

104TH CONGRESS  
2D SESSION

# H. R. 3317

To establish the Yellowstone River Valley Heritage Area in the States of Montana, North Dakota, and Wyoming.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 24, 1996

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

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## A BILL

To establish the Yellowstone River Valley Heritage Area in the States of Montana, North Dakota, and Wyoming.

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 “Yellowstone River Val-  
5       ley Heritage Area Act of 1996”.

6       **SEC. 2. DEFINITIONS.**

7       For purposes of this Act:

8               (1) HERITAGE AREA.—The term “Heritage  
9       Area” means the Yellowstone River Valley Heritage  
10       Area established pursuant to this Act.

1           (2) COMPACT.—The term “compact” means a  
2 compact described in section 4.

3           (3) MANAGEMENT PLAN.—The term “manage-  
4 ment plan” means the plan developed and approved  
5 under section 4.

6           (4) SECRETARY.—The term “Secretary” means  
7 the Secretary of the Interior.

8           (5) TECHNICAL ASSISTANCE.—The term “tech-  
9 nical assistance” means any guidance, advice, help,  
10 or aid, other than financial aid.

11           (6) UNIT OF GOVERNMENT.—The term “unit of  
12 government” means the government of a State, a  
13 political subdivision of a State, or an Indian tribe.

14           (7) INDIAN TRIBE.—The term “Indian tribe”  
15 means any Indian tribe, band, nation, pueblo, or  
16 other organized group or community, including any  
17 Alaska Native village or regional corporation as de-  
18 fined in or established pursuant to the Alaska Na-  
19 tive Claims Settlement Act (43 U.S.C. 1601 et seq.),  
20 which is recognized as eligible for the special pro-  
21 grams and services provided by the United States to  
22 Indians because of their status as Indians.

23 **SEC. 3. YELLOWSTONE RIVER VALLEY HERITAGE AREA.**

24           (a) DESIGNATION.—Upon publication by the Sec-  
25 retary in the Federal Register of notice that a compact

1 has been approved by the Secretary in accordance with  
2 section 4, there is hereby designated the Yellowstone River  
3 Valley Heritage Area.

4 (b) BOUNDARIES.—The Heritage Area shall be com-  
5 posed of the lands generally depicted on the map entitled  
6 “Yellowstone River Valley Heritage Area—Proposed”,  
7 numbered \_\_\_\_, and dated \_\_\_\_\_. The map shall be on file  
8 and available for public inspection in the office of the Di-  
9 rector of the National Park Service.

10 **SEC. 4. COMPACT AND MANAGEMENT PLAN.**

11 (a) IN GENERAL.—The area generally depicted on  
12 the map specified in section 3 may be designated as a her-  
13 itage area only after each of the following conditions is  
14 met:

15 (1) SUBMISSION OF COMPACT TO SEC-  
16 RETARY.—An entity requesting heritage area des-  
17 ignation for the area shall submit to the Secretary  
18 a compact meeting the requirements of subsection  
19 (b). The comments of the Governors of the States of  
20 Montana, North Dakota, and Wyoming, or a state-  
21 ment by the entity that any such Governor has  
22 failed to comment within a reasonable time after re-  
23 ceiving the compact, shall accompany such submittal  
24 to the Secretary.

1           (2) APPROVAL AND SUBMISSION BY SEC-  
2           RETARY.—The Secretary shall approve, pursuant to  
3           subsection (c), the compact and submit the compact  
4           to the Congress together with any comments that  
5           the Secretary deems appropriate regarding a pre-  
6           ferred action.

7           (b) CONTENTS AND REQUIREMENTS.—

8           (1) COMPACTS.—(A) A compact submitted  
9           under this Act shall include information relating to  
10          the objectives and management of the proposed Her-  
11          itage Area. Such information shall include (but need  
12          not be limited to) each of the following:

13                 (i) A delineation of the boundaries of the  
14                 proposed Heritage Area.

15                 (ii) A discussion of the goals and objectives  
16                 of the proposed Heritage Area, including an ex-  
17                 planation of the proposed approach to conserva-  
18                 tion and interpretation and a general outline of  
19                 the protection measures committed to by the  
20                 partners referred to in clause (iv).

