

107TH CONGRESS  
1ST SESSION

# S. 1441

To establish the Oil Region National Heritage Area.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 20, 2001

Mr. SANTORUM (for himself and Mr. SPECTER) introduced the following bill;  
which was read twice and referred to the Committee on Energy and Nat-  
ural Resources

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## A BILL

To establish the Oil Region National 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 “Oil Region National  
5 Heritage Area Act”.

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

7 (a) FINDINGS.—Congress finds that—

8 (1) the Oil Region of northwestern  
9 Pennsylvania—

1 (A) contains numerous sites and districts  
2 listed on the National Register of Historic  
3 Places; and

4 (B) is designated by the Governor of Penn-  
5 sylvania as a State Heritage Park Area;

6 (2) the Oil Region—

7 (A) is a region with tremendous physical  
8 and natural resources; and

9 (B) possesses a story of State, national,  
10 and international significance;

11 (3) the drilling of the world's first successful oil  
12 well by Colonel Edwin Drake in 1859 has affected  
13 the industrial, natural, social, and political struc-  
14 tures of the modern world;

15 (4) 6 national historic districts and 17 separate  
16 National Register sites are located in Emlenton,  
17 Franklin, Oil City, and Titusville, Pennsylvania,  
18 within the State Heritage Park boundary;

19 (5) the Allegheny River, which was designated  
20 as a component of the national wild and scenic riv-  
21 ers system in 1992 by Public Law 102-271 (16  
22 U.S.C. 1274 note; 106 Stat. 108), and several of the  
23 tributaries of the River, such as Oil Creek, French  
24 Creek, and Sandy Creek, traverse, and connect sev-  
25 eral major sites within, the Oil Region;

1           (6) the unspoiled rural character of the Oil Re-  
2           gion provides many natural and recreational re-  
3           sources, scenic vistas, and excellent water quality for  
4           the public to enjoy;

5           (7) remnants of the oil industry that remain  
6           visible on the landscape of the Oil Region, as well  
7           as historic valley settlements, riverbed settlements,  
8           plateau developments, farmland, and industrial land-  
9           scapes, provide a direct link to the past for visitors;

10          (8) the Oil Region represents a cross section of  
11          the history of the United States as that history re-  
12          lates to—

13                   (A) Native Americans;

14                   (B) frontier settlements;

15                   (C) the French and Indian War;

16                   (D) African Americans and the Under-  
17                   ground Railroad; and

18                   (E) the immigration of Swedish and Polish  
19                   individuals; and

20          (9) involvement by the Federal Government  
21          would enhance the efforts of the State (including po-  
22          litical subdivisions), volunteer organizations, and pri-  
23          vate entities in promoting cultural, historical, nat-  
24          ural, recreational, and scenic resources of the Oil  
25          Region.

1 (b) PURPOSE.—The purpose of this Act is to estab-  
2 lish a cooperative management framework to assist the  
3 State in conserving, enhancing, and interpreting the sig-  
4 nificant features of the land, water, and structures of the  
5 Oil Region in a manner that is consistent with compatible  
6 economic development for the benefit and inspiration of  
7 present and future generations.

8 **SEC. 3. DEFINITIONS.**

9 In this Act:

10 (1) COMPACT.—The term “compact” means the  
11 compact between the Secretary and the management  
12 entity described in section 5.

13 (2) HERITAGE AREA.—The term “Heritage  
14 Area” means the Oil Region National Heritage Area  
15 established by section 4(a).

16 (3) MANAGEMENT ENTITY.—The term “man-  
17 agement entity” means the Oil Heritage Region, Inc.  
18 (or a successor entity).

19 (4) MANAGEMENT PLAN.—The term “manage-  
20 ment plan” means the management plan for the  
21 Heritage Area developed under section 7.

22 (5) SECRETARY.—The term “Secretary” means  
23 the Secretary of the Interior, acting through the Di-  
24 rector of the National Park Service.

1           (6) STATE.—The term “State” means the State  
2           of Pennsylvania.

