

106TH CONGRESS
2D SESSION

S. 2247

To establish the Wheeling National Heritage Area in the State of West Virginia, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 9, 2000

Mr. BYRD introduced the following bill; which was read twice and referred to the Committee on Energy and National Resources

A BILL

To establish the Wheeling National Heritage Area in the State of West Virginia, 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 “Wheeling National
5 Heritage Area Act of 2000”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—The Congress finds that—

8 (1) the area in an around Wheeling, West Vir-
9 ginia, possesses important historical, cultural, and
10 natural resources, representing major heritage

1 themes of transportation, commerce and industry,
2 and Victorian culture in the United States;

3 (2) the City of Wheeling has played an impor-
4 tant part in the settlement of this country by serving
5 as—

6 (A) the western terminus of the National
7 Road of the early 1800's;

8 (B) the “Crossroads of America” through-
9 out the nineteenth century;

10 (C) one of the few major inland ports in
11 the nineteenth century; and

12 (D) the site for the establishment of the
13 Restored State of Virginia, and later the State
14 of West Virginia, during the Civil War and as
15 the first capital of the new State of West Vir-
16 ginia;

17 (3) the City of Wheeling has also played an im-
18 portant role in the industrial and commercial herit-
19 age of the United States, through the development
20 and maintenance of many industries crucial to the
21 Nation's expansion, including iron and steel, textile
22 manufacturing, boat building, glass manufacturing,
23 and stogie and chewing tobacco manufacturing fa-
24 cilities, many of which are industries that continue
25 to play an important role in the national economy;

1 (4) the city of Wheeling has retained its na-
2 tional heritage themes with the designations of the
3 old custom house (now Independence Hall) and the
4 historic suspension bridge as National Historic
5 Landmarks; with five historic districts; and many in-
6 dividual properties in the Wheeling area listed or eli-
7 gible for nomination to the National Register of His-
8 toric Places;

9 (5) the heritage themes and number and diver-
10 sity of Wheeling's remaining resources should be ap-
11 propriately retained, enhanced, and interpreted for
12 the education, benefit, and inspiration of the people
13 of the United States; and

14 (6) in 1992 a comprehensive plan for the devel-
15 opment and administration of the Wheeling National
16 Heritage Area was completed for the National Park
17 Service, the City of Wheeling, and the Wheeling Na-
18 tional Task Force, including—

19 (A) an inventory of the national and cul-
20 tural resources in the City of Wheeling;

21 (B) criteria for preserving and interpreting
22 significant natural and historic resources;

23 (C) a strategy for the conservation, preser-
24 vation, and reuse of the historical and cultural

1 resources in the City of Wheeling and the sur-
2 rounding region; and

3 (D) an implementation agenda by which
4 the State of West Virginia and local govern-
5 ments can coordinate their resources as well as
6 a complete description of the management enti-
7 ty responsible for implementing the comprehen-
8 sive plan.

9 (b) PURPOSES.—The purposes of this Act are—

10 (1) to recognize the special importance of the
11 history and development of the Wheeling area in the
12 cultural heritage of the Nation;

13 (2) to provide a framework to assist the City of
14 Wheeling and other public and private entities and
15 individuals in the appropriate preservation, enhance-
16 ment, and interpretation of significant resources in
17 the Wheeling area emblematic of Wheeling's con-
18 tributions to the Nation's cultural heritage;

19 (3) to allow for limited Federal, State and local
20 capital contributions for planning and infrastructure
21 investments to complete the Wheeling National Her-
22 itage Area, in partnership with the State of West
23 Virginia, the City of Wheeling, and other appro-
24 priate public and private entities; and

1 (4) to provide for an economically self-sus-
2 taining National Heritage Area not dependent on
3 Federal financial assistance beyond the initial years
4 necessary to establish the heritage area.

5 **SEC. 3. DEFINITIONS.**

6 As used in this Act—

7 (1) the term “city” means the City of Wheeling;

8 (2) the term “heritage area” means the Wheel-
9 ing National Heritage Area established in section 4;

10 (3) the term “plan” means the “Plan for the
11 Wheeling National Heritage Area” dated August,
12 1992;

13 (4) the term “Secretary” means the Secretary
14 of the Interior; and

15 (5) the term “State” means the State of West
16 Virginia.

17 **SEC. 4. WHEELING NATIONAL HERITAGE AREA.**

18 (a) ESTABLISHMENT.—In furtherance of the pur-
19 poses of this Act, there is established in the State of West
20 Virginia the Wheeling National Heritage Area, as gen-
21 erally depicted on the map entitled “Boundary Map,
22 Wheeling National Heritage Area, Wheeling, West Vir-
23 ginia” and dated March, 1994. The map shall be on file
24 and available for public inspection in the appropriate of-
25 fices of the National Park Service.

1 (b) MANAGEMENT ENTITY.—(1) The management
2 entity for the heritage area shall be the Wheeling National
3 Heritage Corporation, a non-profit corporation chartered
4 in the State of West Virginia.

5 (2) To the extent consistent with this Act, the man-
6 agement entity shall manage the heritage area in accord-
7 ance with the plan.

8 **SEC. 5. DUTIES OF THE MANAGEMENT ENTITY.**

9 (a) MISSION.—The primary mission of the manage-
10 ment entity shall be—

11 (A) to implement and coordinate the rec-
12 ommendations contained in the plan;

13 (B) ensure integrated operation of the heritage
14 area; and

15 (C) conserve and interpret the historic and cul-
16 tural resources of the heritage area.

