

ESTABLISHMENT OF NATIONAL HERITAGE AREAS

HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL PARKS, FORESTS
AND PUBLIC LANDS

OF THE

COMMITTEE ON
NATURAL RESOURCES
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRD CONGRESS

SECOND SESSION

ON

S. 1980

A BILL TO ESTABLISH THE CANE RIVER CREOLE NATIONAL HISTORICAL PARK AND THE CANE RIVER NATIONAL HERITAGE AREA IN THE STATE OF LOUISIANA, AND FOR OTHER PURPOSES

H.R. 4720

A BILL TO ESTABLISH THE HUDSON RIVER VALLEY AMERICAN HERITAGE AREA

H.R. 793

A BILL TO PROVIDE FOR THE PRESERVATION, RESTORATION, AND INTERPRETATION OF THE HISTORICAL, CULTURAL, AND ARCHITECTURAL VALUES OF THE TOWN OF BRAMWELL, WEST VIRGINIA, FOR THE EDUCATIONAL AND INSPIRATIONAL BENEFIT OF PRESENT AND FUTURE GENERATIONS

H.R. 4692

A BILL TO ESTABLISH THE APPALACHIAN COAL HERITAGE AREA

JULY 28, 1994

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ESTABLISHMENT OF NATIONAL HERITAGE AREAS

THURSDAY, JULY 28, 1994

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
SUBCOMMITTEE ON NATIONAL PARKS, FORESTS,
AND PUBLIC LANDS,
Washington, DC.

The subcommittee met, pursuant to call, at 9:04 a.m., in room 1324, Longworth House Office Building, Hon. Bruce F. Vento (chairman of the subcommittee) presiding.

STATEMENT OF HON. BRUCE F. VENTO, A U.S. REPRESENTATIVE FROM MINNESOTA, AND CHAIRMAN, SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS

Mr. VENTO. The Subcommittee on National Parks, Forests and Public Lands will be in order. We are meeting, as Members have been notified, this morning to deal with four separate measures.

Members will recall, however, the backdrop of this is that the committee, full committee, had acted on H.R. 3707 which would establish the criteria for recognition of heritage areas, establish a process by which heritage areas could be nominated and designated such areas, and limit Federal funding for operation and projects within such areas.

However, many local groups already begun working on these studies and nominations pending the enactment of generic heritage area legislation. Some of these attempts have been under way for some time and there has been concern expressed by supporters that any delay may endanger the resources contained in the proposed areas and disrupt the coalitions formed to assist such projects.

To avoid uncertainty and unnecessary delays, I have agreed to consider several of these proposals. While we are considering some areas prior to enactment of the generic legislation, it is my intent to tailor those proposals to the provisions of H.R. 3707 to the extent possible and to function in good faith with regard to those who have agreed on the format of that bill, which includes the administration and basically this committee.

Today, we will consider, of course, four bills which contain such proposals: S. 1980, which establishes both a unit of the national park system and a heritage area in the State of Louisiana; H.R. 4720, to establish the Hudson River Valley Heritage Area; H.R. 793, to provide assistance to Bramwell, West Virginia; and H.R. 4692, to establish the Appalachian Coal Heritage Area.

I would like to welcome the witnesses. All statements will be made part of the record without objection.

[The statement of Mr. Vento appears next, followed by statements of Ms. Lowey and Mr. Dickey.]

STATEMENT OF HON. BRUCE F. VENTO

Today we are hearing four bills, several of which would designate heritage areas, and others which would establish new units of the National Park System.

As members will recall, the committee has reported to the House legislation establishing an American Heritage Areas Partnership Program, H.R. 3707, which would establish criteria for the recognition of such areas, establish a process by which heritage areas could be nominated and designated American heritage areas, and limit Federal funding for operations and projects within such areas.

However, many local groups have already begun working to complete studies and nominations pending the enactment of general heritage area legislation. Some of these attempts have been underway for some time and there have been concerns expressed by supporters that delays may endanger the resources contained in the proposed areas and disrupt the coalitions formed to assist these projects. To avoid uncertainty and unnecessary delays, I have agreed to consider several of these proposals. While we are considering some areas prior to enactment of the generic legislation, it is my intent to tailor these proposals to the provisions of H.R. 3707 to the extent possible.

Today, we will consider four bills which contain such proposals: S. 1980, which establishes both a unit of the National Park System, and a heritage area in the State of Louisiana, H.R. 4720, to establish the Hudson River Valley American Heritage Area, H.R. 793, to provide for assistance to Bramwell, West Virginia, and H.R. 4692, to establish the Appalachian Coal Heritage Area.

STATEMENT OF HON. NITA M. LOWEY, A U.S. REPRESENTATIVE FROM NEW YORK

Mr. Chairman, I would like to thank you for the opportunity to express my support for the Hudson River Valley American Heritage Area Act of 1994. I would also like to thank my colleague, Representative Maurice Hinchey, who is continuing at the federal level the much needed work he began in the New York State Assembly to protect the tremendous resources of the Hudson River Valley.

The Hudson Valley, stretching from Yonkers to Troy, is home to some of our nation's exceptional historic, cultural, and natural resources. In addition to being the site of countless Revolutionary War battles, the area contains some of the oldest aqueducts in the country. The valley also boasts the homes of many of our nation's most celebrated leaders, including John Jay and Thomas Paine, as well as those of prominent artistic figures like Washington Irving and James Fenimore Cooper.

In addition to its rich historic tradition, the Valley is also renowned for its breathtaking natural beauty, immortalized in the paintings of the Hudson River School. The area's many parks including beautiful Larchmont Manor Park Tibbetts Brook Park in Yonkers, provide a peaceful refuge from the densely populated area less than a dozen miles away.

This legislation offers us an innovative and exciting way to protect these cultural and natural treasures. By authorizing this creative partnership between the National Park Service and local authorities, we can fully develop the restoration plans that would connect the sites and themes of the Hudson Valley into a coherent visitor experience.

The Heritage project also presents us with a worthwhile and cost-effective means by which to maximize the potential of the National Park Service within the Hudson Valley. At a low cost to the Federal Government, the region's public and private resources can be integrated into a better understanding of the region's cultural and natural heritage for generations to come.

Once again, Mr. Chairman, I would like to thank you for your consideration of this bill and urge the Committee to favorably report this legislation for consideration by the House before the end of the session.

STATEMENT OF HON. JAY DICKEY, A U.S. REPRESENTATIVE FROM ARKANSAS

Mr. Chairman, thanks for scheduling this hearing on four additional national heritage areas.

I look forward to reviewing the testimony regarding these individual bills to promote, protect, enhance and interpret cultural heritage regarding America's coal mining history and other types of cultural development.

I am still not clear how the bills we are hearing about today, and others on which we have had hearings, fit into the overall National Heritage Area Partnership Act (H.R. 3707) which has been reported from the full Natural Resources Committee. My understanding was that bill was to set the framework, scope, and degree of federal financial and other involvement in helping local, State and private interests plan and implement these heritage areas. I have some concerns about H.R. 3707 itself, but my understanding was that bill was to be the measure of individual heritage areas bills to follow. It is not clear to me that that is in fact happening. We keep considering these bills, one by one, seemingly without regard to any guidance or criteria which I thought was the purpose of H.R. 3707.

At any rate, I look forward to reviewing today's testimony.

Mr. VENTO. We have a number of witnesses, Members. Senator Johnston wanted to stop by and I note that Congressman Boucher just walked into the room, so we will invite him to come forward and ask him to disregard the witness list in which we have him identified as being from the Ninth District of North Carolina. We know better.

But in any case, Rick, welcome. I did read your statement last night and I would like you to provide an informal presentation in a moment.

Well, why don't you go ahead and I will then recognize Mr. Hinchey or Mr. Duncan. Mr. Hinchey will have a statement, I am certain, because of the Hudson heritage proposal, but we will give him a chance to get organized because I know that he is going to stay and we will send our colleague back to the important meetings that are going on this morning.

STATEMENT OF HON. RICK BOUCHER, A U.S.
REPRESENTATIVE FROM VIRGINIA

Mr. BOUCHER. Thank you very much, Mr. Chairman.

I appreciate your giving me some time today to appear before the subcommittee. I have a prepared written statement and would simply ask that that be made part of the record.

Mr. VENTO. Yes.

Without objection, all statements in their entirety, the opening statements and all witnesses will be made part of the record.

Hearing no objection, so ordered.

Rick.

Mr. BOUCHER. Thank you very much, Mr. Chairman.

I am pleased to bring to the subcommittee's attention H.R. 4692 which is styled the Appalachian Coal Heritage Area Act, which will help us preserve and make known to the public the important cultural and historic resources that exist in a unique region that overlaps the congressional districts that Nick Rahall and I have the privilege of representing.

I would also like to introduce today two of my constituents who I understand will be testifying later. They are from the community of Pocahontas, Virginia, and I know that you will welcome them at the appropriate time.

The Appalachian Coal Heritage Area is home to the first mine in the Pocahontas coal field and the mine that gave the field its

name, the Pocahontas mine. That mine was opened in the 1880s and expanded very quickly when a seam of coal 13 feet thick was discovered. For those who have some acquaintance with coal mining, you will appreciate the fact that that was truly an extraordinary discovery and created very quickly a coal boom in that particular region.

Since the mine was closed, it has assumed an educational purpose as an exhibition mine and since that activity began in 1938, more than 1 million people have gone through that mine and gained a knowledge of coal mining as a result. Visitors take a guided tour that teaches them about the geological history of coal formation and the history of coal mining and coke production at Pocahontas.

Exhibits explain the evolution of the coal extraction process and of mining tools, from basic hand tools to powerful electric coal cutting machines. Discussions cover all aspects of work in the mines from safety and coal mine strategies to coal transportation.

As one of the National Park Service studies suggests, and this is a quote, "By the time the tour ends, the visitors have acquired a fairly comprehensive understanding of Pocahontas coal from its formation to its mining and its importance in the industrial development of this country."

While the mine in Pocahontas serves as the area's historical centerpiece, it is by no means the Appalachian Coal Heritage Area's only historical asset. The twin company towns of Pocahontas and Bramwell are separated only by a mile and by the State line between Virginia and West Virginia.

Pocahontas in Virginia was the first and largest mining town built in the Pocahontas coal field. Many of Pocahontas' residences date from the 1880s and others were built during two further construction periods in the 1900s and 1920s. The town still possesses many of the original commercial establishments, including a number of saloons and I am told at one time there were more than 40 in this town, and an original opera house.

So the town had very much the ambiance of an old boom town, which is precisely what it was. In fact, the town is so scenic and replete with excellent examples of Victorian era architecture that it is a favored location for movies and for television documentaries.

The town also has a unique cultural history. Dr. Harry Butowsky, a National Park Service historian, has suggested that the ethnic history of the coal mining fields of Virginia is, in fact, a microcosm of the ethnic history of the United States. When coal companies recruited labor, they brought in workers from three different populations: white Americans from other coal-producing regions; African-Americans from the South; and immigrants from southern and southeastern Europe.

The town's religious structures reflect that diversity. It is still possible to visit many of these buildings, including a synagogue built in 1913 and a mural-covered Catholic church built by the Hungarian population in 1896. Pocahontas' architectural legacy demonstrates how workers from diverse national, ethnic, and religious backgrounds came together in America's early coal-producing region.

Bramwell, the town in West Virginia, also has a rich history. Whereas Pocahontas was the region's commercial center and housed the workers for the mines, Bramwell was host to the coal companies' executives. The officials' desire for more luxurious houses combined with the skills of immigrant laborers and with native Appalachian materials to create a unique style. These European-influenced structures include a Tudor mansion, a yellow brick estate with a copper roof, and commercial and religious structures, such as a bluestone bank built by Italian stonecutters and a chapel that is a replica of one that exists in Wales.

