

**AMENDMENT TO H.R. 2406, AS REPORTED  
OFFERED BY MR. KILMER OF WASHINGTON**

Add at the end the following:

1 **TITLE XVII—MARITIME WASH-**  
2 **INGTON NATIONAL HERITAGE**  
3 **AREA**

4 **SEC. 1701. SHORT TITLE.**

5 This title may be cited as the “Maritime Washington  
6 National Heritage Area Act”.

7 **SEC. 1702. DEFINITIONS.**

8 In this title:

9 (1) LOCAL COORDINATING ENTITY.—The term  
10 “local coordinating entity” means the local coordi-  
11 nating entity for the National Heritage Area des-  
12 ignated by section 1703(d).

13 (2) MANAGEMENT PLAN.—The term “manage-  
14 ment plan” means the management plan for the Na-  
15 tional Heritage Area required under section 1704.

16 (3) MAP.—The term “map” means the map en-  
17 titled “Maritime Washington National Heritage  
18 Area Proposed Boundary”, numbered 584/125,484,  
19 and dated August 2014.

1           (4) NATIONAL HERITAGE AREA.—The term  
2           “National Heritage Area” means the Maritime  
3           Washington National Heritage Area established by  
4           section 1703(a).

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

7           (6) STATE.—The term “State” means the State  
8           of Washington.

9   **SEC. 1703. MARITIME WASHINGTON NATIONAL HERITAGE**  
10                                   **AREA.**

11          (a) ESTABLISHMENT.—There is established in the  
12          State the Maritime Washington National Heritage Area.

13          (b) BOUNDARIES.—

14               (1) IN GENERAL.—The National Heritage Area  
15               shall consist of land located in the counties of  
16               Whatcom, Skagit, Snohomish, San Juan, Island,  
17               King, Pierce, Thurston, Mason, Kitsap, Jefferson,  
18               Clallam, and Grays Harbor in the State that is at  
19               least partially located within the area that is ¼-mile  
20               landward of the shoreline, as generally depicted on  
21               the map.

22               (2) REVISION.—The boundaries of the National  
23               Heritage Area established under paragraph (1) may  
24               be revised if the revision is—

25                       (A) proposed in the management plan;

1 (B) approved by the Secretary in accord-  
2 ance with section 1704; and

3 (C) placed on file in accordance with sub-  
4 section (c).

5 (c) AVAILABILITY OF MAP.—The map shall be on file  
6 and available for public inspection in the appropriate of-  
7 fices of—

8 (1) the National Park Service; and

9 (2) the local coordinating entity.

10 (d) LOCAL COORDINATING ENTITY.—The Wash-  
11 ington Trust for Historic Preservation shall be the local  
12 coordinating entity for the National Heritage Area.

13 **SEC. 1704. MANAGEMENT PLAN.**

14 (a) IN GENERAL.—Not later than 3 years after the  
15 date of enactment of this Act, the local coordinating entity  
16 shall submit to the Secretary for approval a proposed  
17 management plan for the National Heritage Area.

18 (b) REQUIREMENTS.—The management plan shall—

19 (1) incorporate an integrated and cooperative  
20 approach for the protection, enhancement, and inter-  
21 pretation of the natural, cultural, historical, scenic,  
22 and recreational resources of the National Heritage  
23 Area;

24 (2) take into consideration State and local  
25 plans;

1 (3) include—

2 (A) an inventory of—

3 (i) the resources located in the Na-  
4 tional Heritage Area; and

5 (ii) any other property in the National  
6 Heritage Area that—

7 (I) is related to the themes of the  
8 National Heritage Area; and

9 (II) should be preserved, re-  
10 stored, managed, or maintained be-  
11 cause of the significance of the prop-  
12 erty;

13 (B) comprehensive policies, strategies and  
14 recommendations for the conservation, funding,  
15 management, and development of the National  
16 Heritage Area;

