

Calendar No. 718

103D CONGRESS
2D SESSION

S. 1818

A BILL

To establish the Ohio & Erie Canal National Heritage Corridor in the State of Ohio as an affiliated area of the National Park System, and for other purposes.

OCTOBER 5 (legislative day, SEPTEMBER 12), 1994
Committee discharged; ordered to be placed on the calendar

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 2 (legislative day, JANUARY 25), 1994

Mr. METZENBAUM (for himself and Mr. GLENN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

OCTOBER 5 (legislative day, SEPTEMBER 12), 1994

Committee discharged; ordered to be placed on the calendar

A BILL

To establish the Ohio & Erie Canal National Heritage Corridor in the State of Ohio as an affiliated area of the National Park System, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ohio & Erie Canal
5 National Heritage Corridor Act of 1994”.

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) The Ohio & Erie Canal, which opened for
4 commercial navigation in 1832, was the first inland
5 waterway to connect the Great Lakes at Lake Erie
6 with the Gulf of Mexico via the Ohio and Mississippi
7 Rivers and was part of a canal network in Ohio that
8 was one of the most extensive and successful sys-
9 tems in America during a time when canals were es-
10 sential to the growth of the Nation.

11 (2) The Ohio & Erie Canal spurred economic
12 growth in the State of Ohio that took the State from
13 near bankruptcy to the third most economically
14 prosperous State in the Union in just 20 years.

15 (3) A 4-mile section of the Ohio & Erie Canal
16 was designated a National Historic Landmark in
17 1966 and other portions of the Ohio & Erie Canal
18 and many associated structures were placed on the
19 National Register of Historic Places.

20 (4) In 1974, 19 miles of the Ohio & Erie Canal
21 were declared nationally significant under National
22 Park Service new area criteria with the designation
23 of Cuyahoga Valley National Recreation Area.

24 (5) The National Park Service determined that
25 the Ohio & Erie Canal is nationally significant in a

1 1975 study entitled “Suitability/Feasibility Study,
2 Proposed Ohio & Erie Canal”.

3 (6) A 1993 special resource study of the Ohio
4 & Erie Canal Corridor conducted by the National
5 Park Service entitled “A Route to Prosperity” con-
6 cluded that the corridor is eligible as a National
7 Heritage Corridor, an affiliated unit of the National
8 Park System.

9 (b) PURPOSE.—The purpose of this Act is—

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

17 (2) to provide a management framework to as-
18 sist the State of Ohio and its political subdivisions
19 in developing and implementing an integrated Cor-
20 ridor Management Plan and developing policies and
21 programs that will preserve, enhance, and interpret
22 the cultural, historical, natural, recreation, and sce-
23 nic resources of the corridor.

24 **SEC. 3. DEFINITIONS.**

25 For the purposes of this Act—

1 (1) the term “corridor” means the Ohio & Erie
2 Canal National Heritage Corridor established under
3 section 4;

4 (2) the term “Commission” means the Ohio &
5 Erie Canal National Heritage Corridor Commission
6 established under section 5; and

7 (3) the term “Corridor Management Plan”
8 means the management plan developed under section
9 8.

10 **SEC. 4. OHIO & ERIE CANAL NATIONAL HERITAGE COR-**
11 **RIDOR.**

12 (a) ESTABLISHMENT.—There is established in the
13 State of Ohio the Ohio & Erie Canal National Heritage
14 Corridor.

15 (b) BOUNDARIES.—

16 (1) IN GENERAL.—The boundaries of the cor-
17 ridor are generally the route of the Ohio & Erie
18 Canal from Cleveland to Zoar, Ohio, as depicted in
19 the 1993 National Park Service special resources
20 study entitled “A Route to Prosperity”.

21 (2) DETAIL.—The boundaries shall be specified
22 in detail in the Corridor Management Plan, prepared
23 and approved pursuant to section 7(a).

24 (c) ADMINISTRATION.—The corridor shall be admin-
25 istered in accordance with this Act.

1 **SEC. 5. THE OHIO & ERIE CANAL NATIONAL HERITAGE**
2 **CORRIDOR COMMISSION.**

3 (a) ESTABLISHMENT.—

4 (1) IN GENERAL.—There is established the
5 Ohio & Erie Canal National Heritage Corridor Com-
6 mission.