Mr. Chairman, the Appalachian Coal Heritage Area Act recognizes the important role that this region played in the Nation's history. It demonstrates how culture was formed in the early coal-producing regions and our goal in recommending for it heritage area status is to help preserve these resources and at the same time inform a broader American public about what the region has to offer.

I will also say that we think that this designation would help enhance our tourism economy and we, of course, have great hopes for that in the future.

Mr. Chairman, I appreciate very much your giving me the time this morning. I would like to urge favorable consideration of the legislation and would suggest that a heritage area that encompasses both Bramwell and Pocahontas would be highly appropriate.

I think that is also the view of Mr. Rahall, and you will hear further testimony this morning from the Park Service and the Virginia Department of Historic Resources also suggesting that that combination makes sense.

Later this morning, you will hear from Sister Rose Golembiewski, who is the President of Historic Pocahontas, Incorporated, an organization that works to preserve historic Pocahontas. She is a member of the Historic Mine Committee, a founder, and Past President of the Library Committee, a former elementary school principal, and member of the Center for Christian Action, a social outreach organization that is within the community.

You will also hear from Ms. Jeannie Soos, who is former Vice Mayor of Pocahontas, a long-time resident of the community, and one of the outstanding community leaders who has long been advocating national recognition for the many cultural and historic assets that exist within the Town of Pocahontas.

Accompanying them is Anita Brown. She is the current Mayor of Pocahontas. She will not be testifying today, but she is here to demonstrate the broad support that exists within the community for this designation.

You will also hear from Mr. David Edwards, who is with the Virginia Department of Historic Resources. He is their Architectural Historian and he will testify as to the historic value of the many structures and other assets that exist in Pocahontas today.

So again, Mr. Chairman, thank you very much for your hospitality in having me before your committee today, and if you have any questions, I would be pleased to answer them.

Mr. VENTO. Thanks, Rick.

You have anticipated most of my questions. Obviously, it is helpful to have conferred with you prior to the introduction of the legis-

lation—that is through staff—and have reflected in it some of the basic tenets in the generic act that has been worked out to date.

So I think that is very helpful and your willingness and that of Congressman Rahall to incorporate or to merge together the measures that affect Bramwell and the Coal Heritage Act that he has introduced, as well as the bill that you have for your Coal Heritage Act, is helpful, I mean, in terms of trying to recognize the area and get it started.

All I was thinking—and this is really an observation about these heritage areas—is that they offer really a unique way to qualitatively convey to the greater population the history and heritage of our country that is really a continuum from coast to coast, North to West and West to South and South to East. They give really an opportunity to convey, really, a graphic picture of our history and our culture in an educational setting.

So if we can put this together, I think it really provides something for lifelong learning in terms of our culture. People are really interested in this. They want to do it, and I just hope that we can encourage it through the Park Service.

There has to be a lot of local participation in these programs and in achieving these goals. So I think there seems to be a lot of enthusiasm on their part.

Just the representation and the work that has been done in Pocahontas, I think is not unusual, but I am sure it has its own qualities to be certain, but it is commonly what we are finding, like the Steel Heritage Area that Congressman Coyne had introduced, and the Hudson River proposal introduced by my colleague from New York, Mr. Hinchey.

Thanks for stopping by this morning.

Mr. DUNCAN. I have a question, Mr. Chairman.

Mr. VENTO. Yes.

Mr. DUNCAN. Mr. Boucher, I am just wondering how much is this going to cost? Do we have any estimate of the amount of money we are talking about or the amount of technical assistance that is going to be needed?

Mr. BOUCHER. I do not have that figure, Mr. Duncan. My assumption is that it will be quite minimal. We do not anticipate a permanent presence of Federal personnel, for example.

The designation would simply serve to highlight these cultural and historic assets and it would be a matter perhaps of providing some technical assistance to the communities in terms of how better to position themselves to take advantage of those assets, but my assumption is that it would be quite minimal indeed.

Mr. DUNCAN. What is quite minimal to you?

Mr. BOUCHER. Well, Mr. Duncan, I don't have a figure.

Mr. VENTO. If my colleague would yield to me?

Mr. DUNCAN. Yes.

Mr. VENTO. I think the outline of the bill that we have, H.R. 3707, would probably give you some sort of an idea of what may be the upper limits of it, although I am certain that most communities would strive to achieve that type of expenditure, but what it provides, if you would recall, is, first of all, by and large, a 50-50 match.

Most of the studies in all of the bills we are dealing with have been accomplished, so that we are not dealing with the study phase, so it requires a one-to-one match and it provides for capital expenditures authorized of \$10 million a heritage area over 10 years.

After that 10 years, they would then phase through and while the resource would be retained, they would no longer be eligible, with an extension possible under certain circumstances as approved by the Secretary. So the concept here is rather than taking all of these areas into the Park Service, is to try and grow them in the areas with a strong, significant support.

Mr. DUNCAN. Thank you.

Mr. BOUCHER. Thank you, Mr. Chairman.

Mr. VENTO. Thank you.

Mo, would you assume the Chair for a moment and you can give your opening statement and call on Mr. Galvin. I have an appointment that I have to be at, and Senator Johnston may be by.

Mr. HINCHEY [presiding]. All right.

**STATEMENT OF HON. MAURICE D. HINCHEY, A U.S.
REPRESENTATIVE FROM NEW YORK**

Mr. HINCHEY. Good morning, ladies and gentlemen. I just have a very brief statement with regard to one of the bills on the agenda this morning, I would put it in the record, if I may.

As a sponsor of the bill to establish the Hudson River Valley Heritage Area in the State of New York, I am proud to be here this morning and pleased to have the opportunity to present it to the subcommittee.

I am pleased to say that it enjoys bipartisan support from my colleagues in the Hudson Valley—Hamilton Fish, Ben Gilman, Nita Lowey, and Mike McNulty—and equally pleased that Mr. Galvin is here today to express the National Park Service's support for the bill.

Although the bill was just introduced recently, it has been in preparation for many months. I wanted to thank the National Park Service for its cooperation and its assistance during this process.

The Hudson Valley is my home, so it will always be a special place to me. This legislation is not about honoring or protecting the Valley because of the private memories it holds or because it runs through my district. This bill is about the public memories that the Valley holds for the Nation and how we can preserve those memories for all Americans.

None of us in the Valley want our area to be preserved in amber. The Valley could not be and should not be transformed into a park or a museum. It is a living, working community, as it has been for over three centuries.

The heritage area concept provides us with an opportunity to protect those public memories in a different way, with the communities in the Valley working in cooperation with the National Park Service to protect what we value at the same time the communities, like the river itself, continue to change and continue to determine their own courses.

As our colleague, Jim Hansen of Utah, remarked at a hearing a few months ago, the Hudson Valley already had a long and distin-

guished history as a settled community at a time when his home, as he said, was still "overrun with coyotes and lizards."

Everyone here is probably familiar with Washington Irving's tales of the Valley, "The Legend of Sleepy Hollow, Rip Van Winkle," and others, but some may not know that when he wrote them early in the last century, he was writing nostalgically about a long lost time in the Valley's history.

I won't try to give a disquisition on the Hudson Valley, its history and its beauty. I do want to make a few brief remarks about why the Valley is such an excellent candidate for this designation.

It is remarkable, first, for the depth and breadth of its resources. The Valley was one of the earliest areas of European settlement in our country and also one of the most diverse, attracting first Dutch, English, French Huguenots, Sephardic Jews; later Italians and Irish immigrants.

While there were very few major battles in the Valley during the Revolution, it was one of the most strategically important places to both the American forces and the British, the site of Burgoyne's defeat.

Its history in the past two centuries has not been so much the history of great events, so much as it has been the history of the economic and cultural developments that influenced the entire Nation. The Hudson was the home of many of our early industries.

John Jacob Astor got his start in the fur industry there that in turn laid the ground for a major leather-working industry. Arrow shirts and collars, the start of ready-made clothing, came from Troy.

The Valley was an early home of ironmongery, much of it made in the Hudson Valley. My father and grandfather worked in those mills. I worked there, too. In more recent times, the Valley is the site of computer and other electronic industries.

Its cultural combinations are rooted in its natural beauty. Its artists and architects developed the idea that the landscape should be valued for itself and its beauty and not just for its productive capabilities. Its painters celebrated grand vistas and laid the popular and intellectual groundwork for the National Park Service.

Its architects pioneered the idea of picturesque suburban home, and incidentally started the nursery and landscape industry to serve their own designs. Every suburban development, to some extent, can trace its origins to the Hudson Valley and the people who were inspired by its scenery.

Remarkably, the Hudson Valley still has hundreds of sites in excellent condition that illustrate these events and these developments. Most of them are in private ownership and will remain so. The heritage area concept is especially well suited to assisting Valley residents in protecting this heritage and in inviting other Americans to learn about it and learn from it.

I trust the National Park Service's ability to enhance people's understanding and appreciation of the Valley, and I know that most people in the Valley will welcome the assistance that this legislation will authorize.

I am very pleased now to welcome Senator Johnston.

**STATEMENT OF HON. J. BENNETT JOHNSTON, A U.S. SENATOR
FROM LOUISIANA**

Senator JOHNSTON. Thank you very much, Acting Chairman Hinchey.

I will not tell everything I know about the Cane River Creole National Historical Park which I am here to support. Chairman Vento has been to Natchitoches and seen the great historic treasures we have in this area, but I would like to put my statement in, which goes into some detail, and tell you some of the high points about what really is a fascinating and fantastic historic resource which we have in the Natchitoches area.

Natchitoches is the oldest town in the Louisiana Purchase, founded in 1714. Cane River, by the way, is an old branch of the Red River which extends for 20 linear miles, much longer than that as it meanders down through some of the prettiest country, some of the best-preserved antebellum area in the country, perhaps the best preserved in the country.

What the Cane River area has is the old Creole culture. Creoles were people of color, some of whom were slave owners. These Creoles were African-Americans. They founded plantations and they and their progeny established a great Creole culture, founded their own churches, and they are part of this, and built and owned bousillage homes. Bousillage, for the record, is a mixture of deer hair and mud used to build walls between wooden posts. Some of the original bousillage homes still exist.

In addition, there are antebellum homes with all of the outbuildings along the Cane River which in turn is on the Cane River Road, Route 484. Now, the unique thing about this is these structures are off the main road, with none of the main traffic and with the working cotton plantations. In terms of the experience one gets in trying to relive the antebellum days, it is unmatched anywhere in the country. There are slave quarters. There are outbuildings.

This particular park is strongly supported, not only by the Park Service, but also by the Park Service Advisory commission, every public body within the Natchitoches Parish and central Louisiana area, as well as by the Creole groups, the descendants of the Creole groups that are still there, by virtually everybody in the area. It is a real national resource.

Let me just tell you one vignette which will give you a flavor of what we have in this area. Oakland Plantation, which we would acquire under this bill, a beautiful antebellum place where "The Horse Soldiers" with John Wayne was filmed, so you know it has got to be a dramatic place, is particularly well preserved.

Down in the basement is an absolute treasure trove of historical artifacts. One of the most interesting things is the first drilling equipment made in the United States that we know anything about. I guess they were drilling for water wells at that time. These long cylindrical pipes are fit together with screws on the front. We don't know exactly how they drilled. I guess they had horses to pull them. They were designed and made by a slave.

Now, an interesting thing is a very well-to-do African-American family in Los Angeles, anxious to find their roots, began a worldwide search for their roots and all they knew was the name of their—I guess it was their great-grandfather and that he was from

Bermuda. So they went to the Island of Bermuda seeking information about him and none was to be found.

Lo and behold, they found that Bermuda was a place in Louisiana where Oakland Plantation is, and after many years' search, they finally came upon Oakland Plantation where they had all of the original documents from plantation days, the names of the slaves, their children, the lineage, and not only that, but all of these things which he had made. The thrill of that vignette is it really illustrates the state of preservation of this place.

