

104TH CONGRESS
2D SESSION

H. R. 3305

To recognize the heritage of certain areas of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 24, 1996

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

A BILL

To recognize the heritage of certain areas of the United States, and for other purposes.

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

3 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “National Heritage Areas Act of 1996”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Statement of purpose.
- Sec. 3. Definitions.

TITLE I—NATIONAL HERITAGE AREAS PROGRAM

- Sec. 101. Criteria for designation.

- Sec. 102. Designation of National Heritage Areas.
- Sec. 103. National Heritage Areas Partnership Program.
- Sec. 104. Feasibility studies, compacts, and heritage plans.
- Sec. 105. Management entities.
- Sec. 106. Withdrawal of designation.
- Sec. 107. Private property protection.
- Sec. 108. Effect on environmental and other standards.
- Sec. 109. Multiple use savings clause.
- Sec. 110. Savings provision for previously designated areas.
- Sec. 111. Report.
- Sec. 112. Authorization of appropriations.
- Sec. 113. Expiration of grant and technical assistance authority.

TITLE II—DESIGNATION OF NATIONAL HERITAGE AREAS

- Sec. 201. Essex National Heritage Area.
- Sec. 202. Ohio & Erie Canal National Heritage Area.
- Sec. 203. Augusta Canal National Heritage Corridor.
- Sec. 204. Vancouver National Historic Reserve.
- Sec. 205. Steel Industry National Heritage Area.
- Sec. 206. South Carolina National Heritage Corridor.
- Sec. 207. Tennessee Civil War National Heritage Area.
- Sec. 208. Cache La Poudre National Heritage Area.

TITLE III—STUDIES OF POTENTIAL NATIONAL HERITAGE AREAS

- Sec. 301. Study of Puente-Chino Hills Heritage Corridor.
- Sec. 302. Study of Great Northern Frontier National Heritage Area.

TITLE IV—AMENDMENTS TO EXISTING HERITAGE CORRIDORS

- Sec. 401. Blackstone River National Heritage Corridor.
- Sec. 402. Illinois and Michigan Canal National Heritage Corridor.

1 **SEC. 2. STATEMENT OF PURPOSE.**

2 The purposes of this Act are—

- 3 (1) to recognize areas containing natural, his-
- 4 toric, scenic, and cultural resources and recreational
- 5 and educational opportunities that are geographi-
- 6 cally assembled and thematically related as areas
- 7 that provide unique frameworks for understanding
- 8 the great and diverse character of the Nation and
- 9 the development of communities and their surround-
- 10 ings;

1 (2) to encourage State and local governments,
2 nonprofit organizations, and the private sector, or
3 combinations thereof, to conserve and manage those
4 resources and opportunities with the assistance of a
5 program of limited Federal grants and technical as-
6 sistance;

7 (3) to encourage within these areas a broad
8 range of economic opportunities which enhance the
9 quality of life for present and future generations;
10 and

11 (4) to prescribe the process by which areas may
12 be designated as National Heritage Areas, define the
13 limited role of the Federal government, and outline
14 the parameters under which National Heritage
15 Areas will be operated.

16 **SEC. 3. DEFINITIONS.**

17 For purposes of this Act:

18 (1) COMPACT.—The term “compact” means an
19 agreement described in section 104(b).

20 (2) FEASIBILITY STUDY.—The term “feasibility
21 study” means a study, described in section 104(a),
22 to identify significant resources of, and a possible
23 management entity for, a potential National Herit-
24 age Area.

1 (3) HERITAGE PLAN.—The term “heritage
2 plan” means a plan described in section 104(e).

3 (4) INDIAN TRIBE.—The term “Indian tribe”
4 means any Indian tribe, band, nation, pueblo, or
5 other organized group or community, which is recog-
6 nized as eligible for the special programs and serv-
7 ices provided by the United States to Indians be-
8 cause of their status as Indians.

9 (5) LEGISLATIVE DAY.—The term “legislative
10 day” means any calendar day on which both Houses
11 of the Congress are in session.

12 (6) MANAGEMENT ENTITY.—The term “man-
13 agement entity” means the entity designated in the
14 compact for a National Heritage Area and described
15 in section 105(a).

16 (7) NATIONAL HERITAGE AREA.—The term
17 “National Heritage Area” means a place designated
18 by the Congress where natural, cultural, historic,
19 and recreational resources combine to form a cohe-
20 sive, nationally distinctive landscape arising from
21 patterns of human activity shaped by geography.
22 These patterns make National Heritage Areas rep-
23 resentative of the national experience through the
24 physical features that remain and the traditions that
25 have evolved in the areas. Continued use of National

1 Heritage Areas by people whose traditions helped to
2 shape the landscapes enhances their significance.

3 (8) SECRETARY.—The term “Secretary” means
4 the Secretary of the Interior.

5 (9) TECHNICAL ASSISTANCE.—The term “tech-
6 nical assistance” includes—

7 (A) assistance by the Secretary in the
8 preparation of heritage plans, compacts, re-
9 source inventories, and feasibility studies; and

10 (B) professional guidance provided by the
11 Secretary.

12 (10) UNIT OF GOVERNMENT.—The term “unit
13 of government” means the government of a State or
14 Commonwealth, a political subdivision of a State or
15 Commonwealth, or an Indian tribe.

16 **TITLE I—NATIONAL HERITAGE** 17 **AREAS PROGRAM**

18 **SEC. 101. CRITERIA FOR DESIGNATION.**

19 An area shall be eligible for designation as a National
20 Heritage Area only if the area meets each of the following
21 criteria:

22 (1) ASSEMBLAGE OF RESOURCES.—The area is
23 a cohesive assemblage of natural, historic, cultural,
24 or recreational resources that—

1 (A) together represent distinctive aspects
2 of American heritage worthy of recognition,
3 conservation, interpretation, and continuing
4 use; and

5 (B) are best managed through partner-
6 ships between public and private entities.

7 (2) TRADITIONS, CUSTOMS, BELIEFS, OR
8 FOLKLIFE.—The area reflects traditions, customs,
9 beliefs, or folklife, or some combination thereof, that
10 are a valuable part of the story of the Nation.

11 (3) CONSERVATION OF NATURAL, CULTURAL,
12 OR HISTORIC FEATURES.—The area provides out-
13 standing opportunities to conserve natural, cultural,
14 or historic features, or some combination thereof.

15 (4) RECREATIONAL AND EDUCATIONAL OPPOR-
16 TUNITIES.—The area provides outstanding rec-
17 reational and educational opportunities.

18 (5) THEMES AND INTEGRITY OF RESOURCES.—
19 The area has an identifiable theme, and resources
20 important to the theme retain integrity capable of
21 supporting interpretation.

22 (6) SUPPORT.—Residents, nonprofit organiza-
23 tions, other private entities, and governments
24 throughout the proposed area—

1 (A) demonstrate support for designation of
2 the area and for management of the area as ap-
3 propriate for such designation, and

4 (B) are willing to commit to the implemen-
5 tation of the compact for the area.

6 **SEC. 102. DESIGNATION OF NATIONAL HERITAGE AREAS.**

7 (a) METHOD OF DESIGNATION.—An area may be
8 designated as a National Heritage Area only by an Act
9 of Congress.

10 (b) CONDITIONS FOR DESIGNATION.—The Congress
11 may designate an area as a National Heritage Area only
12 after each of the following conditions is met:

13 (1) SUBMISSION OF STUDY AND COMPACT TO
14 SECRETARY.—An entity meeting the requirements of
15 section 105(a) and requesting National Heritage
16 Area designation for the area submits to the Sec-
17 retary—

18 (A) a feasibility study, and

19 (B) a proposed compact for the area,
20 signed by the Governor of each State in which
21 the area is located.

22 (2) SIGNATURE AND SUBMISSION BY SEC-
23 RETARY.—The Secretary—

24 (A) signs, pursuant to section 103(c)(2),
25 the compact for the area; and

1 (B) submits the feasibility study for the
2 area and the signed compact to the Congress,
3 together with a clear statement regarding a pre-
4 ferred action.

5 **SEC. 103. NATIONAL HERITAGE AREAS PARTNERSHIP PRO-**
6 **GRAM.**

7 (a) ESTABLISHMENT.—In order to conserve nation-
8 ally distinctive natural, historic, scenic, and cultural re-
9 sources, and to provide opportunities for conservation, eco-
10 nomic enhancement, education, and recreation through
11 recognition of and assistance to areas containing such re-
12 sources, there is hereby established within the Department
13 of the Interior a National Heritage Areas Partnership
14 Program, which shall assist the Secretary in carrying out
15 this Act.

16 (b) GRANTS AND TECHNICAL ASSISTANCE.—

17 (1) GRANTS.—

18 (A) IN GENERAL.—The Secretary may
19 make grants for the purposes of this title to
20 any unit of government and to any management
21 entity. The Secretary shall allocate grants
22 under this title based on the relative degree to
23 which each National Heritage Area or prospec-
24 tive National Heritage Area effectively fulfills
25 the objectives contained in the heritage plan for

1 the area (or the compact for the area, if no her-
2 itage plan has been forwarded under section
3 105) and achieves the purposes of this title. In
4 making such allocations, the Secretary shall
5 also give consideration to projects which provide
6 a greater leverage of Federal funds.

