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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14, 1999

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

JULY 12, 2000

Reported by Mr. MURKOWSKI, with an amendment and an amendment to the
title

[Strike out all after the enacting clause and insert the part printed in *italic*]

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,*

3 **SECTION 1. SHORT TITLE.**

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

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

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

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

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

13 (3) The industrial and cultural heritage of the
14 anthracite and related industries in this region in-
15 cludes the social history and living cultural tradi-
16 tions of the people of the region.

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

23 (5) The Department of the Interior is respon-
24 sible for protecting the Nation's cultural and historic
25 resources, and there are significant examples of

1 these resources within this 4-county region to merit
2 the involvement of the Federal Government to de-
3 velop programs and projects, in cooperation with the
4 Lackawanna Heritage Valley Authority, the Com-
5 monwealth of Pennsylvania, and other local and gov-
6 ernmental bodies, to adequately conserve, protect,
7 and interpret this heritage for future generations,
8 while providing opportunities for education and revi-
9 talization.

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

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

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

21 (2) To conserve, interpret, and develop the his-
22 torical, cultural, natural, and recreational resources
23 related to the industrial and cultural heritage of the
24 4-county region of northeastern Pennsylvania.

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

2 (a) **ESTABLISHMENT.**—There is hereby established
3 the Lackawanna Valley National Heritage Area (in this
4 Act referred to as the “Heritage Area”).

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

9 (c) **MANAGEMENT ENTITY.**—The management entity
10 for the Heritage Area shall be the Lackawanna Heritage
11 Valley Authority.

12 **SEC. 4. COMPACT.**

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

19 (1) A delineation of the boundaries of the Her-
20 itage Area.

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

1 **SEC. 5. AUTHORITIES AND DUTIES OF MANAGEMENT EN-**
2 **TITY.**

3 (a) **AUTHORITIES OF THE MANAGEMENT ENTITY.—**

4 The management entity may, for purposes of preparing
5 and implementing the management plan developed under
6 subsection (b), use funds made available through this Act
7 for the following:

8 (1) To make grants to, and enter into coopera-
9 tive agreements with States and their political sub-
10 divisions, private organizations, or any person.

11 (2) To hire and compensate staff.

12 (3) To enter into contracts for goods and serv-
13 ices.

14 (b) **MANAGEMENT PLAN.—**The management entity
15 shall develop a management plan for the Heritage Area
16 that presents recommendations for the Heritage Area's
17 conservation, funding, management, and development.
18 Such plan shall take into consideration existing State,
19 county, and local plans and involve residents, public agen-
20 cies, and private organizations working in the Heritage
21 Area. It shall include recommendations for actions to be
22 undertaken by units of government and private organiza-
23 tions to protect the resources of the Heritage Area. It shall
24 specify the existing and potential sources of funding to
25 protect, manage, and develop the Heritage Area. Such
26 plan shall include, as appropriate, the following:

1 (1) An inventory of the resources contained in
2 the Heritage Area, including a list of any property
3 in the Heritage Area that is related to the themes
4 of the Heritage Area and that should be preserved,
5 restored, managed, developed, or maintained because
6 of its natural, cultural, historic, recreational, or scenic
7 significance.

8 (2) A recommendation of policies for resource
9 management which considers and details application
10 of appropriate land and water management techniques,
11 including, but not limited to, the development of
12 intergovernmental cooperative agreements to protect the
13 Heritage Area's historical, cultural, recreational, and
14 natural resources in a manner consistent with supporting
15 appropriate and compatible economic viability.

17 (3) A program for implementation of the management
18 plan by the management entity, including plans for
19 restoration and construction, and specific commitments
20 of the identified partners for the first 5 years of operation.

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

1 (5) An interpretation plan for the Heritage
2 Area.

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

9 (c) DUTIES OF MANAGEMENT ENTITY.—The man-
10 agement entity shall—

11 (1) give priority to implementing actions set
12 forth in the compact and management plan, includ-
13 ing steps to assist units of government, regional
14 planning organizations, and nonprofit organizations
15 in preserving the Heritage Area;

16 (2) assist units of government, regional plan-
17 ning organizations, and nonprofit organizations in
18 establishing and maintaining interpretive exhibits in
19 the Heritage Area; assist units of government, re-
20 gional planning organizations, and nonprofit organi-
21 zations in developing recreational resources in the
22 Heritage Area;

23 (3) assist units of government, regional plan-
24 ning organizations, and nonprofit organizations in
25 increasing public awareness of and appreciation for

1 the natural, historical, and architectural resources
2 and sites in the Heritage Area; assist units of gov-
3 ernment, regional planning organizations and non-
4 profit organizations in the restoration of any historic
5 building relating to the themes of the Heritage Area;

6 (4) encourage economic viability in the Heritage
7 Area consistent with the goals of the plan; encourage
8 local governments to adopt land use policies con-
9 sistent with the management of the Heritage Area
10 and the goals of the plan;

