

**Suspend the Rules and Pass the Bill, H. R. 1791, With an
Amendment**

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

115TH CONGRESS
2^D SESSION

H. R. 1791

To establish the Mountains to Sound Greenway National Heritage Area
in the State of Washington, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2017

Mr. REICHERT (for himself and Mr. SMITH of Washington) introduced the
following bill; which was referred to the Committee on Natural Resources

A BILL

To establish the Mountains to Sound Greenway National
Heritage Area in the State of Washington, 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 “Mountains to Sound
5 Greenway National Heritage Act”.

6 **SEC. 2. PURPOSES; CONSTRUCTION.**

7 The purposes of this Act include—

1 (1) to recognize the national importance of the
2 natural and cultural legacies of the area, as dem-
3 onstrated in the study entitled “Mountains to Sound
4 Greenway National Heritage Area Feasibility
5 Study” dated April 2012 and its addendum dated
6 May 2014;

7 (2) to recognize the heritage of natural resource
8 conservation in the Pacific Northwest and in the
9 Mountains to Sound Greenway;

10 (3) to preserve, support, conserve, and interpret
11 the legacies of natural resource conservation, com-
12 munity stewardship, and Indian tribes and nations
13 from time immemorial, and reserved rights of Indian
14 Tribes within the Mountains to Sound National Her-
15 itage Area;

16 (4) to promote heritage, cultural, and rec-
17 reational tourism and to develop educational and
18 cultural programs for visitors and the general public;

19 (5) to recognize and interpret important events
20 and geographic locations representing key develop-
21 ments in the creation of America, particularly the
22 settlement of the American West and the stories of
23 diverse ethnic groups, Indian tribes, and others;

24 (6) to enhance a cooperative management
25 framework to assist Federal, State, local, and Tribal

1 governments, the private sector, and citizens resid-
2 ing in the Heritage Area in conserving, supporting,
3 managing, and enhancing natural and recreational
4 sites in the Heritage Area;

5 (7) to recognize and interpret the relationship
6 between land and people, representing broad Amer-
7 ican ideals demonstrated through the integrity of ex-
8 isting resources within the Heritage Area; and

9 (8) to support working relationships between
10 public land managers and the community by cre-
11 ating relevant links between the National Park Serv-
12 ice, the Forest Service, other relevant Federal agen-
13 cies, Tribal governments, State and local govern-
14 ments and agencies, and community stakeholders
15 within and surrounding the Heritage Area in order
16 to protect, enhance, and interpret cultural and nat-
17 ural resources within the Heritage Area.

18 **SEC. 3. DEFINITIONS.**

19 In this Act:

20 (1) **HERITAGE AREA.**—The term “Heritage
21 Area” means the Mountains to Sound Greenway Na-
22 tional Heritage Area established in this Act.

23 (2) **LOCAL COORDINATING ENTITY.**—The term
24 “local coordinating entity” means the entity selected
25 by the Secretary under section 4(d).

1 (3) MANAGEMENT PLAN.—The term “manage-
2 ment plan” means the management plan for the
3 Heritage Area required under section 5.

4 (4) MAP.—The term “Map” means the map en-
5 titled “Mountains to Sound Greenway National Her-
6 itage Area Proposed Boundary”, numbered 584/
7 125,484, and dated August 2014.

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

10 (6) STATE.—The term “State” means the State
11 of Washington.

12 (7) TRIBE OR TRIBAL.—The terms “Tribe” or
13 “Tribal” mean any federally recognized Indian tribe
14 with cultural heritage and historic interests within
15 the proposed Mountains to Sound Greenway Na-
16 tional Heritage Area, including the Snoqualmie,
17 Yakama, Tulalip, Muckleshoot and Colville Indian
18 tribes.

19 **SEC. 4. DESIGNATION OF THE MOUNTAINS TO SOUND**
20 **GREENWAY NATIONAL HERITAGE AREA.**

21 (a) ESTABLISHMENT.—There is established in the
22 State the Mountains to Sound Greenway National Herit-
23 age Area.

1 (b) BOUNDARIES.—The Heritage Area shall consist
2 of land located in King and Kittitas Counties in the State,
3 as generally depicted on the map.

