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To provide for the establishment of the Lowell National Cultural Park in the Commonwealth of Massachusetts, and for other purposes.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That the Congress finds and declares that (a) the sites and structures in Lowell, Massachusetts, the first planned industrial city in the United States, symbolize in physical form the Industrial Revolution and ought to be preserved for the benefit and inspiration of present and future generations; (b) unlike many other cities, a very large proportion of the buildings, structures, and districts of the period of the Industrial Revolution have survived in Lowell and are now recognized as important historical artifacts including the entire 5.6 mile power canal system, seven of the ten original mill complexes; and significant examples of early housing, commercial structures, social institutions, and transportation facilities and that these artifacts can be converted into living and dynamic monuments to this epoch of American culture and history; (c) the cultural heritage of many of the ethnic groups that immigrated to America during the late nineteenth and early twentieth centuries is still preserved in Lowell's neighborhoods and lifestyle and further symbolizes the societal changes which occurred as a result of the Industrial Revolution; (d) the City of Lowell and the Commonwealth of Massachusetts have officially recognized the need for preservation and interpretation in Lowell and have expended substantial monies for that purpose; (e) despite present efforts there is great danger that early buildings, structures, districts, and the character of 19th century Lowell will be lost without the assistance of the Federal Government and ought to be preserved and interpreted for the benefit and inspiration of present and future generations; (f) the preservation and the interpretation of the nationally significant cultural and historic resources of Lowell should be accomplished through the cooperative efforts of the Federal Government and appropriate supplemental assistance to the Commonwealth of Massachusetts and local government institutions, all in accordance with mutually acceptable plans and standards; and (g) the plan submitted to the Congress for the preservation, interpretation, development, and use of the cultural, historic, and architectural resources of Lowell by the Lowell Historic Canal District Commission pursuant to the Act approved January 4, 1975 (88 Stat. 2330), supports the foregoing and should therefore be

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implemented, in accordance with the authorities, intent, and provisions of this Act.

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 Sec. 2(a). In furtherance of the findings and purposes set forth in the first section of this Act and of the recommendations submitted with the plan prepared by the Lowell Historic Canal District Commission pursuant to the Act approved January 4, 1975 (88 Stat. 2330), there is hereby established in the City of Lowell, Massachusetts, the Lowell National Cultural Park (hereinafter referred to as the "park"). The park shall consist of two zones, the Preservation Zone and the Intensive Use Zone, boundaries of which shall be tentatively established and delineated by ~~an~~ attached map (NPS #). The Secretary of Interior (hereinafter referred to as the "Secretary"), and the Lowell National Cultural Park Advisory Commission (hereinafter referred to as the "Commission"), shall make every possible effort to include properties tentatively established to be within the boundaries of the park in the permanent boundaries of the park.

/ Any tentative boundary /

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 delineated by the attached map not using the name of a street and including a part of a property shall be considered to include the complete property. As soon as practicable following the effective date of this Act, the Secretary and the Commission, with the advice of the representatives of the City of Lowell and the Commonwealth of Massachusetts, shall establish more detailed boundaries of the park, including the boundaries of the zones within it. Notice of such establishment and a description of such boundaries shall be published in the Federal Register. Following reasonable notice in writing to the Committees on Interior and Insular Affairs of the Senate and House of Representatives of his intention to do so, the Secretary may make minor revisions in the boundaries of the park, including the zones within it, by publication of a revised boundary description in the Federal Register.

(b) The boundaries of the Intensive Use Zone shall include certain of the cultural and historical sites and resources within the City of Lowell representing an environment similar to that of the period between 1793 and 1910 such as the canals, riverbanks, artifacts of the power generation system, representative

mills, typical housing for workers, agents, and overseers, and community institutions together with sites and structures needed for the preservation, interpretation, and public use of the cultural, historical, commercial, and social resources based on an inventory and evaluation of those resources. The boundaries of the Preservation Zone shall include those ^(SEC MAO NPS#) areas adjacent or related to the cultural and historic resources of the Intensive Use Zone, which should be developed or used in a manner compatible with public understanding and appreciation of those resources.

