

104TH CONGRESS
1ST SESSION

S. 1190

To establish the Ohio & Erie Canal National Heritage Corridor in the State of Ohio, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 11 (legislative day, JULY 10), 1995

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

A BILL

To establish the Ohio & Erie Canal National Heritage Corridor in the State of Ohio, 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 1995”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds that—

8 (1) the Ohio & Erie Canal, which opened for
9 commercial navigation in 1832, was the first inland
10 waterway to connect the Great Lakes at Lake Erie

1 with the Gulf of Mexico via the Ohio and Mississippi
2 Rivers and a part of a canal network in Ohio that
3 was one of America's most extensive and successful
4 systems during a period in history when canals were
5 essential to the Nation's growth;

6 (2) the Ohio & Erie Canal spurred economic
7 growth in the State of Ohio that took the State from
8 near bankruptcy to the third most economically
9 prosperous State in the Union in just 20 years;

10 (3) a 4-mile section of the Ohio & Erie Canal
11 was designated a National Historic Landmark in
12 1966 and other portions of the Ohio & Erie Canal
13 and many associated structures were placed on the
14 National Register of Historic Places;

15 (4) in 1974, 19 miles of the Ohio & Erie Canal
16 were declared nationally significant under National
17 Park Service new area criteria with the designation
18 of Cuyahoga Valley National Recreation Area;

19 (5) the National Park Service found the Ohio
20 & Erie Canal nationally significant in a 1975 study
21 entitled "Suitability/Feasibility Study, Proposed
22 Ohio & Erie Canal";

23 (6) a 1993 Special Resources Study of the Ohio
24 & Erie Canal Corridor conducted by the National
25 Park Service entitled "A Route to Prosperity" has

1 concluded that the corridor is eligible as a National
2 Heritage Corridor; and

3 (7) local governments, the State of Ohio and
4 private sector interests have embraced the heritage
5 corridor concept and desire to enter into partnership
6 with the Federal Government to preserve, protect,
7 and develop the corridor for public benefit.

8 (b) PURPOSES.—The purposes of this Act are—

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

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

19 (3) to provide a management framework to as-
20 sist the State of Ohio, political subdivisions of the
21 State, and nonprofit organizations, or combinations
22 thereof, in preparing and implementing an inte-
23 grated Corridor Management Plan and in developing
24 policies and programs that will preserve, enhance,

1 and interpret the cultural, historical, natural, recre-
2 ation, and scenic resources of the corridor; and

3 (4) to authorize the Secretary to provide finan-
4 cial and technical assistance to the State of Ohio,
5 political subdivisions of the State, and nonprofit or-
6 ganizations, or combinations thereof, in preparing
7 and implementing a Corridor Management Plan.

8 **SEC. 3. DEFINITIONS.**

9 In this Act:

10 (1) **ADVISORY COMMISSION.**—The term “Advi-
11 sory Commission” means the Ohio & Erie Canal Na-
12 tional Heritage Corridor Advisory Commission es-
13 tablished under section 5.

14 (2) **CORRIDOR.**—The term “corridor” means
15 the Ohio & Erie Canal National Heritage Corridor
16 established under section 4.

17 (3) **CORRIDOR MANAGEMENT PLAN.**—The term
18 “Corridor Management Plan” means the manage-
19 ment plan developed under section 9.

20 (4) **FINANCIAL ASSISTANCE.**—The term “finan-
21 cial assistance” means funds made available by Con-
22 gress, and made available to the management entity,
23 for the purposes of preparing and implementing a
24 Corridor Management Plan.

1 (5) MANAGEMENT ENTITY.—The term “man-
 2 agement entity” means the State of Ohio, political
 3 subdivisions of the State, and private nonprofit orga-
 4 nizations, or any combination thereof, as designated
 5 by the Secretary pursuant to section 7(a) to receive,
 6 distribute, and account for Federal funds made
 7 available for the purposes of this Act.

8 (6) SECRETARY.—The term “Secretary” means
 9 the Secretary of the Interior.

