

Calendar No. 813

110TH CONGRESS
2D SESSION**H. R. 1483****[Report No. 110-381]**

 IN THE SENATE OF THE UNITED STATES

OCTOBER 25, 2007

Received; read twice and referred to the Committee on Energy and Natural
Resources

JUNE 16, 2008

Reported by Mr. BINGAMAN, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, 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 “Celebrating America’s
5 Heritage Act”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—AUTHORIZATION EXTENSIONS AND VIABILITY STUDIES

- Sec. 1001. Extensions of authorized appropriations.
- Sec. 1002. Evaluation and report.

TITLE II—ESTABLISHMENT OF NATIONAL HERITAGE AREAS

Subtitle A—Journey Through Hallowed Ground National Heritage Area

- Sec. 2001. Short title; table of contents.
- Sec. 2002. Purposes.
- Sec. 2003. Definitions.
- Sec. 2004. Designation of the Journey Through Hallowed Ground National Heritage Area.
- Sec. 2005. Management plan.
- Sec. 2006. Evaluation; report.
- Sec. 2007. Local coordinating entity.
- Sec. 2008. Relationship to other Federal agencies.
- Sec. 2009. Private property and regulatory protections.
- Sec. 2010. Authorization of appropriations.
- Sec. 2011. Use of Federal funds from other sources.
- Sec. 2012. Sunset for grants and other assistance.

Subtitle B—Niagara Falls National Heritage Area

- Sec. 2021. Short title; table of contents.
- Sec. 2022. Purposes.
- Sec. 2023. Definitions.
- Sec. 2024. Designation of the Niagara Falls National Heritage Area.
- Sec. 2025. Management plan.
- Sec. 2026. Evaluation; report.
- Sec. 2027. Local coordinating entity.
- Sec. 2028. Niagara Falls Heritage Area Commission.
- Sec. 2029. Relationship to other Federal agencies.
- Sec. 2030. Private property and regulatory protections.
- Sec. 2031. Authorization of appropriations.
- Sec. 2032. Use of Federal funds from other sources.
- Sec. 2033. Sunset for grants and other assistance.

Subtitle C—Muscle Shoals National Heritage Area

- Sec. 2041. Short title; table of contents.
- Sec. 2042. Purposes.
- Sec. 2043. Definitions.
- Sec. 2044. Designation of Muscle Shoals National Heritage Area.
- Sec. 2045. Management plan.
- Sec. 2046. Evaluation; report.
- Sec. 2047. Local coordinating entity.
- Sec. 2048. Relationship to other Federal agencies.
- Sec. 2049. Private property and regulatory protections.
- Sec. 2050. Authorization of appropriations.
- Sec. 2051. Use of Federal funds from other sources.
- Sec. 2052. Sunset for grants and other assistance.

Subtitle D—Freedom’s Way National Heritage Area

- Sec. 2061. Short title; table of contents.
- Sec. 2062. Purposes.
- Sec. 2063. Definitions.
- Sec. 2064. Designation of Freedom’s Way National Heritage Area.
- Sec. 2065. Management plan.
- Sec. 2066. Evaluation; report.
- Sec. 2067. Local coordinating entity.
- Sec. 2068. Relationship to other Federal agencies.
- Sec. 2069. Private property and regulatory protections.
- Sec. 2070. Authorization of appropriations.
- Sec. 2071. Use of Federal funds from other sources.
- Sec. 2072. Sunset for grants and other assistance.

Subtitle E—Abraham Lincoln National Heritage Area

- Sec. 2081. Short title; table of contents.
- Sec. 2082. Purposes.
- Sec. 2083. Definitions.
- Sec. 2084. Designation of Abraham Lincoln National Heritage Area.
- Sec. 2085. Management plan.
- Sec. 2086. Evaluation; report.
- Sec. 2087. Local coordinating entity.
- Sec. 2088. Relationship to other Federal agencies.
- Sec. 2089. Private property and regulatory protections.
- Sec. 2090. Authorization of appropriations.
- Sec. 2091. Use of Federal funds from other sources.
- Sec. 2092. Sunset for grants and other assistance.

Subtitle F—Santa Cruz Valley National Heritage Area

- Sec. 2111. Short title; table of contents.
- Sec. 2112. Purposes.
- Sec. 2113. Definitions.
- Sec. 2114. Designation of Santa Cruz Valley National Heritage Area.
- Sec. 2115. Management plan.
- Sec. 2116. Evaluation; report.
- Sec. 2117. Local coordinating entity.
- Sec. 2118. Relationship to other Federal agencies.
- Sec. 2119. Private property and regulatory protections.
- Sec. 2120. Authorization of appropriations.
- Sec. 2121. Use of Federal funds from other sources.
- Sec. 2122. Sunset for grants and other assistance.

TITLE III—STUDY

- Sec. 3001. Study and report of proposed Northern Neck National Heritage Area.

TITLE IV—TECHNICAL CORRECTIONS AND ADDITIONS

- Sec. 4001. National Coal Heritage Area technical corrections.
- Sec. 4002. Rivers of steel national heritage area addition.
- Sec. 4003. South Carolina National Heritage Corridor addition.
- Sec. 4004. Ohio and Erie Canal National Heritage Corridor technical corrections.

Sec. 4005. New Jersey Coastal Heritage trail route extension of authorization.
 Sec. 4006. Erie Canalway National Heritage Corridor technical corrections.

TITLE V—SENSE OF CONGRESS REGARDING FUNDING

Sec. 5001. Sense of Congress regarding funding.

TITLE VI—APPLICATION OF CERTAIN LAWS

Sec. 6001. Application of certain State and local laws.

1 **TITLE I—AUTHORIZATION EX-**
 2 **TENSIONS AND VIABILITY**
 3 **STUDIES**

4 **SEC. 1001. EXTENSIONS OF AUTHORIZED APPROPRIATIONS.**

5 Division H of the Omnibus Parks and Public Lands
 6 Management Act of 1996 (Public Law 104-333; 16
 7 U.S.C. 461 note) is amended in each of sections 108(a),
 8 209(a), 311(a), 409(a), 508(a), 608(a), 708(a), 810(a) (as
 9 redesignated by this Act), and 909(e), by striking
 10 “\$10,000,000” and inserting “\$15,000,000”.

11 **SEC. 1002. EVALUATION AND REPORT.**

12 (a) IN GENERAL.—For the nine National Heritage
 13 Areas authorized in Division H of the Omnibus Parks and
 14 Public Lands Management Act of 1996, not later than 3
 15 years before the date on which authority for Federal fund-
 16 ing terminates for each National Heritage Area, the Sec-
 17 retary shall—

18 (1) conduct an evaluation of the accomplish-
 19 ments of the National Heritage Area; and

20 (2) prepare a report in accordance with sub-
 21 section (e).

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

3 (1) assess the progress of the local management
4 entity with respect to—

5 (A) accomplishing the purposes of the au-
6 thORIZING legislation for the National Heritage
7 Area; and

8 (B) achieving the goals and objectives of
9 the approved management plan for the National
10 Heritage Area;

11 (2) analyze the investments of Federal, State,
12 Tribal, and local government and private entities in
13 each National Heritage Area to determine the im-
14 pact of the investments; and

15 (3) review the management structure, partner-
16 ship relationships, and funding of the National Her-
17 itage Area for purposes of identifying the critical
18 components for sustainability of the National Herit-
19 age Area.

20 (c) REPORT.—Based on the evaluation conducted
21 under subsection (a)(1), the Secretary shall submit a re-
22 port to the Committee on Natural Resources of the United
23 States House of Representatives and the Committee on
24 Energy and Natural Resources of the Senate. The report
25 shall include recommendations for the future role of the

1 National Park Service, if any, with respect to the National
2 Heritage Area.

3 **TITLE II—ESTABLISHMENT OF**
4 **NATIONAL HERITAGE AREAS**
5 **Subtitle A—Journey Through Hal-**
6 **lowed Ground National Herit-**
7 **age Area**

8 **SEC. 2001. SHORT TITLE; TABLE OF CONTENTS.**

9 (a) **SHORT TITLE.**—This subtitle may be cited as the
10 “Journey Through Hallowed Ground National Heritage
11 Area Act”.

12 (b) **TABLE OF CONTENTS.**—The table of contents of
13 this subtitle is as follows:

Sec. 2001. Short title; table of contents.

Sec. 2002. Purposes.

Sec. 2003. Definitions.

Sec. 2004. Designation of the Journey Through Hallowed Ground National
Heritage Area.

Sec. 2005. Management plan.

Sec. 2006. Evaluation; report.

Sec. 2007. Local coordinating entity.

Sec. 2008. Relationship to other Federal agencies.

Sec. 2009. Private property and regulatory protections.

Sec. 2010. Authorization of appropriations.

Sec. 2011. Use of Federal funds from other sources.

Sec. 2012. Sunset for grants and other assistance.

14 **SEC. 2002. PURPOSES.**

15 (a) The purposes of this subtitle include—

16 (1) to recognize the national importance of the
17 natural and cultural legacies of the area, as dem-
18 onstrated in the study entitled “The Journey

1 Through Hallowed Ground National Heritage Area
2 Feasibility Study” dated September 2006;

3 ~~(2) to preserve, support, conserve, and interpret~~
4 ~~the legacy of the American history created along the~~
5 ~~National Heritage Area;~~

6 ~~(3) to promote heritage, cultural and rec-~~
7 ~~reational tourism and to develop educational and~~
8 ~~cultural programs for visitors and the general public;~~

9 ~~(4) to recognize and interpret important events~~
10 ~~and geographic locations representing key develop-~~
11 ~~ments in the creation of America, including Native~~
12 ~~American, Colonial American, European American,~~
13 ~~and African American heritage;~~

14 ~~(5) to recognize and interpret the effect of the~~
15 ~~Civil War on the civilian population of the National~~
16 ~~Heritage Area during the war and post-war recon-~~
17 ~~struction period;~~

18 ~~(6) to enhance a cooperative management~~
19 ~~framework to assist the Commonwealth of Virginia,~~
20 ~~the State of Maryland, the Commonwealth of Penn-~~
21 ~~sylvania, the State of West Virginia, and their units~~
22 ~~of local government, the private sector, and citizens~~
23 ~~residing in the National Heritage Area in con-~~
24 ~~serving, supporting, enhancing, and interpreting the~~

1 significant historic, cultural and recreational sites in
2 the National Heritage Area; and

3 ~~(7)~~ to provide appropriate linkages among units
4 of the National Park System within and surrounding
5 the National Heritage Area; to protect, enhance, and
6 interpret resources outside of park boundaries.

7 **SEC. 2003. DEFINITIONS.**

8 In this subtitle—

9 ~~(1)~~ NATIONAL HERITAGE AREA.—The term
10 “National Heritage Area” means the Journey
11 Through Hallowed Ground National Heritage Area
12 established in this subtitle.

13 ~~(2)~~ LOCAL COORDINATING ENTITY.—The term
14 “local coordinating entity” means the Journey
15 Through Hallowed Ground Partnership, a Virginia
16 non-profit, which is hereby designated by Con-
17 gress—

18 ~~(A)~~ to develop, in partnership with others,
19 the management plan for the National Heritage
20 Area; and

21 ~~(B)~~ to act as a catalyst for the implemen-
22 tation of projects and programs among diverse
23 partners in the National Heritage Area.

24 ~~(3)~~ MANAGEMENT PLAN.—The term “manage-
25 ment plan” means the plan prepared by the local co-

1 ordinating entity for the National Heritage Area
2 that specifies actions, policies, strategies, perform-
3 ance goals, and recommendations to meet the goals
4 of the National Heritage Area, in accordance with
5 this subtitle.

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

8 **SEC. 2004. DESIGNATION OF THE JOURNEY THROUGH HAL-**
9 **LOWED GROUND NATIONAL HERITAGE AREA.**

10 (a) ESTABLISHMENT.—There is hereby established
11 the Journey Through Hallowed Ground National Heritage
12 Area.

13 (b) BOUNDARIES.—

14 (1) IN GENERAL.—The Heritage Area shall
15 consist of the 175-mile region generally following the
16 Route 15 corridor and surrounding areas from
17 Adams County, Pennsylvania, through Frederick
18 County, Maryland, including the Heart of the Civil
19 War Maryland State Heritage Area, looping through
20 Brunswick, Maryland, to Harpers Ferry, West Vir-
21 ginia, back through Loudoun County, Virginia, to
22 the Route 15 corridor and surrounding areas encom-
23 passing portions of Loudoun and Prince William
24 Counties, Virginia, then Fauquier County, Virginia,
25 portions of Spotsylvania and Madison Counties, Vir-

1 ginia, and Culpepper, Rappahannock, Orange, and
2 Albemarle Counties, Virginia.

3 (2) MAP.—The boundaries of the National Her-
4 itage Area shall include all of those lands and inter-
5 ests as generally depicted on the map titled “Jour-
6 ney Through Hallowed Ground National Heritage
7 Area”, numbered P90/80,000, and dated October
8 2006. The map shall be on file and available to the
9 public in the appropriate offices of the National
10 Park Service and the local coordinating entity.

11 **SEC. 2005. MANAGEMENT PLAN.**

12 (a) REQUIREMENTS.—The management plan for the
13 National Heritage Area shall—

14 (1) describe comprehensive policies, goals, strat-
15 egies, and recommendations for telling the story of
16 the heritage of the area covered by the National
17 Heritage Area and encouraging long-term resource
18 protection, enhancement, interpretation, funding,
19 management, and development of the National Her-
20 itage Area;

21 (2) include a description of actions and commit-
22 ments that Federal, State, Tribal, and local govern-
23 ments, private organizations, and citizens will take
24 to protect, enhance, interpret, fund, manage, and de-
25 velop the natural, historical, cultural, educational,

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

3 ~~(3)~~ specify existing and potential sources of
4 funding or economic development strategies to pro-
5 tect, enhance, interpret, fund, manage, and develop
6 the National Heritage Area;

7 ~~(4)~~ include an inventory of the natural, histor-
8 ical, cultural, educational, scenic, and recreational
9 resources of the National Heritage Area related to
10 the national importance and themes of the National
11 Heritage Area that should be protected, enhanced,
12 interpreted, managed, funded, and developed;

13 ~~(5)~~ recommend policies and strategies for re-
14 source management, including the development of
15 intergovernmental and interagency agreements to
16 protect, enhance, interpret, fund, manage, and de-
17 velop the natural, historical, cultural, educational,
18 scenic, and recreational resources of the National
19 Heritage Area;

20 ~~(6)~~ describe a program for implementation for
21 the management plan, including—

22 ~~(A)~~ performance goals;

23 ~~(B)~~ plans for resource protection, enhance-
24 ment, interpretation, funding, management, and
25 development; and

1 (C) specific commitments for implementa-
2 tion that have been made by the local coordi-
3 nating entity or any Federal, State, Tribal or
4 local government agency, organization, busi-
5 ness, or individual;

6 (7) include an analysis of, and recommenda-
7 tions for, means by which Federal, State, Tribal,
8 and local programs may best be coordinated (includ-
9 ing the role of the National Park Service and other
10 Federal agencies associated with the National Herit-
11 age Area) to further the purposes of this subtitle;
12 and

13 (8) include a business plan that—

14 (A) describes the role, operation, financing,
15 and functions of the local coordinating entity
16 and of each of the major activities contained in
17 the management plan; and

18 (B) provides adequate assurances that the
19 local coordinating entity has the partnerships
20 and financial and other resources necessary to
21 implement the management plan for the Na-
22 tional Heritage Area.

23 (b) DEADLINE.—

24 (1) IN GENERAL.—Not later than 3 years after
25 the date on which funds are first made available to

1 develop the management plan after designation as a
2 National Heritage Area, the local coordinating entity
3 shall submit the management plan to the Secretary
4 for approval.

5 (2) TERMINATION OF FUNDING.—If the man-
6 agement plan is not submitted to the Secretary in
7 accordance with paragraph (1), the local coordi-
8 nating entity shall not qualify for any additional fi-
9 nancial assistance under this subtitle until such time
10 as the management plan is submitted to and ap-
11 proved by the Secretary.

12 (c) APPROVAL OF MANAGEMENT PLAN.—

13 (1) REVIEW.—Not later than 180 days after re-
14 ceiving the plan, the Secretary shall review and ap-
15 prove or disapprove the management plan for a Na-
16 tional Heritage Area on the basis of the criteria es-
17 tablished under paragraph (3).

18 (2) CONSULTATION.—The Secretary shall con-
19 sult with the Governor of each State in which the
20 National Heritage Area is located before approving
21 a management plan for the National Heritage Area.

22 (3) CRITERIA FOR APPROVAL.—In determining
23 whether to approve a management plan for a Na-
24 tional Heritage Area, the Secretary shall consider
25 whether—

1 (A) the local coordinating entity represents
2 the diverse interests of the National Heritage
3 Area, including Federal, State, Tribal, and local
4 governments, natural, and historic resource pro-
5 tection organizations, educational institutions,
6 businesses, recreational organizations, commu-
7 nity residents, and private property owners;

8 (B) the local coordinating entity—

9 (i) has afforded adequate opportunity
10 for public and Federal, State, Tribal, and
11 local governmental involvement (including
12 through workshops and hearings) in the
13 preparation of the management plan; and

14 (ii) provides for at least semiannual
15 public meetings to ensure adequate imple-
16 mentation of the management plan;

17 (C) the resource protection, enhancement,
18 interpretation, funding, management, and de-
19 velopment strategies described in the manage-
20 ment plan, if implemented, would adequately
21 protect, enhance, interpret, fund, manage, and
22 develop the natural, historic, cultural, edu-
23 cational, scenic, and recreational resources of
24 the National Heritage Area;

1 (D) the management plan would not ad-
2 versely affect any activities authorized on Fed-
3 eral land under public land laws or land use
4 plans;

5 (E) the local coordinating entity has dem-
6 onstrated the financial capability, in partner-
7 ship with others, to carry out the plan;

8 (F) the Secretary has received adequate
9 assurances from the appropriate State, Tribal,
10 and local officials whose support is needed to
11 ensure the effective implementation of the
12 State, Tribal, and local elements of the manage-
13 ment plan; and

14 (G) the management plan demonstrates
15 partnerships among the local coordinating enti-
16 ty, Federal, State, Tribal, and local govern-
17 ments, regional planning organizations, non-
18 profit organizations, or private sector parties
19 for implementation of the management plan.

20 (4) DISAPPROVAL.—

21 (A) IN GENERAL.—If the Secretary dis-
22 approves the management plan, the Secretary—

23 (i) shall advise the local coordinating
24 entity in writing of the reasons for the dis-
25 approval; and

1 (ii) may make recommendations to the
2 local coordinating entity for revisions to
3 the management plan.

4 ~~(B) DEADLINE.~~—Not later than 180 days
5 after receiving a revised management plan, the
6 Secretary shall approve or disapprove the re-
7 vised management plan.

8 ~~(5) AMENDMENTS.~~—

9 ~~(A) IN GENERAL.~~—An amendment to the
10 management plan that substantially alters the
11 purposes of the National Heritage Area shall be
12 reviewed by the Secretary and approved or dis-
13 approved in the same manner as the original
14 management plan.

15 ~~(B) IMPLEMENTATION.~~—The local coordi-
16 nating entity shall not use Federal funds au-
17 thorized by this subtitle to implement an
18 amendment to the management plan until the
19 Secretary approves the amendment.

20 ~~(6) AUTHORITIES.~~—The Secretary may—

21 ~~(A)~~ provide technical assistance under the
22 authority of this subtitle for the development
23 and implementation of the management plan;
24 and

1 (B) enter into cooperative agreements with
2 interested parties to carry out this subtitle.

3 **SEC. 2006. EVALUATION; REPORT.**

4 (a) IN GENERAL.—Not later than 3 years before the
5 date on which authority for Federal funding terminates
6 for the National Heritage Area under this subtitle, the
7 Secretary shall—

8 (1) conduct an evaluation of the accomplish-
9 ments of the National Heritage Area; and

10 (2) prepare a report in accordance with sub-
11 section (c).

12 (b) EVALUATION.—An evaluation conducted under
13 subsection (a)(1) 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 National Heritage
18 Area; and

19 (B) achieving the goals and objectives of
20 the approved management plan for the National
21 Heritage Area;

22 (2) analyze the Federal, State, Tribal, local,
23 and private investments in the National Heritage
24 Area to determine the impact of the investments;
25 and

1 (2) review the management structure, partner-
2 ship relationships, and funding of the National Her-
3 itage Area for purposes of identifying the critical
4 components for sustainability of the National Herit-
5 age Area.

6 (c) REPORT.—Based on the evaluation conducted
7 under subsection (a)(1), the Secretary shall submit a re-
8 port to the Committee on Natural Resources of the United
9 States House of Representatives and the Committee on
10 Energy and Natural Resources of the United States Sen-
11 ate. The report shall include recommendations for the fu-
12 ture role of the National Park Service, if any, with respect
13 to the National Heritage Area.

14 **SEC. 2007. LOCAL COORDINATING ENTITY.**

15 (a) DUTIES.—To further the purposes of the Na-
16 tional Heritage Area, the Journey Through Hallowed
17 Ground Partnership, as the local coordinating entity,
18 shall—

19 (1) prepare a management plan for the Na-
20 tional Heritage Area, and submit the management
21 plan to the Secretary, in accordance with this sub-
22 title;

23 (2) submit an annual report to the Secretary
24 for each fiscal year for which the local coordinating

1 entity receives Federal funds under this subtitle,
2 specifying—

3 (A) the specific performance goals and ac-
4 complishments of the local coordinating entity;

5 (B) the expenses and income of the local
6 coordinating entity;

7 (C) the amounts and sources of matching
8 funds;

9 (D) the amounts leveraged with Federal
10 funds and sources of the leveraging; and

11 (E) grants made to any other entities dur-
12 ing the fiscal year;

13 (3) make available for audit for each fiscal year
14 for which the local coordinating entity receives Fed-
15 eral funds under this subtitle, all information per-
16 taining to the expenditure of the funds and any
17 matching funds; and

18 (4) encourage economic viability and sustain-
19 ability that is consistent with the purposes of the
20 National Heritage Area.

21 (b) AUTHORITIES.—For the purposes of preparing
22 and implementing the approved management plan for the
23 National Heritage Area, the local coordinating entity may
24 use Federal funds made available under this subtitle to—

1 (1) make grants to political jurisdictions, non-
2 profit organizations, and other parties within the
3 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, including individ-
9 uals with expertise in—

10 (A) natural, historical, cultural, edu-
11 cational, scenic, and recreational resource con-
12 servation;

13 (B) economic and community development;
14 and

15 (C) heritage planning;

16 (4) obtain funds or services from any source,
17 including other Federal programs;

18 (5) contract for goods or services; and

19 (6) support activities of partners and any other
20 activities that further the purposes of the National
21 Heritage Area and are consistent with the approved
22 management plan.

23 (e) PROHIBITION ON ACQUISITION OF REAL PROP-
24 ERTY.—The local coordinating entity may not use Federal

1 funds authorized under this subtitle to acquire any inter-
2 est in real property.

3 **SEC. 2008. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

4 (a) **IN GENERAL.**—Nothing in this subtitle affects
5 the authority of a Federal agency to provide technical or
6 financial assistance under any other law.

