

110TH CONGRESS  
1ST SESSION

# H. R. 1483

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IN THE SENATE OF THE UNITED STATES

OCTOBER 25, 2007

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

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## 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,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Celebrating America’s  
3 Heritage Act”.

4 **SEC. 2. TABLE OF CONTENTS.**

5       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**

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- 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.

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- 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 II 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(c), 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 II 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—

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

3           (2) prepare a report in accordance with sub-  
4           section (c).

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

7           (1) assess the progress of the local management  
8           entity with respect to—

9                   (A) accomplishing the purposes of the au-  
10                   thorizing legislation for the National Heritage  
11                   Area; and

12                   (B) achieving the goals and objectives of  
13                   the approved management plan for the National  
14                   Heritage Area;

15           (2) analyze the investments of Federal, State,  
16           Tribal, and local government and private entities in  
17           each National Heritage Area to determine the im-  
18           pact of the investments; and

19           (3) review the management structure, partner-  
20           ship relationships, and funding of the National Her-  
21           itage Area for purposes of identifying the critical  
22           components for sustainability of the National Herit-  
23           age Area.

24           (c) REPORT.—Based on the evaluation conducted  
25           under subsection (a)(1), the Secretary shall submit a re-

1 port to the Committee on Natural Resources of the United  
 2 States House of Representatives and the Committee on  
 3 Energy and Natural Resources of the Senate. The report  
 4 shall include recommendations for the future role of the  
 5 National Park Service, if any, with respect to the National  
 6 Heritage Area.

7 **TITLE II—ESTABLISHMENT OF**  
 8 **NATIONAL HERITAGE AREAS**  
 9 **Subtitle A—Journey Through Hal-**  
 10 **lowed Ground National Herit-**  
 11 **age Area**

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

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

16 (b) **TABLE OF CONTENTS.**—The table of contents of  
 17 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.

18 **SEC. 2002. 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 study entitled “The Journey  
4 Through Hallowed Ground National Heritage Area  
5 Feasibility Study” dated September 2006;

6           (2) to preserve, support, conserve, and interpret  
7 the legacy of the American history created along the  
8 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 the creation of America, including Native  
15 American, Colonial American, European American,  
16 and African American heritage;

17           (5) to recognize and interpret the effect of the  
18 Civil War on the civilian population of the National  
19 Heritage Area during the war and post-war recon-  
20 struction period;

21           (6) to enhance a cooperative management  
22 framework to assist the Commonwealth of Virginia,  
23 the State of Maryland, the Commonwealth of Penn-  
24 sylvania, the State of West Virginia, and their units  
25 of local government, the private sector, and citizens

1 residing in the National Heritage Area in con-  
2 serving, supporting, enhancing, and interpreting the  
3 significant historic, cultural and recreational sites in  
4 the National Heritage Area; and

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

9 **SEC. 2003. DEFINITIONS.**

10 In this subtitle—

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

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

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

23 (B) to act as a catalyst for the implemen-  
24 tation of projects and programs among diverse  
25 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. 2004. DESIGNATION OF THE JOURNEY THROUGH HAL-**  
11 **LOWED GROUND NATIONAL HERITAGE AREA.**

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

15           (b) BOUNDARIES.—

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

1 Counties, Virginia, then Fauquier County, Virginia,  
2 portions of Spotsylvania and Madison Counties, Vir-  
3 ginia, and Culpepper, Rappahannock, Orange, and  
4 Albemarle Counties, Virginia.

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

13 **SEC. 2005. MANAGEMENT PLAN.**

14 (a) REQUIREMENTS.—The management plan for the  
15 National Heritage Area shall—

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

23 (2) include a description of actions and commit-  
24 ments that Federal, State, Tribal, and local govern-  
25 ments, private organizations, and citizens will take

1 to protect, enhance, interpret, fund, manage, and de-  
2 velop the natural, historical, cultural, educational,  
3 scenic, and recreational resources of the National  
4 Heritage Area;

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

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

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

22 (6) describe a program for implementation for  
23 the management plan, including—

24 (A) performance goals;

1 (B) plans for resource protection, enhance-  
2 ment, interpretation, funding, management, and  
3 development; and

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

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

1 (b) DEADLINE.—

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

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

15 (c) APPROVAL OF MANAGEMENT PLAN.—

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

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

1           (3) CRITERIA FOR APPROVAL.—In determining  
2 whether to approve a management plan for a Na-  
3 tional Heritage Area, the Secretary shall consider  
4 whether—

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

12           (B) the local coordinating entity—

13           (i) has afforded adequate opportunity  
14 for public and Federal, State, Tribal, and  
15 local governmental involvement (including  
16 through workshops and hearings) in the  
17 preparation of the management plan; and

18           (ii) provides for at least semiannual  
19 public meetings to ensure adequate imple-  
20 mentation of the management plan;

21           (C) the resource protection, enhancement,  
22 interpretation, funding, management, and de-  
23 velopment strategies described in the manage-  
24 ment plan, if implemented, would adequately  
25 protect, enhance, interpret, fund, manage, and

1 develop the natural, historic, cultural, edu-  
2 cational, scenic, and recreational resources of  
3 the National Heritage Area;

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

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

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

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

23 (4) DISAPPROVAL.—

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

1 (i) shall advise the local coordinating  
2 entity in writing of the reasons for the dis-  
3 approval; and

4 (ii) may make recommendations to the  
5 local coordinating entity for revisions to  
6 the management plan.

