

## Calendar No. 388

115TH CONGRESS }  
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### STE. GENEVIEVE NATIONAL HISTORICAL PARK ESTABLISHMENT ACT

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APRIL 25, 2018.—Ordered to be printed

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

#### R E P O R T

[To accompany S. 1335]

[Including cost estimate of the Congressional Budget Office]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1335) to establish the Ste. Genevieve National Historic Site in the State of Missouri, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE

The purpose of S. 1335 is to establish the Ste. Genevieve National Historical Park in the State of Missouri.

#### BACKGROUND AND NEED

Ste. Genevieve was founded circa 1750 by French Canadian settlers, most of whom came from earlier settlements just across the Mississippi in present-day Illinois. Though resources such as salt and lead attracted settlers to the west side of the Mississippi, the rich soil was the greatest draw. Ste. Genevieve was primarily an agricultural settlement, with free and enslaved residents working in the Grand Champ, or Common Field, a large area of privately held, long agricultural lots surrounded by one large fence.

After a series of floods, the most severe of which occurred in 1785, the town was moved inland approximately three miles, to where it stands today. Residents continued to work the Common Field, which though smaller, is still cultivated today. Ste. Genevieve became a hub of trade. Following the Revolutionary War,

there was an influx of British Americans that intensified following the Louisiana Purchase, expanding the village. Ste. Genevieve retains many of its historic buildings, landscapes, and community characteristics.

Ste. Genevieve is one of the oldest National Historic Landmark districts in the country. When a portion of the district was initially designated as such in 1960, it was recognized for the unique concentration of French vertical log architecture—the largest extant collection of this architecture in North America. The most notable feature of French vernacular log architecture is the use of logs vertically, rather than horizontally, as seen in buildings in the frontier settlements of people of other ethnic European extractions. With new research and an expanded understanding of French settlement in the mid-Mississippi “Illinois Country,” new resources have been identified and the nationally significant district encompasses much of the City of Ste. Genevieve and agricultural landscapes and archeological sites in Ste. Genevieve County.

#### LEGISLATIVE HISTORY

S. 1335 was introduced by Senators Blunt and McCaskill on June 12, 2017.

A companion measure, H.R. 2888, was introduced in the House of Representatives by Rep. Jason Smith on June 12, 2017, and referred to the Committee on Natural Resources. The Committee on Natural Resources favorably reported H.R. 2888 (H. Rept. 115–540) on February 2, 2018. H.R. 2888 passed the House of Representatives by voice vote on February 5, 2018.

The Senate Subcommittee on National Parks conducted a hearing on S. 1335 and H.R. 2888 on February 14, 2018.

In the 114th Congress, similar legislation, S. 2954, was introduced by Senators Blunt and McCaskill on May 19, 2016. The Subcommittee on National Parks held a hearing on S. 2954 on June 15, 2016. The Committee on Energy and Natural Resources ordered S. 2954 favorably reported with amendments on July 13, 2016 (S. Rept. 114–332).

The Committee on Energy and Natural Resources met in open business session on March 8, 2018, and ordered S. 1335 and H.R. 2888 favorably reported.

Similar language was included in section 7134 of S. 1460, the Energy and Natural Resources Act of 2017 (Cal. 162). On March 23, 2018, Section 7134 of S. 1460 was incorporated by reference and enacted into law as a part of the Consolidated Appropriations Act, 2018 (Public Law 115–141).

#### COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on March 8, 2018, by a majority voice vote of a quorum present, recommends that the Senate pass S. 1335.

#### SECTION-BY-SECTION ANALYSIS

##### *Section 1. Short title*

Section 1 contains the short title.

*Section 2. Definitions*

Section 2 defines key terms.

*Section 3. Establishment of the Ste. Genevieve National Historical Park*

Section 3(a) establishes the Ste. Genevieve National Historical Park in the State of Missouri as a unit of the National Park System. The establishment of the Ste. Genevieve Historical Park is conditioned on the Secretary determining that sufficient land has been acquired for the Historical Park to constitute a manageable unit and entering into a written agreement providing that land owned by the State, the City of Ste. Genevieve, or other entity within the Historic District shall be managed consistent with the purposes of the Act.

Subsection (b) establishes the boundaries of the Historical Park as generally depicted on the referenced map.

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

Subsection (d) authorizes the Secretary to acquire any land or interest in land within the boundary of the Historical Park or any nationally significant property identified in the special resource study within the Historic District by donation, purchase with donated or appropriated funds, or exchange. Upon acquisition of any property within the Historic District, the Secretary is directed to revise the boundary of the Historical Park to include the property.

Subsection (e) requires the Secretary to administer the Historical Park in accordance with this Act and applicable law. The Secretary is further directed to prepare the general management plan within three years of receiving funding and to submit the general management plan to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

Subsection (f) authorizes the Secretary to provide technical assistance and enter into cooperative agreements with the owner of a nationally significant property within the Historical Park or the Historic District to identify, mark, interpret, improve, and restore the property. Cooperative agreements shall provide access, at reasonable times, to public portions of the property, for the purposes of conducting visitors through the property and interpreting the property for the public. The Federal cost share of this agreement is limited to 50 percent. The non-Federal share of an activity carried out under a cooperative agreement may be in the form of donated property, goods, or services rendered. No changes or alterations shall be made to any property or project covered by a cooperative agreement entered into unless the Secretary and the other party to the agreement concur with the changes or alterations.

Subsection (g) states that nothing in the Act authorizes the Secretary to assume overall financial responsibility for the operation, maintenance, or management of the Historic District.