AS DETERMINED BY THE SECRETARY WITH THE ADVICE OF THE COMMISSION TO BE REQUIRED

Sec. 3(a). Within the Intensive Use Zone the Secretary is authorized to acquire by purchase, donation, or exchange lands, waters, and interests therein and improvements thereon for the development, protection, and interpretation of the park in accordance with the plan prepared by the Lowell Historic Canal District Commission. No property may be acquired without the consent of the owner when that property continues to be the subject of a cooperative agreement entered into pursuant to subsection (b) of this section. The Secretary shall negotiate for the acquisition of privately owned lands and attempt to enter into agreement to acquire use of privately owned lands within the boundaries of the park. The Secretary is authorized to take ^{LOCATED IN INTENSIVE USE ZONE} privately owned lands essential to the development of the park only after good faith efforts to negotiate or enter into agreement have failed. In this instance, the Secretary shall consult with the Commission and inform the City of Lowell of this intended action. Property owned by the Commonwealth of Massachusetts or any political subdivision thereof may be acquired only by donation.

(b) In furtherance of the plan prepared by the Lowell Historic District Canal Commission, the Secretary is authorized to enter into cooperative agreements with the Commonwealth of Massachusetts, the City of Lowell, or any private owner of property within the Intensive Use Zone, pursuant to which the Secretary may assist, in whole or part, in the interpretation, restoration, preservation, management, development and maintenance of such property for the benefit of the public. Such agreements shall contain, but need not be limited to, provisions that the Secretary shall have the right of access at all reasonable times to all public portion of the property for the purpose of conducting visitors through such properties and interpreting them to the public, and that no changes or alterations should be made in such properties without the concurrence of the Secretary.

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Funds appropriated for the purposes of this Act shall be available for expenditure by the Secretary in accordance ^{with} (of) the terms of such agreements without prejudice to the availability of Federal funds for similar purposes authorized and appropriated under any other Federal program.

(c) Notwithstanding any other provision of law to the contrary, the Secretary may purchase, construct, operate, and maintain directly or by agreement in accordance with subsection (b), transportation services and facilities for visitors within the Intensive Use Zone, including barge equipment and docking facilities, and local rail facilities.

Sec. 4(a). The Secretary shall, with the advice of the Commission created pursuant to section 5 of this Act, establish standards and criteria applicable to the construction, restoration, alteration and use of all such properties within the park, including the Preservation Zone. Such standards and criteria may be revised from time to time, with the advice of the Commission, and shall have as their purpose the promotion of construction, restoration, and alteration activities in a manner consistent with the maintenance and interpretation of the historic scene of the park. The Secretary shall publish the standards and criteria, and any revisions, in the Federal Register. The Secretary shall, with the advice of the Commission, seek from the City of Lowell a code of established standards and criteria applicable to the construction, restoration, alteration and use of all such properties directly impacting the park. This uniform code shall be devised with the assistance and advice of the Secretary and the Commission and submitted to the Secretary one year following the effective date of this Act. No project, grant, loan, or license shall be undertaken or approved, as the case may be, which in the judgement of the Secretary is inconsistent with such standards and criteria to the extent such project, grant, loan, or license has an adverse material affect on the resources within the park.

(b) The Secretary shall have the authority to enter into contract, the purpose of which shall be to assist in the development of a general management plan, with private firms offering architectural or planning services. Any such firm will be selected by the Secretary following submittal of recommendations by the Commission. The Secretary shall engage in planning and offer consultation services

* as established by the Secretary. The Secretary in order to assure consistency such standards and criteria shall

use his existing authority, and only his existing authority (pursuant to PL 89-754 80 Stat 1255, 1266 and pursuant to the Act approved Oct 15, 1966 (80 Stat 915) and amended (16 U.S.C. 470) to establish the fact that no project, grant, loan or license has an adverse material effect on the resources within the park.

including, but not limited to analysis of historic structures and fabrics to the City of Lowell and to residents of the City of Lowell.

