

117TH CONGRESS
1ST SESSION

H. R. 1424

To establish the St. Croix National Heritage Area, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 2021

Ms. PLASKETT (for herself, Miss GONZÁLEZ-COLÓN, Mrs. RADEWAGEN, Mr. SABLÁN, and Mr. SAN NICOLAS) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To establish the St. Croix National Heritage Area, 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 “St. Croix National
5 Heritage Area Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) NATIONAL HERITAGE AREA.—The term
9 “National Heritage Area” means the St. Croix Na-
10 tional Heritage Area established by section 3(a).

1 (2) LOCAL COORDINATING ENTITY.—The term
2 “local coordinating entity” means the local coordi-
3 nating entity for the National Heritage Area des-
4 ignated by section 3(d).

5 (3) MANAGEMENT PLAN.—The term “manage-
6 ment plan” means the management plan for the Na-
7 tional Heritage Area required under section 5.

8 (4) SECRETARY.—The term “Secretary” means
9 the Secretary of the Interior.

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

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

14 **SEC. 3. ST. CROIX NATIONAL HERITAGE AREA.**

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

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

19 (c) MAP.—A map of the National Heritage Area shall
20 be—

21 (1) included in the management plan; and

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

24 (d) LOCAL COORDINATING ENTITY.—

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

4 (2) CONSULTATION REQUIREMENT.—The Vir-
5 gin Islands State Historic Preservation Office shall
6 consult with a broad cross section of businesses, in-
7 dividuals, agencies, and organizations within the
8 conceptual boundaries of the National Heritage Area
9 described in subsection (b) that were involved in the
10 planning and development of the National Heritage
11 Area before the date of the enactment of this Act.

12 **SEC. 4. ADMINISTRATION.**

13 (a) AUTHORITIES.—For purposes of carrying out the
14 management plan, the Secretary, acting through the local
15 coordinating entity, may use amounts made available
16 under this section to—

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

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

24 (3) hire and compensate staff, which shall in-
25 clude individuals with expertise in natural, cultural,

1 and historical resources protection, and heritage pro-
2 gramming;

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

6 (5) contract for goods or services; and

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

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

11 (1) in accordance with section 5, prepare and
12 submit a management plan for the National Herit-
13 age Area to the Secretary;

14 (2) assist Federal agencies, the State or a polit-
15 ical subdivision of the State, Indian Tribes, regional
16 planning organizations, nonprofit organizations, and
17 other interested parties in carrying out the approved
18 management plan by—

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

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

1 (C) developing recreational and educational
2 opportunities in the National Heritage Area;

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

7 (E) protecting and restoring historic sites
8 and buildings in the National Heritage Area
9 that are consistent with National Heritage Area
10 themes;

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

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

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

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

1 (5) for any year that Federal funds have been
2 received under this Act—

3 (A) submit an annual report to the Sec-
4 retary that describes the activities, expenses,
5 and income of the local coordinating entity (in-
6 cluding grants to any other entities during the
7 year that the report is made);

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

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

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

20 (c) PROHIBITION ON THE ACQUISITION OF REAL
21 PROPERTY.—The local coordinating entity shall not use
22 Federal funds made available under this Act to acquire
23 real property or any interest in real property.

1 **SEC. 5. MANAGEMENT PLAN.**

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

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

7 (1) incorporate an integrated and cooperative
8 approach for the protection, enhancement, and inter-
9 pretation of the natural, cultural, historic, scenic,
10 and recreational resources of the National Heritage
11 Area;

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

14 (3) include—

15 (A) an inventory of—

16 (i) the resources located in the Na-
17 tional Heritage Area; and

18 (ii) any other property in the National
19 Heritage Area that—

20 (I) is related to the themes of the
21 National Heritage Area; and

22 (II) should be preserved, re-
23 stored, managed, or maintained be-
24 cause of the significance of the prop-
25 erty;

1 (B) comprehensive policies, strategies and
2 recommendations for conservation, funding,
3 management, and development of the National
4 Heritage Area;

5 (C) a description of actions that govern-
6 ments, private organizations, and individuals
7 have agreed to take to protect the natural, his-
8 torical, cultural, scenic, and recreational re-
9 sources of the National Heritage Area;

10 (D) a program of implementation for the
11 management plan by the local coordinating en-
12 tity that includes a description of—

13 (i) actions to facilitate ongoing col-
14 laboration among partners to promote
15 plans for resource protection, restoration,
16 and construction; and

17 (ii) specific commitments for imple-
18 mentation that have been made by the
19 local coordinating entity or any govern-
20 ment, organization, or individual for the
21 first 5 years of operation;

22 (E) the identification of sources of funding
23 for carrying out the management plan;

24 (F) analysis and recommendations for
25 means by which Federal, State, and Tribal pro-

1 grams, including the role of the National Park
2 Service in the National Heritage Area, may
3 best be coordinated to carry out this Act; and

4 (G) an interpretive plan for the National
5 Heritage Area; and

6 (4) recommend policies and strategies for re-
7 source management that consider and detail the ap-
8 plication of appropriate land and water management
9 techniques, including the development of intergov-
10 ernmental and interagency cooperative agreements
11 to protect the natural, historical, cultural, edu-
12 cational, scenic, and recreational resources of the
13 National Heritage Area.

