

104TH CONGRESS
1ST SESSION

S. 1020

To establish the Augusta Canal National Heritage Area in the State of Georgia, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 10, 1995

Mr. COVERDELL introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish the Augusta Canal National Heritage Area in the State of Georgia, 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. FINDINGS.**

4 Congress finds that—

5 (1) the Augusta Canal National Landmark in
6 the State of Georgia, listed on the National Historic
7 Register of Historic Places, and designated by the
8 Governor of Georgia as one of 4 regionally impor-
9 tant resources in the State, is one of the last un-
10 spoiled areas in the State of Georgia;

1 (2) the Augusta Canal National Historic Land-
2 mark possesses excellent water quality, beautiful
3 rural and historic cultural landscapes, architecturally
4 significant mill structures and mill villages, and
5 large acreages of parks and permanent open space;

6 (3) 3 national historic districts, the Harrisburg,
7 Laney Walker, and Greene Street districts, and 2
8 national historic landmarks, Stallings Island, located
9 in the Savannah River, and Meadow Garden, are
10 connected by the Augusta Canal Area;

11 (4) the beautiful rural landscapes and historic
12 cultural landscapes, scenic vistas and excellent water
13 quality of the Augusta Canal contain significant un-
14 developed recreational opportunities for people
15 throughout the United States;

16 (5) the Augusta Canal and related mill sites,
17 structures, and associated neighborhoods are rep-
18 resentative of the development of the cotton textile
19 industry and associated agriculture and trade in the
20 South;

21 (6) the transformation of the agrarian economy
22 of the area into an early industrial economy was
23 precipitated by the development and use of the Au-
24 gusta Canal;

1 (7) several significant sites associated with the
2 American Revolution, the Civil War, Native Ameri-
3 cans, Colonial Americans, African Americans, Chi-
4 nese Americans, and Irish Americans are located
5 within the Augusta Canal area;

6 (8) despite the efforts by the State of Georgia,
7 political subdivisions of the State, volunteer organi-
8 zations, and private businesses, the cultural, histori-
9 cal, natural, and recreational resources of the area
10 have not realized full potential and may be lost with-
11 out assistance from the Federal Government;

12 (9) the Secretary of the Interior considers this
13 landmark to be threatened and has designated it a
14 priority for protection;

15 (10) many local, regional, and State agencies,
16 businesses, and private citizens have expressed an
17 overwhelming desire to combine forces to work coop-
18 eratively to preserve and enhance the resources of
19 the Augusta Canal National Historic Landmark and
20 better plan for its future; and

21 (11) the Augusta Canal Authority, a public
22 body established under the law of the State of Geor-
23 gia, would be an appropriate management entity for
24 a National Heritage Area established in the area of
25 the Augusta Canal.

1 **SEC. 2. PURPOSE.**

2 It is the purpose of this Act to provide a cooperative
3 management framework to assist the State of Georgia, its
4 units of local government, and area citizens in retaining,
5 enhancing, and interpreting the significant features of the
6 lands, water, and structures of the Augusta Canal, in a
7 manner that is consistent with positive economic impact
8 and development for the benefit and inspiration of present
9 and future generations in the State of Georgia and the
10 United States.

11 **SEC. 3. ESTABLISHMENT OF AUGUSTA CANAL NATIONAL**
12 **HERITAGE AREA.**

13 (a) ESTABLISHMENT.—There is established in the
14 State of Georgia the Augusta Canal National Heritage
15 Area (referred to in this Act as the “Heritage Area”).

16 (b) BOUNDARIES.—

17 (1) IN GENERAL.—The Heritage Area shall in-
18 clude the land generally depicted on the map entitled
19 “The Augusta Canal”, numbered AUCA-80,000,
20 and dated August 1994, which shall be on file and
21 available for public inspection in the Office of the
22 Director of the National Park Service, Washington,
23 D.C.

24 (2) LEGAL DESCRIPTION.—As soon as prac-
25 ticable after the date of enactment of this Act, the
26 Secretary of the Interior (referred to in this Act as

1 the “Secretary”) shall prepare and place on file with
2 the map described in paragraph (1) a legal descrip-
3 tion of the boundaries of the Heritage Area.

4 **SEC. 4. MANAGEMENT.**

5 The Secretary, acting through the Director of the Na-
6 tional Park Service, shall enter into a cooperative agree-
7 ment with the Augusta Canal Authority, a public body es-
8 tablished under the law of the State of Georgia, providing
9 for the management of the Heritage Area by the Augusta
10 Canal Authority under terms and conditions stated in the
11 cooperative agreement.

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

13 (a) PREPARATION OF PLAN.—Not later than 1 year
14 after the date of enactment of this Act, the Augusta Canal
15 Authority shall prepare and submit to the Secretary for
16 review and approval a plan for the management and ad-
17 ministration of the Heritage Area.