17 (C) a description of actions that govern-  
18 ments, private organizations, and individuals  
19 have agreed to take to protect the natural, cul-  
20 tural, and historical resources of the National  
21 Heritage Area;

22 (D) a program of implementation for the  
23 management plan by the local coordinating en-  
24 tity that includes a description of—

1 (i) actions to facilitate ongoing col-  
2 laboration among partners to promote  
3 plans for resource protection, restoration,  
4 and construction; and

5 (ii) specific commitments for imple-  
6 mentation that have been made by the  
7 local coordinating entity or any govern-  
8 ment, organization, or individual for the  
9 first 5 years of operation of the National  
10 Heritage Area;

11 (E) the identification of sources of funding  
12 for carrying out the management plan;

13 (F) analysis and recommendations for  
14 means by which Federal, State, and local pro-  
15 grams may best be coordinated to carry out this  
16 section, including a description of the role of  
17 the National Park Service in the National Her-  
18 itage Area; and

19 (G) an interpretive plan for the National  
20 Heritage Area; and

21 (4) recommend policies and strategies for re-  
22 source management that consider and detail the ap-  
23 plication of appropriate land and water management  
24 techniques, including the development of intergov-  
25 ernmental and interagency cooperative agreements

1 to protect the natural, cultural, historical, scenic,  
2 recreational, and educational resources of the Na-  
3 tional Heritage Area.

4 (c) DEADLINE.—If a proposed management plan is  
5 not submitted to the Secretary by the date that is 3 years  
6 after the date of enactment of this Act, the local coordi-  
7 nating entity shall be ineligible to receive additional fund-  
8 ing under this title until the date on which the Secretary  
9 receives and approves the management plan.

10 (d) APPROVAL OR DISAPPROVAL OF MANAGEMENT  
11 PLAN.—

12 (1) IN GENERAL.—Not later than 180 days  
13 after the date of receipt of the management plan  
14 under subsection (a), the Secretary, in consultation  
15 with the State, shall approve or disapprove the man-  
16 agement plan.

17 (2) CRITERIA FOR APPROVAL.—In determining  
18 whether to approve the management plan, the Sec-  
19 retary shall consider whether—

20 (A) the local coordinating entity is rep-  
21 resentative of the diverse interests of the Na-  
22 tional Heritage Area, including governments,  
23 natural and historical resource protection orga-  
24 nizations, educational institutions, businesses,  
25 and recreational organizations;

1 (B) the local coordinating entity has af-  
2 forded adequate opportunity, including public  
3 hearings, for public and governmental involve-  
4 ment in the preparation of the management  
5 plan; and

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

11 (3) ACTION FOLLOWING DISAPPROVAL.—If the  
12 Secretary disapproves the management plan under  
13 paragraph (1), the Secretary shall—

14 (A) advise the local coordinating entity in  
15 writing of the reasons for the disapproval;

16 (B) make recommendations for revisions to  
17 the management plan; and

18 (C) not later than 180 days after the re-  
19 ceipt of any proposed revision of the manage-  
20 ment plan from the local coordinating entity,  
21 approve or disapprove the proposed revision.

22 (4) AMENDMENTS.—

23 (A) IN GENERAL.—The Secretary shall ap-  
24 prove or disapprove each amendment to the  
25 management plan that makes a substantial

1 change to the management plan, as determined  
2 by the Secretary.

3 (B) USE OF FUNDS.—The local coordi-  
4 nating entity shall not use Federal funds au-  
5 thorized by this section to carry out any amend-  
6 ments to the management plan until the date  
7 on which the Secretary has approved the  
8 amendments.

