

110TH CONGRESS
1ST SESSION

H. R. 646

To establish the Kentucky Artisan Heritage Trails National Heritage Area Act in the Commonwealth of Kentucky, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 2007

Mr. ROGERS of Kentucky (for himself, Mr. DAVIS of Kentucky, Mr. LEWIS of Kentucky, Mr. WHITFIELD, Mr. CHANDLER, and Mr. YARMUTH) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To establish the Kentucky Artisan Heritage Trails National Heritage Area Act in the Commonwealth of Kentucky, 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 “Kentucky Artisan Her-
5 itage Trails National Heritage Area Act”.

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

7 (a) FINDINGS.—Congress finds that—

8 (1) the Kentucky Artisan Heritage Trails in-
9 cludes 48 counties in the Commonwealth of Ken-

1 tucky. These counties include: Adair, Bath, Bell,
2 Boyd, Breathitt, Carter, Casey, Clark, Clay, Clinton,
3 Cumberland, Elliott, Estill, Fleming, Floyd,
4 Garrard, Green, Harlan, Hart, Jackson, Johnson,
5 Knott, Laurel, Lawrence, Lee, Leslie, Letcher,
6 Lewis, Lincoln, Madison, Magoffin, Martin,
7 McCreary, Menifee, Monroe, Montgomery, Morgan,
8 Owsley, Perry, Pike, Powell, Pulaski, Rockcastle,
9 Rowan, Russell, Wayne, Whitley, and Wolfe;

10 (2) has an assemblage of natural, historic, and
11 cultural resources that together represent distinctive
12 aspects of American heritage worthy of recognition,
13 conservation, interpretation, and continuing use, and
14 are best managed through partnerships among pub-
15 lic and private entities and by combining diverse and
16 sometimes noncontiguous resources and active com-
17 munities;

18 (3) reflects traditions, customs, beliefs, and
19 folklife that are a valuable part of the national story;

20 (4) provides opportunities to conserve natural,
21 historic, cultural, or scenic features;

22 (5) provides outstanding recreational and edu-
23 cational opportunities;

24 (6) includes residents, business interests, non-
25 profit organizations, and Universities that are in-

1 volved in the planning, have developed a conceptual
2 financial plan that outlines the roles of all partici-
3 pants (including the Federal government), and have
4 demonstrated support for the concept of a national
5 heritage area;

6 (7) has a potential management entity to work
7 in partnership with residents, business interests,
8 nonprofit organizations, and Universities to develop
9 a national heritage area consistent with continued
10 local and State economic activity; and

11 (8) has a conceptual boundary map that is sup-
12 ported by the public.

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

15 (1) To establish the Kentucky Artisan Heritage
16 Trails National Heritage Area in the Commonwealth
17 of Kentucky.

18 (2) To provide a management framework to
19 foster a close relationship with all levels of govern-
20 ment, the private sector, and the local communities
21 in the Kentucky Artisan Heritage Trails region to
22 conserve the region’s heritage while continuing to
23 pursue compatible economic opportunities.

24 (3) To assist communities, organizations, and
25 citizens in the Commonwealth of Kentucky in identi-

1 (c) AVAILABILITY OF MAP.—The map shall be on file
2 and available for public inspection in the appropriate of-
3 fices of the National Park Service, Department of Interior.

4 (d) BOUNDARIES.—The heritage area should include
5 48 counties in Kentucky, including: Adair, Bath, Bell,
6 Boyd, Breathitt, Carter, Casey, Clark, Clay, Clinton,
7 Cumberland, Elliott, Estill, Fleming, Floyd, Garrard,
8 Green, Harlan, Hart, Jackson, Johnson, Knott, Laurel,
9 Lawrence, Lee, Leslie, Letcher, Lewis, Lincoln, Madison,
10 Magoffin, Martin, McCreary, Menifee, Monroe, Mont-
11 gomery, Morgan, Owsley, Perry, Pike, Powell, Pulaski,
12 Rockcastle, Rowan, Russell, Wayne, Whitley, and Wolfe.

