

# Union Calendar No. 515

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 2991

**[Report No. 115-670]**

To establish the Susquehanna National Heritage Area in the State of Pennsylvania, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 2017

Mr. SMUCKER (for himself, Mr. MEEHAN, and Mr. PERRY) introduced the following bill; which was referred to the Committee on Natural Resources

MAY 11, 2018

Additional sponsors: Mr. DENT, Mr. COSTELLO of Pennsylvania, Mr. MARINO, Mr. BARLETTA, Mr. SHUSTER, Mr. FITZPATRICK, Mr. THOMPSON of Pennsylvania, Mr. MURPHY of Pennsylvania, Mr. KELLY of Pennsylvania, Mr. ROTHFUS, Mr. CARTWRIGHT, Mr. DENHAM, Mr. RODNEY DAVIS of Illinois, Mr. MACARTHUR, and Mr. MICHAEL F. DOYLE of Pennsylvania

MAY 11, 2018

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on June 21, 2017]

# **A BILL**

To establish the Susquehanna National Heritage Area in  
the State of Pennsylvania, 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 “Susquehanna National*  
5 *Heritage Area Act”.*

6 **SEC. 2. DEFINITIONS.**

7        *In this Act:*

8            (1) *HERITAGE AREA.*—*The term “Heritage*  
9 *Area” means the Susquehanna National Heritage*  
10 *Area established by section 3(a).*

11            (2) *LOCAL COORDINATING ENTITY.*—*The term*  
12 *“local coordinating entity” means the local coordi-*  
13 *nating entity for the Heritage Area designated by sec-*  
14 *tion 4(a).*

15            (3) *MANAGEMENT PLAN.*—*The term “manage-*  
16 *ment plan” means the plan developed by the local co-*  
17 *ordinating entity under section 5(a).*

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

20            (5) *STATE.*—*The term “State” means the State*  
21 *of Pennsylvania.*

22 **SEC. 3. SUSQUEHANNA NATIONAL HERITAGE AREA.**

23            (a) *ESTABLISHMENT.*—*There is established the Sus-*  
24 *quehanna National Heritage Area in the State.*

1       (b) *BOUNDARIES.*—*The Heritage Area shall include*  
2 *Lancaster and York Counties, Pennsylvania.*

3 **SEC. 4. DESIGNATION OF LOCAL COORDINATING ENTITY.**

4       (a) *LOCAL COORDINATING ENTITY.*—*The Susque-*  
5 *hanna Heritage Corporation, a nonprofit organization es-*  
6 *tablished under the laws of the State, shall be the local co-*  
7 *ordinating entity for the Heritage Area.*

8       (b) *AUTHORITIES OF LOCAL COORDINATING ENTI-*  
9 *TY.*—*The local coordinating entity may, for purposes of*  
10 *preparing and implementing the management plan—*

11           (1) *prepare reports, studies, interpretive exhibits*  
12 *and programs, historic preservation projects, and*  
13 *other activities recommended in the management plan*  
14 *for the Heritage Area;*

15           (2) *make grants to the State, political subdivi-*  
16 *sions of the State, nonprofit organizations, and other*  
17 *persons;*

18           (3) *enter into cooperative agreements with the*  
19 *State, political subdivisions of the State, nonprofit or-*  
20 *ganizations, and other organizations;*

21           (4) *hire and compensate staff;*

22           (5) *obtain funds or services from any source, in-*  
23 *cluding funds and services provided under any Fed-*  
24 *eral program or law, in which case the Federal share*

1       *of the cost of any activity carried out using Federal*  
2       *funds shall not be more than 50 percent; and*

3               *(6) to contract for goods and services.*

4       *(c) DUTIES OF LOCAL COORDINATING ENTITY.—To*  
5       *further the purposes of the Heritage Area, the local coordi-*  
6       *nating entity shall—*

7               *(1) prepare a management plan for the Heritage*  
8       *Area in accordance with section 5;*

9               *(2) give priority to the implementation of ac-*  
10       *tions, goals, and strategies set forth in the manage-*  
11       *ment plan, including assisting units of government*  
12       *and other persons in—*

13               *(A) carrying out programs and projects*  
14       *that recognize and protect important resource*  
15       *values in the Heritage Area;*

16               *(B) encouraging economic viability in the*  
17       *Heritage Area in accordance with the goals of*  
18       *the management plan;*

19               *(C) establishing and maintaining interpre-*  
20       *tive exhibits in the Heritage Area;*

21               *(D) developing heritage-based recreational*  
22       *and educational opportunities for residents and*  
23       *visitors in the Heritage Area;*

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

4           (F) restoring historic buildings that are—  
5                 (i) located in the Heritage Area; and  
6                 (ii) related to the themes of the Herit-  
7           age Area; and

8           (G) installing throughout the Heritage Area  
9           clear, consistent, and appropriate signs identi-  
10          fying public access points and sites of interest;

