

# Consolidated Natural Resources Act of 2008 (S.2739)

## *Summary and Background*

The federal government owns nearly 653 million acres of land in the United States (28.8 percent). As the owner of these lands, the United States government has the responsibility to protect its value and history for the current and future generations. In order to help meet that challenge, the Energy and Natural Resources Committee has packaged a bicameral and bipartisan group of land and water bills into **S. 2739**, the *Consolidated Natural Resources Act of 2008*.

## *Major Provisions*

### *Title I*

**S. 2739** would authorize the United States Forest Service to:

- Create the Wild Sky Wilderness area in Washington State (**S. 520** and H.R. 886) by designating approximately 106,000 acres of national forest lands in the Mount Baker-Snoqualmie National Forest. Wilderness designation provides the highest level of protection that the federal government can give to public lands. The Senate has passed this legislation in three previous Congresses, but until this Congress, it has failed to pass in the House.
- Designate approximately 20 miles of trail (H.R. 247) around Waldo Lake in the Willamette National Forest in Oregon as the Jim Weaver Loop Trail. Mr. Weaver represented Oregon's Fourth Congressional District in the House of Representatives from 1975 to 1987.

### *Title II*

**S. 2739** would authorize the Bureau of Land Management (BLM) to:

- Designate the Piedra Blancas Light Station (H.R. 276) as an Outstanding Natural Area (ONA) within the BLM's National Landscape Conservation System. The Piedra Blancas Light Station is an active lighthouse which began continuous operation in 1875 and is on the National Register of Historic Places. The lighthouse has been managed by the BLM since 2001, and was previously run by the Coast Guard.
- Permit the conveyance (**S. 1608** and H.R. 815) of approximately 50 acres of BLM land to the Nevada National Guard.

- Designate the Jupiter Inlet Lighthouse (**S. 1143** and H.R. 1922) and its surrounding federal land in Florida as an ONA within BLM's National Landscape Conservation System.

### *Title III*

**S. 2739** would authorize the National Park Service (NPS) to:

- Enter into cooperative agreements (**S. 241** and H.R. 658) with municipal, tribal, public, private landowners, and private nonprofit organizations to preserve lands inside and outside the boundaries of the National Park System. The cooperative agreements must provide clear and direct benefits to natural resources in units of the NPS such as the preservation of riparian systems, eradication of invasive exotic species, and restoration of native wildlife habitat.
- Acquire no more than 110 acres of land (**S. 488** and H.R. 1100) to be added to the Carl Sandburg Home National Historic Site via willing sellers or donation. Carl Sandburg was an accomplished poet and novelist most widely known for his biography of Abraham Lincoln (*Abraham Lincoln: The War Years*) and a collection of poems (*The Complete Poems of Carl Sandburg*) of which both won the Pulitzer Prize.
- Revise the boundary of the Lowell National Historical Park (**S. 867** and H.R. 299) in order to include certain properties within the city of Lowell, Massachusetts. The Lowell National Historic Park allows people the opportunity to experience what life was like for 19<sup>th</sup> Century textile workers.
- Adjusts the boundary of the Minidoka Internment National Monument (**S. 916** and H.R. 161) to include the Nidoto Nai Yoni Memorial. The Nidoto Nai Yoni Memorial commemorates the Japanese Americans of Bainbridge Island, Washington, who were the first to be forcibly removed from their homes and relocated to internment camps during World War II.
- Additional \$10 million for land acquisition at Acadia National Park (**S. 1329** and H.R. 2251) and authorizes the Secretary of the Interior to participate in an Intermodal Transportation Center located outside of the park boundary.
- Conduct a special resource study (H.R. 376) to determine whether the Civil War battlefields of the First and Second Battles of Newtonia (Missouri) should be added to the Wilson's Creek National Battlefield.
- Determine the suitability and feasibility of designating (H.R. 1047) the Soldiers' Memorial Military Museum at a site in St. Louis, Missouri, as a unit of the National Park System.
- Study the suitability and feasibility of designating (**S. 1941**) the Wolf House in Norfolk, Arkansas, as a unit of the National Park System. The Wolf House is the oldest public structure in Arkansas, built circa 1829.

