

## Calendar No. 590

114TH CONGRESS  
2D SESSION**S. 1690****[Report No. 114–317]**

To establish the Mountains to Sound Greenway National Heritage Area  
in the State of Washington.

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## IN THE SENATE OF THE UNITED STATES

JUNE 25, 2015

Ms. CANTWELL (for herself and Mrs. MURRAY) introduced the following bill;  
which was read twice and referred to the Committee on Energy and Nat-  
ural Resources

SEPTEMBER 6, 2016

Reported by Ms. MURKOWSKI, with amendments

[Omit the part struck through and insert the part printed in *italie*]**A BILL**

To establish the Mountains to Sound Greenway National  
Heritage Area in the State of Washington.

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 “Mountains to Sound  
5       Greenway National Heritage Area Act”.

1 **SEC. 2. PURPOSES.**

2 The purpose of this Act are—

3 (1) to recognize the national importance of the  
4 natural, cultural, historical, scenic, and recreational  
5 resources of the Mountains to Sound Greenway Na-  
6 tional Heritage Area;

7 (2) to preserve, enhance, and interpret the leg-  
8 acy of natural resource conservation and community  
9 stewardship within the Mountains to Sound Green-  
10 way National Heritage Area; and

11 (3) to promote heritage, cultural, and rec-  
12 reational tourism within the Mountains to Sound  
13 Greenway National Heritage Area.

14 **SEC. 3. DEFINITIONS.**

15 In this Act:

16 (1) LOCAL COORDINATING ENTITY.—The term  
17 “local coordinating entity” means the local coordi-  
18 nating entity for the National Heritage Area des-  
19 ignated by section 4(d).

20 (2) MANAGEMENT PLAN.—The term “manage-  
21 ment plan” means the management plan for the Na-  
22 tional Heritage Area required under section 5.

23 (3) MAP.—The term “map” means the map en-  
24 titled “Mountains to Sound Greenway National Her-  
25 itage Area Proposed Boundary”, numbered 584/  
26 125,483, and dated August, 2014.

1           (4) NATIONAL HERITAGE AREA.—The term  
 2           “National Heritage Area” means the Mountains to  
 3           Sound Greenway National Heritage Area established  
 4           by section 4(a).

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

7           (6) STATE.—The term “State” means the State  
 8           of Washington.

9           (7) TRIBAL.—The term “tribal” means each of  
 10          the tribal governments of the Snoqualmie, Yakama,  
 11          Tulalip, Muckleshoot, and Colville Indian tribes.

12   **SEC. 4. MOUNTAINS TO SOUND GREENWAY NATIONAL HER-**  
 13                           **ITAGE AREA.**

14          (a) ESTABLISHMENT.—There is established in the  
 15          State the Mountains to Sound Greenway National Herit-  
 16          age Area.

17          (b) BOUNDARIES.—The National Heritage Area shall  
 18          consist of land located in King and Kittitas Counties in  
 19          the State, as generally depicted on the map.

20          (c) MAP.—The map shall be on file and available for  
 21          public inspection in the appropriate offices of—

- 22               (1) the National Park Service;
- 23               (2) the Forest Service; and
- 24               (3) the local coordinating entity.

1 (d) LOCAL COORDINATING ENTITY.—The Mountains  
 2 to Sound Greenway Trust, a nonprofit corporation estab-  
 3 lished under the laws of the State, is designated as the  
 4 local coordinating entity for the National Heritage Area.

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

6 (a) IN GENERAL.—Not later than 3 years after the  
 7 date of enactment of this Act, the local coordinating entity  
 8 shall submit to the Secretary for approval a proposed  
 9 management plan for the National Heritage Area.