3 **SEC. 4. OIL REGION NATIONAL HERITAGE AREA.**

4           (a) ESTABLISHMENT.—There is established the Oil  
5           Region National Heritage Area in the State.

6           (b) BOUNDARIES.—

7           (1) IN GENERAL.—The boundaries of the Herit-  
8           age Area shall be the boundaries of the land de-  
9           picted on the map entitled “Oil Region National  
10          Heritage Area”, numbered OIRE/20,000, and dated  
11          October, 2000.

12          (2) AVAILABILITY OF MAP.—The map described  
13          in paragraph (1) shall be on file in the appropriate  
14          offices of the Secretary.

15          (3) PUBLICATION.—As soon as practicable after  
16          the date of enactment of this Act, the Secretary  
17          shall publish in the Federal Register a detailed de-  
18          scription and map of the boundaries established  
19          under this subsection.

20 **SEC. 5. COMPACT.**

21          (a) IN GENERAL.—The Secretary shall enter into a  
22          compact with the management entity to carry out this Act.

23          (b) COMPONENTS.—The compact shall include—

24                (1) information relating to the objectives and  
25                management of the Heritage Area; and

1           (2) a description of the goals and objectives of  
2 the Heritage Area that includes—

3           (A) an explanation of the proposed ap-  
4 proach to conservation and interpretation; and

5           (B) a general outline of the protection  
6 measures on which the Secretary and manage-  
7 ment entity agree.

8 **SEC. 6. DUTIES OF MANAGEMENT ENTITY.**

9       (a) IN GENERAL.—The management entity shall—

10           (1) develop a management plan for the Herit-  
11 age Area in accordance with section 7;

12           (2) give priority to implementing actions de-  
13 scribed in the compact and management plan;

14           (3) assist units of government, regional plan-  
15 ning organizations, and nonprofit organizations in—

16           (A) establishing and maintaining interpre-  
17 tive exhibits in the Heritage Area;

18           (B) developing recreational resources in  
19 the Heritage Area;

20           (C) increasing public awareness of and ap-  
21 preciation for the natural, historical, and archi-  
22 tectural resources and sites in the Heritage  
23 Area;

24           (D) restoring any historic buildings relat-  
25 ing to the themes of the Heritage Area;

1           (E) ensuring that clear, consistent, and en-  
2           vironmentally appropriate signs identifying ac-  
3           cess points and sites of interest are installed at  
4           appropriate locations throughout the Heritage  
5           Area; and

6           (F) carrying out other actions in further-  
7           ance of the purposes of this Act, as determined  
8           to be appropriate by the management entity;

9           (4) encourage, using appropriate means, eco-  
10          nomic viability in the Heritage Area in accordance  
11          with the goals of the management plan;

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

15          (6) with respect to any year for which Federal  
16          funds have been provided to implement the manage-  
17          ment plan under subsection (b)—

18                (A) conduct public meetings at least annu-  
19                ally regarding the implementation of the man-  
20                agement plan;

21                (B) submit to the Secretary an annual re-  
22                port that, for the year for which the report is  
23                submitted—

1 (i) describes accomplishments, ex-  
2 penses, and income of the management en-  
3 tity; and

4 (ii) identifies each person that re-  
5 ceived a grant from the management enti-  
6 ty; and

7 (C) require, with respect to each agree-  
8 ment entered into by the management entity  
9 that authorizes the expenditure of Federal  
10 funds by any other person, that the person  
11 making the expenditure make available to the  
12 management entity for audit all records per-  
13 taining to the expenditure of those funds.

14 (b) USE OF FUNDS.—

15 (1) IN GENERAL.—The management entity may  
16 use funds made available under this Act—

17 (A) to prepare, update, and implement the  
18 management plan; and

19 (B) to carry out related activities such  
20 as—

21 (i) making grants to, and entering  
22 into cooperative agreements with, States  
23 (including political subdivisions), private  
24 organizations, or other persons;

- 1                   (ii) hiring and compensating staff;  
2                   and  
3                   (iii) carrying out initiatives that ad-  
4                   vance the purposes of the Heritage Area.

