

116TH CONGRESS
1ST SESSION

H. R. 1049

To authorize a National Heritage Area Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2019

Mr. TONKO (for himself, Mr. MCKINLEY, Mr. ALLEN, Mr. BISHOP of Georgia, Mr. BOST, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CARTWRIGHT, Mr. CASTEN of Illinois, Mr. CISNEROS, Ms. CLARKE of New York, Mr. CLEAVER, Mr. COLLINS of New York, Mr. CONNOLLY, Mr. COURTNEY, Ms. DEAN, Mrs. DINGELL, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. FITZPATRICK, Mr. GALLEGRO, Mr. GARAMENDI, Mr. HIGGINS of New York, Mr. HIMES, Mr. HUFFMAN, Mr. JOHNSON of Georgia, Mr. KELLY of Pennsylvania, Mr. KILDEE, Mr. KILMER, Mr. KRISHNAMOORTHY, Mr. LAHOOD, Mrs. LAWRENCE, Ms. LEE of California, Mr. LIPINSKI, Mr. LOEBSACK, Mr. LUJÁN, Mr. SEAN PATRICK MALONEY of New York, Mr. MCNERNEY, Mr. MEUSER, Mr. MITCHELL, Mr. MOULTON, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL, Mr. NEGUSE, Ms. NORTON, Mr. PASCRELL, Mr. RASKIN, Mr. RICHMOND, Mr. RYAN, Mr. SARBANES, Mr. SOTO, Mr. THOMPSON of Mississippi, Mr. THOMPSON of Pennsylvania, Mrs. TRAHAN, Mr. TURNER, Mr. UPTON, Ms. WILD, and Mr. HASTINGS) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To authorize a National Heritage Area Program, 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 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “National Heritage Area Act of 2019”.

4 (b) **TABLE OF CONTENTS.**—The table of contents of
5 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings and purposes.
- Sec. 3. Definitions.
- Sec. 4. National Heritage Area System.
- Sec. 5. Feasibility studies.
- Sec. 6. Management plan.
- Sec. 7. Designation.
- Sec. 8. Evaluation.
- Sec. 9. Local coordinating entities.
- Sec. 10. Relationship to other Federal agencies.
- Sec. 11. Property owners and regulatory protections.
- Sec. 12. Funding.
- Sec. 13. Sunset.

6 **SEC. 2. FINDINGS AND PURPOSES.**

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

8 (1) Certain areas of the United States tell na-
9 tionally significant stories; they illustrate significant
10 aspects of our heritage; possess exceptional natural,
11 cultural, scenic, and historic resources; and rep-
12 resent the diversity of our national character.

13 (2) In these areas, the interaction of natural
14 processes, geography, history, cultural traditions,
15 and economic and social forces form distinctive land-
16 scapes that should be recognized, conserved, en-
17 hanced, and interpreted to improve the quality of life
18 in the regions and to provide opportunities for public

1 appreciation, education, enjoyment, and economic
2 sustainability.

3 (3) Local initiatives based on community and
4 regional visions, involving public/private partner-
5 ships, are critical to conserving, enhancing, and in-
6 terpreting natural, historic, scenic, and cultural re-
7 sources related to our American heritage. These ini-
8 tiatives should be encouraged and supported by the
9 Federal Government with the concurrence of the rel-
10 evant Federal land management agencies and tribal
11 governments by providing financial and technical as-
12 sistance.

13 (4) Partnerships among Federal, State, tribal,
14 and local governments, nonprofit organizations, the
15 private sector, and citizens provide the most viable
16 framework to recognize, conserve, enhance, and in-
17 terpret the resources of places that have made im-
18 portant contributions to the national story.

19 (5) Communities and regions need assistance to
20 set resource stewardship and interpretive goals, and
21 to implement strategies for resource conservation
22 and renewed economic viability in these areas.

23 (6) A unified national process as well as certain
24 standards for designation of National Heritage
25 Areas need to be established to provide a consistent

1 framework. The process should include a system for
2 approval of heritage area management plans.