10 (7) TECHNICAL ASSISTANCE.—The term “tech-
 11 nical assistance” means any guidance, advice, help,
 12 or aid, other than financial assistance, provided by
 13 the Secretary.

14 **SEC. 4. OHIO & ERIE CANAL NATIONAL HERITAGE COR-**
 15 **RIDOR.**

16 (a) ESTABLISHMENT.—There is established in the
 17 State of Ohio the Ohio & Erie Canal National Heritage
 18 Corridor.

19 (b) BOUNDARIES.—

20 (1) IN GENERAL.—The boundaries of the cor-
 21 ridor shall be composed of the lands that area gen-
 22 erally follow the route of the Ohio & Erie Canal
 23 from Cleveland to Zoar, Ohio, as depicted in the
 24 1993 National Park Service Special Resources
 25 Study, “A Route to Prosperity”, subject to para-

1 graph (2). The specific boundaries shall be the
2 boundaries specified in the management plan sub-
3 mitted under section 9. The Secretary shall prepare
4 a map of the area which shall be on file and avail-
5 able for public inspection in the office of the Direc-
6 tor of the National Park Service.

7 (2) CONSENT OF LOCAL GOVERNMENTS.—No
8 privately owned property shall be included within the
9 boundaries of the corridor unless the municipality in
10 which the property is located agrees to be so in-
11 cluded and submits notification of the agreement to
12 the Secretary.

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

15 **SEC. 5. OHIO & ERIE CANAL NATIONAL HERITAGE COR-**
16 **RIDOR ADVISORY COMMISSION.**

17 (a) ESTABLISHMENT.—The Secretary is authorized
18 to establish the Ohio & Erie Canal National Heritage Cor-
19 ridor Advisory Commission whose purpose shall be to as-
20 sist Federal, State, and local authorities and the private
21 sector in the preparation and implementation of an inte-
22 grated Corridor Management Plan.

23 (b) MEMBERSHIP.—The Advisory Commission shall
24 be comprised of 21 members, as follows:

1 (1) 4 individuals appointed by the Secretary,
2 after consideration of recommendations submitted by
3 the Greater Cleveland Growth Association, the
4 Akron Regional Development Board, the Stark De-
5 velopment Board, and the Tuscarawas County
6 Chamber of Commerce, who shall include 1 rep-
7 resentative of business and industry from each of
8 the Ohio counties of Cuyahoga, Summit, Stark, and
9 Tuscarawas.

10 (2) 1 individual appointed by the Secretary,
11 after consideration of recommendations submitted by
12 the Director of the Ohio Department of Travel and
13 Tourism, who is a director of a convention and tour-
14 ism bureau within the corridor.

15 (3) 1 individual appointed by the Secretary,
16 after consideration of recommendations submitted by
17 the Ohio Historic Preservation Officer, with knowl-
18 edge and experience in the field of historic preserva-
19 tion.

20 (4) 1 individual appointed by the Secretary,
21 after consideration of recommendations submitted by
22 the Director of the National Park Service, with
23 knowledge and experience in the field of historic
24 preservation.

1 (5) 3 individuals appointed by the Secretary,
 2 after consideration of recommendations submitted by
 3 the county or metropolitan park boards in the Ohio
 4 counties of Cuyahoga, Summit, and Stark.

5 (6) 8 individuals appointed by the Secretary,
 6 after consideration of recommendations submitted by
 7 the county commissioners or county chief executive
 8 of the Ohio counties of Cuyahoga, Summit, Stark
 9 and Tuscarawas, including from each county—

10 (A) 1 representative of the planning offices
 11 of the county; and

12 (B) 1 representative of a municipality in
 13 the county.

14 (7) 2 individuals appointed by the Secretary,
 15 after consideration of recommendations submitted by
 16 the Governor of Ohio, who shall be representatives
 17 of the Directors of the Ohio Department of Natural
 18 Resources and the Ohio Department of Transpor-
 19 tation.

