

Calendar No. 679

106TH CONGRESS
2D SESSION**S. 1998****[Report No. 106–340]**

To establish the Yuma Crossing National Heritage Area.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 19, 1999

Mr. MCCAIN (for himself and Mr. KYL) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

JULY 12, 2000

Reported by Mr. MURKOWSKI, with an amendment

[Insert the part printed in *italic*]**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.**

4 This Act may be cited as the “Yuma Crossing Na-
 5 tional Heritage Area Act of 1999”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

1 (1) certain events that led to the establishment
2 of the Yuma Crossing as a natural crossing place on
3 the Colorado River, and to the development of the
4 Yuma Crossing as an important landmark in the
5 westward expansion of the United States during the
6 mid-19th century, are of national historic and cul-
7 tural significance, based on the contribution of those
8 events to the development of the United States;

9 (2) it is in the interest of the United States to
10 promote, preserve, and protect, for the education
11 and benefit of present and future generations, phys-
12 ical remnants of a community that—

13 (A) possesses almost 500 years of recorded
14 history; and

15 (B) has significant cultural, historic, and
16 architectural value;

17 (3) the designation of the Yuma Crossing as a
18 national heritage area would—

19 (A) preserve the history of the Yuma
20 Crossing area;

21 (B) provide related educational opportuni-
22 ties and recreational opportunities;

23 (C) preserve natural resources;

24 (D) optimize the use of riverfront property;

25 and

1 (E) improve the ability of the Yuma region
2 to serve visitors and enhance the local economy
3 through the completion of major projects identi-
4 fied within the Yuma Crossing National Herit-
5 age Area;

6 (4) the Department of the Interior is respon-
7 sible for protecting the cultural and historic re-
8 sources of the United States;

9 (5) the quantity and quality of resources within
10 the Yuma region merit the involvement of the Fed-
11 eral Government in developing programs and
12 projects, in cooperation with the Yuma Crossing Na-
13 tional Heritage Area and other local and govern-
14 mental bodies—

15 (A) to adequately conserve, protect, and in-
16 terpret the heritage of the Yuma region for fur-
17 ther generations; and

18 (B) to provide opportunities for education,
19 revitalization, and economic development;

20 (6) the city of Yuma, the Arizona State Parks
21 Board, agencies of the Federal Government, cor-
22 porate entities, and citizens will complete a study
23 and master plan for the Yuma Crossing that meets
24 established criteria by the National Park Service—

1 (A) to determine the extent of the historic
2 resources present in the Yuma region;

3 (B) to preserve and interpret those historic
4 resources; and

5 (C) to assess the opportunities available to
6 enhance the cultural experience for visitors to
7 and residents of the Yuma region; and

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

12 (b) PURPOSES.—The purposes of this Act are—

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 position of the crossing as
16 an important landmark in the westward expansion of
17 the United States during 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 to preserve almost
21 500 years of recorded history and the outstanding
22 cultural, historic, and architectural assets of the re-
23 gion for the education and benefit of present and fu-
24 ture generations;

1 (3) to foster a close working relationship with
2 all levels of government, the private sector, and the
3 local communities in the Yuma region;

4 (4) to empower the community to simulta-
5 neously conserve the heritage and natural resources
6 of the Yuma region while continuing to pursue eco-
7 nomic opportunities;

8 (5) to provide recreational opportunities for
9 visitors to the Yuma Crossing;

10 (6) to optimize the use of riverfront property;
11 and

12 (7) to improve the ability of the Yuma region
13 to serve visitors and enhance the local economy
14 through the completion of major projects in the Her-
15 itage Area.

16 **SEC. 3. DEFINITIONS.**

17 In this Act:

18 (1) HERITAGE AREA.—The term “Heritage
19 Area” means the Yuma Crossing National Heritage
20 Area established by section 4(a).

21 (2) MANAGEMENT ENTITY.—The term “man-
22 agement entity” means the Yuma Crossing National
23 Heritage Area Board of Directors.

1 (3) MANAGEMENT PLAN.—The term “manage-
2 ment plan” means the management plan for the
3 Heritage Area.

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

6 (5) YUMA REGION.—The term “Yuma region”
7 means the county and city of Yuma, Arizona.

8 **SEC. 4. YUMA CROSSING NATIONAL HERITAGE AREA.**

9 (a) ESTABLISHMENT.—There is established the
10 Yuma Crossing National Heritage Area.

11 (b) BOUNDARIES.—

12 (1) IN GENERAL.—The Heritage Area shall be
13 comprised of those portions of the Yuma region to-
14 taling approximately 21 square miles, bounded—

15 (A) on the west, by the Colorado River (in-
16 cluding the crossing point of the Army of the
17 West);

18 (B) on the east, by Avenue 7E;

19 (C) on the north, by the Colorado River;
20 and

21 (D) on the south, by the 12th Street align-
22 ment.