4 (c) MAP.—The map shall be on file and available for
5 public inspection in the appropriate offices of the National
6 Park Service, the United States Forest Service, and the
7 local coordinating entity.

8 (d) LOCAL COORDINATING ENTITY.—The Secretary
9 shall designate a willing local unit of government, a con-
10 sortium of affected counties, Indian tribe, or a nonprofit
11 organization to serve as the coordinating entity for the
12 Heritage Area within 120 days of the date of the enact-
13 ment of this Act.

14 **SEC. 5. MANAGEMENT PLAN.**

15 (a) IN GENERAL.—Not later than 3 years after the
16 date of the enactment of this Act, the local coordinating
17 entity shall submit to the Secretary for approval a pro-
18 posed management plan for the Heritage Area.

19 (b) REQUIREMENTS.—The management plan shall—
20 (1) incorporate an integrated and cooperative
21 approach for the protection, enhancement, and inter-
22 pretation of the natural, cultural, historic, scenic,
23 Tribal, and recreational resources of the Heritage
24 Area;

1 (2) take into consideration Federal, State, Trib-
2 al, and local plans, and treaty rights; and

3 (3) include—

4 (A) an inventory of the natural, historical,
5 cultural, educational, scenic, and recreational
6 resources of the Heritage Area, including an ac-
7 knowledgment of the exercise of Tribal treaty
8 rights, that relate to the national importance
9 and themes of the Heritage Area that should be
10 conserved and enhanced;

11 (B) a description of strategies and rec-
12 ommendations for conservation, funding, man-
13 agement, and development of the Heritage
14 Area;

15 (C) a description of the actions that Fed-
16 eral, State, local, and Tribal governments, pri-
17 vate organizations, and individuals have agreed
18 to take to protect and interpret the natural,
19 cultural, historical, scenic, and recreational re-
20 sources of the Heritage Area;

21 (D) a program of implementation for the
22 management plan by the local coordinating en-
23 tity, including—

24 (i) performance goals and ongoing
25 performance evaluation; and

1 (ii) commitments for implementation
2 made by partners;

3 (E) the identification of sources of funding
4 for carrying out the management plan;

5 (F) analysis and recommendations for
6 means by which Federal, State, local, and Trib-
7 al programs may best be coordinated to carry
8 out this section;

9 (G) an interpretive plan for the Heritage
10 Area, including Tribal heritage;

11 (H) recommended policies and strategies
12 for resource management, including the devel-
13 opment of intergovernmental and interagency
14 cooperative agreements to protect the natural,
15 cultural, historical, scenic, and recreational re-
16 sources of the Heritage Area; and

17 (I) a definition of the roles of the National
18 Park Service, the Forest Service, other Federal
19 agencies, and Tribes in the coordination of the
20 Heritage Area and in otherwise furthering the
21 purposes of this Act.

22 (c) DEADLINE.—If a proposed management plan is
23 not submitted to the Secretary by the date that is 3 years
24 after the date of the enactment of this Act, the local co-
25 ordinating entity shall be ineligible to receive additional

1 funding under this Act until the date on which the Sec-
2 retary receives and approves the management plan.

3 (d) APPROVAL OR DISAPPROVAL OF MANAGEMENT
4 PLAN.—

5 (1) IN GENERAL.—Not later than 180 days
6 after the date of receipt of the proposed manage-
7 ment plan, the Secretary, in consultation with the
8 State, affected counties, and Tribal governments,
9 shall approve or disapprove the management plan.

10 (2) CRITERIA FOR APPROVAL.—In determining
11 whether to approve the management plan, the Sec-
12 retary shall consider whether—

13 (A) the local coordinating entity has af-
14 forded adequate opportunity, including public
15 hearings, for public and governmental involve-
16 ment in the preparation of the management
17 plan;

18 (B) the resource protection and interpreta-
19 tion strategies contained in the management
20 plan, if implemented, would adequately protect
21 the natural, cultural, historical, scenic, and rec-
22 reational resources of the Heritage Area;

23 (C) the management plan is consistent
24 with the Secretary's trust responsibilities to In-

1 dian tribes and Tribal treaty rights within the
2 National Heritage Area; and

3 (D) the management plan is supported by
4 the appropriate State, Kittitas County, King
5 County, and local officials, the cooperation of
6 which is needed to ensure the effective imple-
7 mentation of State and local aspects of the
8 management plan.

