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MISCELLANEOUS NATIONAL PARKS BILLS

HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL PARKS

OF THE

COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE

ONE HUNDRED TENTH CONGRESS

FIRST SESSION

ON

S. Con. Res. 6	**S. 444**
S. 126	**S. 500**
S. 257	**S. 637**
S. 289	**S. 817**
S. 443	**H.R. 512**

MARCH 20, 2007

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MISCELLANEOUS NATIONAL PARKS BILLS

TUESDAY, MARCH 20, 2007

U.S. SENATE,
SUBCOMMITTEE ON NATIONAL PARKS,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:35 p.m., in room SD–366, Dirksen Senate Office Building, Hon. Ken Salazar presiding.

OPENING STATEMENT OF HON. KEN SALAZAR, U.S. SENATOR FROM COLORADO

Senator SALAZAR. I'm calling to order the subcommittee hearing on National Parks this afternoon, and want to, with Senator Craig Thomas, welcome everyone who's here, including the witnesses who have traveled from so far to testify on these bills today.

I'm going to give an opening statement, and then turn it over to Senator Thomas to give whatever opening statement he has, and then we'll proceed with the panel, starting with Mr. Wenk, then following him we'll have the witnesses testify on the specific bills that we're talking about today.

The purpose of today's hearing is to receive testimony on several bills that are pending before the Subcommittee on National Parks. Senator Akaka who is the subcommittee chairperson was not able to be here today, and asked that I chair the meeting for him. I thank him for scheduling the hearing, and for giving us the opportunity to move these bills through the committee in a timely manner.

The bills we will be considering this afternoon include the following: S. 126, which is to modify the boundaries of the Mesa Verde National Park; S. 257, which is to direct the Secretary of the Interior to conduct a study to determine the feasibility of establishing the Columbia-Pacific National Heritage Area in the States of Oregon and Washington; S. 289, to establish a journey through Hallowed Ground National Heritage Area; S. 443, to establish the Sangre de Cristo National Heritage Area in the State of Colorado; and S. 444, to establish the South Park National Heritage Area in the State of Colorado; S. 500, and a companion measure, H.R. 512, to establish a Commission to study the potential creation of the National Museum of the American Latino, and to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino in Washington, D.C.; S. 637, to direct the Secretary of the Interior to study the suitability and feasibility of establishing the Chattahoochee Trace National Heritage Cor-

ridor in Alabama and Georgia; S. 817, to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide additional authorizations for certain National Heritage Areas; and, finally, S. Con. Res. 6, which expresses the sense of Congress that the National Museum of Wildlife Art in Jackson, Wyoming should be designated as a National Museum of Wildlife Art in the United States.

I would like to take a minute to briefly talk about a few of these bills. S. 443 and S. 444 would designate two National Heritage areas in Colorado, the Sangre de Cristo and South Park areas. I would like to extend a special welcome to Gary Nichols, and Dennis Lopez who will be testifying on these bills. Gary has traveled from Fairplay, Colorado and Dennis, from my native San Luis Valley. Dennis is a principal of Sierra Vista High School in Blanca, and I hope that his students are watching the hearing today over the Internet.

These two National Heritage area bills are the product of years of work in Colorado communities that are fighting to protect their culture, their landscapes, and their history. I am a fifth-generation native of the San Luis Valley, home of the proposed Sangre de Cristo National Heritage Area. Since people first settled in the San Luis Valley, over 11,000 years ago, the cultures, lifestyles and cosmologies of the Valley's settlers have converged, conflicted, and coalesced through the centuries.

The Region was dubbed, long ago, "The Land of the Blue Sky People," in honor of the Yutes, the oldest continuous residents of what is now Colorado.

Seventeenth-century Spanish is still spoken today by about 35 percent of the population of the Region, which testifies to the strong influence of the Hispanic settlers of the Narrow Gauge rails of the Rio Grande Railroad, we call America's Era of Westward Expansion.

Like the Sangre de Cristo National Heritage Area, the proposed South Park National Heritage Area also reflects years of work among local citizens, to protect one of the most stunning landscapes and important historical legacies of the American West. The 900 square-mile proposed South Park National Heritage Area encompasses the South Park Basin, the Mosquito Range, and portions of the Pikes National Forest.

The Heritage Area provides unparalleled opportunities for nature-based recreation. You can climb four 14,000 foot peaks in a single day, you can fish for trophy trout on 45 miles of gold metal streams. You can watch one of the largest herds of Rocky Mountain Bighorn Sheep in Colorado, or you can bird-watch in the rich, mineral-fed wetlands in the Valley floor.

The third Colorado bill before the committee today is S. 126, the Mesa Verde National Park Boundary Expansion Act of 2007, which has been introduced by Senator Allard, and co-sponsored by myself. I want to welcome Dan Sakura from the Conservation Fund, who will be testifying on this bill.

Finally, I want to welcome Moctesuma Esparza, an award-winning filmmaker and businessman who is here to testify in support of the proposal to create a Presidential Commission to study the creation of a National Museum of the American Latino, in Wash-

ington. This bipartisan legislation has been introduced for the past several years, and it was one of the first bills to pass out of the U.S. House of Representatives in the 110th Congress.

At this point, I would like to recognize the ranking member of the subcommittee, Senator Craig Thomas, my neighbor to the North, for any statements he might care to make.

STATEMENT OF HON. CRAIG THOMAS, U.S. SENATOR FROM WYOMING

Senator THOMAS. Thank you, Senator Salazar, for holding this hearing.

Congratulations, Mr. Wenk for your new career as Deputy Director of the National Park Service, we're delighted to have you here, and it's good to have somebody with your experience from the West.

We have a full agenda, as has been pointed out here, S. Con. Res. 6 is to name the Wildlife Museum in Jackson as a National Museum of Wildlife. I'm personally familiar with this, of course, and so I think it's a remarkable treasure.

The majority of the bills are studies, designations or reauthorizations for National Heritage Areas. The concept of Heritage Areas is a way to recognize and promote unique areas have been designated, and in some cases, helped local economies, but they're not units of the National Park System.

When designated, the authorizing legislation holds funds to $10 million, and a time limit of 15 years for receiving Federal funding. That should be sufficient money and time for each to get up and running. I'm concerned that some of these areas have not found a way to be self-sufficient, and the one bright spot is in S. 817, where areas will not be extended beyond the 2012 sunset.

So, at any rate, I have sponsored legislation to designate National Heritage Areas, it's passed the Senate unanimously a couple of times, we'll try it again and see if we can define a little more clearly what they are in the future.

So, Mr. Chairman, thank you for the time.

Senator SALAZAR. Senator Smith, would you like to make an opening statement?

STATEMENT OF HON. GORDON H. SMITH, U.S. SENATOR FROM OREGON

Senator SMITH. I would, Mr. Chairman.

I thank you, Senator Salazar, for holding this hearing, and also include Senator Thomas, and my appreciation for including S. 257 on today's docket.

I also want to extend a warm welcome to Jerry Ostermiller who is here from Oregon. He's played a large role in the development of the bill, and is here today to testify.

The concept of having a National Heritage Area on the Lower Columbia River came on the coattails of the Lewis and Clark bicentennial. In the years leading up to that event, this committee and Congress expanded Fort Clatsop National Memorial to include additional sites in both Oregon and Washington. My colleagues might remember that Fort Clatsop was the winter encampment of the Corps of Discovery sent by President Thomas Jefferson and the

Congress to explore the Louisiana Purchase, and find a passageway to the Pacific Ocean.

Coinciding with the bicentennial, Congress also appropriated funds for the acquisition of land around Fort Clatsop. This allowed the construction of a trail from the Fort to the Pacific Ocean, so that now, today, visitors can trace Lewis and Clark's steps, and repeat the famous words from Captain Clark's journal, "Ocean in view, oh the joy."

The Lewis and Clark bicentennial spurred a renewed interest in the history of the region. My staff and I worked with local stakeholders to broaden the focus across the two centuries of history, since the rainy 106 days of the Corps of Discovery spent at Fort Clatsop, as well as the millennia beforehand.

The findings section of my bill lay out some of the themes—the 6,000 years of habitation by Native Americans, early exploration by Sir Francis Drake, and Captains Cook and Robert Grey, whose ship became the namesake of the Columbia River. The settlement by John Jacob Astor, for whom the city of Astoria is named, and there's a hotel in New York City, the Waldorf-Astoria, that also bears that family name.

Lighthouses and shipwrecks, the Coast Guard and its top gun training centers in the area, the long history of timber and fish harvest—these are but a few of the brushstrokes across the historic canvas of the Columbia Region of Oregon and Washington.

I'm pleased with this bill, and specifically to have the support of Senators Murray, Wyden and Cantwell as co-sponsors of my bill. Congressman Barrett has introduced a companion legislation in the House, and so I hope we're able to move this quickly on, so we can designate this area.

Senator SALAZAR. Thank you, Senator Smith.

Senator Menendez.

STATEMENT OF HON. ROBERT MENENDEZ, U.S. SENATOR FROM NEW JERSEY

Senator MENENDEZ. Thank you, Mr. Chairman, I appreciate your including in today's hearing S. 500, which of course you're the lead sponsor of, I'm proud of co-sponsoring with you, and I appreciate the agenda before the committee.

You know, S. 500, the National Museum of the National Museum of the American Latino Community Commission Bill is something that I am incredibly proud to be a co-sponsor of. I feel the bill is critical to recording and preserving the role that Latinos have played in our Nation's rich and diverse history.

We have been a part of this history in the United States for quite some time. Latinos have founded some of the oldest cities in America—St. Augustine, Florida in 1565, Santa Fe, New Mexico in 1598. During the American Revolutionary War, General Washington's Army was successful at Yorktown, in part, because of support from troops led by Bernardo de Galves. So, those are parts of the early history.

But often, we see that history not recognized in the critical elements of what children from across the country learn, and the critical opportunities as we visit the Nation's capitol. We almost see

that that part of American history is just simply not etched as well as we have seen other parts of American history.

And so, I think this is an incredibly important opportunity, to have an American Latino—a National Museum of the American Latino Community. I would note that not only have the three U.S. Senators of Latino descent serving in the Senate co-sponsored the bill, but so have 21 other Senators from both sides of the aisle, and of course, the House of Representatives passed the same bill just last month, so I believe the bipartisan nature of this bill speaks to the importance of celebrating and acknowledging the contributions Latinos have made to American life, in art, culture and industry.

It's a community that today numbers almost 44 million, with the buying power of, not a million, not a billion, but nearly a trillion dollars in domestic marketplace spending. That is growing exponentially, in terms of its entrepreneurship of more than 2 million Hispanic-owned businesses, with Latino-owned firms being the fastest rate of growth in the country.

And it's hard to imagine what our arts and entertainment industry would look like without entertainers such as Gloria Estefan, Marc Anthony, George Lopez, or artists such as Julia Alvarez and designers like Oscar de la Renta, and what baseball would be without Pedro Martinez, Alex Rodriguez, and Hall of Famer Roberto Clemente, just to mention a few.

We also play a vital role in the Armed Forces of the United States. We have more than 22,000 of our sons and daughters fighting to protect our freedoms, and accounting for nearly 10 percent of the total forces serving in Iraq and Afghanistan.

As a matter of fact, Mr. Chairman, Latinos have received more Purple Heart medals in our Nation's history than any other ethnic group. Taken together, these numbers speak of a long-term commitment to our country. And I think it's an appropriate opportunity to take a long-term commitment to the realization of that community's participation in the lifeblood of America, in its past and its present, and its future.

And I look forward to having your bill become a reality, and being a strong supporter of it, and moving forward and looking forward to the day in which we open the doors of that museum, and being part of the life stream of America that we have been, be recognized by all.

Senator SALAZAR. Thank you very much, Senator Menendez.

Our first witness today is Dan Wenk, the—let me, I have one minor thing to do before I actually call on you, Mr. Wenk, and that is—we received statements on two of the bills, on S. 817 from Senator Kennedy, and from Senator Enzi on S. Con. Res. 6, and they will be included in the record.

[The prepared statements of Senators Kennedy and Enzi follow:]

PREPARED STATEMENT OF HON. EDWARD M. KENNEDY, U.S. SENATOR FROM MASSACHUSETTS

I commend Chairman Akaka and Senator Thomas for holding this hearing. Earlier this month, Senators Voinovich, Brown, Casey, Graham, Kerry, Specter and I introduced S. 817, and I appreciate the opportunity to state my strong support for it.

Our bill authorizes a $5 million increase in funds for Heritage Areas in four states—Massachusetts, Ohio, Pennsylvania and South Carolina—which are approaching their funding ceiling. These Areas include some of the nation's most his-

toric, scenic and culturally significant sites, and it's vital to preserve them. The bill also requires an evaluation of each Area to assess its progress in implementing its management plans and to make recommendations on the level of federal assistance in the future. The increased authorization paired with an evaluation of each Area is a balanced approach that will produce the best outcome for these national treasures and the most effective use of federal funds.

I'm a strong believer in Heritage Areas, which now include more than 500 national historic landmarks and 13,000 national register properties. Their impact on the federal budget is a fraction of other units of the Park Service, since a basis responsibility of each Area is to leverage other sources of funding, rather than rely solely on federal aid.

Over the last decade, Heritage Areas have had remarkable success in attracting non-federal funding. They've built strong partnerships in states and regions to protect nationally-significant resources.

I'm particularly proud of the work of the Essex National Heritage Commission in Essex County, Massachusetts. Essex National Heritage Area is among the Heritage Areas that would receive a funding increase and be evaluated under the bill. So far, the Essex Commission has leveraged nearly two dollars for each dollar from the Park Service.

Essex National Heritage Area includes some of the nation's most historic sites. Lowell's Boat Shop in Amesbury is the oldest continuously operating boat-building shop in the nation. The Peabody Essex Museum is the oldest continuously operating museum in the nation and the fourth largest museum in New England. Saugus Ironworks National Historic Site is the oldest integrated ironworks site in the nation, and the Schooner Adventure is the last of the Gloucester fishing schooners. Essex County was also home to some of the nation's greatest writers, including Nathaniel Hawthorne and John Greenleaf Whittier.

I urge the Committee to approve S. 817, so that these magnificent Heritage Areas won't lose their leveraging power, and can continue to strengthen existing partnerships and build new ones to care for these important parts of the nation's history.

I thank the Committee for scheduling this hearing and for the opportunity to testify in support of S. 817, and I look forward to working with the Committee to enact these important measures.

PREPARED STATEMENT OF HON. MICHAEL B. ENZI, U.S. SENATOR FROM WYOMING

Mr. Chairman, thank you for holding today's hearing and allowing me to submit a statement for the record about S. Con. Res. 6. I am testifying in support of a resolution that I introduced that provides a national designation to the National Museum of Wildlife Art in Jackson, Wyoming. As it should, a national designation signifies something unique that belongs to all of the people of our nation. Just as President Theodore Roosevelt recognized the uniqueness of Devils Tower in Wyoming when he proclaimed it to be the first national monument, my resolution recognizes the uniqueness of the National Museum of Wildlife Art in Jackson, Wyoming. Wildlife museums are not unusual in the United States. Art museums are not unusual in the United States. This museum, however, sets itself apart from all the others as it focuses on wildlife art. This interdisciplinary approach fosters education as the museum uses art to teach people about wildlife and encourages wildlife lovers to explore art. The museum's educational focus is clear in their motto "bringing people, wildlife and fine art together."

To date, I have not found another National Museum of Wildlife Art that would object to this designation. However, Congress through its committee hearings and deliberation can explore the justification for providing a national designation to the National Museum of Wildlife Art.

The first question should be, "Is this a reputable museum?" The strongest voice answering "yes" to this question is the museum's accreditation from the American Association of Museums. Any serious museum strives for this accreditation and the National Museum of Wildlife Art is the only museum specifically focused on wildlife art that is accredited by the AAM. In addition, the designation accurately represents the museum. They have a broad, comprehensive, and national collection that considers the entire history of wildlife art in America and does not focus on any one type of animal.

This resolution is not an attempt to covertly provide an avenue for federal appropriations to the museum. I do not intend to seek funding for the museum to accompany the designation. However, this designation will ensure the national reputation, awareness, and future of the museum. The designation would be significant on the state, national and international levels because it would mean that no other institu-

tion can claim the name National Museum of Wildlife Art. It is currently the premier museum dedicated to enrich and inspire public appreciation and knowledge of fine art related to nature and wildlife. The museum's mission is to explore humanity's relationship with nature by collecting fine art and presenting exceptional exhibitions and educational programs. The national designation would acknowledge that a major museum in Wyoming is the most important museum in the nation of its kind.

The National Museum of Wildlife Art was founded in 1987 with a private gift of a collection of art and is accredited with the American Association of Museums. The National Museum of Wildlife Art features a collection of over 2,000 pieces of art portraying wildlife. Dating from 2000 B.C. to the present, the collection chronicles much of the history of wildlife in art, focusing primarily on European and American painting and sculpture. The collection of American art from the nineteenth and twentieth centuries is particularly strong, recording European exploration of the American West. Many of these works predate photography, making them vital representations of the frontier era in the history of the United States.

Using the collection as a base, the central themes to the museum's programming are connections between people, wildlife and fine art. Even before this designation, people from across the United States had discovered the National Museum of Wildlife Art. Since its inception, it has become an American West destination attraction with an annual attendance of 92,000 visitors from all over the world and an award-winning website that receives more than 10,000 visits per week.

These visitors find wildlife on the walls of the museum, but also outside of its doors. The National Museum of Wildlife Art is housed in an architecturally significant and award-winning 51,000 square foot facility that overlooks the 28,000 acre National Elk Refuge and is adjacent to the Grant Teton National Park. The museum displays and interprets this wildlife art in one of the few remaining areas of the United States where native wildlife roams abundantly.

The works in the museum are united by their subject and their quality. The permanent collection of the National Museum of Wildlife Art has grown to more than 3000 works by important historic American artists including Edward Hicks, Anna Hyatt Huntington, Charles M. Russell, William Merritt Chase, and Alexander Calder, as well as contemporary American artists Steve Kestrel, Bart Walter, Nancy Howe, John Nieto, Jamie Wyeth, and others.

The National Museum of Wildlife Art seeks to educate a diverse audience through collecting fine art focused on wildlife, presenting exceptional exhibitions, providing community, regional, national, and international outreach, and presenting extensive educational programming for adults and children. A national designation presents a great opportunity to use the invaluable resources of the National Museum of Wildlife Art to teach the Nation's school children, through on-site visits, traveling exhibits, classroom curriculum, on-line distance learning, and other educational initiatives.

I look forward to officially recognizing the renown of the National Museum of Wildlife Art through this resolution.

Thank you, Mr. Chairman.

Senator SALAZAR. Our first witness today is Dan Wenk. Dan is the Deputy Director of the National Park Service and he appears here today to testify on behalf of the administration.

Previously, Dan was a Director of the National Park Service's Denver Service Center in my State of Colorado. I understand that this is Dan's first appearance before the subcommittee since having been named Deputy Director for Operations earlier this month. We congratulate you, Dan, on your promotion, and we welcome you to the subcommittee today.

Since you're testifying on several of the bills before us, I'd ask you to summarize your remarks on each bill as much as possible. Your full statement will be included as part of the record. Please proceed with your comments on all of the bills, and then we'll have a round of questions from the committee.

Mr. Wenk.

STATEMENT OF DANIEL N. WENK, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. WENK. Thank you, Mr. Chairman.

I thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on eight bills in today's hearing agenda. I have submitted my written testimony on each bill, and will summarize the Department's position for the committee.

Three of the bills would designate new National Heritage Areas—S. 289, the Journey Through Hallowed Ground National Heritage Area across the States of Virginia, Maryland, Pennsylvania and West Virginia; S. 443, the Sangre de Cristo National Heritage Area in the State of Colorado, and S. 444, the South Park National Heritage Area, also in the State of Colorado.

Feasibility studies were completed on each of the three entities by a local entity, and in each case, the study found the area to be appropriate for designation, based on the criteria.

However, we recommend that the committee defer action on all proposed Heritage Area designations, until program legislation is enacted that establishes guidelines, and a process for the designation of National Heritage Areas.

If the committee chooses to move forward with the designation of these bills, the Department would recommend that each of the bills be amended to include an additional requirement for an evaluation of each Heritage Area, to be conducted by the Secretary 3 years prior to the cessation of Federal funding.

Two of the bills on today's agenda would authorize the Secretary of the Interior to conduct studies to determine the feasibility of establishing National Heritage Areas. S. 257 will study the Columbia-Pacific National Heritage Area in the States of Washington and Oregon, and S. 637 would study the Chattahoochee Trace National Heritage Corridor in the States of Alabama and Georgia.

The Department supports the enactment of the two study bills, with some amendments to S. 257, but would again state that the Department believes that it would be beneficial to have program legislation that establishes guidelines for studies and a process for designation of National Heritage Areas.

S. 817 is a bill to amend the Omnibus Parks and Public Lands Management Act of 1996, to provide additional authorizations for certain National Heritage Areas, to rename the Ohio and Erie National Heritage Corridor, to authorize a new management entity for the Delaware and Lehigh National Heritage Corridor, and to expand the Rivers of Steel National Heritage Area, and several other provisions.

The Department has no objection to most of the provisions of S. 817, with several recommended amendments described in the written testimony. However, the Department is still considering its position with regard to the increase in the authorization ceiling for the four heritage areas, and the extension of funding for Delaware and Lehigh National Heritage Corridor.

We are disappointed that the Heritage Areas that are nearing the end of their authorization period, or that are approaching their authorization ceiling did not better plan for this eventuality.

We appreciate that the sponsors of the bill recognize this concern by requiring the preparation of a report to examine what role Federal funding should play in the future of these Heritage Areas.

I will now move on to some non-Heritage bills. S. 126 is a bill that would modify the boundary of Mesa Verde National Park. This bill would adjust the boundary of the Park by adding approximately 360 acres, located near the Park entrance. This land is adjacent to the current Park boundary, and in full view from the entrance road into the Park.

The land is also in the foreground of the view of Point Lookout, the promontory which Congress added to the Park in 1931. The Department supports S. 126.

Finally, S. 500 and H.R. 512 are bills to establish the Commission to study the potential creation of the National Museum of the American Latino Community in Washington, D.C. The Department has no objection to the concept of establishing a Commission to study the potential creation of a National Museum for the American Latino Community, and we suggest several technical corrections be made to the bill, as outlined in the written testimony.

The location for a museum is of paramount importance to all Federal agencies, including the Department of the Interior. Congress adopted amendments to the Commemorative Works Act to preclude future memorials or museums from being located in the Reserve—an area described as the great cross-axis of the National Mall, extending from the U.S. Capitol to the Lincoln Memorial, and from the White House to the Jefferson Memorial. The amendments also preclude commemorative works, which are primarily designed as museums, from being located in the parkland, on parkland in Area 1, or East Potomac Park.

Mr. Chairman, this concludes my oral statement, I'd be happy to answer any questions you or other committee members may have on these bills.

[The prepared statement of Mr. Wenk follows:]

PREPARED STATEMENT OF DANIEL N. WENK, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

S. 126

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear before you today to present the Department of the Interior's views on S. 126 a bill to modify the boundary of Mesa Verde National Park.

The Department supports S. 126. This bill would adjust the boundary of Mesa Verde National Park (park) by adding to the park a total of approximately 360 acres, located near the park entrance. This land includes 324 acres currently owned by the Henneman family and 38 acres owned by the Mesa Verde Foundation. The Secretary is authorized to acquire the land by donation, purchase from a willing seller with donated or appropriated funds, or by exchange.

We estimate that $45,000 would be required for closing and survey costs for the Henneman property. Acquisition is estimated to cost approximately $1.5 million. At this time, operational costs are estimated to be minimal and are not expected to exceed approximately $20,000 per year. This acquisition would have to compete with other Park Service priorities for funds.

Mesa Verde was authorized as our nation's tenth national park in 1906 and currently includes 52,122 acres. The resources preserved at Mesa Verde include more than 4,000 known archeological sites, three million objects in the park's collections, and natural resources that provided a rich environment and supported the lives of the Ancestral Puebloans who lived there for more than 700 years.

The Henneman and Mesa Verde Foundation properties are adjacent to the current park boundary and in full view from the entrance road into the park. The property

forms the foreground of the view of Point Lookout, the promontory which Congress added to the park in 1931. In addition to its strategic position at the park's entrance, the Henneman property possesses Ancestral Puebloan sites, a several-hundred-year-old pinyon-juniper forest, a major wildlife corridor and important winter habitat, and the largest recorded population of the globally imperiled Gray's Townsend daisy, a few of which are found within the current park boundary.

The Hennemans approached Mesa Verde National Park in 2002 with their desire to protect their property through its inclusion in the park. Currently, the Henneman property could be developed and is zoned for subdivision into 10-acre lots and the Hennemans have received written offers from a developer interested in constructing a high-end RV park and convention center on the property. Rather than selling for development, the Hennemans have entered into a contract to sell their property to The Conservation Fund by November 15, 2007, contingent upon passage of this boundary legislation and the availability of funds to acquire the property.

The Mesa Verde Foundation has been working with the park to provide a visitor information center adjacent to the collections facility being designed by the National Park Service for construction. The facility will be located in part on the Foundation property. The Foundation intends to donate their 38-acre parcel to the park, but cannot do so until the land has been included within the park boundary.

We understand that the Hennemans have discussed their desire to include their property in the park with the Montezuma County Commissioners. The commissioners' position was neutral, stating that this is a landowner-initiated project, and it is the right of the landowner to exercise their property rights as they desire. They have also talked with their neighbors about the proposal and no opposition has been voiced.

We recommend one amendment to correct the map reference in the bill. In section 3, paragraph 1 strike "entitled '2006 Proposed Mesa Verde National Park Boundary Adjustment'." and insert "entitled 'Mesa Verde National Park Proposed Boundary Adjustment' numbered 307/80,180, and dated March 1, 2007."

Mr. Chairman, this concludes my testimony. I would be happy to answer any questions you or other members of the subcommittee might have.

S. 257

Mr. Chairman, thank you for the opportunity to provide the Department of the Interior's views on S. 257, a bill to authorize the Secretary of the Interior to conduct a study to determine the feasibility of establishing the Columbia-Pacific National Heritage Area in the states of Washington and Oregon.

The Department supports enactment of S. 257 with amendments that are described later in this statement. These amendments would make the study requirements in S. 257 fully consistent with the criteria for National Heritage Area studies that were included in the Administration's proposal for National Heritage Area program legislation that was transmitted to Congress last July. Bills were introduced in the 109th Congress (S. 243, H.R. 760 and H.R. 6287) that incorporated the majority of the provisions of the Administration's proposal, and S. 243 passed the Senate. During the 110th Congress, a similar heritage area program bill, S. 278, has been introduced, and we look forward to continuing to work with Congress on this very important issue.

While the Department supports the authorization of this study, we also believe that any funding requested should be directed first toward completing previously authorized studies.

With 37 national heritage areas designated across 27 states, and more heritage area legislative proposals in the pipeline, the Administration believes it is critical at this juncture for Congress to enact national heritage area program legislation. This legislation would provide a much-needed framework for evaluating proposed national heritage areas, offering guidelines for successful planning and management, clarifying the roles and responsibilities of all parties, and standardizing timeframes and funding for designated areas. Program legislation also would clarify the expectation that heritage areas would work toward self-sufficiency by outlining the necessary steps, including appropriate planning, to achieve that shared goal.

Where the mighty Columbia River meets the Pacific Ocean, a unique confluence of American history unfolds. For many millennia, the broad, fog-shrouded, and dangerous Columbia River served as the home to the Chinookan people. Over the years, the Chinook, Clatsop, Willapa, Wiakakum and Cathlamet people developed a rich and complex society based upon trade and the use of the abundant natural resources. These people continue to live and work to keep their culture alive throughout the region.

The entrance yielded to 18th Century maritime and continental explorers after Captain Sir Frances Drake and Captain Cook sailed off the coast in search of the fabled Northwest Passage. In 1792, the first ship under United States command in the Pacific Ocean, the Columbia Rediviva, was the first non-native ship to enter the mouth of the great river of the west. Captain Robert Gray named the four-mile-wide river after his ship. Two months later, one of British Captain George Vancouver's ships sailed up the Columbia River and claimed both banks of the river for England. This created international tensions over disputed territory that would remain unresolved for over 50 years.

International commerce flourished as American and European ships sought to trade with the Chinook for furs. Ships would travel around Cape Horn, trade for furs along the Columbia, then sail to China where the furs would be traded for silk, spices, porcelain, and other goods.

In 1805, thirteen years after Captain Gray first entered the Columbia River, the Lewis and Clark Expedition made the first overland journey to the mouth of the Columbia, reaching their destination of the Pacific Ocean. The Expedition wintered at Fort Clatsop and successfully returned home. The Corps of Discovery's arrival and stay is commemorated at the sites of the Lewis and Clark National Historical Park and at state park sites in Washington and Oregon, which are working in partnership with the National Park Service to preserve and interpret the Corps of Discovery story.