21                 (iii) An identification and description of  
22                 the management entity that will administer the  
23                 proposed Heritage Area.

24                 (iv) A list of the initial partners to be in-  
25                 volved in developing and implementing the man-

1           agement plan referred to in paragraph (3) for  
2           the proposed Heritage Area, and a statement of  
3           the financial commitment of the partners.

4                   (v) A description of the role of the States  
5           of Montana, North Dakota, and Wyoming.

6                   (B)(i) The compact shall be prepared with pub-  
7           lic participation.

8                   (ii) Actions called for in the compact shall be  
9           likely to be initiated within a reasonable time after  
10          designation of the proposed Heritage Area and shall  
11          ensure effective implementation of the State and  
12          local aspects of the compact.

13                   (2) MANAGEMENT PLANS.—(A) A management  
14          plan submitted under this Act for the Heritage Area  
15          shall present comprehensive recommendations for  
16          the conservation, funding, management, and devel-  
17          opment of the area. The plan shall take into consid-  
18          eration existing State, county, and local plans and  
19          involve residents, public agencies, and private orga-  
20          nizations in the area. It shall include a description  
21          of the actions recommended to be taken, to protect  
22          the resources of the area, by units of government  
23          and private organizations. It shall specify existing  
24          and potential sources of funding for the protection,  
25          management, and development of the area.

1 (B) The plan also shall include the following, as  
2 appropriate:

3 (i) A recommendation of policies for re-  
4 source management that consider and detail the  
5 application of appropriate land and water man-  
6 agement techniques, including (but not limited  
7 to) the development of intergovernmental coop-  
8 erative agreements to protect the historical, cul-  
9 tural, and natural resources and the rec-  
10 reational opportunities of the area in a manner  
11 consistent with the support of appropriate and  
12 compatible economic viability.

13 (ii) A program, including plans for restora-  
14 tion and construction, for implementation of the  
15 management plan by the management entity  
16 specified in the compact referred to in para-  
17 graph (1) and specific commitments, for the  
18 first five years of operation of the plan, by the  
19 partners identified in the compact.

20 (iii) An analysis of means by which Fed-  
21 eral, State, and local programs may best be co-  
22 ordinated to promote the purposes of this Act.

23 (iv) An interpretive plan for the Heritage  
24 Area.

1           (3) EARLY ACTIONS.—After designation of the  
2           Heritage Area but prior to approval of the manage-  
3           ment plan for that area, the Secretary may provide  
4           technical and financial assistance for early actions  
5           that are important to the theme of the area and that  
6           protect resources that would be in imminent danger  
7           of irreversible damage without such early actions.

8           (c) APPROVAL AND DISAPPROVAL OF COMPACTS AND  
9           MANAGEMENT PLANS.—

10           (1) IN GENERAL.—The Secretary, in consulta-  
11           tion with the Governors of each of the States of  
12           Montana, North Dakota, and Wyoming, shall ap-  
13           prove or disapprove each compact and management  
14           plan submitted under this Act not later than 90  
15           days after receiving such compact or management  
16           plan. Prior to approving the compact or plan, the  
17           Secretary shall consult with the Advisory Council on  
18           Historic Preservation in accordance with section 106  
19           of the National Historic Preservation Act (16 U.S.C.  
20           470f).

21           (2) DISAPPROVAL AND REVISIONS.—If the Sec-  
22           retary disapproves a compact or management plan  
23           submitted under this Act, the Secretary shall advise  
24           the submitter, in writing, of the reasons for the dis-  
25           approval and shall make recommendations for revi-

1 sions of the compact or plan. The Secretary shall  
2 approve or disapprove a proposed revision to such  
3 a compact or plan within 90 days after the date on  
4 which the revision is submitted to the Secretary.

5 (3) AMENDMENTS TO MANAGEMENT PLANS.—

6 The Secretary shall review substantial amendments  
7 to management plans for Heritage Areas. Funds ap-  
8 propriated pursuant to this Act may not be ex-  
9 pended to implement such amendments until the  
10 Secretary approves the amendments.

11 (4) NO REQUIREMENT FOR LAND USE REGULA-

12 TION AS CONDITION FOR APPROVAL.—No provision  
13 of this Act shall be construed to require any change  
14 in land use regulation as a condition of approval of  
15 a compact, management plan, or revision of a com-  
16 pact or management plan by the Secretary.