7 (B) PERMITTED AND PROHIBITED USES
8 OF GRANTS.—

9 (i) PERMITTED USES.—Grants made
10 under this section may be used for reports,
11 feasibility and other studies, development
12 of compacts, interpretive exhibits, historic
13 preservation projects, construction of cul-
14 tural, recreational, and interpretive facili-
15 ties that are open to the public, and such
16 other expenditures as are consistent with
17 this title.

18 (ii) PROHIBITED USES.—Grants made
19 under this section may not be used for—

20 (I) ongoing operational expenses
21 of any management entity (other than
22 operational expenses for the first 3
23 fiscal years beginning after the date
24 of the designation of the relevant Na-
25 tional Heritage Area); or

1 (II) acquisition of real property
2 or any interest in real property.

3 (C) APPLICABILITY OF RESTRICTIONS TO
4 SUBGRANTS.—For purposes of subparagraph
5 (B), any subgrant made from funds received as
6 a grant (or subgrant) made under this section
7 shall be treated as a grant made under this sec-
8 tion.

9 (D) PROTECTION OF FEDERAL INVEST-
10 MENT.—Any grant made under this section
11 shall be subject to an agreement that conver-
12 sion, use, or disposal of the project so assisted
13 for purposes contrary to the purposes of this
14 Act, as determined by the Secretary, shall re-
15 sult in a right of the United States to com-
16 pensation equal to the greater of—

17 (i) all Federal funds made available to
18 such project under this Act; or

19 (ii) the proportion of the increased
20 value of the project attributable to such
21 funds, as determined at the time of such
22 conversion, use, or disposal.

23 (2) TECHNICAL ASSISTANCE.—The Secretary
24 may provide technical assistance with respect to this
25 title.

1 (3) DURATION OF ELIGIBILITY FOR GRANTS
2 AND TECHNICAL ASSISTANCE.—The Secretary may
3 not provide any grant, and may provide only limited
4 technical assistance, under this title with respect to
5 any National Heritage Area for any period occurring
6 after the expiration of the 10-year period beginning
7 on the date on which the National Heritage Area is
8 designated.

9 (4) DISQUALIFICATION FOR FEDERAL FUND-
10 ING.—If a heritage plan meeting the requirements of
11 section 104(c) is not forwarded to the Secretary for
12 a National Heritage Area as required under section
13 105(b)(1) within the time specified in section
14 105(b)(1), the Secretary may not, after such time,
15 provide technical assistance or grants under this
16 title with respect to the National Heritage Area
17 until such a heritage plan for the National Heritage
18 Area is developed and forwarded to the Secretary.

19 (5) PREVIOUSLY EXISTING HERITAGE AREAS.—
20 The Secretary may provide grants and technical as-
21 sistance under this section with respect to any area
22 which has been designated by an Act of Congress,
23 before the date of the enactment of this Act, as a
24 heritage area or heritage corridor, as if such area or
25 corridor had been designated a National Heritage

1 Area under this title. The Secretary may not provide
2 any grant, and may provide only limited technical
3 assistance, under this paragraph with respect to any
4 such heritage area or corridor after the earlier of—

5 (A) the last day on which the area or cor-
6 ridor is eligible for Federal funding or assist-
7 ance under the statute designating such herit-
8 age area or corridor; or

9 (B) the expiration of the 10-year period
10 beginning on the date of the enactment of this
11 Act.

12 (c) OTHER DUTIES AND AUTHORITIES OF SEC-
13 RETARY.—

14 (1) EVALUATION AND ADVICE.—In accordance
15 with the purposes of this Act, the Secretary may—

16 (A) evaluate, in accordance with the cri-
17 teria referred to in section 101, areas nomi-
18 nated under this title for designation as Na-
19 tional Heritage Areas; and

20 (B) upon request, advise State and local
21 governments, nonprofit organizations, and other
22 appropriate entities on issues pertaining to this
23 Act.

24 (2) SIGNING OF COMPACTS.—The Secretary
25 shall sign or withhold signature on each proposed

1 compact submitted under this Act not later than 90
2 days after receiving the proposed compact. If the
3 Secretary withholds signature on a proposed com-
4 pact submitted under this Act, the Secretary shall
5 advise the submitter, in writing, of the reasons. The
6 Secretary shall sign or withhold signature on each
7 proposed revision to such a proposed compact not
8 later than 90 days after receiving the proposed revi-
9 sion. A submitter shall hold a public meeting in the
10 immediate vicinity of the proposed National Herit-
11 age Area before making any major revisions in a
12 proposed compact submitted under this Act. Prior to
13 signing any compact, the Secretary shall provide
14 reasonable notice concerning the proposed National
15 Heritage Area to private property owners within the
16 proposed boundary. Such notice may range from
17 legal notices (or other information) in local news
18 media to contact with individual property owners.
19 Such notice shall include information concerning the
20 designation, including information on the process by
21 which private property owners may remove their
22 property from the National Heritage Area.

23 (3) MONITORING OF NATIONAL HERITAGE
24 AREAS.—

1 (A) IN GENERAL.—The Secretary shall
2 monitor all National Heritage Areas (whether
3 or not eligibility for assistance under this title
4 has expired with respect to such areas).

5 (B) COMPLIANCE WITH COMPACTS.—Mon-
6 itoring of National Heritage Areas under sub-
7 paragraph (A) shall include monitoring of Na-
8 tional Heritage Areas to ensure compliance with
9 the terms of the compacts for such areas, for
10 the purpose of making determinations under
11 section 106.

12 (4) PROVISION OF INFORMATION.—In coopera-
13 tion with other Federal agencies, the Secretary shall
14 provide the general public with information regard-
15 ing the location and character of National Heritage
16 Areas.

17 (d) DUTIES OF OTHER FEDERAL ENTITIES.—Any
18 Federal entity conducting any activity directly affecting
19 any National Heritage Area shall consider the potential
20 effect of the activity on the area and shall consult with
21 the Governor of the State in which the area is located,
22 and the management entity for the area, with respect to
23 minimizing any adverse effect on the area.

1 **SEC. 104. FEASIBILITY STUDIES, COMPACTS, AND HERIT-**
2 **AGE PLANS.**

3 (a) FEASIBILITY STUDIES.—Each feasibility study
4 submitted under this title shall include sufficient informa-
5 tion to determine whether an area has the potential to
6 meet the criteria referred to in section 101. Each such
7 feasibility study shall be prepared with public participa-
8 tion. Each such feasibility study shall include, but need
9 not be limited to, each of the following:

10 (1) RESOURCES AND OPPORTUNITIES.—A de-
11 scription of the natural, historic, and cultural re-
12 sources and recreational and educational opportuni-
13 ties presented by the area, including an assessment
14 of the quality and integrity of, the availability of
15 public access to, and the themes represented by such
16 resources and opportunities.

17 (2) INTEREST AND IMPACT.—An assessment of
18 the interest of, and impact of possible designation
19 upon, potential partners, units of government, non-
20 profit organizations, and other private entities, in-
21 cluding private property owners.

22 (3) BOUNDARIES.—A general description of the
23 boundaries for the proposed National Heritage Area.

24 (4) CONCEPTUAL FRAMEWORK.—A general de-
25 scription of the conceptual framework of the pro-
26 posed National Heritage Area.

1 (5) POSSIBLE MANAGEMENT ENTITY.—Identi-
2 fication of a possible management entity for the pro-
3 posed National Heritage Area.

4 (6) VIEWS OF LOCALLY ELECTED OFFICIALS.—
5 Views of locally elected officials, including the views
6 of any such officials opposed to designation of the
7 area as a National Heritage Area.

8 (b) COMPACTS.—

9 (1) IN GENERAL.—Each compact submitted
10 under this title with respect to an area proposed for
11 designation as a National Heritage Area shall con-
12 sist of an agreement between the Secretary and the
13 Governor of each State in which the area is located.
14 Such agreement shall define the area, describe an-
15 ticipated programs for the area, and include infor-
16 mation relating to the objectives and management of
17 the area. Such information shall include, but need
18 not be limited to, each of the following:

19 (A) BOUNDARIES.—A delineation of the
20 boundaries of the proposed National Heritage
21 Area.

22 (B) MANAGEMENT ENTITY.—An identifica-
23 tion and description of the management entity
24 that will administer the proposed National Her-
25 itage Area.

1 (C) PARTNERS.—A list of the initial part-
2 ners to be involved in developing and imple-
3 menting the heritage plan for the proposed
4 area, and a statement of the financial commit-
5 ment of the partners.

6 (D) GOALS, OBJECTIVES, AND CONCEPTUAL FRAMEWORK.—A discussion of the goals,
7 objectives, and cost of the proposed National
8 Heritage Area, including an explanation of—
9 Heritage Area, including an explanation of—

10 (i) the conceptual framework, pro-
11 posed by the partners referred to in sub-
12 paragraph (C), for development and imple-
13 mentation of the heritage plan for the Na-
14 tional Heritage Area; and

15 (ii) the costs associated with the con-
16 ceptual framework.

