

Union Calendar No. 170

106TH CONGRESS
1ST Session

H. R. 940

[Report No. 106-285]

A BILL

To establish the Laekawanna Heritage Valley
American Heritage Area.

AUGUST 3, 1999

Reported with amendments, committed to the Committee
of the Whole House on the State of the Union, and or-
dered to be printed

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To establish the Lackawanna Heritage Valley American Heritage Area.

IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 1999

Mr. SHERWOOD introduced the following bill; which was referred to the
Committee on Resources

AUGUST 3, 1999

Reported with amendments, committed to the Committee of the Whole House
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[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 2, 1999]

A BILL

To establish the Lackawanna Heritage Valley American
Heritage Area.

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 “Lackawanna Valley Na-*
5 *tional Heritage Area Act of 1999”.*

1 **SEC. 2. FINDINGS AND PURPOSE.**

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

3 (1) *The industrial and cultural heritage of*
4 *northeastern Pennsylvania inclusive of Lackawanna,*
5 *Luzerne, Wayne, and Susquehanna counties, related*
6 *directly to anthracite and anthracite-related indus-*
7 *tries, is nationally significant, as documented in the*
8 *United States Department of the Interior-National*
9 *Parks Service, National Register of Historic Places,*
10 *Multiple Property Documentation submittal of the*
11 *Pennsylvania Historic and Museum Commission*
12 *(1996).*

13 (2) *These industries include anthracite mining,*
14 *ironmaking, textiles, and rail transportation.*

15 (3) *The industrial and cultural heritage of the*
16 *anthracite and related industries in this region in-*
17 *cludes the social history and living cultural traditions*
18 *of the people of the region.*

19 (4) *The labor movement of the region played a*
20 *significant role in the development of the Nation in-*
21 *cluding the formation of many key unions such as the*
22 *United Mine Workers of America, and crucial strug-*
23 *gles to improve wages and working conditions, such*
24 *as the 1900 and 1902 anthracite strikes.*

25 (5) *The Department of the Interior is responsible*
26 *for protecting the Nation's cultural and historic re-*

1 *sources, and there are significant examples of these re-*
2 *sources within this 4-county region to merit the in-*
3 *volvement of the Federal Government to develop pro-*
4 *grams and projects, in cooperation with the Lacka-*
5 *wanna Heritage Valley Authority, the Commonwealth*
6 *of Pennsylvania, and other local and governmental*
7 *bodies, to adequately conserve, protect, and interpret*
8 *this heritage for future generations, while providing*
9 *opportunities for education and revitalization.*

10 *(6) The Lackawanna Heritage Valley Authority*
11 *would be an appropriate management entity for a*
12 *Heritage Area established in the region.*

13 *(b) PURPOSE.—The objectives of the Lackawanna Val-*
14 *ley National Heritage Area are as follows:*

15 *(1) To foster a close working relationship with*
16 *all levels of government, the private sector, and the*
17 *local communities in the anthracite coal region of*
18 *northeastern Pennsylvania and empower the commu-*
19 *nities to conserve their heritage while continuing to*
20 *pursue economic opportunities.*

21 *(2) To conserve, interpret, and develop the his-*
22 *torical, cultural, natural, and recreational resources*
23 *related to the industrial and cultural heritage of the*
24 *4-county region of northeastern Pennsylvania.*

1 **SEC. 3. LACKAWANNA VALLEY NATIONAL HERITAGE AREA.**

2 (a) *ESTABLISHMENT.*—*There is hereby established the*
3 *Lackawanna Valley National Heritage Area (in this Act*
4 *referred to as the “Heritage Area”).*

5 (b) *BOUNDARIES.*—*The Heritage Area shall be com-*
6 *prised of all or parts of the counties of Lackawanna,*
7 *Luzerne, Wayne, and Susquehanna in Pennsylvania, deter-*
8 *mined pursuant to the compact under section 4.*

9 (c) *MANAGEMENT ENTITY.*—*The management entity*
10 *for the Heritage Area shall be the Lackawanna Heritage*
11 *Valley Authority.*

12 **SEC. 4. COMPACT.**

13 *To carry out the purposes of this Act, the Secretary*
14 *of the Interior (in this Act referred to as the “Secretary”)*
15 *shall enter into a compact with the management entity. The*
16 *compact shall include information relating to the objectives*
17 *and management of the area, including each of the fol-*
18 *lowing:*

19 (1) *A delineation of the boundaries of the Herit-*
20 *age Area.*

21 (2) *A discussion of the goals and objectives of the*
22 *Heritage Area, including an explanation of the pro-*
23 *posed approach to conservation and interpretation*
24 *and a general outline of the protection measures com-*
25 *mitted to by the partners.*

1 **SEC. 5. AUTHORITIES AND DUTIES OF MANAGEMENT EN-**
2 **TITY.**

3 (a) *AUTHORITIES OF THE MANAGEMENT ENTITY.—*
4 *The management entity may, for purposes of preparing and*
5 *implementing the management plan developed under sub-*
6 *section (b), use funds made available through this Act for*
7 *the following:*

