

## Calendar No. 639

106TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
106-321

### GOLDEN SPIKE RAIL STUDY

---

JUNE 27, 2000.—Ordered to be printed

---

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

### REPORT

[To accompany H.R. 2932]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 2932) to direct the Secretary of the Interior to conduct a study of the Golden Spike/Crossroads of the West National Heritage Area Study Area and to establish the Crossroads of the West Historic District in the State of Utah, 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. 2932 is to direct the Secretary of the Interior to conduct a study of the Golden Spike/Crossroads of the West National Heritage Area Study Area, and to establish the Crossroads of the West Historic District in the State of Utah.

#### BACKGROUND AND NEED

Utah's railway industry played a significant part in America's expansion into the West. H.R. 2932 directs the Secretary of the Interior to conduct a study in northern Utah of the national significance of the intercontinental railway as an integral part of American history, and the designation of this area as a National Heritage Area. The Secretary must submit a report on the study within 3 years.

H.R. 2932 also establishes the Crossroads of the West Historic District in the City of Ogden, Utah. The Secretary is authorized to make grants and enter into cooperative agreements with State, local, and non-profit entities for the development of a plan for the historic district. The Secretary is also authorized to provide financial assistance to restore and improve this historic infrastructure,

provide technical assistance, and mark and provide interpretation of properties within the District. The measure stipulates that no more than \$1 million for any fiscal year and \$5 million dollars total may be appropriated to carry out the purposes of this legislation. Furthermore, federal funding may not exceed 50 percent of the total cost of any activity carried out with these funds.

#### LEGISLATIVE HISTORY

H.R. 2932 passed the House of Representatives on May 2, 2000. A similar bill, S. 1685, was introduced by Senator Bennett on October 4, 1999. Testimony from witnesses on this legislation was included in the record of the hearing held by the Subcommittee on National Parks, Historic Preservation, and Recreation on May 25, 2000. At its business meeting on June 7, 2000, the Committee on Energy and Natural Resources ordered H.R. 2932 favorably reported.

#### COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Committee on Energy and Natural Resources, in open business session on June 7, 2000, by a unanimous vote of a quorum present, recommends that the Senate pass H.R. 2932.

#### SECTION-BY-SECTION ANALYSIS

*Section 1(a)* defines the term “Golden Spike Rail Study” as the Golden Spike Rail Feasibility Study, Reconnaissance Survey, Ogden, Utah to Golden Spike National Historic Site, National Park Service, 1993; the term “Secretary” as the Secretary of the Interior; and the term “Study Area” as the Golden Spike/Crossroads of the West National Heritage Area Study Area, the boundaries of which are described in subsection (d).”

Subsection (b) directs the Secretary to conduct a study of the Study Area to provide information regarding its natural, historical, and cultural resources, to determine whether there is community support for the concept of a heritage area, and whether a potential management entity for the Heritage Area exists.

Subsection (c) requires the Secretary, in conducting the study, to consult with the State Historic Preservation Officer, the State Historical Society, and other appropriate organizations, and to use previously completed materials, including the Golden Spike Rail Study.

Subsection (d) states that the study area shall be comprised of sites relating to the completion of the first transcontinental railroad in the State of Utah, concentrating on areas identified on the map included in the Golden Spike Rail Study.

Subsection (e) requires the Secretary to submit a report to Congress on the findings and conclusions of the study within 3 years of the date that funds are made available to conduct the study.

Subsection (f) authorizes the appropriation of sums necessary to carry out the study.

*Section 2(a)* describes the purposes of section 2, which are to preserve and interpret certain historic and cultural lands and edifices and to enhance cultural and compatible economic redevelopment within the Crossroads of the West Historic District.

Subsection (b) provides definitions for terms used in section 2.

Subsection (c) establishes the Crossroads of the West Historic District in the City of Ogden, Utah and designates the district's boundaries.

Subsection (d) authorizes the Secretary to make grants and enter into cooperative agreements with the State of Utah, local governments, and nonprofit entities to prepare and implement a plan for the development of historic, architectural, natural, and interpretive resources within the District. The Secretary may not pay more than 50 percent of the costs associated with preparation or implementation of the plan.