17 (E) ROLE OF STATE.—A description of the
18 role of each State in which the proposed Na-
19 tional Heritage Area is located.

20 (2) CONSISTENCY WITH ECONOMIC VIABIL-
21 ITY.—Each compact submitted under this title with
22 respect to an area proposed for designation as a Na-
23 tional Heritage Area shall be consistent with contin-
24 ued economic viability in the communities within the
25 area.

1 (3) PREPARATION OF COMPACT.—Each com-
2 pact submitted under this title shall be prepared
3 with public participation and in compliance with the
4 National Environmental Policy Act of 1969 (42
5 U.S.C. 4321 et seq.).

6 (4) INITIATION OF ACTIONS.—Actions called for
7 in a compact shall be initiated within a reasonable
8 time after designation of the National Heritage Area
9 and shall ensure effective implementation of the
10 State and local aspects of the compact.

11 (c) HERITAGE PLANS.—

12 (1) IN GENERAL.—Each heritage plan for-
13 warded to the Secretary under this title for a Na-
14 tional Heritage Area shall be a plan, prepared pur-
15 suant to the designation of a National Heritage
16 Area, which sets forth the strategy to implement the
17 goals and objectives of the area. Each such heritage
18 plan shall—

19 (A) present comprehensive recommenda-
20 tions for the conservation, funding, manage-
21 ment, and development of the area;

22 (B) be prepared with public participation;

23 (C) take into consideration existing Fed-
24 eral, State, county, and local plans and involve

1 residents, private property owners, public agen-
2 cies, and private organizations in the area;

3 (D) include a description of actions that
4 units of government and private organizations
5 could take to protect the resources of the area;
6 and

7 (E) specify existing and potential sources
8 of funding for the conservation, management,
9 and development of the area.

10 (2) ADDITIONAL INFORMATION.—Each heritage
11 plan forwarded to the Secretary under this title also
12 shall include the following, as appropriate:

13 (A) INVENTORY OF RESOURCES.—An in-
14 ventory of important natural, cultural, or his-
15 toric resources which illustrate the theme of the
16 National Heritage Area.

17 (B) RECOMMENDATIONS FOR MANAGE-
18 MENT.—A recommendation of policies for man-
19 agement of the historical, cultural, and natural
20 resources and the recreational and educational
21 opportunities of the area in a manner consistent
22 with the support of appropriate and compatible
23 economic viability.

24 (C) PROGRAM AND COMMITMENTS.—A
25 program for implementation of the heritage

1 plan by the management entity specified in the
2 compact for the area and specific commitments,
3 for the first 5 years of operation of the heritage
4 plan, by the partners identified in the compact.

5 (D) ANALYSIS OF COORDINATION.—An
6 analysis of means by which Federal, State, and
7 local programs may best be coordinated to pro-
8 mote the purposes of this Act.

9 (E) INTERPRETIVE PLAN.—An interpretive
10 plan for the National Heritage Area.

11 **SEC. 105. MANAGEMENT ENTITIES.**

12 (a) IN GENERAL.—The management entity for each
13 National Heritage Area shall be an entity which reflects
14 a broad cross-section of interests within the heritage area
15 and which includes—

16 (1) at least 1 representative of one or more
17 units of government in each State in which the Na-
18 tional Heritage Area is located; and

19 (2) private property owners who reside within
20 the National Heritage Area.

21 (b) DUTIES.—Each management entity for a Na-
22 tional Heritage Area shall fulfill each of the following re-
23 quirements:

24 (1) HERITAGE PLAN.—Not later than 3 years
25 after the date of the designation of the area as a

1 National Heritage Area, the management entity
2 shall develop and forward to the Secretary, and to
3 the Governor of each State in which the area is lo-
4 cated, a heritage plan.

5 (2) PRIORITIES.—The management entity shall
6 give priority to the implementation of actions, goals,
7 and policies set forth in the compact and heritage
8 plan for the area, including assisting units of gov-
9 ernment and others in—

10 (A) carrying out programs which recognize
11 important resource values within the National
12 Heritage Area;

13 (B) encouraging economic viability in the
14 affected communities;

15 (C) establishing and maintaining interpre-
16 tive exhibits in the area;

17 (D) developing recreational and edu-
18 cational opportunities in the area;

19 (E) increasing public awareness of and ap-
20 preciation for the natural, historical, and cul-
21 tural resources of the area;

22 (F) restoring historic buildings that are lo-
23 cated within the boundaries of the area and re-
24 late to the theme of the area; and

1 (G) ensuring that clear, consistent, and ap-
2 propriate signs identifying public access points
3 and sites of interest are put in place throughout
4 the area.

5 (3) CONSIDERATION OF INTERESTS OF LOCAL
6 GROUPS.—The management entity shall, in develop-
7 ing and implementing the heritage plan for the area,
8 consider the interests of diverse units of government,
9 businesses, private property owners, and nonprofit
10 groups within the geographic area.

11 (4) PUBLIC MEETINGS.—The management en-
12 tity shall conduct public meetings at least annually
13 regarding the implementation of the heritage plan
14 for the area. The management entity shall place a
15 notice of each such meeting in a newspaper of gen-
16 eral circulation in the area and shall make the min-
17 utes of the meeting available to the public.

18 **SEC. 106. WITHDRAWAL OF DESIGNATION.**

19 (a) IN GENERAL.—The National Heritage Area des-
20 ignation of an area shall continue unless—

21 (1) the Secretary determines that—

22 (A) the National Heritage Area no longer
23 meets the criteria referred to in section 101;

24 (B) the use, condition, or development of
25 the area is inconsistent with the criteria re-

1 ferred to in section 101, the compact for the
2 area, or the heritage plan for the area; or

3 (C) the National Heritage Area is no
4 longer supported by the residents of the area
5 (which may be demonstrated by a request from
6 the Governor of any State in which the area is
7 located or a petition reflecting the interest of
8 residents of the area); and

9 (2) after making a determination referred to in
10 paragraph (1), the Secretary submits to the Con-
11 gress notification that the National Heritage Area
12 designation of the area should be withdrawn.

13 (b) PUBLIC HEARING.—Before the Secretary makes
14 a determination referred to in subsection (a)(1) regarding
15 a National Heritage Area, the Secretary or a designee
16 shall hold a public hearing within the area.

17 (c) TIME OF WITHDRAWAL OF DESIGNATION.—The
18 withdrawal of the National Heritage Area designation of
19 an area shall become final 90 legislative days after the
20 Secretary submits to the Congress the notification referred
21 to in subsection (a)(2) regarding the area.

22 (d) RESTRICTIONS ON REDESIGNATION.—If the Na-
23 tional Heritage Area designation of any area is withdrawn,
24 such area may not be redesignated as a National Heritage
25 Area before the expiration of the 10-year period beginning

1 on the date of such withdrawal. With respect to any Na-
2 tional Heritage Area which is so redesignated, section
3 103(b)(3) shall be applied by substituting “the excess (if
4 any) of 10 years over the amount of time for which such
5 area was previously eligible for grants under this title (or
6 would have been so eligible but for paragraph (4))” for
7 “the 10-year period beginning on the date on which the
8 National Heritage Area is designated”.

9 **SEC. 107. PRIVATE PROPERTY PROTECTION.**

10 (a) LIMITATION ON INCLUSION OF PRIVATE PROP-
11 ERTY IN NATIONAL HERITAGE AREAS.—No privately
12 owned property shall be included within the boundaries of
13 any National Heritage Area unless the government of the
14 county, city, or town in which the property is located
15 agrees to be so included and submits notification of such
16 agreement to the Secretary. If, at any time after the des-
17 ignation of the area, the government of a county, city, or
18 town which submitted such notification requests to be re-
19 moved from the National Heritage Area, the Secretary
20 and each Governor of a State in which the National Herit-
21 age Area is located shall revise the compact for the Na-
22 tional Heritage Area to exclude the county, city, or town
23 from the area.

24 (b) PROHIBITION OF ASSISTANCE IF MANAGEMENT
25 ENTITY EXERCISES ZONING OR LAND USE POWERS.—

1 The Secretary may not provide grants or technical assist-
2 ance under this title with respect to any National Heritage
3 Area if the management entity for such area possesses or
4 exercises any zoning or land use regulation powers.

5 (c) PROHIBITION OF CONDITIONING SIGNING OF
6 COMPACT OR AWARD OF ASSISTANCE ON LAND USE
7 CHANGES.—The Secretary may not, as a condition of
8 signing any compact or awarding any grant or any tech-
9 nical assistance under this Act, require the enactment or
10 modification of land use restrictions.

11 (d) ACCESS TO PRIVATE PROPERTY.—No provision
12 of this Act shall be construed to require any private prop-
13 erty owner to permit public access to such private prop-
14 erty. No provision of this Act shall be construed to modify
15 any provision of State law with regard to public access
16 to or use of private lands. Designation of a National Her-
17 itage Area under this Act shall not be deemed to create
18 any liability, or to have any effect on any liability (under
19 any other law), of any private property owner with respect
20 to any persons injured on such private property.

