

106TH CONGRESS
1ST SESSION

H. R. 940

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14, 1999

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To designate the Lackawanna Valley National Heritage Area,
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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Lackawanna Valley
3 National Heritage Area Act of 1999”.

4 **SEC. 2. FINDINGS AND PURPOSE.**

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

6 (1) The industrial and cultural heritage of
7 northeastern Pennsylvania inclusive of Lackawanna,
8 Luzerne, Wayne, and Susquehanna counties, related
9 directly to anthracite and anthracite-related indus-
10 tries, is nationally significant, as documented in the
11 United States Department of the Interior-National
12 Parks Service, National Register of Historic Places,
13 Multiple Property Documentation submittal of the
14 Pennsylvania Historic and Museum Commission
15 (1996).

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

18 (3) The industrial and cultural heritage of the
19 anthracite and related industries in this region in-
20 cludes the social history and living cultural tradi-
21 tions of the people of the region.

22 (4) The labor movement of the region played a
23 significant role in the development of the Nation in-
24 cluding the formation of many key unions such as
25 the United Mine Workers of America, and crucial

1 struggles to improve wages and working conditions,
2 such as the 1900 and 1902 anthracite strikes.

3 (5) The Department of the Interior is respon-
4 sible for protecting the Nation's cultural and historic
5 resources, and there are significant examples of
6 these resources within this 4-county region to merit
7 the involvement of the Federal Government to de-
8 velop programs and projects, in cooperation with the
9 Lackawanna Heritage Valley Authority, the Com-
10 monwealth of Pennsylvania, and other local and gov-
11 ernmental bodies, to adequately conserve, protect,
12 and interpret this heritage for future generations,
13 while providing opportunities for education and revi-
14 talization.

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

18 (b) PURPOSE.—The objectives of the Lackawanna
19 Valley National Heritage Area are as follows:

20 (1) To foster a close working relationship with
21 all levels of government, the private sector, and the
22 local communities in the anthracite coal region of
23 northeastern Pennsylvania and empower the commu-
24 nities to conserve their heritage while continuing to
25 pursue economic opportunities.

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

5 **SEC. 3. LACKAWANNA VALLEY NATIONAL HERITAGE AREA.**

6 (a) ESTABLISHMENT.—There is hereby established
7 the Lackawanna Valley National Heritage Area (in this
8 Act referred to as the “Heritage Area”).

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

13 (c) MANAGEMENT ENTITY.—The management entity
14 for the Heritage Area shall be the Lackawanna Heritage
15 Valley Authority.

16 **SEC. 4. COMPACT.**

17 To carry out the purposes of this Act, the Secretary
18 of the Interior (in this Act referred to as the “Secretary”)
19 shall enter into a compact with the management entity.
20 The compact shall include information relating to the ob-
21 jectives and management of the area, including each of
22 the following:

23 (1) A delineation of the boundaries of the Her-
24 itage Area.

1 Area. It shall include recommendations for actions to be
2 undertaken by units of government and private organiza-
3 tions to protect the resources of the Heritage Area. It shall
4 specify the existing and potential sources of funding to
5 protect, manage, and develop the Heritage Area. Such
6 plan shall include, as appropriate, the following:

7 (1) An inventory of the resources contained in
8 the Heritage Area, including a list of any property
9 in the Heritage Area that is related to the themes
10 of the Heritage Area and that should be preserved,
11 restored, managed, developed, or maintained because
12 of its natural, cultural, historic, recreational, or sce-
13 nic significance.

14 (2) A recommendation of policies for resource
15 management which considers and details application
16 of appropriate land and water management tech-
17 niques, including, but not limited to, the develop-
18 ment of intergovernmental cooperative agreements to
19 protect the Heritage Area's historical, cultural, rec-
20 reational, and natural resources in a manner con-
21 sistent with supporting appropriate and compatible
22 economic viability.

23 (3) A program for implementation of the man-
24 agement plan by the management entity, including
25 plans for restoration and construction, and specific

1 commitments of the identified partners for the first
2 5 years of operation.

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

6 (5) An interpretation plan for the Heritage
7 Area.

8 The management entity shall submit the management
9 plan to the Secretary for approval within 3 years after
10 the date of enactment of this Act. If a management plan
11 is not submitted to the Secretary as required within the
12 specified time, the Heritage Area shall no longer qualify
13 for Federal funding.

14 (c) DUTIES OF MANAGEMENT ENTITY.—The man-
15 agement entity shall—

16 (1) give priority to implementing actions set
17 forth in the compact and management plan, includ-
18 ing steps to assist units of government, regional
19 planning organizations, and nonprofit organizations
20 in preserving the Heritage Area;

21 (2) assist units of government, regional plan-
22 ning organizations, and nonprofit organizations in
23 establishing and maintaining interpretive exhibits in
24 the Heritage Area; assist units of government, re-
25 gional planning organizations, and nonprofit organi-

1 zations in developing recreational resources in the
2 Heritage Area;

3 (3) assist units of government, regional plan-
4 ning organizations, and nonprofit organizations in
5 increasing public awareness of and appreciation for
6 the natural, historical, and architectural resources
7 and sites in the Heritage Area; assist units of gov-
8 ernment, regional planning organizations and non-
9 profit organizations in the restoration of any historic
10 building relating to the themes of the Heritage Area;

