

113TH CONGRESS  
1ST SESSION

# H. R. 1785

To establish the Mountains to Sound Greenway National Heritage Area  
in the State of Washington, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2013

Mr. REICHERT (for himself and Mr. SMITH of Washington) introduced the  
following bill; which was referred to the Committee on Natural Resources

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## A BILL

To establish the Mountains to Sound Greenway National  
Heritage Area in the State of Washington, 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 “Mountains to Sound  
5       Greenway National Heritage Area Act”.

6       **SEC. 2. PURPOSES.**

7       The purposes of this Act include—

8               (1) to recognize the national importance of the  
9       natural and cultural legacies of the area, as dem-  
10      onstrated in the study entitled “Mountains to Sound

1 Greenway National Heritage Area Feasibility  
2 Study’’ dated April 2012;

3 (2) to recognize the heritage of natural resource  
4 conservation in the Pacific Northwest and in the  
5 Mountains to Sound Greenway;

6 (3) to preserve, support, conserve, and interpret  
7 the legacy of natural resource conservation and com-  
8 munity stewardship, passed from generation to gen-  
9 eration within the Heritage Area;

10 (4) to promote heritage, cultural, and rec-  
11 reational tourism and to develop educational and  
12 cultural programs for visitors and the general public;

13 (5) to recognize and interpret important events  
14 and geographic locations representing key develop-  
15 ments in the creation of America, particularly the  
16 settlement of the American West and the stories of  
17 diverse ethnic groups, including Indians and others;

18 (6) to enhance a cooperative management  
19 framework to assist Federal, State, local, and tribal  
20 governments, the private sector, and citizens resid-  
21 ing in the Heritage Area in conserving, supporting,  
22 managing, enhancing, and interpreting the signifi-  
23 cant historic, cultural, natural, and recreational sites  
24 in the Heritage Area;

1           (7) to recognize and interpret the relationship  
2       between land and people, representing broad Amer-  
3       ican ideals demonstrated through the integrity of ex-  
4       isting resources within the Heritage Area; and

5           (8) to support working relationships between  
6       public land managers and the community by cre-  
7       ating relevant linkages between the National Park  
8       Service, the United States Forest Service, other rel-  
9       evant Federal agencies, tribes, State and local gov-  
10      ernments and agencies, and community stakeholders  
11      within and surrounding the Heritage Area, in order  
12      to protect, enhance, and interpret cultural and nat-  
13      ural resources within the Heritage Area.

14 **SEC. 3. FINDINGS.**

15       Congress finds that—

16           (1) there exists a unique and significant herit-  
17      age of natural resource conservation in the Pacific  
18      Northwest and in the Mountains to Sound Green-  
19      way;

20           (2) the Greenway landscape represents a bal-  
21      ance between built and natural environments, exem-  
22      plified by—

23           (A) hundreds of thousands of acres of for-  
24      ests and fields in close proximity to a major

1 metropolitan area managed by Federal, State,  
2 local, and tribal governments;

3 (B) dynamic and engaging cultural oppor-  
4 tunities, including hundreds of museums, envi-  
5 ronmental education centers, interpretive trails,  
6 festivals, and community centers; and

7 (C) an outstanding array of accessible nat-  
8 ural lands, highlighted by the Alpine Lakes Wil-  
9 derness Area, the forests of the Teanaway River  
10 Basin, and the towering Douglas firs of the  
11 Issaquah Alps;

12 (3) the Mountains to Sound Greenway—

13 (A) represents an historic movement en-  
14 couraging the interface of a major urban center  
15 with rural communities and a diverse outdoors  
16 experience;

17 (B) has existed for over 20 years, long be-  
18 fore other communities began to focus on the  
19 interrelationship between urban centers and  
20 outdoor opportunities that strengthen econo-  
21 mies;

22 (C) is the result of citizen leadership, in-  
23 cluding a Mountains to Sound March in 1990  
24 to focus attention on the value of the greenway  
25 and the need to protect this valuable resource;

1 (D) operates through cooperation, bringing  
2 together disparate groups to resolve differences  
3 for the betterment of the Greenway; and

