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1ST SESSION

# H. R. 280

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 19, 2003

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

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## AN ACT

To establish certain National Heritage Areas, 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     **TITLE I—NATIONAL AVIATION**  
2                     **HERITAGE AREA**

3     **SEC. 101. SHORT TITLE.**

4             This title may be cited as the “National Aviation  
5 Heritage Area Act”.

6     **SEC. 102. FINDINGS AND PURPOSE.**

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

8                     (1) Few technological advances have trans-  
9 formed the world or our Nation’s economy, society,  
10 culture, and national character as the development  
11 of powered flight.

12                    (2) The industrial, cultural, and natural herit-  
13 age legacies of the aviation and aerospace industry  
14 in the State of Ohio are nationally significant.

15                    (3) Dayton, Ohio, and other defined areas  
16 where the development of the airplane and aerospace  
17 technology established our Nation’s leadership in  
18 both civil and military aeronautics and astronautics  
19 set the foundation for the 20th Century to be an  
20 American Century.

21                    (4) Wright-Patterson Air Force Base in Day-  
22 ton, Ohio, is the birthplace, the home, and an inte-  
23 gral part of the future of aerospace.

24                    (5) The economic strength of our Nation is con-  
25 nected integrally to the vitality of the aviation and

1 aerospace industry, which is responsible for an esti-  
2 mated 11,200,000 American jobs.

3 (6) The industrial and cultural heritage of the  
4 aviation and aerospace industry in the State of Ohio  
5 includes the social history and living cultural tradi-  
6 tions of several generations.

7 (7) The Department of the Interior is respon-  
8 sible for protecting and interpreting the Nation's  
9 cultural and historic resources, and there are signifi-  
10 cant examples of these resources within Ohio to  
11 merit the involvement of the Federal Government to  
12 develop programs and projects in cooperation with  
13 the Aviation Heritage Foundation, Incorporated, the  
14 State of Ohio, and other local and governmental en-  
15 tities to adequately conserve, protect, and interpret  
16 this heritage for the educational and recreational  
17 benefit of this and future generations of Americans,  
18 while providing opportunities for education and revi-  
19 talization.

20 (8) Since the enactment of the Dayton Aviation  
21 Heritage Preservation Act of 1992 (Public Law  
22 102-419), partnerships among the Federal, State,  
23 and local governments and the private sector have  
24 greatly assisted the development and preservation of  
25 the historic aviation resources in the Miami Valley.

1           (9) An aviation heritage area centered in  
2 Southwest Ohio is a suitable and feasible manage-  
3 ment option to increase collaboration, promote herit-  
4 age tourism, and build on the established partner-  
5 ships among Ohio’s historic aviation resources and  
6 related sites.

7           (10) A critical level of collaboration among the  
8 historic aviation resources in Southwest Ohio cannot  
9 be achieved without a congressionally established na-  
10 tional heritage area and the support of the National  
11 Park Service and other Federal agencies which own  
12 significant historic aviation-related sites in Ohio.

13           (11) The Aviation Heritage Foundation, Incor-  
14 porated, would be an appropriate management entity  
15 to oversee the development of the National Aviation  
16 Heritage Area.

17           (12) Five National Park Service and Dayton  
18 Aviation Heritage Commission studies and planning  
19 documents: “Study of Alternatives: Dayton’s Avia-  
20 tion Heritage”, “Dayton Aviation Heritage National  
21 Historical Park Suitability/Feasibility Study”, “Day-  
22 ton Aviation Heritage General Management Plan”,  
23 “Dayton Historic Resources Preservation and Devel-  
24 opment Plan”, and Heritage Area Concept Study,  
25 demonstrated that sufficient historical resources

1 exist to establish the National Aviation Heritage  
2 Area.

3 (13) With the advent of the 100th anniversary  
4 of the first powered flight in 2003, it is recognized  
5 that the preservation of properties nationally signifi-  
6 cant in the history of aviation is an important goal  
7 for the future education of Americans.

8 (14) Local governments, the State of Ohio, and  
9 private sector interests have embraced the heritage  
10 area concept and desire to enter into a partnership  
11 with the Federal government to preserve, protect,  
12 and develop the Heritage Area for public benefit.

13 (15) The National Aviation Heritage Area  
14 would complement and enhance the aviation-related  
15 resources within the National Park Service, espe-  
16 cially the Dayton Aviation Heritage National Histori-  
17 cal Park, Ohio.

18 (b) PURPOSE.—The purpose of this title is to estab-  
19 lish the Heritage Area to—

20 (1) encourage and facilitate collaboration  
21 among the facilities, sites, organizations, govern-  
22 mental entities, and educational institutions within  
23 the Heritage Area to promote heritage tourism and  
24 to develop educational and cultural programs for the  
25 public;

1           (2) preserve and interpret for the educational  
2           and inspirational benefit of present and future gen-  
3           erations the unique and significant contributions to  
4           our national heritage of certain historic and cultural  
5           lands, structures, facilities, and sites within the Na-  
6           tional Aviation Heritage Area;

7           (3) encourage within the National Aviation  
8           Heritage Area a broad range of economic opportuni-  
9           ties enhancing the quality of life for present and fu-  
10          ture generations;

11          (4) provide a management framework to assist  
12          the State of Ohio, its political subdivisions, other  
13          areas, and private organizations, or combinations  
14          thereof, in preparing and implementing an inte-  
15          grated Management Plan to conserve their aviation  
16          heritage and in developing policies and programs  
17          that will preserve, enhance, and interpret the cul-  
18          tural, historical, natural, recreation, and scenic re-  
19          sources of the Heritage Area; and

20          (5) authorize the Secretary to provide financial  
21          and technical assistance to the State of Ohio, its po-  
22          litical subdivisions, and private organizations, or  
23          combinations thereof, in preparing and implementing  
24          the private Management Plan.

1 **SEC. 103. DEFINITIONS.**

2 For purposes of this title:

3 (1) BOARD.—The term “Board” means the  
4 Board of Directors of the Foundation.

5 (2) FINANCIAL ASSISTANCE.—The term “finan-  
6 cial assistance” means funds appropriated by Con-  
7 gress and made available to the management entity  
8 for the purpose of preparing and implementing the  
9 Management Plan.

10 (3) HERITAGE AREA.—The term “Heritage  
11 Area” means the National Aviation Heritage Area  
12 established by section 104 to receive, distribute, and  
13 account for Federal funds appropriated for the pur-  
14 pose of this title.

15 (4) MANAGEMENT PLAN.—The term “Manage-  
16 ment Plan” means the management plan for the  
17 Heritage Area developed under section 106.

18 (5) MANAGEMENT ENTITY.—The term “man-  
19 agement entity” means the Aviation Heritage Foun-  
20 dation, Incorporated (a nonprofit corporation estab-  
21 lished under the laws of the State of Ohio).

22 (6) PARTNER.—The term “partner” means a  
23 Federal, State, or local governmental entity, organi-  
24 zation, private industry, educational institution, or  
25 individual involved in promoting the conservation

1 and preservation of the cultural and natural re-  
2 sources of the Heritage Area.

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

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

9 **SEC. 104. NATIONAL AVIATION HERITAGE AREA.**

10 (a) ESTABLISHMENT.—There is established in the  
11 States of Ohio and Indiana, the National Aviation Herit-  
12 age Area.

13 (b) BOUNDARIES.—The Heritage Area shall include  
14 the following:

15 (1) A core area consisting of resources in Mont-  
16 gomery, Greene, Warren, Miami, Clark, Champaign,  
17 Shelby, and Auglaize Counties in Ohio.

18 (2) The Neil Armstrong Air & Space Museum,  
19 Wapakoneta, Ohio.

20 (3) Sites, buildings, and districts within the  
21 core area recommended by the Management Plan.

22 (c) MAP.—A map of the Heritage Area shall be in-  
23 cluded in the Management Plan. The map shall be on file  
24 in the appropriate offices of the National Park Service,  
25 Department of the Interior.



1 (d) MANAGEMENT ENTITY.—The management entity  
2 for the Heritage Area shall be the Aviation Heritage  
3 Foundation.

4 **SEC. 105. AUTHORITIES AND DUTIES OF THE MANAGEMENT**  
5 **ENTITY.**

6 (a) AUTHORITIES.—For purposes of implementing  
7 the Management Plan, the management entity may use  
8 Federal funds made available through this title to—

9 (1) make grants to, and enter into cooperative  
10 agreements with, the State of Ohio and political sub-  
11 divisions of that State, private organizations, or any  
12 person;

13 (2) hire and compensate staff; and

14 (3) enter into contracts for goods and services.

15 (b) DUTIES.—The management entity shall—

16 (1) develop and submit to the Secretary for ap-  
17 proval the proposed Management Plan in accordance  
18 with section 106;

19 (2) give priority to implementing actions set  
20 forth in the Management Plan, including taking  
21 steps to assist units of government and nonprofit or-  
22 ganizations in preserving resources within the Herit-  
23 age Area;

24 (3) consider the interests of diverse govern-  
25 mental, business, and nonprofit groups within the

1 Heritage Area in developing and implementing the  
2 Management Plan;

3 (4) maintain a collaboration among the part-  
4 ners to promote heritage tourism and to assist part-  
5 ners to develop educational and cultural programs  
6 for the public;

7 (5) encourage economic viability in the Heritage  
8 Area consistent with the goals of the Management  
9 Plan;

10 (6) assist units of government and nonprofit or-  
11 ganizations in—

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

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

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

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

22 (7) conduct public meetings at least quarterly  
23 regarding the implementation of the Management  
24 Plan;

1           (8) submit substantial amendments to the Man-  
2           agement Plan to the Secretary for the approval of  
3           the Secretary; and

4           (9) for any year in which Federal funds have  
5           been received under this title—

6                   (A) submit an annual report to the Sec-  
7                   retary that sets forth the accomplishments of  
8                   the management entity and its expenses and in-  
9                   come;

10                   (B) make available to the Secretary for  
11                   audit all records relating to the expenditure of  
12                   such funds and any matching funds; and

13                   (C) require, with respect to all agreements  
14                   authorizing expenditure of Federal funds by  
15                   other organizations, that the receiving organiza-  
16                   tions make available to the Secretary for audit  
17                   all records concerning the expenditure of such  
18                   funds.

