

111TH CONGRESS
1ST SESSION

H. R. 526

To establish the Ocmulgee National Heritage Corridor in the State of Georgia,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 14, 2009

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

A BILL

To establish the Ocmulgee National Heritage Corridor in
the State of Georgia, 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 “Ocmulgee National
5 Heritage Corridor Act”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

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

8 (1) The Ocmulgee Heritage Corridor is centered
9 on the fall line of the Ocmulgee River, a crossroads
10 of history and geography, which divides two geo-

1 graphic regions and creates two distinct ecosystems,
2 the Piedmont Plateau and the Eastern Coastal
3 Plain. The intersection of land and water transpor-
4 tation routes has fostered a continuum of human
5 settlement that has endured more than 12,000
6 years.

7 (2) Macon, Georgia, has more acreage listed in
8 the National Register than any other city in Geor-
9 gia, including fifty-four individual properties, ten
10 National Register historic districts with more than
11 5,500 contributing properties, and two National His-
12 toric Landmarks.

13 (3) The Ocmulgee National Monument protects
14 the remains of Native American settlements over a
15 12,000-year period and has features and artifacts
16 representing a long cultural continuum from early
17 hunter-gatherers through the Civil War.

18 (4) The Ocmulgee Old Fields, which consist of
19 the Ocmulgee National Monument, Bond Swamp
20 National Wildlife Refuge, Central City Park, and
21 other private lands in the Ocmulgee floodplain have
22 been determined eligible for listing in the National
23 Register of Historic Places as a Traditional Cultural
24 Property. The Traditional Cultural Property deter-
25 mination is based on the area's cultural and histor-

1 ical significance in Native American heritage and its
2 potential for yielding important information about
3 the history of the Macon Plateau and Ocmulgee
4 River.

5 (5) The Ocmulgee National Heritage Corridor
6 has been proposed in order to heighten appreciation
7 of the region, preserve its natural and historical re-
8 sources, and improve the quality of life and economy
9 of the area.

10 (6) Macon, Georgia has been designated as one
11 of Georgia's Preserve America Communities and one
12 of the National Trust's Dozen Distinctive Destina-
13 tions of 2004.

14 (b) PURPOSES.—The purposes of this Act are as fol-
15 lows:

16 (1) To establish the Ocmulgee National Herit-
17 age Corridor in the State of Georgia.

18 (2) To implement the national heritage corridor
19 alternative as described in the document entitled
20 “Ocmulgee National Heritage Corridor Feasibility
21 Study, September 2004”.

22 (3) To provide a management framework to
23 foster a close working relationship among all levels
24 of government, the private sector, and the local com-
25 munities in the Ocmulgee Heritage Corridor and to

1 conserve the region’s heritage while continuing to
2 pursue compatible economic opportunities.

3 (4) To assist communities, organizations, and
4 citizens in the State of Georgia in identifying, pre-
5 serving, interpreting, and developing the historical,
6 cultural, scenic, and natural resources of the region
7 for the educational and inspirational benefit of cur-
8 rent and future generations.

9 **SEC. 3. DEFINITIONS.**

10 In this Act:

11 (1) HERITAGE CORRIDOR.—The term “Herit-
12 age Corridor” means the Ocmulgee National Herit-
13 age Corridor, established in section 4.

14 (2) LOCAL COORDINATING ENTITY.—The term
15 “Local Coordinating Entity” means the local coordi-
16 nating entity for the Heritage Corridor designated
17 by section 4(d).

18 (3) MANAGEMENT PLAN.—The term “manage-
19 ment plan” means the management plan for the
20 Heritage Corridor specified in section 6.

21 (4) MAP.—The term “map” means the map ti-
22 tled “Boundary Map Ocmulgee National Heritage
23 Corridor—Alternative B” and dated September
24 2004.

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

3 (6) STATE.—The term “State” means the State
4 of Georgia.

5 **SEC. 4. OCMULGEE NATIONAL HERITAGE CORRIDOR.**

6 (a) ESTABLISHMENT.—There is established the
7 Ocmulgee National Heritage Corridor.

