

111TH CONGRESS  
2D SESSION

# H. R. 6329

To establish the Sacramento-San Joaquin Delta National Heritage Area.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2010

Mr. GARAMENDI (for himself, Mr. GEORGE MILLER of California, Mr. THOMPSON of California, Ms. MATSUI, and Mr. MCNERNEY) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To establish the Sacramento-San Joaquin Delta National  
Heritage Area.

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 “Sacramento-San Joa-  
5       quin Delta National Heritage Area Establishment Act”.

6       **SEC. 2. SACRAMENTO-SAN JOAQUIN DELTA NATIONAL HER-**  
7       **ITAGE AREA.**

8       (a) DEFINITIONS.—In this section:

1           (1) HERITAGE AREA.—The term “Heritage  
2       Area” means the Sacramento-San Joaquin Delta  
3       Heritage Area established by this section.

4           (2) HERITAGE AREA MANAGEMENT PLAN.—The  
5       term “Heritage Area management plan” means the  
6       plan developed and adopted by the management en-  
7       tity under this section.

8           (3) MANAGEMENT ENTITY.—The term “man-  
9       agement entity” means the management entity for  
10      the Heritage Area designated by subsection (b)(4).

11          (4) SECRETARY.—The term “Secretary” means  
12      the Secretary of the Interior.

13      (b) SACRAMENTO-SAN JOAQUIN DELTA HERITAGE  
14      AREA.—

15          (1) ESTABLISHMENT.—There is established the  
16      “Sacramento-San Joaquin Delta Heritage Area” in  
17      the State of California.

18          (2) BOUNDARIES.—The boundaries of the Her-  
19      itage Area shall be in the counties of Contra Costa,  
20      Sacramento, San Joaquin, Solano, and Yolo in the  
21      State of California, as generally depicted on the map  
22      entitled “Sacramento-San Joaquin Delta National  
23      Heritage Area Proposed Boundary”, numbered T27/  
24      105,030, and dated September 2010.

1           (3) AVAILABILITY OF MAP.—The map described  
2           in paragraph (2) shall be on file and available for  
3           public inspection in the appropriate offices of the  
4           National Park Service and the Delta Protection  
5           Commission.

6           (4) MANAGEMENT ENTITY.—The management  
7           entity for the Heritage Area shall be the Delta Pro-  
8           tection Commission established by section 29735 of  
9           the California Public Resources Code.

10          (5) ADMINISTRATION; MANAGEMENT PLAN.—

11                (A) ADMINISTRATION.—For purposes of  
12                carrying out the Heritage Area management  
13                plan, the Secretary, acting through the manage-  
14                ment entity, may use amounts made available  
15                under this section in accordance with section  
16                8001(c) of the Omnibus Public Land Manage-  
17                ment Act of 2009 (Public Law 111–11; 123  
18                Stat. 991).

19                (B) MANAGEMENT PLAN.—

20                    (i) IN GENERAL.—Subject to clause  
21                    (ii), the management entity shall submit to  
22                    the Secretary for approval a proposed  
23                    management plan for the Heritage Area in  
24                    accordance with section 8001(d) of the

Omnibus Public Land Management Act of  
2009 (Public Law 111–11; 123 Stat. 991).

(ii) RESTRICTIONS.—The Heritage  
Area management plan submitted under  
this paragraph shall—

(I) ensure participation by appro-  
priate Federal, State, tribal, and local  
agencies, including the Delta Steward-  
ship Council, special districts, natural  
and historical resource protection and  
agricultural organizations, educational  
institutions, businesses, recreational  
organizations, community residents,  
and private property owners; and

(II) not be approved until the  
Secretary has received certification  
from the Delta Protection Commission  
that the Delta Stewardship Council  
has reviewed the Heritage Area man-  
agement plan for consistency with the  
plan adopted by the Delta Steward-  
ship Council pursuant to State law.

(6) RELATIONSHIP TO OTHER FEDERAL AGEN-  
CIES; PRIVATE PROPERTY.—

1 (A) RELATIONSHIP TO OTHER FEDERAL  
2 AGENCIES.—The provisions of section 8001(e)  
3 of the Omnibus Public Land Management Act  
4 of 2009 (Public Law 111–11; 123 Stat. 991)  
5 shall apply to the Heritage Area.

6 (B) PRIVATE PROPERTY.—

7 (i) IN GENERAL.—Subject to clause  
8 (ii), the provisions of section 8001(f) of the  
9 Omnibus Public Land Management Act of  
10 2009 (Public Law 111–11; 123 Stat. 991)  
11 shall apply to the Heritage Area.

12 (ii) OPT OUT.—An owner of private  
13 property within the Heritage Area may opt  
14 out of participating in any plan, project,  
15 program, or activity carried out within the  
16 Heritage Area under this section, if the  
17 property owner provides written notice to  
18 the management entity.

19 (7) EVALUATION; REPORT.—The provisions of  
20 section 8001(g) of the Omnibus Public Land Man-  
21 agement Act of 2009 (Public Law 111–11; 123 Stat.  
22 991) shall apply to the Heritage Area.

23 (8) EFFECT OF DESIGNATION.—Nothing in this  
24 section—

1 (A) precludes the management entity from  
2 using Federal funds made available under other  
3 laws for the purposes for which those funds  
4 were authorized; or

5 (B) affects any water rights or contracts.

6 (9) AUTHORIZATION OF APPROPRIATIONS.—

7 (A) IN GENERAL.—There is authorized to  
8 be appropriated to carry out this section  
9 \$20,000,000, of which not more than  
10 \$2,000,000 may be made available for any fis-  
11 cal year.

12 (B) COST-SHARING REQUIREMENT.—The  
13 Federal share of the total cost of any activity  
14 under this section shall be determined by the  
15 Secretary, but shall be not more than 50 per-  
16 cent.

17 (C) NON-FEDERAL SHARE.—The non-Fed-  
18 eral share of the total cost of any activity under  
19 this section may be in the form of—

20 (i) in-kind contributions of goods or  
21 services; or

22 (ii) State or local government fees,  
23 taxes, or assessments.

24 (10) TERMINATION OF AUTHORITY.—If a pro-  
25 posed management plan has not been submitted to

1       the Secretary by the date that is 5 years after the  
2       date of enactment of this title, the Heritage Area  
3       designation shall be rescinded.