In 1811, John Jacob Astor established the first permanent American settlement west of the Rocky Mountains, in Astoria. At the outbreak of the War of 1812, Astoria was sold to the British Hudson's Bay Company and was not returned to America until the late 1820's. After more than 50 years of contentious British and American ownership, possession of the region was not resolved until both banks of the Columbia became undisputed United States territory in 1846. Today, Astoria is known for its Historic Districts with Victorian and Craftsman-style homes stacked along its steep hillsides with an active working waterfront.

The natural geography of the Columbia River provided a ready-made homeland defense for Native Americans. At the start of the Civil War, the United States Army followed the example of the native people and constructed forts and coastal defenses at the mouth of the Columbia. Fort Stevens, Fort Columbia and Fort Canby (at Cape Disappointment) remained in continuous operation guarding the Columbia River entrance from the Civil War through the end of World War II.

The confluence of the Columbia River and Pacific Ocean has become known as the "Graveyard of the Pacific." Hundreds of ships lay wrecked at the entrance and along the nearby coast. In order to further trade and commerce, the United States has worked for nearly 150 years to make navigation of the Columbia River safe for mariners. Today, the United States Coast Guard serves as the sentinels of the river, where every year they protect thousands of lives and millions of dollars in property.

For the last 200 years, people from all over the world have settled in communities of the region to work in the industries in the area—fishing, canneries, ship outfitting, timber harvesting, milling and transportation, and international trade. These resource-based industries have played and will continue to play a significant role in the region's heritage.

The rich history of this region is set against a backdrop of rugged scenic beauty. It includes the headlands at Ecola and Cape Disappointment State parks, old growth forests in the Willapa National Wildlife Refuge, abundant wildlife in the Lewis and Clark and Julia Butler Hansen National Wildlife Refuges, and miles of gentle beaches on the Long Beach Peninsula and at Seaside, Oregon.

The study authorized by S. 257 would cover four counties close to the confluence of the Columbia River and the Pacific Oceans where there is a strong, broad-based local support for protecting and promoting these resources. It is estimated to cost between $200,000 and $300,000.

S. 257 contains most, but not all, of the criteria for National Heritage Area studies that the National Park Service believes is essential for evaluating the feasibility of designating a National Heritage Area. The bill omits criteria related to the identification of a local coordinating entity and its roles and responsibilities. It also omits criteria related to development of a conceptual boundary map. We would be pleased to work with the committee to develop amendments that would address these matters.

Mr. Chairman, that concludes my testimony. I would be pleased to answer any questions you or other members of the committee may have.

S. 289

Mr. Chairman, thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on S. 289, a bill to establish the Journey Through Hallowed Ground National Heritage Area.

While a national heritage area feasibility study by the Journey Through Hallowed Ground Partnership has found the Journey Through Hallowed Ground National Heritage Area appropriate for designation, we recommend that the committee defer action on S. 289 and all other proposed heritage area designations until program legislation is enacted that establishes guidelines and a process for the designation of national heritage areas. Last year, the Administration sent to Congress a legislative proposal to establish guidelines and a process for designation. Bills were introduced in the 109th Congress (S. 243, H.R. 760 and H.R. 6287) that incorporated the majority of the provisions of the Administration's proposal, and S. 243 passed the Senate. During the 110th Congress, a similar heritage area program bill, S. 278, has been introduced, and we look forward to continuing to work with Congress on this very important issue.

With 37 national heritage areas designated across 27 states, and more heritage area legislative proposals in the pipeline, the Administration believes it is critical at this juncture for Congress to enact national heritage area program legislation. This legislation would provide a much-needed framework for evaluating proposed national heritage areas, offering guidelines for successful planning and management, clarifying the roles and responsibilities of all parties, and standardizing timeframes and funding for designated areas. Program legislation also would clarify the expectation that heritage areas would work toward self-sufficiency by outlining the necessary steps, including appropriate planning, to achieve that shared goal.

The proposed Journey Through Hallowed Ground National Heritage Area would span a region of approximately 175 miles along Route 15 and part of Route 20, from Gettysburg, Pennsylvania through Maryland and West Virginia to Charlottesville, Virginia. The region is rich in historic and natural resources including the homes of Presidents Thomas Jefferson, James Madison, James Monroe, and Dwight David Eisenhower, and includes significant Revolutionary and Civil War sites. Revolutionary War sites include Willow Grove, the temporary headquarters of Generals Wayne and Muhlenberg; Point of Fork Arsenal; Castle Hill, home of colonial leader Dr. Thomas Walker; and the Hessian Barracks, used as a prison for British soldiers. Civil War sites include the battlefields of Gettysburg, Monocacy, Antietam, Brandy Station, and Chancellorsville, among others. The region is also crossed by numerous historic trails and byways relating to the Civil War and other scenic resources. All told, there are an estimated 7,000 buildings in the area listed on the National Register of Historic Places, 13 National Historic Landmarks, and two World Heritage Sites.

S. 289 would establish the Journey Through Hallowed Ground National Heritage Area and designate the Partnership as the management entity. The Partnership is a nonprofit corporation that has conducted a significant number of public meetings, an important requirement for evaluating local support for the designation of a national heritage area. The bill prescribes the duties of the management entity, requires the development of a management plan by the Partnership to be approved by the Secretary, and includes a 15-year authorization for up to $1 million dollars per year not to exceed a total of $10 million. As this proposed heritage area would transverse four states, we strongly encourage the Partnership to represent the interests of all four states.

If the committee chooses to move forward with this bill, the Department would like to work with the committee on some technical corrections to the bill. In addition, the Department would recommend that the bill be amended to include an additional requirement for an evaluation to be conducted by the Secretary, three years prior to the cessation of federal funding under this act. The evaluation would examine the accomplishments of the heritage area in meeting the goals of the management plan; analyze the leveraging and impact of investments to the heritage area; identify the critical components of the management structure and sustainability of the heritage area; and recommend what future role, if any, the National Park Service should have with respect to the heritage area.

Mr. Chairman, that concludes my testimony and I am prepared to answer any questions that you or other members of the committee might have at this time.

S. 443

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear before you today to present the Department of the Interior's views on S.

443 a bill to establish the Sangre de Cristo National Heritage Area in the State of Colorado.

Two grassroots organizations, the Los Amigos Caminos Antiguos Scenic and Historic Byway and the Sangre de Cristo NHA Steering Committee, collaborated on a 2005 study which found the Sangre de Cristo region appropriate for designation. Nevertheless, we recommend that the committee defer action on S. 443 and all other proposed heritage area designations until program legislation is enacted that establishes guidelines and a process for the designation of national heritage areas. Last year, the Administration sent to Congress a legislative proposal to establish guidelines and a process for designation. Bills were introduced in the 109th Congress (S. 243, H.R. 760 and H.R. 6287) that incorporated the majority of the provisions of the Administration's proposal, and S. 243 passed the Senate. During the 110th Congress, a similar heritage area program bill, S. 278, has been introduced, and we look forward to continuing to work with Congress on this very important issue.

With 37 national heritage areas designated across 27 states, and more heritage area legislative proposals in the pipeline, the Administration believes it is critical at this juncture for Congress to enact national heritage area program legislation. This legislation would provide a much-needed framework for evaluating proposed national heritage areas, offering guidelines for successful planning and management, clarifying the roles and responsibilities of all parties, and standardizing timeframes and funding for designated areas. Program legislation also would clarify the expectation that heritage areas would work toward self-sufficiency by outlining the necessary steps, including appropriate planning, to achieve that shared goal.

S. 443 would establish the Sangre de Cristo National Heritage Area (NHA) to recognize the outstanding and nationally significant natural, cultural, scenic and recreational resources found within the San Luis Valley of Colorado. The Department testified, in a hearing before this subcommittee, on S. 2037, a similar bill, in the 109th Congress.

S. 443 contains safeguards to protect private property, including a prohibition on the use of federal funds to acquire real property. The bill proposes no new restrictions with regard to public use and access to private property and does not convey any water right or water restrictions to the federal government.

S. 443 designates the Sangre de Cristo National Heritage Area Board of Directors as the management entity and outlines their duties. The Board represents a broad spectrum of the valley's residents, organizations, and agencies that were involved in the planning for the NHA. The bill also authorizes the development of a management plan within three years of enactment and authorizes the use of federal funds to develop and implement that plan. If the plan is not submitted within three years of enactment of this Act, the Heritage Area becomes ineligible for federal funding until a plan is submitted to the Secretary. Additionally, the Secretary may, at the request of the management entity, provide technical assistance and enter into cooperative agreements with other public and private entities.

Exceeding 7,700 feet in elevation, the San Luis Valley is flanked by the Sangre de Cristo and San Juan Mountains and the geology and climatology within the valley have contributed to the formation of America's tallest Sand Dunes, part of Great Sand Dunes National Park and Preserve.

The Rio Grande, the second largest river in North America, has its headwaters within the proposed NHA and twists its way through the San Luis Valley on a 1,900-mile journey, offering outstanding scenic and recreational opportunities, including trout fishing, rafting, and tubing. The availability of water in this largely arid and alpine environment tends to concentrate the abundant wildlife in highly visible and public preserves creating exceptional wildlife and bird watching opportunities.

The area's rich natural resources include one National Park, three National Wildlife Refuges, one National Forest, two National Forest Wilderness Areas, six Areas of Critical Environmental Concern administered by the Bureau of Land Management, and 15 State Wildlife Areas. The cultural resources associated with the proposed national heritage are equally impressive. The San Luis Valley with its abundant natural resources may have been inhabited by native peoples including the Ute, Navajo, Apache, Tiwa, Tewa, Comanche, Kiowa, and Arapaho for more than 12,000 years.

More recently, the San Luis Valley served as a crossroads for European exploration and settlement. Spanish explorers and Franciscan priests first entered the valley in 1776 in an attempt to strengthen Spain's weak hold on her remote empire. Captain Zebulon Montgomery Pike camped in the shadows of the Sangre de Cristo Range along the banks of the Conejos River and was captured by Spanish soldiers, arrested for trespassing on Spanish soil, and escorted to Mexico for questioning. His

campsite is commemorated as a National Historic Landmark along with 22 other properties that are listed on the National Register of Historic Places.

Extensive Mexican land grants triggered the initial settlement of the area as families from northern New Mexico found enough water to support their sheep and water their crops. The proposed NHA contains the oldest continuously occupied town in Colorado, (San Luis), the oldest parish (Our Lady of Guadalupe), the oldest church (San Acacio), and the first water right (San Luis People's Ditch).

The Hispanic cultural traditions associated with this first wave of European settlement can still be found in this isolated and predominantly agricultural region of Colorado where a version of 17th century Spanish is still spoken by about 35% of the population.

The feasibility of recognizing the area's impressive cultural and natural resources as a national heritage area was the subject of a study produced in 2005 by two grassroots organizations, the Los Amigos Caminos Antiguos Scenic and Historic Byway, in conjunction with the Sangre de Cristo NHA Steering Committee.

The feasibility study was largely based upon the results of a symposium held in the fall of 2002 where scientists, historians, and anthropologists from interested colleges as well as local ranchers, community leaders, and tribal elders presented papers on the history, natural resources and local culture of the San Luis Valley. The feasibility study identified four interpretive themes for the NHA and addressed the ten interim criteria that the National Park Service has developed for designation of national heritage areas. The study concluded that the area's cultural and natural resources met those criteria.

All local governments within the proposed area have passed resolutions in support of the establishment of the proposed NHA. Moreover, State and federal land managers within the proposed NHA have expressed a willingness to work with the management entity in accomplishing their congressionally authorized conservation and education responsibilities.

If the committee chooses to move forward with this bill, the Department would recommend that the bill be amended to include an additional requirement for an evaluation to be conducted by the Secretary, three years prior to the cessation of federal funding under this act. The evaluation would examine the accomplishments of the heritage area in meeting the goals of the management plan; analyze the leveraging and impact of investments to the heritage area; identify the critical components of the management structure and sustainability of the heritage area; and recommend what future role, if any, the National Park Service should have with respect to the heritage area.

We also recommend that the bill be amended to remove paragraph 5(d)(2) which would require 100 percent federal funding prior to completion of the management plan and to change the termination authority in Section 11 to expire 15 years after enactment. In addition, we would like to work with the Subcommittee to ensure that the management planning process is coordinated with the affected federal land management entities. These amendments would make S. 443 consistent with other, similar, national heritage area establishment bills.

Mr. Chairman, this concludes my prepared remarks. I would be pleased to answer any questions you or other members of the Subcommittee may have.

S. 444

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear before you today to present the Department of the Interior's views on S. 444, a bill to establish the South Park National Heritage Area in the State of Colorado.

Park County, Colorado prepared a feasibility study for the South Park National Heritage Area that determined that the South Park region is appropriate for designation. The Park Service is reviewing this feasibility study. Nevertheless, we recommend that the committee defer action on S. 444 and all other proposed heritage area designations until program legislation is enacted that establishes guidelines and a process for the designation of national heritage areas. Last year, the Administration sent to Congress a legislative proposal to establish guidelines and a process for designation. Bills were introduced in the 109th Congress (S. 243, H.R. 760 and H.R. 6287) that incorporated the majority of the provisions of the Administration's proposal, and S. 243 passed the Senate. During the 110th Congress, a similar heritage area program bill, S. 278, has been introduced, and we look forward to continuing to work with Congress on this very important issue.

With 37 national heritage areas designated across 27 states, and more heritage area legislative proposals in the pipeline, the Administration believes it is critical at this juncture for Congress to enact national heritage area program legislation.

This legislation would provide a much-needed framework for evaluating proposed national heritage areas, offering guidelines for successful planning and management, clarifying the roles and responsibilities of all parties, and standardizing timeframes and funding for designated areas. Program legislation also would clarify the expectation that heritage areas would work toward self-sufficiency by outlining the necessary steps, including appropriate planning, to achieve that shared goal.

S. 444 would establish the South Park National Heritage Area to recognize the outstanding and nationally significant assemblage of natural, scenic, recreational and cultural resources found within South Park, which encompasses the largest mountain shortgrass grassland ever documented.

S. 444 contains safeguards to protect private property owners, including a prohibition on the use of federal funding to acquire real property or any interest in real property. The bill imposes no new provisions to provide for public use and access to private property or any new liabilities to property owners. The bill also does not modify or enlarge the authority of the federal, State, or local governments to regulate land use.

S. 444 would designate the Park County Tourism and Community Development Office, in conjunction with the South Park National Heritage Area Board of Directors as the management entity and outlines their duties. The Park County Tourism and Development Office has played a key leadership role in the conservation and interpretation of South Park's resources since the area was designated a Colorado State Heritage Area in 1997. The Board of Directors represents a broad spectrum of individuals, agencies, organizations and governments who have been actively engaged in the planning for the NHA. The bill authorizes the development of a management plan for the NHA within three years of the enactment of this Act, or risk becoming ineligible for federal funding until a plan is submitted to the Secretary.

A feasibility study for the South Park National Heritage Area has been prepared by Park County, Colorado, which addresses the ten interim criteria used to assess National Heritage Area designations. That study determined that the area is appropriate for designation.

South Park, a high mountain valley, or park, averages 9,000 feet in elevation and rises to more than 14,000 feet in the surrounding Mosquito and Tarryall Mountain ranges. These mountain ranges contain some of the most extensive bristlecone pine forests in North America and 41 rare plant species, three of which are found no where else in the world. The Tarryall Mountains also contain the Lost Creek Scenic Area National Natural Landmark, where geological forces have sculpted natural spires, pinnacles, narrow gorges, and subterranean channels that cause Lost Creek to disappear and reappear at least nine times on its cascading journey through the park.

The mountainous region in the southwest corner of South Park also includes Porcupine Cave, one of the richest and most diverse paleontological sites in North America. At an elevation of 9,400 feet, Porcupine Cave contains a vertebrate faunal collection from the Middle Pleistocene Era in North America.

Entering South Park from 10,000 foot Kenosha Pass, visitors experience one of the most dramatic and scenic views within the Rocky Mountains. Encompassing nearly 1 million acres, this unique high elevation steppe constitutes the most extensive montane shortgrass grassland ever recorded. South Park also contains a unique wetland ecosystem containing 15 rare plants, nine rare insects, and two globally rare plant communities

Evidence of Native American habitation can be traced back nearly 11,000 years to the end of the last ice age. South Park's high mountains, clear streams, expansive grasslands, and abundant wildlife also attracted pioneering settlers westward.

South Park represented one of the last frontiers in the settlement of the continental United States, with hopeful prospectors arriving in the mid-19th century. Between 1859 and 1949, more than $250 million in gold and silver were produced within the Fairplay-Alma Mining District. At 14,157 feet, the Present Help is the highest mine ever to operate in the United States. Numerous other historic sites, mining towns, mills, and cultural landscapes exist within South Park including the Snowstorm Dredge, the last intact gold dredge in Colorado, currently on the list of Colorado's Most Endangered Places.

Ranchers soon followed the miners into South Park, hoping to graze their cattle on the rich grasslands and capitalize on the hearty appetites of the miners. Many followed the famous Goodnight-Loving Trail up from Young County, Texas and eastern Colorado. The highest concentration of historic ranches can be found along the Tarryall River Corridor where a recent survey identified more than 32 historic sites associated with frontier ranching.

An hour's drive from the Denver Metro area, South Park also offers abundant recreational opportunities. The South Park basin contains portions of two wilderness

areas—Lost Creek and Buffalo Peaks—located on the Pike and San Isabel National Forests. The towering Mosquito Mountain range offers the only place in the United States where climbers can ascend four peaks above 14,000 feet in a single day. In addition, South Park contains over 45 miles of Gold Medal Trout streams available to anglers. At least six different driving tours have been developed to help travelers learn more about the cultural and natural heritage of South Park. Park County has identified four interpretive themes to assist communities and other partners with their education programs.

Support for the South Park National Heritage Area comes from a broad spectrum of local, State and national governmental and non-profit organizations. In addition, all State and federal land management agencies with operations within South Park have endorsed the NHA and stated their willingness to work collaboratively with the management entity. In addition, a National Heritage Area Partnership has been established, including 21 distinct entities such as the Central Cattleman's Association and all local governments in Park County, to help achieve the Congressionally authorized conservation and education responsibilities.

If the committee chooses to move forward with this bill, the Department would recommend that the bill be amended to include an additional requirement for an evaluation to be conducted by the Secretary, three years prior to the cessation of federal funding under this act. The evaluation would examine the accomplishments of the heritage area in meeting the goals of the management plan; analyze the leveraging and impact of investments to the heritage area; identify the critical components of the management structure and sustainability of the heritage area; and recommend what future role, if any, the National Park Service should have with respect to the heritage area.

We also recommend that the bill be amended to remove paragraph 6(a)(2) which would authorize the management entity to use federal funds to acquire conservation easements, paragraph 6(d)(2) which would require 100 percent federal funding prior to completion of the management plan, and to change the termination authority in Section 11 to expire 15 years after enactment. In addition, we would like to work with the Subcommittee to ensure that the management planning process is coordinated with the affected federal land management entities. These amendments would make S. 444 consistent with other, similar, national heritage area establishment bills and would allow the management entity to use the limited funds available for purposes other than acquiring potentially costly land interests.

Mr. Chairman, this concludes my prepared remarks. I would be pleased to answer any questions you or other members of the Subcommittee may have.

S. 500 and H.R. 512

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you today to present the Department of the Interior's views on S. 500 and H.R. 512, bills to establish the Commission to Study the Potential Creation of a National Museum of the American Latino Community (Commission) to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino Community in Washington, D.C.

The Department has no objection to the concept of establishing a commission to study the potential creation of a national museum for the American Latino community, and we suggest that a technical correction be made to S. 500 to make it consistent with the House-passed companion bill, H.R. 512. We note that other agencies, such as the Smithsonian Institution, may be able to provide more insight on the benefits as well as the significant budget implications of establishing and operating a separate museum in this time of constrained budgets. We suggest that the General Services Administration (GSA) rather than the Department of the Interior provide the administrative support, since it is our understanding that the GSA has an office set up to provide such services for other commissions.

S. 500 and H.R. 512 would establish a Commission to study and report on the potential creation of a museum, the availability and cost of collections to be acquired and housed in the museum, possible locations, the organizational structure from which the museum should operate, and how to engage the American Latino Community in the development and design of a museum. The Commission would consist of 23 voting and non-voting members appointed by the President and Congressional leadership. The legislation would require that the Commission convene a national conference on the museum no later than 18 months after the commission members are selected and submit recommendations for a legislative plan to create and construct the museum based on the findings of its study no later than 24 months after the date of the Commission's first meeting. The bill would require the Secretary of the Interior to provide administrative services, facilities, and funds necessary for the

operation of the Commission with funds made available prior to any meetings of the Commission.

We suggest that S. 500 and H.R. 512 be amended to drop the requirement that the Secretary of the Interior provide administrative services, facilities, and funds necessary for the operation of the Commission as well as determine the daily rate of compensation for Commission members. The Department does not have available funds to provide such support. We suggest, alternatively, that the General Services Administration (GSA) provide such administrative support. We recommend a technical correction be made to S. 500 to specify the Committees to receive the report containing the Commission's recommendations for a plan of action and the report on issues.

We appreciate that both S. 500 and H.R. 512 have been improved over the past versions of the legislation by providing the Commission with a full opportunity to consider a wide variety of potentially appropriate and worthy locations for the museum and directing the Commission to consult with the National Capital Planning Commission and the Commission of Fine Arts during such consideration. This requirement supports the purpose and follows guidelines provided by the "Memorials and Museums Master Plan," described further below. Previous proposals contained provisions limiting the study to specific sites to be considered including locations on or near the National Mall.

The location for a museum is of paramount importance to all federal agencies, including the Department of the Interior, the National Capital Planning Commission, and the Commission of Fine Arts. In September 2001, the Commission of Fine Arts, the National Capital Planning Commission, and the Department of the Interior through the Secretary's National Capital Memorial Advisory Commission, adopted the Memorials and Museums Master Plan (2M Plan) to guide the location of new memorials, museums, and related structures in the Nation's Capital. The 2M Plan states that future memorials and museums should be precluded from being located in "The Reserve," an area described as the great cross-axis of the National Mall extending from the United States Capitol to the Lincoln Memorial and from the White House to the Jefferson Memorial. Congress concurred with the need to protect The Reserve from overdevelopment, calling this area "a substantially completed work of civic art," and, on November 13, 2003, with enactment of amendments to the Commemorative Works Act, The Reserve was established by statute. The amendments also preclude commemorative works which are primarily designed as museums from being located on parkland in Area I or in East Potomac Park. In addition, the National Capital Planning Commission and the Commission of Fine Arts, in partnership with the National Park Service and other key federal and local agencies, are developing a National Capital Framework Plan that will facilitate use of some of the 2M Plan sites for nationally significant museums and memorials. Both the 2M Plan and the National Capital Framework Plan will provide useful guidance to the new Commission.

The National Park Service is proud to be the steward of monuments along Virginia Avenue to commemorate Spanish General Bernardo de Galvez, ally to the American colonies during the American Revolution, and four South American heroes, Simon Bolivar, Jose de San Martin, Benito Pablo Juarez, and Jose Gervasio Artigas. All five statues were memorial gifts to the people of the United States from the people of Spain, Venezuela, Argentina, Mexico and Uruguay to recognize these liberators of Bolivia, Columbia, Ecuador, Peru, Venezuela, Argentina, Mexico, and Uruguay. These memorials celebrate the bonds between our nations; and while American Latinos have the opportunity to trace their ancestry back to these origins, there is no permanent historical context in Washington, D.C. that provides an opportunity to focus on the significant cultural events and contributions representing these citizens of the United States.

We support, in concept, the proposal to further the education and interpretation of significant segments of American history and culture, however, we feel strongly that this Commission move forward in a way that does not contravene the thoughtful and comprehensive plans undertaken to govern the growth of the Nation's Capital or weaken the protections which Congress has provided to the National Mall.

If the subcommittee decides to move S. 500 instead of H.R. 512, we recommend that the technical correction be made to S. 500 to make it consistent with the House-passed companion bill, H.R. 512. Mr. Chairman, this concludes my prepared testimony. I would be pleased to answer any questions you or other members of the subcommittee may have.

S. 637

Mr. Chairman, thank you for the opportunity to provide the Department of the Interior's views on S. 637, a bill to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of establishing the Chattahoochee Trace National Heritage Corridor in the states of Alabama and Georgia.

The Department supports enactment of S. 637. Last year, the Administration sent to Congress a legislative proposal to establish guidelines and a process for designation. Bills were introduced in the 109th Congress (S. 243, H.R. 760 and H.R. 6287) that incorporated the majority of the provisions of the Administration's proposal, and S. 243 passed the Senate. During the 110th Congress, a similar heritage area program bill, S. 278, has been introduced, and we look forward to continuing to work with Congress on this very important issue.

With 37 national heritage areas designated across 27 states, and more heritage area legislative proposals in the pipeline, the Administration believes it is critical at this juncture for Congress to enact national heritage area program legislation. This legislation would provide a much-needed framework for evaluating proposed national heritage areas, offering guidelines for successful planning and management, clarifying the roles and responsibilities of all parties, and standardizing timeframes and funding for designated areas. Program legislation also would clarify the expectation that heritage areas would work toward self-sufficiency by outlining the necessary steps, including appropriate planning, to achieve that shared goal.

The study would focus on an area known as the Chattahoochee Trace, which lies in the lower Chattahoochee Valley in the states of Alabama and Georgia. This area includes eighteen counties, seven in Alabama and eleven in Georgia, which are located near or adjacent to the Chattahoochee River in the lower halves of the two states. The Chattahoochee Trace has an abundance of cultural, natural, recreational, and scenic resources. Much of the area's history revolves around the Chattahoochee River, which has long served as a food source, transportation route, and an engine for commerce. Centuries before the arrival of European settlers, the lower Chattahoochee Valley was inhabited by Native Americans that relied on the river for everyday life. The abundance of prehistoric archaeological sites indicates that humans lived along the banks of the river and its tributaries dating back thousands of years. From approximately 350 to 600 A.D., Kolomoki, near the present day town of Blakely, was one of the most populous settlements north of Mexico. Today, the seven mounds at Kolomoki are one of the impressive archeological sites that reflect upon the Chattahoochee Trace's ancient past.

The area is layered with many other facets of American history. In the late seventeenth century Spanish monks built the mission and fort of Apalachicola on the west bank of the Chattahoochee River, in present day Russell County, Alabama, about fifteen miles south of Columbus, Georgia. In the early eighteenth century, merchants from French Louisiana began trading with the Native Americans in the lower Chattahoochee Valley, ushering in an era of great economic activity. In the years that followed, commercial enterprises flourished, including cotton plantations, textile mills, and riverboat companies. In the antebellum period, the river-borne cotton trade led to the emergence of a prosperous agricultural economy that was, regrettably, dependent on slave labor for its growth. During this era, the river served as the lower Chattahoochee Valley's outlet to the world, connecting the plantations in the region with the international cotton market via New Orleans and ultimately Liverpool, England.

Heading into the twentieth century, hydroelectric power, which was first used in Columbus in 1882, emerged as an important industry in the lower Chattahoochee Valley. By the 1920s, dams on the Chattahoochee River near Columbus were providing electricity to thousands of customers, and the area quickly came to be recognized for its role in power generation. Columbus was so well-known for its hydroelectricity industry that it was dubbed the "electric city" in the early 1900s. One turbine at the Eagle and Phenix Mills powerhouse, installed in 1898, still produces electricity today.

The scenic beauty of the river has been showcased in such places as Columbus and Phenix City, Alabama, where recent redevelopment projects have emphasized a reorientation towards the river. A significant period of urban renewal and revitalization began in the mid 1990s and continues today. With these improvements, residents and businesses began moving back to formerly blighted areas. Examples of such municipal projects include the construction of the Columbus Riverwalk Park, the new Port Columbus Civil War Naval Museum, and the initial implementation of Phenix City's riverfront revitalization plan.

Swimming, fishing, scenic drives, and strolls on the riverbank are just a few of the many recreational activities available to visitors to the Chattahoochee Trace. In

the twentieth century, the creation of large lakes along the river further enhanced the Chattahoochee River's recreational opportunities. For example, Lake Eufaula, near Fort Gaines, Georgia, features 640 miles of shoreline. Last year, the lake attracted approximately 4.5 million visitors that engaged in such popular activities as camping, hunting, boating, and trophy fishing. The lake is managed by the U.S. Army Corps of Engineers and features several adjacent protected lands, including the Eufaula National Wildlife Refuge, Lakepoint State Park in Alabama, and Florence Marina and George T. Bagby State Parks in Georgia.

Since 1970, the Historic Chattahoochee Commission (Commission) has been responsible for administering a variety of programs throughout the Chattahoochee Trace. For the first eight years of its existence, the Commission operated as an agency of the State of Alabama. In 1978, the Georgia General Assembly and the Alabama Legislature passed identical legislation to establish an interstate compact for operation of the Commission. Among its many functions, the Commission is responsible for promoting tourism, historic preservation, and recreational development throughout the Chattahoochee Trace. Through the years the Commission has undertaken a number of important projects to further its goals, including a historical markers program, development of theme-based tours, a photographic folk life project, production of educational materials, historical architectural surveys, and the distribution of preservation grants.

