

104TH CONGRESS
2D SESSION

H. R. 3318

To establish the Southwest Montana Heritage and Recreation Area in the
State of Montana.

IN THE HOUSE OF REPRESENTATIVES

APRIL 24, 1996

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

A BILL

To establish the Southwest Montana Heritage and Recreation
Area in the State of Montana.

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 “Southwest Montana
5 Heritage and Recreation Area Act of 1996”.

6 **SEC. 2. DEFINITIONS.**

7 For purposes of this Act:

8 (1) HERITAGE AREA.—The term “Heritage
9 Area” means the Southwest Montana Heritage and
10 Recreation Area established pursuant to this Act.

1 (2) COMPACT.—The term “compact” means a
2 compact described in section 4.

3 (3) MANAGEMENT PLAN.—The term “manage-
4 ment plan” means the plan developed and approved
5 under section 4.

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

8 (5) TECHNICAL ASSISTANCE.—The term “tech-
9 nical assistance” means any guidance, advice, help,
10 or aid, other than financial aid.

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

14 (7) INDIAN TRIBE.—The term “Indian tribe”
15 means any Indian tribe, band, nation, pueblo, or
16 other organized group or community, including any
17 Alaska Native village or regional corporation as de-
18 fined in or established pursuant to the Alaska Na-
19 tive Claims Settlement Act (43 U.S.C. 1601 et seq.),
20 which is recognized as eligible for the special pro-
21 grams and services provided by the United States to
22 Indians because of their status as Indians.

1 **SEC. 3. SOUTHWEST MONTANA HERITAGE AND RECRE-**
2 **ATION AREA.**

3 (a) DESIGNATION.—Upon publication by the Sec-
4 retary in the Federal Register of notice that a compact
5 has been approved by the Secretary in accordance with
6 section 4, there is hereby designated the Southwest Mon-
7 tana Heritage and Recreation Area.

8 (b) BOUNDARIES.—The Heritage Area shall be com-
9 posed of the lands generally depicted on the map entitled
10 “Southwest Montana Heritage and Recreation Area—
11 Proposed”, numbered ____, and dated _____. The map
12 shall be on file and available for public inspection in the
13 office of the Director of the National Park Service.

14 **SEC. 4. COMPACT AND MANAGEMENT PLAN.**

15 (a) IN GENERAL.—The area generally depicted on
16 the map specified in section 3 may be designated as a her-
17 itage area only after each of the following conditions is
18 met:

19 (1) SUBMISSION OF COMPACT TO SEC-
20 RETARY.—An entity requesting heritage area des-
21 ignation for the area shall submit to the Secretary
22 a compact meeting the requirements of subsection
23 (b). The comments of the Governor of the State of
24 Montana, or a statement by the entity that the Gov-
25 ernor has failed to comment within a reasonable

1 time after receiving the compact, shall accompany
2 such submittal to the Secretary.

3 (2) APPROVAL AND SUBMISSION BY SEC-
4 RETARY.—The Secretary shall approve, pursuant to
5 subsection (c), the compact and submit the compact
6 to the Congress together with any comments that
7 the Secretary deems appropriate regarding a pre-
8 ferred action.

9 (b) CONTENTS AND REQUIREMENTS.—

10 (1) COMPACTS.—(A) A compact submitted
11 under this Act shall include information relating to
12 the objectives and management of the proposed Her-
13 itage Area. Such information shall include (but need
14 not be limited to) each of the following:

15 (i) A delineation of the boundaries of the
16 proposed Heritage Area.

17 (ii) A discussion of the goals and objectives
18 of the proposed Heritage Area, including an ex-
19 planation of the proposed approach to conserva-
20 tion and interpretation and a general outline of
21 the protection measures committed to by the
22 partners referred to in clause (iv).

23 (iii) An identification and description of
24 the management entity that will administer the
25 proposed Heritage Area.

1 (iv) A list of the initial partners to be in-
2 volved in developing and implementing the man-
3 agement plan referred to in paragraph (3) for
4 the proposed Heritage Area, and a statement of
5 the financial commitment of the partners.