19           (c) USE OF FEDERAL FUNDS.—

20                   (1) IN GENERAL.—The management entity  
21                   shall not use Federal funds received under this title  
22                   to acquire real property or an interest in real prop-  
23                   erty.

1           (2) OTHER SOURCES.—Nothing in this title  
2           precludes the management entity from using Federal  
3           funds from other sources for authorized purposes.

4 **SEC. 106. MANAGEMENT PLAN.**

5           (a) PREPARATION OF PLAN.—Not later than 3 years  
6           after the date of the enactment of this title, the manage-  
7           ment entity shall submit to the Secretary for approval a  
8           proposed Management Plan that shall take into consider-  
9           ation State and local plans and involve residents, public  
10          agencies, and private organizations in the Heritage Area.

11          (b) CONTENTS.—The Management Plan shall incor-  
12          porate an integrated and cooperative approach for the pro-  
13          tection, enhancement, and interpretation of the natural,  
14          cultural, historic, scenic, and recreational resources of the  
15          Heritage Area and shall include the following:

16               (1) An inventory of the resources contained in  
17               the core area of the Heritage Area, including the  
18               Dayton Aviation Heritage Historical Park, the sites,  
19               buildings, and districts listed in section 202 of the  
20               Dayton Aviation Heritage Preservation Act of 1992  
21               (Public Law 102–419), and any other property in  
22               the Heritage Area that is related to the themes of  
23               the Heritage Area and that should be preserved, re-  
24               stored, managed, or maintained because of its sig-  
25               nificance.

1           (2) An assessment of cultural landscapes within  
2 the Heritage Area.

3           (3) Provisions for the protection, interpretation,  
4 and enjoyment of the resources of the Heritage Area  
5 consistent with the purposes of this title.

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

8           (5) A program for implementation of the Man-  
9 agement Plan by the management entity, including  
10 the following:

11           (A) Facilitating ongoing collaboration  
12 among the partners to promote heritage tour-  
13 ism and to develop educational and cultural  
14 programs for the public.

15           (B) Assisting partners planning for res-  
16 toration and construction.

17           (C) Specific commitments of the partners  
18 for the first 5 years of operation.

19           (6) The identification of sources of funding for  
20 implementing the plan.

21           (7) A description and evaluation of the manage-  
22 ment entity, including its membership and organiza-  
23 tional structure.

24           (c) DISQUALIFICATION FROM FUNDING.—If a pro-  
25 posed Management Plan is not submitted to the Secretary

1 within 3 years of the date of the enactment of this title,  
2 the management entity shall be ineligible to receive addi-  
3 tional funding under this title until the date on which the  
4 Secretary receives the proposed Management Plan.

5 (d) APPROVAL AND DISAPPROVAL OF MANAGEMENT  
6 PLAN.—The Secretary, in consultation with the State of  
7 Ohio, shall approve or disapprove the proposed Manage-  
8 ment Plan submitted under this title not later than 90  
9 days after receiving such proposed Management Plan.

10 (e) ACTION FOLLOWING DISAPPROVAL.—If the Sec-  
11 retary disapproves a proposed Management Plan, the Sec-  
12 retary shall advise the management entity in writing of  
13 the reasons for the disapproval and shall make rec-  
14 ommendations for revisions to the proposed Management  
15 Plan. The Secretary shall approve or disapprove a pro-  
16 posed revision within 90 days after the date it is sub-  
17 mitted.

18 (f) APPROVAL OF AMENDMENTS.—The Secretary  
19 shall review and approve substantial amendments to the  
20 Management Plan. Funds appropriated under this title  
21 may not be expended to implement any changes made by  
22 such amendment until the Secretary approves the amend-  
23 ment.

1 **SEC. 107. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER**  
2 **FEDERAL AGENCIES.**

3 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—Upon  
4 the request of the management entity, the Secretary may  
5 provide technical assistance, on a reimbursable or non-  
6 reimbursable basis, and financial assistance to the Herit-  
7 age Area to develop and implement the management plan.  
8 The Secretary is authorized to enter into cooperative  
9 agreements with the management entity and other public  
10 or private entities for this purpose. In assisting the Herit-  
11 age Area, the Secretary shall give priority to actions that  
12 in general assist in—

13 (1) conserving the significant natural, historic,  
14 cultural, and scenic resources of the Heritage Area;  
15 and

16 (2) providing educational, interpretive, and rec-  
17 reational opportunities consistent with the purposes  
18 of the Heritage Area.

19 (b) DUTIES OF OTHER FEDERAL AGENCIES.—Any  
20 Federal agency conducting or supporting activities directly  
21 affecting the Heritage Area shall—

22 (1) consult with the Secretary and the manage-  
23 ment entity with respect to such activities;

24 (2) cooperate with the Secretary and the man-  
25 agement entity in carrying out their duties under  
26 this title;

1           (3) to the maximum extent practicable, coordi-  
2           nate such activities with the carrying out of such du-  
3           ties; and

4           (4) to the maximum extent practicable, conduct  
5           or support such activities in a manner which the  
6           management entity determines will not have an ad-  
7           verse effect on the Heritage Area.

8 **SEC. 108. COORDINATION BETWEEN THE SECRETARY AND**  
9                                   **THE SECRETARY OF DEFENSE AND THE AD-**  
10                                   **MINISTRATOR OF NASA.**

11           The decisions concerning the execution of this title  
12 as it applies to properties under the control of the Sec-  
13 retary of Defense and the Administrator of the National  
14 Aeronautics and Space Administration shall be made by  
15 such Secretary or such Administrator, in consultation with  
16 the Secretary of the Interior.

17 **SEC. 109. REQUIREMENTS FOR INCLUSION OF PRIVATE**  
18                                   **PROPERTY.**

19           (a) NOTIFICATION AND CONSENT OF PROPERTY  
20 OWNERS REQUIRED.—No privately owned property shall  
21 be preserved, conserved, or promoted by the management  
22 plan for the Heritage Area until the owner of that private  
23 property has been notified in writing by the management  
24 entity and has given written consent for such preservation,  
25 conservation, or promotion to the management entity.



1 (b) LANDOWNER WITHDRAW.—Any owner of private  
2 property included within the boundary of the Heritage  
3 Area shall have their property immediately removed from  
4 the boundary by submitting a written request to the man-  
5 agement entity.

6 **SEC. 110. PRIVATE PROPERTY PROTECTION.**

7 (a) ACCESS TO PRIVATE PROPERTY.—Nothing in  
8 this title shall be construed to—

9 (1) require any private property owner to allow  
10 public access (including Federal, State, or local gov-  
11 ernment access) to such private property; or

12 (2) modify any provision of Federal, State, or  
13 local law with regard to public access to or use of  
14 private property.

15 (b) LIABILITY.—Designation of the Heritage Area  
16 shall not be considered to create any liability, or to have  
17 any effect on any liability under any other law, of any pri-  
18 vate property owner with respect to any persons injured  
19 on such private property.

20 (c) RECOGNITION OF AUTHORITY TO CONTROL  
21 LAND USE.—Nothing in this title shall be construed to  
22 modify the authority of Federal, State, or local govern-  
23 ments to regulate land use.

24 (d) PARTICIPATION OF PRIVATE PROPERTY OWNERS  
25 IN HERITAGE AREA.—Nothing in this title shall be con-

1 strued to require the owner of any private property located  
2 within the boundaries of the Heritage Area to participate  
3 in or be associated with the Heritage Area.

4 (e) EFFECT OF ESTABLISHMENT.—The boundaries  
5 designated for the Heritage Area represent the area within  
6 which Federal funds appropriated for the purpose of this  
7 title may be expended. The establishment of the Heritage  
8 Area and its boundaries shall not be construed to provide  
9 any nonexisting regulatory authority on land use within  
10 the Heritage Area or its viewshed by the Secretary, the  
11 National Park Service, or the management entity.

12 **SEC. 111. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) IN GENERAL.—To carry out this title there is au-  
14 thorized to be appropriated \$10,000,000, except that not  
15 more than \$1,000,000 may be appropriated to carry out  
16 this title for any fiscal year.

17 (b) FIFTY PERCENT MATCH.—The Federal share of  
18 the cost of activities carried out using any assistance or  
19 grant under this title shall not exceed 50 percent.

20 **SEC. 112. SUNSET PROVISION.**

21 The authority of the Secretary to provide assistance  
22 under this title terminates on the date that is 15 years  
23 after the date that funds are first made available for this  
24 title.

1       **TITLE II—WRIGHT COMPANY**  
2                   **FACTORY STUDY**

3   **SEC. 201. STUDY AND REPORT.**

4       (a) STUDY.—

5           (1) IN GENERAL.—The Secretary shall conduct  
6       a special resource study updating the study required  
7       under section 104 of the Dayton Aviation Heritage  
8       Preservation Act of 1992 (Public Law 102–419) and  
9       detailing alternatives for incorporating the Wright  
10      Company factory as a unit of Dayton Aviation Her-  
11      itage National Historical Park.

12          (2) CONTENTS.—The study shall include an  
13      analysis of alternatives for including the Wright  
14      Company factory as a unit of Dayton Aviation Her-  
15      itage National Historical Park that detail manage-  
16      ment and development options and costs.

17          (3) CONSULTATION.—In conducting the study,  
18      the Secretary shall consult with the Delphi Corpora-  
19      tion, the Aviation Heritage Foundation, State and  
20      local agencies, and other interested parties in the  
21      area.

22      (b) REPORT.—Not later than 3 years after funds are  
23      first made available for this section, the Secretary shall  
24      submit to the Committee on Resources of the House of  
25      Representatives and the Committee on Energy and Nat-

1 ural Resources of the Senate a report describing the re-  
2 sults of the study conducted under this section.

