

# Committee on Natural Resources

Rob Bishop, Chairman  
Markup Memorandum

January 29, 2016

To: All Natural Resources Committee Members

From: Majority Committee Staff, Terry Camp  
Subcommittee on Federal Lands (x6-7736)

Markup: Markup on H.R. 2857 (Rep. John Larson, D-CT), To facilitate the addition of park administration at the Coltsville National Historical Park, and for other purposes  
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**H.R. 2857 (Rep. John Larson, D-CT), To facilitate the addition of park administration at the Coltsville National Historical Park, and for other purposes**

## **Bill Summary**

H.R. 2857, introduced by Representative John Larson (D-CT-1), revises a condition for establishment of the Coltsville National Historical Park in Connecticut to require the state, the city, or the private property owner, as appropriate, to enter into a written agreement with the Department of the Interior to donate at least 10,000 square feet of space in the Colt Armory Complex. Current law requires that the space be solely located within the East Armory.

## **Cosponsors**

None

## **Background**

Coltsville National Historical Park, located in Hartford, Connecticut was authorized to be included as a unit of the National Park System (provided certain conditions are met) in 2014 by Public Law 113-291. The Coltsville site is approximately 260 acres and holds structures and artifacts associated with the development of Colt Firearms, the Samuel Colt family and their place in American history. Included in these facilities are the Colt home, industrial buildings, and a church.

Public Law 113-291 specified that Coltsville will not become unit of the Park System until such time as the Secretary of the Interior has received sufficient land and property donations to constitute a manageable unit. Specifically, the law requires that at least 10,000 feet of space in the East Armory be donated by the state of Connecticut, the city of Hartford, or the private property owner, as appropriate, for park administration and visitor services.

Since the passage of Public Law 113-291, discussions of where the National Park Service (NPS) would establish offices, a visitor's center, displays of artifacts, and exhibits to tell Coltsville's story evolved. The Park Service and a private developer who built apartments and office buildings in armories and factory buildings on the site, identified two empty, dilapidated brownstone buildings adjacent to the East Armory that NPS feels more fully meet their needs. NPS believes that the two brownstone buildings are better suited to welcome visitors because they are at street level and directly adjacent to parking.



1. Sawtooth Building 2. South Armory 3. East Armory 4. The Foundry / The Forge Shop  
5. North Armory 6. L-Shaped Warehouse 7. Power Plant 8. U-Shaped Office Building

### **Administration Position**

The Administration has not provided an official position, but likely supports this bill.

### **Cost**

The Congressional Budget Office has not completed a cost estimate of this bill.

### **Amendments**

Federal Lands Subcommittee Chairman, Tom McClintock (R-CA-4), will offer an amendment prohibiting the establishment of buffer zones outside of the Park and requiring written consent of the owner prior to any non-Federal property being included in the Park.

## Effect on Current Law (Ramseyer)

### Showing Current Law as Amended by H.R. 2857

[text to be deleted bracketed and highlighted in blue; next text highlighted in yellow]

## Public Law 113-291

SEC. 3032. COLTSVILLE NATIONAL HISTORICAL PARK.

(a) Definitions.--In this section:

(1) City.--The term ``city'' means the city of Hartford, Connecticut.

(2) Commission.--The term ``Commission'' means the Coltsville National Historical Park Advisory Commission established by subsection (k)(1).

(3) Historic district.--The term ``Historic District'' means the Coltsville Historic District.

(4) Map.--The term ``map'' means the map entitled ``Coltsville National Historical Park--Proposed Boundary'', numbered T25/102087, and dated May 11, 2010.

(5) Park.--The term ``park'' means the Coltsville National Historical Park in the State of Connecticut.

(6) Secretary.--The term ``Secretary'' means the Secretary of the Interior.

(7) State.--The term ``State'' means the State of Connecticut.

(b) Establishment.--

(1) In general.--Subject to paragraph (2), there is established in the State a unit of the National Park System to be known as the ``Coltsville National Historical Park''.