17 **SEC. 5. MANAGEMENT ENTITY.**

18 (a) IN GENERAL.—

19 (1) RECEIPT OF FEDERAL FUNDS.—The man-  
20 agement entity designated in the compact approved  
21 under section 4 for the Heritage Area is authorized  
22 to receive Federal funds in support of cooperative  
23 partnerships to prepare and implement the manage-  
24 ment plan regarding the Heritage Area and to other-  
25 wise perform the functions contemplated in this Act.

1           (2) ELIGIBILITY.—To be eligible for designa-  
2           tion as the management entity of the Heritage Area,  
3           a unit of government or private nonprofit organiza-  
4           tion must possess the legal ability to—

5                   (A) receive Federal funds for use in pre-  
6                   paring and implementing the management plan;

7                   (B) disburse Federal funds to other units  
8                   of government or other organizations for use in  
9                   preparing and implementing the management  
10                  plan;

11                  (C) account for all Federal funds so re-  
12                  ceived or disbursed; and

13                  (D) sign agreements with the Federal Gov-  
14                  ernment.

15           (3) MEMBERSHIP.—A management entity for  
16           the Heritage Area should, to the fullest extent pos-  
17           sible, consist of diverse governmental, business, and  
18           nonprofit groups within the geographic area of the  
19           Heritage Area.

20           (b) AUTHORITIES OF MANAGEMENT ENTITY.—The  
21           management entity of the Heritage Area may, for pur-  
22           poses of preparing and implementing the management  
23           plan, use Federal funds made available under this Act—

1           (1) to make grants and loans to States, political  
2           subdivisions thereof, private organizations, and other  
3           persons;

4           (2) to enter into cooperative agreements with  
5           Federal agencies; and

6           (3) to hire and compensate staff.

7           (c) DUTIES OF MANAGEMENT ENTITY.—The man-  
8           agement entity for the Heritage Area shall do each of the  
9           following:

10           (1) MANAGEMENT PLAN.—The management  
11           entity shall develop, and submit to the Secretary for  
12           approval, a proposed management plan within three  
13           years after the date of the designation of the area  
14           as the Heritage Area.

15           (2) PRIORITIES.—The management entity shall  
16           give priority to the implementation of actions, goals,  
17           and policies set forth in the compact and manage-  
18           ment plan, including—

19                   (A) assisting units of government, regional  
20                   planning organizations, and nonprofit organiza-  
21                   tions—

22                           (i) in preserving the Heritage Area;

23                           (ii) in establishing and maintaining  
24                   interpretive exhibits in the area;

1 (iii) in developing recreational oppor-  
2 tunities in the area;

3 (iv) in increasing public awareness of  
4 and appreciation for the natural, historical,  
5 and cultural resources of the area;

6 (v) in the restoration of historic build-  
7 ings that are located within the boundaries  
8 of the area and relate to the themes of the  
9 area; and

10 (vi) in ensuring that clear, consistent,  
11 and environmentally appropriate signs  
12 identifying access points and sites of inter-  
13 est are put in place throughout the area;  
14 and

15 (B) consistent with the goals of the man-  
16 agement plan, encouraging economic viability in  
17 the affected communities by appropriate means.

18 (3) CONSIDERATION OF INTERESTS OF LOCAL  
19 GROUPS.—The management entity shall, in develop-  
20 ing and implementing the management plan, con-  
21 sider the interests of diverse governmental, business,  
22 and nonprofit groups within the geographic area.

23 (4) PUBLIC MEETINGS.—The management en-  
24 tity shall conduct public meetings at least quarterly

1 regarding the implementation of the management  
2 plan.

3 (5) SUBMISSION OF CHANGES IN PLAN.—The  
4 management entity shall submit any substantial  
5 changes to the management plan (including any in-  
6 crease of more than 20 percent in the cost estimates  
7 for implementation of the management plan) to the  
8 Secretary for the approval of the Secretary.