8 (b) BOUNDARIES.—The Heritage Corridor shall be
9 comprised of the land and water within the boundaries of
10 the Heritage Corridor, as depicted on the map, includ-
11 ing—

12 (1) the City of Macon, Georgia;

13 (2) Ocmulgee National Monument; and

14 (3) the Ocmulgee River Corridor from Water
15 Works to the Bond Swamp.

16 (c) AVAILABILITY OF MAP.—The map shall be on file
17 and available for public inspection in the appropriate of-
18 fices of the National Park Service, Department of the In-
19 terior.

20 (d) LOCAL COORDINATING ENTITY.—The Ocmulgee
21 Heritage L.L.C. shall be the local coordinating entity for
22 the Heritage Corridor.

1 **SEC. 5. AUTHORITIES AND DUTIES OF THE LOCAL COORDI-**
2 **NATING ENTITY.**

3 (a) DUTIES OF THE LOCAL COORDINATING ENTI-
4 TY.—To further the purposes of the Heritage Corridor,
5 the local coordinating entity shall—

6 (1) prepare and submit a management plan for
7 the Heritage Corridor to the Secretary in accordance
8 with section 6;

9 (2) assist units of local government, regional
10 planning organizations, and nonprofit organizations
11 in implementing the approved management plan
12 by—

13 (A) carrying out programs and projects
14 that recognize, protect, and enhance important
15 resource values within the Heritage Corridor;

16 (B) establishing and maintaining interpre-
17 tive exhibits and programs within the Heritage
18 Corridor;

19 (C) developing recreational and educational
20 opportunities in the Heritage Corridor;

21 (D) increasing public awareness of and ap-
22 preciation for natural, historical, scenic, and
23 cultural resources of the Heritage Corridor;

24 (E) protecting and restoring historic sites
25 and buildings in the Heritage Corridor that are
26 consistent with Heritage Corridor themes;

1 (F) ensuring that clear, consistent, and ap-
2 propriate signs identifying points of public ac-
3 cess and sites of interest are posted throughout
4 the Heritage Corridor; and

5 (G) promoting a wide range of partner-
6 ships among governments, organizations, and
7 individuals to further the purposes of the Herit-
8 age Corridor;

9 (3) consider the interests of diverse units of
10 government, businesses, organizations, and individ-
11 uals in the Heritage Corridor in the preparation and
12 implementation of the management plan;

13 (4) conduct meetings open to the public at least
14 semiannually regarding the development and imple-
15 mentation of the management plan;

16 (5) submit an annual report to the Secretary
17 for any fiscal year in which the local coordinating
18 entity receives Federal funds under this Act speci-
19 fying—

20 (A) the specific performance goals and ac-
21 complishments of the local coordinating entity;

22 (B) the expenses and income of the local
23 coordinating entity;

24 (C) the amounts and sources of matching
25 funds;

1 (D) the amounts leveraged with Federal
2 funds and sources of the leveraging; and

3 (E) grants made to any other entities dur-
4 ing the fiscal year;

5 (6) make available for audit for any fiscal year
6 in which it receives Federal funds under this Act, all
7 information pertaining to the expenditure of such
8 funds and any matching funds, and require in all
9 agreements authorizing expenditures of Federal
10 funds by other organizations, that the receiving or-
11 ganizations make available for such audit all records
12 and other information pertaining to the expenditure
13 of such funds; and

14 (7) encourage by appropriate means economic
15 viability that is consistent with the purposes of the
16 Heritage Corridor.

17 (b) AUTHORITIES.—The local coordinating entity
18 may, for the purposes of preparing and implementing the
19 management plan for the Heritage Corridor, use Federal
20 funds made available through this Act to—

21 (1) make grants to the State of Georgia, its po-
22 litical subdivisions, nonprofit organizations, and
23 other persons;

24 (2) enter into cooperative agreements with or
25 provide technical assistance to the State of Georgia,

1 its political jurisdictions, nonprofit organizations,
2 Federal agencies, and other interested parties;

3 (3) hire and compensate staff, which shall in-
4 clude individuals with expertise in natural, cultural,
5 and historical resources protection, economic and
6 community development, and heritage planning;

7 (4) obtain funds or services from any source in-
8 cluding any that are provided under any other Fed-
9 eral law or program;

10 (5) contract for goods or services; and

11 (6) support activities of partners and any other
12 activities that further the purposes of the Heritage
13 Corridor and is consistent with the approved man-
14 agement plan.

