

The Act of August 21, 1935 (49 Stat. 666, 16 U.S.C. 461-467), referred to in subsec. (a), is act Aug. 21, 1935, ch. 593, 49 Stat. 666, known as the Historic Sites Act of 1935 and also as the Historic Sites, Buildings, and Antiquities Act, which enacted sections 461 to 467 of this title. The Act was repealed and restated as section 1866(a) of Title 18, Crimes and Criminal Procedure, and sections 102303 and 102304 and chapter 3201 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§ 3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

§ 410ccc-3. Acquisition of property

(a) General authority

Except as otherwise provided in this section, the Secretary is authorized to acquire lands and interest therein within the boundaries of the historical park by donation, purchase with donated or appropriated funds, or exchange.

(b) State and local properties

Lands and interests therein that are owned by the State of Louisiana, or any political subdivision thereof, may be acquired only by donation or exchange.

(c) Museum Contents, Inc.

Lands and structures identified in section 410ccc-1(b)(2) of this title may be acquired only by donation.

(d) Cooperative agreement sites

Lands and interests therein that are the subject of cooperative agreements pursuant to section 410ccc-1(b)(3) of this title shall not be acquired except with the consent of the owner thereof.

(Pub. L. 103-449, title III, § 305, Nov. 2, 1994, 108 Stat. 4759.)

§ 410ccc-4. General management plan

Within 3 years after the date funds are made available therefor and in consultation with the Cane River Heritage Area Commission,¹ the National Park Service shall prepare a general management plan for the historical park. The plan shall include, but need not be limited to—

(1) a visitor use plan indicating programs and facilities that will be provided for public use, including the location and cost of an interpretive center;

(2) programs and management actions that the National Park Service will undertake cooperatively with the heritage area commission,² including preservation treatments for important sites, structures, objects, and research materials. Planning shall address educational media, roadway signing, and brochures that could be coordinated with the Commission pursuant to section 410ccc-23 of this title; and

(3) preservation and use plans for any sites and structures that are identified for National Park Service involvement through cooperative agreements.

¹ So in original. Probably should be “Cane River National Heritage Area Commission.”

² So in original. Probably should be “Heritage Area Commission.”

(Pub. L. 103-449, title III, § 306, Nov. 2, 1994, 108 Stat. 4760.)

PART B—CANE RIVER NATIONAL HERITAGE AREA

§ 410ccc-21. Establishment

(a) In general

There is hereby established the Cane River National Heritage Area (hereinafter in this part referred to as the “heritage area”).

(b) Purpose

In furtherance of the need to recognize the value and importance of the Cane River region and in recognition of the findings of section 410ccc(a) of this title, it is the purpose of this part to establish a heritage area to complement the historical park and to provide for a culturally sensitive approach to the preservation of the heritage of the Cane River region, and for other needs including—

(1) recognizing areas important to the Nation’s heritage and identity;

(2) assisting in the preservation and enhancement of the cultural landscape and traditions of the Cane River region;

(3) providing a framework for those who live within this important dynamic cultural landscape to assist in preservation and educational actions; and

(4) minimizing the need for Federal land acquisition and management.

(c) Area included

The heritage area shall include—

(1) an area approximately 1 mile on both sides of the Cane River as depicted on map CARI, 80,000A, dated May 1994;

(2) those properties within the Natchitoches National Historic Landmark District which are the subject of cooperative agreements pursuant to section 410ccc-2(d) of this title;

(3) the Los Adaes State Commemorative Area;

(4) the Fort Jesup State Commemorative Area;

(5) the Fort St. Jean Baptiste State Commemorative Area; and

(6) the Kate Chopin House.

A final identification of all areas and sites to be included in the heritage area shall be included in the heritage area management plan as required in section 410ccc-23 of this title.

(Pub. L. 103-449, title IV, § 401, Nov. 2, 1994, 108 Stat. 4760.)

§ 410ccc-22. Cane River National Heritage Area Commission

(a) Establishment

To assist in implementing the purposes of this subchapter¹ and to provide guidance for the management of the heritage area, there is established the Cane River National Heritage Area Commission (hereinafter in this part referred to as the “Commission”).