9 (6) ANNUAL REPORT.—The management entity  
10 shall, for any fiscal year in which it receives Federal  
11 funds under this Act or in which a loan made by the  
12 entity with Federal funds under this section is out-  
13 standing, submit an annual report to the Secretary  
14 setting forth its accomplishments, its expenses and  
15 income, and the entities to which it made any loans  
16 and grants during the year for which the report is  
17 made.

18 (7) COOPERATION WITH AUDITS.—The manage-  
19 ment entity shall, for any fiscal year in which it re-  
20 ceives Federal funds under this Act or in which a  
21 loan made by the entity with Federal funds under  
22 this section is outstanding, make available for audit  
23 by the Congress, the Secretary, and appropriate  
24 units of government all records and other informa-  
25 tion pertaining to the expenditure of such funds and

1 any matching funds, and require, for all agreements  
2 authorizing expenditure of Federal funds by other  
3 organizations, that the receiving organizations make  
4 available for such audit all records and other infor-  
5 mation pertaining to the expenditure of such funds.

6 (8) LIABILITY FOR LOANS.—The management  
7 entity shall be liable to the Federal Government for  
8 any loans that the management entity makes under  
9 this section.

10 (d) DISQUALIFICATION FOR FEDERAL FUNDING.—If  
11 a management plan regarding the Heritage Area is not  
12 submitted to the Secretary as required under subsection  
13 (c)(1) within the time specified in such subsection, the  
14 Heritage Area shall cease to be eligible for Federal fund-  
15 ing under this Act until such a plan regarding the Herit-  
16 age Area is submitted to the Secretary.

17 (e) PROHIBITION OF ACQUISITION OF REAL PROP-  
18 erty.—A management entity for the Heritage Area may  
19 not use Federal funds received under this Act to acquire  
20 real property or interest in real property. No provision of  
21 this Act shall prohibit any management entity from using  
22 Federal funds from other sources for their permitted pur-  
23 poses.

24 (f) DURATION OF ELIGIBILITY FOR FINANCIAL AS-  
25 sistance.—

1           (1) IN GENERAL.—A management entity for  
2 the Heritage Area shall be eligible to receive funds  
3 appropriated pursuant to this Act for a 10-year pe-  
4 riod beginning on the day on which the Heritage  
5 Area is designated, except as provided in paragraph  
6 (2).

7           (2) EXTENSION OF ELIGIBILITY.—The eligi-  
8 bility of a management entity for funding under this  
9 Act may be extended, by the Secretary, for a period  
10 of not more than five years after the 10-year period  
11 referred to in paragraph (1), if—

12                 (A) the management entity determines  
13 that the extension is necessary in order to carry  
14 out the purposes of this Act and notifies the  
15 Secretary of such determination not later than  
16 180 days prior to the end of the 10-year period  
17 referred to in paragraph (1);

18                 (B) the management entity, not later than  
19 180 days prior to the end of the 10-year period  
20 referred to in paragraph (1), presents to the  
21 Secretary a plan of its activities for the period  
22 of the extension, including provisions for becom-  
23 ing independent of the funds made available  
24 pursuant to this Act; and

1 (C) the Secretary, after consulting with the  
2 Governors of the States of Montana, North Da-  
3 kota, and Wyoming, approves such extension of  
4 eligibility.

5 (3) LACK OF EFFECT OF EXTENSION ON FUND-  
6 ING LIMITATIONS.—An extension provided under  
7 this subsection shall not be construed as waiving any  
8 limitation on funds provided pursuant to this Act.

9 (g) PROTECTION OF PRIVATE PROPERTY.—The  
10 management entity for the Heritage Area shall publish  
11 procedures to ensure that the rights of owners of private  
12 property are protected. Such procedures shall include a  
13 process to provide information to the owners of private  
14 property with respect to obtaining just compensation due  
15 as a result of a taking of private property under the Fifth  
16 Amendment of the Constitution of the United States.

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

18 (a) GENERAL AUTHORITY OF SECRETARY.—In ac-  
19 cordance with the purposes of this Act, the Secretary is  
20 authorized—

21 (1) to advise State and local governments, non-  
22 profit organizations, and other appropriate entities  
23 regarding suitable methods of recognizing and pre-  
24 serving thematically and geographically linked natu-

1       ral, historic, and cultural resources and recreational  
2       opportunities; and

3               (2) to consider the Heritage Area for nomina-  
4       tion to the World Heritage List if the Secretary de-  
5       termines that the area meets the qualifications for  
6       such nomination.

