

115TH CONGRESS
1ST SESSION

H. R. 1791

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2017

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

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 Act”.

6 **SEC. 2. PURPOSES; CONSTRUCTION.**

7 The purposes of this Act include—

8 (1) to recognize the national importance of the
9 natural and cultural legacies of the area, as dem-
10 onstrated in the study entitled “Mountains to Sound

1 Greenway National Heritage Area Feasibility
2 Study” dated April 2012;

3 (2) to recognize the heritage of natural resource
4 conservation in the Pacific Northwest and in the
5 Mountains to Sound Greenway;

6 (3) to preserve, support, conserve, and interpret
7 the legacies of natural resource conservation, com-
8 munity stewardship, and Indian tribes and nations
9 from time immemorial, within the Mountains to
10 Sound National Heritage Area;

11 (4) to promote heritage, cultural, and rec-
12 reational tourism and to develop educational and
13 cultural programs for visitors and the general public;

14 (5) to recognize and interpret important events
15 and geographic locations representing key develop-
16 ments in the creation of America, particularly the
17 settlement of the American West and the stories of
18 diverse ethnic groups, Indian tribes, and others;

19 (6) to enhance a cooperative management
20 framework to assist Federal, State, local, and Tribal
21 governments, the private sector, and citizens resid-
22 ing in the Heritage Area in conserving, supporting,
23 managing, and enhancing natural and recreational
24 sites in the Heritage Area;

1 (7) to recognize and interpret the relationship
2 between land and people, representing broad Amer-
3 ican ideals demonstrated through the integrity of ex-
4 isting resources within the Heritage Area; and

5 (8) to support working relationships between
6 public land managers and the community by cre-
7 ating relevant links between the National Park Serv-
8 ice, the Forest Service, other relevant Federal agen-
9 cies, Tribal governments, State and local govern-
10 ments and agencies, and community stakeholders
11 within and surrounding the Heritage Area in order
12 to protect, enhance, and interpret cultural and nat-
13 ural resources within the Heritage Area.

14 **SEC. 3. DEFINITIONS.**

15 In this Act:

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

19 (2) **LOCAL COORDINATING ENTITY.**—The term
20 “local coordinating entity” means the entity selected
21 by the Secretary under section 4(d).

22 (3) **MANAGEMENT PLAN.**—The term “manage-
23 ment plan” means the management plan for the
24 Heritage Area required under section 5.

1 (4) MAP.—The term “Map” means the map en-
2 titled “Mountains to Sound Greenway National Her-
3 itage Area Proposed Boundary”, numbered 584/
4 125,484, and dated August 2014.

5 (5) SECRETARY.—The term “Secretary” means
6 the Secretary of the Interior.

7 (6) STATE.—The term “State” means the State
8 of Washington.

9 (7) TRIBE OR TRIBAL.—The terms “Tribe” or
10 “Tribal” mean any federally recognized Indian tribe
11 with cultural heritage and historic interests within
12 the proposed Mountains to Sound Greenway Na-
13 tional Heritage Area.

14 **SEC. 4. DESIGNATION OF THE MOUNTAINS TO SOUND**
15 **GREENWAY NATIONAL HERITAGE AREA.**

16 (a) ESTABLISHMENT.—There is established in the
17 State the Mountains to Sound Greenway National Herit-
18 age Area.

19 (b) BOUNDARIES.—The Heritage Area shall consist
20 of land located in King and Kittitas Counties in the State,
21 as generally depicted on the map.

22 (c) MAP.—The map shall be on file and available for
23 public inspection in the appropriate offices of the National
24 Park Service, the United States Forest Service, and the
25 local coordinating entity.

1 (d) LOCAL COORDINATING ENTITY.—The Secretary
2 shall designate a willing local unit of government, Indian
3 tribe, or a nonprofit organization to serve as the coordi-
4 nating entity for the Heritage Area within 120 days of
5 the date of the enactment of this Act.

6 **SEC. 5. MANAGEMENT PLAN.**

7 (a) IN GENERAL.—Not later than 3 years after the
8 date of the enactment of this Act, the local coordinating
9 entity shall submit to the Secretary for approval a pro-
10 posed management plan for the Heritage Area.