15 (c) PROHIBITIONS ON THE ACQUISITION OF REAL
16 PROPERTY.—The local coordinating entity may not use
17 Federal funds received under this Act to acquire real prop-
18 erty, but may use any other source of funding, including
19 other Federal funding outside this authority, intended for
20 the acquisition of real property.

21 **SEC. 6. MANAGEMENT PLAN.**

22 (a) IN GENERAL.—The management plan for the
23 Heritage Corridor shall—

24 (1) include comprehensive policies, strategies,
25 and recommendations for conservation, funding,

1 management, and development of the Heritage Cor-
2 ridor;

3 (2) take into consideration existing State, coun-
4 ty, and local plans in the development of the man-
5 agement plan and its implementation;

6 (3) include a description of actions that govern-
7 ments, private organizations, and individuals have
8 agreed to take to protect the natural, historical, and
9 cultural resources of the Heritage Corridor;

10 (4) specify the existing and potential sources of
11 funding or economic development strategies to pro-
12 tect, manage, and develop the Heritage Corridor;

13 (5) include an inventory of the natural, histor-
14 ical, cultural, educational, scenic, and recreational
15 resources of the Heritage Corridor related to the
16 themes of the Heritage Corridor that should be pre-
17 served, restored, managed, developed, or maintained;

18 (6) recommend policies and strategies for re-
19 source management that consider and detail the ap-
20 plication of appropriate land and water management
21 techniques including, but not limited to, the develop-
22 ment of intergovernmental and interagency coopera-
23 tive agreements to protect the Heritage Corridor's
24 natural, historical, cultural, educational, scenic, and
25 recreational resources;

1 (7) describe a program of implementation for
2 the management plan including performance goals,
3 plans for resource protection, restoration, interpreta-
4 tion, enhancement, management, and development,
5 and specific commitments for implementation that
6 have been made by the local coordinating entity or
7 any government, organization, or individual;

8 (8) include an analysis and recommendations
9 for ways in which local, State, and Federal pro-
10 grams, including the role of the National Park Serv-
11 ice in the Heritage Corridor, may best be coordi-
12 nated to further the purposes of this Act;

13 (9) include an interpretive plan for the Heritage
14 Corridor; and

15 (10) include a business plan that—

16 (A) describes the role, operation, financing,
17 and functions of the local coordinating entity
18 and of each of the major activities contained in
19 the management plan; and

20 (B) provides adequate assurances that the
21 local coordinating entity has the partnerships
22 and financial and other resources necessary to
23 implement the management plan for the Herit-
24 age Corridor.

25 (b) DEADLINE AND TERMINATION OF FUNDING.—

1 (1) DEADLINE.—The local coordinating entity
2 shall submit the management plan to the Secretary
3 for approval not later than 3 years after funds are
4 made available for this Act.

5 (2) TERMINATION OF FUNDING.—If the man-
6 agement plan is not submitted to the Secretary in
7 accordance with this subsection, the local coordi-
8 nating entity shall not qualify for Federal funding
9 under this Act until such time as the management
10 plan is submitted to and approved by the Secretary.

11 **SEC. 7. DUTIES AND AUTHORITIES OF THE SECRETARY.**

12 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—

13 (1) IN GENERAL.—The Secretary may, upon
14 the request of the local coordinating entity, provide
15 technical and financial assistance on a reimbursable
16 or nonreimbursable basis (as determined by the Sec-
17 retary) to the Heritage Corridor to develop and im-
18 plement the approved management plan. The Sec-
19 retary is authorized to enter into cooperative agree-
20 ments with the local coordinating entity and other
21 public or private entities for this purpose.

22 (2) PRIORITY ACTIONS.—In assisting the Herit-
23 age Corridor, the Secretary shall give priority to ac-
24 tions that in general assist in—

1 (A) conserving the significant natural, his-
2 torical, cultural, and scenic resources of the
3 Heritage Corridor; and

4 (B) providing educational, interpretive, and
5 recreational opportunities consistent with the
6 purposes of the Heritage Corridor.