8 (1) *To make grants to, and enter into coopera-*
9 *tive agreements with States and their political sub-*
10 *divisions, private organizations, or any person.*

11 (2) *To hire and compensate staff.*

12 (3) *To enter into contracts for goods and serv-*
13 *ices.*

14 (b) *MANAGEMENT PLAN.—The management entity*
15 *shall develop a management plan for the Heritage Area that*
16 *presents recommendations for the Heritage Area’s conserva-*
17 *tion, funding, management, and development. Such plan*
18 *shall take into consideration existing State, county, and*
19 *local plans and involve residents, public agencies, and pri-*
20 *vate organizations working in the Heritage Area. It shall*
21 *include recommendations for actions to be undertaken by*
22 *units of government and private organizations to protect*
23 *the resources of the Heritage Area. It shall specify the exist-*
24 *ing and potential sources of funding to protect, manage,*
25 *and develop the Heritage Area. Such plan shall include, as*
26 *appropriate, the following:*

1 (1) *An inventory of the resources contained in*
2 *the Heritage Area, including a list of any property*
3 *in the Heritage Area that is related to the themes of*
4 *the Heritage Area and that should be preserved, re-*
5 *stored, managed, developed, or maintained because of*
6 *its natural, cultural, historic, recreational, or scenic*
7 *significance.*

8 (2) *A recommendation of policies for resource*
9 *management which considers and details application*
10 *of appropriate land and water management tech-*
11 *niques, including, but not limited to, the development*
12 *of intergovernmental cooperative agreements to pro-*
13 *tect the Heritage Area's historical, cultural, rec-*
14 *reational, and natural resources in a manner con-*
15 *sistent with supporting appropriate and compatible*
16 *economic viability.*

17 (3) *A program for implementation of the man-*
18 *agement plan by the management entity, including*
19 *plans for restoration and construction, and specific*
20 *commitments of the identified partners for the first 5*
21 *years of operation.*

22 (4) *An analysis of ways in which local, State,*
23 *and Federal programs may best be coordinated to*
24 *promote the purposes of this Act.*

1 (5) *An interpretation plan for the Heritage*
2 *Area.*

3 *The management entity shall submit the management plan*
4 *to the Secretary for approval within 3 years after the date*
5 *of enactment of this Act. If a management plan is not sub-*
6 *mitted to the Secretary as required within the specified*
7 *time, the Heritage Area shall no longer qualify for Federal*
8 *funding.*

9 (c) *DUTIES OF MANAGEMENT ENTITY.—The manage-*
10 *ment entity shall—*

11 (1) *give priority to implementing actions set*
12 *forth in the compact and management plan, includ-*
13 *ing steps to assist units of government, regional plan-*
14 *ning organizations, and nonprofit organizations in*
15 *preserving the Heritage Area;*

16 (2) *assist units of government, regional planning*
17 *organizations, and nonprofit organizations in estab-*
18 *lishing and maintaining interpretive exhibits in the*
19 *Heritage Area; assist units of government, regional*
20 *planning organizations, and nonprofit organizations*
21 *in developing recreational resources in the Heritage*
22 *Area;*

23 (3) *assist units of government, regional planning*
24 *organizations, and nonprofit organizations in in-*
25 *creasing public awareness of and appreciation for the*

1 *natural, historical, and architectural resources and*
2 *sites in the Heritage Area; assist units of government,*
3 *regional planning organizations and nonprofit orga-*
4 *nizations in the restoration of any historic building*
5 *relating to the themes of the Heritage Area;*

6 *(4) encourage economic viability in the Heritage*
7 *Area consistent with the goals of the plan; encourage*
8 *local governments to adopt land use policies con-*
9 *sistent with the management of the Heritage Area*
10 *and the goals of the plan;*

11 *(5) assist units of government, regional planning*
12 *organizations, and nonprofit organizations to ensure*
13 *that clear, consistent, and environmentally appro-*
14 *priate signs identifying access points and sites of in-*
15 *terest are put in place throughout the Heritage Area;*

16 *(6) consider the interests of diverse governmental,*
17 *business, and nonprofit groups within the Heritage*
18 *Area;*

19 *(7) conduct public meetings at least quarterly re-*
20 *garding the implementation of the management plan;*
21 *and*

22 *(8) for any year in which Federal funds have*
23 *been received under this Act, make available for audit*
24 *all records pertaining to the expenditure of such funds*
25 *and any matching funds, and require, for all agree-*

1 *ments authorizing expenditure of Federal funds by*
2 *other organizations, that the receiving organizations*
3 *make available for audit all records pertaining to the*
4 *expenditure of such funds.*

5 *(d) PROHIBITION ON THE ACQUISITION OF REAL*
6 *PROPERTY.—The management entity may not use Federal*
7 *funds received under this Act to acquire real property or*
8 *an interest in real property. Nothing in this Act shall pre-*
9 *clude any management entity from using Federal funds*
10 *from other sources for their permitted purposes.*

