

103^D CONGRESS
2^D SESSION

H. R. 4692

To establish the Appalachian Coal Heritage Area.

IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 1994

Mr. BOUCHER introduced the following bill; which was referred to the
Committee on Natural Resources

A BILL

To establish the Appalachian Coal Heritage Area.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Appalachian Coal
5 Heritage Area Act of 1994”.

6 **SEC. 2. CONGRESSIONAL FINDINGS.**

7 The Congress finds that—

8 (1) the rise of American industry in the late
9 19th and early 20th century led to tremendous
10 growth in the Appalachian coal fields, creating an
11 area of national historic significance in terms of its

1 contributions to American industry, architecture,
2 culture, and diversity;

3 (2) within the Appalachian coal belt, the area
4 surrounding and including Pocahontas, Virginia, has
5 a particularly rich history because the Pocahontas
6 mine produced some of the Nation's purest and most
7 sought-after coal and now serves as an invaluable
8 historical and educational resource;

9 (3) to accommodate the growing population in
10 the area, the coal mining companies built the town
11 of Pocahontas, one of the oldest and most important
12 company towns in America's coal region;

13 (4) the town of Pocahontas is blessed with a
14 rich architectural heritage that testifies to American
15 cultural ability;

16 (5) this heritage is unique and must be pre-
17 served;

18 (6) the influx of labor needed to support the
19 Pocahontas mine created a unique cultural conver-
20 gence, bringing together Americans from northern
21 mining areas, African-Americans from the South, re-
22 cent immigrants from Southern and Southeastern
23 Europe, and native Appalachians into a diverse yet
24 integrated community that represents the distinctive
25 American heritage;

1 (7) it is in the national interest to preserve and
2 protect physical remnants of the late 19th and early
3 20th century rise of American industry for the edu-
4 cation and benefit of present and future generations;
5 and

6 (8) there is a need to provide assistance for the
7 preservation and promotion of the vestiges of the
8 coal heritage of Appalachia that have outstanding
9 cultural, historic, and architectural value.

10 **SEC. 3. STATEMENT OF PURPOSE.**

11 It is the purpose of this Act to provide a management
12 framework to assist the Commonwealth of Virginia, its
13 units of local and regional government, and its citizens
14 in the development and implementation of integrated cul-
15 tural, historical, and recreational land resource manage-
16 ment programs in order to retain, enhance, and interpret
17 the significant features of the lands, water, and structures
18 of the Appalachian Coal Heritage Area in the Common-
19 wealth of Virginia.

20 **SEC. 4. ESTABLISHMENT OF APPALACHIAN COAL HERIT-**
21 **AGE AREA.**

22 There is hereby established in the Commonwealth of
23 Virginia the Appalachian Coal Heritage Area (hereinafter
24 in this Act referred to as the “Area”). The Area shall con-
25 sist of the area generally depicted on the map entitled

1 “Appalachian Coal Heritage Area Master Plan”, num-
2 bered _____, and dated _____, which
3 shall be on file and available for public inspection in the
4 Office of the Director of the National Park Service.

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

6 (a) PREPARATION OF PLAN.—The town of Poca-
7 hontas may submit a management plan (hereinafter in
8 this Act referred to as the “Plan”) for the Area to the
9 Secretary of the Interior (hereinafter in this Act referred
10 to as the “Secretary”) for the review and concurrence of
11 the Secretary. The Plan shall be based on existing Fed-
12 eral, State, and local plans, and shall coordinate such
13 plans and present an integrated plan for the protection,
14 enhancement, and interpretation of the cultural, natural,
15 scenic, and recreational resources of the Area. The Plan
16 shall specify a management entity with respect to the Ap-
17 palachian Coal Heritage Area. The Secretary is authorized
18 to provide technical assistance in the preparation of the
19 Plan.

20 (b) IMPLEMENTATION.—If a Plan referred to in sub-
21 section (a) is submitted to the Secretary within 1 year
22 after the date of the enactment of this Act, and the Sec-
23 retary concurs with the Plan, the Secretary is authorized
24 to enter into a cooperative agreement with the manage-
25 ment entity specified in the Plan to provide technical as-

1 sistance for the protection, enhancement, and interpreta-
2 tion of the resources identified in the Plan.

3 **SEC. 6. CONTINGENCY IF HERITAGE COMPACT NOT SUB-**
4 **MITTED.**

5 (a) IN GENERAL.—The establishment of the Area
6 under section 4 and the authorization of the Secretary
7 under section 5(b) shall cease to be effective if, within 180
8 days after the date of the enactment of this Act, a Herit-
9 age Compact for the Area is not—

10 (1) submitted to the Secretary;

11 (2) approved by the Secretary, after consulta-
12 tion with the Advisory Council on Historic Preserva-
13 tion in accordance with section 106 of the National
14 Historic Preservation Act; and

15 (3) submitted to the Congress, together with
16 any comments that the Secretary deems appropriate.

17 (b) TECHNICAL ASSISTANCE.—The Secretary may
18 provide technical assistance to a unit of government or pri-
19 vate nonprofit organization in the preparation of a Herit-
20 age Compact.

21 (c) DEFINITION OF HERITAGE COMPACT.—For pur-
22 poses of this section, the term “Heritage Compact” means
23 a compact that—

24 (1) is prepared with public participation;

1 (2) contains information relating to the objec-
2 tives and management of the Area, including—

3 (A) a delineation of the boundaries of the
4 Area;

5 (B) a discussion of the goals and objectives
6 of the Area, including an explanation of the
7 proposed approach to conservation and inter-
8 pretation and a general outline of the protection
9 measures committed to by the partners;

10 (C) an identification and description of the
11 management entity that will administer the
12 Area;

13 (D) a list of the initial partners to be in-
14 volved in developing and implementing the man-
15 agement plan for the Area, as well as a state-
16 ment of the financial commitment of such part-
17 ners; and

18 (E) a description of the role of the Com-
19 monwealth of Virginia regarding the Area;

20 (3) outlines an implementation program that is
21 likely to be initiated within a reasonable time after
22 the date of the enactment of this Act and that en-
23 sures effective implementation of the State and local
24 aspects of the Plan; and

1 (4) is accompanied by the comments of the
2 Governor of the Commonwealth of Virginia.

3 **SEC. 7. DUTIES OF FEDERAL ENTITIES.**

4 Any Federal entity conducting or supporting activi-
5 ties directly affecting the Area shall—

6 (1) consult with the Secretary and the town of
7 Pocahontas with respect to the activities;

8 (2) cooperate with the Secretary and the town
9 of Pocahontas with respect to the activities and, to
10 the maximum extent practicable, coordinate the ac-
11 tivities with the Secretary and the town of Poca-
12 hontas; and

13 (3) to the maximum extent practicable, conduct
14 or support the activities in a manner that will not
15 have an adverse effect on the Area, as determined
16 by the Secretary and the town of Pocahontas.

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