Sec. 5(a). There is hereby established the Lowell National Cultural Park Advisory Commission. The Commission shall consist of fifteen voting members and one non-voting member as follows:

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- (1) The Representative in Congress representing the City of Lowell;
- (2) Three members appointed by the Secretary from recommendations submitted by the Manager of the City of Lowell, who are to be broadly representative of the business community, local neighborhoods, and educational/cultural institutions, and who are not elected officials;
- (3) Three members appointed by the Secretary from recommendations submitted by the Mayor of the City of Lowell, who are to be elected officials *of City Council*.

8 from outside Lowell

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- (4) One member designated by each of the following: The Secretary of Transportation, the Secretary of Housing and Urban Development, and the Secretary of Commerce;
- (5) Two members designated by the Secretary (of Interior);
- (6) Three members appointed by the Secretary from recommendations submitted by the Governor of Massachusetts;
- (7) One non-voting member who shall be the Superintendent of the Lowell National Cultural Park.

- (b) the Chairman of the Commission shall be elected from among its members by a majority vote.
- (c) the term of each member of the Commission shall expire upon the swearing in of the permanent management entity which shall succeed the Commission.
- (d) a vacancy in the Commission shall not effect its powers, but shall be filled in the same manner of the original appointment (and for the balance of the unexpired term).

- (e) The Commission shall act and advise by affirmative vote of a majority of its members
- (f) Members of the Commission who are officers or employees of the Federal Government, the City of Lowell, or the Commonwealth of Massachusetts shall serve without compensation as such. Other members, while engaged in activities of the Commission, shall be entitled to compensation at the rate of not to exceed \$100 per diem. All members may receive reimbursement for necessary travel and subsistence expenses incurred by them in the in performance of the duties of the Commission.
- (g) Financial and administrative services (including those relating to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided for the Commission by the Secretary, for which payments shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Secretary: Provided, That the regulations for the Department of the Interior for the collection of indebtedness of personnel resulting from erroneous payments shall apply to the collection of erroneous payments ^{MAY} to or on behalf of a Commission employee, and regulations of said Secretary for the administrative control of funds shall apply to appropriations of the Commission: And provided further, that the Commission shall not be required to prescribe such regulations.
- (h) The Commission may also procure, without regard to the civil service laws and the Classification Act of 1949, temporary and intermittent services to the same extent as is authorized for the executive departments by section 15 of the Administrative Expenses Act of 1946, but at rates determined to be reasonable and not to conflict with any other provision of law.

- (i) The Federal executive departments represented on the Commission shall provide it, on a reimbursable basis, with such facilities and services under their jurisdiction and control as may be needed by the Commission to carry out its duties, to the extent that such facilities and services are requested by the Commission and are otherwise available for that purpose. To the extent of available appropriations, the Commission may obtain, by purchase, rental, donation, or otherwise, such additional property, facilities, and services as may be needed to carry out its duties. Upon the termination of the Commission, all property, personal and real, and unexpended funds shall be transferred to the Department of Interior.
- (j) It shall be the duty of the Commission to advise the Secretary with respect to (1) standards and criteria for the construction, restoration, alteration, and use of all properties within the park, (2) acquisition and development of properties within the Intensive Use Zone; (3) coordination of public agency activities, environmental management, preservation assistance outside the intensive use zone, educational and cultural program development; (4) an appropriate permanent management entity to which overall coordination of the above duties, but not limited to those duties, should be permanently assigned. The Secretary shall consult with the Commission from time to time with respect to his duties and responsibilities under this Act. Not later than two years following the effective date of this Act, the Secretary shall submit his recommendation to the Congress for a permanent management entity. The Secretary will periodically review the scope of activities of the permanent management entity. The permanent management entity shall be terminated when (1) the program development function is self-sufficient; (2) when the preservation program is substantially complete; (3) when the local and state agencies are completely capable of insuring the integrity of the park; ^{and} (4) when the major redevelopment and reuse of structures in the park is substantially under way.

Sec. 6. The Secretary shall develop, administer, interpret, and maintain the park as a unit of the national park system in accordance with the

provisions of the Act approved August 25, 1916 (39 Stat. 535), the Act approved August 21, 1935 (49 Stat. 666), as both have been amended and supplemented, and this Act.

Sec. 7. There is authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.