7 (b) **CONSULTATION AND COORDINATION.**—The head
8 of any Federal agency planning to conduct activities that
9 may have an impact on a National Heritage Area is en-
10 couraged to consult and coordinate the activities with the
11 Secretary and the local coordinating entity to the max-
12 imum extent practicable.

13 (c) **OTHER FEDERAL AGENCIES.**—Nothing in this
14 subtitle—

15 (1) modifies, alters, or amends any law or regu-
16 lation authorizing a Federal agency to manage Fed-
17 eral land under the jurisdiction of the Federal agen-
18 cy;

19 (2) limits the discretion of a Federal land man-
20 ager to implement an approved land use plan within
21 the boundaries of a National Heritage Area; or

22 (3) modifies, alters, or amends any authorized
23 use of Federal land under the jurisdiction of a Fed-
24 eral agency.

1 **SEC. 2009. PRIVATE PROPERTY AND REGULATORY PROTEC-**
2 **TIONS.**

3 Nothing in this subtitle—

4 (1) abridges the rights of any property owner
5 (whether public or private), including the right to re-
6 frain from participating in any plan, project, pro-
7 gram, or activity conducted within the National Her-
8 itage Area;

9 (2) requires any property owner to permit pub-
10 lic access (including access by Federal, State, Tribal,
11 or local agencies) to the property of the property
12 owner, or to modify public access or use of property
13 of the property owner under any other Federal,
14 State, Tribal, or local law;

15 (3) alters any duly adopted land use regulation,
16 approved land use plan, or other regulatory author-
17 ity (such as the authority to make safety improve-
18 ments or increase the capacity of existing roads or
19 to construct new roads) of any Federal, State, Trib-
20 al, or local agency, or conveys any land use or other
21 regulatory authority to any local coordinating entity,
22 including but not necessarily limited to development
23 and management of energy or water or water-related
24 infrastructure;

25 (4) authorizes or implies the reservation or ap-
26 propriation of water or water rights;

1 (5) diminishes the authority of the State to
2 manage fish and wildlife, including the regulation of
3 fishing and hunting within the National Heritage
4 Area; or

5 (6) creates any liability, or affects any liability
6 under any other law, of any private property owner
7 with respect to any person injured on the private
8 property.

9 **SEC. 2010. AUTHORIZATION OF APPROPRIATIONS.**

10 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Subject
11 to subsection (b), there are authorized to be appropriated
12 to carry out this subtitle not more than \$1,000,000 for
13 any fiscal year. Funds so appropriated shall remain avail-
14 able until expended.

15 (b) **LIMITATION ON TOTAL AMOUNTS APPRO-**
16 **PRIATED.**—Not more than \$15,000,000 may be appro-
17 priated to carry out this subtitle.

18 (c) **COST-SHARING REQUIREMENT.**—The Federal
19 share of the total cost of any activity under this subtitle
20 shall be not more than 50 percent; the non-Federal con-
21 tribution may be in the form of in-kind contributions of
22 goods or services fairly valued.

1 **SEC. 2011. USE OF FEDERAL FUNDS FROM OTHER**
 2 **SOURCES.**

3 Nothing in this subtitle shall preclude the local co-
 4 ordinating entity from using Federal funds available under
 5 other laws for the purposes for which those funds were
 6 authorized.

7 **SEC. 2012. SUNSET FOR GRANTS AND OTHER ASSISTANCE.**

8 The authority of the Secretary to provide financial
 9 assistance under this subtitle terminates on the date that
 10 is 15 years after the date of enactment of this subtitle.

11 **Subtitle B—Niagara Falls National**
 12 **Heritage Area**

13 **SEC. 2021. SHORT TITLE; TABLE OF CONTENTS.**

14 (a) **SHORT TITLE.**—This subtitle may be cited as the
 15 “Niagara Falls National Heritage Area Act”.

16 (b) **TABLE OF CONTENTS.**—The table of contents of
 17 this subtitle is as follows:

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 Sec. 2033. Sunset for grants and other assistance.

18 **SEC. 2022. PURPOSES.**

19 (a) The purposes of this subtitle include—

1 (1) to recognize the national importance of the
2 natural and cultural legacies of the area, as dem-
3 onstrated in the National Park Service study report
4 entitled “Niagara National Heritage Area Study”
5 dated 2005;

6 (2) to preserve, support, conserve, and interpret
7 the natural, scenic, cultural, and historic resources
8 within the National Heritage Area;

9 (3) to promote heritage, cultural and rec-
10 reational tourism and to develop educational and
11 cultural programs for visitors and the general public;

12 (4) to recognize and interpret important events
13 and geographic locations representing key develop-
14 ments in American history and culture, including
15 Native American, Colonial American, European
16 American, and African American heritage;

17 (5) to enhance a cooperative management
18 framework to assist State, local, and Tribal govern-
19 ments, the private sector, and citizens residing in
20 the National Heritage Area in conserving, sup-
21 porting, enhancing, and interpreting the significant
22 historic, cultural, and recreational sites in the Na-
23 tional Heritage Area;

24 (6) to conserve and interpret the history of the
25 development of hydroelectric power in the United

1 States and its role in developing the American econ-
2 omy; and

3 ~~(7)~~ to provide appropriate linkages among units
4 of the National Park System within and surrounding
5 the National Heritage Area; to protect, enhance, and
6 interpret resources outside of park boundaries.

7 **SEC. 2023. DEFINITIONS.**

8 In this subtitle—

9 ~~(1)~~ NATIONAL HERITAGE AREA.—The term
10 “National Heritage Area” means the Niagara Falls
11 National Heritage Area established in this subtitle.

12 ~~(2)~~ LOCAL COORDINATING ENTITY.—The term
13 “local coordinating entity” means the local coordi-
14 nating entity for the National Heritage Area des-
15 ignated pursuant to this subtitle.

16 ~~(3)~~ MANAGEMENT PLAN.—The term “manage-
17 ment plan” means the plan prepared by the local co-
18 ordinating entity for the National Heritage Area
19 that specifies actions, policies, strategies, perform-
20 ance goals, and recommendations to meet the goals
21 of the National Heritage Area, in accordance with
22 this subtitle.

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

1 (5) COMMISSION.—The term “Commission”
2 means the Niagara Falls National Heritage Area
3 Commission established under this subtitle.

4 (6) GOVERNOR.—The term “Governor” means
5 the Governor of the State of New York.

6 **SEC. 2024. DESIGNATION OF THE NIAGARA FALLS NA-**
7 **TIONAL HERITAGE AREA.**

8 (a) ESTABLISHMENT.—There is hereby established
9 the Niagara Falls National Heritage Area.

10 (b) BOUNDARIES.—

11 (1) IN GENERAL.—The National Heritage Area
12 shall consist of the area from the western boundary
13 of the town of Wheatfield, New York, extending to
14 the mouth of the Niagara River on Lake Ontario, in-
15 cluding the city of Niagara Falls, New York, the vil-
16 lages of Youngstown and Lewiston, New York, land
17 and water within the boundaries of the Heritage
18 Area in Niagara County, New York, and any addi-
19 tional thematically related sites within Erie and Ni-
20 agara Counties, New York, that are identified in the
21 management plan developed under this subtitle.

22 (2) MAP.—The boundaries of the National Her-
23 itage Area shall be as generally depicted on the map
24 titled “Niagara Falls National Heritage Area,” and
25 numbered P76/80,000 and dated July, 2006. The

1 map shall be on file and available to the public in
2 the appropriate offices of the National Park Service
3 and the local coordinating entity.

4 **SEC. 2025. MANAGEMENT PLAN.**

5 (a) **REQUIREMENTS.**—The management plan for the
6 National Heritage Area shall—

7 (1) describe comprehensive policies, goals, strat-
8 egies, and recommendations for telling the story of
9 the heritage of the area covered by the National
10 Heritage Area and encouraging long-term resource
11 protection, enhancement, interpretation, funding,
12 management, and development of the National Her-
13 itage Area;

14 (2) include a description of actions and commit-
15 ments that Federal, State, Tribal, and local govern-
16 ments, private organizations, and citizens will take
17 to protect, enhance, interpret, fund, manage, and de-
18 velop the natural, historical, cultural, educational,
19 scenic, and recreational resources of the National
20 Heritage Area;

21 (3) specify existing and potential sources of
22 funding or economic development strategies to pro-
23 tect, enhance, interpret, fund, manage, and develop
24 the National Heritage Area;

1 (4) include an inventory of the natural, histor-
2 ical, cultural, educational, scenic, and recreational
3 resources of the National Heritage Area related to
4 the national importance and themes of the National
5 Heritage Area that should be protected, enhanced,
6 interpreted, managed, funded, and developed;

7 (5) recommend policies and strategies for re-
8 source management, including the development of
9 intergovernmental and interagency agreements to
10 protect, enhance, interpret, fund, manage, and de-
11 velop the natural, historical, cultural, educational,
12 scenic, and recreational resources of the National
13 Heritage Area;

14 (6) describe a program for implementation for
15 the management plan, including—

16 (A) performance goals;

17 (B) plans for resource protection, enhance-
18 ment, interpretation, funding, management, and
19 development; and

20 (C) specific commitments for implementa-
21 tion that have been made by the local coordi-
22 nating entity or any Federal, State, Tribal, or
23 local government agency, organization, busi-
24 ness, or individual;

1 (7) include an analysis of, and recommenda-
2 tions for, means by which Federal, State, Tribal,
3 and local programs may best be coordinated (includ-
4 ing the role of the National Park Service and other
5 Federal agencies associated with the National Herit-
6 age Area) to further the purposes of this subtitle;
7 and

8 (8) include a business plan that—

9 (A) describes the role, operation, financing,
10 and functions of the local coordinating entity
11 and of each of the major activities contained in
12 the management plan; and

13 (B) provides adequate assurances that the
14 local coordinating entity has the partnerships
15 and financial and other resources necessary to
16 implement the management plan for the Na-
17 tional Heritage Area.

18 (b) DEADLINE.—

19 (1) IN GENERAL.—Not later than 3 years after
20 the date on which funds are first made available to
21 develop the management plan after designation as a
22 National Heritage Area, the local coordinating entity
23 shall submit the management plan to the Secretary
24 for approval.

1 (2) TERMINATION OF FUNDING.—If the man-
2 agement plan is not submitted to the Secretary in
3 accordance with paragraph (1), the local coordi-
4 nating entity shall not qualify for any additional fi-
5 nancial assistance under this subtitle until such time
6 as the management plan is submitted to and ap-
7 proved by the Secretary.

8 (e) APPROVAL OF MANAGEMENT PLAN.—

9 (1) REVIEW.—Not later than 180 days after re-
10 ceiving the plan, the Secretary shall review and ap-
11 prove or disapprove the management plan for a Na-
12 tional Heritage Area on the basis of the criteria es-
13 tablished under paragraph (3).

14 (2) CONSULTATION.—The Secretary shall con-
15 sult with the Governor before approving a manage-
16 ment plan for the National Heritage Area.

17 (3) CRITERIA FOR APPROVAL.—In determining
18 whether to approve a management plan for a Na-
19 tional Heritage Area, the Secretary shall consider
20 whether—

21 (A) the local coordinating entity represents
22 the diverse interests of the National Heritage
23 Area, including Federal, State, Tribal, and local
24 governments, natural and historic resource pro-
25 tection organizations, educational institutions,

1 businesses, recreational organizations, commu-
2 nity residents, and private property owners;

3 ~~(B)~~ the local coordinating entity—

4 (i) has afforded adequate opportunity
5 for public and Federal, State, Tribal, and
6 local governmental involvement (including
7 through workshops and hearings) in the
8 preparation of the management plan; and

9 (ii) provides for at least semiannual
10 public meetings to ensure adequate imple-
11 mentation of the management plan;

12 ~~(C)~~ the resource protection, enhancement,
13 interpretation, funding, management, and de-
14 velopment strategies described in the manage-
15 ment plan, if implemented, would adequately
16 protect, enhance, interpret, fund, manage, and
17 develop the natural, historic, cultural, edu-
18 cational, scenic, and recreational resources of
19 the National Heritage Area;

20 ~~(D)~~ the management plan would not ad-
21 versely affect any activities authorized on Fed-
22 eral land under public land laws or land use
23 plans;

1 ~~(E)~~ the local coordinating entity has dem-
2 onstrated the financial capability, in partner-
3 ship with others, to carry out the plan;

4 ~~(F)~~ the Secretary has received adequate
5 assurances from the appropriate State, Tribal,
6 and local officials whose support is needed to
7 ensure the effective implementation of the
8 State, Tribal, and local elements of the manage-
9 ment plan; and

10 ~~(G)~~ the management plan demonstrates
11 partnerships among the local coordinating enti-
12 ty, Federal, State, Tribal, and local govern-
13 ments, regional planning organizations, non-
14 profit organizations, or private sector parties
15 for implementation of the management plan.

16 ~~(4)~~ DISAPPROVAL.—

17 ~~(A)~~ IN GENERAL.—If the Secretary dis-
18 approves the management plan, the Secretary—

19 (i) shall advise the local coordinating
20 entity in writing of the reasons for the dis-
21 approval; and

22 (ii) may make recommendations to the
23 local coordinating entity for revisions to
24 the management plan.

1 ~~(B) DEADLINE.~~—Not later than 180 days
2 after receiving a revised management plan, the
3 Secretary shall approve or disapprove the re-
4 vised management plan.

5 ~~(5) AMENDMENTS.~~—

6 ~~(A) IN GENERAL.~~—An amendment to the
7 management plan that substantially alters the
8 purposes of the National Heritage Area shall be
9 reviewed by the Secretary and approved or dis-
10 approved in the same manner as the original
11 management plan.

12 ~~(B) IMPLEMENTATION.~~—The local coordi-
13 nating entity shall not use Federal funds au-
14 thorized by this subtitle to implement an
15 amendment to the management plan until the
16 Secretary approves the amendment.

17 ~~(6) AUTHORITIES.~~—The Secretary may—

18 ~~(A)~~ provide technical assistance under the
19 authority of this subtitle for the development
20 and implementation of the management plan;
21 and

22 ~~(B)~~ enter into cooperative agreements with
23 interested parties to carry out this subtitle.

1 **SEC. 2026. EVALUATION; REPORT.**

2 (a) ~~IN GENERAL.~~—Not later than 3 years before the
3 date on which authority for Federal funding terminates
4 for the National Heritage Area under this subtitle the Sec-
5 retary shall—

6 (1) conduct an evaluation of the accomplish-
7 ments of the National 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 au-
15 thorizing legislation for the National Heritage
16 Area; and

17 (B) achieving the goals and objectives of
18 the approved management plan for the National
19 Heritage Area;

20 (2) analyze the Federal, State, Tribal, and
21 local, and private investments in the National Herit-
22 age Area to determine the impact of the invest-
23 ments; and

24 (3) review the management structure, partner-
25 ship relationships, and funding of the National Her-
26 itage Area for purposes of identifying the critical

1 components for sustainability of the National Herit-
2 age Area.

3 (c) REPORT.—Based on the evaluation conducted
4 under subsection (a)(1), the Secretary shall submit a re-
5 port to the Committee on Natural Resources of the United
6 States House of Representatives and the Committee on
7 Energy and Natural Resources of the United States Sen-
8 ate. The report shall include recommendations for the fu-
9 ture role of the National Park Service, if any, with respect
10 to the National Heritage Area.

11 **SEC. 2027. LOCAL COORDINATING ENTITY.**

12 (a) DESIGNATION.—The local coordinating entity for
13 the Heritage Area shall be—

14 (1) for the 5-year period beginning on the date
15 of enactment of this subtitle, the Commission; and

16 (2) on expiration of the 5-year period described
17 in subparagraph (1), a private nonprofit or govern-
18 mental organization designated by the Commission.

19 (b) DUTIES.—To further the purposes of the Na-
20 tional Heritage Area, the local coordinating entity, shall—

21 (1) prepare a management plan for the Na-
22 tional Heritage Area, and submit the management
23 plan to the Secretary, in accordance with this sub-
24 title;

1 (2) submit an annual report to the Secretary
2 for each fiscal year for which the local coordinating
3 entity receives Federal funds under this subtitle;
4 specifying—

5 (A) the specific performance goals and ac-
6 complishments of the local coordinating entity;

7 (B) the expenses and income of the local
8 coordinating entity;

9 (C) the amounts and sources of matching
10 funds;

11 (D) the amounts leveraged with Federal
12 funds and sources of the leveraging; and

13 (E) grants made to any other entities dur-
14 ing the fiscal year;

15 (3) make available for audit for each fiscal year
16 for which the local coordinating entity receives Fed-
17 eral funds under this subtitle, all information per-
18 taining to the expenditure of the funds and any
19 matching funds;

20 (4) encourage economic viability and sustain-
21 ability that is consistent with the purposes of the
22 National Heritage Area; and

23 (5) coordinate projects, activities, and programs
24 with the Erie Canalway National Heritage Corridor.

1 (e) AUTHORITIES.—For the purposes of preparing
2 and implementing the approved management plan for the
3 National Heritage Area, the local coordinating entity may
4 use Federal funds made available under this subtitle to—

5 (1) make grants to political jurisdictions, non-
6 profit organizations, and other parties within the
7 National Heritage Area;

8 (2) enter into cooperative agreements with or
9 provide technical assistance to political jurisdictions,
10 nonprofit organizations, Federal agencies, and other
11 interested parties;

12 (3) hire and compensate staff, including individ-
13 uals with expertise in—

14 (A) natural, historical, cultural, edu-
15 cational, scenic, and recreational resource con-
16 servation;

17 (B) economic and community development;
18 and

19 (C) heritage planning;

20 (4) obtain funds or services from any source,
21 including other Federal programs;

22 (5) contract for goods or services; and

23 (6) support activities of partners and any other
24 activities that further the purposes of the National

1 Heritage Area and are consistent with the approved
2 management plan.

3 (d) ~~PROHIBITION ON ACQUISITION OF REAL PROP-~~
4 ~~ERTY.~~—The local coordinating entity may not use Federal
5 funds authorized under this subtitle to acquire any inter-
6 est in real property.

7 **SEC. 2028. NIAGARA FALLS HERITAGE AREA COMMISSION.**

8 (a) ~~ESTABLISHMENT.~~—There is established within
9 the Department of the Interior the Niagara Falls National
10 Heritage Area Commission.

11 (b) ~~MEMBERSHIP.~~—The Commission shall be com-
12 posed of 17 members, of whom—

13 (1) 1 member shall be the Director of the Na-
14 tional Park Service (or a designee);

15 (2) 5 members shall be appointed by the Sec-
16 retary, after consideration of the recommendation of
17 the Governor, from among individuals with knowl-
18 edge and experience of—

19 (A) the New York State Office of Parks,
20 Recreation and Historic Preservation, the Niag-
21 ara River Greenway Commission, the New York
22 Power Authority, the USA Niagara Develop-
23 ment Corporation, and the Niagara Tourism
24 and Convention Corporation; or

1 ~~(B)~~ any successors of the agencies de-
2 scribed in subparagraph (A);

3 ~~(3)~~ 1 member shall be appointed by the Sec-
4 retary, after consideration of the recommendation of
5 the mayor of Niagara Falls, New York;

6 ~~(4)~~ 1 member shall be appointed by the Sec-
7 retary, after consideration of the recommendation of
8 the mayor of the village of Youngstown, New York;

9 ~~(5)~~ 1 member shall be appointed by the Sec-
10 retary, after consideration of the recommendation of
11 the mayor of the village of Lewiston, New York;

12 ~~(6)~~ 1 member shall be appointed by the Sec-
13 retary, after consideration of the recommendation of
14 the Tuscarora Nation;

15 ~~(7)~~ 1 member shall be appointed by the Sec-
16 retary, after consideration of the recommendation of
17 the Seneca Nation of Indians; and

18 ~~(8)~~ 6 members shall be individuals who have an
19 interest in, support for, and expertise appropriate to
20 tourism, regional planning, history and historic pres-
21 ervation, cultural or natural resource management,
22 conservation, recreation, and education, or museum
23 services, of whom—

24 ~~(A)~~ 4 members shall be appointed by the
25 Secretary, after consideration of the rec-

1 ommendation of the 2 members of the Senate
2 from the State; and

3 ~~(B) 2 members shall be appointed by the~~
4 ~~Secretary, after consideration of the rec-~~
5 ~~ommendation of the Member of the House of~~
6 ~~Representatives whose district encompasses the~~
7 ~~National Heritage Area.~~

8 ~~(c) TERMS; VACANCIES.—~~

9 ~~(1) TERM.—A member of the Commission shall~~
10 ~~be appointed for a term not to exceed 5 years.~~

11 ~~(2) VACANCIES.—~~

12 ~~(A) PARTIAL TERM.—A member appointed~~
13 ~~to fill a vacancy on the Commission shall serve~~
14 ~~for the remainder of the term for which the~~
15 ~~predecessor of the member was appointed.~~

16 ~~(B) IN GENERAL.—A vacancy on the Com-~~
17 ~~mission shall be filled in the same manner as~~
18 ~~the original appointment was made.~~

19 ~~(d) CHAIRPERSON AND VICE CHAIRPERSON.—~~

20 ~~(1) SELECTION.—The Commission shall select~~
21 ~~a Chairperson and Vice Chairperson from among the~~
22 ~~members of the Commission.~~

23 ~~(2) VICE CHAIRPERSON.—The Vice Chairperson~~
24 ~~shall serve as the Chairperson in the absence of the~~
25 ~~Chairperson.~~

1 (e) QUORUM.—

2 (1) IN GENERAL.—A majority of the members
3 of the Commission shall constitute a quorum.

4 (2) TRANSACTION.—For the transaction of any
5 business or the exercise of any power of the Com-
6 mission, the Commission shall have the power to act
7 by a majority vote of the members present at any
8 meeting at which a quorum is in attendance.

9 (f) MEETINGS.—

10 (1) IN GENERAL.—The Commission shall meet
11 at least quarterly at the call of—

12 (A) the Chairperson; or

13 (B) a majority of the members of the Com-
14 mission.

15 (2) NOTICE.—Notice of Commission meetings
16 and agendas for the meetings shall be published in
17 local newspapers that are distributed throughout the
18 National Heritage Area.

19 (3) APPLICABLE LAW.—Meetings of the Com-
20 mission shall be subject to section 552b of title 5,
21 United States Code.

22 (g) AUTHORITIES OF THE COMMISSION.—In addition
23 to the authorities otherwise granted in this subtitle, the
24 Commission may—

1 (1) request and accept from the head of any
2 Federal agency, on a reimbursable or non-reimburs-
3 able basis, any personnel of the Federal agency to
4 the Commission to assist in carrying out the duties
5 of the Commission;

6 (2) request and accept from the head of any
7 State agency or any agency of a political subdivision
8 of the State, on a reimbursable or nonreimbursable
9 basis, any personnel of the agency to the Commis-
10 sion to assist in carrying out the duties of the Com-
11 mission;

12 (3) seek, accept, and dispose of gifts, bequests,
13 grants, or donations of money, personal property, or
14 services; and

15 (4) use the United States mails in the same
16 manner as other agencies of the Federal Govern-
17 ment.

18 (h) DUTIES OF THE COMMISSION.—To further the
19 purposes of the National Heritage Area, in addition to the
20 duties otherwise listed in this subtitle, the Commission
21 shall assist in the transition of the management of the
22 National Heritage Area from the Commission to the local
23 coordinating entity designated under this subtitle.