7 (b) APPROVAL AND DISAPPROVAL OF MANAGEMENT
8 PLAN.—

9 (1) IN GENERAL.—The Secretary shall approve
10 or disapprove the management plan not later than
11 180 days after receiving the management plan.

12 (2) CRITERIA FOR APPROVAL.—In determining
13 the approval of the management plan, the Secretary
14 shall consider whether—

15 (A) the local coordinating entity is rep-
16 resentative of the diverse interests of the Herit-
17 age Corridor including governments, natural
18 and historic resource protection organizations,
19 educational institutions, businesses, and rec-
20 reational organizations;

21 (B) the local coordinating entity has af-
22 farded adequate opportunity, including public
23 hearings, for public and governmental involve-
24 ment in the preparation of the management
25 plan;

1 (C) the resource protection and interpreta-
2 tion strategies contained in the management
3 plan, if implemented, would adequately protect
4 the natural, historical, and cultural resources of
5 the Heritage Corridor;

6 (D) the Secretary has received adequate
7 assurances from the appropriate State and local
8 officials whose support is needed to ensure the
9 effective implementation of the State and local
10 aspects of the management plan; and

11 (E) the local coordinating entity has dem-
12 onstrated the financial capability, in partner-
13 ship with others, to carry out the plan.

14 (3) ACTION FOLLOWING DISAPPROVAL.—If the
15 Secretary disapproves the management plan, the
16 Secretary shall advise the local coordinating entity in
17 writing of the reasons that the management plan
18 was disapproved and shall make recommendations
19 for revisions to the management plan. The Secretary
20 shall approve or disapprove a proposed revision with-
21 in 180 days after the date it is submitted.

22 (4) APPROVAL OF AMENDMENTS.—Substantial
23 amendments to the management plan shall be re-
24 viewed by the Secretary and approved in the same
25 manner as provided for the original management

1 plan. The local coordinating entity shall not use
2 Federal funds authorized by this Act to implement
3 any amendments until the Secretary has approved
4 the amendments.

5 **SEC. 8. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

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

9 (b) CONSULTATION AND COORDINATION.—The head
10 of any Federal agency planning to conduct activities that
11 may have an impact on the Heritage Corridor is encour-
12 aged to consult and coordinate the activities with the Sec-
13 retary and the local coordinating entity to the maximum
14 extent practicable.

15 (c) OTHER FEDERAL AGENCIES.—Nothing in this
16 Act—

17 (1) modifies, alters, or amends any law or regu-
18 lation authorizing a Federal agency to manage Fed-
19 eral land under the jurisdiction of the Federal agen-
20 cy;

21 (2) limits the discretion of a Federal land man-
22 ager to implement an approved land use plan within
23 the boundaries of the Heritage Corridor; or

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

4 **SEC. 9. PRIVATE PROPERTY AND REGULATORY PROTEC-**
5 **TIONS.**

6 Nothing in this Act—

7 (1) abridges the rights of any property owner
8 (whether public or private), including the right to re-
9 frain from participating in any plan, project, pro-
10 gram, or activity conducted within the Heritage Cor-
11 ridor;

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

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

23 (4) authorizes or implies the reservation or ap-
24 propriation of water or water rights;

1 (5) diminishes the authority of the State to
2 manage fish and wildlife, including the regulation of
3 fishing and hunting within the Heritage Corridor; or

4 (6) creates any liability, or affects any liability
5 under any other law, or any private property owner
6 with respect to any person injured on the private
7 property.

8 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

9 (a) IN GENERAL.—There is authorized to be appro-
10 priated for the purposes of this Act not more than
11 \$1,000,000 for any fiscal year. Not more than a total of
12 \$10,000,000 may be appropriated for the Heritage Cor-
13 ridor under this Act.

14 (b) MATCHING FUNDS.—Federal funding provided
15 under this Act may not exceed 50 percent of the total cost
16 of any assistance or grant provided or authorized under
17 this Act.

18 **SEC. 11. SUNSET.**

19 The authority of the Secretary to provide financial
20 assistance under this Act shall terminate on the day occur-
21 ring 15 years after the date of the enactment of the Act.

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