9 (3) ACTION FOLLOWING DISAPPROVAL.—If the
10 Secretary disapproves the management plan, the
11 Secretary shall—

12 (A) advise the local coordinating entity in
13 writing of the reasons for the disapproval;

14 (B) make recommendations to the local co-
15 ordinating entity for revisions to the manage-
16 ment plan; and

17 (C) not later than 180 days after the re-
18 ceipt of any revised management plan from the
19 local coordinating entity, approve or disapprove
20 the revised management plan.

21 (e) AMENDMENTS.—The Secretary shall review and
22 approve or disapprove in the same manner as the original
23 management plan, each amendment to the management
24 plan that makes a substantial change to the management
25 plan, as determined by the Secretary. The local coordi-

1 nating entity shall not carry out any amendment to the
2 management plan until the date on which the Secretary
3 has approved the amendment.

4 **SEC. 6. ADMINISTRATION.**

5 (a) **AUTHORITIES.**—

6 (1) **IN GENERAL.**—For purposes of imple-
7 menting the management plan, the Secretary and
8 Forest Service may—

9 (A) provide technical assistance for the im-
10 plementation of the management plan; and

11 (B) enter into cooperative agreements with
12 the local coordinating entity, State and local
13 agencies, Tribes, and other interested parties to
14 carry out this Act, including cooperation and
15 cost sharing as appropriate to provide more
16 cost-effective and coordinated public land man-
17 agement.

18 (2) **TERMINATION OF AUTHORITY.**—The au-
19 thority of the Secretary to provide technical assist-
20 ance under this Act terminates on the date that is
21 15 years after the date of the enactment of this Act.

22 (b) **LOCAL COORDINATING ENTITY AUTHORITIES.**—
23 For purposes of implementing the management plan, the
24 local coordinating entity may—

1 (1) make grants to the State or a political sub-
2 division of the State, Tribes, nonprofit organizations,
3 and other persons;

4 (2) enter into cooperative agreements with, or
5 provide technical assistance to, Federal agencies, the
6 State or political subdivisions of the State, Tribes,
7 nonprofit organizations, and other interested parties;

8 (3) hire and compensate staff, including individ-
9 uals with expertise in natural, cultural, historical,
10 scenic, and recreational resource protection and her-
11 itage programming;

12 (4) obtain money or services from any source,
13 including any money or services that are provided
14 under any other Federal law or program, in which
15 case the Federal share of the cost of any activity as-
16 sisted using Federal funds provided for National
17 Heritage Areas shall not be more than 50 percent;

18 (5) contract for goods or services; and

19 (6) undertake to be a catalyst for other activi-
20 ties that—

21 (A) further the purposes of the Heritage
22 Area; and

23 (B) are consistent with the management
24 plan.

1 (c) LOCAL COORDINATING ENTITY DUTIES.—The
2 local coordinating entity shall—

3 (1) in accordance with section 5, prepare and
4 submit a management plan to the Secretary;

5 (2) assist units of Federal, State, and local gov-
6 ernment, Tribes, regional planning organizations,
7 nonprofit organizations, and other interested parties
8 in carrying out the approved management plan by—

9 (A) carrying out programs and projects
10 that recognize, protect, and enhance important
11 resource values in the Heritage Area;

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

15 (C) developing recreational and educational
16 opportunities in the Heritage Area; and

17 (D) increasing public awareness of, and
18 appreciation for, the natural, cultural, histor-
19 ical, Tribal, scenic, and recreational resources
20 of the Heritage Area;

21 (3) consider the interests of diverse units of
22 government, Tribes, business, organizations, and in-
23 dividuals in the Heritage Area in the preparation
24 and implementation of the management plan;

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

4 (5) encourage, by appropriate means, economic
5 viability that is consistent with the Heritage Area;
6 and

7 (6) submit a report to the Secretary every five
8 years after the Secretary has approved the manage-
9 ment plan, specifying—

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

12 (B) significant grants or contracts made
13 by the local coordinating entity to any other en-
14 tity over the 5-year period that describes the
15 activities, expenses, and income of the local co-
16 ordinating entity (including grants from the
17 local coordinating entity to any other entity
18 during the year that the report is made).