20 (8) The Superintendent of the Cuyahoga Valley
 21 National Recreation Area, as an ex officio member.

22 (c) APPOINTMENTS.—

23 (1) IN GENERAL.—Except as provided in para-
 24 graph (2), members of the Advisory Commission

1 shall be appointed for terms of 3 years and may be
2 reappointed.

3 (2) INITIAL APPOINTMENTS.—The Secretary
4 shall appoint the initial members of the Advisory
5 Commission not later than 30 days after the date on
6 which the Secretary has received all recommenda-
7 tions pursuant to subsection (b). Of the members
8 first appointed—

9 (A) the members appointed pursuant to
10 subsection (b)(6)(B) shall be appointed to a
11 term of 2 years and may not be reappointed to
12 a consecutive term; and

13 (B) the member appointed pursuant to
14 subsection (b)(2) shall be appointed to a term
15 of 2 years and may not be reappointed to a con-
16 secutive term.

17 (d) CHAIRPERSON AND VICE CHAIRPERSON.—The
18 chairperson and vice chairperson of the Advisory Commis-
19 sion shall be elected by the members of the Advisory Com-
20 mission. The terms of the chairperson and vice chair-
21 person shall be 2 years.

22 (e) VACANCY.—A vacancy in the Advisory Commis-
23 sion shall be filled in the manner in which the original
24 appointment was made. Any member appointed to fill a
25 vacancy occurring before the expiration of the term for

1 which the predecessor of the member was appointed shall
2 be appointed only for the remainder of the term. Any
3 member of the Advisory Commission appointed for a defi-
4 nite term may serve after the expiration of the term of
5 the member until the successor of the member has taken
6 office.

7 (f) COMPENSATION AND EXPENSES.—A member of
8 the Advisory Commission shall serve without compensa-
9 tion for the service of the member on the Advisory Com-
10 mission.

11 (g) QUORUM.—Eleven members of the Advisory Com-
12 mission shall constitute a quorum.

13 (h) MEETINGS.—The Advisory Commission shall
14 meet at least quarterly at the call of the chairperson or
15 at least 11 members of the Advisory Commission. Meet-
16 ings of the Advisory Commission shall be subject to section
17 552b of title 5, United States Code.

18 (i) TERMINATION OF ADVISORY COMMISSION.—The
19 Advisory Commission shall terminate on the date occur-
20 ring 6 years after the Commission is established by the
21 Secretary.

22 **SEC. 6. POWERS OF ADVISORY COMMISSION.**

23 (a) HEARINGS.—The Advisory Commission may, for
24 the purpose of carrying out this Act, hold such hearings,
25 sit and act at such times and places, take such testimony,

1 and receive such evidence, as the Advisory Commission
2 considers appropriate. The Advisory Commission may not
3 issue subpoenas or exercise any subpoena authority.

4 (b) BYLAWS.—The Advisory Commission may make
5 such bylaws and rules, consistent with this Act, as the
6 Commission considers necessary to carry out this Act.

7 (c) POWERS OF MEMBERS AND AGENTS.—Any mem-
8 ber or agent of the Advisory Commission, if so authorized
9 by the Advisory Commission, may take any action that
10 the Advisory Commission is authorized to take under this
11 Act.

12 **SEC. 7. DUTIES OF ADVISORY COMMISSION.**

13 (a) MANAGEMENT ENTITY.—On public solicitation of
14 proposals from entities representing the State of Ohio, po-
15 litical subdivisions of the State, and nonprofit organiza-
16 tions, or combination thereof, the Advisory Commission
17 shall, not later than 90 days after the first meeting of
18 the Commission, submit a recommendation to the Sec-
19 retary for designation of a management entity for the cor-
20 ridor pursuant to section 8.

21 (b) CORRIDOR MANAGEMENT PLAN.—On submission
22 of a draft Corridor Management Plan to the Advisory
23 Commission from the management entity, the Advisory
24 Commission shall, not later than 60 days after submission,
25 review the plan for consistency with the purposes of this

1 Act and endorse the plan or return the plan to the man-
2 agement entity for revision. On endorsement of the Cor-
3 ridor Management Plan, the Advisory Commission shall
4 submit the plan to the Secretary for approval pursuant
5 to section 9.