7 (2) RESPONSIBILITIES.—The Commission shall
8 assist Federal, State, and local authorities and the
9 private sector in developing and implementing an in-
10 tegrated management plan for the corridor.

11 (b) MEMBERSHIP.—The Commission shall be com-
12 posed of 21 members, including—

13 (1) the Director of the National Park Service,
14 ex officio, or a delegate of the Director;

15 (2) 2 individuals appointed by the Secretary
16 from recommendations submitted by the Governor of
17 Ohio, who shall be representatives of the Directors
18 of the Ohio Department of Natural Resources and
19 the Ohio Historical Society;

20 (3) 8 individuals appointed by the Secretary
21 from recommendations submitted by the county
22 commissioners or county chief executive of the Ohio
23 counties of Cuyahoga, Summit, Stark, and
24 Tuscarawas, of which—

25 (A) 4 individuals shall be representatives
26 of the Planning offices of each county; and

1 (B) 4 individuals shall represent a municipi-
2 pality in each of the counties;

3 (4) 3 individuals appointed by the Secretary
4 from recommendations submitted by the county or
5 metropolitan park boards of the Ohio counties of
6 Cuyahoga, Summit, and Stark;

7 (5) 1 individual with knowledge and experience
8 in the field of historic preservation, appointed by the
9 Secretary from recommendations made by the Direc-
10 tor of the National Park Service;

11 (6) 1 individual with knowledge and experience
12 in the field of historic preservation, appointed by the
13 Secretary from recommendations made by the Ohio
14 Historic Preservation Officer;

15 (7) 1 individual who shall be a director of a
16 convention and tourism bureau from within the cor-
17 ridor, appointed by the Secretary from recommenda-
18 tions made by the Director of the Ohio Department
19 of Travel and Tourism; and

20 (8) 4 individuals appointed by the Secretary
21 from recommendations submitted by the Greater
22 Cleveland Growth Association, the Akron Regional
23 Development Board, the Stark Development Board,
24 and the Tuscarawas County Chamber of Commerce,

1 who shall represent business and industry in each of
2 the 4 counties.

3 (c) PERIOD OF APPOINTMENT.—

4 (1) IN GENERAL.—Except as provided in para-
5 graph (2), members of the Commission shall be ap-
6 pointed for terms of 3 years and may be reappointed
7 after the expiration of each term.

8 (2) INITIAL APPOINTMENTS.—The Secretary
9 shall appoint the initial members of the Commission
10 not later than 6 months after the date of enactment
11 of this Act. Of the members first appointed—

12 (A) the members appointed pursuant to
13 subsection (b)(3)(B) shall be appointed to a
14 term of 2 years and may not be reappointed to
15 a consecutive term;

16 (B) the member appointed pursuant to
17 subsection (b)(7) shall be appointed to a term
18 of 2 years and may not be reappointed to a con-
19 secutive term; and

20 (C) the members appointed pursuant to
21 subsections (b)(5) and (b)(8) shall be appointed
22 to a term of 2 years and may be reappointed.

23 (d) VACANCIES.—

24 (1) IN GENERAL.—Except as provided in para-
25 graph (2), a vacancy in the Commission shall be

1 filled in the manner in which the original appoint-
2 ment was made.

3 (2) LIMITATIONS.—Any member appointed to
4 fill a vacancy occurring before the expiration of the
5 term for which the predecessor of such vacancy was
6 appointed shall be appointed only for the remainder
7 of such term. Any member of the Commission ap-
8 pointed for a definite term may serve after the expi-
9 ration of the term until a successor has taken office.

10 (e) PERSONNEL MATTERS.—

11 (1) COMPENSATION OF MEMBERS.—Each mem-
12 ber of the Commission who is not an officer or em-
13 ployee of the Federal Government shall serve with-
14 out compensation. Each member of the Commission
15 who is an officer or employee of the Federal Govern-
16 ment shall serve without compensation in addition to
17 that received for their service as officers or employ-
18 ees of the Federal Government.