6 (v) A description of the role of the State
7 of Montana.

8 (B)(i) The compact shall be prepared with pub-
9 lic participation.

10 (ii) Actions called for in the compact shall be
11 likely to be initiated within a reasonable time after
12 designation of the proposed Heritage Area and shall
13 ensure effective implementation of the State and
14 local aspects of the compact.

15 (2) MANAGEMENT PLANS.—(A) A management
16 plan submitted under this Act for the Heritage Area
17 shall present comprehensive recommendations for
18 the conservation, funding, management, and devel-
19 opment of the area. The plan shall take into consid-
20 eration existing State, county, and local plans and
21 involve residents, public agencies, and private orga-
22 nizations in the area. It shall include a description
23 of the actions recommended to be taken, to protect
24 the resources of the area, by units of government
25 and private organizations. It shall specify existing

1 and potential sources of funding for the protection,
2 management, and development of the area.

3 (B) The plan also shall include the following, as
4 appropriate:

5 (i) A recommendation of policies for re-
6 source management that consider and detail the
7 application of appropriate land and water man-
8 agement techniques, including (but not limited
9 to) the development of intergovernmental coop-
10 erative agreements to protect the historical, cul-
11 tural, and natural resources and the rec-
12 reational opportunities of the area in a manner
13 consistent with the support of appropriate and
14 compatible economic viability.

15 (ii) A program, including plans for restora-
16 tion and construction, for implementation of the
17 management plan by the management entity
18 specified in the compact referred to in para-
19 graph (1) and specific commitments, for the
20 first five years of operation of the plan, by the
21 partners identified in the compact.

22 (iii) An analysis of means by which Fed-
23 eral, State, and local programs may best be co-
24 ordinated to promote the purposes of this Act.

1 (iv) An interpretive plan for the Heritage
2 Area.

3 (3) EARLY ACTIONS.—After designation of the
4 Heritage Area but prior to approval of the manage-
5 ment plan for that area, the Secretary may provide
6 technical and financial assistance for early actions
7 that are important to the theme of the area and that
8 protect resources that would be in imminent danger
9 of irreversible damage without such early actions.

10 (c) APPROVAL AND DISAPPROVAL OF COMPACTS AND
11 MANAGEMENT PLANS.—

12 (1) IN GENERAL.—The Secretary, in consulta-
13 tion with the Governor of the State of Montana,
14 shall approve or disapprove each compact and man-
15 agement plan submitted under this Act not later
16 than 90 days after receiving such compact or man-
17 agement plan. Prior to approving the compact or
18 plan, the Secretary shall consult with the Advisory
19 Council on Historic Preservation in accordance with
20 section 106 of the National Historic Preservation
21 Act (16 U.S.C. 470f).

22 (2) DISAPPROVAL AND REVISIONS.—If the Sec-
23 retary disapproves a compact or management plan
24 submitted under this Act, the Secretary shall advise
25 the submitter, in writing, of the reasons for the dis-

1 approval and shall make recommendations for revi-
2 sions of the compact or plan. The Secretary shall ap-
3 prove or disapprove a proposed revision to such a
4 compact or plan within 90 days after the date on
5 which the revision is submitted to the Secretary.

6 (3) AMENDMENTS TO MANAGEMENT PLANS.—
7 The Secretary shall review substantial amendments
8 to management plans for Heritage Areas. Funds ap-
9 propriated pursuant to this Act may not be ex-
10 pended to implement such amendments until the
11 Secretary approves the amendments.

12 (4) NO REQUIREMENT FOR LAND USE REGULA-
13 TION AS CONDITION FOR APPROVAL.—No provision
14 of this Act shall be construed to require any change
15 in land use regulation as a condition of approval of
16 a compact, management plan, or revision of a com-
17 pact or management plan by the Secretary.

