

103^D CONGRESS
2^D SESSION

S. 1899

To establish the Augusta Canal National Heritage Area in the State of Georgia, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 8 (legislative day, FEBRUARY 22), 1994

Mr. COVERDELL introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish the Augusta Canal National Heritage Area 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. FINDINGS.**

4 The Congress finds that—

5 (1) the Augusta Canal National Landmark in
6 the State of Georgia, listed on the National Historic
7 Register of Historic Places, and designated by the
8 Governor of Georgia as one of four regionally impor-
9 tant resources in the State, is one of the last un-
10 spoiled areas in the State of Georgia;

1 (2) the Augusta Canal National Historic Land-
2 mark possesses excellent water quality, beautiful
3 rural and historic cultural landscapes, architecturally
4 significant mill structures and mill villages, and
5 large acreages of parks and permanent open space;

6 (3) three national historic districts, the Harris-
7 burg, Laney Walker, and Greene Street districts,
8 and 2 national historic landmarks, Stallings Island,
9 located in the Savannah River, and Meadow Garden,
10 are connected by the Augusta Canal Area;

11 (4) the beautiful rural landscapes and historic
12 cultural landscapes, scenic vistas and excellent water
13 quality of the Augusta Canal contain significant un-
14 developed recreational opportunities for people
15 throughout the United States;

16 (5) the Augusta Canal and related mill sites,
17 structures, and associated neighborhoods are rep-
18 resentative of the development of the cotton textile
19 industry and associated agriculture and trade in the
20 South;

21 (6) the transformation of the agrarian economy
22 of the area into an early industrial economy was
23 precipitated by the development and use of the Au-
24 gusta Canal;

1 (7) several significant sites associated with the
2 American Revolution, the Civil War, Native Ameri-
3 cans, Colonial Americans, African Americans, Chi-
4 nese Americans, and Irish Americans are located
5 within the Augusta Canal area;

6 (8) despite the efforts by the State of Georgia,
7 political subdivisions of the State, volunteer organi-
8 zations, and private businesses, the cultural, histori-
9 cal, natural, and recreational resources of the area
10 have not realized full potential and may be lost with-
11 out assistance from the Federal Government;

12 (9) the Secretary of the Interior considers this
13 landmark threatened and has designated it a priority
14 for protection; and

15 (10) many local, regional, and State agencies,
16 businesses, and private citizens have expressed an
17 overwhelming desire to combine forces to work coop-
18 eratively to preserve and enhance the resources of
19 the Augusta Canal National Historic Landmark and
20 better plan for its future.

21 **SEC. 2. PURPOSE.**

22 It is the purpose of this Act to provide a cooperative
23 management framework to assist the State of Georgia, its
24 units of local government, and area citizens in retaining,
25 enhancing, and interpreting the significant features of the

1 lands, water, and structures of the Augusta Canal, in a
2 manner consistent with positive economic impact and de-
3 velopment for the benefit and inspiration of present and
4 future generations in the State of Georgia and the United
5 States.

6 **SEC. 3. ESTABLISHMENT AND BOUNDARIES OF AUGUSTA**
7 **CANAL NATIONAL HERITAGE AREA.**

8 (a) ESTABLISHMENT.—There is established in the
9 State of Georgia the Augusta Canal National Heritage
10 Area (referred to in this Act as the “Heritage Area”).

11 (b) BOUNDARIES.—

12 (1) IN GENERAL.—The Heritage Area shall in-
13 clude those lands in the States of Georgia and South
14 Carolina commonly known as the Augusta Canal, as
15 generally depicted in the “Augusta Canal Master
16 Plan”, dated December 31, 1993. The Augusta
17 Canal Master Plan shall be on file and available for
18 public inspection in the Office of the Director of the
19 National Park Service, Washington, D.C.

20 (2) MAP.—As soon as practicable after the date
21 of enactment of this Act, the Secretary of the Inte-
22 rior (referred to in this Act as the “Secretary”) shall
23 publish in the Federal Register a detailed descrip-
24 tion and map of the boundaries established under
25 this subsection.

1 **SEC. 4. AUGUSTA CANAL COMMISSION.**

2 (a) ESTABLISHMENT.—There is established the Au-
3 gusta Canal Commission. Not later than 6 months after
4 the date of enactment of this Act, the Secretary shall ap-
5 point the members of the Commission as follows:

6 (1) Five members shall be appointed from
7 among persons serving on the Augusta Canal Au-
8 thority as established in the Augusta Canal Charter,
9 by Georgia Public Law.

10 (2) One member shall be appointed from rec-
11 ommendations submitted by the mayor of the city of
12 Augusta, Georgia.

13 (3) One member shall be appointed from rec-
14 ommendations submitted by a consensus of the
15 Georgia congressional delegation, representing Au-
16 gusta, Georgia.

17 (4) One member shall be appointed from rec-
18 ommendations submitted by the Governor of the
19 State of Georgia.

20 (5) One member shall be appointed from rec-
21 ommendations submitted by the Governor of the
22 State of South Carolina.