18 (b) CONTENTS.—The plan shall be based on Federal,
19 State, and local plans in existence on the date of enact-
20 ment of this Act, including the Augusta Canal Master
21 Plan. The Augusta Canal Authority shall coordinate and
22 combine such plans and present an integrated and cooper-
23 ative approach for the protection, enhancement, and inter-
24 pretation of the cultural, natural, scenic, and recreational
25 resources of the Heritage Area.

1 (c) ASSISTANCE.—The Secretary may provide tech-
2 nical and financial assistance in the preparation of the
3 management plan.

4 (d) APPROVAL.—

5 (1) IN GENERAL.—Not later than 180 days
6 after receipt of the plan submitted under subsection
7 (a), the Secretary shall approve or disapprove the
8 plan.

9 (2) CRITERIA.—In determining whether to ap-
10 prove a plan, the Secretary shall consider—

11 (A) whether the planning area has strong
12 local support for the study from a diversity of
13 landowners, business interests, nonprofit orga-
14 nizations, and governments within the proposed
15 study area;

16 (B) whether the proposal is consistent with
17 and complements continued economic activity in
18 the area;

19 (C) whether the planning area has a high
20 potential for effective partnership mechanisms;

21 (D) whether the plan improperly infringes
22 on private property rights; and

23 (E) whether the plan will take appropriate
24 action to ensure private property rights are ob-
25 served.

1 (3) DISAPPROVAL.—

2 (A) IN GENERAL.—If the Secretary dis-
3 approves the management plan, the Secretary
4 shall notify the Augusta Canal Authority of the
5 disapproval in writing.

6 (B) CONTENTS.—A notification under sub-
7 paragraph (A) shall include—

8 (i) the reasons for the disapproval;

9 and

10 (ii) recommendations for revision.

11 (C) REVISED PLAN.—The Augusta Canal
12 Authority shall revise and resubmit the man-
13 agement plan to the Secretary for approval. Not
14 later than 180 days after receipt of the revised
15 plan, the Secretary shall approve or disapprove
16 the plan as provided in paragraph (2). The Au-
17 gusta Canal Authority shall revise and submit
18 the management plan until the management
19 plan is approved by the Secretary.

20 (e) IMPLEMENTATION.—

21 (1) IN GENERAL.—Upon approval of the man-
22 agement plan as provided in subsection (d), the Sec-
23 retary, in conjunction with the Augusta Canal Au-
24 thority, shall take appropriate steps to implement
25 the management plan.

1 (2) COOPERATIVE AGREEMENTS.—The Sec-
2 retary is authorized to enter into cooperative agree-
3 ments with the State of Georgia, political subdivi-
4 sions of the State, the Augusta Canal Authority, or
5 any organization or individual to implement the
6 management plan.

7 (f) ECONOMIC DEVELOPMENT.—It is the sense of
8 Congress that the Augusta Canal Authority, the State of
9 Georgia, and the city of Augusta and other political sub-
10 divisions of the State of Georgia should encourage, by ap-
11 propriate means, enhanced economic and industrial devel-
12 opment in the area consistent with the goals of the Au-
13 gusta Canal Master Plan.

14 **SEC. 6. DUTIES OF OTHER FEDERAL ENTITIES.**

15 Any Federal entity conducting or supporting activi-
16 ties directly affecting the Heritage Area shall—

17 (1) consult with the Secretary and the Augusta
18 Canal Authority with respect to such activities;

19 (2) cooperate with the Secretary and the Au-
20 gusta Canal Authority with respect to such activi-
21 ties;

22 (3) coordinate such activities with the Secretary
23 and the Augusta Canal Authority; and

24 (4) conduct or support such activities in a man-
25 ner that the Secretary and the Augusta Canal Au-

1 thority determine will not have an adverse effect on
2 the Heritage Area.

3 **SEC. 7. ACQUISITION OF REAL PROPERTY.**

4 The Augusta Canal Authority may not use any Fed-
5 eral funds that it may receive to acquire real property or
6 an interest in real property.

7 **SEC. 8. RULES OF CONSTRUCTION.**

8 (a) OCCUPATIONAL, SAFETY, CONSERVATION, AND
9 ENVIRONMENTAL REGULATION.—Nothing in this Act
10 shall be construed to—

11 (1) impose any occupational, safety, conserva-
12 tion, or environmental regulation on the Heritage
13 Area that is more stringent than the regulations
14 that would be applicable to the Heritage Area but
15 for the establishment of the Heritage Area under
16 section 3; or

17 (2) authorize any Federal agency to promulgate
18 an occupational, safety, conservation, or environ-
19 mental regulation for the Heritage Area that is more
20 stringent than the regulations applicable to the Her-
21 itage Area in existence on the date of enactment of
22 this Act, solely as a result of the establishment of
23 the Heritage Area under section 3.

24 (b) LAND USE REGULATION.—Nothing in this Act
25 shall be construed to—

1 (1) modify, enlarge, or diminish any authority
2 of Federal, State, and local governments to regulate
3 any use of land as provided for by current law or
4 regulation; or

5 (2) grant powers of zoning or land use to the
6 Augusta Canal Authority.

7 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

8 There are authorized to be appropriated such sums
9 as are necessary to carry out this Act.

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