

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2024
OFFERED BY MR. GRIJALVA OF ARIZONA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Southern Maryland
3 National Heritage Area Act”.

4 SEC. 2. DEFINITIONS.

5 In this Act:

6 (1) NATIONAL HERITAGE AREA.—The term
7 “National Heritage Area” means the Southern
8 Maryland National Heritage Area established by sec-
9 tion 3(a).

10 (2) LOCAL COORDINATING ENTITY.—The term
11 “Local Coordinating Entity” means the local coordi-
12 nating entity for the National Heritage Area des-
13 ignated by this Act.

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

17 (4) MAP.—The term “map” means the map en-
18 titled “Southern Maryland National Heritage Area

1 Proposed Boundary”, numbered 672/177,225, and
2 dated August 2021.

3 (5) SECRETARY.—The term “Secretary” means
4 the Secretary of the Interior.

5 (6) STATE.—The term “State” means the State
6 of Maryland.

7 **SEC. 3. ESTABLISHMENT OF SOUTHERN MARYLAND NA-**
8 **TIONAL HERITAGE AREA.**

9 (a) IN GENERAL.—There is established the Southern
10 Maryland National Heritage Area in the State of Mary-
11 land, to consist of land in St. Mary’s, Calvert, Charles,
12 and Prince George’s Counties in the State, as generally
13 depicted on the map.

14 (b) LOCAL COORDINATING ENTITY.—The Tri-Coun-
15 ty Council for Southern Maryland shall serve as the local
16 coordinating entity for the National Heritage Area des-
17 ignated by subsection (a).

18 **SEC. 4. ADMINISTRATION.**

19 (a) AUTHORITIES.—For purposes of carrying out the
20 management plan for the National Heritage Area, the Sec-
21 retary acting through the Local Coordinating Entity may
22 use amounts made available under section 9—

23 (1) to make grants to the State or a political
24 subdivisions of the State, Indian Tribes, nonprofit
25 organizations, and other persons;

1 (2) to enter into cooperative agreements with,
2 or provide technical assistance to, the State or a po-
3 litical subdivision of the State, Indian Tribes, non-
4 profit organizations, and other interested parties;

5 (3) to hire and compensate staff, which shall in-
6 clude individuals with expertise in natural, cultural,
7 and historical resources protection and heritage pro-
8 gramming;

9 (4) to obtain money or services from any
10 source, including any money or services that are pro-
11 vided under any other Federal law or program;

12 (5) to contract for goods or services; and

13 (6) to undertake or be a catalyst for any other
14 activity that furthers the purposes of the National
15 Heritage Area and is consistent with the approved
16 management plan.

17 (b) DUTIES.—The Local Coordinating Entity shall—

18 (1) in accordance with section 5, prepare and
19 submit a management plan for the National Herit-
20 age Area to the Secretary;

21 (2) assist Federal agencies, the State or a polit-
22 ical subdivision of the State, Indian Tribes, regional
23 planning organizations, nonprofit organizations, and
24 other interested parties in carrying out the approved
25 management plan by—

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

4 (B) establishing and maintaining interpre-
5 tive exhibits and programs in the National Her-
6 itage Area;

7 (C) developing recreational, interpretive,
8 and educational opportunities in the National
9 Heritage Area;

10 (D) increasing public awareness of, and
11 appreciation for, natural, historical, scenic, and
12 cultural resources of the National Heritage
13 Area;

14 (E) protecting and restoring historic sites
15 and buildings in the National Heritage Area
16 that are consistent with the themes of the Na-
17 tional Heritage Area;

18 (F) ensuring that clear, consistent, and ap-
19 propriate signs identifying points of public ac-
20 cess and sites of interest are posted throughout
21 the National Heritage Area; and

22 (G) promoting a wide range of partner-
23 ships among the Federal Government, State,
24 Tribal, and local governments, organizations,

1 and individuals to further the purposes of the
2 National Heritage Area;

3 (3) consider the interests of diverse units of
4 government, businesses, organizations, and individ-
5 uals in the National Heritage Area in the prepara-
6 tion and implementation of the management plan;

7 (4) conduct meetings open to the public not less
8 frequently than semiannually regarding the develop-
9 ment and implementation of the management plan;
10 and

11 (5) for any year that Federal funds have been
12 appropriated to carry out this Act—

13 (A) submit to the Secretary an annual re-
14 port that describes the activities, expenses, and
15 income of the Local Coordinating Entity (in-
16 cluding grants to any other entities during the
17 year that the report is made);

18 (B) make available to the Secretary for
19 audit all records relating to the expenditure of
20 the funds and any matching funds; and

21 (C) encourage by appropriate means eco-
22 nomic viability that is consistent with the Na-
23 tional Heritage Area.

