

109TH CONGRESS
2D SESSION

S. 3755

To establish the Niagara Falls National Heritage Area in the State of New York, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 27 (legislative day, JULY 26), 2006

Mr. SCHUMER introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish the Niagara Falls National Heritage Area in the State of New York, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Niagara Falls National
5 Heritage Area Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) Niagara Falls and the Niagara River Gorge
9 are natural phenomena that are—

1 (A) overwhelming in physical magnitude;
 2 and

3 (B) deeply embedded in the popular con-
 4 sciousness;

5 (2) the Niagara River Gorge is an exceptionally
 6 scenic corridor carved by the movement of Niagara
 7 Falls due to erosion from the original location of Ni-
 8 agara Falls near Lewiston, New York, a process
 9 that began more than 10,000 years ago;

10 (3) Niagara Falls has been a leading inter-
 11 national tourist attraction for 200 years, influencing
 12 the development of tourism and nature conservation
 13 in North America;

14 (4) in approximately 1895, Niagara Falls be-
 15 came the foremost source of hydroelectric power in
 16 North America, stimulating the development of inno-
 17 vative heavy industries in Niagara Falls and Buf-
 18 falo, New York;

19 (5) the 3 National Historic Landmarks along or
 20 near the Niagara River are—

21 (A) the Adams Power Transformer House,
 22 in Niagara Falls, which is the birthplace of the
 23 modern hydroelectric power station;

24 (B) the Niagara Reservation, designed by
 25 landscape architect Frederick Law Olmsted,

1 which is considered to be the oldest State park
2 in the United States; and

3 (C) the Colonial Niagara Historic District,
4 in Lewiston and Youngstown, New York, which
5 includes Old Fort Niagara;

6 (6) the Niagara River area, a boundary between
7 the United States and Canada—

8 (A) has played an important role in Indian
9 culture, the French and English colonial strug-
10 gle to control North America, the American
11 Revolution, the War of 1812, and the Under-
12 ground Railroad; and

13 (B) reflects national differences and simi-
14 larities between the United States and Canada;
15 and

16 (7) although concentrated primarily along the
17 Niagara River in Niagara County, New York, there
18 are also important thematically related sites located
19 throughout Niagara and Erie Counties, New York,
20 that support and reinforce the important stories and
21 heritage of the Niagara region.

22 **SEC. 3. DEFINITIONS.**

23 In this Act:

1 (1) COMMISSION.—The term “Commission”
2 means the Niagara Falls National Heritage Area
3 Commission established by section 5(a).

4 (2) GOVERNOR.—The term “Governor” means
5 the Governor of the State.

6 (3) HERITAGE AREA.—The term “Heritage
7 Area” means the Niagara Falls National Heritage
8 Area established by section 4(a).

9 (4) LOCAL COORDINATING ENTITY.—The term
10 “local coordinating entity” means the local coordi-
11 nating entity for the Heritage Area designated by
12 section 4(d)(1).

13 (5) MANAGEMENT PLAN.—The term “manage-
14 ment plan” means the management plan for the
15 Heritage Area developed under section 6.

16 (6) MAP.—The term “map” means the map en-
17 titled “Niagara Falls National Heritage Area”,
18 numbered P76/80,000, and dated July 2006.

19 (7) SECRETARY.—The term “Secretary” means
20 the Secretary of the Interior.

21 (8) STATE.—The term “State” means the State
22 of New York.

23 **SEC. 4. NIAGARA FALLS NATIONAL HERITAGE AREA.**

24 (a) ESTABLISHMENT.—There is established in the
25 State the Niagara Falls National Heritage Area.

1 (b) BOUNDARIES.—The National Heritage Area shall
2 consist of—

3 (1) the area from the western boundary of the
4 town of Wheatfield, New York, extending to the
5 mouth of the Niagara River on Lake Ontario, as de-
6 picted on the map, including—

7 (A) the city of Niagara Falls, New York;

8 (B) the villages of Youngstown and Lewis-
9 ton, New York; and

10 (C) land and water within the boundaries
11 of the Heritage Area in Niagara County, New
12 York; and

13 (2) any additional thematically related sites
14 within Erie and Niagara Counties, New York, that
15 are identified in the management plan under section
16 6(b)(6).

