

# Union Calendar No. 523

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 1785

**[Report No. 113-692]**

To establish the Mountains to Sound Greenway National Heritage Area  
in the State of Washington, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2013

Mr. REICHERT (for himself and Mr. SMITH of Washington) introduced the  
following bill; which was referred to the Committee on Natural Resources

DECEMBER 22, 2014

Additional sponsors: Mr. McDERMOTT and Ms. DELBENE

DECEMBER 22, 2014

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 *italie*]

[For text of introduced bill, see copy of bill as introduced on April 26, 2013]

# **A BILL**

To establish the Mountains to Sound Greenway National Heritage Area in the State of Washington, 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 “Mountains to Sound*  
5 *Greenway National Heritage Area Act”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *HERITAGE AREA.*—*The term “Heritage*  
9 *Area” means the Mountains to Sound Greenway Na-*  
10 *tional Heritage Area established in this Act.*

11 (2) *LOCAL COORDINATING ENTITY.*—*The term*  
12 *“local coordinating entity” means the entity selected*  
13 *by the Secretary under section 3(d).*

14 (3) *MAP.*—*The term “map” means the map ti-*  
15 *tled “Mountains to Sound Greenway National Herit-*  
16 *age Area Proposed Boundary”, numbered 584/125,484*  
17 *and dated January 31, 2011.*

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

20 (5) *STATE.*—*The term “State” means the State*  
21 *of Washington.*

22 **SEC. 3. DESIGNATION OF THE MOUNTAINS TO SOUND**  
23 **GREENWAY NATIONAL HERITAGE AREA.**

24 (a) *ESTABLISHMENT.*—*There is hereby established the*  
25 *Mountains to Sound Greenway National Heritage Area in*

1 *the State, to consist of land in King and Kittitas counties*  
2 *in the State, as generally depicted on the map, unless the*  
3 *county commission of King or Kittitas county elects at any*  
4 *time to be excluded from the Heritage Area, in which case*  
5 *that county shall not be part of the Heritage Area.*

6 (b) *MAP.*—*The map shall be on file and available to*  
7 *the public in the appropriate offices of the National Park*  
8 *Service, United States Forest Service, and the local coordi-*  
9 *nating entity.*

10 (c) *LOCAL COORDINATING ENTITY.*—*The Secretary*  
11 *shall select a local coordinating entity for the Heritage*  
12 *Area.*

13 **SEC. 4. MANAGEMENT PLAN.**

14 (a) *IN GENERAL.*—*Not later than 3 years after the*  
15 *date of the enactment of this Act and subject to subsection*  
16 *(b)(4), the local coordinating entity shall submit to the Sec-*  
17 *retary for approval a proposed management plan for the*  
18 *Heritage Area.*

19 (b) *REQUIREMENTS.*—*The management plan shall—*

20 (1) *incorporate an integrated and cooperative*  
21 *approach for the protection, enhancement, manage-*  
22 *ment, and interpretation of the natural, cultural, his-*  
23 *toric, scenic, and recreational resources of the Herit-*  
24 *age Area;*

1           (2) *take into consideration State government*  
2     *plans;*

3           (3) *include—*

4                 (A) *an inventory of the resources of the*  
5     *Heritage Area;*

6                 (B) *an inventory of any other property in*  
7     *the Heritage Area that is related to the themes*  
8     *of the Heritage Area, and should be preserved,*  
9     *restored, managed or maintained because of the*  
10    *significance of the property;*

11                (C) *comprehensive policies, strategies and*  
12    *recommendations for conservation, funding,*  
13    *management, and development of the Heritage*  
14    *Area;*

15                (D) *a description of actions that govern-*  
16    *ments, private organizations, and individuals*  
17    *have agreed to take to protect the natural, histor-*  
18    *ical and cultural resources of the Heritage Area;*

19                (E) *a program of implementation for the*  
20    *management plan by the local coordinating enti-*  
21    *ty that includes a description of—*

22                         (i) *actions to facilitate ongoing collabo-*  
23    *ration among partners to promote plans for*  
24    *resource protection, restoration, and con-*  
25    *struction; and*

1                   (ii) *specific commitments for imple-*  
2                   *mentation that have been made by the local*  
3                   *coordinating entity or any government, or-*  
4                   *ganization or individual for the first five*  
5                   *years of operation;*

