

106TH CONGRESS
2D SESSION

S. 2511

To establish the Kenai Mountains-Turnagain Arm National Heritage Area
in the State of Alaska, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 4, 2000

Mr. MURKOWSKI (for himself and Mr. STEVENS) introduced the following bill;
which was read twice and referred to the Committee on Energy and Nat-
ural Resources

A BILL

To establish the Kenai Mountains-Turnagain Arm National
Heritage Area in the State of Alaska, 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 “Kenai Mountains-
5 Turnagain Arm National Heritage Corridor Area Act of
6 2000”.

7 **SEC. 2. FINDINGS AND PURPOSES.**

8 (a) FINDINGS.—Congress finds that—

9 (1) the Kenai Mountains-Turnagain Arm trans-
10 portation corridor is a major gateway to Alaska and

1 includes a range of transportation routes used first
2 by indigenous people who were followed by pioneers
3 who settled the Nation's last frontier;

4 (2) the natural history and scenic splendor of
5 the region are equally outstanding; vistas of nature's
6 power include evidence of earthquake subsidence, re-
7 cent avalanches, retreating glaciers, and tidal action
8 along Turnagain Arm, which has the world's second
9 greatest tidal range;

10 (3) the cultural landscape formed by indigenous
11 people and then by settlement, transportation, and
12 modern resource development in this rugged and
13 often treacherous natural setting stands as powerful
14 testimony to the human fortitude, perseverance, and
15 resourcefulness that is America's proudest heritage
16 from the people who settled the frontier;

17 (4) there is a national interest in recognizing,
18 preserving, promoting, and interpreting these re-
19 sources;

20 (5) the Kenai Mountains-Turnagain Arm region
21 is geographically and culturally cohesive because it is
22 defined by a corridor of historical routes-trail, water,
23 railroad, and roadways through a distinct landscape
24 of mountains, lakes, and fjords;

1 (6) national significance of separate elements of
2 the region include, but are not limited to, the
3 Iditarod National Historic Trail, the Seward High-
4 way National Scenic Byway, and the Alaska Rail-
5 road National Scenic Railroad;

6 (7) national heritage area designation provides
7 for the interpretation of these routes, as well as the
8 national historic districts and numerous historic
9 routes in the region as part of the whole picture of
10 human history in the wider transportation corridor
11 including early Native trade routes, connections by
12 waterway, mining trail, and other routes;

13 (8) national heritage area designation also pro-
14 vides communities within the region with the motiva-
15 tion and means for “grassroots” regional coordina-
16 tion and partnerships with each other and with bor-
17 ough, State, and Federal agencies; and

18 (9) resolution and letters of support have been
19 received from the Kenai Peninsula Historical Asso-
20 ciation, the Seward Historical Commission, the Sew-
21 ard City Council, the Hope and Sunrise Historical
22 Society, the Hope Chamber of Commerce, the Alas-
23 ka Association for Historic Preservation, the Cooper
24 Landing Community Club, the Alaska Wilderness
25 Recreation and Tourism Association, Anchorage

1 Historic Properties, the Anchorage Convention and
2 Visitors Bureau, the Cook Inlet Historical Society,
3 the Moose Pass Sportsman’s Club, the Alaska His-
4 torical Commission, the Gridwood Board of Super-
5 visors, the Kenai River Special Management Area
6 Advisory Board, the Bird/Indian Community Coun-
7 cil, the Kenai Peninsula Borough Trails Commis-
8 sion, the Alaska Division of Parks and Recreation,
9 the Kenai Peninsula Borough, the Kenai Peninsula
10 Tourism Marketing Council, and the Anchorage Mu-
11 nicipal Assembly.

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

13 (1) to recognize, preserve, and interpret the his-
14 toric and modern resource development and cultural
15 landscapes of the Kenai Mountains-Turnagain Arm
16 historic transportation corridor, and to promote and
17 facilitate the public enjoyment of these resources;
18 and

19 (2) to foster, through financial and technical
20 assistance, the development of cooperative planning
21 and partnerships among the communities and bor-
22 ough, State, and Federal Government entities.

23 **SEC. 3. DEFINITIONS.**

24 In this Act:

1 (1) HERITAGE AREA.—The term “Heritage
2 Area” means the Kenai Mountains-Turnagain Arm
3 National Heritage Area establish by section 4(a) of
4 this Act.

5 (2) MANAGEMENT ENTITY.—The term “man-
6 agement entity” means the 11 member Board of Di-
7 rectors of the Kenai Mountains-Turnagain Arm Na-
8 tional Heritage Area Commission.

9 (3) MANAGEMENT PLAN.—The term “manage-
10 ment plan” means the management plan for the
11 Heritage Area.

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

14 **SEC. 4. KENAI MOUNTAINS-TURNAGAIN ARM NATIONAL**
15 **HERITAGE AREA.**

16 (a) ESTABLISHMENT.—There is established the
17 Kenai Mountains-Turnagain Arm National Heritage Area.

18 (b) BOUNDARIES.—The Heritage Area shall comprise
19 the lands in the Kenai Mountains and upper Turnagain
20 Arm region generally depicted on the map entitled “Kenai
21 Peninsula/Turnagain Arm National Heritage Corridor”,
22 numbered “Map #KMTA-1”, and dated “August 1999”.
23 The map shall be on file and available for public inspection
24 in the offices of the Alaska Regional Office of the National

1 Park Service and in the offices of the Alaska State Herit-
2 age Preservation Officer.

3 **SEC. 5. MANAGEMENT ENTITY.**

4 (a) The management entity shall consist of 7 rep-
5 resentatives, appointed by the Secretary from a list of rec-
6 ommendations submitted by the Governor of Alaska, from
7 the communities of Seward, Lawing, Moose Pass, Cooper
8 Landing, Hope, Gridwood, Bird-Indian and 4 at large rep-
9 resentatives, from such organizations as Native Associa-
10 tions, the Iditarod Trail Committee, historical societies,
11 visitor associations, and private or business entities. Upon
12 appointment, the Commission shall establish itself as a
13 non-profit corporation under laws of the State of Alaska.