3 **TITLE III—STEEL INDUSTRY**  
4 **NATIONAL HISTORIC SITE**

5 **SEC. 301. SHORT TITLE.**

6 This title may be cited as the “Steel Industry Na-  
7 tional Historic Site Act”.

8 **SEC. 302. FINDINGS AND PURPOSES.**

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

10 (1) Certain sites and structures in the Com-  
11 monwealth of Pennsylvania symbolize in physical  
12 form the heritage of the steel industry of the United  
13 States.

14 (2) Certain buildings and other structures in  
15 the Commonwealth of Pennsylvania are nationally  
16 significant historical resources, including the United  
17 States Steel Homestead Works, the Carrie Furnace  
18 complex, and the Hot Metal Bridge.

19 (3) Despite substantial efforts for cultural pres-  
20 ervation and historical interpretation by the Com-  
21 monwealth of Pennsylvania and by individuals and  
22 public and private entities in the Commonwealth,  
23 these buildings and other structures may be lost  
24 without the assistance of the Federal Government.

1 (b) PURPOSES.—The purposes of this title are to en-  
2 sure the preservation, interpretation, visitor enjoyment,  
3 and maintenance of the nationally significant historical  
4 and cultural sites and structures described in subsection  
5 (a) for the benefit and inspiration of present and future  
6 generations.

7 **SEC. 303. STEEL INDUSTRY NATIONAL HISTORIC SITE,**  
8 **PENNSYLVANIA.**

9 (a) ESTABLISHMENT.—The Steel Industry National  
10 Historic Site is hereby established as a unit of the Na-  
11 tional Park System in the Commonwealth of Pennsyl-  
12 vania.

13 (b) DESCRIPTION.—

14 (1) INCLUSION OF CERTAIN PROPERTY.—Sub-  
15 ject to paragraph (2), the historic site shall consist  
16 of the following properties, each of which relate to  
17 the former United States Steel Homestead Works,  
18 as depicted on the map entitled “Steel Industry Na-  
19 tional Historic Site”, dated November 2003, and  
20 numbered 80,000:

21 (A) The historic location of the Battle of  
22 Homestead site in the borough of Munhall,  
23 Pennsylvania, consisting of approximately 3  
24 acres of land, including the pumphouse and  
25 water tower and related structures, within the

1 property bounded by the Monongahela River,  
2 the CSX railroad, Waterfront Drive, and the  
3 Damascus-Marcegaglia Steel Mill.

4 (B) The historic location of the Carrie  
5 Furnace complex in the boroughs of Swissvale  
6 and Rankin, Pennsylvania, consisting of ap-  
7 proximately 35 acres of land, including blast  
8 furnaces 6 and 7, the ore yard, the cast house,  
9 the blowing engine house, the AC power house,  
10 and related structures, within the property  
11 bounded by the proposed southwesterly right-of-  
12 way line needed to accommodate the Mon/Fay-  
13 ette Expressway and the relocated CSX railroad  
14 right-of-way, the Monongahela River, and a  
15 property line drawn northeast to southwest ap-  
16 proximately 100 yards east of the AC power  
17 house.

18 (C) The historic location of the Hot Metal  
19 Bridge, consisting of the Union railroad bridge  
20 and its approaches, spanning the Monongahela  
21 River and connecting the mill sites in the bor-  
22 oughs of Rankin and Munhall, Pennsylvania.

23 (2) AVAILABILITY OF MAP.—The map referred  
24 to in paragraph (1) shall be available for public in-

1       spection in an appropriate office of the National  
2       Park Service.

3       (c) ACQUISITION OF PROPERTY.— To further the  
4 purposes of this section, the Secretary of the Interior may  
5 acquire, only by donation, property for inclusion in the his-  
6 toric site as follows:

7           (1) Any land or interest in land with respect to  
8 the property identified in subsection (b)(1).

9           (2) Up to 10 acres of land adjacent to or in the  
10 general proximity of the property identified in such  
11 subsection, for the development of visitor, adminis-  
12 trative, museum, curatorial, and maintenance facili-  
13 ties.

14           (3) Personal property associated with, and ap-  
15 propriate for, the interpretation of the historic site.

16       (d) PRIVATE PROPERTY PROTECTIONS.—Nothing in  
17 this title shall be construed—

18           (1) to require any private property owner to  
19 permit public access (including Federal, State, or  
20 local government access) to the private property; or

21           (2) to modify any provision of Federal, State,  
22 or local law with regard to public access to or use  
23 of private property.

24       (e) ADMINISTRATION.—The Secretary of the Interior  
25 shall administer the historic site in accordance with this

1 title and the provisions of law generally applicable to units  
2 of the National Park System, including the Act of August  
3 25, 1916 (16 U.S.C. 1 et seq.), and the Act of August  
4 21, 1935 (16 U.S.C. 461 et seq.).

5 (f) COOPERATIVE AGREEMENTS.—

6 (1) IN GENERAL.—Until such time as the Sec-  
7 retary of the Interior has acquired the property  
8 identified in subsection (b)(1), as depicted on the  
9 map referred to in such subsection, the Secretary  
10 may enter into a cooperative agreement with any in-  
11 terested individual, public or private agency, organi-  
12 zation, or institution to further the purposes of the  
13 historic site.

14 (2) CONTRARY PURPOSES.—Any payment made  
15 by the Secretary pursuant to a cooperative agree-  
16 ment under this subsection shall be subject to an  
17 agreement that conversion, use, or disposal of the  
18 project so assisted for purposes contrary to the pur-  
19 pose of the historic site, as determined by the Sec-  
20 retary, shall result in a right of the United States  
21 to reimbursement of all funds made available to such  
22 a project or the proportion of the increased value of  
23 the project attributable to such funds as determined  
24 at the time of such conversion, use, or disposal,  
25 whichever is greater.



1 (g) TECHNICAL ASSISTANCE.—The Secretary of the  
2 Interior may provide technical assistance to any person  
3 for—

4 (1) the preservation of historic structures with-  
5 in the historic site; and

6 (2) the maintenance of the natural and cultural  
7 landscape of the historic site.

8 (h) GENERAL MANAGEMENT PLAN.—

9 (1) PREPARATION.—Not later than three years  
10 after the date on which funds are first made avail-  
11 able to carry out this title, the Secretary of the Inte-  
12 rior shall prepare a general management plan for  
13 the historic site that will incorporate or otherwise  
14 address substantive comments made during the con-  
15 sultation required by paragraph (2).

16 (2) CONSULTATION.—The Secretary shall pre-  
17 pare the general management plan in consultation  
18 with—

19 (A) an appropriate official of each appro-  
20 priate political subdivision of the Common-  
21 wealth of Pennsylvania that has jurisdiction  
22 over all or a portion of the lands included in the  
23 historic site;

24 (B) an appropriate official of the Steel In-  
25 dustry Heritage Corporation; and

1 (C) private property owners in the vicinity  
2 of the historic site.

3 (3) SUBMISSION OF PLAN TO CONGRESS.—

4 Upon the completion of the general management  
5 plan, the Secretary shall submit a copy of the plan  
6 to the Committee on Energy and Natural Resources  
7 of the Senate and the Committee on Resources of  
8 the House of Representatives.

9 **SEC. 304. AUTHORIZATION OF APPROPRIATIONS.**

10 There is authorized to be appropriated for the pur-  
11 poses of this title not more than \$40,000,000.

12 **TITLE IV—ST. CROIX NATIONAL**  
13 **HERITAGE AREA STUDY**

14 **SEC. 401. ST. CROIX NATIONAL HERITAGE AREA STUDY.**

15 (a) SHORT TITLE.—This section may be cited as the  
16 “St. Croix National Heritage Area Study Act”.

17 (b) STUDY.—The Secretary of the Interior, in con-  
18 sultation with appropriate State historic preservation offi-  
19 cers, States historical societies, and other appropriate or-  
20 ganizations, shall conduct a study regarding the suitability  
21 and feasibility of designating the island of St. Croix as  
22 the St. Croix National Heritage Area. The study shall in-  
23 clude analysis, documentation, and determination regard-  
24 ing whether the island of St. Croix—

1           (1) has an assemblage of natural, historic, and  
2           cultural resources that together represent distinctive  
3           aspects of American heritage worthy of recognition,  
4           conservation, interpretation, and continuing use, and  
5           are best managed through partnerships among pub-  
6           lic and private entities and by combining diverse and  
7           sometimes noncontiguous resources and active com-  
8           munities;

9           (2) provides outstanding opportunities to con-  
10          serve natural, historic, cultural, or scenic features;

11          (3) provides outstanding recreational and edu-  
12          cational opportunities;

13          (4) contains resources important to the identi-  
14          fied theme or themes of the island of St. Croix that  
15          retain a degree of integrity capable of supporting in-  
16          terpretation;

17          (5) includes residents, business interests, non-  
18          profit organizations, and local and State govern-  
19          ments that are involved in the planning, have devel-  
20          oped a conceptual financial plan that outlines the  
21          roles of all participants (including the Federal Gov-  
22          ernment), and have demonstrated support for the  
23          concept of a national heritage area;

24          (6) has a potential management entity to work  
25          in partnership with residents, business interests,

1 nonprofit organizations, and local and State govern-  
2 ments to develop a national heritage area consistent  
3 with continued local and State economic activity;  
4 and

5 (7) has a conceptual boundary map that is sup-  
6 ported by the public.

7 (c) PRIVATE PROPERTY.—In conducting the study  
8 required by this section, the Secretary of the Interior shall  
9 analyze the potential impact that designation of the area  
10 as a national heritage area is likely to have on land within  
11 the proposed area or bordering the proposed area that is  
12 privately owned at the time that the study is conducted.

13 (d) REPORT.—Not later than 3 fiscal years after the  
14 date on which funds are first made available for this sec-  
15 tion, the Secretary of the Interior shall submit to the Com-  
16 mittee on Resources of the House of Representatives and  
17 the Committee on Energy and Natural Resources of the  
18 Senate a report on the findings, conclusions, and rec-  
19 ommendations as the Secretary deems appropriate.