21 (e) RECOGNITION OF AUTHORITY TO CONTROL
22 LAND USE.—No provision of this Act shall be construed
23 to modify any existing authority of Federal, State, or local
24 governments to regulate land use.

1 (f) NOTIFICATION ON MAPS.—All maps and bro-
2 chures prepared pursuant to this Act shall include lan-
3 guage stating that certain lands within the National Her-
4 itage Areas are private lands.

5 (g) PARTICIPATION OF PRIVATE PROPERTY OWNERS
6 IN NATIONAL HERITAGE AREAS.—

7 (1) IN GENERAL.—No provision of this Act
8 shall be construed to require any private property
9 owner located within the boundary of any Heritage
10 Area to participate in or be associated with any Na-
11 tional Heritage Area.

12 (2) REMOVAL AND ADDITION OF PRIVATE
13 PROPERTY TO THE NATIONAL HERITAGE AREA.—

14 (A) REMOVAL OF PRIVATE PROPERTY
15 FROM THE NATIONAL HERITAGE AREA.—If at
16 any time the owner of privately owned property
17 within the boundary of a National Heritage
18 Area submits a written request to the manage-
19 ment entity to be removed from the National
20 Heritage Area, the management entity shall re-
21 vise the boundary map of such National Herit-
22 age Area to exclude the property from the Na-
23 tional Heritage Area. The application of this
24 subparagraph shall not affect the application of
25 section 103(b)(1)(D).

1 (B) ADDITION OF PRIVATE PROPERTY TO
2 THE NATIONAL HERITAGE AREA.—If at any
3 time the owner of privately owned property
4 within the boundary of a National Heritage
5 Area which has been previously removed from
6 the National Heritage Area boundary map, sub-
7 mits a written request to the management en-
8 tity to be included within the National Heritage
9 Area, the management entity shall revise the
10 boundary map to include such property in the
11 National Heritage Area.

12 (C) FINALIZATION OF BOUNDARY MAP.—
13 Exclusion of property under subparagraph (A)
14 or inclusion of property under subparagraph
15 (B) shall be final upon the receipt by the man-
16 agement entity of a written request by the pri-
17 vate property owner.

18 **SEC. 108. EFFECT ON ENVIRONMENTAL AND OTHER STAND-**
19 **ARDS.**

20 (a) RULES, REGULATIONS, STANDARDS, AND PER-
21 MIT PROCESSES.—No provision of this Act shall be con-
22 strued to impose any environmental, occupational, safety,
23 or other rule, regulation, standard, or permit process that
24 is different from those that would be applicable had a Na-
25 tional Heritage Area not been established.

1 (b) WATER STANDARDS.—No provision of this Act
2 shall be construed to impose any Federal or State water
3 use designation or water quality standard upon uses of,
4 or discharges to, waters of a State or waters of the United
5 States, within or adjacent to a National Heritage Area,
6 that is different from those that would be applicable had
7 the National Heritage Area not been established.

8 (c) WATER FACILITIES.—No provision of this Act
9 shall be construed to affect the continuing use and oper-
10 ation, repair, rehabilitation, expansion, or new construc-
11 tion of water supply facilities, water and wastewater treat-
12 ment facilities, stormwater facilities, public utilities, and
13 common carriers.

14 (d) WATER AND WATER RIGHTS.—No provision of
15 this Act shall be construed to authorize or imply the res-
16 ervation or appropriation of water or water rights.

17 (e) PERMITTING OF FACILITIES.—No provision of
18 this Act shall be construed to abridge, restrict, or alter
19 any applicable rule, regulation, standard, or review proce-
20 dure for the permitting of facilities within or adjacent to
21 a National Heritage Area.

22 **SEC. 109. MULTIPLE USE SAVINGS CLAUSE.**

23 (a) NO DIMINISHMENT OF STATE AUTHORITY.—No
24 provision of this Act shall be construed to diminish the
25 authority of the State containing any National Heritage

1 Area to manage fish and wildlife, including the regulation
2 of fishing and hunting within the area.

3 (b) NO CONDITIONING OF COMPACT AND ASSIST-
4 ANCE.—The Secretary may not require limitations on any
5 multiple use on Federal lands (including, but not limited
6 to, oil and gas, timbering, grazing, mining, irrigation,
7 recreation, fishing, hunting, and trapping) as a condition
8 for the signing of a compact, the provision of a grant, or
9 the determination of eligibility for assistance under this
10 Act. Neither the Secretary nor any other Federal agency
11 may require such limitations as a condition for the receipt,
12 in connection with the National Heritage Area status of
13 an area, of any other form of assistance from the Sec-
14 retary or such agencies.

15 **SEC. 110. SAVINGS PROVISION FOR PREVIOUSLY DES-**
16 **IGNATED AREAS.**

17 Except as specified in section 112(g), no provision of
18 this Act shall be construed to expand or diminish any au-
19 thority contained in any law that designates, before the
20 date of the enactment of this Act, a heritage area or herit-
21 age corridor.

22 **SEC. 111. REPORT.**

23 The Secretary shall submit to the Congress, every 5
24 years, a report on the status and accomplishments of the

1 National Heritage Areas Partnership Program as a whole
2 and the condition of National Heritage Areas.

3 **SEC. 112. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) IN GENERAL.—There is authorized to be appro-
5 priated for grants made and technical assistance provided
6 under section 103(b), the administration of such grants
7 and assistance, and the administration of the National
8 Heritage Areas Partnership Program established by sec-
9 tion 103(a), annually not more than \$10,000,000, to re-
10 main available until expended.

11 (b) ANNUAL ALLOCATION FOR GRANTS.—In any fis-
12 cal year, not less than 70 percent of the funds obligated
13 under this title shall be used for grants made under sec-
14 tion 103(b).

15 (c) LIMITATION ON TECHNICAL ASSISTANCE FUND-
16 ING.—In any fiscal year, not more than 30 percent of the
17 funds obligated under this title may be used for technical
18 assistance provided under section 103(b).

19 (d) LIMITATION ON PERCENT OF COST.—Federal
20 funding provided under this title, after the designation of
21 a National Heritage Area, for any technical assistance or
22 grant with respect to the area may not exceed 50 percent
23 of the total cost of the assistance or grant. Federal fund-
24 ing provided under this title with respect to an area before
25 the designation of the area as a National Heritage Area

1 may not exceed an amount proportionate to the level of
2 local support of and commitment to the designation of the
3 area.

4 (e) LIMITATION ON TOTAL FUNDING FOR EACH NA-
5 TIONAL HERITAGE AREA.—Not more than a total of
6 \$10,000,000 may be made available under this section
7 with respect to each National Heritage Area.

8 (f) LIMITATION ON ANNUAL FUNDING FOR EACH
9 NATIONAL HERITAGE AREA.—Not more than \$1,000,000
10 may be made available under this section with respect to
11 each National Heritage Area for any fiscal year.

12 (g) APPLICATION OF FUNDING LIMITS TO EXISTING
13 AREAS.—

14 (1) IN GENERAL.—Except as provided in any
15 other title of this Act, the aggregate appropriations,
16 under this and any other Act for any fiscal year be-
17 ginning after the date of the enactment of this Act,
18 to the Secretary (acting through the National Park
19 Service) for any area designated before such date as
20 a heritage area or heritage corridor may not exceed
21 the maximum amount which could have been appro-
22 priated with respect to the area or corridor under
23 this section for such fiscal year if the area or cor-
24 ridor were a National Heritage Area designated
25 under this title.

1 (2) APPLICATION OF LIMIT ON TOTAL FUNDING
2 FOR AREA.—For purposes of paragraph (1) and sub-
3 section (e), all Federal funding made available (be-
4 fore, on, or after the date of the enactment of this
5 Act) by the Secretary (acting through the National
6 Park Service) with respect to a heritage area or her-
7 itage corridor described in paragraph (1) shall be
8 treated as funding made available under this section.

9 (3) INCLUSION IN LIMIT ON FUNDING UNDER
10 THIS SECTION.—For purposes of the \$10,000,000
11 limitation contained in subsection (a), all amounts
12 appropriated to Secretary (acting through the Na-
13 tional Park Service) after the date of the enactment
14 of this Act, under this or any other Act, for heritage
15 areas and heritage corridors described in paragraph
16 (1) shall be treated as appropriated under such sub-
17 section.

18 (h) PROHIBITION ON USE OF FUNDS TO SUPPLE-
19 MENT NATIONAL PARK SYSTEM.—No funds authorized to
20 be appropriated under this title may be used to supple-
21 ment funding or programs at any unit of the National
22 Park System.

23 (i) ALLOCATION OF APPROPRIATIONS.—Notwith-
24 standing any other provision of law, no funds appropriated

1 or otherwise made available to the Secretary to carry out
2 this Act—

3 (1) may be obligated or expended by any person
4 unless the appropriation of such funds has been allo-
5 cated in the manner prescribed by this Act; or

6 (2) may be obligated or expended by any person
7 in excess of the amount prescribed by this Act.

