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YUMA CROSSING NATIONAL HERITAGE AREA BOUNDARY MODIFICATION

APRIL 20, 2006.—Ordered to be printed

Filed under authority of the order of the Senate of April 7, 2006

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

R E P O R T

[To accompany H.R. 326]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 326) to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

PURPOSE OF THE MEASURE

The purpose of H.R. 326 is to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundaries of the heritage area to comprise the riverfront and downtown areas of Yuma.

BACKGROUND AND NEED

Yuma Crossing, located adjacent to the city of Yuma, Arizona, near the confluence of the Gila and Colorado Rivers, is the only natural ford of the Colorado River in southern Arizona. Because of the ford, the Crossing has been a “crossroads” for at least 1,500 years. American Indians used the ford to cross the Colorado. Spanish explorers documented the crossing in the middle of the 16th century. When gold was discovered in California in 1849, Yuma became the point of entry for miners traveling a southern route to California. The Southern Pacific Railway reached Yuma in the

1870s, connecting the southwest to California. Finally, in the twentieth century, Yuma became a stop on the southern transcontinental highway. For these reasons, Yuma Crossing and associated sites were declared a National Historic Landmark in 1966.

The Yuma Crossing National Heritage Area was established in 2000 (Public Law 106–319) to recognize the Crossing’s historic significance and to promote the preservation and economic viability of the area. Based upon an early concept study, the authorizing legislation established a boundary for the heritage area encompassing approximately 22 square miles. Once the heritage area was authorized, the Area’s Board of Directors began to work with local communities on a management plan. During the development of the plan, it became clear that a smaller area would be more appropriate and enjoy more public support. The management plan, completed in July, 2002 and approved by the Secretary of the Interior in December, 2003, recommended a revised boundary.

H.R. 326 would amend section 3(b) of the Yuma Crossing National Heritage Area Act of 2000, Public Law 106–319, to adjust the boundary of the National Heritage Area to reflect the boundaries outlined and approved in the management plan for the heritage area.

LEGISLATIVE HISTORY

H.R. 326 was introduced by Representative Grijalva on January 25, 2005. It was passed by the House by voice vote on November 15, 2005. It was referred to the Committee on Energy and Natural Resources on November 16, 2005.

An identical bill, S. 505 was introduced by Senators Kyl and McCain on March 3, 2005. The Subcommittee on National Parks held a hearing on S. 505 on November 15, 2005. At the business meeting on March 8, 2006, the Committee on Energy and Natural Resources ordered H.R. 326 favorably reported, without amendment, by a unanimous voice vote.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on March 8, 2006, by unanimous voice vote of a quorum present, recommends that the Senate pass H.R. 326, as described herein.

SECTION-BY-SECTION ANALYSIS

Section 1 amends section 3(b) of the Yuma Crossing National Heritage Area Act of 2000 (16 U.S.C. 461 note; Public Law 106–319) to redefine the boundary of the Heritage Area.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office.

H.R. 326—A bill to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area, and for other purposes

H.R. 326 would modify the boundary of the Yuma Crossing National Heritage Area in Arizona to exclude certain private lands. CBO estimates that implementing this legislation would have no impact on the federal budget because the federal government is not expected to acquire or manage the affected properties.

H.R. 326 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

On November 3, 2005, CBO transmitted a cost estimate for H.R. 326, as ordered reported by the House Committee on Resources on October 19, 2005. The two versions of the legislation are identical as are the cost estimates.

The CBO staff contact for this estimate is Matthew Pickford. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

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 H.R. 326. 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 H.R. 326, as ordered reported.

EXECUTIVE COMMUNICATIONS

The views of the Administration on H.R. 326 were included in testimony received by the House Resources Committee at a hearing on the bill on September 29, 2005. This testimony follows:

STATEMENT OF SUE MASICA, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on H.R. 326, a bill to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area.

