

108TH CONGRESS  
2D SESSION

# S. 2836

To amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 23, 2004

Mr. VOINOVICH (for himself, Mr. LAUTENBERG, Mr. CORZINE, Mr. CHAFEE, and Mr. KENNEDY) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “National Heritage Area Extension Act of 2004”.

6 (b) TABLE OF CONTENTS.—The table of contents of  
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—EXTENSIONS

Sec. 101. Authorization and appropriation extensions.

#### TITLE II—NATIONAL AVIATION HERITAGE AREA

Sec. 201. Short title.

Sec. 202. Definitions.

Sec. 203. National Aviation Heritage Area.

Sec. 204. Management plan.

Sec. 205. Administration.

Sec. 206. Technical and financial assistance; other Federal agencies.

Sec. 207. Authorization of appropriations.

Sec. 208. Termination of authority.

#### TITLE III—NATIONAL COAL HERITAGE AREA

Sec. 301. National Coal Heritage Area.

#### TITLE IV—COASTAL HERITAGE TRAIL ROUTE IN NEW JERSEY

Sec. 401. Reauthorization of appropriations for Coastal Heritage Trail Route in New Jersey.

#### TITLE V—ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR

Sec. 501. Short title.

Sec. 502. Transition and provisions for new management entity.

Sec. 503. Private property protection.

Sec. 504. Technical amendments.

#### TITLE VI—OIL REGION NATIONAL HERITAGE AREA

Sec. 601. Short title; definitions.

Sec. 602. Findings and purpose.

Sec. 603. Oil Region National Heritage Area.

Sec. 604. Compact.

Sec. 605. Authorities and duties of management entity.

Sec. 606. Duties and authorities of the Secretary.

Sec. 607. Duties of other Federal entities.

Sec. 608. Sunset.

Sec. 609. Requirements for inclusion of private property.

Sec. 610. Private property protection.

Sec. 611. Use of Federal funds from other sources.

Sec. 612. Authorization of appropriations.

#### TITLE VII—CROSSROADS OF THE AMERICAN REVOLUTION NATIONAL HERITAGE AREA

Sec. 701. Short title.

Sec. 702. Definitions.

Sec. 703. Crossroads of the American Revolution National Heritage Area.

Sec. 704. Management plan.

Sec. 705. Authorities, duties, and prohibitions applicable to the management entity.

Sec. 706. Technical and financial assistance; other Federal agencies.

Sec. 707. Authorization of appropriations.

Sec. 708. Termination of authority.

## TITLE VIII—WESTERN RESERVE HERITAGE AREAS STUDY

Sec. 801. Short title.

Sec. 802. National Park Service study regarding the Western Reserve, Ohio.

TITLE IX—JOHN H. CHAFEE BLACKSTONE RIVER VALLEY  
NATIONAL HERITAGE CORRIDOR

Sec. 901. Update of plan.

Sec. 902. Extension of Commission.

Sec. 903. Authorization of appropriations.

1                   **TITLE I—EXTENSIONS**  
 2   **SECTION 101. AUTHORIZATION AND APPROPRIATION EX-**  
 3                   **TENSIONS.**

4           Division II of the Omnibus Parks and Public Lands  
 5 Management Act of 1996 (Public Law 104–333; 16  
 6 U.S.C. 461 note) is amended—

7                   (1) in each of sections 107, 208, 408, 507, 811,  
 8                   and 910, by striking “September 30, 2012” and in-  
 9                   serting “September 30, 2027”;

10                   (2) in each of sections 108(a), 209(a), 409(a),  
 11                   508(a), 812(a), and 909(c), by striking  
 12                   “\$10,000,000” and inserting “\$20,000,000”; and

13                   (3) in title VIII, by striking “Canal National  
 14                   Heritage Corridor” each place it appears in the sec-  
 15                   tion headings and text and inserting “National Her-  
 16                   itage Canalway”.

1     **TITLE II—NATIONAL AVIATION**  
2                     **HERITAGE AREA**

3     **SEC. 201. SHORT TITLE.**

4             This title may be cited as the “National Aviation  
5 Heritage Area Act”.

6     **SEC. 202. DEFINITIONS.**

7             In this title:

8                     (1) HERITAGE AREA.—The term “Heritage  
9 Area” means the National Aviation Heritage Area  
10 established by section 203(a).

11                    (2) MANAGEMENT ENTITY.—The term “man-  
12 agement entity” means the Aviation Heritage Foun-  
13 dation, Incorporated, a nonprofit corporation estab-  
14 lished under the laws of the State of Ohio.

15                    (3) MANAGEMENT PLAN.—The term “manage-  
16 ment plan” means the management plan for the  
17 Heritage Area developed under section 204.

18                    (4) PARTNER.—The term “partner” means—  
19                             (A) a Federal, State, or local governmental  
20 entity; or

21                             (B) an organization, private industry, or  
22 person involved in promoting the conservation  
23 and preservation of the cultural and natural re-  
24 sources of the Heritage Area.

1           (5) SECRETARY.—The term “Secretary” means  
2           the Secretary of the Interior.

3 **SEC. 203. NATIONAL AVIATION HERITAGE AREA.**

4           (a) ESTABLISHMENT.—There is established in the  
5 States of Ohio and Indiana the National Aviation Heritage  
6 Area.

7           (b) BOUNDARIES.—

8           (1) IN GENERAL.—The Heritage Area shall in-  
9 clude—

10                   (A) a core area consisting of resources in  
11                   Montgomery, Greene, Warren, Miami, Clark,  
12                   Shelby, Auglaize, and Champaign Counties in  
13                   the State of Ohio;

14                   (B) the Neil Armstrong Air & Space Mu-  
15                   seum, Wapakoneta, Ohio;

16                   (C) the Wilbur Wright Birthplace and Mu-  
17                   seum, Millville, Indiana; and

18                   (D) any sites, buildings, and districts with-  
19                   in the core area described in subparagraph (A)  
20                   that are recommended for inclusion in the Her-  
21                   itage Area in the management plan.

22           (2) MAP.—

23                   (A) IN GENERAL.—The Secretary shall  
24                   prepare a map of the Heritage Area for inclu-  
25                   sion in the management plan.

1           (B) AVAILABILITY.—The map shall be on  
2           file and available for public inspection in the  
3           appropriate offices of the National Park Serv-  
4           ice.

5 **SEC. 204. MANAGEMENT PLAN.**

6           (a) IN GENERAL.—Not later than 3 years after the  
7           date of enactment of this Act, the management entity shall  
8           submit to the Secretary for approval a management plan  
9           for the Heritage Area.

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

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

15           (2) take into consideration Federal, State, and  
16           local plans;

17           (3) involve residents, public agencies, and pri-  
18           vate organizations in the Heritage Area;

19           (4) include—

20           (A) an assessment of cultural landscapes  
21           in the Heritage Area;

22           (B) provisions for the protection, interpre-  
23           tation, and enjoyment of the resources of the  
24           Heritage Area that are consistent with the pur-  
25           poses of this title;

1 (C) an interpretation plan for the Heritage  
2 Area;

3 (D) a program for the implementation of  
4 the management plan by the management enti-  
5 ty that includes—

6 (i) provisions for facilitating ongoing  
7 collaboration among the partners to—

8 (I) promote heritage tourism;  
9 and

10 (II) develop educational and cul-  
11 tural programs for the public;

12 (ii) provisions for assisting partners in  
13 plans for restoration and construction of  
14 the Heritage Area; and

15 (iii) to the maximum extent prac-  
16 ticable, specific commitments from part-  
17 ners for the first 5 years of operation of  
18 the Heritage Area; and

19 (E) an inventory of the resources con-  
20 tained in the core area of the Heritage Area, in-  
21 cluding—

22 (i) the Dayton Aviation Heritage His-  
23 torical Park;

24 (ii) the sites, buildings, and districts  
25 listed in section 202 of the Dayton Avia-

1                   tion Heritage Preservation Act of 1992  
2                   (Public Law 102–419); and

3                   (iii) any other property that—

4                   (I) is related to the themes of the  
5                   Heritage Area; and

6                   (II) should be preserved, re-  
7                   stored, managed, or maintained be-  
8                   cause of the significance of the prop-  
9                   erty;

10                  (5) identify sources of funding for the imple-  
11                  mentation of the management plan; and

12                  (6) describe and evaluate the management enti-  
13                  ty, including a description and evaluation of—

14                   (A) the membership of the management  
15                   entity; and

16                   (B) the organizational structure of the  
17                   management entity.

18                  (c) FAILURE TO SUBMIT.—If the management entity  
19                  fails to submit the management plan by the date described  
20                  in subsection (a), the Secretary shall not provide any addi-  
21                  tional funding under this title to the management entity  
22                  until the date on which the management entity submits  
23                  a management plan to the Secretary.