The problem is that this family, which has lived at Oakland for many generations, now has elderly people living there. When they are gone, the children do not want to come back. Even though it is a thing of beauty, it is a problem to maintain these facilities, an increasing problem—fire hazard, that sort of thing—and it cries out for the Park Service to take over. Oakland is but one part of the whole string of pearls that extend up and down the river.

So what we propose is a park with the acquisition of only part of these things, acquisition of the Oakland Plantation, acquisition of a few other areas, but cooperative agreements with others run by the Park Service.

We believe, Mr. Chairman, that this can be one of the greatest historic preservation experiences as well as treasures in America. That is why it is so strongly supported by the Park Service and by the Park Service Advisory Commission.

I wish the committee, all of the committee, could come down as Chairman Vento did. I think we had a very good time with Chairman Vento and I think he was very impressed with this area.

I would like to put my full statement in the record and commend this proposal to the Members of the committee.

If there are any questions, I would be glad to answer them.

Thank you.

Mr. HINCHEY. Well, Senator Johnston, we thank you very much.

[The statement of Senator Johnston may be found at the end of the hearing.]

Mr. HINCHEY. I have some familiarity with your part of the country and it is an area that is very rich in important, very important aspects of the history of our country and I fully appreciate what you are trying to do and I enjoyed the beautiful picture that you painted with the words here this morning, so thank you.

I recognize Mr. Duncan.

Mr. DUNCAN. Well, Senator Johnston, welcome to the subcommittee. I hate to be the stick in the mud here, but I wonder if your bill authorizes such sums as may be necessary. Many of us on our side of the aisle have gotten very concerned about that in the last two or three years and I am wondering do you have any specific estimate as to the cost?

Senator JOHNSTON. Mr. Duncan, we think this is one of the best bargains anywhere in the Park Service because most of it will be donated or managed through cooperative agreements. For example, down at Magnolia Plantation, which my wife's family has an interest in, they have donated all of the outbuildings, the slave quarters, the old cotton press. This area has been donated to a foundation, which will donate these structures to the Park Service. It is only Oakland that will be purchased.

But more to the point, CBO estimates for the first three years the park will cost about \$350,000 annually for planning or total of approximately \$1 million for operating costs, about \$600,000 for fiscal year 1995, which would increase to approximately \$1.3 million by the year 1999, which includes commission expenses.

One-time costs would be between \$23 million and \$29 million for the acquisition of the facilities at Oakland Plantation, and up to 10 acres for an interpretive facility for interpretive programs—

Mr. DUNCAN. I am sorry, Senator. I missed that last thing.

Senator JOHNSTON. For interpretive programs, for historic preservation technical assistance and incremental financial assistance to assist willing property owners in the restoration of their property.

There is really not a big acquisition program other than Oakland, and if you could see—I see Chairman Vento now—if you could see Oakland as he has and we have, you would say we have to acquire this thing before it burns down or before it is lost. So I think it is really, in terms of a Federal facility, a very great bargain.

Mr. DUNCAN. Is the State of Louisiana going to contribute any of these funds?

Senator JOHNSTON. No. The State of Louisiana is not involved, but many of the private property owners will be either donating or entering into cooperative agreements, so for the most part, it is not an acquisition program, but a management of existing resources program.

Mr. DUNCAN. All right.

Thank you very much.

Mr. VENTO [presiding]. Well, thank you. Thank you, Mr. Duncan.

I appreciate Mr. Hinchey taking the Chair briefly. I had a brief meeting and I regret that I didn't personally hear your presentation, but last night, I read your detailed statement and the bill thoroughly. My understanding has been and is that this is a great resource, the Cane River.

I had a call from our former colleague, Jerry Huckaby who implored me to pay attention to your measure. Obviously he feels very keenly about it, as you do. I know that it is amazing, the time and effort you put in here with the community working for this particular measure.

I want to commend your staff for the work they did in putting together the bill because I think it reflects some of the concepts that we have. It is unique in the sense that you have a two-piece or two-stage measure. One, you have a park designation area in some of the units and the heritage area designation that you seek.

That is correct, is it not?

Senator JOHNSTON. That is correct.

Mr. VENTO. You might want to explain, but you refer to Museum Contents, Incorporated. Museum Contents, Incorporated is a non-profit group that has been trying to assemble and protect some of these unique properties.

Senator JOHNSTON. Yes, Mr. Chairman.

Down at Magnolia Plantation, the owners, which includes my wife's family, have donated the property to a group, to a foundation known as Museum Contents and have raised money and given

money, actually, to put roofs back on these original slave quarters. These are the only surviving, we believe, brick slave quarters in the country, and the roofs were off of them and they put those back on.

There is the only original cotton press in its original place in the country. Of course, you have seen it, but it is a huge wooden thing in a great big barn which was pulled or powered by horses or at least some kind of draft animals. And the first and—the only surviving one and, of course, there was also one of the first cotton gins, one of the first gin machines in that same building.

But in any event, that tract, which I recall is about 10 acres with all of its buildings has been donated to Museum Contents, and will in turn be donated to the Park Service and made available to them.

Mr. VENTO. The cotton press and the cotton gin and the facility really represent the evolution of even the technical changes, so it is almost all sitting right there insofar as it hasn't been modified by its predecessors, so the fabric is there and they have tried to stabilize it.

Obviously, it needs professional management attention. It represents not just the antebellum mansions, but the vernacular in terms of housing for others and I think it really would be a great interpretive experience.

I don't know that we have anything of that sort. We may have some of the mansions. As you point out in your statement, Senator, this is an area where history or time has passed it by in a sense. But for the fact that the Red River moved and the economy there became stagnant, this much of this probably wouldn't be there, this fabric wouldn't be present there today.

I wish that Members had the chance to view these sites and to go to them, to take the time—I know that we are all busy—to do it and certainly this time of year isn't helpful, but I think the fabric is there. The proposals that are made are consistent and I think the Park Service will testify, I think, that they have some concerns about the commission.

As you know, Senator, you have been hearing this discussion about the Commissions that will have to look at the function of that and what the role is they will play. I think there needs to be citizen participation and involvement in this area depending upon the format we finally arrive at for the heritage area partnership.

As you probably know, I have written something along those lines and we would—although it is not law, it is represented to our best judgment in terms of where we can find a balance, so I hope we would continue discussions with your staff and you on the format.

Senator JOHNSTON. May I just say, Mr. Chairman, on the subject of the commission, I understand the general thrust of the Administration on Commissions, that they are against commissions and I share that view. I think, generally speaking, most commissions are too expensive and involve too much red tape.

I would like to urge in this particular case that this commission is very, very important. It is a 19-member commission, and if you can appreciate the various segments of the community, the African-American community, and the Creole community very much want

a formal designation, a formal way to participate in this, in the advice about the park as do other groups.

These groups include historic preservation groups, sportsmen, all of whom want a formalized position. There is not any compensation involved; it is a question of a formalized recognition of their participation.

So I would strongly urge the committee to look with favor in this one instance on this commission because it is a very delicately balanced compromise where all these people were brought in with a role to play and this is an excellent way to give them a formalized role to play.

Mr. VENTO. I know it isn't forever. It is just for the 10-year period with possibilities for extensions, so maybe we can look at other issues and you keep in mind the importance of this to you, as you underline it. It has been a successful model in terms of helping the evolution of the policy that is expressed in the legislation before us.

Senator JOHNSTON. I might also mention that that commission sunsets in 10 years.

Mr. VENTO. Yes, I recognize that.

Congressman Hinchey took the Chair, did you have a chance to ask the Senator any questions, anything that you need?

Mr. HINCHEY. Thank you, Mr. Chairman, no.

Mr. VENTO. Well, Senator, we appreciate you coming over. Obviously it is an important measure. You have put a lot of work into it, you and your fine staff, and I appreciate that. We are going to try and work together, work this out in terms of these heritage areas and these key elements we could add to the park system.

I am certain they are going to have some views they would, I think, like to have something to convey to them and to the American people and we appreciate the generosity of your wife's family and herself.

Her interest in history in the area is something that I obviously have grown very aware of and appreciate the hospitality and your work on this matter and her interest.

Congratulations on a good product.

Senator JOHNSTON. Mr. Chairman, thank you very much and thank you for all of the interest that you have shown in this by coming down. I hope you will come back when the park is established.

Mr. VENTO. Well, I would like to.

Senator JOHNSTON. And see the success of your work.

Mr. VENTO. My best regards to Mary. We appreciate you stopping by to personally plug your measure.

Senator JOHNSTON. Thank you.

Mr. VENTO. We are pleased to welcome—I understand my colleague from New York, Mr. Hinchey, had discussed the merits of the Hudson River proposal that he submitted. Is that accurate?

Mr. HINCHEY. That is correct, Mr. Chairman. Yes. In my opening statement I made some comments.

Mr. VENTO. We both would rather be over in the Banking Committee right now.

Mr. HINCHEY. It is much safer over here, Mr. Chairman.

Mr. VENTO. There is a lot less political hyperbole, but that doesn't mean there is an absence of it, I guess.

Mr. HINCHEY. I am sure we will have a bit of that.

Mr. VENTO. A little of it. It comes with the territory.

We are pleased to welcome Mr. Denis P. Galvin, the Associate Director for Planning Development; accompanied by Doug Faris, Associate Director of Planning for the Southwest Regional Office, which includes Louisiana.

Mr. Galvin, welcome. Mr. Faris, welcome. Why don't you proceed with your testimony. I think your testimony is probably most appropriately on the Cane River, since we have just discussed it.

STATEMENT OF DENIS P. GALVIN, ASSOCIATE DIRECTOR FOR PLANNING AND DEVELOPMENT; ACCOMPANIED BY DOUG FARIS, ASSOCIATE DIRECTOR OF PLANNING FOR THE SOUTHWEST REGIONAL OFFICE, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR

Mr. GALVIN. Mr. Chairman, I have prepared statements on all of these bills. I will simply summarize them and submit them for the record.

Mr. VENTO. Yes, that is fine.

Mr. GALVIN. I am pleased to present the position of the Department of the Interior on S. 1980 to establish a Cane River Creole National Historical Park and Cane River National Heritage Area.

We strongly support enactment of this bill, but recommend the deletion of the Cane River National Heritage Area commission. The proposal recognizes the nationally significant elements of the Cane River region in a manner that will include the continued support and assistance of State agencies, local preservation groups, and will provide a partnership approach to the preservation and interpretation of these resources.

Senator Johnston adequately represented the unique and long history of this area. Natchitoches, the town at the northern end of the heritage area, was established in 1714 and is the oldest, permanent, non-native settlement in the Louisiana Purchase territory. The bill provides a framework with a Federal Government role in cooperation with others to accomplish preservation needs, educational programs, and technical assistance.

This bill is different from the other bills that we look at today in that it also includes the creation of a more traditional national historic park at two locations within the national heritage area and, however, it also proposes a heritage area, a concept that you discussed earlier, Mr. Chairman.

The legislation is based principally on the Cane River Special Resource Study which was submitted to the Congress last year. The study was begun in 1990 pursuant to a request of Congress in Public Law 101-512.

The Park Service found that the area contains a large number of historic structures and features in excellent condition and contains a high degree of integrity, such a high degree of integrity and in such preserved context that there is an unparalleled opportunity to provide visitors with an understanding and appreciation of Creole culture.

As I said, there is a context here lacking in other areas of the South where the National Park Service might consider interpretive programs. The primary elements of the proposed park include the

Oakland Plantation and associated structures and agricultural fields, a segment of the Magnolia Plantation owned by Museum Contents, Incorporated, and an interpretive visitor center complex.

In addition, the legislation would authorize the Park Service to enter into cooperative agreements with owners of other sites along the Cane River and in the Natchitoches National Historic Landmark District that meet the criteria for national historical significance.

It directs the Park Service to develop an interpretive Center Research Program, General Management Plan and, as I mentioned earlier, creates a National Heritage commission for the Cane River.

The Natchitoches Historic Landmark District, an existing national landmark district, includes more than 300 contributing structures. Four other historic landmarks have been designated within the heritage area and complexes are currently being evaluated for additional landmark nominations.

