

106TH CONGRESS  
1ST SESSION

# S. 1584

To establish the Schuylkill River Valley National Heritage Area in the State of Pennsylvania.

---

## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 1999

Mr. SANTORUM (for himself and Mr. SPECTER) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

## A BILL

To establish the Schuylkill River Valley National Heritage Area in the State of Pennsylvania.

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 “Schuylkill River Valley  
5       National Heritage Area Act”.

6       **SEC. 2. FINDINGS AND PURPOSE.**

7       (a) FINDINGS.—Congress finds that—

8               (1) the Schuylkill River Valley made a unique  
9       contribution to the cultural, political, and industrial  
10      development of the United States;

1           (2) the Schuylkill River is distinctive as the  
2 first spine of modern industrial development in  
3 Pennsylvania and 1 of the first in the United States;

4           (3) the Schuylkill River Valley played a signifi-  
5 cant role in the struggle for nationhood;

6           (4) the Schuylkill River Valley developed a  
7 prosperous and productive agricultural economy that  
8 survives today;

9           (5) the Schuylkill River Valley developed a  
10 charcoal iron industry that made Pennsylvania the  
11 center of the iron industry within the North Amer-  
12 ican colonies;

13           (6) the Schuylkill River Valley developed into a  
14 significant anthracite mining region that continues  
15 to thrive today;

16           (7) the Schuylkill River Valley developed early  
17 transportation systems, including the Schuylkill  
18 Canal and the Reading Railroad;

19           (8) the Schuylkill River Valley developed a sig-  
20 nificant industrial base, including textile mills and  
21 iron works;

22           (9) there is a longstanding commitment to—

23                   (A) repairing the environmental damage to  
24 the river and its surroundings caused by the  
25 largely unregulated industrial activity; and

1 (B) completing the Schuylkill River Trail  
2 along the 128-mile corridor of the Schuylkill  
3 Valley;

4 (10) there is a need to provide assistance for  
5 the preservation and promotion of the significance of  
6 the Schuylkill River as a system for transportation,  
7 agriculture, industry, commerce, and immigration;  
8 and

9 (11)(A) the Department of the Interior is re-  
10 sponsible for protecting the Nation's cultural and  
11 historical resources; and

12 (B) there are sufficient significant examples of  
13 such resources within the Schuylkill River Valley to  
14 merit the involvement of the Federal Government in  
15 the development of programs and projects, in co-  
16 operation with the Schuylkill River Greenway Asso-  
17 ciation, the State of Pennsylvania, and other local  
18 and governmental bodies, to adequately conserve,  
19 protect, and interpret this heritage for future gen-  
20 erations, while providing opportunities for education  
21 and revitalization.

22 (b) PURPOSES.—The purposes of this Act are—

23 (1) to foster a close working relationship with  
24 all levels of government, the private sector, and the  
25 local communities in the Schuylkill River Valley of

1       southeastern Pennsylvania and enable the commu-  
 2       nities to conserve their heritage while continuing to  
 3       pursue economic opportunities; and

4               (2) to conserve, interpret, and develop the his-  
 5       torical, cultural, natural, and recreational resources  
 6       related to the industrial and cultural heritage of the  
 7       Schuylkill River Valley of southeastern Pennsyl-  
 8       vania.

9   **SEC. 3. DEFINITIONS.**

10       In this Act:

11               (1) COOPERATIVE AGREEMENT.—The term “co-  
 12       operative agreement” means the cooperative agree-  
 13       ment entered into under section 4(d).

14               (2) HERITAGE AREA.—The term “Heritage  
 15       Area” means the Schuylkill River Valley National  
 16       Heritage Area established by section 4.

17               (3) MANAGEMENT ENTITY.—The term “man-  
 18       agement entity” means the management entity for  
 19       the Heritage Area appointed under section 4(c).

20               (4) MANAGEMENT PLAN.—The term “manage-  
 21       ment plan” means the management plan for the  
 22       Heritage Area developed under section 5.

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

1           (6) STATE.—The term “State” means the State  
2       of Pennsylvania.

3   **SEC. 4. ESTABLISHMENT.**

4       (a) IN GENERAL.—For the purpose of preserving and  
5   interpreting for the educational and inspirational benefit  
6   of present and future generations certain land and struc-  
7   tures with unique and significant historical and cultural  
8   value associated with the early development of the Schuyl-  
9   kill River Valley, there is established the Schuylkill River  
10   Valley National Heritage Area.

11       (b) BOUNDARIES.—The Heritage Area shall be com-  
12   prised of the Schuylkill River watershed within the coun-  
13   ties of Schuylkill, Berks, Montgomery, Chester, and Phila-  
14   delphia, Pennsylvania, as delineated by the Secretary.

15       (c) MANAGEMENT ENTITY.—The management entity  
16   for the Heritage Area shall be the Schuylkill River Green-  
17   way Association.

18       (d) COOPERATIVE AGREEMENT.—

19           (1) IN GENERAL.—To carry out this title, the  
20       Secretary shall enter into a cooperative agreement  
21       with the management entity.

