

111TH CONGRESS
1ST SESSION

S. 1469

To provide for the administration of Port Chicago Naval Magazine National Memorial as a unit of the National Park System, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 16, 2009

Mrs. BOXER introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To provide for the administration of Port Chicago Naval Magazine National Memorial 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Port Chicago Naval
5 Magazine National Memorial Enhancement Act of 2009”.

6 **SEC. 2. PORT CHICAGO NAVAL MAGAZINE NATIONAL ME-**
7 **MORIAL.**

8 Section 203 of the Port Chicago National Memorial
9 Act of 1992 (16 U.S.C. 431 note; Public Law 102–562;
10 106 Stat. 4235) is amended—

1 (1) by redesignating subsection (c) as sub-
2 section (f);

3 (2) by inserting after subsection (b) the fol-
4 lowing:

5 “(c) ADMINISTRATION.—

6 “(1) IN GENERAL.—The Secretary of the Inte-
7 rior shall administer the Port Chicago Naval Maga-
8 zine National Memorial as a unit of the National
9 Park System in accordance with—

10 “(A) this Act; and

11 “(B) the laws generally applicable to units
12 of the National Park System, including—

13 “(i) the National Park Service Or-
14 ganic Act (16 U.S.C. 1 et seq.); and

15 “(ii) the Act of August 21, 1935 (16
16 U.S.C. 461 et seq.).

17 “(2) ADMINISTERED LAND.—The land de-
18 scribed in subsection (d)(2) shall be administered in
19 accordance with this subsection.

20 “(d) TRANSFER OF LAND.—

21 “(1) IN GENERAL.—The Secretary of Defense
22 shall enter into a memorandum of understanding
23 with the Secretary of the Interior providing for the
24 transfer, without consideration, of administrative ju-
25 risdiction to the Secretary of the Interior of the land

1 described in paragraph (2), if the Secretary of De-
2 fense determines that the land is in excess of mili-
3 tary needs.

4 “(2) DESCRIPTION OF LAND.—The land re-
5 ferred to in paragraph (1) is the parcel of approxi-
6 mately 5 acres of land, as depicted on the map enti-
7 tled ‘Port Chicago Naval Magazine National Memo-
8 rial, Proposed Boundary’, numbered 018/80,001,
9 and dated August 2005.

10 “(e) AGREEMENT WITH CITY OF CONCORD AND
11 EAST BAY REGIONAL PARK DISTRICT.—The Secretary of
12 the Interior may enter into an agreement with the City
13 of Concord, California, and the East Bay Regional Park
14 District to establish and operate a facility for visitor ori-
15 entation and parking, administrative offices, and curato-
16 rial storage for the Port Chicago Naval Magazine National
17 Memorial.”; and

18 (3) in subsection (f), (as redesignated by para-
19 graph (1)), by striking “Secretary of the Navy to
20 provide public access to the Memorial” and inserting
21 “Secretary of Defense to provide the maximum prac-
22 ticable public access to the Memorial without inter-
23 fering with military needs”.

1 **SEC. 3. SENSE OF CONGRESS ON REMEDIATION AND RE-**
2 **PAIR OF PORT CHICAGO NAVAL MAGAZINE**
3 **NATIONAL MEMORIAL.**

4 (a) REMEDIATION.—It is the sense of Congress that,
5 to facilitate the transfer of administrative jurisdiction de-
6 scribed in subsection (d) of section 203 of the Port Chi-
7 cago National Memorial Act of 1992 (16 U.S.C. 431 note;
8 Public Law 102–562; 106 Stat. 4235) (as added by sec-
9 tion 2), the Secretary of Defense should promptly reme-
10 diate any remaining environmental contamination relating
11 to the land.

12 (b) REPAIR.—It is the sense of Congress that, in
13 order to preserve the Port Chicago Naval Magazine Na-
14 tional Memorial for future generations, the Secretary of
15 Defense and the Secretary of the Interior should work to-
16 gether to—

17 (1) repair storm damage to the Port Chicago
18 Naval Magazine National Memorial; and

19 (2) develop a process by which future repairs
20 and necessary modifications to the Memorial can be
21 achieved in as timely and cost-effective a manner as
22 possible.

23 **SEC. 4. EFFECT.**

24 Nothing in this Act or the amendments made by this
25 Act affects or limits the application of, or obligation to
26 comply with, any environmental law, including section

1 120(h) of the Comprehensive Environmental Response,
2 Compensation, and Liability Act of 1980 (42 U.S.C.
3 9620(h)).

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