13 (e) SPECIFIC SITES.—The heritage area includes the
14 following sites:

15 (1) NATIONAL PARK SERVICE SITES.—

16 (A) Red Bird Trail begins in the Cum-
17 berland Gap National Historical Park and leads
18 travelers 143 miles through the Daniel Boone
19 National Forest along Pine Mountain. A mu-
20 seum dedicated to the recovered WWII Lost
21 Squadron airplane “Glacier Girl” can be seen
22 along this trail that covers Bell, Harlan, Leslie
23 and Clay counties.

24 (B) Cave Country Trail is named for the
25 numerous caves and caverns that populate 127

1 miles through the Mammoth Cave National
2 Park covering Hart, Green and Monroe coun-
3 ties. This region includes the Kentucky Rep-
4 ertory Theatre, historic tours of Greensburg
5 and Munfordsville, Kentucky, and the Old
6 Mulkey Meeting House State Historic Park.

7 (C) Moonbow Trail leads travelers 126
8 miles through portions of the Big South Fork
9 National River and Recreation area, and the
10 Cumberland Falls State Resort Park. The trail
11 includes beautiful Kentucky landscapes such as
12 Eagle Falls, Big South Fork Scenic Railway,
13 and historic mining communities in Pulaski,
14 Wayne and McCreary counties.

15 (2) OTHER FEDERAL LANDS.—

16 (A) Buckhorn Trail is 100 miles in length
17 and leads travelers through the Daniel Boone
18 National Forest. Site of interest include a log
19 cathedral, outdoor recreation and scenic beauty
20 of Buckhorn Lake State Park in Owsley, Clay,
21 Leslie, Perry and Breathitt counties.

22 (B) Millstone Trail leads travelers through
23 the Daniel Boone National Forest and includes
24 the Levi Jackson Wilderness State Park. This
25 108 mile trail includes Cumberland Falls and

1 home of the original Kentucky Fried Chicken in
2 Laurel, Knox, Whitley, Clay and Jackson coun-
3 ties.

4 (C) Red River Gorge Trail travels 141
5 miles through the Daniel Boone National For-
6 est and includes the Nada Tunnel in the Red
7 River Gorge Geological Area's beautiful moun-
8 tain region covering Montgomery, Menifee,
9 Wolfe, Powell and Clark counties.

10 (D) Gateway Trail travels 105 miles
11 through the Daniel Boone National Forest and
12 includes the Kentucky Music Hall of Fame and
13 Museum and the well-known music venue
14 Renfro Valley Entertainment Center. The trail
15 includes Madison, Rockcastle, Laurel and Jack-
16 son counties.

17 (E) Battlefield Trail, named for the Battle
18 of Richmond and Civil War history, spans 93
19 miles through the Daniel Boone National For-
20 est in Madison and Estill counties. Historic
21 points of interest include Valley View Ferry,
22 Bybee Pottery, Fitchburg Furnace and Fort
23 Boonesborough.

24 (F) Tygart's Creek Trail leads travelers
25 through the Daniel Boone National Forest and

1 153 miles through the Carter Caves State Park
2 which includes the Kentucky Folk Art Museum
3 and Cave Run Lake covering Rowan, Morgan,
4 Elliott, Carter, Lewis, Fleming and Bath coun-
5 ties.

6 (G) Natural Bridge Trail leads travelers
7 122 miles through the Red River Gorge Na-
8 tional Geological Area and includes portions of
9 the Daniel Boone National Forest. Sites of in-
10 terest include regional restaurants and artisan
11 shops along the Menifee, Morgan, Wolfe,
12 Breathitt, Lee and Powell counties.

13 (3) OTHER PUBLIC LANDS.—

14 (A) Lilley's Woods Trail offers destinations
15 such as the Hindman Settlement School, the
16 Kentucky Appalachian Artisan Center, restored
17 historic mining camps and museum along the
18 118 mile trail through Knott, Letcher, Harlan,
19 Leslie and Perry counties.

20 (B) Pine Hollows Trail is part of the
21 Jenny Wiley State Park and includes the
22 Mountain Arts Center encompassing 109 miles
23 through Floyd, Knott, Letcher and Pike coun-
24 ties.

1 (C) Berea Trail, known as the Arts and
2 Crafts Capital of Kentucky, the trails begins at
3 the Kentucky Artisan Center at Berea in Madi-
4 son County and is 22 miles in length.

