

Charter

GULLAH/GEECHEE CULTURAL HERITAGE CORRIDOR COMMISSION

This charter is for the purpose of formally acknowledging the Gullah/Geechee Cultural Heritage Corridor Commission as an entity within the U.S. Department of the Interior, established to carry out functions authorized and specifically assigned to the Commission by the National Heritage Areas Act of 2006. The Commission is subject to administrative requirements applicable to other functional units of the Department of the Interior, except as may be otherwise stipulated by the National Heritage Areas Act of 2006 and indicated in other sections of this charter. The requirements of the Federal Advisory Committee Act, 5 U.S.C. Appendix, do not apply to this Commission; this charter communicates instructions from the Secretary of the Interior on operation of the Commission.

1. **AUTHORIZATION.** The Gullah/Geechee Cultural Heritage Corridor Commission was established by Title II, Subtitle I, section 2951) of the National Heritage Areas Act of 2006, Public Law 109-338, October 12, 2006, to assist Federal, State, and local authorities in the development and implementation of a management plan.
2. **DUTIES.** The Commission will:
 - a. within 3 years after funds are made available, prepare and submit a heritage area management plan to the Secretary of the Interior.
 - b. assist units of local government and other persons in implementing the approved management plan by:
 - (1) carrying out programs and projects that recognize, protect, and enhance important resource values with the Heritage Corridor;
 - (2) establishing and maintaining interpretive exhibits and programs within the Heritage Corridor;
 - (3) developing recreational and educational opportunities in the Heritage Corridor;
 - (4) increasing public awareness of and appreciation for the historical, cultural, natural, and scenic resources of the Heritage Corridor;
 - (5) protecting and restoring historic sites and buildings in the Heritage Corridor that are consistent with Heritage Corridor themes;
 - (6) ensuring that clear, consistent, and appropriate signs identifying points of public access and sites of interest are posted throughout the Heritage Corridor; and
 - (7) promoting a wide range of partnerships among governments, organizations, and individuals to further the purposes of the Heritage Corridor;

- (8) considering the interests of diverse units of government, business, organizations, and individuals in the Heritage Corridor in the preparation and implementation of the management plan.
- (9) conducting meetings open to the public at least quarterly regarding the development and implementation of the management plan.
- (10) submitting an annual report to the Secretary for any fiscal year in which the Commission receives Federal funds, setting forth its accomplishments, expenses, and income, including grants made to any other entities during the year for which the report is made.
- (11) making available for audit for any fiscal year in which the Commission receives Federal funds including information pertaining to the expenditures of such funds and matching funds, and require all agreements authorizing expenditures of Federal funds by other organizations, that the receiving organization make available for audit all records and other information pertaining to the expenditure of such funds.
- (12) encouraging by appropriate means economic viability that is consistent with the purposes of the Heritage Corridor.

3. MANAGEMENT PLAN.

a. The heritage area management plan prepared by the Commission must:

- (1) include comprehensive policies, strategies, and recommendations for conservation, funding, management, and development of the Heritage Corridor.
- (2) take into consideration existing State, county, and local plans in the development of the management plan and its implementation.
- (3) include a description of actions that governments, private organizations, and individuals have agreed to take to protect the historical, cultural, and natural resources of the Heritage Corridor.
- (4) specify the existing and potential sources of funding to protect, manage, and develop the Heritage Corridor in the first 5 years of implementation.
- (5) include an inventory of the historical, cultural, natural, resources of the Heritage Corridor related to the themes of the Heritage Corridor that should be preserved, restored, managed, or maintained.
- (6) recommend policies and strategies for resource management that consider and detail the application of appropriate land and water management techniques, including the development of intergovernmental and interagency cooperative agreements to protect the Heritage Corridor's historical, cultural, and natural resources.
- (7) describe a program for implementation of the management plan including plans for resources protection, restoration, construction, and specific commitments for implementation that have been made by the Commission or any government, organization, or individual for the first 5 years of implementation.

- (8) include an analysis and recommendations for the ways in which Federal, State, or local programs may best be coordinated to further the purposes of the Act.
 - (9) include an interpretive plan for the Heritage Corridor.
 - b. The Secretary will provide, through the National Park Service, technical and financial assistance to the Commission for the development and implementation of the management plan. In providing assistance, the Secretary will give priority to actions that assist in: (1) conserving the significant cultural, historical, and natural resources of the Heritage Corridor; and (2) providing educational and interpretive opportunities consistent with the purposes of the Heritage Corridor.
 - c. If the Commission fails to submit the management plan to the Secretary with 3 years after funds are made available, the Heritage Corridor will not qualify for Federal funding until the management plan is submitted.
 - d. The heritage area plan which the Commission will prepare will be submitted to the Secretary for review and approval. The Secretary will approve or disapprove the plan within 90 days after receipt of the plan from the Commission. In determining whether or not to approve the plan the Secretary will consider the following:
 - (1) whether the Commission has afforded adequate opportunity, including public hearings, for public and governmental involvement in the preparation of the management plan.
 - (2) whether the resource preservation and interpretation strategies contained in the management plan would adequately protect the cultural and historic resources of the Heritage Corridor.
 - (3) whether adequate assurances have been received from the State and local officials to ensure the effective implementation of the plan is feasible.
 - e. If the Secretary disapproves the plan, the Commission will be advised in writing of the reasons for disapproval, and will be provided recommendations and assistance in the revision of the plan. Following completion of any revisions to the plan, the Commission will resubmit the plan to the Secretary, who will approve or disapprove the plan within 60 days after the date that the plan is revised.
 - f. If substantial amendments to the management plan are required they will be reviewed and approved by the Secretary in the same manner as provided in the original management plan. The Commission may not use Federal funds to implement any amendments until the Secretary has approved the amendments.
4. **AUTHORITIES.** To the extent that Federal funds are appropriated, the Commission is authorized to:
 - a. make grants to, and enter into cooperative agreements with the States of South Carolina, North Carolina, Florida, and Georgia, political subdivisions of those States, a nonprofit organization or any person;
 - b. hire and compensate staff;