6                   (F) *analysis and recommendations for*  
7                   *means by which Federal, State, and local pro-*  
8                   *grams, including the role of the National Park*  
9                   *Service in the Heritage Area, may best be coordi-*  
10                  *nated to carry out this Act;*

11                  (G) *an interpretative plan for the Heritage*  
12                  *Area; and*

13                  (4) *be submitted to the county commissions of*  
14                  *King and Kittitas counties in the State for approval*  
15                  *by the commissions before the management plan is*  
16                  *submitted to the Secretary, unless the county has*  
17                  *elected not to be part of the Heritage Area.*

18                  (c) *APPROVAL OR DISAPPROVAL OF MANAGEMENT*  
19                  *PLAN.—*

20                  (1) *REVIEW.—Not later than 180 days after re-*  
21                  *ceiving the management plan for the Heritage Area,*  
22                  *the Secretary shall review and, in consultation with*  
23                  *the Secretary of Agriculture and State, approve or*  
24                  *disapprove the management plan on the basis of the*  
25                  *criteria established under paragraph (2).*

1           (2) *CRITERIA FOR APPROVAL.*—*In determining*  
2 *whether to approve a management plan for a Herit-*  
3 *age Area, the Secretary shall consider whether—*

4           (A) *the local coordinating entity represents*  
5 *the diverse interests of the Heritage Area, includ-*  
6 *ing governments, natural and historic resource*  
7 *protection organizations, educational institu-*  
8 *tions, businesses, recreational organizations, and*  
9 *private property owners;*

10          (B) *the local coordinating entity has af-*  
11 *forded adequate opportunity, including public*  
12 *hearings, for the public and Federal, State, trib-*  
13 *al, and local governmental involvement in the*  
14 *preparation of the management plan; and*

15          (C) *the resource protection and interpreta-*  
16 *tion strategies contained in the management*  
17 *plan, if implemented, would adequately protect*  
18 *the natural, historical, and cultural resources of*  
19 *the Heritage Area.*

20       (d) *DISAPPROVAL.*—

21           (1) *IN GENERAL.*—*If the Secretary disapproves*  
22 *the management plan, the Secretary shall—*

23           (A) *advise the local coordinating entity in*  
24 *writing of the reasons for the disapproval; and*

1           (B) make recommendations to the local co-  
2           ordinating entity for revisions to the manage-  
3           ment plan.

4           (2) *DEADLINE.*—Not later than 180 days after  
5           receiving a revised management plan, the Secretary  
6           shall approve or disapprove the revised management  
7           plan.

8           (e) *AMENDMENTS.*—

9           (1) *IN GENERAL.*—An amendment to the man-  
10          agement plan that substantially changes the manage-  
11          ment plan shall be reviewed by the Secretary and ap-  
12          proved or disapproved in the same manner as the  
13          original management plan.

14          (2) *COUNTY REVIEW AND APPROVAL.*—No  
15          amendment may be submitted to the Secretary under  
16          paragraph (1) until and unless the amendment is  
17          first reviewed and approved by the county commis-  
18          sions for King and Kittitas counties in the State (un-  
19          less that county has elected not to be part of the Her-  
20          itage Area).

21          (3) *IMPLEMENTATION.*—The local coordinating  
22          entity shall not implement an amendment to the  
23          management plan until the Secretary approves the  
24          amendment.



1           (f) *AUTHORITIES.*—*The Secretary may provide tech-*  
2 *nical assistance to the State, political subdivisions of the*  
3 *State, nonprofit organizations, and other interested parties.*

4 **SEC. 5. EVALUATION; REPORTING.**

5           (a) *IN GENERAL.*—*Not later than 10 years after the*  
6 *enactment of this Act, the Secretary, in consultation with*  
7 *the Secretary of Agriculture, shall—*

8                   (1) *conduct an evaluation of the accomplish-*  
9 *ments of the Heritage Area; and*

10                   (2) *prepare and submit a report pursuant to*  
11 *subsection (c).*

12           (b) *EVALUATION.*—*An evaluation conducted under this*  
13 *subsection shall—*

14                   (1) *assess the progress of the local coordinating*  
15 *entity with respect to—*

16                           (A) *accomplishing the purposes of the au-*  
17 *thorizing legislation for the Heritage Area; and*