14 (1) **TERMS.**—Members of the management enti-
15 ty appointed under section 5(a) shall each serve for
16 a term of 5 years, except that of the members first
17 appointed 3 shall serve for a term of 4 years and 2
18 shall serve for a term of 3 years; however, upon the
19 expiration of his or her term, an appointed member
20 may continue to serve until his or her successor has
21 been appointed.

22 (2) **VACANCIES.**—Any vacancy in the Commis-
23 sion shall be filled in the same manner in which the
24 original appointment was made, and any member
25 appointed to fill a vacancy shall serve for the re-

1 (A) comprehensive recommendations for
2 conservation, funding, management, and devel-
3 opment of the Heritage Area;

4 (B) a description of agreements on actions
5 to be carried out by Government and private or-
6 ganizations to protect the resources of the Her-
7 itage Area;

8 (C) a list of specific and potential sources
9 of funding to protect, manage, and develop the
10 Heritage Area;

11 (D) an inventory of resources contained in
12 the Heritage Area; and

13 (E) a description of the role and participa-
14 tion of other Federal, State and local agencies
15 that have jurisdiction on lands within the Herit-
16 age Area.

17 (b) PRIORITIES.—The management entity shall give
18 priority to the implementation of actions, goals, and poli-
19 cies set forth in the cooperative agreement with the Sec-
20 retary and the heritage plan, including assisting commu-
21 nities within the region in—

22 (1) carrying out programs which recognize im-
23 portant resource values in the heritage corridor;

24 (2) encouraging economic viability in the af-
25 fected communities;

1 (3) establishing and maintaining interpretive
2 exhibits in the Heritage Area;

3 (4) improving and interpreting heritage trails;

4 (5) increasing public awareness and apprecia-
5 tion for the natural, historical, and cultural re-
6 sources and modern resource development of the
7 Heritage Area;

8 (6) restoring historic buildings and structures
9 that are located within the boundaries of the herit-
10 age corridor; and

11 (7) ensuring that clear, consistent, and appro-
12 priate signs identifying public access points and sites
13 of interest are placed throughout the Heritage Area.

14 (c) CONSIDERATION OF INTEREST OF LOCAL
15 GROUPS.—Projects incorporated in the heritage plan by
16 the management entity shall be initiated by local groups
17 and developed with the participation and support of the
18 affected local communities. Other organizations may sub-
19 mit projects or proposals to the local groups for consider-
20 ation.

21 (d) PUBLIC MEETINGS.—The management entity
22 shall conduct 2 or more public meetings each year regard-
23 ing the initiation and implementation of the management
24 plan for the Heritage Area. The management entity shall
25 place a notice of each such meeting in a newspaper of gen-

1 eral circulation in the Heritage Area and shall make the
2 minutes of the meeting available to the public.

3 **SEC. 7. DUTIES OF THE SECRETARY.**

4 (a) The Secretary, in consultation with the Governor
5 of Alaska, or his designee, is authorized to enter into a
6 cooperative agreement with the management entity. The
7 cooperative agreement shall be prepared with public par-
8 ticipation.

9 (b) In accordance with the terms and conditions of
10 the cooperative agreement and upon the request of the
11 management entity, subject to the availability of funds,
12 the Secretary shall provide administrative, technical, fi-
13 nancial, design, development, and operations assistance to
14 carry out the purposes of this Act.

15 **SEC. 8. SAVINGS PROVISIONS.**

16 (a) REGULATORY AUTHORITY.—Nothing in this Act
17 shall be construed to grant powers of zoning or manage-
18 ment of land use to the management entity of the Herit-
19 age Area.

20 (b) EFFECT ON AUTHORITY OF GOVERNMENTS.—
21 Nothing in this Act shall be construed to modify, enlarge,
22 or diminish any authority of the Federal, State, or local
23 governments to regulate any use of land as provided for
24 by law or regulation.

1 (c) EFFECT ON BUSINESS.—Nothing in this Act shall
2 be construed to obstruct or limit business activity on pri-
3 vate development or resource development activities.

4 **SEC. 9. PROHIBITION ON THE ACQUISITION OF REAL PROP-**
5 **ERTY.**

6 The management entity may not use funds appro-
7 priated to carry out the purposes of this Act to acquire
8 real property or interest in real property.

9 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

10 (a) FIRST YEAR.—For the first year \$350,000 is au-
11 thorized to be appropriated to carry out the purposes of
12 this Act, and is made available upon the Secretary and
13 the management entity completing a cooperative agree-
14 ment.

15 (b) IN GENERAL.—There is authorized to be appro-
16 priated not more than \$1,000,000 to carry out the pur-
17 poses of this Act for any fiscal year after the first year.
18 Not more than \$10,000,000, in the aggregate, may be ap-
19 propriated for the Heritage Area.

20 (c) MATCHING FUNDS.—Federal funding provided
21 under this Act shall be matched at least 25 percent by
22 other funds or in-kind services.

23 (d) SUNSET PROVISION.—The Secretary may not
24 make any grant or provide any assistance under this Act

- 1 beyond 15 years from the date that the Secretary and
- 2 management entity complete a cooperative agreement.

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