8 **SEC. 113. EXPIRATION OF GRANT AND TECHNICAL ASSIST-**
9 **ANCE AUTHORITY.**

10 The Secretary may not make any grant or provide
11 any technical assistance under this title after September
12 30, 2012.

13 **TITLE II—DESIGNATION OF**
14 **NATIONAL HERITAGE AREAS**

15 **SEC. 201. ESSEX NATIONAL HERITAGE AREA.**

16 (a) STATEMENT OF PURPOSE.—The purposes of this
17 section are—

18 (1) to designate the Essex National Heritage
19 Area in order to recognize, preserve, promote, inter-
20 pret, and make available for the benefit of the public
21 the historical, cultural, and natural resources of the
22 North Shore and lower Merrimack River Valley in
23 Essex County, Massachusetts, which encompass the
24 3 primary themes of the Salem Maritime National
25 Historic site and Saugus Iron Works National His-

1 toric site (the histories of early settlement and in-
2 dustry, maritime trade, and textile and leather man-
3 ufacturing); and

4 (2) to provide a management framework to as-
5 sist the Commonwealth of Massachusetts and its
6 units of local government in the development and
7 implementation of an integrated cultural, historical,
8 and land resource management program in order to
9 retain, enhance, and interpret the significant values
10 of the lands, waters, and structures located in the
11 district.

12 (b) DESIGNATION.—Upon publication by the Sec-
13 retary in the Federal Register of notice that the Secretary
14 has signed (pursuant to section 103(c)(2)) a compact re-
15 garding the Heritage Area, there is hereby designated the
16 Essex National Heritage Area (in this section referred to
17 as the “Heritage Area”), within the county of Essex in
18 the Commonwealth of Massachusetts.

19 (c) BOUNDARIES.—The Heritage Area shall be com-
20 prised of the lands generally depicted on the map num-
21 bered NAR–51–80,000 and dated August 1994. The map
22 shall be on file and available for public inspection in the
23 office of the Director of the National Park Service.

24 (d) ADMINISTRATION.—The Heritage Area shall be
25 treated as part of the National Heritage Areas Partner-

1 ship Program and shall be treated for all purposes as hav-
2 ing been designated a National Heritage Area under title
3 I on the date on which the Heritage Area is designated
4 under subsection (b).

5 **SEC. 202. OHIO & ERIE CANAL NATIONAL HERITAGE AREA.**

6 (a) STATEMENT OF PURPOSE.—The purposes of this
7 section are—

8 (1) to preserve and interpret for the educational
9 and inspirational benefit of present and future gen-
10 erations the unique and significant contributions to
11 our national heritage of certain historic and cultural
12 lands, waterways, and structures within the 87-mile
13 Ohio and Erie Canal Corridor between Cleveland
14 and Zoar, Ohio;

15 (2) to encourage within the corridor a broad
16 range of economic opportunities enhancing the qual-
17 ity of life for present and future generations;

18 (3) to provide a management framework to as-
19 sist the State of Ohio, its political subdivisions, and
20 non-profit organizations, or combinations thereof, in
21 preparing and implementing an integrated corridor
22 heritage plan, and in developing policies and pro-
23 grams that will preserve, enhance, and interpret the
24 cultural, historical, natural, scenic, and recreational
25 resources and opportunities of the corridor; and

1 (4) to authorize the Secretary to provide finan-
2 cial and technical assistance to the State of Ohio, its
3 political subdivisions, and non-profit organizations,
4 or combinations thereof, in preparing and imple-
5 menting a corridor heritage plan.

6 (b) DESIGNATION.—Upon publication by the Sec-
7 retary in the Federal Register of notice that the Secretary
8 has signed (pursuant to section 103(c)(2)) a compact re-
9 garding the Heritage Area, there is hereby designated the
10 Ohio & Erie Canal National Heritage Area (in this section
11 referred to as the “Heritage Area”).

12 (c) BOUNDARIES.—The Heritage Area shall be com-
13 posed of the lands that are generally the route of the Ohio
14 & Erie Canal from Cleveland to Zoar, Ohio, as depicted
15 in the 1993 National Park Service Special Resources
16 Study, “A Route to Prosperity”. The specific boundaries
17 shall be those specified in the heritage plan submitted
18 under section 105(b)(1). The Secretary shall prepare a
19 map of the area which shall be on file and available for
20 public inspection in the office of the Director of the Na-
21 tional Park Service.

22 (d) ADMINISTRATION.—The Heritage Area shall be
23 treated as part of the National Heritage Areas Partner-
24 ship Program and shall be treated for all purposes as hav-
25 ing been designated a National Heritage Area under title

1 I on the date on which the Heritage Area is designated
2 under subsection (b).

3 (e) MANAGEMENT ENTITY.—Upon petition, the Sec-
4 retary is authorized to recognize the Ohio & Erie Canal
5 Association as the management entity, for purposes of
6 title I of this Act, for the Ohio & Erie Canal National
7 Heritage Area if the association establishes a National
8 Heritage Area Committee described in subsection (f).
9 Such a committee shall not be treated as an advisory com-
10 mittee for purposes of the Federal Advisory Committee
11 Act (5 U.S.C. App.).

12 (f) NATIONAL HERITAGE AREA COMMITTEE.—For
13 purposes of subsection (e), the term “National Heritage
14 Area Committee” means a committee which consists of the
15 following:

16 (1) 4 individuals, who shall include 1 represent-
17 ative of business and industry from each of the Ohio
18 counties of Cuyahoga, Summit, Stark, and
19 Tuscarawas, submitted by the Greater Cleveland
20 Growth Association, the Akron Regional Develop-
21 ment Board, the Stark Development Board, and the
22 Tuscarawas County Chamber of Commerce.

23 (2) 1 individual who is a director of a conven-
24 tion and tourism bureau within the 87-mile Ohio
25 and Erie Canal Corridor between Cleveland and

1 Zoar, Ohio, submitted by the Director of the Ohio
2 Department of Travel and Tourism.

3 (3) 1 individual with knowledge and experience
4 in the field of historic preservation, submitted by the
5 Ohio Historic Preservation Officer.

6 (4) 1 individual with knowledge and experience
7 in the field of historic preservation, submitted by the
8 Director of the National Park Service.

9 (5) 3 individuals submitted by the county or
10 metropolitan park boards in the Ohio counties of
11 Cuyahoga, Summit, and Stark.

12 (6) 8 individuals submitted by the county com-
13 missioners or county chief executives of the Ohio
14 counties of Cuyahoga, Summit, Stark, and
15 Tuscarawas, including—

16 (A) from each such county, 1 representa-
17 tive of the planning offices of the county; and

18 (B) from each such county, 1 representa-
19 tive of a municipality in the county.

20 (7) 2 individuals, who shall be representatives
21 of the Directors of the Ohio Department of Natural
22 Resources and the Ohio Department of Transpor-
23 tation, submitted by the Governor of Ohio.

24 (8) The Superintendent of the Cuyahoga Valley
25 National Recreation Area.

1 **SEC. 203. AUGUSTA CANAL NATIONAL HERITAGE COR-**
2 **RIDOR.**

3 (a) STATEMENT OF PURPOSE.—The purpose of this
4 section is to provide a cooperative management framework
5 to assist the State of Georgia, its units of local govern-
6 ment, and area citizens in retaining, enhancing, and inter-
7 preting the significant features of the lands, water, and
8 structures of the Augusta Canal, in a manner that is con-
9 sistent with positive economic impact and development for
10 the benefit and inspiration of present and future genera-
11 tions in the State of Georgia and the United States.

12 (b) DESIGNATION.—Upon publication by the Sec-
13 retary in the Federal Register of notice that the Secretary
14 has signed (pursuant to section 103(c)(2)) a compact re-
15 garding the Heritage Corridor, there is hereby designated
16 the Augusta Canal National Heritage Corridor (in this
17 section referred to as the “Heritage Corridor”).

18 (c) BOUNDARIES.—The Heritage Corridor shall in-
19 clude the land generally depicted on the map entitled “The
20 Augusta Canal”, numbered AUCA–80,000, and dated Au-
21 gust 1994, which shall be on file and available for public
22 inspection in the Office of the Director of the National
23 Park Service.

24 (d) ADMINISTRATION.—The Heritage Corridor shall
25 be treated as part of the National Heritage Areas Partner-
26 ship Program and shall be treated for all purposes as hav-

1 ing been designated a National Heritage Area under title
2 I on the date on which the Heritage Corridor is designated
3 under subsection (b).

4 **SEC. 204. VANCOUVER NATIONAL HISTORIC RESERVE.**

5 (a) STATEMENT OF PURPOSE.—The purposes of this
6 section are—

7 (1) to preserve, enhance, and interpret the sig-
8 nificant aspects of the land, water, structures, and
9 history of areas in and around Vancouver, Washing-
10 ton; and

11 (2) to establish a cooperative arrangement
12 through which an integrated cultural, historical, rec-
13 reational, and educational land resource manage-
14 ment program may be developed and implemented to
15 achieve those purposes.