19 (2) TRAVEL EXPENSES.—The members of the
20 Commission shall be allowed travel expenses, includ-
21 ing per diem in lieu of subsistence, at rates author-
22 ized for persons employed intermittently in the Gov-
23 ernment service under section 5703 of title 5, Unit-
24 ed States Code.

1 (f) CHAIRPERSON.—The members of the Commission
2 shall elect a Chairperson from among the members of the
3 Commission. The Chairperson shall serve in such capacity
4 until the expiration of the term of the member elected as
5 Chairperson.

6 (g) QUORUM.—Eleven members of the Commission
7 shall constitute a quorum. The affirmative vote of not less
8 than 11 members of the Commission shall be required to
9 approve the budget of the Commission.

10 (h) MEETINGS.—The Commission shall meet at least
11 quarterly at the call of the chairperson or 11 of its mem-
12 bers. Meetings of the Commission shall be subject to sec-
13 tion 552b of title 5, United States Code (relating to open
14 meetings).

15 (i) STAFF.—

16 (1) IN GENERAL.—The Commission may, with-
17 out regard to civil service laws and regulations, ap-
18 point and fix the compensation of such staff as may
19 be necessary to enable the Commission to carry out
20 its duties. The Commission shall appoint a Director
21 and such specialists the Commission considers nec-
22 essary or appropriate in such areas as planning,
23 community development, interpretive services, his-
24 toric preservation, recreation, natural resources,

1 commerce and industry, education, financing, and
2 public relations.

3 (2) COMPENSATION.—The Commission may fix
4 the compensation of the Director and other person-
5 nel without regard to the provisions of chapter 51
6 and subchapter III of chapter 53 of title 5, United
7 States Code, relating to classification of positions
8 and General Schedule pay rates, except that no indi-
9 vidual so appointed may receive pay in excess of the
10 annual rate payable for grade GS–15 of the General
11 Schedule.

12 (j) EXPERTS AND CONSULTANTS.—Subject to such
13 rules as may be adopted by the Commission, the Commis-
14 sion may procure temporary and intermittent services
15 under section 3109(b) of title 5, United States Code, at
16 rates determined by the Commission to be reasonable.

17 (k) DETAIL OF GOVERNMENT EMPLOYEES.—Upon
18 request of the Commission, the head of any Federal agen-
19 cy may detail, on a reimbursable basis, the personnel of
20 such agency to the Commission to assist the Commission
21 in carrying out its duties. The Commission may accept
22 the services of personnel detailed from the State of Ohio,
23 and any political subdivision thereof, and may reimburse
24 the State or political subdivision for the services.

1 (l) ADMINISTRATIVE SUPPORT.—The Administrator
2 of General Services shall provide such administrative sup-
3 port services as the Commission may request, on a reim-
4 bursable basis.

5 **SEC. 6. POWERS OF THE COMMISSION.**

6 (a) HEARINGS.—The Commission may, for the pur-
7 pose of carrying out this Act, hold such hearings, sit and
8 act at such times and places, take such testimony, and
9 receive such evidence, as the Commission considers appro-
10 priate. The Commission may not issue subpoenas or exer-
11 cise subpoena authority.

12 (b) BYLAWS.—The Commission may make such by-
13 laws, rules, and regulations, consistent with this Act, as
14 it considers necessary to carry out its functions under this
15 Act.

16 (c) POWERS OF MEMBERS AND AGENTS.—Any mem-
17 ber or agent of the Commission, if so authorized by the
18 Commission, may take any action which the Commission
19 is authorized to take by this Act.

20 (d) MAILS.—The Commission may use the United
21 States mails in the same manner and under the same con-
22 ditions as other departments and agencies of the United
23 States.

24 (e) USE OF FUNDS TO OBTAIN MONEY.—The Com-
25 mission may use its funds to obtain money from any

1 source under any program or law requiring the recipient
2 of such money to make a contribution in order to receive
3 such money.

4 (f) RETAINING REVENUES.—The Commission may
5 retain revenue from the sale or lease of any goods or serv-
6 ices.

7 (g) GIFTS.—Except as provided in subsection (h), the
8 Commission may, for the purposes of carrying out its du-
9 ties, seek, accept, and dispose of gifts, bequests, or dona-
10 tions of money, personal property, or services, received
11 from any source. For purposes of section 170(c) of the
12 Internal Revenue Code of 1986, any gift to the Commis-
13 sion shall be deemed to be a gift to the United States.

