

## Calendar No. 589

111TH CONGRESS  
2D SESSION**S. 349****[Report No. 111-303]**

To establish the Susquehanna Gateway National Heritage Area in the State of Pennsylvania, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 29, 2009

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

SEPTEMBER 27, 2010

Reported by Mr. BINGAMAN, with an amendment

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

**A BILL**

To establish the Susquehanna Gateway National Heritage Area in the State of Pennsylvania, 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 “Susquehanna Gateway  
5 National Heritage Area Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) numerous sites of significance to the herit-  
4 age of the United States are located within the  
5 boundaries of the proposed Susquehanna Gateway  
6 National Heritage Area, which includes the Lower  
7 Susquehanna River corridor and all of Lancaster  
8 and York Counties in the State of Pennsylvania;

9 (2) included among the more than 200 histori-  
10 cally significant sites, structures, districts, and tours  
11 in the area are—

12 (A) the home of a former United States  
13 President;

14 (B) the community where the Continental  
15 Congress adopted the Articles of Confederation;

16 (C) the homes of many prominent figures  
17 in the history of the United States;

18 (D) the preserved agricultural landscape of  
19 the Plain communities of Lancaster County,  
20 Pennsylvania;

21 (E) the exceptional beauty and rich cul-  
22 tural resources of the Susquehanna River  
23 Gorge;

24 (F) numerous National Historic Land-  
25 marks, National Historic Districts, and Main  
26 Street communities; and

1           (G) many thriving examples of the nation-  
 2           ally significant industrial and agricultural herit-  
 3           age of the region, which are collectively and in-  
 4           dividually of significance to the history of the  
 5           United States;

6           (3) in 1999, a regional, collaborative public-pri-  
 7           vate partnership of organizations and agencies began  
 8           an initiative to assess historic sites in Lancaster and  
 9           York Counties, Pennsylvania, for consideration as a  
 10          Pennsylvania Heritage Area;

11          (4) the initiative—

12           (A) issued a feasibility study of significant  
 13           stories, sites, and structures associated with  
 14           Native American, African-American, European-  
 15           American, Colonial American, Revolutionary,  
 16           and Civil War history; and

17           (B) concluded that the sites and area—

18           (i) possess historical, cultural, and ar-  
 19           chitectural values of significance to the  
 20           United States; and

21           (ii) retain a high degree of historical  
 22           integrity;

23          (5) in 2001, the feasibility study was followed  
 24          by development of a management action plan and

1 designation of the area by the State of Pennsylvania  
2 as an official Pennsylvania Heritage Area;

3 ~~(6) in 2008, a feasibility study report for the~~  
4 ~~Heritage Area—~~

5 ~~(A) was prepared and submitted to the~~  
6 ~~National Park Service—~~

7 ~~(i) to document the significance of the~~  
8 ~~area to the United States; and~~

9 ~~(ii) to demonstrate compliance with~~  
10 ~~the interim criteria of the National Park~~  
11 ~~Service for National Heritage Area des-~~  
12 ~~ignation; and~~

13 ~~(B) found that throughout the history of~~  
14 ~~the United States, Lancaster and York Coun-~~  
15 ~~ties and the Susquehanna Gateway region have~~  
16 ~~played a key role in the development of the po-~~  
17 ~~litical, cultural, and economic identity of the~~  
18 ~~United States;~~

19 ~~(7) the people of the region in which the Herit-~~  
20 ~~age Area is located have—~~

21 ~~(A) advanced the cause of freedom; and~~

22 ~~(B) shared their agricultural bounty and~~  
23 ~~industrial ingenuity with the world;~~

1           (8) the town and country landscapes and nat-  
2           ural wonders of the area are visited and treasured  
3           by people from across the globe;

4           (9) for centuries, the Susquehanna River has  
5           been an important corridor of culture and commerce  
6           for the United States, playing key roles as a major  
7           fishery, transportation artery, power generator, and  
8           place for outdoor recreation;

9           (10) the river and the region were a gateway to  
10          the early settlement of the ever-moving frontier;

11          (11) the area played a critical role as host to  
12          the Colonial government during a turning point in  
13          the Revolutionary War;