Subsection (e) authorizes the Secretary to enter into cooperative agreements to restore, repair, rehabilitate, and provide technical assistance with respect to historic infrastructure, and to mark and provide interpretation of historic properties. The Secretary may not pay more than 50 percent of the cost of restoring, repairing, rehabilitating, or improving historic infrastructure, and may consider the donation of property, services, or goods from a non-Federal source as a contribution of funds. Cooperative agreements must provide the Secretary with a right to access the properties, require the Secretary's approval for any change or alteration in the property, and provide for compensation to the Federal Government if the property is converted to a use that is contrary to the purposes of this section.

Subsection (f) authorizes the appropriation of \$5 million, with a \$1 million limit for any fiscal year to carry out the purposes of this section.

#### 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, June 13, 2000.*

Hon. FRANK H. MURKOWSKI,  
*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 H.R. 2932, the Golden Spike/Crossroads of the West National Heritage Area Act of 1999.

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

Sincerely,

BARRY B. ANDERSON  
(For Dan L. Crippen, Director).

Enclosure.

*H.R. 2932—Golden Spike/Crossroads of the West National Heritage Area Act of 1999*

Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 2932 would cost the federal government \$5.25 million over the 2001–2005 period. The act would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. H.R. 2932 contains no private-sector or intergovernmental mandates as defined in the Unfunded Mandates

Reform Act and would impose no significant costs on state, local, or tribal governments. Any costs to the state of Utah or local jurisdictions in that state would be incurred voluntarily.

H.R. 2932 would establish the Crossroads of the West Historic District in the city of Odgen, Utah. The act would authorize the National Park Service (NPS) to make grants to or execute cooperative agreements with the state, local governments, or nonprofit groups under which the federal government would pay one-half of the cost of developing a plan for the district and implementing interpretive projects. The NPS also would be authorized to enter into cooperative agreements with these parties to finance one-half of the cost of restoring or repairing historic properties and to provide technical assistance and interpretive materials. For these purposes, the legislation would authorize the appropriation of \$1 million annually, up to a total of \$5 million.

The act also would direct the NPS to conduct a study of the Golden Spike/Crossroads area of the new historic district. The three-year study would establish the suitability of this site for interpretation by the agency. Based on information from the NPS, we estimate this study would cost \$250,000 over the 2001–2003 period.

On April 12, 2000, CBO transmitted a cost estimate for H.R. 2932 as ordered reported by the House Committee on Resources. The two versions of the legislation are identical, as are the cost estimates.

The CBO staff contacts for this estimate are Deborah Reis (for federal costs) and Majorie Miller (for the state and local impact). 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. 2932. 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. 2932, as ordered reported.

#### EXECUTIVE COMMUNICATIONS

On May 23, 2000, 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 H.R. 2932. These reports had not been received at the time the report on H.R. 2932 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. The testimony provided by the National Park Service at the Subcommittee hearing follows:

STATEMENT OF KATHERINE STEVENSON, ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES STEWARDSHIP AND PARTNERSHIPS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you to present the position of the Department of the Interior on S. 1685, which authorizes the Golden Spike/Crossroads of the West National Heritage Area, and H.R. 2932, which authorizes a study of a Golden Spike/Crossroads of the West National Heritage Area and establishes a Crossroads of the West National Historic District in Ogden, Utah.

We support the concepts presented in S. 1685, except that we believe that designation of a heritage area is premature. We support Section 1 of the House-passed H.R. 2932, which authorizes a heritage area feasibility study. However, we oppose Section 2, which establishes an expanded Historic District in Ogden, Utah, and authorizes the Department to fund historic preservation, rehabilitation and interpretation of properties in the district. We oppose this section of H.R. 2932 because the National Park Service has existing preservation and funding authorities for such projects in historic districts.