(b) Membership

The Commission shall consist of 19 members to be appointed no later than 6 months after No-

¹ See References in Text note below.

ember 2, 1994. The Commission shall be appointed by the Secretary as follows—

- (1) one member from recommendations submitted by the Mayor of Natchitoches;
- (2) one member from recommendations submitted by the Association for the Preservation of Historic Natchitoches;
- (3) one member from recommendations submitted by the Natchitoches Historic Foundation, Inc.;
- (4) two members with experience in and knowledge of tourism in the heritage area from recommendations submitted by local business and tourism organizations;
- (5) one member from recommendations submitted by the Governor of the State of Louisiana;
- (6) one member from recommendations submitted by the Police Jury of Natchitoches Parish;
- (7) one member from recommendations submitted by the Concern² Citizens of Cloutierville;
- (8) one member from recommendations submitted by the St. Augustine Historical Society;
- (9) one member from recommendations submitted by the Black Heritage Committee;
- (10) one member from recommendations submitted by the Los Adaes/Robeline Community;
- (11) one member from recommendations submitted by the Natchitoches Historic District Commission;
- (12) one member from recommendations submitted by the Cane River Waterway Commission;
- (13) two members who are landowners in and residents of the heritage area;
- (14) one member with experience and knowledge of historic preservation from recommendations submitted by the Museum Contents, Inc.;
- (15) one member with experience and knowledge of historic preservation from recommendations submitted by the President of Northwestern State University of Louisiana;
- (16) one member with experience in and knowledge of environmental, recreational and conservation matters affecting the heritage area from recommendations submitted by the Natchitoches Sportsmans³ Association and other local recreational and environmental organizations; and
- (17) the director of the National Park Service, or the Director's designee, ex officio.

(c) Duties of Commission

The Commission shall—

- (1) prepare a management plan for the heritage area in consultation with the National Park Service, the State of Louisiana, the City of Natchitoches, Natchitoches Parish, interested groups, property owners, and the public;
- (2) consult with the Secretary on the preparation of the general management plan for the historical park;
- (3) develop cooperative agreements with property owners, preservation groups, edu-

cational groups, the State of Louisiana, the City of Natchitoches, universities, and tourism groups, and other groups to further the purposes of this subchapter; and

- (4) identify appropriate entities, such as a non-profit corporation, that could be established to assume the responsibilities of the Commission following its termination.

(d) Powers of Commission

In furtherance of the purposes of this subchapter, the Commission is authorized to—

- (1) procure temporary and intermittent services to the same extent that is authorized by section 3109(b) of title 5, but at rates determined by the Commission to be reasonable;
- (2) accept the services of personnel detailed from the State of Louisiana or any political subdivision thereof, and may reimburse the State or political subdivision for such services;
- (3) upon the request of the Commission, the head of any Federal agency may detail, on a reimbursable basis, any of the personnel of such agency to the Commission to assist the Commission in carrying out its duties;
- (4) appoint and fix the compensation of such staff as may be necessary to carry out its duties. Staff shall be appointed subject to the provisions of title 5 governing appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates;
- (5) enter into cooperative agreements with public or private individuals or entities for research, historic preservation, and education purposes;
- (6) make grants to assist in the preparation of studies that identify, preserve, and plan for the management of the heritage area;
- (7) notwithstanding any other provision of law, seek and accept donations of funds or services from individuals, foundations, or other public or private entities and expend the same for the purposes of providing services and programs in furtherance of the purposes of this subchapter;
- (8) assist others in developing educational, informational, and interpretive programs and facilities;
- (9) hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Commission may consider appropriate; and
- (10) use the United States mails in the same manner and under the same conditions as other departments or agencies of the United States.

(e) Compensation

Members of the Commission shall receive no compensation for their service on the Commission. While away from their homes or regular places of business in the performance of services for the Commission, members shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5.

²So in original.

³So in original. Probably should be "Sportsman's".

(f) Chairman

The Commission shall elect a chairman from among its members. The term of the chairman shall be for 3 years.

