

113TH CONGRESS
2D SESSION

S. 2602

To establish the Mountains to Sound Greenway National Heritage Area
in the State of Washington.

IN THE SENATE OF THE UNITED STATES

JULY 15, 2014

Ms. CANTWELL (for herself and Mrs. MURRAY) introduced the following bill;
which was read twice and referred to the Committee on Energy and Nat-
ural Resources

A BILL

To establish the Mountains to Sound Greenway National
Heritage Area in the State of Washington.

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 “Mountains to Sound
5 Greenway National Heritage Area Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the Mountains to Sound Greenway—

9 (A) is a nationally important historical
10 transportation corridor in which native travel

1 routes, pioneer wagon roads, transcontinental
2 railroads, original State highways, and modern
3 interstates are layered into a historical and cul-
4 tural mosaic that were important in opening the
5 Northwest region of the United States to com-
6 merce, transport, settlement, and recreation;

7 (B) remains a crucial transcontinental link
8 within the United States;

9 (C) has a unique and nationally important
10 heritage of outdoor recreation and natural re-
11 source conservation; and

12 (D) is a large, iconic, populated area of the
13 United States, exemplified by—

14 (i) hundreds of thousands of acres of
15 forests and fields that are—

16 (I) managed by the Federal Gov-
17 ernment and State, local, and tribal
18 governments; and

19 (II) in close proximity to a major
20 metropolitan area;

21 (ii) an outstanding array of accessible
22 natural land, which is highlighted by—

23 (I) the Alpine Lakes Wilderness
24 Area;

1 (II) the forests of the Teanaway
2 River basin; and

3 (III) the towering Douglas firs of
4 the Issaquah Alps;

5 (iii) dynamic and engaging cultural
6 opportunities, including hundreds of muse-
7 ums, environmental education centers, in-
8 terpretive trails, festivals, and community
9 centers;

10 (iv) vibrant cities, extensive outdoor
11 recreation, and globally competitive busi-
12 nesses established and thriving in the area;
13 and

14 (v) strong local citizen involvement
15 and collaboration; and

16 (2) the community of Mountains to Sound
17 Greenway has many great stories to share, including
18 stories of—

19 (A) Indian tribes from time immemorial;

20 (B) travel and transport in the West, in-
21 cluding footpaths used for trading, trans-
22 continental railroads, and the present-day
23 Mountains to Sound Greenway I–90 National
24 Scenic Byway;

1 (C) settlement and commerce in the North-
2 west, including the coal mining communities of
3 Roslyn and Newcastle, the railroad communities
4 of Cle Elum and South Cle Elum, the timber
5 communities of Snoqualmie and North Bend,
6 and the agricultural communities of Ellensburg
7 and Carnation;

8 (D) extensive rural working farms and for-
9 ests of the Snoqualmie and Yakima River val-
10 leys and the Cascade foothills; and

11 (E) a strong interrelationship between
12 built and natural environments that strengthens
13 economies and communities.

14 **SEC. 3. PURPOSES.**

15 The purposes of this Act are—

16 (1) to recognize the national importance of the
17 natural, historical, and cultural legacies of the Her-
18 itage Area, as demonstrated in—

19 (A) the study entitled “Mountains to
20 Sound Greenway National Heritage Area Feasi-
21 bility Study” and dated April 2012; and

22 (B) the document entitled “National Herit-
23 age Area Feasibility Study Addendum” and
24 dated March 2014;

1 (2) to recognize the nationally important role of
2 the Heritage Area as a historical transportation cor-
3 ridor that continues to link the Puget Sound region
4 to the rest of the United States;

5 (3) to recognize the national heritage of the
6 timber and outdoor recreation industries that have
7 developed from the transportation corridor;

8 (4) to recognize the heritage of natural resource
9 conservation in the Pacific Northwest and in the
10 Mountains to Sound Greenway;

11 (5) to conserve, enhance, and interpret the leg-
12 acy of natural resource conservation and community
13 stewardship, which has been passed from generation
14 to generation within the Heritage Area;

15 (6) to promote heritage, cultural, and rec-
16 reational tourism;

17 (7) to develop educational and cultural pro-
18 grams for visitors and the general public;

19 (8) to recognize and interpret important events
20 and geographic locations representing key develop-
21 ments in the establishment of the United States,
22 particularly the settlement of the West and the sto-
23 ries of diverse ethnic groups, including members of
24 Indian tribes and others;