24                  (d) APPROVAL AND DISAPPROVAL OF MANAGEMENT  
25                  PLANS.—

1           (1) IN GENERAL.—Not later than 90 days after  
2 the date of the receipt of the management plan  
3 under subsection (a), the Secretary, in consultation  
4 with the State of Ohio, shall approve or disapprove  
5 the plan.

6           (2) DISAPPROVAL AND REVISION.—If the Sec-  
7 retary disapproves a management plan under para-  
8 graph (1), the Secretary shall—

9                   (A) advise the management entity in writ-  
10                   ing of the reasons for the disapproval;

11                   (B) make recommendations for revisions to  
12                   the management plan; and

13                   (C) not later than 90 days after the receipt  
14                   of any proposed revision of the management  
15                   plan from the management entity, approve or  
16                   disapprove the proposed revision.

17           (e) AMENDMENTS.—

18           (1) IN GENERAL.—The Secretary shall review  
19 each amendment to the management plan that the  
20 Secretary determines may make a substantial  
21 change to the management plan.

22           (2) USE OF FUNDS.—Funds made available  
23 under this title shall not be expended to implement  
24 an amendment described in paragraph (1) until the  
25 Secretary approves the amendment.

1 **SEC. 205. ADMINISTRATION.**

2 (a) IN GENERAL.—The management entity shall ad-  
3 minister the Heritage Area in accordance with this title.

4 (b) AUTHORITIES.—The management entity may, for  
5 purposes of implementing the management plan, use Fed-  
6 eral funds made available under this title to—

7 (1) make grants to, and enter into cooperative  
8 agreements with—

9 (A) the State of Ohio (including a political  
10 subdivision of the State);

11 (B) a private organization; or

12 (C) any person;

13 (2) hire and compensate staff;

14 (3) contract for goods and services; and

15 (4) obtain funds from any source (including a  
16 program that has a cost-sharing requirement).

17 (c) DUTIES OF MANAGEMENT ENTITY.—In addition  
18 to developing the management plan under section 204, in  
19 carrying out this title, the management entity shall—

20 (1) give priority to the implementation of ac-  
21 tions set forth in the management plan, including—

22 (A) assisting units of government and non-  
23 profit organizations in preserving the resources  
24 of the Heritage Area; and

1 (B) encouraging local governments to  
2 adopt land use policies that are consistent  
3 with—

4 (i) the management of the Heritage  
5 Area; and

6 (ii) the goals of the management plan;

7 (2) in developing and implementing the man-  
8 agement plan, consider the interests of diverse gov-  
9 ernmental, business, and nonprofit organizations in  
10 the Heritage Area;

11 (3) maintain a collaboration among the part-  
12 ners to promote heritage tourism;

13 (4) assist partners in developing educational  
14 and cultural programs for the public;

15 (5) encourage economic viability in the Heritage  
16 Area in accordance with the goals of the manage-  
17 ment plan;

18 (6) assist units of government and nonprofit or-  
19 ganizations in—

20 (A) establishing and maintaining interpre-  
21 tive exhibits in the Heritage Area;

22 (B) developing recreational resources in  
23 the Heritage Area;

24 (C) increasing public awareness of and ap-  
25 preciation for the historical, natural, and archi-

1 tectural resources and sites of the Heritage  
2 Area;

3 (D) installing throughout the Heritage  
4 Area, clear, consistent, and environmentally ap-  
5 propriate signs that identify access points and  
6 sites of interest; and

7 (E) restoring historic buildings that relate  
8 to the purposes of the Heritage Area;

9 (7) conduct public meetings at least quarterly  
10 regarding the implementation of the management  
11 plan;

12 (8) submit to the Secretary for approval sub-  
13 stantial amendments to the management plan; and

14 (9) for any fiscal year for which Federal funds  
15 are made available to carry out this Act under sec-  
16 tion 207—

17 (A) submit to the Secretary a report that  
18 describes, for the fiscal year—

19 (i) any activities conducted by the  
20 management entity with respect to the  
21 Heritage Area; and

22 (ii) any expenses incurred by the man-  
23 agement entity in carrying out this title;

1 (B) make available to the Secretary for  
2 audit all records relating to the expenditure of  
3 the funds and any matching funds; and

4 (C) require, for all agreements authorizing  
5 the expenditure of Federal funds by any entity,  
6 that the receiving entity make available to the  
7 Secretary for audit all records relating to the  
8 expenditure of the funds.

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

11 (1) USE OF FEDERAL FUNDS.—The manage-  
12 ment entity shall not use Federal funds made avail-  
13 able under this title to acquire real property or any  
14 interest in real property.

15 (2) FUNDS FROM OTHER SOURCES.—The man-  
16 agement entity may acquire real property or an in-  
17 terest in real property using non-Federal funds.

18 **SEC. 206. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER**

19 **FEDERAL AGENCIES.**

20 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—

21 (1) IN GENERAL.—On the request of the man-  
22 agement entity, the Secretary may provide to the  
23 Heritage Area technical assistance, on a reimburs-  
24 able or nonreimbursable basis, and financial assist-

1       ance for use in the development and implementation  
2       of the management plan.

3           (2) COOPERATIVE AGREEMENTS.—The Sec-  
4       retary may enter into a cooperative agreement with  
5       the management entity or other public or private or-  
6       ganizations for purposes of providing technical or fi-  
7       nancial assistance under paragraph (1).

8           (3) PRIORITY FOR ASSISTANCE.—In providing  
9       technical or financial assistance under paragraph  
10      (1), the Secretary shall give priority to actions that  
11      assist in—

12           (A) conserving the significant historical,  
13           cultural, and natural resources of the Heritage  
14           Area; and

15           (B) providing educational, interpretive, and  
16           recreational opportunities consistent with the  
17           purposes of the Heritage Area.

18      (b) OPERATIONAL ASSISTANCE.—Subject to the  
19      availability of appropriations, the Secretary may provide  
20      to public or private organizations in the Heritage Area  
21      such operational assistance as is appropriate to support  
22      the implementation of the management plan.

23      (c) DUTIES OF OTHER FEDERAL AGENCIES.—A  
24      Federal agency conducting or supporting any activity di-  
25      rectly affecting the Heritage Area shall—

1           (1) consult with the Secretary and the manage-  
2           ment entity with respect to the activity;

3           (2) cooperate with the Secretary and the man-  
4           agement entity in carrying out the duties of the Sec-  
5           retary and the management entity under this title;

6           (3) to the maximum extent practicable, coordi-  
7           nate the activity with the duties of the Secretary and  
8           the management entity under this title; and

9           (4) conduct or support the activity in a manner  
10          that, to the maximum extent practicable, will not  
11          have an adverse effect on the Heritage Area, as de-  
12          termined by the management entity.

13          (d) COORDINATION BETWEEN THE SECRETARY, THE  
14          SECRETARY OF DEFENSE, AND THE ADMINISTRATOR OF  
15          NASA.—Any decision relating to the application of this  
16          title to properties under the jurisdiction of the Secretary  
17          of Defense or the Administrator of the National Aero-  
18          nautics and Space Administration shall be made by the  
19          Secretary of Defense or the Administrator, respectively,  
20          in consultation with the Secretary.

21          **SEC. 207. AUTHORIZATION OF APPROPRIATIONS.**

22          (a) IN GENERAL.—There is authorized to be appro-  
23          priated to carry out this title \$10,000,000, of which not  
24          more than \$1,000,000 may be made available for any fis-  
25          cal year.

1 (b) FEDERAL SHARE.—The Federal share of the  
 2 total cost of any activity assisted under this title shall be  
 3 not more than 50 percent.

4 **SEC. 208. TERMINATION OF AUTHORITY.**

5 The authority of the Secretary to provide assistance  
 6 under this title terminates on the date that is 15 years  
 7 after the date of enactment of this Act.

8 **TITLE III—NATIONAL COAL**  
 9 **HERITAGE AREA**

10 **SEC. 301. NATIONAL COAL HERITAGE AREA.**

11 (a) NATIONAL COAL HERITAGE AREA AUTHORITY;  
 12 BOUNDARY REVISION.—Title I of division II of the Omni-  
 13 bus Parks and Public Lands Management Act of 1996  
 14 (Public Law 104–333; 16 U.S.C. 461 note) is amended  
 15 as follows:

16 (1) In section 103(b), by inserting “(1)” before  
 17 “the counties” and by inserting the following before  
 18 the period: “; (2) Lincoln County, West Virginia;  
 19 and (3) Paint Creek and Cabin Creek in Kanawha  
 20 County, West Virginia”.

21 (2) In section 104, by striking “Governor” and  
 22 all that follows through “organizations” in the mat-  
 23 ter preceding paragraph (1) and inserting “National  
 24 Coal Heritage Area Authority, a public corporation  
 25 and government instrumentality established by the

1 State of West Virginia, pursuant to which the Sec-  
2 retary shall assist the National Coal Heritage Area  
3 Authority”.

