

114TH CONGRESS
2D SESSION

S. 3287

To establish the Bronzeville-Black Metropolis National Heritage Area in the State of Illinois, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 6, 2016

Mr. KIRK (for himself and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish the Bronzeville-Black Metropolis National Heritage Area in the State of Illinois, 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 “Bronzeville-Black Me-
5 tropolis National Heritage Area Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) HERITAGE AREA.—The term “Heritage
9 Area” means the Bronzeville-Black Metropolis 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 Heritage Area designated by
4 section 4(a).

5 (3) MANAGEMENT PLAN.—The term “manage-
6 ment plan” means the plan developed by the local
7 coordinating entity under section 5(a).

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

10 (5) STATE.—The term “State” means the State
11 of Illinois.

12 **SEC. 3. BRONZEVILLE-BLACK METROPOLIS NATIONAL HER-**
13 **ITAGE AREA.**

14 (a) ESTABLISHMENT.—There is established the
15 Bronzeville-Black Metropolis National Heritage Area in
16 the State.

17 (b) BOUNDARIES.—The Heritage Area shall consist
18 of the region in the city of Chicago, Illinois, bounded as
19 follows:

20 (1) 18th Street on the North to 22nd Street on
21 the South, from Lake Michigan on the East to
22 Wentworth Avenue on the West.

23 (2) 22nd Street on the North to 35th Street on
24 the South, from Lake Michigan on the East to the
25 Dan Ryan Expressway on the West.

1 (3) 35th Street on the North to 47th Street on
2 the South, from Lake Michigan on the East to the
3 B&O Railroad (Stewart Avenue) on the West.

4 (4) 47th Street on the North to 55th Street on
5 the South, from Cottage Grove Avenue on the East
6 to the Dan Ryan Expressway on the West.

7 (5) 55th Street on the North to 67th Street on
8 the South, from State Street on the West to Cottage
9 Grove Avenue/South Chicago Avenue on the East.

10 (6) 67th Street on the North to 71st Street on
11 the South, from Cottage Grove Avenue/South Chi-
12 cago Avenue on the West to the Metra Railroad
13 tracks on the East.

14 **SEC. 4. DESIGNATION OF LOCAL COORDINATING ENTITY.**

15 (a) LOCAL COORDINATING ENTITY.—The Black Me-
16 tropolis National Heritage Area Commission shall be the
17 local coordinating entity for the Heritage Area.

18 (b) AUTHORITIES OF LOCAL COORDINATING ENTI-
19 TY.—The local coordinating entity may, for purposes of
20 preparing and implementing the management plan, use
21 Federal funds made available under this Act—

22 (1) to prepare reports, studies, interpretive ex-
23 hibits and programs, historic preservation projects,
24 and other activities recommended in the manage-
25 ment plan for the Heritage Area;

1 (2) to make grants to the State, political sub-
2 divisions of the State, nonprofit organizations, and
3 other persons;

4 (3) to enter into cooperative agreements with
5 the State, political subdivisions of the State, non-
6 profit organizations, and other organizations;

7 (4) to hire and compensate staff;

8 (5) to obtain funds or services from any source,
9 including funds and services provided under any
10 other Federal program or law; and

11 (6) to contract for goods and services.

12 (c) DUTIES OF LOCAL COORDINATING ENTITY.—To
13 further the purposes of the Heritage Area, the local co-
14 ordinating entity shall—

15 (1) prepare a management plan for the Herit-
16 age Area in accordance with section 5;

17 (2) give priority to the implementation of ac-
18 tions, goals, and strategies set forth in the manage-
19 ment plan, including assisting units of government
20 and other persons in—

21 (A) carrying out programs and projects
22 that recognize and protect important resource
23 values in the Heritage Area;

1 (B) encouraging economic viability in the
2 Heritage Area in accordance with the goals of
3 the management plan;

4 (C) establishing and maintaining interpre-
5 tive exhibits in the Heritage Area;

6 (D) developing heritage-based recreational
7 and educational opportunities for residents and
8 visitors in the Heritage Area;

9 (E) increasing public awareness of and ap-
10 preciation for the natural, historic, and cultural
11 resources of the Heritage Area;