Northern Utah has a rich natural and cultural heritage. A primary focal point of this heritage is the transcontinental railroad which was completed in 1869. This history is commemorated at Golden Spike National Historic Site, established in 1965. However, the story of railroading and its subsequent impacts on surrounding landscapes and communities goes beyond the park's boundaries. That bigger story has been recognized for many years and has been the subject of many plans and actions, and told in a number of ways and by a variety of organizations. What is missing is a framework or umbrella within which to comprehensively tell this important story and provide for the continued protection of the cultural resources and natural landscapes. The creation of a national heritage corridor that includes Ogden could provide that umbrella.

A National Heritage Area is a place where natural, cultural, historic and recreational resources combine to form a nationally distinctive landscape arising from patterns of human activity. Heritage conservation efforts are grounded in a community's pride in its history and traditions, and its interest in seeing them retained. Preserving the integrity of the cultural landscape and local stories means that future generations of the community will be able to understand and define who they are, where they come from, and what ties them to their home. Heritage areas are designed to protect regional landscapes and resources that tell the story of its residents.

Both S. 1685 and H.R. 2932 address a national heritage area in northern Utah, although in different ways.

S. 1685 would authorize a Golden Spike/Crossroads of the West National Heritage Area which includes only the 24th and 25th Street Historic District and Union Pacific Railroad in Ogden, Utah. The bill outlines the management of the heritage area, authorizes the expenditure of federal funds for grants, provides for technical assistance from federal agencies and requires the creation of a management plan for the area. The bill also calls for a study of a national heritage corridor from Ogden to Promontory Point.

H.R. 2932 authorizes the study of a heritage area along the corridor of the transcontinental railroad in Northern Utah.

We believe that it would be premature to designate a national heritage area now, as S. 1685 would do within one area in Ogden, because there has not yet been a study of the suitability of such a designation. We recommend that there should be an authorization for a study as both bills provide, subject to the availability of appropriations.

We recommend that the area described in Section 1 of H.R. 2932 be studied as a possible national heritage corridor for the transcontinental railroad in Utah. Much work has been done to evaluate resources along the Union Pacific and Central Pacific/Southern Pacific Railroads, across the state of Utah and even beyond, by a variety of organizations. This work needs to be brought together and a strategy developed for long-term use and protection.

As part of the study, partners should be identified and a common vision developed. It is obvious that the city of Ogden is interested in pursuing this concept, and will be a strong participant in the success of this corridor. However, it is extremely important that existing cooperative entities including the Bureau of Land Management, Union Pacific Railroad, the cities of Corinne, Mariott-Slaterville, Brigham, and Harrisville, the counties of Box Elder and Weber, and the National Park Service all participate in the preservation of a heritage corridor.

Section 2 of H.R. 2932 establishes and defines a "Crossroads of the West Historic District" that expands the existing 24th and 25th Street Historic District in Ogden. This section calls for a development plan, rehabilitation and restoration work to be funded, in part, by the National Park Service. It also authorizes the Secretary to provide technical assistance in preservation and interpretation of properties within the district.

The assistance identified in Section 2 is already available through existing programs authorized by the Historic Preservation Act of 1966, as amended. While these programs are popular and competition is high, we see no need for additional legislation to conduct activities for which the National Park Service already has the authority.

We would be happy to work with Ogden not only in applying for assistance to these existing programs, but also to make suggestions and recommendations on other oppor-

tunities available through state government as well as the private sector.

The National Park Service would be happy to make available whatever kind of guidance and assistance that may be needed by all interested parties to focus on the protection and interpretation of the story of railroading in America, as preserved in this part of Utah.

We can best accomplish this by conducting a heritage area feasibility study as stipulated by Section 1 of H.R. 2932 and working with the city of Ogden through existing historic preservation grant and assistance programs.

We object to the authority in section 5(c)(1) of S. 1685 for the management entity to use Federal funds to make loans to various entities. No criteria or administrative guidelines have been developed for heritage areas to ensure that the taxpayers' funds are being used properly. For management entities with limited administrative resources, it would be an administrative burden to set up payment schedules, underwriting, and loan servicing sufficient to provide confidence that a loan program is using Federal funds in an accountable manner. We believe there are more effective ways for management entities to use limited Federal funds than creating loan programs.

We appreciate the committee's interest in this legislation, and look forward to working with you. I would be happy to respond to any questions that you 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 act, H.R. 2932, as ordered reported.