11 (5) assist units of government, regional plan-
12 ning organizations, and nonprofit organizations to
13 ensure that clear, consistent, and environmentally
14 appropriate signs identifying access points and sites
15 of interest are put in place throughout the Heritage
16 Area;

17 (6) consider the interests of diverse govern-
18 mental, business, and nonprofit groups within the
19 Heritage Area;

20 (7) conduct public meetings at least quarterly
21 regarding the implementation of the management
22 plan; and

23 (8) for any year in which Federal funds have
24 been received under this Act, make available for
25 audit all records pertaining to the expenditure of

1 such funds and any matching funds, and require, for
2 all agreements authorizing expenditure of Federal
3 funds by other organizations, that the receiving or-
4 ganizations make available for audit all records per-
5 taining to the expenditure of such funds.

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

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

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

20 ~~(a) TECHNICAL AND FINANCIAL ASSISTANCE.—~~The
21 Secretary may, upon request of the management entity,
22 provide technical and financial assistance to the manage-
23 ment entity to develop and implement the management
24 plan. In assisting the management entity, the Secretary
25 shall give priority to actions that in general assist in—

1 (1) conserving the significant natural, historic,
2 and cultural resources which support its themes; and
3 (2) providing educational, interpretive, and rec-
4 reational opportunities consistent with its resources
5 and associated values.

6 (b) ~~APPROVAL AND DISAPPROVAL OF MANAGEMENT~~
7 ~~PLANS.~~—The Secretary, in consultation with the Governor
8 of Pennsylvania, shall approve or disapprove a manage-
9 ment plan submitted under this Act not later than 90 days
10 after receiving such management plan.

11 (c) ~~ACTION FOLLOWING DISAPPROVAL.~~—If the Sec-
12 retary disapproves a submitted management plan, the Sec-
13 retary shall advise the management entity in writing of
14 the reasons therefore and shall make recommendations for
15 revisions in the plan. The Secretary shall approve or dis-
16 approve a proposed revision within 90 days after the date
17 it is submitted.

18 (d) ~~APPROVING AMENDMENTS.~~—The Secretary shall
19 review substantial amendments to the management plan
20 for the Heritage Area. Funds appropriated pursuant to
21 this Act may not be expended to implement the changes
22 made by such amendments until the Secretary approves
23 the amendments.

1 **SEC. 7. ADDITIONAL ANTHRACITE COAL REGION DESIGNA-**
2 **TION.**

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

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

21 (c) AUTHORITIES AND DUTIES.—The authorities and
22 duties of the management entity and other Federal agen-
23 cies for the Schuylkill River National Heritage Area shall
24 be the same as provided for by sections 5 and 6 of this
25 Act, except that for such purposes any reference in such
26 sections to the “Heritage Area” shall be deemed to be a

1 reference to the Schuylkill River National Heritage Area
 2 and any reference to the “management entity” shall be
 3 deemed a reference to the Schuylkill River Greenway Asso-
 4 ciation.

5 **SEC. 8. CULTURE AND HERITAGE OF ANTHRACITE COAL**
 6 **REGION.**

7 All authorized existing and future heritage area man-
 8 agement entities in the Anthracite Coal Region in Penn-
 9 sylvania are authorized and directed to coordinate with
 10 one another in the management of such areas. Each such
 11 management entity is authorized to use funds appro-
 12 priated for such heritage areas for the purposes of this
 13 section.

14 **SEC. 9. SUNSET.**

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

17 **SEC. 10. 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 for each heritage area designated by this Act.
 21 Not more than a total of \$10,000,000 may be appro-
 22 priated for each heritage area under this Act.

23 (b) **50 PERCENT MATCH.**—Federal funding provided
 24 under this Act, after the designation of each 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.

3 ***TITLE I—LACKAWANNA VALLEY***
 4 ***NATIONAL HERITAGE AREA***

5 ***SECTION 101. SHORT TITLE.***

6 *This title may be cited as the “Lackawanna Valley Na-*
 7 *tional Heritage Area Act of 2000”.*

8 ***SEC. 102. FINDINGS AND PURPOSES.***

9 *(a) FINDINGS.—Congress finds that—*

10 *(1) the industrial and cultural heritage of north-*
 11 *eastern Pennsylvania, including Lackawanna Coun-*
 12 *ty, Luzerne County, Wayne County, and Susque-*
 13 *hanna County, related directly to anthracite and an-*
 14 *thracite-related industries, is nationally significant;*

15 *(2) the industries referred to in paragraph (1)*
 16 *include anthracite mining, ironmaking, textiles, and*
 17 *rail transportation;*

18 *(3) the industrial and cultural heritage of the*
 19 *anthracite and anthracite-related industries in the re-*
 20 *gion described in paragraph (1) includes the social*
 21 *history and living cultural traditions of the people of*
 22 *the region;*

23 *(4) the labor movement of the region played a*
 24 *significant role in the development of the Nation,*
 25 *including—*