12 (F) restoring historic buildings that are—
13 (i) located in the Heritage Area; and
14 (ii) related to the themes of the Herit-
15 age Area; and

16 (G) installing throughout the Heritage
17 Area clear, consistent, and appropriate signs
18 identifying public access points and sites of in-
19 terest;

20 (3) consider the interests of diverse units of
21 government, businesses, tourism officials, private
22 property owners, and nonprofit groups within the
23 Heritage Area in developing and implementing the
24 management plan;

1 (4) conduct public meetings at least semiannu-
2 ally regarding the development and implementation
3 of the management plan; and

4 (5) for any fiscal year for which Federal funds
5 are received under this Act—

6 (A) submit to the Secretary an annual re-
7 port that describes—

8 (i) the accomplishments of the local
9 coordinating entity;

10 (ii) the expenses and income of the
11 local coordinating entity; and

12 (iii) the entities to which the local co-
13 ordinating entity made any grants;

14 (B) make available for audit all records re-
15 lating to the expenditure of the Federal funds
16 and any matching funds; and

17 (C) require, with respect to all agreements
18 authorizing the expenditure of Federal funds by
19 other organizations, that the receiving organiza-
20 tions make available for audit all records relat-
21 ing to the expenditure of the Federal funds.

22 **SEC. 5. MANAGEMENT PLAN.**

23 (a) IN GENERAL.—Not later than 3 years after the
24 date on which funds are first made available to carry out
25 this Act, the local coordinating entity shall prepare and

1 submit to the Secretary a management plan for the Herit-
2 age Area.

3 (b) CONTENTS.—The management plan for the Her-
4 itage Area shall—

5 (1) include comprehensive policies, strategies,
6 and recommendations for the conservation, funding,
7 management, and development of the Heritage Area;

8 (2) take into consideration existing State and
9 local plans;

10 (3) specify the existing and potential sources of
11 funding to protect, manage, and develop the Herit-
12 age Area;

13 (4) include an inventory of the natural, historic,
14 cultural, educational, scenic, and recreational re-
15 sources of the Heritage Area relating to the themes
16 of the Heritage Area that should be preserved, re-
17 stored, managed, developed, or maintained; and

18 (5) include an analysis of, and recommenda-
19 tions for, ways in which Federal, State, and local
20 programs, may best be coordinated to further the
21 purposes of this Act, including recommendations for
22 the role of the National Park Service in the Heritage
23 Area.

24 (c) DISQUALIFICATION FROM FUNDING.—If a pro-
25 posed management plan is not submitted to the Secretary

1 by the date that is 3 years after the date on which funds
2 are first made available to carry out this Act, the local
3 coordinating entity may not receive additional funding
4 under this Act until the date on which the Secretary re-
5 ceives the proposed management plan.

6 (d) APPROVAL AND DISAPPROVAL OF MANAGEMENT
7 PLAN.—

8 (1) IN GENERAL.—Not later than 180 days
9 after the date on which the local coordinating entity
10 submits the management plan to the Secretary, the
11 Secretary shall approve or disapprove the proposed
12 management plan.

13 (2) CONSIDERATIONS.—In determining whether
14 to approve or disapprove the management plan, the
15 Secretary shall consider whether—

16 (A) the local coordinating entity is rep-
17 resentative of the diverse interests of the Herit-
18 age Area, including governments, natural and
19 historic resource protection organizations, edu-
20 cational institutions, businesses, and rec-
21 reational organizations;

22 (B) the local coordinating entity has pro-
23 vided adequate opportunities (including public
24 meetings) for public and governmental involve-

1 ment in the preparation of the management
2 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, historic, and cultural resources of
7 the Heritage Area; and

8 (D) the management plan is supported by
9 the appropriate State and local officials, the co-
10 operation of which is needed to ensure the ef-
11 fective implementation of the State and local
12 aspects of the management plan.

13 (3) DISAPPROVAL AND REVISIONS.—

14 (A) IN GENERAL.—If the Secretary dis-
15 approves a proposed management plan, the Sec-
16 retary shall—

17 (i) advise the local coordinating entity,
18 in writing, of the reasons for the dis-
19 approval; and

20 (ii) make recommendations for revi-
21 sion of the proposed management plan.