The study that would be conducted under S. 637 is estimated to cost between $200,000 and $300,000. Mr. Chairman that concludes my testimony. I will be pleased to answer any questions you or other members of the committee may have.

S. 817

Mr. Chairman, thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on S. 817, a bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide additional authorizations for certain National Heritage Areas, and for other purposes. The Department supports the enactment of S. 817, but would like to work with the committee on several amendments to the bill.

S. 817 has four main provisions. First, the bill expands the Rivers of Steel National Heritage Area by an additional county. Second, the bill makes several technical corrections to the Ohio & Erie Canal National Heritage Corridor including a name change for the area and the deauthorization of the Ohio & Erie Canal National Heritage Corridor Committee, whose duties have already been assumed by a non-profit management entity. Third, the bill names a new local coordinating entity for the Delaware and Lehigh National Heritage Corridor, it reauthorizes federal funding for the area for an additional five years, and gives the Secretary of the Interior several new authorities. Fourth, the bill increases the authorization ceiling for four existing national heritage areas by $5 million each and requires the Secretary to conduct an evaluation of each area three years before the cessation of federal funding.

Currently, there are 37 National Heritage Areas designated across 27 states with over 61 million people residing within one of these heritage areas. Responding to continued community and congressional interest in studying and designating new national heritage areas, the National Park System Advisory Board reviewed the program and prepared a report on the appropriate role of the National Park Service in supporting these areas. The Advisory Board's 2006 report, *Charting a Future for National Heritage Areas,* recognized the important role of national heritage areas in expanding conservation stewardship and in identifying and preserving significant historic resources. The report also recognized that national heritage areas need a legislative foundation that establishes a clear process for designation, administration, and evaluation.

Among the Advisory Board's specific recommendations for program legislation was a provision to address the future of national heritage areas after an area reaches the end of its authorized funding level or time limits for funding. Before the publication of the Advisory Board report, most of the discussions on program legislation focused on the need to establish criteria for designating new areas and managing existing areas. The Advisory Board recognized that the National Park Service needed to take a more proactive approach by assisting national heritage areas in envisioning and planning for a sustainable future. For this reason, the report included a recommendation that the legislative foundation for the program require that "three years prior to cessation of federal funding authority, a study be conducted to recommend the appropriate level of future National Park Service involvement in the National Heritage Area including but not limited to future federal funding".

In July 2006, the Administration transmitted to Congress a legislative proposal for national heritage area program legislation that included many of the recommendations of the Advisory Board's report. This proposal, which was introduced in the 109th Congress as H.R. 6287, incorporated the requirement for a study three years before cessation of funding in a slightly different format stating that the areas should "conduct an evaluation and prepare a report on the accomplishments, sustainability, and recommendations for the future . . .". The National Heritage Area Partnership Act (S. 243) introduced by Senator Craig Thomas during the 109th Congress and passed by the Senate, and a similar version of the bill (S. 278) recently introduced during the 110th Congress, also contain similar language. The Administration is currently working on a similar proposal for heritage area program legislation to be transmitted to Congress.

In keeping with this recommendation for an evaluation, S. 817 provides additional funding authorization for the Essex National Heritage Area, the Ohio & Erie Canal National Heritage Corridor, the Rivers of Steel National Heritage Corridor, and the South Carolina National Heritage Corridor, four areas that have almost reached their authorized $10,000,000 funding limit. Although the bill would not provide the areas with an extension of time beyond their sunset date of 2012 for financial assistance, it would authorize an additional $5 million per area. This extension of federal funding would allow for the continued operation and management of these national heritage areas, while providing the Secretary the necessary time to undertake an evaluation to assess the progress of the area in achieving its legislative purpose.

These four national heritage areas have a commendable track record of partnership and project accomplishments. The Essex National Heritage Area commemorates 400 years of seafaring history and tradition and has enabled the Salem Maritime National Historic Site, a National Park Service unit that is only 9 acres in size, to play a far more prominent role in the region by harnessing the energy of volunteers in interpretation and fundraising.

The Ohio & Erie Canal National Heritage Corridor preserves 110 miles of towpath canal, historic communities, and what has been described as a "biological mosaic of forest, marshes, streams, and lakes." Cuyahoga National Park, which encompasses 22 miles of the corridor, has taken advantage of the heritage area as a framework for large-scale regional collaboration to build partnerships and conserve a range of resources.

The Rivers of Steel National Heritage Area celebrates the region's industrial legacy through its rich folklife traditions, opening doors to the past with driving tours, audio CDs, a local radio series, exhibits, and publications. This area celebrates a portrait of people working in one of the most important industries at the turn of the century, which helped form the economy of this country and continues to preserve this regional culture for the next generation.

The South Carolina National Heritage Corridor helps rural communities thrive by promoting their place-based resources. For example, a new Heritage Corridor Farmers Association supports the agricultural heritage of the area by sponsoring regular promotions, tours and preservation initiatives.

The proposed evaluation process would document these and other accomplishments and would give the areas the opportunity to develop a long-term plan for reducing or eliminating the future financial role of the National Park Service without penalizing the areas that were established in 1996 for changes in the agency's approach to evaluating the program.

S. 817 has several other provisions. It would provide for a new local management entity for the Delaware and Lehigh National Heritage Corridor, replacing the existing Federal commission that has served as the local coordinating entity with a nonprofit corporation, the Delaware & Lehigh National Heritage Corridor, Incorporated. It also authorizes the new corporation to receive an additional five years of financial assistance. This recommendation comes in part from a 2006 National Park Service technical assistance study entitled *Connecting Stories, Landscapes and People: Exploring the Delaware & Lehigh National Heritage Corridor Partnership,* which analyzed the strengths and challenges of the heritage area including critical ingredients for sustained success in the corridor. It identified options for the future including alternatives for a new management entity, the involvement of state, county and municipal governments, and the involvement of the National Park Service.

The Delaware and Lehigh National Heritage Corridor has a strong record of accomplishments including the development of the 165-mile D&L Trail that forms the spine of the corridor, the innovative Corridor Market Towns program, the Two Rivers Landing project, which is a model of sustainable economic development, and the award-winning Lehigh Gap Wildlife Refuge reclamation project. We believe that the legislative language for the Delaware and Lehigh National Heritage Corridor should be amended to parallel that of the other four areas reauthorized in S. 817. We also

believe that the area should build on the existing study to develop recommendations on the role the National Park Service should play in the future including the reduction and elimination of federal funding.

The Administration has no objection to the other provisions in the bill relating to a name change for the Ohio and Erie National Heritage Corridor and the deauthorization of the Ohio & Erie Canal National Heritage Corridor Committee, the addition of a county to the Rivers of Steel National Heritage Area, and other technical corrections to existing national heritage areas laws.

The Department would welcome the opportunity to work with the committee to make some technical corrections to section 4 of the bill relating to the Delaware and Lehigh National Heritage Corridor. In addition, the Department would like to work with the committee on amending this bill to include a new section to make some conforming amendments to the National Coal Heritage Area that were inadvertently left out last Congress when S. 203 was enacted.

In conclusion, the Administration notes the critical need for program legislation to establish a framework for the designation of national heritage areas and a process to evaluate the success of heritage areas in carrying out their approved management plan while also planning for their future as they approach the limits of their funding authorizations.

Mr. Chairman, that concludes my testimony and I am prepared to answer any questions that you or other members of the committee might have at this time.

Senator SALAZAR. Thank you very much, Mr. Wenk. What we'll do is we'll have rounds of questions for up to 5 minutes each.

Let me ask you, first, a question with respect to the National Heritage Areas and this is specifically with respect to S. 443 and S. 444, the Sangre de Cristo and South Park National Heritage Areas.

You have recommended in your testimony that we defer action on these two heritage areas, as well as other heritage areas, based on the need—as you assert—for the programmatic legislation which Senator Thomas has proposed, and which we passed unanimously in the Senate last year. And let me parenthetically say that I appreciate the leadership that Senator Thomas has shown on National Parks issues over the years.

But what we have done with respect to, at least, these two pieces of legislation, is mirror the language that was used in the Thomas legislation, which we passed last year. In so doing, it was our hope that we would be able to get the Department of the Interior's NPS in support of our legislation. Do you have a problem with the language that was included in our legislation that mirrors the language that Senator Thomas proposed last year in his legislation?

Mr. WENK. We do not have a problem with the language that was included—our concern is that overall, programmatic language that would guide the, the studies and the establishment of Heritage Areas would be a useful tool in the future, as we move forward with evaluating Heritage Areas for inclusion into that system.

Senator SALAZAR. Now, Mr. Wenk, last year I supported Senator Thomas's bill, we were able to get it through the U.S. Senate, unanimously. It is our hope that we'll be able to get that same legislation through the House of Representatives this year. And so, in the interim time, if we have that legislation moving, and we have this legislation moving, that essentially is consistent with each other—don't you think that that consistency there should impale the conclusion that they should be supported if the proposed Heritage Areas have the merit that would meet the standard of the National Park Service?

Mr. WENK. We recognize that you may choose to designate these areas, I think it does provide the consistency, we are hopeful that

they will move in parallel, and that we will have overall programmatic legislation, as well.

Senator SALAZAR. Thank you.

As drafted, the Sangre de Cristo National Heritage Area bill requires that Federal funds be matched with local dollars after completion of the plan, but the area is a very poor area. Conejos and Costilla Counties on the southern part of this great valley—the San Luis Valley—are two of the four poorest counties in the United States of America.

And so, my question to you is, given the economic realities of the San Luis Valley, and the economic circumstance relating to those counties, is it feasible—do you think—for the Department to take a second look at the matching fund requirement, prior to completion of the management plan?

Mr. WENK. We believe that the—currently, the way that the bills are established—we have potential for Federal funding over a 10-year period of time. During that 10-year period of time, it's our goal to collaborate with the management entity, and to look to have them reach a self-sufficiency.

We're also looking in the program legislation to have an opportunity for a study within 3 years of that period of time, to see how we're doing, to look at how we're leveraging the money, to look at how we're using the funds that are coming in to assure that we—what the partnership will look like in the future, as we move forward.

Certainly, it's in everyone's best interest if we established areas for them to be successful, and that's our intention—to work with the local community and the heritage area to make it successful.

Senator SALAZAR. On the South Park National Heritage Area, you say in your testimony that the management entity not be allowed to use Federal funds to acquire conservation easements. Why is the Park Service recommending that this useful tool that has been so constructive in conserving lands across the West not be used here?

Mr. WENK. National heritage areas do not use Federal funds for the purchase of property rights. That's been a longstanding part of National Heritage Areas. And we believe that, they're set up to preserve the conservation, cultural heritage values, and that, we think that's the determinate that can be made by local communities and organizations through their work within the conservation or the Heritage Area, and that Federal funds should not be used for that purpose.

Senator SALAZAR. And conservation easement sent from the point of view of the National Park Service is, would fall within that umbrella prohibition of using Federal funds for the acquisition of private property rights?

Mr. WENK. If you'll allow me to turn and make—to affirm that, I will. That's a correct statement. Conservation funds would be considered a property right that Federal funds cannot be used for.

Senator SALAZAR. Okay.

Thank you, Mr. Wenk.

Senator Thomas.

Senator THOMAS. Thank you. The Mesa Verde boundary adjustment S. 126, what is the estimated cost of the 360 acres, do you know?

Mr. WENK. The 360 acres is in two parts, 324 of those acres are owned by, privately owned by the Henneman family, estimated cost is about $1.5 million for those. The other 38 acres, approximately, are owned by the Mesa Verde Foundation, those would be donated to Mesa Verde National Park.

Senator THOMAS. So, about a million and a half dollars.

Mr. WENK. Correct.

Senator THOMAS. Okay. How long do you estimate it will take to complete the study for the Columbia-Pacific National Heritage Area?

Mr. WENK. Typically, a study will take 2 to 3 years, and cost $200,000 to $300,000.

Senator THOMAS. Do you know how many studies the Park Service has conducted for National Heritage Areas? And how many times have you designated, or recommended non-designation?

Mr. WENK. I know that there's 35 studies that are currently underway, I know there has been the occasion where we have done a study, and it did not meet the criteria, but I believe that's five or less?

We can submit it for the record, but there has been occasion where we have not recommended.

Senator THOMAS. Thirty-five you've just completed, or——

Mr. WENK. There's 35 studies that are underway.

Senator THOMAS. Do you know how many you've done over the years?

Mr. WENK. There are now 37 heritage areas that are—that have been designated.

Senator THOMAS. I see. Okay.

Is there space on the Mall for the Latino Museum? Is that where it's being talked about? Or, what's the basis for that?

Mr. WENK. The determination had been made that the Axis that I talked about, the Reserve, from the White House to the Jefferson, the Capitol to the Lincoln Memorial, is basically a completed work of civic art. Certainly, we would recommend that areas be studied that do not include that Reserve for the museum, that is in response to the legislation that was enacted by Congress.

Senator THOMAS. So, it might still be on the Mall, though, is that what you're saying?

Mr. WENK. There are, the National Park, or, excuse me—the National Capitol Planning Commission, the Commission on Fine Arts, the National Park Service and others are all concerned about the location of facilities on the Mall. I know there have been other museums that have been recommended recently that have included recommendations for the Mall, I don't know what the final disposition of those recommendations are going to be.

Senator THOMAS. Okay.

Mr. WENK. But we're recommending it not be considered for the Mall.

Senator THOMAS. The Edison Electric Institute submitted a statement requesting legislation be allowed in the Hallowed Ground National Heritage Area for the potential for infrastructure

installation and upgrades. Should the legislation be amended to allow for utilities and road construction? If so, can you provide specific language for that modification, or how would you handle that?

Mr. WENK. I'm not aware that the legislation would preclude those kind of developments. Those would have to be approved through, I believe, by local regulatory agencies that would look at those developments. I'm not aware, and if I'm in error, but I don't believe that's precluded within the designated area.

Senator THOMAS. So, it would be a local decision.

Mr. WENK. That's correct.

Senator THOMAS. I see.

The National Heritage Reauthorization, S. 817, how does the National Park Service determine the amount of money that's necessary each year?

Mr. WENK. We try to balance the amount that is appropriated, we try to look at not only the historical allocations, but the work that they're doing, the requests that are made. We try to look at the totality of the circumstance of the National Heritage Area, as well as all of the other Heritage Areas that are in competition for that funding.

Senator THOMAS. But you don't know what's going to be allocated during the year, or——

Mr. WENK. Well, we try to make that decision at the beginning of each appropriations cycle, where we would designate the funds for each of the Heritage Areas.

Senator THOMAS. Yes.

Mr. WENK. It was based on previous funding, and how that funding's been used, and their request for new funds.

Senator THOMAS. If the bill authorizes it without study, it could be un-funded, is that right?

Mr. WENK. I may have misunderstood your question, I'm sorry, sir.

Senator THOMAS. If a bill sets it up for that year, that sets it up without being studied, then what do you do for the dollars?

Mr. WENK. The bills we are supporting for National Heritage, all have met the criteria of a National Heritage Area. The two other bills that are recommending studies, we have not, we have no determination of whether or not those meet the criteria of a National Heritage Area at this time.

Senator THOMAS. It's been known that they pass whether the Park Service recommends them or not.

[Laughter.]

Senator THOMAS. Okay, well, in any event, would there be any cost to changing the name of the museum in Jackson Hole?

Mr. WENK. It does not affect the National Park Service, we don't have a position on that.

Senator THOMAS. Okay, thank you.

Thank you, Mr. Chairman.

Senator SALAZAR. Mr. Wenk, let me ask a couple of follow-up questions on the National Heritage Areas in Colorado.

First, with respect to the Sangre de Cristo National Heritage Area—that's S. 443—that bill came through this committee last year, went through the Senate Energy Committee, and it was extensively commented on by the National Park Service at the time.

As I recall, the testimony from the National Park Service is that it was a great proposal, or words similar to that.

My question to you on the Sangre de Cristo National Heritage Area is whether it meets the suggested criteria for designation, as outlined by the Park Service.

Mr. WENK. We believe it meets the criteria, yes.

Senator SALAZAR. I'll ask you the same question with respect to the South Park National Heritage Area—does it meet the suggested criteria of the National Park Service?

Mr. WENK. Yes, we believe it meets the criteria, as well.

Senator SALAZAR. Thank you.

Let me ask a question on the S. 126, the Mesa Verde expansion. I understand that the Park Service sees the acquisition of the Henneman property as a high priority. I also know there may be a short window of opportunity to complete the acquisition. If this bill passes, and I think you may have responded to the question that Senator Thomas asked you on this question already, but just to reinforce it—how much funding is needed in fiscal year 2008 to complete the acquisition of the Henneman property?

Mr. WENK. The estimated cost of the Henneman property is $1.5 million. There's an additional cost of about $45,000 in closing costs that would be estimated, as well.

Senator SALAZAR. Are there opportunities for the Park Service to re-program existing funds to begin the process of acquisition?

Mr. WENK. We would look at this acquisition in terms of priorities of our land—or of the lands within the land acquisition funds that are provided in the overall priorities of the National Park Service.

Senator SALAZAR. And within that process, is there a possibility that the funds could be identified to begin the acquisition?

Mr. WENK. The possibility is there, but I can not commit to that today, sir.

Senator SALAZAR. Let me ask you a question with respect to the Latino Commission Museum build, S. 500. I understand that your only recommendation is to have the General Services Administration provide support for the Commission, instead of the Department of the Interior, my question is, why is that? And have you checked with the General Services Administration, and are they willing to assume that responsibility?

Mr. WENK. The reason is that, the GSA, or General Service Administration is, in fact, staffed, and provides that service. I have not checked with them, you know, specifically, if they're willing to take this on, but they have an office that, in fact, works with organizations to look at this, this opportunity.

Senator SALAZAR. Has the Department of the Interior, in the past, provided those services with respect to other museums that have been established, such as the African-American Museum, or other museums on the Mall?

Mr. WENK. I know specifically, we did with the African-American Museum.

Senator SALAZAR. So, why is the National Park Service approaching this in a different position then it would, it did in the past, with respect to the other museums?

Mr. WENK. I'm not sure we didn't make the same recommendations, but I can get that for the record. We may have made the same recommendation at that time.

The reason is, is we're not—that's not a, GSA has an office and a function that does that. We don't, obviously we have done it, and we can. But they're equipped to do it, and we believe that it may be a better way to proceed.

Senator SALAZAR. You also said that at this point in time you were not recommending that a site be examined for this museum on the Mall. It's my understanding that the position that is vacant is one that had been contemplated for the National Arts and Industry Building, as a potential location. There were other museums, the African-American and Culture Museum, for example, that looked at that site, and decided to move elsewhere. So, is it possible that the Latino Museum could be located on the Mall?

Mr. WENK. I assume that is possible. We're recommending that it not be in the Reserve area. But, depending on the actions of Congress——

Senator SALAZAR. And, is this a recommendation of the National Park Service and the Department of the Interior and Secretary Kempthorne?

Mr. WENK. The Department of the Interior had a Secretary's National Capitol Memorial Advisory Commission, they adopted the memorials and museum plan that was to guide the location of new memorials, museums and related structures on the Nation's Capitol. That plan states that the future memorials and museums should be precluded from being located on the Reserve, and I described the area previously. So, I believe that is the position of the Department, yes.

Senator SALAZAR. Thank you, Mr. Wenk.

Senator Martinez.

STATEMENT OF HON. MEL MARTINEZ, U.S. SENATOR FROM FLORIDA

Senator MARTINEZ. Thank you, Mr. Chairman, I appreciate you holding this hearing today. Do I have a minute or two for me to say something? Or do you want to go——

Senator SALAZAR. Whatever you want to do would be fine.

Senator MARTINEZ. Well, I think it's terribly important that you hold this hearing, and I appreciate it very, very much. I want to express my very strong support for S. 500, I was proud to co-sponsor the legislation with you last Congress, and I'm proud to do it again this Congress. The idea of creating a National Museum of American-Latino Heritage is an important one for our Nation.

I would say that our history is one in which it would be difficult to overlook the significance of that history—certainly your family is part of that history. My State is part of that history. The native State of your family is part of that history. And so, from the people of European descent who were the first to come into this continent—they were Spanish—my State of Florida was a Spanish possession for many, many years, as I know New Mexico was, as well.

And so, our history going back for many years has been there, but then now we have the more recent contributions of Hispanics

who now constitute the largest minority group in this country, and I think recognition of that would be very, very important and fitting.

I'm very proud to co-sponsor this with some excellent people on the House side, who have worked very diligently to see this happen as well, and I should also just take a moment here to highlight the significance of the fact that I'm proud to serve with you, Senator Salazar, in the Senate, you and I came in the Senate at the same time—I believe the first time in history that two Hispanics have been serving in the Senate at the same time. And now, shortly thereafter, we were joined by Senator Menendez. I'm very proud to serve with both of you, and I'm very proud to work with you on this important bill.

Coincidentally, and interestingly enough, all three of us serve on this very committee, so at least we ought to get three votes out of the committee for it. So that should help.

But I think it is something whose time has come. I'm looking forward to working with you, and others, to ensure its passage. Thank you.

Senator SALAZAR. Thank you, Senator Menendez—or, Martinez. Menendez, Martinez, Salazar—let me just say that I, too, am equally proud of having the opportunity and privilege to walk on that blue carpet of the U.S. Senate floor with you, and to be able to refer to you as my good friend, and my colleague. And, I know your history well, too, and it's an important part of our history that we need to celebrate in terms of the diversity of America, and I appreciate all of the—your history, and the ability that you have brought to the U.S. Senate, as well, and I look forward to working with you on this bill.

Senator Thomas.

Senator MARTINEZ. If I can just say one more thing, I'll never forget the first moments that you and I were on the Senate floor together, and we were kind of looking around in awe at that moment, that opportunity, but also reflecting on the significance to those who share our heritage at that moment we shared, so I'll always remember that.

Senator SALAZAR. I remember, too, that both of us were assigned the corner desks—you in your caucus, and me in my caucus, I was number 100, and you were the most junior in your caucus, so in that big chamber, both of us had the corner desks. And since 2 years ago, we've moved up a little bit, so. That's the life of seniority in the Senate.

Senator Thomas.

Senator THOMAS. No, thank you, I'm being left out of this conversation a little bit, so——

[Laughter.]

Senator THOMAS. I have no more questions, thank you.

Senator SALAZAR. Let me tell you that Wyoming will never be left out of the conversation, because there are ways in which we can hook you up to the diverse contributions that Hispanics have made into Wyoming, including the days where, I know families who were up there sheep herding for generation after generation in Wyoming, so—thank you, Senator Thomas.

I have a couple of more questions for you, Mr. Wenk. I will check with Secretary Kempthorne with respect to this recommendation on the GSA versus the National Park Service being involved, it seems to me to be a difference in terms of how we've approached this, these possibilities in the past. At least my initial reaction is that it's not the right way to go on such a major initiative.

Let me ask you a couple of other questions, if I may, Mr. Wenk, are there other museums or memorials located in Washington, D.C. that you are aware of that celebrate and commemorate the Hispanic history here in the United States?

Mr. WENK. Yes, there are. They're not on the Reserve. There's a, I believe, a total of five along Virginia Avenue, the Spanish de Goa Galvez, ally to the American Colonies during the American Revolution, and then for South American hero, Simon Bolivar, Jose de St. Martin, Juanito Pablo Juarez, and Jose Gervaso Artiguez.

All five statues were memorial gifts to the People of the United States from the People of Spain, Venezuela, Argentina, Mexico and Uruguay to recognize their contributions.

Senator SALAZAR. Are statues like that the same as museums, memorials or parks in the language of the National Park Service?

Mr. WENK. No, they're not the same. These memorials celebrate the bonds between our Nations. While they may provide an opportunity for American-Latinos to trace their ancestry back to these origins, there's no permanent historical context in Washington, D.C.

Senator SALAZAR. Okay. If this Commission is established by this Congress, and the legislation is signed by the President, what kind of technical assistance would this Commission be able to expect from the National Park Service?

Mr. WENK. I will have to provide that for you. I may have it here in my notes, but I can't locate it quickly. But, certainly we would assist with the establishment, the management, the oversight and the work of the Commission, but I can provide you with a specific answer.

Senator SALAZAR. Okay. Thank you, Mr. Wenk.

On Senator Warner's bill on the Journey Through the Hallowed Ground National Heritage Area, once again, can you please clarify with respect to this particular bill—does the creation of the Heritage Area here, create new legal impediments to the construction of the new electric power lines, or other electric transmission facilities?

Mr. WENK. I believe that all of those things are still left to the State, local communities and regulatory agencies that would be involved.

Senator SALAZAR. Okay. Mr. Wenk, if there are no other questions from either Senator Thomas or Senator Martinez, I think we are finished with your testimony.

Mr. WENK. Thank you for the opportunity.

Senator SALAZAR. We very much appreciate you appearing before our committee, thank you very much, and we look forward to working with you on all of these bills.

Mr. WENK. Thank you.

Senator SALAZAR. Thank you.

At this point, what I'd like to do is to call up the next panel of witnesses, and while they are coming up, I will go ahead and just continue with the hearing by introducing them.

I'd like to call the next panel of witnesses, they include Moctesuma Esparza, Dan Sakura with The Conservation Fund, Jerry Ostermiller with the Columbia River Maritime Museum, Augie Carlino with the Rivers of Steel National Heritage Area, Dennis Lopez with the Sangre de Cristo National Heritage Area Steering Committee, and Gary Nichols, the director of tourism and community development in Park County, Colorado.

I'd like to ask each of you to please limit your remarks to no more than 5 minutes, your lights will go on with yellow, the yellow light that tells you, you have about 1 minute remaining, and then when the light turns red, that means that your time is up.

Your complete statement will be included as part of the record, so you don't have to worry about not getting through your entire statement.

I previously mentioned the two Colorado witnesses who will testify on this panel, and that's Gary Nichols and Dennis Lopez. I'd like to take a minute to introduce Moctesuma Esparza, who is here today to speak on behalf of the National Latino Museum.

I have co-sponsored that bill with 24 of my colleagues, Mr. Esparza, here in the U.S. Senate, and they have included both the chairman of this committee, Senator Bingaman, and the ranking member of this committee, Senator Domenici. Perhaps it is of no surprise to anyone watching this hearing, because they both come from New Mexico, that Land of Enchantment.

Mr. Esparza was born and raised in Los Angeles, Moctesuma has dedicated much of his career to promoting and documenting the American-Latino experience. I commend his efforts, and that of countless others. With over 45 million Latinos now residing in our Country, I believe it is time to have an institution in our Nation's Capitol, dedicated to honoring the rich, diverse National heritage, including the contributions of Latinos.

And, with that, why don't we just move through the panel, starting with you, Mr. Esparza, and then we'll move from, to Mr. Sakura, and Ostermiller, Carlino, Lopez, and end up with Mr. Nichols.

STATEMENT OF MOCTESUMA ESPARZA, FILM PRODUCER, LOS ANGELES, CA

Mr. ESPARZA. Thank you very much, Chairman Salazar, ranking member Thomas, and Senator Martinez. I can't tell you what a pleasure it is to me to mention the names Martinez, Salazar, here in the U.S. Senate, and I know that Senator Menendez was here a moment ago, and it gives me great pleasure that we have now, representatives of American Latinos in this distinguished body.

I'm very pleased to speak to you today. As has been mentioned, my name is Moctesuma Esparza, a wonderful American name, and by background, I'm a movie producer. I produce movies like the Milagro Beanfield War, Celina, Gettysburg, Gods and Generals, Introducing Dorothy Dandridge, Salma, Lord, Salma, Teddy Roosevelt and the Rough Riders, and a host of other movies about American history, and the heroes of America.

I'm from Los Angeles, native of east Los Angeles, and I attended public schools there, graduating with a Master's from UCLA.

I became involved in the film industry because I was extremely concerned about the negative images that were portrayed from Hollywood about Latinos. And I made a commitment that I would devote my life to transforming the image of Latinos to that of three-dimensional human beings that could be understood and appreciated, and certainly movies and television shows and books and other media are very important, so that Americans and American-Latinos can appreciate our contributions and who we are.

However, I believe that a National institution that has the prestige and standing that is available to the millions of tourists who come to Washington is critical and fitting and something that must come to pass.

By passing the National Museum of American-Latino Community Commission Act of 2007, Congress will take a very first step towards making that institution a reality. The bill will establish a Commission to study the potential creation of a National Museum of American-Latino Community. Those Commission members, selected by the President, members of Congress, will be tasked with studying the impact of that museum, developing a plan, fundraising plan, and prefacing the recommendations for action by Congress.

The lack of Latino-focused institutions located in our Nation's Capitol has been a great concern to our community. While these museums that are here now purport to reflect the history, culture and achievements of the people of the United States, it is true that very few of them have ever had any permanent exhibits—or even temporary ones—representing the American-Latino community's role in our history, and participation. And I can say that, also, having been a member of the Smithsonian's Institute Latino Advisory Board, and I saw the meager support that was provided that center.

Currently, in Los Angeles, and many parts of the country there are many thriving cultural and historic institutions that are laying down the groundwork for what can be a future, National museum. These local and regional institutions—I happen to be the chairman of the board of the Latino Theater Company that is planning a cultural center in Los Angeles—have gathered support from their local communities and governments, and my work with HBO, I've witnessed, firsthand, the willingness of corporations and mainstream entities to bring attention to the diverse American experience.