24 (i) COMPENSATION OF MEMBERS.—

1 (1) **IN GENERAL.**—A member of the Commis-
2 sion shall serve without compensation.

3 (2) **TRAVEL EXPENSES.**—A member of the
4 Commission shall be allowed travel expenses, includ-
5 ing per diem in lieu of subsistence, at rates author-
6 ized for an employee of an agency under subchapter
7 I of chapter 57 of title 5, United States Code, while
8 away from the home or regular place of business of
9 the member in the performance of the duties of the
10 Commission.

11 (j) **GIFTS.**—For purposes of section 170(e) of the In-
12 ternal Revenue Code of 1986, any gift or charitable con-
13 tribution to the Commission shall be considered to be a
14 charitable contribution or gift to the United States.

15 (k) **USE OF FEDERAL FUNDS.**—Except as provided
16 for the leasing of administrative facilities under subsection
17 (g)(1), the Commission may not use Federal funds made
18 available to the Commission under this subtitle to acquire
19 any real property or interest in real property.

20 **SEC. 2029. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

21 (a) **IN GENERAL.**—Nothing in this subtitle affects
22 the authority of a Federal agency to provide technical or
23 financial assistance under any other law.

24 (b) **CONSULTATION AND COORDINATION.**—The head
25 of any Federal agency planning to conduct activities that

1 may have an impact on a National Heritage Area is en-
2 couraged to consult and coordinate the activities with the
3 Secretary and the local coordinating entity to the max-
4 imum extent practicable.

5 (e) OTHER FEDERAL AGENCIES.—Nothing in this
6 subtitle—

7 (1) modifies, alters, or amends any law or regu-
8 lation authorizing a Federal agency to manage Fed-
9 eral land under the jurisdiction of the Federal agen-
10 cy;

11 (2) limits the discretion of a Federal land man-
12 ager to implement an approved land use plan within
13 the boundaries of a National Heritage Area; or

14 (3) modifies, alters, or amends any authorized
15 use of Federal land under the jurisdiction of a Fed-
16 eral agency.

17 **SEC. 2030. PRIVATE PROPERTY AND REGULATORY PROTEC-**
18 **TIONS.**

19 Nothing in this subtitle—

20 (1) abridges the rights of any property owner
21 (whether public or private), including the right to re-
22 frain from participating in any plan, project, pro-
23 gram, or activity conducted within the National Her-
24 itage Area;

1 (2) requires any property owner to permit pub-
2 lie access (including access by Federal, State, Tribal,
3 or local agencies) to the property of the property
4 owner, or to modify public access or use of property
5 of the property owner under any other Federal,
6 State, Tribal, or local law;

7 (3) alters any duly adopted land use regulation,
8 approved land use plan, or other regulatory author-
9 ity of any Federal, State, Tribal, or local agency, or
10 conveys any land use or other regulatory authority
11 to any local coordinating entity, including but not
12 necessarily limited to development and management
13 of energy, water, or water-related infrastructure;

14 (4) authorizes or implies the reservation or ap-
15 propriation of water or water rights;

16 (5) diminishes the authority of the State to
17 manage fish and wildlife, including the regulation of
18 fishing and hunting within the National Heritage
19 Area; or

20 (6) creates any liability, or affects any liability
21 under any other law, of any private property owner
22 with respect to any person injured on the private
23 property.

1 **SEC. 2031. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—Subject
3 to subsection (b), there are authorized to be appropriated
4 to carry out this subtitle not more than \$1,000,000 for
5 any fiscal year. Funds so appropriated shall remain avail-
6 able until expended.

7 (b) LIMITATION ON TOTAL AMOUNTS APPRO-
8 PRIATED.—Not more than \$15,000,000 may be appro-
9 priated to carry out this subtitle.

10 (c) COST-SHARING REQUIREMENT.—The Federal
11 share of the total cost of any activity under this subtitle
12 shall be not more than 50 percent; the non-Federal con-
13 tribution may be in the form of in-kind contributions of
14 goods or services fairly valued.

15 **SEC. 2032. USE OF FEDERAL FUNDS FROM OTHER**
16 **SOURCES.**

17 Nothing in this subtitle shall preclude the local co-
18 ordinating entity from using Federal funds available under
19 other laws for the purposes for which those funds were
20 authorized.

21 **SEC. 2033. SUNSET FOR GRANTS AND OTHER ASSISTANCE.**

22 The authority of the Secretary to provide financial
23 assistance under this subtitle terminates on the date that
24 is 15 years after the date of enactment of this subtitle.

1 **Subtitle C—Muscle Shoals National**
 2 **Heritage Area**

3 **SEC. 2041. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This subtitle may be cited as the
 5 “Muscle Shoals National Heritage Area Act”.

6 (b) **TABLE OF CONTENTS.**—The table of contents of
 7 this subtitle is as follows:

Sec. 2041. Short title; table of contents.
 Sec. 2042. Purposes.
 Sec. 2043. Definitions.
 Sec. 2044. Designation of Muscle Shoals National Heritage Area.
 Sec. 2045. Management plan.
 Sec. 2046. Evaluation; report.
 Sec. 2047. Local coordinating entity.
 Sec. 2048. Relationship to other Federal agencies.
 Sec. 2049. Private property and regulatory protections.
 Sec. 2050. Authorization of appropriations.
 Sec. 2051. Use of Federal funds from other sources.
 Sec. 2052. Sunset for grants and other assistance.

8 **SEC. 2042. PURPOSES.**

9 The purposes of this subtitle include—

10 (1) to preserve, support conserve and interpret
 11 the legacy of the region represented by the National
 12 Heritage Area as described in the feasibility study
 13 prepared by the National Park Service;

14 (2) to promote heritage, cultural and rec-
 15 reational tourism and to develop educational and
 16 cultural programs for visitors and the general public;

17 (3) to recognize and interpret important events
 18 and geographic locations representing key develop-
 19 ments in the growth of America, including Native

1 American, Colonial American, European American,
2 and African American heritage;

3 (4) to recognize and interpret how the distine-
4 tive geography of the region shaped the development
5 of settlement, defense, transportation, commerce,
6 and culture there;

7 (5) to provide a cooperative management frame-
8 work to foster a close working relationship with all
9 levels of government, the private sector, and the
10 local communities in the region in identifying, pre-
11 serving, interpreting, and developing the historical,
12 cultural, scenic, and natural resources of the region
13 for the educational and inspirational benefit of cur-
14 rent and future generations; and

15 (6) to provide appropriate linkages between
16 units of the National Park System and communities,
17 governments, and organizations within the National
18 Heritage Area.

19 **SEC. 2043. DEFINITIONS.**

20 In this subtitle:

21 (1) **NATIONAL HERITAGE AREA.**—The term
22 “National Heritage Area” means the Muscle Shoals
23 National Heritage Area established in this subtitle.

24 (2) **LOCAL COORDINATING ENTITY.**—The term
25 “local coordinating entity” means the Muscle Shoals

1 Regional Center, which is hereby designated by Con-
2 gress—

3 (A) to develop, in partnership with others,
4 the management plan for the National Heritage
5 Area; and

6 (B) to act as a catalyst for the implemen-
7 tation of projects and programs among diverse
8 partners in the National Heritage Area.

9 (3) **MANAGEMENT PLAN.**—The term “manage-
10 ment plan” means the plan prepared by the local co-
11 ordinating entity for the National Heritage Area
12 that specifies actions, policies, strategies, perform-
13 ance goals, and recommendations to meet the goals
14 of the National Heritage Area, in accordance with
15 this subtitle.

16 (4) **SECRETARY.**—The term “Secretary” means
17 the Secretary of the Interior.

18 **SEC. 2044. DESIGNATION OF MUSCLE SHOALS NATIONAL**
19 **HERITAGE AREA.**

20 (a) **ESTABLISHMENT.**—There is hereby established
21 the Muscle Shoals National Heritage Area in the State
22 of Alabama.

23 (b) **BOUNDARIES.**—

24 (1) **IN GENERAL.**—The National Heritage Area
25 shall be comprised of the counties of Colbert, Frank-

1 lin, Lauderdale, Lawrence, Limestone, and Morgan;
2 including the Wilson Dam; the Handy Home; and
3 the Helen Keller birthplace.

4 (2) MAP.—The boundary of the National Herit-
5 age Area shall be as generally depicted on the map
6 titled “Muscle Shoals National Heritage Area”,
7 numbered T08/80,000, and dated October 2007.
8 The map shall be on file and available to the public
9 in the appropriate offices of the National Park Serv-
10 ice and the local coordinating entity.

11 **SEC. 2045. MANAGEMENT PLAN.**

12 (a) REQUIREMENTS.—The management plan for the
13 National Heritage Area shall—

14 (1) describe comprehensive policies, goals, strat-
15 egies, and recommendations for telling the story of
16 the heritage of the area covered by the National
17 Heritage Area and encouraging long-term resource
18 protection, enhancement, interpretation, funding,
19 management, and development of the National Her-
20 itage Area;

21 (2) include a description of actions and commit-
22 ments that Federal, State, Tribal, and local govern-
23 ments, private organizations, and citizens will take
24 to protect, enhance, interpret, fund, manage, and de-
25 velop the natural, historical, cultural, educational,

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

3 ~~(3)~~ specify existing and potential sources of
4 funding or economic development strategies to pro-
5 tect, enhance, interpret, fund, manage, and develop
6 the National Heritage Area;

7 ~~(4)~~ include an inventory of the natural, histor-
8 ical, cultural, educational, scenic, and recreational
9 resources of the National Heritage Area related to
10 the national importance and themes of the National
11 Heritage Area that should be protected, enhanced,
12 interpreted, managed, funded, and developed;

13 ~~(5)~~ recommend policies and strategies for re-
14 source management, including the development of
15 intergovernmental and interagency agreements to
16 protect, enhance, interpret, fund, manage, and de-
17 velop the natural, historical, cultural, educational,
18 scenic, and recreational resources of the National
19 Heritage Area;

20 ~~(6)~~ describe a program for implementation for
21 the management plan, including—

22 ~~(A)~~ performance goals;

23 ~~(B)~~ plans for resource protection, enhance-
24 ment, interpretation, funding, management, and
25 development; and

1 (C) specific commitments for implementa-
2 tion that have been made by the local coordi-
3 nating entity or any Federal, State, Tribal, or
4 local government agency, organization, busi-
5 ness, or individual;

6 (7) include an analysis of, and recommenda-
7 tions for, means by which Federal, State, Tribal,
8 and local programs may best be coordinated (includ-
9 ing the role of the National Park Service and other
10 Federal agencies associated with the National Herit-
11 age Area) to further the purposes of this subtitle;
12 and

13 (8) include a business plan that—

14 (A) describes the role, operation, financing,
15 and functions of the local coordinating entity
16 and of each of the major activities contained in
17 the management plan; and

18 (B) provides adequate assurances that the
19 local coordinating entity has the partnerships
20 and financial and other resources necessary to
21 implement the management plan for the Na-
22 tional Heritage Area.

23 (b) DEADLINE.—

24 (1) IN GENERAL.—Not later than 3 years after
25 the date on which funds are first made available to

1 develop the management plan after designation as a
2 National Heritage Area, the local coordinating entity
3 shall submit the management plan to the Secretary
4 for approval.

5 (2) TERMINATION OF FUNDING.—If the man-
6 agement plan is not submitted to the Secretary in
7 accordance with paragraph (1), the local coordi-
8 nating entity shall not qualify for any additional fi-
9 nancial assistance under this subtitle until such time
10 as the management plan is submitted to and ap-
11 proved by the Secretary.

12 (c) APPROVAL OF MANAGEMENT PLAN.—

13 (1) REVIEW.—Not later than 180 days after re-
14 ceiving the plan, the Secretary shall review and ap-
15 prove or disapprove the management plan for a Na-
16 tional Heritage Area on the basis of the criteria es-
17 tablished under paragraph (3).

18 (2) CONSULTATION.—The Secretary shall con-
19 sult with the Governor of each State in which the
20 National Heritage Area is located before approving
21 a management plan for the National Heritage Area.

22 (3) CRITERIA FOR APPROVAL.—In determining
23 whether to approve a management plan for a Na-
24 tional Heritage Area, the Secretary shall consider
25 whether—

1 (A) the local coordinating entity represents
2 the diverse interests of the National Heritage
3 Area, including Federal, State, Tribal, and local
4 governments, natural, and historic resource pro-
5 tection organizations, educational institutions,
6 businesses, recreational organizations, commu-
7 nity residents, and private property owners;

8 (B) the local coordinating entity—

9 (i) has afforded adequate opportunity
10 for public and Federal, State, Tribal, and
11 local governmental involvement (including
12 through workshops and hearings) in the
13 preparation of the management plan; and

14 (ii) provides for at least semiannual
15 public meetings to ensure adequate imple-
16 mentation of the management plan;

17 (C) the resource protection, enhancement,
18 interpretation, funding, management, and de-
19 velopment strategies described in the manage-
20 ment plan, if implemented, would adequately
21 protect, enhance, interpret, fund, manage, and
22 develop the natural, historic, cultural, edu-
23 cational, scenic, and recreational resources of
24 the National Heritage Area;

1 (D) the management plan would not ad-
2 versely affect any activities authorized on Fed-
3 eral land under public land laws or land use
4 plans;

5 (E) the local coordinating entity has dem-
6 onstrated the financial capability, in partner-
7 ship with others, to carry out the plan;

8 (F) the Secretary has received adequate
9 assurances from the appropriate State, Tribal,
10 and local officials whose support is needed to
11 ensure the effective implementation of the
12 State, Tribal, and local elements of the manage-
13 ment plan; and

14 (G) the management plan demonstrates
15 partnerships among the local coordinating enti-
16 ty, Federal, State, Tribal, and local govern-
17 ments, regional planning organizations, non-
18 profit organizations, or private sector parties
19 for implementation of the management plan.

20 (4) DISAPPROVAL.—

21 (A) IN GENERAL.—If the Secretary dis-
22 approves the management plan, the Secretary—

23 (i) shall advise the local coordinating
24 entity in writing of the reasons for the dis-
25 approval; and

1 (ii) may make recommendations to the
2 local coordinating entity for revisions to
3 the management plan.

4 ~~(B) DEADLINE.~~—Not later than 180 days
5 after receiving a revised management plan, the
6 Secretary shall approve or disapprove the re-
7 vised management plan.

8 ~~(5) AMENDMENTS.~~—

9 ~~(A) IN GENERAL.~~—An amendment to the
10 management plan that substantially alters the
11 purposes of the National Heritage Area shall be
12 reviewed by the Secretary and approved or dis-
13 approved in the same manner as the original
14 management plan.

15 ~~(B) IMPLEMENTATION.~~—The local coordi-
16 nating entity shall not use Federal funds au-
17 thorized by this subtitle to implement an
18 amendment to the management plan until the
19 Secretary approves the amendment.

20 ~~(6) AUTHORITIES.~~—The Secretary may—

21 ~~(A)~~ provide technical assistance under the
22 authority of this subtitle for the development
23 and implementation of the management plan;
24 and

1 (B) enter into cooperative agreements with
2 interested parties to carry out this subtitle.

3 **SEC. 2046. EVALUATION; REPORT.**

4 (a) IN GENERAL.—Not later than 3 years before the
5 date on which authority for Federal funding terminates
6 for the National Heritage Area under this subtitle, the
7 Secretary shall—

8 (1) conduct an evaluation of the accomplish-
9 ments of the National Heritage Area; and

10 (2) prepare a report in accordance with sub-
11 section (c).

12 (b) EVALUATION.—An evaluation conducted under
13 subsection (a)(1) 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 National Heritage
18 Area; and

19 (B) achieving the goals and objectives of
20 the approved management plan for the National
21 Heritage Area;

22 (2) analyze the Federal, State, Tribal, and
23 local, and private investments in the National Herit-
24 age Area to determine the impact of the invest-
25 ments; and

1 (3) review the management structure, partner-
2 ship relationships, and funding of the National Her-
3 itage Area for purposes of identifying the critical
4 components for sustainability of the National Herit-
5 age Area.

6 (c) REPORT.—Based on the evaluation conducted
7 under subsection (a)(1), the Secretary shall submit a re-
8 port to the Committee on Natural Resources of the United
9 States House of Representatives and the Committee on
10 Energy and Natural Resources of the United States Sen-
11 ate. The report shall include recommendations for the fu-
12 ture role of the National Park Service, if any, with respect
13 to the National Heritage Area.

14 **SEC. 2047. LOCAL COORDINATING ENTITY.**

15 (a) DUTIES.—To further the purposes of the Na-
16 tional Heritage Area, the Muscle Shoals Regional Center,
17 as the local coordinating entity, shall—

18 (1) prepare a management plan for the Na-
19 tional Heritage Area, and submit the management
20 plan to the Secretary, in accordance with this sub-
21 title;

22 (2) submit an annual report to the Secretary
23 for each fiscal year for which the local coordinating
24 entity receives Federal funds under this subtitle,
25 specifying—

- 1 (A) the specific performance goals and ac-
2 complishments of the local coordinating entity;
- 3 (B) the expenses and income of the local
4 coordinating entity;
- 5 (C) the amounts and sources of matching
6 funds;
- 7 (D) the amounts leveraged with Federal
8 funds and sources of the leveraging; and
- 9 (E) grants made to any other entities dur-
10 ing the fiscal year;
- 11 (3) make available for audit for each fiscal year
12 for which the local coordinating entity receives Fed-
13 eral funds under this subtitle, all information per-
14 taining to the expenditure of the funds and any
15 matching funds; and
- 16 (4) encourage economic viability and sustain-
17 ability that is consistent with the purposes of the
18 National Heritage Area.
- 19 (b) AUTHORITIES.—For the purposes of preparing
20 and implementing the approved management plan for the
21 National Heritage Area, the local coordinating entity may
22 use Federal funds made available under this subtitle to—
- 23 (1) make grants to political jurisdictions, non-
24 profit organizations, and other parties within the
25 National Heritage Area;

1 (2) enter into cooperative agreements with or
2 provide technical assistance to political jurisdictions,
3 nonprofit organizations, Federal agencies, and other
4 interested parties;

5 (3) hire and compensate staff, including individ-
6 uals with expertise in—

7 (A) natural, historical, cultural, edu-
8 cational, scenic, and recreational resource con-
9 servation;

10 (B) economic and community development;

11 and

12 (C) heritage planning;

13 (4) obtain funds or services from any source,
14 including other Federal programs;

15 (5) contract for goods or services; and

16 (6) support activities of partners and any other
17 activities that further the purposes of the National
18 Heritage Area and are consistent with the approved
19 management plan.

20 (e) PROHIBITION ON ACQUISITION OF REAL PROP-
21 ERTY.—The local coordinating entity may not use Federal
22 funds authorized under this subtitle to acquire any inter-
23 est in real property.

1 **SEC. 2048. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

2 (a) **IN GENERAL.**—Nothing in this subtitle affects
3 the authority of a Federal agency to provide technical or
4 financial assistance under any other law.

5 (b) **CONSULTATION AND COORDINATION.**—The head
6 of any Federal agency planning to conduct activities that
7 may have an impact on a National Heritage Area is en-
8 couraged to consult and coordinate the activities with the
9 Secretary and the local coordinating entity to the max-
10 imum extent practicable.

11 (c) **OTHER FEDERAL AGENCIES.**—Nothing in this
12 subtitle—

13 (1) modifies, alters, or amends any law or regu-
14 lation authorizing a Federal agency to manage Fed-
15 eral land under the jurisdiction of the Federal agen-
16 cy;

17 (2) limits the discretion of a Federal land man-
18 ager to implement an approved land use plan within
19 the boundaries of a National Heritage Area; or

20 (3) modifies, alters, or amends any authorized
21 use of Federal land under the jurisdiction of a Fed-
22 eral agency.

23 **SEC. 2049. PRIVATE PROPERTY AND REGULATORY PROTEC-**
24 **TIONS.**

25 Nothing in this subtitle—

1 (1) abridges the rights of any property owner
2 (whether public or private), including the right to re-
3 frain from participating in any plan, project, pro-
4 gram, or activity conducted within the National Her-
5 itage Area;

6 (2) requires any property owner to permit pub-
7 lic access (including access by Federal, State, Tribal,
8 or local agencies) to the property of the property
9 owner, or to modify public access or use of property
10 of the property owner under any other Federal,
11 State, Tribal, or local law;

12 (3) alters any duly adopted land use regulation,
13 approved land use plan, or other regulatory author-
14 ity of any Federal, State, Tribal, or local agency, or
15 conveys any land use or other regulatory authority
16 to any local coordinating entity, including but not
17 necessarily limited to development and management
18 of energy, water, or water-related infrastructure;

19 (4) authorizes or implies the reservation or ap-
20 propriation of water or water rights;

21 (5) diminishes the authority of the State to
22 manage fish and wildlife, including the regulation of
23 fishing and hunting within the National Heritage
24 Area; or

1 (6) creates any liability, or affects any liability
2 under any other law, of any private property owner
3 with respect to any person injured on the private
4 property.

5 **SEC. 2050. AUTHORIZATION OF APPROPRIATIONS.**

6 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Subject
7 to subsection (b), there are authorized to be appropriated
8 to carry out this subtitle not more than \$1,000,000 for
9 any fiscal year. Funds so appropriated shall remain avail-
10 able until expended.

11 (b) **LIMITATION ON TOTAL AMOUNTS APPRO-**
12 **PRIATED.**—Not more than \$15,000,000 may be appro-
13 priated to carry out this subtitle.

14 (c) **COST-SHARING REQUIREMENT.**—The Federal
15 share of the total cost of any activity under this subtitle
16 shall be not more than 50 percent; the non-Federal con-
17 tribution may be in the form of in-kind contributions of
18 goods or services fairly valued.

19 **SEC. 2051. USE OF FEDERAL FUNDS FROM OTHER**
20 **SOURCES.**

21 Nothing in this subtitle shall preclude the local co-
22 ordinating entity from using Federal funds available under
23 other laws for the purposes for which those funds were
24 authorized.

1 **SEC. 2052. SUNSET FOR GRANTS AND OTHER ASSISTANCE.**

2 The authority of the Secretary to provide financial
3 assistance under this subtitle terminates on the date that
4 is 15 years after the date of enactment of this subtitle.

5 **Subtitle D—Freedom’s Way**
6 **National Heritage Area**

7 **SEC. 2061. SHORT TITLE; TABLE OF CONTENTS.**

8 (a) **SHORT TITLE.**—This subtitle may be cited as the
9 “Freedom’s Way National Heritage Area Act”.

10 (b) **TABLE OF CONTENTS.**—The table of contents of
11 this subtitle is as follows:

Sec. 2061. Short title; table of contents.

Sec. 2062. Purposes.

Sec. 2063. Definitions.

Sec. 2064. Designation of Freedom’s Way National Heritage Area.

Sec. 2065. Management plan.

Sec. 2066. Evaluation; report.

Sec. 2067. Local coordinating entity.

Sec. 2068. Relationship to other Federal agencies.

Sec. 2069. Private property and regulatory protections.

Sec. 2070. Authorization of appropriations.

Sec. 2071. Use of Federal funds from other sources.

Sec. 2072. Sunset for grants and other assistance.