14          (12) the rural landscape created by the Amish  
15          and other Plain people of the region is of a scale and  
16          scope that is rare, if not entirely unknown in any  
17          other region, in the United States;

18          (13) for many people in the United States, the  
19          Plain people of the region personify the virtues of  
20          faith, honesty, community, and stewardship at the  
21          heart of the identity of the United States;

22          (14) the regional stories of people, land, and  
23          waterways in the area are essential parts of the  
24          story of the United States and exemplify the quali-  
25          ties inherent in a National Heritage Area;

1           (15) in 2008, the National Park Service found,  
2           based on a comprehensive review of the Susque-  
3           hanna Gateway National Heritage Area Feasibility  
4           Study Report, that the area meets the 10 interim  
5           criteria of the National Park Service for designation  
6           of a National Heritage Area;

7           (16) the preservation and interpretation of the  
8           sites within the Heritage Area will make a vital con-  
9           tribution to the understanding of the development  
10          and heritage of the United States for the education  
11          and benefit of present and future generations;

12          (17) the Secretary of the Interior is responsible  
13          for protecting the historic and cultural resources of  
14          the United States;

15          (18) there are significant examples of historic  
16          and cultural resources within the Heritage Area that  
17          merit the involvement of the Federal Government, in  
18          cooperation with the management entity and State  
19          and local governmental bodies, to develop programs  
20          and projects to adequately conserve, support, pro-  
21          tect, and interpret the heritage of the area;

22          (19) partnerships between the Federal Govern-  
23          ment, State and local governments, regional entities,  
24          the private sector, and citizens of the area offer the  
25          most effective opportunities for the enhancement

1 and management of the historic sites throughout the  
 2 Heritage Area to promote the cultural and historic  
 3 attractions of the Heritage Area for visitors and the  
 4 local economy; and

5 (20) the Lancaster-York Heritage Region, a  
 6 501(c)(3) nonprofit corporation and State-des-  
 7 ignated management entity of the Pennsylvania Her-  
 8 itage Area, would be an appropriate management  
 9 entity for the Heritage Area.

#### 10 **SEC. 3. DEFINITIONS.**

11 In this Act:

12 (1) **HERITAGE AREA.**—The term “Heritage  
 13 Area” means the Susquehanna Gateway National  
 14 Heritage Area established by section 4(a).

15 (2) **MANAGEMENT ENTITY.**—The term “man-  
 16 agement entity” means the management entity for  
 17 the Heritage Area designated by section 5(a).

18 (3) **MANAGEMENT PLAN.**—The term “manage-  
 19 ment plan” means the plan developed by the man-  
 20 agement entity under section 6(a).

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

23 (5) **STATE.**—The term “State” means the State  
 24 of Pennsylvania.

1 **SEC. 4. ESTABLISHMENT OF SUSQUEHANNA GATEWAY NA-**  
 2 **TIONAL HERITAGE AREA.**

3 (a) **IN GENERAL.**—There is established in the State  
 4 the Susquehanna Gateway National Heritage Area.

5 (b) **BOUNDARIES.**—The Heritage Area shall include  
 6 a core area located in south-central Pennsylvania con-  
 7 sisting of an 1869-square-mile region east and west of the  
 8 Susquehanna River and encompassing Lancaster and  
 9 York Counties.

10 (c) **MAP.**—A map of the Heritage Area shall be—

11 (1) included in the management plan; and

12 (2) on file in the appropriate offices of the Na-  
 13 tional Park Service.

14 **SEC. 5. DESIGNATION OF MANAGEMENT ENTITY.**

15 (a) **MANAGEMENT ENTITY.**—The Lancaster-York  
 16 Heritage Region shall be the management entity for the  
 17 Heritage Area.

18 (b) **AUTHORITIES OF MANAGEMENT ENTITY.**—The  
 19 management entity may, for purposes of preparing and  
 20 implementing the management plan, use Federal funds  
 21 made available under this Act—

22 (1) to prepare reports, studies, interpretive ex-  
 23 hibits and programs, historic preservation projects,  
 24 and other activities recommended in the manage-  
 25 ment plan for the Heritage Area;



1           (2) to pay for operational expenses of the man-  
2           agement entity;

3           (3) to make grants to the State, political sub-  
4           divisions of the State, nonprofit organizations, and  
5           other persons;

6           (4) to enter into cooperative agreements with  
7           the State, political subdivisions of the State, non-  
8           profit organizations, and other organizations;

9           (5) to hire and compensate staff;

10          (6) to obtain funds or services from any source;  
11          including funds and services provided under any  
12          other Federal program or law; and

13          (7) to contract for goods and services.

