

Public Law 106-319
106th Congress

An Act

To establish the Yuma Crossing National Heritage Area.

Oct. 19, 2000

[H.R. 2833]

Yuma Crossing
National
Heritage Area
Act of 2000.
16 USC 461 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; DEFINITIONS.

(a) **SHORT TITLE.**—This Act may be cited as the “Yuma Crossing National Heritage Area Act of 2000”.

(b) **DEFINITIONS.**—In this Act:

(1) **HERITAGE AREA.**—The term “Heritage Area” means the Yuma Crossing National Heritage Area established in section 3.

(2) **MANAGEMENT ENTITY.**—The term “management entity” shall mean the Yuma Crossing National Heritage Area Board of Directors referred to section 3(c).

(3) **MANAGEMENT PLAN.**—The term “management plan” shall mean the management plan for the Yuma Crossing National Heritage Area.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

SEC. 2. FINDINGS AND PURPOSE.

(a) **FINDINGS.**—The Congress finds the following:

(1) Certain events that led to the establishment of the Yuma Crossing as a natural crossing place on the Colorado River and to its development as an important landmark in America’s westward expansion during the mid-19th century are of national historic and cultural significance in terms of their contribution to the development of the new United States of America.

(2) It is in the national interest to promote, preserve, and protect physical remnants of a community with almost 500 years of recorded history which has outstanding cultural, historic, and architectural value for the education and benefit of present and future generations.

(3) The designation of the Yuma Crossing as a national heritage area would preserve Yuma’s history and provide related educational opportunities, provide recreational opportunities, preserve natural resources, and improve the city and county of Yuma’s ability to serve visitors and enhance the local economy through the completion of the major projects identified within the Yuma Crossing National Heritage Area.

(4) The Department of the Interior is responsible for protecting the Nation’s cultural and historic resources. There are significant examples of these resources within the Yuma region

to merit the involvement of the Federal Government in developing programs and projects, in cooperation with the Yuma Crossing National Heritage Area and other local and governmental bodies, to adequately conserve, protect, and interpret this heritage for future generations while providing opportunities for education, revitalization, and economic development.

(5) The city of Yuma, the Arizona State Parks Board, agencies of the Federal Government, corporate entities, and citizens have completed a study and master plan for the Yuma Crossing to determine the extent of its historic resources, preserve and interpret these historic resources, and assess the opportunities available to enhance the cultural experience for region's visitors and residents.

(6) The Yuma Crossing National Heritage Area Board of Directors would be an appropriate management entity for a heritage area established in the region.

(b) **PURPOSE.**—The objectives of the Yuma Crossing National Heritage Area are as follows:

(1) To recognize the role of the Yuma Crossing in the development of the United States, with particular emphasis on the roll of the crossing as an important landmark in the westward expansion during the mid-19th century.

(2) To promote, interpret, and develop the physical and recreational resources of the communities surrounding the Yuma Crossing, which has almost 500 years of recorded history and outstanding cultural, historic, and architectural assets, for the education and benefit of present and future generations.

(3) To foster a close working relationship with all levels of government, the private sector, and the local communities in the Yuma community and empower the community to conserve its heritage while continuing to pursue economic opportunities.

(4) To provide recreational opportunities for visitors to the Yuma Crossing and preserve natural resources within the Heritage Area.

(5) To improve the Yuma region's ability to serve visitors and enhance the local economy through the completion of the major projects identified within the Heritage Area.

SEC. 3. YUMA CROSSING NATIONAL HERITAGE AREA.

(a) **ESTABLISHMENT.**—There is hereby established the Yuma Crossing National Heritage Area.

(b) **BOUNDARIES.**—The Heritage Area shall be comprised of those portions of the Yuma region totaling approximately 21 square miles, encompassing over 150 identified historic, geologic, and cultural resources, and bounded—

(1) on the west, by the Colorado River (including the crossing point of the Army of the West);

(2) on the east, by Avenue 7E;

(3) on the north, by the Colorado River; and

(4) on the south, by the 12th Street alignment.

(c) **MANAGEMENT ENTITY.**—The management entity for the Heritage Area shall be the Yuma Crossing National Heritage Area Board of Directors which shall include representatives from a broad cross-section of the individuals, agencies, organizations, and governments that were involved in the planning and development of the Heritage Area before the date of the enactment of this Act.

SEC. 4. COMPACT.

(a) **IN GENERAL.**—To carry out the purposes of this Act, the Secretary of the Interior shall enter into a compact with the management entity.

(b) **COMPONENTS OF COMPACT.**—The compact shall include information relating to the objectives and management of the Heritage Area, including each of the following:

(1) A discussion of the goals and objects of the Heritage Area.

(2) An explanation of the proposed approach to conservation and interpretation of the Heritage Area.

(3) A general outline of the protection measures to which the management entity commits.

SEC. 5. AUTHORITIES AND DUTIES OF MANAGEMENT ENTITY.

(a) **AUTHORITIES OF THE MANAGEMENT ENTITY.**—The management entity may, for purposes of preparing and implementing the management plan, use funds made available through this Act for the following:

(1) To make grants to, and enter into cooperative agreements with, States and their political subdivisions, private organizations, or any person.

(2) To hire and compensate staff.

(3) To enter into contracts for goods and services.

(b) **MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—Taking into consideration existing State, county, and local plans, the management entity shall develop a management plan for the Heritage Area.