12 **SEC. 2062. PURPOSES.**

13 (a) The purposes of this subtitle include—

14 (1) to recognize the significant natural and cul-
15 tural legacies of the area, as demonstrated in the
16 study entitled “Freedom’s Way Heritage Area Fea-
17 sibility Study” dated July 1997 and the addendum
18 dated March 2003;

1 (2) to promote heritage, cultural and rec-
2 reational tourism and to develop educational and
3 cultural programs for visitors and the general public;

4 (3) to foster a close working relationship be-
5 tween the Secretary and all levels of government, the
6 private sector, and local communities in the Com-
7 monwealth of Massachusetts and the State of New
8 Hampshire in order to preserve the special historic
9 identity of the National Heritage Area;

10 (4) to manage, preserve, protect and interpret
11 the cultural, historical, and natural resources of the
12 National Heritage Area for the educational and in-
13 spirational benefit of future generations; and

14 (5) to provide appropriate linkages between
15 units of the National Park System and communities,
16 governments, and organizations within the National
17 Heritage Area.

18 **SEC. 2063. DEFINITIONS.**

19 In this subtitle:

20 (1) NATIONAL HERITAGE AREA.—The term
21 “National Heritage Area” means the Freedom’s
22 Way National Heritage Area established in this sub-
23 title.

24 (2) LOCAL COORDINATING ENTITY.—The term
25 “local coordinating entity” means the Freedom’s

1 Way Heritage Association, Inc., which is hereby des-
2 ignated by Congress—

3 (A) to develop, in partnership with others,
4 the management plan for the National Heritage
5 Area; and

6 (B) to act as a catalyst for the implemen-
7 tation of projects and programs among diverse
8 partners in the National Heritage Area.

9 (3) **MANAGEMENT PLAN.**—The term “manage-
10 ment plan” means the plan prepared by the local co-
11 ordinating entity for the National Heritage Area
12 that specifies actions, policies, strategies, perform-
13 ance goals, and recommendations to meet the goals
14 of the National Heritage Area, in accordance with
15 this subtitle.

16 (4) **SECRETARY.**—The term “Secretary” means
17 the Secretary of the Interior.

18 **SEC. 2064. DESIGNATION OF FREEDOM’S WAY NATIONAL**
19 **HERITAGE AREA.**

20 (a) **ESTABLISHMENT.**—There is hereby established
21 the Freedom’s Way National Heritage Area.

22 (b) **BOUNDARIES.**—

23 (1) **IN GENERAL.**—The National Heritage Area
24 shall include the following communities in the Com-
25 monwealth of Massachusetts: Winchendon;

1 Ashburnham, Ashby, Gardner, Fitchburg, West-
2 minster, Princeton, Sterling, Leominster, Townsend,
3 Pepperell, Lunenburg, Shirley, Lancaster, Clinton,
4 Bolton, Harvard, Ayer, Groton, Dunstable,
5 Westford, Littleton, Boxborough, Stow, Hudson,
6 Maynard, Sudbury, Concord, Carlisle, Acton, Bed-
7 ford, Lincoln, Lexington, Woburn, Arlington, Med-
8 ford, and Malden. Additionally it shall include the
9 following communities in the State of New Hamp-
10 shire: New Ipswich, Greenville, Mason, Brookline,
11 Milford, Amherst, Hollis, and Nashua.

12 (2) MAP.—The boundaries of the National Her-
13 itage area shall be as generally depicted on the map
14 titled “Freedom’s Way National Heritage Area”,
15 numbered T04/80,000, and dated July 2007. The
16 map shall be on file and available to the public in
17 the appropriate offices of the National Park Service
18 and the local coordinating entity.

19 **SEC. 2065. MANAGEMENT PLAN.**

20 (a) REQUIREMENTS.—The management plan for the
21 National Heritage Area shall—

22 (1) describe comprehensive policies, goals, strat-
23 egies, and recommendations for telling the story of
24 the heritage of the area covered by the National
25 Heritage Area and encouraging long-term resource

1 protection, enhancement, interpretation, funding,
2 management, and development of the National Her-
3 itage Area;

4 (2) include a description of actions and commit-
5 ments that Federal, State, Tribal, and local govern-
6 ments, private organizations, and citizens will take
7 to protect, enhance, interpret, fund, manage, and de-
8 velop the natural, historical, cultural, educational,
9 scenic, and recreational resources of the National
10 Heritage Area;

11 (3) specify existing and potential sources of
12 funding or economic development strategies to pro-
13 tect, enhance, interpret, fund, manage, and develop
14 the National Heritage Area;

15 (4) include an inventory of the natural, histor-
16 ical, cultural, educational, scenic, and recreational
17 resources of the National Heritage Area related to
18 the national importance and themes of the National
19 Heritage Area that should be protected, enhanced,
20 interpreted, managed, funded, and developed;

21 (5) recommend policies and strategies for re-
22 source management, including the development of
23 intergovernmental and interagency agreements to
24 protect, enhance, interpret, fund, manage, and de-
25 velop the natural, historical, cultural, educational,

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

3 (6) describe a program for implementation for
4 the management plan, including—

5 (A) performance goals;

6 (B) plans for resource protection, enhance-
7 ment, interpretation, funding, management, and
8 development; and

9 (C) specific commitments for implementa-
10 tion that have been made by the local coordi-
11 nating entity or any Federal, State, Tribal, or
12 local government agency, organization, busi-
13 ness, or individual;

14 (7) include an analysis of, and recommenda-
15 tions for, means by which Federal, State, Tribal,
16 and local programs may best be coordinated (includ-
17 ing the role of the National Park Service and other
18 Federal agencies associated with the National Herit-
19 age Area) to further the purposes of this subtitle;
20 and

21 (8) include a business plan that—

22 (A) describes the role, operation, financing,
23 and functions of the local coordinating entity
24 and of each of the major activities contained in
25 the management plan; and

1 (B) provides adequate assurances that the
2 local coordinating entity has the partnerships
3 and financial and other resources necessary to
4 implement the management plan for the Na-
5 tional Heritage Area.

6 (b) DEADLINE.—

7 (1) IN GENERAL.—Not later than 3 years after
8 the date on which funds are first made available to
9 develop the management plan after designation as a
10 National Heritage Area, the local coordinating entity
11 shall submit the management plan to the Secretary
12 for approval.

13 (2) TERMINATION OF FUNDING.—If the man-
14 agement plan is not submitted to the Secretary in
15 accordance with paragraph (1), the local coordi-
16 nating entity shall not qualify for any additional fi-
17 nancial assistance under this subtitle until such time
18 as the management plan is submitted to and ap-
19 proved by the Secretary.

20 (c) APPROVAL OF MANAGEMENT PLAN.—

21 (1) REVIEW.—Not later than 180 days after re-
22 ceiving the plan, the Secretary shall review and ap-
23 prove or disapprove the management plan for the
24 National Heritage Area on the basis of the criteria
25 established under paragraph (3).

1 (2) CONSULTATION.—The Secretary shall con-
2 sult with the Governor of each State or Common-
3 wealth in which the National Heritage Area is lo-
4 cated before approving a management plan for the
5 National Heritage Area.

6 (3) CRITERIA FOR APPROVAL.—In determining
7 whether to approve a management plan for a Na-
8 tional Heritage Area, the Secretary shall consider
9 whether—

10 (A) the local coordinating entity represents
11 the diverse interests of the National Heritage
12 Area, including Federal, State, Tribal, and local
13 governments, natural and historic resource pro-
14 tection organizations, educational institutions,
15 businesses, recreational organizations, commu-
16 nity residents, and private property owners;

17 (B) the local coordinating entity—

18 (i) has afforded adequate opportunity
19 for public and Federal, State, Tribal, and
20 local governmental involvement (including
21 through workshops and hearings) in the
22 preparation of the management plan; and

23 (ii) provides for at least semiannual
24 public meetings to ensure adequate imple-
25 mentation of the management plan;

1 (C) the resource protection, enhancement,
2 interpretation, funding, management, and de-
3 velopment strategies described in the manage-
4 ment plan, if implemented, would adequately
5 protect, enhance, interpret, fund, manage, and
6 develop the natural, historic, cultural, edu-
7 cational, scenic, and recreational resources of
8 the National Heritage Area;

9 (D) the management plan would not ad-
10 versely affect any activities authorized on Fed-
11 eral land under public land laws or land use
12 plans;

13 (E) the local coordinating entity has dem-
14 onstrated the financial capability, in partner-
15 ship with others, to carry out the plan;

16 (F) the Secretary has received adequate
17 assurances from the appropriate State, Tribal,
18 and local officials whose support is needed to
19 ensure the effective implementation of the
20 State, Tribal, and local elements of the manage-
21 ment plan; and

22 (G) the management plan demonstrates
23 partnerships among the local coordinating enti-
24 ty, Federal, State, Tribal, and local govern-
25 ments, regional planning organizations, non-

1 profit organizations, or private sector parties
2 for implementation of the management plan.

3 ~~(4) DISAPPROVAL.—~~

4 ~~(A) IN GENERAL.—~~If the Secretary dis-
5 approves the management plan, the Secretary—

6 ~~(i)~~ shall advise the local coordinating
7 entity in writing of the reasons for the dis-
8 approval; and

9 ~~(ii)~~ may make recommendations to the
10 local coordinating entity for revisions to
11 the management plan.

12 ~~(B) DEADLINE.—~~Not later than 180 days
13 after receiving a revised management plan, the
14 Secretary shall approve or disapprove the re-
15 vised management plan.

16 ~~(5) AMENDMENTS.—~~

17 ~~(A) IN GENERAL.—~~An amendment to the
18 management plan that substantially alters the
19 purposes of the National Heritage Area shall be
20 reviewed by the Secretary and approved or dis-
21 approved in the same manner as the original
22 management plan.

23 ~~(B) IMPLEMENTATION.—~~The local coordi-
24 nating entity shall not use Federal funds au-
25 thorized by this subtitle to implement an

1 amendment to the management plan until the
2 Secretary approves the amendment.

3 (6) AUTHORITIES.—The Secretary may—

4 (A) provide technical assistance under the
5 authority of this subtitle for the development
6 and implementation of the management plan;
7 and

8 (B) enter into cooperative agreements with
9 interested parties to carry out this subtitle.

10 **SEC. 2066. EVALUATION; REPORT.**

11 (a) IN GENERAL.—Not later than 3 years before the
12 date on which authority for Federal funding terminates
13 for the National Heritage Area under this subtitle, the
14 Secretary shall—

15 (1) conduct an evaluation of the accomplish-
16 ments of the National Heritage Area; and

17 (2) prepare a report in accordance with sub-
18 section (c).

19 (b) EVALUATION.—An evaluation conducted under
20 subsection (a)(1) shall—

21 (1) assess the progress of the local coordinating
22 entity with respect to—

23 (A) accomplishing the purposes of the au-
24 thORIZING legislation for the National Heritage
25 Area; and

1 (B) achieving the goals and objectives of
2 the approved management plan for the National
3 Heritage Area;

4 (2) analyze the Federal, State, Tribal, and
5 local, and private investments in the National Herit-
6 age Area to determine the impact of the invest-
7 ments; and

8 (3) review the management structure, partner-
9 ship relationships, and funding of the National Her-
10 itage Area for purposes of identifying the critical
11 components for sustainability of the National Herit-
12 age Area.

13 (e) REPORT.—Based on the evaluation conducted
14 under subsection (a)(1), the Secretary shall submit a re-
15 port to the Committee on Natural Resources of the United
16 States House of Representatives and the Committee on
17 Energy and Natural Resources of the United States Sen-
18 ate. The report shall include recommendations for the fu-
19 ture role of the National Park Service, if any, with respect
20 to the National Heritage Area.

21 **SEC. 2067. LOCAL COORDINATING ENTITY.**

22 (a) DUTIES.—To further the purposes of the Na-
23 tional Heritage Area, the Freedom's Way Heritage Asso-
24 ciation, Inc., as the local coordinating entity, shall—

1 (1) prepare a management plan for the Na-
2 tional Heritage Area, and submit the management
3 plan to the Secretary, in accordance with this sub-
4 title;

5 (2) submit an annual report to the Secretary
6 for each fiscal year for which the local coordinating
7 entity receives Federal funds under this subtitle,
8 specifying—

9 (A) the specific performance goals and ac-
10 complishments of the local coordinating entity;

11 (B) the expenses and income of the local
12 coordinating entity;

13 (C) the amounts and sources of matching
14 funds;

15 (D) the amounts leveraged with Federal
16 funds and sources of the leveraging; and

17 (E) grants made to any other entities dur-
18 ing the fiscal year;

19 (3) make available for audit for each fiscal year
20 for which the local coordinating entity receives Fed-
21 eral funds under this subtitle, all information per-
22 taining to the expenditure of the funds and any
23 matching funds; and

1 (4) encourage economic viability and sustain-
2 ability that is consistent with the purposes of the
3 National Heritage Area.

4 (b) AUTHORITIES.—For the purposes of preparing
5 and implementing the approved management plan for the
6 National Heritage Area, the local coordinating entity may
7 use Federal funds made available under this subtitle to—

8 (1) make grants to political jurisdictions, non-
9 profit organizations, and other parties within the
10 National Heritage Area;

11 (2) enter into cooperative agreements with or
12 provide technical assistance to political jurisdictions,
13 nonprofit organizations, Federal agencies, and other
14 interested parties;

15 (3) hire and compensate staff, including individ-
16 uals with expertise in—

17 (A) natural, historical, cultural, edu-
18 cational, scenic, and recreational resource con-
19 servation;

20 (B) economic and community development;
21 and

22 (C) heritage planning;

23 (4) obtain funds or services from any source,
24 including other Federal programs;

25 (5) contract for goods or services; and

1 (6) support activities of partners and any other
2 activities that further the purposes of the National
3 Heritage Area and are consistent with the approved
4 management plan.

5 (e) PROHIBITION ON ACQUISITION OF REAL PROP-
6 ERTY.—The local coordinating entity may not use Federal
7 funds authorized under this subtitle to acquire any inter-
8 est in real property.

9 **SEC. 2068. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

10 (a) IN GENERAL.—Nothing in this subtitle affects
11 the authority of a Federal agency to provide technical or
12 financial assistance under any other law.

13 (b) CONSULTATION AND COORDINATION.—The head
14 of any Federal agency planning to conduct activities that
15 may have an impact on a National Heritage Area is en-
16 couraged to consult and coordinate the activities with the
17 Secretary and the local coordinating entity to the max-
18 imum extent practicable.

19 (c) OTHER FEDERAL AGENCIES.—Nothing in this
20 subtitle—

21 (1) modifies, alters, or amends any law or regu-
22 lation authorizing a Federal agency to manage Fed-
23 eral land under the jurisdiction of the Federal agen-
24 cy;

1 necessarily limited to development and management
2 of energy, water, or water-related infrastructure;

3 ~~(4) authorizes or implies the reservation or ap-~~
4 ~~propriation of water or water rights;~~

5 ~~(5) diminishes the authority of the State to~~
6 ~~manage fish and wildlife, including the regulation of~~
7 ~~fishing and hunting within the National Heritage~~
8 ~~Area; or~~

9 ~~(6) creates any liability, or affects any liability~~
10 ~~under any other law, of any private property owner~~
11 ~~with respect to any person injured on the private~~
12 ~~property.~~

13 **SEC. 2070. AUTHORIZATION OF APPROPRIATIONS.**

14 ~~(a) AUTHORIZATION OF APPROPRIATIONS.—Subject~~
15 ~~to subsection (b), there are authorized to be appropriated~~
16 ~~to carry out this subtitle not more than \$1,000,000 for~~
17 ~~any fiscal year. Funds so appropriated shall remain avail-~~
18 ~~able until expended.~~

19 ~~(b) LIMITATION ON TOTAL AMOUNTS APPRO-~~
20 ~~PRIATED.—Not more than \$15,000,000 may be appro-~~
21 ~~priated to carry out this subtitle.~~

22 ~~(c) COST-SHARING REQUIREMENT.—The Federal~~
23 ~~share of the total cost of any activity under this subtitle~~
24 ~~shall be not more than 50 percent; the non-Federal con-~~

1 tribution may be in the form of in-kind contributions of
 2 goods or services fairly valued.

3 **SEC. 2071. USE OF FEDERAL FUNDS FROM OTHER**
 4 **SOURCES.**

5 Nothing in this subtitle shall preclude the local co-
 6 ordinating entity from using Federal funds available under
 7 Acts other than this subtitle for the purposes for which
 8 those funds were authorized.

9 **SEC. 2072. SUNSET FOR GRANTS AND OTHER ASSISTANCE.**

10 The authority of the Secretary to provide financial
 11 assistance under this subtitle terminates on the date that
 12 is 15 years after the date of enactment of this subtitle.

13 **Subtitle E—Abraham Lincoln**
 14 **National Heritage Area**

15 **SEC. 2081. SHORT TITLE; TABLE OF CONTENTS.**

16 (a) **SHORT TITLE.**—This subtitle may be cited as the
 17 “Abraham Lincoln National Heritage Area Act”.

18 (b) **TABLE OF CONTENTS.**—The table of contents of
 19 this subtitle is as follows:

- Sec. 2081. Short title; table of contents.
- Sec. 2082. Purposes.
- Sec. 2083. Definitions.
- Sec. 2084. Designation of Abraham Lincoln National Heritage Area.
- Sec. 2085. Management plan.
- Sec. 2086. Evaluation; report.
- Sec. 2087. Local coordinating entity.
- Sec. 2088. Relationship to other Federal agencies.
- Sec. 2089. Private property and regulatory protections.
- Sec. 2090. Authorization of appropriations.
- Sec. 2091. Use of Federal funds from other sources.
- Sec. 2092. Sunset for grants and other assistance.

1 **SEC. 2082. PURPOSES.**

2 (a) The purposes of this subtitle include—

3 (1) to recognize the significant natural and cul-
4 tural legacies of the area, as demonstrated in the
5 study entitled “Feasibility Study of the Proposed
6 Abraham Lincoln National Heritage Area” prepared
7 for the Looking for Lincoln Heritage Coalition in
8 2002 and revised in 2007;

9 (2) to promote heritage, cultural and rec-
10 reational tourism and to develop educational and
11 cultural programs for visitors and the general public;

12 (3) to recognize and interpret important events
13 and geographic locations representing key periods in
14 the growth of America, including Native American,
15 Colonial American, European American, and African
16 American heritage;

17 (4) to recognize and interpret the distinctive
18 role the region played in shaping the man who would
19 become the 16th President of the United States, and
20 how Abraham Lincoln’s life left its traces in the sto-
21 ries, folklore, buildings, streetscapes, and landscapes
22 of the region;

23 (5) to provide a cooperative management frame-
24 work to foster a close working relationship with all
25 levels of government, the private sector, and the
26 local communities in the region in identifying, pre-

1 serving, interpreting, and developing the historical,
2 cultural, scenic, and natural resources of the region
3 for the educational and inspirational benefit of cur-
4 rent and future generations; and

5 (6) to provide appropriate linkages between
6 units of the National Park System and communities,
7 governments, and organizations within the Heritage
8 Area.

9 **SEC. 2083. DEFINITIONS.**

10 In this subtitle:

11 (1) NATIONAL HERITAGE AREA.—The term
12 “National Heritage Area” means the Abraham Lin-
13 coln National Heritage Area established in this sub-
14 title.

15 (2) LOCAL COORDINATING ENTITY.—The term
16 “local coordinating entity” means the Looking for
17 Lincoln Heritage Coalition, which is hereby des-
18 ignated by Congress—

19 (A) to develop, in partnership with others,
20 the management plan for the National Heritage
21 Area; and

22 (B) to act as a catalyst for the implemen-
23 tation of projects and programs among diverse
24 partners in the National Heritage Area.

1 (3) **MANAGEMENT PLAN.**—The term “manage-
2 ment plan” means the plan prepared by the local co-
3 ordinating entity for the National Heritage Area
4 that specifies actions, policies, strategies, perform-
5 ance goals, and recommendations to meet the goals
6 of the National Heritage Area, in accordance with
7 this subtitle.

8 (4) **SECRETARY.**—The term “Secretary” means
9 the Secretary of the Interior.

10 **SEC. 2084. DESIGNATION OF ABRAHAM LINCOLN NATIONAL**
11 **HERITAGE AREA.**

12 (a) **ESTABLISHMENT.**—There is hereby established
13 the Abraham Lincoln National Heritage Area.

14 (b) **BOUNDARIES.**—

15 (1) **IN GENERAL.**—The National Heritage Area
16 shall consist of sites as designated by the manage-
17 ment plan within a core area located in Central Illi-
18 nois, consisting of Adams, Brown, Calhoun, Cass,
19 Champaign, Christian, Clark, Coles, Cumberland,
20 Dewitt, Douglas, Edgar, Fayette, Fulton, Greene,
21 Hancock, Henderson, Jersey, Knox, LaSalle, Logan,
22 Macon, Macoupin, Madison, Mason, McDonough,
23 McLean, Menard, Montgomery, Morgan, Moultrie,
24 Peoria, Piatt, Pike, Sangamon, Schuyler, Scott,

1 Shelby, Tazwell, Vermillion, Warren and Woodford
2 counties.

3 (2) MAP.—The boundaries of the National Her-
4 itage Area shall be as generally depicted on the map
5 titled “Proposed Abraham Lincoln National Herit-
6 age Area”, and numbered 338/80,000, and dated
7 July 2007. The map shall be on file and available
8 to the public in the appropriate offices of the Na-
9 tional Park Service and the local coordinating entity.

10 **SEC. 2085. MANAGEMENT PLAN.**

11 (a) REQUIREMENTS.—The management plan for the
12 National Heritage Area shall—

13 (1) describe comprehensive policies, goals, strat-
14 egies, and recommendations for telling the story of
15 the heritage of the area covered by the National
16 Heritage Area and encouraging long-term resource
17 protection, enhancement, interpretation, funding,
18 management, and development of the National Her-
19 itage Area;

20 (2) include a description of actions and commit-
21 ments that Federal, State, Tribal, and local govern-
22 ments, private organizations, and citizens will take
23 to protect, enhance, interpret, fund, manage, and de-
24 velop the natural, historical, cultural, educational,

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

3 ~~(3)~~ specify existing and potential sources of
4 funding or economic development strategies to pro-
5 tect, enhance, interpret, fund, manage, and develop
6 the National Heritage Area;

7 ~~(4)~~ include an inventory of the natural, histor-
8 ical, cultural, educational, scenic, and recreational
9 resources of the National Heritage Area related to
10 the national importance and themes of the National
11 Heritage Area that should be protected, enhanced,
12 interpreted, managed, funded, and developed;

13 ~~(5)~~ recommend policies and strategies for re-
14 source management, including the development of
15 intergovernmental and interagency agreements to
16 protect, enhance, interpret, fund, manage, and de-
17 velop the natural, historical, cultural, educational,
18 scenic, and recreational resources of the National
19 Heritage Area;

20 ~~(6)~~ describe a program for implementation for
21 the management plan, including—

22 ~~(A)~~ performance goals;

23 ~~(B)~~ plans for resource protection, enhance-
24 ment, interpretation, funding, management, and
25 development; and

1 (C) specific commitments for implementa-
2 tion that have been made by the local coordi-
3 nating entity or any Federal, State, Tribal, or
4 local government agency, organization, busi-
5 ness, or individual;

6 (7) include an analysis of, and recommenda-
7 tions for, means by which Federal, State, Tribal,
8 and local programs may best be coordinated (includ-
9 ing the role of the National Park Service and other
10 Federal agencies associated with the National Herit-
11 age Area) to further the purposes of this subtitle;
12 and

13 (8) include a business plan that—

14 (A) describes the role, operation, financing,
15 and functions of the local coordinating entity
16 and of each of the major activities contained in
17 the management plan; and

18 (B) provides adequate assurances that the
19 local coordinating entity has the partnerships
20 and financial and other resources necessary to
21 implement the management plan for the Na-
22 tional Heritage Area.