11          (3) consider the interests of diverse units of gov-  
12          ernment, businesses, tourism officials, private prop-  
13          erty owners, and nonprofit groups within the Herit-  
14          age Area in developing and implementing the man-  
15          agement plan;

16          (4) conduct public meetings at least semiannu-  
17          ally regarding the development and implementation  
18          of the management plan; and

19          (5) for any fiscal year for which Federal funds  
20          are expended for the Heritage Area—

21                 (A) submit to the Secretary an annual re-  
22                 port that describes—

23                         (i) the accomplishments of the local co-  
24                         ordinating entity;

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

3                   (iii) the entities to which the local co-  
4                   ordinating entity made any grants;

5                   (B) make available for audit all records re-  
6                   lating to the expenditure of the Federal funds  
7                   and any matching funds; and

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

13                  (d) *PROHIBITION ON ACQUISITION OF REAL PROP-*  
14                  *ERTY.—*

15                   (1) *IN GENERAL.—*The local coordinating entity  
16                   shall not use Federal funds to acquire real property  
17                   or any interest in real property.

18                   (2) *OTHER SOURCES.—*Nothing in this Act pre-  
19                   cludes the local coordinating entity from using funds  
20                   from other sources for authorized purposes, including  
21                   the acquisition of real property or any interest in real  
22                   property.

23 **SEC. 5. MANAGEMENT PLAN.**

24                  (a) *IN GENERAL.—*Not later than 3 years after the  
25                  date on which funds are first made available to carry out

1 *this Act, the local coordinating entity shall prepare and*  
2 *submit to the Secretary a management plan for the Herit-*  
3 *age Area.*

4 *(b) CONTENTS.—The management plan for the Herit-*  
5 *age Area shall—*

6 *(1) include comprehensive policies, strategies,*  
7 *and recommendations for the conservation, funding,*  
8 *management, and development of the Heritage Area;*

9 *(2) include a description of actions and commit-*  
10 *ments that governments, private organizations, and*  
11 *citizens will take to protect, enhance, and interpret*  
12 *the natural, historic, scenic, and cultural resources of*  
13 *the Heritage Area;*

14 *(3) describe a program of implementation for the*  
15 *management plan that includes—*

16 *(A) performance goals and ongoing per-*  
17 *formance evaluation;*

18 *(B) plans for resource protection, enhance-*  
19 *ment and interpretation; and*

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

24 *(4) include an interpretative plan for the Herit-*  
25 *age Area;*

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

3           (6) *specify the existing and potential sources of*  
4           *funding to protect, manage, and develop the Heritage*  
5           *Area;*

6           (7) *include an inventory of the natural, historic,*  
7           *cultural, educational, scenic, and recreational re-*  
8           *sources of the Heritage Area relating to the themes of*  
9           *the Heritage Area that should be preserved, restored,*  
10          *managed, developed, or maintained; and*

11          (8) *include an analysis of, and recommendations*  
12          *for, ways in which Federal, State, and local pro-*  
13          *grams, may best be coordinated to further the pur-*  
14          *poses of this Act, including recommendations for the*  
15          *role of the National Park Service in the Heritage*  
16          *Area.*

17          (c) *APPROVAL AND DISAPPROVAL OF MANAGEMENT*  
18          *PLAN.—*

19                 (1) *IN GENERAL.—Not later than 180 days after*  
20                 *the date on which the local coordinating entity sub-*  
21                 *mits the management plan to the Secretary, the Sec-*  
22                 *retary shall approve or disapprove the proposed man-*  
23                 *agement plan.*

1           (2) *CONSIDERATIONS.*—*In determining whether*  
2 *to approve or disapprove the management plan, the*  
3 *Secretary shall consider whether—*

4           (A) *the local coordinating entity is rep-*  
5 *resentative of the diverse interests of the Heritage*  
6 *Area, including governments, natural and his-*  
7 *toric resource protection organizations, edu-*  
8 *cational institutions, businesses, and recreational*  
9 *organizations;*

10          (B) *the local coordinating entity has pro-*  
11 *vided adequate opportunities (including public*  
12 *meetings) for public and governmental involve-*  
13 *ment in the preparation of the management*  
14 *plan;*

15          (C) *the resource protection and interpreta-*  
16 *tion strategies contained in the management*  
17 *plan, if implemented, would adequately protect*  
18 *the natural, historic, and cultural resources of*  
19 *the Heritage Area; and*

20          (D) *the management plan is supported by*  
21 *the appropriate State and local officials, the co-*  
22 *operation of which is needed to ensure the effec-*  
23 *tive implementation of the State and local as-*  
24 *pects of the management plan.*

25          (3) *DISAPPROVAL AND REVISIONS.*—

1           (A) *IN GENERAL.*—*If the Secretary dis-*  
2           *approves a proposed management plan, the Sec-*  
3           *retary shall—*

4                     *(i) advise the local coordinating entity,*  
5                     *in writing, of the reasons for the dis-*  
6                     *approval; and*

7                     *(ii) make recommendations for revision*  
8                     *of the proposed management plan.*