(2) Conditions for establishment.--The park shall not be established until the date on which the Secretary determines that--

(A) the Secretary has acquired by donation sufficient land or an interest in land within the boundary of the park to constitute a manageable unit;

(B) the State, city, or private property owner, as appropriate, has entered into a written agreement with the Secretary to donate at least 10,000 square feet of space in the [East Armory] Colt Armory Complex which would include facilities for park administration and visitor services; and

(C) the Secretary has entered into a written agreement with the State, city, or other public entity, as appropriate, providing that land owned by the State, city, or other public entity within the Coltsville Historic District shall be managed consistent with this section.

(3) Notice.--Not later than 30 days after the date on which the Secretary makes a determination under paragraph (2), the Secretary shall publish in the Federal Register notice of the establishment of the park.

(c) Boundaries.--The park shall include and provide appropriate interpretation and viewing of the following sites, as generally depicted on the map:

- (1) The East Armory.
- (2) The Church of the Good Shepherd.
- (3) The Caldwell/Colt Memorial Parish House.
- (4) Colt Park.
- (5) The Potsdam Cottages.
- (6) Armsmear.
- (7) The James Colt House.

(d) Availability of Map.--The map shall be on file and available for public inspection in appropriate offices of the National Park Service.

(e) Collections.--The Secretary may enter into a written agreement with the State of Connecticut State Library, Wadsworth Atheneum, and the Colt Trust, or other public entities, as appropriate, to gain appropriate access to Colt-related artifacts for the purposes of having items routinely on display in the East Armory or within other areas of the park to enhance the visitor experience.

(f) Administration.--

(1) In general.--The Secretary shall administer the park in accordance with--

- (A) this section; and
- (B) the laws generally applicable to units of the National Park System, including--
  - (i) the National Park Service Organic Act (16 U.S.C. 1 et seq.); and
  - (ii) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(2) State and local jurisdiction.--Nothing in this section enlarges, diminishes, or modifies any authority of the State, or any political subdivision of the State (including the city)--

- (A) to exercise civil and criminal jurisdiction; or
- (B) to carry out State laws (including regulations) and rules on non-Federal land located within the boundary of the park.

(g) Cooperative Agreements.--

(1) In general.--As the Secretary determines to be appropriate to carry out this section, the Secretary may enter into cooperative agreements to carry out this section, under which the Secretary may identify, interpret, restore, rehabilitate, and provide technical assistance for the preservation of nationally significant properties within the boundary of the park.

(2) Right of access.--A cooperative agreement entered into under paragraph (1) shall provide that the Secretary, acting through the Director of the National Park Service, shall have the right of access at all reasonable times to all public portions of the property covered by the agreement for the purposes of--

- (A) conducting visitors through the properties; and
- (B) interpreting the properties for the public.

(3) Changes or alterations.--No changes or alterations shall be made to any properties covered by a cooperative agreement entered into under paragraph (1) unless the Secretary and the

other party to the agreement agree to the changes or alterations.

(4) Conversion, use, or disposal.--Any payment by the Secretary under this subsection shall be subject to an agreement that the conversion, use, or disposal of a project for purposes contrary to the purposes of this section, as determined by the Secretary, shall entitle the United States to reimbursement in an amount equal to the greater of--

(A) the amounts made available to the project by the United States; or

(B) the portion of the increased value of the project attributable to the amounts made available under this subsection, as determined at the time of the conversion, use, or disposal.

(5) Matching funds.--

(A) In general.--As a condition of the receipt of funds under this subsection, the Secretary shall require that any Federal funds made available under a cooperative agreement shall be matched on a 1-to-1 basis by non-Federal funds.

(B) Form.--With the approval of the Secretary, the non-Federal share required under subparagraph (A) may be in the form of donated property, goods, or services from a non-Federal source, fairly valued.

(h) Acquisition of Land.--

(1) In general.--The Secretary is authorized to acquire land and interests in land by donation, purchase with donated or appropriated funds, or exchange, except that land or interests in land owned by the State or any political subdivision of the State may be acquired only by donation.

(2) No condemnation.--The Secretary may not acquire any land or interest in land for the purposes of this section by condemnation.

(i) Technical Assistance and Public Interpretation.--The Secretary may provide technical assistance and public interpretation of related historic and cultural resources within the boundary of the historic district.