5                   (2) PROHIBITION ON THE ACQUISITION OF  
6                   REAL PROPERTY.—The management entity shall not  
7                   use any funds made available under this Act to ac-  
8                   quire real property or an interest in real property.

9 **SEC. 7. MANAGEMENT PLAN.**

10                  (a) IN GENERAL.—The management plan shall—

11                   (1) present comprehensive strategies and rec-  
12                   ommendations for conservation, funding, manage-  
13                   ment, and development of the Heritage Area;

14                   (2)(A) take into consideration State, county,  
15                   and local plans in effect as of the date of enactment  
16                   of this Act; and

17                   (B) involve residents, public agencies, and pri-  
18                   vate organizations working in the Heritage Area;

19                   (3) include a description of actions that units of  
20                   government and private organizations have agreed to  
21                   take to protect the resources of the Heritage Area;

22                   (4) specify any existing and potential sources of  
23                   funding to protect, manage, and develop the Herit-  
24                   age Area;

1           (5) include an inventory of the resources con-  
2           tained in the Heritage Area (including a list of any  
3           property in the Heritage Area) that—

4                   (A) are related to the themes of the Herit-  
5                   age Area; and

6                   (B) should be preserved, restored, man-  
7                   aged, developed, or maintained because of cul-  
8                   tural, historical, natural, recreational, or scenic  
9                   significance;

10           (6) recommend policies for resource manage-  
11           ment that take into consideration, and include, as  
12           appropriate, the application of land and water man-  
13           agement techniques (including the development of  
14           intergovernmental and interagency cooperative  
15           agreements) to protect, in a manner compatible with  
16           the support of economic viability, the cultural, his-  
17           torical, natural, recreational, and scenic resources of  
18           the Heritage Area;

19           (7) describe a program for implementation of  
20           the management plan by the management entity,  
21           including—

22                   (A) plans for restoration and construction;

23                   and

1 (B) any specific commitments for the first  
2 5 years of implementation that have been made  
3 by the management entity or any other person;

4 (8) include an analysis of ways in which Fed-  
5 eral, State, and local programs (including the in-  
6 volvement of the National Park Service) may best be  
7 coordinated to promote the purposes of this Act;

8 (9) describe any revisions to the boundaries of  
9 the Heritage Area that are—

10 (A) proposed by the management entity;

11 and

12 (B) requested by the affected local govern-  
13 ment; and

14 (10) include an interpretation plan for the Her-  
15 itage Area.

16 (b) DEADLINE FOR SUBMISSION.—As a condition of  
17 the receipt of Federal assistance under this Act, not later  
18 than 2 years after the date on which funds are made avail-  
19 able to carry out this Act, the management entity shall  
20 submit to the Secretary the management plan.

21 (c) APPROVAL AND DISAPPROVAL OF MANAGEMENT  
22 PLAN.—

23 (1) IN GENERAL.—Not later than 90 days after  
24 the date on which the Secretary receives the man-  
25 agement plan from the management entity under

1 subsection (b), the Secretary, in consultation with  
2 the Governor of the State, shall approve or dis-  
3 approve the management plan.

4 (2) CRITERIA.—In determining whether to ap-  
5 prove the management plan, the Secretary shall take  
6 into consideration—

7 (A) the extent to which the management  
8 plan adequately preserves and protects the eco-  
9 nomic viability and the cultural, historical, nat-  
10 ural, recreational, and scenic resources of the  
11 Heritage Area;

12 (B) the level of public participation in the  
13 development of the management plan; and

14 (C) the extent to which the board of direc-  
15 tors of the management entity is representative  
16 of the local government and a wide range of in-  
17 terested organizations and citizens.

18 (d) ACTION FOLLOWING DISAPPROVAL.—If the Sec-  
19 retary disapproves a management plan, the Secretary  
20 shall—

21 (1) advise the management entity in writing of  
22 the reasons for the disapproval; and

23 (2) make recommendations for revisions to the  
24 management plan.

1 (e) REVISION.—Not later than 90 days after the date  
2 on which the Secretary receives a revised management  
3 plan from the management entity, the Secretary shall ap-  
4 prove or disapprove the revised management plan.