1 (9) to enhance a cooperative management
2 framework to assist the Federal Government, State,
3 local, and tribal governments, the private sector, and
4 citizens residing in the Heritage Area in conserving,
5 supporting, managing, enhancing, and interpreting
6 the significant historical, cultural, natural, and rec-
7 reational sites in the Heritage Area;

8 (10) to recognize and interpret the relationship
9 between land and people, which are broad ideals of
10 the United States demonstrated through the integ-
11 rity of existing resources within the Heritage Area;
12 and

13 (11) to support working relationships between
14 public land managers and the community by cre-
15 ating relevant linkages between the National Park
16 Service, the Forest Service, other relevant Federal
17 agencies, Indian tribes, State and local governments
18 and agencies, and community stakeholders within
19 and surrounding the Heritage Area, in order to con-
20 serve, enhance, and interpret cultural and natural
21 resources within the Heritage Area.

22 **SEC. 4. DEFINITIONS.**

23 In this Act:

1 (1) HERITAGE AREA.—The term “Heritage
2 Area” means the Mountains to Sound Greenway Na-
3 tional Heritage Area established by section 5(a).

4 (2) LOCAL COORDINATING ENTITY.—The term
5 “local coordinating entity” means the local coordi-
6 nating entity for the Heritage Area designated by
7 section 5(d).

8 (3) MANAGEMENT PLAN.—The term “manage-
9 ment plan” means the management plan for the
10 Heritage Area required under section 6.

11 (4) MAP.—The term “map” means the map en-
12 titled “Mountains to Sound Greenway National Her-
13 itage Area”, numbered 1, and dated January 31,
14 2011.

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

17 (6) STATE.—The term “State” means the State
18 of Washington.

19 (7) TRIBAL.—The term “tribal” means each of
20 the tribal government of the Snoqualmie, Yakama,
21 Tulalip, Muckleshoot, and Colville Indian tribes.

1 **SEC. 5. DESIGNATION OF THE MOUNTAINS TO SOUND**
2 **GREENWAY NATIONAL HERITAGE AREA.**

3 (a) **ESTABLISHMENT.**—There is established in the
4 State the Mountains to Sound Greenway National Herit-
5 age Area.

6 (b) **BOUNDARIES.**—The Heritage Area shall consist
7 of the approximately 1,550,000 acres of land and interests
8 in land located in King and Kittitas counties in the State,
9 as generally depicted on the map, including—

10 (1) the land within the Yakima River Basin up-
11 stream of Manastash Creek in Kittitas county, in-
12 cluding the Manastash and Teanaway drainages and
13 the cities of Ellensburg, Roslyn, Cle Elum and
14 South Cle Elum; and

15 (2) the land in the Snoqualmie River, Cedar
16 River, and Lake Washington watersheds and the
17 Puget Sound nearshore watersheds in the cities of
18 Seattle, Shoreline, and 22 additional cities in King
19 County.

20 (c) **MAP.**—The map shall be on file and available for
21 public inspection in the appropriate offices of the National
22 Park Service, the Forest Service, and the local coordi-
23 nating entity.

24 (d) **LOCAL COORDINATING ENTITY.**—

25 (1) **IN GENERAL.**—The Mountains to Sound
26 Greenway Trust, a nonprofit corporation recognized

1 by the Federal Government as being organized for
2 charitable purposes in the State, is designated as the
3 local coordinating entity for the Heritage Area—

4 (A) to facilitate, in partnership with Fed-
5 eral, State, and local partners, the development
6 of the management plan for the Heritage Area;
7 and

8 (B) to act as a catalyst for the implemen-
9 tation of projects and programs among diverse
10 partners in the Heritage Area.

11 (2) DUTIES.—To further the purposes of the
12 Heritage Area, the local coordinating entity shall—

13 (A) prepare and submit a management
14 plan for the Heritage Area to the Secretary, in
15 accordance with section 6;

16 (B) facilitate and expedite the implementa-
17 tion of projects and programs among diverse
18 partners in the Heritage Area;

19 (C) encourage economic viability and sus-
20 tainability that is consistent with the purposes
21 of the Heritage Area;

22 (D) every 5 years after the date on which
23 the Secretary has approved the management
24 plan, submit to the Secretary a report that de-
25 scribes—

1 (i) the specific performance goals and
2 accomplishments of the local coordinating
3 entity;

4 (ii) the expenses and income of the
5 local coordinating entity; and

6 (iii) significant grants or contracts
7 made by the local coordinating entity to
8 any other entities during the 5-year period;

9 (E) make available for audit by the Sec-
10 retary for each fiscal year for which the local
11 coordinating entity receives Federal funds
12 under this Act—

13 (i) information pertaining to the ex-
14 penditure of the Federal funds received
15 under this Act; and

16 (ii) any funds matched to Federal
17 funds received under this Act; and

18 (F) consult with the Forest Service, Na-
19 tional Park Service, the Governor of the State,
20 and the Washington State Commissioner of
21 Public Lands.