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

20 (d) LOCAL COORDINATING ENTITY.—

21 (1) DESIGNATION.—The local coordinating enti-
22 ty for the Heritage Area shall be—

23 (A) for the 5-year period beginning on the
24 date of enactment of this Act, the Commission;
25 and

1 (B) on expiration of the 5-year period de-
2 scribed in subparagraph (A), a private non-
3 profit or governmental organization designated
4 by the Commission.

5 (2) AUTHORITIES.—For purposes of imple-
6 menting the management plan, the local coordi-
7 nating entity designated under paragraph (1)(B)
8 may use funds made available under this Act to—

9 (A) make grants to, and enter into cooper-
10 ative agreements with, the State (including a
11 political subdivision of the State), nonprofit or-
12 ganizations, or any person;

13 (B) hire and compensate staff; and

14 (C) enter into contracts for goods and
15 services.

16 (3) DUTIES.—Beginning on the date described
17 in paragraph (1)(B), the local coordinating entity
18 designated by the Commission under paragraph
19 (1)(B) shall assume the duties of the Commission
20 described in section 5(h), other than the duties de-
21 scribed in paragraphs (1) and (8) of section 5(h).

1 **SEC. 5. NIAGARA FALLS NATIONAL HERITAGE AREA COM-**
2 **MISSION.**

3 (a) ESTABLISHMENT.—There is established within
4 the Department of the Interior the Niagara Falls National
5 Heritage Area Commission.

6 (b) MEMBERSHIP.—The Commission shall be com-
7 posed of 17 members, of whom—

8 (1) 1 member shall be the Director of the Na-
9 tional Park Service (or a designee);

10 (2) 5 members shall be appointed by the Sec-
11 retary, on the recommendation of the Governor,
12 from among individuals with knowledge and experi-
13 ence of—

14 (A) the New York State Office of Parks,
15 Recreation and Historic Preservation, the Niag-
16 ara River Greenway Commission, the New York
17 Power Authority, the USA Niagara Develop-
18 ment Corporation, and the Niagara Tourism
19 and Convention Corporation; or

20 (B) any successors of the agencies de-
21 scribed in subparagraph (A);

22 (3) 1 member shall be appointed by the Sec-
23 retary, on the recommendation of the mayor of Ni-
24 agara Falls, New York;

1 (4) 1 member shall be appointed by the Sec-
2 retary, on the recommendation of the mayor of the
3 village of Youngstown, New York;

4 (5) 1 member shall be appointed by the Sec-
5 retary, on the recommendation of the mayor of the
6 village of Lewiston, New York;

7 (6) 1 member shall be appointed by the Sec-
8 retary, on the recommendation of the Tuscarora Na-
9 tion;

10 (7) 1 member shall be appointed by the Sec-
11 retary, on the recommendation of the Seneca Nation
12 of Indians; and

13 (8) 6 members shall be individuals that have an
14 interest in, support for, and expertise appropriate to
15 tourism, regional planning, history and historic pres-
16 ervation, cultural or natural resource management,
17 conservation, recreation, and education, or museum
18 services, of whom—

19 (A) 4 members shall be appointed by the
20 Secretary, on the recommendation of the 2
21 members of the Senate from the State; and

22 (B) 2 members shall be appointed by the
23 Secretary, on the recommendation of the mem-
24 ber of the House of Representatives whose dis-
25 trict encompasses the Heritage Area.

1 (c) TERMS; VACANCIES.—

2 (1) TERM.—A member of the Commission shall
3 be appointed for a term not to exceed 5 years.

4 (2) VACANCIES.—

5 (A) PARTIAL TERM.—A member appointed
6 to fill a vacancy on the Commission shall serve
7 for the remainder of the term for which the
8 predecessor of the member was appointed.

9 (B) IN GENERAL.—A vacancy on the Com-
10 mission shall be filled in the same manner as
11 the original appointment was made.

12 (d) CHAIRPERSON AND VICE CHAIRPERSON.—

13 (1) SELECTION.—The Commission shall select
14 a Chairperson and Vice Chairperson from among the
15 members of the Commission.

16 (2) VICE CHAIRPERSON.—The Vice Chairperson
17 shall serve as the Chairperson in the absence of the
18 Chairperson.

19 (e) QUORUM.—

20 (1) IN GENERAL.—A majority of the members
21 of the Commission shall constitute a quorum.

