

Calendar No. 286

112TH CONGRESS
2^D SESSION

S. 1325

[Report No. 112-125]

To direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River Area in the State of Louisiana as a unit of the National Park System, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 5, 2011

Ms. LANDRIEU introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

JANUARY 13, 2012

Reported under authority of the order of the Senate of December 17, 2011,
by Mr. BINGAMAN, with an amendment

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

A BILL

To direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River Area in the State of Louisiana as a unit of the National Park System, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Lower Mississippi
3 River National Historic Site Study Act of 2011”.

4 **SEC. 2. FINDINGS.**

5 Congress finds that—

6 (1) the Lower Mississippi area located south of
7 New Orleans, Louisiana, which is known as
8 “Plaquemines Parish”, has great historical signifi-
9 eance;

10 (2) from the earliest Spanish explorers traveling
11 along the banks of the Lower Mississippi River in
12 the 1500s, to Robert de LaSalle claiming all of the
13 land drained by the Lower Mississippi River in
14 1682, to the petroleum, fisheries, and transportation
15 industries of today, the area is one of the most
16 unique areas in the continental United States;

17 (3) while, in 1699, the area became the site of
18 the first fortification on the Lower Mississippi River,
19 known as “Fort Mississippi”, it has since been home
20 to 10 different fortifications, more than a dozen
21 light houses, and several wildlife refuges, quarantine
22 stations, and pilot stations;

23 (4) of particular interest to the area are—

24 (A) Fort St. Philip, originally built in
25 1749, at which, during the Battle of New Orle-
26 ans, the British navy was blocked from going

1 up river and a victory for the Colonial Army
2 was ensured; and

3 (B) Fort Jackson, built across from Fort
4 St. Philip at the request of General Andrew
5 Jackson and partially constructed by famous
6 local Civil War General P.G.T. Beauregard,
7 which was the site of the famous Civil War bat-
8 tle known as the "Battle of the Forts", which
9 is also referred to as the "night the war was
10 lost";

11 (5) the area is—

12 (A) at the end of the longest continuous
13 river road and levee system in the United
14 States; and

15 (B) a part of the River Road highway sys-
16 tem;

17 (6) lower Plaquemines Parish is split down the
18 middle by the Mississippi River, surrounded on 3
19 sides by the Gulf of Mexico, and crossed by numer-
20 ous bayous, canals, and ditches;

21 (7) Fort Jackson and Fort St. Philip are lo-
22 cated on—

23 (A) an ancient Head of Passes site; and

1 (B) 1 of the most historic areas on the
2 Lower Mississippi River known as
3 “Plaquemines Bend”;

4 (8) the modern Head of Passes is only 21 miles
5 south of Fort Jackson and Fort St. Philip where the
6 Mississippi River splits into a bird foot delta to trav-
7 el the last 20 miles to the Gulf of Mexico;

8 (9) there are numerous geological features that
9 are unique to a large river mouth or delta that could
10 make a national park in the area a particularly in-
11 triguing attraction;

12 (10) the coastal erosion, subsidence, river hy-
13 draulics, delta features, fresh, salt, and brackish
14 water marshes, and other unique features of the
15 area could be an effective classroom for the public
16 on the challenges of protecting our river and coastal
17 zones;

18 (11) the area includes the beginning of the Mis-
19 sissippi River flyway, which is—

20 (A) 1 of the most pristine eco-sites in the
21 United States; and

22 (B) the site of 2 national wildlife refuges
23 and 1 State wildlife refuge;

24 (12) the area is culturally diverse in history,
25 population, industry, and politics;

1 (13) many well-known characters lived or per-
2 formed deeds of great notoriety in the area;

3 (14) in the area, Creoles, Europeans, Indians,
4 Yugoslav, African-Americans, and Vietnamese all
5 worked together to weave an interesting history of
6 survival and success in a very treacherous environ-
7 ment;

8 (15) the area has tremendous tourism potential,
9 particularly for historical tourism and eco-tourism,
10 because of the location, pristine ecosystems, and
11 past indifference of the local government to promote
12 tourism in the area; and

13 (16) since Hurricane Katrina, the local govern-
14 ment in the area has—

15 (A) passed a resolution strongly supporting
16 a national park study; and

17 (B) shown an interest in developing tour-
18 ism in the area.

