

Union Calendar No. 523

113TH CONGRESS
2^D 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.

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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[Report No. 113-692]

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