3 (7) National Heritage Areas located near or en-
4 compassing units of the National Park System pro-
5 vide an additional basis for public enjoyment of
6 parks and park-related resources, and it is appro-
7 priate for these parks to participate in, assist with,
8 and benefit from local heritage initiatives that con-
9 serve and interpret resources over a larger area be-
10 yond the park's boundaries.

11 (8) It is in the national interest, and will ben-
12 efit future generations, to establish a system of Na-
13 tional Heritage Areas to encourage natural and cul-
14 tural resource conservation, interpretation, enhance-
15 ment, and economic sustainability, and for full pub-
16 lic understanding and appreciation of the many re-
17 sources, places, events, and peoples that have con-
18 tributed to the rich heritage of this Nation.

19 (b) PURPOSES.—The purposes of this Act are to—

20 (1) establish a system of regional and commu-
21 nity-based National Heritage Areas to conserve, en-
22 hance, and interpret natural, historic, scenic, and
23 cultural resources that together tell nationally sig-
24 nificant stories representing our country's heritage;

1 (2) promote public understanding, appreciation
2 and enjoyment of the many places, events, and peo-
3 ple that have contributed to our diverse national
4 story;

5 (3) promote innovative and partnership-driven
6 management strategies that recognize regional val-
7 ues, to encourage locally tailored resource steward-
8 ship and interpretation, to develop economically via-
9 ble and innovative approaches to community con-
10 servation, and to provide for the effective leveraging
11 of Federal funds with State, local, tribal, and private
12 funding sources;

13 (4) provide unified national standards and proc-
14 esses for conducting feasibility studies, designating
15 National Heritage Areas, and approving heritage
16 area management plans;

17 (5) provide appropriate linkages among units of
18 the National Park System, and communities, govern-
19 ments, and organizations within National Heritage
20 Areas to conserve, enhance, and interpret resources
21 outside of park boundaries; and

22 (6) authorize the Secretary of the Interior to
23 provide financial and technical assistance to local co-
24 ordinating entities that act as a catalyst for diverse
25 regions, communities, organizations, and citizens to

1 undertake projects and programs for resource stew-
2 ardsip and interpretation.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) FEASIBILITY STUDY.—The term “feasibility
6 study” means a study conducted by the Secretary of
7 the Interior, or conducted by one or more other in-
8 terested parties and reviewed by the Secretary, in
9 accordance with the criteria and processes outlined
10 in this Act, to determine whether an area meets the
11 criteria to be designated as a National Heritage
12 Area by Congress.

13 (2) LOCAL COORDINATING ENTITY.—The term
14 “local coordinating entity” means the entity des-
15 igned by Congress to undertake, in partnership
16 with others, the management plan and to act as a
17 catalyst for implementation projects and programs
18 among diverse partners in a National Heritage Area.

19 (3) MANAGEMENT PLAN.—The term “manage-
20 ment plan” means the plan prepared by the local co-
21 ordinating entity for a National Heritage Area that
22 specifies actions, policies, strategies, performance
23 goals, and recommendations taken to meet the goals
24 of the heritage area as specified in this Act.

1 (4) NATIONAL HERITAGE AREA.—The term
2 “National Heritage Area” means a region des-
3 ignated by Congress that tells nationally significant
4 stories representing our American heritage.

5 (5) PROPOSED NATIONAL HERITAGE AREA.—
6 The term “proposed National Heritage Area” is an
7 area or corridor under study by the Secretary of the
8 Interior or other parties for potential designation by
9 Congress as a National Heritage Area.

10 (6) SECRETARY.—The term “Secretary” means
11 the Secretary of the Interior.

12 (7) NATIONAL HERITAGE AREA SYSTEM.—The
13 term “National Heritage Area System” means the
14 system of National Heritage Areas established by
15 this Act.