14 (h) ACQUISITION AND DISPOSITION OF REAL PROP-
15 ERTY.—

16 (1) IN GENERAL.—Except as provided in para-
17 graphs (2) and (3), the Commission may not acquire
18 real property, or interests in real property, in the
19 corridor.

20 (2) CONDITIONS FOR ACQUISITION.—Subject to
21 paragraph (3), the Commission may acquire real
22 property, or interests in real property, in the cor-
23 ridor—

24 (A) by gift or devise;

1 (B) by purchase from a willing seller using
2 donated or appropriated land acquisition funds;
3 or

4 (C) by exchange.

5 (3) CONVEYANCE.—Any real property or inter-
6 est in real property acquired by the Commission
7 under paragraph (2) shall be conveyed by the Com-
8 mission to an appropriate public agency or private
9 nonprofit organization, as determined by the Com-
10 mission—

11 (A) as soon as practicable after such acqui-
12 sition; and

13 (B) on the condition that the real property
14 or interest in real property limits use of the
15 property to uses consistent with the purpose of
16 this Act.

17 (4) DISPOSAL OF PROPERTY.—The Commission
18 may with approval of the Secretary, sell any real
19 property or interest in real property pursuant to
20 subparagraphs (A) and (B) of paragraph (2) and re-
21 tain the revenue from the sale.

22 (i) COOPERATIVE AGREEMENTS AND TECHNICAL AS-
23 SISTANCE.—For the purposes of implementing the Cor-
24 ridor Management Plan, the Commission may enter coop-
25 erative agreements with, or provide technical assistance to,

1 Federal agencies, the State of Ohio, political subdivisions
2 of the State, corporations, and persons. Any such coopera-
3 tive agreement shall, at a minimum, establish procedures
4 for providing notice to the Commission of any action pro-
5 posed by Federal agencies, the State of Ohio, any political
6 subdivision of the State, any corporations, or any such
7 person which may affect the implementation of the Cor-
8 ridor Management Plan.

9 (j) LOANS AND GRANTS.—Consistent with the pur-
10 poses of this Act, the Commission may make loans and
11 grants to the State of Ohio, political subdivision of the
12 State, corporations, or persons, from appropriated funds
13 or from funds donated or otherwise made available to the
14 Commission. The Commission shall provide advice and as-
15 sistance in preparation of loan or grant applications to the
16 Commission and applications for loans or grants from
17 other Federal or non-Federal sources in furtherance of
18 this Act. Any loan made under this subsection shall be
19 for a term expiring before the termination of the Commis-
20 sion.

21 (k) TECHNICAL ADVISORY GROUPS.—Not later than
22 1 year after the date on which the Commission holds its
23 first meeting, the Commission shall establish public tech-
24 nical advisory groups to assist the Commission in carrying
25 out its duties in the areas of economic development, his-

1 toric preservation, natural resources, tourism, recreation
2 and open space, and transportation. The Commission may
3 establish additional technical advisory groups as needed
4 to carry out its duties.

5 (I) LOCAL AUTHORITY AND PRIVATE PROPERTY NOT
6 AFFECTED.—Nothing in this Act shall be construed to af-
7 fect or to authorize the Commission to interfere with—

8 (1) the rights of any person with respect to pri-
9 vate property; or

10 (2) any local zoning ordinance or land use plan
11 of the State of Ohio or a political subdivision of such
12 State.

13 **SEC. 7. DUTIES OF THE COMMISSION.**

14 (a) CORRIDOR MANAGEMENT PLAN.—

15 (1) PERIOD FOR DEVELOPMENT.—Not later
16 than 18 months after the date on which the Com-
17 mission conducts its first meeting, the Commission
18 shall submit a management plan for the corridor to
19 the Secretary and the Governor of Ohio for review
20 and approval.

21 (2) TECHNICAL ASSISTANCE.—The Secretary
22 shall, upon request of the Commission, provide as-
23 sistance to the Commission in the preparation and
24 implementation of the plan.