As we engage in this discussion, I think it's important to highlight the interests of corporate America, who I know will support this museum.

Even with the many challenges and opportunities facing Latino community, the importance of a proper representation of Latinos and their contributions in our Nation's foremost institutions cannot be underestimated.

Given the continuing crisis in educational attainment for American-Latinos, and that we are the largest minority in this country, providing a National venue highlighting our contributions to the creation and the building of our country would be inspirational to

our youth, and foster appreciation and goodwill from the rest of Americans.

A little known fact is that the very birth of the United States was made possible by the military and financial contribution of 9,000 Hispanic-American troops—a larger contingent than George Washington had in the Continental Army, who fought under the command of Edward Bernardo de Galves, defeating the British throughout the Mississippi River Valley, past St. Louis to St. Joseph and Lake Michigan, and also in Mobile, Pensacola and Baton Rouge.

The French Navy in Lafayette were operating under Galves' direct command, and millions of dollars that funded General Washington in the final push, came from Latinos. Twenty-five hundred dollars were collected in Los Angeles by Father Hanupa Lucera, who sent that money to George Washington.

The final victory at Yorktown was made possible by Hispanics, who shed their blood and gave their money to found this Country. Money was collected by Cuban women in Havana, who gave their jewelry for George Washington's troops. Troops came from throughout Latin America, from what is now the United States, the Southwest, Mexico—this country is ours, we are its founders, we gave our money and blood.

Little is known of American-Latino's contribution to the creation of 21st century American society. Our contribution to women's rights—far before the Suffrage Movement—the Treaty of Guadalupe Hidalgo gave equal property rights to all women. The California Constitution of 1849 propounded by Latinos gave equal citizenship, irrespective of race. Equal public schools, irrespective of race was the product of the desegregation school suit of *Mendes* v. *Westminster* in 1945, years before *Brown* v. *Board of Education.* The defeat of anti-miscegenation laws with the case of *Perez* v. *Sharp* in 1949—all of these things—thank you very much—are the product of our contribution, and these are just a few facts.

I believe that this legislation will play an important role in American history, and it will prevent the kind of tremendous miscarriage that is about to occur—Ken Burns is about to make a 14-hour mini-series of the second World War—where we sent half a million soldiers—and there will not be one mention of American-Latino contributions to the second World War. Were there a museum like this, that kind of an oversight could not have occurred.

I greatly encourage you to pass this, and I greatly support this effort. Thank you very much.

Senator SALAZAR. Thank you, Mr. Esparza.

Mr. Sakura.

STATEMENT OF DAN SAKURA, DIRECTOR OF GOVERNMENT RELATIONS, THE CONSERVATION FUND, ARLINGTON, VA

Mr. SAKURA. Mr. Chairman, ranking member Thomas, members of the subcommittee—thank you for the opportunity to testify today in support of S. 126, the Mesa Verde National Park Boundary Expansion Act.

My name is Dan Sakura, I serve as the director of government relations for The Conservation Fund, a National non-profit land

conservation organization, dedicated to protecting America's land and water legacy for current and future generations.

The Conservation Fund works with landowners, Federal and State agencies, non-profit organizations, businesses, and other partners to conserve historic sites, fish and wildlife habitat, working landscapes, and community open space.

Mr. Chairman, The Conservation Fund expresses our appreciation to you and Senator Allard, for your strong leadership and vision to help pass S. 126, to expand the boundary of Mesa Verde National Park to include two critically important tracts of land.

By expanding the Park boundary by approximately 360 acres at the park entrance, S. 126 will enable the Park Service to protect a 324 acre tract of privately-owned land, with important archeological and natural resources along the Point Lookout Road Corridor, the main access for the Park.

In conjunction with the Mesa Verde Foundation, S. 126 will also authorize the Park Service to accept a donation of a 38-acre tract of land as a site for a new collection and research center, and visitor information center. These facilities will provide the public with expanded opportunities to learn about the parks internationally significant cliff dwellings, and the rich cultural heritage of the ancestral Puebloan people.

I am very pleased that Mr. Justin Estoque, a board member of the Colorado-based Mesa Verde Foundation, is in attendance today. Mr. Estoque is available to answer questions that you, or the subcommittee may have, regarding the Foundation's work, and support for this legislation.

Mr. Chairman, I ask that a letter of support from the Foundation be included in the record.

The Conservation Fund is working very closely with the Henneman family to conserve their 324-acre tract, which is located outside of the Park boundary, adjoining parklands, and the 38-acre Foundation property. The Henneman's cherish their land. They have served as great stewards of the cultural and natural resources on their property, and they wish to have their lands conserved for future generations as part of the park.

Because of the land's proximity to U.S. Highway 160, it faces significant development threats, including possible development of their property as a recreational vehicle park. For several years, the family has been working closely with the Park Service to sell their land for inclusion within the park. Because of financial reasons, unfortunately, the family must sell the property this year. Accordingly, The Conservation Fund has entered into a contract to acquire the tract by the end of the year, contingent upon the passage of boundary expansion legislation, and the availability of funding.

Because of the short time period required to complete this acquisition, we respectfully request that Congress approve S. 126 as soon as possible. Besides preserving the heritage of ancestral Puebloan peoples, and Mesa Verde's rich natural resources, S. 126 would conserve the park's outstanding scenery on the approach into the park, and along the Point Lookout Road.

Our Congress added land in 1931, "for the purpose of protecting the scenery along the Point Lookout Road." In keeping with the decades of partnerships between the National Park Service and

non-profits, the Mesa Verde Foundation launched an effort to address critical needs at the park, to better manage the park's collection of priceless artifacts, and to provide the public with expanded opportunities to learn about the park's rich history.

Several years ago, the Foundation committed to donating a 38-acre tract to the Park Service for a new building to house a new federally-funded collections and research center, and a new Foundation-funded visitor center at the entrance of the park. The proposed new visitor center will provide visitors with improved opportunities to learn about Mesa Verde, plan their trip in the park, and purchase tickets for guided tours.

Because S. 126 would allow the Foundation to donate the land to the park to support the construction of the building components, the bill is—your bill, with Senator Allard, is a critical step forward—for both the collections and research center, and visitor center.

Mr. Chairman, this past year, Mesa Verde National Park celebrated the 100th anniversary of the establishment of the park. Over 575,000 people visited the park last year to mark its Centennial. With the bipartisan leadership of Colorado's congressional delegation, and the support of this committee, many more visitors will be able to experience the same sense of awe, respect and wonder.

S. 126 is in keeping with over 100 years of congressional leadership to conserve Mesa Verde, and it will set the stage for the next 100 years for the park to be at the forefront of our Nation's commitment to honor our past by conserving our heritage for future generations.

Mr. Chairman, I urge the committee and the Congress to pass this important piece of legislation, I would be pleased to answer your questions and provide additional information to you. Thank you.

[The prepared statement of Mr. Sakura follows:]

PREPARED STATEMENT OF DAN SAKURA, DIRECTOR OF GOVERNMENT RELATIONS, THE CONSERVATION FUND

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to testify in support of S. 126, the Mesa Verde National Park Boundary Expansion Act.

I serve as the Director of Government Relations for The Conservation Fund, a national, non-profit land conservation organization, dedicated to protecting America's land and water legacy for current and future generations. We work with landowners, federal and state agencies, non-profit organizations, businesses and other partners to conserve historic sites, wildlife habitat, working landscapes, recreational areas and community open space.

Mr. Chairman, The Conservation Fund (TCF) expresses our appreciation to you and Senator Allard for your strong leadership and vision to pass S. 126 to expand the Mesa Verde National Park boundary to include two critically-important tracts of land in the Park. By expanding the boundary by approximately 360 acres at the Park entrance, S. 126 will enable the National Park Service (NPS) to protect 324 acres of privately-owned land with important archeological and natural resources along the Point Lookout Road corridor.

In conjunction with the vision and work of the Mesa Verde Foundation, S. 126 will also authorize the NPS to accept a donation of a 38-acre tract of land as the site for a new Collection and Research Center and Visitor Information Center. These facilities will provide the public with expanded opportunities to learn about the Park's internationally significant cliff dwellings and the rich cultural heritage of the ancestral Puebloan people.

I am pleased that Mr. Justin Estoque, a board member of the Colorado-based Mesa Verde Foundation, is in attendance today. The Mesa Verde Foundation is a

non-profit organization dedicated to supporting the mission of Mesa Verde National Park. Mr. Estoque is available to answer questions that you or the Subcommittee may have regarding the Foundation's work and support for this legislation.

Thanks to the support of Colorado's Congressional delegation, TCF has had the opportunity to work with landowners, the NPS and other partners to conserve lands at the Black Canyon of the Gunnison National Park, the Sand Creek Massacre National Historic Site, Rocky Mountain National Park and other sites in Colorado.

Today, we are grateful for the opportunity to work in partnership with the Henneman family and NPS to conserve the family's 324 acres of land at Mesa Verde National Park for future generations. The Henneman tract is located outside the Park boundary, near the Park entrance, and adjoins Park lands and the 38-acre tract owned by the Foundation.

The Henneman family has owned this tract for over 30 years. The Hennemans cherish their land and have served as excellent stewards of its archeological and natural resources and scenic values. Their land features important wildlife corridors for mule deer and other species, unique pinon juniper forests and the largest known colony of Gray's Townsend daisy, a globally imperiled species.

Because of the land's proximity to U.S. Highway 160, it faces significant development threats, as Montezuma County has zoned the property for ten acre lots. While the family has not subdivided the property, it has received an offer from a third party to buy the property for development as a commercial recreational vehicle park.

Unfortunately, the Henneman family faces a difficult dilemma. For several years, the family has been working to sell the land to the NPS. Because of financial reasons, the family must sell the property this year. Accordingly, TCF has entered into a contract to acquire the tract by the end of the year, contingent upon passage of boundary expansion legislation and the availability of funding.

By authorizing the NPS to acquire the property, S. 126 provides a solution for the family to conserve their property as part of the Park. This legislation gives the family another option, besides selling the property to a developer. Because of the short time period to complete the acquisition, we respectfully request that the Congress approve S. 126 as soon as possible. This will provide Congress with the opportunity to appropriate the necessary funds for the project this year and enable the NPS to acquire the property.

If enacted, S. 126 will provide the public with substantial benefits. It would further the Park's mission to preserve and protect the heritage of ancestral Puebloan peoples along with Mesa Verde's wildlife and other natural resources. In addition, it would provide Park visitors with an opportunity to enjoy the scenery on the approach into the Park and along Point Lookout Road, once inside the Park. Visitors traveling west on U.S. 160 towards the Park can see Point Lookout, one of the Park's most prominent features. Because the Henneman tract is located at the base of Point Lookout, a commercial development would negatively impact the view looking towards the Park.

Upon entering the Park, visitors proceed on Point Lookout Road to the Mancos Valley Overlook. Over 75 years ago, Congress added lands in this area to the Park "for the purpose of protecting the scenery along the Point Lookout Road." Thus, S. 126 would further a Park purpose to protect the scenery along the road corridor. This legislation would also promote the local economy by ensuring continued opportunities for high quality visitor experiences at the Park.

For over one hundred years, Mesa Verde's rich cultural history has captured the public's imagination and generated strong support in Congress and the non-profit community. The discovery of Mesa Verde's cliff dwellings, in the 1880s, and the ensuing publicity about the loss of priceless archeological treasures prompted the Colorado Federation of Women's Clubs and the Colorado Cliff Dwellings Association to lead a successful campaign to establish the Park. Soon after Congress passed the Antiquities Act of 1906, Congress passed legislation to establish Mesa Verde National Park as America's tenth National Park and the nation's first Park dedicated to preserving archeological resources.

In keeping with decades of partnerships with the non-profit sector to preserve the Park's resources, the Mesa Verde Foundation launched an effort to address a critical need at the Park to better manage the Park's collection of artifacts and to provide the public with expanded opportunities to learn about the Park's history and story of Native Americans who lived at Mesa Verde centuries ago and who live in the Four Corners region today.

Several years ago, the Foundation committed to donating a 38-acre tract to the NPS for a new building to house a new federally-funded Collections and Research Center and a new Foundation-funded Visitors Center at the entrance to the Park. As a result of this commitment, both components are currently under design in an-

ticipation of the donation. The Foundation plans to donate the land when construction funds for the Collections and Research Center are appropriated in future fiscal years. The proposed new Visitors Center will provide visitors with improved opportunities to learn about Mesa Verde, plan their trip in the Park and purchase tickets for guided tours. Currently, visitor information facilities are located 15 miles inside the Park at the Far View Visitor Center.

Unfortunately, the NPS does not have the authority to accept the donation of the land, which is outside the Park boundary. S. 126 would allow the Foundation to donate the land to the NPS to support the construction of both federal and Foundation building components. S. 126 is a critical step forward in the process for the both the Collections and Research Center and the Visitor Center, which will provide for the protection of the Park's collection and introduce visitors to this magnificent Park.

Mr. Chairman, this past year, Mesa Verde National Park celebrated the 100th anniversary of the establishment of the Park. Over 575,000 visitors enjoyed the Park last year. With the bipartisan leadership of Colorado's Congressional delegation for this bill, millions more visitors will be able to experience the same sense of awe, respect and wonder.

S. 126 is in keeping with over 100 years of Congressional foresight to pass legislation to conserve Mesa Verde, one of our nation's and the world's richest archeological and cultural treasures. This legislation will set the stage for the next 100 years for Mesa Verde to be at the forefront of our nation's commitment to honor our past by conserving our heritage for future generations.

Mr. Chairman, I would be pleased to answer your questions and provide additional information to you and the Subcommittee.

Senator SALAZAR. Thank you, Mr. Sakura.

Mr. Ostermiller.

STATEMENT OF JERRY OSTERMILLER, PRESIDENT, COLUMBIA RIVER MARITIME MUSEUM, ASTORIA, OR

Mr. OSTERMILLER. Mr. Chairman and distinguished members of this committee, thank you for the opportunity to provide testimony on S. 257.

I, and the communities I represent, want to respectfully urge the Senate to pass this legislation. Mr. Chairman, for nearly 20 years, I have served as the executive director of the Columbia River Maritime Museum, a 501(c)(3) educational institution, which was the first nationally-accredited maritime museum on the west coast.

I am a past president of the National Council of American Maritime Museums, a member of the Oregon State Heritage Commission, a member of the Oregon State Sesqua Centennial Commission, and an accreditation reviewer for the American Association of Museums.

Serving in these capacities has given me national perspectives regarding the significance of historical sites, and living and working in the Northwest has convinced me that the Columbia-Pacific Area is a spectacular and unique part of this country. Breathtaking in its physical beauty, and nationally significant in its history, and worthy of a National Heritage Areas designation.

I'm here today to respectfully ask that Congress authorize a feasibility study to determine if a Columbia-Pacific National Heritage Area should be established in the region where the Great River of the West meets the Pacific Ocean.

I am representing more than 100 organizations, businesses and citizens of our communities who have voiced support, or written to both the Oregon and Washington congressional delegations requesting this legislation.

The list of Oregon supporters is extensive, and includes State Governor Kulongoski, the cities of Astoria, Seaside, Warrenton,

Gearhart, the government of Clatsop County, Oregon State Parks and Recreations, Port of Astoria, the Astoria-Warrenton Chamber of Commerce, Seaside Chamber of Commerce, and strong regional businesses, such as Astoria Builder's Supply, New Northwest Broadcasters, and the Bank of Astoria.

The supporters from the Washington side of the Columbia River, include the cities of Long Beach, Ilwaco, Ocean Park, Cathlamet, the Port of the Peninsula, the Washington State Historical Society, Washington State Parks and Recreation Commission, and leading businesses, such as Sentry Markets and Shorebank Pacific.

The designation as a National Heritage Areas is highly regarded by our communities as it signals national recognition. The many community supporters I'm here to represent, believe our heritage is of such National significance that the Columbia-Pacific region will easily qualify for designation as a National Heritage Area.

This designation will certainly attract entrepreneurs, investors, and business owners, as well as vacationers, family groups and retirees, all of which will enhance our local, sustainable economic development.

But more importantly, it will allow us to celebrate and share the area's diverse cultural, and historical significance, as well as the awesome natural beauty and grandeur of the Columbia-Pacific, with all of the citizens of the Nation.

This idea began as a conversation among a few community leaders, and quickly advanced into frequent discussions at rotary clubs, city council meetings, chambers of commerce boards and visitor bureau's meetings. The momentum for this study has launched growing enthusiasm and the personal involvement of the people who live in our towns and surrounding communities, as they realize the merits of this designation.

Their pride and enthusiasm has inspired a major commitment, to pursue the rigorous process of a thorough feasibility study. To move us closer to this goal, in early March 2007, our steering committee, "Destination: the Pacific," hosted a multi-community, bi-State workshop, where virtually every community, business and civic leader in three counties came together. For 2 days, 80 community leaders all worked as neighbors and partners to develop plans that would encourage the retention of community character, and would enhance connections to our cultural and natural resources. Eleven teams representing seven communities and three large counties in the two adjoining States, along with the National and State parks, now have plans for the future that embrace the concepts and themes consistent with a National Heritage Area. More importantly, we have developed an even greater pride and appreciation for the National significance of the Columbia-Pacific Region.

For over 6,000 years, the Columbia River has served as a major conduit for commerce on the west coast, and today, 80 percent of all of the grain that is exported from the United States to feed the world, is shipped by this great river. The location of the confluence of the Columbia River and the Pacific Ocean was the last great strategic mystery of the New World, sought by Russia, Spain, and Great Britain, but it was first discovered and claimed by American Captain Robert Gray and named after his ship, *Columbia Rediva* in 1792.

It is here at the mouth of the Columbia River that the focus of President Thomas Jefferson's greatest ambition to expand the new country to the Pacific Ocean was expressed by the Lewis and Clark Expedition when he established Fort Clatsop in 1805.

The Columbia River was the economic engine that jumpstarted our newly-emerging Nation, following the Revolutionary War, when ship owners of Boston created the Golden Triangle of Trade, trading first from this region, shipping them to China, and then bringing porcelain, silks, tea and other riches back to New England.

Astoria became the oldest American city west of the Rockies when John Jacob Astor established a foothold that ultimately resulted in a present, international boundary between the United States and Western Canada, and it is no wonder, then, that NASA named the first great ship of our Nation's space shuttle fleet Columbia in honor of the National significance of the great river in its role of fulfilling America's destiny in the Pacific.

In conclusion, the communities of the Columbia-Pacific Region are respectfully asking that Congress—both the House and Senate—pass this legislation so that the President can sign it into law.

Mr. Chairman, this concludes my testimony, and I, too, will be happy to answer any questions.

Senator SALAZAR. Thank you, Mr. Ostermiller.

Mr. Carlino.

STATEMENT OF AUGUST R. CARLINO, PRESIDENT AND CEO, STEEL INDUSTRY HERITAGE CORPORATION AND THE RIVERS OF STEEL NATIONAL HERITAGE AREA, HOMESTEAD, PA

Mr. CARLINO. Mr. Chairman, Senator Thomas, and other distinguished members of the subcommittee, my name is August Carlino, and I am president and chief executive officer of Steel Industry Heritage Corporation. We are the management entity of the Rivers of Steel National Heritage Area based in Homestead, Pennsylvania.

I appreciate the opportunity to provide testimony to the committee today, and I urge your passage of S. 817. In the audience today are four of my colleagues who have language in this legislation, and ask permission for their testimony to be submitted to the record.

I want to thank, also, Senators Voinovich, Kennedy and Specter and their staffs for their leadership in drafting this legislation, and your staff which worked with them. I also wish to thank the other co-sponsors of the bill.

Each National Heritage Area in S. 817 has been designated with its own organic act, and their management plans are the cornerstone document for how they function, and how their programming is carried out. With these management plans, there is often limited timeframes focusing on a period of time, but they are not meant to be interpreted as the limitation of funding for the NHA. While the NHA is authorized in perpetuity, the management plan sets the stage for work to be accomplished over a finite period of time.

In 2006, the National Park System Advisory Board issued a report, "Charting the Future for National Heritage Areas." The Advisory Board stated, "National Heritage Areas represent a significant advance in conservation and historic preservation," and made several recommendations including the need of legislative foundation,

and the development of policies and performance measures to evaluate NHAs. It stressed the need for long-term commitment to NHAs, saying that a permanent home for them should be created within the National Park System.

Overall, the Advisory Board recognized that National Heritage Areas are new, innovative conservation and preservation strategies, that encourage partnerships fostered by each NHA.

This was a groundbreaking achievement. Up to that point, NHAs were looked at as being unwanted orphans of the National Park Service, misunderstood, and considered financial burdens. This attitude might have historic roots with the Park Service, which has always viewed new programs as problems, before fully embracing them.

Other than the grand Parks like Yellowstone, Yosemite or the Grand Canyon, early in the Park Service life, it did not include other nationally-significant places in America. Yet Congress and past Presidents have expanded and evolved the role of the NPS and its system into what it is today.

Each change in the system, whether adding new National battlefields, National scenic highways or cultural heritage sites was met with resistance. They are feared, not only as financial drains on the Park Service, but also as thinning of the blood.

At times, that same terminology has been used to describe National Heritage Areas, that is, until of the publishing of the Advisory Board Report.

S. 817 takes components of the Advisory Board's recommendations, and couples them with other language introduced in past bills that have proposed program legislation. I believe the bill, if passed, will represent the beginning of the institutionalization of steps necessary for evaluations and for reauthorization. Without S. 817, these five NHAs could most likely go out of business. Moreover, Congress will have permitted these NHAs to expire based on an arbitrary deadline, not on the effectiveness or performance of their work.

S. 817 also establishes an evaluation and an analysis process, as called for in the Advisory Board's report. The Park Service has developed an evaluation process that is used with other Heritage Areas, including the Delaware and Lehigh National Heritage Corridor, and the other four Heritage Areas in the legislation will move forward with the Secretary, through the Conservation Study Institute of the Park Service, and complete a report that will be submitted to Congress.

This is an important step in establishing the long-term need for NHAs, creating a process by which all other National Heritage Areas could follow. This report will evaluate the effectiveness of the NHA and the National Park Service and provide an analysis of future activities.

Finally, S. 817 makes reauthorization for the NHAs a possibility with the completion of a favorable evaluation. Despite the 10-year vision of the management plan for the NHAs, there is often much more work that needs to be completed. Moreover, the National significance of the NHA does not end after 10 years. This language recognizes there is a long-term commitment to the NHAs and that historic and cultural resources will be protected.

In closing, when the first National Heritage Area was designated in 1984, it was an experiment. Today, NHAs are no longer experiments, they're tried and tested strategies to be embraced as a permanent part of the National Park System. NHAs represent a new conservation ethic, and with the designation of their permanent establishment, and the management entity, long-term funding, they can carry out their congressionally-mandated responsibilities of conserving and promoting historical and cultural resources.

Mr. Chairman, thank you again for providing me this opportunity today, and I'm happy to answer any questions you or the other Senators may have.

[The prepared statement of Mr. Carlino follows:]

PREPARED STATEMENT OF AUGUST R. CARLINO, PRESIDENT & CHIEF EXECUTIVE OFFICER, STEEL INDUSTRY HERITAGE CORPORATION AND THE RIVERS OF STEEL NATIONAL HERITAGE AREA

Mr. Chairman, Senator Thomas and other distinguished member of the subcommittee, my name is August R. Carlino and I am President and Chief Executive Officer of the Steel Industry Heritage Corporation. SIHC is the management entity of the Rivers of Steel National Heritage Area, based in Homestead, Pennsylvania. I appreciate the opportunity to provide testimony to the Subcommittee today on S. 817, a bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide additional authorizations for certain National Heritage Areas, and for other purposes. In the audience today are four of my colleagues, each representing one of the National Heritage Areas included in S. 817. I know they have testimony, and I ask permission for a copy of their testimony to be submitted to the record of this subcommittee. I want to thank Senator Voinovich, Senator Kennedy and Senator Specter and their staffs for their leadership in drafting this legislation with the staff of the Subcommittee. I wish to also thank to Senator Brown, Senator Casey, Senator Graham and Senator Kerry for cosponsoring S. 817.

Over the past six years this Subcommittee, and the House Subcommittee on National Parks, Forests and Public Lands, has examined National Heritage Areas. There is no doubt of the critical role they play in conserving the nation's historic and cultural resources. Today there are 37 National Heritage Areas. Thirty-one were designated in the past 12 years, including four of the five NHAs addressed in S. 817. Fourteen of those 31 NHAs were designated within the past six years. Clearly Congress recognizes the significance and the important role of NHAs in the conservation strategy of the United States.

I should point out that Congress has also reauthorized National Heritage Areas during this time. The John H. Chafee Blackstone River Valley National Heritage Corridor and the Illinois & Michigan Canal National Heritage Corridor have each been reauthorized twice. The Delaware & Lehigh National Heritage Corridor, the Southwestern Pennsylvania Heritage Preservation Commission and the Quinebaug and Shetucket Rivers Valley National Heritage Corridor were reauthorized once before. Under S. 817, Delaware & Lehigh will be reauthorized a second time while Essex National Heritage Area, Ohio & Erie National Heritage Corridor, South Carolina National Heritage Area, and Rivers of Steel National Heritage Area each will be reauthorized for the first time.

Each National Heritage Area in S. 817 has been designated with its own organic act, specific to the needs and priorities of the region of the country for which it was established. While there are similarities in philosophy, our management plans are the cornerstone document for how our NHAs function and how we conduct programming. Each management plan is a vision of what the NHA will strive to be, a snapshot looking into the future. While these management plans often have limited timeframes, focusing on a period of time over 10 to 16 years hence, they are not meant to be interpreted as the limitation of the life or funding of the NHA. While the NHA is authorized in perpetuity, the management plan sets the stage for the work to be accomplished over a finite period of time.

In 2006 the National Park System Advisory Board issued the report *Charting a Future for National Heritage Areas.*[1] The Advisory Board stated that "National Heritage Areas represent a significant advance in conservation and historic preserva-

[1] The report may be viewed at www.nps.gov/policy/NHAreport.htm.

tion" and made several recommendations. Upon examining the role and work of NHAs, the Advisory Board found that NHAs:

- involve the diverse people of this nation to tell their stories with integrity and authenticity;
- weave together nature and culture and provide an integrated approach to conserving resources;
- work beyond park boundaries by offering the National Park Service a new strategy to meet their stewardship mission;
- conserve landscapes and traditions and make them available for the enjoyment of future generations;
- engage youth and people of all ages in our future by providing them with opportunities for place-based education and a forum for public engagement; and,
- build new constituencies for the NPS and stay relevant by examining issues not just in the past, but in the present and in the future.

The Advisory Board made several recommendations in its report, including the need for the establishment of a legislative foundation for National Heritage Areas, and the development of policies and performance measures to evaluate NHAs. The Advisory Board stressed the need for a long-term term commitment to National Heritage Areas, saying that a permanent home for National Heritage Areas should be created within the National Park System. Overall, the Advisory Board recognized that National Heritage Areas are new, innovative conservation and preservation strategies that encourage partnerships fostered by each NHA.

This document was a groundbreaking achievement. Up to that point, NHAs were looked upon as being unwanted orphans of the NPS, misunderstood and considered financial burdens. This attitude might have historical roots within the National Park Service, which has often viewed new, cutting-edge programs as problems before fully embracing them. When the National Park Service was established in 1916, the focus of its conservation was on large-scale natural wonders like Yosemite, Yellowstone and the Grand Canyon. The system did not include other nationally significant places in America. Yet Congress and past Presidents have expanded and evolved the role of NPS and its system to what is today, as described by Dr. Lisa Benton-Short's testimony to this Committee as "the world's leading system for designating, and protecting heritage at the national level."[2] Each change in the system, whether adding national battlefields, national scenic byways, or cultural heritage sites, was met with resistance within the system. They were feared as not only a financial drain on the National Park Service, but also as thinning ". . . the blood of the Park System,"[3] in the words of a past NPS Director. At times, this same terminology has been used to describe National Heritage Areas, until the publishing of the Advisory Board report.

S. 817 takes components of the Advisory Board's recommendations and couples them with other language introduced in past bills that have proposed program legislation for NHAs. I believe S. 817, if passed, will represent the beginning of the institutionalization of steps necessary for evaluation and reauthorization of NHAs. Without S. 817, these five NHAs will most likely go out of business. Moreover, Congress will have permitted these NHAs to expire based upon an arbitrary deadline, not on the effectiveness or performance of their work.

Each of the National Heritage Areas contained within S. 817 have existed for at least 10 years. Delaware & Lehigh in existence since 1988, is the oldest. Each NHA has a remarkable track record of accomplishment, conserving historic and cultural resources. They have created partnerships with federal, state, local and private organizations, and raise funds to match the federal investment of the National Park Service money invested into the NHA. They create heritage development projects that help tell the story of America.