14          (c) DUTIES OF MANAGEMENT ENTITY.—To further  
15          the purposes of the Heritage Area, the management entity  
16          shall—

17               (1) prepare a management plan for the Herit-  
18               age Area in accordance with section 6;

19               (2) give priority to the implementation of ac-  
20               tions, goals, and strategies set forth in the manage-  
21               ment plan, including assisting units of government  
22               and other persons in—

23                       (A) carrying out programs and projects  
24                       that recognize and protect important resource  
25                       values in the Heritage Area;

1           (B) encouraging economic viability in the  
2           Heritage Area in accordance with the goals of  
3           the management plan;

4           (C) establishing and maintaining interpre-  
5           tive exhibits in the Heritage Area;

6           (D) developing heritage-based recreational  
7           and educational opportunities for residents and  
8           visitors in the Heritage Area;

9           (E) increasing public awareness of and ap-  
10          preciation for the natural, historic, and cultural  
11          resources of the Heritage Area;

12          (F) restoring historic buildings that are—  
13               (i) located in the Heritage Area; and  
14               (ii) related to the themes of the Herit-  
15          age Area; and

16          (G) installing throughout the Heritage  
17          Area clear, consistent, and appropriate signs  
18          identifying public access points and sites of in-  
19          terest;

20          (H) consider the interests of diverse units of  
21          government, businesses, tourism officials, private  
22          property owners, and nonprofit groups within the  
23          Heritage Area in developing and implementing the  
24          management plan;

1           (4) conduct public meetings at least semiannu-  
 2 ally regarding the development and implementation  
 3 of the management plan; and

4           (5) for any fiscal year for which Federal funds  
 5 are received under this Act—

6               (A) submit to the Secretary an annual re-  
 7 port that describes—

8                   (i) the accomplishments of the man-  
 9 agement entity;

10                  (ii) the expenses and income of the  
 11 management entity; and

12                  (iii) the entities to which the manage-  
 13 ment entity made any grants;

14           (B) make available for audit all records re-  
 15 lating to the expenditure of the Federal funds  
 16 and any matching funds; and

17           (C) require, with respect to all agreements  
 18 authorizing the expenditure of Federal funds by  
 19 other organizations, that the receiving organiza-  
 20 tions make available for audit all records relat-  
 21 ing to the expenditure of the Federal funds.

22       (d) PROHIBITION ON ACQUISITION OF REAL PROP-  
 23 erty.—

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

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

3 ~~(2) OTHER SOURCES.—~~Nothing in this Act pre-  
 4 cludes the management entity from using Federal  
 5 funds from other sources for authorized purposes,  
 6 including the acquisition of real property or any in-  
 7 terest in real property.

8 **SEC. 6. MANAGEMENT PLAN.**

9 ~~(a) IN GENERAL.—~~Not later than 3 years after the  
 10 date on which funds are first made available to carry out  
 11 this Act, the management entity shall prepare and submit  
 12 to the Secretary a management plan for the Heritage  
 13 Area.

14 ~~(b) CONTENTS.—~~The management plan for the Her-  
 15 itage Area shall—

16 ~~(1)~~ include comprehensive policies, strategies,  
 17 and recommendations for the conservation, funding,  
 18 management, and development of the Heritage Area;

19 ~~(2)~~ take into consideration existing State, coun-  
 20 ty, and local plans;

21 ~~(3)~~ specify the existing and potential sources of  
 22 funding to protect, manage, and develop the Herit-  
 23 age Area;

24 ~~(4)~~ include an inventory of the natural, historic,  
 25 cultural, educational, scenic, and recreational re-

1 sources of the Heritage Area relating to the themes  
 2 of the Heritage Area that should be preserved, re-  
 3 stored, managed, developed, or maintained; and

4 (5) include an analysis of, and recommenda-  
 5 tions for, ways in which Federal, State, and local  
 6 programs, may best be coordinated to further the  
 7 purposes of this Act, including recommendations for  
 8 the role of the National Park Service in the Heritage  
 9 Area.