6 (c) REVIEW OF BUDGET.—The Advisory Commission
7 shall review on an annual basis the proposed expenditures
8 of Federal funds by the management entity for consistency
9 with the purpose of this Act and the Corridor Management
10 Plan.

11 **SEC. 8. MANAGEMENT ENTITY.**

12 (a) DESIGNATION.—Not later than 30 days after the
13 date on which the recommendation of the Advisory Com-
14 mission is received pursuant to section 7(a), the Secretary
15 shall designate the management entity.

16 (b) ELIGIBILITY.—To be eligible for designation as
17 the management entity of the corridor, an entity must pos-
18 sess the legal ability to—

19 (1) receive Federal funds for use in preparing
20 and implementing the management plan for the cor-
21 ridor;

22 (2) disburse Federal funds to other units of
23 government or other organizations for use in prepar-
24 ing and implementing the management plan for the
25 corridor;

1 (3) account for all Federal funds received or
2 disbursed; and

3 (4) sign agreements with the Federal Govern-
4 ment.

5 (c) FEDERAL FUNDING.—

6 (1) AUTHORIZATION TO RECEIVE.—The man-
7 agement entity is authorized to receive Federal
8 funds made available to carry out this Act.

9 (2) DISQUALIFICATION.—If a management plan
10 for the corridor is not submitted to the Secretary as
11 required under section 9 within the time specified,
12 the management entity shall cease to be eligible to
13 receive Federal funding under this Act until such a
14 plan regarding the corridor is submitted to the Sec-
15 retary.

16 (d) AUTHORITIES OF MANAGEMENT ENTITY.—The
17 management entity of the corridor may, for purposes of
18 preparing and implementing the management plan for the
19 area, use Federal funds made available under this Act—

20 (1) to make grants and loans to the State of
21 Ohio, political subdivisions of the State, nonprofit
22 organizations, and other persons;

23 (2) to enter into cooperative agreements with,
24 or provide technical assistance to Federal agencies,

1 the State of Ohio, political subdivisions of the State,
2 nonprofit organizations, and other persons;

3 (3) to hire and compensate staff;

4 (4) to obtain funds from any source under any
5 program or law requiring the recipient of the funds
6 to make a contribution to receive the funds; and

7 (5) to contract for goods and services.

8 (e) DURATION OF ELIGIBILITY FOR FINANCIAL AS-
9 SISTANCE.—The management entity for the corridor shall
10 be eligible to receive funds made available to carry out
11 this Act for the following periods:

12 (1) OPERATIONS.—In the case of operating
13 costs described in section 15(a)(1), for a period of
14 3 years beginning on the date the Secretary has des-
15 ignated the management entity pursuant to sub-
16 section (c).

17 (2) DEVELOPMENT.—In the case of develop-
18 ment costs described in section 15(a)(2), for a pe-
19 riod of 6 years beginning on the date the Secretary
20 has designated the management entity pursuant to
21 subsection (c).

22 (f) PROHIBITION OF ACQUISITION OF REAL PROP-
23 ERTY.—The management entity for the corridor may not
24 use Federal funds received under this Act to acquire real
25 property or any interest in real property.

1 **SEC. 9. DUTIES OF MANAGEMENT ENTITY.**

2 (a) CORRIDOR MANAGEMENT PLAN.—

3 (1) SUBMISSION FOR REVIEW BY ADVISORY
4 COMMISSION.—Not later than 18 months after the
5 date on which the Secretary has designated a man-
6 agement entity for the corridor, the management en-
7 tity shall develop and submit for review to the Advi-
8 sory Commission a management plan for the cor-
9 ridor.