1 (A) the formation of many major unions
2 such as the United Mine Workers of America;
3 and

4 (B) crucial struggles to improve wages and
5 working conditions, such as the 1900 and 1902
6 anthracite strikes;

7 (5)(A) the Secretary of the Interior is responsible
8 for protecting the historical and cultural resources of
9 the United States; and

10 (B) there are significant examples of those re-
11 sources within the region described in paragraph (1)
12 that merit the involvement of the Federal Government
13 to develop, in cooperation with the Lackawanna Her-
14 itage Valley Authority, the Commonwealth of Penn-
15 sylvania, and local and governmental entities, pro-
16 grams and projects to conserve, protect, and interpret
17 this heritage adequately for future generations, while
18 providing opportunities for education and revitaliza-
19 tion; and

20 (6) the Lackawanna Heritage Valley Authority
21 would be an appropriate management entity for a
22 Heritage Area established in the region described in
23 paragraph (1).

24 (b) PURPOSES.—The purposes of the Lackawanna Val-
25 ley National Heritage Area are—

1 (1) *to foster a close working relationship among*
 2 *all levels of government, the private sector, and the*
 3 *local communities in the anthracite coal region of*
 4 *northeastern Pennsylvania and enable the commu-*
 5 *nities to conserve their heritage while continuing to*
 6 *pursue economic opportunities; and*

7 (2) *to conserve, interpret, and develop the histor-*
 8 *ical, cultural, natural, and recreational resources re-*
 9 *lated to the industrial and cultural heritage of the 4-*
 10 *county region described in subsection (a)(1).*

11 **SEC. 103. DEFINITIONS.**

12 (1) *HERITAGE AREA.*—*The term “Heritage*
 13 *Area” means the Lackawanna Valley Historical Her-*
 14 *itage Area established by section 4.*

15 (2) *MANAGEMENT ENTITY.*—*The term “manage-*
 16 *ment entity” means the management entity for the*
 17 *Heritage Area specified in section 4(c).*

18 (3) *MANAGEMENT PLAN.*—*The term “manage-*
 19 *ment plan” means the management plan for the Her-*
 20 *itage Area developed under section 6(b).*

21 (4) *PARTNER.*—*The term “partner” means—*

22 (A) *a Federal, State, or local governmental*
 23 *entity; and*

24 (B) *an organization, private industry, or*
 25 *individual involved in promoting the conserva-*

1 *tion and preservation of the cultural and natural*
 2 *resources of the Heritage Area.*

3 (5) *SECRETARY.*—*The term “Secretary” means*
 4 *the Secretary of the Interior.*

5 **SEC. 104. LACKAWANNA VALLEY NATIONAL HERITAGE**
 6 **AREA.**

7 (a) *ESTABLISHMENT.*—*There is established the Lacka-*
 8 *wanna Valley National Heritage Area.*

9 (b) *BOUNDARIES.*—*The Heritage Area shall be com-*
 10 *prised of all or parts of Lackawanna County, Luzerne*
 11 *County, Wayne County, and Susquehanna County, Penn-*
 12 *sylvania, determined in accordance with the compact under*
 13 *section 5.*

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

17 **SEC. 105. COMPACT.**

18 (a) *IN GENERAL.*—*To carry out this Title, the Sec-*
 19 *retary shall enter into a compact with the management en-*
 20 *tity.*

21 (b) *CONTENTS OF COMPACT.*—*The compact shall in-*
 22 *clude information relating to the objectives and manage-*
 23 *ment of the area, including—*

24 (1) *a delineation of the boundaries of the Herit-*
 25 *age Area; and*

1 (2) *a discussion of the goals and objectives of the*
 2 *Heritage Area, including an explanation of the pro-*
 3 *posed approach to conservation and interpretation*
 4 *and a general outline of the protection measures com-*
 5 *mitted to by the partners.*

6 **SEC. 106. AUTHORITIES AND DUTIES OF THE MANAGEMENT**
 7 **ENTITY.**

8 (a) *AUTHORITIES OF MANAGEMENT ENTITY.—The*
 9 *management entity may, for the purposes of preparing and*
 10 *implementing the management plan, use funds made avail-*
 11 *able under this Title to hire and compensate staff.*

12 (b) *MANAGEMENT PLAN.—*

13 (1) *IN GENERAL.—The management entity shall*
 14 *develop a management plan for the Heritage Area*
 15 *that presents comprehensive recommendations for the*
 16 *conservation, funding, management, and development*
 17 *of the Heritage Area.*

18 (2) *CONSIDERATION OF OTHER PLANS AND AC-*
 19 *TIONS.—The management plan shall—*

20 (A) *take into consideration State, county,*
 21 *and local plans;*

22 (B) *involve residents, public agencies, and*
 23 *private organizations working in the Heritage*
 24 *Area; and*

1 (C) include actions to be undertaken by
2 units of government and private organizations to
3 protect the resources of the Heritage Area.