1 (3) PLAN REQUIREMENTS.—The plan shall take
2 into consideration State, county, and local plans ex-
3 isting on the date on which the plan is prepared,
4 and public involvement. The plan shall—

5 (A) provide an inventory that includes any
6 property in the corridor that should be pre-
7 served, restored, managed, developed, or main-
8 tained because of its natural, cultural, historic,
9 recreational, or scenic significance;

10 (B) provide an analysis of current and po-
11 tential land uses within the corridor that affect
12 the character of the corridor;

13 (C) determine the boundaries of the cor-
14 ridor based on the information collected pursu-
15 ant to subparagraphs (A) and (B);

16 (D) establish standards and criteria appli-
17 cable to the construction, preservation, restora-
18 tion, alteration, and use of significant prop-
19 erties within the corridor;

20 (E) include a heritage interpretation plan
21 to interpret the resources and values of the cor-
22 ridor, and provide for appropriate educational,
23 recreational, and tourism opportunities and de-
24 velopment;

1 (F) contain policies for land use manage-
2 ment that consider and detail the application of
3 appropriate land and water management tech-
4 niques not limited to local zoning, use of ease-
5 ments, and intergovernmental cooperative
6 agreements, so as to protect and enhance the
7 historic, cultural, natural, scenic, and rec-
8 reational resources of the corridor in a manner
9 consistent with supporting economic develop-
10 ment efforts;

11 (G) include a public access and transpor-
12 tation plan that integrates corridor resources
13 within and outside corridor boundaries;

14 (H) contain a coordination and consistency
15 component which details the way in which local,
16 State, and Federal programs will be coordi-
17 nated to promote the purposes of this Act; and

18 (I) contain a Federal, State, and local gov-
19 ernment implementation plan that includes cost
20 estimates, schedules, and a commitment of re-
21 sources for its accomplishment.

22 (b) APPROVAL OF THE PLAN BY SECRETARY.—

23 (1) IN GENERAL.—Not later than 90 days after
24 receiving the plan from the Commission, the Sec-

1 retary shall approve or disapprove a plan submitted
2 under subsection (a).

3 (2) CRITERIA FOR DECISION.—The Secretary
4 shall approve a plan only if the Secretary finds that
5 the plan, if implemented, would adequately protect
6 the significant natural, cultural, historic, rec-
7 reational, and scenic resources of the corridor.

8 (3) FACTORS RELATING TO APPROVAL.—In de-
9 termining whether or not to approve the plan, the
10 Secretary shall consider whether—

11 (A) the Commission has afforded adequate
12 opportunity for public involvement in the prepa-
13 ration of the plan; and

14 (B) adequate assurances have been re-
15 ceived from State and local government officials
16 that the implementation program identified in
17 the plan will be initiated within a reasonable
18 time after the date of approval of the plan and
19 such program will ensure effective implementa-
20 tion of the Federal, State, and local aspects of
21 the plan.

22 (4) DISAPPROVAL.—

23 (A) IN GENERAL.—If the Secretary dis-
24 approves the plan, the Secretary shall advise
25 the Commission, in writing, of the reasons for

1 the disapproval, and shall make recommenda-
2 tions for revisions.

3 (B) RESUBMISSION.—Not later than 6
4 months after the Commission receives notice of
5 disapproval, the Commission shall resubmit the
6 plan to the Secretary, who shall approve or dis-
7 approve the plan as revised in accordance with
8 paragraphs (1) through (3).

9 (c) PRIORITY ACTIONS UNDER IMPLEMENTATION OF
10 THE PLAN.—

11 (1) IN GENERAL.—After approval of the plan
12 under subsection (b), the Commission shall give pri-
13 ority to actions that—

14 (A) preserve and enhance the significant
15 cultural and natural resources of the corridor;

16 (B) promote and provide educational, in-
17 terpretive, and recreational opportunities con-
18 sistent with the resources and associated values
19 of the corridor; and

20 (C) support public and private efforts in
21 economic development that contribute to the
22 goals of the plan.