16 (b) DESIGNATION.—Upon publication by the Sec-
17 retary in the Federal Register of notice that the Secretary
18 has signed (pursuant to section 103(c)(2)) a compact re-
19 garding the Historic Reserve, there is hereby designated
20 the Vancouver National Historic Reserve (in this section
21 referred to as the “Historic Reserve”).

22 (c) BOUNDARIES.—The Historic Reserve shall be
23 composed of the lands depicted on the map entitled “Van-
24 couver National Historic Reserve—Proposed Reserve

1 Area, numbered VAMC–80,000l”, and shall include the
2 following lands and facilities:

3 (1) Fort Vancouver National Historic Site.

4 (2) Vancouver Barracks.

5 (3) Pearson Airpark and Pearson Airpark His-
6 torical Museum.

7 (4) Officers Row.

8 (5) Old Apple Tree Park.

9 (6) Marine Park.

10 (7) The area of the Columbia River waterfront
11 identified in the map.

12 (8) The land and easements dedicated to the
13 city of Vancouver, Washington, for a waterfront trail
14 within the Columbia shores property.

15 (9) A pedestrian-only path between the Marine
16 Park and the southeastern corner of the Historic
17 Reserve at Columbia Way.

18 The map shall be on file and available for public inspection
19 in the offices of the Director of the National Park Service.

20 (d) ADMINISTRATION.—The Historic Reserve shall be
21 treated as part of the National Heritage Areas Partner-
22 ship Program and shall be treated for all purposes as hav-
23 ing been designated as a National Heritage Area under
24 title I on the date on which the Historic Reserve is des-
25 ignated under subsection (b).

1 (e) PEARSON AIRPARK.—

2 (1) CONDITIONS ON CONTINUED GENERAL
3 AVIATION USE.—The Secretary shall permit that
4 portion of National Park Service property used by
5 the city of Vancouver on the date of the enactment
6 of this Act for the Pearson Airpark runway and
7 taxiway to continue to be used by the city for gen-
8 eral aviation purposes after the year 2002 and be-
9 fore April 7, 2022, subject to approval by the Fed-
10 eral Aviation Administration and subject to the fol-
11 lowing conditions:

12 (A) MUSEUM AND AIRPARK.—Pearson Air-
13 park and Pearson Airpark Historical Museum
14 shall be operated by the city of Vancouver,
15 Washington, or its designee.

16 (B) FEE AND RENTAL.—The city of Van-
17 couver, Washington, shall pay to the National
18 Park Service fair market value for any National
19 Park Service lands, within the boundaries of
20 the Historic Reserve, leased by the city, except
21 as otherwise provided in this subparagraph. The
22 Secretary may enter into agreements that pro-
23 vide that specific additional work performed or
24 expenses paid by the city of Vancouver, which
25 the city is not otherwise obligated to perform or

1 pay under this or any other provision of law,
2 may be used, fairly valued, to reduce or offset
3 the amount of the obligation of the city to pay
4 rent pursuant to this subparagraph.

5 (C) REMOVAL OF EXTRANEOUS BUILDINGS
6 AND DEVICES.—All nonhistoric aviation-related
7 facilities and equipment, including T-hangars
8 and associated taxiways, shall be removed by
9 the city of Vancouver from National Park Serv-
10 ice property within the Historic Reserve not
11 later than April 6, 2003, except facilities and
12 equipment that are necessary for navigation
13 and safety in accordance with Federal Aviation
14 Administration standards and requirements.

15 (D) NO COMPENSATION.—The city of Van-
16 couver shall not be compensated for historic
17 aviation-related facilities or equipment that are
18 on National Park Service property within the
19 Historic Reserve on or before the date of the
20 enactment of this Act and remain on National
21 Park Service property within the Historic Re-
22 serve after such date, but shall be liable and re-
23 sponsible for continued use and maintenance of
24 the facilities and equipment.

1 (E) IMPROVEMENTS AND ADDITIONS.—

2 The approval of the Secretary shall be required
3 for all improvements and additions to facilities
4 or equipment of the Pearson Airpark Historical
5 Museum that are located on property of the
6 National Park Service.

7 (F) HELICOPTERS.—Helicopters shall not
8 be based at Pearson Airpark except as nec-
9 essary to accommodate emergency, disaster, or
10 national security needs.

11 (G) NUMBER OF AIRCRAFT.—The number
12 of airworthy aircraft based at Pearson Airpark
13 shall be determined under the Pearson eco-
14 nomic plan described in paragraph (3).

15 (2) PROHIBITION ON GENERAL AVIATION USE
16 AFTER APRIL 6, 2022.—No general aviation aircraft
17 shall be allowed at Pearson Airpark after April 6,
18 2022, unless a continuation of general aviation at
19 the Airpark is expressly authorized by an Act of
20 Congress enacted after the date of the enactment of
21 this Act.

22 (3) PEARSON ECONOMIC PLAN.—

23 (A) IN GENERAL.—The management entity
24 for the Historic Reserve shall prepare an eco-
25 nomic viability and mitigation plan (in this sec-

1 tion referred to as the “Pearson economic
2 plan”) for Pearson Airpark and include the
3 plan in the heritage plan submitted under sec-
4 tion 105(b)(1) with respect to the Historic Re-
5 serve.

6 (B) CONTENTS OF PEARSON ECONOMIC
7 PLAN.—The Pearson economic plan shall pro-
8 vide for each of the following:

9 (i) A report by the management entity
10 to the Secretary and the Congress, not
11 later than January 1, 2022, regarding the
12 advisability of continuing to base some
13 general aviation aircraft at Pearson Air-
14 park, taking into account the impact of
15 general aviation aircraft on National Park
16 Service operations, the needs of the com-
17 munity, and whether or not general avia-
18 tion aircraft are necessary to support the
19 economic viability of the historic aircraft
20 mission within the Historic Reserve.

21 (ii) A transition from basing predomi-
22 nantly general aviation aircraft at Pearson
23 Airpark to basing only historic aircraft at
24 the Airpark by April 6, 2022.

1 (iii) A program, coordinated with the
2 Federal Aviation Administration and other
3 agencies, to mitigate or eliminate any con-
4 flicts related to the operation of Pearson
5 Airpark and other activities within the
6 Historic Reserve. The program shall ad-
7 dress noise, safety, visual intrusion, and
8 the location of new facilities.

9 (iv) A Pearson Airpark Historical Mu-
10 seum plan, including budgetary strategies
11 by which proceeds from general aviation
12 and other sources will fund the museum
13 and other aviation curation activities.

14 (4) NO EFFECT ON AUTHORITY OF FAA OR
15 PORT OF PORTLAND.—This Act shall not be con-
16 strued to limit the authority of the Federal Aviation
17 Administration over air traffic control or aviation ac-
18 tivities, or activities supporting air traffic control or
19 aviation activities, at Pearson Airpark nor to limit
20 the operation or management, by the Port of Port-
21 land, of the Portland International Airport or of the
22 airspace in the vicinity of the airport.

23 (5) DEFINITION OF HISTORIC AIRCRAFT.—For
24 purposes of this section, the term “historic aircraft”
25 means an aircraft that—

1 (A) is based on a design from the World
2 War II era or earlier;

3 (B) is 50 years old or older; or

4 (C) is of historical significance, as deter-
5 mined by a qualified aviation advisory group se-
6 lected by the management entity.

7 **SEC. 205. STEEL INDUSTRY NATIONAL HERITAGE AREA.**

8 (a) STATEMENT OF PURPOSE.—The purposes of this
9 section are—

10 (1) to foster a close working relationship be-
11 tween all levels of government, the private sector,
12 and the local communities in the steel industry re-
13 gion of southwestern Pennsylvania and empower the
14 communities to conserve their heritage while con-
15 tinuing to pursue economic opportunities; and

16 (2) to conserve, interpret, and develop the his-
17 torical, cultural, natural, and recreational resources
18 related to the industrial and cultural heritage of the
19 6-county steel industry region of southwestern Penn-
20 sylvania.

21 (b) DESIGNATION.—Upon publication by the Sec-
22 retary in the Federal Register of notice that the Secretary
23 has signed (pursuant to section 103(c)(2)) a compact re-
24 garding the Heritage Area, there is hereby designated the

1 Steel Industry National Heritage Area (in this section re-
2 ferred to as the “Heritage Area”).

3 (c) BOUNDARIES.—The Heritage Area shall be com-
4 posed of lands generally depicted on the map entitled “The
5 Steel Industry American Heritage Area”, numbered
6 SINHA–80,007, and dated August 1994. The map shall
7 be on file and available for public inspection in the office
8 of the Director of the National Park Service.

9 (d) ADMINISTRATION.—The Heritage Area shall be
10 considered to be part of the National Heritage Areas Part-
11 nership Program and shall be treated for all purposes as
12 having been designated a National Heritage Area under
13 title I on the date on which the Heritage Area is des-
14 ignated under subsection (b).

15 **SEC. 206. SOUTH CAROLINA NATIONAL HERITAGE COR-**
16 **RIDOR.**

17 (a) DESIGNATION.—Upon publication by the Sec-
18 retary in the Federal Register of notice that the Secretary
19 has signed (pursuant to section 103(c)(2)) a compact re-
20 garding the Heritage Area, there is hereby designated the
21 South Carolina National Heritage Area (in this section re-
22 ferred to as the “Heritage Area”).