4 (3) SPECIFICATION OF FUNDING SOURCES.—The
5 management plan shall specify the existing and po-
6 tential sources of funding available to protect, man-
7 age, and develop the Heritage Area.

8 (4) OTHER REQUIRED ELEMENTS.—The manage-
9 ment plan shall include the following:

10 (A) An inventory of the resources contained
11 in the Heritage Area, including a list of any
12 property in the Heritage Area that is related to
13 the purposes of the Heritage Area and that
14 should be preserved, restored, managed, devel-
15 oped, or maintained because of its historical, cul-
16 tural, natural, recreational, or scenic signifi-
17 cance.

18 (B) A recommendation of policies for re-
19 source management that considers and details
20 application of appropriate land and water man-
21 agement techniques, including the development of
22 intergovernmental cooperative agreements to pro-
23 tect the historical, cultural, natural, and rec-
24 reational resources of the Heritage Area in a

1 *manner that is consistent with the support of ap-*
2 *propriate and compatible economic viability.*

3 *(C) A program for implementation of the*
4 *management plan by the management entity,*
5 *including—*

6 *(i) plans for restoration and construc-*
7 *tion; and*

8 *(ii) specific commitments of the part-*
9 *ners for the first 5 years of operation.*

10 *(D) An analysis of ways in which local,*
11 *State, and Federal programs may best be coordi-*
12 *nated to promote the purposes of this Act.*

13 *(E) An interpretation plan for the Heritage*
14 *Area.*

15 *(5) SUBMISSION TO SECRETARY FOR AP-*
16 *PROVAL.—*

17 *(A) IN GENERAL.—Not later than the last*
18 *day of the 3-year period beginning on the date*
19 *of enactment of this Act, the management entity*
20 *shall submit the management plan to the Sec-*
21 *retary for approval.*

22 *(B) EFFECT OF FAILURE TO SUBMIT.—If a*
23 *management plan is not submitted to the Sec-*
24 *retary by the day referred to in subparagraph*
25 *(A), the Secretary shall not, after that day, pro-*

1 *vide any grant or other assistance under this*
2 *Title with respect to the Heritage Area until a*
3 *management plan for the Heritage Area is sub-*
4 *mitted to the Secretary.*

5 *(c) DUTIES OF MANAGEMENT ENTITY.—The manage-*
6 *ment entity shall—*

7 *(1) give priority to implementing actions speci-*
8 *fied in the compact and management plan, including*
9 *steps to assist units of government and nonprofit or-*
10 *ganizations in preserving the Heritage Area;*

11 *(2) assist units of government and nonprofit or-*
12 *ganizations in—*

13 *(A) establishing and maintaining interpre-*
14 *tive exhibits in the Heritage Area;*

15 *(B) developing recreational resources in the*
16 *Heritage Area;*

17 *(C) increasing public awareness of and ap-*
18 *preciation for the historical, natural, and archi-*
19 *tectural resources and sites in the Heritage Area;*
20 *and*

21 *(D) restoring historic buildings that relate*
22 *to the purposes of the Heritage Area;*

23 *(3) encourage economic viability in the Heritage*
24 *Area consistent with the goals of the management*
25 *plan;*

1 (4) *encourage local governments to adopt land*
2 *use policies consistent with the management of the*
3 *Heritage Area and the goals of the management plan;*

4 (5) *assist units of government and nonprofit or-*
5 *ganizations to ensure that clear, consistent, and envi-*
6 *ronmentally appropriate signs identifying access*
7 *points and sites of interest are placed throughout the*
8 *Heritage Area;*

9 (6) *consider the interests of diverse governmental,*
10 *business, and nonprofit groups within the Heritage*
11 *Area;*

12 (7) *conduct public meetings not less often than*
13 *quarterly concerning the implementation of the man-*
14 *agement plan;*

15 (8) *submit substantial amendments (including*
16 *any increase of more than 20 percent in the cost esti-*
17 *mates for implementation) to the management plan*
18 *to the Secretary for the Secretary's approval; and*

19 (9) *for each year in which Federal funds have*
20 *been received under this Title—*

21 (A) *submit a report to the Secretary that*
22 *specifies—*

23 (i) *the accomplishments of the manage-*
24 *ment entity; and*

1 (ii) the expenses and income of the
2 management entity;

3 (B) make available to the Secretary for
4 audit all records relating to the expenditure of
5 such funds and any matching funds; and

6 (C) require, with respect to all agreements
7 authorizing expenditure of Federal funds by
8 other organizations, that the receiving organiza-
9 tions make available to the Secretary for audit
10 all records concerning the expenditure of such
11 funds.

12 (d) *USE OF FEDERAL FUNDS.*—

13 (1) *FUNDS MADE AVAILABLE UNDER THIS*
14 *TITLE.*—The management entity shall not use Federal
15 funds received under this Title to acquire real prop-
16 erty or any interest in real property.