23 (2) LAND AND RESOURCES.—The boundaries of
24 the Heritage Area described in paragraph (1)
25 encompass—

1 (A) all land, the ownership of which is not
 2 in dispute, that is within the boundaries and lo-
 3 cated in the State of Arizona; and

4 (B) over 150 identified historic, geologic,
 5 and cultural resources.

6 (c) MANAGEMENT ENTITY.—The management entity
 7 for the Heritage Area shall be the Yuma Crossing Na-
 8 tional Heritage Area Board of Directors *which shall in-*
 9 *clude representatives from a broad cross-section of the indi-*
 10 *viduals, agencies, organizations, and governments that have*
 11 *been involved in the planning and development of the Herit-*
 12 *age Area to this point. The management entity should also*
 13 *reflect those who may have an interest in the purposes and*
 14 *objectives of the Heritage Area now and in the future.*

15 **SEC. 5. COMPACT.**

16 (a) IN GENERAL.—To carry out this Act, the Sec-
 17 retary shall enter into a compact with the management
 18 entity.

19 (b) COMPONENTS OF COMPACT.—The compact shall
 20 include information relating to the objectives and manage-
 21 ment of the Heritage Area, including—

22 (1) a discussion of the goals and objectives of
 23 the Heritage Area;

1 (2) an explanation of the proposed approach to
2 conservation and interpretation of the Heritage
3 Area; and

4 (3) a general outline of the protection measures
5 to which the management entity commits.

6 (c) SUBMISSION AND APPROVAL OR DISAPPROVAL OF
7 COMPACT.—

8 (1) SUBMISSION.—The management entity shall
9 submit to the Secretary a proposed compact not
10 later than 1 year after the date of enactment of this
11 Act.

12 (2) APPROVAL OR DISAPPROVAL.—Not later
13 than 90 days after receiving the compact under
14 paragraph (1), the Secretary shall approve or dis-
15 approve the proposed compact.

16 (3) PROCEDURES ON DISAPPROVAL.—

17 (A) IN GENERAL.—If the Secretary dis-
18 approves a proposed compact, the Secretary
19 shall—

20 (i) advise the management entity, in
21 writing, of the reasons for the disapproval;
22 and

23 (ii) make recommendations for revi-
24 sions of the proposed compact.

(B) APPROVAL OR DISAPPROVAL OF REVISIONS.—Not later than 90 days after receiving any proposed revision to a proposed compact from the management entity, the Secretary shall approve or disapprove the proposed revision.

SEC. 6. AUTHORITIES AND DUTIES OF MANAGEMENT ENTITY.

(a) MANAGEMENT PLAN.—

(1) IN GENERAL.—The management entity shall develop a management plan for the Heritage Area, taking into consideration existing State, county, and local plans.

(2) CONTENTS.—The management plan shall include—

(A) comprehensive recommendations for conservation, funding, management, and development of the Heritage Area;

(B) a description of actions to be carried out by units of government and private organizations to protect the resources of the Heritage Area;

(C) a list of specific existing and potential sources of funding to protect, manage, and develop the Heritage Area;

1 (D) an inventory of the resources con-
2 tained in the Heritage Area, including a list of
3 any property in the Heritage Area that—

4 (i) is related to the themes of the
5 Heritage Area; and

6 (ii) should be preserved, restored,
7 managed, developed, or maintained because
8 of the natural, cultural, historical, rec-
9 reational, or scenic significance of the
10 property;

11 (E) a recommendation of policies for re-
12 source management that take into consideration
13 and describe any benefits of the application of
14 appropriate land and water management tech-
15 niques, including the development of intergov-
16 ernmental cooperative agreements to protect the
17 natural, cultural, historical, recreational, and
18 scenic resources of the Heritage Area in a man-
19 ner consistent with supporting appropriate and
20 compatible economic viability;

21 (F) a program for implementation of the
22 management plan by the management entity,
23 including—

24 (i) plans for restoration and construc-
25 tion; and

1 (ii) specific commitments of the iden-
2 tified partners for the first 5 years of oper-
3 ation;

4 (G) an analysis of methods by which Fed-
5 eral, State, and local programs may best be co-
6 ordinated to promote the purposes of this Act;
7 and

8 (H) an interpretation plan for the Heritage
9 Area.

10 (3) SUBMISSION TO SECRETARY.—The manage-
11 ment entity shall submit the management plan to
12 the Secretary for approval not later than 3 years
13 after the date of enactment of this Act.

14 (4) APPROVAL AND DISAPPROVAL OF MANAGE-
15 MENT PLANS.—

16 (A) IN GENERAL.—Not later than 90 days
17 after receiving a management plan under para-
18 graph (3), the Secretary, in consultation with
19 the management entity, shall approve or dis-
20 approve the management plan.

21 (B) PROCEDURES ON DISAPPROVAL.—

22 (i) IN GENERAL.—If the Secretary
23 disapproves the management plan, the Sec-
24 retary shall—

1 (I) advise the management enti-
 2 ty, in writing, of the reasons for the
 3 disapproval; and

4 (II) make recommendations for
 5 revisions of the management plan.

