

107TH CONGRESS  
2D SESSION

# S. 2576

To establish the Northern Rio Grande National Heritage Area in the State of New Mexico, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 4, 2002

Mr. BINGAMAN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To establish the Northern Rio Grande National Heritage Area in the State of New Mexico, 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 “Northern Rio Grande  
5       National Heritage Area Act”.

6       **SEC. 2. CONGRESSIONAL FINDINGS.**

7       The Congress finds that—

8               (1) northern New Mexico encompasses a mosaic  
9       of cultures and history, including several Indian

1 tribes and the descendants of Spanish ancestors who  
2 settled in the area in 1598;

3 (2) the combination of cultures, languages, folk  
4 arts, customs, and architecture make northern New  
5 Mexico unique;

6 (3) the area includes spectacular natural, sce-  
7 nic, and recreational resources;

8 (4) there is broad support from local govern-  
9 ments and interested individuals to establish a Na-  
10 tional Heritage Area to coordinate and assist in the  
11 preservation and interpretation of these resources;

12 (5) in 1991, the National Park Service study  
13 Alternative Concepts for Commemorating Spanish  
14 Colonization identified several alternatives consistent  
15 with the establishment of a National Heritage Area,  
16 including conducting a comprehensive archaeological  
17 and historical research program, coordinating a com-  
18 prehensive interpretation program, and interpreting  
19 a cultural heritage scene; and

20 (6) establishment of a National Heritage Area  
21 in northern New Mexico would assist local commu-  
22 nities and residents in preserving these unique cul-  
23 tural, historical and natural resources.

24 **SEC. 3. DEFINITIONS.**

25 As used in this Act—

1           (1) the term “heritage area” means the North-  
2       ern Rio Grande Heritage Area; and

3           (2) the term “Secretary” means the Secretary  
4       of the Interior.

5 **SEC. 4. NORTHERN RIO GRANDE NATIONAL HERITAGE**  
6 **AREA.**

7       (a) ESTABLISHMENT.—There is hereby established  
8       the Northern Rio Grande National Heritage Area in the  
9       State of New Mexico.

10       (b) BOUNDARIES.—The heritage area shall include  
11       the counties of Santa Fe, Rio Arriba, and Taos in the  
12       State of New Mexico.

13       (c) MANAGEMENT ENTITY.—The Northern Rio  
14       Grande National Heritage Area, Inc., a non-profit cor-  
15       poration chartered in the State of New Mexico, shall serve  
16       as the management entity for the heritage area.

17 **SEC. 5. AUTHORITY AND DUTIES OF THE MANAGEMENT EN-**  
18 **TITY.**

19       (a) MANAGEMENT PLAN.—(1) Not later than 3 years  
20       after the date of enactment of this Act, the management  
21       entity shall develop and forward to the Secretary a man-  
22       agement plan for the heritage area.

23       (2) The management entity shall develop the manage-  
24       ment plan in cooperation with affected communities, tribal  
25       and local governments and shall provide for public involve-

1 ment in the development and implementation of the man-  
2 agement plan.

3 (3) The management plan shall, at a minimum—

4 (A) provide recommendations for the conserva-  
5 tion, funding, management, and development of the  
6 resources of the heritage area;

7 (B) identify sources of funding;

8 (C) include an inventory of the cultural, histor-  
9 ical, archaeological, natural, and recreational re-  
10 sources of the heritage area;

11 (D) provide recommendations for educational  
12 and interpretive programs to inform the public about  
13 the resources of the heritage area; and

14 (E) an analysis of ways in which local, State,  
15 Federal, and tribal programs may best be coordi-  
16 nated to promote the purposes of this Act.

17 (4) If the management entity fails to submit a man-  
18 agement plan to the Secretary as provided in paragraph  
19 (1), the heritage area shall no longer be eligible to receive  
20 Federal funding under this Act until such time as a plan  
21 is submitted to the Secretary.

22 (5)(A) The Secretary shall approve or disapprove the  
23 management plan within 90 days after the date of submis-  
24 sion.

1       (B) If the Secretary disapproves the management  
2 plan, the Secretary shall advise the management entity in  
3 writing of the reasons therefor and shall make rec-  
4 ommendations for revisions to the plan.