18 **SEC. 5. MANAGEMENT ENTITY.**

19 (a) IN GENERAL.—

20 (1) RECEIPT OF FEDERAL FUNDS.—The man-
21 agement entity designated in the compact approved
22 under section 4 for the Heritage Area is authorized
23 to receive Federal funds in support of cooperative
24 partnerships to prepare and implement the manage-

1 ment plan regarding the Heritage Area and to other-
2 wise perform the functions contemplated in this Act.

3 (2) ELIGIBILITY.—To be eligible for designa-
4 tion as the management entity of the Heritage Area,
5 a unit of government or private nonprofit organiza-
6 tion must possess the legal ability to—

7 (A) receive Federal funds for use in pre-
8 paring and implementing the management plan;

9 (B) disburse Federal funds to other units
10 of government or other organizations for use in
11 preparing and implementing the management
12 plan;

13 (C) account for all Federal funds so re-
14 ceived or disbursed; and

15 (D) sign agreements with the Federal Gov-
16 ernment.

17 (3) MEMBERSHIP.—A management entity for
18 the Heritage Area should, to the fullest extent pos-
19 sible, consist of diverse governmental, business, and
20 nonprofit groups within the geographic area of the
21 Heritage Area.

22 (b) AUTHORITIES OF MANAGEMENT ENTITY.—The
23 management entity of the Heritage Area may, for pur-
24 poses of preparing and implementing the management
25 plan, use Federal funds made available under this Act—

1 (1) to make grants and loans to the State, po-
2 litical subdivisions thereof, private organizations,
3 and other persons;

4 (2) to enter into cooperative agreements with
5 Federal agencies; and

6 (3) to hire and compensate staff.

7 (c) DUTIES OF MANAGEMENT ENTITY.—The man-
8 agement entity for the Heritage Area shall do each of the
9 following:

10 (1) MANAGEMENT PLAN.—The management
11 entity shall develop, and submit to the Secretary for
12 approval, a proposed management plan within three
13 years after the date of the designation of the area
14 as the Heritage Area.

15 (2) PRIORITIES.—The management entity shall
16 give priority to the implementation of actions, goals,
17 and policies set forth in the compact and manage-
18 ment plan, including—

19 (A) assisting units of government, regional
20 planning organizations, and nonprofit organiza-
21 tions—

22 (i) in preserving the Heritage Area;

23 (ii) in establishing and maintaining
24 interpretive exhibits in the area;

1 (iii) in developing recreational oppor-
2 tunities in the area;

3 (iv) in increasing public awareness of
4 and appreciation for the natural, historical,
5 and cultural resources of the area;

6 (v) in the restoration of historic build-
7 ings that are located within the boundaries
8 of the area and relate to the themes of the
9 area; and

10 (vi) in ensuring that clear, consistent,
11 and environmentally appropriate signs
12 identifying access points and sites of inter-
13 est are put in place throughout the area;
14 and

15 (B) consistent with the goals of the man-
16 agement plan, encouraging economic viability in
17 the affected communities by appropriate means.

18 (3) CONSIDERATION OF INTERESTS OF LOCAL
19 GROUPS.—The management entity shall, in develop-
20 ing and implementing the management plan, con-
21 sider the interests of diverse governmental, business,
22 and nonprofit groups within the geographic area.

23 (4) PUBLIC MEETINGS.—The management en-
24 tity shall conduct public meetings at least quarterly

1 regarding the implementation of the management
2 plan.

3 (5) SUBMISSION OF CHANGES IN PLAN.—The
4 management entity shall submit any substantial
5 changes to the management plan (including any in-
6 crease of more than 20 percent in the cost estimates
7 for implementation of the management plan) to the
8 Secretary for the approval of the Secretary.

9 (6) ANNUAL REPORT.—The management entity
10 shall, for any fiscal year in which it receives Federal
11 funds under this Act or in which a loan made by the
12 entity with Federal funds under this section is out-
13 standing, submit an annual report to the Secretary
14 setting forth its accomplishments, its expenses and
15 income, and the entities to which it made any loans
16 and grants during the year for which the report is
17 made.