22           (2) CONTENTS.—The cooperative agreement  
23       shall include information relating to the objectives  
24       and management of the Heritage Area, including—

1 (A) a description of the goals and objec-  
 2 tives of the Heritage Area, including a descrip-  
 3 tion of the approach to conservation and inter-  
 4 pretation of the Heritage Area;

5 (B) an identification and description of the  
 6 management entity that will administer the  
 7 Heritage Area; and

8 (C) a description of the role of the State.

9 **SEC. 5. MANAGEMENT PLAN.**

10 (a) IN GENERAL.—Not later than 3 years after the  
 11 date of enactment of this Act, the management entity shall  
 12 submit to the Secretary for approval a management plan  
 13 for the Heritage Area that presents comprehensive rec-  
 14 ommendations for the conservation, funding, management,  
 15 and development of the Heritage Area.

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

17 (1) take into consideration State, county, and  
 18 local plans;

19 (2) involve residents, public agencies, and pri-  
 20 vate organizations working in the Heritage Area;

21 (3) specify, as of the date of the plan, existing  
 22 and potential sources of funding to protect, manage,  
 23 and develop the Heritage Area; and

24 (4) include—

1           (A) actions to be undertaken by units of  
2           government and private organizations to protect  
3           the resources of the Heritage Area;

4           (B) an inventory of the resources con-  
5           tained in the Heritage Area, including a list of  
6           any property in the Heritage Area that is re-  
7           lated to the themes of the Heritage Area and  
8           that should be preserved, restored, managed,  
9           developed, or maintained because of its natural,  
10          cultural, historical, recreational, or scenic sig-  
11          nificance;

12          (C) a recommendation of policies for re-  
13          source management that considers and details  
14          application of appropriate land and water man-  
15          agement techniques, including the development  
16          of intergovernmental cooperative agreements to  
17          protect the historical, cultural, recreational, and  
18          natural resources of the Heritage Area in a  
19          manner consistent with supporting appropriate  
20          and compatible economic viability;

21          (D) a program for implementation of the  
22          management plan by the management entity;

23          (E) an analysis of ways in which local,  
24          State, and Federal programs may best be co-

1           ordinated to promote the purposes of this Act;  
 2           and  
 3           (F) an interpretation plan for the Heritage  
 4           Area.

5           (c) DISQUALIFICATION FROM FUNDING.—If a man-  
 6           agement plan is not submitted to the Secretary on or be-  
 7           fore the date that is 3 years after the date of enactment  
 8           of this Act, the Heritage Area shall be ineligible to receive  
 9           Federal funding under this Act until the date on which  
 10          the Secretary receives the management plan.

11          (d) UPDATE OF PLAN.—In lieu of developing an  
 12          original management plan, the management entity may  
 13          update and submit to the Secretary the Schuylkill Herit-  
 14          age Corridor Management Action Plan that was approved  
 15          by the State in March, 1995, to meet the requirements  
 16          of this section.

17       **SEC. 6. AUTHORITIES AND DUTIES OF THE MANAGEMENT**  
 18               **ENTITY.**

19          (a) AUTHORITIES OF THE MANAGEMENT ENTITY.—  
 20          For purposes of preparing and implementing the manage-  
 21          ment plan, the management entity may—

22               (1) make loans and grants to, and enter into  
 23               cooperative agreements with, the State and political  
 24               subdivisions of the State, private organizations, or  
 25               any person; and



1           (2) hire and compensate staff.

2           (b) DUTIES OF THE MANAGEMENT ENTITY.—The  
3 management entity shall—

4           (1) develop and submit the management plan  
5 under section 5;

6           (2) give priority to implementing actions set  
7 forth in the cooperative agreement and the manage-  
8 ment plan, including taking steps to—

9           (A) assist units of government, regional  
10 planning organizations, and nonprofit organiza-  
11 tions in—

12                   (i) preserving the Heritage Area;

13                   (ii) establishing and maintaining in-  
14 terpretive exhibits in the Heritage Area;

15                   (iii) developing recreational resources  
16 in the Heritage Area;

17                   (iv) increasing public awareness of  
18 and, appreciation for, the natural, histor-  
19 ical, and architectural resources and sites  
20 in the Heritage Area;

21                   (v) restoring historic buildings relat-  
22 ing to the themes of the Heritage Area;  
23 and

24                   (vi) ensuring that clear, consistent,  
25 and environmentally appropriate signs

1 identifying access points and sites of inter-  
2 est are installed throughout the Heritage  
3 Area;

4 (B) encourage economic viability in the  
5 Heritage Area consistent with the goals of the  
6 management plan; and

7 (C) encourage local governments to adopt  
8 land use policies consistent with the manage-  
9 ment of the Heritage Area and the goals of the  
10 management plan;

11 (3) consider the interests of diverse govern-  
12 mental, business, and nonprofit groups within the  
13 Heritage Area;

14 (4) conduct public meetings at least quarterly  
15 regarding the implementation of the management  
16 plan;