9 **SEC. 1705. ADMINISTRATION.**

10 (a) AUTHORITIES.—For purposes of implementing  
11 the management plan, the Secretary, acting through the  
12 local coordinating entity, may use amounts made available  
13 under section 1709—

14 (1) to make grants to the State or a political  
15 subdivision of the State, nonprofit organizations,  
16 and other persons;

17 (2) to enter into cooperative agreements with,  
18 or provide technical assistance to, the State or a po-  
19 litical subdivision of the State, nonprofit organiza-  
20 tions, and other interested parties;

21 (3) to hire and compensate staff, which shall in-  
22 clude individuals with expertise in natural, cultural,  
23 and historical resources protection and heritage pro-  
24 gramming;

1           (4) to obtain money or services from any  
2 source, including any money or services that are pro-  
3 vided under any other Federal law or program;

4           (5) to contract for goods or services; and

5           (6) to undertake to be a catalyst for any other  
6 activity that—

7           (A) furthers the purposes of the National  
8 Heritage Area; and

9           (B) is consistent with the approved man-  
10 agement plan.

11 (b) DUTIES.—The local coordinating entity shall—

12           (1) in accordance with section 1704, prepare  
13 and submit a management plan to the Secretary;

14           (2) assist units of local government, regional  
15 planning organizations, and nonprofit organizations  
16 in carrying out the approved management plan by—

17           (A) carrying out programs and projects  
18 that recognize, protect, and enhance important  
19 resource values in the National Heritage Area;

20           (B) establishing and maintaining interpre-  
21 tive exhibits and programs in the National Her-  
22 itage Area;

23           (C) developing recreational and educational  
24 opportunities in the National Heritage Area;

1 (D) increasing public awareness of, and  
2 appreciation for, natural, cultural, historical,  
3 and scenic resources of the National Heritage  
4 Area;

5 (E) identifying and restoring historic sites  
6 and buildings in the National Heritage Area  
7 that are consistent with National Heritage Area  
8 themes;

9 (F) ensuring that clear, consistent, and ap-  
10 propriate signs identifying points of public ac-  
11 cess and sites of interest are posted throughout  
12 the National Heritage Area; and

13 (G) promoting a wide range of partner-  
14 ships among governments, organizations, and  
15 individuals to further the National Heritage  
16 Area;

17 (3) consider the interests of diverse units of  
18 government, businesses, organizations, and individ-  
19 uals in the National Heritage Area in the prepara-  
20 tion and implementation of the management plan;

21 (4) conduct meetings open to the public at least  
22 semiannually regarding the development and imple-  
23 mentation of the management plan;

24 (5) for any year for which Federal funds have  
25 been received under this section—

1 (A) submit to the Secretary an annual re-  
2 port that describes the activities, expenses, and  
3 income of the local coordinating entity (includ-  
4 ing grants from the local coordinating entity to  
5 any other entities during the year that the re-  
6 port is made);

7 (B) make available to the Secretary for  
8 audit all records relating to the expenditure of  
9 the funds and any matching funds; and

10 (C) require, with respect to all agreements  
11 authorizing the expenditure of Federal funds by  
12 other organizations, that the organizations re-  
13 ceiving the funds make available to the Sec-  
14 retary for audit all records concerning the ex-  
15 penditure of the funds; and

16 (6) encourage, by appropriate means, economic  
17 viability that is consistent with the National Herit-  
18 age Area.

19 (c) PROHIBITION ON THE ACQUISITION OF REAL  
20 PROPERTY.—The local coordinating entity shall not use  
21 Federal funds made available under section 1709 to ac-  
22 quire real property or any interest in real property.

1 **SEC. 1706. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

2 (a) IN GENERAL.—Nothing in this title affects the  
3 authority of a Federal agency to provide technical or fi-  
4 nancial assistance under any other law.

5 (b) CONSULTATION AND COORDINATION.—The head  
6 of any Federal agency planning to conduct activities that  
7 may have an impact on the National Heritage Area is en-  
8 couraged to consult and coordinate the activities with the  
9 Secretary and the local coordinating entity, to the max-  
10 imum extent practicable.