5 (D) Fiddlehead Trail is named after the
6 “Fiddlehead” fern, and includes an outdoor
7 theater, Jenny Wiley Theater, Coal Miner’s Mu-
8 seum and Loretta Lynn’s childhood home in
9 Butcher Holler. The trail is 118 miles and in-
10 cludes Morgan, Elliott, Lawrence, Johnson,
11 Floyd, Magoffin and Wolfe counties.

12 (E) Frontier Trail includes 108 miles in
13 Garrard, Lincoln, Casey, Pulaski and
14 Rockcastle counties and points of interest are a
15 Jail Museum and the Louisville and Nashville
16 Depot Museum.

17 (F) Mountain Music Trail named for the
18 musical heritage in the area once home to
19 Dwight Yoakum, The Judds, Ricky Skaggs, Lo-
20 retta Lynn, Crystal Gayle, Bill Ray Cyrus and
21 others. This trail covers 118 miles in Boyd,
22 Carter, Lawrence, Johnson and Martin coun-
23 ties.

24 (G) Cumberland Lakes Trail is part of
25 both the Lake Cumberland State Resort Park

1 and Dale Hollow Lake State Resort Park, en-
2 compassing 95 miles of regional restaurants
3 and Civil War enthusiasts' artistry in Adair,
4 Russell, Clinton and Cumberland counties.

5 **SEC. 5. AUTHORITY AND DUTIES OF THE ASSOCIATION.**

6 (a) DUTIES OF THE ASSOCIATION.—To further the
7 purposes of the Heritage Area, the association shall—

8 (1) not later than 3 years after the date of the
9 enactment of this Act, the association shall develop
10 and forward to the Secretary a management plan for
11 the heritage area; and

12 (2) develop and implement the management
13 plan in cooperation with affected communities and
14 local governments and shall provide for public in-
15 volvement in the development and implementation of
16 the management plan.

17 (b) MANAGEMENT PLAN.—The management plan
18 shall, at a minimum—

19 (1) provide recommendations for the conserva-
20 tion, funding, management, and development of the
21 resources of the heritage area;

22 (2) include an inventory of the cultural, histor-
23 ical, natural, and recreational resources of the herit-
24 age area;

1 (3) develop recreational and educational oppor-
2 tunities in the heritage area;

3 (4) increase public awareness of an appreciation
4 for natural, historical, scenic and cultural resources
5 of the heritage area;

6 (5) promote a wide range of partnerships
7 among governments, businesses, organizations and
8 individuals in the heritage area in the preparation
9 and implementation of the management plan;

10 (6) include an analysis of ways in which local,
11 State and Federal programs may best be coordi-
12 nated to promote the purposes of this Act; and

13 (7) encourage by appropriate means economic
14 development that is consistent with the purposes of
15 the Heritage Area.

16 (c) APPROVAL OF PLAN.—The Secretary shall ap-
17 prove or disapprove the management plan not later than
18 60 days after the date of submission. If the Secretary dis-
19 approves of the management plan, the Secretary shall ad-
20 vise the association in writing of the reasons and shall
21 make recommendations for revisions to the plan.

22 (d) REVIEW OF PLAN.—The association shall periodi-
23 cally review the management plan and submit to the Sec-
24 retary any recommendations for proposed revisions to the

1 management plan. Any major revisions to the manage-
2 ment plan must be approved by the Secretary.

3 (e) AUTHORITY.—The association may make grants
4 and provide technical assistance to local governments, and
5 other public and private entities to carry out the manage-
6 ment plan.

7 (f) DUTIES.—The association shall—

8 (1) give priority in implementing actions set
9 forth in the management plan;

10 (2) encourage by appropriate means economic
11 viability in the heritage area consistent with the
12 goals of the management plan; and

13 (3) assist local government and non-profit orga-
14 nizations in—

15 (A) establishing and maintaining interpre-
16 tive exhibits in the heritage area;

17 (B) developing recreational resources in
18 the heritage area;

19 (C) increasing public awareness of, and ap-
20 preciation for, the cultural, historical, and nat-
21 ural resources in the heritage area;

22 (D) the restoration of historic structures
23 related to the heritage area; and

24 (E) carrying out other actions that the as-
25 sociation determines appropriate to fulfill the

1 purposes of this Act, consistent with the man-
2 agement plan.