10 (c) DISQUALIFICATION FROM FUNDING.—If a pro-  
 11 posed management plan is not submitted to the Secretary  
 12 by the date that is 3 years after the date on which funds  
 13 are first made available to carry out this Act, the manage-  
 14 ment entity may not receive additional funding under this  
 15 Act until the date on which the Secretary receives the pro-  
 16 posed management plan.

17 (d) APPROVAL AND DISAPPROVAL OF MANAGEMENT  
 18 PLAN.—

19 (1) IN GENERAL.—Not later than 180 days  
 20 after the date on which the management entity sub-  
 21 mits the management plan to the Secretary, the Sec-  
 22 retary shall approve or disapprove the proposed  
 23 management plan.

1           (2) ~~CONSIDERATIONS.~~—In determining whether  
2       to approve or disapprove the management plan, the  
3       Secretary shall consider whether—

4           (A) the management entity is representa-  
5       tive of the diverse interests of the Heritage  
6       Area, including governments, natural and his-  
7       toric resource protection organizations, edu-  
8       cational institutions, businesses, and rec-  
9       reational organizations;

10          (B) the management entity has provided  
11       adequate opportunities (including public meet-  
12       ings) for public and governmental involvement  
13       in the preparation of the management plan;

14          (C) the resource protection and interpreta-  
15       tion strategies contained in the management  
16       plan, if implemented, would adequately protect  
17       the natural, historic, and cultural resources of  
18       the Heritage Area; and

19          (D) the management plan is supported by  
20       the appropriate State and local officials, the co-  
21       operation of which is needed to ensure the ef-  
22       fective implementation of the State and local  
23       aspects of the management plan.

24       ~~(3) DISAPPROVAL AND REVISIONS.~~—

1           (A) ~~IN GENERAL.~~—If the Secretary dis-  
2           approves a proposed management plan, the Sec-  
3           retary shall—

4                   (i) advise the management entity, in  
5                   writing, of the reasons for the disapproval;  
6                   and

7                   (ii) make recommendations for revi-  
8                   sion of the proposed management plan.

9           (B) ~~APPROVAL OR DISAPPROVAL.~~—The  
10           Secretary shall approve or disapprove a revised  
11           management plan not later than 180 days after  
12           the date on which the revised management plan  
13           is submitted.

14       (e) ~~APPROVAL OF AMENDMENTS.~~—

15           (1) ~~IN GENERAL.~~—The Secretary shall review  
16           and approve or disapprove substantial amendments  
17           to the management plan in accordance with sub-  
18           section (d).

19           (2) ~~FUNDING.~~—Funds appropriated under this  
20           Act may not be expended to implement any changes  
21           made by an amendment to the management plan  
22           until the Secretary approves the amendment.

1 **SEC. 7. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

2 (a) IN GENERAL.—Nothing in this Act affects the au-  
3 thority of a Federal agency to provide technical or finan-  
4 cial 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 the Heritage Area is encouraged  
8 to consult and coordinate the activities with the Secretary  
9 and the management entity to the extent practicable.

10 (c) OTHER FEDERAL AGENCIES.—Nothing in this  
11 Act—

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

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

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

22 **SEC. 8. PRIVATE PROPERTY AND REGULATORY PROTEC-**  
23 **TIONS.**

24 Nothing in this Act—

25 (1) abridges the rights of any property owner  
26 (whether public or private); including the right to re-



1       frain from participating in any plan, project, pro-  
2       gram, or activity conducted within the Heritage  
3       Area;

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

10          (3) alters any duly adopted land use regulation;  
11       approved land use plan, or other regulatory author-  
12       ity of any Federal, State, or local agency, or conveys  
13       any land use or other regulatory authority to the  
14       management entity;

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

17          (5) diminishes the authority of the State to  
18       manage fish and wildlife, including the regulation of  
19       fishing and hunting within the Heritage 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. 9. 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 Heritage Area, the Secretary shall—

5           (1) conduct an evaluation of the accomplish-  
6 ments of the Heritage Area; and

7           (2) prepare a report in accordance with sub-  
8 section (c).

