

116TH CONGRESS
1ST SESSION

H. R. 262

To establish the Susquehanna National Heritage Area in the State of Pennsylvania, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2019

Mr. SMUCKER (for himself and Mr. PERRY) introduced the following bill;
which was referred to the Committee on Natural Resources

A BILL

To establish the Susquehanna National Heritage Area in the State of Pennsylvania, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **HERITAGE AREA.**—The term “Heritage
9 Area” means the Susquehanna National Heritage
10 Area established by section 3(a).

1 (2) LOCAL COORDINATING ENTITY.—The term
2 “local coordinating entity” means the local coordi-
3 nating entity for the Heritage Area designated by
4 section 4(a).

5 (3) MANAGEMENT PLAN.—The term “manage-
6 ment plan” means the plan developed by the local
7 coordinating entity under section 5(a).

8 (4) SECRETARY.—The term “Secretary” means
9 the Secretary of the Interior.

10 (5) STATE.—The term “State” means the State
11 of Pennsylvania.

12 **SEC. 3. SUSQUEHANNA NATIONAL HERITAGE AREA.**

13 (a) ESTABLISHMENT.—There is established the Sus-
14 quehanna National Heritage Area in the State.

15 (b) BOUNDARIES.—The Heritage Area shall include
16 Lancaster and York Counties, Pennsylvania.

17 **SEC. 4. DESIGNATION OF LOCAL COORDINATING ENTITY.**

18 (a) LOCAL COORDINATING ENTITY.—The Susque-
19 hanna Heritage Corporation, a nonprofit organization es-
20 tablished under the laws of the State, shall be the local
21 coordinating entity for the Heritage Area.

22 (b) AUTHORITIES OF LOCAL COORDINATING ENTI-
23 TY.—The local coordinating entity may, for purposes of
24 preparing and implementing the management plan—

1 (1) prepare reports, studies, interpretive exhib-
2 its and programs, historic preservation projects, and
3 other activities recommended in the management
4 plan for the Heritage Area;

5 (2) make grants to the State, political subdivi-
6 sions of the State, nonprofit organizations, and
7 other persons;

8 (3) enter into cooperative agreements with the
9 State, political subdivisions of the State, nonprofit
10 organizations, and other organizations;

11 (4) hire and compensate staff;

12 (5) obtain funds or services from any source,
13 including funds and services provided under any
14 Federal program or law, in which case the Federal
15 share of the cost of any activity assisted using Fed-
16 eral funds provided for National Heritage Areas
17 shall not be more than 50 percent; and

18 (6) contract for goods and services.

19 (c) DUTIES OF LOCAL COORDINATING ENTITY.—To
20 further the purposes of the Heritage Area, the local co-
21 ordinating entity shall—

22 (1) prepare a management plan for the Herit-
23 age Area in accordance with section 5;

24 (2) give priority to the implementation of ac-
25 tions, goals, and strategies set forth in the manage-

1 ment plan, including assisting units of government
2 and other persons in—

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

6 (B) encouraging economic viability in the
7 Heritage Area in accordance with the goals of
8 the management plan;

9 (C) establishing and maintaining interpre-
10 tive exhibits in the Heritage Area;

11 (D) developing heritage-based recreational
12 and educational opportunities for residents and
13 visitors in the Heritage Area;

14 (E) increasing public awareness of and ap-
15 preciation for the natural, historic, and cultural
16 resources of the Heritage Area;

17 (F) restoring historic buildings that are—

18 (i) located in the Heritage Area; and

19 (ii) related to the themes of the Herit-
20 age Area; and

21 (G) installing throughout the Heritage
22 Area clear, consistent, and appropriate signs
23 identifying public access points and sites of in-
24 terest;

1 (3) consider the interests of diverse units of
2 government, businesses, tourism officials, private
3 property owners, and nonprofit groups within the
4 Heritage Area in developing and implementing the
5 management plan;

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

9 (5) for any fiscal year for which Federal funds
10 provided for National Heritage Areas are expended
11 for the Heritage Area—

12 (A) submit to the Secretary an annual re-
13 port that describes—

14 (i) the accomplishments of the local
15 coordinating entity;

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

18 (iii) the entities to which the local co-
19 ordinating entity made any grants;

20 (B) make available for audit all records re-
21 lating to the expenditure of the Federal funds
22 and any matching funds; and

23 (C) require, with respect to all agreements
24 authorizing the expenditure of Federal funds by
25 other organizations, that the receiving organiza-

1 tions make available for audit all records relat-
2 ing to the expenditure of the Federal funds.