22 (3) AUTHORITIES.—To further the purposes of
23 the Heritage Area, the local coordinating entity
24 may—

1 (A) make grants to political jurisdictions,
2 nonprofit organizations, and other parties with-
3 in the Heritage Area;

4 (B) enter into cooperative agreements
5 with, or provide technical assistance to, political
6 jurisdictions, nonprofit organizations, Federal
7 agencies, and other interested parties;

8 (C) hire and compensate staff, including
9 individuals with expertise in—

10 (i) natural, historical, cultural, edu-
11 cational, scenic, and recreational resource
12 conservation;

13 (ii) economic and community develop-
14 ment; and

15 (iii) heritage and interpretive plan-
16 ning;

17 (D) obtain funds or services from any
18 source, including Federal programs;

19 (E) contract for goods or services; and

20 (F) support activities that—

21 (i) further the purposes of the Herit-
22 age Area; and

23 (ii) are consistent with the approved
24 management plan.

1 (4) PROHIBITION ON ACQUISITION OF REAL
2 PROPERTY.—The local coordinating entity may not
3 acquire land or interests in land through condemna-
4 tion.

5 **SEC. 6. MANAGEMENT PLAN.**

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

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

11 (1) incorporate an integrated and cooperative
12 approach for the conservation, enhancement, man-
13 agement, and interpretation of the natural, cultural,
14 historical, scenic, and recreational resources of the
15 Heritage Area;

16 (2) take into consideration plans of the Federal
17 Government and State, tribal, and local govern-
18 ments;

19 (3) include—

20 (A) an inventory of the natural, historical,
21 cultural, educational, scenic, and recreational
22 resources of the Heritage Area that relate to
23 the national importance and themes of the Her-
24 itage Area that should be conserved and en-
25 hanced;

1 (B) a description of strategies and rec-
2 ommendations for the conservation, funding,
3 management, and development of the Heritage
4 Area;

5 (C) a history of—

6 (i) the Mountains to Sound Greenway;

7 and

8 (ii) the Mountains to Sound Greenway
9 Trust, including the role of the Trust in
10 encouraging stewardship of the Heritage
11 Area by Federal, State, tribal, and local in-
12 stitutions and private organizations;

13 (D) a description of actions Federal, State,
14 tribal, local, and private partners have agreed
15 to take to conserve, enhance, interpret, fund,
16 manage, and develop the natural, historical, cul-
17 tural, educational, scenic, and recreational re-
18 sources of the Heritage Area;

19 (E) a program of implementation for the
20 management plan by the local coordinating en-
21 tity, including—

22 (i) performance goals; and

23 (ii) commitments for implementation
24 made by partners;

1 (F) the identification of sources of funding
2 and economic development strategies for car-
3 rying out the management plan;

4 (G) an analysis of, and recommendations
5 for, means by which Federal, State, and local
6 programs may best be coordinated to carry out
7 this Act;

8 (H) an interpretive plan for the Heritage
9 Area;

10 (I) recommended policies and strategies for
11 resource management, including the develop-
12 ment of intergovernmental and interagency
13 agreements to protect, enhance, interpret, fund,
14 manage, and otherwise provide for the enjoy-
15 ment and understanding of the natural, histor-
16 ical, cultural, educational, scenic, and rec-
17 reational resources of the Heritage Area;

18 (J) a definition of the roles of the National
19 Park Service, the Forest Service, and other
20 Federal agencies in the coordination of the Her-
21 itage Area and in otherwise furthering the pur-
22 poses of this Act; and

23 (K) in consultation with the National Park
24 Service and the Forest Service, a plan to share

1 with other communities and interested parties
2 the expertise of the coordinating entity in—

3 (i) reconnecting the people of the
4 United States, with a special emphasis on
5 children, to the outdoors;

6 (ii) promoting community-based recre-
7 ation and conservation; and

8 (iii) advancing volunteer opportunities
9 in conservation and outdoor recreation.