22 (2) TRANSACTION.—For the transaction of any
23 business or the exercise of any power of the Com-
24 mission, the Commission shall have the power to act

1 by a majority vote of the members present at any
2 meeting at which a quorum is in attendance.

3 (f) MEETINGS.—

4 (1) IN GENERAL.—The Commission shall meet
5 at least quarterly at the call of—

6 (A) the Chairperson; or

7 (B) a majority of the members of the Com-
8 mission.

9 (2) NOTICE.—Notice of Commission meetings
10 and agendas for the meetings shall be published in
11 local newspapers that are distributed throughout the
12 Heritage Area.

13 (3) APPLICABLE LAW.—Meetings of the Com-
14 mission shall be subject to section 552b of title 5,
15 United States Code.

16 (g) POWERS OF THE COMMISSION.—To the extent
17 that Federal funds are appropriated, the Commission
18 may—

19 (1) enter into contracts and execute any instru-
20 ments necessary or appropriate to carry out the pur-
21 poses for which the Commission is established, in-
22 cluding the authority to procure temporary and
23 intermittent services and administrative facilities at
24 rates determined to be reasonable by the Commis-
25 sion to carry out the duties of the Commission;

1 (2) appoint and fix the compensation of any
2 staff that may be necessary to carry out the duties
3 of the Commission;

4 (3) request and accept from the head of any
5 Federal agency, on a reimbursable or nonreimburs-
6 able basis, any personnel of the Federal agency to
7 the Commission to assist in carrying out the duties
8 of the Commission;

9 (4) request and accept from the head of any
10 State agency or any agency of a political subdivision
11 of the State, on a reimbursable or nonreimbursable
12 basis, any personnel of the agency to the Commis-
13 sion to assist in carrying out the duties of the Com-
14 mission;

15 (5) make grants to assist in the development
16 and implementation of the management plan;

17 (6) negotiate and enter into any cooperative
18 agreement, lease, contract, or other arrangement
19 with any person, firm, association, organization, cor-
20 poration, or governmental entity, including Federal,
21 State, tribal, and local government entities, that is
22 necessary to carry out the activities of the Commis-
23 sion;

1 (7) seek, accept, and dispose of gifts, bequests,
2 grants, or donations of money, personal property, or
3 services;

4 (8) assist in—

5 (A) developing educational, informational,
6 and interpretive programs and facilities; and

7 (B) any other activities that may promote
8 the implementation of the management plan;

9 (9) use the United States mails in the same
10 manner as other agencies of the Federal Govern-
11 ment;

12 (10) establish any advisory groups that the
13 Commission determines to be necessary; and

14 (11) adopt, amend, and enforce bylaws and
15 rules governing the manner in which—

16 (A) the business of the Commission may be
17 conducted; and

18 (B) the powers vested in the Commission
19 may be exercised.

20 (h) DUTIES OF THE COMMISSION.—To further the
21 purposes of the Heritage Area, the Commission shall—

22 (1) in accordance with section 6, develop and
23 submit to the Secretary for approval a management
24 plan;

1 (2) assist units of local government, regional
2 planning organizations, and nonprofit organizations
3 in implementing the management plan by—

4 (A) carrying out programs and projects
5 that recognize, protect, and enhance important
6 resource values within the Heritage Area;

7 (B) establishing and maintaining interpre-
8 tive exhibits and programs within the Heritage
9 Area;

10 (C) developing recreational and educational
11 opportunities in the Heritage Area;

12 (D) increasing public awareness of, and
13 appreciation for, natural, historic, scenic, and
14 cultural resources of the Heritage Area;

15 (E) protecting and restoring historic sites
16 and buildings in the Heritage Area that are
17 consistent with the themes of the Heritage
18 Area;

19 (F) ensuring that clear, consistent, and ap-
20 propriate signs identifying points of public ac-
21 cess and sites of interest are posted throughout
22 the Heritage Area; and

23 (G) promoting a wide range of partner-
24 ships among governments, organizations, and

1 individuals to further the purposes of the Herit-
2 age Area;

3 (3) consider the interests of diverse units of
4 government, businesses, organizations, and individ-
5 uals in the Heritage Area in the development and
6 implementation of the management plan;

7 (4) conduct meetings open to the public regard-
8 ing the development and implementation of the man-
9 agement plan;

