

Union Calendar No. 608

115TH CONGRESS
2^D SESSION

H. R. 5751

[Report No. 115-782]

To redesignate Golden Spike National Historic Site and to establish the
Transcontinental Railroad Network.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2018

Mr. BISHOP of Utah (for himself, Mr. CURTIS, Mrs. LOVE, and Mr. STEWART) introduced the following bill; which was referred to the Committee on Natural Resources

JUNE 25, 2018

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on May 10, 2018]

A BILL

To redesignate Golden Spike National Historic Site and to
establish the Transcontinental Railroad Network.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Golden Spike 150th An-*
5 *niversary Act”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *ADJACENT LANDOWNER.*—*The term “adja-*
9 *cent landowner” means the non-Federal owner of*
10 *property that directly abuts the Park boundaries.*

11 (2) *HISTORICAL CROSSING.*—*The term “histor-*
12 *ical crossing” means a corridor with a maximum*
13 *width of 30 feet across former railroad rights-of-way*
14 *within the Park—*

15 (A) *that has been used by adjacent land-*
16 *owners in an open manner multiple times in*
17 *more than 1 of the past 10 years for vehicle,*
18 *farm machinery, or livestock travel; or*

19 (B) *where existing utility or pipelines have*
20 *been placed.*

21 (3) *NETWORK.*—*The term “Network” means the*
22 *Transcontinental Railroad Network established under*
23 *section 4.*

1 (4) *PARK*.—The term “Park” means the Golden
2 *Spike National Historical Park* designated under sec-
3 tion 3.

4 (5) *SECRETARY*.—The term “Secretary” means
5 the Secretary of the Interior, acting through the Di-
6 rector of the National Park Service.

7 (6) *TRANSCONTINENTAL RAILROAD*.—The term
8 “Transcontinental Railroad” means the approxi-
9 mately 1,912-mile continuous railroad constructed be-
10 tween 1863 and 1869 from Council Bluffs, Iowa, to
11 San Francisco, California.

12 **SEC. 3. REDESIGNATION.**

13 (a) *REDESIGNATION*.—The Golden Spike National
14 Historic Site designated April 2, 1957, and placed under
15 the administration of the National Park Service under the
16 Act of July 10, 1965 (79 Stat. 426), shall be known and
17 designated as the “Golden Spike National Historical Park”.

18 (b) *REFERENCES*.—Any reference in a law, map, regu-
19 lation, document, paper, or other record of the United
20 States to the Golden Spike National Historic Site shall be
21 considered a reference to the “Golden Spike National His-
22 torical Park”.

23 (c) *NETWORK*.—The Park shall be part of the Network.

1 **SEC. 4. TRANSCONTINENTAL RAILROAD NETWORK.**

2 (a) *IN GENERAL.*—*The Secretary shall establish, with-*
3 *in the National Park Service, the Transcontinental Rail-*
4 *road Network. The Network shall not include properties*
5 *used in active freight railroad operations (or other ancil-*
6 *lary purposes) or reasonably anticipated to be used for*
7 *freight railroad operations in the future.*

8 (b) *STUDY.*—*The Secretary shall—*

9 (1) *inventory National Park Service sites, facili-*
10 *ties, and programs; and*

11 (2) *identify other sites, facilities, and programs,*
12 *to determine their suitability for inclusion in the Network,*
13 *as delineated under subsection (e).*

14 (c) *DUTIES OF THE SECRETARY.*—*In carrying out the*
15 *Network, the Secretary shall—*

16 (1) *produce and disseminate appropriate edu-*
17 *cation materials relating to the history, construction,*
18 *and legacy of the Transcontinental Railroad, such as*
19 *handbooks, maps, interpretive guides, or electronic in-*
20 *formation;*

21 (2) *enter into appropriate cooperative agree-*
22 *ments and memoranda of understanding to provide*
23 *technical assistance under subsection (d); and*

24 (3) *create and adopt an official, uniform symbol*
25 *or device for the Network and issue guidance for the*
26 *use of such symbol or device.*

