

111TH CONGRESS
2D SESSION

H. R. 6445

To establish the Carolinas Revolutionary Road National Heritage Area in the States of North Carolina and South Carolina, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2010

Mr. SPRATT introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To establish the Carolinas Revolutionary Road National Heritage Area in the States of North Carolina and South Carolina, 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 “Carolinas Revolu-
5 tionary Road National Heritage Area Act”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are as follows:

8 (1) to recognize and interpret important events
9 and geographic locations associated with the Amer-
10 ican Revolution in the States of North Carolina and

1 South Carolina and the impact of these events on
2 European American, African-American, and Native
3 American heritage;

4 (2) to protect and preserve battlefields, land-
5 scapes, communities, historic sites and natural fea-
6 tures associated with the Revolutionary War cam-
7 paigns in the Carolinas;

8 (3) to promote heritage, cultural, and rec-
9 reational tourism, and to develop educational, inter-
10 pretive, and cultural programs for the benefit of visi-
11 tors and the general public; and

12 (4) to provide appropriate linkages among units
13 of the National Park System, trails, State and local
14 historic sites, and communities, governments, and
15 organizations within the Heritage Area.

16 **SEC. 3. DEFINITIONS.**

17 In this Act:

18 (1) HERITAGE AREA.—The term “Heritage
19 Area” means the Carolinas Revolutionary Road Na-
20 tional Heritage Area, established in section 4.

21 (2) LOCAL COORDINATING ENTITY.—The term
22 “local coordinating entity” means Cultural and Her-
23 itage Museums of York County, South Carolina, the
24 local coordinating entity for the Heritage Area des-
25 ignated by section 4(d).

1 (3) MANAGEMENT PLAN.—The term “manage-
2 ment plan” means the management plan for the
3 Heritage Area specified in section 6.

4 (4) MAP.—The term “map” means the map en-
5 titled “Carolinas Revolutionary Road National Her-
6 itage Area”, numbered _____, and dated
7 _____.

8 (5) SECRETARY.—The term “Secretary” means
9 the Secretary of the Interior.

10 (6) STATES.—The term “States” means the
11 State of North Carolina and the State of South
12 Carolina.

13 **SEC. 4. CAROLINAS REVOLUTIONARY ROAD NATIONAL**
14 **HERITAGE AREA.**

15 (a) ESTABLISHMENT.—There is established the
16 Carolinas Revolutionary Road National Heritage Area in
17 the States of North Carolina and South Carolina.

18 (b) BOUNDARIES.—

19 (1) IN GENERAL.—The boundaries of the Herit-
20 age Area shall be as generally depicted on the map.

21 (2) REVISION.—The boundaries of the Heritage
22 Area may be revised if the revision is—

23 (A) proposed in the management plan;

24 (B) approved by the Secretary in accord-
25 ance with section 5; and

1 (C) placed on file in accordance with sec-
2 tion (c).

3 (c) AVAILABILITY OF MAP.—The map shall be on file
4 and available for public inspection in the appropriate of-
5 fices of the National Park Service and the local coordi-
6 nating entity.

7 (d) LOCAL COORDINATING ENTITY.—The local co-
8 ordinating entity for the Heritage Area shall be Cultural
9 and Heritage Museums of York County, South Carolina.

10 **SEC. 5. DUTIES AND AUTHORITIES OF THE LOCAL COORDI-**
11 **NATING ENTITY.**

12 (a) DUTIES OF THE LOCAL COORDINATING ENTI-
13 TY.—To further the purposes of the Heritage Area, the
14 local coordinating entity shall—

15 (1) prepare, and submit to the Secretary in ac-
16 cordance with section 5, a management plan for the
17 Heritage Area;

18 (2) assist units of local government, regional
19 planning organizations, and nonprofit organizations
20 in implementing the approved management plan
21 by—

22 (A) carrying out programs and projects
23 that recognize and protect important resource
24 values within the Heritage Area;

1 (B) establishing and maintaining interpre-
2 tive exhibits and programs within the Heritage
3 Area;

4 (C) developing recreational and educational
5 opportunities in the Heritage Area;

6 (D) increasing public awareness of, and
7 appreciation for, natural, historical, scenic, and
8 cultural resources of the Heritage Area;

9 (E) protecting and restoring historic sites
10 and buildings in the Heritage Area that are
11 consistent with the themes of the Heritage
12 Area;

13 (F) ensuring that signs identifying points
14 of public access and sites of interest are posted
15 throughout the Heritage Area; and