COST AND BUDGETARY CONSIDERATIONS

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

S. 1335 would establish the Ste. Genevieve National Historical Park as a unit of the National Park System in the state of Missouri. The bill would authorize the National Park Service (NPS) to acquire approximately 13 acres of land, including historic houses, for inclusion in the park by donation, exchange, or purchase.

Once the necessary parcels of land are acquired, the NPS would be authorized to establish the park and would incur costs to operate and maintain the park's properties and facilities. The bill would require the agency to develop a management plan for the park and would authorize the agency to provide interpretive tours and educational programs within the park. Finally, S. 1335 would authorize the NPS to provide technical assistance and to enter into cooperative agreements with nonfederal entities to preserve historically significant property related to the park.

Using information from the NPS and from local officials in Ste. Genevieve, Missouri, about the properties in question, CBO estimates that acquiring the 13 acres of property would cost less than \$500,000. CBO expects that the property owned by the state of Missouri would likely be donated to the NPS and property owned by private individuals would be purchased by the NPS with appropriated funds over the next five years.

In addition, CBO estimates that the NPS would spend about \$1 million per year on maintenance and operating costs for the park once the properties are acquired for a total cost of \$6 million over the 2019–2023 period; such spending would be subject to the availability of appropriated funds.

Enacting S. 1335 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting S. 1335 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

S. 1335 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

On December 15, 2017, CBO transmitted a cost estimate for H.R. 2888, the Ste. Genevieve National Historical Park Establishment Act, as ordered reported by the House Committee on Natural Resources on December 13, 2017. On April 10, 2018, CBO transmitted a cost estimate for H.R. 2888, the Ste. Genevieve National Historical Park Establishment Act, as ordered reported by the Senate Committee on Energy and Natural Resources on March 8, 2018. The pieces of legislation are similar, and CBO's estimates of their budgetary effects are the same.

The CBO staff contact for this estimate is Janani Shankaran. The estimate was approved by H. Samuel Papenfuss, 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. 1335. 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. 1335, as ordered reported.

#### CONGRESSIONALLY DIRECTED SPENDING

S. 1335, as ordered reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

#### EXECUTIVE COMMUNICATIONS

The testimony provided by the Department of the Interior at the February 14, 2018, hearing on S. 1335 follows:

**STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR OF THE NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING S. 1335, A BILL TO ESTABLISH THE STE. GENEVIEVE NATIONAL HISTORIC SITE IN THE STATE OF MISSOURI, AND FOR OTHER PURPOSES**

Chairman Daines, Ranking Member King, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on S. 1335, a bill to authorize the Secretary of the Interior to establish the Ste. Genevieve National Historic Site in the State of Missouri, and for other purposes.

The Department supports the goals of the legislation which would establish the Ste. Genevieve National Historical Park as a unit of the National Park System to preserve, protect, and interpret the themes of French settlement, vernacular architecture, and community form and farming on the frontier associated with Ste. Genevieve, a city along the Mississippi River with a nationally significant history.

However, the National Park Service has a deferred maintenance backlog of over \$11 billion. The Administration's focus is to reduce this backlog and to address other critical national park needs. For this reason, funding for new units to the national park system is not a priority in the Administration's FY2019 budget.

Establishment of the park would be conditioned on the Secretary of the Interior acquiring sufficient land to constitute a manageable park unit and entering into an agreement providing that land owned by the state, the city of Ste. Genevieve or other entities within the Ste. Genevieve Historic District would be managed consistent with the purposes of the act. The national historical park would consist of a select portion of the larger historic district.

S. 1335 authorizes the Secretary to provide interpretive tours and education programs within the historic district. It also allows the Secretary to provide technical assistance and to enter into cooperative agreements to preserve significant sites related to the purposes of the park.

The Ste. Genevieve Historic District National Historic Landmark (NHL), established on October 9, 1960, is one of the oldest NHL districts in the country. This designation initially recognized the unique concentration of French vertical log architecture. Subsequent research identified the national significance of contemporaneous examples of British-American and German-American architecture that contribute to the compelling historical associations with French exploration and settlement of the United States' interior in the late 18th and early 19th centuries and with the American territory that was settled following the Louisiana Purchase.

Ste. Genevieve offers an unparalleled opportunity to provide public understanding and appreciation of the themes of French settlement, vernacular architecture, and farming on the frontier. Ste. Genevieve is unique in terms of the character, quality, quantity, and rarity of its resources. There is no comparably protected or managed area interpreting these themes.

The proposed national historical park consists of approximately 13 acres of publicly and privately owned historic properties encompassed within the Ste. Genevieve Historic District NHL.

The Ste. Genevieve special resource study, completed in May 2016, estimated the annual cost of operation of the site to be \$800,000 to \$1.2 million per year. This estimate included funding for NPS staffing of 6–12 FTE, for interpretive and educational programs, and for outreach. Any additional facilities and properties would increase park operational and maintenance costs. Additional funds for maintenance, repairs and capital improvements would be awarded through the National Park Service's competitive process, subject to service-wide priorities and the availability of appropriations.

Finally, as this legislation has evolved over the last two years, a consensus has emerged that, if established, the Ste. Genevieve unit would be designated as a national historical park rather than a national historic site. If this is the intent, we recommend that the title be amended to refer to the establishment of the “Ste. Genevieve National Historical Par”, rather than the “Ste. Genevieve National Historic Site”.

Mr. Chairman, this concludes my statement. 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, the Committee notes that no changes in existing law are made by the bill as ordered reported.