11 (b) REQUIREMENTS.—The management plan shall—

12 (1) incorporate an integrated and cooperative
13 approach for the protection, enhancement, and inter-
14 pretation of the natural, cultural, historic, scenic,
15 and recreational resources of the Heritage Area;

16 (2) take into consideration Federal, State, Trib-
17 al, and local plans; and

18 (3) include—

19 (A) an inventory of the natural, historical,
20 cultural, educational, scenic, and recreational
21 resources of the Heritage Area, including an ac-
22 knowledgment of the exercise of Tribal treaty
23 rights, that relate to the national importance
24 and themes of the Heritage Area that should be
25 conserved and enhanced;

1 (B) a description of strategies and rec-
2 ommendations for conservation, funding, man-
3 agement, and development of the Heritage
4 Area;

5 (C) a description of the actions that Fed-
6 eral, State, local, and Tribal governments, pri-
7 vate organizations, and individuals have agreed
8 to take to protect the natural, cultural, histor-
9 ical, scenic, and recreational resources of the
10 Heritage Area;

11 (D) a program of implementation for the
12 management plan by the local coordinating en-
13 tity, including—

14 (i) performance goals; and

15 (ii) commitments for implementation
16 made by partners;

17 (E) the identification of sources of funding
18 for carrying out the management plan;

19 (F) analysis and recommendations for
20 means by which Federal, State, local, and Trib-
21 al programs may best be coordinated to carry
22 out this section;

23 (G) an interpretive plan for the Heritage
24 Area, including Tribal heritage;

1 (H) recommended policies and strategies
2 for resource management, including the devel-
3 opment of intergovernmental and interagency
4 cooperative agreements to protect the natural,
5 cultural, historical, scenic, and recreational re-
6 sources of the Heritage Area; and

7 (I) a definition of the roles of the National
8 Park Service, the Forest Service, other Federal
9 agencies, and Tribes in the coordination of the
10 Heritage Area and in otherwise furthering the
11 purposes of this Act.

12 (c) DEADLINE.—If a proposed management plan is
13 not submitted to the Secretary by the date that is 3 years
14 after the date of the enactment of this Act, the local co-
15 ordinating entity shall be ineligible to receive additional
16 funding under this Act until the date on which the Sec-
17 retary receives and approves the management plan.

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

20 (1) IN GENERAL.—Not later than 180 days
21 after the date of receipt of the proposed manage-
22 ment plan, the Secretary, in consultation with the
23 State and Tribal governments, shall approve or dis-
24 approve the management plan.

1 (2) CRITERIA FOR APPROVAL.—In determining
2 whether to approve the management plan, the Sec-
3 retary shall consider whether—

4 (A) the local coordinating entity has af-
5 farded adequate opportunity, including public
6 hearings, for public and governmental involve-
7 ment in the preparation of the management
8 plan;

9 (B) the resource protection and interpreta-
10 tion strategies contained in the management
11 plan, if implemented, would adequately protect
12 the natural, cultural, historical, scenic, and rec-
13 reational resources of the Heritage Area; and

14 (C) the management plan is consistent
15 with the Secretary's trust responsibilities to In-
16 dian tribes and Tribal treaty rights within the
17 National Heritage Area.

18 (3) ACTION FOLLOWING DISAPPROVAL.—If the
19 Secretary disapproves the management plan, the
20 Secretary shall—

21 (A) advise the local coordinating entity in
22 writing of the reasons for the disapproval;

23 (B) make recommendations to the local co-
24 ordinating entity for revisions to the manage-
25 ment plan; and

1 (C) not later than 180 days after the re-
2 ceipt of any revised management plan from the
3 local coordinating entity, approve or disapprove
4 the revised management plan.

5 (e) AMENDMENTS.—The Secretary shall review and
6 approve or disapprove in the same manner as the original
7 management plan, each amendment to the management
8 plan that makes a substantial change to the management
9 plan, as determined by the Secretary. The local coordi-
10 nating entity shall not carry out any amendment to the
11 management plan until the date on which the Secretary
12 has approved the amendment.