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

11 (5) AMENDMENTS.—

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

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

23 (6) AUTHORITIES.—The Secretary may—

24 (A) provide technical assistance under the  
25 authority of this subtitle for the development

1 and implementation of the management plan;  
2 and

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

5 **SEC. 2006. EVALUATION; REPORT.**

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

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

12 (2) prepare a report in accordance with sub-  
13 section (c).

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

16 (1) assess the progress of the local coordinating  
17 entity with respect to—

18 (A) accomplishing the purposes of the au-  
19 thorizing legislation for the National Heritage  
20 Area; and

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

24 (2) analyze the Federal, State, Tribal, local,  
25 and private investments in the National Heritage

1 Area to determine the impact of the investments;  
2 and

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

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

16 **SEC. 2007. LOCAL COORDINATING ENTITY.**

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

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

23           (b) AUTHORITIES.—For the purposes of preparing  
24 and implementing the approved management plan for the

1 National Heritage Area, the local coordinating entity may  
2 use Federal funds made available under this subtitle to—

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

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

10 (3) hire and compensate staff, including individ-  
11 uals 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,  
19 including other Federal programs;

20 (5) contract for goods or services; and

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

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

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

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

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

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

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 a National Heritage Area; or



1 and management of energy or water or water-related  
2 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. 2010. 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. 2011. 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 other laws for the purposes for which those funds were  
 8 authorized.

9 **SEC. 2012. 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 B—Niagara Falls National**  
 14 **Heritage Area**

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

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

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

- 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.

1 **SEC. 2022. PURPOSES.**

2 (a) The purposes of this subtitle include—

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

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

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

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

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

1           (6) to conserve and interpret the history of the  
2 development of hydroelectric power in the United  
3 States and its role in developing the American econ-  
4 omy; and

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

9 **SEC. 2023. DEFINITIONS.**

10 In this subtitle—

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

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

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

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

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

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

8 **SEC. 2024. DESIGNATION OF THE NIAGARA FALLS NA-**  
9 **TIONAL HERITAGE AREA.**

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

12          (b) BOUNDARIES.—

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

24           (2) MAP.—The boundaries of the National Her-  
25 itage Area shall be as generally depicted on the map

1 titled “Niagara Falls National Heritage Area,” and  
2 numbered P76/80,000 and dated July, 2006. The  
3 map shall be on file and available to the public in  
4 the appropriate offices of the National Park Service  
5 and the local coordinating entity.

6 **SEC. 2025. MANAGEMENT PLAN.**

7 (a) REQUIREMENTS.—The management plan for the  
8 National Heritage Area shall—

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

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

23 (3) specify existing and potential sources of  
24 funding or economic development strategies to pro-

1 tect, enhance, interpret, fund, manage, and develop  
2 the National Heritage Area;

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

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

16 (6) describe a program for implementation for  
17 the management plan, including—

18 (A) performance goals;

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

22 (C) specific commitments for implementa-  
23 tion that have been made by the local coordi-  
24 nating entity or any Federal, State, Tribal, or

1 local government agency, organization, busi-  
2 ness, or individual;

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

10 (8) include a business plan that—

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

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

20 (b) DEADLINE.—

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

1 shall submit the management plan to the Secretary  
2 for approval.

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

10 (c) APPROVAL OF MANAGEMENT PLAN.—

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

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

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

23 (A) the local coordinating entity represents  
24 the diverse interests of the National Heritage  
25 Area, including Federal, State, Tribal, and local

1 governments, natural and historic resource pro-  
2 tection organizations, educational institutions,  
3 businesses, recreational organizations, commu-  
4 nity residents, and private property owners;

5 (B) the local coordinating entity—

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

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

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

22 (D) the management plan would not ad-  
23 versely affect any activities authorized on Fed-  
24 eral land under public land laws or land use  
25 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 (c) 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 (c) 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           lic 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 distinc-  
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           (c) 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 (c) 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           (c) 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           (c) 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 **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           (c) 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 (c), 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 redesign-  
9 dated 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.

Passed the House of Representatives October 24,  
 2007.

Attest: LORRAINE C. MILLER,  
*Clerk.*