

115TH CONGRESS
2D SESSION

S. 2947

To establish the Caddo Lake National Heritage Area, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 24, 2018

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

A BILL

To establish the Caddo Lake National Heritage Area, 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 “Caddo Lake National
5 Heritage Area Act of 2018”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) CADDO LAKE HERITAGE AREA COMMIS-
9 SION.—The term “Caddo Lake Heritage Area Com-
10 mission” means the management entity for the Her-
11 itage Area.

1 (2) HERITAGE AREA.—The term “Heritage
2 Area” means the Caddo Lake National Heritage
3 Area established by section 3(a).

4 (3) MANAGEMENT PLAN.—The term “manage-
5 ment plan” means the management plan for the
6 Heritage Area developed under section 4.

7 (4) MAP.—The term “map” means the map
8 prepared under section 3(b).

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

11 (6) STATE.—The term “State” means each of
12 the States of—

13 (A) Louisiana; and

14 (B) Texas.

15 **SEC. 3. CADDO LAKE NATIONAL HERITAGE AREA.**

16 (a) ESTABLISHMENT.—There is established in the
17 States the Caddo Lake National Heritage Area.

18 (b) BOUNDARIES.—As soon as practicable after the
19 date of enactment of this Act, the Secretary shall prepare
20 a map depicting the boundaries of the Heritage Area.

21 (c) AVAILABILITY OF MAP.—The map shall be on file
22 and available for public inspection in the appropriate of-
23 fices of—

24 (1) the National Park Service; and

25 (2) the Caddo Lake Heritage Area Commission.

1 (d) CADDO LAKE HERITAGE AREA COMMISSION.—

2 The Caddo Lake Heritage Area Commission shall—

3 (1) serve as the management entity for the
4 Heritage Area;

5 (2) oversee the development of the management
6 plan; and

7 (3) be governed by a board of directors that
8 shall—

9 (A) include members that represent a geo-
10 graphic balance across the applicable counties
11 and the States;

12 (B) be composed of not fewer than 7, and
13 not more than 15, members elected by the
14 membership of the Caddo Lake Heritage Area
15 Commission;

16 (C) be selected to represent a balanced
17 group of diverse interests, including—

18 (i) the forest industry;

19 (ii) the energy or mineral resources
20 industry;

21 (iii) environmental interests;

22 (iv) cultural heritage interests;

23 (v) tourism interests; and

24 (vi) regional agency partners;

1 (D) exercise all corporate powers of the
2 Caddo Lake Heritage Area Commission;

3 (E) manage the activities and affairs of
4 the Caddo Lake Heritage Area Commission;
5 and

6 (F) subject to any limitations in the arti-
7 cles and bylaws of the Caddo Lake Heritage
8 Area Commission, this Act, and any other ap-
9 plicable Federal or State law, establish the poli-
10 cies of the Caddo Lake Heritage Area Commis-
11 sion.

12 **SEC. 4. MANAGEMENT PLAN.**

13 (a) IN GENERAL.—Not later than 3 years after the
14 date of enactment of this Act, the Caddo Lake Heritage
15 Area Commission shall develop and submit to the Sec-
16 retary for approval a management plan for the Heritage
17 Area.

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

19 (1) describe comprehensive policies, goals, strat-
20 egies, and recommendations for—

21 (A) presenting to the citizens of the United
22 States the heritage of the region; and

23 (B) encouraging the long-term resource
24 conservation, enhancement, interpretation,

1 funding, management, and development of the
2 Heritage Area;

3 (2) take into consideration and coordinate Fed-
4 eral, State, and local plans to present a unified his-
5 toric preservation and interpretation plan for the
6 Heritage Area;

7 (3) involve residents, public agencies, and pri-
8 vate organizations of the Heritage Area;

9 (4) describe actions that units of government,
10 private organizations, and citizens recommend for
11 the conservation, enhancement, interpretation, fund-
12 ing, management, and development of the resources
13 of the Heritage Area;

14 (5) identify—

15 (A) existing and potential sources of fund-
16 ing for the conservation, enhancement, interpre-
17 tation, management, and development of the re-
18 sources of the Heritage Area; and

19 (B) economic development strategies for
20 the conservation, enhancement, interpretation,
21 funding, management, and development of the
22 resources of the Heritage Area;

23 (6) include—

24 (A) an inventory of the cultural, natural,
25 historical, educational, scenic, and recreational

resources contained in the Heritage Area, including a list of property that—

(i) is related to the themes of the Heritage Area; and

(ii) should be conserved, enhanced, managed, or developed;

(B) a recommendation of policies and strategies for resource management and conservation, including the development of intergovernmental cooperative agreements to manage and conserve the cultural, natural, historical, educational, scenic, and recreational resources of the Heritage Area;

(C) a program of strategies and actions to implement the management plan that includes—

(i) performance goals;

(ii) resource conservation plans;

(iii) enhancement strategies;