7       (b) DUTIES AND AUTHORITIES OF SECRETARY.—

8               (1) GRANTS.—(A) The Secretary may make  
9       matching grants to provide assistance regarding the  
10      compacts and, upon request of the management en-  
11      tity for the relevant Heritage Area, regarding man-  
12      agement plans and early actions described in section  
13      5 and capital projects and improvements undertaken  
14      pursuant to such management plans. The Secretary  
15      may make grants under this section to units of gov-  
16      ernment, and, in consultation with affected units of  
17      government, to private nonprofit organizations. In  
18      awarding grants under this section, the Secretary  
19      shall be guided by the criteria specified in paragraph  
20      (6).

21              (B) The Secretary may not, as a condition of  
22      the award of a grant under this section, require any  
23      recipient of such a grant to enact or modify land use  
24      restrictions.

1           (2) TECHNICAL ASSISTANCE.—(A) The Sec-  
2       retary may provide technical assistance to units of  
3       government and private nonprofit organizations re-  
4       garding compacts and, upon request of the manage-  
5       ment entity for the relevant Heritage Area, regard-  
6       ing management plans and early actions described in  
7       section 4 and capital projects and improvements un-  
8       dertaken pursuant to such management plans. In  
9       providing the technical assistance, the Secretary  
10      shall be guided by the criteria specified in paragraph  
11      (6).

12           (B) The Secretary may elect to provide all or  
13      part of the technical assistance authorized by this  
14      subsection through cooperative agreements with  
15      units of government and private nonprofit organiza-  
16      tions whose missions and resources can contribute  
17      substantially to the purposes of this Act.

18           (3) OTHER ASSISTANCE.—Nothing in this Act  
19      shall be deemed to prohibit the Secretary or units of  
20      government from providing technical or financial as-  
21      sistance under any other provision of law.

22           (4) PRIORITIES FOR ASSISTANCE.—In assisting  
23      the Heritage Area, the Secretary shall give priority  
24      to actions that assist in—

1 (A) conserving the significant natural, his-  
2 toric, and cultural resources which support the  
3 themes of the Heritage Area; and

4 (B) providing educational, interpretive, and  
5 recreational opportunities consistent with the  
6 resources and associated values of the Heritage  
7 Area.

8 (5) DETERMINATIONS REGARDING ASSIST-  
9 ANCE.—The Secretary shall decide on awarding  
10 technical and financial assistance and the amount of  
11 the assistance. Such decisions shall be based on the  
12 relative degree to which the Heritage Area effec-  
13 tively fulfills the objectives contained in the manage-  
14 ment plan for the area, achieves the purposes of this  
15 Act, and fulfills the criteria specified in paragraph  
16 (6) and shall give consideration to projects which  
17 provide a greater leverage of Federal funds.

18 (6) CRITERIA.—The criteria specified in this  
19 paragraph are as follows:

20 (A) ASSEMBLAGE OF RESOURCES.—The  
21 area shall be an assemblage of natural, historic,  
22 or cultural resources that—

23 (i) together represent distinctive as-  
24 pects of American heritage worthy of rec-

1           ognition, preservation, interpretation, and  
2           continuing use; and

3           (ii) are best managed as such an as-  
4           semblage, through partnerships among  
5           public and private entities, and by combin-  
6           ing diverse and sometimes noncontiguous  
7           resources and active communities.

8           (B) TRADITIONS, CUSTOMS, BELIEFS, OR  
9           FOLKLIFE.—The area shall reflect traditions,  
10          customs, beliefs, or folklife, or some combina-  
11          tion thereof, that are a valuable part of the  
12          story of the Nation.

13          (C) CONSERVATION OF NATURAL, CUL-  
14          TURAL, OR HISTORIC FEATURES.—The area  
15          shall provide outstanding opportunities to con-  
16          serve natural, cultural, or historic features, or  
17          some combination thereof.

18          (D) RECREATIONAL AND EDUCATIONAL  
19          OPPORTUNITIES.—The area shall provide out-  
20          standing recreational and educational opportu-  
21          nities.