23 (b) BOUNDARIES.—The Heritage Area shall be com-
24 prised of the lands generally depicted on the map included
25 in the South Carolina Heritage Corridor—Draft Plan pre-

1 pared by the South Carolina Department of Parks, Recre-
2 ation and Tourism and dated September 1995.

3 (c) ADMINISTRATION.—The Heritage Area shall be
4 treated as part of the National Heritage Areas Partner-
5 ship Program and shall be treated for all purposes as hav-
6 ing been designated a National Heritage Area under title
7 I on the date on which the Heritage Area is designated
8 under subsection (a).

9 **SEC. 207. TENNESSEE CIVIL WAR NATIONAL HERITAGE**
10 **AREA.**

11 (a) CONGRESSIONAL FINDINGS.—The Congress finds
12 that—

13 (1) the Civil War Sites Advisory Commission,
14 which was created by the Congress in 1991, deter-
15 mined that 38 sites in Tennessee pertaining to the
16 Civil War are significant;

17 (2) the document entitled “Preliminary Pro-
18 posal for a National Heritage Area on the Civil War
19 in Tennessee”, published in March 1995 by the Cen-
20 ter for Historic Preservation, Middle Tennessee
21 State University, further documents important re-
22 sources pertaining to the Civil War in Tennessee;
23 and

1 (3) the findings of these studies indicate that
2 some or all of this area may be suitable for designa-
3 tion as a National Heritage Area.

4 (b) DIRECTIONS TO SECRETARY.—The Secretary
5 shall assist potential partners in Tennessee in determining
6 whether some or all of the area in Tennessee determined
7 significant by the Civil War Sites Advisory Commission
8 or described in the document entitled “Preliminary Pro-
9 posal for a National Heritage Area on the Civil War in
10 Tennessee”, published in March 1995 by the Center for
11 Historic Preservation, Middle Tennessee State University,
12 meets the criteria described in section 101 for designation
13 as a National Heritage Area. Such a determination shall
14 include, but need not be limited to—

15 (1) an assessment of the quality, integrity, and
16 accessibility of the identified resources;

17 (2) an assessment of the interest of, and impact
18 of possible designation upon, potential partners,
19 units of government, nonprofit organizations, and
20 other private entities, including private property
21 owners; including the extent to which public and pri-
22 vate entities and governments within the area have
23 demonstrated their support for the designation of
24 the area as a National Heritage Area;

1 (3) an identification of a possible management
2 entity for the proposed National Heritage Area;

3 (4) a general description of the conceptual
4 framework for the proposed National Heritage Area;
5 and

6 (5) a refinement of the boundaries described in
7 such document, based on an assessment of public
8 support and of the cohesiveness of the resources, to
9 identify a cohesive assemblage of resources which
10 can be effectively managed by the management en-
11 tity for the Heritage Area.

12 (c) DESIGNATION.—If the determination described in
13 subsection (b) is completed before the expiration of the
14 2-year period beginning on the date of the enactment of
15 this Act, then upon publication within such 2-year period
16 by the Secretary in the Federal Register of notice that
17 the Secretary has signed (pursuant to section 103(c)(2))
18 a compact regarding the Heritage Area, there is hereby
19 designated the Tennessee Civil War National Heritage
20 Area (in this section referred to as the “Heritage Area”).

21 (d) ADMINISTRATION.—The Heritage Area shall be
22 treated as part of the National Heritage Areas Partner-
23 ship Program and shall be treated for all purposes as hav-
24 ing been designated a National Heritage Area under title

1 I on the date on which the Heritage Area is designated
2 under subsection (c).

3 **SEC. 208. CACHE LA POUFRE NATIONAL HERITAGE AREA.**

4 (a) DUTIES OF SECRETARY.—The Secretary shall as-
5 sist potential partners in Colorado in determining whether
6 the floodplain of the Cache La Poudre River, as described
7 in this section, is appropriate for designation as a National
8 Heritage Area. Such determination shall include, but not
9 be limited to—

10 (1) an assessment of the quality, integrity, and
11 accessibility of the identified resources;

12 (2) an assessment of the interest of, and impact
13 of possible designation upon, potential partners,
14 units of government, nonprofit organizations, and
15 other private entities, including private property
16 owners; including the extent to which public and pri-
17 vate entities and governments within the area have
18 demonstrated their support for the designation of
19 the area as a National Heritage Area;

20 (3) an identification of a possible management
21 entity for the proposed National Heritage Area; and

22 (4) a general description of the conceptual
23 framework for the proposed National Heritage Area.

24 (b) DESIGNATION.—If the determination described in
25 subsection (a) is completed before the expiration of the

1 2-year period beginning on the date of the enactment of
2 this Act, then upon publication within such 2-year period
3 by the Secretary in the Federal Register of notice that
4 the Secretary has signed (pursuant to section 103(c)(2))
5 a compact regarding the Heritage Area, there is hereby
6 designated the Cache La Poudre National Heritage Area
7 (in this section referred to as the “Heritage Area”).

8 (c) BOUNDARIES.—The boundaries of this Area shall
9 include those lands within the 100-year floodplain of the
10 Cache La Poudre River Basin, beginning at a point where
11 the Cache La Poudre River flows out of the Roosevelt Na-
12 tional Forest and continuing east along said floodplain to
13 a point $\frac{1}{4}$ of 1 mile west of the confluence of the Cache
14 La Poudre River and the South Platte River in Weld
15 County, Colorado, comprising less than 35,000 acres, and
16 generally depicted as the 100-year flood boundary on any
17 of the following Federal Flood Insurance maps:

18 (1) Flood Insurance Rate Map, Larimer Coun-
19 ty, CO. Community-Panel No. 080101 0146B, April
20 2, 1979, U.S. Dept. of Housing and Urban Develop-
21 ment, Federal Insurance Administration.

22 (2) Flood Insurance Rate Map, Larimer Coun-
23 ty, CO. Community-Panel No. 080101 0147B, April
24 2, 1979, U.S. Dept. of Housing and Urban Develop-
25 ment, Federal Insurance Administration.

1 (3) Flood Insurance Rate Map, Larimer Coun-
2 ty, CO. Community-Panel No. 080101 0162B, April
3 2, 1979, U.S. Dept. of Housing and Urban Develop-
4 ment, Federal Insurance Administration.

5 (4) Flood Insurance Rate Map, Larimer Coun-
6 ty, CO. Community-Panel No. 080101 0163B,
7 March 18, 1986, Federal Emergency Management
8 Agency, Federal Insurance Administration.

9 (5) Flood Insurance Rate Map, Larimer Coun-
10 ty, CO. Community-Panel No. 080101 0178B,
11 March 18, 1986, Federal Emergency Management
12 Agency, Federal Insurance Administration.

13 (6) Flood Insurance Rate Map, Larimer Coun-
14 ty, CO. Community-Panel No. 080102 0002B, Feb-
15 ruary 15, 1984, Federal Emergency Management
16 Agency, Federal Insurance Administration.

17 (7) Flood Insurance Rate Map, Larimer Coun-
18 ty, CO. Community-Panel No. 080101 0179B,
19 March 18, 1986, Federal Emergency Management
20 Agency, Federal Insurance Administration.

21 (8) Flood Insurance Rate Map, Larimer Coun-
22 ty, CO. Community-Panel No. 080101 0193D, No-
23 vember 17, 1993, Federal Emergency Management
24 Agency, Federal Insurance Administration.

1 (9) Flood Insurance Rate Map, Larimer Coun-
2 ty, CO. Community-Panel No. 080101 0194B, No-
3 vember 17, 1993, Federal Emergency Management
4 Agency, Federal Insurance Administration.

5 (10) Flood Insurance Rate Map, Larimer Coun-
6 ty, CO. Community-Panel No. 080101 0208C, No-
7 vember 17, 1993, Federal Emergency Management
8 Agency, Federal Insurance Administration.

9 (11) Flood Insurance Rate Map, Larimer Coun-
10 ty, CO. Community-Panel No. 080101 0221C, No-
11 vember 17, 1993, Federal Emergency Management
12 Agency, Federal Insurance Administration.

13 (12) Flood Insurance Rate Map, Larimer Coun-
14 ty, CO. Community-Panel No. 080266 0605D, Sep-
15 tember 27, 1991, Federal Emergency Management
16 Agency, Federal Insurance Administration.

17 (13) Flood Insurance Rate Map, Larimer Coun-
18 ty, CO. Community-Panel No. 080264 0005A, Sep-
19 tember 27, 1991, Federal Emergency Management
20 Agency, Federal Insurance Administration.

21 (14) Flood Insurance Rate Map, Larimer Coun-
22 ty, CO. Community-Panel No. 080266 0608D, Sep-
23 tember 27, 1991, Federal Emergency Management
24 Agency, Federal Insurance Administration.

