

106TH CONGRESS  
2D SESSION

# S. 2511

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IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 2000

Referred to the Committee on Resources

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## AN ACT

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 Area Act of 2000”.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds that—

3 (1) the Kenai Mountains-Turnagain Arm trans-  
4 portation corridor is a major gateway to Alaska and  
5 includes a range of transportation routes used first  
6 by indigenous people who were followed by pioneers  
7 who settled the Nation’s last frontier;

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

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

21 (4) there is a national interest in recognizing,  
22 preserving, promoting, and interpreting these re-  
23 sources;

24 (5) the Kenai Mountains-Turnagain Arm region  
25 is geographically and culturally cohesive because it is  
26 defined by a corridor of historical routes—trail,

1 water, railroad, and roadways through a distinct  
2 landscape of mountains, lakes, and fjords;

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

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

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

20 (9) national heritage area designation is sup-  
21 ported by the Kenai Peninsula Historical Associa-  
22 tion, the Seward Historical Commission, the Seward  
23 City Council, the Hope and Sunrise Historical Soci-  
24 ety, the Hope Chamber of Commerce, the Alaska  
25 Association for Historic Preservation, the Cooper

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

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

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

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

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

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

7 (2) MANAGEMENT ENTITY.—The term “man-  
8 agement entity” means the 11-member Board of Di-  
9 rectors of the Kenai Mountains-Turnagain Arm Na-  
10 tional Heritage Corridor Communities Association.

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

14 (4) SECRETARY.—The term “Secretary” means  
15 the Secretary of the Interior.

16 **SEC. 4. KENAI MOUNTAINS-TURNAGAIN ARM NATIONAL**  
17 **HERITAGE AREA.**

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

20 (b) BOUNDARIES.—The Heritage Area shall comprise  
21 the lands in the Kenai Mountains and upper Turnagain  
22 Arm region generally depicted on the map entitled “Kenai  
23 Peninsula/Turnagain Arm National Heritage Corridor”,  
24 numbered “Map #KMTA-1”, and dated “August 1999”.  
25 The map shall be on file and available for public inspection  
26 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 Secretary shall enter into a cooperative  
5 agreement with the management entity to carry out the  
6 purposes of this Act. The cooperative agreement shall in-  
7 clude information relating to the objectives and manage-  
8 ment of the Heritage Area, including the following:

9 (1) A discussion of the goals and objectives of  
10 the Heritage Area.

11 (2) An explanation of the proposed approach to  
12 conservation and interpretation of the Heritage  
13 Area.

14 (3) A general outline of the protection meas-  
15 ures, to which the management entity commits.

16 (b) Nothing in this Act authorizes the management  
17 entity to assume any management authorities or respon-  
18 sibilities on Federal lands.

19 (c) Representatives of other organizations shall be in-  
20 vited and encouraged to participate with the management  
21 entity and in the development and implementation of the  
22 management plan, including but not limited to: The State  
23 Division of Parks and Outdoor Recreation; the State Divi-  
24 sion of Mining, Land and Water; the Forest Service; the  
25 State Historic Preservation Office; the Kenai Peninsula

1 Borough; the Municipality of Anchorage; the Alaska Rail-  
2 road; the Alaska Department of Transportation; and the  
3 National Park Service.

4 (d) Representation of ex officio members in the non-  
5 profit corporation shall be established under the bylaws  
6 of the management entity.

7 **SEC. 6. AUTHORITIES AND DUTIES OF MANAGEMENT ENTI-**  
8 **TY.**

9 (a) MANAGEMENT PLAN.—

10 (1) IN GENERAL.—Not later than 3 years after  
11 the Secretary enters into a cooperative agreement  
12 with the management entity, the management entity  
13 shall develop a management plan for the Heritage  
14 Area, taking into consideration existing Federal,  
15 State, borough, and local plans.

16 (2) CONTENTS.—The management plan shall  
17 include, but not be limited to—

18 (A) comprehensive recommendations for  
19 conservation, funding, management, and devel-  
20 opment of the Heritage Area;

21 (B) a description of agreements on actions  
22 to be carried out by Government and private or-  
23 ganizations to protect the resources of the Her-  
24 itage Area;

1 (C) a list of specific and potential sources  
2 of funding to protect, manage, and develop the  
3 Heritage Area;

4 (D) an inventory of resources contained in  
5 the Heritage Area; and

6 (E) a description of the role and participa-  
7 tion of other Federal, State and local agencies  
8 that have jurisdiction on lands within the Herit-  
9 age Area.

10 (b) PRIORITIES.—The management entity shall give  
11 priority to the implementation of actions, goals, and poli-  
12 cies set forth in the cooperative agreement with the Sec-  
13 retary and the heritage plan, including assisting commu-  
14 nities within the region in—

15 (1) carrying out programs which recognize im-  
16 portant resource values in the Heritage Area;

17 (2) encouraging economic viability in the af-  
18 fected communities;

19 (3) establishing and maintaining interpretive  
20 exhibits in the Heritage Area;

21 (4) improving and interpreting heritage trails;

22 (5) increasing public awareness and apprecia-  
23 tion for the natural, historical, and cultural re-  
24 sources and modern resource development of the  
25 Heritage Area;

1           (6) restoring historic buildings and structures  
2           that are located within the boundaries of the Herit-  
3           age Area; and

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

7           (c) **PUBLIC MEETINGS.**—The management entity  
8           shall conduct 2 or more public meetings each year regard-  
9           ing the initiation and implementation of the management  
10          plan for the Heritage Area. The management entity shall  
11          place a notice of each such meeting in a newspaper of gen-  
12          eral circulation in the Heritage Area and shall make the  
13          minutes of the meeting available to the public.

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

15          (a) The Secretary, in consultation with the Governor  
16          of Alaska, or his designee, is authorized to enter into a  
17          cooperative agreement with the management entity. The  
18          cooperative agreement shall be prepared with public par-  
19          ticipation.

20          (b) In accordance with the terms and conditions of  
21          the cooperative agreement and upon the request of the  
22          management entity, and subject to the availability of  
23          funds, the Secretary may provide administrative, tech-  
24          nical, financial, design, development, and operations as-  
25          sistance to carry out the purposes of this Act.

1 **SEC. 8. SAVINGS PROVISIONS.**

2 (a) REGULATORY AUTHORITY.—Nothing in this Act  
3 shall be construed to grant powers of zoning or manage-  
4 ment of land use to the management entity of the Herit-  
5 age Area.

6 (b) EFFECT ON AUTHORITY OF GOVERNMENTS.—  
7 Nothing in this Act shall be construed to modify, enlarge,  
8 or diminish any authority of the Federal, State, or local  
9 governments to manage or regulate any use of land as pro-  
10 vided for by law or regulation.

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

14 **SEC. 9. PROHIBITION ON THE ACQUISITION OF REAL PROP-**  
15 **ERTY.**

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

19 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

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

25 (b) IN GENERAL.—There is authorized to be appro-  
26 priated not more than \$1,000,000 to carry out the pur-

1 poses of this Act for any fiscal year after the first year.  
2 Not more than \$10,000,000, in the aggregate, may be ap-  
3 propriated for the Heritage Area.

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

7 (d) SUNSET PROVISION.—The Secretary may not  
8 make any grant or provide any assistance under this Act  
9 beyond 15 years from the date that the Secretary and  
10 management entity complete a cooperative agreement.

Passed the Senate September 22, 2000.

Attest:

GARY SISCO,  
*Secretary*