(iv) interpretation strategies; and

(v) specific commitments for implementation that have been made by the Caddo Lake Heritage Area Commission or any government, organization, business, or individual;

1 (D) an analysis of, and recommendations
2 for, means by which Federal, State, and local
3 programs may best be coordinated to further
4 the purposes of this Act, including an analysis
5 of the role of the National Park Service and
6 other Federal agencies associated with the Her-
7 itage Area;

8 (E) a business plan that—

9 (i) describes the role, operation, fi-
10 nancing, and functions of—

11 (I) the Caddo Lake Heritage
12 Area Commission; and

13 (II) each of the major activities
14 included in the management plan; and

15 (ii) provides adequate assurances that
16 the Caddo Lake Heritage Area Commis-
17 sion has the partnerships and financial and
18 other resources necessary to implement the
19 management plan; and

20 (F) an interpretive plan for the Heritage
21 Area; and

22 (7) describe any revisions to the boundaries of
23 the Heritage Area—

24 (A) proposed by the Caddo Lake Heritage
25 Area Commission; and

1 (B) requested by the affected local govern-
2 ment.

3 (c) APPROVAL OF MANAGEMENT PLAN.—

4 (1) REVIEW.—Not later than 180 days after
5 the date of receipt of the management plan under
6 subsection (a), the Secretary shall review and ap-
7 prove or disapprove the management plan.

8 (2) CRITERIA.—In determining whether to ap-
9 prove the management plan, the Secretary shall con-
10 sider whether—

11 (A) the management plan meets all re-
12 quirements described in subsection (b); and

13 (B) the Caddo Lake Heritage Area Com-
14 mission has afforded adequate opportunity, in-
15 cluding public hearings, for public and govern-
16 mental involvement in the preparation of the
17 management plan.

18 (d) ACTION FOLLOWING DISAPPROVAL.—If the Sec-
19 retary disapproves the management plan under subsection
20 (c)(1), the Secretary shall—

21 (1) advise the Caddo Lake Heritage Area Com-
22 mission in writing of the reasons for the disapproval;

23 (2) make recommendations for revisions to the
24 management plan; and

1 (3) not later than 180 days after the date of re-
2 ceipt of a proposed revision to the management plan,
3 approve or disapprove the proposed revision.

4 (e) AMENDMENTS.—The Secretary shall review and
5 approve or disapprove each amendment to the manage-
6 ment plan that the Secretary determines may substantially
7 alter the purposes of the Heritage Area.

8 (f) EFFECT OF INACTION.—If the Secretary does not
9 approve or disapprove a management plan or a revision
10 or change to a management plan by the date that is 180
11 days after the date on which the management plan or revi-
12 sion or change to the management plan is submitted, the
13 management plan, revision, or change shall be considered
14 to have been approved by the Secretary.

15 **SEC. 5. AUTHORITIES AND DUTIES OF THE CADDO LAKE**
16 **HERITAGE AREA COMMISSION.**

17 (a) AUTHORITIES.—For purposes of preparing and
18 carrying out the management plan, the Caddo Lake Herit-
19 age Area Commission may—

20 (1) make grants to—

21 (A) political jurisdictions of the States;

22 (B) nonprofit organizations; and

23 (C) other persons or entities located in the
24 Heritage Area;

1 (2) enter into cooperative agreements with, or
2 provide technical assistance to—

3 (A) political jurisdictions of the States;

4 (B) nonprofit organizations;

5 (C) the heads of Federal agencies; and

6 (D) other interested persons or entities;

7 (3) hire and compensate staff who have dem-
8 onstrated expertise in the fields of—

9 (A) cultural, natural, and historical re-
10 sources conservation;

11 (B) economic and community development;

12 (C) forestry; or

13 (D) heritage planning;

14 (4) obtain money or services from any source,
15 including any money or services provided under any
16 other Federal program or law, in which case the
17 Federal share of the cost of any activity carried out
18 using Federal funds shall be not more than 50 per-
19 cent;

20 (5) contract for goods or services; and

21 (6) support activities of partners and any other
22 activities that—

23 (A) further the purposes of the Heritage
24 Area; and

1 (B) are consistent with the management
2 plan.

3 (b) DUTIES.—In addition to developing the manage-
4 ment plan, the Caddo Lake Heritage Area Commission
5 shall—

6 (1) for any fiscal year for which Federal funds
7 have been expended for the Heritage Area by the
8 Caddo Lake Heritage Area Commission under this
9 Act—

10 (A) submit to the Secretary an annual re-
11 port that describes—

12 (i) the specific performance goals and
13 accomplishments of the Caddo Lake Herit-
14 age Area Commission;

15 (ii) the expenses and income of the
16 Caddo Lake Heritage Area Commission;

17 (iii) the amounts and sources of
18 matching funds;

19 (iv) the amounts leveraged with Fed-
20 eral funds and the sources of the
21 leveraging; and

22 (v) any grants made to any other enti-
23 ties during the fiscal year; and

24 (B) make available for audit by Congress,
25 the Secretary, and appropriate units of govern-

1 ment, all records pertaining to the expenditure
2 of the funds and any matching funds; and

3 (2) encourage, by appropriate means and con-
4 sistent with the purposes of the Heritage Area, the
5 economic viability of the Heritage Area.