16 (8) TRIBAL GOVERNMENT.—The term “tribal
17 government” means the governing body of an Indian
18 tribe, band, nation, or other organized group or com-
19 munity of Indians that is recognized by the Sec-
20 retary as having a government-to-government rela-
21 tionship with the United States and is eligible for
22 the special programs and services provided by the
23 United States to Indians because of their status as
24 Indians, as evidenced by inclusion of the tribe on the
25 list of recognized tribes published by the Secretary

1 under the Federally Recognized Indian Tribe List
2 Act of 1994 (25 U.S.C. 479a).

3 **SEC. 4. NATIONAL HERITAGE AREA SYSTEM.**

4 (a) IN GENERAL.—In order to recognize certain
5 areas of the United States that tell nationally significant
6 stories and to conserve, enhance, and interpret the areas'
7 natural, historic, scenic, and cultural resources that to-
8 gether illustrate significant aspects of our country's herit-
9 age, there is established a National Heritage Area System
10 through which the Secretary may provide technical and
11 financial assistance to local coordinating entities to sup-
12 port the establishment, development, and continuity of
13 National Heritage Areas.

14 (b) NATIONAL HERITAGE AREA SYSTEM.—The Na-
15 tional Heritage Area System shall be composed of the fol-
16 lowing:

17 (1) National Heritage Areas designated under
18 this Act.

19 (2) National Heritage Areas designated after
20 the date of the enactment of this Act, unless the law
21 designating the area exempts that area from the Na-
22 tional Heritage Area System by specific reference to
23 this Act.

24 (3) The following:

1 (A) Illinois and Michigan Canal National
2 Heritage Corridor.

3 (B) John H. Chafee Blackstone River Val-
4 ley National Heritage Corridor.

5 (C) Delaware and Lehigh National Herit-
6 age Corridor.

7 (D) Southwestern Pennsylvania Heritage
8 Preservation Commission (Path of Progress).

9 (E) Cane River National Heritage Area.

10 (F) Last Green Valley National Heritage
11 Corridor.

12 (G) America's Agricultural Heritage Part-
13 nership (Silos and Smokestacks).

14 (H) Augusta Canal National Heritage
15 Area.

16 (I) Essex National Heritage Area.

17 (J) Hudson River Valley National Heritage
18 Area.

19 (K) National Coal Heritage Area.

20 (L) Ohio & Erie Canal National Heritage
21 Canalway.

22 (M) Rivers of Steel National Heritage
23 Area.

24 (N) Shenandoah Valley Battlefields Na-
25 tional Historic District.

- 1 (O) South Carolina National Heritage Cor-
2 ridor.
- 3 (P) Tennessee Civil War Heritage Area.
- 4 (Q) MotorCities National Heritage Area.
- 5 (R) Lackawanna Valley National Heritage
6 Area.
- 7 (S) Schuylkill River Valley National Herit-
8 age Area.
- 9 (T) Wheeling National Heritage Area.
- 10 (U) Yuma Crossing National Heritage
11 Area.
- 12 (V) Erie Canalway National Heritage Cor-
13 ridor.
- 14 (W) Blue Ridge National Heritage Area.
- 15 (X) Mississippi Gulf Coast National Herit-
16 age Area.
- 17 (Y) National Aviation Heritage Area.
- 18 (Z) Oil Region National Heritage Area.
- 19 (AA) Arabia Mountain National Heritage
20 Area.
- 21 (BB) Atchafalaya National Heritage Area.
- 22 (CC) Champlain Valley National Heritage
23 Partnership.
- 24 (DD) Crossroads of the American Revolu-
25 tion National Heritage Area.

1 (EE) Freedom's Frontier National Herit-
2 age Area.

3 (FF) Great Basin National Heritage
4 Route.

5 (GG) Gullah/Geechee Heritage Corridor.

6 (HH) Mormon Pioneer National Heritage
7 Area.

8 (II) Northern Rio Grande National Herit-
9 age Area.

10 (JJ) Upper Housatonic Valley National
11 Heritage Area.

12 (KK) Abraham Lincoln National Heritage
13 Area.

14 (LL) Journey Through Hallowed Ground
15 National Heritage Area.

16 (MM) Niagara Falls National Heritage
17 Area.