- c. obtain funds from any source including any that are provided under any Federal law or program; and
- d. contract for goods and services.
- e. expend Federal funds on nonfederally owned property that is: (1) identified in the management plan or (2) listed or eligible for listing on the National Register for Historic Places.
- f. make certain that any payment of Federal funds for non-federal property is subject to an agreement that conversion, use, or disposal of a project so assisted for purposes contrary to non-federal property, as determined by the Secretary, will result in a right of the United States to compensation of all funds made available to that project or the proportion of the increased value of the project attributable to such funds as determined at the time of such conversion, use, or disposal, whichever is greater.

5. MEMBERSHIP

- a. The Commission will be composed of 15 members appointed by the Secretary as follows:
 - (1) Four individuals nominated by the State Historic Preservation Officer of South Carolina, and two individuals each nominated by the State Historic Preservation Officer of each of Georgia, North Carolina, and Florida;
 - (2) Two individuals from South Carolina and one individual each from Georgia, North Carolina, and Florida who are recognized experts in historic preservation, anthropology, and folklore.
- b. Alternates may be appointed in addition to the primary appointees. An alternate appointee may deliberate and vote on Commission matters only in the absence of the primary appointee.
- c. Members of the Commission will be appointed for terms of 3 years. Any member of the Commission appointed for a 3-year term may serve after expiration of his or her term until a successor is appointed. Any vacancy on the Commission will be filled in the same manner in which the original appointment was made. Any member appointed to fill a vacancy will serve for the remainder of the term for which the predecessor was appointed.
- d. The Secretary may stagger the terms of the initial appointments in order to assure continuity of operation.
- e. The Commission will meet at the call of the Chair or a majority of its members.
- f. The Chair and the Vice Chair of the Commission will be elected by the members of the Commission. The terms of the Chair and the Vice Chair will be two years.
- g. The Commission may make bylaws and rules. consistent with the Act, as it considers necessary to carry out its function under the Act.

- h. Members of the Commission will 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 will 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, United States Code.

5. ETHICS RESPONSIBILITIES OF MEMBERS.

All members will comply with applicable ethics rules and regulations. The Department of the Interior will provide materials to those members appointed as Special Government Employees, explaining their ethical obligations and with which the members should be familiar. Consistent with the ethics requirements, members will endeavor to avoid any actions that would cause the public to question the integrity of the Commission's operations, activities, or advice. The provisions of this paragraph do not affect any other statutory or regulatory ethical obligations to which a member may be subject.

6. ADMINISTRATION.

- a. The Southeast Regional Director (or designee), National Park Service, will serve as the Secretary's liaison with the Commission.
- b. The National Park Service Southeast Regional Director will provide the Commission with appropriate staff and technical assistance as may be mutually agreeable to enable the Commission to carry out its duties.
- c. The Commission will comply with all applicable Federal statutes and regulations governing the use of appropriated funds, with the National Park Service providing oversight and direction as needed.
- d. The Commission will prepare a budget prior to October 1 of each year detailing how its funds will be utilized, and institute a system of accounting and management controls which adequately safeguard its funds. The Commission's expenses will not exceed the amount appropriated by Congress for the Commission's purposes, plus donations which it may obtain from other public or private entities.
- e. Prior to awarding any grants or other financial assistance authorized under the Act, the Commission will adopt formal procedures for administering such financial assistance in accordance with the Federal Grant and Cooperative Agreement Act of 1977 (31 U.S.C. 6301 et seq.), and advice and circulars issued by the Office of Management and Budget.
- f. The Commission will 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.
- g. The Secretary may accept in-kind contributions as part of the non-Federal cost share of any activity for which assistance is provided.
- h. Federal funding may not exceed 50 percent of the total cost of any activity for which assistance is provided.

7. FEDERAL AGENCY CONSULTATION AND COOPERATION. Any Federal agency conducting or supporting activities directly affecting the Heritage Corridor must: (1) consult with the Secretary and the Commission with respect to such activities; (2) cooperate with the Secretary and the Commission in carrying out their duties and, to the maximum extent practicable, coordinate such activities with the carrying out of such duties; and (3) to the maximum extent practicable, conduct or support such activities in a manner in which the Commission determines will not have an adverse effect on the Heritage Corridor.
8. COASTAL HERITAGE CENTERS. The Commission will establish one or more Coastal Heritage Centers at appropriate locations within the Heritage Corridor in accordance with the preferred alternative identified in the Record of Decision for the Low Country Gullah Culture Special Resource Study and Environmental Impact Study, December 2003, and additional appropriate sites.

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Secretary of the Interior

Date