19 (d) PROHIBITION ON ACQUISITION OF REAL PROP-
20 ERTY.—The local coordinating entity may not acquire real
21 property or interest in real property through condemna-
22 tion or with Federal funds provided for National Heritage
23 Areas.

24 (e) USE OF FEDERAL FUNDS.—Nothing in this Act
25 shall preclude the local coordinating entity from using

1 Federal funds available under other laws for the purposes
2 for which those funds were authorized.

3 **SEC. 7. RELATIONSHIP TO TRIBAL GOVERNMENTS.**

4 Nothing in this Act shall construe, define, waive,
5 limit, or affect any rights of any federally recognized In-
6 dian tribe and the Federal trust responsibility.

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

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

11 (b) CONSULTATION AND COORDINATION.—Any Fed-
12 eral agency planning to conduct activities that may have
13 an impact on the Heritage Area is encouraged to consult
14 and coordinate the activities with the local coordinating
15 entity to the maximum extent practicable.

16 (c) OTHER FEDERAL AGENCIES.—Nothing in this
17 Act—

18 (1) modifies, alters, or amends any law or regu-
19 lation authorizing a Federal agency to manage Fed-
20 eral land under the jurisdiction of the Federal agen-
21 cy;

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

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

4 **SEC. 9. PRIVATE PROPERTY AND REGULATORY PROTEC-**
5 **TIONS.**

6 Nothing in this Act, the proposed Mountains to
7 Sound Greenway National Heritage Area, or resulting
8 management plan (or any revisions to that plan) shall—

9 (1) abridge the rights of any owner of public or
10 private property, including the right to refrain from
11 participating in any plan, project, program, or activ-
12 ity conducted within the Heritage Area;

13 (2) require any property owner—

14 (A) to allow public access (including access
15 by Federal, State, or local agencies) to the
16 property of the property owner; or

17 (B) to modify public access or use of prop-
18 erty of the property owner under any other
19 Federal, State, or local law;

20 (3) alter any duly adopted land use regulation,
21 approved land use plan, or other regulatory author-
22 ity of any Federal, State, Tribal, or local agency;

23 (4) convey any land use or other regulatory au-
24 thority to the local coordinating entity or any sub-
25 sidiary organization, including but not necessarily

1 limited to development and management of energy
2 or water or water-related infrastructure;

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

5 (6) diminish the authority of the State or Tribe
6 to manage fish and wildlife, including the regulation
7 of fishing, hunting, or gathering within the Heritage
8 Area or the authority of Tribes to regulate their
9 members with respect to such matters in the exer-
10 cise of Tribal treaty rights;

11 (7) create any liability, or affects any liability
12 under any other law, of any private property owner
13 with respect to any person injured on the private
14 property;

15 (8) affect current or future grazing permits,
16 leases, or allotment on Federal lands;

17 (9) affect the construction, operation, mainte-
18 nance or expansion of current or future water
19 projects, including water storage, hydroelectric facili-
20 ties, or delivery systems; or

21 (10) alter the authority of State, county, or
22 local governments in land use planning or obligate
23 those governments to comply with any recommenda-
24 tions in the management plan.

1 **SEC. 10. EVALUATION AND REPORT.**

2 (a) IN GENERAL.—Not later than 15 years after the
3 date of the enactment of this Act, the Secretary shall—

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

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

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

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

12 (A) accomplishing the purposes of the Her-
13 itage Area; and

14 (B) achieving the goals and objectives of
15 the management plan;

16 (2) analyze the investments of Federal, State,
17 Tribal, and local governments and private entities in
18 the Heritage Area to determine the impact of the in-
19 vestments; and

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

24 (c) REPORT.—Based on the evaluation conducted
25 under subsection (a)(1), the Secretary shall submit to the
26 Committee on Natural Resources of the House of Rep-

1 representatives and the Committee on Energy and Natural
2 Resources of the Senate a report that includes rec-
3 ommendations for the future role of the National Park
4 Service with respect to the Heritage Area.