

106TH CONGRESS
1ST SESSION

H. R. 940

To establish the Lackawanna Heritage Valley American Heritage Area.

IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 1999

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

A BILL

To establish the Lackawanna Heritage Valley American
Heritage Area.

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 “Lackawanna Valley
5 Heritage Area Act of 1999”.

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

7 (a) FINDINGS.—The Congress finds the following:

8 (1) The industrial and cultural heritage of
9 northeastern Pennsylvania inclusive of Lackawanna,
10 Luzerne, Wayne, and Susquehanna counties, related
11 directly to anthracite and anthracite-related indus-

tries, is nationally significant, as documented in the United States Department of the Interior-National Parks Service, National Register of Historic Places, Multiple Property Documentation submittal of the Pennsylvania Historic and Museum Commission (1996).

(2) These industries include anthracite mining, ironmaking, textiles, and rail transportation.

(3) The industrial and cultural heritage of the anthracite and related industries in this region includes the social history and living cultural traditions of the people of the region.

(4) The labor movement of the region played a significant role in the development of the Nation including the formation of many key unions such as the United Mine Workers of America, and crucial struggles to improve wages and working conditions, such as the 1900 and 1902 anthracite strikes.

(5) The Department of the Interior is responsible for protecting the Nation's cultural and historic resources, and there are significant examples of these resources within this 4-county region to merit the involvement of the Federal Government to develop programs and projects, in cooperation with the Lackawanna Heritage Valley Authority, the Com-

1 monwealth of Pennsylvania, and other local and gov-
2 ernmental bodies, to adequately conserve, protect,
3 and interpret this heritage for future generations,
4 while providing opportunities for education and revi-
5 talization.

6 (6) The Lackawanna Heritage Valley Authority
7 would be an appropriate management entity for a
8 Heritage Area established in the region.

9 (b) PURPOSE.—The objectives of the Lackawanna
10 Heritage Valley American Heritage Area are as follows:

11 (1) To foster a close working relationship with
12 all levels of government, the private sector, and the
13 local communities in the anthracite coal region of
14 northeastern Pennsylvania and empower the commu-
15 nities to conserve their heritage while continuing to
16 pursue economic opportunities.

17 (2) To conserve, interpret, and develop the his-
18 torical, cultural, natural, and recreational resources
19 related to the industrial and cultural heritage of the
20 4-county region of northeastern Pennsylvania.

21 **SEC. 3. LACKAWANNA HERITAGE VALLEY AMERICAN HER-**
22 **ITAGE AREA.**

23 (a) ESTABLISHMENT.—There is hereby established
24 the Lackawanna Heritage Valley American Heritage Area
25 (in this Act referred to as the “Heritage Area”).

1 (b) BOUNDARIES.—The Heritage Area shall be com-
2 prised of all or parts of the counties of Lackawanna,
3 Luzerne, Wayne, and Susquehanna in Pennsylvania, de-
4 termined pursuant to the compact under section 4.

5 (c) MANAGEMENT ENTITY.—The management entity
6 for the Heritage Area shall be the Lackawanna Heritage
7 Valley Authority.

8 **SEC. 4. COMPACT.**

9 To carry out the purposes of this Act, the Secretary
10 of the Interior (in this Act referred to as the “Secretary”)
11 shall enter into a compact with the management entity.
12 The compact shall include information relating to the ob-
13 jectives and management of the area, including each of
14 the following:

15 (1) A delineation of the boundaries of the Her-
16 itage Area.

17 (2) A discussion of the goals and objectives of
18 the Heritage Area, including an explanation of the
19 proposed approach to conservation and interpreta-
20 tion and a general outline of the protection measures
21 committed to by the partners.

22 **SEC. 5. AUTHORITIES AND DUTIES OF MANAGEMENT EN-**
23 **TITY.**

24 (a) AUTHORITIES OF THE MANAGEMENT ENTITY.—
25 The management entity may, for purposes of preparing

1 and implementing the management plan developed under
2 subsection (b), use funds made available through this Act
3 for the following:

4 (1) To make loans and grants to, and enter
5 into cooperative agreements with States and their
6 political subdivisions, private organizations, or any
7 person.

8 (2) To hire and compensate staff.

9 (b) MANAGEMENT PLAN.—The management entity
10 shall develop a management plan for the Heritage Area
11 that presents comprehensive recommendations for the
12 Heritage Area’s conservation, funding, management, and
13 development. Such plan shall take into consideration exist-
14 ing State, county, and local plans and involve residents,
15 public agencies, and private organizations working in the
16 Heritage Area. It shall include actions to be undertaken
17 by units of government and private organizations to pro-
18 tect the resources of the Heritage Area. It shall specify
19 the existing and potential sources of funding to protect,
20 manage, and develop the Heritage Area. Such plan shall
21 include, as appropriate, the following:

22 (1) An inventory of the resources contained in
23 the Heritage Area, including a list of any property
24 in the Heritage Area that is related to the themes
25 of the Heritage Area and that should be preserved,

1 restored, managed, developed, or maintained because
2 of its natural, cultural, historic, recreational, or sce-
3 nic significance.

4 (2) A recommendation of policies for resource
5 management which considers and details application
6 of appropriate land and water management tech-
7 niques, including, but not limited to, the develop-
8 ment of intergovernmental cooperative agreements to
9 protect the Heritage Area's historical, cultural, rec-
10 reational, and natural resources in a manner consist-
11 ent with supporting appropriate and compatible eco-
12 nomic viability.

13 (3) A program for implementation of the man-
14 agement plan by the management entity, including
15 plans for restoration and construction, and specific
16 commitments of the identified partners for the first
17 5 years of operation.

18 (4) An analysis of ways in which local, State,
19 and Federal programs may best be coordinated to
20 promote the purposes of this Act.