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

11 (1) incorporate an integrated and cooperative  
 12 approach for the protection, enhancement, and inter-  
 13 pretation of the natural, cultural, historical, scenic,  
 14 and recreational resources of the National Heritage  
 15 Area;

16 (2) take into consideration Federal, State, and  
 17 local plans;

18 (3) include—

19 (A) an inventory of—

20 (i) the resources located in the Na-  
 21 tional Heritage Area; and

22 (ii) any other property in the National  
 23 Heritage Area that—

24 (I) is related to the themes of the  
 25 National Heritage Area; and

1 (II) should be preserved, re-  
2 stored, managed, or maintained be-  
3 cause of the significance of the prop-  
4 erty;

5 (B) comprehensive policies, strategies and  
6 recommendations for the conservation, funding,  
7 management, and development of the National  
8 Heritage Area;

9 (C) a description of actions that govern-  
10 ments, private organizations, and individuals  
11 have agreed to take to protect the natural, cul-  
12 tural, historical, scenic, and recreational re-  
13 sources of the National Heritage Area;

14 (D) a program of implementation for the  
15 management plan by the local coordinating en-  
16 tity that includes a description of—

17 (i) actions to facilitate ongoing col-  
18 laboration among partners to promote  
19 plans for resource protection, restoration,  
20 and construction; and

21 (ii) specific commitments for imple-  
22 mentation that have been made by the  
23 local coordinating entity or any govern-  
24 ment, organization, or individual for the

1 first 5 years of operation of the National  
2 Heritage Area;

3 (E) the identification of sources of funding  
4 for carrying out the management plan;

5 (F) analysis and recommendations for  
6 means by which Federal, State, and local pro-  
7 grams may best be coordinated to carry out this  
8 section, including a description of the role of  
9 the National Park Service and the Forest Serv-  
10 ice in the National Heritage Area; and

11 (G) an interpretive plan for the National  
12 Heritage Area; and

13 (4) recommend policies and strategies for re-  
14 source management, including the development of  
15 intergovernmental and interagency cooperative  
16 agreements to protect the natural, cultural, histor-  
17 ical, scenic, and recreational resources of the Na-  
18 tional Heritage Area.

19 (c) DEADLINE.—If a proposed management plan is  
20 not submitted to the Secretary by the date that is 3 years  
21 after the date of enactment of this Act, the local coordi-  
22 nating entity shall be ineligible to receive additional fund-  
23 ing under this Act until the date on which the Secretary  
24 receives and approves the management plan.

1 (d) APPROVAL OR DISAPPROVAL OF MANAGEMENT  
2 PLAN.—

3 (1) IN GENERAL.—Not later than 180 days  
4 after the date of receipt of the management plan  
5 under subsection (a), the Secretary, in consultation  
6 with the State, shall approve or disapprove the man-  
7 agement plan.

8 (2) CRITERIA FOR APPROVAL.—In determining  
9 whether to approve the management plan, the Sec-  
10 retary shall consider whether—

11 (A) the local coordinating entity is rep-  
12 resentative of the diverse interests of the Na-  
13 tional Heritage Area, including governments,  
14 natural and historical resource protection orga-  
15 nizations, educational institutions, businesses,  
16 and recreational organizations;

17 (B) the local coordinating entity has af-  
18 forded adequate opportunity, including public  
19 hearings, for public and governmental involve-  
20 ment in the preparation of the management  
21 plan; and

22 (C) the resource protection and interpreta-  
23 tion strategies contained in the management  
24 plan, if implemented, would adequately protect  
25 the natural, cultural, historical, scenic, and rec-

1 reational resources of the National Heritage  
2 Area.

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

6 (A) advise the local coordinating entity in  
7 writing of the reasons for the disapproval;

8 (B) make recommendations for revisions to  
9 the management plan; and

10 (C) not later than 180 days after the re-  
11 ceipt of any proposed revision of the manage-  
12 ment plan from the local coordinating entity,  
13 approve or disapprove the proposed revision.

14 (4) AMENDMENTS.—

15 (A) IN GENERAL.—The Secretary shall ap-  
16 prove or disapprove each amendment to the  
17 management plan that makes a substantial  
18 change to the management plan, as determined  
19 by the Secretary.

20 (B) USE OF FUNDS.—The local coordi-  
21 nating entity shall not use Federal funds au-  
22 thorized by this section to carry out any amend-  
23 ments to the management plan until the date  
24 on which the Secretary has approved the  
25 amendments.



