

115TH CONGRESS
1ST SESSION

S. 400

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 15, 2017

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

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).

1 (2) LOCAL COORDINATING ENTITY.—The term
2 “local coordinating entity” means the local coordi-
3 nating entity for the Heritage Area designated by
4 section 4(a).

5 (3) MANAGEMENT PLAN.—The term “manage-
6 ment plan” means the plan developed by the local
7 coordinating entity under section 5(a).

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

10 (5) STATE.—The term “State” means the State
11 of Pennsylvania.

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

13 (a) ESTABLISHMENT.—There is established the Sus-
14 quehanna National Heritage Area in the State.

15 (b) BOUNDARIES.—The Heritage Area shall include
16 Lancaster and York Counties, Pennsylvania.

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

18 (a) LOCAL COORDINATING ENTITY.—The Susque-
19 hanna Heritage Corporation, a nonprofit organization es-
20 tablished under the laws of the State, shall be the local
21 coordinating entity for the Heritage Area.

22 (b) AUTHORITIES OF LOCAL COORDINATING ENTI-
23 TY.—The local coordinating entity may, for purposes of
24 preparing and implementing the management plan, use
25 Federal funds made available under this Act—

1 (1) to prepare reports, studies, interpretive ex-
2 hibits and programs, historic preservation projects,
3 and other activities recommended in the manage-
4 ment plan for the Heritage Area;

5 (2) to make grants to the State, political sub-
6 divisions of the State, nonprofit organizations, and
7 other persons;

8 (3) to enter into cooperative agreements with
9 the State, political subdivisions of the State, non-
10 profit organizations, and other organizations;

11 (4) to hire and compensate staff;

12 (5) to obtain funds or services from any source,
13 including funds and services provided under any
14 other Federal program or law; and

15 (6) to contract for goods and services.

16 (c) DUTIES OF LOCAL COORDINATING ENTITY.—To
17 further the purposes of the Heritage Area, the local co-
18 ordinating entity shall—

19 (1) prepare a management plan for the Herit-
20 age Area in accordance with section 5;

21 (2) give priority to the implementation of ac-
22 tions, goals, and strategies set forth in the manage-
23 ment plan, including assisting units of government
24 and other persons in—

1 (A) carrying out programs and projects
2 that recognize and protect important resource
3 values in the Heritage Area;

4 (B) encouraging economic viability in the
5 Heritage Area in accordance with the goals of
6 the management plan;

7 (C) establishing and maintaining interpre-
8 tive exhibits in the Heritage Area;

9 (D) developing heritage-based recreational
10 and educational opportunities for residents and
11 visitors in the Heritage Area;

12 (E) increasing public awareness of and ap-
13 preciation for the natural, historic, and cultural
14 resources of the Heritage Area;

15 (F) restoring historic buildings that are—
16 (i) located in the Heritage Area; and
17 (ii) related to the themes of the Herit-
18 age Area; and

19 (G) installing throughout the Heritage
20 Area clear, consistent, and appropriate signs
21 identifying public access points and sites of in-
22 terest;

23 (3) consider the interests of diverse units of
24 government, businesses, tourism officials, private
25 property owners, and nonprofit groups within the

1 Heritage Area in developing and implementing the
2 management plan;

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

6 (5) for any fiscal year for which Federal funds
7 are received under this Act—

8 (A) submit to the Secretary an annual re-
9 port that describes—

10 (i) the accomplishments of the local
11 coordinating entity;

12 (ii) the expenses and income of the
13 local coordinating entity; and

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

16 (B) make available for audit all records re-
17 lating to the expenditure of the Federal funds
18 and any matching funds; and

19 (C) require, with respect to all agreements
20 authorizing the expenditure of Federal funds by
21 other organizations, that the receiving organiza-
22 tions make available for audit all records relat-
23 ing to the expenditure of the Federal funds.

24 (d) PROHIBITION ON ACQUISITION OF REAL PROP-
25 erty.—

1 (1) IN GENERAL.—The local coordinating entity
2 shall not use Federal funds received under this Act
3 to acquire real property or any interest in real prop-
4 erty.

5 (2) OTHER SOURCES.—Nothing in this Act pre-
6 cludes the local coordinating entity from using Fed-
7 eral funds from other sources for authorized pur-
8 poses, including the acquisition of real property or
9 any interest in real property.

10 **SEC. 5. MANAGEMENT PLAN.**

11 (a) IN GENERAL.—Not later than 3 years after the
12 date on which funds are first made available to carry out
13 this Act, the local coordinating entity shall prepare and
14 submit to the Secretary a management plan for the Herit-
15 age Area.

16 (b) CONTENTS.—The management plan for the Her-
17 itage Area shall—

18 (1) include comprehensive policies, strategies,
19 and recommendations for the conservation, funding,
20 management, and development of the Heritage Area;

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

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

1 (4) include an inventory of the natural, historic,
2 cultural, educational, scenic, and recreational re-
3 sources of the Heritage Area relating to the themes
4 of the Heritage Area that should be preserved, re-
5 stored, managed, developed, or maintained; and

6 (5) include an analysis of, and recommenda-
7 tions for, ways in which Federal, State, and local
8 programs, may best be coordinated to further the
9 purposes of this Act, including recommendations for
10 the role of the National Park Service in the Heritage
11 Area.

12 (c) DISQUALIFICATION FROM FUNDING.—If a pro-
13 posed management plan is not submitted to the Secretary
14 by the date that is 3 years after the date on which funds
15 are first made available to carry out this Act, the local
16 coordinating entity may not receive additional funding
17 under this Act until the date on which the Secretary re-
18 ceives the proposed management plan.