4 (E) has become the model of cooperative  
5 action that is followed by other communities  
6 working to advance local conservation priorities,  
7 expand recreational opportunities that power  
8 local economies, and connect local ideas and so-  
9 lutions to our historic, cultural, and natural  
10 heritage;

11 (4) since its creation, the Mountains to Sound  
12 Greenway Coalition has been responsible for—

13 (A) the conservation of over 225,000 acres;

14 (B) the opportunity for millions of local  
15 residents as well as visitors from across the  
16 country to enjoy a wide variety of recreational  
17 activities in the area;

18 (C) thousands of volunteers and nearly  
19 500,000 volunteer hours engaged in activities  
20 such as tree plantings, trail conservation and  
21 youth programs;

22 (D) a strong education program for the  
23 next generation, teaching more than 3,000 chil-  
24 dren each year why forests matter; and

1           (E) the encouragement of balanced devel-  
2           opment, business growth, and healthy econo-  
3           mies through the region;

4           (5) the Mountains to Sound Greenway commu-  
5           nity has many great American stories to share, in-  
6           cluding those of—

7           (A) Indian tribes and nations from time  
8           immemorial;

9           (B) settlement, travel, and transport in the  
10          American West, from footpaths used for trading  
11          to today's Mountains to Sound Greenway I-90  
12          National Scenic Byway;

13          (C) working farms and forests of the  
14          Snoqualmie and Yakima River Valleys and the  
15          Cascade Foothills; and

16          (D) globally competitive businesses estab-  
17          lished and growing in the cities of the Green-  
18          way; and

19          (6) the Mountains to Sound Greenway Trust  
20          conserves and enhances community-based conserva-  
21          tion and stewardship inside and outside of the  
22          Greenway landscape, illustrated by the fact that—

23                (A) the Greenway Trust is led by a 60-per-  
24                son board that includes local and State officials,

1 agency staff, and business and nonprofit rep-  
2 resentatives;

3 (B) thousands of volunteers have donated  
4 hundreds of thousands of hours to the Green-  
5 way supporting stewardship projects on public  
6 lands; and

7 (C) over the span of 20 years, partners  
8 have collaborated to conserve more than  
9 225,000 acres of land in the Greenway for nat-  
10 ural systems, recreation, timber, and agri-  
11 culture.

12 **SEC. 4. DEFINITIONS.**

13 In this Act:

14 (1) HERITAGE AREA.—The term “Heritage  
15 Area” means the Mountains to Sound Greenway Na-  
16 tional Heritage Area established in this Act.

17 (2) LOCAL COORDINATING ENTITY.—The term  
18 “local coordinating entity” means the Mountains to  
19 Sound Greenway Trust, a nonprofit corporation rec-  
20 ognized by the Federal Government as being orga-  
21 nized for charitable purposes in the State of Wash-  
22 ington.

23 (3) MANAGEMENT PLAN.—The term “manage-  
24 ment plan” means the plan to be prepared by the  
25 local coordinating entity, along with a group com-

1       prised of public agency staff and community mem-  
2       bers, that will specify actions, policies, strategies,  
3       performance goals, and recommendations to meet  
4       the goals of the Heritage Area, in accordance with  
5       this Act.

6           (4) MAP.—The term “map” means the map ti-  
7       tled “Mountains to Sound Greenway National Herit-  
8       age Area”, numbered 1, and dated January 31,  
9       2011.

10          (5) SECRETARY.—The term “Secretary” means  
11       the Secretary of the Interior.

12          (6) STATE.—The term “State” means the State  
13       of Washington.

14          (7) TRIBAL.—The term “tribal” means the five  
15       federally recognized tribes with usual and accus-  
16       tomed places in the Heritage Area, including the  
17       Snoqualmie, Yakama, Tulalip, Muckleshoot, and  
18       Colville Nation.

19   **SEC. 5. DESIGNATION OF THE MOUNTAINS TO SOUND**  
20                   **GREENWAY NATIONAL HERITAGE AREA.**

21          (a) ESTABLISHMENT.—There is hereby established  
22       the Mountains to Sound Greenway National Heritage  
23       Area.

