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### STE. GENEVIEVE NATIONAL HISTORICAL PARK ESTABLISHMENT ACT OF 2016

SEPTEMBER 6, 2016.—Ordered to be printed

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

#### R E P O R T

[To accompany S. 2954]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2954) to establish the Ste. Genevieve National Historical Park in the State of Missouri, and for other purposes, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and an amendment to the title and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. Amend the title so as to read: “A bill to establish the Ste. Genevieve National Historical Park in the State of Missouri, and for other purposes.”.

2. Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Ste. Genevieve National Historical Park Establishment Act of 2016”.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) HISTORIC DISTRICT.—The term “Historic District” means the Ste. Genevieve Historic District National Historic Landmark, as generally depicted on the Map.

(2) HISTORICAL PARK.—The term “Historical Park” means the Ste. Genevieve National Historical Park established by section 3(a).

(3) MAP.—The term “Map” means the map entitled “Ste. Genevieve National Historical Park Proposed Boundary”, numbered 571/132,626, and dated May 2016.

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

(5) SPECIAL RESOURCE STUDY.—The term “special resource study” means the study entitled “Ste. Genevieve Final Special Resources Study and Environmental Assessment, Missouri” and dated May 2016.

(6) STATE.—The term “State” means the State of Missouri.

**SEC. 3. ESTABLISHMENT OF THE STE. GENEVIEVE NATIONAL HISTORICAL PARK.****(a) ESTABLISHMENT.—**

(1) IN GENERAL.—Subject to paragraph (2), there is established the Ste. Genevieve National Historical Park in the State as a unit of the National Park System to preserve, protect, and interpret for the benefit of present and future generations the themes of French settlement, vernacular architecture, and community form and farming on the frontier associated with Ste. Genevieve.

(2) CONDITIONS FOR ESTABLISHMENT.—The Historical Park shall not be established until the date on which the Secretary determines that—

(A) sufficient land has been acquired for the Historical Park to constitute a manageable unit; and

(B) the Secretary has entered into a written agreement providing that land owned by the State, the City of Ste. Genevieve, or other entity within the Historic District shall be managed consistent with the purposes of this Act.

(b) BOUNDARIES.—The boundaries of the Historical Park shall be the boundaries generally depicted on the Map.

(c) AVAILABILITY OF MAP.—The Map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

**(d) ACQUISITION AUTHORITY.—**

(1) IN GENERAL.—The Secretary may acquire any land or interest in land located within the boundary of the Historical Park or any nationally significant property identified in the special resource study within the Historic District by—

(A) donation;

(B) purchase with donated or appropriated funds; or

(C) exchange.

(2) BOUNDARY REVISION.—On the acquisition of any property within the Historic District under paragraph (1), the Secretary shall revise the boundary of the Historical Park to include the property.

**(e) ADMINISTRATION.—**

(1) IN GENERAL.—The Secretary shall administer the Historical Park in accordance with—

(A) this Act; and

(B) the laws generally applicable to units of the National Park System, including—

(i) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code; and

(ii) chapter 3201 of title 54, United States Code.

**(2) MANAGEMENT PLAN.—**

(A) IN GENERAL.—Not later than 3 years after the date on which funds are made available to prepare a general management plan for the Historical Park, the Secretary shall prepare the general management plan in accordance with section 100502 of title 54, United States Code.

(B) SUBMISSION TO CONGRESS.—On completion of the general management plan under subparagraph (A), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the general management plan.

(3) RELATED SITES.—The Secretary may provide interpretative tours and educational programs at related historic and cultural sites within the Historic District associated with the purposes for which the Historical Park is established.

**(f) COOPERATIVE AGREEMENTS.—**

(1) IN GENERAL.—The Secretary may provide technical assistance and enter into cooperative agreements with the owner of a nationally significant property within the Historical Park or the Historic District, to identify, mark, interpret, improve, and restore the property.

(2) RIGHT OF ACCESS.—A cooperative agreement entered into under paragraph (1) shall provide that the Secretary, acting through the Director of the National Park Service, shall have the right of access at all reasonable times to all public portions of the property covered by the agreement for the purposes of—

(A) conducting visitors through the property; and

(B) interpreting the property for the public.

**(3) COST-SHARING REQUIREMENT.—**

(A) FEDERAL SHARE.—The Federal share of the total cost of any activity carried out under a cooperative agreement entered into under this subsection shall be not more than 50 percent.

(B) FORM OF NON-FEDERAL SHARE.—The non-Federal share of an activity carried out under a cooperative agreement entered into under this sub-

section may be in the form of donated property, goods, or services fairly valued.

(4) CHANGES OR ALTERATIONS.—No changes or alterations shall be made to any property or project covered by a cooperative agreement entered into under paragraph (1) unless the Secretary and the other party to the agreement agree to the changes or alterations.

