver Historic Reserve Report, and include a statement of purpose, and interpretive plan, and an economic plan for Pearson Field.

Section 2(c) states that the establishment of the reserve shall not limit the authority of the Federal Aviation Administration over air traffic control or operations.

Section 2(d) authorizes an appropriation of \$400,000 per year for operational costs and a one-time appropriation of \$5,000,000 for development costs.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 18, 1996.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 1127, the Vancouver National Historic Reserve Act of 1995, as reported by the Senate Committee on Energy and Natural Resources on September 16, 1996. CBO estimates that, subject to the appropriation of the authorized funds, S. 1127 would increase outlays of the federal government by about \$7 million over the 1997–2002 period. Enacting S. 1127 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

S. 1127 would establish the Vancouver National Historic Reserve in the state of Washington and require that the Department of the Interior develop a plan to administer the reserve within three

years of enactment. The plan would be developed in accordance with the findings and recommendations of the Vancouver Historic Reserve Report, which was required by Public Law 101-523 and approved by the Department of the Army. The bill would authorize the appropriation of \$0.4 million each year for operational costs and \$5 million for development costs.

In addition, S. 1127 contains no private-sector or intergovernmental mandates as defined in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4) and would have no impact on the budgets of state, local, or tribal governments. Some of the funds that would be authorized by this bill may be used by the Secretary of the Interior to assist the state of Washington and the city of Vancouver, Washington in developing and operating their historical resources within the reserve.

If you with further details on this estimate, we will be pleased to provide them. the CBO staff contact is John R. Righter.

Sincerely,

JUNE E. O'NEILL, *Director.*

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 1127. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 1127, as ordered reported.

EXECUTIVE COMMUNICATIONS

On September 13, 1996, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendations on S. 1127. These reports had not been received at the time the report on H.R. 1127 was filed. When these reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate.

PREPARED STATEMENT OF DENIS P. GALVIN, ASSOCIATE DIRECTOR FOR PROFESSIONAL SERVICES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

S. 1127. Vancouver National Historic Reserve

S. 1247 would establish the Vancouver National Historic Reserve. We support this bill with some modifications. The Vancouver, Washington, area is rich in cultural and historic resources which merit national recognition, protection, and commemoration. If enacted, the bill would establish the historic reserve, consisting of approximately 366 acres of publicly owned land, which includes Fort Vancouver National Historic Site and other public lands. The

operational entity of the historic reserve would be the Vancouver National Historic Reserve Partnership.

Technically, the proposed historical reserve would not be considered a national heritage area under the criteria established in S. 1110. However, the bill would help to address the unique requirements of cooperative management between the NPS, the City of Vancouver, Department of the Army, and the State of Washington. Although we support designation of the historic reserve, we believe the establishment of the reserve partnership is unnecessary. Instead we would recommend that management of the historic reserve be accomplished through a Memorandum of Agreement (MOA) such as the 1994 agreement between the NPS and the City of Vancouver.

For over two years, a representative of the National Park Service served on the Vancouver Historic Study Commission, charged by Congress to determine the feasibility of establishing a Vancouver National Historic Reserve for the area. Its 1993 final study report is the basis for this legislation. We believe the establishment of a Vancouver National Historic Reserve will enhance interagency cooperation in this area and implement the principal findings of the 1993 commission study.

We support the continued presence of historical aircraft at Pearson Field that are directly associated with the museum function at Pearson. However, we are concerned about the definition of "historic aircraft" as included in the bill. We recommended that the definition in Sec. 3 include the words "as of 1995" to require historic aircraft to be 50 years old or older "as of 1995". This definition is consistent with the interwar era for which the Pearson Field is historically significant. We are concerned that the definition included in the bill would result in an "open-ended" historic period, with currently operating aircraft qualifying as historic aircraft by the year 2022.

Finally, we also recommend that Sec. 9(a)(3) be amended to add the words "in accordance with Federal Aviation Administration standards and requirements" after the words "in navigation and safety".

CONCLUSION

Another general concern is that although we believe the heritage areas and corridors discussed in this testimony are important concepts, you need to be aware that if they are authorized and implemented, existing NPS programs may have to be restricted by necessity because of limited overall funding levels.

The Administration is prepared to work with the subcommittee to promote a heritage areas partnership program that will be of the greatest value to those responsible for creating and managing heritage areas and that will ensure the strongest and most successful program possible. This completes my comments. I am prepared to answer

any questions which you or members of the committee may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 1127, as ordered reported.