17 (2) *FUNDS FROM OTHER SOURCES.*—Nothing in
18 this Title precludes the management entity from
19 using Federal funds obtained through law other than
20 this Title for any purpose for which the funds are au-
21 thorized to be used.

22 **SEC. 107. DUTIES AND AUTHORITIES OF FEDERAL AGEN-**
23 **CIES.**

24 (a) *TECHNICAL AND FINANCIAL ASSISTANCE.*—

1 (1) *PROVISION OF ASSISTANCE.*—*The Secretary*
 2 *may, at the request of the management entity, provide*
 3 *technical and financial assistance to the management*
 4 *entity to develop and implement the management*
 5 *plan.*

6 (2) *PRIORITY IN ASSISTANCE.*—*In assisting the*
 7 *management entity, the Secretary shall give priority*
 8 *to actions that assist in—*

9 (A) *conserving the significant historical,*
 10 *cultural, and natural resources that support the*
 11 *purpose of the Heritage Area; and*

12 (B) *providing educational, interpretive, and*
 13 *recreational opportunities consistent with the re-*
 14 *sources and associated values of the Heritage*
 15 *Area.*

16 (b) *APPROVAL AND DISAPPROVAL OF MANAGEMENT*
 17 *PLANS.*—

18 (1) *IN GENERAL.*—*The Secretary, in consultation*
 19 *with the Governor of the Commonwealth of Pennsyl-*
 20 *vania, shall approve or disapprove a management*
 21 *plan submitted under this Title not later than 90*
 22 *days after receipt of the management plan.*

23 (2) *ACTION FOLLOWING DISAPPROVAL.*—

24 (A) *IN GENERAL.*—*If the Secretary dis-*
 25 *approves a management plan, the Secretary*

1 *shall advise the management entity in writing of*
 2 *the reasons for the disapproval and shall make*
 3 *recommendations for revisions to the manage-*
 4 *ment plan.*

5 *(B) DEADLINE FOR APPROVAL OF REVI-*
 6 *SION.—The Secretary shall approve or dis-*
 7 *approve a proposed revision within 90 days after*
 8 *the date on which the revision is submitted to the*
 9 *Secretary.*

10 *(c) APPROVAL OF AMENDMENTS.—*

11 *(1) REVIEW.—The Secretary shall review sub-*
 12 *stantial amendments (as determined under section*
 13 *6(c)(8)) to the management plan for the Heritage*
 14 *Area.*

15 *(2) REQUIREMENT OF APPROVAL.—Funds made*
 16 *available under this Title shall not be expended to im-*
 17 *plement the amendments described in paragraph (1)*
 18 *until the Secretary approves the amendments.*

19 **SEC. 108. SUNSET PROVISION.**

20 *The Secretary shall not provide any grant or other as-*
 21 *sistance under this Title after September 30, 2012.*

22 **SEC. 109. AUTHORIZATION OF APPROPRIATIONS.**

23 *(a) IN GENERAL.—There is authorized to be appro-*
 24 *priated to carry out this Title \$10,000,000, except that not*

1 *more than \$1,000,000 may be appropriated to carry out*
 2 *this Title for any fiscal year.*

3 *(b) 50 PERCENT MATCH.—The Federal share of the*
 4 *cost of activities carried out using any assistance or grant*
 5 *under this Title shall not exceed 50 percent.*

6 **TITLE II—SCHUYLKILL RIVER**
 7 **VALLEY NATIONAL HERITAGE**
 8 **AREA**

9 **SEC. 201. SHORT TITLE.**

10 *This title may be cited as the “Schuylkill River Valley*
 11 *National Heritage Area Act.”*

12 **SEC. 202. FINDINGS AND PURPOSE.**

13 *(a) FINDINGS.—Congress finds that—*

14 *(1) the Schuylkill River Valley made a unique*
 15 *contribution to the cultural, political, and industrial*
 16 *development of the United States;*

17 *(2) the Schuylkill River is distinctive as the first*
 18 *spine of modern industrial development in Pennsylv-*
 19 *vania and 1 of the first in the United States;*

20 *(3) the Schuylkill River Valley played a signifi-*
 21 *cant role in the struggle for nationhood;*

22 *(4) the Schuylkill River Valley developed a pros-*
 23 *perous and productive agricultural economy that sur-*
 24 *vives today;*

1 (5) the Schuylkill River Valley developed a char-
2 coal iron industry that made Pennsylvania the center
3 of the iron industry within the North American colo-
4 nies;

5 (6) the Schuylkill River Valley developed into a
6 significant anthracite mining region that continues to
7 thrive today;

8 (7) the Schuylkill River Valley developed early
9 transportation systems, including the Schuylkill
10 Canal and the Reading Railroad;

11 (8) the Schuylkill River Valley developed a sig-
12 nificant industrial base, including textile mills and
13 iron works;

14 (9) there is a longstanding commitment to—

15 (A) repairing the environmental damage to
16 the river and its surrounding caused by the
17 largely unregulated industrial activity; and