18                           (B) *achieving the goals and objectives of the*  
19 *approved management plan for the Heritage*  
20 *Area;*

21                   (2) *analyze the Federal, State, tribal, local, and*  
22 *private investments in the Heritage Area to determine*  
23 *the impact of the investments; and*

24                   (3) *review the management structure, partner-*  
25 *ship relationships, and funding of the Heritage Area*

1       *for purposes of identifying the critical components for*  
2       *sustainability of the Heritage Area.*

3       (c) *REPORT.*—*Based on the evaluation conducted*  
4       *under subsection (b), the Secretary shall submit a report*  
5       *to the Committee on Natural Resources of the House of Rep-*  
6       *resentatives and the Committee on Energy and Natural Re-*  
7       *sources of the Senate. The report shall include recommenda-*  
8       *tions for the future role of the National Park Service with*  
9       *respect to the Heritage Area.*

10 **SEC. 6. LOCAL COORDINATING ENTITY.**

11       (a) *DUTIES.*—*To further the purposes of the Heritage*  
12 *Area, the local coordinating entity shall—*

13               (1) *prepare and submit a management plan for*  
14       *the Heritage Area to the Secretary in accordance with*  
15       *section 4;*

16               (2) *submit a report to the Secretary every five*  
17       *years after the Secretary has approved the manage-*  
18       *ment plan, specifying—*

19                       (A) *the expenses and income of the local co-*  
20       *ordinating entity; and*

21                       (B) *significant grants or contracts made by*  
22       *the local coordinating entity to any other entities*  
23       *during the five-year period.*

24       (b) *AUTHORITIES.*—*To further the purposes of the*  
25 *Heritage Area, the local coordinating entity may—*

1           (1) *make grants to the State, or a political sub-*  
2 *division of the State, nonprofit organizations, and*  
3 *other parties within the National Heritage Area;*

4           (2) *enter into cooperative agreements with or*  
5 *provide technical assistance to political jurisdictions,*  
6 *nonprofit organizations, Federal agencies, and other*  
7 *interested parties;*

8           (3) *hire and compensate staff, which shall in-*  
9 *clude individuals with expertise in natural, cultural,*  
10 *and historical resources protection, heritage program-*  
11 *ming, and economic and community development;*

12           (4) *obtain funds or services that are provided*  
13 *under any Federal law or program not specifically*  
14 *applicable to national heritage areas;*

15           (5) *contract for goods or services;*

16           (6) *support activities that further the Heritage*  
17 *Area and are consistent with the approved manage-*  
18 *ment plan;*

19           (7) *assist units of local government, regional*  
20 *planning organizations, and nonprofit organizations*  
21 *in carrying out the approved management plan by—*

22           (A) *carrying out programs and projects*  
23 *that recognize, protect, and enhance important*  
24 *resource values in the Heritage Area;*

1           (B) establishing and maintaining interpre-  
2           tative exhibits and programs in the Heritage  
3           Area;

4           (C) developing recreational and educational  
5           opportunities in the Heritage Area;

6           (D) increasing public awareness of, and ap-  
7           preciation for, natural, historical, scenic, and  
8           cultural resources of the Heritage Area;

9           (E) protecting and restoring historic sites  
10          and buildings in the Heritage Area that are con-  
11          sistent with the Heritage Area themes;

12          (F) ensuring that clear, consistent, and ap-  
13          propriate signs identifying points of public ac-  
14          cess and sites of interest are posted throughout  
15          the Heritage Area; and

16          (G) promoting a wide range of partnerships  
17          among governments, organizations, and individ-  
18          uals to further the Heritage Area;

19          (8) consider the interests of diverse units of gov-  
20          ernment, businesses, organizations, and individuals  
21          in the Heritage Area in the preparation and imple-  
22          mentation of the management plan;

23          (9) conduct meetings open to the public at least  
24          semiannually regarding the development and imple-  
25          mentation of the management plan;

1           (10) for any year that Federal funds have been  
2       received by the local coordinating entity—

3           (A) submit to the Secretary an annual re-  
4       port that describes the activities, expenses, and  
5       income of the local coordinating entity (includ-  
6       ing grants to any other entities during the year  
7       that the report is made);

8           (B) make available to the Secretary for  
9       audit all records relating to the expenditure of  
10      the funds and any matching funds; and

11          (C) require, with respect to all agreements  
12      authorizing expenditure of Federal funds by  
13      other organizations, that the organizations re-  
14      ceiving the funds make available to the Secretary  
15      for audit all records concerning the expenditure  
16      of the funds; and

17          (11) encourage by appropriate means economic  
18      vitality that is consistent with the Heritage Area.

