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SENATE

{ REPORT
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CARL SANDBURG HOME NATIONAL HISTORIC SITE BOUNDARY REVISION ACT OF 2007

SEPTEMBER 17, 2007.—Ordered to be printed

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

R E P O R T

[To accompany H.R. 1100]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 1100) to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

PURPOSE

The purpose of H.R. 1100 is to authorize the Secretary of the Interior to acquire up to 115 acres of land for addition to the Carl Sandburg Home National Historic Site in Flat Rock, North Carolina.

BACKGROUND AND NEED

Carl Sandburg Home National Historic Site in Flat Rock, North Carolina, commemorates the life and legacy of Carl Sandburg, and his significance as an American poet, writer, and historian. The Carl Sandburg Home National Historic Site preserves and interprets the farm, Connemara, where Sandburg and his family lived for the last 22 years of his life, until his death in 1967. The National Historic Site was established as a unit of the National Park System in 1968.

The National Historic Site's enabling legislation authorized the purchase of 248 acres. A boundary expansion was authorized in 1980 to accept 16 acres of land donated by the North Carolina Nature Conservancy.

The park's 2003 General Management Plan (GMP) identified and evaluated boundary adjustments that may be necessary or desirable in order to carry out the purposes of the historic site. The preferred alternative from the GMP recommended a boundary addition of 115 acres, of which not more than 5 acres are for the construction of a new visitor center and parking lot. Congressional authorization is required to expand the boundary of the historic site.

H.R. 1100 authorizes the Secretary of the Interior to acquire up to 115 acres of lands or interests therein from willing sellers by donation, or purchase with donated or appropriated funds for addition to the National Historic Site.

LEGISLATIVE HISTORY

H.R. 1100, sponsored by Representative Shuler and others, passed the House of Representatives by a vote of 268–150 on May 23, 2007. A Senate companion measure, S. 488, was introduced by Senators Dole and Burr on February 5, 2007. The Subcommittee on National Parks held a hearing on S. 488 and H.R. 1100 on July 12, 2007.

At its business meeting on July 25, 2007, the Committee on Energy and Natural Resources ordered H.R. 1100 favorably reported without amendment.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on July 25, 2007, by a voice vote of a quorum present, recommends that the Senate pass H.R. 1100.

SECTION-BY-SECTION ANALYSIS

Section 1 entitles the bill the “Carl Sandburg Home National Historic Site Boundary Revision Act of 2007.”

Section 2 defines key terms used in the Act.

Section 3(a) authorizes the Secretary of the Interior to acquire up to 110 acres from lands identified on the referenced map for addition to the National Historic Site. The lands, or interests therein, may be acquired by donation, purchase from willing sellers or by exchange.

Subsection (b) authorizes the Secretary to acquire up to 5 acres of land for the development of a visitor center and visitor parking area near the National Historic Site.

Subsection (c) provides that upon acquiring any lands or interests therein, the Secretary shall revise the boundary of the National Historic Site to reflect the acquisition.

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

Subsection (e) states that lands added to the National Historic Site shall be administered in accordance with applicable laws and regulations.

COST AND BUDGETARY CONSIDERATIONS

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

JULY 30, 2007.

Hon. JEFF BINGAMAN,
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. 1100, the Carl Sandburg Home National Historic Site Boundary Revision Act of 2007.

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

Sincerely,

PETER R. ORSZAG.

Enclosure.

H.R. 1100—Carl Sandburg Home National Historic Site Boundary Revision Act of 2007

H.R. 1100 would authorize the National Park Service (NPS) to acquire 115 acres to be added to the boundary of the Carl Sandburg Home National Historic Site in North Carolina. Under the act, the NPS could acquire that acreage, or lesser property interests such as easements, by purchase, donation, or exchange.

Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 1100 would cost \$7 million over the next several years. We estimate that about half of that amount would be used by the NPS to acquire about 115 acres of land near the existing historic site. (Such costs could be lower if the NPS can acquire easements for some of the acreage.) The remaining funds would be used to construct and equip a visitor center and related facilities near the site. We estimate that costs to manage the additional acreage and operate new visitor facilities would be less than \$500,000 a year, assuming the availability of appropriated funds. This estimate is based on information provided by the NPS. Enacting H.R. 1100 would have no effect on direct spending or revenues.

H.R. 1100 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

On May 11, 2007, CBO transmitted a cost estimate for H.R. 1100 as ordered reported by the House Committee on Natural Resources on May 2, 2007. The two versions of the legislation are identical, as are the CBO cost estimates.

The CBO staff contacts for this estimate are Deborah Reis and David Reynolds. 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. 1100. The Act 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. 1100, as ordered reported.