24          (b) BOUNDARIES.—The Heritage Area shall consist  
25       of the approximately 1,550,000 acres of land and interests

1 in land generally depicted on the map and located in King  
2 and Kittitas Counties, including—

3 (1) in Kittitas County, all lands within the Yak-  
4 ima River Basin upstream of Manastash Creek, in-  
5 cluding the Manastash and Teanaway drainages and  
6 the cities of Ellensburg, Roslyn, Cle Elum and  
7 South Cle Elum; and

8 (2) in King County, all lands in the Snoqualmie  
9 River, Cedar River, and Lake Washington water-  
10 sheds and the Puget Sound nearshore watersheds  
11 within and including the cities of Seattle and Shore-  
12 line, and 22 additional cities in King County.

13 (c) MAP.—The map shall be on file and available to  
14 the public in the appropriate offices of the National Park  
15 Service, United States Forest Service, and the local co-  
16 ordinating entity.

17 (d) LOCAL COORDINATING ENTITY.—The Mountains  
18 to Sound Greenway Trust is hereby designated by Con-  
19 gress as the local coordinating entity to—

20 (1) facilitate, in partnership with Federal,  
21 State, and local partners, the creation of the man-  
22 agement plan for the Heritage Area; and

23 (2) act as a catalyst for the implementation of  
24 projects and programs among diverse partners in the  
25 Heritage Area.

1 **SEC. 6. MANAGEMENT PLAN.**

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

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

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

12 (2) take into consideration, Federal, State, trib-  
13 al and local government plans;

14 (3) include—

15 (A) an inventory of the natural, historical,  
16 cultural, educational, scenic, and recreational  
17 resources of the Heritage Area which relate to  
18 the national importance and themes of the Her-  
19 itage Area that should be conserved and en-  
20 hanced;

21 (B) a description of strategies and rec-  
22 ommendations for conservation, funding, man-  
23 agement, and development of the Heritage  
24 Area;

25 (C) a history of the Mountains to Sound  
26 Greenway; and of the Mountains to Sound

1 Greenway Trust and its role in encouraging  
2 stewardship of the Heritage Area by local,  
3 State, Federal, tribal institutions and private  
4 organizations;

5 (D) a description of actions Federal, State,  
6 tribal, local, and private partners have agreed  
7 to take to protect, enhance, interpret, fund,  
8 manage, and develop the natural, historical, cul-  
9 tural, educational, scenic, and recreational re-  
10 sources of the Heritage Area;

11 (E) a program of implementation for the  
12 management plan by the local coordinating en-  
13 tity including—

14 (i) performance goals; and

15 (ii) commitments for implementation  
16 made by partners;

17 (F) the identification of sources of fund-  
18 ing, economic development strategies, or both,  
19 for carrying out the management plan;

20 (G) analysis and recommendations for  
21 means by which local, State, and Federal pro-  
22 grams may best be coordinated to carry out this  
23 Act;

24 (H) an interpretive plan for the Heritage  
25 Area;

1 (I) recommended policies and strategies for  
2 resource management, including the develop-  
3 ment of intergovernmental and interagency  
4 agreements to protect, enhance, interpret, fund,  
5 manage, and otherwise provide for the enjoy-  
6 ment and understanding of the natural, histor-  
7 ical, cultural, educational, scenic, and rec-  
8 reational resources of the Heritage Area;

9 (J) a definition of the roles of the National  
10 Park Service, the United States Forest Service  
11 and other Federal agencies in the coordination  
12 of the Heritage Area and in otherwise fur-  
13 thering the purposes of this Act; and

14 (K) in consultation with the National Park  
15 Service and the United States Forest Service, a  
16 plan to share with other communities and inter-  
17 ested parties the expertise of the coordinating  
18 entity in—

19 (i) reconnecting Americans, especially  
20 children, to our outdoors;

21 (ii) promoting community-based recre-  
22 ation and conservation; and

23 (iii) advancing volunteer opportunities  
24 in conservation and outdoor recreation.

25 (c) APPROVAL OF MANAGEMENT PLAN.—

1           (1) REVIEW.—Not later than 180 days after re-  
2           ceiving the management plan for the Heritage Area,  
3           the Secretary shall review and, in consultation with  
4           the Secretary of Agriculture, approve or disapprove  
5           the management plan on the basis of the criteria es-  
6           tablished under paragraph (2).