18 (NN) Baltimore National Heritage Area.

19 (OO) Cache La Poudre River National
20 Heritage Area.

21 (PP) Freedom's Way National Heritage
22 Area.

23 (QQ) Kenai Mountains-Turnagain Arm
24 National Heritage Area.

1 (RR) Mississippi Delta National Heritage
2 Area.

3 (SS) Mississippi Hills National Heritage
4 Area.

5 (TT) Muscle Shoals National Heritage
6 Area.

7 (UU) Northern Plains National Heritage
8 Area.

9 (VV) Sangre de Cristo National Heritage
10 Area.

11 (WW) South Park National Heritage Area.

12 (XX) Any other National Heritage Area
13 designated before the date of the enactment of
14 this Act.

15 (c) RELATIONSHIP TO THE NATIONAL PARK SYS-
16 TEM.—

17 (1) RELATIONSHIP TO NATIONAL PARK
18 UNITS.—The Secretary shall—

19 (A) ensure, to the maximum extent prac-
20 ticable, participation and assistance by any unit
21 of the National Park System located near or
22 encompassed by any National Heritage Area in
23 local initiatives for that National Heritage Area
24 that conserve and interpret resources consistent

1 with an approved management plan for the Na-
2 tional Heritage Area; and

3 (B) work with National Heritage Areas to
4 promote public enjoyment of units of the Na-
5 tional Park System and park-related resources.

6 (2) APPLICABILITY OF LAWS.—National Herit-
7 age Areas shall not be—

8 (A) considered to be units of the National
9 Park System; or

10 (B) subject to the authorities applicable to
11 units of the National Park System.

12 (d) DUTIES.—Under the National Heritage Area
13 System, the Secretary shall—

14 (1) undertake studies as directed by Congress
15 through legislation to assess the feasibility of desig-
16 nating proposed National Heritage Areas or review
17 and comment on studies undertaken by other parties
18 for this purpose as provided in this Act;

19 (2) review and approve or disapprove the man-
20 agement plan for a National Heritage Area as pro-
21 vided in this Act;

22 (3) submit to the Committee on Natural Re-
23 sources of the House of Representatives and the
24 Committee on Energy and Natural Resources of the
25 United States Senate reports describing the activi-

1 ties conducted with respect to National Heritage
2 Areas in accordance with this Act; and

3 (4) conduct an evaluation of the accomplish-
4 ments and prepare a report with recommendations
5 for the National Park Service's future role with re-
6 spect to each designated National Heritage Area as
7 provided in this Act.

8 (e) AUTHORITIES.—In carrying out this Act, the Sec-
9 retary may—

10 (1) provide technical and financial assistance in
11 accordance with the provisions of section 10, and the
12 amounts authorized under section 12, on a reim-
13 bursable or nonreimbursable basis as determined by
14 the Secretary in the development and implementa-
15 tion of management plans and for administrative
16 functions for designated National Heritage Areas;

17 (2) enter into cooperative agreements with
18 other Federal agencies, State, tribal and local gov-
19 ernments, local coordinating entities, and other in-
20 terested parties to carry out the purposes of this
21 Act;

22 (3) provide information, promote under-
23 standing, and encourage research on National Herit-
24 age Areas in partnership with local coordinating en-
25 tities; and

1 (4) provide national oversight, analysis, coordi-
2 nation, technical and financial assistance, and sup-
3 port to ensure consistency and accountability of the
4 National Heritage Area System.

5 **SEC. 5. FEASIBILITY STUDIES.**

6 The Secretary, in undertaking a feasibility study, or
7 reviewing a feasibility study conducted by others, shall
8 apply the following criteria to determine the suitability
9 and feasibility of designating a proposed National Herit-
10 age Area:

11 (1) The proposed area is worthy of designation
12 as a National Heritage Area because—

13 (A) the area includes natural, historic, cul-
14 tural, or scenic resources that are associated
15 with nationally significant themes and events
16 and these resources—

17 (i) combine to form a distinct and co-
18 hesive landscape; and

19 (ii) retain sufficient integrity to sup-
20 port the themes and events associated with
21 the area's national significance; and

22 (B) the area provides opportunities to con-
23 serve natural, historic, cultural, or scenic re-
24 source through local and regional partnerships.