The Department supports the proposed boundary change which is based on the findings of the 2002 management plan for the National Heritage Area (NHA). We recommend that the bill be amended to include an official map reference similar to the maps used for other National Heritage Areas.

H.R. 326 would amend section 3(b) of the Yuma Crossing National Heritage Area Act of 2000, Public Law 106-319, to adjust the boundary of the National Heritage Area

to reflect the boundaries outlined and approved in the management plan for the heritage area. On September 29, 2005, at a House Subcommittee on National Parks hearing, the Department testified in support of an identical boundary adjustment for this heritage area that was included in H.R. 326, a similar bill.

Yuma Crossing National Heritage Area was authorized by P.L. 106-319, signed on October 19, 2000. The Department supported the legislation to establish the NHA at hearings in both the House and Senate during the 106th Congress. Since establishment, the National Park Service (NPS) has worked with the Yuma Crossing NHA staff and the community to develop the management plan required in the legislation. That plan was completed in July 2002 and approved by the Secretary in December 2003.

Yuma has been a home to Native Americans for nearly 1,500 years, prior to becoming a city at the junction of the Colorado and Gila Rivers. The Spanish “discovered” the area seventy years before the Pilgrims landed at Plymouth Rock. As Americans moved west, Yuma became one of the stopping points for those following gold and fortune as well as a key military post. Yuma also prospered as a port city, then a railroad town, and finally as a link on the first southern transcontinental highway. By the 20th century Yuma continued to rely on water, this time with major government dam and diversion projects on the Colorado River that brought the ability of year-round agricultural production.

The authorizing legislation established a boundary for the heritage area of approximately 22 square miles based upon early studies that showed great potential for natural, cultural and recreational resources within that area. Once the NHA was authorized, work began on the management plan. The plan refined and further developed the concepts outlined in the feasibility study, dividing the NHA into seven districts that feature natural, cultural and recreational resources consistent with the authorizing legislation, incorporating opportunities for economic development, and acknowledging the importance of maintaining residential areas.

At the same time, Yuma Crossing NHA was also aware of the need to ensure that the goals of the management plan could be achieved financially and were acceptable to the entire community. Taking these elements into consideration, the NHA board developed the management plan which included a proposal for a new boundary. The management plan received extensive public involvement and the NHA board used NPS planning models in addition to National Environmental Policy Act and National Historic Preservation Act Section 106 guidelines to develop and analyze their options.

Three alternatives were developed for public involvement and review. H.R. 326 includes the preferred alternative for the new boundary which would continue to meet the intent and goals for which the heritage area was estab-

lished. We recommend that the bill be amended to remove the written description of the boundary adjustment currently in H.R. 326 and to replace it with a map reference that shows the new boundary. NPS produced a map similar to boundary maps for other heritage areas that was used when H.R. 326 was amended. We would be happy to provide the subcommittee with this map. The written description of the boundary adjustment found in the bill, as well as a reference to the map included on page 40 of the “Yuma Crossing National Heritage Area Management Plan”, could be included in the report language for the bill.

We commend the NHA board, members, and partners, as well as the citizens in and around Yuma, Arizona, for their time and commitment to this project. We look forward to continuing to work with them to achieve the goals of the Yuma Crossing National Heritage Area.

That concludes my prepared remarks. I would be pleased 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, changes in existing law made by the Act H.R. 326, as ordered reported, as shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

PUBLIC LAW 106-319

106TH CONGRESS

AN ACT To establish the Yuma Crossing National Heritage Area

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

SEC. 3. YUMA CROSSING NATIONAL HERITAGE AREA.

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

[(b) BOUNDARIES.—The Heritage Area shall be comprised of those portions of the Yuma region totaling approximately 21 square miles, encompassing over 150 identified historic, geologic, and cultural resources, and bounded—

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

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

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

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

(b) BOUNDARIES.—*The Heritage Area shall comprise the lands generally depicted on the map entitled ‘Yuma Crossing National Heritage Area Boundary Adjustment’, numbered 903-80071, and dated October 16, 2005.*