20 **TITLE V—ARABIA MOUNTAIN**  
21 **NATIONAL HERITAGE AREA**

22 **SEC. 501. SHORT TITLE.**

23 This title may be cited as the “Arabia Mountain Na-  
24 tional Heritage Area Act”.

1 **SEC. 502. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) The Arabia Mountain area contains a vari-  
4 ety of natural, cultural, historical, scenic, and rec-  
5 reational resources that together represent distinc-  
6 tive aspects of the heritage of the United States that  
7 are worthy of recognition, conservation, interpreta-  
8 tion, and continuing use.

9 (2) The best methods for managing the re-  
10 sources of the Arabia Mountain area would be  
11 through partnerships between public and private en-  
12 tities that combine diverse resources and active com-  
13 munities.

14 (3) Davidson-Arabia Mountain Nature Pre-  
15 serve, a 535-acre park in DeKalb County, Georgia—

16 (A) protects granite outcrop ecosystems,  
17 wetland, and pine and oak forests; and

18 (B) includes federally-protected plant spe-  
19 cies.

20 (4) Panola Mountain, a national natural land-  
21 mark, located in the 860-acre Panola Mountain  
22 State Conservation Park, is a rare example of a  
23 pristine granite outcrop.

24 (5) The archaeological site at Miners Creek  
25 Preserve along the South River contains documented  
26 evidence of early human activity.

1           (6) The city of Lithonia, Georgia, and related  
2 sites of Arabia Mountain and Stone Mountain pos-  
3 sess sites that display the history of granite mining  
4 as an industry and culture in Georgia, and the im-  
5 pact of that industry on the United States.

6           (7) The community of Klondike is eligible for  
7 designation as a National Historic District.

8           (8) The city of Lithonia has 2 structures listed  
9 on the National Register of Historic Places.

10       (b) PURPOSES.—The purposes of this title are as fol-  
11 lows:

12           (1) To recognize, preserve, promote, interpret,  
13 and make available for the benefit of the public the  
14 natural, cultural, historical, scenic, and recreational  
15 resources in the area that includes Arabia Mountain,  
16 Panola Mountain, Miners Creek, and other signifi-  
17 cant sites and communities.

18           (2) To assist the State of Georgia and the  
19 counties of DeKalb, Rockdale, and Henry in the  
20 State in developing and implementing an integrated  
21 cultural, historical, and land resource management  
22 program to protect, enhance, and interpret the sig-  
23 nificant resources within the heritage area.

1 **SEC. 503. DEFINITIONS.**

2 For the purposes of this title, the following defini-  
3 tions apply:

4 (1) HERITAGE AREA.—The term “heritage  
5 area” means the Arabia Mountain National Heritage  
6 Area established by section 504.

7 (2) MANAGEMENT ENTITY.—The term “man-  
8 agement entity” means the Arabia Mountain Herit-  
9 age Area Alliance or a successor of the Arabia  
10 Mountain Heritage Area Alliance.

11 (3) MANAGEMENT PLAN.—The term “manage-  
12 ment plan” means the management plan for the her-  
13 itage area developed under section 506.

14 (4) SECRETARY.—The term “Secretary” means  
15 the Secretary of the Interior.

16 (5) STATE.—The term “State” means the State  
17 of Georgia.

18 **SEC. 504. ARABIA MOUNTAIN NATIONAL HERITAGE AREA.**

19 (a) ESTABLISHMENT.—There is established the Ara-  
20 bia Mountain National Heritage Area in the State.

21 (b) BOUNDARIES.—The heritage area shall consist of  
22 certain parcels of land in the counties of DeKalb,  
23 Rockdale, and Henry in the State, as generally depicted  
24 on the map entitled “Arabia Mountain National Heritage  
25 Area”, numbered AMNHA/80,000, and dated October,  
26 2003.

1 (c) AVAILABILITY OF MAP.—The map shall be on file  
2 and available for public inspection in the appropriate of-  
3 fices of the National Park Service.

4 (d) MANAGEMENT ENTITY.—The Arabia Mountain  
5 Heritage Area Alliance shall be the management entity for  
6 the heritage area.

7 **SEC. 505. AUTHORITIES AND DUTIES OF THE MANAGEMENT**  
8 **ENTITY.**

9 (a) AUTHORITIES.—For purposes of developing and  
10 implementing the management plan, the management en-  
11 tity may—

12 (1) make grants to, and enter into cooperative  
13 agreements with, the State, political subdivisions of  
14 the State, and private organizations;

15 (2) hire and compensate staff; and

16 (3) enter into contracts for goods and services.

17 (b) DUTIES.—

18 (1) MANAGEMENT PLAN.—

19 (A) IN GENERAL.—The management entity  
20 shall develop and submit to the Secretary the  
21 management plan.

22 (B) CONSIDERATIONS.—In developing and  
23 implementing the management plan, the man-  
24 agement entity shall consider the interests of



1           diverse governmental, business, and nonprofit  
2           groups within the heritage area.

3           (2) PRIORITIES.—The management entity shall  
4           give priority to implementing actions described in  
5           the management plan, including assisting units of  
6           government and nonprofit organizations in pre-  
7           serving resources within the heritage area.

8           (3) PUBLIC MEETINGS.—The management enti-  
9           ty shall conduct public meetings at least quarterly  
10          on the implementation of the management plan.

11          (4) ANNUAL REPORT.—For any year in which  
12          Federal funds have been made available under this  
13          title, the management entity shall submit to the Sec-  
14          retary an annual report that describes the following:

15                (A) The accomplishments of the manage-  
16                ment entity.

17                (B) The expenses and income of the man-  
18                agement entity.

19          (5) AUDIT.—The management entity shall—

20                (A) make available to the Secretary for  
21                audit all records relating to the expenditure of  
22                Federal funds and any matching funds; and

23                (B) require, with respect to all agreements  
24                authorizing expenditure of Federal funds by  
25                other organizations, that the receiving organiza-

1           tions make available to the Secretary for audit  
2           all records concerning the expenditure of those  
3           funds.

4           (c) USE OF FEDERAL FUNDS.—

5           (1) IN GENERAL.—The management entity  
6           shall not use Federal funds made available under  
7           this title to acquire real property or an interest in  
8           real property.

9           (2) OTHER SOURCES.—Nothing in this title  
10          precludes the management entity from using Federal  
11          funds made available under other Federal laws for  
12          any purpose for which the funds are authorized to  
13          be used.

14       **SEC. 506. MANAGEMENT PLAN.**

15          (a) IN GENERAL.—The management entity shall de-  
16          velop a management plan for the heritage area that incor-  
17          porates an integrated and cooperative approach to protect,  
18          interpret, and enhance the natural, cultural, historical,  
19          scenic, and recreational resources of the heritage area.

20          (b) BASIS.—The management plan shall be based on  
21          the preferred concept in the document entitled “Arabia  
22          Mountain National Heritage Area Feasibility Study”,  
23          dated February 28, 2001.

24          (c) CONSIDERATION OF OTHER PLANS AND AC-  
25          TIONS.—The management plan shall—

1           (1) take into consideration State and local  
2 plans; and

3           (2) involve residents, public agencies, and pri-  
4 vate organizations in the heritage area.

5           (d) REQUIREMENTS.—The management plan shall  
6 include the following:

7           (1) An inventory of the resources in the herit-  
8 age area, including—

9                   (A) a list of property in the heritage area  
10 that—

11                           (i) relates to the purposes of the herit-  
12 age area; and

13                           (ii) should be preserved, restored,  
14 managed, or maintained because of the sig-  
15 nificance of the property; and

16                   (B) an assessment of cultural landscapes  
17 within the heritage area.

18           (2) Provisions for the protection, interpretation,  
19 and enjoyment of the resources of the heritage area  
20 consistent with the purposes of this title.

21           (3) An interpretation plan for the heritage area.

22           (4) A program for implementation of the man-  
23 agement plan that includes—

24                   (A) actions to be carried out by units of  
25 government, private organizations, and public-

1 private partnerships to protect the resources of  
2 the heritage area; and

3 (B) the identification of existing and po-  
4 tential sources of funding for implementing the  
5 plan.

6 (5) A description and evaluation of the manage-  
7 ment entity, including the membership and organiza-  
8 tional structure of the management entity.

9 (e) SUBMISSION TO SECRETARY FOR APPROVAL.—

10 (1) IN GENERAL.—Not later than 3 years after  
11 the date of the enactment of this Act, the manage-  
12 ment entity shall submit the management plan to  
13 the Secretary for approval.

14 (2) EFFECT OF FAILURE TO SUBMIT.—If a  
15 management plan is not submitted to the Secretary  
16 by the date specified in paragraph (1), the Secretary  
17 shall not provide any additional funding under this  
18 title until such date as a management plan for the  
19 heritage area is submitted to the Secretary.

20 (f) APPROVAL AND DISAPPROVAL OF MANAGEMENT  
21 PLAN.—

22 (1) IN GENERAL.—Not later than 90 days after  
23 receiving the management plan submitted under  
24 subsection (e), the Secretary, in consultation with

1 the State, shall approve or disapprove the manage-  
2 ment plan.

3 (2) ACTION FOLLOWING DISAPPROVAL.—

4 (A) REVISION.—If the Secretary dis-  
5 approves a management plan submitted under  
6 paragraph (1), the Secretary shall—

7 (i) advise the management entity in  
8 writing of the reasons for the disapproval;

9 (ii) make recommendations for revi-  
10 sions to the management plan; and

11 (iii) allow the management entity to  
12 submit to the Secretary revisions to the  
13 management plan.

14 (B) DEADLINE FOR APPROVAL OF REVI-  
15 SION.—Not later than 90 days after the date on  
16 which a revision is submitted under subpara-  
17 graph (A)(iii), the Secretary shall approve or  
18 disapprove the revision.

19 (g) REVISION OF MANAGEMENT PLAN.—

20 (1) IN GENERAL.—After approval by the Sec-  
21 retary of a management plan, the management enti-  
22 ty shall periodically—

23 (A) review the management plan; and

24 (B) submit to the Secretary, for review  
25 and approval by the Secretary, the rec-

1           ommendations of the management entity for  
2           any revisions to the management plan that the  
3           management entity considers to be appropriate.