19 **SEC. 3. DEFINITIONS.**

20 In this Act:

21 (1) **STUDY AREA.**—

22 (A) **IN GENERAL.**—The term “Study
23 Area” means the Lower Mississippi River area
24 in the State of Louisiana.

1 (B) INCLUSIONS.—The term “Study Area”
 2 includes Fort St. Philip and Fort Jackson, the
 3 Head of Passes, and any related and supporting
 4 historical, natural, cultural, and recreational re-
 5 sources located in Plaquemines Parish, Lou-
 6 isiana.

7 (2) SECRETARY.—The term “Secretary” means
 8 the Secretary of the Interior, acting through the Di-
 9 rector of the National Park Service.

10 **SEC. 4. STUDY.**

11 (a) IN GENERAL.—Not later than 18 months after
 12 the date on which funds are made available to carry out
 13 this Act under section 6 or from non-Federal sources, the
 14 Secretary, in consultation with the State of Louisiana and
 15 interested groups and organizations, shall complete a spe-
 16 cial resource study that—

17 (1) evaluates—

18 (A) the national significance of the Study
 19 Area; and

20 (B) the suitability and feasibility of desig-
 21 nating the Study Area as a unit of the National
 22 Park System, to be known as the “Lower Mis-
 23 sissippi River National Park”;

1 (2) includes cost estimates for the acquisition,
2 development, operation, and maintenance of the
3 Study Area; and

4 (3) identifies alternatives for management, ad-
5 ministration, and protection of the Study Area.

6 (b) **CRITERIA.**—In conducting the study under sub-
7 section (a), the Secretary shall use the criteria for the
8 study of areas for potential inclusion in the National Park
9 System under section 8(e) of Public Law 91-383 (16
10 U.S.C. 1a-5(e)).

11 **SEC. 5. REPORT.**

12 On completion of the study under section 4, the Sec-
13 retary shall submit to the Committee on Natural Re-
14 sources of the House of Representatives and the Com-
15 mittee on Energy and Natural Resources of the Senate
16 a report that describes—

17 (1) the findings and conclusions of the study;

18 and

19 (2) any recommendations of the Secretary.

20 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

21 There are authorized to be appropriated such sums
22 as are necessary to carry out this Act.

23 **SECTION 1. SHORT TITLE.**

24 *This Act may be cited as the “Lower Mississippi River*
25 *Area Study Act”.*

1 **SEC. 2. DEFINITIONS.**

2 *In this Act:*

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

5 (2) *STUDY AREA.*—*The term “study area” in-*
6 *cludes Fort St. Philip, Fort Jackson, the Head of*
7 *Passes, and any related and supporting historical,*
8 *cultural, and recreational resources located in*
9 *Plaquemines Parish, Louisiana.*

10 **SEC. 3. STUDY.**

11 (a) *IN GENERAL.*—*Not later than 3 years after the*
12 *date on which funds are made available to carry out this*
13 *Act, the Secretary, in consultation with the State of Lou-*
14 *isiana and other interested organizations, shall complete a*
15 *special resource study that evaluates—*

16 (1) *the national significance of the study area;*
17 *and*

18 (2) *the suitability and feasibility of designating*
19 *the study area as a unit of the National Park System.*

20 (b) *CRITERIA.*—*In conducting the study under sub-*
21 *section (a), the Secretary shall use the criteria for the study*
22 *of areas for potential inclusion in the National Park Sys-*
23 *tem in section 8(c) of National Park System General Au-*
24 *thorities Act (16 U.S.C. 1a-5(c)).*

25 (c) *CONTENT.*—*The study described in subsection (a)*
26 *shall—*

1 (1) *include cost estimates for the potential acqui-*
2 *sition, development, operation, and maintenance of*
3 *the study area; and*

4 (2) *identify alternatives for the management, ad-*
5 *ministration, and protection of the study area.*

6 **SEC. 4. DONATIONS.**

7 *The Secretary may accept the donation of funds to*
8 *carry out this Act.*

9 **SEC. 5. AUTHORIZATION OF APPROPRIATION.**

10 *There are authorized to be appropriated such sums as*
11 *are necessary to carry out this Act.*

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