3 (d) PROHIBITION ON ACQUISITION OF REAL PROP-
4 ERTY.—

5 (1) IN GENERAL.—The local coordinating entity
6 shall not use Federal funds provided for National
7 Heritage Areas to acquire real property or any inter-
8 est in real property.

9 (2) OTHER SOURCES.—Nothing in this Act pre-
10 cludes the local coordinating entity from using funds
11 from other sources for authorized purposes, includ-
12 ing the acquisition of real property or any interest
13 in real property.

14 **SEC. 5. 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 Act, the local coordinating entity shall prepare and
18 submit to the Secretary a management plan for the Herit-
19 age Area.

20 (b) CONTENTS.—The management plan for the Her-
21 itage Area shall—

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

1 (2) include a description of actions and commit-
2 ments that governments, private organizations, and
3 citizens will take to protect, enhance, and interpret
4 the natural, historic, scenic, and cultural resources
5 of the Heritage Area;

6 (3) describe a program of implementation for
7 the management plan that includes—

8 (A) performance goals and ongoing per-
9 formance evaluation;

10 (B) plans for resource protection, enhance-
11 ment and interpretation; and

12 (C) specific commitments for implementa-
13 tion that have been made by the local coordi-
14 nating entity or any government, organization,
15 business or individual;

16 (4) include an interpretative plan for the Herit-
17 age Area;

18 (5) take into consideration existing State, coun-
19 ty, and local plans;

20 (6) specify the existing and potential sources of
21 funding to protect, manage, and develop the Herit-
22 age Area;

23 (7) include an inventory of the natural, historic,
24 cultural, educational, scenic, and recreational re-
25 sources of the Heritage Area relating to the themes

1 of the Heritage Area that should be preserved, re-
2 stored, managed, developed, or maintained; and

3 (8) include an analysis of, and recommenda-
4 tions for, ways in which Federal, State, and local
5 programs, may best be coordinated to further the
6 purposes of this Act, including recommendations for
7 the role of the National Park Service in the Heritage
8 Area.

9 (c) APPROVAL AND DISAPPROVAL OF MANAGEMENT
10 PLAN.—

11 (1) IN GENERAL.—Not later than 180 days
12 after the date on which the local coordinating entity
13 submits the management plan to the Secretary, the
14 Secretary shall approve or disapprove the proposed
15 management plan.

16 (2) CONSIDERATIONS.—In determining whether
17 to approve or disapprove the management plan, the
18 Secretary shall consider whether—

19 (A) the local coordinating entity is rep-
20 resentative of the diverse interests of the Herit-
21 age Area, including governments, natural and
22 historic resource protection organizations, edu-
23 cational institutions, businesses, and rec-
24 reational organizations;

1 (B) the local coordinating entity has pro-
2 vided adequate opportunities (including public
3 meetings) for public and governmental involve-
4 ment in the preparation of the management
5 plan;

6 (C) the resource protection and interpreta-
7 tion strategies contained in the management
8 plan, if implemented, would adequately protect
9 the natural, historic, and cultural resources of
10 the Heritage Area; and

11 (D) the management plan is supported by
12 the appropriate State and local officials, the co-
13 operation of which is needed to ensure the ef-
14 fective implementation of the State and local
15 aspects of the management plan.

16 (3) DISAPPROVAL AND REVISIONS.—

17 (A) IN GENERAL.—If the Secretary dis-
18 approves a proposed management plan, the Sec-
19 retary shall—

20 (i) advise the local coordinating entity,
21 in writing, of the reasons for the dis-
22 approval; and

23 (ii) make recommendations for revi-
24 sion of the proposed management plan.

1 (B) APPROVAL OR DISAPPROVAL.—The
2 Secretary shall approve or disapprove a revised
3 management plan not later than 180 days after
4 the date on which the revised management plan
5 is submitted.