4           (2) EXPENDITURE OF FUNDS.—No funds made  
5           available under this title shall be used to implement  
6           any revision proposed by the management entity  
7           under paragraph (1)(B) until the Secretary approves  
8           the revision.

9   **SEC. 507. TECHNICAL AND FINANCIAL ASSISTANCE.**

10          (a) IN GENERAL.—At the request of the management  
11          entity, the Secretary may provide technical and financial  
12          assistance to the heritage area to develop and implement  
13          the management plan.

14          (b) PRIORITY.—In providing assistance under sub-  
15          section (a), the Secretary shall give priority to actions that  
16          facilitate—

17                  (1) the conservation of the significant natural,  
18                  cultural, historical, scenic, and recreational resources  
19                  that support the purposes of the heritage area; and

20                  (2) the provision of educational, interpretive,  
21                  and recreational opportunities that are consistent  
22                  with the resources and associated values of the herit-  
23                  age area.

1 **SEC. 508. EFFECT ON CERTAIN AUTHORITY.**

2 (a) OCCUPATIONAL, SAFETY, CONSERVATION, AND  
3 ENVIRONMENTAL REGULATION.—Nothing in this title—

4 (1) imposes an occupational, safety, conserva-  
5 tion, or environmental regulation on the heritage  
6 area that is more stringent than the regulations that  
7 would be applicable to the land described in section  
8 504(b) but for the establishment of the heritage area  
9 by section 504; or

10 (2) authorizes a Federal agency to promulgate  
11 an occupational, safety, conservation, or environ-  
12 mental regulation for the heritage area that is more  
13 stringent than the regulations applicable to the land  
14 described in section 504(b) as of the date of enact-  
15 ment of this Act, solely as a result of the establish-  
16 ment of the heritage area by section 504.

17 (b) LAND USE REGULATION.—Nothing in this title—

18 (1) modifies, enlarges, or diminishes any au-  
19 thority of the Federal Government or a State or  
20 local government to regulate any use of land as pro-  
21 vided for by law (including regulations) in existence  
22 on the date of enactment of this Act; or

23 (2) grants powers of zoning or land use to the  
24 management entity.

1 **SEC. 509. REQUIREMENTS FOR INCLUSION OF PRIVATE**  
2 **PROPERTY.**

3 (a) NOTIFICATION AND CONSENT OF PROPERTY  
4 OWNERS REQUIRED.—No privately owned property shall  
5 be preserved, conserved, or promoted by the management  
6 plan for the Heritage Area until the owner of that private  
7 property has been notified in writing by the management  
8 entity and has given written consent for such preservation,  
9 conservation, or promotion to the management entity.

10 (b) LANDOWNER WITHDRAW.—Any owner of private  
11 property included within the boundary of the Heritage  
12 Area shall have their property immediately removed from  
13 the boundary by submitting a written request to the man-  
14 agement entity.

15 **SEC. 510. PRIVATE PROPERTY PROTECTION.**

16 (a) ACCESS TO PRIVATE PROPERTY.—Nothing in  
17 this title shall be construed to—

18 (1) require any private property owner to allow  
19 public access (including Federal, State, or local gov-  
20 ernment access) to such private property; or

21 (2) modify any provision of Federal, State, or  
22 local law with regard to public access to or use of  
23 private property.

24 (b) LIABILITY.—Designation of the Heritage Area  
25 shall not be considered to create any liability, or to have  
26 any effect on any liability under any other law, of any pri-



1 vate property owner with respect to any persons injured  
2 on such private property.

3 (c) RECOGNITION OF AUTHORITY TO CONTROL  
4 LAND USE.—Nothing in this title shall be construed to  
5 modify the authority of Federal, State, or local govern-  
6 ments to regulate land use.

7 (d) PARTICIPATION OF PRIVATE PROPERTY OWNERS  
8 IN HERITAGE AREA.—Nothing in this title shall be con-  
9 strued to require the owner of any private property located  
10 within the boundaries of the Heritage Area to participate  
11 in or be associated with the Heritage Area.

12 (e) EFFECT OF ESTABLISHMENT.—The boundaries  
13 designated for the Heritage Area represent the area within  
14 which Federal funds appropriated for the purpose of this  
15 title may be expended. The establishment of the Heritage  
16 Area and its boundaries shall not be construed to provide  
17 any nonexisting regulatory authority on land use within  
18 the Heritage Area or its viewshed by the Secretary, the  
19 National Park Service, or the management entity.

20 **SEC. 511. AUTHORIZATION OF APPROPRIATIONS.**

21 (a) IN GENERAL.—There is authorized to be appro-  
22 priated to carry out this title \$10,000,000, to remain  
23 available until expended, of which not more than  
24 \$1,000,000 may be used in any fiscal year.

1 (b) FEDERAL SHARE.—The Federal share of the cost  
2 of any project or activity carried out using funds made  
3 available under this title shall not exceed 50 percent.

4 **SEC. 512. TERMINATION OF AUTHORITY.**

5 The authority of the Secretary to make any grant or  
6 provide any assistance under this title shall terminate on  
7 September 30, 2016.

8 **TITLE VI—UPPER HOUSATONIC**  
9 **VALLEY NATIONAL HERITAGE**  
10 **AREA**

11 **SEC. 601. SHORT TITLE.**

12 This title may be cited as the “Upper Housatonic  
13 Valley National Heritage Area Act”.

14 **SEC. 602. FINDINGS AND PURPOSES.**

15 (a) FINDINGS.—Congress finds the following:

16 (1) The upper Housatonic Valley, encompassing  
17 29 towns in the hilly terrain of western Massachu-  
18 setts and northwestern Connecticut, is a singular  
19 geographical and cultural region that has made sig-  
20 nificant national contributions through its literary,  
21 artistic, musical, and architectural achievements, its  
22 iron, paper, and electrical equipment industries, and  
23 its scenic beautification and environmental conserva-  
24 tion efforts.

1           (2) The upper Housatonic Valley has 139 prop-  
2           erties and historic districts listed on the National  
3           Register of Historic Places including—

4                   (A) five National Historic Landmarks—

5                           (i) Edith Wharton’s home, The  
6                           Mount, Lenox, Massachusetts;

7                           (ii) Herman Melville’s home, Arrow-  
8                           head, Pittsfield, Massachusetts;

9                           (iii) W.E.B. DuBois’ Boyhood Home-  
10                           site, Great Barrington, Massachusetts;

11                           (iv) Mission House, Stockbridge, Mas-  
12                           sachusetts; and

13                           (v) Crane and Company Old Stone  
14                           Mill Rag Room, Dalton, Massachusetts;  
15                           and

16                   (B) four National Natural Landmarks—

17                           (i) Bartholomew’s Cobble, Sheffield,  
18                           Massachusetts, and Salisbury, Connecticut;

19                           (ii) Beckley Bog, Norfolk, Con-  
20                           necticut;

21                           (iii) Bingham Bog, Salisbury, Con-  
22                           necticut; and

23                           (iv) Cathedral Pines, Cornwall, Con-  
24                           necticut.

1           (3) Writers, artists, musicians, and vacationers  
2           have visited the region for more than 150 years to  
3           enjoy its scenic wonders, making it one of the coun-  
4           try's leading cultural resorts.

5           (4) The upper Housatonic Valley has made sig-  
6           nificant national cultural contributions through such  
7           writers as Herman Melville, Nathaniel Hawthorne,  
8           Edith Wharton, and W.E.B. DuBois, artists Daniel  
9           Chester French and Norman Rockwell, and the per-  
10          forming arts centers of Tanglewood, Music Moun-  
11          tain, Norfolk (Connecticut) Chamber Music Festival,  
12          Jacob's Pillow, and Shakespeare & Company.

13          (5) The upper Housatonic Valley is noted for  
14          its pioneering achievements in the iron, paper, and  
15          electrical generation industries and has cultural re-  
16          sources to interpret those industries.

17          (6) The region became a national leader in sce-  
18          nic beautification and environmental conservation ef-  
19          forts following the era of industrialization and defor-  
20          estation and maintains a fabric of significant con-  
21          servation areas including the meandering  
22          Housatonic River.

23          (7) Important historical events related to the  
24          American Revolution, Shays' Rebellion, and early

1 civil rights took place in the upper Housatonic Val-  
2 ley.

3 (8) The region had an American Indian pres-  
4 ence going back 10,000 years and Mohicans had a  
5 formative role in contact with Europeans during the  
6 seventeenth and eighteenth centuries.

7 (9) The Upper Housatonic Valley National  
8 Heritage Area has been proposed in order to height-  
9 en appreciation of the region, preserve its natural  
10 and historical resources, and improve the quality of  
11 life and economy of the area.

12 (b) PURPOSES.—The purposes of this title are as fol-  
13 lows:

14 (1) To establish the Upper Housatonic Valley  
15 National Heritage Area in the State of Connecticut  
16 and the Commonwealth of Massachusetts.

17 (2) To implement the national heritage area al-  
18 ternative as described in the document entitled  
19 “Upper Housatonic Valley National Heritage Area  
20 Feasibility Study, 2003”.

21 (3) To provide a management framework to  
22 foster a close working relationship with all levels of  
23 government, the private sector, and the local com-  
24 munities in the upper Housatonic Valley region to

1 conserve the region’s heritage while continuing to  
2 pursue compatible economic opportunities.

3 (4) To assist communities, organizations, and  
4 citizens in the State of Connecticut and the Com-  
5 monwealth of Massachusetts in identifying, pre-  
6 serving, interpreting, and developing the historical,  
7 cultural, scenic, and natural resources of the region  
8 for the educational and inspirational benefit of cur-  
9 rent and future generations.

10 **SEC. 603. DEFINITIONS.**

11 In this title:

12 (1) HERITAGE AREA.—The term “Heritage  
13 Area” means the Upper Housatonic Valley National  
14 Heritage Area, established in section 604.

15 (2) MANAGEMENT ENTITY.—The term “Man-  
16 agement Entity” means the management entity for  
17 the Heritage Area designated by section 604(d).

18 (3) MANAGEMENT PLAN.—The term “Manage-  
19 ment Plan” means the management plan for the  
20 Heritage Area specified in section 606.