4 (3) In section 105—

5 (A) by striking “paragraph (2) of”; and

6 (B) by adding at the end the following new  
7 sentence: “Resources within Lincoln County,  
8 West Virginia, and Paint Creek and Cabin  
9 Creek within Kanawha County, West Virginia,  
10 shall also be eligible for assistance as deter-  
11 mined by the National Coal Heritage Area Au-  
12 thority.”.

13 (4) In section 106(a)—

14 (A) by striking “Governor” and all that  
15 follows through “and Parks” and inserting  
16 “National Coal Heritage Area Authority”; and

17 (B) in paragraph (3), by striking “State of  
18 West Virginia” and all that follows through  
19 “entities” and inserting “National Coal Herit-  
20 age Area Authority”.

21 (b) AGREEMENT CONTINUING IN EFFECT.—The con-  
22 tractual agreement entered into by the Secretary of the  
23 Interior and the Governor of West Virginia prior to the  
24 date of the enactment of this Act pursuant to section 104  
25 of title I of division II of the Omnibus Parks and Public

1 Lands Management Act of 1996 (16 U.S.C. 461 note)  
 2 shall be deemed as continuing in effect, except that such  
 3 agreement shall be between the Secretary and the Na-  
 4 tional Coal Heritage Area Authority.

5 **TITLE IV—COASTAL HERITAGE**  
 6 **TRAIL ROUTE IN NEW JERSEY**

7 **SEC. 401. REAUTHORIZATION OF APPROPRIATIONS FOR**  
 8 **COASTAL HERITAGE TRAIL ROUTE IN NEW**  
 9 **JERSEY.**

10 (a) REAUTHORIZATION.—Section 6 of Public Law  
 11 100–515 (16 U.S.C. 1244 note) is amended—

12 (1) in subsection (b)(1), by striking  
 13 “\$4,000,000” and all that follows and inserting  
 14 “such sums as may be necessary.”; and

15 (2) in subsection (c), by striking “10” and in-  
 16 serting “12”.

17 (b) STRATEGIC PLAN.—

18 (1) IN GENERAL.—The Secretary of the Inte-  
 19 rior shall, by not later than 2 years after the date  
 20 of the enactment of this Act, prepare a strategic  
 21 plan for the New Jersey Coastal Heritage Trail  
 22 Route.

23 (2) CONTENTS.—The strategic plan shall de-  
 24 scribe—

1 (A) opportunities to increase participation  
 2 by national and local private and public inter-  
 3 ests in planning, development, and administra-  
 4 tion of the New Jersey Coastal Heritage Trail  
 5 Route; and

6 (B) organizational options for sustaining  
 7 the New Jersey Coastal Heritage Trail Route.

8 **TITLE V—ILLINOIS AND MICHIGAN**  
 9 **CANAL NATIONAL HERITAGE**  
 10 **CORRIDOR**

11 **SEC. 501. SHORT TITLE.**

12 This title may be cited as the “Illinois and Michigan  
 13 Canal National Heritage Corridor Act Amendments Act  
 14 of 2004”.

15 **SEC. 502. TRANSITION AND PROVISIONS FOR NEW MANAGE-**  
 16 **MENT ENTITY.**

17 The Illinois and Michigan Canal National Heritage  
 18 Corridor Act of 1984 (Public Law 98–398; 16 U.S.C. 461  
 19 note) is amended as follows:

20 (1) In section 103—

21 (A) in paragraph (8), by striking “and”;

22 (B) in paragraph (9), by striking the pe-  
 23 riod and inserting “; and”; and

24 (C) by adding at the end the following:

1           “(10) the term ‘Association’ means the Canal  
2           Corridor Association (an organization described  
3           under section 501(c)(3) of the Internal Revenue  
4           Code of 1986 and exempt from taxation under sec-  
5           tion 501(a) of such Code).”.

6           (2) By adding at the end of section 112 the fol-  
7           lowing new paragraph:

8           “(7) The Secretary shall enter into a memo-  
9           randum of understanding with the Association to  
10          help ensure appropriate transition of the manage-  
11          ment entity to the Association and coordination with  
12          the Association regarding that role.”.

13          (3) By adding at the end the following new sec-  
14          tions:

15       **“SEC. 119. ASSOCIATION AS MANAGEMENT ENTITY.**

16          “Upon the termination of the Commission, the man-  
17          agement entity for the corridor shall be the Association.

18       **“SEC. 120. DUTIES AND AUTHORITIES OF ASSOCIATION.**

19          “For purposes of preparing and implementing the  
20          management plan developed under section 121, the Asso-  
21          ciation may use Federal funds made available under this  
22          title—

23               “(1) to make loans and grants to, and enter  
24          into cooperative agreements with, States and their

1 political subdivisions, private organizations, or any  
2 person;

3 “(2) to hire, train, and compensate staff; and

4 “(3) to enter into contracts for goods and serv-  
5 ices.

6 **“SEC. 121. DUTIES OF THE ASSOCIATION.**

7 “The Association shall—

8 “(1) develop and submit to the Secretary for  
9 approval under section 123 a proposed management  
10 plan for the corridor not later than 2 years after  
11 Federal funds are made available for this purpose;

12 “(2) give priority to implementing actions set  
13 forth in the management plan, including taking  
14 steps to assist units of local government, regional  
15 planning organizations, and other organizations—

16 “(A) in preserving the corridor;

17 “(B) in establishing and maintaining inter-  
18 pretive exhibits in the corridor;

19 “(C) in developing recreational resources  
20 in the corridor;

21 “(D) in increasing public awareness of and  
22 appreciation for the natural, historical, and ar-  
23 chitectural resources and sites in the corridor;  
24 and

1           “(E) in facilitating the restoration of any  
2           historic building relating to the themes of the  
3           corridor;

4           “(3) encourage by appropriate means economic  
5           viability in the corridor consistent with the goals of  
6           the management plan;

7           “(4) consider the interests of diverse govern-  
8           mental, business, and other groups within the cor-  
9           ridor;

10          “(5) conduct public meetings at least quarterly  
11          regarding the implementation of the management  
12          plan;

13          “(6) submit substantial changes (including any  
14          increase of more than 20 percent in the cost esti-  
15          mates for implementation) to the management plan  
16          to the Secretary;

17          “(7) for any year in which Federal funds have  
18          been received under this title—

19                 “(A) submit an annual report to the Sec-  
20                 retary setting forth the Association’s accom-  
21                 plishments, expenses and income, and the iden-  
22                 tity of each entity to which any loans and  
23                 grants were made during the year for which the  
24                 report is made;

1           “(B) make available for audit all records  
2           pertaining to the expenditure of such funds and  
3           any matching funds; and

4           “(C) require, for all agreements author-  
5           izing expenditure of Federal funds by other or-  
6           ganizations, that the receiving organizations  
7           make available for audit all records pertaining  
8           to the expenditure of such funds.

9   **“SEC. 122. USE OF FEDERAL FUNDS.**

10           “(a) IN GENERAL.—The Association shall not  
11           use Federal funds received under this title to acquire  
12           real property or an interest in real property.

13           “(b) OTHER SOURCES.—Nothing in this title  
14           precludes the Association from using Federal funds  
15           from other sources for authorized purposes.

16   **“SEC. 123. MANAGEMENT PLAN.**

17           “(a) PREPARATION OF MANAGEMENT PLAN.—Not  
18           later than 2 years after the date that Federal funds are  
19           made available for this purpose, the Association shall sub-  
20           mit to the Secretary for approval a proposed management  
21           plan that shall—

22           “(1) take into consideration State and local  
23           plans and involve residents, local governments and  
24           public agencies, and private organizations in the cor-  
25           ridor;

1           “(2) present comprehensive recommendations  
2 for the corridor’s conservation, funding, manage-  
3 ment, and development;

4           “(3) include actions proposed to be undertaken  
5 by units of government and nongovernmental and  
6 private organizations to protect the resources of the  
7 corridor;

8           “(4) specify the existing and potential sources  
9 of funding to protect, manage, and develop the cor-  
10 ridor; and

11           “(5) include the following:

12                   “(A) Identification of the geographic  
13 boundaries of the corridor.

14                   “(B) A brief description and map of the  
15 corridor’s overall concept or vision that show  
16 key sites, visitor facilities and attractions, and  
17 physical linkages.

18                   “(C) Identification of overall goals and the  
19 strategies and tasks intended to reach them,  
20 and a realistic schedule for completing the  
21 tasks.

22                   “(D) A listing of the key resources and  
23 themes of the corridor.

24                   “(E) Identification of parties proposed to  
25 be responsible for carrying out the tasks.