10 (5) coordinate projects, activities, and programs
11 with the Erie Canalway National Heritage Corridor;

12 (6) for any fiscal year for which Federal funds
13 have been received by the Commission under this
14 Act—

15 (A) submit an annual report to the Sec-
16 retary that describes—

17 (i) the specific performance goals and
18 accomplishments of the local coordinating
19 entity;

20 (ii) the expenses and income of the
21 local coordinating entity;

22 (iii) the amounts and sources of
23 matching funds;

1 (iv) the amounts leveraged with Fed-
2 eral funds and the sources of the
3 leveraging; and

4 (v) any grants made to any other enti-
5 ties during the fiscal year;

6 (B) make available to the Secretary for
7 audit any records containing information relat-
8 ing to the expenditure of Federal funds and any
9 matching funds; and

10 (C) require, with respect to all agreements
11 authorizing the expenditure of Federal funds by
12 other organizations, that the organization re-
13 ceiving the funds make available to the Sec-
14 retary for audit all records and other informa-
15 tion concerning the expenditure of the funds;

16 (7) encourage, by appropriate means and con-
17 sistent with the purposes of the Heritage Area, the
18 economic viability of the Heritage Area; and

19 (8) assist in the transition of the management
20 of the Heritage Area from the Commission to the
21 local coordinating entity designated under section
22 4(d)(1)(B).

23 (i) COMPENSATION OF MEMBERS.—

24 (1) IN GENERAL.—A member of the Commis-
25 sion shall serve without compensation.

1 (2) TRAVEL EXPENSES.—A member of the
 2 Commission shall be allowed travel expenses, includ-
 3 ing per diem in lieu of subsistence, at rates author-
 4 ized for an employee of an agency under subchapter
 5 I of chapter 57 of title 5, United States Code, while
 6 away from the home or regular place of business of
 7 the member in the performance of the duties of the
 8 Commission.

9 (j) GIFTS.—For purposes of section 170(c) of the In-
 10 ternal Revenue Code of 1986, any gift or charitable con-
 11 tribution to the Commission shall be considered to be a
 12 charitable contribution or gift to the United States.

13 (k) USE OF FEDERAL FUNDS.—Except as provided
 14 for the leasing of administrative facilities under subsection
 15 (g)(1), the Commission may not use Federal funds made
 16 available to the Commission under this Act to acquire any
 17 real property or interest in real property.

18 **SEC. 6. MANAGEMENT PLAN.**

19 (a) IN GENERAL.—Not later than 3 years after the
 20 date on which funds are first made available to carry out
 21 this Act, the Commission shall submit to the Secretary
 22 for approval a management plan for the Heritage Area.

23 (b) REQUIREMENTS.—The management plan shall—

1 (1) include comprehensive policies, strategies,
2 and recommendations for conservation, funding,
3 managing, and developing the Heritage Area;

4 (2) take into consideration existing State, coun-
5 ty, and local plans;

6 (3) include a description of actions that govern-
7 ments, private organizations, and individuals have
8 agreed to take to protect the natural, historic, and
9 cultural resources of the Heritage Area;

10 (4) identify any existing and potential sources
11 of funding or economic development strategies to
12 protect, manage, and develop the Heritage Area;

13 (5) include an inventory of the natural, historic,
14 scenic, cultural, educational, and recreational re-
15 sources of the Heritage Area relating to the themes
16 of the Heritage Area that should be preserved, re-
17 stored, managed, developed, or maintained;

18 (6) establish criteria and identify thematically
19 related sites in Niagara and Erie Counties, New
20 York, that—

21 (A) may participate in the Heritage Area;

22 and

23 (B) shall be included in the boundary of
24 the Heritage Area;

1 (7) include recommended policies and strategies
2 for resource management that consider the applica-
3 tion of appropriate land and water management
4 techniques, including the development of intergov-
5 ernmental and interagency cooperative agreements
6 to protect the natural, historic, scenic, cultural, edu-
7 cational, and recreational resources of the Heritage
8 Area;

9 (8) describe a program of implementation for
10 the management plan, including a description of—

11 (A) performance goals;

12 (B) plans for resource protection, restora-
13 tion, interpretation, enhancement, management,
14 and development; and

15 (C) any specific commitments for imple-
16 mentation that have been made by the local co-
17 ordinating entity or any government, organiza-
18 tion, or individual;

