

108TH CONGRESS
1ST SESSION

S. 1137

To establish the Mississippi Gulf Coast National Heritage Area in the State of Mississippi, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 22, 2003

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

A BILL

To establish the Mississippi Gulf Coast National Heritage Area in the State of Mississippi, 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 “Mississippi Gulf Coast
5 National Heritage Area Act”.

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

7 Congress finds that—

8 (1) the 6-county area in southern Mississippi
9 located on the Gulf of Mexico and in the Mississippi

1 Coastal Plain has a unique identity that is shaped
2 by—

3 (A) the coastal and riverine environment;
4 and

5 (B) the diverse cultures that have settled
6 in the area;

7 (2) the area is rich with diverse cultural and
8 historical significance, including—

9 (A) early Native American settlements;
10 and

11 (B) Spanish, French, and English settle-
12 ments originating in the 1600s;

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

15 (4) there is broad support from local govern-
16 ments and other interested individuals for the estab-
17 lishment of the Mississippi Gulf Coast National Her-
18 itage Area to coordinate and assist in the preserva-
19 tion and interpretation of those resources;

20 (5) the Comprehensive Resource Management
21 Plan, coordinated by the Mississippi Department of
22 Marine Resources—

23 (A) is a collaborative effort of the Federal
24 Government and State and local governments in
25 the area; and

1 (B) is a natural foundation on which to es-
2 tablish the Heritage Area; and

3 (6) establishment of the Heritage Area would
4 assist local communities and residents in preserving
5 the unique cultural, historical, and natural resources
6 of the area.

7 **SEC. 3. DEFINITIONS.**

8 In this Act:

9 (1) HERITAGE AREA.—The term “Heritage
10 Area” means the Mississippi Gulf Coast National
11 Heritage Area established by section 4(a).

12 (2) COORDINATING ENTITY.—The term “co-
13 ordinating entity” means the coordinating entity for
14 the Heritage Area designated by section 4(c).

15 (3) MANAGEMENT PLAN.—The term “manage-
16 ment plan” means the management plan for the
17 Heritage Area developed under section 5.

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

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

22 **SEC. 4. MISSISSIPPI GULF COAST NATIONAL HERITAGE**
23 **AREA.**

24 (a) ESTABLISHMENT.—There is established in the
25 State the Mississippi Gulf Coast National Heritage Area.

1 (b) BOUNDARIES.—The Heritage Area shall consist
2 of the counties of Pearl River, Stone, George, Hancock,
3 Harrison, and Jackson in the State.

4 (c) COORDINATING ENTITY.—

5 (1) IN GENERAL.—The Mississippi Department
6 of Marine Resources, in consultation with the Mis-
7 sissippi Department of Archives and History, shall
8 serve as the coordinating entity for the Heritage
9 Area.

10 (2) OVERSIGHT COMMITTEE.—The coordinating
11 entity shall ensure that each of the 6 counties in-
12 cluded in the Heritage Area is appropriately rep-
13 resented on any oversight committee.

14 **SEC. 5. MANAGEMENT PLAN.**

15 (a) IN GENERAL.—Not later than 3 years after the
16 date of enactment of this Act, the coordinating entity shall
17 develop and submit to the Secretary a management plan
18 for the Heritage Area.

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

20 (1) provide recommendations for the conserva-
21 tion, funding, management, interpretation, and de-
22 velopment of the cultural, historical, archaeological,
23 natural, and recreational resources of the Heritage
24 Area;

1 (2) identify sources of funding for the Heritage
2 Area;

3 (3) include—

4 (A) an inventory of the cultural, historical,
5 archaeological, natural, and recreational re-
6 sources of the Heritage Area; and

7 (B) an analysis of ways in which Federal,
8 State, tribal, and local programs may best be
9 coordinated to promote the purposes of this
10 Act;

11 (4) provide recommendations for educational
12 and interpretive programs to inform the public about
13 the resources of the Heritage Area; and

14 (5) involve residents of affected communities
15 and tribal and local governments.

16 (c) FAILURE TO SUBMIT.—If a management plan is
17 not submitted to the Secretary by the date specified in
18 subsection (a), the Secretary shall not provide any addi-
19 tional funding under this Act until a management plan
20 for the Heritage Area is submitted to the Secretary.

21 (d) APPROVAL OR DISAPPROVAL OF THE MANAGE-
22 MENT PLAN.—

23 (1) IN GENERAL.—Not later than 90 days after
24 receipt of the management plan under subsection

1 (a), the Secretary shall approve or disapprove the
2 management plan.