(j) Management Plan.--

(1) In general.--Not later than 3 fiscal years after the date on which funds are made available to carry out this section, the Secretary, in consultation with the Commission, shall complete a management plan for the park in accordance with--

(A) section 12(b) of Public Law 91-383 (commonly known as the ``National Park Service General Authorities Act'') (16 U.S.C. 1a-7(b)); and

(B) other applicable laws.

(2) Cost share.--The management plan shall include provisions that identify costs to be shared by the Federal Government, the State, and the city, and other public or private entities or individuals for necessary capital improvements to, and maintenance and operations of, the park.

(3) Submission to congress.--On completion of the management plan, the Secretary shall submit the management plan to--

(A) the Committee on Natural Resources of the House

of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

(k) Coltsville National Historical Park Advisory Commission.--

(1) Establishment.--There is established a Commission to be known as the ``Coltsville National Historical Park Advisory Commission''.

(2) Duty.--The Commission shall advise the Secretary in the development and implementation of the management plan.

(3) Membership.--

(A) Composition.--The Commission shall be composed of 11 members, to be appointed by the Secretary, of whom--

(i) 2 members shall be appointed after consideration of recommendations submitted by the Governor of the State;

(ii) 1 member shall be appointed after consideration of recommendations submitted by the State Senate President;

(iii) 1 member shall be appointed after consideration of recommendations submitted by the Speaker of the State House of Representatives;

(iv) 2 members shall be appointed after consideration of recommendations submitted by the Mayor of Hartford, Connecticut;

(v) 2 members shall be appointed after consideration of recommendations submitted by Connecticut's 2 United States Senators;

(vi) 1 member shall be appointed after consideration of recommendations submitted by Connecticut's First Congressional District Representative;

(vii) 2 members shall have experience with national parks and historic preservation;

(viii) all appointments must have significant experience with and knowledge of the Coltsville Historic District; and

(ix) 1 member of the Commission must live in the Sheldon/Charter Oak neighborhood within the Coltsville Historic District.

(B) Initial appointments.--The Secretary shall appoint the initial members of the Commission not later than the earlier of--

(i) the date that is 30 days after the date on which the Secretary has received all of the recommendations for appointments under subparagraph (A); or

(ii) the date that is 30 days after the park is established.

(4) Term; vacancies.--

(A) Term.--

(i) In general.--A member shall be appointed for a term of 3 years.

(ii) Reappointment.--A member may be reappointed for not more than 1 additional term.

(B) Vacancies.--A vacancy on the Commission shall be

filled in the same manner as the original appointment was made.

- (5) Meetings.--The Commission shall meet at the call of--
  - (A) the Chairperson; or
  - (B) a majority of the members of the Commission.
- (6) Quorum.--A majority of the Commission shall constitute a quorum.
- (7) Chairperson and vice chairperson.--
  - (A) In general.--The Commission shall select a Chairperson and Vice Chairperson from among the members of the Commission.
  - (B) Vice chairperson.--The Vice Chairperson shall serve as Chairperson in the absence of the Chairperson.
  - (C) Term.--A member may serve as Chairperson or Vice Chairperson for not more than 1 year in each office.
- (8) Commission personnel matters.--
  - (A) Compensation of members.--
    - (i) In general.--Members of the Commission shall serve without compensation.
    - (ii) Travel expenses.--Members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duty of the Commission.
  - (B) Staff.--
    - (i) In general.--The Secretary shall provide the Commission with any staff members and technical assistance that the Secretary, after consultation with the Commission, determines to be appropriate to enable the Commission to carry out the duty of the Commission.
    - (ii) Detail of employees.--The Secretary may accept the services of personnel detailed from the State or any political subdivision of the State.
- (9) FACA nonapplicability.--Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.
- (10) Termination.--
  - (A) In general.--Unless extended under subparagraph (B), the Commission shall terminate on the date that is 10 years after the date of the enactment of this Act.
  - (B) Extension.--
    - (i) Recommendation.--Eight years after the date of the enactment of this Act, the Commission shall make a recommendation to the Secretary if a body of its nature is still necessary to advise on the development of the park.
    - (ii) Term of extension.--If, based on a recommendation under clause (i), the Secretary determines that the Commission is still necessary, the Secretary may extend the life of the Commission for not more than 10 years.