9       (b) **EVALUATION.**—An evaluation conducted under  
10 subsection (a)(1) shall—

11           (1) assess the progress of the management enti-  
12 ty with respect to—

13                   (A) accomplishing the purposes of this Act  
14 for the Heritage Area; and

15                   (B) achieving the goals and objectives of  
16 the approved management plan for the Heritage  
17 Area;

18           (2) analyze the Federal, State, local, and pri-  
19 vate investments in the Heritage Area to determine  
20 the leverage and impact of the investments; and

21           (3) review the management structure, partner-  
22 ship relationships, and funding of the Heritage Area  
23 for purposes of identifying the critical components  
24 for sustainability of the Heritage Area.

25       (c) **REPORT.**—

1           ~~(1) IN GENERAL.—~~Based on the evaluation con-  
 2           ducted under subsection (a)(1), the Secretary shall  
 3           prepare a report that includes recommendations for  
 4           the future role of the National Park Service, if any,  
 5           with respect to the Heritage Area.

6           ~~(2) REQUIRED ANALYSIS.—~~If the report pre-  
 7           pared under paragraph (1) recommends that Fed-  
 8           eral funding for the Heritage Area be reauthorized,  
 9           the report shall include an analysis of—

10                   ~~(A)~~ ways in which Federal funding for the  
 11                   Heritage Area may be reduced or eliminated;  
 12                   and

13                   ~~(B)~~ the appropriate time period necessary  
 14                   to achieve the recommended reduction or elimi-  
 15                   nation.

16           ~~(3) SUBMISSION TO CONGRESS.—~~On completion  
 17           of the report, the Secretary shall submit the report  
 18           to—

19                   ~~(A)~~ the Committee on Energy and Natural  
 20                   Resources of the Senate; and

21                   ~~(B)~~ the Committee on Natural Resources  
 22                   of the House of Representatives.

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

24           ~~(a) IN GENERAL.—~~There is authorized to be appro-  
 25           priated to carry out this Act \$10,000,000, of which not

1 more than \$1,000,000 may be authorized to be appro-  
 2 priated for any fiscal year.

3 ~~(b) COST-SHARING REQUIREMENT.—The Federal~~  
 4 ~~share of the cost of any activity carried out using funds~~  
 5 ~~made available under this Act shall be not more than 50~~  
 6 ~~percent.~~

7 **SEC. 11. TERMINATION OF AUTHORITY.**

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

11 **SECTION 1. SHORT TITLE.**

12 *This Act may be cited as the “Susquehanna Gateway*  
 13 *National Heritage Area Act”.*

14 **SEC. 2. DEFINITIONS.**

15 *In this Act:*

16 (1) *HERITAGE AREA.—The term “Heritage*  
 17 *Area” means the Susquehanna Gateway National*  
 18 *Heritage Area established by section 3(a).*

19 (2) *LOCAL COORDINATING ENTITY.—The term*  
 20 *“local coordinating entity” means the local coordi-*  
 21 *nating entity for the Heritage Area designated by sec-*  
 22 *tion 4(a).*

23 (3) *MANAGEMENT PLAN.—The term “manage-*  
 24 *ment plan” means the plan developed by the local co-*  
 25 *ordinating entity under section 5(a).*

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

3           (5) *STATE.*—*The term “State” means the State*  
4           *of Pennsylvania.*

5   **SEC. 3. SUSQUEHANNA GATEWAY NATIONAL HERITAGE**  
6           **AREA.**

7           (a) *ESTABLISHMENT.*—*There is established the Sus-*  
8           *quehanna Gateway National Heritage Area in the State.*

9           (b) *BOUNDARIES.*—*The Heritage Area shall include*  
10          *Lancaster and York Counties, Pennsylvania.*

11   **SEC. 4. DESIGNATION OF LOCAL COORDINATING ENTITY.**

12          (a) *LOCAL COORDINATING ENTITY.*—*The Susque-*  
13          *hanna Heritage Corporation, a nonprofit organization es-*  
14          *tablished under the laws of the State, shall be the local co-*  
15          *ordinating entity for the Heritage Area.*

16          (b) *AUTHORITIES OF LOCAL COORDINATING ENTI-*  
17          *TY.*—*The local coordinating entity may, for purposes of*  
18          *preparing and implementing the management plan, use*  
19          *Federal funds made available under this Act—*