(5) CONVERSION, USE, OR DISPOSAL.—Any payment by the Secretary under this subsection shall be subject to an agreement that the conversion, use, or disposal of a property or project for purposes contrary to the purposes of this section, as determined by the Secretary, shall entitle the United States to reimbursement in any amount equal to the greater of—

(A) the amounts made available to the property or project by the United States; or

(B) the portion of the increased value of the property or project attributable to the amounts made available under this subsection, as determined at the time of the conversion, use, or disposal.

(g) LIMITED ROLE OF THE SECRETARY.—Nothing in this Act authorizes the Secretary to assume overall financial responsibility for the operation, maintenance, or management of the Historic District.

#### PURPOSE

The purpose of S. 2954 is to establish the Ste. Genevieve National Historical Park in the State of Missouri.

#### BACKGROUND AND NEED

Ste. Genevieve was founded circa 1750 by French Canadian settlers, most of whom came from earlier settlements just across the Mississippi in present-day Illinois. Though resources such as salt and lead attracted settlers to the west side of the Mississippi, the rich soil was the greatest draw. Ste. Genevieve was primarily an agricultural settlement, with free and enslaved residents working in the *Grand Champ*, or Common Field, a large area of privately held, long agricultural lots surrounded by one large fence.

After a series of floods, the most severe of which occurred in 1785, the town was moved inland approximately three miles, to where it stands today. Residents continued to work the Common Field, which though smaller, is still cultivated today. Ste. Genevieve became a hub of trade. Following the Revolutionary War, there was an influx of British Americans that intensified following the Louisiana Purchase, expanding the village. Ste. Genevieve retains many of its historic buildings, landscapes, and community characteristics.

Ste. Genevieve is one of the oldest National Historic Landmark districts in the country. When a portion of the district was initially designated as such in 1960, it was recognized for the unique concentration of French vertical log architecture—the largest extant collection of this architecture in North America. The most notable feature of French vernacular log architecture is the use of logs vertically, rather than horizontally, as seen in buildings in the frontier settlements of people of other ethnic European extractions. With new research and an expanded understanding of French settlement in the mid-Mississippi “Illinois Country,” new resources have been identified and the nationally significant district encompasses much of the City of Ste. Genevieve and agricultural landscapes and archeological sites in Ste. Genevieve County.

#### LEGISLATIVE HISTORY

S. 2954 was introduced by Senators Blunt and McCaskill on May 19, 2016. The Subcommittee on National Parks held a hearing on S. 2954 on June 15, 2016.

Representative Smith introduced similar legislation, H.R. 5305, in the House of Representatives on May 23, 2016, which was referred to the House Committee on Natural Resources.

The Committee on Energy and Natural Resources met in open business session on July 13, 2016, and ordered S. 2954 favorably reported as amended.

#### COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on July 13, 2016, by a majority voice vote of a quorum present, recommends that the Senate pass S. 2954, if amended as described herein.

#### COMMITTEE AMENDMENTS

During its consideration of S. 2954, the Committee adopted an amendment in the nature of a substitute and an amendment to the title. The substitute amendment designates the site as a national historical park and makes other clarifying and conforming changes.

The substitute amendment is explained in detail in the section-by-section analysis, below.

#### SECTION-BY-SECTION ANALYSIS

*Section 1. Short title*

Section 1 contains the short title.

*Section 2. Definitions*

Section 2 defines key terms.

*Section 3. Establishment of the Ste. Genevieve National Historical Park*

Section 3(a) establishes the Ste. Genevieve National Historical Park in the State of Missouri as a unit of the National Park System. The establishment of the Ste. Genevieve Historical Park is conditioned on the Secretary determining that sufficient land has been acquired for the Historical Park to constitute a manageable unit and entering into a written agreement providing that land owned by the State, the City of Ste. Genevieve, or other entity within the Historic District shall be managed consistent with the purposes of the Act.

Subsection (b) establishes the boundaries of the Historical Park as generally depicted on the referenced map.

Subsection (c) requires that the map be on file and available for public inspection in the appropriate offices of the National Park Service.

Subsection (d) authorizes the Secretary to acquire any land or interest in land within the boundary of the Historical Park or any nationally significant property identified in the special resource study within the Historic District by donation, purchase with donated or appropriated funds, or exchange. Upon acquisition of any

property within the Historic District, the Secretary is directed to revise the boundary of the Historical Park to include the property.

Subsection (e) requires the Secretary to administer the Historical Park in accordance with this Act and applicable law. The Secretary is further directed to prepare the general management plan within three years of receiving funding and to submit the general management plan to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

Subsection (f) authorizes the Secretary to provide technical assistance and enter into cooperative agreements with the owner of a nationally significant property within the Historical Park or the Historical District to identify, mark, interpret, improve, and restore the property. Cooperative agreements shall provide access, at reasonable times, to public portions of the property, for the purposes of conducting visitors through the property and interpreting the property for the public. The Federal cost share of this agreement is limited to 50 percent. The non-Federal share of an activity carried out under a cooperative agreement may be in the form of donated property, goods, or services rendered. No changes or alterations shall be made to any property or project covered by a cooperative agreement entered into unless the Secretary and the other party to the agreement concur with the changes or alterations.