1           “(F) A financial plan and other informa-  
2           tion on costs and sources of funds.

3           “(G) A description of the public participa-  
4           tion process used in developing the plan and a  
5           proposal for public participation in the imple-  
6           mentation of the management plan.

7           “(H) A mechanism and schedule for up-  
8           dating the plan based on actual progress.

9           “(I) A bibliography of documents used to  
10          develop the management plan.

11          “(J) A discussion of any other relevant  
12          issues relating to the management plan.

13          “(b) DISQUALIFICATION FROM FUNDING.—If a pro-  
14          posed management plan is not submitted to the Secretary  
15          within 2 years after the date that Federal funds are made  
16          available for this purpose, the Association shall be ineli-  
17          gible to receive additional funds under this title until the  
18          Secretary receives a proposed management plan from the  
19          Association.

20          “(c) APPROVAL OF MANAGEMENT PLAN.—The Sec-  
21          retary shall approve or disapprove a proposed manage-  
22          ment plan submitted under this title not later than 180  
23          days after receiving such proposed management plan. If  
24          action is not taken by the Secretary within the time period  
25          specified in the preceding sentence, the management plan

1 shall be deemed approved. The Secretary shall consult  
2 with the local entities representing the diverse interests  
3 of the corridor including governments, natural and historic  
4 resource protection organizations, educational institutions,  
5 businesses, recreational organizations, community resi-  
6 dents, and private property owners prior to approving the  
7 management plan. The Association shall conduct semi-an-  
8 nual public meetings, workshops, and hearings to provide  
9 adequate opportunity for the public and local and govern-  
10 mental entities to review and to aid in the preparation and  
11 implementation of the management plan.

12       “(d) EFFECT OF APPROVAL.—Upon the approval of  
13 the management plan as provided in subsection (c), the  
14 management plan shall supersede the conceptual plan con-  
15 tained in the National Park Service report.

16       “(e) ACTION FOLLOWING DISAPPROVAL.—If the Sec-  
17 retary disapproves a proposed management plan within  
18 the time period specified in subsection (c), the Secretary  
19 shall advise the Association in writing of the reasons for  
20 the disapproval and shall make recommendations for revi-  
21 sions to the proposed management plan.

22       “(f) APPROVAL OF AMENDMENTS.—The Secretary  
23 shall review and approve all substantial amendments (in-  
24 cluding any increase of more than 20 percent in the cost  
25 estimates for implementation) to the management plan.

1 Funds made available under this title may not be ex-  
2 pended to implement any changes made by a substantial  
3 amendment until the Secretary approves that substantial  
4 amendment.

5 **“SEC. 124. TECHNICAL AND FINANCIAL ASSISTANCE;**  
6 **OTHER FEDERAL AGENCIES.**

7 “(a) TECHNICAL AND FINANCIAL ASSISTANCE.—  
8 Upon the request of the Association, the Secretary may  
9 provide technical assistance, on a reimbursable or non-  
10 reimbursable basis, and financial assistance to the Asso-  
11 ciation to develop and implement the management plan.  
12 The Secretary is authorized to enter into cooperative  
13 agreements with the Association and other public or pri-  
14 vate entities for this purpose. In assisting the Association,  
15 the Secretary shall give priority to actions that in general  
16 assist in—

17 “(1) conserving the significant natural, historic,  
18 cultural, and scenic resources of the corridor; and

19 “(2) providing educational, interpretive, and  
20 recreational opportunities consistent with the pur-  
21 poses of the corridor.

22 “(b) DUTIES OF OTHER FEDERAL AGENCIES.—Any  
23 Federal agency conducting or supporting activities directly  
24 affecting the corridor shall—

1           “(1) consult with the Secretary and the Asso-  
2           ciation with respect to such activities;

3           “(2) cooperate with the Secretary and the Asso-  
4           ciation in carrying out their duties under this title;

5           “(3) to the maximum extent practicable, coordi-  
6           nate such activities with the carrying out of such du-  
7           ties; and

8           “(4) to the maximum extent practicable, con-  
9           duct or support such activities in a manner which  
10          the Association determines is not likely to have an  
11          adverse effect on the corridor.

12 **“SEC. 125. AUTHORIZATION OF APPROPRIATIONS.**

13          “(a) IN GENERAL.—To carry out this title there is  
14          authorized to be appropriated \$10,000,000, except that  
15          not more than \$1,000,000 may be appropriated to carry  
16          out this title for any fiscal year.

17          “(b) 50 PERCENT MATCH.—The Federal share of the  
18          cost of activities carried out using any assistance or grant  
19          under this title shall not exceed 50 percent of that cost.

20 **“SEC. 126. SUNSET.**

21          “The authority of the Secretary to provide assistance  
22          under this title terminates on September 30, 2027.”.

23 **SEC. 503. PRIVATE PROPERTY PROTECTION.**

24          The Illinois and Michigan Canal National Heritage  
25          Corridor Act of 1984 is further amended by adding after

1 section 126 (as added by section 502 of this title) the fol-  
2 lowing new sections:

3 **“SEC. 127. REQUIREMENTS FOR INCLUSION OF PRIVATE**  
4 **PROPERTY.**

5 “(a) NOTIFICATION AND CONSENT OF PROPERTY  
6 OWNERS REQUIRED.—No privately owned property shall  
7 be preserved, conserved, or promoted by the management  
8 plan for the corridor until the owner of that private prop-  
9 erty has been notified in writing by the Association and  
10 has given written consent for such preservation, conserva-  
11 tion, or promotion to the Association.

12 “(b) LANDOWNER WITHDRAW.—Any owner of pri-  
13 vate property included within the boundary of the corridor,  
14 and not notified under subsection (a), shall have their  
15 property immediately removed from the boundary of the  
16 corridor by submitting a written request to the Associa-  
17 tion.

18 **“SEC. 128. PRIVATE PROPERTY PROTECTION.**

19 “(a) ACCESS TO PRIVATE PROPERTY.—Nothing in  
20 this title shall be construed to—

21 “(1) require any private property owner to  
22 allow public access (including Federal, State, or local  
23 government access) to such private property; or

1           “(2) modify any provision of Federal, State, or  
2           local law with regard to public access to or use of  
3           private property.

4           “(b) LIABILITY.—Designation of the corridor shall  
5           not be considered to create any liability, or to have any  
6           effect on any liability under any other law, of any private  
7           property owner with respect to any persons injured on  
8           such private property.

9           “(c) RECOGNITION OF AUTHORITY TO CONTROL  
10          LAND USE.—Nothing in this title shall be construed to  
11          modify the authority of Federal, State, or local govern-  
12          ments to regulate land use.

13          “(d) PARTICIPATION OF PRIVATE PROPERTY OWN-  
14          ERS IN CORRIDOR.—Nothing in this title shall be con-  
15          strued to require the owner of any private property located  
16          within the boundaries of the corridor to participate in or  
17          be associated with the corridor.

18          “(e) EFFECT OF ESTABLISHMENT.—The boundaries  
19          designated for the corridor represent the area within  
20          which Federal funds appropriated for the purpose of this  
21          title may be expended. The establishment of the corridor  
22          and its boundaries shall not be construed to provide any  
23          nonexisting regulatory authority on land use within the  
24          corridor or its viewshed by the Secretary, the National  
25          Park Service, or the Association.”.

1 **SEC. 504. TECHNICAL AMENDMENTS.**

2 Section 116 of Illinois and Michigan Canal National  
3 Heritage Corridor Act of 1984 is amended—

4 (1) by striking subsection (b); and

5 (2) in subsection (a)—

6 (A) by striking “(a)” and all that follows  
7 through “For each” and inserting “(a) For  
8 each”;

9 (B) by striking “Commission” and insert-  
10 ing “Association”;

11 (C) by striking “Commission’s” and insert-  
12 ing “Association’s”;

13 (D) by redesignating paragraph (2) as sub-  
14 section (b); and

15 (E) by redesignating subparagraphs (A)  
16 and (B) as paragraphs (1) and (2), respectively.

17 **TITLE VI—OIL REGION**  
18 **NATIONAL HERITAGE AREA**

19 **SEC. 601. SHORT TITLE; DEFINITIONS.**

20 (a) **SHORT TITLE.**—This title may be cited as the  
21 “Oil Region National Heritage Area Act”.

22 (b) **DEFINITIONS.**—For the purposes of this title, the  
23 following definitions shall apply:

24 (1) **HERITAGE AREA.**—The term “Heritage  
25 Area” means the Oil Region National Heritage Area  
26 established in section 603(a).

1           (2) MANAGEMENT ENTITY.—The term “man-  
2           agement entity” means the Oil Heritage Region,  
3           Inc., or its successor entity.