10 (2) PLAN REQUIREMENTS.—A management
11 plan submitted under this Act shall—

12 (A) present comprehensive recommenda-
13 tions for the conservation, funding, manage-
14 ment, and development of the corridor;

15 (B) be prepared with public participation;

16 (C) take into consideration existing Fed-
17 eral, State, county, and local plans and involve
18 residents, public agencies, and private organiza-
19 tions in the corridor;

20 (D) include a description of actions that
21 units of government and private organizations
22 are recommended to take to protect the re-
23 sources of the corridor;

24 (E) specify existing and potential sources
25 of funding for the conservation, management,
26 and development of the area; and

1 (F) include, as appropriate—

2 (i) an inventory of the resources con-
3 tained in the corridor, including a list of
4 property in the corridor that should be
5 conserved, restored, managed, developed,
6 or maintained because of the natural, cul-
7 tural, or historic significance of the prop-
8 erty as the property relates to the themes
9 of the corridor;

10 (ii) a recommendation of policies for
11 resource management that consider and
12 detail the application of appropriate land
13 and water management techniques, includ-
14 ing the development of intergovernmental
15 cooperative agreements to manage the his-
16 torical, cultural, and natural resources and
17 recreational opportunities of the corridor in
18 a manner consistent with the support of
19 appropriate and compatible economic via-
20 bility;

21 (iii) a program, including plans for
22 restoration and construction, for imple-
23 mentation of the management plan by the
24 management entity and specific commit-
25 ments, for the first 6 years of operation of

1 the plan by the partners identified in the
2 plan;

3 (iv) an analysis of means by which
4 Federal, State, and local programs may
5 best be coordinated to promote the pur-
6 poses of this Act; and

7 (v) an interpretive plan for the cor-
8 ridor.

9 (3) APPROVAL AND DISAPPROVAL OF THE COR-
10 RIDOR MANAGEMENT PLAN.—

11 (A) IN GENERAL.—On submission of the
12 Corridor Management Plan from the Advisory
13 Commission, the Secretary shall approve or dis-
14 approve the plan not later than 60 days after
15 receipt. If the Secretary has taken no action 60
16 days after receipt, the plan shall be considered
17 approved.

18 (B) DISAPPROVAL AND REVISIONS.—If the
19 Secretary disapproves the Corridor Manage-
20 ment Plan, the Secretary shall advise the Advi-
21 sory Commission, in writing, of the reasons for
22 the disapproval and shall make recommenda-
23 tions for revisions of the plan. The Secretary
24 shall approve or disapprove the proposed revi-
25 sions to the plan not later than 60 days after

1 receipt. If the Secretary has taken no action 60
2 days after receipt, the plan shall be considered
3 approved.

4 (b) PRIORITIES.—The management entity shall give
5 priority to the implementation of actions, goals, and poli-
6 cies set forth in the management plan for the corridor,
7 including—

8 (1) assisting units of government, regional plan-
9 ning organizations, and nonprofit organizations in—

10 (A) conserving the corridor;

11 (B) establishing and maintaining interpre-
12 tive exhibits in the corridor;

13 (C) developing recreational opportunities in
14 the area;

15 (D) increasing public awareness of, and
16 appreciation for, the natural, historical, and
17 cultural resources of the corridor;

18 (E) the restoration of historic buildings
19 that are located within the boundaries of the
20 corridor that relate to the themes of the cor-
21 ridor; and

22 (F) ensuring that clear, consistent, and en-
23 vironmentally appropriate signs identifying ac-
24 cess points and sites of interest are installed
25 throughout the corridor; and

1 (2) consistent with the goals of the manage-
2 ment plan, encouraging economic viability in the af-
3 fected communities by appropriate means.

4 (c) CONSIDERATION OF INTERESTS OF LOCAL
5 GROUPS.—The management entity shall, in preparing and
6 implementing the management plan for the corridor, con-
7 sider the interests of diverse units of government, busi-
8 nesses, private property owners, and nonprofit groups
9 within the geographic area.

10 (d) PUBLIC MEETINGS.—The management entity
11 shall conduct public meetings at least quarterly regarding
12 the implementation of the Corridor Management Plan.