24 (c) PROHIBITION ON THE ACQUISITION OF REAL
25 PROPERTY.—The Local Coordinating Entity shall not use

1 Federal funds to acquire real property or any interest in
2 real property.

3 **SEC. 5. MANAGEMENT PLAN.**

4 (a) IN GENERAL.—Not later than 3 years after the
5 date of enactment of this Act, the Local Coordinating En-
6 tity shall submit to the Secretary for approval a proposed
7 management plan for the National Heritage Area.

8 (b) REQUIREMENTS.—The management plan shall—

9 (1) incorporate an integrated and cooperative
10 approach for the protection, enhancement, and inter-
11 pretation of the natural, cultural, historic, scenic,
12 and recreational resources of the National Heritage
13 Area;

14 (2) take into consideration Federal, State, local,
15 and Tribal plans and treaty rights;

16 (3) include—

17 (A) an inventory of—

18 (i) the resources located in the Na-
19 tional Heritage Area; and

20 (ii) any other property in the National
21 Heritage Area that—

22 (I) is related to the themes of the
23 National Heritage Area; and

24 (II) should be preserved, re-
25 stored, managed, or maintained be-

1 cause of the significance of the prop-
2 erty;

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

7 (C) a description of activities that the Fed-
8 eral Government, State, Tribal, and local gov-
9 ernments, private organizations, and individuals
10 have agreed to carry out to protect the natural,
11 historical, cultural, scenic, and recreational re-
12 sources of the National Heritage Area;

13 (D) a program of implementation for the
14 management plan by the Local Coordinating
15 Entity that includes a description of—

16 (i) actions to facilitate ongoing col-
17 laboration among partners to promote
18 plans for resource protection, restoration,
19 and construction; and

20 (ii) specific commitments for imple-
21 mentation that have been made by the
22 Local Coordinating Entity or any unit of
23 government, organization, or individual for
24 the first 5 years of operation;

1 (E) the identification of sources of funding
2 for carrying out the management plan;

3 (F) analysis and recommendations for
4 means by which Federal, State, local, and Trib-
5 al programs, including the role of the National
6 Park Service in the National Heritage Area,
7 may best be coordinated to carry out this Act;
8 and

9 (G) an interpretive plan for the National
10 Heritage Area; and

11 (4) recommend policies and strategies for re-
12 source management that consider and detail the ap-
13 plication of appropriate land and water management
14 techniques, including the development of intergov-
15 ernmental and interagency cooperative agreements
16 to protect the natural, historical, cultural, edu-
17 cational, scenic, and recreational resources of the
18 National Heritage Area.

19 (c) DEADLINE.—If a proposed management plan is
20 not submitted to the Secretary by the date that is 3 years
21 after the date of enactment of the Act, the Local Coordi-
22 nating Entity shall be ineligible to receive additional fund-
23 ing under this Act until the date on which the Secretary
24 approves the management plan.

1 (d) APPROVAL OR DISAPPROVAL OF MANAGEMENT
2 PLAN.—

3 (1) IN GENERAL.—Not later than 180 days
4 after the date of receipt of the management plan
5 under this section, the Secretary, in consultation
6 with State and Tribal governments, shall approve or
7 disapprove the management plan.

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

11 (A) the Local Coordinating Entity is rep-
12 resentative of the diverse interests of the Na-
13 tional Heritage Area, including Federal, State,
14 Tribal, and local governments, natural and his-
15 toric resource protection organizations, edu-
16 cational institutions, businesses, and rec-
17 reational organizations;

18 (B) the Local Coordinating Entity has af-
19 forded adequate opportunity, including public
20 hearings, for public and governmental involve-
21 ment in the preparation of the management
22 plan; and

23 (C) the resource protection and interpreta-
24 tion strategies contained in the management
25 plan, if implemented, would adequately protect

1 the natural, historical, and cultural resources of
2 the National Heritage Area.

