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FINGER LAKES NATIONAL HERITAGE AREA STUDY ACT

APRIL 11, 2018.—Ordered to be printed

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

R E P O R T

[To accompany S. 1602]

[Including cost estimate of the Congressional Budget Office]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1602) to authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating certain land as the Finger Lakes National Heritage Area, 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. 1602 is to authorize the Secretary of the Interior (Secretary) to conduct a study to assess the suitability and feasibility of designating certain land as the Finger Lakes National Heritage Area (NHA).

BACKGROUND AND NEED

The Finger Lakes region includes approximately 9,000 square miles of northern New York State well known for its natural beauty and access to outdoor activities.

There are a number of state parks in the Finger Lakes region, including Watkins Glen State Park. There are also a number of waterfalls and gorges in the area. The Erie Canal runs along the northern end of the Finger Lakes, featuring parks and boat launches. The Montezuma Wildlife Refuge is a resting, feeding, and nesting place for a number of migratory birds and gives visitors the

chance to observe wildlife in its unaltered state. Hiking, biking, and other outdoor activities are popular.

The Finger Lakes region is also known for its award winning wines. The area is particularly well known for Rieslings, and draws visitors from around the world. In addition, craft breweries, cideries, and distilleries have been opening up through the Finger Lakes. A number of wine and beer trails are available across the region for visitors.

The legislation, if enacted, would authorize a study to determine if the region is appropriate for designation as a NHA.

LEGISLATIVE HISTORY

S. 1602 was introduced by Senator Gillibrand on July 20, 2017. The Senate Subcommittee on National Parks held a hearing on S. 1602 on February 14, 2018. Similar language is also included in section 7129 of S. 1460, the Energy and Natural Resources Act of 2017, which is on the Senate Calendar (Cal. 162).

In the 114th Congress, Senator Gillibrand introduced similar legislation, S. 1824, on July, 21, 2015. The Subcommittee on National Parks held a hearing on S. 1824 on June 15, 2016.

The Committee on Energy and Natural Resources met in open business session on March 8, 2018, and ordered S. 1602 favorably reported.

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. 1602.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 contains the short title.

Section 2. Definitions

Section 2 contains key definitions.

Section 3. Study

Section 3(a) directs the Secretary, in consultation with State and local historic preservation officers, State and local historical societies, State and local tourism offices, and other appropriate organizations and governmental agencies, to conduct a study to assess the suitability and feasibility of designating the study area as a NHA, to be known as the "Finger Lakes National Heritage Area."

Subsection (b) sets forth the study's requirements, including analysis, documentation, and determinations on whether the study area (1) has natural, historic, and cultural resources that represent distinctive aspects of the United States; are worthy of recognition, conservation, interpretation, and continuing use; and would be best managed through partnerships and by linking diverse and active communities; (2) reflects traditions, customs, beliefs, and folklife that are a valuable part of the United States' story; (3) provides outstanding conservation, recreation and educational opportunities; (4) contains important thematic resources that retain some interpretive integrity; (5) includes residents, business interests, non-

profit organizations, and State and local governments that are involved in the Heritage Area planning, have developed a conceptual financial plan, and have demonstrated support for the Heritage Area designation; (6) have a potential management entity to work in partnership with the individuals and entities involved in the Heritage Area development; and (7) has a conceptual boundary map that is supported by the public.

Section 4. Report

Section 4 directs the Secretary to submit to the House Committee on Natural Resources and the Senate Committee on Energy and Natural Resources a report that describes the study's findings and any conclusions and recommendations no later than three years after the date on which funds are first made available to carry out this Act.

COST AND BUDGETARY CONSIDERATIONS

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

S. 1602 would direct the National Park Service to study the suitability and feasibility of designating the Finger Lakes region of New York State as a national heritage area.

Based on the costs of similar studies, CBO estimates that implementing S. 1602 would cost less than $500,000; such spending would be subject to the availability of appropriated funds.

Enacting S. 1602 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting S. 1602 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

S. 1602 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

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. 1602. 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. 1602, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 1602, 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. 1602 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. 1602, TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO CONDUCT A STUDY TO ASSESS THE SUITABILITY AND FEASIBILITY OF DESIGNATING CERTAIN LAND AS THE FINGER LAKES NATIONAL HERITAGE AREA, AND FOR OTHER PURPOSES

The Department recognizes that the Finger Lakes region possesses the kind of natural and cultural characteristics that would make it an appropriate area to study for its potential as a national heritage area. However, in order to focus resources on reducing the National Park Service's $11.6 billion deferred maintenance backlog and addressing other critical national park needs, funding for national heritage areas is not a priority in the Administration's FY 2018 or FY 2019 budget. In addition, currently, the National Park Service is conducting 22 previously authorized studies to determine if areas have potential for inclusion in the National Park System as new units, national heritage areas, national trails, or wild and scenic rivers. Under these circumstances, we believe it would be unwise to authorize the study of additional national heritage areas at this time.

S. 1602 would authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating an area in the State of New York as the Finger Lakes National Heritage Area. The study area would include the counties of Cayuga, Chemung, Cortland, Livingston, Monroe, Onondaga, Ontario, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, and Yates.

State parks and private organizations within the study area provide public recreational and educational opportunities for similar resources not recognized through federal programs. Opportunities for the sharing of cultural heritage and folkways are available throughout the year through a variety of established organizations and the Federally recognized tribes within the region.

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.

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