- Determine the suitability and feasibility (H.R. 807) of establishing a memorial in Texas where the large debris from the Space Shuttle Columbia was recovered.
- Complete a study (**S. 327** and H.R. 359) to determine whether sites that were important to the life of Cesar Chavez and the farm labor movement would meet the criteria for listing on the National Register of Historic Places or designation as a national historic landmark.
- Conduct a study (**S. 1184** and H.R. 1021) on the suitability and feasibility of designating certain historic buildings and areas in Taunton, Massachusetts, as a unit of the NPS. The city of Taunton draws tourists to visit its houses that date back to the 1800s.
- Conduct a study of the area in Southern California known as the Rim of the Valley Corridor to determine whether any part of the area should be added to the Santa Monica Mountains National Recreation Area.
- Establish a commemorative work (**S. 312** and H.R. 497) on federal land in the District of Columbia, without using federal funds, to honor the service of Brigadier General Francis Marion. Brigadier General Francis Marion served in the South Carolina militia during the Revolutionary War.
- Give the Dwight D. Eisenhower Memorial Commission greater administrative powers (**S. 890** and H.R. 2094), including the ability to enter into contracts for specialized or professional services, appoint an architect, and enter into cooperative agreements with federal agencies, state, local, tribal, and international governments, and private organizations. The Dwight D. Eisenhower Memorial Commission is in the planning stages of creating an Eisenhower National Memorial in Washington D.C.
- Establish a commission (**S. 500** and H.R. 512) to study the creation of a National Museum of the American Latino in Washington, D.C.
- Establish two commissions to commemorate the 400th anniversary (**S. 1148** and H.R. 1520) of the voyage of Samuel de Champlain (the first European to discover and explore Lake Champlain) and the 400th anniversary of the voyage of Henry Hudson (the first European to sail up the Hudson River) and the 200th anniversary of the voyage of Robert Fulton (the first person to use steam navigation on a commercial basis).
- Expresses the sense of Congress (H. Con. Res. 29) that the Museum of the American Quilter's Society, in Paducah, Kentucky, should be designated as the "National Quilt Museum of the United States."
- Expresses the sense of Congress (**S. Con. Res. 6** and H. Con. Res. 116) that the National Museum of Wildlife Art in Jackson, Wyoming, should be designated as the "National Museum of Wildlife Art of the United States."

- Redesignate the Ellis Island Library (H.R. 759) as the "Bob Hope Memorial Library."
- Amend the *National Trails System Act* (S. 797 and H.R. 1388) to designate the Star Spangled Banner American National Historic Trail, which would extend from Tangier Island, Virginia, through southern Maryland, the District of Columbia, and northern Virginia in the Chesapeake Bay, Patuxent River, Potomac River, and north to the Patapsco River and Baltimore, Maryland. The trail would commemorate the Chesapeake Campaign during the War of 1812.
- Convey a visitor center and adjacent land associated with the Lewis and Clark National Historic Trail (S. 471 and H.R. 761) to the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, a not-for-profit organization. The conveyance would require the Foundation to manage the site in accordance with National Park Service standards.
- Conduct a study (S. 1991 and H.R. 3616) to determine the suitability and feasibility of extending the Lewis and Clark National Historic Trail to include sites in the Eastern United States, including areas within Virginia, the District of Columbia, Maryland, Delaware, Pennsylvania, West Virginia, Ohio, Kentucky, Tennessee, Indiana, Missouri, and Illinois, which are associated with the preparation and return phases of the Lewis and Clark Expedition.
- Designate specified segments (S. 553 and H.R. 986) in the Eightmile River in Connecticut as components of the National Wild and Scenic Rivers System.
- An exchange of interests in land (S. 1808) within Denali National Park in Alaska with the Alaska Railroad, to allow the Railroad to complete a turnaround to better serve train visitors visiting the park.
- An increase in appropriations for the National Underground Network (S. 1709 and H.R. 1239), as authorized by *National Underground Railroad Network to Freedom Act of 1998*. This legislation authorized the National Park Service to commemorate the history of the Underground Railroad.
- Authorize the Secretary of the Interior (H.R. 1191), subject to an appropriation, to pay subcontractors of Pacific General, Inc. for work they performed at Grand Canyon National Park between Fiscal Year 2002 and 2003 under a construction contract for which they have not been paid.

#### *Title IV*

S. 2739 would establish several new national heritage areas, and make changes to several existing heritage areas, including:

- Establish (S. 289 and H.R. 1483) the Journey Through Hallowed Ground National Heritage Area. This National Heritage Area would be composed of a 175 mile-region following the Route 15 corridor and certain surrounding areas through Pennsylvania, Maryland, West Virginia, and Virginia.

- Establish (**S. 800** and H.R. 1483) the Niagara Fall National Heritage Area in New York. This National Heritage Area would be composed of the western boundary of the town of Wheatfield, New York, extending to the mouth of the Niagara River on Lake Ontario, including the City of Niagara Falls, the villages of Youngstown and Lewiston, land and water within the boundaries of the area in Niagara County.
- Establish (**S. 955** and H.R. 1483) the Abraham Lincoln National Heritage Area in Illinois. This Natural Heritage Area would be composed of 42 counties in central Illinois as well as any sites, buildings, and districts within the core area that are recommended in the management plan along with any specified related historic sites.
- Make several technical corrections (**S. 817** and H.R. 1483) to existing National Heritage Area Authorities, and increase the authorization of appropriation levels for several existing heritage areas.
- Extend the authorization (**S. 1039** and H.R. 1815) until 2011 for the Coastal Heritage Trail in New Jersey.
- Study the feasibility of designating (**S. 257** and H.R. 407) the coastal areas of Clatsop County, Oregon, and Pacific County, Washington and local historical areas along the Columbia River as the Columbia-Pacific National Heritage Area.