18 (B) completing the Schuylkill River Trail
19 along the 128-mile corridor of the Schuylkill Val-
20 ley;

21 (10) there is a need to provide assistance for the
22 preservation and promotion of the significance of the
23 Schuylkill River as a system for transportation, agri-
24 culture, industry, commerce, and immigration; and

1 (11)(A) *the Department of the Interior is respon-*
2 *sible for protecting the Nation’s cultural and histor-*
3 *ical resources; and*

4 (B) *there are significant examples of such re-*
5 *sources within the Schuylkill River Valley to merit*
6 *the involvement of the Federal Government in the de-*
7 *velopment of programs and projects, in cooperation*
8 *with the Schuylkill River Greenway Association, the*
9 *State of Pennsylvania, and other local and govern-*
10 *mental bodies, to adequately conserve, protect, and in-*
11 *terpret this heritage for future generations, while pro-*
12 *viding opportunities for education and revitalization.*

13 (b) *PURPOSES.—The purposes of this title are—*

14 (1) *to foster a close working relationship with all*
15 *levels of government, the private sector, and the local*
16 *communities in the Schuylkill River Valley of south-*
17 *eastern Pennsylvania and enable the communities to*
18 *conserve their heritage while continuing to pursue*
19 *economic opportunities; and*

20 (2) *to conserve, interpret, and develop the histor-*
21 *ical, cultural, natural, and recreational resources re-*
22 *lated to the industrial and cultural heritage of the*
23 *Schuylkill River Valley of southeastern Pennsylvania.*

24 **SEC. 203. DEFINITIONS.**

25 *In this title:*

1 (1) *COOPERATIVE AGREEMENT.*—*The term “co-*
 2 *operative agreement” means the cooperative agree-*
 3 *ment entered into under section 204(d).*

4 (2) *HERITAGE AREA.*—*The term “Heritage*
 5 *Area” means the Schuylkill River Valley National*
 6 *Heritage Area established by section 204.*

7 (3) *MANAGEMENT ENTITY.*—*The term “manage-*
 8 *ment entity” means the management entity of the*
 9 *Heritage Area appointed under section 204(c).*

10 (4) *MANAGEMENT PLAN.*—*The term “manage-*
 11 *ment plan” means the management plan for the Her-*
 12 *itage Area developed under section 205.*

13 (5) *SECRETARY.*—*The term “Secretary” means*
 14 *the Secretary of the Interior.*

15 (6) *STATE.*—*The term “State” means the State*
 16 *of Pennsylvania.*

17 **SEC. 204. ESTABLISHMENT.**

18 (a) *IN GENERAL.*—*For the purpose of preserving and*
 19 *interpreting for the educational and inspirational benefit*
 20 *of present and future generations certain land and struc-*
 21 *tures with unique and significant historical and cultural*
 22 *value associated with the early development of the Schuyl-*
 23 *kill River Valley, there is established the Schuylkill River*
 24 *Valley National Heritage Area.*

1 (b) *BOUNDARIES.*—*The Heritage Area shall be com-*
 2 *prised of the Schuylkill River watershed within the counties*
 3 *of Schuylkill, Berks, Montgomery, Chester, and Philadel-*
 4 *phia, Pennsylvania, as delineated by the Secretary.*

5 (c) *MANAGEMENT ENTITY.*—*The management entity*
 6 *for the Heritage Area shall be the Schuylkill River Green-*
 7 *way Association.*

8 (d) *COOPERATIVE AGREEMENT.*—

9 (1) *IN GENERAL.*—*To carry out this title, the*
 10 *Secretary shall enter into a cooperative agreement*
 11 *with the management entity.*

12 (2) *CONTENTS.*—*The cooperative agreement shall*
 13 *include information relating to the objectives and*
 14 *management of the Heritage Area, including—*

15 (A) *a description of the goals and objectives*
 16 *of the Heritage Area, including a description of*
 17 *the approach to conservation and interpretation*
 18 *of the Heritage Area;*

19 (B) *an identification and description of the*
 20 *management entity that will administer the*
 21 *Heritage Area; and*

22 (C) *a description of the role of the State.*

23 **SEC. 205. MANAGEMENT PLAN.**

24 (a) *IN GENERAL.*—*Not later than 3 years after the*
 25 *date of enactment of this title, the management entity shall*

1 *submit to the Secretary for approval a management plan*
2 *for the Heritage Area that presents comprehensive rec-*
3 *ommendations for the conservation, funding, management,*
4 *and development of the Heritage Area.*

5 (b) *REQUIREMENTS.—The management plan shall—*

6 (1) *take into consideration State, county, and*
7 *local plans;*

8 (2) *involve residents, public agencies, and pri-*
9 *vate organizations working in the Heritage Area;*

10 (3) *specify, as of the date of the plan, existing*
11 *and potential sources of funding to protect, manage,*
12 *and develop the Heritage Area; and*