1 (15) Flood Insurance Rate Map, Larimer Coun-
2 ty, CO. Community-Panel No. 080266 0609C, Sep-
3 tember 28, 1982, Federal Emergency Management
4 Agency, Federal Insurance Administration.

5 (16) Flood Insurance Rate Map, Larimer Coun-
6 ty, CO. Community-Panel No. 080266 0628C, Sep-
7 tember 28, 1992, Federal Emergency Management
8 Agency, Federal Insurance Administration.

9 (17) Flood Insurance Rate Map, Larimer Coun-
10 ty, CO. Community-Panel No. 080184 0002B, July
11 16, 1979, U.S. Dept. of Housing and Urban Devel-
12 opment, Federal Insurance Administration.

13 (18) Flood Insurance Rate Map, Larimer Coun-
14 ty, CO. Community-Panel No. 080266 0636C, Sep-
15 tember 28, 1982, Federal Emergency Management
16 Agency, Federal Insurance Administration.

17 (19) Flood Insurance Rate Map, Larimer Coun-
18 ty, CO. Community-Panel No. 080266 0637C, Sep-
19 tember 28, 1982, Federal Emergency Management
20 Agency, Federal Insurance Administration.

21 (d) PUBLIC ACCESS TO MAPS.—The maps referred
22 to in subsection (c) shall be on file and available for public
23 inspection in—

1 (1) the offices of the Department of the Inte-
2 rior in Washington, District of Columbia, and Den-
3 ver, Colorado; and

4 (2) the appropriate offices of—

5 (A) the city of Fort Collins;

6 (B) Larimer County;

7 (C) the city of Greeley; and

8 (D) Weld County.

9 (e) ADMINISTRATION.—The Heritage Area shall be
10 treated as part of the National Heritage Areas Partner-
11 ship Program and shall be treated for all purposes as hav-
12 ing been designated a National Heritage Area under title
13 I on the date on which the Heritage Area is designated
14 under subsection (b).

15 **TITLE III—STUDIES OF POTEN-**
16 **TIAL NATIONAL HERITAGE**
17 **AREAS**

18 **SEC. 301. STUDY OF PUENTE-CHINO HILLS NATIONAL HER-**
19 **ITAGE CORRIDOR.**

20 (a) IN GENERAL.—Not later than 2 years after the
21 date on which funds are made available to carry out this
22 section, the Secretary shall complete a study on the suit-
23 ability and feasibility of designating the Puente-Chino
24 Hills as a National Heritage Area.

1 (b) REPORT TO CONGRESS.—On completion of the
2 study referred to in subsection (a), the Secretary shall
3 submit a report describing the results of the study to the
4 Committee on Resources of the House of Representatives
5 and the Committee on Energy and Natural Resources of
6 the Senate.

7 **SEC. 302. STUDY OF GREAT NORTHERN FRONTIER NA-**
8 **TIONAL HERITAGE AREA.**

9 (a) IN GENERAL.—Not later than 2 years after the
10 date on which funds are made available to carry out this
11 section, the Secretary shall complete a study on the suit-
12 ability and feasibility of designating historic Tryon Coun-
13 ty, in the Mohawk Valley of the State of New York, and
14 the Country of the Six Nations (Iroquois Confederacy) as
15 a National Heritage Area. This study shall include a strat-
16 egy for protection and management of the Oriskany Bat-
17 tlefield National Historic Landmark.

18 (b) REPORT TO CONGRESS.—On completion of the
19 study referred to in subsection (a), the Secretary shall
20 submit a report describing the results of the study to the
21 Committee on Resources of the House of Representatives
22 and the Committee on Energy and Natural Resources of
23 the Senate.

1 **TITLE IV—AMENDMENTS TO EX-**
2 **ISTING HERITAGE COR-**
3 **RIDORS**

4 **SEC. 401. BLACKSTONE RIVER NATIONAL HERITAGE COR-**
5 **RIDOR.**

6 (a) BOUNDARY CHANGES.—Section 2 of the Act enti-
7 tled “An Act to establish the Blackstone River Valley Na-
8 tional Heritage Corridor in Massachusetts and Rhode Is-
9 land”, approved November 10, 1986 (Public Law 99–647;
10 16 U.S.C. 461 note), is amended by striking the first sen-
11 tence and inserting the following new sentence: “The
12 boundaries shall include the lands and water generally de-
13 picted on the map entitled ‘Blackstone River Valley Na-
14 tional Heritage Corridor Boundary Map’, numbered
15 BRV–80–80,011, and dated May 2, 1993.”.

16 (b) TERMS.—Section 3(c) of the Act entitled “An Act
17 to establish the Blackstone River Valley National Heritage
18 Corridor in Massachusetts and Rhode Island”, approved
19 November 10, 1986 (Public Law 99–647; 16 U.S.C. 461
20 note), is amended by inserting before the period at the
21 end the following: “, but may continue to serve after the
22 expiration of this term until a successor has been ap-
23 pointed”.

24 (c) REVISION OF PLAN.—Section 6 of the Act enti-
25 tled “An Act to establish the Blackstone River Valley Na-

1 tional Heritage Corridor in Massachusetts and Rhode Is-
2 land”, approved November 10, 1986 (Public Law 99–647;
3 16 U.S.C. 461 note), is amended by adding at the end
4 the following new subsection:

5 “(d) REVISION OF PLAN.—(1) Not later than 1 year
6 after the date of the enactment of this subsection, the
7 Commission, with the approval of the Secretary, shall re-
8 vise the Cultural Heritage and Land Management Plan.
9 The revision shall address the boundary change made by
10 section 401(a) of the National Heritage Areas Act of 1995
11 and shall include a natural resource inventory of areas or
12 features that should be protected, restored, managed, or
13 acquired because of their contribution to the understand-
14 ing of national cultural landscape values.

15 “(2) The Secretary shall approve or disapprove the
16 revision required by paragraph (1) in accordance with sub-
17 section (b).”

18 (d) EXTENSION OF COMMISSION.—Subsection (b) of
19 section 7 of the Act entitled “An Act to establish the
20 Blackstone River Valley National Heritage Corridor in
21 Massachusetts and Rhode Island”, approved November
22 10, 1986 (Public Law 99–647; 16 U.S.C. 461 note), is
23 amended by striking “five years beginning on the day re-
24 ferred to in subsection (a)” and inserting “five years be-
25 ginning on the day of the expiration of the extension under

1 section 118 of Public Law 102–154 (105 Stat. 1013; 16
2 U.S.C. 461 note)”.
3

4 (e) LOCAL AUTHORITY.—Section 5 of the Act enti-
5 tled “An Act to establish the Blackstone River Valley Na-
6 tional Heritage Corridor in Massachusetts and Rhode Is-
7 land”, approved November 10, 1986 (Public Law 99–647;
8 16 U.S.C. 461 note), is amended by adding at the end
9 the following new subsection:

10 “(j) LOCAL AUTHORITY AND PRIVATE PROPERTY
11 NOT AFFECTED.—No provision of this Act shall be con-
12 strued to affect or to authorize the Commission to inter-
13 fere with—

14 “(1) the rights of any person with respect to
15 private property; or

16 “(2) any local zoning ordinance or land use
17 plan of the Commonwealth of Massachusetts or any
18 political subdivision of the Commonwealth”.

19 (f) AUTHORIZATION OF APPROPRIATIONS.—Section
20 10 of the Act entitled “An Act to establish the Blackstone
21 River Valley National Heritage Corridor in Massachusetts
22 and Rhode Island”, approved November 10, 1986 (Public
23 Law 99–647; 16 U.S.C. 461 note) is amended by adding
24 at the end the following new subsection:

25 “(c) There is hereby authorized to be appropriated
after fiscal year 1995 not more than \$5,000,000 (in addi-

1 tion to any amounts appropriated under subsection (a) or
2 (b)) to carry out the purposes of this Act. Funds made
3 available pursuant to this subsection shall not exceed 50
4 percent of the total costs of the project or assistance to
5 be funded.”.

6 **SEC. 402. ILLINOIS AND MICHIGAN CANAL NATIONAL HER-**
7 **ITAGE CORRIDOR.**

8 The Illinois and Michigan Canal National Heritage
9 Corridor Act of 1984 (Public Law 98–398; 16 U.S.C. 461
10 note) is amended by inserting after section 117 the follow-
11 ing new section:

12 “STUDY OF POSSIBLE ADDITIONS TO CORRIDOR

13 “SEC. 118. The Commission shall undertake a study
14 to determine whether the Joliet Army Ammunition Plant
15 and the Calumet-Sag and Chicago Sanitary and Ship Ca-
16 nals should be added to the corridor. The study shall spe-
17 cifically examine the relationship between the purposes of
18 this Act and the areas proposed for study and shall iden-
19 tify any specific resources which are related to the pur-
20 poses for which the corridor was established. The study
21 shall propose boundaries which provide for the inclusion
22 of any related resources within the corridor. The Commis-
23 sion shall submit the study to the Secretary and the appro-
24 priate congressional committees. Upon receipt of the
25 study, the Secretary shall determine which lands (if any)

1 should be added to the corridor and shall so notify the
2 appropriate congressional committees.”.

○