1 (d) *ELEMENTS.*—*The Network shall encompass the fol-*
2 *lowing elements:*

3 (1) *All units and programs of the National Park*
4 *Service that are determined by the Secretary to relate*
5 *to the history, construction, and legacy of the Trans-*
6 *continental Railroad.*

7 (2) *With the consent of each person owning any*
8 *legal interest in the property, other Federal, State,*
9 *local, and privately owned properties that have a*
10 *verifiable connection to the history, construction, and*
11 *legacy of the Transcontinental Railroad and are in-*
12 *cluded in, or determined by the Secretary to be eligi-*
13 *ble for inclusion in, the National Register of Historic*
14 *Places.*

15 (3) *Other governmental and nongovernmental*
16 *programs of an educational, research, or interpretive*
17 *nature that are directly related to the history, con-*
18 *struction, and legacy of the Transcontinental Rail-*
19 *road.*

20 (e) *COOPERATIVE AGREEMENTS AND MEMORANDA OF*
21 *UNDERSTANDING.*—*To achieve the purposes of this section*
22 *and to ensure effective coordination of the Federal and non-*
23 *Federal elements of the Network described in subsection (d)*
24 *with National Park System units and programs of the Na-*
25 *tional Park Service, the Secretary may enter into coopera-*

1 *tive agreements and memoranda of understanding with,*
2 *and provide technical assistance to, the heads of other Fed-*
3 *eral agencies, States, units of local government, regional*
4 *governmental bodies, and private entities.*

5 **SEC. 5. AGREEMENTS AFFECTING CERTAIN HISTORICAL**
6 **CROSSINGS.**

7 (a) *PROGRAMMATIC AGREEMENT.*—No later than 6
8 months after the date of enactment of this Act, the Secretary
9 shall enter into a Programmatic Agreement with the Utah
10 State Historic Preservation Office and other consulting
11 parties to add certain undertakings in the Park to the list
12 of those eligible for streamlined review under section 106
13 of the Historic Preservation Act of 1966 (54 U.S.C.
14 306108). In the development of the Programmatic Agree-
15 ment, the Secretary shall collaborate with adjacent land-
16 owners, Tribes, and other consulting parties.

17 (b) *ADJACENT LANDOWNERS.*—After the completion of
18 the Programmatic Agreement under subsection (a), an adja-
19 cent landowner shall give the Secretary notice of proposed
20 certain undertakings. The Programmatic Agreement shall
21 include provision for a 30-day approval or disapproval
22 process for the proposed certain undertaking.

23 (c) *DEFINITION OF CERTAIN UNDERTAKINGS.*—As
24 used in this section, the term “certain undertakings” means

1 *those activities that take place on, within, or under a histor-*
2 *ical crossing and—*

3 *(1) will last less than 1 month and will have*
4 *limited physical impact on the surface of the histor-*
5 *ical crossing;*

6 *(2) have been implemented by an adjacent land-*
7 *owner or other adjacent landowners in the past; or*

8 *(3) is the subject of a categorical exclusion under*
9 *the National Environmental Policy Act of 1969 (42*
10 *U.S.C. 4321 et seq.).*

11 **SEC. 6. INVASIVE SPECIES CONTROL.**

12 *At the request of an adjacent landowner, within 30*
13 *days of such a request, the Secretary shall authorize the ad-*
14 *jacent landowner to participate in the eradication of*
15 *invasive species in the Park for a period of up to 10 years,*
16 *subject to renewal. Such an authorization shall provide—*

17 *(1) that the invasive species proposed for eradi-*
18 *cation is identified as such by the National Park*
19 *Service;*

20 *(2) that the method, timing, and location of the*
21 *eradication must be approved by the Secretary; and*

22 *(3) appropriate indemnification of the adjacent*
23 *landowner.*

1 **SEC. 7. FUNDING CLARIFICATION.**

2 *No additional funds are authorized to carry out the*
3 *requirements of this Act. Such requirements shall be carried*
4 *out using amounts otherwise authorized.*

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