As you know, Mr. Chairman, the Department of the Interior and the National Park Service have been considering the burgeoning heritage conservation movement for several years, culminating in the recent committee passage of H.R. 3707, done in cooperation with this committee. That bill would create a system of designated heritage areas throughout the country.

As I said, Mr. Chairman, we recommend against the establishment of the Cane River Creole National Heritage Area commission, both because it is the position of the administration that such commissions are unnecessary and also because it is inconsistent with the aforementioned H.R. 3707.

However, there is clearly a need, as the Senator pointed out, for ongoing public involvement and active participation of those who live in this area and that those involved in managing the area need to be sensitive to this guiding principle. So the notion that there should be a management entity here as proposed in H.R. 3707 is consistent with that proposed bill.

The heritage area is intended to complement those areas that the Secretary would acquire as units of the national historic park. Ongoing public consultations and those that occurred as a result of the production of the special resource study indicate a high level of commitment for conservation and preservation by local governments, organizations, and property owners.

We think that this proposed conservation model will be effective for the Cane River project. We support the approach that would discontinue financial assistance to any management entity after ten years with the possibility for a five-year extension. That also is consistent with H.R. 3707. Preliminary cost estimates associated with enactment of S. 1980 are attached to this testimony.

That concludes my remarks on Cane River, Mr. Chairman. Mr. Faris and I would be happy to answer the subcommittee's questions.

Mr. VENTO. I think it is somewhat of a complex bill that unless you separate out—but, for instance, they talk about, within the park side of this, they talk about the cooperative agreements. Is the Park Service currently authorized to enter into such cooperative agreements in the absence of this legislation?

Mr. GALVIN. I would say only—I think the answer to that is we are not authorized in the sense that cooperative agreements allow us to provide actual hands-on assistance in historic sites. For instance, preservation money, interpretation of the sites, et cetera.

We have blanket authority to provide technical assistance, but I believe the authority here is to work with owners of specific historic sites within the Cane River corridor to preserve and interpret those structures.

Mr. VENTO. So that is the key. I see the words "provide important educational and interpretive services relating to the area, the Secretary may also enter into the cooperative agreement for the purpose of the facility and the preservation of important"—the issue here is of concern I think because it is a question of how much resources could flow.

If we embraced in that cooperative agreement language a large number of properties, there is a problem. The limitation obviously would come in terms of how many dollars are appropriated I guess for that purpose.

In terms—yes, Mr. Galvin.

Mr. GALVIN. I was going to say that the study provides—and Mr. Faris could amplify, if the chairman wishes. I think we have got a good idea of which properties are the primary ones that we would enter into cooperative agreements. They are a series of significant historic structures that would remain in private ownership, but that are integral to telling the Cane River story.

Mr. VENTO. I don't know. It seems to me—pardon me, Mr. Galvin. I did read somewhere about the properties that where the purpose—in fact, sites subject to cooperative agreements are listed on page 5 now, as I look at it, so they are already listed. So that should to some extent solve that problem.

I am just concerned about what the nature and character—these sites would not necessarily be within the national historic park; is that correct?

Mr. GALVIN. That is correct. They would not be within the national historic park. Some of them would be within the boundary of the heritage area. Some of them are in the region and they are not within the boundaries of the heritage area.

Mr. VENTO. So this is sort of an overlap here with the heritage area. I mean, it is a question of whether they should be referenced—obviously the cooperative agreement activity could also be within the context structurally of the bill in the heritage areas; is that correct?

Mr. GALVIN. That is correct. Yes.

Mr. VENTO. Because it may be that we want to move those over to that because that principally is where they would get—that would fall under some sort of caps there—

Mr. GALVIN. That is right.

Mr. VENTO [continuing]. Based on the pending legislation, but that isn't law, so that is a concern.

One of the other questions that comes about is with all the structures down there, do you think it is advisable to build a new interpretive center or should we really be looking at the adaptive use of existing buildings for an interpretive center, because there are a lot of structures already up and around?

Mr. GALVIN. I believe that is contemplated, but let me let Doug amplify on that.

Mr. VENTO. Doug.

Mr. FARIS. Mr. Chairman, as you stated, there are numerous historical structures and other structures available throughout the Cane River region. At this point, the City of Natchitoches is thinking seriously of pursuing rehabbing and adaptively using the old courthouse downtown for a general information center.

The bill does include authority to acquire up to 10 acres leaving that possibility to be answered by the General Management Plan for the park and the heritage area. It may well be that an existing structure can be identified that would be quite suitable for this purpose.

Mr. VENTO. What are we dealing with in terms—how would you rate this area in terms of the costs or values of properties that we might be buying or buildings we might be involved with rehabbing and so forth?

Is this a high-cost land area? We are not talking about a-million-dollars-an-acre land here, are we?

Mr. GALVIN. I would say the costs here are moderate. The Senator mentioned the CBO estimates and, in fact, we think the CBO estimates are somewhat on the high side. The study contains, on page 63, an estimate of what we believe to be the total costs for this area and essentially it looks to be about \$14 million.

Mr. VENTO. This is for the park side of it; is that correct?

Mr. GALVIN. That is correct. Yes, it is.

Mr. VENTO. But some of that tends to overlap with the heritage area funding insofar as they have placed this technical and other assistance under it, so it is not completely park in that sense. It would be no greater than this for the park.

Mr. GALVIN. That is right.

Mr. VENTO. And probably reduced by whatever components get moved into the heritage area.

Mr. GALVIN. Sure. The interpretive center, as an example, would serve both the historic park and the heritage area as well.

Mr. VENTO. You know the difference in the heritage area is that we don't really end up owning or constructing, that is just a participation aspect and then that ends up—one of the concerns—I guess the commission side of this is in the park, is it not, and the heritage area is left to the commission or a separate entity?

What management entity does he anticipate for the heritage area?

Mr. GALVIN. It is a commission.

Mr. VENTO. That is where the commission ends; is that correct? So I have it backwards.

Mr. GALVIN. That is part of the heritage area.

Mr. VENTO. One of the issues here, of course, is we talk about a management entity set up by the State and by the local governments. I mean, in essence, they could do whatever they wanted in terms of a management entity, which is important to them, without necessarily doing violence to our getting the Secretary involved in setting up another political subdivision. Is that correct?

Mr. GALVIN. Yes. I think that is the contemplation that we have come to with H.R. 3707 in that it does not require a Federal com-

mission in every instance and that in fact setting up some kind of local management entity, whether it be under a State or local authorization, is, in a sense, a good-faith demonstration of the commitment of State and local officials and others to care for the heritage area once the Federal presence is gone.

Mr. VENTO. Of course, this bill doesn't see the sunset—it has a sunset for the commission, but it doesn't have a sunset necessarily for the heritage areas, as I recall. I mean, that is another—that probably is a major—once it is up and moving, and if you have a park there they should have the full reassurance of continuity through the Park Service and whatever technical assistance may be sought, but once this is up and running, it is a project that can be done, the heritage area, in a 10-year period.

Mr. GALVIN. Yes, I think so. With respect to the heritage area portion of it, I think we need to separate the national—

Mr. VENTO. No, that is right. I am talking about the heritage area.

Mr. GALVIN [continuing]. Historic park from the heritage area, but I think we are satisfied that in dealing with the heritage area it could be dealt perhaps with some exceptions under the cover of H.R. 3707.

Mr. VENTO. Well, I think this is very encouraging in terms of being able to anticipate and respond to the set of challenges that we face such as exist, and they are very different from area to area. So it is very encouraging to see that at least the legislative framework that we have advanced, as far as we have advanced it, does seem to lend itself to this in a satisfactory way and resolves this question of commission versus noncommission, which is—strong arguments both ways—I think this gets us down to do they receive the type of governing structure that they want and leave it up for the State and locals to do it with a little bit of help to get started.

And then they can after that, after the 10-year period, it should be pretty standardized. They may need less of a—but I think if they come together and have a compact and agree they are going to take care of these areas with some Federal help, this is a greater degree of assistance here because of the designation, but there is no question about this fabric, as Senator Johnston, of course, suggested that there are no similar type cotton processing, packing, ginning facilities in the Park Service today. Is that correct?

Mr. GALVIN. That is correct, and I think what—you have me at a disadvantage, I haven't visited this area. I have read about it, but from what my colleagues tell me, the context that is available here is certainly unique, that is that so much of it is preserved, so much of the cultural landscape, if you will, is intact over such a long period of history making it suitable, if you will, for national attention.

Mr. VENTO. Well, it may not get 2 million visitors a year, but I think it is a question of does this fit within the basic thematic and other plans of the Park Service in terms of inclusion and having this represented in the park system.

Would that be accurate, Mr. Galvin?

Mr. GALVIN. That is absolutely accurate. You might remember, Mr. Chairman, that my old boss, Bill Mott, got into a certain amount of hot water by suggesting that there should be some place

in the national park system that deals with the history of slavery, and in the very early days of Senator Johnston's interest in the Cane River, Mr. Mott was particularly active in investigating this area and contacting local people to fulfill that aspiration of his, and certainly from my understanding that the resources here associated with that sad and shameful part of our history are the best there are in the country.

Mr. VENTO. Well, I agree, I think we owe some credit to Bill Mott for that particular expression. There is also the limitation of the "I am from Washington and I know what to do" problem that sometimes occurs, but I think the country has now grown up in the sense that they have developed. I don't mean that they did not understand what was being proposed and how it was going to work, but now they have become part of that plan and I think there is much greater acceptance in it.

The history here is absolutely amazing in terms of its time and what fabric remains, so it is an area of the historic park area and certainly is a justified unit. I don't think the costs here would be that high either in terms of managing it. There is some maintenance but I don't see it as being that significant considering the off-set.

Mr. Faris, did you have any more comments on this particular area that you wanted to add or augment Mr. Galvin's statement?

Mr. FARIS. Well, as you know, we have been working on this project for about five years and as Mr. Galvin indicated, the magnitude of cultural resources within this area are simply remarkable. The opportunities here are ones that the Park Service has been interested in for a number of years and we have enjoyed having the opportunity to work with those in Louisiana.

There is extensive support locally and regionally for this project. Many organizations that exist there spent decades working to preserve these resources and we are happy to have an opportunity to work with them in the future.

Mr. VENTO. Mr. Hinchey, did you have any questions of Mr. Galvin on the Cane River matter?

Mr. HINCHEY. Yes, Mr. Chairman, just briefly.

Mr. Galvin, there are some land acquisition provisions within the portion of the bill relating to the park. Could you just describe those and comment on them?

Mr. GALVIN. Actually, there is only, I believe, one contemplated land acquisition—that is correct, isn't it—and that is the Oakland Plantation.

Mr. FARIS. That is correct. The Oakland Plantation, approximately 190 acres, would be acquired by the Federal Government.

Mr. GALVIN. The other acquisition would be by donation that has been agreed to. Senator Johnston mentioned the nonprofit organization that is currently caring for those resources and that would become part of the national historic park as well, but it would be a donation.

Mr. HINCHEY. Thank you, Mr. Chairman.

Mr. VENTO. Thank you for your participation.

Why don't we turn to the issue of the coal heritage areas. I know my colleague is waiting to hear about Hudson, but I may have to leave to go to the Rules Committee, but let me hear this.

I think you are going to testify, Mr. Galvin, on both the Appalachian Coal Heritage Area and the Bramwell matter. Is that all included in one set of testimony this morning?

Mr. GALVIN. Yes, it is, Mr. Chairman, although there are two bills and actually a third one that you heard a few weeks ago.

Our testimony essentially recommends that all features of the coal heritage that is embraced in southern West Virginia and includes the Town of Pocahontas, across the river in Virginia, be dealt with as one phenomenon. Again, I have a prepared statement and I will simply summarize it.

H.R. 4692 would establish the Appalachian Coal Heritage Area in Virginia and H.R. 793 would establish the Bramwell National Historical Park as a new unit of the national park system in West Virginia.