An example of this work of the National Heritage Areas contained in this bill include:

- the development of 73 miles of the multi-use recreational Towpath Trail from Cleveland to New Philadelphia, Ohio in the Ohio & Erie Canal National Heritage Corridor;
- the Market Towns program of the Delaware & Lehigh National Heritage Corridor, a technical assistance initiative designed to stimulate economic invest-

[2] Dr. Lisa Benton-Short, "Testimony of Dr. Lisa Benton-Short", Oversight Hearing on National Heritage Areas, March 30, 2004, Committee on Energy and Natural Resources, United States Senate, 108th Congress, http://energy.senate.gov/public/index.cfm?FuseAction= Hearings.Witness&WitnessID=3202.

[3] Ibid.

ment in the small historic towns along the canal. The program became a model of the Pennsylvania's Department of Community and Economic Development and was recognized statewide as a model economic revitalization program;

- a system of Discovery Centers in the South Carolina National Heritage Corridor located throughout the NHA, greeting visitors, interpreting local history and directing tourists to nearby historic and cultural destinations;
- an annual "Trails & Sails" event in the Essex National Heritage Area, featuring a weekend full of walking and water-based excursions attracting thousands of visitors to museums, trails, historic towns and sites;
- the annual Heritage Area grants program of the Rivers of Steel National Heritage Area, that has invested in more than 290 projects, including folk arts, educational and interpretive exhibits in seven counties in southwestern Pennsylvania.

National Heritage Areas build trails, protect historic buildings through restoration projects and National Register designations. They conserve cultural and living traditions, develop educational programs with schools and through interpretive exhibits at museums. NHAs contribute to a quality of life in communities where heritage becomes a building block for revitalization and tourism. In almost every instance, the NHA plays a role as the initiator, seeding projects that might never be funded in more traditional community or regional investment strategies. An NHA looks to use its unique heritage of a project as the foundation for its economic strategy. We often hear that historic preservation and economic development cannot coexist. I am here today to tell you that is not the case in National Heritage Areas. Some of our best partners are developers and property owners looking for ways to incorporate heritage resources into their plans.

The investment strategy of NHAs is to pool money to make grants in heritage development projects that fit within the scope of the management plan. The initial, and most critical investment, comes from the appropriation that Congress provides each year to the NHAs. Without this investment from the National Park Service, the question that begs to be asked is: why would any other financial partner sit at the NHA table without the primary NHA partner? The Advisory Board recognized this as a part of its field visits to National Heritage Areas. It is the reason why the recommendation is made for a long-term commitment to NHAs.

In the Rivers of Steel National Heritage Area, managed by the Steel Industry Heritage Corporation which I direct, considerable progress has been made over the past 10 years since our designation in 1996. Like Delaware & Lehigh, Rivers of Steel is one of Pennsylvania's six NHAs that also received state heritage area designation. The viability of our National Heritage Area depends upon the permanence of the NHA designation and the funding we receive with it. Without the NPS funds, other financial partners would have less incentive to participate, and our grants program would be severely reduced. Our 10 year report, Momentum, shows the results: with the 8.645 million dollars of National Heritage Areas funds received though our annual appropriations, more that 28 million dollars in additional funds have been raised and invested into projects by the Rivers of Steel National Heritage Area. I assure you this would not be the case if our authorization did not exist and funding were not provided. This is the story for each of the NHAs in S. 817. With the difficult budget decisions this Congress faces, it would seem logical to embrace programs like the NHAs with their successful record of leveraging federal investment. This report may be viewed at http://vvww.riversofsteel.com/pdffrenYearReport.pdf.

S. 817 also establishes an evaluation and analysis process, as called for in the Advisory Board report. Building off the work that the Conservation Study Institute of the National Park Service has developed for the evaluation of the Delaware & Lehigh National Heritage Corridor, the other NHAs in the legislation will move forward with the Secretary of Interior, through CSI, and complete a report that will be submitted to the Congress. This is an important step in establishing the long-term need of the NHAs in the bill, creating a process by which all other NHAs will follow. This report will evaluate the effectiveness of the NHA and NPS and provide an analysis of future activities. Given the intent of the legislation, I wish to point out that Section 5 (2) (D) might work better if placed under the Required Analysis, Sec. 5 (3) of the legislation. This will guarantee that the future role of NPS will be analyzed, along with the NHA.

Finally, the S. 817 makes future, long-term reauthorizations of the NHAs a possibility with the completion of a favorable evaluation. Despite the 10 year vision of the management plan for the NHA, there is often more work to be completed. The national significance of the NHA will not end after 10 years. This language recognizes there is a long-term commitment to the NHA. Historic and cultural resources will be conserved and protected for generations to come.

In closing, when the first National Heritage Area was designated in 1984, it was an experiment with a vision for public and private stewardship of nationally significant resources within the living landscape of the Illinois & Michigan Canal National Heritage Corridor. Today, National Heritage Areas are no longer experiments. They are tried and tested strategies to be embraced as a permanent part of the National Park System. NHAs represent a new conservation ethic, one where the National Park Service is the principle partner. With the National Heritage Area designation permanently established, the management entity, with long-term funding from the federal government, will carry out its congressionally-mandated responsibilities of conserving and promoting historic and cultural resources.

Mr. Chairman, thank you again, for providing me this opportunity to testify today. I am happy to answer any questions that you or the other Senators might have.

Senator SALAZAR. Thank you, Mr. Carlino.

Mr. Lopez.@

STATEMENT OF DENNIS J. LOPEZ, ON BEHALF OF THE SANGRE DE CRISTO NATIONAL HERITAGE AREA, ALAMOSA, CO

Mr. LOPEZ. Mr. Chairman, members of the subcommittee, I am Dennis Lopez, and I am here to testify in support of the Sangre de Cristo National Heritage Area. I am a member of a steering committee that developed a feasibility study, and which is cited in S. 443.

I wish to thank the committee for inviting me to testify at this hearing. The bill to designate the Sangre de Cristo National Heritage Area is of vital importance to the three-county region that lies at the southern end of the great San Luis Valley of southern Colorado.

As part of today's testimony, I would like to emphasize the overwhelming local and regional support for designation of the identified area as a National Heritage Area. From the inception, our efforts have sought the support of the local residents, organizations, and governments. Those efforts began in 2002, with public meetings in each county as the first step in the process of developing the steering committee. The steering committee has been responsible for most of the work that has been done so far on the National Heritage Area designation efforts, and in the development of the feasibility study.

Several of the original members of the steering committee are still actively involved in this work. For the past 5½ years, the steering committee and other interested parties have held numerous public meetings, and have encouraged individuals to become involved on the committee or in other pertinent ways.

Individuals from the committee have presented at various meetings of other non-profit entities, special interest groups, civic groups, local governments and tourism boards. Resolutions have been received supporting the National Heritage Area from the counties and municipalities lying within the proposed area.

Numerous letters of support have been obtained from businesses, non-profit organizations, and regional economic development entities and individuals. Friendly relations with other local public land agencies and organizations have been another area of focus for the committee. A close working relationship has been established with the Nation's newest National Park, the Great Sand Dunes National Park and Preserve.

Individuals have contributed countless hours of research, which was the basis for a collaborative, scholarly symposium that was presented in 2002 by the steering committee. Over one-third of the research was donated to the National Heritage Area effort. The greatest contribution that has impacted our goal of designation has been the overwhelming amount of work of professional volunteers.

Partnerships with Adams State College and other entities were formed to present the one-day, multi-topic symposium on history, heritage, culture and natural recreational resources that are the unique characteristics of the proposed area. The symposium received valuable acclaim for the top-quality of information presented.

The final feasibility study was researched and authored almost entirely by local historians, authors, scholars, business individuals, and residents of the proposed area. Our State Senator and State Representative have also shown their support for the project throughout our efforts. The comprehensive show of support from a multitude of people within the San Luis Valley and from around the State of Colorado for this designation is apparent. The Sangre de Cristo National Heritage Area is a crossroads of cultures where a unique blend of Native American, Hispano and Anglo-settlement converged in what was the 19th Century dynamic of westward movement, and today is reflected in the diversity of the people, art and traditions.

The geographic isolation of this alpine valley and the people's enduring ties to the land have given rise to a rich cultural heritage. The spirit of independence and self-reliance, an important National value, remain as the legacy of those first courageous settlers, who fought many odds to make this their home.

The area's rich cultural heritage, remarkable natural resources, the mighty Rio Grande, the majestic Rocky Mountains and the Great Sand Dunes National Park and Preserve all lend this area an unparalleled beauty that offers a sense of well-being and a powerful source of inspiration to all who visit this integral part of the national landscape.

From the cultural treasure chest of living history to the abundance of natural resources and recreational opportunities, this unique locale is akin to a diamond among precious stones. This may be one of the few remaining places in our great country with a distinctive history worthy of national acclaim.

Your designation of the three-county, Sangre de Cristo National Heritage Area as an important component of the tapestry of the American historical experience will be the recognition that is well-deserved. The steering committee encourages you to officially acknowledge the significance of this area, through the enactment of S. 443, establishing the Sangre de Cristo National Heritage Area in the great centennial State of Colorado.

Again, thank you, Mr. Chairman, and I will be glad to entertain any questions that you may have.

[The prepared statement of Mr. Lopez follows:]

PREPARED STATEMENT OF DENNIS J. LOPEZ, ON BEHALF OF THE SANGRE DE CRISTO NATIONAL HERITAGE AREA

Mr. Chairman and members of the Committee, I am Dennis J. Lopez and I am testifying in support of the Sangre de Cristo National Heritage Area (SDCNHA). I

am a member of the steering committee for the proposed National Heritage Area. I am a sixth generation native of the San Luis Valley and my ancestors were one of the original forty families who were grantees in 1843 of the Conejos Land Grant in Conejos County, Colorado. Raised in a bilingual, bicultural family, I have maintained the rich heritage of my Hispano ancestors as well as being fluent in the American mainstream culture. I am a member of Adobe de Oro Concilio de Artes, a local arts council that promotes the documentation, preservation and promotion of Indio-Hispano arts and traditions and a past member of the Sociedad Proteccion Mutua de Trabajadores Unidos (S.P.M.D.T.U.), an Hispanic farm labor workers union established in Conejos County in 1901. I received my post-secondary education at Adams State College in Alamosa County. My career of choice has been as an educator, for the past thirty three years teaching U.S. History of the Hispanic Southwest, Spanish, French and lately as a school administrator. I spent ten years as an administrator in Alamosa School District and I am currently the principal at Sierra Grande School District in Costilla County. As an historian, linguist, and educator I have gained valuable insight into the evolving diverse aspects of our national heritage.

I wish to thank you for inviting me to testify at this hearing. The bill to designate the Sangre de Cristo National Heritage Area is one of high importance to the three county region which lies within the great San Luis Valley of Colorado.

The San Luis Valley is located in the south central region of the State of Colorado surrounded by the Sangre de Cristo Range and northern Culebra Range of the Rocky Mountains to the east and the San Juan Range, which forms the Continental Divide, to the west. At 122 miles long and 74 miles wide, the San Luis Valley is Colorado's largest mountain park and has been labeled "the highest, largest mountain desert in North America". The proposed designation area is comprised of Costilla, Conejos and Alamosa counties in addition to the Great Sand Dunes National Park and Preserve, Baca National Wildlife Refuge and Monte Vista National Wildlife Refuge; all lying within the southeastern part of the San Luis Valley.

With 11,000 years of documented human habitation, the Sangre de Cristo National Heritage Area is a crossroads of the centuries. Here a unique blend of Native American, Hispano and Anglo settlement is reflected in the diversity of the people, art and traditions. The geographic isolation of the alpine valley and the people's enduring tie to the land have given rise to a rich cultural heritage and ensured its preservation. The area's fertile cultural landscape is complemented by remarkable natural resources, including the mighty Rio Grande, majestic Rocky Mountain peaks, Great Sand Dunes National Park and Preserve, National Wildlife Refuges, and the high mountain desert, all of which lend the Sangre de Cristo National Heritage Area an unparalleled beauty that offers a sense of retreat and a powerful source of inspiration for visitors.

For a century and a half the region has cultivated a rich heritage that is a living testament to the generations gone before us. Everyday life is endowed with traditions, both conscious and subconscious, that have been passed from father to son, mother to daughter and neighbor to neighbor. New neighbors learn traditional ways and over time, find themselves embracing these traditions either out of need or out of respect. This is a land that is essentially true to its roots.

The history of the proposed area is marked by the dynamic encounter of three major cultures during a time when the nation's boundaries and flags were in a state of constant change. First Nations, or Native Americans, Indo-Hispanos and AngloEuropeans vied for the land. They held divergent views of the land and its resources. The Utes, who claim 11,000 years of ancestry and occupation, like other First Nations had a unique and spiritual relationship with the land. They could never think in terms of owning it. That would have gone against all that they believed. The land was a friend, a provider, and a partner to all of nature. It fed and sheltered. It cared for the people and gave them everything they ever needed.

Hispanos claimed territory for the motherland and God. Theirs was a communal self-sustaining system, which required the cooperation of everyone. Villages were born with extended families, building adobe structures which were connected and surrounded a town square called a plaza. Farming and ranching depended on the acequia* system of irrigation which functions well only when everyone is a participant. Land ownership was for the good of the family, the community and the Church.

When Anglo-Europeans began to populate the land, they brought with them a system of deeds, surveys, titles, taxation and barbed wire to delineate and define. Mining, building railroads and big ranching were the goals. For the Anglo-Europeans, the land was not so much perceived as a place of sustenance, but seen more as a source of resources to be used and extracted.

The U.S. military presence came in 1852 just one year after the first Hispano settlement in the region. Fort Massachusetts, built then, proved to be inadequate so the army replaced it with Fort Garland in 1858. Fort Garland remained a fort for 25 years. Its mission was to protect settlers against hostile Indians. Hostilities were present among the three groups, but major battles never occurred.

The distinguishing elements that set this region apart from others are the multitude of natural resources and incredible recreational choices that integrate with the distinctive cultural landscape. Early settlers found precious water in abundance and fertile soil in which to raise crops and graze livestock. Vast forests provided wildlife, wood for lumber, plants for medicines and forage for livestock.

The designation area contains habitats and wildlife that are characteristic of the San Luis Valley, yet unique to Colorado and the West. A natural marvel, the Great Sand Dunes National Park and Preserve, lies to the north end of the designation area. The dunes, the tallest in North America, developed as a result of prevailing winds blowing across the valley.

Despite the title of "desert", the San Luis Valley boasts one of the West's most prized natural resources—WATER. Two separate aquifers underlie the valley and both contain large quantities of water. Water from mountain drainages and ground water moving toward the valley filtrates down and recharges the aquifers. The range of wetland types in the designation area, each with varying degrees of water permanence, supports a diversity of plant and animal species, some of which are very rare such as the slender spiderflower. The SDCNHA provides a comprehensive sampling of the valley's intricate system of wetlands that is fed by watershed runoff, creeks, ditches, ground water and artesian wells.

The amount of federally protected land within the proposed National Heritage Area attests to the natural resources within the southern portion of the San Luis Valley. The State of Colorado and the Nature Conservancy also protect substantial land holdings in the proposed area. These protected lands include a National Park and Preserve, three National Wildlife Refuges, a National Forest, two National Wilderness Areas, a proposed National Natural Landmark (Rio Grande), Bureau of Land Management lands, 15 State Wildlife Areas, a State Park and the 97,000 acre Nature Conservancy Medano-Zapata Ranch.

Plant species, wildlife and birds are abundant throughout the SDCNHA. A number of plant communities and bird and animal species found in this area have been recognized by the Colorado Natural Heritage Program as globally significant. Rankings of these particular plants, birds and animals put them in the category of vulnerable to extinction. For this reason, protected lands serve as last bastions in preserving species.

Other wildlife in the area boasts large populations of deer, elk, Rocky Mountain sheep, and pronghorn. More common furbearers such as beaver are found throughout the region.

Exceptional recreational opportunities abound in the Sangre de Cristo area. There are hundreds of square miles of public lands, thousands of acres of wildlife rich wetlands, marshes, and water bodies and two designated wildernesses that provide for highly diverse recreation experiences. While experiencing this unparalleled scenic beauty one can find solitude, absorb clean crisp air, gaze upon some of the clearest of night skies and bask in a climate that is dominated by sunlight.

Nature based tourism includes recreational pursuits such as dune skiing, snowshoeing, snowmobiling, camping, biking, bird watching/wildlife viewing, cross-country skiing, hiking, mountaineering, star gazing, fishing and hunting. Both the Sangre de Cristo Wilderness and the San Juan Wilderness areas provide excellent recreation opportunities for visitors seeking more remote backcountry hiking, camping, and mountain and ice climbing experiences.

The Rio Grande and the diversity of ecosystems and life zones and the intricate system of wetlands that span the area, make wildlife viewing phenomenal. The valley is situated on a major flyway and sees a large number of species as great waves of birds pass through on annual migration. With further enhanced partnerships and interpretive tourist information, several of these areas could be organized into wildlife driving tours. Bird watching guides and tours have the potential to increase visitor traffic tremendously throughout the area.

Cultural based tourism can be experienced through the architecture, development patterns, art, food, lodging and cultural events. Los Caminos Antiguos, the Ancient Roads, is a 129 mile stretch of Colorado highway that links many of the key resources in the proposed SDCNHA. The Byway provides visitors with panoramic views, a strong sense of the past and opportunities to experience the rich culture and traditions of the local people. Along this route one can see and feel the authenticity of the cultural landscape. Visitors can experience numerous historic Hispano communities such as San Luis, the oldest town in Colorado, listed as a National

Historic District, with its plaza, vega,* adobe structures, mission churches, local artifacts, authentic restaurants, cultural museum and B&Bs. On the same trip, visitors can see historic Mormon villages that illustrate the tightly grided streets and clustered homes of the early settlers and pass through the numerous railroad towns that sprung up during the late 1800s. One of the largest railroad towns is Antonito where the Cumbres and Toltec Scenic Railroad, listed on the National Register of Historic Places, is located. This historic railroad has vintage steam-powered locomotives and wooden passenger cars that wind through spectacular scenery as it travels through the San Juan Mountains en route to Chama, New Mexico. Fort Garland, the once stronghold of protection for the settlers of the region, is now a fine museum offering interpretation of everyday life. Its one time commander, Kit Carson, and the regiment of buffalo soldiers who served at the fort are highlighted with interpretative signage, artifacts and special displays. Reenactment camps and living history events bring bygone times back to life. Many more recreation opportunities exist but are far too numerous for this testimony to list.

Isolation within these valley walls has been the impetus that has kept the culture intact and the natural resources from being completely exploited. An archaic dialect of 17th Century Spain is still spoken by about 35% of the population, showing remnants of centuries past.

In this high mountain valley, isolation has worked to our advantage and to our disadvantage. Although our heritage and culture have been well preserved, the population has remained relatively low. The exodus of our youth to more prosperous areas has left its mark on the ability of families to keep generations-held land. Our financial resources and tax base has not kept pace with urban areas or even with other rural communities. The counties of Conejos and Costilla are two of the poorest in the country. The struggling economies of these counties, as well as their sister county, Alamosa, are in desperate need of economic enhancement. Unemployment averages within these counties is high and per capita income, when compared to the Colorado State average, is low at 45-65%. As we search for ways to sustain our agrarian lifestyle, a National Heritage Area designation would compliment existing efforts of attracting heritage travelers through tourism. Heritage tourism and historic preservation are proven economic stimulators and a perfect fit for rural communities. Along with tourism, heritage education to include the traditional arts, language and local history would benefit tremendously from the national designation.

I would like to include in this testimony the process of bringing this dream of National Heritage Area designation from beginning to present day and of the overwhelming support that exists for the designation.

Los Caminos Antiguos Scenic and Historic Byway, a 501(c)(3) not for profit organization, is one of the 24 Colorado scenic byways and traverses three of the southernmost counties of the San Luis Valley. During the research the Byway conducted, while preparing interpretive material for production, the board of directors realized that there was a significant, important, and integrated story within the region that had not been told, nor had it been celebrated. The Byway holds a stake in the cultural and historical preservation of the area. It's not unusual for a byway, either a State Scenic Byway or National Scenic Byway, to lie within a National Heritage Area.

A consensus of the Board of Directors instructed byway planners to include the formation of a National Heritage Area in the Strategic Plan for the Byway. Beginning with three public meetings, one in each of the Alamosa, Conejos and Costilla counties, the Byway assessed interest, attendance and the willingness of individuals to help move the project forward.

Attendance and interest from these meetings encouraged us to organize interested parties to work on the designation. A volunteer steering committee was nominated and formed. Today, several of the original steering committee members of 2002 are still actively involved. The steering committee has been responsible for the majority of the work done thus far on the Heritage Area designation effort and in the creation of the feasibility study.

From those first meetings, we've met regularly over the past five and a half years to plan, organize and take forward the concept. We've held several other meetings and have encouraged individuals to become involved whether on the committee or in other ways. Individuals from our committee have presented at various monthly and quarterly meetings of other non-profits, special interest groups, civic groups, local governments and tourism boards. We have periodically met with the County Commissioners of all three counties to update them on the progress of the designa-

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*Acequia—ditch
Vega—meadow

tion process. Countless hours have been spent in research and building public support for the project.

Resolutions supporting the National Heritage Area designation from all three Boards of County Commissioners have been received, as well as supportive resolutions from communities lying within the proposed region. Numerous letters of support have been obtained from local and regional governments, businesses, non-profit organizations, regional economic development entities and individuals. Our State Senator, Gail Schwartz, and our State Representative, Rafael Gallegos have also shown their support for the project throughout our efforts and have given letters committing their support.

Financially, Los Caminos Antiguos has supported the efforts, and through their non-profit status, individuals and organizations have been able to make cash contributions. The greatest contributions that have impacted our goal of designation have been the overwhelming personal work of our professional volunteers. As I mentioned, countless hours of research have been contributed. That research had its roots in a collaborative scholarly symposium that our steering committee presented in November of 2002. Partnerships with Adams State College , Trinidad State Junior College, Adams State College Title V Office, Jalisco Inc. (a private business) and Los Caminos Antiguos were formed to present the full day, multi-venue symposium on the history, heritage, culture and natural resources that make up the proposed region. Over 31 presenters donated their time, travel costs and research to the National Heritage Area effort. Scholarly papers were presented at the symposium and then given to the steering committee to be used in the authoring of the feasibility study. Cultural groups donated performances during the lunch that was provided with funding from our partners. People from the San Luis Valley and other regions of Colorado and the state of New Mexico came to hear the presentations that were made through lectures and panel discussions.

The feasibility study was researched and authored almost entirely by local historians, authors, scholars, business people and residents of the proposed region. This once again shows the overwhelming support for this designation from a multitude of people within the valley and around the state of Colorado. A well known landscape architecture firm Shapins Associates, specializing in heritage planning and research, contributed significantly to the completion and production of the final study.

Within the planning process, partnerships with our local public land agencies and organizations have been a main focus. Our partners include the Rio Grande National Forest, the Bureau of Land Management and the U.S. Fish and Wildlife Service through the three National Wildlife Refuges within the SDCNHA boundaries. All of these agencies have been contributors to the research and writing of the feasibility study. A close working relationship has been established with the nation's newest National Park, the Great Sand Dunes. State agencies such as the Division of Wildlife and Colorado State Parks have all offered technical assistance along the way.

Since the completion of the feasibility study, the group has sought to further Heritage Tourism by participating with other organizations to advance visitor readiness and increase the profile of the region. Preservation projects to protect some historic treasures include placing the original Antonito Train Depot circa 1880s on both the State and National Registers of Historic Places. Restoration work on the depot is being planned with a new coalition of partners and an interpretive center is under consideration.

To further the cause of the Sangre de Cristo National Heritage Area's designation, financial contributions from the three counties, non-profit organizations, economic development agencies, chambers of commerce, and other interested parties have been made to fund the travel, lodging and additional expenses for the steering committee members to travel to Washington D.C. to attend the hearings for S. 2037 on June 22, 2006 and again for this testimony on S. 443, today, March 20, 2007. These trips to Washington D.C. to provide valuable testimony would not have occurred without these significant, invaluable donations.

The recognition of the Sangre de Cristo National Heritage Area's three county region as an important component in America's history is long overdue. From the cultural treasure chest of living history to the abundance of unique natural resources and recreational experiences, this region sits as a diamond among gems.

In conclusion, the Sangre de Cristo National Heritage Area is worthy of national designation and has met the criteria of the National Park Service. This may be one of the few remaining places in our great county with the integrity worthy of national acclaim. I urge you to act quickly to enact legislation establishing the Sangre de Cristo National Heritage Area. Thank you for the opportunity to address the committee and I would be happy to answer any questions that you may have.

Senator SALAZAR. Thank you, Mr. Lopez.

Mr. Nichols.

STATEMENT OF GARY E. NICHOLS, DIRECTOR, PARK COUNTY TOURISM AND COMMUNITY DEVELOPMENT OFFICE, FAIRPLAY, CO

Mr. NICHOLS. Mr. Chairman, and ranking member Thomas, on behalf of the Park County, Colorado Commission and our Heritage Area Partnership, I am honored and grateful for the opportunity to be here today to provide testimony on the South Park National Heritage Area bill, S. 444.

The South Park Heritage Partnership was established in 1994, after local ranchers, miners and community leaders approached me with their vision to preserve South Park's unique heritage resources, and utilize them to generate new economic opportunities. Shortly after which, the Governor of Colorado designated South Park as the State's second official State Heritage Area.

Our National Heritage Area bill recognizes the importance of developing a strategic management plan that engages all 80 partners, and 90-plus heritage sites in South Park. It also addresses key elements of Senator Thomas' proposed NHA bill, by establishing definitive resource criteria and budget guidelines, by limiting our funding requests to what is required and can be matched locally, and by providing specific language that protects the rights of individual private property owners, many of whom are longstanding partners in our program. No where else in the Nation is the Nation's heritage preserved in such an extraordinary high-altitude landscape.

At two miles above sea level in South Park, archeologists have documented human occupation over the last 8,000 years nearly continuously. As the highest elevation Pleistocene fossil site in North America, Porcupine Cave is also one of the world's most important sites for the study of Ice Age animals.

South Park is home to a rare grassland community, the largest remaining natural grassland of its type on earth. South Park also contains the greatest concentration of rare and significant wetlands known as fens, in the lower 48 States, as well as the oldest trees in the Rocky Mountain Region. Growing at elevation above 11,000 feet, South Park's Bristle Cone pine trees are over 2,000 years old.

At 14,000 feet above sea level, in the Mosquito Range, the Present Help Mine is still the highest mine ever to operate in the United States. This ancient mountain range contains several rare plants found no where else in the world.

Designated by Congress in 1966, the Lost Creek National Natural Landmark Area in South Park protects stunning rock formations in a stream that disappears and reappears at the surface at least 9 times.

Over the last 12 years, our partnership has raised $17 million to preserve a multitude of historic properties, secure conservation easements on agricultural land, establish new heritage tourism facilities and programs, and develop a variety of educational and promotional media. As a result, we are now positioned to showcase this 900-square mile mountain basin through the National Heritage Area Program.

With a recent Preserve America grant from the White House, we are currently preparing adaptive-use plans for several key historic sites. We therefore, propose applying 87 percent of our NHA budget to our implementing site-specific plans on participating properties with their landowners. The estimated budget to accomplish our highly-targeted goals, amounts to $12.2 million over the term of the National Heritage Area, half of which will be provided by the local partnership.

Again, thank you so much for the opportunity to comment and provide testimony on South Park's National Heritage Area Act. I would be glad to answer any questions you may have about our program and bill.

[The prepared statement of Mr. Nichols follows:]

PREPARED STATEMENT OF GARY E. NICHOLS, DIRECTOR, PARK COUNTY TOURISM & COMMUNITY DEVELOPMENT OFFICE

Mr. Chairman and Ranking Member Thomas, thank you very much for holding a hearing today on S. 444, the South Park National Heritage Area Bill of 2007.

On behalf of the Board of Park County Commissioners and the South Park Heritage Area Partnership, I am honored to be here today to provide our testimony on the South Park National Heritage Area in the State of Colorado. We appreciate the time and effort the Committee, its staff, Senator Salazar, and his staff have committed to the development of this bill.

To retain the authenticity of their home place in the face of growth and change, cattle ranchers, miners, business leaders, and local government officials came together in 1994 to conserve South Park's unique heritage resources and utilize them to generate a new sustainable economy. Shortly thereafter Colorado's governor designated South Park as the second official State Heritage Area.

Over the last twelve years our 80 program partners have worked diligently to survey and preserve a multitude of significant historic properties, secure conservation easements on 25,000 acres of agricultural land, restore thirteen miles of impaired stream and riparian habitat, establish new heritage tourism facilities and programs, and develop a variety of educational and promotional media. To date the South Park Heritage Area partnership has raised $17 million in grants and matching funds for these purposes. As a result of our collective efforts, we are now poised to showcase this thousand-square-mile mountain landscape through the National Heritage Area Program.

With a recent Preserve America grant from the White House, we have retained planning professionals to prepare master plans for a number of key historic properties in the South Park basin, in cooperation with their (private) owners. These sites are culturally significant, representing the pioneer industries of ranching, mining and railroading at high altitude in the central Rocky Mountains. These plans will provide the local partnership with a blueprint for preserving and preparing each site for appropriate types and levels of adaptive use, including but not limited to heritage tourism.