17 (2) The management entity shall also direct and co-
18 ordinate the diverse conservation, development, program-
19 ming, educational, and interpretive activities within the
20 heritage area.

21 (b) RECOGNITION OF PLAN.—The management enti-
22 ty shall work with the State of West Virginia and local
23 governments to ensure that the plan is formally adopted
24 by the City and recognized by the State.

1 (c) IMPLEMENTATION.—To the extent practicable,
2 the management entity shall—

3 (1) implement the recommendations contained
4 in the plan in a timely manner pursuant to the
5 schedule identified in the plan—

6 (2) coordinate its activities with the City, the
7 State, and the Secretary;

8 (3) ensure the conservation and interpretation
9 of the heritage area’s historical, cultural, and nat-
10 ural resources, including—

11 (A) assisting the City and the State in the
12 preservation of sites, buildings, and objects
13 within the heritage area which are listed or eli-
14 gible for listing on the National Register of
15 Historic Places;

16 (B) assisting the City, the State, or a non-
17 profit organization in the restoration of any his-
18 toric building in the heritage area;

19 (C) increasing public awareness of and ap-
20 preciation for the natural, cultural, and historic
21 resources of the heritage area;

22 (D) assisting the State or City in design-
23 ing, establishing, and maintaining appropriate
24 interpretive facilities and exhibits in the herit-
25 age area;

1 (E) assisting in the enhancement of public
2 awareness and appreciation for the historical,
3 archaeological, and geologic resources and sites
4 in the heritage area; and

5 (F) encouraging the City and other local
6 governments to adopt land use policies con-
7 sistent with the goals of the plan, and to take
8 actions to implement those policies;

9 (4) encourage intergovernmental cooperation in
10 the achievement of these objectives;

11 (5) develop recommendations for design stand-
12 ards within the heritage area; and

13 (6) seek to create public-private partnerships to
14 finance projects and initiatives within the heritage
15 area.

16 (d) AUTHORITIES.—The management entity may, for
17 the purposes of implementing the plan, use Federal funds
18 made available by this Act to—

19 (1) make loans or grants to the State, City, or
20 other appropriate public or private organizations, en-
21 tities, or persons;

22 (2) enter into cooperative agreements with, or
23 provide technical assistance to Federal agencies, the
24 State, City or other appropriate public or private or-
25 ganizations, entities, or persons;

1 (3) hire and compensate such staff as the man-
2 agement entity deems necessary;

3 (4) obtain money from any source under any
4 program or law requiring the recipient of such
5 money to make a contribution in order to receive
6 such money;

7 (5) spend funds on promotion and marketing
8 consistent with the resources and associated values
9 of the heritage area in order to promote increased
10 visitation; and

11 (6) to contract for goods and services.

12 (e) ACQUISITION OF REAL PROPERTY.—(1) Except
13 as provided in paragraph (2), the management entity may
14 not acquire any real property or interest therein within
15 the heritage area, other than the leasing of facilities.

16 (2)(A) Subject to subparagraph (B), the management
17 entity may acquire real property, or an interest therein,
18 within the heritage area by gift or devise, or by purchase
19 from a willing seller with money which was donated, be-
20 queathed, appropriated, or otherwise made available to the
21 management entity on the condition that such money be
22 used to purchase real property, or interest therein, within
23 the heritage area.

24 (B) Any real property or interest therein acquired by
25 the management entity pursuant to this paragraph shall

1 be conveyed in perpetuity by the management entity to
2 an appropriate public or private entity, as determined by
3 the management entity. Any such conveyance shall be
4 made as soon as practicable after acquisition, without con-
5 sideration, and on the condition that the real property or
6 interest therein so conveyed shall be used for public pur-
7 poses.

8 **SEC. 6. DUTIES OF THE SECRETARY.**

9 (a) INTERPRETIVE SUPPORT.—The Secretary may,
10 upon request of the management entity, provide appro-
11 priate interpretive, planning, educational, staffing, exhib-
12 its, and other material or support for the heritage area,
13 consistent with the plan and as appropriate to the re-
14 sources and associated values of the heritage area.

15 (b) TECHNICAL ASSISTANCE.—The Secretary shall,
16 upon request of the management entity and consistent
17 with the plan, provide technical assistance to the manage-
18 ment entity.

19 (c) COOPERATIVE AGREEMENTS, LOANS AND
20 GRANTS.—The Secretary may, in consultation with the
21 management entity and consistent with the management
22 plan, make loans and grants to, and enter into cooperative
23 agreements with the management entity, the State, City,
24 non-profit organization or any person.

1 (d) PLAN AMENDMENTS.—No amendments to the
2 plan may be made unless approved by the Secretary. The
3 Secretary shall consult with the management entity in re-
4 viewing any proposed amendments.

5 **SEC. 7. DUTIES OF OTHER FEDERAL AGENCIES.**

6 Any Federal department, agency, or other entity con-
7 ducting or supporting activities directly affecting the herit-
8 age area shall—

9 (1) consult with the Secretary and the manage-
10 ment entity with respect to such activities.

11 (2) cooperate with the Secretary and the man-
12 agement entity in carrying out their duties under
13 this Act, and to the extent practicable, coordinate
14 such activities directly with the duties of the Sec-
15 retary and the management entity.

16 (3) to the extent practicable, conduct or support
17 such activities in a manner which the management
18 entity determines will not have an adverse effect on
19 the heritage area.

20 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

21 There is authorized to be appropriated such sums as
22 may be necessary to carry out this Act.

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