21 (4) MAP.—The term “map” means the map en-  
22 titled “Boundary Map Upper Housatonic Valley Na-  
23 tional Heritage Area”, numbered P17/80,000, and  
24 dated February 2003.

1           (5) SECRETARY.—The term “Secretary” means  
2 the Secretary of the Interior.

3           (6) STATE.—The term “State” means the State  
4 of Connecticut and the Commonwealth of Massachu-  
5 setts.

6 **SEC. 604. UPPER HOUSATONIC VALLEY NATIONAL HERIT-**  
7 **AGE AREA.**

8           (a) ESTABLISHMENT.—There is established the  
9 Upper Housatonic Valley National Heritage Area.

10          (b) BOUNDARIES.—The Heritage Area shall be com-  
11 prised of—

12           (1) part of the Housatonic River’s watershed,  
13 which extends 60 miles from Lanesboro, Massachu-  
14 setts to Kent, Connecticut;

15           (2) the towns of Canaan, Colebrook, Cornwall,  
16 Kent, Norfolk, North Canaan, Salisbury, Sharon,  
17 and Warren in Connecticut; and

18           (3) the towns of Alford, Becket, Dalton,  
19 Egremont, Great Barrington, Hancock, Hinsdale,  
20 Lanesboro, Lee, Lenox, Monterey, Mount Wash-  
21 ington, New Marlboro, Pittsfield, Richmond, Shef-  
22 field, Stockbridge, Tyringham, Washington, and  
23 West Stockbridge in Massachusetts.

24           (c) AVAILABILITY OF MAP.—The map shall be on file  
25 and available for public inspection in the appropriate of-

1 fices of the National Park Service, Department of the In-  
2 terior.

3 (d) MANAGEMENT ENTITY.—The Upper Housatonic  
4 Valley National Heritage Area, Inc. shall be the manage-  
5 ment entity for the Heritage Area.

6 **SEC. 605. AUTHORITIES, PROHIBITIONS AND DUTIES OF**  
7 **THE MANAGEMENT ENTITY.**

8 (a) DUTIES OF THE MANAGEMENT ENTITY.—To fur-  
9 ther the purposes of the Heritage Area, the management  
10 entity shall—

11 (1) prepare and submit a management plan for  
12 the Heritage Area to the Secretary in accordance  
13 with section 606;

14 (2) assist units of local government, regional  
15 planning organizations, and nonprofit organizations  
16 in implementing the approved management plan  
17 by—

18 (A) carrying out programs and projects  
19 that recognize, protect and enhance important  
20 resource values within the Heritage Area;

21 (B) establishing and maintaining interpre-  
22 tive exhibits and programs within the Heritage  
23 Area;

24 (C) developing recreational and educational  
25 opportunities in the Heritage Area;



1 (D) increasing public awareness of and ap-  
2 preciation for natural, historical, scenic, and  
3 cultural resources of the Heritage Area;

4 (E) protecting and restoring historic sites  
5 and buildings in the Heritage Area that are  
6 consistent with heritage area themes;

7 (F) ensuring that signs identifying points  
8 of public access and sites of interest are posted  
9 throughout the Heritage Area; and

10 (G) promoting a wide range of partner-  
11 ships among governments, organizations and in-  
12 dividuals to further the purposes of the Herit-  
13 age Area;

14 (3) consider the interests of diverse units of  
15 government, businesses, organizations and individ-  
16 uals in the Heritage Area in the preparation and im-  
17 plementation of the management plan;

18 (4) conduct meetings open to the public at least  
19 semi-annually regarding the development and imple-  
20 mentation of the management plan;

21 (5) submit an annual report to the Secretary  
22 for any fiscal year in which the management entity  
23 receives Federal funds under this title, setting forth  
24 its accomplishments, expenses, and income, includ-

1 ing grants to any other entities during the year for  
2 which the report is made;

3 (6) make available for audit for any fiscal year  
4 in which it receives Federal funds under this title,  
5 all information pertaining to the expenditure of such  
6 funds and any matching funds, and require in all  
7 agreements authorizing expenditures of Federal  
8 funds by other organizations, that the receiving or-  
9 ganizations make available for such audit all records  
10 and other information pertaining to the expenditure  
11 of such funds; and

12 (7) encourage by appropriate means economic  
13 development that is consistent with the purposes of  
14 the Heritage Area.

15 (b) AUTHORITIES.—The management entity may, for  
16 the purposes of preparing and implementing the manage-  
17 ment plan for the Heritage Area, use Federal funds made  
18 available through this title to—

19 (1) make grants to the State of Connecticut  
20 and the Commonwealth of Massachusetts, their po-  
21 litical subdivisions, nonprofit organizations and other  
22 persons;

23 (2) enter into cooperative agreements with or  
24 provide technical assistance to the State of Con-  
25 necticut and the Commonwealth of Massachusetts,

1 their subdivisions, nonprofit organizations, and other  
2 interested parties;

3 (3) hire and compensate staff, which shall in-  
4 clude individuals with expertise in natural, cultural,  
5 and historical resources protection, and heritage pro-  
6 gramming;

7 (4) obtain money or services from any source  
8 including any that are provided under any other  
9 Federal law or program;

10 (5) contract for goods or services; and

11 (6) undertake to be a catalyst for any other ac-  
12 tivity that furthers the purposes of the Heritage  
13 Area and is consistent with the approved manage-  
14 ment plan.

15 (c) PROHIBITIONS ON THE ACQUISITION OF REAL  
16 PROPERTY.—The management entity may not use Fed-  
17 eral funds received under this title to acquire real prop-  
18 erty, but may use any other source of funding, including  
19 other Federal funding outside this authority, intended for  
20 the acquisition of real property.

21 **SEC. 606. MANAGEMENT PLAN.**

22 (a) IN GENERAL.—The management plan for the  
23 Heritage Area shall—

- 1           (1) include comprehensive policies, strategies  
2           and recommendations for conservation, funding,  
3           management and development of the Heritage Area;
- 4           (2) take into consideration existing State, coun-  
5           ty, and local plans in the development of the man-  
6           agement plan and its implementation;
- 7           (3) include a description of actions that govern-  
8           ments, private organizations, and individuals have  
9           agreed to take to protect the natural, historical and  
10          cultural resources of the Heritage Area;
- 11          (4) specify the existing and potential sources of  
12          funding to protect, manage, and develop the Herit-  
13          age Area in the first 5 years of implementation;
- 14          (5) include an inventory of the natural, histor-  
15          ical, cultural, educational, scenic, and recreational  
16          resources of the Heritage Area related to the themes  
17          of the Heritage Area that should be preserved, re-  
18          stored, managed, developed, or maintained;
- 19          (6) describe a program of implementation for  
20          the management plan including plans for resource  
21          protection, restoration, construction, and specific  
22          commitments for implementation that have been  
23          made by the management entity or any government,  
24          organization, or individual for the first 5 years of  
25          implementation; and

1           (7) include an interpretive plan for the Heritage  
2 Area.

3           (b) DEADLINE AND TERMINATION OF FUNDING.—

4           (1) DEADLINE.—The management entity shall  
5 submit the management plan to the Secretary for  
6 approval within 3 years after funds are made avail-  
7 able for this title.

8           (2) TERMINATION OF FUNDING.—If the man-  
9 agement plan is not submitted to the Secretary in  
10 accordance with this subsection, the management en-  
11 tity shall not qualify for Federal funding under this  
12 title until such time as the management plan is sub-  
13 mitted to the Secretary.

14 **SEC. 607. DUTIES AND AUTHORITIES OF THE SECRETARY.**

15           (a) TECHNICAL AND FINANCIAL ASSISTANCE.—The  
16 Secretary may, upon the request of the management enti-  
17 ty, provide technical assistance on a reimbursable or non-  
18 reimbursable basis and financial assistance to the Herit-  
19 age Area to develop and implement the approved manage-  
20 ment plan. The Secretary is authorized to enter into coop-  
21 erative agreements with the management entity and other  
22 public or private entities for this purpose. In assisting the  
23 Heritage Area, the Secretary shall give priority to actions  
24 that in general assist in—

1           (1) conserving the significant natural, histor-  
2           ical, cultural, and scenic resources of the Heritage  
3           Area; and

4           (2) providing educational, interpretive, and rec-  
5           reational opportunities consistent with the purposes  
6           of the Heritage Area.

7           (b) APPROVAL AND DISAPPROVAL OF MANAGEMENT  
8           PLAN.—

9           (1) IN GENERAL.—The Secretary shall approve  
10          or disapprove the management plan not later than  
11          90 days after receiving the management plan.

12          (2) CRITERIA FOR APPROVAL.—In determining  
13          the approval of the management plan, the Secretary  
14          shall consider whether—

15                 (A) the management entity is representa-  
16                 tive of the diverse interests of the Heritage  
17                 Area including governments, natural and his-  
18                 toric resource protection organizations, edu-  
19                 cational institutions, businesses, and rec-  
20                 reational organizations;

21                 (B) the management entity has afforded  
22                 adequate opportunity, including public hearings,  
23                 for public and governmental involvement in the  
24                 preparation of the management plan;

1           (C) the resource protection and interpreta-  
2           tion strategies contained in the management  
3           plan, if implemented, would adequately protect  
4           the natural, historical, and cultural resources of  
5           the Heritage Area; and

6           (D) the management plan is supported by  
7           the appropriate State and local officials whose  
8           cooperation is needed to ensure the effective im-  
9           plementation of the State and local aspects of  
10          the management plan.

11          (3) ACTION FOLLOWING DISAPPROVAL.—If the  
12          Secretary disapproves the management plan, the  
13          Secretary shall advise the management entity in  
14          writing of the reasons therefore and shall make rec-  
15          ommendations for revisions to the management plan.  
16          The Secretary shall approve or disapprove a pro-  
17          posed revision within 60 days after the date it is  
18          submitted.

19          (4) APPROVAL OF AMENDMENTS.—Substantial  
20          amendments to the management plan shall be re-  
21          viewed by the Secretary and approved in the same  
22          manner as provided for the original management  
23          plan. The management entity shall not use Federal  
24          funds authorized by this title to implement any

1 amendments until the Secretary has approved the  
2 amendments.