EXECUTIVE COMMUNICATIONS

The testimony provided by the National Park Service at the July 12, 2007 subcommittee hearing on H.R. 1100 follows:

STATEMENT OF KATHERINE H. STEVENSON, ACTING ASSISTANT DIRECTOR, BUSINESS SERVICES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman and Members of the Subcommittee, thank you for the opportunity to appear before you today to present the views of the Department of the Interior on S. 488 & H.R. 1100, bills that would expand the boundary of the Carl Sandburg Home National Historic Site (site) in the State of North Carolina.

S. 488 and H.R. 1100 would authorize the acquisition, from willing sellers, of interests in 115 acres of land for addition to the Carl Sandburg Home National Historic Site. The bills would also authorize the use of up to 5 of these 115 acres for a visitor center and parking facilities.

The Department supports both of these bills, but would like to work with the committee to amend S. 488 to make it identical to H.R. 1100. At a hearing on April 17, 2007 in the House of Representatives, the Department testified in support of H.R. 1100, and then worked with the House subcommittee to make minor changes to make the bill more consistent with the site's 2003 General Management Plan and other recent boundary expansion bills. An amended version of H.R. 1100, containing the changes the department had suggested, passed the House of Representatives on May 23, 2007.

These bills would authorize acquiring lands or easements for the park that are estimated to cost between \$300,000 and \$2.25 million. Management of these new lands is estimated to cost less than \$10,000 annually. These acquired lands could be used for a visitor center, estimated to cost about \$3 million, but that project, as well as the costs for land acquisition, would be subject to the budget prioritization process of the NPS. Annual operation of a visitor center is expected to cost \$345,000. The costs of operating a shuttle are not known at this time. No funding has yet been identified for any of these costs.

Carl Sandburg Home National Historic Site currently includes 264 acres of Connemura Farm, an estate purchased by Sandburg in 1945 near the pre-Civil War resort town of Flat Rock, North Carolina. Following Sandburg's death in 1967, his wife deeded the estate to the Federal government. The National Historic Site was authorized one year later, in 1968.

Sandburg, though perhaps best known for his poetry celebrating the lives of common American people, was also a Pulitzer prize-winning biographer of Abraham Lincoln, a children's author, and a collector of folk music. Fellow au-

thor H.L. Mencken declared that Sandburg was “indubitably an American in every pulse-beat.”

Acquisition of 110 of the 115 acres proposed in S. 488 and H.R. 1100 would protect the view that Carl Sandburg and his neighbors enjoyed from Big Glassy Mountain. Big Glassy overlook is the highest point at the Carl Sandburg Home National Historic Site and a popular stop for visitors. Sandburg and his family often visited this granite outcrop to enjoy its stunning views of surrounding mountains and valleys. The majority of the overlook is within the authorized park boundary. However, the overlook precipice as well as the view below it, lies on private property outside the authorized boundary. Purchasing conservation easements or fee simple property rights from willing sellers would protect the overlook and views from the mountain in perpetuity.

The National Park Service contacted each landowner that holds an interest in the 110 acres proposed for acquisition during the planning process for the site’s 2003 General Management Plan. The State of North Carolina purchased 22 acres within the proposed expansion to protect it until the National Park Service can acquire it. All of the other owners agreed to have their parcels included in the map and proposal to expand the park.

The acquisition of 5 acres for a visitor center and parking lot would help to solve traffic and safety problems along Little River Road, the thoroughfare that forms the site’s northern boundary and provides excellent views of the site’s pastures, barns, and Side Lake. When the site’s existing parking area is full, vehicles enter and exit from Little River Road, searching for an open space. Some visitors park on the shoulder of Little River Road and walk to the site. The presence of park vehicles, pedestrians, and speeding traffic on Little River Road is a hazard to all. The local community has expressed concern about this issue, but there is no additional parking available in the community.

To solve these problems, the site’s 2003 General Management Plan proposes acquiring up to 5 acres to build a visitor center and parking facility. In order to protect the historic character of the site, the National Park Service would like this facility to be located outside both the existing boundary and the 110 acres that are proposed to protect the overlook and views from Big Glassy Mountain. A more appropriate location would be near, but not necessarily contiguous with the park’s boundary, perhaps fronting Little River Road or Highway 225. The Village of Flat Rock, North Carolina supports the proposal for a visitor center and parking facility.

H.R. 1100 has been amended to allow the National Park Service to acquire 5 acres “adjacent to or in the general vicinity of” the site’s boundary. S. 488 requires that all lands required be “contiguous to” the park’s boundary. We would like to work with the committee to amend S. 488 to make

it consistent with H.R. 1100 and the park's 2003 General Management Plan.

S. 488 applies boundary expansion criteria from the 1978 National Parks and Recreation Act. In the 29 years since that Act was signed into law, Congressional committees and the National Park Service have developed and refined these criteria. These refined criteria are used in the version of H.R. 1100 that is being considered by the subcommittee. We would like to work with the subcommittee to amend S. 488 to make it identical to H.R. 1100.

Mr. Chairman, this concludes my prepared testimony. I would be pleased to answer any questions you or any members of the subcommittee might 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. 1100, as ordered reported.