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

10                   (A) the local coordinating entity represents  
11                   the diverse interests of the Heritage Area, in-  
12                   cluding Federal, State, tribal, and local govern-  
13                   ments, natural and historic resource protection  
14                   organizations, educational institutions, busi-  
15                   nesses, recreational organizations, community  
16                   members, and private property owners;

17                   (B) the local coordinating entity—

18                           (i) has afforded adequate opportunity  
19                           for the public and Federal, State, tribal,  
20                           and local governmental involvement in the  
21                           preparation of the management plan; and

22                           (ii) provides for at least annual public  
23                           meetings to ensure adequate implementa-  
24                           tion of the management plan.

1 (C) the resource protection, enhancement,  
2 interpretation, funding, and management strat-  
3 egies described in the management plan, if im-  
4 plemented, would adequately protect, enhance,  
5 interpret, fund, manage, and otherwise provide  
6 for the enjoyment and understanding of the  
7 natural, historic, cultural, educational, scenic,  
8 and recreational resources of the Heritage Area;

9 (D) the management plan would not ad-  
10 versely affect any activities on Federal land au-  
11 thorized under public land laws or land use  
12 plans;

13 (E) the local coordinating entity has dem-  
14 onstrated the financial capability, in partner-  
15 ship with others, to carry out the management  
16 plan;

17 (F) the Secretary has received adequate  
18 assurances from the appropriate State, tribal,  
19 and local officials whose support is needed to  
20 ensure the effective implementation of the  
21 State, tribal, and local elements of the manage-  
22 ment plan;

23 (G) the management plan demonstrates  
24 partnerships among the local coordinating enti-  
25 ty, Federal, State, tribal, and local govern-

1           ments, regional planning organizations, non-  
2           profit organizations, and private sector parties  
3           for implementation of the management plan;  
4           and

5                 (H) the management plan is consistent  
6           with all provisions in this Act.

7       (d) DISAPPROVAL.—

8                 (1) IN GENERAL.—If the Secretary disapproves  
9       the management plan, the Secretary shall—

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

12                 (B) make recommendations to the local co-  
13           ordinating entity for revisions to the manage-  
14           ment plan.

15                 (2) DEADLINE.—Not later than 180 days after  
16       receiving a revised management plan, the Secretary  
17       shall approve or disapprove the revised management  
18       plan.

19       (e) AMENDMENTS.—

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

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

5       (f) AUTHORITIES.—The Secretaries of the Interior  
6       and Agriculture may—

7           (1) provide technical assistance under the au-  
8       thority of this Act for the implementation of the  
9       management plan; and

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

16 **SEC. 7. EVALUATION; REPORTING.**

17       (a) IN GENERAL.—Not later than 15 years after the  
18       enactment of this Act, the Secretary, in consultation with  
19       the Secretary of Agriculture, shall—

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

22           (2) prepare and submit a report pursuant to  
23       subsection (c).

24       (b) EVALUATION.—An evaluation conducted under  
25       this subsection 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 Heritage Area; and

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

8           (2) analyze the Federal, State, tribal, local, and  
9       private investments in the Heritage Area to deter-  
10      mine the impact of the investments; and

11           (3) review the management structure, partner-  
12      ship relationships, and funding of the Heritage Area  
13      for purposes of identifying the critical components  
14      for sustainability of the Heritage Area.

15      (c) REPORT.—Based on the evaluation conducted  
16      under subsection (b), the Secretary shall submit a report  
17      to the Committee on Natural Resources of the House of  
18      Representatives and the Committee on Energy and Nat-  
19      ural Resources of the Senate. The report shall include rec-  
20      ommendations for the future role of the National Park  
21      Service with respect to the Heritage Area. The Secretary  
22      may also include recommendations by the Secretary of Ag-  
23      riculture for the future role of the Forest Service with re-  
24      spect to the Heritage Area.