We do not support these bills as currently written. However, we do recommend that they be considered within the context of your American Heritage Areas Partnership Program Act of 1994.

These bills are different. H.R. 4692 would establish a planning and management framework to assist local citizens, regional and State agencies in the development and implementation of resource management programs in the Commonwealth of Virginia.

The bill would authorize the Town of Pocahontas to submit a management plan to the Secretary for approval. If authorized, it would permit the Secretary to enter into cooperative agreements to provide technical assistance to protect the resources identified in the plan, and it would provide that a heritage compact be developed within 180 days of enactment.

H.R. 793 would establish the Bramwell National Historical Park as a new unit of the national park system. The bill would also authorize the Secretary to acquire lands and interest by donation, exchange, or purchase from willing sellers. It also authorizes the development of public areas and the reconstruction of the Bramwell Railroad Depot, and a advisory committee would be established.

In 1993, the Park Service did a study to determine the feasibility of protecting resources associated with the coal mining heritage of southern West Virginia. The study area, located to the north and immediately adjacent to the Town of Pocahontas, Virginia, shares similar natural and cultural resources and quite literally the same coal seam.

The study is called "A Coal Mining Heritage Study: Southern West Virginia." The findings of that study can be applied to the Town of Pocahontas. In fact, according to the study, the Bramwell-Pocahontas area, "possesses historical resources which would provide a foundation for the interpretation of coal mining heritage in southern West Virginia."

In Virginia, this coal field was known as the Pocahontas, whereas in West Virginia, it was called Flat Top. Today the names are merged to reflect that, in fact, it is a single field.

As we have noted earlier in this hearing, a number of heritage area initiatives are pending in Congress, including a bill heard recently, Congressman Rahall's West Virginia National Coal Heritage Area Act of 1994, H.R. 3988. All of these bills are intricately linked with the resource and the resource is linked geologically, historically, and geographically.

We recommend that the committee consider incorporating H.R. 4692, H.R. 793, and H.R. 3988 into an Omnibus National Coal Heritage Area bill. This package would enable the National Park Service to work with all of the local communities to preserve an important heritage area that represents the history of America's coal mining industry and would be consistent with H.R. 3707.

We believe this region holds tremendous potential to educate citizens about America's coal mining heritage and that it should be considered as a region, thus our recommendation that all three bills be merged.

That concludes my prepared remarks, Mr. Chairman. I would be happy to answer any questions.

Dr. Harry Butowsky, who has done an extensive study of the coal and labor heritage in this area, is also available to amplify.

Mr. VENTO. This includes the Matewan area?

Mr. GALVIN. Yes, the greater area includes Matewan, that is right.

Mr. VENTO. So I think one of the concerns was that Bramwell, apparently prior to a fire, had had a lot of original structure in terms of the executives, the coal executives and management and that it didn't have some of the vernacular housing that is apparently in Pocahontas and obviously in Matewan.

Mr. GALVIN. If I might simply characterize the character: Pocahontas has the workers. Bramwell housed the managers. Matewan is illustrative of the labor conflicts that existed because the southern West Virginia coal fields were largely nonunion in character.

They were maintained as nonunion in character because they were further from markets than the coal fields further north in Pennsylvania which were largely unionized. So the coal, which is very high-quality coal, the difference in transportation costs were maintained, if you will, at the cost of workers' wages.

Matewan and the subsequent conflicts around Matewan were a direct result of that ongoing attempt by the owners of the mines to maintain lower wages and nonunion conditions.

Mr. VENTO. Congressman Rahall has been very, very concerned about the study that came forth that had indicated—I don't know all the details of it, I haven't read the entire study—but about the fact that it didn't adequately reflect some of his concerns and it was not a good representation of the resources there nor of the public opinion concerning the interest in the designation as a heritage area in the Bramwell area.

I don't know that similar problems have occurred in Pocahontas or in the other aspects of the West Virginia recommendation.

Do you have any observations with regards to the fabric that remains there? Obviously, most all of these lands or most of these resources are in private hands to begin with. That is the basic question, but I assume that that is the case. Is that the case?

Mr. GALVIN. That is one of the basic problems with making Bramwell a national historical park; that is, that all of the resources of interest are privately owned and, as a result, the study indicates—the study is somewhat ambivalent about national significance.

I would say that I have read the study and I think it is a thoroughly professional job. I think they make very clear how they

came to their judgments, unusually clear in terms of how they came to their judgments, but the fundamental problem I think in terms of meeting the test for park lands comes in the feasibility criteria which, as you know, tests resources in terms of the ability of the resource to adequately provide for public use and interpretation of the resources.

It is our judgment that—it is the judgment of the study that putting a traditional national park in Bramwell would be very disruptive to the fabric of that community because all of the historic resources are privately owned.

In fact, many of them have been—that were public facilities, stores, manufacturing and other structures associated with the public in the historic period have now been converted to private homes.

We feel that in both of these towns, that the heritage area approach, which because of your leadership, Mr. Chairman, specifically is designed to deal with this dilemma, that we have functioning communities with people living in them, as Mr. Hinchey mentioned in his opening remarks on the Hudson River, that are going to continue to evolve, but that yet contain important resources and stories that need to be interpreted to the American public.

The study does not say that Bramwell is not—does not suggest that Bramwell is not important or it does not tell an important story. It simply suggests that it does not meet the criteria for a traditional national park or unit of the national park system.

Mr. VENTO. So you believe and you did testify that it should be included and any heritage area in this region should be compressed. Is this going to be too large an area for a heritage area?

Mr. GALVIN. No, we don't think so, Mr. Chairman. In fact, there are probably good opportunities.

Again, in some of Dr. Butowsky's studies, he suggests—and he knows the area quite well—there are good opportunities to construct tour routes that would take people through the region and see different aspects of the mining heritage and would tie in resources like Matewan and other towns associated with the coal mining heritage in this area.

Mr. VENTO. One of the complications here, Mr. Galvin, is that we would almost need an interstate compact in that nature in terms of management entity; is that not correct?

Mr. GALVIN. That is correct. That is correct.

Mr. VENTO. So I don't know that there is any indication that the two States would come together smoothly for this. I guess if we set down the format and that was a predicate that they must do. Do you have any insights in that for the committee?

Mr. GALVIN. Well, I think that generally people on both sides of the State line here are very supportive of doing something to preserve the resources and to tell the story, an important story, I might add, to the visiting public.

The inclusion of Pocahontas actually adds only a small geographic area to the bill, but as you point out, it is in another State. We do have, as you know, some experience with the bi-State heritage area in Rhode Island and Massachusetts, that is the Blackstone River Heritage Corridor that has been very successful.

So I think that the notion that a heritage area can cross State boundaries has been tested and found successful, at least there, and given the strong interest of the local people in protecting these resources, I think we have every reason to suspect that they could come together in a management entity in the way we described previously.

Mr. VENTO. Mr. Galvin, have these communities and areas utilized the historic register?

Mr. GALVIN. Yes. There are registered districts here. Bramwell has a historic district. I believe Pocahontas has a historic district.

I should mention that the Pocahontas exhibition mine has at least, at the staff level, been judged nationally significant and will be—the forms are in process to nominate it as a landmark. So there is a considerable number of registered properties and some landmarks.

Mr. VENTO. I guess obviously the reason I am raising this is to talk again about the qualities of the resources, which seem to me to be an indication. I kind of look at the heritage area as being a great one step up in terms of Federal involvement, as least as we have conceived it, as opposed to simply the recognition of a heritage or a national register or landmark.

I guess that goes in a different direction, really, but at least historic districts or historic register recognition that I think this involves another step in terms of trying—

Mr. GALVIN. That is correct.

Mr. VENTO. And I think it will encourage in the end more historic-registered district projects because I think they fit into the format of this and there are certain tax and other incentives that are present.

I think the heritage area fulfills a hope, an expectation that was probably inherent in the Historic Preservation Act and the Historic Preservation Fund that there would be some dollars from the State Historic Preservation Offices to flow to these areas through the historic preservation offices, but that, of course, as we know, hasn't materialized so this gives them the recognition in terms of designation which is important and we are hopeful that whatever resources would go in would have some continuity that they would not necessarily be completely modified down the road in terms of Federal investment that would be made.

The designation that would exist—and, of course, we could withdraw that designation as we can a historic district or historic register designation if something is modified—but we need to look closely at that. There are a significant number of Federal projects here that would fall under—the utility of the Federal compatibility aspects would be important here?

Mr. GALVIN. Actually, I am not certain of that, Mr. Chairman, but I would assume with the continued activity of the Federal Government in this area, that that is correct.

Mr. VENTO. Mr. Hinchey, did you have any comments? You have been very patient while I have questioned.

Mr. HINCHEY. Just a couple of observations.

I recently took the opportunity to travel over to visit the Blackstone National Heritage Area over in Massachusetts and Rhode Island and can attest to what Mr. Galvin said a few moments ago.

This is a heritage area that runs down from Massachusetts down into Rhode Island and it is very successful.

It has the overwhelming support of all the people that I met there on that particular visit and also it is the subject of some expansion in one of the bills that we are proposing here, so I think that is a great example of how this kind of initiative can work when it involves more than one State.

Also, I would just like to note an incidental connection between the West Virginia bill and the Hudson River Valley bill. Mr. Galvin made reference a few moments ago to Matewan, which is an area that was very important in certain activities taking place in the development of the American labor movement.

There is a film "Matewan" which documents in a very classic way that part of American history. It happens that much of that film was shot in Beacon, the City of Beacon, on the Hudson River. The Mayor of Beacon is here with us today, so just for the record, I thought it might be an interesting historical connection.

Mr. VENTO. Well, I appreciate the gentleman's observation with regards to that. I had seen the film on Matewan on public television, I believe. I guess maybe it has been to other theaters, but the Blackstone, of course, doesn't have the sort of limitations, but it was one of the early—it was a predecessor.

We have obviously learned from it in the Delaware-Lehigh areas that we had worked on together what we might expect and, of course, I think that if we have to look for something that is successful and does work, we can—I mean, this is a good template and I think now we can move forward perhaps without commissions and knowing what we know, I think we have a high degree of confidence that this is not just something that is going to exist on paper, but is going to work at the ground level.

So I am pleased with the observations. I guess Delaware-Lehigh hasn't been quite as dramatically successful, but nevertheless, it is coming along.

Mr. GALVIN. Since it was the last heritage area passed in that, as you say, early experimental phase, I think it is in a slightly different—the management plan just has been finished, so I think we can look to success there in the future, too, but it is just a little bit later in its evolution.

Mr. VENTO. Well, sometimes these proposals, no matter how badly we write the laws, they end up working because of the co-operation of the Park Service and the local people. But I think we have a reason to believe that some of the basic tenets are actually flowing from the policy of the laws that script the Park Service role and the local role in these areas, like the matching aspect and so forth.

Well, let me invite you then, Mr. Galvin, to finally turn to our colleague's bill on the Hudson River Valley. You can summarize, of course.

Mr. GALVIN. Yes, Mr. Chairman, I will.

It is pleasure to be here to testify on H.R. 4720 to establish the Hudson River Valley American Heritage Area in New York. We recommend enactment of H.R. 4720 with an amendment to provide that the designation of the heritage area shall not take effect until

the Secretary of the Interior approves the partnership compact for the heritage area that is now under development.

H.R. 4720 would provide Federal recognition for a 10-county region comprising a major portion of the Hudson River Valley. The proposed heritage area contains numerous sites and natural features of national significance. It also includes wetlands, estuaries, and exceptional fish and wildlife habitat.

Historically, the Hudson River Valley has always played a key role in American history. I note, Mr. Chairman, that it is—it was key in the pre-European history of the United States as well as in the American revolution and the industrial revolution. It inspired writers, such as Washington Irving, and it gave birth to the very important Hudson River School of Art which also—that is, that School of Art inspired the conservation movement in the United States through its appreciation of the magnificent landscapes of this area and the surrounding mountains.