5 (f) APPROVAL OF CHANGES.—

6 (1) IN GENERAL.—The Secretary shall review  
7 and approve any proposed amendment to the man-  
8 agement plan that substantially change the manage-  
9 ment plan, as determined by the Secretary.

10 (2) FUNDING.—Funds made available under  
11 this Act shall not be expended to implement an  
12 amendment to the management plan described in  
13 paragraph (1) until such date as the Secretary ap-  
14 proves the amendment.

15 (g) EFFECT OF INACTION.—If the Secretary does not  
16 approve or disapprove the management plan or a proposed  
17 amendment to the management plan within the 90-day pe-  
18 riod described in subsection (c)(1) or (e), respectively, the  
19 management plan or amendment to the management plan  
20 shall be deemed to have been approved by the Secretary.

21 **SEC. 8. DUTIES OF SECRETARY.**

22 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—

23 (1) IN GENERAL.—The Secretary may, at the  
24 request of the management entity and subject to the  
25 availability of appropriations, provide reimbursable

1 or nonreimbursable technical and financial assist-  
2 ance to the management entity to carry out this Act,  
3 including assistance in—

4 (A) updating and implementing the man-  
5 agement plan; and

6 (B) carrying out activities of the manage-  
7 ment entity.

8 (2) PRIORITY.—In providing assistance under  
9 paragraph (1), the Secretary shall give priority to  
10 actions that assist in—

11 (A) the implementation of the management  
12 plan;

13 (B) the provision of educational assistance  
14 and advice regarding land and water manage-  
15 ment techniques to conserve the significant re-  
16 sources of the Heritage Area;

17 (C) the development and application of  
18 techniques to promote the preservation of any  
19 cultural and historic properties within the Her-  
20 itage Area;

21 (D) the preservation, restoration, and  
22 reuse of publicly and privately owned historic  
23 buildings;

1 (E) the design and production of interpre-  
2 tive materials based on the management plan,  
3 including—

4 (i) guide brochures;

5 (ii) visitor displays;

6 (iii) audio-visual and interactive exhib-  
7 its; and

8 (iv) educational curricula materials  
9 for public education; and

10 (F) the implementation of initiatives prior  
11 to approval of the management plan.

12 (b) DOCUMENTATION OF STRUCTURES.—The Sec-  
13 retary, in cooperation with the Historic American Building  
14 Survey and the Historic American Engineering Record,  
15 shall conduct studies necessary to document the industrial,  
16 engineering, building, and architectural history of the  
17 Heritage Area.

18 **SEC. 9. DUTIES OF OTHER FEDERAL AGENCIES.**

19 Any Federal agency that conducts or supports an ac-  
20 tivity that directly affects the Heritage Area shall—

21 (1) consult with the Secretary and the manage-  
22 ment entity with respect to the activity;

23 (2)(A) cooperate with the Secretary and the  
24 management entity in carrying out this Act; and

1 (B) to the maximum extent practicable, coordi-  
2 nate the activity of the Federal agency with the ef-  
3 forts of the Secretary and the management entity;  
4 and

5 (3) to the maximum extent practicable, conduct  
6 or support the activity of the Federal agency in such  
7 manner as the Secretary and the management entity  
8 determine shall not have an adverse effect on the  
9 Heritage Area.

10 **SEC. 10. USE OF FEDERAL FUNDS FROM OTHER SOURCES.**

11 Nothing in this Act affects the authority of the man-  
12 agement entity to use Federal funds made available under  
13 any other Act for the purposes for which those funds are  
14 authorized.

15 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

16 (a) IN GENERAL.—There are authorized to be appro-  
17 priated to carry out this Act—

18 (1) \$1,000,000 for any fiscal year; and

19 (2) a total of \$10,000,000.

20 (b) COST SHARING.—The Federal share of the cost  
21 of any activity carried out under this Act shall not exceed  
22 50 percent.

1 **SEC. 12. TERMINATION OF EFFECTIVENESS.**

2       The authority provided by this Act terminates effec-  
3 tive on the date that is 15 years after the date of enact-  
4 ment of this Act.

○