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

6 **SEC. 602. FINDINGS AND PURPOSE.**

7           (a) FINDINGS.—The Congress finds the following:

8           (1) The Oil Region of Northwestern Pennsyl-  
9           vania, with numerous sites and districts listed on the  
10          National Register of Historic Places, and designated  
11          by the Governor of Pennsylvania as one of the State  
12          Heritage Park Areas, is a region with tremendous  
13          physical and natural resources and possesses a story  
14          of State, national, and international significance.

15          (2) The single event of Colonel Edwin Drake’s  
16          drilling of the world’s first successful oil well in  
17          1859 has affected the industrial, natural, social, and  
18          political structures of the modern world.

19          (3) Six national historic districts are located  
20          within the State Heritage Park boundary, in  
21          Emlenton, Franklin, Oil City, and Titusville, as well  
22          as 17 separate National Register sites.

23          (4) The Allegheny River, which was designated  
24          as a component of the national wild and scenic riv-  
25          ers system in 1992 by Public Law 102–271, tra-

1        verses the Oil Region and connects several of its  
2        major sites, as do some of the river's tributaries  
3        such as Oil Creek, French Creek, and Sandy Creek.

4            (5) The unspoiled rural character of the Oil Re-  
5        gion provides many natural and recreational re-  
6        sources, scenic vistas, and excellent water quality for  
7        people throughout the United States to enjoy.

8            (6) Remnants of the oil industry, visible on the  
9        landscape to this day, provide a direct link to the  
10       past for visitors, as do the historic valley settle-  
11       ments, riverbed settlements, plateau developments,  
12       farmlands, and industrial landscapes.

13           (7) The Oil Region also represents a cross sec-  
14       tion of American history associated with Native  
15       Americans, frontier settlements, the French and In-  
16       dian War, African Americans and the Underground  
17       Railroad, and immigration of Swedish and Polish in-  
18       dividuals, among others.

19           (8) Involvement by the Federal Government  
20       shall serve to enhance the efforts of the Common-  
21       wealth of Pennsylvania, local subdivisions of the  
22       Commonwealth of Pennsylvania, volunteer organiza-  
23       tions, and private businesses, to promote the cul-  
24       tural, national, and recreational resources of the re-  
25       gion in order to fulfill their full potential.

1 (b) PURPOSE.—The purpose of this title is to en-  
2 hance a cooperative management framework to assist the  
3 Commonwealth of Pennsylvania, its units of local govern-  
4 ment, and area citizens in conserving, enhancing, and in-  
5 terpreting the significant features of the lands, water, and  
6 structures of the Oil Region, in a manner consistent with  
7 compatible economic development for the benefit and in-  
8 spiration of present and future generations in the Com-  
9 monwealth of Pennsylvania and the United States.

10 **SEC. 603. OIL REGION NATIONAL HERITAGE AREA.**

11 (a) ESTABLISHMENT.—There is hereby established  
12 the Oil Region National Heritage Area.

13 (b) BOUNDARIES.—The boundaries of the Heritage  
14 Area shall include all of those lands depicted on a map  
15 entitled “Oil Region National Heritage Area”, numbered  
16 OIRE/20,000 and dated October, 2000. The map shall be  
17 on file in the appropriate offices of the National Park  
18 Service. The Secretary of the Interior shall publish in the  
19 Federal Register, as soon as practical after the date of  
20 the enactment of this Act, a detailed description and map  
21 of the boundaries established under this subsection.

22 (c) MANAGEMENT ENTITY.—The management entity  
23 for the Heritage Area shall be the Oil Heritage Region,  
24 Inc., the locally based private, nonprofit management cor-

1 poration which shall oversee the development of a manage-  
2 ment plan in accordance with section 605(b).

3 **SEC. 604. COMPACT.**

4 To carry out the purposes of this title, the Secretary  
5 shall enter into a compact with the management entity.  
6 The compact shall include information relating to the ob-  
7 jectives and management of the area, including a discus-  
8 sion of the goals and objectives of the Heritage Area, in-  
9 cluding an explanation of the proposed approach to con-  
10 servation and interpretation and a general outline of the  
11 protection measures committed to by the Secretary and  
12 management entity.

13 **SEC. 605. AUTHORITIES AND DUTIES OF MANAGEMENT EN-**  
14 **TITY.**

15 (a) **AUTHORITIES OF THE MANAGEMENT ENTITY.—**

16 The management entity may use funds made available  
17 under this title for purposes of preparing, updating, and  
18 implementing the management plan developed under sub-  
19 section (b). Such purposes may include—

- 20 (1) making grants to, and entering into cooper-  
21 ative agreements with, States and their political sub-  
22 divisions, private organizations, or any other person;  
23 (2) hiring and compensating staff; and  
24 (3) undertaking initiatives that advance the  
25 purposes of the Heritage Area.

1 (b) MANAGEMENT PLAN.—The management entity  
2 shall develop a management plan for the Heritage Area  
3 that—

4 (1) presents comprehensive strategies and rec-  
5 ommendations for conservation, funding, manage-  
6 ment, and development of the Heritage Area;

7 (2) takes into consideration existing State,  
8 county, and local plans and involves residents, public  
9 agencies, and private organizations working in the  
10 Heritage Area;

11 (3) includes a description of actions that units  
12 of government and private organizations have agreed  
13 to take to protect the resources of the Heritage  
14 Area;

15 (4) specifies the existing and potential sources  
16 of funding to protect, manage, and develop the Her-  
17 itage Area;

18 (5) includes an inventory of the resources con-  
19 tained in the Heritage Area, including a list of any  
20 property in the Heritage Area that is related to the  
21 themes of the Heritage Area and that should be pre-  
22 served, restored, managed, developed, or maintained  
23 because of its natural, cultural, historic, recreational,  
24 or scenic significance;

1           (6) describes a program for implementation of  
2 the management plan by the management entity, in-  
3 cluding plans for restoration and construction, and  
4 specific commitments for that implementation that  
5 have been made by the management entity and any  
6 other persons for the first 5 years of implementa-  
7 tion;

8           (7) lists any revisions to the boundaries of the  
9 Heritage Area proposed by the management entity  
10 and requested by the affected local government; and

11           (8) includes an interpretation plan for the Her-  
12 itage Area.

13           (c) DEADLINE; TERMINATION OF FUNDING.—

14           (1) DEADLINE.—The management entity shall  
15 submit the management plan to the Secretary within  
16 2 years after the funds are made available for this  
17 title.

18           (2) TERMINATION OF FUNDING.—If a manage-  
19 ment plan is not submitted to the Secretary in ac-  
20 cordance with this subsection, the management enti-  
21 ty shall not qualify for Federal assistance under this  
22 title.

23           (d) DUTIES OF MANAGEMENT ENTITY.—The man-  
24 agement entity shall—

1           (1) give priority to implementing actions set  
2 forth in the compact and management plan;

3           (2) assist units of government, regional plan-  
4 ning organizations, and nonprofit organizations in—

5                 (A) establishing and maintaining interpre-  
6 tive exhibits in the Heritage Area;

7                 (B) developing recreational resources in  
8 the Heritage Area;

9                 (C) increasing public awareness of and ap-  
10 preciation for the natural, historical, and archi-  
11 tectural resources and sites in the Heritage  
12 Area;

13                (D) the restoration of any historic building  
14 relating to the themes of the Heritage Area;

15                (E) ensuring that clear signs identifying  
16 access points and sites of interest are put in  
17 place throughout the Heritage Area; and

18                (F) carrying out other actions that the  
19 management entity determines to be advisable  
20 to fulfill the purposes of this title;

21           (3) encourage by appropriate means economic  
22 viability in the Heritage Area consistent with the  
23 goals of the management plan;

1           (4) consider the interests of diverse govern-  
2           mental, business, and nonprofit groups within the  
3           Heritage Area; and

4           (5) for any year in which Federal funds have  
5           been provided to implement the management plan  
6           under subsection (b)—

7                   (A) conduct public meetings at least annu-  
8                   ally regarding the implementation of the man-  
9                   agement plan;

10                   (B) submit an annual report to the Sec-  
11                   retary setting forth accomplishments, expenses  
12                   and income, and each person to which any  
13                   grant was made by the management entity in  
14                   the year for which the report is made; and

15                   (C) require, for all agreements entered into  
16                   by the management entity authorizing expendi-  
17                   ture of Federal funds by any other person, that  
18                   the person making the expenditure make avail-  
19                   able to the management entity for audit all  
20                   records pertaining to the expenditure of such  
21                   funds.

22           (e) PROHIBITION ON THE ACQUISITION OF REAL  
23           PROPERTY.—The management entity may not use Fed-  
24           eral funds received under this title to acquire real property  
25           or an interest in real property.