17 (5) submit substantial changes (including any  
18 increase of more than 20 percent in the cost esti-  
19 mates for implementation) to the management plan  
20 to the Secretary for the approval of the Secretary;  
21 and

22 (6) for any fiscal year in which Federal funds  
23 are received under this Act—

24 (A) submit to the Secretary a report  
25 describing—

1 (i) the accomplishments of the man-  
2 agement entity;

3 (ii) the expenses and income of the  
4 management entity; and

5 (iii) each entity to which the manage-  
6 ment entity made any loan or grant during  
7 the fiscal year;

8 (B) make available for audit all records  
9 pertaining to the expenditure of Federal funds  
10 and any matching funds, and require, for all  
11 agreements authorizing expenditure of Federal  
12 funds by organizations other than the manage-  
13 ment entity, that the receiving organizations  
14 make available for audit all records pertaining  
15 to the expenditure of such funds; and

16 (C) require, for all agreements authorizing  
17 expenditure of Federal funds by organizations  
18 other than the management entity, that the re-  
19 ceiving organizations make available for audit  
20 all records pertaining to the expenditure of  
21 Federal funds.

22 (c) USE OF FEDERAL FUNDS.—

23 (1) IN GENERAL.—The management entity  
24 shall not use Federal funds received under this Act

1 to acquire real property or an interest in real prop-  
 2 erty.

3 (2) OTHER SOURCES.—Nothing in this Act pre-  
 4 cludes the management entity from using Federal  
 5 funds from other sources for their permitted pur-  
 6 poses.

7 **SEC. 7. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

8 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—

9 (1) IN GENERAL.—At the request of the man-  
 10 agement entity, the Secretary may provide technical  
 11 and financial assistance to the Heritage Area to de-  
 12 velop and implement the management plan.

13 (2) PRIORITIES.—In assisting the management  
 14 entity, the Secretary shall give priority to actions  
 15 that assist in—

16 (A) conserving the significant natural, his-  
 17 torical, and cultural resources that support the  
 18 themes of the Heritage Area; and

19 (B) providing educational, interpretive, and  
 20 recreational opportunities consistent with the  
 21 resources and associated values of the Heritage  
 22 Area.

23 (3) EXPENDITURES FOR NON-FEDERALLY  
 24 OWNED PROPERTY.—The Secretary may spend Fed-  
 25 eral funds directly on non-federally owned property

1 to further the purposes of this Act, especially assist-  
 2 ing units of government in appropriate treatment of  
 3 districts, sites, buildings, structures, and objects list-  
 4 ed or eligible for listing on the National Register of  
 5 Historic Places.

6 (b) APPROVAL AND DISAPPROVAL OF COOPERATIVE  
 7 AGREEMENTS AND MANAGEMENT PLANS.—

8 (1) IN GENERAL.—Not later than 90 days after  
 9 receiving a cooperative agreement or management  
 10 plan submitted under this Act, the Secretary, in con-  
 11 sultation with the Governor of the State, shall ap-  
 12 prove or disapprove the cooperative agreement or  
 13 management plan.

14 (2) ACTION FOLLOWING DISAPPROVAL.—

15 (A) IN GENERAL.—If the Secretary dis-  
 16 approves a cooperative agreement or manage-  
 17 ment plan, the Secretary shall—

18 (i) advise the management entity in  
 19 writing of the reasons for the disapproval;  
 20 and

21 (ii) make recommendations for revi-  
 22 sions in the cooperative agreement or plan.

23 (B) TIME PERIOD FOR DISAPPROVAL.—

24 Not later than 90 days after the date on which  
 25 a revision described under subparagraph (A)(ii)

1 is submitted, the Secretary shall approve or dis-  
2 approve the proposed revision.

3 (c) APPROVAL OF AMENDMENTS.—

4 (1) IN GENERAL.—The Secretary shall review  
5 substantial amendments to the management plan.

6 (2) FUNDING EXPENDITURE LIMITATION.—  
7 Funds appropriated under this Act may not be ex-  
8 pended to implement any substantial amendment  
9 until the Secretary approves the amendment.

10 **SEC. 8. CULTURE AND HERITAGE OF ANTHRACITE COAL**  
11 **REGION.**

12 (a) IN GENERAL.—The management entities of herit-  
13 age areas (other than the Heritage Area) in the anthracite  
14 coal region in the State shall cooperate in the management  
15 of the Heritage Area.

16 (b) FUNDING.—Management entities described in  
17 subsection (a) may use funds appropriated for manage-  
18 ment of the Heritage Area to carry out this section.

19 **SEC. 9. SUNSET.**

20 The Secretary may not make any grant or provide  
21 any assistance under this Act after the date that is 15  
22 years after the date of enactment of this Act.

23 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

24 (a) IN GENERAL.—There are authorized to be appro-  
25 priated to carry out this Act not more than \$10,000,000,

1 of which not more than \$1,000,000 is authorized to be  
2 appropriated for any 1 fiscal year.

3 (b) FEDERAL SHARE.—Federal funding provided  
4 under this Act may not exceed 50 percent of the total cost  
5 of any project or activity funded under this Act.