9           (B) *APPROVAL OR DISAPPROVAL.*—*The Sec-*  
10           *retary shall approve or disapprove a revised*  
11           *management plan not later than 180 days after*  
12           *the date on which the revised management plan*  
13           *is submitted.*

14           (d) *APPROVAL OF AMENDMENTS.*—*The Secretary shall*  
15           *review and approve or disapprove substantial amendments*  
16           *to the management plan in accordance with subsection (c).*

17   **SEC. 6. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

18           (a) *IN GENERAL.*—*Nothing in this Act affects the au-*  
19           *thority of a Federal agency to provide technical or financial*  
20           *assistance under any other law.*

21           (b) *CONSULTATION AND COORDINATION.*—*The head of*  
22           *any Federal agency planning to conduct activities that may*  
23           *have an impact on the Heritage Area is encouraged to con-*  
24           *sult and coordinate the activities with the Secretary and*  
25           *the local coordinating entity to the extent practicable.*

1       (c) *OTHER FEDERAL AGENCIES.*—*Nothing in this*  
2 *Act—*

3           (1) *modifies, alters, or amends any law or regu-*  
4 *lation authorizing a Federal agency to manage Fed-*  
5 *eral land under the jurisdiction of the Federal agency;*

6           (2) *limits the discretion of a Federal land man-*  
7 *ager to implement an approved land use plan within*  
8 *the boundaries of the Heritage Area; or*

9           (3) *modifies, alters, or amends any authorized*  
10 *use of Federal land under the jurisdiction of a Fed-*  
11 *eral agency.*

12 **SEC. 7. PRIVATE PROPERTY AND REGULATORY PROTEC-**  
13 **TIONS.**

14 *Nothing in this Act—*

15           (1) *abridges the rights of any property owner*  
16 *(whether public or private), including the right to re-*  
17 *frain from participating in any plan, project, pro-*  
18 *gram, or activity conducted within the Heritage Area;*

19           (2) *requires any property owner to permit public*  
20 *access (including access by Federal, State, or local*  
21 *agencies) to the property of the property owner, or to*  
22 *modify public access or use of property of the prop-*  
23 *erty owner under any other Federal, State, or local*  
24 *law;*

1           (3) *alters any duly adopted land use regulation,*  
2           *approved land use plan, or other regulatory authority*  
3           *of any Federal, State, or local agency, or conveys any*  
4           *land use or other regulatory authority to the local co-*  
5           *ordinating entity;*

6           (4) *authorizes or implies the reservation or ap-*  
7           *propriation of water or water rights;*

8           (5) *affects the licensing or relicensing of facilities*  
9           *by the Federal Energy Regulatory Commission within*  
10          *the proposed Heritage Area or upstream or down-*  
11          *stream from the proposed Heritage Area on the Sus-*  
12          *quehanna River, including FERC Project No. 405-*  
13          *104;*

14          (6) *diminishes the authority of the State to man-*  
15          *age fish and wildlife, including the regulation of fish-*  
16          *ing and hunting within the Heritage Area; or*

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

21 **SEC. 8. EVALUATION; REPORT.**

22          (a) *IN GENERAL.*—*Not later than 3 years after the ap-*  
23          *proval of the management plan under section 5(c), the Sec-*  
24          *retary shall—*

1           (1) *conduct an evaluation of the accomplish-*  
2           *ments of the Heritage Area; and*

3           (2) *prepare a report in accordance with sub-*  
4           *section (c).*

5           (b) *EVALUATION.—An evaluation conducted under*  
6           *subsection (a)(1) shall—*

7           (1) *assess the progress of the local coordinating*  
8           *entity with respect to—*

9                   (A) *accomplishing the purposes of this Act*  
10                  *for the Heritage Area; and*

11                   (B) *achieving the goals and objectives of the*  
12                  *approved management plan for the Heritage*  
13                  *Area;*

14           (2) *analyze the Federal, State, local, and private*  
15           *investments in the Heritage Area to determine the le-*  
16           *verage and impact of the investments; and*

17           (3) *review the management structure, partner-*  
18           *ship relationships, and funding of the Heritage Area*  
19           *for purposes of identifying the critical components for*  
20           *sustainability of the Heritage Area.*

21           (c) *REPORT.—*

22           (1) *IN GENERAL.—Based on the evaluation con-*  
23           *ducted under subsection (a)(1), the Secretary shall*  
24           *prepare a report that includes recommendations for*

1       *the future role of the National Park Service, if any,*  
2       *with respect to the Heritage Area.*

3               (2) *SUBMISSION TO CONGRESS.—On completion*  
4       *of the report, the Secretary shall submit the report*  
5       *to—*

6                       (A) *the Committee on Energy and Natural*  
7               *Resources of the Senate; and*

8                       (B) *the Committee on Natural Resources of*  
9               *the House of Representatives.*

10 **SEC. 9. TERMINATION OF AUTHORITY.**

11       *The authority of the Secretary to provide assistance*  
12       *under this Act terminates on the date that is 15 years after*  
13       *the date of enactment of this Act.*

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