19 (9) include an analysis of, and recommenda-
20 tions for ways in which, Federal, State, tribal, and
21 local programs would best be coordinated to further
22 the purposes of this Act, including an analysis of the
23 role of the National Park Service in the Heritage
24 Area;

1 (10) include an interpretive plan for the Herit-
2 age Area;

3 (11) include a business plan that—

4 (A) describes the role, operation, financing,
5 and functions of—

6 (i) the local coordinating entity; and

7 (ii) each of the major activities ad-
8 dressed in the management plan; and

9 (B) provides adequate assurances that the
10 local coordinating entity has the partnerships
11 and financial and other resources necessary to
12 implement the management plan; and

13 (12) includes provisions for—

14 (A) the designation under section
15 4(d)(1)(B) of a nonprofit or governmental orga-
16 nization as the local coordinating entity to ad-
17 minister the Heritage Area consistent with the
18 management plan; and

19 (B) the transition of the management of
20 the Heritage Area from the Commission to the
21 organization designated as the local coordi-
22 nating entity at the end of the 5-year period
23 specified in section 4(d)(1)(A).

24 (c) TERMINATION OF FUNDING.—If the Commission
25 does not submit the management plan to the Secretary

1 by the date that is 3 years after the date on which funds
 2 are first made available to carry out this Act, the local
 3 coordinating entity shall be ineligible to receive additional
 4 funding under this Act until the date on which the man-
 5 agement plan is submitted to and approved by the Sec-
 6 retary.

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

9 (1) IN GENERAL.—Not later than 180 days
 10 after the date of receipt of the management plan
 11 under subsection (a), the Secretary shall approve or
 12 disapprove the management plan.

13 (2) CONSIDERATIONS.—In determining whether
 14 to approve or disapprove the management plan
 15 under paragraph (1), the Secretary shall consider
 16 whether—

17 (A) the organization proposed to succeed
 18 the Commission as the local coordinating entity
 19 would be representative of the diverse interests
 20 of the Heritage Area, including governments,
 21 natural and historic resource protection organi-
 22 zations, educational institutions, businesses,
 23 and recreational organizations;

24 (B) the local coordinating entity has af-
 25 forced adequate opportunity for public and gov-

1 ernmental involvement, including public meet-
2 ings, in the preparation of the management
3 plan;

4 (C) the resource protection and interpreta-
5 tion strategies contained in the management
6 plan, if implemented, would adequately protect
7 the natural, historic, and cultural resources of
8 the Heritage Area;

9 (D) the Secretary has received adequate
10 assurances from the appropriate State, tribal,
11 and local officials whose support is needed to
12 ensure the effective implementation of the
13 State, tribal, and local aspects of the manage-
14 ment plan; and

15 (E) the local coordinating entity has dem-
16 onstrated the financial capability, in partner-
17 ship with others, to carry out the plan.

18 (3) ACTION FOLLOWING DISAPPROVAL.—If the
19 Secretary disapproves the management plan under
20 paragraph (1), the Secretary shall—

21 (A) advise the local coordinating entity in
22 writing of the reasons for the disapproval;

23 (B) make recommendations for revisions to
24 the management plan; and

1 (C) not later than 180 days after the re-
2 ceipt of any proposed revision of the manage-
3 ment plan, approve or disapprove the proposed
4 revision.

5 (e) AMENDMENTS.—

6 (1) IN GENERAL.—The Secretary shall review
7 and approve any substantial amendments to the
8 management plan in accordance with subsection (d).

9 (2) USE OF FUNDS.—Funds made available
10 under this Act shall not be expended by the local co-
11 ordinating entity to implement any changes made by
12 an amendment described in paragraph (1) until the
13 Secretary approves the amendment.

14 **SEC. 7. DUTIES AND AUTHORITIES OF THE SECRETARY.**

15 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—

16 (1) IN GENERAL.—On request of the local co-
17 ordinating entity, the Secretary may provide tech-
18 nical and financial assistance, on a reimbursable or
19 nonreimbursable basis, to the Heritage Area for the
20 development and implementation of the management
21 plan.

22 (2) COOPERATIVE AGREEMENTS.—The Sec-
23 retary may enter into cooperative agreements with
24 the local coordinating entity and other public or pri-

1 vate entities to provide assistance under paragraph
2 (1).