1 **SEC. 606. DUTIES AND AUTHORITIES OF THE SECRETARY.**

2 (a) **TECHNICAL AND FINANCIAL ASSISTANCE.**—

3 (1) **IN GENERAL.**—

4 (A) **OVERALL ASSISTANCE.**—The Secretary  
5 may, upon the request of the management enti-  
6 ty, and subject to the availability of appropria-  
7 tions, provide technical and financial assistance  
8 to the management entity to carry out its du-  
9 ties under this title, including updating and im-  
10 plementing a management plan that is sub-  
11 mitted under section 605(b) and approved by  
12 the Secretary and, prior to such approval, pro-  
13 viding assistance for initiatives.

14 (B) **OTHER ASSISTANCE.**—If the Secretary  
15 has the resources available to provide technical  
16 assistance to the management entity to carry  
17 out its duties under this title (including updat-  
18 ing and implementing a management plan that  
19 is submitted under section 605(b) and approved  
20 by the Secretary and, prior to such approval,  
21 providing assistance for initiatives), upon the  
22 request of the management entity the Secretary  
23 shall provide such assistance on a reimbursable  
24 basis. This subparagraph does not preclude the  
25 Secretary from providing nonreimbursable as-  
26 sistance under subparagraph (A).

1           (2) PRIORITY.—In assisting the management  
2           entity, the Secretary shall give priority to actions  
3           that assist in the—

4                   (A) implementation of the management  
5           plan;

6                   (B) provision of educational assistance and  
7           advice regarding land and water management  
8           techniques to conserve the significant natural  
9           resources of the region;

10                  (C) development and application of tech-  
11           niques promoting the preservation of cultural  
12           and historic properties;

13                  (D) preservation, restoration, and reuse of  
14           publicly and privately owned historic buildings;

15                  (E) design and fabrication of a wide range  
16           of interpretive materials based on the manage-  
17           ment plan, including guide brochures, visitor  
18           displays, audio-visual and interactive exhibits,  
19           and educational curriculum materials for public  
20           education; and

21                  (F) implementation of initiatives prior to  
22           approval of the management plan.

23           (3) DOCUMENTATION OF STRUCTURES.—The  
24           Secretary, acting through the Historic American  
25           Building Survey and the Historic American Engi-

1 neering Record, shall conduct studies necessary to  
2 document the industrial, engineering, building, and  
3 architectural history of the Heritage Area.

4 (b) APPROVAL AND DISAPPROVAL OF MANAGEMENT  
5 PLANS.—The Secretary, in consultation with the Governor  
6 of Pennsylvania, shall approve or disapprove a manage-  
7 ment plan submitted under this title not later than 90  
8 days after receiving such plan. In approving the plan, the  
9 Secretary shall take into consideration the following cri-  
10 teria:

11 (1) The extent to which the management plan  
12 adequately preserves and protects the natural, cul-  
13 tural, and historical resources of the Heritage Area.

14 (2) The level of public participation in the de-  
15 velopment of the management plan.

16 (3) The extent to which the board of directors  
17 of the management entity is representative of the  
18 local government and a wide range of interested or-  
19 ganizations and citizens.

20 (c) ACTION FOLLOWING DISAPPROVAL.—If the Sec-  
21 retary disapproves a management plan, the Secretary shall  
22 advise the management entity in writing of the reasons  
23 for the disapproval and shall make recommendations for  
24 revisions in the management plan. The Secretary shall ap-

1 prove or disapprove a proposed revision within 90 days  
2 after the date it is submitted.

3 (d) APPROVING CHANGES.—The Secretary shall re-  
4 view and approve amendments to the management plan  
5 under section 605(b) that make substantial changes.  
6 Funds appropriated under this title may not be expended  
7 to implement such changes until the Secretary approves  
8 the amendments.

9 (e) EFFECT OF INACTION.—If the Secretary does not  
10 approve or disapprove a management plan, revision, or  
11 change within 90 days after it is submitted to the Sec-  
12 retary, then such management plan, revision, or change  
13 shall be deemed to have been approved by the Secretary.

14 **SEC. 607. DUTIES OF OTHER FEDERAL ENTITIES.**

15 Any Federal entity conducting or supporting activi-  
16 ties directly affecting the Heritage Area shall—

17 (1) consult with the Secretary and the manage-  
18 ment entity with respect to such activities;

19 (2) cooperate with the Secretary and the man-  
20 agement entity in carrying out their duties under  
21 this title and, to the maximum extent practicable,  
22 coordinate such activities with the carrying out of  
23 such duties; and

24 (3) to the maximum extent practicable, conduct  
25 or support such activities in a manner that the man-



1           (1) require any private property owner to allow  
2           public access (including Federal, State, or local gov-  
3           ernment access) to such private property; or

4           (2) modify any provision of Federal, State, or  
5           local law with regard to public access to or use of  
6           private property.

7           (b) LIABILITY.—Designation of the Heritage Area  
8           shall not be considered to create any liability, or to have  
9           any effect on any liability under any other law, of any pri-  
10          vate property owner with respect to any persons injured  
11          on such private property.

12          (c) RECOGNITION OF AUTHORITY TO CONTROL LAND  
13          USE.—Nothing in this title shall be construed to modify  
14          the authority of Federal, State, or local governments to  
15          regulate land use.

16          (d) PARTICIPATION OF PRIVATE PROPERTY OWNERS  
17          IN HERITAGE AREA.—Nothing in this title shall be con-  
18          strued to require the owner of any private property located  
19          within the boundaries of the Heritage Area to participate  
20          in or be associated with the Heritage Area.

21          (e) EFFECT OF ESTABLISHMENT.—The boundaries  
22          designated for the Heritage Area represent the area within  
23          which Federal funds appropriated for the purpose of this  
24          title may be expended. The establishment of the Heritage  
25          Area and its boundaries shall not be construed to provide

1 any nonexisting regulatory authority on land use within  
 2 the Heritage Area or its viewshed by the Secretary, the  
 3 National Park Service, or the management entity.

4 **SEC. 611. USE OF FEDERAL FUNDS FROM OTHER SOURCES.**

5 Nothing in this title shall preclude the management  
 6 entity from using Federal funds available under Acts other  
 7 than this title for the purposes for which those funds were  
 8 authorized.

9 **SEC. 612. AUTHORIZATION OF APPROPRIATIONS.**

10 (a) IN GENERAL.—There are authorized to be appro-  
 11 priated to carry out this title—

12 (1) not more than \$1,000,000 for any fiscal  
 13 year; and

14 (2) not more than a total of \$10,000,000.

15 (b) 50 PERCENT MATCH.—Financial assistance pro-  
 16 vided under this title may not be used to pay more than  
 17 50 percent of the total cost of any activity carried out with  
 18 that assistance.

19 **TITLE VII—CROSSROADS OF THE**  
 20 **AMERICAN REVOLUTION NA-**  
 21 **TIONAL HERITAGE AREA**

22 **SEC. 701. SHORT TITLE.**

23 This title may be cited as the “Crossroads of the  
 24 American Revolution National Heritage Area Act of  
 25 2004”.

1 **SEC. 702. DEFINITIONS.**

2 In this title:

3 (1) ASSOCIATION.—The term “Association”  
4 means the Crossroads of the American Revolution  
5 Association, Inc., a nonprofit corporation in the  
6 State.

7 (2) HERITAGE AREA.—The term “Heritage  
8 Area” means the Crossroads of the American Revo-  
9 lution National Heritage Area established by section  
10 703(a).

11 (3) MANAGEMENT ENTITY.—The term “man-  
12 agement entity” means the management entity for  
13 the Heritage Area designated by section 703(d).

14 (4) MANAGEMENT PLAN.—The term “manage-  
15 ment plan” means the management plan for the  
16 Heritage Area developed under section 704.

17 (5) MAP.—The term “map” means the map en-  
18 titled “Crossroads of the American Revolution Na-  
19 tional Heritage Area”, numbered CRRE\80,000, and  
20 dated April 2002.

21 (6) SECRETARY.—The term “Secretary” means  
22 the Secretary of the Interior.

23 (7) STATE.—The term “State” means the State  
24 of New Jersey.

1 **SEC. 703. CROSSROADS OF THE AMERICAN REVOLUTION**  
2 **NATIONAL HERITAGE AREA.**

3 (a) ESTABLISHMENT.—There is established in the  
4 State the Crossroads of the American Revolution National  
5 Heritage Area.

6 (b) BOUNDARIES.—The Heritage Area shall consist  
7 of the land and water within the boundaries of the Herit-  
8 age Area, as depicted on the map.

9 (c) AVAILABILITY OF MAP.—The map shall be on file  
10 and available for public inspection in the appropriate of-  
11 fices of the National Park Service.

12 (d) MANAGEMENT ENTITY.—The Association shall  
13 be the management entity for the Heritage Area.