This milestone planning project entails 1) assessing, 2) stabilizing, 3) restoring, 4) rehabilitating, 5) protecting, 6) enhancing, 7) interpreting, 8) managing, 9) branding, 10) marketing, and 11) adaptively using each of the target sites. However, strategies contained in each of these master plans will require significant additional funding for implementation. Consequently, we propose to apply the majority (87%) of our NHA budget toward implementing site-specific recommendations on participating properties within the South Park NHA boundary. Moreover, half (50%) of our $12.2 million budget will be provided by the local partnership. Thus, the estimate of Federal funding required to accomplish our targeted heritage area strategies amounts to $6.1 million over the ten-year period.

Nowhere in the United States will you find the centennial ranches, prehistoric sites, steam locomotives, and forgotten gold mines preserved in a setting as extraordinary as South Park, at elevations exceeding two miles above sea level. The altitude of South Park and surrounding mountains define our heritage and attract individuals who value the authenticity of this proposed National Heritage Area. As they have for centuries, local residents still depend on the land for their livelihood and quality of life. As America's population grows and other places lose their traditional industries and identity, places like South Park become increasingly rare and more intriguing.

Despite our extreme elevation, or perhaps because of it, rare and abundant natural resources have attracted people to the South Park basin since 7,000 B.C. Ute and Arapaho peoples frequented the same high altitude hunting and gathering sites that prehistoric peoples used 8,000 years before. Grazing animals first established the trails that indigenous peoples eventually followed. The same trails were used by guides and government explorers like Kit Carson, John Fremont and Zebulon Pike. Members of these early expeditions first documented the fossilized remains of animals found in South Park, including an extinct North America cheetah. Located at 9,400 feet in the proposed National Heritage Area, Porcupine Cave is the highest Pleistocene fossil site in North America, and its wealth of animal fossils makes it one of the most important sites in the world for the study of Ice Age vertebrates.

Second only to Lewis and Clark in the annals of frontier exploration, Pike's 1806 expedition marked the first official American exploration into South Park. One of the most famous early explorers, John C. Fremont, led multiple expeditions into South Park in the 1840s. Like Pike, Fremont was tasked by the US government with securing, surveying, and opening up the western territory for development in the name of Manifest Destiny.

During the famous *Pikes Peak Or Bust* gold rush of 1859, pack trains and freight wagons turned buffalo trails into rutty roads, which rail companies then graded to supply early miners with supplies. Cattle ranches sprang up across this high altitude prairie to feed the miners. The same ranches that supplied world-class hay to England and Russia a century ago still support a globally rare grassland community, the largest remaining natural grassland of its type on earth.

Democratic traditions that are fundamental to our country's governance were underscored in remote outposts like South Park. Lacking even common law principles, the early miners had to establish customs based on elementary rules of property and equity. In 1859 bylaws were enacted for the "Buckskin Joe Mining District" near Alma, which is now the highest incorporated town in the United States. These laws represent some of the earliest legislation in the region; birthed among the hardscrabble mining camps of that period.

The challenges of mining at high altitude in the 19th Century were incredible, and the mines above Alma are higher than any others in North America. At 14,157 feet near the summit of Mount Lincoln, the Present Help Mine is still the highest mine ever to operate in the United States. Mount Lincoln was named in 1862 for our 16th President. Immediately following President Lincoln's 1865 assassination, thousands of Americans trekked westward to pay tribute to "our dead but immortal President" by ascending its summit "so near the heavens."

By far the most unusual "mining" enterprise in South Park, Colorado Salt Works (National Register) is the only surviving example of an 1860s kettle and pan salt production facility in the United States. Drawing from surrounding salt springs, the facility extracted salt between 1862 and 1870. Also on the National Register, Salt Works Ranch is among Colorado's oldest continuously operating cattle ranches (five generations) and is still owned by the same family.

The Mosquito Range is the only place in the United States where hearty climbers may ascend four peaks above 14,000 feet in a single day, including Mount Lincoln and Mount Democrat. This ancient mountain range contains 33 rare plant species, collectively representing one of the highest concentrations of rare plants in the Rocky Mountains. Several of these species are found only within the Mosquito Range and nowhere else in the world. One species is currently listed as "Threatened" in its entire range by the U.S. Fish and Wildlife Service.

At 13,188 feet, Mosquito Pass is the highest motor vehicle pass in North America. But it's only one of many mountain passes into South Park. Much to his satisfaction, Walt Whitman was once detained for an hour at Kenosha Pass summit. From this lofty vantage point along the South Park Railroad, Whitman wrote: "At this immense height the South Park stretches fifty miles before me. Mountainous chains and peaks in every variety of perspective, every hue of vista, fringe of view, in nearer, or middle, or far-dim distance, or fade on the horizon . . . As afternoon advances, novelties, far reaching splendors, accumulate under the bright sun in this pure air."

Helen Hunt Jackson has been described as the most brilliant woman and one of the most successful writers of her day. During a week in Colorado, she reported, "we found ourselves on a true summit at last, on the [Kenosha] summit of the eastern wall of the great South Park . . . nowhere else in the world are there mountains fourteen and fifteen thousand feet high which have all the room they need—great circles and semicircles of plains at their feet and slopes a half continent long!"

The sentiments expressed by Whitman, Jackson and many others are echoed by contemporary visitors who cross into South Park over one of nine mountain passes

for the first time: "it's hard to believe that a place like this still exists within an hour of Denver!"

The South Park basin supports some of the most extensive bristlecone pine forests in the world. Bristlecones are the oldest known living trees on earth. The bristlecone pines in South Park took root during reign of the Roman Empire and are the oldest trees (2400 years) in the Rocky Mountain region. South Park's ancient pine forests are complemented by rare and unusual wetlands called fens. These wetlands are comparable to few others in the United States. South Park contains more of these nationally significant wetlands than any other region in the lower forty-eight states. Situated at just under 10,000-feet above sea level, High Creek Fen is an astonishing vestige of the last Ice Age that has been identified as the most ecologically diverse, floristically rich fen known to exist in the Southern Rocky Mountains. Now managed by the Nature Conservancy, High Creek Fen is open daily to the public for photography and nature study.

In 1966 Congress designated the Lost Creek National Natural Landmark Area along the eastern edge of South Park. Forty miles southwest of Denver in the proposed NHA, the Area's stunning rock formations include spires, pinnacles, narrow ridges, and narrow gorges. Another marvel of the Landmark Area is Lost Creek, which disappears and reappears at the surface at least nine times. The last wild herd of bison in Colorado ranged near Bison Peak in the Landmark Area.

Sixteen properties in South Park are currently listed on the National Register of Historic Places. More than 75 additional sites are officially eligible for the National Register according to the National Park Service. It is also worth noting that, since most of the NHA has yet to be excavated, countless undiscovered prehistoric and paleontological sites may also prove to be eligible.

Our South Park NHA bill recognizes the importance of developing a strategic management plan that engages all 80 partners and 90+ heritage sites. It also addresses key elements of Senator Thomas' proposed NHA bill by establishing definitive criteria and budget guidelines for heritage resources in the South Park NHA; limiting our federal funding request to what is actually needed and can be matched locally to accomplish our annual goals; and providing specific language that protects the rights of individual private property owners, many of whom are longstanding partners in the South Park State Heritage Area Program.

Again, thank you for the opportunity to provide comment and testimony on the South Park National Heritage Area Act. I would be happy to answer any questions you may have about our heritage area program and bill, or and any other questions you may have.

Senator SALAZAR. Thank you very much, Mr. Nichols, and thank you, again, to all of the panel for your testimony this afternoon.

We'll have 5 minutes of questions each, and we'll see how long we'll keep you here this afternoon.

My first question is to you, Mr. Esparza, concerning the National Latino Museum. You commented on the contributions of Latinos to the United States, and commented on some of the military contributions, especially in World War II. I will note at the outset of my question here that both Senator Bingaman, our chairman, and Senator Domenici, the ranking member, are sponsors of our bill, along with approximately another 30 sponsors, both Democrats and Republicans, of this legislation. And, I think it is part in recognition of that history of contribution that Latinos have given to this country from its very beginning, and even before.

I will note that the founding of the American GI Forum, essentially came out of a very painful part of our history as you well recall, and that is that in 1948, Dr. Hector Garcia decided to found the National, the American GI Forum, because of the fact that Mexican-American soldiers were being returned as casualties back into south Texas, were not being allowed to be buried in cemeteries. In that specific case, it was in Three Rivers, and it was part of an effort on the part of Dr. Garcia to try to make sure that the Hispanic contributions in the military were, in fact, recognized.

Would you comment, just briefly, from your knowledge of the historical information on the Hispanic contributions to the military of our country?

Mr. ESPARZA. Certainly, Senator.

We have more Congressional Medal of Honor winners, per capita, than any other group in the country. And, we have contributed our manpower, our blood to every single engagement of defending this country from its very beginning, and continue to be over-represented in the military. It is something that our community is very proud of, and has always supported our military men and women.

We particularly take pride in our contributions in this area. And, you mentioned the case of Private Longoria, who of course, President Lyndon Johnson, then-Senator, from Texas, took the step of having him, interred in Arlington National Cemetery to overcome the great injustice of him being denied burial there in Texas, in his home town.

And that, of course, became one of the very first steps towards creating a barrier to discrimination in public places, which is again part of our legacy of fighting for civil rights and pursuing equality for all people.

Senator SALAZAR. I thank you, Mr. Esparza, and I'm certain you're aware that I think it is somewhere around 17.5 percent of the men and women who are currently serving in Iraq are from the Hispanic community here in the United States, so I think the continuing contribution is there today, as we hold this hearing here in the U.S. Senate.

Let me ask you a second question, and that is with respect to the funding of a National Latino Museum, in your history as part of the New American Alliance and others, do you think there is corporate support out there that we could identify to help us in the construction and maintenance of a National Latino Museum?

Mr. ESPARZA. There is growing wealth in our community, and I know that our philanthropists in our community and the major corporations view the value of creating an institution of this nature, and will step forward to support it.

Senator SALAZAR. Thank you, Mr. Esparza, for your contributions to our Nation, and to preserving the history of our heritage and culture, as well.

Mr. Sakura, I had a question for you on the expansion on the Mesa Verde National Park. If the funds are not appropriated in fiscal year 2008 for this acquisition, is there a risk that this project will never be completed?

Mr. SAKURA. Senator, there is that risk, yes.

Senator SALAZAR. Question for you, Mr. Ostermiller, and that is that the administration's testimony noted that the proposed study doesn't include the necessary criteria for the study to assess the conceptual boundary map of the Heritage Areas. You have to understand that the bill identified certain coastal areas of Oregon and Washington, and other areas along the Columbia River. Is there a general agreement, locally, among those who have been involved in this project about the geographical extent and boundaries of the area?

Mr. OSTERMILLER. Senator, there is general agreement. One of the topics of our 3-day gathering was to come to some consensus of what that boundary might look like. There is still work to do with all of the neighbors in that area, but essentially we're looking at the three-county area, north from Long Beach, Washington, south into Oregon to around Cannon Beach and up the river as far as Okaicum County. That is a natural geographic area, as well as the center of gravity for all of the different cultural activities of the area as well.

Senator SALAZAR. I have questions for the rest of you, but I will hold off until after Senator Thomas goes.

Senator THOMAS. Okay. Mr. Esparza, how will this museum that you talked about be funded?

Mr. ESPARZA. Well, certainly I would expect that the same way that other museums that have been part of our Nation's history have been funded, through a combination of private and public support. We certainly feel that we're meritorious of following the same tradition of how other museums have been funded.

Senator THOMAS. So, some of each, private and public.

Mr. ESPARZA. It is my understanding that many museums have had private support, as long as the Government has stepped forward to enable that private support can be marshaled. If we see that the Government is stepping forward, we believe that our community and that other corporations will step forward and provide what is necessary.

Senator THOMAS. We've had some discussion about the site, do you have any feeling about that?

Mr. ESPARZA. We certainly feel that we should be there alongside the other main museums, absolutely.

Senator THOMAS. On the Mall.

Mr. ESPARZA. On the Mall.

Senator THOMAS. Okay, have a little discussion about that, won't we?

Mr. ESPARZA. I'm sure that General Washington appreciated our support several hundred years ago, and we could see that that support might have some benefit today.

Senator THOMAS. I'm sure. And I'm sure General Washington would like to see the Mall stay open for people to visit, as well.

Mr. ESPARZA. So that we can be there to visit.

Senator THOMAS. Mr. Ostermiller, how much money do you expect from the Park Service for the study of this Heritage Area?

Mr. OSTERMILLER. Senator Thomas, we are hoping for a partnership relation, for the study, but in anticipation of the fact that this is very important to us, and we are a community of people who feel very independent in our self-determination. We've already raised over $150 million, and we're very anxious to proceed.

Senator THOMAS. Approximately how many people live within the boundaries of this study area, do you know?

Mr. OSTERMILLER. In the Clatsop County in Oregon, it's about 35,000 people, and in Pacific County in Washington, it's 20-some thousand, I believe. And then Wahkiakum County is perhaps 10,000, but we have hundreds of thousands of people from throughout the United States every year.

Senator THOMAS. No, I mean, live there.

Mr. OSTERMILLER. That's just the resident population, sir. Excuse me, the three counties I described.

Senator THOMAS. That's a little unusual, isn't it? To have that many people in a Heritage Area?

Mr. OSTERMILLER. It's always been a high activity area for people, it's very rich in Scandinavian populations, there's certainly some Native American folks that live there.

Senator THOMAS. But aren't there areas you're trying to preserve that are somewhat unique, and not populated?

Mr. OSTERMILLER. Yes, sir. The counties are quite large, and there's wetlands, mountain ranges, certainly the large estuary area and the beaches.

Senator THOMAS. I see.

Mr. Carlino, you're aware that the Congress provides $10 million over a period of 15 years for these projects.

Mr. CARLINO. Yes, sir, that was in our founding legislation.

Senator THOMAS. And what is your request now?

Mr. CARLINO. Well, we would like to have a reauthorization of the full amount, but recognizing that the committee would like to evaluate the Heritage Areas, and this bill, as it's proposing, it wouldn't add any more time to it, but it would add an additional authorization of appropriations of $5 million.

We're one of the Heritage Areas that have been able to receive a larger amount of funding, so we've got time left in our authorization, but we will max out on our appropriations at the end of the next fiscal year.

Senator THOMAS. Did you have any plans, at the beginning of the period that you knew you were going to get $10 million, and that you would have to raise your own money?

Mr. CARLINO. Well, we are raising our own money, and when we started this planning, actually, 17 years ago, Heritage Areas did not have that limitation that it does now. Recognizing that at the time when the Park Service evaluated our plan, there was never any indication at that point that after 10 years, or $10 million and 15 years, it would be nothing after that point.

Our concern, and our partner-funder's concern is that any funder in a systematic relationship that is built within the Heritage Area, if any funder walks away from the table, it could create a situation that other funders would seem less likely to contribute to the project.

Senator THOMAS. But I think there's been a pretty good understanding for some time that the amount of money was 10 years, $10 million over 15 years.

Mr. CARLINO. I don't doubt that, sir, but with all due respect, there have been Heritage Areas that have been reauthorized, too.

Senator THOMAS. Well, I think we're evaluating that, very much, at the moment.

Thank you very much, all of you, for being here, and we appreciate your work on these things.

Senator SALAZAR. Thank you, Senator Thomas.

Mr. Carlino, you are seated at the table next to other proponents of other National Heritage Areas and so my question to you is, given the fact that your Heritage Area has already been authorized, has been funded, how is it that you would want us to provide

additional money for your Heritage Area, when we have all of these other Heritage Areas that have lined up to try to receive a similar designation to what you received years ago?

Mr. CARLINO. Well, Senator, Heritage Areas have demonstrated a remarkable ability to raise money with the money that this Congress provides them through the Park Service. So, I would say to you that the funding relationship between us and the proposed sites for your consideration, shouldn't be an "us or them." It actually, to me, would seem to me that this is a type of program that should be embraced by the Congress in a tight budget situation, and that having Heritage Areas which can demonstrate remarkable track records of additional funding, would be something that we would want to implement, Park Service-wide, and especially in the other Heritage Areas to help bring other people to the table.

I can't speak for the others, but I would guess that absent a Heritage Area designation, some of my colleagues, not necessarily at the table, but that are designated as Heritage Areas now, could be units of the Park Service. And, if that were the case, the cost to the Federal Government would be a lot more than the appropriation that has been provided to them as a National Heritage Area.

Senator SALAZAR. Thank you.

Thank you, Mr. Carlino.

Mr. Lopez, I know you've brought with you a number of letters of support, and those letters will be made a part of the record in connection with S. 443.

My question to you has to do with financial assistance for the National Heritage Area from the local communities. Is there a willingness on the part of the local communities to provide some contribution to making the National Heritage Area a reality for the San Luis Valley?

Mr. LOPEZ. We have received that type of support and commitment from both public and private groups. We have also investigated some private corporations and asked them if they would be willing to support our efforts, and willing to contribute to the parks, to the National Heritage Area, and we have received very favorable response from both public and private entities.

Senator SALAZAR. Thank you, Mr. Lopez.

Mr. Nichols, let me commend the work of Park County, and your vision and the vision of so many people who worked on the creation of this Heritage Area. You have asked in S. 444 that I have included in there an authorization of $6.1 million over the next 15 years, that's a lower level than is typically authorized for a National Heritage Area, and you tell me, why it is that that number is sufficient for your plans, and what you intend to so with it?

Mr. NICHOLS. Yes, sir. Part of the answer relates to the efforts that we've been pursuing over the last 12 or so years, in fundraising and partner-building, and we have very solid experience with what it takes to actually accomplish our, both preservation and promotional goals of our heritage resources. And that $6.1 million reflects the realistic amount that, No. 1, that we need to accomplish the goals that are identified in our feasibility study, and No. 2, what can realistically be matched, on a one-to-one ration, which we feel is important. So, two-fold answer there.

Senator SALAZAR. Thank you very much.

Mr. NICHOLS. Thank you.

Senator SALAZAR. Mr. Nichols.

Let me just make a concluding remark here. And that is, that this is the first subcommittee hearing that I get to chair, in my history. And it is an impressive group of witnesses that we have here, I support all of the legislation that all of you have testified to today.

I want to just make a personal comment, and that is, in your testimony I see a lot of my own history in the testimony supporting the wilderness expansion of Mesa Verde National Park, the bill that I am sponsoring with Senator Allard. I see us preserving the rich heritage of the settlement of Native Americans of the southwestern part of our State, a very rich history that really does, in fact, belong to our entire Nation. The designation of Park County as a National Heritage Area, I see the rich history of our ranching communities in that part of Colorado, and the great beauty of that State being preserved, and I honor and give my best wishes to all of the local community that have, that has led that effort.

In the Sangre de Cristo National Heritage Area, I see very much the history of our people. I very often describe my native valley as a valley that is a very big valley, it's 140 miles, south to north, 70 miles east to west. The river that traverses our ranch is named the San Antonio River. If you look off to the east, you see the Sangre de Cristo Mountains, the Blood of Christ Mountains, and if you look to the west, you see the San Juan Mountains. And to be able to preserve that history and the heritage and to demonstrate to the Nation its importance, I think, is important and I'm very hopeful that we'll be able to get the legislation through this year.

With respect to the Latino Museum, Mr. Esparza, I recognize the huge contribution that Hispanic-Americans have made to this country for a very long time. I often say in many of my speeches that I give around the country that we've been very much an America in progress, and sometimes that progress has come as a result of pain—the founding of the American GI Forum, in 1948 was really a painful experience, when even our dead soldiers were not being allowed to be buried in cemeteries because of the kind of segregation that existed in the South. And even in those times, it was people like our parents, my parents who were very proud veterans of World War II, my mother working in the War Department, my father working in, or being a soldier in World War II, my uncle losing his life in the soils of Europe, and yet, our country has been a country that has been in progress, has recognized those contributions. Sometimes it's taken awhile, but we've gotten to a point where those contributions have been recognized.

So, I make that comment only to let you know that I'm very proud of the legislation that all of you have helped craft, and that you're helping us move forward, and I'm hopeful that we will see a successful end to that legislation.

At this point, I'd like to thank each of you, because I know you have traveled far, you've worked hard in preparing your testimony that you presented here to the committee, the committee members will all get a copy of your testimony, and your testimony will be included in the record, along with all of the letters of support that you've brought in for each of your specific projects.

It is my hope that working with Senator Thomas, and with Senator Akaka, and the chairman and the ranking member of the full committee, that we will be able to move these bills through the committee as quickly as possible. If we receive any questions in writing from other members of the committee who could not be here today, we will forward them to you, and ask for your response for the record.

We will keep the hearing record open for 1 week from today to receive additional comments on any of these bills. And if there are no other statements at this time, the subcommittee stands adjourned. Thank you.

[Whereupon, at 4:15 p.m., the hearing was adjourned.]

APPENDIX

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

MESA VERDE FOUNDATION,
Denver, CO, March 16, 2007.

Hon. WAYNE ALLARD,
Dirksen Senate Office Building, U.S. Senate, Washington, DC.

Hon. KEN SALAZAR,
Hart Senate Office Building, U.S. Senate, Washington, DC.

DEAR SENATOR ALLARD AND SENATOR SALAZAR: On behalf of the Mesa Verde Foundation, I am writing to express our strong support for your important legislation, S. 126, the Mesa Verde National Park Boundary Expansion Act, and to commend your leadership to pass this bipartisan legislation. The Mesa Verde Foundation is a Colorado-based non-profit organization with a mission to support the education and preservation efforts of Mesa Verde National Park.

Several years ago, the Foundation committed to donating a 38-acre tract to the NPS for a new building to house a new federally-funded Collections and Research Center and a new Foundation-funded Visitor Center at the entrance to the park. As a result of this commitment, both components are currently under design in anticipation of the donation. The Foundation plans to make the donation when construction funds for the Collections and Research Center are appropriated.

Currently, the NPS does not have the authority to accept the donation of the land, which is outside the park boundary. Your bill would allow the Foundation to donate the land to the NPS to support the construction of both federal and Foundation building components. Specifically, it would authorize a boundary expansion at the entrance to the park, on the northeast edge, to include the Foundation's 38-acre tract and the Henneman's 324-acre tract. We support your proposal to include additional lands in the park boundary.

This bill will enable the NPS to preserve critical wildlife corridors and habitat and protect views into the park. Your legislation is also a critical step forward in the process to construct both the Collections and Research Center and the Visitor Center, a facility which will provide for the protection of the park's collection and introduce visitors to this magnificent park.

We would be pleased to provide additional information or assistance to you in support of this important legislation.

Sincerely,

ELLEN ANDERMAN,
Vice Chair, Board of Directors.

PROPERTY RIGHTS FOUNDATION OF AMERICA,
Trenton, NJ, March 19, 2007.

Hon. DANIEL AKAKA,
U.S. Senate.

DEAR SENATOR AKAKA: I wish to bring comment on Nat'l. Park Service "The Journey Though Hollowed Ground" National Heritage Area Act Bill.

As a New Jersey resident, and a board member of Property Rights Foundation of America, I attended three (3) public meetings for NPS "Crossroads of the American Revolution" National Heritage Area in 2001, and saw first hand how NPS set up public meetings that the public had no knowledge of, and had invited persons and organizations to attend.

The pitch by NPS was that if established, "Crossraods" NHA would bring in to N.J. Revolutionary sites $100 million, $10 million per year for 10 years.

NPS "Crossroads" NHA passed Congress in 2006 with only $10 million in ten years, $1 million a year not $100 million in ten years.

NPS "Crossroads of the American Revolution" NHA covers into 14 of the New Jersey counties.

98% at least of the property owners in the 14 New Jersey counties have no knowledge their property is in a NPS NHA.

NPS "Crossroads" NHA put New Jersey at 100% covered in Federal areas.

National Park Service trails, areas, rivers, US Fish & Wildlife refuges, U.S. Forest Service Stewardship Area on the N.J. Highlands which is now being promoted by

NGO environmental groups to become a United Nations International Biosphere Reserve, just as our N.J. Pinelands is thanks to National Park Service.

These Federal areas trails, rivers, and refuges violate the 10th Amendment, states rights, and Article 1, Sec. 8 of the U.S. Constitution.

The National Park Service is terrible in responding to correspondence.

I ask that you and the Committee oppose "The Journey Though Hollowed Ground" Nat'l. Heritage Area Act!

Thank You!

Sincerely,

WILLIAM J. OPFERMAN,
Board Member.

Leesburg, VA, March 16, 2007.

Hon. DANIEL AKAKA,
Chairman, Subcommittee on National Parks, U.S. Senate, Washington, DC.

DEAR SENATOR AKAKA: I hope you will oppose Journey Through Hallowed Ground because of its side effects.

JTHG will make millions of acres of land into a protected island. It is too much preservation. Houses and businesses all need land. JTHG restrictions will drive up the cost of land that already costs too much.

It is very difficult to own land in Hawaii. That should not be the case for the four states that JTHG will affect. They are not islands but will be protected to give the rich their sought-after goal—privacy from others not like them. (I have lived in Loudoun for a long time.)

I hope you will demand an economic impact statement. JTHG will create building land shortages that will harm the rising middle class. Many historic areas are already adequately protected. Ordinary people need an affordable place to live and a job to pay for it. JTHG will conflict with those human goals.

I hope your choice will be to strengthen the middle class. Allow them to make new history. Do not take away the chance for them to own land.

JTHG is overkill. The Park Service is already overburdened.

Thank you for your consideration.

Sincerely yours,

ROSE ELLEN RAY.

Madison, VA, March 19, 2007.

Hon. DANIEL AKAKA,
Chairman, Subcommittee on National Parks, U.S. Senate, Washington, DC.

DEAR SIR: Allow me to qualify myself. I served as a trustee of the Virginia Outdoors Foundation under then Governor George Allen. I hold a Ph.D. in Foundations of Education and for two decades, I have researched the history of National Park Service practices and abuses in Virginia.

I am deeply concerned about the Journey Through Hallowed Ground bill that appears to be moving forward at breakneck speed and without due deliberation. It is a highly controversial bill because it contains no system of accountability and transfers democratic powers that constitutionally rest with the voters to a government agency and a private non-profit organization.

I supported Senator Allen since he entered the U.S. House of Representatives because he promised to protect property rights. However, I opposed him when he attempted to convince his constituents that this bill contained all the appropriate safe guards against abuses of property rights. Many other voters were not convinced. This is part of the reason why Mr. Allen is job-hunting. Now, as was predicted, the party in power has fulfilled all our worst fears and removed those safe-guards.

This bill gives ALL planning authority to the National Park Service and the Hallowed Ground Project, (Read Piedmont Environmental Council) with no mechanism for accountability whatsoever. Even if these entities were reliably considerate of the

rights of voters and property owners, this tact would be unconscionable! But the fact is (and I have documented proof) that both entities have a less than desirable track record with private citizens, courts at all levels, and governing bodies where fundamental rights and stakeholder input are concerned.

The proponents of this bill claim that it will enhance economic development in the region, but their prospectus consists of prosaic and empty rhetoric totally void of facts and statistics. No self-respecting business would endorse a project that failed to offer supporting documentation.

The proponents of this bill neglected to furnish local governing boards of supervisors with fundamental details of this bill, much less maps depicting the geographic areas that are involved by this bill.

The proponents of this bill claim to be interested in protecting open space whereas some of them and the VOF are directly involved in easements that literally override the very mission and stipulations of open space protection by retaining mining rights. Others have approached the Virginia Outdoors Foundation expecting special favors, and still others have literally taken undue advantage of the Foundation.

The proponents of this bill claim to be the preservators of open farm land, when in reality they support the creation of cluster housing which crowds the middle classes, inflates the crime rate, and clogs our highways.

Our government rests on the principle of checks and balances. I urge you clarify where those exist in this bill and to reconsider passage of this bill as it is written. It is an arrogant product of a mentality that promotes history at the expense of principles. Do you really want history to recount your role in the destruction of fundamental rights?

Sincerely,

LERI M. THOMAS.

Graves Mill, VA, March 19, 2007.

Hon. DANIEL AKAKA,
Chairman, Subcommittee on National Parks, U.S. Senate, Washington, DC.

DEAR SENATOR AKAKA: We are writing to express our opposition to S. 289, The Journey Through Hallowed Ground National Heritage Area.

Our concern is endangerment of Private Property Rights as provided for by our U.S. Constitution. The Constitution does not refer to rights of tourism or historic preservation. We support historic preservation but we feel very strongly that it should be done privately and/or by local government. Above all, it should not be financed by the federal government and managed by NONELECTED special interest groups.

In addition to the Hallowed Ground bill, the JTHG Partnership is asking that Rt. 15 be designated as a National Scenic Byway. While this is a separate issue, it is important to note that the two entities together will have much more control over our local property owners.

We respectfully ask that you do not support this bill.

Sincerely,

RANDALL A. AND RUTH A. LILLARD.

South Riding, VA, March 19, 2007.

Senator DANIEL KAHIKINA AKAKA,
U.S. Senate.