The area that we are considering here includes six national park system units and 40 national historic landmarks, so individual sites within the area have been found to be nationally significant and the National Park Service is today an important presence there.

Interestingly, we have discussed the concept of management entities with respect to the earlier bills. In this proposal here, Mr. Chairman, I believe maybe the first manifestation of a successful suggestion of a non-Federal commission to be a management entity in that it designates the Hudson River Valley Greenway Communities Council and the Greenway Conservancy as management entities, so we have nominated—the bill designates existing locally based entities to be the management entity under the heritage area concept and the Secretary of the Interior is directed to enter into a compact with that management entity that outlines the goals and objectives of the heritage area and other facets of the designation of the area.

The bill also calls for a management plan within five years, which is consistent with the provisions of H.R. 3707. I might say all of what I am going to talk about here is consistent with H.R. 3707.

The Secretary is authorized to approve the compact of the management plan and promulgate regulations to provide technical and financial assistance and to implement—for implementing the management plan. Federal entities are required to essentially act in a manner consistent with the purposes of the heritage area to the extent practical and the bill authorizes appropriations of funds that are pretty consistent with H.R. 3707.

Mr. Chairman, what we have here is a heritage area that comes to us with very considerable and successful State activity. The Hudson River Greenway Council completed in 1991 a feasibility study called "A Hudson River Valley Greenway." The plan describes the outstanding resources, provides a framework for protecting the Valley's heritage, and assesses the resources of the area.

It is our judgment that the plan satisfies the criteria established for American heritage area feasibility studies and in H.R. 3707, as you know, that bill sets forth a process: A feasibility study, compact

development, evaluation and approval by the Secretary, and designation by the Congress. It specifies criteria and conditions and provides uniformity and consistency to a nationwide program.

It is important that these steps be followed to ensure that the criteria are met and that the capabilities and commitments of local and State organizations exist to develop and manage a successful heritage area.

We recommend that this bill be amended to make designation of the heritage area contingent upon the completion and approval of a compact in a manner consistent with H.R. 3707. That compact would define clear relationships and responsibilities of each partner and the appropriate Federal role. It should also provide evidence of commitments from local and State government and appropriate private entities.

That concludes my summary, Mr. Chairman. I would be happy to answer any questions you have on the Hudson River Valley.

Mr. VENTO. Apparently the Greenway Council has been in existence long enough and has made enough efforts that they have obviously a lot of citizen involvement at this point; is that correct?

Mr. GALVIN. That is correct. The Greenway was established as a result of extensive public meetings and involvement in the affected counties and communities and it does have strong local support.

I might point out, Mr. Chairman, that the Greenway approach has been consistent with H.R. 3707 in that no land acquisition in the case of Greenway at the State level is contemplated and no Federal land acquisition is contemplated in H.R. 4720, again consistent with H.R. 3707.

Mr. VENTO. This is a significant area in terms of population. There are a number of park units that exist close to this area, maybe some even within. I haven't looked at the boundaries of what are proposed here. There are boundaries proposed for this?

Mr. GALVIN. Yes. Essentially the boundaries are the ten-county boundaries with the exception of the Community of Waterford, which is right at the northern end of the Greenway in Saratoga County. But the units of the national park system are actually within the boundaries of the Greenway.

Mr. VENTO. That is the Roosevelt—

Mr. GALVIN. Roosevelt home, Vanderbilt mansion, Martin Van Buren, and some others.

Mr. VENTO. So it is a large area?

Mr. GALVIN. Yes, it is.

Mr. VENTO. The point is that the Greenway Council is in the same area. Is that essentially in the same area?

Mr. GALVIN. Yes, it is.

Mr. VENTO. So it actually is a recognition of that building on it, so there would be—I guess it is anticipated that the Greenway Council, that would be the local entity, but that is up to the State and the local government to decide that; is that correct?

Mr. GALVIN. That is correct.

In fact, the bill nominates two local entities to work together as the management entity here: The Hudson Valley Greenway Communities Council and the Greenway Conservancy.

I might say, Mr. Chairman, this is really a quite well-developed concept in New York. For instance, there is a hotel tax, State hotel tax that supports the Hudson River Greenway concept so this is not—the State here has also demonstrated a financial commitment for the protection of these resources.

Mr. VENTO. Has the Park Service role to date, having units in the area, been informal or how have you participated in the Greenway Council or the Conservancy?

Mr. GALVIN. Well, we have actually had two levels of participation; one as residents of the Greenway in the sense of being operators of the parks within the boundaries, but also some years back, the Congress directed us to conduct a feasibility study and that has largely been our entry, if you will, into a larger participation in the Greenway.

In fact, in my discussions with those who are conducting the study, they have recommended that we turn our efforts now to the development of a compact if this legislation passes as opposed to continuing with the feasibility study. Their judgment is that the State activities in creating the Greenway basically replace whatever the Park Service would have done as a feasibility study.

We believe the inventory of the resources, the assessment of their value, is perfectly adequate and we don't need to do any more.

Mr. VENTO. But this will give you a meaningful role and obviously the designation, Federal designation of heritage area under this Partnership Act that we have, the American heritage area would substantially enhance this area in terms of your role and augment the work of the State and/or this council; is that correct?

Mr. GALVIN. I think that is correct, Mr. Chairman. I think it would do three things and all three things are all consistent with H.R. 3707.

First, it would provide a measure of national recognition to the significance of the Hudson River Valley. Second, it would permit the modest grant funds that are outlined in H.R. 3707 to flow to local and State governments and nonprofits interested in preserving the Greenway. And I think third and perhaps most importantly, it would provide an avenue for developing the comprehensive plan to interpret the resources of the Hudson River.

As we look at this area, the State has done an excellent job of developing the Greenway and preserving the resources. I think the two most important things that the Park Service and the Federal Government bring to the table are the recognition, but also the opportunity, to interpret the area as a region.

In fact, I think in all of these areas, in the Southwest Virginia Coal Heritage Area as well, that seems to me an important supplement to local activities.

People recognize the Park Service as a leader in interpretation and the opportunity for the American public to begin to see regions as regions, and to understand the layers of history that are developed in a place like the Hudson River Valley simply isn't out there right now.

I think it is a very important opportunity, as you pointed out earlier in your remarks, a very important opportunity in the education of the citizenry in these important histories that really exist in

every region of the country, not just in units of the national park system.

I think looking at things, for instance, like the Hudson River School of Art, there is no need for property ownership to interpret that story, but there is need for a good interpretive plan so that all can participate in telling the story consistently and coherently for the traveling public and for the residents of the area.

Mr. VENTO. Well, very good. Obviously there has been—I know the area has been surveyed. There are numerous landmarks, historic districts, and historic registered properties, too numerous to mention, but I am aware of that.

Mr. GALVIN. I might say, the bill alludes to the importance of the Hudson River Valley in the history of American conservation and that is absolutely accurate. There is a book called "Sacred Places, American Tourist Attractions in the 19th Century" that contains essays on 10 places that were very important to 19th century Americans and that were very important in developing the philosophy of conservation. And the Hudson River Valley, along with Niagara Falls, Mammoth Cave, Yellowstone, and some others were very important.

The scenic resources of the Hudson River Valley and the ability of the Hudson River School of Art to illustrate that to a larger public that could not get to the Hudson River Valley were really important in bringing us all to where we are in the history of American conservation, so we are sort of revisiting that by creating a heritage area there, I believe.

Mr. VENTO. Mr. Hinchey.

Mr. HINCHEY. Thank you, Mr. Chairman.

I just want to thank Mr. Galvin. He mentions the numerous historic sites and they are too numerous to mention. I would just mention one, because it happens to be the first.

The first national historic site in the country is located in the Hudson River Valley. It is Washington's headquarters at Newburgh and I think that people in the Hudson Valley are justifiably proud of that.

I think that your point, Mr. Galvin, about education and the chairman's point about education in his remarks is, I think, very important, and the most important aspect of this proposal for me as the author is that it will provide the opportunity for a living educational experience for young people on into the future and in a coordinated way it will allow the Park Service to develop a plan for the interpretation of the historic, cultural, and social developments that took place in the Hudson River Valley and it will allow future generations to benefit from that experience in that comprehensive way.

So I just want to thank you, first of all, for your recognition of that which I think is critically important, and also for your help and the help of the Park Service as well as your cooperation in developing this legislation.

Mr. GALVIN. Thank you, Mr. Hinchey.

I might mention you mentioned your visit to the Blackstone. I think one of the most inspiring things about that experience is how well integrated that whole heritage movement there has been into the local schools, I mean, into getting local kids interested in their

significant history and I think certainly that opportunity exists here in the Hudson River Valley as well.

Mr. HINCHEY. Well, thank you.

Mr. VENTO. Well, I was remiss in not recognizing Congressman Hinchey as a primary contributor to the American Heritage Partnership Act and, of course, his role as a State legislator in terms of encouraging and facilitating and legislating some of the partnership or heritage areas in his State.

I can't remember quite the great name and title, but we visited some of the sites, but they are and do represent a very innovative approach to preservation and conservation of these cultural resource.

Mr. Galvin, I have no further questions.

Thank you very much.

Mr. GALVIN. Thank you, Mr. Chairman.

Mr. VENTO. I am pleased to welcome Mr. David Sampson, the Executive Director of the Hudson River Valley Greenway Communities Council; and Hon. Clara Lou Gould, the Mayor of Beacon, New York.

Thank you very much for your presence. We are pleased to have met you both on my brief trip up the Hudson with Mo and others, and I am pleased to welcome you here this morning.

Try to summarize your statements in five minutes or less. I want to try and limit everyone to five minutes in terms of their oral presentation this morning.

We have a lot of other business. I may have to leave or abbreviate or recess the hearing at some point.

STATEMENT OF DAVID SAMPSON, EXECUTIVE DIRECTOR, HUDSON RIVER VALLEY GREENWAY COMMUNITIES COUNCIL; ALSO ON BEHALF OF THE GREENWAY CONSERVANCY FOR THE HUDSON RIVER VALLEY

Mr. SAMPSON. Thank you, Mr. Chairman.

I could be a lot briefer. The City Planner for Poughkeepsie was asked about her response to the introduction of this bill by Gannett News Service and her response was "hot damn." So I will try to be not too wordy, but certainly not convey as much emotion as that statement.

My name is David Sampson, and I am the Executive Director of the Hudson River Valley Greenway Communities Council. I am appearing on behalf of the council and also on behalf its sister agency, the Greenway Conservancy for the Hudson River Valley.

I am honored to be asked to testify as a representative of one of the most historic areas of our Nation. We consider this bill to be the most important step in the long journey back to its heritage that the Valley has made in the past 20 years.

There is a quote that we have often used in our Greenway talks that speaks to both the unique importance of the Hudson River Valley and I think more importantly the enormous potential that this legislation has.

It is from a book by an author named William Scheller called "The Hudson River Valley."

"Most American places do not feel haunted . . . They do not play upon the imagination in such a way as to produce near-tangible impressions of people and places long gone . . .

"The Hudson River Valley is a great exception to this American rule. The windows on all its eras are nearly always open, so that despite whatever modern progress communities may make, it is never difficult for a visitor to conjure up the faces and voices of the Valley's past. This is the river of Franklin Roosevelt, of Frederic Church and Benedict Arnold and 'Gentleman' Johnny Burgoyne. Washington Irving owns it still, and Hendrick Hudson forever sails upstream toward its hidden heart."

I think this legislation is going to ensure that those windows on the Valley's history do remain open for generations to come. I think also it is interesting to note that I think the American environmental movement began in the Hudson Valley three times.

I think the paintings of Frederic Church and Thomas Cole showed the landscape to the American people for the first time as something that was beautiful to be preserved. I think the Scenic Hudson/Storm King Mountain case created more than environmental law in this country and led to concepts now contained in environmental decision-making and in practice.