14 **SEC. 704. MANAGEMENT PLAN.**

15 (a) IN GENERAL.—Not later than 3 years after the  
16 date on which funds are first made available to carry out  
17 this title, the management entity shall submit to the Sec-  
18 retary for approval a management plan for the Heritage  
19 Area.

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

21 (1) include comprehensive policies, strategies,  
22 and recommendations for conservation, funding,  
23 management, and development of the Heritage Area;

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

1           (3) describe actions that units of local govern-  
2           ment, private organizations, and individuals have  
3           agreed to take to protect the cultural, historic, and  
4           natural resources of the Heritage Area;

5           (4) identify existing and potential sources of  
6           funding for the protection, management, and devel-  
7           opment of the Heritage Area during the first 5 years  
8           of implementation of the management plan; and

9           (5) include—

10           (A) an inventory of the cultural, edu-  
11           cational, historic, natural, recreational, and sce-  
12           nic resources of the Heritage Area relating to  
13           the themes of the Heritage Area that should be  
14           restored, managed, or developed;

15           (B) recommendations of policies and strat-  
16           egies for resource management that result in—

17           (i) application of appropriate land and  
18           water management techniques; and

19           (ii) development of intergovernmental  
20           and interagency cooperative agreements to  
21           protect the cultural, educational, historic,  
22           natural, recreational, and scenic resources  
23           of the Heritage Area;

1 (C) a program of implementation of the  
2 management plan that includes for the first 5  
3 years of implementation—

4 (i) plans for resource protection, res-  
5 toration, construction; and

6 (ii) specific commitments for imple-  
7 mentation that have been made by the  
8 management entity or any government, or-  
9 ganization, or individual;

10 (D) an analysis of and recommendations  
11 for ways in which Federal, State, and local pro-  
12 grams, including programs of the National  
13 Park Service, may be best coordinated to pro-  
14 mote the purposes of this title; and

15 (E) an interpretive plan for the Heritage  
16 Area.

17 (c) APPROVAL OR DISAPPROVAL OF MANAGEMENT  
18 PLAN.—

19 (1) IN GENERAL.—Not later than 90 days after  
20 the date of receipt of the management plan under  
21 subsection (a), the Secretary shall approve or dis-  
22 approve the management plan.

23 (2) CRITERIA.—In determining whether to ap-  
24 prove the management plan, the Secretary shall con-  
25 sider whether—

1 (A) the Board of Directors of the manage-  
2 ment entity is representative of the diverse in-  
3 terests of the Heritage Area, including—

4 (i) governments;

5 (ii) natural and historic resource pro-  
6 tection organizations;

7 (iii) educational institutions;

8 (iv) businesses; and

9 (v) recreational organizations;

10 (B) the management entity provided ade-  
11 quate opportunity for public and governmental  
12 involvement in the preparation of the manage-  
13 ment plan, including public hearings;

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

18 (D) the Secretary has received adequate  
19 assurances from the appropriate State and local  
20 officials whose support is needed to ensure the  
21 effective implementation of the State and local  
22 aspects of the management plan.

23 (3) ACTION FOLLOWING DISAPPROVAL.—If the  
24 Secretary disapproves the management plan under  
25 paragraph (1), the Secretary shall—

1 (A) advise the management entity in writ-  
2 ing of the reasons for the disapproval;

3 (B) make recommendations for revisions to  
4 the management plan; and

5 (C) not later than 60 days after the receipt  
6 of any proposed revision of the management  
7 plan from the management entity, approve or  
8 disapprove the proposed revision.

9 (d) AMENDMENTS.—

10 (1) IN GENERAL.—The Secretary shall approve  
11 or disapprove each amendment to the management  
12 plan that the Secretary determines may make a sub-  
13 stantial change to the management plan.

14 (2) USE OF FUNDS.—Funds made available  
15 under this title shall not be expended by the man-  
16 agement entity to implement an amendment de-  
17 scribed in paragraph (1) until the Secretary ap-  
18 proves the amendment.

19 (e) IMPLEMENTATION.—On completion of the 3-year  
20 period described in subsection (a), any funding made  
21 available under this title shall be made available to the  
22 management entity only for implementation of the ap-  
23 proved management plan.

1 **SEC. 705. AUTHORITIES, DUTIES, AND PROHIBITIONS AP-**  
2 **PLICABLE TO THE MANAGEMENT ENTITY.**

3 (a) **AUTHORITIES.**—For purposes of preparing and  
4 implementing the management plan, the management en-  
5 tity may use funds made available under this title to—

6 (1) make grants to, provide technical assistance  
7 to, and enter into cooperative agreements with, the  
8 State (including a political subdivision), a nonprofit  
9 organization, or any other person;

10 (2) hire and compensate staff, including individ-  
11 uals with expertise in—

12 (A) cultural, historic, or natural resource  
13 protection; or

14 (B) heritage programming;

15 (3) obtain funds or services from any source  
16 (including a Federal law or program);

17 (4) contract for goods or services; and

18 (5) support any other activity—

19 (A) that furthers the purposes of the Her-  
20 itage Area; and

21 (B) that is consistent with the manage-  
22 ment plan.

23 (b) **DUTIES.**—In addition to developing the manage-  
24 ment plan, the management entity shall—

25 (1) assist units of local government, regional  
26 planning organizations, and nonprofit organizations

1 in implementing the approved management plan  
2 by—

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

6 (B) establishing and maintaining interpre-  
7 tive exhibits and programs in the Heritage  
8 Area;

9 (C) developing recreational and educational  
10 opportunities in the Heritage Area;

11 (D) increasing public awareness of and ap-  
12 preciation for cultural, historic, and natural re-  
13 sources of the Heritage Area;

14 (E) protecting and restoring historic sites  
15 and buildings that are—

16 (i) located in the Heritage Area; and

17 (ii) related to the themes of the Herit-  
18 age Area;

19 (F) ensuring that clear, consistent, and ap-  
20 propriate signs identifying points of public ac-  
21 cess and sites of interest are installed through-  
22 out the Heritage Area; and

23 (G) promoting a wide range of partner-  
24 ships among governments, organizations, and

1 individuals to further the purposes of the Herit-  
2 age Area;

3 (2) in preparing and implementing the manage-  
4 ment plan, consider the interests of diverse units of  
5 government, businesses, organizations, and individ-  
6 uals in the Heritage Area;

7 (3) conduct public meetings at least semiannu-  
8 ally regarding the development and implementation  
9 of the management plan;

10 (4) for any fiscal year for which Federal funds  
11 are received under this title—

12 (A) submit to the Secretary a report that  
13 describes for the year—

14 (i) the accomplishments of the man-  
15 agement entity;

16 (ii) the expenses and income of the  
17 management entity; and

18 (iii) each entity to which a grant was  
19 made;

20 (B) make available for audit all informa-  
21 tion relating to the expenditure of the funds  
22 and any matching funds; and

23 (C) require, for all agreements authorizing  
24 expenditures of Federal funds by any entity,  
25 that the receiving entity make available for



1 development and implementation of the management  
2 plan.

3 (2) PRIORITY FOR ASSISTANCE.—In providing  
4 assistance under paragraph (1), the Secretary shall  
5 give priority to actions that assist in—

6 (A) conserving the significant cultural, his-  
7 toric, natural, and scenic resources of the Her-  
8 itage Area; and

9 (B) providing educational, interpretive, and  
10 recreational opportunities consistent with the  
11 purposes of the Heritage Area.

12 (3) OPERATIONAL ASSISTANCE.—Subject to the  
13 availability of appropriations, the Superintendent of  
14 Morristown National Historical Park may, on re-  
15 quest, provide to public and private organizations in  
16 the Heritage Area, including the management entity,  
17 any operational assistance that is appropriate for the  
18 purpose of supporting the implementation of the  
19 management plan.

20 (4) PRESERVATION OF HISTORIC PROP-  
21 erties.—To carry out the purposes of this title, the  
22 Secretary may provide assistance to a State or local  
23 government or nonprofit organization to provide for  
24 the appropriate treatment of—

25 (A) historic objects; or

1 (B) structures that are listed or eligible for  
2 listing on the National Register of Historic  
3 Places.

4 (5) COOPERATIVE AGREEMENTS.—The Sec-  
5 retary may enter into cooperative agreements with  
6 the management entity and other public or private  
7 entities to carry out this subsection.

8 (b) OTHER FEDERAL AGENCIES.—Any Federal  
9 agency conducting or supporting an activity that directly  
10 affects the Heritage Area shall—

11 (1) consult with the Secretary and the manage-  
12 ment entity regarding the activity;

13 (2)(A) cooperate with the Secretary and the  
14 management entity in carrying out the duties of the  
15 Federal agency under this title; and

16 (B) to the maximum extent practicable, coordi-  
17 nate the activity with the carrying out of those du-  
18 ties; and

19 (3) to the maximum extent practicable, conduct  
20 the activity to avoid adverse effects on the Heritage  
21 Area.