Re: S. 289 The establishment of the "Journey Through Hallowed Ground" National Heritage Area

DEAR HONORABLE SENATOR AKAKA: I write to you today to implore you to protect the sacred property rights of ALL persons by denying the request to establish the so called Journey Through Hallowed Ground National Heritage Area. This is a feel-good proposal whose costs will be great even if born by a few. Worse it is an unnecessary and pernicious land grab, the purposes of which extend beyond historical preservation.

Although this "heritage area" is planned to traverse several states, it is appalling to me that the proposal comes from a Senator representing the great Commonwealth of Virginia, home of the great bastions of individual liberty, Thomas Jefferson, George Washington, James Madison and George Mason to name but the most famous.

George Mason, the author of the Virginia Bill of Rights from which the US Bill of Rights is derived knew and declared the importance of property rights when he

wrote ". . . all men are by nature equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety."

How do we justify the trampling of the property rights of those persons who own land in the area that we would now "hallow"? As Abraham Lincoln himself so eloquently acknowledges in the deeply moving Gettysburg Address "we can not dedicate—we can not consecrate—we can not hallow—this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract". We surely fail in our efforts to hallow an arbitrarily labeled corridor if in doing so we take that land either in deed or in value from those who own it. The action proposed to you in this legislation would make you thieves. How can stealing bring honor to those who gave their lives for the very rights you would now set aside?

Can it ever be right for us to diminish the value of another man's land by deciding now that we have a use that is somehow greater than any he might have? If we will take either the land or the value how can we ever do so without recompense?

James Madison understood that the protection of property is the foundation of all freedoms. He said, ". . . a man is said to have a right to his property, he may be equally said to have a property in his rights. Where an excess of power prevails, property of no sort is duly respected. No man is safe in his opinions, his person, his faculties, or his possessions".

Much more contemporarily, in reaction to the maddening indifference to property rights meted out by the narrowest of Supreme Court margins in Kelo v New London, your brethren in the House passed H.R. 4128 (the Private Property Rights Protection Act) in 2005 by an overwhelming majority (376-38). This action withholds federal money from state and local governments that use powers of eminent domain to force businesses and homeowners to give up their property for commercial uses. How can the states and localities reasonably be punished for their takings while the Federal Government would now seemingly sanction such takings themselves? Is your taking justified because what you would TAKE you would then GIVE to all citizens through a national preservation area?

I do not own any land in the affected area. I live nearby on a suburban lot that is less than 1/6 of an acre. I speak today for those property owners who are affected. I speak because I think sometimes that nobody cares about them anymore, most of all the government. At every level government agents have abandoned the defense of property rights. There are few persons who own significant parcels of land and those who choose anything other than perpetual preservation of the land are often vilified without mercy. Indeed many of the affected landowners have been characterized as people without respect for history. I respect history but never more so than I respect the individual rights of others. I beseech you to show the same respect and especially not to delude yourself into thinking that you would be acting as an agent of good by designating this land as hallowed.

Respectfully,

STEPHANIE L. SMITH.

PROPERTY RIGHTS FOUNDATION OF AMERICA, INC.,
Stony Creek, NY, March 21, 2007.

Hon. DANIEL K. AKAKA,
Chairman, Subcommittee on National Parks, Senate Committee on Energy and National Resources, Washington, DC.

Re: "The Journey Through Hallowed Ground National Heritage Area Act"

DEAR SENATOR AKAKA: This letter is to urge you to reject the "The Journey Through Hallowed Ground National Heritage Area Act."

Those of us who have been opposing the National Heritage Areas since the early nineties are deeply concerned that the results of this National Park Service program so far are exceeding the negative predictions that we made early on. A multiple-channeled river of federal and state moneys to land trusts and zoning and planning agencies has brought preservation planning and zoning regulations; acquisition of valuable land that could have been enjoyed for many uses diverted to preservation by the federal, state and local government and land trusts; and the implementation of numerous devices, especially new trails, that strip away private property rights and private property ownership.

For years we have urged that the impacts of National Heritage Areas on private property rights be studied, but our pleas have fallen on deaf ears. A pretense of a

study was done to discredit our protests, with a false and misleading so-called "record" created and worthless conclusions reached.

From the beginning, it was crystal clear from a reading of the preservationist literature that National Heritage Areas were for the purpose of creating a grid of greenways for landscape preservation throughout the areas of the United States where private land predominated. It is strikingly true that, if viewed from the point of view of preservationists, this perverse vision is doing well, and whole riverine areas are being struck from human use and development, except by the wealthy and land trusts, even though historically having enjoyed a variety of intensive use.

Anyone with an open mind can see, certainly at this point, roughly two decades into the serious creation of the National Heritage Areas and similar regional greenways, that the National Park Service is succeeding in surreptitiously implementing national zoning, a goal that failed to pass Congress when it was bluntly presented during the seventies.

Even our efforts to persuade Congress to give the local property owners a fair shake against this behemoth, have been rejected. "What about giving personal, mailed notice to all property owners in the National Heritage Area before Congressional Hearings and Congressional passage of such bills?" we asked.

"Too cumbersome," is the reply.

But, such notice is given before eminent domain proceedings, even, now, in New York State, that bastion of rathertoward private property rights. And, for eminent domain, rather than regulatory restriction through preservation zoning, a property owner is actually compensated.

Written, mailed notice is given when raising real estate tax assessments, also, in New York State. But the financial impact of an incremental tax increase is quite a lot less than facing a zoning change from, say, one-acre per house, to twenty or forty acres, or more, per house.

Wouldn't an honorable Congress want property owners to know of a potential "benefit" to their area? If, indeed, National Heritage Areas can be presented as a benefit.

Of course not, because Congress knows that there are many threats presented by National Heritage Areas. Secrecy is essential to keeping the lid on potential, very reasonable opposition.

We have longed for an accounting of all funds toward each National Heritage Area through various federal and state appropriations and discretionary expenditures. I sought in vain for this accounting for the Erie Canal National Heritage Area and was personally insulted in public by officials of the National Park Service when I asked for this information at a meeting. As all involved U. S. Senators and Members of Congress know, the moneys flowing to National Heritage Areas come from many agencies and through many advocacy organizations. But there has never been a clause added to a bill to create transparency for funding of National Heritage Areas.

You of course know all of this. Unless there is some important change of heart in Congressional leadership, I fear the worst. Will you choose to flaunt your power, to deny the historic prerogative of a Member of Congress who has voiced his opposition to the Journey Through Hallowed Ground National Heritage Area though his district, to deny your responsibility to the general citizenship and private property owners, to play pork barrel dispenser so that you can look beneficent in some newspaper article or on some television footage, and to buy power from the endorsement of the radical environmental organizations, particularly the land trusts?

Again, I'd like to urge you to reject this National Heritage Area. Whatever your disposition, I'd like my opposition to be incorporated into the record, if you so please, so that as I answer the requests for assistance from private property owners from New York to Hawaii in the face of hardship caused by preservation zoning, federal trails, eminent domain, government and not-profit land acquisition with the resultant impact on the tax base and local economy and culture in the many National Heritage Areas, I can have the small personal satisfaction that the basis of my opposition was made clear at this juncture.

Respectfully,

CAROL W. LAGRASSE,
President.

Keysville, VA, March 18, 2007.

Hon. DANIEL AKAKA,
U.S. Senate.

DEAR SENATOR AKAKA: As a Virginian living on US 15 I am writing to oppose approval of S. 289, The Journey Through Hallowed Ground National Heritage Area Act, that your Sub-Committee will hear this week.

Two weeks ago the House Resources Committee saw fit to strip all property rights protections from this bill, and so effectively negated the promises of property protection made by Representative Wolf and the JTHG Partnership in their campaign for the project.

These protections were nominal at best and I hope you will not follow the example of the House in giving an unelected management entity license to acquire private lands with or without direct use of taxpayer funds. S. 289 allows the Partnership to disburse funds to local governments that agree with their management plan. Typically this leads to downzoning, housing and business restrictions, and loss of livelihood.

The people of Yuma, Arizona, learned about zoning restrictions the hard way when the the Yuma Crossing Heritage Area came to their town in 2001. Citizen outrage led to the US House passing HR 326 only 4 years later to restrict the area, with the report stating, "The fear of adverse impacts on private property rights were realized when local government agencies began to use the immense heritage area boundary to determine zoning restrictions."

My fears for property rights go even farther in that the Board of the Hallowed Ground Partnership is composed of those outspokenly opposed to private land use by others than themselves. The Piedmont Environmental Council, which administers the Partnership website, is now raising money to oppose the Dominion-Allegheny power line to the Washington-Baltimore area because it (from their website) "would cut through private land . . . historic sites . . . magnificent viewsheds." If they would prevent energy for the metropolitan public, what will they do to the livelihoods of farmers, small businessmen and working people in the wide heritage area which takes in historic sites and all the land in between?

With overwhelming citizen support legislatures all over the country are passing "Kelo" reform to prevent the taking of property for private use. Will you please ask your Committee to reject S. 289 until it is re-drafted to prevent property from being acquired by an unelected management Partnership with the help of federal funds.

With many thanks and best wishes,

Sincerely,

JANE HOGAN.

South Riding, VA, March 21, 2007.

Hon. DANIEL AKAKA,
Chairman, Senate Subcommittee on National Parks, U.S. Senate.

DEAR CHAIRMAN AKAKA: I am a ten-year resident of Loudoun County Virginia, and a lifelong northern Virginian. As a lifelong resident of this wonderful and historic state I have a keen interest in and love of history, and consequently hate to see history re-imaged and rewritten for political purposes.

I believe this is what is occurring with the proposed Journey Through Hallowed Ground, and other projects, in Loudoun County. Loudoun is home to several sites designated National Historic Landmarks, only one of which involves an event of historically significant action, and that is the Ball's Bluff Battlefield and Cemetery.

All other landmarks within the county are either the retirement homes of people who were historically significant in other venues, or "vernacular sites" such as the village of Waterford, in which nothing historically significant happened (hence its remarkable preservation in a border Civil War state).

Waterford is often touted for the status of its historic designation as a 17th century Quaker village (that was likely/probably/surely/definitely a station on the Underground Railroad), and as a student of local history I always find it fascinating that this hamlet of the predominately wealthy and second homes for the wealthy shares equal historic status on this side of the Potomac with the North Terminal of National Airport, the George Washington Memorial Parkway, the Pentagon, and a condominium complex in Rosslyn.

Prominent Waterford resident and leader of the push for Hallowed Ground Cate Magennis Wyatt usually only references the shared glory with Monticello and Mount Vernon.

Routes 15 and 50, both designated US Highways, are primarily historic for being ROADS, and both are under assault from "preservationist" NGOs whose mission is

to reduce their viability in transportation. These roads claim lives each year in my county. It might be reasonable to suggest turning over all land use decisions in these corridors to these self-proclaimed nanny stewards if the same individuals who comprise the groups did not also work diligently to block any and all improvements that might offload traffic from these arteries.

The "historification" process for these two US Highways is in high gear in Loudoun. Route 50 is now the home of three "cavalry battles" that were formerly skirmishes. "Skirmish" is an appropriate designation for the inevitable clashes along what was the major ROAD between Alexandria and the Shenandoah Valley. The "preservation" group for Route 50 (itself the recipient of huge government grants) has totaled all troop movement to and from major battles along this road together to create "the largest cavalry action of the Civil War", which is starting to be imaged as "the precursor to Gettysburg". Here is history rewritten on behalf of the horse estate district of Loudoun and Fauquier, at the expense of public safety along a US Highway.

The Unison Historic District, a recent designation in horse country promoted by a retired Washington Post editor (which paper provides most of the advertising for these efforts, disguised as news) has much in common with Waterford; it is a "vernacular site" in a good state of preservation because absolutely nothing happened there.

The original documents submitted for the creation of the Unison district actually say that. I have a hard copy of those documents, which seem to no longer be available online at the NPS site. However, they state that the only activity during the Civil War was the pursuit of a caisson through Snickers Gap from the battle of the Shenandoah. The caisson was caught and destroyed three miles north of the hamlet of "Union", as it is referenced in the one document that the report notes.

This has now been re-imaged into "the three day battle of Unison", and the reason that President Lincoln fired General McLellan. Honest Abe sure must have been attached to that particular wagon!

A particularly egregious example of the misinformation that is being used to promote the Journey and related projects can be viewed on our own federal government websites.

The NPS website, which links to (and apparently swallows whole) JTHG wishful historic thinking, promotes the idea that the Monroe Doctrine was written south of Leesburg at Mr. Monroe's Oak Hill estate. However, if one visits http://www.cr.nps.gov/nr/travel/journey/oak.htm the first paragraph admits that Monroe lived at Oak Hill FOLLOWING his Presidency.

Of greater interest and concern to me is the information I learned last summer during a tour of the fine Adams National Historical Park in Quincy MA: John Quincy Adams, Monroe's Secretary of State, actually wrote the Doctrine. It is credited with the President's name because it was presented by him as policy during his tenure. The State Department's website section Basic Readings in U.S. Democracy at http://usinfo.state.gov/usa/infousa/facts/democracy/50.htm states in paragraph 8 that "in truth it should have been called the Adams Doctrine". The Library of Congress website at http://www.americaslibrary.gov/cgi-bin/page.cgi/aa/presidents/jqadams/secretary_1 states in paragraph one that "Adams suggested and outlined the Monroe Doctrine".

Yet on the National Park Service website all JTHG material promotes the fantasy that this seminal document was written by James Monroe at his retirement home in Loudoun.

I have no problem with recognizing and promoting legitimate history. I have severe problems with my tax dollars being used to allow private individuals with much to gain in terms of lifestyle protection to hold sway over the private property of others, all land use decisions, and any road improvements on these vital roads.

In closing, I ask you to research exactly what "history" you are promoting, and how it is changing. There are currently 51 recognized historic sites in Loudoun County. Go to http://www.hallowedground.org/component/option,com_jthg/theme,region/task,view/county,Loudoun/Itemid,l/id,56/ for a sobering map. This JTHG site (which links to the tax-funded NPS site) shows literally hundreds of dots shadowing Loudoun, billed uniformly as "historic sites".

Be aware that they may be such things as the site of the demolition of the caisson that "caused the firing of McLellan, thus changing the course of the war!" Thank you for your time.

Sincerely,

BARBARA MUNSEY.

EDISON ELECTRIC INSTITUTE,
Washington, DC, March 16, 2007.

Hon. DANIEL K. AKAKA,
Chairman, Subcommittee on National Parks, Senate Committee on Energy and Natural Resources, Washington, DC.

Hon. CRAIG THOMAS,
Ranking Member, Subcommittee on National Parks, Senate Committee on Energy and Natural Resources, Washington, DC.

Re: Submission of written testimony for the March 20 hearing on S. 289

DEAR SENATOR AKAKA AND SENATOR THOMAS: The Edison Electric Institute is pleased to submit the attached written statement with regard to the Subcommittee's consideration of S. 289, a bill to establish The Journey Through Hallowed Ground National Heritage Area.

We appreciate the opportunity to do so and look forward to further discussion with you regarding the concerns we have raised with respect to the legislation.

Sincerely,

THOMAS R. KUHN,
President.

[Attachment.]

STATEMENT OF THE EDISON ELECTRIC INSTITUTE

The Edison Electric Institute (EEI) appreciates the opportunity to submit written testimony regarding S. 289, a bill to establish the Journey Through Hallowed Ground National Heritage Area.

Edison Electric Institute (EEI) is the association of United States shareholder-owned electric companies, international affiliates and industry associates worldwide. Our U.S. members serve 92 percent of the ultimate customers in the shareholder-owned segment of the industry, and 67 percent of all electric utility ultimate customers in the nation. They generate almost 60 percent of the electricity produced by U.S. electric generators.

The United States has a rich and diverse cultural heritage and a distinctive history that is important to our identity as a nation. The National Heritage Area program is emerging as an important means for recognizing an area where "natural, cultural, historic, and recreational resources combine to form a cohesive, nationally distinctive landscape" that can serve to remind Americans of our diverse background and rich history. It also can contribute to the economic vitality of an area, especially where there is a desire by local governments to expand the opportunity for tourism and recreation.

As more areas are set for designation as national heritage areas, the challenge for Congress is to assure that the value of a heritage area designation can be realized without becoming an impediment to meeting the needs of this and future generations who are in or near the area affected by the designation, including the need for clean, safe and reliable electric service. We believe that Congress should give careful consideration about how to strike the balance on what would appear to be potentially conflicting needs. Doing so will serve the long term interest of the National Heritage Area program and will be important to preserving public support for the program.

EEI would like to note that many of the national heritage areas that have previously been designated have been established during a period of relative quiet as to the siting and construction of new infrastructure. Notwithstanding the electric utility industry's increasingly aggressive promotion of energy efficiency, the Energy Information Agency continues to forecast a pronounced need for new baseload generation and to project that increased reliance on renewable technology will expand the need for new transmission to bring electricity from high wind areas to metropolitan areas.

The North American Electric Reliability Council and the U.S. Department of Energy (DOE) have both acknowledged the need for additional transmission throughout many areas of the nation, including into the Eastern metropolitan corridor. In August, 2006, DOE completed a nationwide transmission congestion study required by the Energy Policy Act of 2005. The study identified the mid-Atlantic region of the United States as a critically congested area, with reliability emerging as a significant issue. The mid-Atlantic region is experiencing significant growth that is driving demand for electricity and is an area that is vital from a homeland security perspective. Electric utilities have an obligation to provide reliable service to their customers, as is evidenced by the final rule recently issued by FERC implementing 83 mandatory reliability standards and subjecting utilities to $1 million per day per

violation fines. In order to continue to provide reliable service and keep pace with recent and forecasted growth, new facilities will be needed. As a result of such national needs, the annual investment in new transmission by shareholder owned electric utilities is now projected to be $8.4 billion annually between 2006 and 2009.

With these factors in mind, EEI has reviewed S. 289, which would establish The Journey Through Hallowed Grounds National Heritage Area, and is concerned that the bill does not sufficiently address the potential for conflict between the important and valuable goals of the heritage area designation and the need to assure that existing and long term needs for basic and critical utility infrastructure can be met. It is not unusual for the siting of a new transmission facility to take 5 years or considerably longer. The process has become so difficult and contentious that often times consumers experience the costs of transmission congestion long before a solution can be implemented. EEI therefore recommends that—prior to the designation of this or any other national heritage area—steps be taken to assure that the designation, if it takes place, will be implemented in a manner consistent with the need for vital projects. In this regard, S. 289 already acknowledges and addresses the potential for a problem to arise with respect to road construction. Utility infrastructure should be treated no differently.

With respect to the specific text of S. 289, EEI has particular concerns with Sections 8 and 11, as well as Section 4 regarding the composition of the board of trustees. Section 4 designates broad geographic areas for inclusion in the new heritage area and limits participation on the heritage area management entity's board of directors to only those who are "partners" of the management entity. The term partners is undefined but would appear to confine participation to a relatively small "club." These provisions become especially sensitive, given the consultation and conformity requirements of Section 8, which would appear to raise the bar for any federal authorizations that might be required for a project in the heritage area, absent clear direction that the heritage designation shall not impede the siting, permitting and construction of basic and critical infrastructure. As to Section 11, EEI is concerned that the absence of a provision for utility infrastructure similar to that provided for roads will be interpreted as constituting an express intent by Congress to modify "Federal, State or local government authority to regulate land use" within the boundaries of the heritage area or its viewshed as it pertains to the siting of new utility infrastructure, or the upgrading of existing infrastructure.

EEI understands and appreciates the important historic, cultural and recreational values present in the area that would form the boundaries of the Journey Through Hallowed Grounds National Heritage Area. We urge the Subcommittee to recognize also the important infrastructure needs of the mid-Atlantic region. State, local, and federal governments—together with electric utilities and regional planning bodies—have a responsibility to assure that the electricity needs of the mid-Atlantic region can be met. Their authorities to accomplish this task while respecting Heritage values need to be preserved.

In support of our member companies, EEI would be pleased to work with the Subcommittee and the full Committee, as well as the sponsors of S. 289, to address the issues and concerns that we have raised regarding S. 289.

STATEMENT OF ALLEGHENY ENERGY, GREENSBURG, PA

Allegheny Energy, an investor-owned electric utility headquartered in Greensburg, Pennsylvania, with customers in Pennsylvania, West Virginia, Maryland and Virginia, appreciates the opportunity to submit this statement for the record on S. 289, the "Journey Through Hallowed Ground National Heritage Area Act." S. 289, introduced by Senator John Warner of Virginia, would establish a roughly 175-mile corridor generally following U.S. Route 15 from Adams County, Pennsylvania to Albemarle County, Virginia, with a loop off Route 15 to include Brunswick, Maryland and Harpers Ferry, West Virginia, as the Journey Through Hallowed Ground National Heritage Area.

Allegheny Energy applauds Senator Warner's efforts to pass legislation designed to preserve and promote the many historically significant landmarks within the four-state corridor defined in his bill. We agree that an appropriately drafted heritage area bill could yield great benefits to the area. We appreciate the opportunity to work with Congress to ensure passage of the Journey Through Hallowed Ground National Heritage Area Act that accomplishes these goals.

The stated purposes of the bill include "to preserve, support, conserve and interpret the legacy of the American history created along the Heritage Area" and "to promote heritage, cultural and recreational tourism and to develop educational and cultural programs for visitors and the general public." While these goals are cer-

tainly laudable, Allegheny Energy believes that the legislation as currently drafted might cause unintended consequences that would impede or complicate the development of infrastructure necessary to serve public needs within the designated Heritage Area. Allegheny Energy and other providers of essential services, including public utilities with the obligation to serve customers, must maintain the ability to plan, construct and improve infrastructure. Any legislation that interferes with a utility's ability to do so, within existing regulatory frameworks, could prevent the delivery of essential services.

Allegheny Energy will focus specifically on two sections of the bill, Sections 8 and 11(c), which we believe could be interpreted in the future in a manner that might unreasonably impede critical infrastructure development.

Section 8—Duties of Other Federal Entities. This section of the bill would require any federal entity conducting or supporting activities directly affecting the Heritage Area to (1) consult with the Secretary of the Interior and the Heritage Area's management entity with respect to such activities. It would further require any federal entity to (2) cooperate with the Secretary and the management entity in carrying out their duties under the Act and (3) to the maximum extent practicable, conduct or support such activities in a manner that the management entity determines shall not have an adverse effect on the Heritage Area. These directives are subject to interpretation. We're concerned, however, that across a diverse four-state, 175-mile corridor, these provisions could be interpreted so as to impede critical infrastructure development by parties who oppose such projects.

At the very least, Section 8 provides significant authority to the management entity, the makeup of which is not well defined in the bill. We concede that Section 8 is not an obvious or absolute deterrent to development of essential public utility infrastructure. However, we believe that it could create a duplicative, conflicting, and unnecessary review process for infrastructure projects, based on poorly defined criteria.

Recommended amendment:

- Amend Section 8[3] as follows:

> "Any Federal entity conducting or supporting activities directly affecting the Heritage Area shall—[1] consult with the Secretary and the management entity with respect to such activities; [2] cooperate with the Secretary and the management entity in carrying out their duties under this Act and, to the maximum extent practicable, coordinate such activities with the carrying out of such duties; and [3] to the maximum extent practicable *consistent with applicable law,* conduct or support such activities in a manner that *minimizes* [start line type] the management entity determines shall not have an [end line type] adverse effect*s* on the Heritage Area."

Section 11(c) Recognition of Authority to Control Land Use. Last year's version of the Journey Through Hallowed Ground Heritage Area legislation (S. 2645/H.R. 5195 in the 109th Congress) stated "Nothing in this Act shall be construed to modify the authority of Federal, State or local governments to regulate land use." We understand that because of concerns voiced by interested parties about the potential for the bill to impede or complicate the construction of new roads or the improvement of existing roads, the following language was added to this year's bill—", including the authority of Federal, State, and local governments to make safety improvements or increase the capacity of existing roads or to construct new ones." Allegheny Energy, as a provider of essential services with the obligation to serve within its territory, shares a similar concern about the current language in S. 289. Therefore, we would support similar language to preserve the existing authority of Federal, state, and local governments to regulate utility services.

Recommended amendment:

- Amend Section 11(c) as follows:

> "Nothing in this Act shall be construed to modify the authority of Federal, State, or local governments to regulate land use, including*, but not limited to,* the authority of Federal, State, and local governments *and utilities* to make safety improvements or increase the capacity of existing roads *or utility facilities* or to construct new roads *or utility facilities."*

Allegheny Energy supports the goal of preserving and promoting our nation's unique historical and cultural landmarks. We welcome the opportunity to work with the authors of the Journey Through Hallowed Ground National Heritage Area Act to ensure that passage of the bill does not threaten the ability of essential service providers, including public utilities, to fulfill their obligation to serve. Allegheny En-

ergy is required to provide safe and reliable electric service to every customer in our service territory, which contains much of the proposed Heritage Area.

We appreciate the opportunity to submit our statement for your consideration.

THE VIRGINIA LAND RIGHTS COALITION,
McDowell, VA, March 21, 2007.

Senator DANIEL K. AKAKA,
Chairman, Subcommittee on National Parks, U.S. Senate Energy and Natural Resources Committee, Dirksen Senate Building, Washington, DC.

Re: S. 289, Journey Through Hallowed Ground National Heritage Area Act

DEAR SENATOR AKAKA: I appreciate your concern on this issue and am providing these comments for inclusion in the record of yesterday's hearing on the Journey Through Hallowed Ground National Heritage Area Act (JTHG).

The Virginia Land Rights Coalition was formed over ten years ago as a private, not-for-profit, educational coalition of property rights advocates working mainly in Virginia. We provide assistance to and cooperate with other groups and individuals across the country on a variety of property rights related issues. We do not engage in partisan political action nor do we accept any public or corporate funding.

During the past several weeks, particularly since an amendment to the House version of the bill stripped out all private property rights protections with Congressman Frank Wolfs approval, numerous people from across Virginia and from other states have been contacting us about this legislation. Almost every person with whom we have spoken has been very disturbed to learn of the manner in which it has been handled so far, that is, with an almost arrogant disregard for the rights of individual property owners within the proposed JTHG boundaries.

Many of Virginia's citizens are particularly taken aback by the unethical—and what some are calling illegal—$1 million 'earmark' to the Journey Through Hallowed Ground Foundation, allegedly secured by Congressman Frank Wolf. These funds apparently have been used to lobby for the legislation. If the allegations are true, the ethical violation/conflict of interest is very serious and casts a shadow on the legitimacy of support for the measure.

Last year, we published a report, available at our website, on this National Heritage Area plan in which we detailed some of the proposals of the JTHG Foundation's executive director, Cate Magennis Wyatt. As a result, more and more people are raising questions about the credibility and propriety of her organization's intentions in regard to the formation of a Real Estate Investment Trust (REIT). Its purpose would be to purchase and tie up large tracts of desirable land within the proposed NHA, then to encumber the land with restrictive conservation servitudes which would limit or preclude development, and then resell the land.

Her statements imply the REIT would buy out farmers, for instance, who for various reasons felt they needed to sell. One is left with an uneasy but distinct impression of vultures sitting on a fence waiting to pick the bones of a struggling or aged agricultural landowner.

Mrs. Wyatt claims the REIT would be funded by "socially conscious investors" for the purpose of land "preservation." We believe every Senator and Congressman should be exploring exactly what she and her unnamed supporters have in mind for the Piedmont of Virginia and for portions of three additional states. She has repeatedly stated nothing being planning would adversely affect private property rights, yet her REIT plan does indeed adversely affect private land by restricting its future uses, thus having the potential to negatively impact the growth and tax bases of local governments.

While the details have not been made public, it seems the REIT would be controlled by or would operate under the auspices of the non-profit JTHG Foundation. I am sure you are cognizant of the implications of such a federally-funded, non-profit organization being involved in a scheme such as this.

Numerous individuals, organizations, municipalities and state and federal officials were 'sold' on the JTHG concept with the assurance of protections for the rights of individual landowners. The assurances were a major inducement of support throughout the region. Cate Wyatt, Congressman Frank Wolf, former Senator Allen and many others made the point. Yet every indication so far in this process, including the anti-property rights protection amendment in the House, screams those assurances are absolutely worthless.

Local governing bodies and the millions of people in those jurisdictions already included should be outraged by this act of bad faith. We hope Subcommittee members will be asking hard questions about the real intent of the people pushing this bill; and about lack of protections for the average working families, farmers, and for

the small business owners who do not have powerful, wealthy and well-connected friends lobbying for and supporting their interests.

Simply stated, after careful examination of the total JTHG proposal, it appears to us to have every hallmark of an elitist scam where a relatively few individuals would be able to reap huge financial gains and would secure protection for the gentry's exclusive 'estates' in the Piedmont's 'hunt country'—all on the backs of the working man and woman.

The claims of "historic preservation" and "heritage tourism" are simply ruses designed to funnel federal and state funds into the hands of special interests. They, in turn, would use those funds to further their own political and economic agenda. This has been exactly the case in other National Heritage Areas, such as the Shenandoah Valley Battlefields NHA, where favoritism, unethical conduct, dishonesty and 'pork' have made a mockery of "heritage" and have led to the largest federally-funded land grab in Virginia since the creation of the Shenandoah National Park.