3 **SEC. 608. DUTIES OF OTHER FEDERAL AGENCIES.**

4 Any Federal agency conducting or supporting activi-  
5 ties directly affecting the Heritage Area shall—

6 (1) consult with the Secretary and the manage-  
7 ment entity with respect to such activities;

8 (2) cooperate with the Secretary and the man-  
9 agement entity in carrying out their duties under  
10 this title and, to the maximum extent practicable,  
11 coordinate such activities with the carrying out of  
12 such duties; and,

13 (3) to the maximum extent practicable, conduct  
14 or support such activities in a manner which the  
15 management entity determines will not have an ad-  
16 verse effect on the Heritage Area.

17 **SEC. 609. REQUIREMENTS FOR INCLUSION OF PRIVATE**  
18 **PROPERTY.**

19 (a) NOTIFICATION AND CONSENT OF PROPERTY  
20 OWNERS REQUIRED.—No privately owned property shall  
21 be preserved, conserved, or promoted by the management  
22 plan for the Heritage Area until the owner of that private  
23 property has been notified in writing by the management  
24 entity and has given written consent for such preservation,  
25 conservation, or promotion to the management entity.



1 (b) LANDOWNER WITHDRAW.—Any owner of private  
2 property included within the boundary of the Heritage  
3 Area shall have their property immediately removed from  
4 the boundary by submitting a written request to the man-  
5 agement entity.

6 **SEC. 610. PRIVATE PROPERTY PROTECTION.**

7 (a) ACCESS TO PRIVATE PROPERTY.—Nothing in  
8 this title shall be construed to—

9 (1) require any private property owner to allow  
10 public access (including Federal, State, or local gov-  
11 ernment access) to such private property; or

12 (2) modify any provision of Federal, State, or  
13 local law with regard to public access to or use of  
14 private property.

15 (b) LIABILITY.—Designation of the Heritage Area  
16 shall not be considered to create any liability, or to have  
17 any effect on any liability under any other law, of any pri-  
18 vate property owner with respect to any persons injured  
19 on such private property.

20 (c) RECOGNITION OF AUTHORITY TO CONTROL  
21 LAND USE.—Nothing in this title shall be construed to  
22 modify the authority of Federal, State, or local govern-  
23 ments to regulate land use.

24 (d) PARTICIPATION OF PRIVATE PROPERTY OWNERS  
25 IN HERITAGE AREA.—Nothing in this title shall be con-

1 strued to require the owner of any private property located  
2 within the boundaries of the Heritage Area to participate  
3 in or be associated with the Heritage Area.

4 (e) EFFECT OF ESTABLISHMENT.—The boundaries  
5 designated for the Heritage Area represent the area within  
6 which Federal funds appropriated for the purpose of this  
7 title may be expended. The establishment of the Heritage  
8 Area and its boundaries shall not be construed to provide  
9 any nonexisting regulatory authority on land use within  
10 the Heritage Area or its viewshed by the Secretary, the  
11 National Park Service, or the management entity.

12 **SEC. 611. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) IN GENERAL.—There is authorized to be appro-  
14 priated for the purposes of this title not more than  
15 \$1,000,000 for any fiscal year. Not more than a total of  
16 \$10,000,000 may be appropriated for the Heritage Area  
17 under this title.

18 (b) MATCHING FUNDS.—Federal funding provided  
19 under this title may not exceed 50 percent of the total  
20 cost of any assistance or grant provided or authorized  
21 under this title.

22 **SEC. 612. SUNSET.**

23 The authority of the Secretary to provide assistance  
24 under this title shall terminate on the day occurring 15  
25 years after funds are first made available for this title.

1                   **TITLE VII—OIL REGION**  
2                   **NATIONAL HERITAGE AREA**

3 **SEC. 701. SHORT TITLE; DEFINITIONS.**

4           (a) **SHORT TITLE.**—This title may be cited as the  
5 “Oil Region National Heritage Area Act”.

6           (b) **DEFINITIONS.**—For the purposes of this title, the  
7 following definitions shall apply:

8                   (1) **HERITAGE AREA.**—The term “Heritage  
9 Area” means the Oil Region National Heritage Area  
10 established in section 703(a).

11                   (2) **MANAGEMENT ENTITY.**—The term “man-  
12 agement entity” means the Oil Heritage Region,  
13 Inc., or its successor entity.

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

16 **SEC. 702. FINDINGS AND PURPOSE.**

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

18                   (1) The Oil Region of Northwestern Pennsyl-  
19 vania, with numerous sites and districts listed on the  
20 National Register of Historic Places, and designated  
21 by the Governor of Pennsylvania as one of the State  
22 Heritage Park Areas, is a region with tremendous  
23 physical and natural resources and possesses a story  
24 of State, national, and international significance.

1           (2) The single event of Colonel Edwin Drake’s  
2 drilling of the world’s first successful oil well in  
3 1859 has affected the industrial, natural, social, and  
4 political structures of the modern world.

5           (3) Six national historic districts are located  
6 within the State Heritage Park boundary, in  
7 Emlenton, Franklin, Oil City, and Titusville, as well  
8 as 17 separate National Register sites.

9           (4) The Allegheny River, which was designated  
10 as a component of the national wild and scenic riv-  
11 ers system in 1992 by Public Law 102–271, tra-  
12 verses the Oil Region and connects several of its  
13 major sites, as do some of the river’s tributaries  
14 such as Oil Creek, French Creek, and Sandy Creek.

15           (5) The unspoiled rural character of the Oil Re-  
16 gion provides many natural and recreational re-  
17 sources, scenic vistas, and excellent water quality for  
18 people throughout the United States to enjoy.

19           (6) Remnants of the oil industry, visible on the  
20 landscape to this day, provide a direct link to the  
21 past for visitors, as do the historic valley settle-  
22 ments, riverbed settlements, plateau developments,  
23 farmlands, and industrial landscapes.

24           (7) The Oil Region also represents a cross sec-  
25 tion of American history associated with Native

1 Americans, frontier settlements, the French and In-  
2 dian War, African Americans and the Underground  
3 Railroad, and immigration of Swedish and Polish in-  
4 dividuals, among others.

5 (8) Involvement by the Federal Government  
6 shall serve to enhance the efforts of the Common-  
7 wealth of Pennsylvania, local subdivisions of the  
8 Commonwealth of Pennsylvania, volunteer organiza-  
9 tions, and private businesses, to promote the cul-  
10 tural, national, and recreational resources of the re-  
11 gion in order to fulfill their full potential.

12 (b) PURPOSE.—The purpose of this title is to en-  
13 hance a cooperative management framework to assist the  
14 Commonwealth of Pennsylvania, its units of local govern-  
15 ment, and area citizens in conserving, enhancing, and in-  
16 terpreting the significant features of the lands, water, and  
17 structures of the Oil Region, in a manner consistent with  
18 compatible economic development for the benefit and in-  
19 spiration of present and future generations in the Com-  
20 monwealth of Pennsylvania and the United States.

21 **SEC. 703. OIL REGION NATIONAL HERITAGE AREA.**

22 (a) ESTABLISHMENT.—There is hereby established  
23 the Oil Region National Heritage Area.

24 (b) BOUNDARIES.—The boundaries of the Heritage  
25 Area shall include all of those lands depicted on a map

1 entitled “Oil Region National Heritage Area”, numbered  
2 OIRE/20,000 and dated October, 2000. The map shall be  
3 on file in the appropriate offices of the National Park  
4 Service. The Secretary of the Interior shall publish in the  
5 Federal Register, as soon as practical after the date of  
6 the enactment of this Act, a detailed description and map  
7 of the boundaries established under this subsection.

8 (c) **MANAGEMENT ENTITY.**—The management entity  
9 for the Heritage Area shall be the Oil Heritage Region,  
10 Inc., the locally based private, nonprofit management cor-  
11 poration which shall oversee the development of a manage-  
12 ment plan in accordance with section 705(b).

13 **SEC. 704. COMPACT.**

14 To carry out the purposes of this title, 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 a discus-  
18 sion of the goals and objectives of the Heritage Area, in-  
19 cluding an explanation of the proposed approach to con-  
20 servation and interpretation and a general outline of the  
21 protection measures committed to by the Secretary and  
22 management entity.

1 **SEC. 705. AUTHORITIES AND DUTIES OF MANAGEMENT EN-**  
2 **TITY.**

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

4 The management entity may use funds made available  
5 under this title for purposes of preparing, updating, and  
6 implementing the management plan developed under sub-  
7 section (b). Such purposes may include—

8 (1) making grants to, and entering into cooper-  
9 ative agreements with, States and their political sub-  
10 divisions, private organizations, or any other person;

11 (2) hiring and compensating staff; and

12 (3) undertaking initiatives that advance the  
13 purposes of the Heritage Area.

14 (b) **MANAGEMENT PLAN.—**The management entity  
15 shall develop a management plan for the Heritage Area  
16 that—

17 (1) presents comprehensive strategies and rec-  
18 ommendations for conservation, funding, manage-  
19 ment, and development of the Heritage Area;

20 (2) takes into consideration existing State,  
21 county, and local plans and involves residents, public  
22 agencies, and private organizations working in the  
23 Heritage Area;

24 (3) includes a description of actions that units  
25 of government and private organizations have agreed

1 to take to protect the resources of the Heritage  
2 Area;

3 (4) specifies the existing and potential sources  
4 of funding to protect, manage, and develop the Her-  
5 itage Area;

6 (5) includes an inventory of the resources con-  
7 tained in the Heritage Area, including a list of any  
8 property in the Heritage Area that is related to the  
9 themes of the Heritage Area and that should be pre-  
10 served, restored, managed, developed, or maintained  
11 because of its natural, cultural, historic, recreational,  
12 or scenic significance;

13 (6) describes a program for implementation of  
14 the management plan by the management entity, in-  
15 cluding plans for restoration and construction, and  
16 specific commitments for that implementation that  
17 have been made by the management entity and any  
18 other persons for the first 5 years of implementa-  
19 tion;

20 (7) lists any revisions to the boundaries of the  
21 Heritage Area proposed by the management entity  
22 and requested by the affected local government; and

23 (8) includes an interpretation plan for the Her-  
24 itage Area.