1 (2) A conceptual boundary for the proposed
2 area is developed based upon community input and
3 the resources and themes that support the area’s na-
4 tional significance.

5 (3) Residents, business interests, nonprofit or-
6 ganizations, and governments, including Federal
7 land management agencies and tribal governments
8 within the proposed area, have been involved in the
9 feasibility study process and have demonstrated sig-
10 nificant support through letters and other means for
11 National Heritage Area designation.

12 (4) A local coordinating entity has been selected
13 to operate the proposed heritage area’s activities and
14 the organization is supported by residents, business
15 interests, nonprofit organizations, and governments
16 within the proposed area.

17 (5) The recommendations put forth in the feasi-
18 bility study are consistent with continued economic
19 activity within the area.

20 **SEC. 6. MANAGEMENT PLAN.**

21 (a) IN GENERAL.—Except as provided in subpara-
22 graph (b), a management plan for any National Heritage
23 Area shall—

24 (1) use a comprehensive planning approach that
25 includes—

1 (A) opportunities for stakeholders, such as
2 community members, local and regional govern-
3 ments, tribes, businesses, nonprofit organiza-
4 tions, and others, to be involved in the planning
5 process;

6 (B) opportunities for stakeholders to re-
7 view and comment on the draft plan; and

8 (C) documentation of the planning and
9 public participation processes used to develop
10 the plan, including how it was prepared, who
11 was involved in the process, and how and when
12 the stakeholders were involved;

13 (2) include an inventory of the natural, historic,
14 cultural, or scenic resources of the National Herit-
15 age Area related to the nationally significant themes
16 and events of the region that should be protected,
17 enhanced, interpreted, managed, or developed;

18 (3) identify comprehensive goals, strategies,
19 policies, and recommendations for telling the story
20 of the region's heritage and encouraging long-term
21 resource protection, enhancement, interpretation,
22 and development;

23 (4) include recommendations for ways in which
24 local, State, tribal, and Federal entities may best be
25 coordinated, including the role of the National Park

1 Service and other Federal agencies associated with
2 the National Heritage Area, to further the purposes
3 of this Act;

4 (5) outline a strategy for the local coordinating
5 entity to achieve financial sustainability;

6 (6) include an implementation program that
7 identifies—

8 (A) prioritized actions and criteria for se-
9 lecting future projects;

10 (B) the ways in which stakeholders will be
11 involved in their implementation;

12 (C) existing and potential sources of fund-
13 ing;

14 (D) performance goals; and

15 (E) the manner in which the plan will be
16 evaluated and updated; and

17 (7) include a business plan for the local coordi-
18 nating entity that, at minimum, addresses manage-
19 ment and operation, products or services offered, the
20 target market for products and services, and revenue
21 streams.

22 (b) EXCEPTIONS.—The requirements in subsection
23 (b) shall not apply to management plans in effect on the
24 date of the enactment of this Act.

1 **SEC. 7. DESIGNATION.**

2 (a) IN GENERAL.—The designation of a National
3 Heritage Area shall be—

4 (1) by Federal statute; and

5 (2) contingent on the prior completion of a
6 management plan and an affirmative determination
7 by the Secretary that the area meets the criteria re-
8 quired under this Act.

9 (b) COMPONENT OF THE NATIONAL HERITAGE AREA
10 SYSTEM.—Any National Heritage Area designated under
11 subsection (a) shall be a component of the National Herit-
12 age Area System.

13 **SEC. 8. EVALUATION.**

14 (a) IN GENERAL.—Not later than every 10 years
15 after the date on which a National Heritage Area is des-
16 ignated, the Secretary shall—

17 (1) conduct an evaluation of the accomplish-
18 ments of that National Heritage Area; and

19 (2) prepare a report with recommendations for
20 the National Park Service's continued role with re-
21 spect to that National Heritage Area.