16 (G) promoting a wide range of partner-
17 ships among governments, organizations, and
18 individuals to further the purposes of the Herit-
19 age Area;

20 (3) consider the interests of diverse units of
21 government, businesses, organizations, and individ-
22 uals in the Heritage Area in the preparation and im-
23 plementation of the management plan;

1 (4) conduct meetings open to the public at least
2 semi-annually regarding the preparation and imple-
3 mentation of the management plan;

4 (5) submit an annual report to the Secretary
5 for each fiscal year in which the local coordinating
6 entity receives Federal funds under this Act speci-
7 fying—

8 (A) the accomplishments of the local co-
9 ordinating entity;

10 (B) the expenses and income of the local
11 coordinating entity;

12 (C) the amounts and sources of matching
13 funds;

14 (D) the amounts leveraged with Federal
15 funds and sources of the leveraged funds; and

16 (E) grants made to any other entities dur-
17 ing the fiscal year;

18 (6) make available for audit for any fiscal year
19 for which the local coordinating entity receives Fed-
20 eral funds under this Act, all information pertaining
21 to the expenditure of such funds and any matching
22 funds;

23 (7) require in all agreements authorizing ex-
24 penditures of Federal funds by other organizations,
25 that the receiving organizations make available for

1 audit all records and other information pertaining to
2 the expenditure of such funds; and

3 (8) encourage, by appropriate means, economic
4 development that is consistent with the purposes of
5 the Heritage Area.

6 (b) AUTHORITIES.—The local coordinating entity
7 may, subject to the prior approval of the Secretary, for
8 the purposes of preparing and implementing the manage-
9 ment plan, use Federal funds made available under this
10 Act to—

11 (1) make grants to the States, political subdivi-
12 sions of the States, nonprofit organizations, and
13 other persons;

14 (2) enter into cooperative agreements with, or
15 provide technical assistance to, the States, political
16 subdivisions of the States, nonprofit organizations,
17 Federal agencies, and other interested parties;

18 (3) hire and compensate staff;

19 (4) obtain funds or services from any source,
20 including funds and services provided under any
21 other Federal law or program;

22 (5) contract of goods or services; and

23 (6) support activities of partners and any other
24 activities that further the purposes of the Heritage

1 Area and are consistent with the approved manage-
2 ment plan.

3 (c) PROHIBITION ON THE ACQUISITION OF REAL
4 PROPERTY.—The local coordinating entity may not use
5 Federal funds received under this Act to acquire any inter-
6 est in real property.

7 **SEC. 6. MANAGEMENT PLAN.**

8 (a) IN GENERAL.—Not later than 3 years after the
9 date on which funds are made available to develop the
10 management plan, the local coordinating entity shall sub-
11 mit to the Secretary for approval a proposed management
12 plan for the Heritage Area.

13 (b) REQUIREMENTS.—The management plan for the
14 Heritage Area shall—

15 (1) describe comprehensive policies, goals, strat-
16 egies, and recommendations for the conservation,
17 funding, management, and development of the Her-
18 itage Area;

19 (2) take into consideration existing State, coun-
20 ty, and local plans in the development and imple-
21 mentation of the management plan;

22 (3) include a description of actions and commit-
23 ments that governments, private organizations, and
24 citizens plan to take to protect, enhance, and inter-

1 pret the natural, historic, scenic, and cultural re-
2 sources of the Heritage Area;

3 (4) specify existing and potential sources of
4 funding or economic development strategies to con-
5 serve, manage, and develop the Heritage Area;

6 (5) include an inventory of the natural, historic,
7 cultural, educational, scenic, and recreational re-
8 sources of the Heritage Area relating to the stories
9 and themes of the Heritage Area that should be pro-
10 tected, enhanced, managed, or developed;

11 (6) recommend policies and strategies for re-
12 source management, including the development of
13 intergovernmental and interagency agreements, to
14 protect the natural, historic, cultural, educational,
15 scenic, and recreational resources of the Heritage
16 Area;

17 (7) describe a program for implementation of
18 the management plan including—

19 (A) performance goals;

20 (B) plans for resource protection, enhance-
21 ment, and interpretation;

22 (C) specific commitments for implementa-
23 tion that have been made by the local coordi-
24 nating entity or any government, organization,
25 business, or individual;

1 (8) include an analysis of, and recommenda-
2 tions for, ways in which Federal, State, tribal, and
3 local programs may best be coordinated (including
4 the role of the National Park Service and other Fed-
5 eral agencies associated with the Heritage Area) to
6 further the purposes of this Act;

7 (9) include an interpretive plan for the Heritage
8 Area;

9 (10) include a business plan that—

10 (A) describes the role, operation, financing
11 and functions of the local coordinating entity
12 and of each of the major activities contained in
13 the management plan; and

14 (B) provides adequate assurances that the
15 local coordinating entity has the partnerships
16 and financial and other resources necessary to
17 implement the management plan for the Herit-
18 age Area; and

19 (11) include a reaffirmation of the appropriate-
20 ness of, or a proposed revision to, the boundaries of
21 the Heritage Area.