10 (c) DEADLINE.—If the local coordinating entity does
11 not submit a proposed management plan to the Secretary
12 by the date that is 3 years after the date on which the
13 local coordinating receives funding under this Act, the
14 local coordinating entity shall be ineligible to receive addi-
15 tional funding under this Act until the date on which the
16 Secretary receives and approves the management plan.

17 (d) APPROVAL OF MANAGEMENT PLAN.—

18 (1) REVIEW.—Not later than 180 days after
19 the date of receipt of the management plan, the Sec-
20 retary shall review and, in consultation with the Sec-
21 retary of Agriculture, approve or disapprove the
22 management plan on the basis of the criteria estab-
23 lished under paragraph (2).

1 (2) CRITERIA FOR APPROVAL.—In determining
2 whether to approve a management plan for a Herit-
3 age Area, the Secretary shall consider whether—

4 (A) the local coordinating entity represents
5 the diverse interests of the Heritage Area, in-
6 cluding Federal, State, tribal, and local govern-
7 ments, natural and historical resource protec-
8 tion organizations, educational institutions,
9 businesses, recreational organizations, commu-
10 nity members, and private property owners;

11 (B) the local coordinating entity—

12 (i) has afforded adequate opportunity
13 for the public and the involvement of the
14 Federal Government and State, tribal, and
15 local governments in the preparation of the
16 management plan; and

17 (ii) provides for at least annual public
18 meetings to ensure adequate implementa-
19 tion of the management plan;

20 (C) the resource conservation, enhance-
21 ment, interpretation, funding, and management
22 strategies described in the management plan, if
23 implemented, would adequately conserve, en-
24 hance, interpret, fund, manage, and otherwise
25 provide for the enjoyment and understanding of

1 the natural, historical, cultural, educational,
2 scenic, and recreational resources of the Herit-
3 age Area;

4 (D) the management plan would not ad-
5 versely affect any activities on Federal land au-
6 thorized under public land laws or land use
7 plans;

8 (E) the local coordinating entity has dem-
9 onstrated the financial capability, in partner-
10 ship with others, to carry out the management
11 plan;

12 (F) the Secretary has received adequate
13 assurances from the appropriate State, tribal,
14 and local officials, the support of which is need-
15 ed to ensure the effective implementation of the
16 State, tribal, and local elements of the manage-
17 ment plan;

18 (G) the management plan demonstrates
19 partnerships among the local coordinating enti-
20 ty, the Federal Government, State, tribal, and
21 local governments, regional planning organiza-
22 tions, nonprofit organizations, and private sec-
23 tor parties for implementation of the manage-
24 ment plan; and

1 (H) the management plan is consistent
2 with this Act.

3 (e) DISAPPROVAL.—

4 (1) IN GENERAL.—If the Secretary disapproves
5 the management plan, the Secretary shall—

6 (A) advise the local coordinating entity in
7 writing of the reasons for the disapproval; and

8 (B) make recommendations to the local co-
9 ordinating entity for revisions to the manage-
10 ment plan.

11 (2) DEADLINE.—Not later than 180 days after
12 receiving a revised management plan under this sub-
13 section, the Secretary shall approve or disapprove
14 the revised management plan.

15 (f) AMENDMENTS.—

16 (1) IN GENERAL.—An amendment to the man-
17 agement plan that substantially alters the purposes
18 of the Heritage Area shall be reviewed by the Sec-
19 retary and approved or disapproved in the same
20 manner as the original management plan.

21 (2) IMPLEMENTATION.—The local coordinating
22 entity shall not use Federal funds authorized by this
23 Act to implement an amendment to the management
24 plan until the Secretary approves the amendment.

1 (g) AUTHORITIES.—The Secretary and the Secretary
2 of Agriculture may—

3 (1) provide technical assistance under this Act
4 for the implementation of the management plan; and

5 (2) enter into cooperative agreements with the
6 local coordinating entity, State and local agencies,
7 and other interested parties to carry out this Act, in-
8 cluding cooperation and cost sharing, as appropriate,
9 to provide more cost-effective and coordinated public
10 land management.

11 **SEC. 7. EVALUATION; REPORTING.**

12 (a) IN GENERAL.—Not later than 15 years after the
13 date of enactment of this Act, the Secretary, in consulta-
14 tion with the Secretary of Agriculture, shall—

15 (1) conduct an evaluation of the accomplish-
16 ments of the Heritage Area, in accordance with sub-
17 section (b); and

18 (2) prepare and submit a report, in accordance
19 with subsection (c).