14 (c) DEADLINE.—If a proposed management plan is
15 not submitted to the Secretary by the date that is 3 years
16 after the date of enactment of this Act, the local coordi-
17 nating entity shall be ineligible to receive additional fund-
18 ing under this Act until the date that the Secretary re-
19 ceives and approves the management plan.

20 (d) APPROVAL OR DISAPPROVAL OF MANAGEMENT
21 PLAN.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the date of receipt of the management plan
24 under subsection (a), the Secretary, in consultation

1 with the State, shall approve or disapprove the man-
2 agement plan.

3 (2) CRITERIA FOR APPROVAL.—In determining
4 whether to approve the management plan, the Sec-
5 retary shall consider whether—

6 (A) the local coordinating entity is rep-
7 resentative of the diverse interests of the Na-
8 tional Heritage Area;

9 (B) the local coordinating entity has af-
10 farded adequate opportunity, including public
11 hearings, for public and governmental involve-
12 ment in the preparation of the management
13 plan; and

14 (C) the resource protection and interpreta-
15 tion strategies contained in the management
16 plan, if implemented, would adequately protect
17 the natural, historical, and cultural resources of
18 the National Heritage Area.

19 (3) ACTION FOLLOWING DISAPPROVAL.—If the
20 Secretary disapproves the management plan under
21 paragraph (1), the Secretary shall—

22 (A) advise the local coordinating entity in
23 writing of the reasons for the disapproval;

24 (B) make recommendations for revisions to
25 the management plan; and

1 (C) not later than 180 days after the re-
2 ceipt of any proposed revision of the manage-
3 ment plan from the local coordinating entity,
4 approve or disapprove the proposed revision.

5 (4) AMENDMENTS.—

6 (A) IN GENERAL.—The Secretary shall ap-
7 prove or disapprove each amendment to the
8 management plan that the Secretary determines
9 make a substantial change to the management
10 plan.

11 (B) USE OF FUNDS.—The local coordi-
12 nating entity shall not use Federal funds au-
13 thorized by this Act to carry out any amend-
14 ments to the management plan until the Sec-
15 retary has approved the amendments.

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

17 (a) IN GENERAL.—Nothing in this Act affects the au-
18 thority of a Federal agency to provide technical or finan-
19 cial assistance under any other law.

20 (b) CONSULTATION AND COORDINATION.—The head
21 of any Federal agency planning to conduct activities that
22 may have an impact on the National Heritage Area is en-
23 couraged to consult and coordinate the activities with the
24 Secretary and the local coordinating entity to the max-
25 imum extent practicable.

1 (c) OTHER FEDERAL AGENCIES.—Nothing in this
2 Act—

3 (1) modifies, alters, or amends any law or regu-
4 lation authorizing a Federal agency to manage Fed-
5 eral land under the jurisdiction of the Federal agen-
6 cy;

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

10 (3) modifies, alters, or amends any authorized
11 use of Federal land under the jurisdiction of a Fed-
12 eral agency.

13 **SEC. 7. PRIVATE PROPERTY AND REGULATORY PROTEC-**
14 **TIONS.**

15 Nothing in this Act—

16 (1) abridges the rights of any property owner
17 (whether public or private), including the right to re-
18 frain from participating in any plan, project, pro-
19 gram, or activity conducted within the National Her-
20 itage Area;

21 (2) requires any property owner—

22 (A) to permit public access (including ac-
23 cess by Federal or State agencies) to the prop-
24 erty of the property owner; or

1 (B) to modify public access or use of prop-
2 erty of the property owner under any other
3 Federal or State law;

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

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

9 (5) authorizes or implies the reservation or ap-
10 propriation of water or water rights;

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

13 (7) diminishes—

14 (A) the authority of the State to manage
15 fish and wildlife, including the regulation of
16 fishing and hunting within the National Herit-
17 age Area; or

18 (B) the authority of Indian Tribes to regu-
19 late members of Indian Tribes with respect to
20 fishing, hunting, and gathering in the exercise
21 of treaty rights; or

22 (8) creates any liability, or affects any liability
23 under any other law, of any private property owner
24 with respect to any person injured on the private
25 property.

1 **SEC. 8. EVALUATION AND REPORT.**

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

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

7 (2) prepare a report in accordance with sub-
8 section (c).

9 (b) EVALUATION.—An evaluation conducted under
10 subsection (a)(1) shall—

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

13 (A) accomplishing the purposes of the au-
14 thorizing legislation for the National Heritage
15 Area; and

16 (B) achieving the goals and objectives of
17 the approved management plan for the National
18 Heritage Area;

19 (2) analyze the Federal, State, and private in-
20 vestments in the National Heritage Area to deter-
21 mine the impact of the investments; and

22 (3) review the management structure, partner-
23 ship relationships, and funding of the National Her-
24 itage Area for purposes of identifying the critical
25 components for sustainability of the National Herit-
26 age Area.

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

8 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

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

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

15 (c) COST-SHARING REQUIREMENT.—

16 (1) IN GENERAL.—The Federal share of the
17 total cost of any activity under this Act shall be not
18 more than 50 percent.

19 (2) FORM.—The non-Federal contribution of
20 the total cost of any activity under this Act may be
21 in the form of in-kind contributions of goods or serv-
22 ices fairly valued.

1 **SEC. 10. TERMINATION OF AUTHORITY.**

2 The authority of the Secretary to provide assistance
3 under this Act terminates on the date that is 15 years
4 after the date of enactment of this Act.

