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SENATE

{ REPORT
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GREAT BASIN NATIONAL HERITAGE ROUTE ACT

FEBRUARY 16, 2005.—Ordered to be printed

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

R E P O R T

[To accompany S. 249]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 249) to establish the Great Basin National Heritage Route in the States of Nevada and Utah, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE MEASURE

The purpose of S. 249 is to establish the Great Basin National Heritage Route in the States of Nevada and Utah.

BACKGROUND AND NEED

The Great Basin National Heritage Route includes a wide range of important components of the Western landscape. The Fremont, Shoshone, Utah, and Paiute Indians, the explorers, trappers, miners, farmers, and ranchers all traveled through this area. Some stayed and made their homes here. The attractions of the high desert valleys and mountains were irresistible. They found treasures in this semi-arid region—the soothing green of a mountain stream, the jewel of an alpine lake tucked behind a high ridge, the subtle colors of the landscape washed with wildflowers in a wet year, singed with earth tones in a drought. Aspects of pre-historic, pioneer, mining, and World War II era internment camps are all present along the Great Basin National Heritage Route.

Islands of diversity rising into the sky, the mountains of the Great Basin are surrounded by a sea of desert. The elevation change is sometimes more than a mile from valley floor to mountain top. Sagebrush and greasewood in the valleys give way to juniper and pinyon forests in the foothills. Bristlecone Pines—some

more than 3,000 years old—and other tall timber grow on high peaks.

The Great Basin Heritage Area Partnership is a grass roots organization incorporated as a non-profit organization in the States of Nevada and Utah. It works toward preserving the heritage of that central area of the Great Basin which includes Millard County, Utah; White Pine County, Nevada; the Duckwater Shoshone Reservation; and the Ely Shoshone Reservation.

The Great Basin contains a nationally distinct landscape defined by patterns of human activity within spectacular natural resources. Its history, cultural, natural and recreational resources are of national importance. Establishment of the Great Basin Heritage Route will assist in the preservation and interpretation of the area's unique and important resources for the benefit of all Americans.

LEGISLATIVE HISTORY

S. 249 was introduced by Senators Reid, Bennett, and Ensign on February 1, 2005. During the 108th Congress, the Committee considered identical legislation, S. 840. S. 840 was introduced by Senators Reid, Bennett, Ensign, and Hatch on April 9, 2003. The text of S. 840 was incorporated into S. 1521, which passed the Senate by unanimous consent on December 7, 2004. The House of Representatives did not consider the bill prior to the *sine die* adjournment of the 108th Congress.

At a business meeting on February 9, 2005, the Committee on Energy and Natural Resources ordered S. 249 favorably reported.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in an open business session on February 9, 2005, by a unanimous voice vote of a quorum present, recommends that the Senate pass S. 249.

SECTION-BY-SECTION ANALYSIS

Section 1 entitles the bill "Great Basin National Heritage Route Act."

Section 2 sets forth congressional findings.

Section 3 defines key terms in the Act.

Section 4 establishes the Great Basin National Heritage Route Act and describes the counties and reservation within the States of Utah and Nevada to be included within the Heritage Route. This section also designates the Great Basin Heritage Route Partnership as the management entity and describes the composition of the Board of Directors.

Section 5 describes the memorandum of understanding to be entered into by the Secretary of the Interior with consultation from Governors of the States of Utah and Nevada, tribal governments of Indian tribes and the management entity.

Subsection (b) describes inclusions within the memorandum including a description of the Heritage Route, goals and objectives, management entity, statements of the financial commitment of partners, and the roles of the States of Nevada and Utah for management of the Heritage Route.

Subsection (c) requires the Secretary of the Interior (Secretary) provide for local participation in developing the memorandum.

Subsection (d) defines procedures for amendments to the memorandum of understanding.

Section 6 requires the management entity to prepare a management plan for the Heritage Route and sets forth elements of the plan.

Subsection (d) sets forth requirements and deadlines for the submission, approval or disapproval, and amendment of the proposed management of the plan.

Section 7 sets forth the authorities and duties of the management entity.

Section 8 states that the Secretary may provide technical and financial assistance upon request by the management entity for development and implementation of the management plan. Priority will be given to actions that facilitate conservation of significant resources and for opportunities consistent with the resources of the heritage area.

Section 9 states that the Act does not grant any Federal agency regulatory authority and will have no effect on the authority of any local, State or Federal Government to regulate land use or environmental quality designations as provided for by law.

Section 10 authorizes to be appropriated \$1 million to carry out this Act, with no more than \$1 million authorized to be appropriated in any given fiscal year. The Federal share may not exceed 50 percent of the total costs of any given activity.

Section 11 terminates the authority to assist the management entity 15 years after the date of enactment.

COST AND BUDGETARY CONSIDERATIONS

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

FEBRUARY 14, 2005.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 249, the Great Basin National Heritage Route Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Lisa Cash Driskill.

Sincerely,

DOUGLAS HOLTZ-EAKIN.

Enclosure.

S. 249—Great Basin National Heritage Route Act

S. 249 would establish the Great Basin National Heritage Route through Nevada and Utah and would designate the Great Basin Heritage Route Partnership as the managing entity for the area. The nonprofit corporation would be responsible for developing and implementing a management plan for the protection, development, and management of cultural and other area resources. Finally, the legislation would authorize the appropriation of \$10 million, not to

exceed \$1 million annually, for technical and financial assistance to the partnership over the next 15 years.

Assuming appropriation of the authorized amounts, CBO estimates that implementing S. 249 would cost \$10 million over the next 10 to 15 years. Such amounts would be used to cover a portion of the costs of planning, establishing, operating, and interpreting the heritage area. Enacting this legislation would have no effect on revenues or direct spending.

S. 249 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.

The CBO staff contact for this estimate is Lisa Cash Driskill. The 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 S. 249.

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. 249.

EXECUTIVE COMMUNICATIONS

On February 9, 2005, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior setting forth executive views of S. 249. These views had not been received at the time this report was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate.

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. 249 as ordered reported.