22 (b) EVALUATION COMPONENTS.—An evaluation pre-
23 pared under subsection (a) shall—

24 (1) assess the progress of the local coordinating
25 entity with respect to—

1 (A) accomplishing the purposes of the au-
2 thorizing legislation for the National Heritage
3 Area; and

4 (B) achieving the goals and objectives of
5 the approved management plan for the National
6 Heritage Area;

7 (2) analyze the Federal, State, local, and pri-
8 vate investments in the National Heritage Area to
9 determine the leverage and impact of the invest-
10 ments; and

11 (3) review the management structure, partner-
12 ship relationships, and funding of the National Her-
13 itage Area for purposes of identifying the critical
14 components for sustainability of the National Herit-
15 age Area.

16 (c) RECOMMENDATIONS.—Based upon the evaluation
17 under subsection (a), the Secretary shall prepare a report
18 with recommendations for the National Park Service’s
19 continued role with respect to the National Heritage Area.
20 If the report recommends that Federal funding for the
21 National Heritage Area be—

22 (1) continued, the report shall include an anal-
23 ysis of—

1 (A) ways in which Federal funding for the
2 National Heritage Area may be reduced or
3 eliminated over time; and

4 (B) the appropriate time period necessary
5 to achieve the recommended reduction or elimi-
6 nation; and

7 (2) eliminated, the report to Congress shall in-
8 clude a description of potential impacts on conserva-
9 tion, interpretation, and sustainability of the part-
10 nership.

11 (d) SUBMISSION TO CONGRESS.—On completion of a
12 report under subsection (c), the Secretary shall submit the
13 report to—

14 (1) the Committee on Energy and Natural Re-
15 sources of the Senate; and

16 (2) the Committee on Natural Resources of the
17 House of Representatives.

18 **SEC. 9. LOCAL COORDINATING ENTITIES.**

19 (a) DUTIES.—To further the purposes of the Na-
20 tional Heritage Area, the local coordinating entity shall—

21 (1) prepare and submit a management plan for
22 the National Heritage Area to the Secretary in ac-
23 cordance with section 7;

24 (2) submit an annual report to the Secretary
25 for any fiscal year in which it receives Federal funds

1 under this Act, setting forth its specific performance
2 goals and accomplishments, expenses and income,
3 amounts and sources of matching funds as appro-
4 priate, the amounts leveraged with Federal funds
5 and sources of such leveraging, and grants made to
6 any other entities during the year for which the re-
7 port is made;

8 (3) make available for audit for any fiscal year
9 in which it receives Federal funds under this Act, all
10 information pertaining to the expenditure of such
11 funds and any matching funds; and

12 (4) encourage by appropriate means economic
13 viability and sustainability that is consistent with
14 the purposes of the National Heritage Area.

15 (b) AUTHORITIES.—The local coordinating entity
16 may, subject to the prior approval of the Secretary, for
17 the purposes of preparing and implementing the approved
18 management plan for the National Heritage Area, use
19 Federal funds made available through this Act to—

20 (1) make grants to political jurisdictions, non-
21 profit organizations, and other parties within the
22 National Heritage Area;

23 (2) enter into cooperative agreements with or
24 provide technical assistance to political jurisdictions,

1 nonprofit organizations, Federal agencies, and other
2 interested parties;

3 (3) hire and compensate staff, which may in-
4 clude individuals with expertise in natural, cultural,
5 and historic resources conservation; economic and
6 community development; and heritage planning;

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

10 (5) contract for goods or services; and

11 (6) support activities of partners and any other
12 activities that further the purposes of the National
13 Heritage Area and are consistent with the approved
14 management plan.

15 (c) PROHIBITIONS ON THE ACQUISITION OF REAL
16 PROPERTY.—The local coordinating entity may not use
17 Federal funds received under this Act to acquire any inter-
18 est in real property.

19 **SEC. 10. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

20 (a) PROVISION OF ASSISTANCE.—This Act shall not
21 affect the authority of any Federal official to provide tech-
22 nical or financial assistance under any other law.