3 (3) ACTION FOLLOWING DISAPPROVAL.—If the
4 Secretary disapproves the management plan under
5 paragraph (1), the Secretary shall—

6 (A) advise the Local Coordinating Entity
7 in writing of the reasons for the disapproval;

8 (B) make recommendations for revisions to
9 the management plan; and

10 (C) not later than 180 days after the re-
11 ceipt of any proposed revision of the manage-
12 ment plan from the Local Coordinating Entity,
13 approve or disapprove the proposed revision.

14 (4) AMENDMENTS.—

15 (A) IN GENERAL.—The Secretary shall ap-
16 prove or disapprove each amendment of the
17 management plan that the Secretary determines
18 make a substantial change to the management
19 plan.

20 (B) USE OF FUNDS.—The Local Coordi-
21 nating Entity shall not use Federal funds au-
22 thorized by this Act to carry out any amend-
23 ment to the management plan until the Sec-
24 retary has approved 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 National Heritage Area is en-
8 couraged to consult and coordinate the activities with the
9 Secretary and the Local Coordinating Entity to the max-
10 imum extent practicable.

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

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

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

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

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

25 (a) IN GENERAL.—Nothing in this Act—

1 (1) abridges the rights of any property owner
2 (whether public or private), including the right to re-
3 frain from participating in any plan, project, pro-
4 gram, or activity conducted within the National Her-
5 itage Area;

6 (2) requires any property owner—

7 (A) to permit public access (including ac-
8 cess by Federal, State, or local agencies) to the
9 property of the property owner; or

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

13 (3) alters any duly adopted land use regulation,
14 approved land use plan, or other regulatory author-
15 ity of any Federal, State, Tribal, or local agency;

16 (4) conveys any land use or other regulatory
17 authority to the Local Coordinating Entity;

18 (5) authorizes or implies the reservation or ap-
19 propriation of water or water rights;

20 (6) enlarges or diminishes the treaty rights of
21 any Indian Tribe within the National Heritage Area;

22 (7) diminishes—

23 (A) the authority of the State to manage
24 fish and wildlife, including the regulation of

1 fishing and hunting, within the National Herit-
2 age Area; or

3 (B) the authority of Indian Tribes to regu-
4 late members of Indian Tribes with respect to
5 fishing, hunting, and gathering in the exercise
6 of treaty rights; or

7 (8) creates any liability, or affects any liability
8 under any other law, of any private property owner
9 with respect to any person injured on the private
10 property.

11 **SEC. 8. EVALUATION AND REPORT.**

12 (a) IN GENERAL.—For the National Heritage Area,
13 not later than 3 years before the date specified under sec-
14 tion 9, the Secretary shall—

15 (1) conduct an evaluation of the accomplish-
16 ments of the National Heritage Area; and

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

19 (b) EVALUATION.—An evaluation conducted under
20 subsection (a)(1) shall—

21 (1) assess the progress of the Local Coordi-
22 nating Entity with respect to—

23 (A) accomplishing the purposes of the Na-
24 tional Heritage Area; and

1 (B) achieving the goals and objectives of
2 the approved management plan for the National
3 Heritage Area;

4 (2) analyze the investments of the Federal Gov-
5 ernment, State, Tribal, and local governments, and
6 private entities in the National Heritage Area to de-
7 termine the impact of the investments; and

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

13 (c) REPORT.—Based on the evaluation conducted
14 under subsection (a)(1), the Secretary shall submit to the
15 Committee on Energy and Natural Resources of the Sen-
16 ate and the Committee on Natural Resources of the House
17 of Representatives a report that includes recommendations
18 for the future role of the National Park Service, if any,
19 with respect to the National Heritage Area.

20 **SEC. 9. TERMINATION OF AUTHORITY.**

21 The authority of the Secretary to provide assistance
22 under this Act terminates on the date that is 15 years
23 after the date of enactment of this Act.