3 (2) ACTION FOLLOWING DISAPPROVAL.—If the
4 Secretary disapproves a management plan under
5 paragraph (1), the Secretary shall—

6 (A) advise the coordinating entity in writ-
7 ing of the reasons for disapproval;

8 (B) make recommendations for revision of
9 the management plan; and

10 (C) allow the coordinating entity to submit
11 to the Secretary revisions to the management
12 plan.

13 (e) REVISION.—After approval by the Secretary of
14 the management plan, the coordinating entity shall peri-
15 odically—

16 (1) review the management plan; and

17 (2) submit to the Secretary, for review and ap-
18 proval by the Secretary, any recommendations for
19 revisions to the management plan.

20 **SEC. 6. AUTHORITIES AND DUTIES OF COORDINATING EN-**
21 **TITY.**

22 (a) AUTHORITIES.—For purposes of developing and
23 implementing the management plan and otherwise car-
24 rying out this Act, the coordinating entity may make

1 grants to and provide technical assistance to tribal and
2 local governments, and other public and private entities.

3 (b) DUTIES.—In addition to developing the manage-
4 ment plan under section 5, in carrying out this Act, the
5 coordinating entity shall—

6 (1) implement the management plan; and

7 (2) assist local and tribal governments and non-
8 profit organizations in—

9 (A) establishing and maintaining interpre-
10 tive exhibits in the Heritage Area;

11 (B) developing recreational resources in
12 the Heritage Area;

13 (C) increasing public awareness of, and ap-
14 preciation for, the cultural, historical, archae-
15 ological, and natural resources of the Heritage
16 Area;

17 (D) restoring historic structures that relate
18 to the Heritage Area; and

19 (E) carrying out any other activity that
20 the coordinating entity determines to be appro-
21 priate to carry out this Act, consistent with the
22 management plan;

23 (3) conduct public meetings at least annually
24 regarding the implementation of the management
25 plan; and

1 (4) for any fiscal year for which Federal funds
 2 are made available under section 9—

3 (A) submit to the Secretary a report that
 4 describes, for the fiscal year, the actions of the
 5 coordinating entity in carrying out this Act;

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

9 (C) require, for all agreements authorizing
 10 the expenditure of Federal funds by any entity,
 11 that the receiving entity make available to the
 12 Secretary for audit all records relating to the
 13 expenditure of the funds.

14 (c) PROHIBITION ON ACQUISITION OF REAL PROP-
 15 erty.—The coordinating entity shall not use Federal
 16 funds made available under this Act to acquire real prop-
 17 erty or any interest in real property.

18 **SEC. 7. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER**
 19 **FEDERAL AGENCIES.**

20 (a) IN GENERAL.—On the request of the coordi-
 21 nating entity, the Secretary may provide technical and fi-
 22 nancial assistance to the coordinating entity for use in the
 23 development and implementation of the management plan.

24 (b) PROHIBITION OF CERTAIN REQUIREMENTS.—
 25 The Secretary may not, as a condition of the provision

1 of technical or financial assistance under this section, re-
2 quire any recipient of the assistance to impose or modify
3 any land use restriction or zoning ordinance.

4 **SEC. 8. EFFECT OF ACT.**

5 Nothing in this Act—

6 (1) affects or authorizes the coordinating entity
7 to interfere with—

8 (A) the right of any person with respect to
9 private property; or

10 (B) any local zoning ordinance or land use
11 plan;

12 (2) restricts an Indian tribe from protecting
13 cultural or religious sites on tribal land;

14 (3) modifies, enlarges, or diminishes the author-
15 ity of any State, tribal, or local government to regu-
16 late any use of land under any other law (including
17 regulations);

18 (4)(A) modifies, enlarges, or diminishes the au-
19 thority of the State to manage fish and wildlife in
20 the Heritage Area, including the regulation of fish-
21 ing and hunting; or

22 (B) authorizes the coordinating entity to as-
23 sume any management authorities over such lands;
24 or

1 (5) diminishes the trust responsibilities or gov-
2 ernment-to-government obligations of the United
3 States to any federally recognized Indian tribe.

4 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

5 (a) IN GENERAL.—There is authorized to be appro-
6 priated to carry out this Act \$10,000,000, of which not
7 more than \$1,000,000 may be made available for any fis-
8 cal year.

9 (b) COST-SHARING REQUIREMENT.—The Federal
10 share of the total cost of any activity assisted under this
11 Act shall be not more than 50 percent.

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