25 (c) DEADLINE; TERMINATION OF FUNDING.—



1           (1) DEADLINE.—The management entity shall  
2 submit the management plan to the Secretary within  
3 2 years after the funds are made available for this  
4 title.

5           (2) TERMINATION OF FUNDING.—If a manage-  
6 ment plan is not submitted to the Secretary in ac-  
7 cordance with this subsection, the management enti-  
8 ty shall not qualify for Federal assistance under this  
9 title.

10          (d) DUTIES OF MANAGEMENT ENTITY.—The man-  
11 agement entity shall—

12           (1) give priority to implementing actions set  
13 forth in the compact and management plan;

14           (2) 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) the restoration of any historic building  
25 relating to the themes of the Heritage Area;

1 (E) ensuring that clear signs identifying  
2 access points and sites of interest are put in  
3 place throughout the Heritage Area; and

4 (F) carrying out other actions that the  
5 management entity determines to be advisable  
6 to fulfill the purposes of this title;

7 (3) encourage by appropriate means economic  
8 viability in the Heritage Area consistent with the  
9 goals of the management plan;

10 (4) consider the interests of diverse govern-  
11 mental, business, and nonprofit groups within the  
12 Heritage Area; and

13 (5) for any year in which Federal funds have  
14 been provided to implement the management plan  
15 under subsection (b)—

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

19 (B) submit an annual report to the Sec-  
20 retary setting forth accomplishments, expenses  
21 and income, and each person to which any  
22 grant was made by the management entity in  
23 the year for which the report is made; and

24 (C) require, for all agreements entered into  
25 by the management entity authorizing expendi-

1           ture of Federal funds by any other person, that  
2           the person making the expenditure make avail-  
3           able to the management entity for audit all  
4           records pertaining to the expenditure of such  
5           funds.

6           (e) PROHIBITION ON THE ACQUISITION OF REAL  
7   PROPERTY.—The management entity may not use Fed-  
8   eral funds received under this title to acquire real property  
9   or an interest in real property.

10 **SEC. 706. DUTIES AND AUTHORITIES OF THE SECRETARY.**

11       (a) TECHNICAL AND FINANCIAL ASSISTANCE.—

12           (1) IN GENERAL.—

13               (A) OVERALL ASSISTANCE.—The Secretary  
14           may, upon the request of the management enti-  
15           ty, and subject to the availability of appropria-  
16           tions, provide technical and financial assistance  
17           to the management entity to carry out its du-  
18           ties under this title, including updating and im-  
19           plementing a management plan that is sub-  
20           mitted under section 705(b) and approved by  
21           the Secretary and, prior to such approval, pro-  
22           viding assistance for initiatives.

23               (B) OTHER ASSISTANCE.—If the Secretary  
24           has the resources available to provide technical  
25           assistance to the management entity to carry

1 out its duties under this title (including updat-  
2 ing and implementing a management plan that  
3 is submitted under section 705(b) and approved  
4 by the Secretary and, prior to such approval,  
5 providing assistance for initiatives), upon the  
6 request of the management entity the Secretary  
7 shall provide such assistance on a reimbursable  
8 basis. This subparagraph does not preclude the  
9 Secretary from providing nonreimbursable as-  
10 sistance under subparagraph (A).

11 (2) PRIORITY.—In assisting the management  
12 entity, the Secretary shall give priority to actions  
13 that assist in the—

14 (A) implementation of the management  
15 plan;

16 (B) provision of educational assistance and  
17 advice regarding land and water management  
18 techniques to conserve the significant natural  
19 resources of the region;

20 (C) development and application of tech-  
21 niques promoting the preservation of cultural  
22 and historic properties;

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

1           (E) design and fabrication of a wide range  
2           of interpretive materials based on the manage-  
3           ment plan, including guide brochures, visitor  
4           displays, audio-visual and interactive exhibits,  
5           and educational curriculum materials for public  
6           education; and

7           (F) implementation of initiatives prior to  
8           approval of the management plan.

9           (3) DOCUMENTATION OF STRUCTURES.—The  
10          Secretary, acting through the Historic American  
11          Building Survey and the Historic American Engi-  
12          neering Record, shall conduct studies necessary to  
13          document the industrial, engineering, building, and  
14          architectural history of the Heritage Area.

15          (b) APPROVAL AND DISAPPROVAL OF MANAGEMENT  
16          PLANS.—The Secretary, in consultation with the Governor  
17          of Pennsylvania, shall approve or disapprove a manage-  
18          ment plan submitted under this title not later than 90  
19          days after receiving such plan. In approving the plan, the  
20          Secretary shall take into consideration the following cri-  
21          teria:

22                 (1) The extent to which the management plan  
23                 adequately preserves and protects the natural, cul-  
24                 tural, and historical resources of the Heritage Area.

1           (2) The level of public participation in the de-  
2           velopment of the management plan.

3           (3) The extent to which the board of directors  
4           of the management entity is representative of the  
5           local government and a wide range of interested or-  
6           ganizations and citizens.

7           (c) ACTION FOLLOWING DISAPPROVAL.—If the Sec-  
8           retary disapproves a management plan, the Secretary shall  
9           advise the management entity in writing of the reasons  
10          for the disapproval and shall make recommendations for  
11          revisions in the management plan. The Secretary shall ap-  
12          prove or disapprove a proposed revision within 90 days  
13          after the date it is submitted.

14          (d) APPROVING CHANGES.—The Secretary shall re-  
15          view and approve amendments to the management plan  
16          under section 705(b) that make substantial changes.  
17          Funds appropriated under this title may not be expended  
18          to implement such changes until the Secretary approves  
19          the amendments.

20          (e) EFFECT OF INACTION.—If the Secretary does not  
21          approve or disapprove a management plan, revision, or  
22          change within 90 days after it is submitted to the Sec-  
23          retary, then such management plan, revision, or change  
24          shall be deemed to have been approved by the Secretary.

1 **SEC. 707. DUTIES OF OTHER FEDERAL ENTITIES.**

2 Any Federal entity conducting or supporting activi-  
3 ties directly affecting the Heritage Area shall—

4 (1) consult with the Secretary and the manage-  
5 ment entity with respect to such activities;

6 (2) cooperate with the Secretary and the man-  
7 agement entity in carrying out their duties under  
8 this title and, to the maximum extent practicable,  
9 coordinate such activities with the carrying out of  
10 such duties; and

11 (3) to the maximum extent practicable, conduct  
12 or support such activities in a manner that the man-  
13 agement entity determines shall not have an adverse  
14 effect on the Heritage Area.

15 **SEC. 708. SUNSET.**

16 The Secretary may not make any grant or provide  
17 any assistance under this title after the expiration of the  
18 15-year period beginning on the date that funds are first  
19 made available for this title.

20 **SEC. 709. REQUIREMENTS FOR INCLUSION OF PRIVATE**  
21 **PROPERTY.**

22 (a) NOTIFICATION AND CONSENT OF PROPERTY  
23 OWNERS REQUIRED.—No privately owned property shall  
24 be preserved, conserved, or promoted by the management  
25 plan for the Heritage Area until the owner of that private  
26 property has been notified in writing by the management

1 entity and has given written consent for such preservation,  
2 conservation, or promotion to the management entity.

3 (b) LANDOWNER WITHDRAW.—Any owner of private  
4 property included within the boundary of the Heritage  
5 Area shall have their property immediately removed from  
6 the boundary by submitting a written request to the man-  
7 agement entity.

8 **SEC. 710. PRIVATE PROPERTY PROTECTION.**

9 (a) ACCESS TO PRIVATE PROPERTY.—Nothing in  
10 this title shall be construed to—

11 (1) require any private property owner to allow  
12 public access (including Federal, State, or local gov-  
13 ernment access) to such private property; or

14 (2) modify any provision of Federal, State, or  
15 local law with regard to public access to or use of  
16 private property.

17 (b) LIABILITY.—Designation of the Heritage Area  
18 shall not be considered to create any liability, or to have  
19 any effect on any liability under any other law, of any pri-  
20 vate property owner with respect to any persons injured  
21 on such private property.

22 (c) RECOGNITION OF AUTHORITY TO CONTROL  
23 LAND USE.—Nothing in this title shall be construed to  
24 modify the authority of Federal, State, or local govern-  
25 ments to regulate land use.



1 (d) PARTICIPATION OF PRIVATE PROPERTY OWNERS  
2 IN HERITAGE AREA.—Nothing in this title shall be con-  
3 strued to require the owner of any private property located  
4 within the boundaries of the Heritage Area to participate  
5 in or be associated with the Heritage Area.

6 (e) EFFECT OF ESTABLISHMENT.—The boundaries  
7 designated for the Heritage Area represent the area within  
8 which Federal funds appropriated for the purpose of this  
9 title may be expended. The establishment of the Heritage  
10 Area and its boundaries shall not be construed to provide  
11 any nonexisting regulatory authority on land use within  
12 the Heritage Area or its viewshed by the Secretary, the  
13 National Park Service, or the management entity.

14 **SEC. 711. USE OF FEDERAL FUNDS FROM OTHER SOURCES.**

15 Nothing in this title shall preclude the management  
16 entity from using Federal funds available under Acts other  
17 than this title for the purposes for which those funds were  
18 authorized.

19 **SEC. 712. AUTHORIZATION OF APPROPRIATIONS.**

20 (a) IN GENERAL.—There are authorized to be appro-  
21 priated to carry out this title—

22 (1) not more than \$1,000,000 for any fiscal  
23 year; and

24 (2) not more than a total of \$10,000,000.

1           (b) 50 PERCENT MATCH.—Financial assistance pro-  
2 vided under this title may not be used to pay more than  
3 50 percent of the total cost of any activity carried out with  
4 that assistance.

          Passed the House of Representatives November 18,  
2003.

Attest:

JEFF TRANDAHL,

*Clerk.*