23 (b) COORDINATION.—The head of any Federal agen-
24 cy planning to conduct activities that may have an impact
25 on a designated National Heritage Area shall consult and

1 coordinate these activities with the Secretary and the local
2 coordinating entity.

3 (c) OTHER LAWS AND REGULATIONS.—This Act
4 shall not modify any law or regulation authorizing Federal
5 officials to manage Federal land under their control or
6 limit the discretion of Federal land managers to imple-
7 ment approved land use plans within the boundaries of
8 a National Heritage Area, nor shall this Act be construed
9 to modify, alter, or amend any authorized uses of these
10 Federal lands.

11 **SEC. 11. PROPERTY OWNERS AND REGULATORY PROTEC-**
12 **TIONS.**

13 Nothing in this Act shall be construed to—

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

19 (2) require any property owner to permit public
20 access (including Federal, State, tribal, or local gov-
21 ernment access) to such property or to modify any
22 provisions of Federal, State, tribal, or local law with
23 regard to public access or use of private lands;

24 (3) alter any duly adopted land use regulation
25 or any approved land use plan or any other regu-

1 latory authority of any Federal, State, or local agen-
2 cy or tribal government, or to convey any land use
3 or other regulatory authority to any local coordi-
4 nating entity;

5 (4) authorize or imply the reservation or appro-
6 priation of water or water rights;

7 (5) diminish the authority of the State to man-
8 age fish and wildlife including the regulation of fish-
9 ing and hunting within the National Heritage Area;
10 or

11 (6) create any liability, or to have any effect on
12 any liability under any other law, of any private
13 property owner with respect to any persons injured
14 on such private property.

15 **SEC. 12. FUNDING.**

16 (a) FEDERAL FUNDS.—

17 (1) IN GENERAL.—There are authorized to be
18 appropriated to carry out the activities under section
19 9 not more than \$700,000 for any fiscal year for
20 each National Heritage Area.

21 (2) FEASIBILITY STUDIES; MANAGEMENT
22 PLANS.—In addition to amounts authorized in para-
23 graph (1), there are authorized to be appropriated to
24 the Secretary—

1 (A) not more than \$300,000 for any fiscal
2 year, to conduct feasibility studies by the Na-
3 tional Park Service in accordance with the pro-
4 visions of section 5, with not more than
5 \$100,000 allocated in the fiscal year for any
6 one feasibility study for a proposed National
7 Heritage Area; and

8 (B) not more than \$750,000 for any fiscal
9 year, to conduct management plans by the Na-
10 tional Park Service in accordance with the pro-
11 visions of section 6, with not more than
12 \$250,000 allocated in the fiscal year for any
13 one management plan for a proposed National
14 Heritage Area.

15 (3) GRANTS.—Funding provided under para-
16 graph (2) shall be in the form of grants approved by
17 the National Park Service and provided to the local
18 coordinating entity conducting the feasibility study
19 or management plan.

20 (b) MATCHING FUNDS.—

21 (1) AMOUNT.—As a condition of providing fi-
22 nancial assistance under this section to a local co-
23 ordinating entity, the Secretary shall require the en-
24 tity to provide matching funds equal to—

1 (A) the amount of the Federal funds re-
2 ceived by that National Heritage Area for any
3 fiscal year under subsection (a)(1);

4 (B) 25 percent of the amount of the Fed-
5 eral funds received by that National Heritage
6 Area for feasibility studies under subsection (a);
7 and

8 (C) 50 percent of the amount of the Fed-
9 eral funds received by that National Heritage
10 Area for a management plan under subsection
11 (a).

12 (2) SOURCE; FORM.—The local coordinating en-
13 tity’s matching funds required under paragraph (1)
14 shall be—

15 (A) from non-Federal sources; or

16 (B) made in the form of in-kind contribu-
17 tions of goods or services fairly valued.

18 **SEC. 13. SUNSET.**

19 The National Heritage Area System shall expire on
20 the date that is 20 years after the date of the enactment
21 of this Act.

○