

Suspend the Rules and Pass the Bill, H.R. 2991, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

115TH CONGRESS
1ST SESSION

H. R. 2991

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

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

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:

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

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

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

11 (4) SECRETARY.—The term “Secretary” means
12 the Secretary of the Interior.

13 (5) STATE.—The term “State” means the State
14 of Pennsylvania.

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

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

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

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

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

1 (b) AUTHORITIES OF LOCAL COORDINATING ENTI-
2 TY.—The local coordinating entity may, for purposes of
3 preparing and implementing the management plan—

4 (1) prepare reports, studies, interpretive exhib-
5 its and programs, historic preservation projects, and
6 other activities recommended in the management
7 plan for the Heritage Area;

8 (2) make grants to the State, political subdivi-
9 sions of the State, nonprofit organizations, and
10 other persons;

11 (3) enter into cooperative agreements with the
12 State, political subdivisions of the State, nonprofit
13 organizations, and other organizations;

14 (4) hire and compensate staff;

15 (5) obtain funds or services from any source,
16 including funds and services provided under any
17 Federal program or law, in which case the Federal
18 share of the cost of any activity assisted using Fed-
19 eral funds provided for National Heritage Areas
20 shall not be more than 50 percent; and

21 (6) contract for goods and services.

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

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

3 (2) give priority to the implementation of ac-
4 tions, goals, and strategies set forth in the manage-
5 ment plan, including assisting units of government
6 and other persons in—

7 (A) carrying out programs and projects
8 that recognize and protect important resource
9 values in the Heritage Area;

10 (B) encouraging economic viability in the
11 Heritage Area in accordance with the goals of
12 the management plan;

13 (C) establishing and maintaining interpre-
14 tive exhibits in the Heritage Area;

15 (D) developing heritage-based recreational
16 and educational opportunities for residents and
17 visitors in the Heritage Area;

18 (E) increasing public awareness of and ap-
19 preciation for the natural, historic, and cultural
20 resources of the Heritage Area;

21 (F) restoring historic buildings that are—
22 (i) located in the Heritage Area; and
23 (ii) related to the themes of the Herit-
24 age Area; and

1 (G) installing throughout the Heritage
2 Area clear, consistent, and appropriate signs
3 identifying public access points and sites of in-
4 terest;

5 (3) consider the interests of diverse units of
6 government, businesses, tourism officials, private
7 property owners, and nonprofit groups within the
8 Heritage Area in developing and implementing the
9 management plan;

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

13 (5) for any fiscal year for which Federal funds
14 provided for National Heritage Areas are expended
15 for the Heritage Area—

16 (A) submit to the Secretary an annual re-
17 port that describes—

18 (i) the accomplishments of the local
19 coordinating entity;

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

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

1 (B) make available for audit all records re-
2 lating to the expenditure of the Federal funds
3 and any matching funds; and

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

9 (d) PROHIBITION ON ACQUISITION OF REAL PROP-
10 erty.—

11 (1) IN GENERAL.—The local coordinating entity
12 shall not use Federal funds provided for National
13 Heritage Areas to acquire real property or any inter-
14 est in real property.

15 (2) OTHER SOURCES.—Nothing in this Act pre-
16 cludes the local coordinating entity from using funds
17 from other sources for authorized purposes, includ-
18 ing the acquisition of real property or any interest
19 in real property.

20 **SEC. 5. MANAGEMENT PLAN.**

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

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

3 (1) include comprehensive policies, strategies,
4 and recommendations for the conservation, funding,
5 management, and development of the Heritage Area;

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

11 (3) describe a program of implementation for
12 the management plan that includes—

13 (A) performance goals and ongoing per-
14 formance evaluation;

15 (B) plans for resource protection, enhance-
16 ment and interpretation; and

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

21 (4) include an interpretative plan for the Herit-
22 age Area;

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

1 (6) specify the existing and potential sources of
2 funding to protect, manage, and develop the Herit-
3 age Area;

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

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

15 (c) APPROVAL AND DISAPPROVAL OF MANAGEMENT
16 PLAN.—

17 (1) IN GENERAL.—Not later than 180 days
18 after the date on which the local coordinating entity
19 submits the management plan to the Secretary, the
20 Secretary shall approve or disapprove the proposed
21 management plan.

22 (2) CONSIDERATIONS.—In determining whether
23 to approve or disapprove the management plan, the
24 Secretary shall consider whether—

1 (A) the local coordinating entity is rep-
2 resentative of the diverse interests of the Herit-
3 age Area, including governments, natural and
4 historic resource protection organizations, edu-
5 cational institutions, businesses, and rec-
6 reational organizations;

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

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

17 (D) the management plan is supported by
18 the appropriate State and local officials, the co-
19 operation of which is needed to ensure the ef-
20 fective implementation of the State and local
21 aspects of the management plan.

22 (3) DISAPPROVAL AND REVISIONS.—

23 (A) IN GENERAL.—If the Secretary dis-
24 approves a proposed management plan, the Sec-
25 retary shall—

1 (i) advise the local coordinating entity,
2 in writing, of the reasons for the dis-
3 approval; and

4 (ii) make recommendations for revi-
5 sion of the proposed management plan.

6 (B) APPROVAL OR DISAPPROVAL.—The
7 Secretary shall approve or disapprove a revised
8 management plan not later than 180 days after
9 the date on which the revised management plan
10 is submitted.

11 (d) APPROVAL OF AMENDMENTS.—The Secretary
12 shall review and approve or disapprove substantial amend-
13 ments to the management plan in accordance with sub-
14 section (c).

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

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

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

24 (c) OTHER FEDERAL AGENCIES.—Nothing in this
25 Act—

1 (3) alters any duly adopted land use regulation,
2 approved land use plan, or other regulatory author-
3 ity of any Federal, State, or local agency, or conveys
4 any land use or other regulatory authority to the
5 local coordinating 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 facili-
9 ties by the Federal Energy Regulatory Commission
10 within the proposed Heritage Area or upstream or
11 downstream from the proposed Heritage Area on the
12 Susquehanna River, including FERC Project No.
13 405-104;

14 (6) diminishes the authority of the State to
15 manage fish and wildlife, including the regulation of
16 fishing 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 before the
23 date specified under section 9, the Secretary shall—

24 (1) conduct an evaluation of the accomplish-
25 ments of the Heritage Area; and

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

3 (b) EVALUATION.—An evaluation conducted under
4 subsection (a)(1) shall—

5 (1) assess the progress of the local coordinating
6 entity with respect to—

7 (A) accomplishing the purposes of this Act
8 for the Heritage Area; and

9 (B) achieving the goals and objectives of
10 the approved management plan for the Heritage
11 Area;

12 (2) analyze the Federal, State, local, and pri-
13 vate investments in the Heritage Area to determine
14 the leverage and impact of the investments; and

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

19 (c) REPORT.—

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

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

4 (A) the Committee on Energy and Natural
5 Resources of the Senate; and

6 (B) the Committee on Natural Resources
7 of the House of Representatives.

8 **SEC. 9. TERMINATION OF AUTHORITY.**

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