23 (b) DEADLINE.—

24 (1) IN GENERAL.—Not later than 3 years after
25 the date on which funds are first made available to

1 develop the management plan after designation as a
2 National Heritage Area, the local coordinating entity
3 shall submit the management plan to the Secretary
4 for approval.

5 (2) TERMINATION OF FUNDING.—If the man-
6 agement plan is not submitted to the Secretary in
7 accordance with paragraph (1), the local coordi-
8 nating entity shall not qualify for any additional fi-
9 nancial assistance under this subtitle until such time
10 as the management plan is submitted to and ap-
11 proved by the Secretary.

12 (c) APPROVAL OF MANAGEMENT PLAN.—

13 (1) REVIEW.—Not later than 180 days after re-
14 ceiving the plan, the Secretary shall review and ap-
15 prove or disapprove the management plan for a Na-
16 tional Heritage Area on the basis of the criteria es-
17 tablished under paragraph (3).

18 (2) CONSULTATION.—The Secretary shall con-
19 sult with the Governor of each State in which the
20 National Heritage Area is located before approving
21 a management plan for the National Heritage Area.

22 (3) CRITERIA FOR APPROVAL.—In determining
23 whether to approve a management plan for a Na-
24 tional Heritage Area, the Secretary shall consider
25 whether—

1 (A) the local coordinating entity represents
2 the diverse interests of the National Heritage
3 Area, including Federal, State, Tribal, and local
4 governments, natural, and historic resource pro-
5 tection organizations, educational institutions,
6 businesses, recreational organizations, commu-
7 nity residents, and private property owners;

8 (B) the local coordinating entity—

9 (i) has afforded adequate opportunity
10 for public and Federal, State, Tribal, and
11 local governmental involvement (including
12 through workshops and hearings) in the
13 preparation of the management plan; and

14 (ii) provides for at least semiannual
15 public meetings to ensure adequate imple-
16 mentation of the management plan;

17 (C) the resource protection, enhancement,
18 interpretation, funding, management, and de-
19 velopment strategies described in the manage-
20 ment plan, if implemented, would adequately
21 protect, enhance, interpret, fund, manage, and
22 develop the natural, historic, cultural, edu-
23 cational, scenic, and recreational resources of
24 the National Heritage Area;

1 (D) the management plan would not ad-
2 versely affect any activities authorized on Fed-
3 eral land under public land laws or land use
4 plans;

5 (E) the local coordinating entity has dem-
6 onstrated the financial capability, in partner-
7 ship with others, to carry out the plan;

8 (F) the Secretary has received adequate
9 assurances from the appropriate State, Tribal,
10 and local officials whose support is needed to
11 ensure the effective implementation of the
12 State, Tribal, and local elements of the manage-
13 ment plan; and

14 (G) the management plan demonstrates
15 partnerships among the local coordinating enti-
16 ty, Federal, State, Tribal, and local govern-
17 ments, regional planning organizations, non-
18 profit organizations, or private sector parties
19 for implementation of the management plan.

20 (4) DISAPPROVAL.—

21 (A) IN GENERAL.—If the Secretary dis-
22 approves the management plan, the Secretary—

23 (i) shall advise the local coordinating
24 entity in writing of the reasons for the dis-
25 approval; and

1 (ii) may make recommendations to the
2 local coordinating entity for revisions to
3 the management plan.

4 (B) DEADLINE.—Not later than 180 days
5 after receiving a revised management plan, the
6 Secretary shall approve or disapprove the re-
7 vised management plan.

8 (5) AMENDMENTS.—

9 (A) IN GENERAL.—An amendment to the
10 management plan that substantially alters the
11 purposes of the National Heritage Area shall be
12 reviewed by the Secretary and approved or dis-
13 approved in the same manner as the original
14 management plan.

15 (B) IMPLEMENTATION.—The local coordi-
16 nating entity shall not use Federal funds au-
17 thorized by this subtitle to implement an
18 amendment to the management plan until the
19 Secretary approves the amendment.

20 (6) AUTHORITIES.—The Secretary may—

21 (A) provide technical assistance under the
22 authority of this subtitle for the development
23 and implementation of the management plan;
24 and

1 (B) enter into cooperative agreements with
2 interested parties to carry out this subtitle.

3 **SEC. 2086. EVALUATION; REPORT.**

4 (a) IN GENERAL.—Not later than 3 years before the
5 date on which authority for Federal funding terminates
6 for the National Heritage Area under this subtitle, the
7 Secretary shall—

8 (1) conduct an evaluation of the accomplish-
9 ments of the National Heritage Area; and

10 (2) prepare a report in accordance with sub-
11 section (c).

12 (b) EVALUATION.—An evaluation conducted under
13 subsection (a)(1) 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 National Heritage
18 Area; and

19 (B) achieving the goals and objectives of
20 the approved management plan for the National
21 Heritage Area;

22 (2) analyze the Federal, State, Tribal, and
23 local, and private investments in the National Herit-
24 age Area to determine the impact of the invest-
25 ments; and

1 (3) review the management structure, partner-
2 ship relationships, and funding of the National Her-
3 itage Area for purposes of identifying the critical
4 components for sustainability of the National Herit-
5 age Area.

6 (c) REPORT.—Based on the evaluation conducted
7 under subsection (a)(1), the Secretary shall submit a re-
8 port to the Committee on Natural Resources of the United
9 States House of Representatives and the Committee on
10 Energy and Natural Resources of the United States Sen-
11 ate. The report shall include recommendations for the fu-
12 ture role of the National Park Service, if any, with respect
13 to the National Heritage Area.

14 **SEC. 2087. LOCAL COORDINATING ENTITY.**

15 (a) DUTIES.—To further the purposes of the Na-
16 tional Heritage Area, the Looking for Lincoln Heritage
17 Coalition, as the local coordinating entity, shall—

18 (1) prepare a management plan for the Na-
19 tional Heritage Area, and submit the management
20 plan to the Secretary, in accordance with this sub-
21 title;

22 (2) submit an annual report to the secretary for
23 each fiscal year for which the local coordinating enti-
24 ty receives Federal funds under this subtitle, speci-
25 fying—

1 (A) the specific performance goals and ac-
2 complishments of the local coordinating entity;

3 (B) the expenses and income of the local
4 coordinating entity;

5 (C) the amounts and sources of matching
6 funds;

7 (D) the amounts leveraged with Federal
8 funds and sources of the leveraging; and

9 (E) grants made to any other entities dur-
10 ing the fiscal year;

11 (3) make available for audit for each fiscal year
12 for which the local coordinating entity receives Fed-
13 eral funds under this subtitle, all information per-
14 taining to the expenditure of the funds and any
15 matching funds; and

16 (4) encourage economic viability and sustain-
17 ability that is consistent with the purposes of the
18 National Heritage Area.

19 (b) AUTHORITIES.—For the purposes of preparing
20 and implementing the approved management plan for the
21 National Heritage Area, the local coordinating entity may
22 use Federal funds made available under this subtitle to—

23 (1) make grants to political jurisdictions, non-
24 profit organizations, and other parties within the
25 National Heritage Area;

1 (2) enter into cooperative agreements with or
2 provide technical assistance to political jurisdictions,
3 nonprofit organizations, Federal agencies, and other
4 interested parties;

5 (3) hire and compensate staff, including individ-
6 uals with expertise in—

7 (A) natural, historical, cultural, edu-
8 cational, scenic, and recreational resource con-
9 servation;

10 (B) economic and community development;
11 and

12 (C) heritage planning;

13 (4) obtain funds or services from any source,
14 including other Federal programs;

15 (5) contract for goods or services; and

16 (6) support activities of partners and any other
17 activities that further the purposes of the National
18 Heritage Area and are consistent with the approved
19 management plan.

20 (e) PROHIBITION ON ACQUISITION OF REAL PROP-
21 ERTY.—The local coordinating entity may not use Federal
22 funds authorized under this subtitle to acquire any inter-
23 est in real property.

1 **SEC. 2088. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

2 (a) **IN GENERAL.**—Nothing in this subtitle affects
3 the authority of a Federal agency to provide technical or
4 financial assistance under any other law.

5 (b) **CONSULTATION AND COORDINATION.**—The head
6 of any Federal agency planning to conduct activities that
7 may have an impact on a National Heritage Area is en-
8 couraged to consult and coordinate the activities with the
9 Secretary and the local coordinating entity to the max-
10 imum extent practicable.

11 (c) **OTHER FEDERAL AGENCIES.**—Nothing in this
12 subtitle—

13 (1) modifies, alters, or amends any law or regu-
14 lation authorizing a Federal agency to manage Fed-
15 eral land under the jurisdiction of the Federal agen-
16 cy;

17 (2) limits the discretion of a Federal land man-
18 ager to implement an approved land use plan within
19 the boundaries of a National Heritage Area; or

20 (3) modifies, alters, or amends any authorized
21 use of Federal land under the jurisdiction of a Fed-
22 eral agency.

23 **SEC. 2089. PRIVATE PROPERTY AND REGULATORY PROTEC-**
24 **TIONS.**

25 Nothing in this subtitle—

1 (1) abridges the rights of any property owner
2 (whether public or private), including the right to re-
3 frain from participating in any plan, project, pro-
4 gram, or activity conducted within the National Her-
5 itage Area;

6 (2) requires any property owner to permit pub-
7 lic access (including access by Federal, State, Tribal,
8 or local agencies) to the property of the property
9 owner, or to modify public access or use of property
10 of the property owner under any other Federal,
11 State, Tribal, or local law;

12 (3) alters any duly adopted land use regulation,
13 approved land use plan, or other regulatory author-
14 ity of any Federal, State, Tribal, or local agency, or
15 conveys any land use or other regulatory authority
16 to any local coordinating entity, including but not
17 necessarily limited to development and management
18 of energy, water, or water-related infrastructure;

19 (4) authorizes or implies the reservation or ap-
20 propriation of water or water rights;

21 (5) diminishes the authority of the State to
22 manage fish and wildlife, including the regulation of
23 fishing and hunting within the National Heritage
24 Area; or

1 (6) creates any liability, or affects any liability
2 under any other law, of any private property owner
3 with respect to any person injured on the private
4 property.

5 **SEC. 2090. AUTHORIZATION OF APPROPRIATIONS.**

6 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Subject
7 to subsection (b), there are authorized to be appropriated
8 to carry out this subtitle not more than \$1,000,000 for
9 any fiscal year. Funds so appropriated shall remain avail-
10 able until expended.

11 (b) **LIMITATION ON TOTAL AMOUNTS APPRO-**
12 **PRIATED.**—Not more than \$15,000,000 may be appro-
13 priated to carry out this subtitle.

14 (c) **COST-SHARING REQUIREMENT.**—The Federal
15 share of the total cost of any activity under this subtitle
16 shall be not more than 50 percent; the non-Federal con-
17 tribution may be in the form of in-kind contributions of
18 goods or services fairly valued.

19 **SEC. 2091. USE OF FEDERAL FUNDS FROM OTHER**
20 **SOURCES.**

21 Nothing in this subtitle shall preclude the local co-
22 ordinating entity from using Federal funds available under
23 other laws for the purposes for which those funds were
24 authorized.

1 **SEC. 2092. SUNSET FOR GRANTS AND OTHER ASSISTANCE.**

2 The authority of the Secretary to provide financial
3 assistance under this subtitle terminates on the date that
4 is 15 years after the date of the enactment of this subtitle.

5 **Subtitle F—Santa Cruz Valley**
6 **National Heritage Area**

7 **SEC. 2111. SHORT TITLE; TABLE OF CONTENTS.**

8 (a) **SHORT TITLE.**—This subtitle may be cited as the
9 “Santa Cruz Valley National Heritage Area Act”.

10 (b) **TABLE OF CONTENTS.**—The table of contents of
11 this subtitle is as follows:

Sec. 2111. Short title; table of contents.

Sec. 2112. Purposes.

Sec. 2113. Definitions.

Sec. 2114. Designation of Santa Cruz Valley National Heritage Area.

Sec. 2115. Management plan.

Sec. 2116. Evaluation; report.

Sec. 2117. Local coordinating entity.

Sec. 2118. Relationship to other Federal agencies.

Sec. 2119. Private property and regulatory protections.

Sec. 2120. Authorization of appropriations.

Sec. 2121. Use of Federal funds from other sources.

Sec. 2122. Sunset for grants and other assistance.

12 **SEC. 2112. PURPOSES.**

13 The purposes of this subtitle include—

14 (1) to establish the Santa Cruz Valley National
15 Heritage Area in the State of Arizona;

16 (2) to implement the recommendations of the
17 “Alternative Concepts for Commemorating Spanish
18 Colonization” study completed by the National Park
19 Service in 1991, and the “Feasibility Study for the
20 Santa Cruz Valley National Heritage Area” pre-

1 pared by the Center for Desert Archaeology in July
2 2005;

3 (3) to provide a management framework to fos-
4 ter a close working relationship with all levels of
5 government, the private sector, and the local com-
6 munities in the region and to conserve the region's
7 heritage while continuing to pursue compatible eco-
8 nomic opportunities;

9 (4) to assist communities, organizations, and
10 citizens in the State of Arizona in identifying, pre-
11 serving, interpreting, and developing the historical,
12 cultural, scenic, and natural resources of the region
13 for the educational and inspirational benefit of cur-
14 rent and future generations; and

15 (5) to provide appropriate linkages between
16 units of the National Park System and communities,
17 governments, and organizations within the National
18 Heritage Area.

19 **SEC. 2113. DEFINITIONS.**

20 In this subtitle:

21 (1) **NATIONAL HERITAGE AREA.**—The term
22 “National Heritage Area” means the Santa Cruz
23 Valley National Heritage Area established in this
24 subtitle.

1 (2) LOCAL COORDINATING ENTITY.—The term
2 “local coordinating entity” means the Santa Cruz
3 Valley Heritage Alliance, Inc., which is hereby des-
4 ignated by Congress—

5 (A) to develop, in partnership with others,
6 the management plan for the National Heritage
7 Area; and

8 (B) to act as a catalyst for the implemen-
9 tation of projects and programs among diverse
10 partners in the National Heritage Area.

11 (3) MANAGEMENT PLAN.—The term “manage-
12 ment plan” means the plan prepared by the local co-
13 ordinating entity for the National Heritage Area
14 that specifies actions, policies, strategies, perform-
15 ance goals, and recommendations to meet the goals
16 of the National Heritage Area, in accordance with
17 this subtitle.

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

20 **SEC. 2114. DESIGNATION OF SANTA CRUZ VALLEY NA-**
21 **TIONAL HERITAGE AREA.**

22 (a) ESTABLISHMENT.—There is hereby established
23 the Santa Cruz Valley National Heritage Area.

24 (b) BOUNDARIES.—

1 (1) IN GENERAL.—The National Heritage Area
2 shall consist of portions of the counties of Santa
3 Cruz and Pima.

4 (2) MAP.—The boundaries of the National Her-
5 itage Area shall be as generally depicted on the map
6 titled “Santa Cruz Valley National Heritage Area”,
7 and numbered _____; and dated
8 _____: The map be on file and available
9 to the public in the appropriate offices of the Na-
10 tional Park Service and the local coordinating entity.

11 **SEC. 2115. MANAGEMENT PLAN.**

12 (a) REQUIREMENTS.—The management plan for the
13 National Heritage Area shall—

14 (1) describe comprehensive policies, goals, strat-
15 egies, and recommendations for telling the story of
16 the heritage of the area covered by the National
17 Heritage Area and encouraging long-term resource
18 protection, enhancement, interpretation, funding,
19 management, and development of the National Her-
20 itage Area;

21 (2) include a description of actions and commit-
22 ments that Federal, State, Tribal, and local govern-
23 ments, private organizations, and citizens will take
24 to protect, enhance, interpret, fund, manage, and de-
25 velop the natural, historical, cultural, educational,

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

3 ~~(3)~~ specify existing and potential sources of
4 funding or economic development strategies to pro-
5 tect, enhance, interpret, fund, manage, and develop
6 the National Heritage Area;

7 ~~(4)~~ include an inventory of the natural, histor-
8 ical, cultural, educational, scenic, and recreational
9 resources of the National Heritage Area related to
10 the national importance and themes of the National
11 Heritage Area that should be protected, enhanced,
12 interpreted, managed, funded, and developed;

13 ~~(5)~~ recommend policies and strategies for re-
14 source management, including the development of
15 intergovernmental and interagency agreements to
16 protect, enhance, interpret, fund, manage, and de-
17 velop the natural, historical, cultural, educational,
18 scenic, and recreational resources of the National
19 Heritage Area;

20 ~~(6)~~ describe a program for implementation for
21 the management plan, including—

22 ~~(A)~~ performance goals;

23 ~~(B)~~ plans for resource protection, enhance-
24 ment, interpretation, funding, management, and
25 development; and

1 (C) specific commitments for implementa-
2 tion that have been made by the local coordi-
3 nating entity or any Federal, State, Tribal, or
4 local government agency, organization, busi-
5 ness, or individual;

6 (7) include an analysis of, and recommenda-
7 tions for, means by which Federal, State, Tribal,
8 and local programs may best be coordinated (includ-
9 ing the role of the National Park Service and other
10 Federal agencies associated with the National Herit-
11 age Area) to further the purposes of this subtitle;
12 and

13 (8) include a business plan that—

14 (A) describes the role, operation, financing,
15 and functions of the local coordinating entity
16 and of each of the major activities contained in
17 the management plan; and

18 (B) provides adequate assurances that the
19 local coordinating entity has the partnerships
20 and financial and other resources necessary to
21 implement the management plan for the Na-
22 tional Heritage Area.

23 (b) DEADLINE.—

24 (1) IN GENERAL.—Not later than 3 years after
25 the date on which funds are first made available to

1 develop the management plan after designation as a
2 National Heritage Area, the local coordinating entity
3 shall submit the management plan to the Secretary
4 for approval.

5 (2) TERMINATION OF FUNDING.—If the man-
6 agement plan is not submitted to the Secretary in
7 accordance with paragraph (1), the local coordi-
8 nating entity shall not qualify for any additional fi-
9 nancial assistance under this subtitle until such time
10 as the management plan is submitted to and ap-
11 proved by the Secretary.

12 (c) APPROVAL OF MANAGEMENT PLAN.—

13 (1) REVIEW.—Not later than 180 days after re-
14 ceiving the plan, the Secretary shall review and ap-
15 prove or disapprove the management plan for a Na-
16 tional Heritage Area on the basis of the criteria es-
17 tablished under paragraph (3).

18 (2) CONSULTATION.—The Secretary shall con-
19 sult with the Governor of each State in which the
20 National Heritage Area is located before approving
21 a management plan for the National Heritage Area.

22 (3) CRITERIA FOR APPROVAL.—In determining
23 whether to approve a management plan for a Na-
24 tional Heritage Area, the Secretary shall consider
25 whether—

1 (A) the local coordinating entity represents
2 the diverse interests of the National Heritage
3 Area, including Federal, State, Tribal, and local
4 governments, natural and historic resource pro-
5 tection organizations, educational institutions,
6 businesses, recreational organizations, commu-
7 nity residents, and private property owners;

8 (B) the local coordinating entity—

9 (i) has afforded adequate opportunity
10 for public and Federal, State, Tribal, and
11 local governmental involvement (including
12 through workshops and hearings) in the
13 preparation of the management plan; and

14 (ii) provides for at least semiannual
15 public meetings to ensure adequate imple-
16 mentation of the management plan;

17 (C) the resource protection, enhancement,
18 interpretation, funding, management, and de-
19 velopment strategies described in the manage-
20 ment plan, if implemented, would adequately
21 protect, enhance, interpret, fund, manage, and
22 develop the natural, historic, cultural, edu-
23 cational, scenic, and recreational resources of
24 the National Heritage Area;

1 (D) the management plan would not ad-
2 versely affect any activities authorized on Fed-
3 eral land under public land laws or land use
4 plans;

5 (E) the local coordinating entity has dem-
6 onstrated the financial capability, in partner-
7 ship with others, to carry out the plan;

8 (F) the Secretary has received adequate
9 assurances from the appropriate State, Tribal,
10 and local officials whose support is needed to
11 ensure the effective implementation of the
12 State, Tribal, and local elements of the manage-
13 ment plan; and

14 (G) the management plan demonstrates
15 partnerships among the local coordinating enti-
16 ty, Federal, State, Tribal, and local govern-
17 ments, regional planning organizations, non-
18 profit organizations, or private sector parties
19 for implementation of the management plan.

20 (4) DISAPPROVAL.—

21 (A) IN GENERAL.—If the Secretary dis-
22 approves the management plan, the Secretary—

23 (i) shall advise the local coordinating
24 entity in writing of the reasons for the dis-
25 approval; and

1 (ii) may make recommendations to the
2 local coordinating entity for revisions to
3 the management plan.

4 ~~(B) DEADLINE.~~—Not later than 180 days
5 after receiving a revised management plan, the
6 Secretary shall approve or disapprove the re-
7 vised management plan.

8 ~~(5) AMENDMENTS.~~—

9 ~~(A) IN GENERAL.~~—An amendment to the
10 management plan that substantially alters the
11 purposes of the National Heritage Area shall be
12 reviewed by the Secretary and approved or dis-
13 approved in the same manner as the original
14 management plan.

15 ~~(B) IMPLEMENTATION.~~—The local coordi-
16 nating entity shall not use Federal funds au-
17 thorized by this subtitle to implement an
18 amendment to the management plan until the
19 Secretary approves the amendment.

20 ~~(6) AUTHORITIES.~~—The Secretary may—

21 ~~(A)~~ provide technical assistance under the
22 authority of this subtitle for the development
23 and implementation of the management plan;
24 and

1 (B) enter into cooperative agreements with
2 interested parties to carry out this subtitle.

3 **SEC. 2116. EVALUATION; REPORT.**

4 (a) IN GENERAL.—Not later than 3 years before the
5 date on which authority for Federal funding terminates
6 for the National Heritage Area under this subtitle, the
7 Secretary shall—

8 (1) conduct an evaluation of the accomplish-
9 ments of the National Heritage Area; and

10 (2) prepare a report in accordance with sub-
11 section (c).

12 (b) EVALUATION.—An evaluation conducted under
13 subsection (a)(1) 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 National Heritage
18 Area; and

19 (B) achieving the goals and objectives of
20 the approved management plan for the National
21 Heritage Area;

22 (2) analyze the Federal, State, Tribal, and
23 local, and private investments in the National Herit-
24 age Area to determine the impact of the invest-
25 ments; and

1 (3) review the management structure, partner-
2 ship relationships, and funding of the National Her-
3 itage Area for purposes of identifying the critical
4 components for sustainability of the National Herit-
5 age Area.