22 **SEC. 707. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) IN GENERAL.—There is authorized to be appro-  
24 priated to carry out this title \$10,000,000, of which not

1 more than \$1,000,000 may be authorized to be appro-  
2 priated for any fiscal year.

3 (b) **COST-SHARING REQUIREMENT.**—The Federal  
4 share of the cost of any activity assisted under this title  
5 shall be not more than 50 percent.

6 **SEC. 708. TERMINATION OF AUTHORITY.**

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

10 **TITLE VIII—WESTERN RESERVE**  
11 **HERITAGE AREAS STUDY**

12 **SEC. 801. SHORT TITLE.**

13 This title may be cited as the “Western Reserve Her-  
14 itage Areas Study Act”.

15 **SEC. 802. NATIONAL PARK SERVICE STUDY REGARDING**  
16 **THE WESTERN RESERVE, OHIO.**

17 (a) **FINDINGS.**—Congress finds the following:

18 (1) The area that encompasses the modern-day  
19 counties of Trumbull, Mahoning, Ashtabula, Por-  
20 tage, Geagua, Lake, Cuyahoga, Summit, Medina,  
21 Huron, Lorain, Erie, Ottawa, and Ashland in Ohio  
22 with the rich history in what was once the Western  
23 Reserve, has made a unique contribution to the cul-  
24 tural, political and industrial development of the  
25 United States.

1           (2) The Western Reserve is distinctive as the  
2 land settled by the people of Connecticut after the  
3 Revolutionary War. The Western Reserve holds a  
4 unique mark as the original wilderness land of the  
5 West that many settlers migrated to in order to  
6 begin life outside of the original 13 colonies.

7           (3) The Western Reserve played a significant  
8 role in providing land to the people of Connecticut  
9 whose property and land was destroyed during the  
10 Revolution. These settlers were descendants of the  
11 brave immigrants who came to the Americas in the  
12 17th century.

13           (4) The Western Reserve offered a new destina-  
14 tion for those who moved west in search of land and  
15 prosperity. The agricultural and industrial base that  
16 began in the Western Reserve still lives strong in  
17 these prosperous and historical counties.

18           (5) The heritage of the Western Reserve re-  
19 mains transfixed in the counties of Trumbull,  
20 Mahoning, Ashtabula, Portage, Geagua, Lake, Cuya-  
21 hoga, Summit, Medina, Huron, Lorain, Erie, Ot-  
22 tawa, and Ashland in Ohio. The people of these  
23 counties are proud of their heritage as shown  
24 through the unwavering attempts to preserve agri-  
25 cultural land and the industrial foundation that has

1       been embedded in this region since the establishment  
2       of the Western Reserve. Throughout these counties,  
3       historical sites, and markers preserve the unique tra-  
4       ditions and customs of its original heritage.

5               (6) The counties that encompass the Western  
6       Reserve continue to maintain a strong connection to  
7       its historic past as seen through its preservation of  
8       its local heritage, including historic homes, buildings,  
9       and centers of public gatherings.

10              (7) There is a need for assistance for the pres-  
11       ervation and promotion of the significance of the  
12       Western Reserve as the natural, historic and cul-  
13       tural heritage of the counties of Trumbull,  
14       Mahoning, Ashtabula, Portage, Geauga, Lake, Cuya-  
15       hoga, Summit, Medina, Huron, Lorain, Erie, Ottawa  
16       and Ashland in Ohio.

17              (8) The Department of the Interior is respon-  
18       sible for protecting the Nation's cultural and histor-  
19       ical resources. There are significant examples of  
20       such resources within these counties and what was  
21       once the Western Reserve to merit the involvement  
22       of the Federal Government in the development of  
23       programs and projects, in cooperation with the State  
24       of Ohio and other local governmental entities, to  
25       adequately conserve, protect, and interpret this her-

1 itage for future generations, while providing oppor-  
2 tunities for education and revitalization.

3 (b) STUDY.—

4 (1) IN GENERAL.—The Secretary shall, in con-  
5 sultation with the State of Ohio, the counties of  
6 Trumbull, Mahoning, Ashtabula, Portage, Geagua,  
7 Lake, Cuyahoga, Summit, Medina, Huron, Lorain,  
8 Erie, Ottawa, and Ashland, and other appropriate  
9 organizations, carry out a study regarding the suit-  
10 ability and feasibility of establishing the Western  
11 Reserve Heritage Area in these counties in Ohio.

12 (2) CONTENTS.—The study shall include anal-  
13 ysis and documentation regarding whether the Study  
14 Area—

15 (A) has an assemblage of natural, historic,  
16 and cultural resources that together represent  
17 distinctive aspects of American heritage worthy  
18 of recognition, conservation, interpretation, and  
19 continuing use, and are best managed through  
20 partnerships among public and private entities  
21 and by combining diverse and sometimes non-  
22 contiguous resources and active communities;

23 (B) reflects traditions, customs, beliefs,  
24 and folklife that are a valuable part of the na-  
25 tional story;

1 (C) provides outstanding opportunities to  
2 conserve natural, historic, cultural, or scenic  
3 features;

4 (D) provides outstanding recreational and  
5 educational opportunities;

6 (E) contains resources important to the  
7 identified theme or themes of the Study Area  
8 that retain a degree of integrity capable of sup-  
9 porting interpretation;

10 (F) includes residents, business interests,  
11 nonprofit organizations, and local and State  
12 governments that are involved in the planning,  
13 have developed a conceptual financial plan that  
14 outlines the roles for all participants, including  
15 the Federal Government, and have dem-  
16 onstrated support for the concept of a national  
17 heritage area;

18 (G) has a potential management entity to  
19 work in partnership with residents, business in-  
20 terests, nonprofit organizations, and local and  
21 State governments to develop a national herit-  
22 age area consistent with continued local and  
23 State economic activity;

24 (H) has a conceptual boundary map that is  
25 supported by the public; and

1                   (I) has potential or actual impact on pri-  
 2                   vate property located within or abutting the  
 3                   Study Area.

4           (c) BOUNDARIES OF THE STUDY AREA.—The Study  
 5 Area shall be comprised of the counties of Trumbull,  
 6 Mahoning, Ashtabula, Portage, Geagua, Lake, Cuyahoga,  
 7 Summit, Medina, Huron, Lorain, Erie, Ottawa, and Ash-  
 8 land in Ohio.

9   **TITLE IX—JOHN H. CHAFEE**  
 10   **BLACKSTONE RIVER VALLEY**  
 11   **NATIONAL HERITAGE COR-**  
 12   **RIDOR**

13   **SEC. 901. UPDATE OF PLAN.**

14           Section 6 of Public Law 99–647 (16 U.S.C. 461  
 15 note) is amended by adding at the end the following:

16           “(e) UPDATE OF PLAN.—(1) Not later than 2 years  
 17 after the date of enactment of this subsection, the Com-  
 18 mission shall update the plan.

19           “(2) In updating the plan under paragraph (1), the  
 20 Commission shall take into account the findings and rec-  
 21 ommendations included in the Blackstone Sustainability  
 22 Study conducted by the National Park System Advisory  
 23 Board.

24           “(3) The update shall—

1           “(A) examine the sustainability of the Corridor  
2           and the Commission form of management for the  
3           Corridor; and

4           “(B) include an analysis of—

5                   “(i) options for preserving, enhancing, and  
6                   interpreting the resources of the Corridor; and

7                   “(ii) the partnerships that sustain those  
8                   resources.

9           “(4)(A) Except as provided in subparagraph (B), the  
10          Secretary shall approve or disapprove any changes to the  
11          plan proposed in the update in accordance with subsection  
12          (b).

13          “(B) Minor revisions to the plan shall not be subject  
14          to the approval of the Secretary.”.

15          **SEC. 902. EXTENSION OF COMMISSION.**

16          Section 7 of Public Law 99–647 (16 U.S.C. 461  
17          note) is amended to read as follows:

18          **“SEC. 7. TERMINATION OF COMMISSION.**

19                 “The Commission shall terminate on the date that  
20          is 10 years after the date of enactment of the National  
21          Heritage Area Extension Act of 2004.”.

22          **SEC. 903. AUTHORIZATION OF APPROPRIATIONS.**

23          Section 10 of Public Law 99–647 (16 U.S.C. 461  
24          note) is amended—

1           (1) in subsection (a), by striking “\$650,000”  
2           and inserting “\$1,000,000”; and

3           (2) by striking subsection (b) and inserting the  
4           following:

5           “(b) DEVELOPMENT FUNDS.—There is authorized to  
6           be appropriated to carry out section 8(c) not more than  
7           \$10,000,000 for the period of fiscal years 2006 through  
8           2016, to remain available until expended.”.

○