23 (2) ACTIONS DESCRIBED.—Priority actions to
24 be carried out under paragraph (1) include—

1 (A) assisting the State and political sub-
2 divisions and the private sector preserve and
3 enhance the Ohio & Erie Canal and related re-
4 sources;

5 (B) assisting the State and political sub-
6 divisions and the private sector in appropriate
7 treatment of historic districts, sites, buildings,
8 structures, and objects listed or eligible for list-
9 ing on the National Register of Historic Places;

10 (C) assisting the State and political sub-
11 divisions and the private sector design, con-
12 struct, and maintain appropriate visitor use fa-
13 cilities, interpretive exhibits, tour routes and co-
14 ordinated signs through the corridor;

15 (D) assisting in the enhancement of public
16 awareness and appreciation for historical, cul-
17 tural, natural, recreational, and scenic resources
18 and associated values of the corridor;

19 (E) encouraging the conservation of natu-
20 ral resources and historic and scenic land-
21 scapes;

22 (F) encouraging enhanced recreational op-
23 portunities and economic development in the
24 corridor in furtherance of the goals of the plan;
25 and

1 (G) encouraging local governments to
2 adopt policies consistent with the goals of the
3 plan and to take actions to implement the poli-
4 cies.

5 (d) ANNUAL REPORTS.—

6 (1) COMMISSION.—The Commission shall sub-
7 mit an annual report to the Secretary setting forth
8 its expenses and income and the entities to which
9 any loans and grants were made during the year for
10 which the report is made.

11 (2) SECRETARY.—The Secretary shall submit
12 an annual report to Congress describing the loans,
13 grants, and technical assistance provided under this
14 Act. The report shall specify the amount, recipient,
15 and purpose of any loan, grant, or technical assist-
16 ance so provided and shall include an analysis of the
17 adequacy of actions taken during the previous year
18 to preserve, protect, enhance, and interpret the sig-
19 nificant sites, buildings, structures, and objects with
20 the area, as well as the anticipated funds and per-
21 sonnel to be made available by the Secretary during
22 the next fiscal year to implement this Act.

23 **SEC. 8. TERMINATION OF THE COMMISSION.**

24 (a) TERMINATION.—Except as provided in subsection

25 (b), the Commission shall terminate on the date that is

1 20 years after the date of the enactment of this Act. Any
2 property or funds of the Commission remaining upon the
3 expiration of the Commission shall be transferred by the
4 Commission to the United States, to a State or local gov-
5 ernment agency, to a private nonprofit organization re-
6 ferred to in section 501(c)(3) of the Internal Revenue
7 Code of 1986 which is exempt from income taxes under
8 section 501(a) of such Code, or to any combination of the
9 foregoing.

10 (b) EXTENSIONS.—The Commission may be extended
11 for a period of not more than 5 years beginning on the
12 date referred to in subsection (a) if, not later than 180
13 days before such date—

14 (1) the Commission determines such extension
15 is necessary in order to carry out this Act;

16 (2) the Commission submits the proposed ex-
17 tension to the Committee on Natural Resources of
18 the House of Representatives and the Committee on
19 Energy and Natural Resource of the Senate before
20 the termination date; and

21 (3) the Secretary and the Governor of the State
22 of Ohio each approve such extension.

1 **SEC. 9. DUTIES OF THE SECRETARY.**

2 (a) TECHNICAL ASSISTANCE.—The Secretary may,
3 upon request of the Commission, provide technical assist-
4 ance to the Commission for—

5 (1) establishing guidelines and standards to
6 protect, preserve, enhance, and interpret the cultural
7 and natural resources of the corridor; and

8 (2) general administrative support in planning,
9 finance, personnel, procurement, property manage-
10 ment, environmental and historical compliance, and
11 land acquisition.

12 (b) ASSISTANCE OF THE CUYAHOGA VALLEY NA-
13 TIONAL RECREATION AREA.—

14 (1) IN GENERAL.—Upon request of the Com-
15 mission, and subject to the availability of funds di-
16 rectly appropriated for this purpose, or made avail-
17 able on a reimbursable basis, the Secretary shall
18 provide technical, financial, development, and oper-
19 ations assistance through the Cuyahoga Valley Na-
20 tional Recreation Area. Such assistance may in-
21 clude—

22 (A) administrative support, such as office
23 space and equipment;

24 (B) personnel;

25 (C) planning and design services for visitor
26 use facilities, trails, interpretive exhibits, publi-

1 cations, signs, and natural resource manage-
2 ment;

3 (D) development and construction assist-
4 ance, including visitor use facilities, trails, ex-
5 cursion passenger rail facilities, river use and
6 access facilities, scenic byways, signs, waysides,
7 and rehabilitation of historic structures; and

8 (E) operations functions, including inter-
9 pretation and visitor services, maintenance, nat-
10 ural resource management, and law enforce-
11 ment services conducted within the boundaries
12 of the corridor.