22          (E) THEMES AND INTEGRITY OF RE-  
23          SOURCES.—The area shall have an identifiable  
24          theme or themes, and resources important to

1 the identified theme or themes shall retain in-  
2 tegrity capable of supporting interpretation.

3 (F) SUPPORT.—Residents, nonprofit orga-  
4 nizations, other private entities, and govern-  
5 ments within the proposed area shall dem-  
6 onstrate support for designation of the area and  
7 for management of the area as appropriate for  
8 such designation.

9 (G) AGREEMENTS.—The principal organi-  
10 zation and units of government supporting the  
11 designation shall be willing to commit to agree-  
12 ments to work in partnership to implement the  
13 management plan of the area.

14 (H) CONSISTENCY WITH ECONOMIC VIA-  
15 BILITY.—The proposal shall be consistent with  
16 continued economic viability in the affected  
17 communities.

18 (I) CONSENT OF LOCAL GOVERNMENTS.—  
19 No county, city, or town shall be included with-  
20 in the boundaries of the area unless the govern-  
21 ment of such county, city, or town agrees to be  
22 so included and submits notification of such  
23 agreement to the Secretary.

24 (7) NON-FEDERALLY OWNED PROPERTY.—The  
25 Secretary is authorized to spend Federal funds di-

1 rectly on nonfederally owned property to further the  
2 purposes of this Act, giving priority to assisting  
3 units of government in appropriate treatment of dis-  
4 tricts, sites, buildings, structures, and objects listed  
5 or eligible for listing on the National Register of  
6 Historic Places.

7 (8) ANNUAL REPORT.—The Secretary shall  
8 submit an annual report to the Congress regarding  
9 the Heritage Areas Partnership Program. Each re-  
10 port shall include—

11 (A) the number, amount, and recipients of  
12 any grants provided by the Secretary under this  
13 Act and the nature of any technical assistance  
14 or early action provided under this Act;

15 (B) a description of the status and condi-  
16 tion of, and Federal funding provided under  
17 this Act to, the Heritage Area;

18 (C) a description of the areas nominated  
19 for the Heritage Partnership Program;

20 (D) the recommendations of the Secretary  
21 regarding areas to be designated by the Con-  
22 gress as Heritage Areas; and

23 (E) the status of the implementation of all  
24 contractual agreements entered into by the Sec-  
25 retary under this Act.

1           (9) OVERSIGHT OF HERITAGE AREAS WITH EX-  
2           PIRED ELIGIBILITY.—The Secretary shall inves-  
3           tigate, study, and continually monitor the welfare of  
4           the Heritage Area after its eligibility for Federal  
5           funding under this Act has expired and shall report  
6           to the Congress periodically regarding the condition  
7           of the Heritage Area.

8           (10) PROVISION OF INFORMATION.—In co-  
9           operation with other Federal agencies, the Secretary  
10          shall provide the general public with information re-  
11          garding the location and character of components of  
12          the Heritage Areas Partnership Program.

13          (11) PROMULGATION OF REGULATIONS.—The  
14          Secretary shall promulgate such regulations as are  
15          necessary to carry out the purposes of this Act.

16          (c) DUTIES OF FEDERAL ENTITIES.—Any Federal  
17          entity conducting or supporting activities within the Herit-  
18          age Area, and any unit of government acting pursuant to  
19          a grant of Federal funds or a Federal permit or agreement  
20          and conducting or supporting such activities, shall, to the  
21          maximum extent practicable—

22                 (1) consult with the Secretary and the manage-  
23                 ment entity for the Heritage Area with respect to  
24                 such activities; and

1           (2) cooperate with the Secretary and the man-  
2           agement entity in the carrying out of the duties of  
3           the Secretary and the management entity under this  
4           Act, and coordinate such activities to minimize any  
5           real or potential adverse impact on the Heritage  
6           Area.

7 **SEC. 7. LACK OF EFFECT ON LAND USE REGULATION.**

8           (a) **LACK OF EFFECT ON AUTHORITY OF GOVERN-**  
9 **MENTS.**—Nothing in this Act shall be construed to modify,  
10 enlarge, or diminish any authority of Federal, State, and  
11 local governments to regulate any use of land as provided  
12 for by current law or regulation.