13 (e) ANNUAL REPORTS.—For any fiscal year in which
14 the management entity receives Federal funds under this
15 Act or in which a loan made by the entity with Federal
16 funds under section 8(d)(1) is outstanding, the entity shall
17 submit an annual report to the Secretary setting forth the
18 accomplishments of the entity, the expenses and income
19 of the entity, and the entities to which the entity made
20 any loans and grants during the year for which the report
21 is made.

22 (f) COOPERATION WITH AUDITS.—For any fiscal
23 year in which the management entity receives Federal
24 funds under this Act or in which a loan made by the entity

1 with Federal funds under section 8(d)(1) is outstanding,
2 the entity shall—

3 (1) make available for audit by Congress, the
4 Secretary, and appropriate units of government all
5 records and other information pertaining to the ex-
6 penditure of the funds and any matching funds; and

7 (2) require, for all agreements authorizing ex-
8 penditure of Federal funds by other organizations,
9 that the receiving organizations make available for
10 the audit all records and other information pertain-
11 ing to the expenditure of the funds.

12 **SEC. 10. WITHDRAWAL OF DESIGNATION.**

13 (a) IN GENERAL.—The National Heritage Corridor
14 designation shall continue unless—

15 (1) the Secretary determines that—

16 (A) the use, condition, or development of
17 the corridor is incompatible with the purpose of
18 this Act; or

19 (B) the management entity of the corridor
20 has not made reasonable and appropriate
21 progress in preparing or implementing the man-
22 agement plan for the corridor; and

23 (2) after making a determination referred to in
24 paragraph (1), the Secretary submits to the Con-

1 gress notification that the corridor designation
2 should be withdrawn.

3 (b) PUBLIC HEARING.—Before the Secretary makes
4 a determination referred to in subsection (a)(1) regarding
5 the corridor, the Secretary shall hold a public hearing
6 within the area.

7 (c) TIME OF WITHDRAWAL OF DESIGNATION.—

8 (1) IN GENERAL.—The withdrawal of the cor-
9 ridor designation of the corridor shall become final
10 90 legislative days after the Secretary submits to
11 Congress any notification referred to in subsection
12 (a)(2) regarding the corridor.

13 (2) LEGISLATIVE DAY.—For purposes of this
14 subsection, the term “legislative day” means any
15 calendar day on which both Houses of the Congress
16 are in session.

17 **SEC. 11. DUTIES AND AUTHORITIES OF FEDERAL AGEN-**
18 **CIES.**

19 (a) DUTIES AND AUTHORITIES OF THE SEC-
20 RETARY.—

21 (1) TECHNICAL ASSISTANCE.—

22 (A) IN GENERAL.—The Secretary may
23 provide technical assistance to units of govern-
24 ment, nonprofit organizations, and other per-
25 sons, on request of the management entity of

1 the corridor, regarding the management plan
2 and the implementation of the plan.

3 (B) PROHIBITION OF CERTAIN REQUIRE-
4 MENTS.—The Secretary may not, as a condition
5 of the award of technical assistance under this
6 section, require any recipient of the technical
7 assistance to enact or modify land use restric-
8 tions.

9 (C) DETERMINATIONS REGARDING ASSIST-
10 ANCE.—The Secretary shall decide if the cor-
11 ridor shall be awarded technical assistance and
12 the amount of the assistance. The decision shall
13 be based on the relative degree to which the
14 corridor effectively fulfills the objectives con-
15 tained in the Corridor Management Plan and
16 achieves the purposes of this Act. The decision
17 shall give consideration to projects that provide
18 a greater leverage of Federal funds.

19 (2) PROVISION OF INFORMATION.—In coopera-
20 tion with other Federal agencies, the Secretary shall
21 provide the general public with information regard-
22 ing the location and character of the corridor.