1 **SEC. 6. ADMINISTRATION.**

2 (a) **AUTHORITIES.**—For purposes of implementing  
3 the management plan, the local coordinating entity may—

4 (1) make grants to the State or a political sub-  
5 division of the State, nonprofit organizations, and  
6 other persons;

7 (2) enter into cooperative agreements with, or  
8 provide technical assistance to Federal agencies, the  
9 State or a political subdivision of the State, non-  
10 profit organizations, and other interested parties;

11 (3) hire and compensate staff, which shall in-  
12 clude individuals with expertise in natural, cultural,  
13 historical, scenic, and recreational resources protec-  
14 tion and heritage programming;

15 (4) obtain money or services from any source,  
16 including any money or services that are provided  
17 under any other Federal law or program;

18 (5) contract for goods or services; and

19 (6) undertake to be a catalyst for any other ac-  
20 tivity that—

21 (A) furthers the purposes of the National  
22 Heritage Area; and

23 (B) is consistent with the approved man-  
24 agement plan.

25 (b) **DUTIES.**—The local coordinating entity may—

1           (1) in accordance with section 5, prepare and  
2       submit a management plan to the Secretary;

3           (2) assist Federal agencies, the State or a polit-  
4       ical subdivision of the State, nonprofit organizations,  
5       and other interested parties in carrying out the ap-  
6       proved management plan by—

7           (A) carrying out programs and projects  
8       that recognize, protect, and enhance important  
9       resource values in the National Heritage Area;

10          (B) establishing and maintaining interpre-  
11       tive exhibits and programs in the National Her-  
12       itage Area;

13          (C) developing recreational and educational  
14       opportunities in the National Heritage Area;

15          (D) increasing public awareness of, and  
16       appreciation for, natural, cultural, historical,  
17       scenic, and recreational resources of the Na-  
18       tional Heritage Area;

19          (E) protecting and restoring historic sites  
20       and buildings in the National Heritage Area  
21       that are consistent with National Heritage Area  
22       themes;

23          (F) supporting working relationships be-  
24       tween the Federal Government and State, local,  
25       and tribal governments in order to preserve, en-

1 hance, and interpret the significant resources of  
2 the National Heritage Area;

3 (G) ensuring that clear, consistent, and ap-  
4 propriate signs identifying points of public ac-  
5 cess and sites of interest are posted throughout  
6 the National Heritage Area; and

7 (H) promoting a wide range of partner-  
8 ships among governments, organizations, and  
9 individuals to further the National Heritage  
10 Area;

11 (3) consider the interests of diverse units of  
12 government, businesses, organizations, and individ-  
13 uals in the National Heritage Area in the prepara-  
14 tion and implementation of the management plan;

15 (4) conduct meetings open to the public at least  
16 semiannually regarding the development and imple-  
17 mentation of the management plan;

18 (5) for any year for which Federal funds have  
19 been received under this section—

20 (A) submit to the Secretary an annual re-  
21 port that describes the activities, expenses, and  
22 income of the local coordinating entity (includ-  
23 ing grants from the local coordinating entity to  
24 any other entities during the year that the re-  
25 port is made);

1 (B) make available to the Secretary for  
2 audit all records relating to the expenditure of  
3 the funds and any matching funds; and

4 (C) require, with respect to all agreements  
5 authorizing the expenditure of Federal funds by  
6 other organizations, that the organizations re-  
7 ceiving the funds make available to the Sec-  
8 retary for audit all records concerning the ex-  
9 penditure of the funds; and

10 (6) encourage, by appropriate means, economic  
11 viability that is consistent with the National Herit-  
12 age Area.

13 (c) TECHNICAL AND FINANCIAL ASSISTANCE; COOP-  
14 ERATIVE AGREEMENTS.—The Secretary and the Sec-  
15 retary of Agriculture may—

16 (1) provide technical and financial assistance to  
17 the local coordinating entity to develop and imple-  
18 ment the management plan; and

19 (2) enter into cooperative agreements with the  
20 local coordinating entity, State and local agencies,  
21 and other interested parties to carry out this Act, in-  
22 cluding cooperation and cost sharing, as appropriate,  
23 to provide more cost-effective and coordinated public  
24 land management.