18 (7) COOPERATION WITH AUDITS.—The manage-
19 ment entity shall, for any fiscal year in which it re-
20 ceives Federal funds under this Act or in which a
21 loan made by the entity with Federal funds under
22 this section is outstanding, make available for audit
23 by the Congress, the Secretary, and appropriate
24 units of government all records and other informa-
25 tion pertaining to the expenditure of such funds and

1 any matching funds, and require, for all agreements
2 authorizing expenditure of Federal funds by other
3 organizations, that the receiving organizations make
4 available for such audit all records and other infor-
5 mation pertaining to the expenditure of such funds.

6 (8) LIABILITY FOR LOANS.—The management
7 entity shall be liable to the Federal Government for
8 any loans that the management entity makes under
9 this section.

10 (d) DISQUALIFICATION FOR FEDERAL FUNDING.—If
11 a management plan regarding the Heritage Area is not
12 submitted to the Secretary as required under subsection
13 (c)(1) within the time specified in such subsection, the
14 Heritage Area shall cease to be eligible for Federal fund-
15 ing under this Act until such a plan regarding the Herit-
16 age Area is submitted to the Secretary.

17 (e) PROHIBITION OF ACQUISITION OF REAL PROP-
18 erty.—A management entity for the Heritage Area may
19 not use Federal funds received under this Act to acquire
20 real property or interest in real property. No provision of
21 this Act shall prohibit any management entity from using
22 Federal funds from other sources for their permitted pur-
23 poses.

24 (f) DURATION OF ELIGIBILITY FOR FINANCIAL AS-
25 sistance.—

1 (1) IN GENERAL.—A management entity for
2 the Heritage Area shall be eligible to receive funds
3 appropriated pursuant to this Act for a 10-year pe-
4 riod beginning on the day on which the Heritage
5 Area is designated, except as provided in paragraph
6 (2).

7 (2) EXTENSION OF ELIGIBILITY.—The eligi-
8 bility of a management entity for funding under this
9 Act may be extended, by the Secretary, for a period
10 of not more than five years after the 10-year period
11 referred to in paragraph (1), if—

12 (A) the management entity determines
13 that the extension is necessary in order to carry
14 out the purposes of this Act and notifies the
15 Secretary of such determination not later than
16 180 days prior to the end of the 10-year period
17 referred to in paragraph (1);

18 (B) the management entity, not later than
19 180 days prior to the end of the 10-year period
20 referred to in paragraph (1), presents to the
21 Secretary a plan of its activities for the period
22 of the extension, including provisions for becom-
23 ing independent of the funds made available
24 pursuant to this Act; and

1 (C) the Secretary, after consulting with the
2 Governor of the State of Montana, approves
3 such extension of eligibility.

4 (3) LACK OF EFFECT OF EXTENSION ON FUND-
5 ING LIMITATIONS.—An extension provided under
6 this subsection shall not be construed as waiving any
7 limitation on funds provided pursuant to this Act.

8 (g) PROTECTION OF PRIVATE PROPERTY.—The
9 management entity for the Heritage Area shall publish
10 procedures to ensure that the rights of owners of private
11 property are protected. Such procedures shall include a
12 process to provide information to the owners of private
13 property with respect to obtaining just compensation due
14 as a result of a taking of private property under the Fifth
15 Amendment of the Constitution of the United States.

16 **SEC. 6. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

17 (a) GENERAL AUTHORITY OF SECRETARY.—In ac-
18 cordance with the purposes of this Act, the Secretary is
19 authorized—

20 (1) to advise State and local governments, non-
21 profit organizations, and other appropriate entities
22 regarding suitable methods of recognizing and pre-
23 serving thematically and geographically linked natu-
24 ral, historic, and cultural resources and recreational
25 opportunities; and

1 (2) to consider the Heritage Area for nomina-
2 tion to the World Heritage List if the Secretary de-
3 termines that the area meets the qualifications for
4 such nomination.

