

AMENDMENT TO
RULES COMMITTEE PRINT 117-2
OFFERED BY MS. PLASKETT OF VIRGIN ISLANDS

At the end of the bill, add the following:

1 **TITLE IX—ST. CROIX NATIONAL**
2 **HERITAGE AREA**

3 **SEC. 901. SHORT TITLE.**

4 This title may be cited as the “St. Croix National
5 Heritage Area Act”.

6 **SEC. 902. DEFINITIONS.**

7 In this title:

8 (1) NATIONAL HERITAGE AREA.—The term
9 “National Heritage Area” means the St. Croix Na-
10 tional Heritage Area established by section 903(a).

11 (2) LOCAL COORDINATING ENTITY.—The term
12 “local coordinating entity” means the local coordi-
13 nating entity for the National Heritage Area des-
14 ignated by section 903(d).

15 (3) MANAGEMENT PLAN.—The term “manage-
16 ment plan” means the management plan for the Na-
17 tional Heritage Area required under section 905.

18 (4) SECRETARY.—The term “Secretary” means
19 the Secretary of the Interior.

1 (5) ST. CROIX.—The term “St. Croix” means
2 St. Croix, Virgin Islands of the United States.

3 (6) STATE.—The term “State” means the Vir-
4 gin Islands of the United States.

5 **SEC. 903. ST. CROIX NATIONAL HERITAGE AREA.**

6 (a) ESTABLISHMENT.—There is established in the
7 State the St. Croix National Heritage Area.

8 (b) CONCEPTUAL BOUNDARIES.—The National Her-
9 itage Area shall consist of the entire island of St. Croix.

10 (c) MAP.—A map of the National Heritage Area shall
11 be—

12 (1) included in the management plan; and

13 (2) on file and available for public inspection in
14 the appropriate offices of the National Park Service.

15 (d) LOCAL COORDINATING ENTITY.—

16 (1) IN GENERAL.—The local coordinating entity
17 for the National Heritage Area shall be the Virgin
18 Islands State Historic Preservation Office.

19 (2) CONSULTATION REQUIREMENT.—The Vir-
20 gin Islands State Historic Preservation Office shall
21 consult with a broad cross section of businesses, in-
22 dividuals, agencies, and organizations within the
23 conceptual boundaries of the National Heritage Area
24 described in subsection (b) that were involved in the

1 planning and development of the National Heritage
2 Area before the date of the enactment of this Act.

3 **SEC. 904. ADMINISTRATION.**

4 (a) **AUTHORITIES.**—For purposes of carrying out the
5 management plan, the Secretary, acting through the local
6 coordinating entity, may use amounts made available
7 under this section to—

8 (1) make grants to the State or a political sub-
9 division of the State, Indian Tribes, nonprofit orga-
10 nizations, and other persons;

11 (2) enter into cooperative agreements with, or
12 provide technical assistance to, the State or a polit-
13 ical subdivision of the State, Indian Tribes, non-
14 profit organizations, and other interested parties;

15 (3) hire and compensate staff, which shall in-
16 clude individuals with expertise in natural, cultural,
17 and historical resources protection, and heritage pro-
18 gramming;

19 (4) obtain money or services from any source
20 including any money or services that are provided
21 under any other Federal law or program;

22 (5) contract for goods or services; and

23 (6) undertake to be a catalyst for any other ac-
24 tivity that furthers the National Heritage Area and
25 is consistent with the approved management plan.

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

2 (1) in accordance with section 905, prepare and
3 submit a management plan for the National Herit-
4 age Area to the Secretary;

5 (2) assist Federal agencies, the State or a polit-
6 ical subdivision of the State, Indian Tribes, regional
7 planning organizations, nonprofit organizations, and
8 other interested parties in carrying out the approved
9 management plan by—

10 (A) carrying out programs and projects
11 that recognize, protect, and enhance important
12 resource values in the National Heritage Area;

13 (B) establishing and maintaining interpre-
14 tive exhibits and programs in the National Her-
15 itage Area;

16 (C) developing recreational and educational
17 opportunities in the National Heritage Area;

18 (D) increasing public awareness of, and
19 appreciation for, natural, historical, scenic, and
20 cultural resources of the National Heritage
21 Area;

22 (E) protecting and restoring historic sites
23 and buildings in the National Heritage Area
24 that are consistent with National Heritage Area
25 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 National Heritage Area; and

5 (G) promoting a wide range of partner-
6 ships among governments, organizations, and
7 individuals to further the National Heritage
8 Area;

9 (3) consider the interests of diverse units of
10 government, businesses, organizations, and individ-
11 uals in the National Heritage Area in the prepara-
12 tion and 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) for any year that Federal funds have been
17 received under this title—

18 (A) submit an annual report to the Sec-
19 retary that describes the activities, expenses,
20 and income of the local coordinating entity (in-
21 cluding grants to any other entities during the
22 year that the report is made);

23 (B) make available to the Secretary for
24 audit all records relating to the expenditure of
25 the funds and any matching funds; and

1 (C) require, with respect to all agreements
2 authorizing expenditure of Federal funds by
3 other organizations, that the organizations re-
4 ceiving the funds make available to the Sec-
5 retary for audit all records concerning the ex-
6 penditure of the funds; and

7 (6) encourage by appropriate means economic
8 viability that is consistent with the National Herit-
9 age Area.

10 (c) PROHIBITION ON THE ACQUISITION OF REAL
11 PROPERTY.—The local coordinating entity shall not use
12 Federal funds made available under this title to acquire
13 real property or any interest in real property.