19 (d) APPROVAL AND DISAPPROVAL OF MANAGEMENT
20 PLAN.—

21 (1) IN GENERAL.—Not later than 180 days
22 after the date on which the local coordinating entity
23 submits the management plan to the Secretary, the
24 Secretary shall approve or disapprove the proposed
25 management 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 Herit-
6 age Area, including governments, natural and
7 historic resource protection organizations, edu-
8 cational institutions, businesses, and rec-
9 reational 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 ef-
23 fective implementation of the State and local
24 aspects 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 revi-
8 sion of the proposed management plan.

9 (B) APPROVAL OR DISAPPROVAL.—The
10 Secretary 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 (e) APPROVAL OF AMENDMENTS.—

15 (1) IN GENERAL.—The Secretary shall review
16 and approve or disapprove substantial amendments
17 to the management plan in accordance with sub-
18 section (d).

19 (2) FUNDING.—Funds appropriated under this
20 Act may not be expended to implement any changes
21 made by an amendment to the management plan
22 until the Secretary approves the amendment.

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

2 (a) IN GENERAL.—Nothing in this Act affects the au-
3 thority of a Federal agency to provide technical or finan-
4 cial assistance under any other law.

5 (b) CONSULTATION AND COORDINATION.—The head
6 of any Federal agency planning to conduct activities that
7 may have an impact on the Heritage Area is encouraged
8 to consult and coordinate the activities with the Secretary
9 and the local coordinating entity to the extent practicable.

10 (c) OTHER FEDERAL AGENCIES.—Nothing in this
11 Act—

12 (1) modifies, alters, or amends any law or regu-
13 lation authorizing a Federal agency to manage Fed-
14 eral land under the jurisdiction of the Federal agen-
15 cy;

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

19 (3) modifies, alters, or amends any authorized
20 use of Federal land under the jurisdiction of a Fed-
21 eral agency.

22 **SEC. 7. PRIVATE PROPERTY AND REGULATORY PROTEC-**
23 **TIONS.**

24 Nothing in this Act—

25 (1) abridges the rights of any property owner
26 (whether public or private), including the right to re-

1 frain from participating in any plan, project, pro-
2 gram, or activity conducted within the Heritage
3 Area;

4 (2) requires any property owner to permit pub-
5 lic access (including access by Federal, State, or
6 local agencies) to the property of the property
7 owner, or to modify public access or use of property
8 of the property owner under any other Federal,
9 State, or local law;

10 (3) alters any duly adopted land use regulation,
11 approved land use plan, or other regulatory author-
12 ity of any Federal, State, or local agency, or conveys
13 any land use or other regulatory authority to the
14 local coordinating entity;

15 (4) authorizes or implies the reservation or ap-
16 propriation of water or water rights;

17 (5) diminishes the authority of the State to
18 manage fish and wildlife, including the regulation of
19 fishing and hunting within the Heritage Area; or

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

1 **SEC. 8. EVALUATION; REPORT.**

2 (a) IN GENERAL.—Not later than 3 years before the
3 date on which authority for Federal funding terminates
4 for the Heritage Area, the Secretary shall—

5 (1) conduct an evaluation of the accomplish-
6 ments of the Heritage Area; and

7 (2) prepare a report in accordance with sub-
8 section (c).

9 (b) EVALUATION.—An evaluation conducted under
10 subsection (a)(1) shall—

11 (1) assess the progress of the local coordinating
12 entity with respect to—

13 (A) accomplishing the purposes of this Act
14 for the Heritage Area; and

15 (B) achieving the goals and objectives of
16 the approved management plan for the Heritage
17 Area;

18 (2) analyze the Federal, State, local, and pri-
19 vate investments in the Heritage Area to determine
20 the leverage and impact of the investments; and

21 (3) review the management structure, partner-
22 ship relationships, and funding of the Heritage Area
23 for purposes of identifying the critical components
24 for sustainability of the Heritage Area.

25 (c) REPORT.—

1 (1) IN GENERAL.—Based on the evaluation con-
2 ducted under subsection (a)(1), the Secretary shall
3 prepare a report that includes recommendations for
4 the future role of the National Park Service, if any,
5 with respect to the Heritage Area.

6 (2) REQUIRED ANALYSIS.—If the report pre-
7 pared under paragraph (1) recommends that Fed-
8 eral funding for the Heritage Area be reauthorized,
9 the report shall include an analysis of—

10 (A) ways in which Federal funding for the
11 Heritage Area may be reduced or eliminated;
12 and

13 (B) the appropriate time period necessary
14 to achieve the recommended reduction or elimi-
15 nation.

16 (3) SUBMISSION TO CONGRESS.—On completion
17 of the report, the Secretary shall submit the report
18 to—

19 (A) the Committee on Energy and Natural
20 Resources of the Senate; and

21 (B) the Committee on Natural Resources
22 of the House of Representatives.

23 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

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

1 more than \$1,000,000 may be authorized to be appro-
2 priated for any fiscal year.

3 (b) **COST-SHARING REQUIREMENT.**—The Federal
4 share of the cost of any activity carried out using funds
5 made available under this Act shall be not more than 50
6 percent.

7 **SEC. 10. TERMINATION OF AUTHORITY.**

8 The authority of the Secretary to provide financial
9 assistance under this Act terminates on the date that is
10 15 years after the date of enactment of this Act.

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