6 (c) REPORT.—Based on the evaluation conducted
7 under subsection (a)(1), the Secretary shall submit a re-
8 port to the Committee on Natural Resources of the United
9 States House of Representatives and the Committee on
10 Energy and Natural Resources of the United States Sen-
11 ate. The report shall include recommendations for the fu-
12 ture role of the National Park Service, if any, with respect
13 to the National Heritage Area.

14 **SEC. 2117. LOCAL COORDINATING ENTITY.**

15 (a) DUTIES.—To further the purposes of the Na-
16 tional Heritage Area, the Santa Cruz Valley Heritage Alli-
17 ance, Inc., as the local coordinating entity, shall—

18 (1) prepare a management plan for the Na-
19 tional Heritage Area, and submit the management
20 plan to the Secretary, in accordance with this sub-
21 title;

22 (2) submit an annual report to the Secretary
23 for each fiscal year for which the local coordinating
24 entity receives Federal funds under this subtitle,
25 specifying—

1 (A) the specific performance goals and ac-
2 complishments of the local coordinating entity;

3 (B) the expenses and income of the local
4 coordinating entity;

5 (C) the amounts and sources of matching
6 funds;

7 (D) the amounts leveraged with Federal
8 funds and sources of the leveraging; and

9 (E) grants made to any other entities dur-
10 ing the fiscal year;

11 (3) make available for audit for each fiscal year
12 for which the local coordinating entity receives Fed-
13 eral funds under this subtitle, all information per-
14 taining to the expenditure of the funds and any
15 matching funds; and

16 (4) encourage economic viability and sustain-
17 ability that is consistent with the purposes of the
18 National Heritage Area.

19 (b) AUTHORITIES.—For the purposes of preparing
20 and implementing the approved management plan for the
21 National Heritage Area, the local coordinating entity may
22 use Federal funds made available under this subtitle to—

23 (1) make grants to political jurisdictions, non-
24 profit organizations, and other parties within the
25 National Heritage Area;

1 (2) enter into cooperative agreements with or
2 provide technical assistance to political jurisdictions,
3 nonprofit organizations, Federal agencies, and other
4 interested parties;

5 (3) hire and compensate staff, including individ-
6 uals with expertise in—

7 (A) natural, historical, cultural, edu-
8 cational, scenic, and recreational resource con-
9 servation;

10 (B) economic and community development;

11 and

12 (C) heritage planning;

13 (4) obtain funds or services from any source,
14 including other Federal programs;

15 (5) contract for goods or services; and

16 (6) support activities of partners and any other
17 activities that further the purposes of the National
18 Heritage Area and are consistent with the approved
19 management plan.

20 (e) PROHIBITION ON ACQUISITION OF REAL PROP-
21 ERTY.—The local coordinating entity may not use Federal
22 funds authorized under this subtitle to acquire any inter-
23 est in real property.

1 **SEC. 2118. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

2 (a) **IN GENERAL.**—Nothing in this subtitle affects
3 the authority of a Federal agency to provide technical or
4 financial assistance under any other law.

5 (b) **CONSULTATION AND COORDINATION.**—The head
6 of any Federal agency planning to conduct activities that
7 may have an impact on a National Heritage Area is en-
8 couraged to consult and coordinate the activities with the
9 Secretary and the local coordinating entity to the max-
10 imum extent practicable.

11 (c) **OTHER FEDERAL AGENCIES.**—Nothing in this
12 subtitle—

13 (1) modifies, alters, or amends any law or regu-
14 lation authorizing a Federal agency to manage Fed-
15 eral land under the jurisdiction of the Federal agen-
16 cy;

17 (2) limits the discretion of a Federal land man-
18 ager to implement an approved land use plan within
19 the boundaries of a National Heritage Area; or

20 (3) modifies, alters, or amends any authorized
21 use of Federal land under the jurisdiction of a Fed-
22 eral agency.

23 **SEC. 2119. PRIVATE PROPERTY AND REGULATORY PROTEC-**
24 **TIONS.**

25 Nothing in this subtitle—

1 (1) abridges the rights of any property owner
2 (whether public or private), including the right to re-
3 frain from participating in any plan, project, pro-
4 gram, or activity conducted within the National Her-
5 itage Area;

6 (2) requires any property owner to permit pub-
7 lic access (including access by Federal, State, Tribal,
8 or local agencies) to the property of the property
9 owner, or to modify public access or use of property
10 of the property owner under any other Federal,
11 State, Tribal, or local law;

12 (3) alters any duly adopted land use regulation,
13 approved land use plan, or other regulatory author-
14 ity of any Federal, State, Tribal, or local agency, or
15 conveys any land use or other regulatory authority
16 to any local coordinating entity, including but not
17 necessarily limited to development and management
18 of energy, water, or water-related infrastructure;

19 (4) authorizes or implies the reservation or ap-
20 propriation of water or water rights;

21 (5) diminishes the authority of the State to
22 manage fish and wildlife, including the regulation of
23 fishing and hunting within the National Heritage
24 Area; or

1 (6) creates any liability, or affects any liability
2 under any other law, of any private property owner
3 with respect to any person injured on the private
4 property.

5 **SEC. 2120. AUTHORIZATION OF APPROPRIATIONS.**

6 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Subject
7 to subsection (b), there are authorized to be appropriated
8 to carry out this subtitle not more than \$1,000,000 for
9 any fiscal year. Funds so appropriated shall remain avail-
10 able until expended.

11 (b) **LIMITATION ON TOTAL AMOUNTS APPRO-**
12 **PRIATED.**—Not more than \$15,000,000 may be appro-
13 priated to carry out this subtitle.

14 (c) **COST-SHARING REQUIREMENT.**—The Federal
15 share of the total cost of any activity under this subtitle
16 shall be not more than 50 percent; the non-Federal con-
17 tribution may be in the form of in-kind contributions of
18 goods or services fairly valued.

19 **SEC. 2121. USE OF FEDERAL FUNDS FROM OTHER**
20 **SOURCES.**

21 Nothing in this subtitle shall preclude the local co-
22 ordinating entity from using Federal funds available under
23 other laws for the purposes for which those funds were
24 authorized.

1 **SEC. 2122. SUNSET FOR GRANTS AND OTHER ASSISTANCE.**

2 The authority of the Secretary to provide financial
3 assistance under this subtitle terminates on the date that
4 is 15 years after the date of enactment of this subtitle.

5 **TITLE III—STUDY**

6 **SEC. 3001. STUDY AND REPORT OF PROPOSED NORTHERN**
7 **NECK NATIONAL HERITAGE AREA.**

8 (a) The Secretary of the Interior (hereafter referred
9 to as “the Secretary”), in consultation with appropriate
10 State historic preservation officers, State historical soci-
11 eties, and other appropriate organizations, shall conduct
12 a study of the suitability and feasibility of designating the
13 area described in subsection (d) as the Northern Neck Na-
14 tional Heritage Area in the Commonwealth of Virginia.

15 (b) **CRITERIA.**—In conducting the study, the Sec-
16 retary shall apply the following criteria to determine the
17 suitability and feasibility of designating the area described
18 in subsection (d) as a National Heritage Area:

19 (1) The area—

20 (A) has an assemblage of natural, historic,
21 cultural, educational, scenic, or recreational re-
22 sources that together are nationally important
23 to the heritage of the United States;

24 (B) represents distinctive aspects of the
25 heritage of the United States worthy of recogni-

1 tion, conservation, interpretation, and con-
2 tinuing use;

3 (C) is best managed as such an assemblage
4 through partnerships among public and private
5 entities at the local or regional level;

6 (D) reflects traditions, customs, beliefs,
7 and folklife that are a valuable part of the her-
8 itage of the United States;

9 (E) provides outstanding opportunities to
10 conserve natural, historical, cultural, or scenic
11 features;

12 (F) provides outstanding recreational or
13 educational opportunities; and

14 (G) has resources and traditional uses that
15 have national importance.

16 (2) Residents, business interests, nonprofit or-
17 ganizations, and governments (including relevant
18 Federal land management agencies) within the pro-
19 posed area are involved in the planning and have
20 demonstrated significant support through letters and
21 other means for National Heritage Area designation
22 and management.

23 (3) The local coordinating entity responsible for
24 preparing and implementing the management plan is
25 identified.

1 (4) The proposed local coordinating entity and
2 units of government supporting the designation have
3 documented their commitment to work in partner-
4 ship to protect, enhance, interpret, fund, manage,
5 and develop resources within the National Heritage
6 Area.

7 (5) The proposed local coordinating entity has
8 developed a conceptual financial plan that outlines
9 the roles of all participants (including the Federal
10 Government) in the management of the National
11 Heritage Area.

12 (6) The proposal is consistent with continued
13 economic activity within the area.

14 (7) A conceptual boundary map has been devel-
15 oped and is supported by the public and partici-
16 pating Federal agencies.

17 (c) CONSULTATION.—In conducting the study, the
18 Secretary shall consult with the managers of any Federal
19 land within the proposed National Heritage Area and se-
20 cure the concurrence of the managers with the findings
21 of the study before making a determination for designa-
22 tion.

23 (d) BOUNDARIES OF THE STUDY AREA.—The study
24 area referred to in subsection (a) shall be comprised of
25 the following:

1 (1) The part of Virginia between the Potomac
2 and the Rappahannock Rivers in eastern coastal Vir-
3 ginia.

4 (2) Westmoreland, Northumberland, Richmond,
5 King George, and Lancaster Counties, Virginia.

6 (3) Other areas that have heritage aspects that
7 are similar to those aspects that are in the areas de-
8 scribed in paragraphs (1) and (2) and which are ad-
9 jacent to or in the vicinity of those areas.

10 (e) REPORT.—The Secretary shall

11 (1) review, comment on, and determine if the
12 study meets the criteria specified in subsection (b)
13 for designation as a National Heritage Area;

14 (2) consult with the Governor of the Common-
15 wealth of Virginia; and

16 (3) not later than 3 fiscal years after the date
17 on which funds are first made available for this sec-
18 tion, submit to the Committee on Natural Resources
19 of the House of Representatives and the Committee
20 on Energy and Natural Resources of the Senate a
21 report on the findings, conclusions and recommenda-
22 tions of the study, including—

23 (A) any comments received from the Gov-
24 ernor of the Commonwealth of Virginia; and

1 ~~(B)~~ a finding as to whether the proposed
 2 National Heritage Area meets the criteria for
 3 designation.

4 ~~(f)~~ DISAPPROVAL.—If the Secretary determines that
 5 the proposed National Heritage Area does not meet the
 6 criteria for designation, the Secretary shall include within
 7 the study submitted under subsection ~~(e)(3)~~ a description
 8 of the reasons for the determination.

9 **TITLE IV—TECHNICAL**
 10 **CORRECTIONS AND ADDITIONS**

11 **SEC. 4001. NATIONAL COAL HERITAGE AREA TECHNICAL**
 12 **CORRECTIONS.**

13 Title I of Division II of the Omnibus Parks and Pub-
 14 lic Lands Management Act of 1996 (Public Law ~~104–333~~
 15 as amended by Public Law ~~106–176~~ and Public Law ~~109–~~
 16 ~~338~~) is amended—

17 ~~(1)~~ by striking section ~~103(b)~~ and inserting the
 18 following:

19 ~~“(b)~~ BOUNDARIES.—The National Coal Heritage
 20 Area shall be comprised of Lincoln County, West Virginia,
 21 and Paint Creek and Cabin Creek within Kanawah Coun-
 22 ty, West Virginia, and the counties that are the subject
 23 of the study by the National Park Service, dated ~~1993~~,
 24 entitled ‘A Coal Mining Heritage Study: Southern West

1 Virginia' conducted pursuant to title VI of Public Law
2 100-699.";

3 (2) by striking section 105 and inserting the
4 following:

5 **"SEC. 105. ELIGIBLE RESOURCES.**

6 “(a) IN GENERAL.—The resources eligible for the as-
7 sistance under section 104 shall include—

8 “(1) resources in Lincoln County, West Vir-
9 ginia, and Paint Creek and Cabin Creek in Kanawah
10 County, West Virginia, as determined to be appro-
11 priate by the National Coal Heritage Area Author-
12 ity; and

13 “(2) the resources set forth in appendix D of
14 the study by the National Park Service, dated 1993,
15 entitled ‘A Coal Mining Heritage Study: Southern
16 West Virginia’ conducted pursuant to title VI of
17 Public Law 100-699.

18 “(b) PRIORITY.—Priority consideration shall be given
19 to those sites listed as ‘Conservation Priorities’ and ‘Im-
20 portant Historic Resources’ as depicted on the map enti-
21 tled ‘Study Area: Historic Resources’ in such study.”;

22 (3) in section 106(a)—

23 (A) by striking “Governor” and all that
24 follows through “Parks,” and inserting “Na-
25 tional Coal Heritage Area Authority”; and

1 (B) in paragraph (3), by striking “State of
2 West Virginia” and all that follows through
3 “entities, or” and inserting “National Coal
4 Heritage Area Authority or”; and
5 (4) in section 106(b), by inserting “not” before
6 “meet”.

7 **SEC. 4002. RIVERS OF STEEL NATIONAL HERITAGE AREA**
8 **ADDITION.**

9 Section 403(b) of title IV of Division II of the Omni-
10 bus Parks and Public Lands Management Act of 1996
11 (Public Law 104-333) is amended by inserting “Butler,”
12 after “Beaver,”.

13 **SEC. 4003. SOUTH CAROLINA NATIONAL HERITAGE COR-**
14 **RIDOR ADDITION.**

15 Section 604(b)(2) of title VI of Division II of the Om-
16 nibus Parks and Public Lands Management Act of 1996
17 is amended by adding at the end the following new sub-
18 paragraphs:

19 “(O) Berkeley County.

20 “(P) Saluda County.

21 “(Q) The portion of Georgetown County
22 that is not part of the Gullah/Geechee Cultural
23 Heritage Corridor.”.

1 **SEC. 4004. OHIO AND ERIE CANAL NATIONAL HERITAGE**
2 **CORRIDOR TECHNICAL CORRECTIONS.**

3 Title VIII of Division II of the Omnibus Parks and
4 Public Lands Management Act of 1996 (Public Law 104-
5 333) is amended—

6 (1) by striking “Canal National Heritage Cor-
7 ridor” each place it appears and inserting “National
8 Heritage Canalway”;

9 (2) by striking “corridor” each place it appears
10 and inserting “canalway”, except in references to
11 the feasibility study and management plan;

12 (3) in the heading of section 808(a)(3), by
13 striking “CORRIDOR” and inserting “CANALWAY”;

14 (4) in the title heading, by striking “**CANAL**
15 **NATIONAL HERITAGE CORRIDOR**” and
16 inserting “**NATIONAL HERITAGE**
17 **CANALWAY**”;

18 (5) in section 803—

19 (A) by striking paragraph (2);

20 (B) by redesignating paragraphs (3), (4),
21 (5), (6), and (7) as paragraphs (2), (3), (4),
22 (5), and (6), respectively;

23 (C) in paragraph (2) (as redesignated by
24 this Act), by striking “808” and inserting
25 “806”; and

1 (D) in paragraph (6) (as redesignated by
2 this Act), by striking “807(a)” and inserting
3 “805(a)”;

4 (6) in the heading of section 804, by striking
5 “**CANAL NATIONAL HERITAGE CORRIDOR**” and
6 inserting “**NATIONAL HERITAGE CANALWAY**”;

7 (7) in the second sentence of section 804(b)(1),
8 by striking “808” and inserting “806”;

9 (8) by striking sections 805 and 806;

10 (9) by redesignating sections 807, 808, 809,
11 810, 811, and 812 as sections 805, 806, 807, 808,
12 809, and 810, respectively;

13 (10) in section 805(c)(2) (as redesignated by
14 this Act), by striking “808” and inserting “806”;

15 (11) in section 806 (as redesignated by this
16 Act)—

17 (A) in subsection (a)(1), by striking “Com-
18 mittee” and inserting “Secretary”;

19 (B) in the heading of subsection (a)(1), by
20 striking “COMMITTEE” and inserting “SEC-
21 RETARY”;

22 (C) in subsection (a)(3), in the first sen-
23 tence of subparagraph (B), by striking “Com-
24 mittee” and inserting “management entity”;

1 (D) in subsection (e), by striking
2 “807(d)(1)” and inserting “805(d)(1)”; and

3 (E) in subsection (f), by striking
4 “807(d)(1)” and inserting “805(d)(1)”;

5 (12) in section 807 (as redesignated by this
6 Act), in subsection (e) by striking “Cayohoga Valley
7 National Recreation Area” and inserting “Cayohoga
8 Valley National Park”;

9 (13) in section 808 (as redesignated by this
10 Act)—

11 (A) in subsection (b), by striking “Com-
12 mittee or”; and

13 (B) in subsection (e), in the matter before
14 paragraph (1), by striking “Committee” and in-
15 serting “management entity”; and

16 (14) in section 809 (as redesignated by Act), by
17 striking “assistance” and inserting “financial assist-
18 ance”.

19 **SEC. 4005. NEW JERSEY COASTAL HERITAGE TRAIL ROUTE**
20 **EXTENSION OF AUTHORIZATION.**

21 Section 6 of Public Law 100-515 (16 U.S.C. 1244
22 note) is amended as follows:

23 (1) Strike paragraph (1) of subsection (b) and
24 insert the following new paragraph:

1 “(1) IN GENERAL.—Amounts made available
2 under subsection (a) shall be used only for—

3 “(A) technical assistance;

4 “(B) the design and fabrication of inter-
5 pretive materials, devices, and signs; and

6 “(C) the preparation of the strategic
7 plan.”.

8 (2) Paragraph (3) of subsection (b) is amended
9 by inserting after subparagraph (B) a new subpara-
10 graph as follows:

11 “(C) Notwithstanding paragraph (3)(A),
12 funds made available under subsection (a) for
13 the preparation of the strategic plan shall not
14 require a non-Federal match.”.

15 (3) Subsection (c) is amended by striking
16 “2007” and inserting “2011”.

17 **SEC. 4006. ERIE CANALWAY NATIONAL HERITAGE COR-**
18 **RIDOR TECHNICAL CORRECTIONS.**

19 The Erie Canalway National Heritage Corridor Act
20 (title VIII of Appendix D of Public Law 106–554, 114
21 Stat. 2763A–295) is amended—

22 (1) in section 804(b)—

23 (A) by striking “27” and inserting “at
24 least 21 members; but not to exceed 27”;

1 (B) in paragraph (2), by striking “Envi-
2 ronment” and inserting “Environmental”;

3 (C) in paragraph (3), by striking “19”;

4 (D) in paragraph (3)—

5 (i) by striking subparagraph (A) and
6 redesignating subsequent subparagraphs
7 accordingly;

8 (ii) in subparagraph (B) (as redesi-
9 gnated by clause (i)), by striking the second
10 sentence; and

11 (iii) by adding after subparagraph (B)
12 the following new subparagraph:

13 “(C) The remaining members shall be
14 based on recommendations from each member
15 of the United States House of Representatives
16 whose district encompasses the Corridor, each
17 of whom shall be a resident of or employed
18 within the district from which they shall be rec-
19 ommended.”;

20 (2) in section 804(f), by striking “Fourteen
21 members of the Commission” and inserting “A ma-
22 jority of the seated (sworn) Commissioners”;

23 (3) in section 804(g), by striking “14 of its
24 members.” and inserting “a majority of the seated
25 (sworn) Commissioners.”;

1 (4) in section 804(h)(4), by striking “staff to
2 carry out its duties;” and inserting “such staff as
3 may be necessary to carry out its duties. Staff ap-
4 pointed by the Commission—

5 “(A) may be appointed subject to the pro-
6 visions of title 5, United States Code, governing
7 appointments in the competitive service; and

8 “(B) may be paid in accordance with the
9 provisions of chapter 51 and subchapter III of
10 chapter 53 of such title relating to the classi-
11 fication and General Schedule pay rates;”;

12 (5) in section 804(j), by striking “10 years
13 after the date of enactment of this title” and insert-
14 ing “15 years after the date of the enactment of this
15 title”;

16 (6) in section 807(e), by striking “duties with
17 regard to the preparation and approval of the
18 Canalway Plan.” and inserting “duties.”;

19 (7) in section 807, by adding at the end the fol-
20 lowing:

21 “(f) OPERATIONAL ASSISTANCE.—Subject to the
22 availability of appropriations, the Superintendent of Sara-
23 toga National Historical Park may, on request, provide
24 to public and private organizations in the Heritage Area,
25 including the Commission, any operational assistance that

1 is appropriate for the purpose of supporting the implemen-
 2 tation of the management plan.”; and

3 (8) in section 810(a)(1), by inserting after the
 4 first sentence: “Such sums shall remain available
 5 until expended.”.

6 **TITLE V—SENSE OF CONGRESS** 7 **REGARDING FUNDING**

8 **SEC. 5001. SENSE OF CONGRESS REGARDING FUNDING.**

9 It is the sense of Congress that the Federal Govern-
 10 ment should not fund a national heritage area in per-
 11 petuity.

12 **TITLE VI—APPLICATION OF** 13 **CERTAIN LAWS**

14 **SEC. 6001. APPLICATION OF CERTAIN STATE AND LOCAL** 15 **LAWS.**

16 All designated and future designated lands within any
 17 natural heritage area for which funding is provided under
 18 this Act shall be exclusively governed by relevant State
 19 and local laws regarding hunting, fishing, and the posses-
 20 sion or use of a weapon, trap, or net.

21 **SECTION 1. SHORT TITLE.**

22 *This Act may be cited as the “Celebrating America’s*
 23 *Heritage Act”.*

24 **SEC. 2. TABLE OF CONTENTS.**

25 *The table of contents is as follows:*

Sec. 1. Short title.

- Sec. 2. Table of contents.*
Sec. 3. Definition of Secretary.

TITLE I—DESIGNATIONS

Subtitle A—Muscle Shoals National Heritage Area

- Sec. 1101. Purposes.*
Sec. 1102. Definitions.
Sec. 1103. Establishment.
Sec. 1104. Duties and authorities of local coordinating entity.
Sec. 1105. Management plan.
Sec. 1106. Duties and authorities of the secretary.
Sec. 1107. Relationship to other Federal agencies.
Sec. 1108. Property owners and regulatory protections.
Sec. 1109. Authorization of appropriations.
Sec. 1110. Termination of financial assistance.

Subtitle B—Santa Cruz Valley National Heritage Area

- Sec. 1201. Purposes.*
Sec. 1202. Definitions.
Sec. 1203. Establishment.
Sec. 1204. Duties and authorities of local coordinating entity.
Sec. 1205. Management plan.
Sec. 1206. Duties and authorities of the secretary.
Sec. 1207. Relationship to other Federal agencies.
Sec. 1208. Property owners and regulatory protections.
Sec. 1209. Authorization of appropriations.
Sec. 1210. Termination of financial assistance.

TITLE II—STUDY

- Sec. 2001. Northern Neck National Heritage Area Study.*

TITLE III—TECHNICAL AMENDMENTS

- Sec. 3001. Erie Canalway National Heritage Corridor technical corrections.*
Sec. 3002. John H. Chafee Blackstone River Valley National Heritage Corridor.