11 (c) OTHER FEDERAL AGENCIES.—Nothing in this  
12 title—

13 (1) modifies, alters, or amends any law or regu-  
14 lation authorizing a Federal agency to manage Fed-  
15 eral land under the jurisdiction of the Federal agen-  
16 cy;

17 (2) limits the discretion of a Federal land man-  
18 ager to implement an approved land use plan within  
19 the boundaries of the National Heritage Area; or

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

23 **SEC. 1707. PRIVATE PROPERTY AND REGULATORY PROTEC-**  
24 **TIONS.**

25 Nothing in this title—

1           (1) abridges the rights of any owner of public  
2           or private property, including the right to refrain  
3           from participating in any plan, project, program, or  
4           activity conducted within the National Heritage  
5           Area;

6           (2) requires any property owner—

7                 (A) to permit public access (including ac-  
8                 cess by Federal, State, or local agencies) to the  
9                 property of the property owner; or

10                (B) to modify public access or use of prop-  
11                erty of the property owner under any other  
12                Federal, State, or local law;

13           (3) alters any duly adopted land use regulation,  
14           approved land use plan, or other regulatory author-  
15           ity of any Federal, State, tribal, or local agency;

16           (4) conveys any land use or other regulatory  
17           authority to the local coordinating entity;

18           (5) authorizes or implies the reservation or ap-  
19           propriation of water or water rights;

20           (6) diminishes the authority of the State to  
21           manage fish and wildlife, including the regulation of  
22           fishing and hunting within the National Heritage  
23           Area; or

24           (7) creates any liability, or affects any liability  
25           under any other law, of any private property owner

1 with respect to any person injured on the private  
2 property.

3 **SEC. 1708. EVALUATION AND REPORT.**

4 (a) IN GENERAL.—Not later than 3 years before the  
5 date on which authority for Federal funding terminates  
6 for the National Heritage Area, the Secretary shall—

7 (1) conduct an evaluation of the accomplish-  
8 ments of the National Heritage Area; and

9 (2) prepare a report in accordance with sub-  
10 section (c).

11 (b) EVALUATION.—An evaluation conducted under  
12 subsection (a)(1) shall—

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

15 (A) accomplishing the purposes of the Na-  
16 tional Heritage Area; and

17 (B) achieving the goals and objectives of  
18 the management plan;

19 (2) analyze the investments of Federal, State,  
20 tribal, and local government and private entities in  
21 the National Heritage Area to determine the impact  
22 of the investments; and

23 (3) review the management structure, partner-  
24 ship relationships, and funding of the National Her-  
25 itage Area for purposes of identifying the critical

1 components for sustainability of the National Herit-  
2 age Area.

3 (c) REPORT.—Based on the evaluation conducted  
4 under subsection (a)(1), the Secretary shall submit to the  
5 Committee on Energy and Natural Resources of the Sen-  
6 ate and the Committee on Natural Resources of the House  
7 of Representatives a report that includes recommendations  
8 for the future role of the National Park Service with re-  
9 spect to the National Heritage Area.

10 **SEC. 1709. AUTHORIZATION OF APPROPRIATIONS.**

11 (a) IN GENERAL.—There is authorized to be appro-  
12 priated to carry out this title \$10,000,000, of which not  
13 more than \$1,000,000 may be made available in any fiscal  
14 year.

15 (b) AVAILABILITY.—Amounts made available under  
16 subsection (a) shall remain available until expended.

17 (c) COST-SHARING REQUIREMENT.—

18 (1) IN GENERAL.—The Federal share of the  
19 total cost of any activity carried out under this title  
20 shall be not more than 50 percent.

21 (2) FORM.—The non-Federal share of the total  
22 cost of any activity carried out under this title may  
23 be in the form of in-kind contributions of goods or  
24 services fairly valued.

1           (d) TERMINATION OF AUTHORITY.—The authority of  
2 the Secretary to provide assistance under this title termi-  
3 nates on the date that is 15 years after the date of enact-  
4 ment of this Act.