19          (c) *PROHIBITION ON ACQUISITION OF REAL PROP-*  
20      *ERTY.*—The local coordinating entity may not acquire real  
21      property or interests in real property with Federal funds  
22      or through condemnation.

1 **SEC. 7. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

2       (a) *IN GENERAL.*—*Nothing in this Act affects the au-*  
3 *thority of a Federal agency to provide technical or financial*  
4 *assistance under any other law.*

5       (b) *CONSULTATION AND COORDINATION.*—*Any Federal*  
6 *agency planning to conduct activities that may have an im-*  
7  *pact on the Heritage Area is encouraged to consult and co-*  
8  *ordinate the activities with the Secretary and the local co-*  
9  *ordinating entity to the maximum extent practicable.*

10       (c) *OTHER FEDERAL AGENCIES.*—*Nothing in this*  
11 *Act—*

12               (1) *modifies, alters, or amends any law or regu-*  
13 *lation authorizing a Federal agency to manage Fed-*  
14 *eral land under the jurisdiction of the Federal agency;*

15               (2) *limits the discretion of a Federal land man-*  
16 *ager to implement an approved land use plan within*  
17 *the boundaries of the Heritage Area; or*

18               (3) *modifies, alters, or amends any authorized*  
19 *use of Federal land under the jurisdiction of a Fed-*  
20 *eral agency.*

21 **SEC. 8. PRIVATE PROPERTY AND REGULATORY PROTEC-**  
22 **TIONS.**

23 *Nothing in this Act—*

24               (1) *abridges the rights of any property owner*  
25 *(whether public or private), including the right to re-*

1       *frain from participating in any plan, project, pro-*  
2       *gram, or activity conducted within the Heritage Area;*

3               *(2) requires any property owner to permit public*  
4       *access (including access by Federal, State, tribal, or*  
5       *local agencies) to the property of the property owner,*  
6       *or to modify public access or use of property of the*  
7       *property owner under any other Federal, State, trib-*  
8       *al, or local law;*

9               *(3) alters any duly adopted land use regulation,*  
10       *approved land use plan, or other regulatory authority*  
11       *(such as the authority to make safety improvements*  
12       *or increase the capacity of existing roads or to con-*  
13       *struct new roads or associated developments) of any*  
14       *Federal, State, tribal, local unit of government or*  
15       *local agency, or conveys any land use or other regu-*  
16       *latory authority to any local coordinating entity, in-*  
17       *cluding but not necessarily limited to development*  
18       *and management of energy, water or water-related in-*  
19       *frastructure;*

20               *(4) alters, modifies, diminishes, or extinguishes*  
21       *the treaty rights of any Indian tribe within the Her-*  
22       *itage Area;*

23               *(5) authorizes or implies the reservation or ap-*  
24       *propriation of water or water rights;*

1           (6) *diminishes the authority of the State to man-*  
2           *age fish and wildlife, including the regulation of fish-*  
3           *ing and hunting within the Heritage Area;*

4           (7) *creates any liability, or affects any liability*  
5           *under any other law, of any private property owner;*

6           (8) *affects current or future grazing permits,*  
7           *leases or allotments on Federal lands; or*

8           (9) *affects the construction, operation, mainte-*  
9           *nance, improvement or expansion of current or future*  
10          *water projects, including water storage, hydroelectric*  
11          *facilities, or delivery systems.*

12 **SEC. 9. CLARIFICATION.**

13          *Nothing in this Act authorizes the Secretary—*

14               (1) *to allocate or distribute Federal funds to the*  
15               *local coordinating entity; or*

16               (2) *to expend Federal funds for any purpose*  
17               *under this Act except for those purposes specifically*  
18               *enumerated to the Secretary under section 3, sub-*  
19               *sections (c), (d), (e) and (f) of section 4, and section*  
20               5.

21 **SEC. 10. TERMINATION OF AUTHORITY.**

22          *The authority of the Secretary to provide assistance*  
23          *under this Act terminates on the date that is 15 years after*  
24          *the date of enactment of this Act.*





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