20 (b) EVALUATION REQUIREMENTS.—An evaluation
21 conducted under subsection (a)(1) shall—

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

24 (A) accomplishing the purposes of this Act;

25 and

1 (B) achieving the goals and objectives of
2 the approved management plan for the Heritage
3 Area;

4 (2) analyze the Federal, State, tribal, local, and
5 private investments in the Heritage Area to deter-
6 mine the impact of the investments; and

7 (3) review the management structure, partner-
8 ship relationships, and funding of the Heritage Area
9 for purposes of identifying the critical components
10 for sustainability of the Heritage Area.

11 (c) REPORT.—Based on the evaluation conducted
12 under subsection (a)(1), the Secretary shall submit to the
13 Committee on Natural Resources of the House of Rep-
14 resentatives and the Committee on Energy and Natural
15 Resources of the Senate a report that—

16 (1) shall include recommendations for the fu-
17 ture role of the National Park Service with respect
18 to the Heritage Area; and

19 (2) may include recommendations by the Sec-
20 retary of Agriculture for the future role of the For-
21 est Service with respect to the Heritage Area.

22 **SEC. 8. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

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

1 (b) CONSULTATION AND COORDINATION.—To the
2 maximum extent practicable, any Federal agency planning
3 to conduct activities that may have an impact on the Her-
4 itage Area is encouraged to consult and coordinate the ac-
5 tivities with the local coordinating entity.

6 (c) OTHER FEDERAL AGENCIES.—Nothing in this
7 Act—

8 (1) modifies, alters, or amends any law (includ-
9 ing regulations) authorizing a Federal agency to
10 manage Federal land under the jurisdiction of the
11 Federal agency;

12 (2) limits the discretion of a Federal land man-
13 ager to implement an approved land use plan within
14 the boundaries of the Heritage Area; or

15 (3) modifies, alters, or amends any authorized
16 use of Federal land under the jurisdiction of a Fed-
17 eral agency.

18 **SEC. 9. PRIVATE PROPERTY AND REGULATORY PROTEC-**
19 **TIONS.**

20 Nothing in this Act—

21 (1) abridges the rights of any property owner
22 (whether public or private), including the right of a
23 property owner to refrain from participating in any
24 plan, project, program, or activity conducted within
25 the Heritage Area;

1 (2) requires any property owner—

2 (A) to permit public access (including ac-
3 cess by Federal, State, tribal, or local agencies)
4 to the property of the property owner; or

5 (B) to modify public access or use of prop-
6 erty of the property owner under any other
7 Federal, State, tribal, or local law;

8 (3) alters any duly adopted land use regulation,
9 approved land use plan, or other regulatory author-
10 ity (such as the authority to make safety improve-
11 ments or increase the capacity of existing roads or
12 to construct new roads or associated developments)
13 of any Federal, State, tribal, or local unit of govern-
14 ment or local agency;

15 (4) conveys any land unit of government or
16 agency use or other regulatory authority to any local
17 coordinating entity, including development and man-
18 agement of energy, water, or water-related infra-
19 structure;

20 (5) alters, modifies, diminishes, or extinguishes
21 the treaty rights of any Indian tribe within the Her-
22 itage Area;

23 (6) authorizes or implies the reservation or ap-
24 propriation of water or water rights;

1 (7) diminishes the authority of the State to
2 manage fish and wildlife, including the regulation of
3 fishing and hunting within the Heritage Area; or

4 (8) creates any liability, or affects any liability
5 under any other law, of any private property owner.

6 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) AUTHORIZATION OF APPROPRIATIONS.—Subject
8 to section 6(e) and subsection (b), there is authorized to
9 be appropriated to carry out this Act \$1,000,000 for each
10 fiscal year, to remain available until expended.

11 (b) LIMITATIONS ON TOTAL AMOUNTS APPRO-
12 PRIATED.—A total of not more than \$15,000,000 may be
13 appropriated to carry out this Act.

14 (c) COST-SHARING REQUIREMENT.—

15 (1) IN GENERAL.—The Federal share of the
16 total cost of the activities carried out under this Act
17 shall be not more than 50 percent.

18 (2) NON-FEDERAL SHARE.—The non-Federal
19 share of the cost of activities carried out under this
20 Act may be in the form of in-kind contributions of
21 goods or services fairly valued.

22 (d) USE OF FEDERAL FUNDS FROM OTHER
23 SOURCES.—Nothing in this Act precludes the local coordi-
24 nating entity from using Federal funds available under

1 other laws for the purposes for which the funds were au-
2 thorized.

○