3 (3) PRIORITY FOR ASSISTANCE.—In providing
4 assistance under paragraph (1), the Secretary shall
5 give priority to actions that assist in—

6 (A) conserving the significant natural, his-
7 toric, scenic, and cultural resources of the Her-
8 itage Area; and

9 (B) providing educational, interpretive, and
10 recreational opportunities, consistent with the
11 purposes of the Heritage Area.

12 (b) DETAIL OF DEPARTMENT OF THE INTERIOR EM-
13 PLOYEES.—

14 (1) IN GENERAL.—On request of the Commis-
15 sion, the Secretary may detail to the Commission for
16 each fiscal year in which the Commission is in exist-
17 ence, on a nonreimbursable basis, 2 employees of the
18 Department of the Interior to enable the Commis-
19 sion to carry out the duties of the Commission.

20 (2) CIVIL SERVICE STATUS.—The detail of an
21 employee under paragraph (1) shall be without inter-
22 ruption or loss of civil service status or privilege.

23 (c) REPORT.—Not later than the date that is 3 years
24 before the date on which the authority of the Secretary
25 terminates under section 11, the Secretary shall submit

1 to the Committee on Resources of the House of Represent-
2 atives and the Committee on Energy and Natural Re-
3 sources of the Senate a report that includes—

4 (1) an evaluation of the accomplishments and
5 sustainability of the Heritage Area; and

6 (2) any recommendations of the Secretary with
7 respect to the future management of the Heritage
8 Area.

9 **SEC. 8. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

10 (a) IN GENERAL.—This Act shall not affect the au-
11 thority of any Federal official to provide technical or fi-
12 nancial assistance under any other law.

13 (b) CONSULTATION AND COORDINATION.—The head
14 of any Federal agency planning to conduct an activity that
15 may have an impact on the Heritage Area shall, to the
16 maximum extent practicable—

17 (1) consult with the Secretary and the local co-
18 ordinating entity regarding the activity; and

19 (2) coordinate the activity with the Secretary
20 and the local coordinating entity.

21 (c) EFFECT ON OTHER FEDERAL AGENCIES.—Noth-
22 ing in this Act—

23 (1) modifies, alters, or amends any law (includ-
24 ing a regulation) authorizing a Federal agency to

1 manage Federal land under the jurisdiction of the
2 Federal agency;

3 (2) limits the discretion of a Federal land man-
4 ager to implement an approved land use plan within
5 the boundaries of the Heritage Area; or

6 (3) modifies, alters, or amends any authorized
7 use of Federal land under the jurisdiction of a Fed-
8 eral agency.

9 **SEC. 9. PROTECTIONS FOR PROPERTY OWNERS.**

10 Nothing in this Act—

11 (1) abridges the rights of any owner of public
12 or private property, including the right to refrain
13 from participating in any plan, project, program, or
14 activity conducted within the Heritage Area;

15 (2) requires any property owner to permit pub-
16 lic access (including access by Federal, tribal, State,
17 or local government agencies) to the property;

18 (3) modifies any provision of Federal, tribal,
19 State, or local law with regard to public access to,
20 or use of, private land;

21 (4) alters any land use regulation, approved
22 land use plan, or other regulatory authority of any
23 Federal, tribal, State, or local agency;

24 (5) provides any land use or other regulatory
25 authority to any local coordinating entity;

1 (6) authorizes the reservation or appropriation
2 of water or water rights;

3 (7) diminishes the authority of the State to
4 manage fish and wildlife, including the regulation of
5 fishing and hunting within the Heritage Area; or

6 (8) creates any liability, or affects any liability
7 under any other law, of any private property owner
8 with respect to any persons injured on the private
9 property.

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

11 (a) IN GENERAL.—There is authorized to be appro-
12 priated to carry out this Act \$10,000,000, of which not
13 more than \$1,000,000 may be appropriated for any fiscal
14 year.

15 (b) COST-SHARING REQUIREMENT.—The Federal
16 share of the cost of any activity carried out using any as-
17 sistance made available under this Act shall be not more
18 than 50 percent.

19 **SEC. 11. TERMINATION OF AUTHORITY.**

20 The authority of the Secretary to provide financial
21 assistance under this Act terminates on the date that is
22 15 years after the date of enactment of this Act.

○