(2) **CONTENTS.**—The management plan required by this subsection shall include—

(A) comprehensive recommendations for conservation, funding, management, and development of the Heritage Area;

(B) actions to be undertaken by units of government and private organizations to protect the resources of the Heritage Area;

(C) a list of specific existing and potential sources of funding to protect, manage, and develop the Heritage Area;

(D) an inventory of the resources contained in the Heritage Area, including a list of any property in the Heritage Area that is related to the themes of the Heritage Area and that should be preserved, restored, managed, developed, or maintained because of its natural, cultural, historic, recreational, or scenic significance;

(E) a recommendation of policies for resource management which considers and details application of appropriate land and water management techniques, including the development of intergovernmental cooperative agreements to protect the historical, cultural, recreational, and natural resources of the Heritage Area in a manner consistent with supporting appropriate and compatible economic viability;

(F) a program for implementation of the management plan by the management entity, including plans for restoration and construction, and specific commitments of the identified partners for the first 5 years of operation;

(G) an analysis of ways in which local, State, and Federal programs may best be coordinated to promote the purposes of this Act; and

(H) an interpretation plan for the Heritage Area.

(3) **SUBMISSION TO SECRETARY.**—The management entity shall submit the management plan to the Secretary for approval not later than 3 years after the date of the enactment of this Act. If a management plan is not submitted to the Secretary as required within the specified time, the Heritage Area shall no longer qualify for Federal funding.

(c) **DUTIES OF MANAGEMENT ENTITY.**—In addition to its duties under subsection (b), the management entity shall—

(1) give priority to implementing actions set forth in the compact and management plan, including steps to assist units of government, regional planning organizations, and nonprofit organizations in preserving the Heritage Area;

(2) assist units of government, regional planning organizations, and nonprofit organizations with—

(A) establishing and maintaining interpretive exhibits in the Heritage Area;

(B) developing recreational resources in the Heritage Area;

(C) increasing public awareness of and appreciation for the natural, historical, and architectural resources and sites in the Heritage Area;

(D) restoring any historic building relating to the themes of the Heritage Area; and

(E) ensuring that clear, consistent, and environmentally appropriate signs identifying access points and sites of interest are put in place throughout the Heritage Area;

(3) encourage, by appropriate means, economic viability in the Heritage Area consistent with the goals of the management plan;

(4) encourage local governments to adopt land use policies consistent with the management of the Heritage Area and the goals of the management plan;

(5) consider the interests of diverse governmental, business, and nonprofit groups within the Heritage Area;

(6) conduct public meetings at least quarterly regarding the implementation of the management plan; and

(7) for any year in which Federal funds have been received under this Act, make available for audit all records pertaining to the expenditure of such funds and any matching funds, and require, for all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available for audit all records pertaining to the expenditure of such funds.

(d) **PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.**—The management entity may not use Federal funds received under this Act to acquire real property or an interest in real property. Nothing in this Act shall preclude any management entity from using Federal funds from other sources for their permitted purposes.

(e) **SPENDING FOR NON-FEDERALLY OWNED PROPERTY.**—The management entity may spend Federal funds directly on non-federally owned property to further the purposes of this Act, especially

in assisting units of government in appropriate treatment of districts, sites, buildings, structures, and objects listed or eligible for listing on the National Register of Historic Places.

SEC. 6. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.

(a) **TECHNICAL AND FINANCIAL ASSISTANCE.**—The Secretary may, upon request of the management entity, provide technical and financial assistance to the management entity to develop and implement the management plan. In assisting the management entity, the Secretary shall give priority to actions that in general assist in—

(1) conserving the significant natural, historic, and cultural resources which support the themes of the Heritage Area; and

(2) providing educational, interpretive, and recreational opportunities consistent with resources and associated values of the Heritage Area.

(b) **APPROVAL AND DISAPPROVAL OF MANAGEMENT PLAN.**—The Secretary, in consultation with the Yuma Crossing National Heritage Area Board of Directors, shall approve or disapprove the management plan submitted under this Act not later than 90 days after receiving such management plan.

(c) **ACTION FOLLOWING DISAPPROVAL.**—If the Secretary disapproves a submitted compact or management plan, the Secretary shall advise the management entity in writing of the reasons therefor and shall make recommendations for revisions in the management plan. The Secretary shall approve or disapprove a proposed revision within 90 days after the date it is submitted.

(d) **APPROVING AMENDMENTS.**—The Secretary shall review substantial amendments to the management plan for the Heritage Area. Funds appropriated pursuant to this Act may not be expended to implement the changes made by such amendments until the Secretary approves the amendments.

(e) **DOCUMENTATION.**—Subject to the availability of funds, the Historic American Building Survey/Historic American Engineering Record shall conduct those studies necessary to document the cultural, historic, architectural, and natural resources of the Heritage Area.

SEC. 7. SUNSET.

The Secretary may not make any grant or provide any assistance under this Act after September 30, 2015.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There is authorized to be appropriated under this Act not more than \$1,000,000 for any fiscal year. Not more than a total of \$10,000,000 may be appropriated for the Heritage Area under this Act.

(b) **50 PERCENT MATCH.**—Federal funding provided under this Act, after the designation of the Heritage Area, may not exceed

50 percent of the total cost of any assistance or grant provided or authorized under this Act.

Approved October 19, 2000.

LEGISLATIVE HISTORY—H.R. 2833 (S. 1998):

HOUSE REPORTS: No. 106-740 (Comm. on Resources).

SENATE REPORTS: No. 106-340 accompanying S. 1998 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

July 25, considered and passed House.

Oct. 5, considered and passed Senate.