1 SEC. 3. DEFINITION OF SECRETARY.

2 *In this Act, the term “Secretary” means the Secretary*
 3 *of the Interior.*

4 **TITLE I—DESIGNATIONS**

5 **Subtitle A—Muscle Shoals National**
 6 **Heritage Area**

7 **SEC. 1101. PURPOSES.**

8 *The purposes of this subtitle are—*

1 (1) to preserve, support, conserve, and interpret
2 the legacy of the region represented by the Heritage
3 Area as described in the feasibility study prepared by
4 the National Park Service;

5 (2) to promote heritage, cultural, and rec-
6 reational tourism, and to develop educational and
7 cultural programs for visitors and the general public;

8 (3) to recognize and interpret important events
9 and geographic locations representing key develop-
10 ments in the growth of the United States, including
11 the Native American, Colonial American, European
12 American, and African American heritage;

13 (4) to recognize and interpret the manner by
14 which the distinctive geography of the region has
15 shaped the development of the settlement, defense,
16 transportation, commerce, and culture of the region;

17 (5) to provide a cooperative management frame-
18 work to foster a close working relationship with all
19 levels of government, the private sector, and the local
20 communities in the region to identify, preserve, inter-
21 pret, and develop the historical, cultural, scenic, and
22 natural resources of the region for the educational
23 and inspirational benefit of current and future gen-
24 erations; and

1 (6) *to provide appropriate linkages between*
2 *units of the National Park System and communities,*
3 *governments, and organizations within the Heritage*
4 *Area.*

5 **SEC. 1102. DEFINITIONS.**

6 *In this subtitle:*

7 (1) *HERITAGE AREA.—The term “Heritage*
8 *Area” means the Muscle Shoals National Heritage*
9 *Area established by section 1103(a).*

10 (2) *LOCAL COORDINATING ENTITY.—The term*
11 *“local coordinating entity” means the Muscle Shoals*
12 *Regional Center, the local coordinating entity for the*
13 *Heritage Area designated by section 1103(d).*

14 (3) *MANAGEMENT PLAN.—The term “manage-*
15 *ment plan” means the plan for the Heritage Area re-*
16 *quired under section 1104(a)(1).*

17 (4) *MAP.—The term “map” means the map enti-*
18 *tled “Muscle Shoals National Heritage Area”, num-*
19 *bered T08/80,000, and dated October 2007.*

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

22 **SEC. 1103. ESTABLISHMENT.**

23 (a) *IN GENERAL.—There is established the Muscle*
24 *Shoals National Heritage Area in the State.*

1 (b) *BOUNDARIES.*—*The Heritage Area shall be com-*
 2 *prised of the following areas, as depicted on the map:*

3 (1) *The Counties of Colbert, Franklin, Lauder-*
 4 *dale, Lawrence, Limestone, and Morgan, Alabama.*

5 (2) *The Wilson Dam.*

6 (3) *The Handy Home.*

7 (4) *The birthplace of Helen Keller.*

8 (c) *AVAILABILITY MAP.*—*The map shall be on file and*
 9 *available for public inspection in the appropriate offices of*
 10 *the National Park Service and the local coordinating entity.*

11 (d) *LOCAL COORDINATING ENTITY.*—*The Muscle*
 12 *Shoals Regional Center shall be the local coordinating enti-*
 13 *ty for the Heritage Area.*

14 **SEC. 1104. DUTIES AND AUTHORITIES OF LOCAL COORDI-**
 15 **NATING ENTITY.**

16 (a) *DUTIES OF THE LOCAL COORDINATING ENTITY.*—
 17 *To further the purposes of the Heritage Area, the local co-*
 18 *ordinating entity shall—*

19 (1) *prepare, and submit to the Secretary, in ac-*
 20 *cordance with section 1105, a management plan for*
 21 *the Heritage Area;*

22 (2) *submit an annual report to the Secretary for*
 23 *each fiscal year for which the local coordinating enti-*
 24 *ty receives Federal funds under this subtitle speci-*
 25 *fying—*

1 (A) the accomplishments of the local coordi-
2 nating entity;

3 (B) the expenses and income of the local co-
4 ordinating entity;

5 (C) the amounts and sources of matching
6 funds;

7 (D) the amounts leveraged with Federal
8 funds and sources of the leveraged funds; and

9 (E) grants made to any other entities dur-
10 ing the fiscal year;

11 (3) make available for audit for each fiscal year
12 for which the local coordinating entity receives Fed-
13 eral funds under this subtitle, all information per-
14 taining to the expenditure of the funds and any
15 matching funds;

16 (4) encourage, by appropriate means, economic
17 development that is consistent with the purposes of
18 the Heritage Area; and

19 (5) serve as a catalyst for the implementation of
20 projects and programs among diverse partners in the
21 Heritage Area.

22 (b) *AUTHORITIES.*—The local coordinating entity
23 may, subject to the prior approval of the Secretary, for the
24 purposes of preparing and implementing the management

1 *plan, use Federal funds made available under this subtitle*

2 *to—*

3 (1) *make grants to the State, political subdivi-*
4 *sions of the State, nonprofit organizations, and other*
5 *persons;*

6 (2) *enter into cooperative agreements with, or*
7 *provide technical assistance to, the State, political*
8 *subdivisions of the State, nonprofit organizations,*
9 *Federal agencies, and other interested parties;*

10 (3) *to hire and compensate staff, including indi-*
11 *viduals with expertise in—*

12 (A) *natural, historical, cultural, edu-*
13 *cational, scenic, and recreational resource con-*
14 *servation;*

15 (B) *economic and community development;*
16 *and*

17 (C) *heritage planning;*

18 (4) *obtain funds or services from any source, in-*
19 *cluding funds and services provided under any other*
20 *Federal law or program;*

21 (5) *contract for goods or services; and*

22 (6) *support activities of partners and any other*
23 *activities that further the purposes of the Heritage*
24 *Area and are consistent with the approved manage-*
25 *ment plan.*

1 (c) *PROHIBITION ON ACQUISITION OF REAL PROP-*
2 *ERTY.*—*The local coordinating entity may not use Federal*
3 *funds received under this subtitle to acquire any interest*
4 *in real property.*

5 **SEC. 1105. MANAGEMENT PLAN.**

6 (a) *IN GENERAL.*—*Not later than 3 years after the*
7 *date on which funds are made available to develop the man-*
8 *agement plan, the local coordinating entity shall submit to*
9 *the Secretary for approval a proposed management plan*
10 *for the Heritage Area.*

11 (b) *REQUIREMENTS.*—*The management plan for the*
12 *Heritage Area shall—*

13 (1) *describe comprehensive policies, goals, strate-*
14 *gies, and recommendations for telling the story of the*
15 *heritage of the area covered by the Heritage Area and*
16 *encouraging long-term resource protection, enhance-*
17 *ment, interpretation, funding, management, and de-*
18 *velopment of the Heritage Area;*

19 (2) *include a description of actions and commit-*
20 *ments that Federal, State, tribal, and local govern-*
21 *ments, private organizations, and citizens plan to*
22 *take to protect, enhance, interpret, fund, manage, and*
23 *develop the natural, historic, cultural, educational,*
24 *scenic, and recreational resources of the Heritage*
25 *Area;*

1 (3) *specify existing and potential sources of*
2 *funding or economic development strategies to protect,*
3 *enhance, interpret, fund, manage, and develop the*
4 *Heritage Area;*

5 (4) *include an inventory of the natural, historic,*
6 *cultural, educational, scenic, and recreational re-*
7 *sources of the Heritage Area relating to the stories*
8 *and themes of the Heritage Area that should be pro-*
9 *tected, enhanced, interpreted, managed, funded, or de-*
10 *veloped;*

11 (5) *recommend policies and strategies for re-*
12 *source management, including the development of*
13 *intergovernmental and interagency agreements to pro-*
14 *tect, enhance, interpret, fund, manage, and develop*
15 *the natural, historic, cultural, educational, scenic,*
16 *and recreational resources of the Heritage Area;*

17 (6) *describe a program for implementation of the*
18 *management plan, including—*

19 (A) *performance goals;*

20 (B) *plans for resource protection, enhance-*
21 *ment, interpretation, funding, management, and*
22 *development; and*

23 (C) *specific commitments for implementa-*
24 *tion that have been made by the local coordi-*
25 *nating entity or any Federal, State, tribal, or*

1 *local government agency, organization, business,*
2 *or individual;*

3 *(7) include an analysis of, and recommendations*
4 *for, ways in which Federal, State, tribal, and local*
5 *programs may best be coordinated (including the role*
6 *of the National Park Service and other Federal agen-*
7 *cies associated with the Heritage Area) to further the*
8 *purposes of this subtitle; and*

9 *(8) include a business plan that—*

10 *(A) describes the role, operation, financing,*
11 *and functions of the local coordinating entity*
12 *and of each of the major activities described in*
13 *the management plan; and*

14 *(B) provides adequate assurances that the*
15 *local coordinating entity has the partnerships*
16 *and financial and other resources necessary to*
17 *implement the management plan for the Herit-*
18 *age Area.*

19 *(c) TERMINATION OF FUNDING.—If the management*
20 *plan is not submitted to the Secretary by the date that is*
21 *3 years after the date on which funds are first made avail-*
22 *able to develop the management plan, the local coordinating*
23 *entity shall not qualify for additional financial assistance*
24 *under this Act until the management plan is submitted to,*
25 *and approved by, the Secretary.*

1 (d) *APPROVAL OF MANAGEMENT PLAN.*—

2 (1) *REVIEW.*—*Not later than 180 days after the*
3 *date on which the Secretary receives the management*
4 *plan, the Secretary shall approve or disapprove the*
5 *management plan.*

6 (2) *CONSULTATION REQUIRED.*—*The Secretary*
7 *shall consult with the Governor of the State in which*
8 *the Heritage Area is located before approving the*
9 *management plan.*

10 (3) *CRITERIA FOR APPROVAL.*—*In determining*
11 *whether to approve the management plan, the Sec-*
12 *retary shall consider whether—*

13 (A) *the local coordinating entity represents*
14 *the diverse interests of the Heritage Area, includ-*
15 *ing Federal, State, tribal, and local governments,*
16 *natural and historic resource protection organi-*
17 *zations, educational institutions, businesses,*
18 *community residents, recreational organizations,*
19 *and private property owners;*

20 (B) *the local coordinating entity—*

21 (i) *has afforded adequate opportunity*
22 *for public and Federal, State, tribal, and*
23 *local governmental involvement (including*
24 *through workshops and public meetings) in*

1 *the preparation of the management plan;*
2 *and*

3 *(ii) provides for at least semiannual*
4 *public meetings to ensure adequate imple-*
5 *mentation of the management plan;*

6 *(C) the resource protection, enhancement,*
7 *interpretation, funding, management, and devel-*
8 *opment strategies described in the management*
9 *plan, if implemented, would adequately protect,*
10 *enhance, interpret, fund, manage, and develop*
11 *the natural, historic, cultural, scenic, and rec-*
12 *reational resources of the Heritage Area;*

13 *(D) the management plan would not ad-*
14 *versely affect any activities authorized on Fed-*
15 *eral land under applicable laws or land use*
16 *plans;*

17 *(E) the Secretary has received adequate as-*
18 *surances from the appropriate State, tribal, and*
19 *local officials whose support is needed to ensure*
20 *the effective implementation of the State, tribal,*
21 *and local aspects of the management plan;*

22 *(F) the local coordinating entity has dem-*
23 *onstrated the financial capability, in partner-*
24 *ship with others, to carry out the management*
25 *plan; and*

1 (G) *the management plan demonstrates*
2 *partnerships among the local coordinating enti-*
3 *ty, Federal, State, tribal, and local governments,*
4 *regional planning organizations, nonprofit orga-*
5 *nizations, and private sector parties for imple-*
6 *mentation of the management plan.*

7 (4) *DISAPPROVAL.—*

8 (A) *IN GENERAL.—If the Secretary dis-*
9 *approves the management plan, the Secretary—*

10 (i) *shall advise the local coordinating*
11 *entity in writing of the reasons for the dis-*
12 *approval; and*

13 (ii) *may make recommendations to the*
14 *local coordinating entity for revisions to the*
15 *management plan.*

16 (B) *DEADLINE.—Not later than 180 days*
17 *after receiving a revised management plan, the*
18 *Secretary shall approve or disapprove the revised*
19 *management plan.*

20 (5) *AMENDMENTS.—*

21 (A) *IN GENERAL.—An amendment to the*
22 *management plan that substantially alters the*
23 *purposes of the Heritage Area shall be reviewed*
24 *by the Secretary and approved or disapproved in*

1 *the same manner as the original management*
2 *plan.*

3 (B) *IMPLEMENTATION.*—*The local coordi-*
4 *inating entity shall not use Federal funds author-*
5 *ized by this subtitle to implement an amendment*
6 *to the management plan until the Secretary ap-*
7 *proves the amendment.*

8 (6) *AUTHORITIES.*—*The Secretary may—*

9 (A) *provide technical assistance under the*
10 *authority of this subtitle for the development and*
11 *implementation of the management plan; and*

12 (B) *enter into cooperative agreements with*
13 *interested parties to carry out this subtitle.*

14 **SEC. 1106. DUTIES AND AUTHORITIES OF THE SECRETARY.**

15 (a) *TECHNICAL AND FINANCIAL ASSISTANCE.*—

16 (1) *IN GENERAL.*—*On the request of the local co-*
17 *ordinating entity, the Secretary may provide tech-*
18 *anical and financial assistance, on a reimbursable or*
19 *nonreimbursable basis (as determined by the Sec-*
20 *retary), to the local coordinating entity to develop*
21 *and implement the management plan.*

22 (2) *COOPERATIVE AGREEMENTS.*—*The Secretary*
23 *may enter into cooperative agreements with the local*
24 *coordinating entity and other public or private enti-*

1 *ties to provide technical or financial assistance under*
2 *paragraph (1).*

3 *(b) EVALUATION; REPORT.—*

4 *(1) IN GENERAL.—Not later than 3 years before*
5 *the date on which authority for Federal funding ter-*
6 *minates for the Heritage Area under section 1110, the*
7 *Secretary shall—*

8 *(A) conduct an evaluation of the accom-*
9 *plishments of the Heritage Area; and*

10 *(B) prepare a report with recommendations*
11 *for the future role of the National Park Service,*
12 *if any, with respect to the Heritage Area, in ac-*
13 *cordance with paragraph (3).*

14 *(2) EVALUATION.—An evaluation conducted*
15 *under paragraph (1)(A) shall—*

16 *(A) assess the progress of the local coordi-*
17 *nating entity with respect to—*

18 *(i) accomplishing the purposes of this*
19 *Act for the Heritage Area; and*

20 *(ii) achieving the goals and objectives*
21 *of the approved management plan for the*
22 *Heritage Area;*

23 *(B) analyze the Federal, State, tribal, local,*
24 *and private investments in the Heritage Area to*

1 *determine the leverage and impact of the invest-*
2 *ments; and*

3 *(C) review the management structure, part-*
4 *nership relationships, and funding of the Herit-*
5 *age Area for purposes of identifying the critical*
6 *components for sustainability of the Heritage*
7 *Area.*

8 *(3) REPORT.—*

9 *(A) IN GENERAL.—Based on the evaluation*
10 *conducted under paragraph (1)(A), the Secretary*
11 *shall prepare a report that includes rec-*
12 *ommendations for the future role of the National*
13 *Park Service, if any, with respect to the Heritage*
14 *Area.*

15 *(B) REQUIRED ANALYSIS.—If the report*
16 *prepared under this paragraph recommends that*
17 *Federal funding for the Heritage Area be reau-*
18 *thorized, the report shall include an analysis*
19 *of—*

20 *(i) ways in which Federal funding for*
21 *the Heritage Area may be reduced or elimi-*
22 *nated; and*

23 *(ii) the appropriate time period nec-*
24 *essary to achieve the recommended reduc-*
25 *tion or elimination.*

1 (C) *SUBMISSION TO CONGRESS.*—On com-
2 pletion of a report under this paragraph, the
3 Secretary shall submit the report to—

4 (i) *the Committee on Energy and Nat-*
5 *ural Resources of the Senate; and*

6 (ii) *the Committee on Natural Re-*
7 *sources of the House of Representatives.*

8 **SEC. 1107. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

9 (a) *IN GENERAL.*—Nothing in this subtitle affects the
10 authority of a Federal agency to provide technical or finan-
11 cial assistance under any other law.

12 (b) *CONSULTATION AND COORDINATION.*—To the max-
13 imum extent practicable, the head of any Federal agency
14 planning to conduct activities that may have an impact
15 on the Heritage Area is encouraged to consult and coordi-
16 nate the activities with the Secretary and the local coordi-
17 nating entity to the maximum extent practicable.

18 (c) *OTHER FEDERAL AGENCIES.*—Nothing in this sub-
19 title—

20 (1) *modifies, alters, or amends any laws (includ-*
21 *ing regulations) authorizing a Federal agency to*
22 *manage Federal land under the jurisdiction of the*
23 *Federal agency;*

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

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

7 **SEC. 1108. PROPERTY OWNERS AND REGULATORY PROTEC-**
8 **TIONS.**

9 *Nothing in this subtitle—*

10 (1) *abridges the rights of any owner of public or*
11 *private property, including the right to refrain from*
12 *participating in any plan, project, program, or activ-*
13 *ity conducted within the Heritage Area;*

14 (2) *requires any property owner to—*

15 (A) *permit public access (including Federal,*
16 *tribal, State, or local government access) to the*
17 *property; or*

18 (B) *modify any provisions of Federal, trib-*
19 *al, State, or local law with regard to public ac-*
20 *cess or use of private land;*

21 (3) *alters any duly adopted land use regulations,*
22 *approved land use plan, or any other regulatory au-*
23 *thority of any Federal, State, or local agency, or trib-*
24 *al government;*

1 (4) conveys any land use or other regulatory au-
2 thority to the local coordinating entity;

3 (5) authorizes or implies the reservation or ap-
4 propriation of water or water rights;

5 (6) diminishes the authority of the State to man-
6 age fish and wildlife, including the regulation of fish-
7 ing and hunting within the Heritage Area; or

8 (7) creates any liability, or affects any liability
9 under any other law, of any private property owner
10 with respect to any person injured on the private
11 property.

12 **SEC. 1109. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) *IN GENERAL.*—There is authorized to be appro-
14 priated to carry out this subtitle \$10,000,000, of which not
15 more than \$1,000,000 may be made available for any fiscal
16 year.

17 (b) *AVAILABILITY.*—Funds made available under sub-
18 section (a) shall remain available until expended.

19 (c) *COST-SHARING REQUIREMENT.*—

20 (1) *IN GENERAL.*—The Federal share of the total
21 cost of any activity under this subtitle shall be not
22 more than 50 percent.

23 (2) *FORM.*—The non-Federal contribution may
24 be in the form of in-kind contributions of goods or
25 services fairly valued.

1 (d) *USE OF FEDERAL FUNDS FROM OTHER*
2 *SOURCES.*—*Nothing in this subtitle precludes the local co-*
3 *ordinating entity from using Federal funds available under*
4 *provisions of law other than this subtitle for the purposes*
5 *for which those funds were authorized.*

6 **SEC. 1110. TERMINATION OF FINANCIAL ASSISTANCE.**

7 *The authority of the Secretary to provide financial as-*
8 *sistance under this subtitle terminates on the date that is*
9 *15 years after the date of enactment of this Act.*

10 ***Subtitle B—Santa Cruz Valley***
11 ***National Heritage Area***

12 **SEC. 1201. PURPOSES.**

13 *The purposes of this subtitle are—*

14 (1) *to establish the Santa Cruz Valley National*
15 *Heritage Area in the State of Arizona;*

16 (2) *to implement the recommendations of—*

17 (A) *the “Alternative Concepts for Com-*
18 *memorating Spanish Colonization” study com-*
19 *pleted by the National Park Service in 1991;*
20 *and*

21 (B) *the “Feasibility Study for the Santa*
22 *Cruz Valley National Heritage Area” prepared*
23 *by the Center for Desert Archaeology in July*
24 *2005;*

25 (3) *to provide a management framework—*

1 (A) to foster a close working relationship
2 with all levels of government, the private sector,
3 and the local communities in the region; and

4 (B) to conserve the heritage of the region
5 while continuing to pursue compatible economic
6 opportunities;

7 (4) to assist communities, organizations, and
8 citizens in the State in identifying, preserving, inter-
9 preting, and developing the historic, cultural, scenic,
10 and natural resources of the region for the edu-
11 cational and inspirational benefit of current and fu-
12 ture generations; and

13 (5) to provide appropriate linkages between
14 units of the National Park System and communities,
15 governments, and organizations in the Heritage Area.

16 **SEC. 1202. DEFINITIONS.**

17 *In this subtitle:*

18 (1) *HERITAGE AREA.*—The term “Heritage
19 Area” means the Santa Cruz Valley National Herit-
20 age Area established by section 1203(a).

21 (2) *LOCAL COORDINATING ENTITY.*—The term
22 “local coordinating entity” means the local coordi-
23 nating entity for the Heritage Area designated by sec-
24 tion 1203(d).

1 (3) *MANAGEMENT PLAN.*—*The term “manage-*
2 *ment plan” means the plan for the Heritage Area re-*
3 *quired under section 1204(a)(1).*

4 (4) *MAP.*—*The term “map” means the map enti-*
5 *tled “Santa Cruz Valley National Heritage Area,*
6 *Pima and Santa Cruz Counties, Arizona”, numbered*
7 *T09/80,000, and dated November 13, 2007.*

8 (5) *STATE.*—*The term “State” means the State*
9 *of Arizona.*

10 ***SEC. 1203. ESTABLISHMENT.***

11 (a) *IN GENERAL.*—*There is established the Santa Cruz*
12 *Valley National Heritage Area in the State.*

13 (b) *BOUNDARIES.*—*The Heritage Area shall consist of*
14 *portions of Santa Cruz and Pima Counties, Arizona, as*
15 *depicted on the map.*

16 (c) *AVAILABILITY OF MAP.*—*The map shall be on file*
17 *and available for public inspection in the appropriate of-*
18 *fices of—*

19 (1) *the National Park Service; and*

20 (2) *the local coordinating entity.*

21 (d) *LOCAL COORDINATING ENTITY.*—*The Santa Cruz*
22 *Valley Heritage Alliance, Inc., shall be the local coordi-*
23 *nating entity for the Heritage Area.*

1 **SEC. 1204. DUTIES AND AUTHORITIES OF LOCAL COORDI-**
2 **NATING ENTITY.**

3 (a) *DUTIES.—To further the purposes of the Heritage*
4 *Area, the local coordinating entity shall—*

5 (1) *prepare a management plan for the Heritage*
6 *Area, and submit the management plan to the Sec-*
7 *retary, in accordance with this subtitle;*

8 (2) *submit an annual report to the Secretary for*
9 *each fiscal year for which the local coordinating enti-*
10 *ty receives Federal funds under this subtitle, speci-*
11 *fying—*

12 (A) *the specific performance goals and ac-*
13 *complishments of the local coordinating entity;*

14 (B) *the expenses and income of the local co-*
15 *ordinating entity;*

16 (C) *the amounts and sources of matching*
17 *funds;*

18 (D) *the amounts leveraged with Federal*
19 *funds and sources of the leveraged funds; and*

20 (E) *grants made to any other entities dur-*
21 *ing the fiscal year;*

22 (3) *make available for audit for each fiscal year*
23 *for which the local coordinating entity receives Fed-*
24 *eral funds under this subtitle, all information per-*
25 *taining to the expenditure of the funds and any*
26 *matching funds; and*

1 (4) encourage, by appropriate means, economic
2 viability and sustainability that is consistent with the
3 purposes of the *Heritage Area*.