13           (b) **LACK OF ZONING OR LAND USE POWERS OF EN-**  
14 **TITY.**—Nothing in this Act shall be construed to grant  
15 powers of zoning or land use to any management entity  
16 for the Heritage Area.

17           (c) **MANAGEMENT PLAN AVAILABILITY TO LOCAL**  
18 **GOVERNMENTS.**—Any management plan referred to in  
19 section 4(a) and submitted to the Secretary by the man-  
20 agement entity for the Heritage Area shall be made avail-  
21 able to the local governments having jurisdiction over land  
22 use regulations affecting the Heritage Area for the use  
23 of the local governments in updating their growth manage-  
24 ment plans and in the event that such governments desire

1 to amend current land use legislation as they may deem  
2 appropriate and in accordance with their legal authority.

3 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) FEASIBILITY STUDIES, COMPACTS, MANAGE-  
5 MENT PLANS, AND EARLY ACTIONS.—From the amounts  
6 made available to carry out the National Historic Preser-  
7 vation Act (16 U.S.C. 470 et seq.), there is authorized  
8 to be appropriated to the Secretary, for grants and tech-  
9 nical assistance pursuant to section 6 and the administra-  
10 tion of such grants and assistance, such sums as may be  
11 necessary, to remain available until expended, with the fol-  
12 lowing conditions:

13 (1) PERCENT OF COST.—No grant under this  
14 Act for a compact, management plan, or early action  
15 may exceed 75 percent of the cost, to the grantee,  
16 for such compact, plan, or early action.

17 (2) COMPACT.—The total amount of Federal  
18 funding under this Act for the compact for the pro-  
19 posed Heritage Area may not exceed \$150,000.

20 (3) EARLY ACTION GRANTS.—The total amount  
21 of Federal funding under this Act for early action  
22 grants for the Heritage Area may not exceed  
23 \$250,000.

24 (4) MANAGEMENT PLANS.—The total amount  
25 of Federal funding under this Act for the manage-

1       ment plan for the Heritage Area may not exceed  
2       \$150,000.

3       (b) MANAGEMENT ENTITY OPERATIONS.—

4             (1) OPERATING COSTS.—From the amounts  
5       made available to carry out the National Historic  
6       Preservation Act (16 U.S.C. 470 et seq.), there is  
7       authorized to be appropriated to the Secretary, for  
8       the management entity of the Heritage Area, not  
9       more than \$250,000 annually for the operating costs  
10      of such management entity pursuant this Act.

11            (2) COST SHARE.—The Federal contribution  
12      under this Act to the operations of any management  
13      entity of the Heritage Area shall not exceed 50 per-  
14      cent of the annual operating costs of the entity.

15       (c) PLAN IMPLEMENTATION.—From the amounts  
16      made available to carry out the National Historic Preser-  
17      vation Act (16 U.S.C. 470 et seq.), there is authorized  
18      to be appropriated to the Secretary, for grants and tech-  
19      nical assistance for the implementation of management  
20      plans for designated Heritage Areas and the administra-  
21      tion of such grants and assistance, such sums as may be  
22      necessary, to remain available until expended, with the fol-  
23      lowing conditions:

24            (1) PERCENT OF COST.—No grant under this  
25      Act for implementation of a management plan may

1 exceed 50 percent of the cost to the grantee of the  
2 implementation.

3 (2) TOTAL FUNDING FOR EACH AREA.—Not  
4 more than a total of \$10,000,000 may be made  
5 available under this subsection to the Heritage Area.

6 (4) AGREEMENTS.—Any payment made under  
7 this subsection shall be subject to an agreement that  
8 conversion, use, or disposal of the project so assisted  
9 for purposes contrary to the purposes of this Act, as  
10 determined by the Secretary, shall result in a right  
11 of the United States to the greater of—

12 (A) reimbursement of all funds made avail-  
13 able for such project; and

14 (B) the proportion of the increased value  
15 of the project attributable to such funds, as de-  
16 termined at the time of such conversion, use, or  
17 disposal.

18 (d) LIMITATION ON AMOUNTS FOR TECHNICAL AS-  
19 SISTANCE.—The amount of Federal funding made avail-  
20 able under this section for technical assistance for the  
21 Heritage Area for a fiscal year may not exceed \$150,000.

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