22 (B) APPROVAL OR DISAPPROVAL.—The
23 Secretary shall approve or disapprove a revised
24 management plan not later than 180 days after

1 the date on which the revised management plan
2 is submitted.

3 (e) APPROVAL OF AMENDMENTS.—

4 (1) IN GENERAL.—The Secretary shall review
5 and approve or disapprove substantial amendments
6 to the management plan in accordance with sub-
7 section (d).

8 (2) FUNDING.—Funds appropriated under this
9 Act may not be expended to implement any changes
10 made by an amendment to the management plan
11 until the Secretary approves the amendment.

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

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

16 (b) CONSULTATION AND COORDINATION.—The head
17 of any Federal agency planning to conduct activities that
18 may have an impact on the Heritage Area is encouraged
19 to consult and coordinate the activities with the Secretary
20 and the local coordinating entity to the extent practicable.

21 (c) OTHER FEDERAL AGENCIES.—Nothing in this
22 Act—

23 (1) modifies, alters, or amends any law or regu-
24 lation authorizing a Federal agency to manage Fed-

1 eral land under the jurisdiction of the Federal agen-
2 cy;

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

6 (3) modifies, alters, or amends any authorized
7 use of Federal land under the jurisdiction of a Fed-
8 eral agency.

9 **SEC. 7. PRIVATE PROPERTY AND REGULATORY PROTEC-**
10 **TIONS.**

11 Nothing in this Act—

12 (1) abridges the rights of any property owner
13 (whether public or private), including the right to re-
14 frain from participating in any plan, project, pro-
15 gram, or activity conducted within the Heritage
16 Area;

17 (2) requires any property owner to permit pub-
18 lic access (including access by Federal, State, or
19 local agencies) to the property of the property
20 owner, or to modify public access or use of property
21 of the property owner under any other Federal,
22 State, or local law;

23 (3) alters any duly adopted land use regulation,
24 approved land use plan, or other regulatory author-
25 ity of any Federal, State, or local agency, or conveys

1 any land use or other regulatory authority to the
2 local coordinating entity;

3 (4) authorizes or implies the reservation or ap-
4 propriation of water or water rights;

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

8 (6) creates any liability, or affects any liability
9 under any other law, of any private property owner
10 with respect to any person injured on the private
11 property.

12 **SEC. 8. EVALUATION; REPORT.**

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

16 (1) conduct an evaluation of the accomplish-
17 ments of the Heritage Area; and

18 (2) prepare a report in accordance with sub-
19 section (c).

20 (b) EVALUATION.—An evaluation conducted under
21 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 for the Heritage Area; 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, local, and pri-
5 vate investments in the Heritage Area to determine
6 the leverage and 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.—

12 (1) IN GENERAL.—Based on the evaluation con-
13 ducted under subsection (a)(1), the Secretary shall
14 prepare a report that includes recommendations for
15 the future role of the National Park Service, if any,
16 with respect to the Heritage Area.

17 (2) REQUIRED ANALYSIS.—If the report pre-
18 pared under paragraph (1) recommends that Fed-
19 eral funding for the Heritage Area be reauthorized,
20 the report shall include an analysis of—

21 (A) ways in which Federal funding for the
22 Heritage Area may be reduced or eliminated;
23 and

1 (B) the appropriate time period necessary
2 to achieve the recommended reduction or elimi-
3 nation.

4 (3) SUBMISSION TO CONGRESS.—On completion
5 of the report, the Secretary shall submit the report
6 to—

7 (A) the Committee on Energy and Natural
8 Resources of the Senate; and

9 (B) the Committee on Natural Resources
10 of the House of Representatives.

11 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

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

16 (b) COST-SHARING REQUIREMENT.—The Federal
17 share of the cost of any activity carried out using funds
18 made available under this Act shall be not more than 50
19 percent.

20 **SEC. 10. TERMINATION OF AUTHORITY.**

21 The authority of the Secretary to provide financial
22 assistance under this Act terminates on the date that is
23 15 years after the date of enactment of this Act.

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