Subsection (g) states that nothing in the Act authorizes the Secretary to assume overall financial responsibility for the operation, maintenance, or management of the Historic District.

#### COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office estimate of the costs of this measure has been requested but was not received at the time the report was filed. When the Congressional Budget Office completes the cost estimate, it will be posted on the internet at [www.cbo.gov](http://www.cbo.gov).

#### 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. 2954. 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. 2954, as ordered reported.

#### CONGRESSIONALLY DIRECTED SPENDING

S. 2954, as ordered reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

## EXECUTIVE COMMUNICATIONS

The testimony received from the National Park Service on the June 15, 2016, Subcommittee on National Parks hearing on S. 2954 follows:

**STATEMENT OF DR. STEPHANIE TOOTHMAN, ASSOCIATE DIRECTOR, CULTURAL RESOURCES, PARTNERSHIPS AND SCIENCE, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR**

Mr. Chairman and members of the subcommittee, thank you for the opportunity to present the views of the Department of the Interior on S. 2954, a bill to authorize the Secretary of the Interior to establish the Ste. Genevieve National Historic Site in the State of Missouri, and for other purposes.

The Department supports S. 2954 with amendments.

This legislation would establish the Ste. Genevieve National Historic Site as a unit of the National Park System to preserve, protect, and interpret for the benefit of present and future generations the themes of French settlement, vernacular architecture, and community form and farming on the frontier associated with Ste. Genevieve. It would authorize the Secretary of the Interior to acquire approximately thirteen acres of land for the historic site and other significant related sites within the surrounding historic district. This bill also authorizes the Secretary of the Interior to provide interpretive tours and education programs within the historic district. Finally, it would also authorize the secretary to provide technical assistance and to enter into cooperative agreements to preserve significant sites related to the purposes of the park.

Ste. Genevieve is one of the oldest National Historic Landmark districts in the country. When initially designated it was recognized for the unique concentration of French vertical log architecture. Since then, research has identified the national significance of not only the large and rare collection of French vernacular vertical log houses, but also the contemporaneous examples of British American and German American architecture that contribute to the compelling historical associations with French exploration and settlement of the United States' interior in the late 18th and early 19th century. There is no comparably protected or managed area interpreting these themes.

The boundary of the Historic Site is encompassed by the Ste. Genevieve Historic District and National Historic Landmark, which includes lands between State Highways 61 and 31 and the Mississippi River. The National Historic Landmark, one of the oldest, was established on October 9, 1960. The proposed historic site includes a mix of privately and publicly-owned parcels. The State of Missouri owns many of those properties and could transfer them to NPS ownership by donation. Private properties may be ac-

quired over time through donation or purchase from willing sellers as funding allows.

The Ste. Genevieve Special Resource Study and Environmental Assessment estimated the annual cost to operate the site would be \$800,000 to \$1.2 million per year, which is comparable to other national historic sites. This operational budget would primarily fund a NPS staff of 6–12 FTE, for interpretive and educational programs, and outreach. The additional facilities and properties will increase park operational and maintenance costs, but the amount will depend on the number of facilities acquired and their condition. Additional funds for maintenance, repairs and capital improvements would be awarded through the NPS competitive process, subject to service-wide priorities and the availability of appropriations.

There is widespread support for the establishment of the historic site. The National Park Service received letters of support for the establishment of Ste. Genevieve National Historic Site from the City of Ste. Genevieve, the County Commission of Ste. Genevieve, the Foundation for the Restoration of Ste. Genevieve, Les Amis, the Missouri Parks Association, the National Society Colonial Dames of America in the State of Missouri, the New Bourbon Regional Port Authority, the Sierra Club (Eastern Missouri Group), the State Historical Society of Missouri, Ste. Genevieve Chamber of Commerce, the Ste. Genevieve Downtown Renewal Project, the Ste. Genevieve Museum, and the Ste. Genevieve Tourism Tax Commission.

We recommend two amendments to the bill. First, we recommend that the language for cooperative agreements in § 3(f) of the bill be revised to authorize the Secretary to enter into an agreement for a project related to the management of the historic site in addition to an agreement to identify, mark, interpret, improve, or restore a “property” within the historic district or site. Cooperative agreements may include the expenditure of federal funds to help maintain a property, but also may be provided for projects such as interpretive signage or other informational materials found in wayside exhibits. The reference to a “project” assures that the interests of the federal government are protected in all instances where federal funds are provided.

Second, we recommend adding a definition for the special resource study referred to in the bill. This definition is important to determine which nationally properties are being considered for acquisition to the national historic site. The special resource study has an inventory of the properties contributing to the national significance of the study area in Chapter 6. We would be happy to provide the committee with language for our recommended amendments.

Mr. Chairman, this concludes my testimony. I would be happy to answer any questions you or other members of the subcommittee 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 as ordered reported.