13 **SEC. 6. ADMINISTRATION.**

14 (a) AUTHORITIES.—

15 (1) IN GENERAL.—For purposes of imple-
16 menting the management plan, the Secretary and
17 Forest Service may—

18 (A) provide technical assistance for the im-
19 plementation of the management plan; and

20 (B) enter into cooperative agreements with
21 the local coordinating entity, State and local
22 agencies, Tribes, and other interested parties to
23 carry out this Act, including cooperation and
24 cost sharing as appropriate to provide more

1 cost-effective and coordinated public land man-
2 agement.

3 (2) TERMINATION OF AUTHORITY.—The au-
4 thority of the Secretary to provide technical assist-
5 ance under this Act terminates on the date that is
6 15 years after the date of the enactment of this Act.

7 (b) LOCAL COORDINATING ENTITY AUTHORITIES.—
8 For purposes of implementing the management plan, the
9 local coordinating entity may—

10 (1) make grants to the State or a political sub-
11 division of the State, Tribes, nonprofit organizations,
12 and other persons;

13 (2) enter into cooperative agreements with, or
14 provide technical assistance to, Federal agencies, the
15 State or political subdivisions of the State, Tribes,
16 nonprofit organizations, and other interested parties;

17 (3) hire and compensate staff, including individ-
18 uals with expertise in natural, cultural, historical,
19 scenic, and recreational resource protection and her-
20 itage programming;

21 (4) obtain money or services from any source,
22 including any money or services that are provided
23 under any other Federal law or program;

24 (5) contract for goods or services; and

1 (6) undertake to be a catalyst for other activi-
2 ties that—

3 (A) further the purposes of the Heritage
4 Area; and

5 (B) are consistent with the management
6 plan.

7 (c) LOCAL COORDINATING ENTITY DUTIES.—The
8 local coordinating entity shall—

9 (1) in accordance with section 5, prepare and
10 submit a management plan to the Secretary;

11 (2) assist units of Federal, State, and local gov-
12 ernment, Tribes, regional planning organizations,
13 nonprofit organizations, and other interested parties
14 in carrying out the approved management plan by—

15 (A) carrying out programs and projects
16 that recognize, protect, and enhance important
17 resource values in the Heritage Area;

18 (B) establishing and maintaining interpre-
19 tive exhibits and programs in the Heritage
20 Area;

21 (C) developing recreational and educational
22 opportunities in the Heritage Area; and

23 (D) increasing public awareness of, and
24 appreciation for, the natural, cultural, histor-

1 ical, Tribal, scenic, and recreational resources
2 of the Heritage Area;

3 (3) consider the interests of diverse units of
4 government, Tribes, business, organizations, and in-
5 dividuals in the Heritage Area in the preparation
6 and implementation of the management plan;

7 (4) conduct meetings open to the public at least
8 semiannually regarding the development and imple-
9 mentation of the management plan;

10 (5) encourage, by appropriate means, economic
11 viability that is consistent with the Heritage Area;
12 and

13 (6) submit a report to the Secretary every five
14 years after the Secretary has approved the manage-
15 ment plan, specifying—

16 (A) the expenses and income of the local
17 coordinating entity; and

18 (B) significant grants or contracts made
19 by the local coordinating entity to any other en-
20 tity over the 5-year period that describes the
21 activities, expenses, and income of the local co-
22 ordinating entity (including grants from the
23 local coordinating entity to any other entity
24 during the year that the report is made).

1 (d) PROHIBITION ON ACQUISITION OF REAL PROP-
2 ERTY.—The local coordinating entity may not acquire real
3 property or interest in real property through condemna-
4 tion.

5 (e) USE OF FEDERAL FUNDS.—Nothing in this Act
6 shall preclude the local coordinating entity from using
7 Federal funds available under other laws for the purposes
8 for which those funds were authorized.

9 **SEC. 7. RELATIONSHIP TO TRIBAL GOVERNMENTS.**

10 Nothing in this Act shall construe, define, waive,
11 limit, affect any rights of any federally recognized Indian
12 tribe and the Federal trust responsibility.