(g) Terms

The terms of Commission members shall be for 3 years. Any member of the Commission appointed by the Secretary for a 3-year term may serve after expiration of his or her term until a successor is appointed. Any vacancy shall be filled in the same manner in which the original appointment was made. Any member appointed to fill a vacancy shall serve for the remainder of the term for which the predecessor was appointed.

(h) Annual reports

The Commission shall submit an annual report to the Secretary identifying its expenses and any income, the entities to which any grants or technical assistance were made during the year for which the report is made, and actions that are planned for the following year.

(Pub. L. 103-449, title IV, §402, Nov. 2, 1994, 108 Stat. 4761.)

REFERENCES IN TEXT

This subchapter, referred to in subsec. (a), was in the original "titles II and III of this Act" and was translated as reading "titles III and IV of this Act" meaning titles III and IV of Pub. L. 103-449, which are classified generally to this subchapter, to reflect the probable intent of Congress in view of similar references in subsecs. (c) and (d) of this section. Title II of Pub. L. 103-449, known as the Weir Farm National Historic Site Expansion Act of 1994, amended provisions listed in a table of National Historic Sites set out under section 320101 of Title 54, National Park Service and Related Programs.

§ 410ccc-23. Preparation of plan**(a) In general**

Within 3 years after the Commission conducts its first meeting, it shall prepare and submit a heritage area management plan to the Governor of the State of Louisiana. The Governor shall, if the Governor approves the plan, submit it to the Secretary for review and approval. The Secretary shall provide technical assistance to the Commission in the preparation and implementation of the plan, in concert with actions by the National Park Service to prepare a general management plan for the historical park. The plan shall consider local government plans and shall present a unified heritage preservation and education plan for the heritage area. The plan shall include, but not be limited to—

(1) an inventory of important properties and cultural landscapes that should be preserved, managed, developed, and maintained because of their cultural, natural, and public use significance;

(2) an analysis of current land uses within the area and how they affect the goals of preservation and public use of the heritage area;

(3) an interpretive plan to address the cultural and natural history of the area, and actions to enhance visitor use. This element of the plan shall be undertaken in consultation with the National Park Service and visitor use plans for the historical park;

(4) recommendations for coordinating actions by local, State, and Federal governments within the heritage area, to further the purposes of this subchapter; and

(5) an implementation program for the plan including desired actions by State and local governments and other involved groups and entities.

(b) Approval of plan

The Secretary shall approve or disapprove the plan within 90 days after receipt of the plan from the Commission. The Commission shall notify the Secretary of the status of approval by the Governor of Louisiana when the plan is submitted for review and approval. In determining whether or not to approve the plan the Secretary shall consider—

(1) whether the Commission has afforded adequate opportunity, including public meetings and hearings, for public and governmental involvement in the preparation of the plan; and

(2) whether reasonable assurances have been received from the State and local governments that the plan is supported and that the implementation program is feasible.

(c) Disapproval of plan

If the Secretary disapproves the plan, he shall advise the Commission in writing of the reasons for disapproval, and shall provide recommendations and assistance in the revision plan. Following completion of any revisions to the plan, the Commission shall resubmit the plan to the Governor of Louisiana for approval, and to the Secretary, who shall approve or disapprove the plan within 90 days after the date that the plan is revised.

(Pub. L. 103-449, title IV, §403, Nov. 2, 1994, 108 Stat. 4763.)

§ 410ccc-24. Termination of Heritage Area Commission**(a) Termination**

The Commission shall terminate on the day occurring 10 years after the first official meeting of the Commission.

(b) Extension

The Commission may petition to be extended for a period of not more than 5 years beginning on the day referred to in subsection (a), provided the Commission determines a critical need to fulfill the purposes of this subchapter; and the Commission obtains approval from the Secretary, in consultation with the Governor of Louisiana.

(c) Heritage area management following termination of Commission

The national heritage area status for the Cane River region shall continue following the termination of the Commission. The management plan, and partnerships and agreements subject to the plan shall guide the future management of the heritage area. The Commission, prior to its termination, shall recommend to the Governor of the State of Louisiana and the Secretary, appropriate entities, including the potential for a nonprofit corporation, to assume the responsibilities of the Commission.