6 (d) APPROVAL OF AMENDMENTS.—The Secretary
7 shall review and approve or disapprove substantial amend-
8 ments to the management plan in accordance with sub-
9 section (c).

10 **SEC. 6. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

11 (a) IN GENERAL.—Nothing in this Act affects the au-
12 thority of a Federal agency to provide technical or finan-
13 cial assistance under any other law.

14 (b) CONSULTATION AND COORDINATION.—The head
15 of any Federal agency planning to conduct activities that
16 may have an impact on the Heritage Area is encouraged
17 to consult and coordinate the activities with the Secretary
18 and the local coordinating entity to the extent practicable.

19 (c) OTHER FEDERAL AGENCIES.—Nothing in this
20 Act—

21 (1) modifies, alters, or amends any law or regu-
22 lation authorizing a Federal agency to manage Fed-
23 eral land under the jurisdiction of the Federal agen-
24 cy;

1 (2) limits the discretion of a Federal land man-
2 anager to implement an approved land use plan within
3 the boundaries of the Heritage Area; or

4 (3) modifies, alters, or amends any authorized
5 use of Federal land under the jurisdiction of a Fed-
6 eral agency.

7 **SEC. 7. PRIVATE PROPERTY AND REGULATORY PROTEC-**
8 **TIONS.**

9 Nothing in this Act—

10 (1) abridges the rights of any property owner
11 (whether public or private), including the right to re-
12 frain from participating in any plan, project, pro-
13 gram, or activity conducted within the Heritage
14 Area;

15 (2) requires any property owner to permit pub-
16 lic access (including access by Federal, State, or
17 local agencies) to the property of the property
18 owner, or to modify public access or use of property
19 of the property owner under any other Federal,
20 State, or local law;

21 (3) alters any duly adopted land use regulation,
22 approved land use plan, or other regulatory author-
23 ity of any Federal, State, or local agency, or conveys
24 any land use or other regulatory authority to the
25 local coordinating entity;

1 (4) authorizes or implies the reservation or ap-
2 propriation of water or water rights;

3 (5) affects the licensing or relicensing of facili-
4 ties by the Federal Energy Regulatory Commission
5 within the proposed Heritage Area or upstream or
6 downstream from the proposed Heritage Area on the
7 Susquehanna River, including FERC Project No.
8 405–104;

9 (6) diminishes the authority of the State to
10 manage fish and wildlife, including the regulation of
11 fishing and hunting within the Heritage Area; or

12 (7) creates any liability, or affects any liability
13 under any other law, of any private property owner
14 with respect to any person injured on the private
15 property.

16 **SEC. 8. EVALUATION; REPORT.**

17 (a) IN GENERAL.—Not later than 3 years before the
18 date specified under section 9, the Secretary shall—

19 (1) conduct an evaluation of the accomplish-
20 ments of the Heritage Area; and

21 (2) prepare a report in accordance with sub-
22 section (c).

23 (b) EVALUATION.—An evaluation conducted under
24 subsection (a)(1) shall—

1 (1) assess the progress of the local coordinating
2 entity with respect to—

3 (A) accomplishing the purposes of this Act
4 for the Heritage Area; and

5 (B) achieving the goals and objectives of
6 the approved management plan for the Heritage
7 Area;

8 (2) analyze the Federal, State, local, and pri-
9 vate investments in the Heritage Area to determine
10 the leverage and impact of the investments; and

11 (3) review the management structure, partner-
12 ship relationships, and funding of the Heritage Area
13 for purposes of identifying the critical components
14 for sustainability of the Heritage Area.

15 (c) REPORT.—

16 (1) IN GENERAL.—Based on the evaluation con-
17 ducted under subsection (a)(1), the Secretary shall
18 prepare a report that includes recommendations for
19 the future role of the National Park Service, if any,
20 with respect to the Heritage Area.

21 (2) SUBMISSION TO CONGRESS.—On completion
22 of the report, the Secretary shall submit the report
23 to—

24 (A) the Committee on Energy and Natural
25 Resources of the Senate; and

1 (B) the Committee on Natural Resources
2 of the House of Representatives.

3 **SEC. 9. TERMINATION OF AUTHORITY.**

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

○