#### *Title V*

**S. 2739** includes new authorities for the United States Geological Survey (USGS) and Bureau of Reclamation (BOR) that would:

- Authorize the USGS and BOR (**S. 200** and H.R. 1114) to perform a comprehensive study of water resources in the State of Alaska and identify critical needs.
- Authorizes the Redwood Valley County Water District in California (**S. 1112** and H.R. 235) to enter into additional non-federal obligations in order to finance the procurement of dedicated water rights.
- Transfer ownership (H.R. 482) of the American River Pump Station Project located at Auburn, California, to the Placer County Water Agency.
- Authorize the BOR (**S. 512** and H.R. 839) to conduct a feasibility study which would include an environmental evaluation and a cost allocation on raising the height of the Arthur V. Watkins Dam. The additional height of the dam would allow for additional water storage supply.
- Authorize the BOR and USGS to provide (**S. 255**) the State of New Mexico the technical assistance and grants necessary to conduct comprehensive water resources mapping in New Mexico and develop statewide digital orthophotography mapping.

- Convey certain buildings and lands (**S. 235**) of the **BOR** Yakima Project in Washington to the Yakima-Tieton Irrigation District.
- Add Juab County, Utah (**S. 1110**) to the Bonneville Unit of the Central Utah Project so that funds may be provided to study systems for groundwater recharge, management, and the conjunctive use of surface water resources with groundwater resources.
- Allow any owner of land (**S. 220** and H.R. 467) within the A & B Irrigation District in Idaho to repay, at a time of their choosing, the construction costs of District project facilities.
- Amend the *Oregon Resource Conservation Act of 1996* (**S. 263, S. 264, S. 265, S. 266** and H.R. 495) to extend the authorization of the Deschutes River Conservancy Program; authorize federal participation in rehabilitating Wallowa Dam in Oregon; authorize a water resource study in the Little Butte/Bear Creek basin in Oregon; and amend a contract of the North Unit Irrigation District to facilitate a water conservation project in Oregon.
- Study the feasibility (H.R. 1025) of implementing a water supply and conservation project in the Republican River Basin between Harlan County Lake in Nebraska and Milford Lake in Kansas to improve water management efficiency in the Republican River Basin.
- Amend the *Reclamation Wastewater and Groundwater Study and Facilities Act* to authorize BOR to assist in providing recycled water (H.R. 30) to the Eastern Municipal Water District in California.
- Amend the *Reclamation Wastewater and Groundwater Study and Facilities Act* to authorize BOR to assist in providing recycled water (**S. 1475** and H.R. 1526) to the Palo Alto and Mountain View, Pittsburg, Delta Diablo, Antioch, North Coast County, South County Santa Clara Valley, and San Jose Water Districts.
- Allocate security-related costs (**S. 1258** and H.R. 1662) incurred post-September 11, 2001, to Reclamation water and power users.
- Study the obstacles to reducing the quantity of water (**S. 1116** and H.R. 902) produced during oil, natural gas, coal-bed methane exploration and evaluate the extent possible that water can be used for irrigation or other purposes without adversely affecting water quality, public health, or the environment.
- Authorize federal participation in the (**S. 752** and H.R. 1462) Platte River Endangered Species Recovery Implementation Program Cooperative Agreement, and the modification of Pathfinder Dam and Reservoir.
- Study the feasibility of alternatives to augment the water supplies (**S. 175** and H.R. 1337) of the Central Oklahoma Master Conservatory District and the cities it serves.

## *Title VI*

**S. 2739** would authorize either the Department of Energy to:

- Amend the *Energy Policy Act of 2005* to award grants (H.R. 85) for advanced energy technology transfer centers.
- Reauthorize (H.R. 1126) the *Steel and Aluminum Energy Conservation and Technology Competitiveness Act* to Fiscal Year 2012 and emphasize the research and development of technologies that reduce greenhouse gas emissions.

## *Title VII*

**S. 2739** would extend U.S. immigration laws, as defined by the *Immigration and Nationality Act*, to the Commonwealth of the Northern Mariana Islands (**S. 1634** and H.R. 3079), subject to a transition period through December 31, 2017.

## *Title VIII*

**S. 2739** would amend the *Compact of Free Association Amendments Act of 2003* in order to improve legal services, infrastructure, and education services for the associated states of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

### **Legislative History**

**S. 2739** was introduced by Senator **Bingaman** on March 10, 2008.

### **Administration Position**

At the time of publication, the Bush Administration had not yet released a Statement of Administration Position on **S. 2739**.

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