6 (c) PROHIBITION ON THE ACQUISITION OF REAL
7 PROPERTY.—The Caddo Lake Heritage Area Commission
8 shall not use Federal funds to acquire real property or
9 any interest in real property.

10 **SEC. 6. AUTHORITIES AND DUTIES OF THE SECRETARY.**

11 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—On
12 request of the Caddo Lake Heritage Area Commission, the
13 Secretary may provide technical and financial assistance,
14 on a reimbursable or nonreimbursable basis, to the Caddo
15 Lake Heritage Area Commission for—

16 (1) the development and implementation of the
17 management plan; and

18 (2) other initiatives of the Caddo Lake Heritage
19 Area Commission.

20 (b) COOPERATIVE AGREEMENTS.—

21 (1) IN GENERAL.—To carry out this Act, the
22 Secretary may enter into cooperative agreements
23 with the Caddo Lake Heritage Area Commission and
24 other public and private entities to provide assist-
25 ance under subsection (a).

1 (2) REQUIREMENTS.—A cooperative agreement
2 entered into under paragraph (1) shall, at a min-
3 imum—

4 (A) establish the goals and objectives of
5 the Heritage Area; and

6 (B) include—

7 (i) a proposal relating to the conserva-
8 tion and interpretation of the Heritage
9 Area; and

10 (ii) a general outline describing each
11 measure agreed to by the Secretary and
12 the Caddo Lake Heritage Area Commis-
13 sion.

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

15 (a) IN GENERAL.—Nothing in this Act affects the au-
16 thority of any Federal official to provide technical or fi-
17 nancial assistance under any other law.

18 (b) CONSULTATION AND COORDINATION.—The head
19 of any Federal agency planning to conduct an activity that
20 may have an impact on the Heritage Area shall, to the
21 maximum extent practicable—

22 (1) consult with the Secretary and the Caddo
23 Lake Heritage Area Commission regarding the ac-
24 tivity; and

1 (2) coordinate the activity with the Secretary
2 and the Caddo Lake Heritage Area Commission.

3 (c) EFFECT ON OTHER FEDERAL AGENCIES.—Noth-
4 ing in this Act—

5 (1) modifies, alters, or amends any law (includ-
6 ing a regulation) authorizing a Federal agency to
7 manage Federal land under the jurisdiction of the
8 Federal agency;

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

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

15 **SEC. 8. PROPERTY OWNERS AND REGULATORY PROTEC-**
16 **TIONS.**

17 Nothing in this Act—

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

23 (2) requires any property owner—

1 (A) to permit public access (including Fed-
2 eral, Tribal, State, or local government access)
3 to the property of the property owner; or

4 (B) to modify any provisions of Federal,
5 Tribal, State, or local law with regard to public
6 access or use of private land;

7 (3) alters any duly adopted land use regulation,
8 any approved land use plan, or any other regulatory
9 authority of any Federal, State, or local agency or
10 Tribal government;

11 (4) conveys any land use or other regulatory
12 authority to the Caddo Lake Heritage Area Commis-
13 sion;

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

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

19 (7) 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;

23 (8) abridges, or authorizes the Secretary or the
24 Caddo Lake Heritage Area Commission to abridge,
25 valid rights to timber harvesting; or

1 (9) abridges, restricts, or alters the rights of
 2 any property owner with regard to the property of
 3 the property owner.

4 **SEC. 9. EVALUATION.**

5 (a) IN GENERAL.—Not later than 3 years after the
 6 date of the approval of the management plan under sec-
 7 tion 4(c), the Secretary shall—

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

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

12 (b) EVALUATION COMPONENTS.—An evaluation pre-
 13 pared under subsection (a)(1) shall—

14 (1) assess the progress of the Caddo Lake Her-
 15 itage Area Commission with respect to—

16 (A) accomplishing the purposes of the au-
 17 thorizing legislation for the Heritage Area; and

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

21 (2) analyze the State, local, and private invest-
 22 ments in the Heritage Area to determine the lever-
 23 age and impact of the investments; and

24 (3) review the management structure, partner-
 25 ship relationships, and funding of the Heritage Area

1 for purposes of identifying the critical components
2 for sustainability of the Heritage Area.

3 (c) REPORT.—Based on the evaluation conducted
4 under subsection (a)(1), the Secretary shall prepare and
5 submit to the Committee on Energy and Natural Re-
6 sources of the Senate and the Committee on Natural Re-
7 sources of the House of Representatives a report that in-
8 cludes recommendations for the future role of the National
9 Park Service, if any, with respect to the Heritage Area.

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

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