3 (g) PROHIBITION OF ACQUIRING REAL PROPERTY.—

4 The association may not use Federal funds received under
5 this Act to acquire real property or an interest in real
6 property.

7 **SEC. 6. MANAGEMENT PLAN.**

8 (a) IN GENERAL.—The management plan for the
9 Heritage Area shall—

10 (1) include comprehensive policies, strategies,
11 and recommendations for conservation, funding,
12 management, and development of the Heritage Area;

13 (2) include a description of actions that govern-
14 ments, private organizations, and individuals have
15 agreed to take to protect the natural, historical, and
16 cultural resources of the Heritage Area; and

17 (3) specify the existing and potential sources of
18 funding to protect, manage, and develop the Herit-
19 age Area in the first 5 years of implementation.

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

21 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—The
22 Secretary may, upon the request of the association, pro-
23 vide technical assistance on a reimbursable or non-reim-
24 bursable basis and financial assistance to the Heritage
25 Area to develop and implement the approved management

1 plan. The Secretary is authorized to enter into cooperative
2 agreements with the association and other public or pri-
3 vate entities for this purpose. In assisting the Heritage
4 Area, the Secretary shall give priority to actions that in
5 general assist in—

6 (1) conserving the significant natural, histor-
7 ical, cultural and scenic resources of the Heritage
8 Area; and

9 (2) providing educational, interpretive, and rec-
10 reational opportunities consistent with the purposes
11 of the Heritage Area.

12 (b) APPROVAL OF MANAGEMENT PLAN.—

13 (1) IN GENERAL.—The Secretary shall approve
14 or disapprove the management plan not later than
15 60 days after receiving the management plan.

16 (2) CRITERIA FOR APPROVAL.—In determining
17 to approve the management plan, the Secretary shall
18 consider whether—

19 (A) the association is representative of the
20 diverse interests of the heritage area including
21 governments, natural and historic resource pro-
22 tection organizations, education, business and
23 recreation;

24 (B) the association has afforded adequate
25 opportunity, including public hearings, for pub-

1 lic and government involvement in the prepara-
2 tions of the management plan;

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

8 (D) the management plan is supported by
9 the appropriate State and local officials whose
10 cooperation is needed to ensure the effective im-
11 plementation of the State and local aspects of
12 the management plan.

13 (c) ACTIONS FOLLOWING DISAPPROVAL.—If the Sec-
14 retary disapproves the management plan, the Secretary
15 shall advise the association in writing of the reasons and
16 shall make recommendations for revisions to the manage-
17 ment plan. The Secretary shall approve or disapprove a
18 proposed revision not later than 60 days after the date
19 it is submitted.

20 (d) APPROVAL OF AMENDMENTS.—Substantial
21 amendments to the management plan shall be reviewed by
22 the Secretary and approved in the same manner as pro-
23 vided for the original management plan. The association
24 shall not use Federal funds authorized by this Act to im-

1 plement any amendments until the Secretary has approved
2 the amendments.

3 **SEC. 8. DUTIES OF OTHER FEDERAL AGENCIES.**

4 Any Federal agency conducting or supporting activi-
5 ties directly affecting the Heritage Area shall—

6 (1) consult with the Secretary and the associa-
7 tion with respect to such activities;

8 (2) cooperate with the Secretary and the asso-
9 ciation with respect to such activities; and

10 (3) to the maximum extent practicable, conduct
11 or support such activities in a manner which the as-
12 sociation determines will not have an adverse effect
13 on the Heritage Area.

14 **SEC. 9 AUTHORIZATION OF APPROPRIATIONS.**

15 (a) IN GENERAL.—There is authorized to be appro-
16 priated for the purposes of this Act not more than
17 \$1,000,000 for any fiscal year. Not more than a total of
18 \$10,000,000 may be appropriated for the Association
19 under this Act.

20 (b) MATCHING FUNDS.—Federal funding provided
21 under this Act may not exceed 50 percent of the total cost
22 of any assistance or grant provided or authorized under
23 this Act.

1 **SEC. 10 SUNSET.**

2 The authority of the Secretary to provide assistance
3 under this Act shall terminate on the day occurring 15
4 years after the date of the enactment of this Act.

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