11 *(e) SPENDING FOR NON-FEDERALLY OWNED PROP-*
12 *ERTY.—The management entity may spend Federal funds*
13 *directly on non-federally owned property to further the pur-*
14 *poses of this Act, especially in assisting units of government*
15 *in appropriate treatment of districts, sites, buildings, struc-*
16 *tures, and objects listed or eligible for listing on the Na-*
17 *tional Register of Historic Places.*

18 **SEC. 6. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

19 *(a) TECHNICAL AND FINANCIAL ASSISTANCE.—The*
20 *Secretary may, upon request of the management entity,*
21 *provide technical and financial assistance to the manage-*
22 *ment entity to develop and implement the management*
23 *plan. In assisting the management entity, the Secretary*
24 *shall give priority to actions that in general assist in—*

1 (1) *conserving the significant natural, historic,*
2 *and cultural resources which support its themes; and*

3 (2) *providing educational, interpretive, and rec-*
4 *reational opportunities consistent with its resources*
5 *and associated values.*

6 (b) *APPROVAL AND DISAPPROVAL OF MANAGEMENT*
7 *PLANS.—The Secretary, in consultation with the Governor*
8 *of Pennsylvania, shall approve or disapprove a manage-*
9 *ment plan submitted under this Act not later than 90 days*
10 *after receiving such management plan.*

11 (c) *ACTION FOLLOWING DISAPPROVAL.—If the Sec-*
12 *retary disapproves a submitted management plan, the Sec-*
13 *retary shall advise the management entity in writing of the*
14 *reasons therefore and shall make recommendations for revi-*
15 *sions in the plan. The Secretary shall approve or dis-*
16 *approve a proposed revision within 90 days after the date*
17 *it is submitted.*

18 (d) *APPROVING AMENDMENTS.—The Secretary shall*
19 *review substantial amendments to the management plan for*
20 *the Heritage Area. Funds appropriated pursuant to this*
21 *Act may not be expended to implement the changes made*
22 *by such amendments until the Secretary approves the*
23 *amendments.*

1 **SEC. 7. ADDITIONAL ANTHRACITE COAL REGION DESIGNA-**
2 **TION.**

3 (a) *DESIGNATION.*—Upon publication by the Secretary
4 in the Federal Register of notice that the Secretary has
5 signed a compact (as provided for in subsection (b)) there
6 is hereby designated the Schuylkill River National Heritage
7 Area.

8 (b) *COMPACT.*—The compact submitted under this sec-
9 tion with respect to the Schuylkill River National Heritage
10 Area shall consist of an agreement between the Secretary
11 and the Schuylkill River Greenway Association (who shall
12 serve as the management entity for the area). Such agree-
13 ment shall define the area (including a delineation of the
14 boundaries), describe anticipated programs for the area,
15 and include information relating to the objectives and man-
16 agement of the area. Such information shall include, but
17 not be limited to, an explanation of the proposed approach
18 to the conservation and interpretation of the area and a
19 general outline of the protection measures committed to by
20 the partners.

21 (c) *AUTHORITIES AND DUTIES.*—The authorities and
22 duties of the management entity and other Federal agencies
23 for the Schuylkill River National Heritage Area shall be
24 the same as provided for by sections 5 and 6 of this Act,
25 except that for such purposes any reference in such sections
26 to the “Heritage Area” shall be deemed to be a reference

1 *to the Schuylkill River National Heritage Area and any*
2 *reference to the “management entity” shall be deemed a ref-*
3 *erence to the Schuylkill River Greenway Association.*

4 **SEC. 8. CULTURE AND HERITAGE OF ANTHRACITE COAL RE-**
5 **GION.**

6 *All authorized existing and future heritage area man-*
7 *agement entities in the Anthracite Coal Region in Pennsylv-*
8 *ania are authorized and directed to coordinate with one*
9 *another in the management of such areas. Each such man-*
10 *agement entity is authorized to use funds appropriated for*
11 *such heritage areas for the purposes of this section.*

12 **SEC. 9. SUNSET.**

13 *The Secretary may not make any grant or provide any*
14 *assistance under this Act after September 30, 2012.*

15 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

16 *(a) IN GENERAL.—There is authorized to be appro-*
17 *priated under this Act not more than \$1,000,000 for any*
18 *fiscal year for each heritage area designated by this Act.*
19 *Not more than a total of \$10,000,000 may be appropriated*
20 *for each heritage area under this Act.*

21 *(b) 50 PERCENT MATCH.—Federal funding provided*
22 *under this Act, after the designation of each heritage area,*
23 *may not exceed 50 percent of the total cost of any assistance*
24 *or grant provided or authorized under this Act.*

Amend the title so as to read as follows: “A bill to designate the Lackawanna Valley National Heritage Area and for other purposes.”.