23 (b) CHAIRPERSON.—The Commission shall elect a
24 chairman from among its members.

1 (c) VACANCIES.—A vacancy on the commission shall
2 be filled in the manner in which the original appointment
3 was made.

4 **SEC. 5. MANAGEMENT PLAN.**

5 (a) PREPARATION OF PLAN.—Not later than 1 year
6 after the date of enactment of this Act, the Augusta Canal
7 Commission shall prepare and submit to the Secretary for
8 review and approval a plan for the management and ad-
9 ministration of the Heritage Area.

10 (b) CONTENT.—The plan shall be based on Federal,
11 State, and local plans in existence on the date of enact-
12 ment of this Act, including the Augusta Canal Master
13 Plan. The Augusta Canal Commission shall coordinate
14 and combine such plans and present an integrated and
15 cooperative approach for the protection, enhancement, and
16 interpretation of the cultural, natural, scenic, and rec-
17 reational resources of the Heritage Area.

18 (c) ASSISTANCE.—The Secretary is authorized to
19 provide technical and financial assistance in the prepara-
20 tion of the management plan.

21 (d) APPROVAL.—

22 (1) IN GENERAL.—Not later than 180 days
23 after receipt of the plan submitted pursuant to sub-
24 section (a), the Secretary shall approve or dis-
25 approve the plan.

1 (2) CRITERIA.—In determining whether to ap-
2 prove a plan, the Secretary shall consider—

3 (A) whether the planning area has strong
4 local support for the study from a diversity of
5 landowners, business interests, nonprofit orga-
6 nizations, and governments within the proposed
7 study area;

8 (B) whether the proposal is consistent with
9 and complements continued economic activity in
10 the area;

11 (C) whether the planning area has a high
12 potential for effective partnership mechanisms;

13 (D) whether the plan improperly infringes
14 on private property rights; and

15 (E) whether the plan will take appropriate
16 action to ensure private property rights are ob-
17 served.

18 (3) DISAPPROVAL.—

19 (A) IN GENERAL.—If the Secretary dis-
20 approves the management plan, the Secretary
21 shall notify the Augusta Canal Commission of
22 the disapproval in writing. The notice shall in-
23 clude—

24 (i) the reasons for the disapproval;

25 and

1 (ii) recommendations for revision.

2 (B) REVISED PLAN.—The Augusta Canal
3 Commission shall revise and resubmit the man-
4 agement plan to the Secretary for approval. Not
5 later than 180 days after receipt of the revised
6 plan, the Secretary shall approve or disapprove
7 the plan as provided in paragraph (2). The Au-
8 gusta Canal Commission shall revise and sub-
9 mit the management plan until the manage-
10 ment plan is approved by the Secretary.

11 (e) IMPLEMENTATION.—

12 (1) IN GENERAL.—Upon approval of the man-
13 agement plan as provided in subsection (d), the Sec-
14 retary, in conjunction with the Augusta Canal Com-
15 mission, shall take appropriate steps to implement
16 the management plan.

17 (2) COOPERATIVE AGREEMENTS.—The Sec-
18 retary is authorized to enter into cooperative agree-
19 ments with the State of Georgia, political subdivi-
20 sions of the State, the Augusta Canal Commission,
21 or any organization or individual to implement the
22 management plan.

23 (f) ECONOMIC DEVELOPMENT.—The Augusta Com-
24 mission, the State of Georgia, the city of Augusta, or any
25 political subdivision of the State shall encourage, by ap-

1 appropriate means, enhanced economic and industrial devel-
2 opment in the area consistent with the goals of the Au-
3 gusta Canal Master Plan.

4 **SEC. 6. ENVIRONMENTAL STANDARDS.**

5 (a) CONSTRUCTION.—Nothing in this Act is intended
6 to impose any occupational, safety, conservation, or envi-
7 ronmental regulation on the Heritage Area that is more
8 stringent than the regulations that would be applicable to
9 such area but for the establishment of the Heritage Area
10 pursuant to section 3.

11 (b) RESTRICTIONS.—No Federal agency may promul-
12 gate an occupational, safety, conservation, or environ-
13 mental regulation for the Heritage Area that is more
14 stringent than the regulations applicable to the Heritage
15 Area in existence on the date of enactment of this Act,
16 solely as a result of the establishment of the Heritage Area
17 pursuant to section 3.

18 **SEC. 7. DUTIES OF OTHER FEDERAL ENTITIES.**

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

- 21 (1) consult with the Secretary and the Augusta
22 Canal Commission with respect to such activities;
- 23 (2) cooperate with the Secretary and the Au-
24 gusta Canal Authority with respect to such activi-
25 ties;

1 (3) coordinate such activities with the Secretary
2 and the Augusta Canal Commission; and

3 (4) conduct or support such activities in a man-
4 ner that the Secretary and the Augusta Canal Com-
5 mission determine will not have an adverse effect on
6 the Heritage Area.

7 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

8 There are authorized to be appropriated such sums
9 as are necessary to carry out this Act.

○