22 (c) TERMINATION OF FUNDING.—If the management
23 plan is not submitted to the Secretary in accordance with
24 this section, the local coordinating entity shall not qualify
25 for additional financial assistance under this Act until

1 such time as the management plan is submitted to, and
2 approved by, the Secretary.

3 (d) APPROVAL OF MANAGEMENT PLAN.—

4 (1) REVIEW.—Not later than 180 days after
5 the date on which the Secretary receives the man-
6 agement plan, the Secretary shall approve or dis-
7 approve the management plan.

8 (2) CRITERIA FOR APPROVAL.—In determining
9 the approval of the management plan, the Secretary
10 shall consider whether—

11 (A) the local coordinating entity represents
12 the diverse interests of the Heritage Area, in-
13 cluding governments, natural and historic re-
14 source protection organizations, educational in-
15 stitutions, businesses, community residents, and
16 recreational organizations;

17 (B) the local coordinating entity has af-
18 forded adequate opportunity for public and gov-
19 ernmental involvement (including workshops
20 and public meetings) in the preparation of the
21 management plan;

22 (C) the resource protection and interpreta-
23 tion strategies described in the management
24 plan, if implemented, would adequately protect

1 the natural, historical, and cultural resources of
2 the Heritage Area;

3 (D) the management plan would not ad-
4 versely affect any activities authorized on Fed-
5 eral or tribal lands under applicable laws or
6 land use plans;

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

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

17 (3) ACTION FOLLOWING DISAPPROVAL.—

18 (A) IN GENERAL.—If the Secretary dis-
19 approves the management plan, the Secretary—

20 (i) shall advise the local coordinating
21 entity in writing of the reasons for the dis-
22 approval; and

23 (ii) may make recommendations to the
24 local coordinating entity for revisions to
25 the management plan.

1 (B) DEADLINE.—Not later than 180 days
2 after receiving a revised management plan, the
3 Secretary shall approve or disapprove the re-
4 vised management plan.

5 (4) AMENDMENTS.—

6 (A) IN GENERAL.—An amendment to the
7 management plan that substantially alters the
8 management plan shall be reviewed by the Sec-
9 retary and approved or disapproved in the same
10 manner as the original management plan.

11 (B) IMPLEMENTATION.—The local coordi-
12 nating entity shall not use Federal funds au-
13 thorized to be appropriated by this Act to im-
14 plement any amendment to the management
15 plan until the Secretary approves the amend-
16 ment.

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

18 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—

19 (1) IN GENERAL.—On the request of the local
20 coordinating entity, the Secretary may provide tech-
21 nical and financial assistance, on a reimbursable or
22 non-reimbursable basis (as determined by the Sec-
23 retary), to the local coordinating entity to prepare
24 and implement the management plan.

1 (2) COOPERATIVE AGREEMENTS.—The Sec-
2 retary may enter into cooperative agreements with
3 the local coordinating entity and other public or pri-
4 vate entities to provide technical or financial assist-
5 ance under paragraph (1).

6 (3) PRIORITY.—In assisting the Heritage Area,
7 the Secretary shall give priority to actions that as-
8 sist in—

9 (A) conserving the significant natural, his-
10 toric, and cultural resources of the Heritage
11 Area; and

12 (B) providing educational, interpretive, and
13 recreational opportunities consistent with the
14 purposes of the Heritage Area.

15 (b) EVALUATION; REPORT.—

16 (1) IN GENERAL.—Not later than 3 years be-
17 fore the date on which authority for Federal funding
18 terminates for the Heritage Area under section 10,
19 the Secretary shall—

20 (A) conduct an evaluation of the accom-
21 plishments of the Heritage Area; and

22 (B) prepare a report with recommenda-
23 tions for the future role of the National Park
24 Service, if any, with respect to the Heritage
25 Area, in accordance with paragraph (3).