13 **SEC. 8. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

14 (a) IN GENERAL.—Nothing in this Act affects the au-
15 thority of a Federal agency to provide technical or finan-
16 cial assistance under any other law.

17 (b) CONSULTATION AND COORDINATION.—Any Fed-
18 eral agency planning to conduct activities that may have
19 an impact on the Heritage Area is encouraged to consult
20 and coordinate the activities with the local coordinating
21 entity to the maximum extent practicable.

22 (c) OTHER FEDERAL AGENCIES.—Nothing in this
23 Act—

24 (1) modifies, alters, or amends any law or regu-
25 lation authorizing a Federal agency to manage Fed-

1 eral land under the jurisdiction of the Federal agen-
2 cy;

3 (2) limits the discretion of a Federal land man-
4 ager to implement an approved land use plan within
5 the boundaries of the Heritage Area; or

6 (3) modifies, alters, or amends any authorized
7 use of Federal land under the jurisdiction of a Fed-
8 eral agency.

9 **SEC. 9. PRIVATE PROPERTY AND REGULATORY PROTEC-**
10 **TIONS.**

11 Nothing in this Act, the proposed Mountains to
12 Sound Greenway National Heritage Area, or resulting
13 Plan shall—

14 (1) abridge the rights of any owner of public or
15 private property, including the right to refrain from
16 participating in any plan, project, program, or activ-
17 ity conducted within the Heritage Area;

18 (2) require any property owner—

19 (A) to allow public access (including access
20 by Federal, State, or local agencies) to the
21 property of the property owner; or

22 (B) to modify public access or use of prop-
23 erty of the property owner under any other
24 Federal, State, or local law;

1 (3) alter any duly adopted land use regulation,
2 approved land use plan, or other regulatory author-
3 ity of any Federal, State, Tribal, or local agency;

4 (4) convey any land use or other regulatory au-
5 thority to the local coordinating entity, including but
6 not necessarily limited to development and manage-
7 ment of energy or water or water-related infrastruc-
8 ture;

9 (5) authorize or imply the reservation or appro-
10 priation of water or water rights;

11 (6) diminish the authority of the State to man-
12 age fish and wildlife, including the regulation of fish-
13 ing and hunting within the Heritage Area or the au-
14 thority of Tribes to regulate their members with re-
15 spect to such matters in the exercise of Tribal treaty
16 rights;

17 (7) create any liability, or affects any liability
18 under any other law, of any private property owner
19 with respect to any person injured on the private
20 property;

21 (8) affect current or future grazing permits,
22 leases, or allotment on Federal lands; or

23 (9) affect the construction, operation, mainte-
24 nance or expansion of current or future water

1 projects, including water storage, hydroelectric facili-
2 ties, or delivery systems.

3 **SEC. 10. EVALUATION AND REPORT.**

4 (a) IN GENERAL.—Not later than 15 years after the
5 date of the enactment of this Act, the Secretary shall—

6 (1) conduct an evaluation of the accomplish-
7 ments of the Heritage Area; and

8 (2) prepare a report in accordance with sub-
9 section (c).

10 (b) EVALUATION.—An evaluation conducted under
11 subsection (a)(1) shall—

12 (1) assess the progress of the local coordinating
13 entity with respect to—

14 (A) accomplishing the purposes of the Her-
15 itage Area; and

16 (B) achieving the goals and objectives of
17 the management plan;

18 (2) analyze the investments of Federal, State,
19 Tribal, and local governments and private entities in
20 the Heritage Area to determine the impact of the in-
21 vestments; and

22 (3) review the management structure, partner-
23 ship relationships, and funding of the Heritage Area
24 for purposes of identifying the critical components
25 for sustainability of the Heritage Area.

1 (c) REPORT.—Based on the evaluation conducted
2 under subsection (a)(1), the Secretary shall submit to the
3 Committee on Natural Resources of the House of Rep-
4 resentatives and the Committee on Energy and Natural
5 Resources of the Senate a report that includes rec-
6 ommendations for the future role of the National Park
7 Service with respect to the Heritage Area.

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