13 (4) *include—*

14 (A) *actions to be undertaken by units of*
15 *government and private organizations to protect*
16 *the resources of the Heritage Area;*

17 (B) *an inventory of the resources contained*
18 *in the Heritage Area, including a list of any*
19 *property in the Heritage Area that is related to*
20 *the themes of the Heritage Area and that should*
21 *be preserved, restored, managed, developed, or*
22 *maintained because of its natural, cultural, his-*
23 *torical, recreational, or scenic significance;*

24 (C) *a recommendation of policies for re-*
25 *source management that considers and details*

1 *application of appropriate land and water man-*
2 *agement techniques, including the development of*
3 *intergovernmental cooperative agreements to pro-*
4 *tect the historical, cultural, recreational, and*
5 *natural resources of the Heritage Area in a man-*
6 *ner consistent with supporting appropriate and*
7 *compatible economic viability;*

8 *(D) a program for implementation of the*
9 *management plan by the management entity;*

10 *(E) an analysis of ways in which local,*
11 *State, and Federal programs may best be coordi-*
12 *nated to promote the purposes of this title; and*

13 *(F) an interpretation plan for the Heritage*
14 *Area.*

15 *(c) DISQUALIFICATION FROM FUNDING.—If a manage-*
16 *ment plan is not submitted to the Secretary on or before*
17 *the date that is 3 years after the date of enactment of this*
18 *title, the Heritage Area shall be ineligible to receive Federal*
19 *funding under this title until the date on which the Sec-*
20 *retary receives the management plan.*

21 *(d) UPDATE OF PLAN.—In lieu of developing an origi-*
22 *nal management plan, the management entity may update*
23 *and submit to the Secretary the Schuylkill Heritage Cor-*
24 *ridor Management Action Plan that was approved by the*

1 *State in March, 1995, to meet the requirements of this sec-*
 2 *tion.*

3 **SEC. 206. AUTHORITIES AND DUTIES OF THE MANAGEMENT**
 4 **ENTITY.**

5 (a) *AUTHORITIES OF THE MANAGEMENT ENTITY.—*
 6 *For purposes of preparing and implementing the manage-*
 7 *ment plan, the management entity may—*

8 (1) *make grants to, and enter into cooperative*
 9 *agreements with, the State and political subdivisions*
 10 *of the State, private organizations, or any person;*
 11 *and*

12 (2) *hire and compensate staff.*

13 (b) *DUTIES OF THE MANAGEMENT ENTITY.—The*
 14 *management entity shall—*

15 (1) *develop and submit the management plan*
 16 *under section 205;*

17 (2) *give priority to implementing actions set*
 18 *forth in the cooperative agreement and the manage-*
 19 *ment plan, including taking steps to—*

20 (A) *assist units of government, regional*
 21 *planning organizations, and nonprofit organiza-*
 22 *tions in—*

23 (i) *preserving the Heritage Area;*

24 (ii) *establishing and maintaining in-*
 25 *terpretive exhibits in the Heritage Area;*

1 (iii) developing recreational resources
2 in the Heritage Area;

3 (iv) increasing public awareness of
4 and, appreciation for, the natural, histor-
5 ical, and architectural resources and sites
6 in the Heritage Area;

7 (v) restoring historic buildings relating
8 to the themes of the Heritage Area; and

9 (vi) ensuring that clear, consistent,
10 and environmentally appropriate signs
11 identifying access points and sites of inter-
12 est are installed throughout the Heritage
13 Area;

14 (B) encourage economic viability in the
15 Heritage Area consistent with the goals of the
16 management plan; and

17 (C) encourage local governments to adopt
18 land use policies consistent with the management
19 of the Heritage Area and the goals of the man-
20 agement plan;

21 (3) consider the interests of diverse governmental,
22 business, and nonprofit groups within the Heritage
23 Area;

24 (4) conduct public meetings at least quarterly re-
25 garding the implementation of the management plan;

1 (5) submit substantial changes (including any
2 increase of more than 20 percent in the cost estimates
3 for implementation) to the management plan to the
4 Secretary for the approval of the Secretary; and

5 (6) for any fiscal year in which Federal funds
6 are received under this title—

7 (A) submit to the Secretary a report
8 describing—

9 (i) the accomplishments of the manage-
10 ment entity;

11 (ii) the expenses and income of the
12 management entity; and

13 (iii) each entity to which the manage-
14 ment entity made any grant during the fis-
15 cal year;

16 (B) make available for audit all records
17 pertaining to the expenditure of Federal funds
18 and any matching funds, and require, for all
19 agreements authorizing expenditure of Federal
20 funds by organizations other than the manage-
21 ment entity, that the receiving organizations
22 make available for audit all records pertaining
23 to the expenditure of such funds; and

24 (C) require, for all agreements authorizing
25 expenditure of Federal funds by organizations

(1) *IN GENERAL.*—The management entity shall not use Federal funds received under this title to acquire real property or an interest in real property.