20                 (1) *to prepare reports, studies, interpretive ex-*  
21                 *hibits and programs, historic preservation projects,*  
22                 *and other activities recommended in the management*  
23                 *plan for the Heritage Area;*

1           (2) *to make grants to the State, political subdivi-*  
 2           *sions of the State, nonprofit organizations, and other*  
 3           *persons;*

4           (3) *to enter into cooperative agreements with the*  
 5           *State, political subdivisions of the State, nonprofit or-*  
 6           *ganizations, and other organizations;*

7           (4) *to hire and compensate staff;*

8           (5) *to obtain funds or services from any source,*  
 9           *including funds and services provided under any*  
 10          *other Federal program or law; and*

11          (6) *to contract for goods and services.*

12          (c) *DUTIES OF LOCAL COORDINATING ENTITY.—To*  
 13          *further the purposes of the Heritage Area, the local coordi-*  
 14          *nating entity shall—*

15               (1) *prepare a management plan for the Heritage*  
 16               *Area in accordance with section 5;*

17               (2) *give priority to the implementation of ac-*  
 18               *tions, goals, and strategies set forth in the manage-*  
 19               *ment plan, including assisting units of government*  
 20               *and other persons in—*

21                       (A) *carrying out programs and projects*  
 22                       *that recognize and protect important resource*  
 23                       *values in the Heritage Area;*

1           (B) encouraging economic viability in the  
 2           Heritage Area in accordance with the goals of  
 3           the management plan;

4           (C) establishing and maintaining interpre-  
 5           tive exhibits in the Heritage Area;

6           (D) developing heritage-based recreational  
 7           and educational opportunities for residents and  
 8           visitors in the Heritage Area;

9           (E) increasing public awareness of and ap-  
 10          preciation for the natural, historic, and cultural  
 11          resources of the Heritage Area;

12          (F) restoring historic buildings that are—

13               (i) located in the Heritage Area; and

14               (ii) related to the themes of the Herit-  
 15          age Area; and

16          (G) installing throughout the Heritage Area  
 17          clear, consistent, and appropriate signs identi-  
 18          fying public access points and sites of interest;

19          (3) consider the interests of diverse units of gov-  
 20          ernment, businesses, tourism officials, private prop-  
 21          erty owners, and nonprofit groups within the Herit-  
 22          age Area in developing and implementing the man-  
 23          agement plan;

1           (4) *conduct public meetings at least semiannu-*  
2           *ally regarding the development and implementation*  
3           *of the management plan; and*

4           (5) *for any fiscal year for which Federal funds*  
5           *are received under this Act—*

6                 (A) *submit to the Secretary an annual re-*  
7                 *port that describes—*

8                         (i) *the accomplishments of the local co-*  
9                         *ordinating entity;*

10                       (ii) *the expenses and income of the*  
11                       *local coordinating entity; and*

12                       (iii) *the entities to which the local co-*  
13                       *ordinating entity made any grants;*

14                 (B) *make available for audit all records re-*  
15                 *lating to the expenditure of the Federal funds*  
16                 *and any matching funds; and*

17                 (C) *require, with respect to all agreements*  
18                 *authorizing the expenditure of Federal funds by*  
19                 *other organizations, that the receiving organiza-*  
20                 *tions make available for audit all records relat-*  
21                 *ing to the expenditure of the Federal funds.*

22           (d) *PROHIBITION ON ACQUISITION OF REAL PROP-*  
23           *ERTY.—*



1           (1) *IN GENERAL.*—*The local coordinating entity*  
 2           *shall not use Federal funds received under this Act to*  
 3           *acquire real property or any interest in real property.*

4           (2) *OTHER SOURCES.*—*Nothing in this Act pre-*  
 5           *cludes the local coordinating entity from using Fed-*  
 6           *eral funds from other sources for authorized purposes,*  
 7           *including the acquisition of real property or any in-*  
 8           *terest in real property.*

9   **SEC. 5. MANAGEMENT PLAN.**

10          (a) *IN GENERAL.*—*Not later than 3 years after the*  
 11          *date on which funds are first made available to carry out*  
 12          *this Act, the local coordinating entity shall prepare and*  
 13          *submit to the Secretary a management plan for the Herit-*  
 14          *age Area.*