23 (3) OTHER ASSISTANCE.—On request, the Su-
24 perintendent of Cuyahoga Valley National Recre-
25 ation Area may provide to public and private organi-

1 zations within the corridor (including the manage-
2 ment entity for the corridor) such operational assist-
3 ance as appropriate to support the implementation
4 of the Corridor Management Plan, subject to the
5 availability of appropriated funds. The Secretary is
6 authorized to enter into cooperative agreements with
7 public and private organizations for the purposes of
8 implementing this paragraph.

9 (b) DUTIES OF OTHER FEDERAL AGENCIES.—Any
10 Federal entity conducting any activity directly affecting
11 the corridor shall consider the potential effect of the activ-
12 ity on the Corridor Management Plan and shall consult
13 with the management entity of the corridor with respect
14 to the activity to minimize the adverse effects of the activ-
15 ity on the corridor.

16 **SEC. 12. LACK OF EFFECT ON LAND USE REGULATION AND**
17 **PRIVATE PROPERTY.**

18 (a) LACK OF EFFECT ON AUTHORITY OF GOVERN-
19 MENTS.—Nothing in this Act modifies, enlarges, or dimin-
20 ishes any authority of Federal, State, or local governments
21 to regulate any use of land as provided for by law (includ-
22 ing regulations).

23 (b) LACK OF ZONING OR LAND USE POWERS.—
24 Nothing in this Act grants powers of zoning or land use

1 control to the Advisory Commission or management entity
2 of the corridor.

3 (c) LOCAL AUTHORITY AND PRIVATE PROPERTY
4 NOT AFFECTED.—Nothing in this Act affects or author-
5 izes the Advisory Commission to interfere with—

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

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

11 **SEC. 13. FISHING, TRAPPING, AND HUNTING SAVINGS**
12 **CLAUSE.**

13 (a) NO DIMINISHMENT OF STATE AUTHORITY.—The
14 designation of the corridor shall not diminish the authority
15 of the State to manage fish and wildlife, including the reg-
16 ulation of fishing and hunting and trapping within the cor-
17 ridor.

18 (b) NO CONDITIONING OF APPROVAL AND ASSIST-
19 ANCE.—The Secretary may not make limitations on fish-
20 ing, hunting, or trapping a condition of the determination
21 of eligibility for assistance under this Act. The Secretary
22 and any other Federal agency may not make the limita-
23 tions a condition for the receipt, in connection with the
24 corridor, of any other form of assistance from the Sec-
25 retary or the agencies.

1 **SEC. 14. COST SHARE.**

2 (a) OPERATING COSTS.—The Federal contribution
3 under this Act to the management entity for operations
4 expenditures shall not exceed 50 percent of the annual op-
5 erating costs of the entity attributed to preparation and
6 implementation of the Corridor Management Plan. The
7 non-Federal share of the support may be in the form of
8 cash, services, or in-kind contributions, fairly valued.

9 (b) DEVELOPMENT COSTS.—The Federal contribu-
10 tion under this Act to the management entity to imple-
11 ment the Corridor Management Plan shall not exceed 30
12 percent of the annual development costs attributable to
13 the implementation of the Corridor Management Plan.
14 The non-Federal share of the support may be in the form
15 of cash, services, or in-kind contributions, fairly valued.

16 **SEC. 15. AUTHORIZATION OF APPROPRIATIONS.**

17 (a) IN GENERAL.—There is authorized to be appro-
18 priated to the management entity—

19 (1) \$250,000 for each of fiscal years 1996
20 through 1998 for the operating costs of the manage-
21 ment entity to carry out duties pursuant to section
22 9; and

23 (2) \$1,500,000 for each of fiscal years 1996
24 through 2001 for planning, design, construction,
25 grants, and loans to implement the approved Cor-
26 ridor Management Plan;

1 to remain available until expended.

2 (b) AVAILABILITY OF FUNDS PRIOR TO SECRETARIAL
3 IAL APPROVAL OF MANAGEMENT PLAN.—Funds may be
4 spent prior to Secretarial approval of the Corridor Man-
5 agement Plan for early actions that are important to the
6 themes of the area and that protect resources that would
7 be in imminent danger of irreversible damage without the
8 early actions.

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