1 **SEC. 8. LOCAL COORDINATING ENTITY.**

2 (a) DUTIES.—To further the purposes of the Herit-  
3 age Area, the local coordinating entity shall—

4 (1) prepare and submit a management plan for  
5 the Heritage Area to the Secretary in accordance  
6 with section 6;

7 (2) facilitate and expedite the implementation  
8 of projects and programs among diverse partners in  
9 the Heritage Area;

10 (3) encourage economic viability and sustain-  
11 ability that is consistent with the purposes of the  
12 Heritage Area;

13 (4) submit a report to the Secretary every five  
14 years after the Secretary has approved the manage-  
15 ment plan, specifying—

16 (A) the specific performance goals and ac-  
17 complishments of the local coordinating entity;

18 (B) the expenses and income of the local  
19 coordinating entity; and

20 (C) significant grants or contracts made by  
21 the local coordinating entity to any other enti-  
22 ties during the five-year period; and

23 (5) consult with the United States Forest Serv-  
24 ice, National Park Service, the Governor of the  
25 State of Washington, and the Washington State  
26 Commissioner of Public Lands.

1 (b) AUTHORITIES.—To further the purposes of the  
2 Heritage Area, the local coordinating entity may—

3 (1) make grants to political jurisdictions, non-  
4 profit organizations, and other parties within the  
5 National Heritage Area;

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

10 (3) hire and compensate staff, including individ-  
11 uals with expertise in—

12 (A) natural, historical, cultural, edu-  
13 cational, scenic, and recreational resource con-  
14 servation;

15 (B) economic and community development;  
16 and

17 (C) heritage and interpretive planning;

18 (4) obtain funds or services from any source,  
19 including Federal programs;

20 (5) contract for goods or services; and

21 (6) support activities that further the purposes  
22 of the Heritage Area and are consistent with the ap-  
23 proved management plan.

1       (c) PROHIBITION ON ACQUISITION OF REAL PROP-  
2     ERTY.—The local coordinating entity may not acquire  
3     land or interests in land through condemnation.

4     **SEC. 9. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

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

8       (b) CONSULTATION AND COORDINATION.—Any Fed-  
9     eral agency planning to conduct activities that may have  
10    an impact on the Heritage Area is encouraged to consult  
11    and coordinate the activities with the local coordinating  
12    entity to the maximum extent practicable.

13      (c) OTHER FEDERAL AGENCIES.—Nothing in this  
14    Act—

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

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

22           (3) modifies, alters, or amends any authorized  
23    use of Federal land under the jurisdiction of a Fed-  
24    eral agency.

1 **SEC. 10. PRIVATE PROPERTY AND REGULATORY PROTEC-**  
2 **TIONS.**

3 Nothing in this Act—

4 (1) abridges the rights of any property owner  
5 (whether public or private), including the right to re-  
6 frain from participating in any plan, project, pro-  
7 gram, or activity conducted within the Heritage  
8 Area;

9 (2) requires any property owner to permit pub-  
10 lic access (including access by Federal, State, tribal,  
11 or local agencies) to the property of the property  
12 owner, or to modify public access or use of property  
13 of the property owner under any other Federal,  
14 State, tribal, or local law;

15 (3) alters any duly adopted land use regulation,  
16 approved land use plan, or other regulatory author-  
17 ity (such as the authority to make safety improve-  
18 ments or increase the capacity of existing roads or  
19 to construct new roads or associated developments)  
20 of any Federal, State, tribal, local unit of govern-  
21 ment or local agency, or conveys any land unit of  
22 government or agency use or other regulatory au-  
23 thority to any local coordinating entity, including  
24 but not necessarily limited to development and man-  
25 agement of energy, water or water-related infra-  
26 structure;

1           (4) alters, modifies, diminishes, or extinguishes  
2           the treaty rights of any Indian tribe within the Her-  
3           itage Area;

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

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

9           (7) creates any liability, or affects any liability  
10          under any other law, of any private property owner.

11 **SEC. 11. USE OF FEDERAL FUNDS FROM OTHER SOURCES.**

12          Nothing in this Act shall preclude the local coordi-  
13          nating entity from using Federal funds available under  
14          other laws for the purposes for which those funds were  
15          authorized.

○