4 (b) *AUTHORITIES*.—For the purposes of preparing and
5 implementing the approved management plan for the *Her-*
6 itage Area, the local coordinating entity may use Federal
7 funds made available under this subtitle to—

8 (1) make grants to the State, political subdivi-
9 sions of the State, nonprofit organizations, and other
10 persons;

11 (2) enter into cooperative agreements with or
12 provide technical assistance to political subdivisions
13 of the State, nonprofit organizations, Federal agen-
14 cies, and other interested parties;

15 (3) hire and compensate staff, including individ-
16 uals with expertise in—

17 (A) natural, historical, cultural, edu-
18 cational, scenic, and recreational resource con-
19 servation;

20 (B) economic and community development;
21 and

22 (C) heritage planning;

23 (4) obtain funds or services from any source, in-
24 cluding funds and services provided under any other
25 Federal law or program;

1 (5) *contract for goods or services; and*

2 (6) *support activities of partners and any other*
3 *activities that further the purposes of the Heritage*
4 *Area and are consistent with the approved manage-*
5 *ment plan.*

6 (c) *PROHIBITION ON ACQUISITION OF REAL PROP-*
7 *ERTY.—The local coordinating entity may not use Federal*
8 *funds received under this subtitle to acquire any interest*
9 *in real property.*

10 (d) *OTHER SOURCES.—Nothing in this subtitle pre-*
11 *cludes the local coordinating entity from using Federal*
12 *funds from other sources for authorized purposes.*

13 **SEC. 1205. MANAGEMENT PLAN.**

14 (a) *IN GENERAL.—Not later than 3 years after the*
15 *date on which funds are made available to develop the man-*
16 *agement plan, the local coordinating entity shall submit to*
17 *the Secretary for approval a proposed management plan*
18 *for the Heritage Area.*

19 (b) *REQUIREMENTS.—The management plan for the*
20 *Heritage Area shall—*

21 (1) *describe comprehensive policies, goals, strate-*
22 *gies, and recommendations for telling the story of the*
23 *heritage of the region and encouraging long-term re-*
24 *source protection, enhancement, interpretation, fund-*

1 *ing, management, and development of the Heritage*
2 *Area;*

3 *(2) include a description of actions and commit-*
4 *ments that Federal, State, tribal, and local govern-*
5 *ments, private organizations, and citizens plan to*
6 *take to protect, enhance, interpret, fund, manage, and*
7 *develop the natural, historic, cultural, scenic, and rec-*
8 *reational resources of the Heritage Area;*

9 *(3) specify existing and potential sources of*
10 *funding or economic development strategies to protect,*
11 *enhance, interpret, fund, manage, and develop the*
12 *Heritage Area;*

13 *(4) include an inventory of the natural, historic,*
14 *cultural, educational, scenic, and recreational re-*
15 *sources of the Heritage Area relating to the stories*
16 *and themes of the region that should be protected, en-*
17 *hanced, interpreted, managed, funded, and developed;*

18 *(5) recommend policies and strategies for re-*
19 *source management including, the development of*
20 *intergovernmental and interagency agreements to pro-*
21 *tect, enhance, interpret, fund, manage, and develop*
22 *the natural, historic, cultural, educational, scenic,*
23 *and recreational resources of the Heritage Area;*

24 *(6) describe a program for implementation of the*
25 *management plan, including—*

1 (A) performance goals;

2 (B) plans for resource protection, enhance-
3 ment, interpretation, funding, management, and
4 development; and

5 (C) specific commitments for implementa-
6 tion that have been made by the local coordi-
7 nating entity or any Federal, State, tribal, or
8 local government, organization, business, or indi-
9 vidual;

10 (7) include an analysis of, and recommendations
11 for, means by which Federal, State, tribal, and local
12 programs may best be coordinated (including the role
13 of the National Park Service and other Federal agen-
14 cies associated with the Heritage Area) to further the
15 purposes of this subtitle; and

16 (8) include a business plan that—

17 (A) describes the role, operation, financing,
18 and functions of the local coordinating entity
19 and of each of the major activities described in
20 the management plan; and

21 (B) provides adequate assurances that the
22 local coordinating entity has the partnerships
23 and financial and other resources necessary to
24 implement the management plan for the Herit-
25 age Area.

1 (c) *TERMINATION OF FUNDING.*—*If the management*
2 *plan is not submitted to the Secretary in accordance with*
3 *this section, the local coordinating entity shall not qualify*
4 *for additional financial assistance under this subtitle until*
5 *the management plan is submitted to, and approved by, the*
6 *Secretary.*

7 (d) *APPROVAL OF MANAGEMENT PLAN.*—

8 (1) *REVIEW.*—*Not later than 180 days after the*
9 *date on which the Secretary receives the management*
10 *plan, the Secretary shall approve or disapprove the*
11 *management plan.*

12 (2) *CONSULTATION REQUIRED.*—*The Secretary*
13 *shall consult with the Governor of the State and any*
14 *tribal government in which the Heritage Area is lo-*
15 *cated before approving the management plan.*

16 (3) *CRITERIA FOR APPROVAL.*—*In determining*
17 *whether to approve the management plan, the Sec-*
18 *retary shall consider whether—*

19 (A) *the local coordinating entity represents*
20 *the diverse interests of the Heritage Area, includ-*
21 *ing governments, natural and historic resource*
22 *protection organizations, educational institu-*
23 *tions, businesses, community residents, and rec-*
24 *reational organizations;*

25 (B) *the local coordinating entity—*

1 (i) has afforded adequate opportunity
2 for public and Federal, State, tribal, and
3 local governmental involvement (including
4 through workshops and public meetings) in
5 the preparation of the management plan;
6 and

7 (ii) provides for at least semiannual
8 public meetings to ensure adequate imple-
9 mentation of the management plan;

10 (C) the resource protection, enhancement,
11 interpretation, funding, management, and devel-
12 opment strategies described in the management
13 plan, if implemented, would adequately protect,
14 enhance, interpret, fund, manage, and develop
15 the natural, historic, cultural, scenic, and rec-
16 reational resources of the Heritage Area;

17 (D) the management plan would not ad-
18 versely affect any activities authorized on Fed-
19 eral or tribal land under applicable public land
20 laws or land use plans;

21 (E) the Secretary has received adequate as-
22 surances from the appropriate State, tribal, and
23 local officials whose support is needed to ensure
24 the effective implementation of the State, tribal,
25 and local aspects of the management plan;

1 (F) the local coordinating entity has dem-
2 onstrated the financial capability, in partner-
3 ship with others, to carry out the management
4 plan; and

5 (G) the management plan demonstrates
6 partnerships among the local coordinating enti-
7 ty, Federal, State, tribal, and local governments,
8 regional planning organizations, nonprofit orga-
9 nizations, or private sector parties for implemen-
10 tation of the management plan.

11 (4) ACTION FOLLOWING DISAPPROVAL.—

12 (A) IN GENERAL.—If the Secretary dis-
13 approves the management plan, the Secretary—

14 (i) shall advise the local coordinating
15 entity in writing of the reasons for the dis-
16 approval; and

17 (ii) may make recommendations to the
18 local coordinating entity for revisions to the
19 management plan.

20 (B) DEADLINE.—Not later than 180 days
21 after receiving a revised management plan, the
22 Secretary shall approve or disapprove the revised
23 management plan.

24 (5) AMENDMENTS.—

1 (A) *IN GENERAL.*—*An amendment to the*
2 *management plan that substantially alters the*
3 *purposes of the Heritage Area shall be reviewed*
4 *by the Secretary and approved or disapproved in*
5 *the same manner as the original management*
6 *plan.*

7 (B) *IMPLEMENTATION.*—*The local coordi-*
8 *inating entity shall not use Federal funds author-*
9 *ized to be appropriated by this subtitle to imple-*
10 *ment an amendment to the management plan*
11 *until the Secretary approves the amendment.*

12 **SEC. 1206. DUTIES AND AUTHORITIES OF THE SECRETARY.**

13 (a) *TECHNICAL AND FINANCIAL ASSISTANCE.*—

14 (1) *IN GENERAL.*—*On the request of the local co-*
15 *ordinating entity, the Secretary may provide tech-*
16 *anical and financial assistance, on a reimbursable or*
17 *nonreimbursable basis (as determined by the Sec-*
18 *retary), to the local coordinating entity to develop*
19 *and implement the management plan.*

20 (2) *COOPERATIVE AGREEMENTS.*—*The Secretary*
21 *may enter into cooperative agreements with the local*
22 *coordinating entity and other public or private enti-*
23 *ties to provide technical or financial assistance under*
24 *paragraph (1).*

25 (b) *EVALUATION; REPORT.*—

1 (1) *IN GENERAL.*—Not later than 3 years before
2 the date on which authority for Federal funding ter-
3 minates for the Heritage Area under section 1210, the
4 Secretary shall—

5 (A) conduct an evaluation of the accom-
6 plishments of the Heritage Area; and

7 (B) prepare a report with recommendations
8 for the future role of the National Park Service,
9 if any, with respect to the Heritage Area, in ac-
10 cordance with paragraph (3).

11 (2) *EVALUATION.*—An evaluation conducted
12 under paragraph (1)(A) shall—

13 (A) assess the progress of the local coordi-
14 nating entity with respect to—

15 (i) accomplishing the purposes of this
16 subtitle for the Heritage Area; and

17 (ii) achieving the goals and objectives
18 of the approved management plan for the
19 Heritage Area;

20 (B) analyze the Federal, State, local, and
21 private investments in the Heritage Area to de-
22 termine the leverage and impact of the invest-
23 ments; and

24 (C) review the management structure, part-
25 nership relationships, and funding of the Herit-

1 *age Area for purposes of identifying the critical*
2 *components for sustainability of the Heritage*
3 *Area.*

4 (3) *REPORT.—*

5 (A) *IN GENERAL.—Based on the evaluation*
6 *conducted under paragraph (1)(A), the Secretary*
7 *shall prepare a report that includes rec-*
8 *ommendations for the future role of the National*
9 *Park Service, if any, with respect to the Heritage*
10 *Area.*

11 (B) *REQUIRED ANALYSIS.—If the report*
12 *prepared under this paragraph recommends that*
13 *Federal funding for the Heritage Area be reau-*
14 *thorized, the report shall include an analysis*
15 *of—*

16 (i) *ways in which Federal funding for*
17 *the Heritage Area may be reduced or elimi-*
18 *nated; and*

19 (ii) *the appropriate time period nec-*
20 *essary to achieve the recommended reduc-*
21 *tion or elimination.*

22 (C) *SUBMISSION TO CONGRESS.—On com-*
23 *pletion of a report under this paragraph, the*
24 *Secretary shall submit the report to—*

1 (i) *the Committee on Energy and Nat-*
2 *ural Resources of the Senate; and*

3 (ii) *the Committee on Natural Re-*
4 *sources of the House of Representatives.*

5 **SEC. 1207. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

6 (a) *IN GENERAL.*—*Nothing in this subtitle affects the*
7 *authority of a Federal agency to provide technical or finan-*
8 *cial assistance under any other law.*

9 (b) *CONSULTATION AND COORDINATION.*—*To the max-*
10 *imum extent practicable, the head of any Federal agency*
11 *planning to conduct activities that may have an impact*
12 *on the Heritage Area is encouraged to consult and coordi-*
13 *nate the activities with the Secretary and the local coordi-*
14 *nating entity.*

15 (c) *OTHER FEDERAL AGENCIES.*—*Nothing in this sub-*
16 *title—*

17 (1) *modifies, alters, or amends any laws (includ-*
18 *ing regulations) authorizing a Federal agency to*
19 *manage Federal land under the jurisdiction of the*
20 *Federal agency;*

21 (2) *limits the discretion of a Federal land man-*
22 *ager to implement an approved land use plan within*
23 *the boundaries of the Heritage Area; or*

1 (3) *modifies, alters, or amends any authorized*
2 *use of Federal land under the jurisdiction of a Fed-*
3 *eral agency.*

4 **SEC. 1208. PROPERTY OWNERS AND REGULATORY PROTEC-**
5 **TIONS.**

6 *Nothing in this subtitle—*

7 (1) *abridges the rights of any owner of public or*
8 *private property, including the right to refrain from*
9 *participating in any plan, project, program, or activ-*
10 *ity conducted within the Heritage Area;*

11 (2) *requires any property owner to—*

12 (A) *permit public access (including Federal,*
13 *tribal, State, or local government access) to the*
14 *property; or*

15 (B) *modify any provisions of Federal, trib-*
16 *al, State, or local law with regard to public ac-*
17 *cess or use of private land;*

18 (3) *alters any duly adopted land use regulations,*
19 *approved land use plan, or any other regulatory au-*
20 *thority of any Federal, State, or local agency, or trib-*
21 *al government;*

22 (4) *conveys any land use or other regulatory au-*
23 *thority to the local coordinating entity;*

24 (5) *authorizes or implies the reservation or ap-*
25 *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; or*

4 (7) *creates any liability, or affects any liability*
5 *under any other law, of any private property owner*
6 *with respect to any person injured on the private*
7 *property.*

8 **SEC. 1209. AUTHORIZATION OF APPROPRIATIONS.**

9 (a) *IN GENERAL.*—*There is authorized to be appro-*
10 *priated to carry out this subtitle \$10,000,000, of which not*
11 *more than \$1,000,000 may be made available for any fiscal*
12 *year.*

13 (b) *AVAILABILITY.*—*Amounts made available under*
14 *subsection (a) shall remain available until expended.*

15 (c) *COST-SHARING REQUIREMENT.*—

16 (1) *IN GENERAL.*—*The Federal share of the total*
17 *cost of any activity under this subtitle shall be not*
18 *more than 50 percent.*

19 (2) *FORM.*—*The non-Federal contribution may*
20 *be in the form of in-kind contributions of goods or*
21 *services fairly valued.*

22 **SEC. 1210. TERMINATION OF FINANCIAL ASSISTANCE.**

23 *The authority of the Secretary to provide financial as-*
24 *istance under this subtitle terminates on the date that is*
25 *15 years after the date of enactment of this Act.*

TITLE II—STUDY**SEC. 2001. NORTHERN NECK NATIONAL HERITAGE AREA
STUDY.**

(a) *DEFINITIONS.—In this section:*

(1) *PROPOSED HERITAGE AREA.—The term “proposed Heritage Area” means the proposed Northern Neck National Heritage Area.*

(2) *STATE.—The term “State” means the State of Virginia.*

(3) *STUDY AREA.—The term “study area” means the area that is comprised of—*

(A) *the area of land located between the Potomac and Rappahannock rivers of the eastern coastal region of the State;*

(B) *Westmoreland, Northumberland, Richmond, King George, and Lancaster Counties of the State; and*

(C) *any other area that—*

(i) *has heritage aspects that are similar to the heritage aspects of the areas described in subparagraph (A) or (B); and*

(ii) *is located adjacent to, or in the vicinity of, those areas.*

(b) *STUDY.—*

1 (1) *IN GENERAL.*—*In accordance with para-*
2 *graphs (2) and (3), the Secretary, in consultation*
3 *with appropriate State historic preservation officers,*
4 *State historical societies, and other appropriate orga-*
5 *nizations, shall conduct a study to determine the suit-*
6 *ability and feasibility of designating the study area*
7 *as the Northern Neck National Heritage Area.*

8 (2) *REQUIREMENTS.*—*The study shall include*
9 *analysis, documentation, and determinations on*
10 *whether the study area—*

11 (A) *has an assemblage of natural, historical,*
12 *cultural, educational, scenic, or recreational re-*
13 *sources that together are nationally important to*
14 *the heritage of the United States;*

15 (B) *represents distinctive aspects of the her-*
16 *itage of the United States worthy of recognition,*
17 *conservation, interpretation, and continuing use;*

18 (C) *is best managed as such an assemblage*
19 *through partnerships among public and private*
20 *entities at the local or regional level;*

21 (D) *reflects traditions, customs, beliefs, and*
22 *folklife that are a valuable part of the heritage*
23 *of the United States;*

1 (E) provides outstanding opportunities to
2 conserve natural, historical, cultural, or scenic
3 features;

4 (F) provides outstanding recreational or
5 educational opportunities;

6 (G) contains resources and has traditional
7 uses that have national importance;

8 (H) includes residents, business interests,
9 nonprofit organizations, and appropriate Fed-
10 eral agencies and State and local governments
11 that are involved in the planning of, and have
12 demonstrated significant support for, the des-
13 ignation and management of the proposed Herit-
14 age Area;

15 (I) has a proposed local coordinating entity
16 that is responsible for preparing and imple-
17 menting the management plan developed for the
18 proposed Heritage Area;

19 (J) with respect to the designation of the
20 study area, has the support of the proposed local
21 coordinating entity and appropriate Federal
22 agencies and State and local governments, each
23 of which has documented the commitment of the
24 entity to work in partnership with each other en-
25 tity to protect, enhance, interpret, fund, manage,

1 *and develop the resources located in the study*
2 *area;*

3 *(K) through the proposed local coordinating*
4 *entity, has developed a conceptual financial plan*
5 *that outlines the roles of all participants (includ-*
6 *ing the Federal Government) in the management*
7 *of the proposed Heritage Area;*

8 *(L) has a proposal that is consistent with*
9 *continued economic activity within the area; and*

10 *(M) has a conceptual boundary map that is*
11 *supported by the public and appropriate Federal*
12 *agencies.*

13 (3) *ADDITIONAL CONSULTATION REQUIRE-*
14 *MENT.—In conducting the study under paragraph*
15 *(1), the Secretary shall—*

16 *(A) consult with the managers of any Fed-*
17 *eral land located within the study area; and*

18 *(B) before making any determination with*
19 *respect to the designation of the study area, se-*
20 *ecure the concurrence of each manager with re-*
21 *spect to each finding of the study.*

22 (c) *DETERMINATION.—*

23 (1) *IN GENERAL.—The Secretary, in consultation*
24 *with the Governor of the State, shall review, comment*
25 *on, and determine if the study area meets each re-*

1 *quirement described in subsection (b)(2) for designa-*
2 *tion as a national heritage area.*

3 (2) *REPORT.—*

4 (A) *IN GENERAL.—Not later than 3 fiscal*
5 *years after the date on which funds are first*
6 *made available to carry out the study, the Sec-*
7 *retary shall submit a report describing the find-*
8 *ings, conclusions, and recommendations of the*
9 *study to—*

10 (i) *the Committee on Energy and Nat-*
11 *ural Resources of the Senate; and*

12 (ii) *the Committee on Natural Re-*
13 *sources of the House of Representatives.*

14 (B) *REQUIREMENTS.—*

15 (i) *IN GENERAL.—The report shall con-*
16 *tain—*

17 (I) *any comments that the Sec-*
18 *retary has received from the Governor*
19 *of the State relating to the designation*
20 *of the study area as a national herit-*
21 *age area; and*

22 (II) *a finding as to whether the*
23 *study area meets each requirement de-*
24 *scribed in subsection (b)(2) for des-*
25 *ignation as a national heritage area.*

1 (ii) *DISAPPROVAL*.—If the Secretary
2 determines that the study area does not
3 meet any requirement described in sub-
4 section (b)(2) for designation as a national
5 heritage area, the Secretary shall include in
6 the report a description of each reason for
7 the determination.

8 **TITLE III—TECHNICAL**
9 **AMENDMENTS**

10 **SEC. 3001. ERIE CANALWAY NATIONAL HERITAGE COR-**
11 **RIDOR TECHNICAL CORRECTIONS.**

12 *The Erie Canalway National Heritage Corridor Act*
13 *(16 U.S.C. 461 note; Public Law 106–554) is amended—*

14 (1) *in section 804—*

15 (A) *in subsection (b)—*

16 (i) *in the matter preceding paragraph*
17 *(1), by striking “27” and inserting “at least*
18 *21 members, but not more than 27”;*

19 (ii) *in paragraph (2), by striking “En-*
20 *vironment” and inserting “Environ-*
21 *mental”;* and

22 (iii) *in paragraph (3)—*

23 (I) *in the matter preceding sub-*
24 *paragraph (A), by striking “19”;*

1 (II) by striking subparagraph
2 (A);

3 (III) by redesignating subpara-
4 graphs (B) and (C) as subparagraphs
5 (A) and (B), respectively;

6 (IV) in subparagraph (B) (as re-
7 designated by subclause (III)), by
8 striking the second sentence; and

9 (V) by inserting after subpara-
10 graph (B) (as redesignated by sub-
11 clause (III)) the following:

12 “(C) The remaining members shall be—

13 “(i) appointed by the Secretary, based
14 on recommendations from each member of
15 the House of Representatives, the district of
16 which encompasses the Corridor; and

17 “(ii) persons that are residents of, or
18 employed within, the applicable congres-
19 sional districts.”;

20 (B) in subsection (f), by striking “Fourteen
21 members of the Commission” and inserting “A
22 majority of the serving Commissioners”;

23 (C) in subsection (g), by striking “14 of its
24 members” and inserting “a majority of the serv-
25 ing Commissioners”;

1 (D) in subsection (h), by striking paragraph
2 (4) and inserting the following:

3 “(4)(A) to appoint any staff that may be nec-
4 essary to carry out the duties of the Commission, sub-
5 ject to the provisions of title 5, United States Code,
6 relating to appointments in the competitive service;
7 and

8 “(B) to fix the compensation of the staff, in ac-
9 cordance with the provisions of chapter 51 and sub-
10 chapter III of chapter 53 of title 5, United States
11 Code, relating to the classification of positions and
12 General Schedule pay rates;” and

13 (E) in subsection (j), by striking “10 years”
14 and inserting “15 years”;

15 (2) in section 807—

16 (A) in subsection (e), by striking “with re-
17 gard to the preparation and approval of the
18 Canalway Plan”; and

19 (B) by adding at the end the following:

20 “(f) OPERATIONAL ASSISTANCE.—Subject to the avail-
21 ability of appropriations, the Superintendent of Saratoga
22 National Historical Park may, on request, provide to public
23 and private organizations in the Corridor (including the
24 Commission) any operational assistance that is appro-

1 *priate to assist with the implementation of the Canalway*
2 *Plan.”; and*

3 *(3) in section 810(a)(1), in the first sentence, by*
4 *striking “any fiscal year” and inserting “any fiscal*
5 *year, to remain available until expended”.*

6 **SEC. 3002. JOHN H. CHAFEE BLACKSTONE RIVER VALLEY**

7 **NATIONAL HERITAGE CORRIDOR.**

8 *Section 3(b)(2) of Public Law 99–647 (16 U.S.C. 461*
9 *note; 100 Stat. 3626, 120 Stat. 1857) is amended—*

10 *(1) by striking “shall be the the” and inserting*
11 *“shall be the”; and*

12 *(2) by striking “Directors from Massachusetts*
13 *and Rhode Island;” and inserting “Directors from*
14 *Massachusetts and Rhode Island, ex officio, or their*
15 *delegates;”.*

Calendar No. 813

110TH CONGRESS
2^D SESSION

H. R. 1483

[Report No. 110-381]

AN ACT

To amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, and for other purposes.

JUNE 16, 2008

Reported with an amendment