15          (b) *CONTENTS.*—*The management plan for the Herit-*  
 16          *age Area shall—*

17               (1) *include comprehensive policies, strategies,*  
 18               *and recommendations for the conservation, funding,*  
 19               *management, and development of the Heritage Area;*

20               (2) *take into consideration existing State, coun-*  
 21               *ty, and local plans;*

22               (3) *specify the existing and potential sources of*  
 23               *funding to protect, manage, and develop the Heritage*  
 24               *Area;*

1           (4) *include an inventory of the natural, historic,*  
 2           *cultural, educational, scenic, and recreational re-*  
 3           *sources of the Heritage Area relating to the themes of*  
 4           *the Heritage Area that should be preserved, restored,*  
 5           *managed, developed, or maintained; and*

6           (5) *include an analysis of, and recommendations*  
 7           *for, ways in which Federal, State, and local pro-*  
 8           *grams, may best be coordinated to further the pur-*  
 9           *poses of this Act, including recommendations for the*  
 10          *role of the National Park Service in the Heritage*  
 11          *Area.*

12          (c) *DISQUALIFICATION FROM FUNDING.—If a proposed*  
 13          *management plan is not submitted to the Secretary by the*  
 14          *date that is 3 years after the date on which funds are first*  
 15          *made available to carry out this Act, the local coordinating*  
 16          *entity may not receive additional funding under this Act*  
 17          *until the date on which the Secretary receives the proposed*  
 18          *management plan.*

19          (d) *APPROVAL AND DISAPPROVAL OF MANAGEMENT*  
 20          *PLAN.—*

21               (1) *IN GENERAL.—Not later than 180 days after*  
 22               *the date on which the local coordinating entity sub-*  
 23               *mits the management plan to the Secretary, the Sec-*  
 24               *retary shall approve or disapprove the proposed man-*  
 25               *agement plan.*

1           (2) *CONSIDERATIONS.—In determining whether*  
2           *to approve or disapprove the management plan, the*  
3           *Secretary shall consider whether—*

4                   (A) *the local coordinating entity is rep-*  
5                   *resentative of the diverse interests of the Heritage*  
6                   *Area, including governments, natural and his-*  
7                   *toric resource protection organizations, edu-*  
8                   *cational institutions, businesses, and recreational*  
9                   *organizations;*

10                   (B) *the local coordinating entity has pro-*  
11                   *vided adequate opportunities (including public*  
12                   *meetings) for public and governmental involve-*  
13                   *ment in the preparation of the management*  
14                   *plan;*

15                   (C) *the resource protection and interpreta-*  
16                   *tion strategies contained in the management*  
17                   *plan, if implemented, would adequately protect*  
18                   *the natural, historic, and cultural resources of*  
19                   *the Heritage Area; and*

20                   (D) *the management plan is supported by*  
21                   *the appropriate State and local officials, the co-*  
22                   *operation of which is needed to ensure the effec-*  
23                   *tive implementation of the State and local as-*  
24                   *pects of the management plan.*

25           (3) *DISAPPROVAL AND REVISIONS.—*

1           (A) *IN GENERAL.*—*If the Secretary dis-*  
 2           *approves a proposed management plan, the Sec-*  
 3           *retary shall—*

4                   (i) *advise the local coordinating entity,*  
 5                   *in writing, of the reasons for the dis-*  
 6                   *approval; and*

7                   (ii) *make recommendations for revision*  
 8                   *of the proposed management plan.*

9           (B) *APPROVAL OR DISAPPROVAL.*—*The Sec-*  
 10           *retary shall approve or disapprove a revised*  
 11           *management plan not later than 180 days after*  
 12           *the date on which the revised management plan*  
 13           *is submitted.*

14       (e) *APPROVAL OF AMENDMENTS.*—

15           (1) *IN GENERAL.*—*The Secretary shall review*  
 16           *and approve or disapprove substantial amendments*  
 17           *to the management plan in accordance with sub-*  
 18           *section (d).*