1 (d) PROHIBITION ON THE ACQUISITION OF REAL  
2 PROPERTY.—The local coordinating entity shall not use  
3 Federal funds made available under this Act to acquire  
4 real property or any interest in real property.

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

6 (a) IN GENERAL.—Nothing in this Act affects the au-  
7 thority of a Federal agency to provide technical or finan-  
8 cial assistance under any other law.

9 (b) CONSULTATION AND COORDINATION.—Any Fed-  
10 eral agency planning to conduct activities that may have  
11 an impact on the National Heritage Area is encouraged  
12 to consult and coordinate the activities with the Secretary  
13 and the local coordinating entity, to the maximum extent  
14 practicable.

15 (c) OTHER FEDERAL AGENCIES.—Nothing in this  
16 Act—

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

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 National 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. 8. PRIVATE PROPERTY AND REGULATORY PROTEC-**  
5 **TIONS.**

6       Nothing in this Act—

7           (1) abridges the rights of any owner of public  
8       or private property, including the right to refrain  
9       from participating in any plan, project, program, or  
10      activity conducted within the National Heritage  
11      Area;

12          (2) requires any property owner—

13               (A) to permit public access (including ac-  
14               cess by Federal, State, or local agencies) to the  
15               property of the property owner; or

16               (B) to modify public access or use of prop-  
17               erty of the property owner under any other  
18               Federal, State, or local law;

19          (3) alters any duly adopted land use regulation,  
20      approved land use plan, or other regulatory author-  
21      ity of any Federal, State, tribal, or local agency;

22          (4) conveys any land use or other regulatory  
23      authority to the local coordinating entity;

24          (5) authorizes or implies the reservation or ap-  
25      propriation of water or water rights;

1           (6) *alters, modifies, diminishes, or extinguishes*  
 2           *the treaty rights of any Indian tribe within the Na-*  
 3           *tional Heritage Area;*

4           ~~(6)~~(7) diminishes the authority of the State to  
 5           manage fish and wildlife, including the regulation of  
 6           fishing and hunting within the National Heritage  
 7           Area; or

8           ~~(7)~~(8) creates any liability, or affects any liabil-  
 9           ity under any other law, of any private property  
 10          owner with respect to any person injured on the pri-  
 11          vate property.

12 **SEC. 9. EVALUATION AND REPORT.**

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

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

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

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

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

24                       (A) accomplishing the purposes of the Na-  
 25                       tional Heritage Area; and

1 (B) achieving the goals and objectives of  
2 the management plan;

3 (2) analyze the investments of Federal, State,  
4 tribal, and local government and private entities in  
5 the National Heritage Area to determine the impact  
6 of the investments; and

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

12 (c) REPORT.—Based on the evaluation conducted  
13 under subsection (a)(1), the Secretary shall submit to the  
14 Committee on Energy and Natural Resources of the Sen-  
15 ate and the Committee on Natural Resources of the House  
16 of Representatives a report that includes recommendations  
17 for the future role of the National Park Service with re-  
18 spect to the National Heritage Area.

19 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

20 (a) IN GENERAL.—There is authorized to be appro-  
21 priated to carry out this Act \$10,000,000, of which not  
22 more than \$1,000,000 may be made available in any fiscal  
23 year.

24 (b) AVAILABILITY.—Amounts made available under  
25 subsection (a) shall remain available until expended.



1       (c) COST-SHARING REQUIREMENT.—

2           (1) IN GENERAL.—The Federal share of the  
3       total cost of any activity carried out under this Act  
4       shall be not more than 50 percent.

5           (2) FORM.—The non-Federal share of the total  
6       cost of any activity carried out under this Act may  
7       be in the form of in-kind contributions of goods or  
8       services fairly valued.

9       (d) TERMINATION OF AUTHORITY.—The authority of  
10   the Secretary to provide assistance under this Act termi-  
11   nates on the date that is 15 years after the date of enact-  
12   ment of this Act.

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

**S. 1690**

[Report No. 114-317]

**A BILL**

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