5 (b) DUTIES AND AUTHORITIES OF SECRETARY.—

6 (1) GRANTS.—(A) The Secretary may make
7 matching grants to provide assistance regarding the
8 compacts and, upon request of the management en-
9 tity for the relevant Heritage Area, regarding man-
10 agement plans and early actions described in section
11 5 and capital projects and improvements undertaken
12 pursuant to such management plans. The Secretary
13 may make grants under this section to units of gov-
14 ernment, and, in consultation with affected units of
15 government, to private nonprofit organizations. In
16 awarding grants under this section, the Secretary
17 shall be guided by the criteria specified in paragraph
18 (6).

19 (B) The Secretary may not, as a condition of
20 the award of a grant under this section, require any
21 recipient of such a grant to enact or modify land use
22 restrictions.

23 (2) TECHNICAL ASSISTANCE.—(A) The Sec-
24 retary may provide technical assistance to units of
25 government and private nonprofit organizations re-

1 garding compacts and, upon request of the manage-
2 ment entity for the relevant Heritage Area, regard-
3 ing management plans and early actions described in
4 section 4 and capital projects and improvements un-
5 dertaken pursuant to such management plans. In
6 providing the technical assistance, the Secretary
7 shall be guided by the criteria specified in paragraph
8 (6).

9 (B) The Secretary may elect to provide all or
10 part of the technical assistance authorized by this
11 subsection through cooperative agreements with
12 units of government and private nonprofit organiza-
13 tions whose missions and resources can contribute
14 substantially to the purposes of this Act.

15 (3) OTHER ASSISTANCE.—Nothing in this Act
16 shall be deemed to prohibit the Secretary or units of
17 government from providing technical or financial as-
18 sistance under any other provision of law.

19 (4) PRIORITIES FOR ASSISTANCE.—In assisting
20 the Heritage Area, the Secretary shall give priority
21 to actions that assist in—

22 (A) conserving the significant natural, his-
23 toric, and cultural resources which support the
24 themes of the Heritage Area; and

1 (B) providing educational, interpretive, and
2 recreational opportunities consistent with the
3 resources and associated values of the Heritage
4 Area.

5 (5) DETERMINATIONS REGARDING ASSIST-
6 ANCE.—The Secretary shall decide on awarding
7 technical and financial assistance and the amount of
8 the assistance. Such decisions shall be based on the
9 relative degree to which the Heritage Area effec-
10 tively fulfills the objectives contained in the manage-
11 ment plan for the area, achieves the purposes of this
12 Act, and fulfills the criteria specified in paragraph
13 (6) and shall give consideration to projects which
14 provide a greater leverage of Federal funds.

15 (6) CRITERIA.—The criteria specified in this
16 paragraph are as follows:

17 (A) ASSEMBLAGE OF RESOURCES.—The
18 area shall be an assemblage of natural, historic,
19 or cultural resources that—

20 (i) together represent distinctive as-
21 pects of American heritage worthy of rec-
22 ognition, preservation, interpretation, and
23 continuing use; and

24 (ii) are best managed as such an as-
25 semblage, through partnerships among

1 public and private entities, and by combin-
2 ing diverse and sometimes noncontiguous
3 resources and active communities.

4 (B) TRADITIONS, CUSTOMS, BELIEFS, OR
5 FOLKLIFE.—The area shall reflect traditions,
6 customs, beliefs, or folklife, or some combina-
7 tion thereof, that are a valuable part of the
8 story of the Nation.

9 (C) CONSERVATION OF NATURAL, CUL-
10 TURAL, OR HISTORIC FEATURES.—The area
11 shall provide outstanding opportunities to con-
12 serve natural, cultural, or historic features, or
13 some combination thereof.

14 (D) RECREATIONAL AND EDUCATIONAL
15 OPPORTUNITIES.—The area shall provide out-
16 standing recreational and educational opportu-
17 nities.

18 (E) THEMES AND INTEGRITY OF RE-
19 SOURCES.—The area shall have an identifiable
20 theme or themes, and resources important to
21 the identified theme or themes shall retain in-
22 tegrity capable of supporting interpretation.