19           (2) *FUNDING.*—*Funds appropriated under this*  
 20           *Act may not be expended to implement any changes*  
 21           *made by an amendment to the management plan*  
 22           *until the Secretary approves the amendment.*

1 **SEC. 6. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

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

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

10       (c) *OTHER FEDERAL AGENCIES.*—*Nothing in this*  
 11 *Act—*

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

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

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

21 **SEC. 7. PRIVATE PROPERTY AND REGULATORY PROTEC-**  
 22 **TIONS.**

23       *Nothing in this Act—*

24               (1) *abridges the rights of any property owner*  
 25 *(whether public or private), including the right to re-*

1       frain from participating in any plan, project, pro-  
2       gram, or activity conducted within the Heritage Area;

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

9               (3) alters any duly adopted land use regulation,  
10      approved land use plan, or other regulatory authority  
11      of any Federal, State, or local agency, or conveys any  
12      land use or other regulatory authority to the local co-  
13      ordinating entity;

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 man-  
17      age fish and wildlife, including the regulation of fish-  
18      ing and hunting within the Heritage Area; or

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

1 **SEC. 8. EVALUATION; REPORT.**

2       (a) *IN GENERAL.*—Not later than 3 years before the  
3 date on which authority for Federal funding terminates for  
4 the Heritage Area, the Secretary shall—

5           (1) *conduct an evaluation of the accomplish-*  
6 *ments of the Heritage Area; and*

7           (2) *prepare a report in accordance with sub-*  
8 *section (c).*

9       (b) *EVALUATION.*—An evaluation conducted under  
10 subsection (a)(1) shall—

11           (1) *assess the progress of the local coordinating*  
12 *entity with respect to—*

13                   (A) *accomplishing the purposes of this Act*  
14 *for the Heritage Area; and*

15                   (B) *achieving the goals and objectives of the*  
16 *approved management plan for the Heritage*  
17 *Area;*

18           (2) *analyze the Federal, State, local, and private*  
19 *investments in the Heritage Area to determine the le-*  
20 *verage and impact of the investments; and*

21           (3) *review the management structure, partner-*  
22 *ship relationships, and funding of the Heritage Area*  
23 *for purposes of identifying the critical components for*  
24 *sustainability of the Heritage Area.*

25       (c) *REPORT.*—

1           (1) *IN GENERAL.*—*Based on the evaluation con-*  
 2           *ducted under subsection (a)(1), the Secretary shall*  
 3           *prepare a report that includes recommendations for*  
 4           *the future role of the National Park Service, if any,*  
 5           *with respect to the Heritage Area.*

6           (2) *REQUIRED ANALYSIS.*—*If the report prepared*  
 7           *under paragraph (1) recommends that Federal fund-*  
 8           *ing for the Heritage Area be reauthorized, the report*  
 9           *shall include an analysis of—*

10                   (A) *ways in which Federal funding for the*  
 11                   *Heritage Area may be reduced or eliminated;*  
 12                   *and*

13                   (B) *the appropriate time period necessary*  
 14                   *to achieve the recommended reduction or elimi-*  
 15                   *nation.*

16           (3) *SUBMISSION TO CONGRESS.*—*On completion*  
 17           *of the report, the Secretary shall submit the report*  
 18           *to—*

19                   (A) *the Committee on Energy and Natural*  
 20                   *Resources of the Senate; and*

21                   (B) *the Committee on Natural Resources of*  
 22                   *the House of Representatives.*

23 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

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



1 *than \$1,000,000 may be authorized to be appropriated for*  
2 *any fiscal year.*

3       **(b) COST-SHARING REQUIREMENT.**—*The Federal share*  
4 *of the cost of any activity carried out using funds made*  
5 *available under this Act shall be not more than 50 percent.*

6 **SEC. 10. TERMINATION OF AUTHORITY.**

7       *The authority of the Secretary to provide financial as-*  
8 *sistance under this Act terminates on the date that is 15*  
9 *years after the date of enactment of this Act.*

Calendar No. 589

11<sup>TH</sup> CONGRESS  
2<sup>D</sup> Session

**S. 349**

[Report No. 111-303]

**A BILL**

To establish the Susquehanna Gateway National  
Heritage Area in the State of Pennsylvania, and  
for other purposes.

SEPTEMBER 27, 2010

Reported with an amendment