13 (2) COOPERATIVE AGREEMENTS.—For the pur-
14 poses of providing assistance under paragraph (1),
15 the Secretary may enter into cooperative agreements
16 with any Federal, State, or local agency, corpora-
17 tion, or person.

18 (c) LAND TRANSFERS.—The Secretary may accept
19 transfers of real property from the Commission within the
20 boundaries of the corridor as established in the Corridor
21 Management Plan. Property outside the legislated bound-
22 aries of the Cuyahoga Valley National Recreation Area
23 that is transferred to the National Park Service by the
24 Commission shall be added to and administered as part
25 of the Cuyahoga Valley National Recreation Area.

1 **SEC. 10. DUTIES OF OTHER FEDERAL ENTITIES.**

2 Any Federal entity conducting or supporting activi-
3 ties directly affecting the corridor and any entity of the
4 State of Ohio or a political subdivision of the State of Ohio
5 acting pursuant to a grant of Federal funds or a Federal
6 permit or agreement supporting such activities, shall—

7 (1) consult with the Secretary and the Commis-
8 sion appointed for the corridor with respect to such
9 activities;

10 (2) cooperate with the Secretary and the Com-
11 mission in carrying out their duties under this Act
12 and, to the maximum extent practicable, coordinate
13 such activities; and

14 (3) conduct or support such activities in a man-
15 ner which the Commission determines will not have
16 an adverse effect on the corridor.

17 **SEC. 11. COST SHARE.**

18 (a) FEDERAL SHARE.—The Federal share of the
19 funding provided to the Commission to carry out this Act
20 may not exceed 50 percent of the total cost of—

21 (1) the annual administrative expenditures of
22 the Commission;

23 (2) the annual development expenditures of the
24 Commission to implement the Corridor Management
25 Plan; and

1 (3) the annual land acquisition expenditures of
2 the Commission.

3 (b) NON-FEDERAL SHARE.—The non-Federal share
4 of the funding of the Commission may be in the form of
5 cash, services, or in-kind contributions, fairly valued.

6 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) IN GENERAL.—There is authorized to be appro-
8 priated to the Commission—

9 (1) for the administrative expenses of the Com-
10 mission, \$400,000 per year;

11 (2) for planning, design, construction, grants,
12 and loans to implement the approved Corridor Man-
13 agement Plan, \$1,500,000 per year, to remain avail-
14 able until expended; and

15 (3) for the acquisition of real property consist-
16 ent with the implementation of the Corridor Man-
17 agement Plan, subject to section 7(b), \$250,000 per
18 year, to remain available until expended.

19 (b) LIMITATION.—No amount shall be expended prior
20 to the date on which the Secretary approves the Corridor
21 Management Plan, except that the Commission may ex-
22 pend funds prior to such time for—

23 (1) an 87-mile multiple use trail connecting
24 Cleveland and Zoar, Ohio;

1 (2) 2 Heritage Visitor Centers located proximate to the route of the Ohio and Erie Canal between Cleveland and Zoar;

4 (3) excursion passenger rail facilities for the Cuyahoga Valley National Recreation Area provided by the nonprofit Cuyahoga Valley Scenic Railroad along rail routes connecting Cleveland and Zoar;

8 (4) the rehabilitation of sites, structures, and buildings listed or eligible for listing on the National Register of Historic Places that are located proximate to the route of the Ohio and Erie Canal and that may be threatened with loss or demolition; and

13 (5) acquisition of property, only if such property is proximate to the route of the Ohio & Erie Canal and is threatened by inappropriate development or treatment.

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S 1818 PCS—2

S 1818 PCS—3