And in the 1960's and 1970's, Nelson Rockefeller, working with Congress, began the first program in the Nation aimed at cleaning up the State's water system. That program returned the Hudson from an open sewer to one of the Nation's richest estuaries, which is what it is now, and I think that also proved that well-conceived governmental partnerships and initiatives can and do work.

I find a parallel between that legislation and this legislation in that respect. I think the Hudson Valley is in a unique position today despite the problems with IBM and General Motors and other things. It is an area whose vision for itself can be realized and the American Heritage Area Act creates the necessary partnerships to enable that vision to take place.

Denis Galvin is exactly right when he says that the primary thing that the National Park Service could supply that is missing in the Hudson Valley area is interpretive work and educational work, and the expertise that the Park Service brings to the interpretation of historic sites is badly needed and is essential to the creation of the regional identity that the bill seeks to create.

Thanks to the foresight and leadership of Maurice Hinchey when he served as Chair of the Interstate Environmental Conservation Committee, there is a Greenway. I hope Maurice goes to the United Nations some day and we will try to do to UNESCO what happened here. But the Greenway allows local governments to come together to plan for the Valley's future. It is voluntary. It is based entirely upon procedural and financial incentives and not regulations.

I think it is also worth noting that Maurice created the State's Urban Cultural Park System and we have four of those along the Hudson River and they provide urban museum stepping stones up and down the river for tourists.

Our Greenway was established after an extensive hearing process, as Denis Galvin said. Public participation is still important in the communities that we work with. We ask local governments to

establish their own local Greenway committees to help guide our process and I think that the legislation that you are projecting enables that to continue.

Organizations like Scenic Hudson and Clearwater and regional planning and economic development organizations like Mid-Hudson Pattern for Progress and the Greater Hudson Coordinating Council and the Capital District Regional Planning commission all are coming together in the Hudson Valley now to talk and plan for the future.

They are doing so with an awareness that their 10-county, 3.5-million-acre region contains the highest density of historic sites and districts in the Nation. As Denis said, there are more than 40 national historic sites and at least as many historic districts in the Greenway corridor.

H.R. 4720 would provide the final and most important piece of all of these initiatives by bringing the Federal Government in as a much-needed partner for an area that has been extremely hit hard by layoffs at IBM. The regional identity that this bill is going to create cannot be underestimated.

Let me just quickly talk about the management entities that are suggested in the legislation. The Greenway Council is a State agency housed in the Executive Branch, but it is unique in that it is governed by a 25-member council comprised of representatives from both the public and private sectors. It is chaired by Barney McHenry, who appeared before this committee somewhat earlier this year, who is a former general counsel to the Reader's Digest Corporation. Its main purpose is to work with local governments in the Valley to help them with local and regional planning efforts, again on a voluntary basis.

The Conservancy is a public benefit organization with 26 members. Again, it has representation from both the public and private sector and its purpose is to help implement the physical projects that are called for in the Greenway legislation, such as tourism development, access to recreational areas, and development of a Hudson River trail system running up and down both sides of the river.

The Chair of the Conservancy is Nicholas Robinson, who is an environmental law professor at Pace University Law School in White Plains.

The overall goal of both of these organizations is similar to the overall goal of your legislation, and that is the creation of a Hudson Valley compact to guide growth in the years ahead in a way that preserves and enhances history, culture, and environment and provides for economic development.

The two organizations work closely together. Now we share office space in Albany. I know the Conservancy has a separate office in Hyde Park. We have a joint Grants Committee that we have set up that gives out the funding that we have available to local governments and we work together in many other ways, and we embrace the idea and the responsibility of management entities enthusiastically.

Because of the foresight of the legislature and the governor, the members of both organizations are bipartisan and broadly based. They include the commissioners of seven State agencies, businessmen and women, and sportsmen and women. We amended our

Greenway bill to address some concerns that the sports community had in the Valley and I think that is working well now.

We are also pleased by the monetary resources that this legislation makes available. We are convinced that the kinds of projects envisioned in this legislation will lead to direct economic benefits. It is no accident that the two most developed waterfronts on the river—Kingston and Troy—are the ones with the most tourists, the most restaurants, and the most visitors. We are pleased to be part of this innovative legislation.

Mr. VENTO. Thank you. Thank you for concluding your statement.

We would then time you. You got an extra minute while we got our timer set up.

Let's proceed to hear from the mayor at this point. I know that Congressman Hinchey wants to introduce and welcome you both, I guess, and we can do that at the questioning period if that meets with your agreement.

Mayor Gould, nice to see you.

Ms. GOULD. Thank you.

STATEMENT OF CLARA LOU GOULD, MAYOR, BEACON, NY

I am here as the Mayor of the City of Beacon and to emphasize the bipartisan nature of the support of this bill. I will say I am a Republican Mayor of the City of Beacon.

Beacon is a small city which is incorporated from two historic villages and we are about midway between New York and Albany. We are also about midway between two very important tourist destinations—West Point and Hyde Park—that annually have hundreds of thousands of foreign visitors.

I am here, too, for really a personal reason. I am a lifelong resident of the Hudson Valley and I have frequently said that this river and these mountains have always been considered part of our family, so I have a very deep interest in the Hudson River Valley and a deep attachment to it.

It is for this reason when the Greenway legislation was passed, I volunteered—in fact, I almost insisted, that Beacon be one of the model Greenway communities because the Greenway movement has the same feeling, I believe, that I was brought up to believe. It is a facilitator of making the good things happen and it is always extremely sensitive to the rights and the needs of property owners and they are indeed a facilitator, not a dictator.

I see the heritage movement as a similar concept and it is for that reason I am delighted to have the opportunity to support H.R. 4720, the bill that would establish the Hudson River Valley American Heritage Area, even though I had to get up at 4 a.m. to be here.

In my totally biased opinion, the Hudson River Valley deserves that designation for many reasons, most notably the beauty of its scenery, much of it still unspoiled despite its closeness to the metropolitan area; the many historic sites that everyone has referred to ranging in time just in our mid-Valley area from Beacon's 1709 Madam Brett homestead, the Huguenot stone houses in Hurley, General Washington's headquarters in Newburgh, Mount Gulian in

the Town of Fishkill where the very first veterans' organization was begun after the Revolutionary War.

We have 19th century estates and factories, West Point, as I mentioned, the Franklin Roosevelt Home and Library, and Eleanor Roosevelt's Val Kill. South of us and north of us is an equally impressive list.

My comments refer to Beacon and its fairly immediate surroundings, since that is the area I am most familiar with, but I am quite sure that the situations I will refer to are replicated throughout the Valley.

Many buildings, as we have said, are on the National Register. And in addition to buildings, that designation has been given to Tioronda Bridge, which is one, I believe, of only two bow-truss construction bridges remaining in the country; hopefully it is about to be restored. Also a tour boat operating out of Haverstraw, the Commander, is on the National Register.

We are very happy to welcome visitors to the Hudson River Valley so they can share in our enjoyment of its beauty and history and avail themselves of the many recreational opportunities. We know that the American heritage designation would attract more visitors.

Added to our pleasure in sharing, as David said, is the very important favorable financial impact such a designation would have to an area devastated within the last year by IBM downsizing. We are working to create more visitor amenities and to restore and enhance what we have, but as you can imagine, financing is a major challenge.

Some local benefits that I would see to our community by this designation that would be more likely to happen, should we have the possible financial help of the heritage designation and the possibility of attracting grants are:

Since we are mid-Hudson Valley and situated ideally to receive visitors from all direction, I would think the I-84 corridor would be a perfect location for an area visitors' center. I can even suggest a precise location: the property on I-84 near the Newburgh-Beacon Bridge, which is already targeted for a Dutchess County Intermodal facility and visitors' center. It is about 10 to 15 minutes from all important connections.

Mr. VENTO. You just have about a minute remaining here on the time. The reason is I have to go to the Rules Committee and I have got another bill on the Floor, so we are going to have to try to get done.

Ms. GOULD. I will just touch on the historic sites that we have, the Greenway Trails that we have proposed. Private property on the riverfront, which people who own are interested in quality development and are ready, willing, and anxious to work with us to make it accessible to the public and attractive to them. Our Mount Beacon, which is where we got our name and the Revolutionary War signal fires from that place.

I would like to read—really, this summarizes our view—a letter from the Beacon Historical Society and they say:

"Thank you for the opportunity to express on behalf of our organization's support for the declaration. Rich in scenic beauty and

historical significance, no region lends itself more aptly to such a designation.

"It is in some respects a microcosm of the American experience. From its earliest days as the lands of the Lenape and Wappinger Indians, through its past as New Netherlands, its role in the American Revolution and era of great Hudson River estates, to its evolving chapter as an industrial hub turned computer mecca, the Valley is a fascinating lesson in some of our Nation's most significant history.

"Beacon has many chapters to share in that history: the courageous story of our first settler, our renown as the hat-making capital of New York State, our claim to one of the Nation's longest-running ferries, and the 'Eighth Wonder of the World'—the Mount Beacon Incline Railway—are all important parts of the Valley's story. We look forward to the opportunity to share those chapters."

And she concludes, "More and more people are discovering the importance of our Nation's past and want to know what role the Hudson River Valley played in it. This type of designation would surely allow groups such as ours to reach out with our message that local history is a vibrant, vital subject that is meant to be shared."

Mr. VENTO. Thank you. Thank you for concluding your statement as quickly as you did.

All of the statements and, of course, the letter from the historical society, I believe you referenced, and your own statement will be put in the record in their entirety. It is just that we are in a rush this morning.

[The statement of Ms. Gould may be found at the end of the hearing.]

Mr. VENTO. Congressman Hinchey.

Mr. HINCHEY. Well, I won't take up any time either, Mr. Chairman, except to thank both Mr. Sampson and Ms. Gould for the intelligent and sensitive leadership that they provide in the Hudson Valley, each of them and they have very different capacities, and for all of the work that they have done which I and other people, many other people in our region appreciate.

Thank you both and thank you for being here today.

Mr. VENTO. Thank you both very much.

The next witnesses are Carol LaGrasse, from the Property Rights Foundation of America and Lee Ann Deak, a private property owner from New York.

Saugerties? How do you pronounce that?

Mr. HINCHEY. Saugerties.

Mr. VENTO. Thank you. I know I have heard that phrase someplace before.

As indicated, welcome, your statements have been made or will be made part of the record in their entirety. If you could, please summarize, as we are trying to conclude our hearing and move to other responsibilities we have.

Ms. LaGrasse.

**STATEMENT OF CAROL W. LaGRASSE, PRESIDENT, THE
PROPERTY RIGHTS FOUNDATION OF AMERICA, INC.**

Ms. LaGRASSE. Mr. Vento, it is a privilege to address you today. I thank you for the floor.

To look at the Hudson River Valley American Heritage Area in isolation is to entirely miss the nature of the proposal. It is one of a vast array of national heritage corridors in various stages that individually and as a totality are potentially devastating to private property and which are complementary to an array of Federal environmental controls on land such as wetlands and endangered species rules, as well as agencies and policies such as the U.N. Biosphere reserves and watersheds and coastal commissions that have barely begun to demonstrate their own powers to mutilate private property rights.

The American heritage areas, which I shall refer to more appropriately as national heritage corridors, have been conceived without local participation, by secret communication among elites. The Hudson Valley corridor includes part of Congressman Jerry Solomon's district in Saratoga, Columbia, Greene, Rensselaer, and Dutchess Counties.

It is my understanding that Congressman Solomon opposes the corridor district unless the communities request designation. Four county farm bureaus—Albany, Columbia, Greene, and Ulster—are forwarding resolutions in opposition to the national designation.

In New York State, the Hudson Valley National Heritage Corridor is part of a vast system of land regimentation and acquisition. From the 6-million-acre so-called Adirondack Park occupying a full one-fifth of the area of the State, the controls are expanding to the United Nations Adirondack-Champlain Biosphere Reserve, to the federally designated Northern Forestlands, to the interstate Great Lakes Commission, and so on, to the Champlain-Hudson Heritage Corridor, proposed by Mr. Jeffords of Vermont.