(d) *SPENDING FOR NON-FEDERALLY OWNED PROPERTY.*—The management entity may spend Federal funds directly on non-federally owned property to further the purposes of this title, especially in assisting units of government in appropriate treatment of districts, sites, buildings, structures, and objects listed or eligible for listing on the National Register of Historic Places.

21 (a) *TECHNICAL AND FINANCIAL ASSISTANCE.*—

(1) *IN GENERAL.*—At the request of the management entity, the Secretary may provide technical and financial assistance to the Heritage Area to develop and implement the management plan.

1 (2) *PRIORITIES.*—*In assisting the management*
 2 *entity, the Secretary shall give priority to actions*
 3 *that assist in—*

4 (A) *conserving the significant natural, his-*
 5 *torical, and cultural resources that support the*
 6 *themes of the Heritage Area; and*

7 (B) *providing educational, interpretive, and*
 8 *recreational opportunities consistent with the re-*
 9 *sources and associated values of the Heritage*
 10 *Area.*

11 (b) *APPROVAL AND DISAPPROVAL OF COOPERATIVE*
 12 *AGREEMENTS AND MANAGEMENT PLANS.*—

13 (1) *IN GENERAL.*—*Not later than 90 days after*
 14 *receiving a cooperative agreement or management*
 15 *plan submitted under this title, the Secretary, in con-*
 16 *sultation with the Governor of the State, shall ap-*
 17 *prove or disapprove the cooperative agreement or*
 18 *management plan.*

19 (2) *MANAGEMENT PLAN CONTENTS.*—*In reviewing*
 20 *the plan, the Secretary shall consider whether the*
 21 *composition of the management entity and the plan*
 22 *adequately reflect diverse interest of the region, in-*
 23 *cluding those of—*

24 (A) *local elected officials,*

25 (B) *the State,*

- 1 (C) *business and industry groups,*
- 2 (D) *organizations interested in the protection*
- 3 *of natural and cultural resources, and*
- 4 (E) *other community organizations and indi-*
- 5 *vidual stakeholders.*

6 (3) *ACTION FOLLOWING DISAPPROVAL.—*

- 7 (A) *IN GENERAL.—If the Secretary dis-*
- 8 *approves a cooperative agreement or manage-*
- 9 *ment plan, the Secretary shall—*

- 10 *(i) advise the management entity in writ-*
- 11 *ing of the reasons for the disapproval; and*
- 12 *(ii) make recommendations for revisions*
- 13 *in the cooperative agreement of plan.*

- 14 (B) *TIME PERIOD FOR DISAPPROVAL.—Not*
- 15 *later than 90 days after the date on which a re-*
- 16 *vision described under subparagraph (A)(ii) is*
- 17 *submitted, the Secretary shall approve or dis-*
- 18 *approve the proposed revision.*

19 (c) *APPROVAL OF AMENDMENTS.—*

- 20 (1) *IN GENERAL.—The Secretary shall review*
- 21 *and approve substantial amendments to the manage-*
- 22 *ment plan.*

- 23 (2) *FUNDING EXPENDITURE LIMITATION.—Funds*
- 24 *appropriated under this title may not be expended to*

1 *implement any substantial amendment until the Sec-*
 2 *retary approves the amendment.*

3 **SEC. 208. CULTURE AND HERITAGE OF ANTHRACITE COAL**
 4 **REGION.**

5 *(a) IN GENERAL.—The management entities of heritage*
 6 *areas (other than the Heritage Area) in the anthracite coal*
 7 *region in the State shall cooperate in the management of*
 8 *the Heritage Area.*

9 *(b) FUNDING.—Management entities described in sub-*
 10 *section (a) may use funds appropriated for management*
 11 *of the Heritage Area to carry out this section.*

12 **SEC. 209. SUNSET.**

13 *The Secretary may not make any grant or provide any*
 14 *assistance under this title after the date that is 15 years*
 15 *after the date of enactment of this title.*

16 **SEC. 210. AUTHORIZATION OF APPROPRIATIONS.**

17 *(a) IN GENERAL.—There are authorized to be appro-*
 18 *priated to carry out this title not more than \$10,000,000,*
 19 *of which not more than \$1,000,000 is authorized to be ap-*
 20 *propriated for any 1 fiscal year.*

21 *(b) FEDERAL SHARE.—Federal funding provided*
 22 *under this title may not exceed 50 percent of the total cost*
 23 *of any project or activity funded under this title.*

Amend the title so as to read: “To designate the Lackawanna Valley and the Schuylkill River National Heritage Areas, and for other purposes.”.

Passed the House of Representatives September 13, 1999.

Attest:

JEFF TRANDAHL,

Clerk.

Calendar No. 681

106TH CONGRESS
2D SESSION

H. R. 940

[Report No. 106-342]

AN ACT

To designate the Lackawanna Valley National
Heritage Area, and for other purposes.

JULY 12, 2000

Reported with an amendment and an amendment to the
title