Frankly, Senator Akaka, it's time to get the federal government totally out of the National Heritage Area business. The abuses, corruption and waste are becoming far too obvious and too widespread. This National Park Service scheme has become a subject of cynicism and derision and is fast becoming a political liability, especially in Virginia and other parts of the nation where the rights of private land owners are guarded and respected by the citizens. George Allen's support for it was a major factor in the loss of his Senate seat.

Historic preservation and tourism should be handled privately, or in certain, very limited cases, at the state or local government level.

If you have any questions or would like further information or documentation, please do not hesitate to contact me.

Respectfully submitted,

L. M. SCHWARTZ.

U.S. HISPANIC CHAMBER OF COMMERCE,
Washington, DC, March 19, 2007.

Hon. KEN SALAZAR,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SEN. SALAZAR: On behalf of the U.S. Hispanic Chamber of Commerce, the largest and most influential advocate for the nation's 2 million Hispanic-owned businesses, we write to lend our wholehearted support for Congress to approve S. 500/H.R. 512, legislation that would allow for a commission to study the establishment of a national museum dedicated to the contributions and history of the American Hispanic community.

As you well know, the House of Representatives passed this legislation by voice vote in the 109th Congress, and it enjoyed broad bipartisan support. The sponsors are Rep. Xavier Becerra (D-CA) and Rep. Ileana Ros-Lehtinen (R-FL). We appreciate the leadership you and Sen. Mel Martinez (R-FL) have shown in advancing this legislation in the Senate.

We would like to point out to any Member of Congress with concerns over the bill that this bill adopts a judicious approach to the consideration of a national museum. It only authorizes a study commission; no authority is provided for the establishment or construction of such a museum. Congress would have to act once again to do so after receiving the commission's recommendations on potential locations, fundraising sources, available collections, and community involvement. Many potential contributors from the private sector are committed to ensuring that a museum dedicated to American Hispanic history and cultural contributions is successful. The proponents of the project expect that half of the funding for the establishment of such a museum would come from the private sector.

There are 45 million Americans of Hispanic descent in the United States. One of every 5th child born in the United States is Hispanic. Yet hardly any of the exhibits in the national museums in Washington portray Hispanic contributions to the United States. Visitors to these museums walk away from them expecting to have a better sense of American history and culture. Although this sense is improving due to the National Museum of the American Indians and an upcoming National Museum of African American History and Culture, we cannot afford to continue letting an incomplete story be told.

Sincerely,

DAVID C. LIZARRAGA,
Chairman, Board of Directors.
MICHAEL L. BARRERA,
President and CEO.

WILLIAM C. VELASQUEZ INSTITUTE,
San Antonio, TX, March 19, 2007.

Hon. KEN SALAZAR,
Senate Hart Office Building, U.S. Senate, Washington, DC.

DEAR SENATOR SALAZAR: On behalf of the William C. Velasquez Institute, I am writing to thank you for introducing the National Museum of the American Latino Community Commission Act of 2007 (S. 500). We offer our strong and unqualified support of this legislation which will establish a federal commission to explore the viability of creating the "National Museum of the American Latino" in Washington, DC.

The lack of a Latino-focused institution located at the National Mall has long been of great concern to the Latino community. As you know, some of the most significant museums in our country sideline the National Mall between the United States Capitol and the Washington Monument. These museums purport to reflect the history, culture, and achievements of the people of the United States. Yet scarcely do any of the permanent exhibits in these museums represent the American Latino community's role in the history and culture of this country.

Even with the many challenges and opportunities facing the Latino community, the importance of proper representation of Latinos and their contributions in our nation's foremost cultural institution cannot be underestimated. For example, Latino children visiting our nation's capital have no place to point to with pride as commemorating the Latino presence in this country. Just as troubling is that millions of schoolchildren and families as well as tourists from all over the world can visit Washington, DC without ever encountering a single museum, monument, or collection that helps to educate them about this nation's largest minority. Recent experience clearly demonstrates that the virtual invisibility of the history, contributions, and status of the Latino community to most of their fellow Americans is no longer tenable.

Immediate passage of S. 500 is a critical first step to remedying this unfortunate situation and creating an institution devoted to the research and study of American Latino life, art, history, and culture. Once again, I appreciate your leadership and look forward to working with you on advancing this historic effort.

Sincerely,

ANTONIO GONZALEZ,
President.

MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND,
March 20, 2007.

Hon. KEN SALAZAR,
Senate Hart Office Building, U.S. Senate, Washington, DC.

DEAR SENATOR SALAZAR: On behalf of the Mexican American Legal Defense and Educational Fund (MALDEF), I am writing to thank you for introducing the National Museum of the American Latino Community Commission Act of 2007 (S. 500). We strongly support your efforts to establish a federal commission to explore the viability of creating the "National Museum of the American Latino" in Washington, D.C.

The lack of a Latino-focused museum on the National Mall is a significant concern. Museums on the National Mall should reflect the history, culture, and achievements of all people of the United States. The importance of proper representation of Latinos and their contributions in our nation's foremost cultural institutions should not be underestimated.

Latinos and all visitors to our nation's capital should be able visit a museum that commemorates the many valuable contributions of Latinos in the United States. Currently, millions of schoolchildren and families as well as tourists from all over the world can visit Washington, D.C. without ever encountering a single museum, monument, or collection that helps to educate them about this nation's largest minority group. The virtual invisibility of Latino history, contributions, and status in our nation's cultural institutions is untenable.

Immediate passage of S. 500 is a critical first step to remedying the current lack of Latino representation on the National Mall and to creating an institution devoted to the research and study of American Latino life, art, history, and culture. We com-

mend your leadership and look forward to working with you to advance this historic effort.

Sincerely,

JOHN TRASVINA,
President and General Counsel.

HISPANIC ASSOCIATION OF COLLEGES AND UNIVERSITIES,
Washington, DC, February 8, 2007.

Hon. KEN SALAZAR,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR SALAZAR: On behalf of the Hispanic Association of Colleges and Universities (HACU), I want to express our gratitude and full support for your Senate Bill S. 500 to establish the "Commission to Study the Potential Creation of a National Museum of the American Latino Community," The proposed Commission will have as its major function the development of a plan of action for the establishment and maintenance of a National Museum of the American Latino Community to be located in Washington, D.C.

The proposed Latino Museum will exhibit and display the richness and diversity of the Latino culture within the United States and the 18 Latin American countries of origin from which Latino people immigrate. Clearly the proposed museum will provide a venue for our nation to learn more about the many Latino groups that make up the fastest-growing and second oldest population in the United States.

Currently the Latino community represents 14% of the U.S. population; by 2050, it is projected to exceed 96 million, 25% of the total U.S. population. The proposed museum will be an important addition to the Smithsonian and other museums in Washington, D.C., that introduce visitors to the nation's capitol and highlight the contributions of the various peoples living and working in the U.S.

We applaud your foresight and wisdom in introducing this important piece of legislation. We strongly endorse any efforts by Congress to provide appropriate support to institutions through which we can all learn about the many peoples that have made the United States one of the most culturally rich and diverse countries in the world.

We stand ready to assist your leadership in moving S. 500 through the Senate during this Congressional session. Please call upon us and our membership if we can provide any information, testimony or other support to help you win swift passage of this bill celebrating the contributions of Hispanic Americans.

Respectfully,

ANTONIO R. FLORES,
President and CEO.

EDMUND G. "PAT" BROWN INSTITUTE OF PUBLIC AFFAIRS,
CALIFORNIA STATE UNIVERSITY, LOS ANGELES,
Los Angeles, CA, March 19, 2007.

Hon. KEN SALAZAR,
Senate Hart Office Building, U.S. Senate, Washington, DC.

DEAR SENATOR SALAZAR: On behalf of the Edmund G. "Pat" Brown Institute of Public Affairs. we are writing to thank you for introducing the National Museum of the American Latino Community Commission Act of 2007 (S. 500). We offer our strong and unqualified support of this legislation which will establish a federal commission to explore the viability of creating the "National Museum of the American Latino" in Washington, DC.

The lack of a Latino-focused institution located at the National Mall has long been of great concern to the Latino community. As you know. some of the most significant museums in our country sideline the National Mall between the United States Capitol and the Washington Monument. These museums purport to reflect the history. culture. and achievements of the people of the United States. Yet scarcely do any of the permanent exhibits in these museums represent the American Latino community's role in the history and culture of this country.

Even with the many challenges and opportunities facing the Latino community, the importance of proper representation of Latinos and their contributions in our nation's foremost cultural institution cannot be underestimated. For example, Latino children visiting our nation's capital have no place to point to with pride as commemorating the Latino presence in this country. Just as troubling is that millions of schoolchildren and families as well as tourists from all over the world can

visit Washington. DC without ever encountering a single museum. monument, or collection that helps to educate them about this nation's largest minority. Recent experience clearly demonstrates that the virtual invisibility of the history. contributions, and status of the Latino community to most of their fellow Americans is no longer tenable.

Immediate passage of S. 500 is a critical first step to remedying this unfortunate situation and creating an institution devoted to the research and study of American Latino life, art, history, and culture. Once again, we appreciate your leadership and look forward to working with you on advancing this historic effort.

Sincerely,

JAIME A. REGALADO, PH.D.,
Executive Director.

STATEMENT OF DR. JONATHAN LORENZO YORBA, ARTS & CULTURAL AFFAIRS MANAGER, DEVELOPMENT DEPARTMENT, CITY OF RIVERSIDE

Thank you, Senator Bingaman, Senator Akaka, and Members of the Committee, for inviting me to submit testimony on S. 500/H.R. 512, which would authorize the establishment of a National Commission to study the potential creation of a new museum for the United States: The National Museum of the American Latino.

My name is Jonathan Yorba, and I am honored to provide you with this testimony from the perspective of several professional positions that I hold. First and foremost, I am the Arts & Cultural Affairs Manager in the Development Department of the City of Riverside. We are the "City of the Arts" and the capital of arts and culture in the Inland Empire of Southern California. Second, I am Adjunct Professor of Museum Studies at John F. Kennedy University in Berkeley, California. Third, I am Chair Emeritus of the American Association of Museums Latino Network Professional Interest Committee, a national group of professionals that is dedicated to fostering a greater understanding and exchange of cross-cultural dialogue on issues pertinent to Latinos and Latino art and culture. And last but not least, I am Chair of the Ford Foundation Fellows Fund, which works to increase the diversity of the nation's professoriate—whether that is in the arts, culture, and the humanities or in the sciences.

My hope is that my brief testimony will help you consider, at a future point, approving legislation that would establish the Commission. In thinking carefully about my charge, I bear in mind a lesson that continues to resonate with me personally and professionally: The humanities are referential, dialectic and tentative. In the same way, a National Commission would need to carefully and thoughtfully consider a number of critical factors related to the establishment of a National Museum of the American Latino, by placing such factors in comparative perspective to other regional and national cultural institutions, by engaging in considered dialogue with a number of stakeholders, and then presenting to the President a more richly informed perspective than what the Commission Members began with.

I respectfully address below a few of these considerations that I imagine the Commission would need to explore. They are: need, viability, programs, and community reception and impact.

On the idea of whether the nation needs a new museum and, in particular, a Latino museum, two ideas come to mind. The first is from the report *Excellence and Equity: Education and the Public Dimension of Museums,* whose principles state in general that museums have the power to nurture an enlightened and humane citizenry that appreciates the value of knowing about its past, is resourcefully and sensitively engaged in the present, and is determined to shape a future in which a variety of experiences and points of view are given voice. This speaks to one of the unique features of the American museum: its educational dimension.

The second is a provocative quote that I once heard ethnic studies scholar Dr. Ronald Takaki paraphrase: "What happens when someone with the authority of, say, a teacher describes the world and you are not in it? There is a moment of psychic disequilibrium, as though you looked into a mirror and saw nothing." If museums are indeed at their core educational institutions, then current residents of and visitors to Washington, D.C. would not be able to find a single, prominent cultural institution on the scale of a museum of the United States, whose primary purpose is to educate visitors about the many contributions of Latinos through permanent exhibitions and educational programs.

But were a National Museum of the American Latino to be considered, its viability would then need to be examined. This could include such elements as structure, site, and support. There are a number of existing models to draw upon for examples which, again, a National Commission would need to explore.

In reading through the Congressional Record regarding the creation of such a museum for the United States, various findings of Congress on the subject are presented. Therefore, through the nation's many Arts & Cultural Affairs offices, and organizations such as the American Association of Museums Latino Network and other related organizations, the Commission would surely discover the tremendous variety of Latino cultures and potential exhibitions and collections that are available for possible display in such a National Museum of the American Latino. The key will be to determine how such primary issues as representation and (re)presentation—that is, the interpretive component—are taken into consideration.

Last but not least, in the American museums' move towards community and civic engagement, the National Commission would need to listen to the voices of many communities—from Riverside in California to San Antonio in Texas, and from Chicago, Illinois and beyond—to understand how such a national museum would be received. In talking with a number of stakeholders around the nation, the Commission Members would learn about the existence of a number of Latino museums—whether they are focused on a single culture or their mission is to serve pan-Latino audiences. The Commission Members would then have to explore what effect the establishment of a National Latino Museum would have on these institutions.

Museums began as cabinets of curiosity, assumed a civilizing function, asserted their educational importance, have become forums for cultural exchange, and are determined to play a significant role in community and civic engagement. In order to explore the factors I have briefly raised, as well as others that will emerge, I overwhelmingly support the establishment of a National Commission to establish a National Museum of the American Latino. Thank you.

STATEMENT OF C. ALLEN SACHSE, PRESIDENT/EXECUTIVE DIRECTOR, DELAWARE & LEHIGH NHC, INCORPORATED AND THE DELAWARE AND LEHIGH NATIONAL HERITAGE CORRIDOR COMMISSION

Mr. Chairman and distinguished members of the Subcommittee, my name is Allen Sachse and I am Executive Director of the Delaware and Lehigh National Heritage Corridor Commission (Commission) and President of the Delaware & Lehigh National Heritage Corridor, Incorporated (D&L)—a 501(c)(3) non-profit. Together they serve as the 'managing partners' of the Delaware and Lehigh National Heritage Corridor (Corridor). I appreciate this opportunity to submit written testimony on behalf of the Corridor partnership and ask for your approval of S. 817.

Congress designated the Corridor as the nation's third national heritage corridor in November 1988. The Corridor's authorizing legislation also established the Commission to assist the state and local agencies in preserving and interpreting the Corridor's historic, cultural and natural resources, while fostering economic development focused on those resources. The Management Action Plan, approved by the Secretary of Interior in 1993, recognized the Corridor's stories and related resources as nationally significant.

Located in eastern Pennsylvania, the Corridor passes through five counties following an historic transportation system of overland railroads and canals for 165 miles. The system was innovative in its day, and continued to operate for over 100 years, becoming the nation's longest operating canal system. From the Wyoming Valley in the north to the port town of Bristol in the south, the system moved anthracite coal that fueled the industrial revolution. Along the route a diversity of industries flourished, including iron and steel, cement, transportation, textile, slate, zinc and others.

The last two decades have seen the emergence of heritage partnerships throughout the United States. I have observed that there are some very common similarities among the more successful heritage partnerships:

- A strong local pride of cultural and natural heritage and belief that the region has an important story and the responsibility to share the story;
- The region exhibits a distinctive landscape, clearly reflecting its cultural natural heritage;
- This pride of heritage is embraced by the broadest range of community leaders and there is a consensus that the practice of heritage development will improve the quality of life and enhance the region's economy;
- A partnership network evolves focused on a common vision and led by creativity, dedication and the ability to reach across traditional boundaries.

In 2005, the Commission determined the time had come to have an independent evaluation of our accomplishments and an assessment of the Corridor partnership network. Recognizing there were few examples of appropriate research models to fol-

low, the Commission engaged the services of the Conservation Study Institute (CSI), Northeast Region of the National Park Service to accomplish the task. The findings are detailed in the report titled Connecting Stories, Landscapes, and People: Exploring the Delaware & Lehigh National Heritage Corridor Partnership, which was completed and published in spring of 2006. (A copy of the report is attached for reference and documentation.)

The CSI was asked by the Commission to address the following specific issues:

- Evaluate progress toward accomplishing the purposes of the Corridor's authorizing legislation and the strategies set forth in the Corridor's Management Action Plan of 1993.
- Identify additional actions and work needed to protect, enhance, and interpret the Corridor and its nationally significant resources.
- Analyze the National Park Service and Pennsylvania Heritage Park Program (PHPP) investments to determine the leverage and impacts of these investments.
- Examine models, options, and opportunities to enhance state and local partnerships and to continue the NPS relationship, including the possibility of a permanent NPS designation or a new framework to support the work of the Corridor initiative.

The CSI was not asked to provide specific recommendations regarding the future management of the Corridor partnership network. Instead, through rigorous research CSI was to identify the strengths, weaknesses and opportunities for the partnership—so that the managing partners could make informed decision regarding the future of the Corridor partnership.

We found that of the 175 actions in the Management Action Plan, 145 (or 83%) were acted upon; almost half of these projects being Corridor wide in scope; and 67 were determined to be "ongoing" activities that will require ongoing commitment to maintain the achievements to date. The findings make it apparent that time is important, as well as, the careful selection and seeding of early projects. Approximately two thirds of all projects have been initiated in the last six years. Also, as the momentum builds, the managing partners continue to be challenged with the task of building the capacity and sustainability of the numerous local partners.

The partnership's ability to leverage funding and other resources has been impressive. The study substantiated that for each dollar provided through the National Park Service, the Corridor was able to directly leverage almost 12 dollars from other sources. In addition, a considerable amount of indirect funding and volunteer services were leveraged, but not counted.

Looking to the future the CSI identified critical ingredients necessary for sustained success of the partnership network. Foremost among the ingredients was the NPS role, "The anchoring state and federal government connections provided by the DCNR and the NPS are extremely important to the stability and sustainability of the D&L partnership system. These two partners have played critical and complementary roles in the Corridor partnership for a long time—the DCNR since it was formed in 1993 and the NPS since the Corridor's formative stages. They provide credibility and reinforce the importance of the Corridor initiative for partners and communities. . . . Other critical structural ingredients include secure, stable funding from diverse sources and the ability to leverage funds, resources, and ideas. It is important to note that the ability to leverage derives primarily from the funding and participation of the two anchoring state and federal partners." (1)

All future management options recognized the importance of a continuing relationship with the anchoring partners—DCNR and the NPS. However, one option addressed the possibility of moving forward without a federally authorized management entity and dedicated federal funding. If this were to become a reality, the study team concluded, "this scenario would be a significant setback for the Corridor initiative and in all likelihood would substantially slow the progress toward achieving its broad mandate. Without federal authorization, D&L, Inc., and the partnership overall could have reduced stature, clout, and credibility with government agencies and other stakeholders. Perhaps more importantly, the loss of dedicated federal funding would leave a substantial void—both in direct terms for Corridor operations and management plan implementation, and indirectly in leveraging support from others." (2)

Among the various other options for the future, the managing partners have concluded the time is appropriate to fully shift the responsibility for managing the partnership network to the D&L, thus, allowing the federal Commission to sunset. Such a move should provide for additional administrative flexibility, while also expanding the potential base of funding support.

Also, the Corridor intends to pursue opportunities to strengthen the existing partnership with the NPS. This will include technical assistance and other services; developing working relationships with nearby NPS units; and possibly seeking a Congressional "authorization of a 'special resource study' to explore potential permanent NO'S involvement and additional designations" for the Corridor. (3)

The Corridor managing partners have committed a substantial amount of time and effort evaluating accomplishments and weighting options for the future. We remain focused on the vision of a strong partnership network preserving and sharing the nationally significant resources and stories of the Corridor. We continue to seek out ways to empower our partners' creativity, to support their work, to share their accomplishments and strengthen their capacity. As an organization we recognize that our partnership network and their accomplishments is our measurement of success. We must serve our partners well by focusing on the vision of the Corridor; by minimizing the bureaucracy often associated with state and federal programs; by providing quality programs and services; and by being creative, flexible and innovative.

Again, I appreciate the opportunity to review the work of the Corridor and share with you what we believe will make the Corridor stronger and more efficient. The managing partners have taken the evaluation process very seriously and are using the findings to help shape our future. I ask for your approval of S. 817, which will provide the time, resources and support necessary to continue the work of the Corridor.

Excerpts taken from:

Connecting Stories, Landscapes, and People: Exploring the Delaware & Lehigh National Heritage Corridor Partnership—A Technical Assistance Project for the Delaware & Lehigh National Heritage Corridor Commission and the Delaware & Lehigh National Heritage Corridor, Inc.

—completed by the Conservation Study Institute, Northeast Region, National Park Service

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STATEMENT OF DANIEL M. RICE, PRESIDENT AND CHIEF EXECUTIVE OFFICER, OHIO & ERIE CANALWAY COALITION, OHIO & ERIE NATIONAL HERITAGE CANALWAY, AKRON, OHIO

Mr. Chairman and distinguished members of the Committee, my name is Daniel M. Rice. I am the President and Chief Executive Officer of the Ohio & Erie Canalway Coalition, a regional private non-profit organization working on the development of the Ohio & Erie National Heritage Canalway from Cleveland to New Philadelphia, Ohio in northeast Ohio. I appreciate the opportunity to offer testimony in support of S. 817, a bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide additional reauthorizations for certain National Heritage Areas, and for other purposes. I want to thank Senator Voinovich, Senator Kennedy and Senator Spector and their staffs for their leadership in drafting the legislation with the staff of the Subcommittee. I also wish to thank Senator Brown, Senator Casey, Senator Graham and Senator Kerry for cosponsoring S. 817.

Mr. Chairman, now, more than ever, we need to maintain our partnership with the National Park Service and renew our shared commitment to the Ohio & Erie National Heritage Canalway, and the five National Heritage Areas listed in S. 817. National Heritage Areas successfully promote and export the National Park Service ethic of resource conservation without significant permanent investment. Through the National Heritage Area designation, we are building permanent community partnerships and developing funding diversification and sustainability strategies for the conservation of nationally significant resources. Most importantly, National Heritage Areas expand the reach of the National Park Service and allows the Service to affect the lives of ordinary citizens, in urban areas and townships, across this country in extraordinary ways, without the burden and responsibility of ownership and long-term maintenance by the National Park Service.

The Ohio & Erie Canalway is a regional and national treasure that celebrates the unique natural, historical and recreational resources along the Ohio & Erie Canal from Cleveland to New Philadelphia in northeast Ohio. Through the leadership of Ohio Canal Corridor, Ohio & Erie Canalway Association and Ohio & Erie Canalway Coalition, we are developing a 101-mile multi-use recreational trail, conserving hundreds of acres of natural areas, preserving historic structures and stimulating over

$270,000,000 of community and economic development activity. For every $1 of federal seed funding, we are leveraging over $12 of private, local, and state investment.

As one of the 37 Congressionally-designated National Heritage Areas, the Ohio & Erie Canalway is a successful example of the national heritage area concept of the conservation and interpretation of nationally significant resources through local management and investment. Some examples of our resource conservation accomplishments include:

- Development of 75 miles of the multi-use recreational Towpath Trail from Cleveland to New Philadelphia, Ohio. To date, over $53,000,000 of private, local, state and federal resources have been invested in this regional greenway. Over 3 million users utilized the Ohio & Erie Canal Towpath Trail in 2006.
- Implementation of four county trail and green space plans with over 400 miles of connecting trails and 1,000 acres of green space.
- The relocation of the world headquarters of Advanced Elastomers Systems from St. Louis, Missouri to Akron, Ohio, along the banks of the Ohio & Erie Canal. Local developer Paul Tell invested $25 million in a former BFGoodrich headquarters building and generated over 300 new jobs in downtown Akron.
- Over 175,000 volunteer hours on National Heritage Area related programs and projects, and over 250,000 participants in educational programs.
- Preservation and restoration of historic canal resources including, the Mustill House and Store, Henniger House, Zoar Hotel, Zoar Town Hall, Jackson Township School and the Richard Howe House.
- Local developer Frank Sinito invested over $13 million dollars in the mixed-use development, Thornburg Station, along the banks of the Ohio & Erie Canal and Towpath Trail in Independence, Ohio in Cuyahoga County. Through a combination of upscale restaurants, offices and shops, Thornburg Station has generated over 50 jobs and is a destination Trailhead along the Ohio & Erie Canal Towpath Trail.
- Designation of the Canalway Ohio Scenic Byway as a State and National Scenic Byway.
- Extending the Cuyahoga Valley Scenic Railroad from the Cuyahoga Valley National Park to the City of Akron and the City of Canton.
- Creation of a Communications Plan, including a comprehensive Interpretation Plan, Signage Plan and Marketing Plan. In April 2006, we introduced a "first-of-its-kind" Visitors Guide for the entire Ohio & Erie Canalway, in partnership with our Convention & Visitors Bureaus.
- Provided technical assistance and planning support for the four main Canalway Center Visitors facilities. The first of our facilities, the Stark County Canalway Learning Center is scheduled to open in summer 2007.

Through the development of public/private partnerships, we are exporting the National Park Service ethic of resource conservation to thousands of citizens, cultivating stewardship and investment of the unique resources and most importantly, creating a legacy for future generations.

All of these accomplishments would not have been possible without the designation, as a National Heritage Area, by Congress in 1996.

The National Heritage Area designation provides an organized regional structure and forum for the promotion of resource conservation, interpretation and development of the natural, historical and recreational resources along the Ohio & Erie Canalway. With the development of the Corridor Management Plan, we obtained the investment, commitment and support from our private, local, state and federal partners for the Ohio & Erie Canalway. These partners, including the National Park Service, endorsed the Corridor Management Plan and committed their resources to the completion of the 20-year plan.

For the first three years of our designation, we completed our resource inventories and developed the Corridor Management Plan. From 2000 to 2006, we established the identity for the Ohio & Erie Canalway and worked on its three main regional linkages—the Towpath Trail, the Scenic Byway and the Scenic Railroad. Through the hard work and dedication of over 90 partners, I am proud to tell you that we are ahead of schedule and are poised to move into the second phase of the development of the Ohio & Erie Canalway.

According the Corridor Management Plan, approved by the Secretary of the Interior, over the next six years, we will work on the following items:

- Complete the key regional linkages, including the Towpath Trail, Scenic Byway and Scenic Railroad.
- Expand the connecting trail network.

- Market locally and regionally the entire Ohio & Erie Canalway and its journeys.
- Assist the Canalway Center project partners to complete construction.
- Continue coordination with the National Park Service for program involvement.
- Develop Corridor-wide programs and mechanisms for their continued operations.

As you can see, Mr. Chairman, we are at a critical crossroads in the development of the Ohio & Erie National Heritage Canalway, and that is why we are requesting reauthorization of this nationally significant project. Just as much of the past accomplishments of the Ohio & Erie Canalway have been due to the participation and involvement of the National Park Service, much of our future success depends on the continued partnership and participation of the National Park Service. As the Corridor Management Plan for the Ohio & Erie Canalway states, "Alliances and regional coalitions are critical to the long-term success of the National Heritage Corridor as well as to the accomplishment of short-term projects."

Without reauthorization of the Ohio & Erie Canalway, we will be unable to fulfill the commitments and obligations outlined in the Corridor Management Plan. If our federal partners abandon the partnership and their commitment to the Corridor Management Plan, the private, local and state partners may take the same approach and withdraw their commitment and support. If this occurs, the public/private partnership will dissolve; the foundation for the regional resource conservation strategy will cease to exist; and the previous investments by private, local, state and other partners will be put at risk. Continued federal investment is necessary to maintain the momentum and provide the critical seed funding components of the Corridor Management Plan.

All of the National Heritage Areas included in S. 817 were established with Management Plans to guide the work of the National Heritage Areas. National Heritage Areas were established as long-term conservation tools to protect America's heritage in places where sole federal government ownership, i.e., units of the National Park Service, were not feasible or practicable. These National Heritage Areas need to be reauthorized in order to fulfill their Management Plans. Selecting a pre-determined termination, as it has been suggested, endangers what has been created and what is planned.

S. 817 incorporates components of the National Park System Advisory Board report titled, "Charting a Future for National Heritage Areas." This ground breaking report examines in great detail, the intricate relationship between National Heritage Areas and the National Park Service, and the importance of embracing National Heritage Areas as part of the family of the National Park System. One of the components of the Advisory Board report, included in S. 817, is the establishment of an evaluation and analysis process that evaluates the need for continued federal involvement with the National Heritage Area. This is an important component in defining, and embracing National Heritage Areas as part of the National Park System.

Reauthorization of the Ohio & Erie Canalway, allows us to complete our Corridor Management Plan, fulfill our commitments to the communities and develop the necessary funding diversification strategies. In essence, reauthorization enables the National Heritage Areas identified in S. 817 to move towards a decreased dependence on the National Park Service for long-term funding.

In closing, Mr. Chairman, I believe that National Heritage Areas are an innovative approach to resource conservation and they represent the future direction of the National Park Service in the 21st century. That is why I strongly urge your support for the passage of S. 817 so we can continue our successful partnership for resource conservation and the celebration of our nationally significant resources. Working together, we are creating legacies for future generations.

Thank you again for the opportunity to offer testimony in support of S. 817.

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