14 **SEC. 905. MANAGEMENT PLAN.**

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

19 (b) REQUIREMENTS.—The management plan shall—
20 (1) incorporate an integrated and cooperative
21 approach for the protection, enhancement, and inter-
22 pretation of the natural, cultural, historic, scenic,
23 and recreational resources of the National Heritage
24 Area;

1 (2) take into consideration Federal, State, and
2 Tribal plans and treaty rights;

3 (3) include—

4 (A) an inventory of—

5 (i) the resources located in the Na-
6 tional Heritage Area; and

7 (ii) any other property in the National
8 Heritage Area that—

9 (I) is related to the themes of the
10 National Heritage Area; and

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

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

19 (C) a description of actions that govern-
20 ments, private organizations, and individuals
21 have agreed to take to protect the natural, his-
22 torical, cultural, scenic, and recreational re-
23 sources of the National Heritage Area;

1 (D) a program of implementation for the
2 management plan by the local coordinating en-
3 tity that includes a description of—

4 (i) actions to facilitate ongoing col-
5 laboration among partners to promote
6 plans for resource protection, restoration,
7 and construction; and

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

13 (E) the identification of sources of funding
14 for carrying out the management plan;

15 (F) analysis and recommendations for
16 means by which Federal, State, and Tribal pro-
17 grams, including the role of the National Park
18 Service in the National Heritage Area, may
19 best be coordinated to carry out this title; and

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

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

1 ernmental and interagency cooperative agreements
2 to protect the natural, historical, cultural, edu-
3 cational, scenic, and recreational resources of the
4 National Heritage Area.

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

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

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

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

21 (A) the local coordinating entity is rep-
22 resentative of the diverse interests of the Na-
23 tional Heritage Area;

24 (B) the local coordinating entity has af-
25 forded adequate opportunity, including public

1 hearings, for public and governmental involve-
2 ment in the preparation of the management
3 plan; and

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

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

12 (A) advise the local coordinating entity in
13 writing of the reasons for the disapproval;

14 (B) make recommendations for revisions to
15 the management plan; and

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

20 (4) AMENDMENTS.—

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

1 (B) USE OF FUNDS.—The local coordi-
2 nating entity shall not use Federal funds au-
3 thorized by this title to carry out any amend-
4 ments to the management plan until the Sec-
5 retary has approved the amendments.

6 **SEC. 906. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

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

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

16 (c) OTHER FEDERAL AGENCIES.—Nothing in this
17 title—

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

22 (2) limits the discretion of a Federal land man-
23 ager to implement an approved land use plan within
24 the boundaries of the National Heritage Area; 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. 907. PRIVATE PROPERTY AND REGULATORY PROTEC-**
5 **TIONS.**

6 Nothing in this title—

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 National Her-
11 itage Area;

12 (2) requires any property owner—

13 (A) to permit public access (including ac-
14 cess by Federal or State agencies) to the prop-
15 erty of the property owner; or

16 (B) to modify public access or use of prop-
17 erty of the property owner under any other
18 Federal or State law;

19 (3) alters any duly adopted land use regulation,
20 approved land use plan, or other regulatory author-
21 ity of any Federal or State agency;

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

24 (5) authorizes or implies the reservation or ap-
25 propriation of water or water rights;

1 (6) enlarges or diminishes the treaty rights of
2 any Indian Tribe within the National Heritage Area;

3 (7) diminishes—

4 (A) the authority of the State to manage
5 fish and wildlife, including the regulation of
6 fishing and hunting within the National Herit-
7 age Area; or

8 (B) the authority of Indian Tribes to regu-
9 late members of Indian Tribes with respect to
10 fishing, hunting, and gathering in the exercise
11 of treaty rights; or

12 (8) creates any liability, or affects any liability
13 under any other law, of any private property owner
14 with respect to any person injured on the private
15 property.

16 **SEC. 908. EVALUATION AND REPORT.**

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

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

22 (2) prepare a report in accordance with sub-
23 section (c).

24 (b) EVALUATION.—An evaluation conducted under
25 subsection (a)(1) shall—

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

3 (A) accomplishing the purposes of the au-
4 thorizing legislation for the National Heritage
5 Area; and

6 (B) achieving the goals and objectives of
7 the approved management plan for the National
8 Heritage Area;

9 (2) analyze the Federal, State, and private in-
10 vestments in the National Heritage Area to deter-
11 mine the impact of the investments; and

12 (3) review the management structure, partner-
13 ship relationships, and funding of the National Her-
14 itage Area for purposes of identifying the critical
15 components for sustainability of the National Herit-
16 age Area.

17 (c) REPORT.—Based on the evaluation conducted
18 under subsection (a)(1), the Secretary shall submit to the
19 Committee on Energy and Natural Resources of the Sen-
20 ate and the Committee on Natural Resources of the House
21 of Representatives a report that includes recommendations
22 for the future role of the National Park Service, if any,
23 with respect to the National Heritage Area.

1 **SEC. 909. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—There is authorized to be appro-
3 priated to carry out this title \$10,000,000, of which not
4 more than \$1,000,000 may be made available for any fis-
5 cal year.

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

8 (c) COST-SHARING REQUIREMENT.—

9 (1) IN GENERAL.—The Federal share of the
10 total cost of any activity under this title shall be not
11 more than 50 percent.

12 (2) FORM.—The non-Federal contribution of
13 the total cost of any activity under this title may be
14 in the form of in-kind contributions of goods or serv-
15 ices fairly valued.

16 **SEC. 910. TERMINATION OF AUTHORITY.**

17 The authority of the Secretary to provide assistance
18 under this title terminates on the date that is 15 years
19 after the date of enactment of this Act.