11 (4) encourage economic viability in the Heritage
12 Area consistent with the goals of the plan; encourage
13 local governments to adopt land use policies con-
14 sistent with the management of the Heritage Area
15 and the goals of the plan;

16 (5) assist units of government, regional plan-
17 ning organizations, and nonprofit organizations to
18 ensure that clear, consistent, and environmentally
19 appropriate signs identifying access points and sites
20 of interest are put in place throughout the Heritage
21 Area;

22 (6) consider the interests of diverse govern-
23 mental, business, and nonprofit groups within the
24 Heritage Area;

1 (7) conduct public meetings at least quarterly
2 regarding the implementation of the management
3 plan; and

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

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

18 (e) SPENDING FOR NON-FEDERALLY OWNED PROP-
19 ERTY.—The management entity may spend Federal funds
20 directly on non-federally owned property to further the
21 purposes of this Act, especially in assisting units of gov-
22 ernment in appropriate treatment of districts, sites, build-
23 ings, structures, and objects listed or eligible for listing
24 on the National Register of Historic Places.

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

2 (a) **TECHNICAL AND FINANCIAL ASSISTANCE.**—The
3 Secretary may, upon request of the management entity,
4 provide technical and financial assistance to the manage-
5 ment entity to develop and implement the management
6 plan. In assisting the management entity, the Secretary
7 shall give priority to actions that in general assist in—

8 (1) conserving the significant natural, historic,
9 and cultural resources which support its themes; and

10 (2) providing educational, interpretive, and rec-
11 reational opportunities consistent with its resources
12 and associated values.

13 (b) **APPROVAL AND DISAPPROVAL OF MANAGEMENT**
14 **PLANS.**—The Secretary, in consultation with the Governor
15 of Pennsylvania, shall approve or disapprove a manage-
16 ment plan submitted under this Act not later than 90 days
17 after receiving such management plan.

18 (c) **ACTION FOLLOWING DISAPPROVAL.**—If the Sec-
19 retary disapproves a submitted management plan, the Sec-
20 retary shall advise the management entity in writing of
21 the reasons therefore and shall make recommendations for
22 revisions in the plan. The Secretary shall approve or dis-
23 approve a proposed revision within 90 days after the date
24 it is submitted.

25 (d) **APPROVING AMENDMENTS.**—The Secretary shall
26 review substantial amendments to the management plan

1 for the Heritage Area. Funds appropriated pursuant to
2 this Act may not be expended to implement the changes
3 made by such amendments until the Secretary approves
4 the amendments.

5 **SEC. 7. ADDITIONAL ANTHRACITE COAL REGION DESIGNA-**
6 **TION.**

7 (a) DESIGNATION.—Upon publication by the Sec-
8 retary in the Federal Register of notice that the Secretary
9 has signed a compact (as provided for in subsection (b))
10 there is hereby designated the Schuylkill River National
11 Heritage Area.

12 (b) COMPACT.—The compact submitted under this
13 section with respect to the Schuylkill River National Her-
14 itage Area shall consist of an agreement between the Sec-
15 retary and the Schuylkill River Greenway Association
16 (who shall serve as the management entity for the area).
17 Such agreement shall define the area (including a delineation
18 of the boundaries), describe anticipated programs for
19 the area, and include information relating to the objectives
20 and management of the area. Such information shall in-
21 clude, but not be limited to, an explanation of the pro-
22 posed approach to the conservation and interpretation of
23 the area and a general outline of the protection measures
24 committed to by the partners.

1 (c) **AUTHORITIES AND DUTIES.**—The authorities and
2 duties of the management entity and other Federal agen-
3 cies for the Schuylkill River National Heritage Area shall
4 be the same as provided for by sections 5 and 6 of this
5 Act, except that for such purposes any reference in such
6 sections to the “Heritage Area” shall be deemed to be a
7 reference to the Schuylkill River National Heritage Area
8 and any reference to the “management entity” shall be
9 deemed a reference to the Schuylkill River Greenway Asso-
10 ciation.

11 **SEC. 8. CULTURE AND HERITAGE OF ANTHRACITE COAL**
12 **REGION.**

13 All authorized existing and future heritage area man-
14 agement entities in the Anthracite Coal Region in Penn-
15 sylvania are authorized and directed to coordinate with
16 one another in the management of such areas. Each such
17 management entity is authorized to use funds appro-
18 priated for such heritage areas for the purposes of this
19 section.

20 **SEC. 9. SUNSET.**

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

23 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

24 (a) **IN GENERAL.**—There is authorized to be appro-
25 priated under this Act not more than \$1,000,000 for any

1 fiscal year for each heritage area designated by this Act.
2 Not more than a total of \$10,000,000 may be appro-
3 priated for each heritage area under this Act.

4 (b) 50 PERCENT MATCH.—Federal funding provided
5 under this Act, after the designation of each heritage area,
6 may not exceed 50 percent of the total cost of any assist-
7 ance or grant provided or authorized under this Act.

Passed the House of Representatives September 13,
1999.

Attest:

JEFF TRANDAHL,

Clerk.