6 (ii) APPROVAL OR DISAPPROVAL OF
 7 REVISIONS.—Not later than 90 days after
 8 receiving any proposed revision to the
 9 management plan from the management
 10 entity, the Secretary shall approve or dis-
 11 approve the proposed revision.

12 (5) AMENDMENTS TO MANAGEMENT PLAN.—
 13 Any substantial amendment to the management
 14 plan—

15 (A) shall be reviewed by the Secretary; and

16 (B) shall not be implemented by the ex-
 17 penditure of funds made available under this
 18 Act until such time as the Secretary approves
 19 the amendment.

20 (b) DUTIES OF MANAGEMENT ENTITY.—In addition
 21 to the responsibilities described in subsection (a), the man-
 22 agement entity shall—

23 (1) give priority to implementing actions set
 24 forth in the compact under section 5 and the man-
 25 agement plan, including actions to assist units of

1 government, regional planning organizations, and
2 nonprofit organizations in preserving the Heritage
3 Area;

4 (2) assist units of government, regional plan-
5 ning organizations, and nonprofit organizations in—

6 (A) establishing and maintaining interpre-
7 tive exhibits in the Heritage Area;

8 (B) developing recreational resources in
9 the Heritage Area;

10 (C) increasing public awareness of and ap-
11 preciation for the natural, cultural, historical,
12 recreational, and scenic resources and sites in
13 the Heritage Area;

14 (D) restoring any historic building relating
15 to the themes of the Heritage Area and

16 (E) ensuring that clear, consistent, and en-
17 vironmentally appropriate signs identifying ac-
18 cess points and sites of interest are installed
19 throughout the Heritage Area;

20 (3) encourage, by appropriate means, economic
21 viability in the Heritage Area consistent with the
22 goals of the management plan;

23 (4) encourage local governments to adopt poli-
24 cies consistent with the management of the Heritage
25 Area and the goals of the management plan;

1 (5) consider the interests of diverse govern-
2 mental, business, and nonprofit groups within the
3 Heritage Area;

4 (6) conduct public meetings at least quarterly
5 regarding the implementation of the management
6 plan; and

7 (7) for any year in which Federal funds are re-
8 ceived under this Act—

9 (A) to make available for audit all records
10 pertaining to the expenditure of the funds and
11 any matching funds; and

12 (B) require, for all agreements authorizing
13 the expenditure of Federal funds by other orga-
14 nizations, that the receiving organizations make
15 available for audit all records pertaining to the
16 expenditure of the funds.

17 (c) USE OF FUNDS.—The management entity may,
18 for the purposes of preparing and implementing the man-
19 agement plan, use funds made available under this Act—

20 (1) to make grants to, and enter into coopera-
21 tive agreements with, States (including political sub-
22 divisions), private organizations, or any person;

23 (2) to hire and compensate staff; and

24 (3) to enter into contracts for goods and serv-
25 ices.

1 (d) PROHIBITION ON THE ACQUISITION OF REAL
2 PROPERTY.—The management entity shall not use Fed-
3 eral funds received under this Act to acquire real property
4 or any interest in real property.

5 (e) FEDERAL FUNDS FROM OTHER SOURCES.—
6 Nothing in this Act prohibits the management entity from
7 using Federal funds from other sources for permitted pur-
8 poses.

9 (f) SPENDING FOR NON-FEDERALLY OWNED PROP-
10 ERTY.—The management entity may use Federal funds
11 received under this Act to carry out activities on property
12 that is not owned by the Federal Government to further
13 the purposes of this Act, especially to assist units of gov-
14 ernment in the appropriate treatment of districts, sites,
15 buildings, structures, and objects that are listed or eligible
16 for listing on the National Register of Historic Places.

17 **SEC. 7. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

18 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—The
19 Secretary may, on request of the management entity, pro-
20 vide technical and financial assistance to the management
21 entity to develop and implement the management plan, in-
22 cluding assistance in actions to—

23 (1) conserve the significant natural, cultural,
24 historical, recreational, and scenic resources that
25 support the themes of the Heritage Area; and

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

4 (b) DOCUMENTATION.—The Historic American
5 Building Survey/Historic American Engineering Record
6 shall conduct any study necessary to document the nat-
7 ural, cultural, historical, recreational, and scenic resources
8 of the Heritage Area.

9 **SEC. 8. TERMINATION OF AUTHORITY.**

10 The authority of the Secretary to make a grant or
11 provide assistance under this Act terminates on September
12 30, 2015.

13 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) IN GENERAL.—There is authorized to be appro-
15 priated to carry out this Act not more than \$1,000,000
16 for any fiscal year, of which not more than a total of
17 \$10,000,000 may be used for the Heritage Area.

18 (b) FEDERAL SHARE.—Federal funds provided under
19 this Act after the date of enactment of this Act shall not
20 exceed 50 percent of the total cost of any assistance or
21 grant provided or authorized under this Act.

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