5       (6) The management entity shall periodically review  
6 the management plan and submit to the Secretary any  
7 recommendations for proposed revisions to the manage-  
8 ment plan. Any major revisions to the management plan  
9 must be approved by the Secretary.

10       (b) AUTHORITY.—The management entity may make  
11 grants and provide technical assistance to tribal and local  
12 governments, and other public and private entities to carry  
13 out the management plan.

14       (c) DUTIES.—The management entity shall—

15           (1) give priority in implementing actions set  
16 forth in the management plan;

17           (2) coordinate with tribal and local governments  
18 to better enable them to adopt land use policies con-  
19 sistent with the goals of the management plan;

20           (3) encourage by appropriate means economic  
21 viability in the heritage area consistent with the  
22 goals of the management plan; and

23           (4) assist local and tribal governments and non-  
24 profit organizations in—

1 (A) establishing and maintaining interpre-  
2 tive exhibits in the heritage area;

3 (B) developing recreational resources in  
4 the heritage area;

5 (C) increasing public awareness of, and ap-  
6 preciation for, the cultural, historical, archae-  
7 ological and natural resources and sites in the  
8 heritage area;

9 (D) the restoration of historic structures  
10 related to the heritage area; and

11 (E) carrying out other actions that the  
12 management entity determines appropriate to  
13 fulfill the purposes of this Act.

14 (d) PROHIBITION ON ACQUIRING REAL PROPERTY.—  
15 The management entity may not use Federal funds re-  
16 ceived under this Act to acquire real property or an inter-  
17 est in real property.

18 (e) PUBLIC MEETINGS.—The management entity  
19 shall hold public meetings at least annually regarding the  
20 implementation of the management plan.

21 (f) ANNUAL REPORTS AND AUDITS.—(1) For any  
22 year in which the management entity receives Federal  
23 funds under this Act, the management entity shall submit  
24 an annual report to the Secretary setting forth accom-

1 plishments, expenses and income, and each entity to which  
2 any grant was made by the management entity.

3 (2) The management entity shall make available to  
4 the Secretary for audit all records relating to the expendi-  
5 ture of Federal funds and any matching funds. The man-  
6 agement entity shall also require, with respect to all agree-  
7 ments authorizing expenditure of Federal funds by other  
8 organizations, that the receiving organization make avail-  
9 able to the Secretary for audit all records concerning the  
10 expenditure of those funds.

11 **SEC. 6. DUTIES OF THE SECRETARY.**

12 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—The  
13 Secretary may, upon request of the management entity,  
14 provide technical and financial assistance to develop and  
15 implement the management plan.

16 (b) PRIORITY.—In providing assistance under sub-  
17 section (a), the Secretary shall give priority to actions that  
18 facilitate—

19 (1) the conservation of the significant natural,  
20 cultural, historical, archaeological, scenic, and rec-  
21 reational resources of the heritage area; and

22 (2) the provision of educational, interpretive,  
23 and recreational opportunities that are consistent  
24 with the resources and associated values of the herit-  
25 age area.

1 **SEC. 7. SAVINGS PROVISIONS.**

2 (a) NO EFFECT ON PRIVATE PROPERTY.—Nothing  
3 in this Act shall be construed—

4 (1) to modify, enlarge, or diminish any author-  
5 ity of Federal, State, tribal, or local governments to  
6 regulate any use of privately owned lands; or

7 (2) to grant the management entity any author-  
8 ity to regulate the use of privately owned lands.

9 (b) AUTHORITY OF GOVERNMENTS.—Nothing in this  
10 Act shall be construed—

11 (1) to modify, enlarge, or diminish any author-  
12 ity of Federal, State, tribal, or local governments to  
13 manage or regulate any use of land as provided for  
14 by law or regulation; or

15 (2) to authorize the management entity to as-  
16 sume any management authorities over such lands.

17 **SEC. 8. SUNSET.**

18 The Secretary may not make any grant or provide  
19 any financial assistance under this Act after September  
20 30, 2017.

21 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

22 There is authorized to be appropriated \$10,000,000  
23 to carry out this Act. Not more than \$1,000,000 may be  
24 appropriated for any fiscal year. The Federal share of the



1 costs for any activity funded under this Act shall not ex-  
2 ceed 50 percent.

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