23 (F) SUPPORT.—Residents, nonprofit orga-
24 nizations, other private entities, and govern-
25 ments within the proposed area shall dem-

1 onstrate support for designation of the area and
2 for management of the area as appropriate for
3 such designation.

4 (G) AGREEMENTS.—The principal organi-
5 zation and units of government supporting the
6 designation shall be willing to commit to agree-
7 ments to work in partnership to implement the
8 management plan of the area.

9 (H) CONSISTENCY WITH ECONOMIC VIA-
10 BILITY.—The proposal shall be consistent with
11 continued economic viability in the affected
12 communities.

13 (I) CONSENT OF LOCAL GOVERNMENTS.—
14 No county, city, or town shall be included with-
15 in the boundaries of the area unless the govern-
16 ment of such county, city, or town agrees to be
17 so included and submits notification of such
18 agreement to the Secretary.

19 (7) NON-FEDERALLY OWNED PROPERTY.—The
20 Secretary is authorized to spend Federal funds di-
21 rectly on nonfederally owned property to further the
22 purposes of this Act, giving priority to assisting
23 units of government in appropriate treatment of dis-
24 tricts, sites, buildings, structures, and objects listed

1 or eligible for listing on the National Register of
2 Historic Places.

3 (8) ANNUAL REPORT.—The Secretary shall
4 submit an annual report to the Congress regarding
5 the Heritage Areas Partnership Program. Each re-
6 port shall include—

7 (A) the number, amount, and recipients of
8 any grants provided by the Secretary under this
9 Act and the nature of any technical assistance
10 or early action provided under this Act;

11 (B) a description of the status and condi-
12 tion of, and Federal funding provided under
13 this Act to, the Heritage Area;

14 (C) a description of the areas nominated
15 for the Heritage Partnership Program;

16 (D) the recommendations of the Secretary
17 regarding areas to be designated by the Con-
18 gress as Heritage Areas; and

19 (E) the status of the implementation of all
20 contractual agreements entered into by the Sec-
21 retary under this Act.

22 (9) OVERSIGHT OF HERITAGE AREAS WITH EX-
23 PIRE D ELIGIBILITY.—The Secretary shall inves-
24 tigate, study, and continually monitor the welfare of
25 the Heritage Area after its eligibility for Federal

1 funding under this Act has expired and shall report
2 to the Congress periodically regarding the condition
3 of the Heritage Area.

4 (10) PROVISION OF INFORMATION.—In co-
5 operation with other Federal agencies, the Secretary
6 shall provide the general public with information re-
7 garding the location and character of components of
8 the Heritage Areas Partnership Program.

9 (11) PROMULGATION OF REGULATIONS.—The
10 Secretary shall promulgate such regulations as are
11 necessary to carry out the purposes of this Act.

12 (c) DUTIES OF FEDERAL ENTITIES.—Any Federal
13 entity conducting or supporting activities within the Herit-
14 age Area, and any unit of government acting pursuant to
15 a grant of Federal funds or a Federal permit or agreement
16 and conducting or supporting such activities, shall, to the
17 maximum extent practicable—

18 (1) consult with the Secretary and the manage-
19 ment entity for the Heritage Area with respect to
20 such activities; and

21 (2) cooperate with the Secretary and the man-
22 agement entity in the carrying out of the duties of
23 the Secretary and the management entity under this
24 Act, and coordinate such activities to minimize any

1 real or potential adverse impact on the Heritage
2 Area.

3 **SEC. 7. LACK OF EFFECT ON LAND USE REGULATION.**

4 (a) LACK OF EFFECT ON AUTHORITY OF GOVERN-
5 MENTS.—Nothing in this Act shall be construed to modify,
6 enlarge, or diminish any authority of Federal, State, and
7 local governments to regulate any use of land as provided
8 for by current law or regulation.

9 (b) LACK OF ZONING OR LAND USE POWERS OF EN-
10 TITY.—Nothing in this Act shall be construed to grant
11 powers of zoning or land use to any management entity
12 for the Heritage Area.