21 (5) An interpretation plan for the Heritage
22 Area.

23 The management entity shall submit the management
24 plan to the Secretary for approval within 3 years after
25 the date of enactment of this Act. If a management plan

1 is not submitted to the Secretary as required within the
2 specified time, the Heritage Area shall no longer qualify
3 for Federal funding.

4 (c) DUTIES OF MANAGEMENT ENTITY.—The man-
5 agement entity shall—

6 (1) give priority to implementing actions set
7 forth in the compact and management plan, includ-
8 ing steps to assist units of government, regional
9 planning organizations, and nonprofit organizations
10 in preserving the Heritage Area;

11 (2) assist units of government, regional plan-
12 ning organizations, and nonprofit organizations in
13 establishing and maintaining interpretive exhibits in
14 the Heritage Area; assist units of government, re-
15 gional planning organizations, and nonprofit organi-
16 zations in developing recreational resources in the
17 Heritage Area;

18 (3) assist units of government, regional plan-
19 ning organizations, and nonprofit organizations in
20 increasing public awareness of and appreciation for
21 the natural, historical, and architectural resources
22 and sites in the Heritage Area; assist units of gov-
23 ernment, regional planning organizations and non-
24 profit organizations in the restoration of any historic
25 building relating to the themes of the Heritage Area;

1 (4) encourage by appropriate means economic
2 viability in the Heritage Area consistent with the
3 goals of the plan; encourage local governments to
4 adopt land use policies consistent with the manage-
5 ment of the Heritage Area and the goals of the plan;

6 (5) assist units of government, regional plan-
7 ning organizations, and nonprofit organizations to
8 ensure that clear, consistent, and environmentally
9 appropriate signs identifying access points and sites
10 of interest are put in place throughout the Heritage
11 Area;

12 (6) consider the interests of diverse govern-
13 mental, business, and nonprofit groups within the
14 Heritage Area;

15 (7) conduct public meetings at least quarterly
16 regarding the implementation of the management
17 plan;

18 (8) submit substantial changes (including any
19 increase of more than 20 percent in the cost esti-
20 mates for implementation) to the management plan
21 to the Secretary for the Secretary's approval; for
22 any year in which Federal funds have been received
23 under this Act, submit an annual report to the Sec-
24 retary setting forth its accomplishments, its ex-
25 penses and income, and the entity to which any

1 loans and grants were made during the year for
2 which the report is made; and

3 (9) for any year in which Federal funds have
4 been received under this Act, make available for
5 audit all records pertaining to the expenditure of
6 such funds and any matching funds, and require, for
7 all agreements authorizing expenditure of Federal
8 funds by other organizations, that the receiving or-
9 ganizations make available for audit all records per-
10 taining to the expenditure of such funds.

11 (d) PROHIBITION ON THE ACQUISITION OF REAL
12 PROPERTY.—The management entity may not use Fed-
13 eral funds received under this Act to acquire real property
14 or an interest in real property. Nothing in this Act shall
15 preclude any management entity from using Federal funds
16 from other sources for their permitted purposes.

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

18 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—

19 (1) IN GENERAL.—The Secretary may, upon re-
20 quest of the management entity, provide technical
21 and financial assistance to the management entity to
22 develop and implement the management plan. In as-
23 sisting the management entity, the Secretary shall
24 give priority to actions that in general assist in—

1 (A) conserving the significant natural, his-
2 toric, and cultural resources which support its
3 themes; and

4 (B) providing educational, interpretive, and
5 recreational opportunities consistent with its re-
6 sources and associated values.

7 (2) SPENDING FOR NON-FEDERALLY OWNED
8 PROPERTY.—The Secretary may spend Federal
9 funds directly on non-federally owned property to
10 further the purposes of this Act, especially in assist-
11 ing units of government in appropriate treatment of
12 districts, sites, buildings, structures, and objects list-
13 ed or eligible for listing on the National Register of
14 Historic Places. The Historic American Building
15 Survey/Historic American Engineering Record shall
16 conduct those studies necessary to document the in-
17 dustrial, engineering, building, and architectural his-
18 tory of the region.

19 (b) APPROVAL AND DISAPPROVAL OF COMPACTS AND
20 MANAGEMENT PLANS.—The Secretary, in consultation
21 with the Governor of Pennsylvania, shall approve or dis-
22 approve a compact or management plan submitted under
23 this Act not later than 90 days after receiving such com-
24 pact or management plan.

1 (c) ACTION FOLLOWING DISAPPROVAL.—If the Sec-
2 retary disapproves a submitted compact or management
3 plan, the Secretary shall advise the management entity in
4 writing of the reasons therefor and shall make rec-
5 ommendations for revisions in the compact or plan. The
6 Secretary shall approve or disapprove a proposed revision
7 within 90 days after the date it is submitted.

8 (d) APPROVING AMENDMENTS.—The Secretary shall
9 review substantial amendments to the management plan
10 for the Heritage Area. Funds appropriated pursuant to
11 this Act may not be expended to implement the changes
12 made by such amendments until the Secretary approves
13 the amendments.

14 **SEC. 7. SUNSET.**

15 The Secretary may not make any grant or provide
16 any assistance under this Act after September 30, 2012.

17 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

18 (a) IN GENERAL.—There is authorized to be appro-
19 priated under this Act not more than \$1,000,000 for any
20 fiscal year. Not more than a total of \$10,000,000 may
21 be appropriated for the Heritage Area under this Act.

22 (b) 50 PERCENT MATCH.—Federal funding provided
23 under this Act, after the designation of the Heritage Area,

- 1 may not exceed 50 percent of the total cost of any assist-
- 2 ance or grant provided or authorized under this Act.