1 (2) EVALUATION.—An evaluation conducted
2 under paragraph (1)(A) shall—

3 (A) assess the progress of the local coordi-
4 nating entity with respect to—

5 (i) accomplishing the purposes of this
6 Act for the Heritage Area; and

7 (ii) achieving the goals and objectives
8 of the approved management plan for the
9 Heritage Area;

10 (B) analyze the Federal, State, local, and
11 private investments in the Heritage Area to de-
12 termine the leverage and impact of the invest-
13 ments; and

14 (C) review the management structure,
15 partnership relationships, and funding of the
16 Heritage Area for purposes of identifying the
17 critical components for sustainability of the
18 Heritage Area.

19 (3) REPORT.—

20 (A) IN GENERAL.—Based on the evalua-
21 tion conducted under paragraph (1)(A), the
22 Secretary shall prepare a report that includes
23 recommendations for the future role of the Na-
24 tional Park Service’s future role, if any, with
25 respect to the Heritage Area.

1 (B) REQUIRED ANALYSIS.—If the report
2 prepared under this paragraph recommends
3 that Federal funding for the Heritage Area be
4 reauthorized, the report shall include an anal-
5 ysis of—

6 (i) ways in which Federal funding for
7 the Heritage Area may be reduced or
8 eliminated; and

9 (ii) the appropriate time period nec-
10 essary to achieve the recommended reduc-
11 tion or elimination.

12 (C) SUBMISSION TO CONGRESS.—On com-
13 pletion of a report under this paragraph, the
14 Secretary shall submit the report to—

15 (i) the Committee on Energy and
16 Natural Resources of the Senate; and

17 (ii) the Committee on Natural Re-
18 sources of the House of Representatives.

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

20 (a) IN GENERAL.—Nothing in this Act affects the au-
21 thority of any Federal agency to provide technical or fi-
22 nancial assistance under any other law.

23 (b) CONSULTATION AND COORDINATION.—To the
24 maximum extent practicable, the head of any Federal
25 agency planning to conduct activities that may have an

1 impact on the Heritage Area is encouraged to consult and
2 coordinate the activities with the Secretary and the local
3 coordinating entity.

4 (c) OTHER FEDERAL AGENCIES.—Nothing in this
5 Act—

6 (1) modifies, alters, or amends any laws (in-
7 cluding regulations) authorizing a Federal agency to
8 manage land under the jurisdiction of the Federal
9 agency;

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

13 (3) modifies, alters, or amends any authorized
14 use of Federal land under the jurisdiction of a Fed-
15 eral agency.

16 **SEC. 9. PROPERTY OWNERS AND REGULATORY PROTEC-**
17 **TIONS.**

18 Nothing in this Act—

19 (1) abridges the rights of any owner of public
20 or private property, including the right to refrain
21 from participating in any plan, project, program, or
22 activity conducted within the Heritage Area;

23 (2) requires any property owner to—

1 (A) permit public access (including Fed-
2 eral, tribal, State, or local government access)
3 to the property; or

4 (B) modify any provisions of Federal, trib-
5 al, State or local law with regard to public ac-
6 cess or use of private land;

7 (3) alters any duly adopted land use regula-
8 tions, approved land use plan, or any other regu-
9 latory authority of any Federal, State, or local agen-
10 cy, or tribal government;

11 (4) conveys any land use or other regulatory
12 authority to the local coordinating entity;

13 (5) authorizes or implies the reservation or ap-
14 propriation of water or water rights;

15 (6) diminishes the authority of the States to
16 manage fish and wildlife, including the regulation of
17 fishing and hunting within the Heritage Area; or

18 (7) creates any liability, or affects any liability
19 under any other law, of any private property owner
20 with respect to any person injured on the private
21 property.

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

23 (a) IN GENERAL.—There is authorized to be appro-
24 priated to carry out this Act \$10,000,000, of which not

1 more than \$1,000,000 shall be made available for any fis-
2 cal year.

3 (b) AVAILABILITY.—Funds made available under
4 subsection (a) shall remain available until expended.

5 (c) COST-SHARING REQUIREMENT.—

6 (1) IN GENERAL.—The Federal share of the
7 total cost of any activity under this section shall be
8 not more than 50 percent.

9 (2) FORM.—The non-Federal contribution—

10 (A) shall be from non-Federal sources; and

11 (B) may be in the form of in-kind con-
12 tributions of goods or services fairly valued.

13 **SEC. 11. TERMINATION OF FINANCIAL ASSISTANCE.**

14 The authority of the Secretary to provide financial
15 assistance under this Act terminates on the date that is
16 15 years after the date of enactment of the Act.

○