13 (c) MANAGEMENT PLAN AVAILABILITY TO LOCAL
14 GOVERNMENTS.—Any management plan referred to in
15 section 4(a) and submitted to the Secretary by the man-
16 agement entity for the Heritage Area shall be made avail-
17 able to the local governments having jurisdiction over land
18 use regulations affecting the Heritage Area for the use
19 of the local governments in updating their growth manage-
20 ment plans and in the event that such governments desire
21 to amend current land use legislation as they may deem
22 appropriate and in accordance with their legal authority.

23 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

24 (a) FEASIBILITY STUDIES, COMPACTS, MANAGE-
25 MENT PLANS, AND EARLY ACTIONS.—From the amounts

1 made available to carry out the National Historic Preser-
2 vation Act (16 U.S.C. 470 et seq.), there is authorized
3 to be appropriated to the Secretary, for grants and tech-
4 nical assistance pursuant to section 6 and the administra-
5 tion of such grants and assistance, such sums as may be
6 necessary, to remain available until expended, with the fol-
7 lowing conditions:

8 (1) PERCENT OF COST.—No grant under this
9 Act for a compact, management plan, or early action
10 may exceed 75 percent of the cost, to the grantee,
11 for such compact, plan, or early action.

12 (2) COMPACT.—The total amount of Federal
13 funding under this Act for the compact for the pro-
14 posed Heritage Area may not exceed \$150,000.

15 (3) EARLY ACTION GRANTS.—The total amount
16 of Federal funding under this Act for early action
17 grants for the Heritage Area may not exceed
18 \$250,000.

19 (4) MANAGEMENT PLANS.—The total amount
20 of Federal funding under this Act for the manage-
21 ment plan for the Heritage Area may not exceed
22 \$150,000.

23 (b) MANAGEMENT ENTITY OPERATIONS.—

24 (1) OPERATING COSTS.—From the amounts
25 made available to carry out the National Historic

1 Preservation Act (16 U.S.C. 470 et seq.), there is
2 authorized to be appropriated to the Secretary, for
3 the management entity of the Heritage Area, not
4 more than \$250,000 annually for the operating costs
5 of such management entity pursuant this Act.

6 (2) COST SHARE.—The Federal contribution
7 under this Act to the operations of any management
8 entity of the Heritage Area shall not exceed 50 per-
9 cent of the annual operating costs of the entity.

10 (c) PLAN IMPLEMENTATION.—From the amounts
11 made available to carry out the National Historic Preser-
12 vation Act (16 U.S.C. 470 et seq.), there is authorized
13 to be appropriated to the Secretary, for grants and tech-
14 nical assistance for the implementation of management
15 plans for designated Heritage Areas and the administra-
16 tion of such grants and assistance, such sums as may be
17 necessary, to remain available until expended, with the fol-
18 lowing conditions:

19 (1) PERCENT OF COST.—No grant under this
20 Act for implementation of a management plan may
21 exceed 50 percent of the cost to the grantee of the
22 implementation.

23 (2) TOTAL FUNDING FOR EACH AREA.—Not
24 more than a total of \$10,000,000 may be made
25 available under this subsection to the Heritage Area.

1 (4) AGREEMENTS.—Any payment made under
2 this subsection shall be subject to an agreement that
3 conversion, use, or disposal of the project so assisted
4 for purposes contrary to the purposes of this Act, as
5 determined by the Secretary, shall result in a right
6 of the United States to the greater of—

7 (A) reimbursement of all funds made avail-
8 able for such project; and

9 (B) the proportion of the increased value
10 of the project attributable to such funds, as de-
11 termined at the time of such conversion, use, or
12 disposal.

13 (d) LIMITATION ON AMOUNTS FOR TECHNICAL AS-
14 SISTANCE.—The amount of Federal funding made avail-
15 able under this section for technical assistance for the
16 Heritage Area for a fiscal year may not exceed \$150,000.

○