Congressman Hinchey was the prime mover in the State Legislature in the failed effort to increase State regulation of private land in the Adirondack Park in line with the recommendations of the elite 1990 Governor Cuomo commission which Audubon's President Berle headed.

The centerfold of the "Positions on Property" gives a picture of the magnitude of the environmental zones and land acquisition programs already accomplished and being set down in the State. Over 60 percent of the land is under the gun.

The pie chart on page 5 gives a picture of the environmental zones and land acquisition programs already accomplished and the cumulative effect, considering the other corridors, coastal areas, other environmental zones such as the million acres in the Catskill Mountain preserve and watershed.

The Champlain-Hudson corridor would start at the Canadian border and extend to the Saratoga Battlefield Park, which is presently being expanded under the threat of eminent domain. From the national park, the Hudson River Greenway—established by the State Legislature, rather than as a grassroots movement as various studies have said—continues southward.

The mandatory zoning powers sought by Mr. Hinchey for the Greenway agency were eliminated because of local opposition. The

Hinchey Hudson River Heritage Corridor bill would convert the State Greenway to a joint National Park Service-State program and with Mr. Jeffords' Champlain-Hudson Heritage Corridor proposal would establish Federal zoning jurisdiction over fully every county from the Canadian border to the City of New York, down the historic spine of New York State.

Nationally, the heritage corridor program is, similarly, only a part of a juggernaut of Federal controls on land use and land acquisition can barely be alluded to during this testimony. The Hudson Valley proposal is part of a generic system containing so far 100-odd regional corridors in various stages of legislation.

I would like to submit one copy of this map—which I don't have multiple copies of, which was made in cooperation with the office of Congressman Don Young—of the national heritage corridors. You can see it is very extensive.

Other Federal preservation programs took 10 to 20 years to confront property owners in all their brute potential. Who would have thought that the 1973 Endangered Species Act to protect creatures from harm would be interpreted to preserving hundreds or thousands of acres of land per owl for habitat untouched on private land or that people would lose their homes in California to protect rats?

Now I am going to skip part of my testimony and I would like to point out that the Mississippi River corridor calls for an all-powerful consortium of National Park Service, U.S. Army Corps of Engineers, U.S. Coast Guard and the U.S. Fish and Wildlife Service to plan for protection of every resource in the 2,500 mile Mississippi River Valley from cultural and historical to biological and water resources.

The Columbia River George commission, which is cited as an example, has caused such problems to small property owners that they are finding their lifetime investment subject to inverse condemnation. The State's Open Space Conservation Plan for the Hudson River Valley calls for acquiring 60-odd strips of land in the corridor in the central Hudson Valley alone. This State acquisition list was made without the knowledge of the landowners whose properties comprise the land areas.

The National Park Service, to this very day, has a worst record than New York State respecting private property rights. At present, the Park Service is moving property owners out of the Indiana Sand Dunes and it is enlarging the Buffalo River area in Arkansas from a watershed to a watershed.

It has taken 400 homes already in the Cuyahoga Valley. It is enlarging the Appalachian Trail with threats of eminent domain. It has a very bad record and it is not the kind of agency that we want brought to New York State to regulate private land.

The corridor system, to be very brief, should be recognized for its real nature because this is its genesis. It is an effort to create vast greenways for animal habitat and biodiversity, using the flimsy economic diversion of trails and tourism and cultural preservation as the ploys.

The National Park Service is an enemy of cultural preservation. Witness, for instance, the blocking off of the cemeteries from fami-

lies with the Buffalo River, or allowing the homes to burn in Yellowstone.

In reality, the proponents and the beneficiaries of the corridors are not farmers, nor town and rural businesses and residents, but land trusts like the Nature Conservancy, the Conservation Fund and the Trust for Public Land, who recently forced people out of the Columbia River Gorge with an asbestos scare to get the last few homeowners out; the national environmentalist organizations like the Sierra Club, Audubon and Earth First, whose eco-regions and wildland schemes glamorize their fundraising; and the bureaucrats who increase their turf.

The real loss, if programs like the Hudson River Valley National Heritage Corridor are allowed to proliferate, is twofold: First in personal freedoms, including the civil right to own property privately; and second, in economic prosperity as big government squeezes the land and its resources from private use.

I would like this entire statement to be put on the record as its is submitted in writing.

Thank you, Mr. Hinchey.

Mr. HINCHEY [presiding]. Yes, your entire statement will be made a part of the record.

Thank you very much, Ms. LaGrasse.

[The statement of Ms. LaGrasse may be found at the end of the hearing.]

Mr. HINCHEY. Ms. Deak.

**STATEMENT OF LEE ANN DEAK, PRIVATE PROPERTY OWNER,
SAUGERTIES, NY**

Ms. DEAK. Hi. I would like to thank the Chair and Congressman Hinchey for this opportunity to speak.

I would also like to make it a matter of record that we would like to invite the chairman to our area, Chairman Vento, because we believe that it is a beautiful part of the country, and we do choose to live there because of that.

I am a resident of Ulster County, Saugerties, New York. It is the home of the Woodstock II festival and we are all very excited about that in our area. I am here—basically, I will try to shorten and not say my entire statement.

I am here to present Resolution 200 that was passed by the Ulster County Legislature on July 14th, 1994, and I ask that a copy of that resolution be made a part of the record with my statement.

Also there are two other letters attached, one from the Farm Bureau, another from the New York State Rifle and Pistol Association as to their opinion of Greenway and H.R. 4720.

This resolution that the State Legislature passed is in the interest of home rule, private property owners' rights and sportsmen's rights. The resolution was passed by a bipartisan majority of 28 to 3.

This resolution also opposes the involvement of the National Park Service in our area as yet another attempt to introduce an additional layer of government into local land use and planning.

I will skip over some of my sections in the interests of time. We are very concerned about excessive land use regulations and the interference of local home rule. We do believe that this will become

an infringement on private property rights and also the decision-making process of local community because it is really taken out of our hands.

Greenway has said that it will establish a trail along the Hudson River, which it has been established, that Greenway comprises the entire county, not just the waterfront.

This system has not been defined as the location of the trail. I request that before this legislation is advanced, the exact location of the trail should be accurately mapped so that homeowners can have an opportunity to see how close the trail is going to come to their property.

I would also like to state that the majority of the members on the Greenway Council and Conservancy are State, not local appointees. I would also like to mention that in an area of Saugerties known as Malden-on-Hudson there is a public boat-launching park. This has not been mentioned in the study.

In the study in Saugerties, they show that there is only one private marina as far as access to the river. That is a public boat launch and park in Malden, this is an inaccuracy and we worry about what other inaccuracies have been made in the study so they can make their point.

Greenway as it stands now is not mandatory for the towns in the Greenway area. The town I am from, Saugerties, New York, has opted out of the Greenway. Will we be able to opt out of the Hudson River Valley Heritage Area?

The following organizations that I have listed in my statement and I oppose the basic concept of this legislation. I would also like to mention that this list was generated in only 48 hours. That is the only time I had to prepare.

We have a lot of groups who have a strong position on private property rights and they will be sending statements later that I hope can be made a part of this hearing.

I would like to add that I am not paid by a special interest group. I took time off from work at my own expense to come here. The Executive Director of Greenway is paid by a private foundation. We do not want our Hudson River Valley to be managed by a special interest group.

I will briefly just mention one other example in our area. In 1965, a man named Mr. Terry Staples donated 51 acres of land on the Hudson River in Saugerties to the people of Saugerties and to the people of New York. To this day, the State of New York has not allowed anyone to use the property on the river.

I enclose a letter referring to this State park. In fact, ironically, this letter is from the New York Park Service and they even state that our desire to have a boat launch on the park, which was Mr. Staples' original intent when he gave the land, was not necessary because within the 10-mile district of Saugerties, we have enough public boat launches. However, in the Greenway brochure, you wouldn't know that. But I just wanted to make that statement, too.

This demonstrates, we feel, bad faith on the part of the State of New York in acquiring park land under the pretext of creating public access to the river for boating and fishing when in reality it just wants to keep it for a preserve.

I thank you for this opportunity to participate in this process, to bring the voice of the local people to Washington. I thank God for this beautiful country and it is truly an honor to be able to speak here.

Thank you.

[The statement of Ms. Deak may be found at the end of the hearing.]

Mr. HINCHEY. We thank you both very much for your statements here today and for the trouble you took to be here with us.

Thank you very much.

Ms. LAGRASSE. You are welcome, Mr. Hinchey. I hope you take them seriously.

Mr. HINCHEY. I would just observe that there are not contemplated nor contained in either the Greenway or the Hudson River Heritage Area Act any zoning provisions or any other land use acquisitions or control provisions of any kind whatsoever.

Ms. LAGRASSE. You know that is consistent with the—inconsistent with the Vento bill which requires regulatory assistance and management contracts and you know that at the Augusta, Georgia hearing, the National Park Service was dissatisfied with the presentation and required that they up their zoning and make it more strict or they wouldn't accept the Augusta, Georgia example.

So there is going to be stricter zoning in these heritage corridors and they will take control away from local people and impinge on property rights.

Mr. HINCHEY. Well, there is nothing you can do to prevent people from misinterpreting or misstating things and certainly you are free to do that if you like.

Our next panel consists of Ms. Jeannie Soos of Pocahontas Virginia; Sister Rose Golembiewski, President of Historic Pocahontas, Incorporated, Pocahontas, Virginia; and Mr. David Edwards, Architectural Historian from the Virginia Department of Historic Resources.

Welcome and we are happy to have you here with us this morning.

STATEMENT OF JEANNIE SOOS, POCAHONTAS, VA

Ms. SOOS. Good morning, and thank you for the opportunity to address the committee in support of this important legislative initiative.

I am very pleased and proud to be representing the Town of Pocahontas, Virginia, and I am looking forward to working with the Town of Bramwell, West Virginia, in this endeavor.

The world famous Pocahontas coal is from mines at the Southern tip of the Nation's richest and most extensive coal deposits in the world that comprise the great Appalachian field. They are located within the States of Virginia, West Virginia, Kentucky, Tennessee, Alabama, Pennsylvania, and Ohio.

The Pocahontas field is a compact mountainous area of only 335,000 acres. It lies in southern West Virginia's Mercer and McDowell Counties and southwestern Virginia's Tazewell County. We have one of nature's marvels, a great "fault" in the earth's surface.

It is marked by Pinnacle Rock State Park and this fault separates the limestone formation that underlies Virginia's bluegrass farmlands from the sandstone formation that carries coal that spreads west and north to the Ohio River.

The arrival of steel rail and coal tippie transformed southern West Virginia and southwestern Virginia from rural frontiers into the mighty industrial civilizations unlike any others in the world. It is long overdue that the Appalachian heritage be recognized and be commemorated for its crucial role in the creation of modern America.

The Pocahontas Exhibition Mine is a tourist attraction and offers access to the 13-foot-tall Pocahontas No. 3 coal seam, perhaps the most spectacular seam of coal in the world. Opened in 1882, the Pocahontas mine operated continuously for 73 years, clearing a staggering 3,000 acres of black gold. Production of this enormous operation totaled an incredible 44 million tons. Loaded in 50-ton railroad cars, the coal would fill a train 6,000 miles long.

So much for the quantity, but Pocahontas was even more renowned for the quality of its coal, even more so than its amazing productivity. By 1900, Pocahontas No. 3 was the standard against which all low volatile bituminous coals were measured. Its remarkable smokeless purity enabled it to become the chosen fuel of the American Navy in both World War I and World War II.

Pocahontas coal heated homes and boilers, fired engines and furnaces across America as we entered into the industrial age.

The rapid urbanization of the northern corridor would not have been possible without the massive coal reserves of the central Appalachian highlands. Moreover, coal fired the boilers of railroad locomotives and steamships, providing the power behind the sophisticated transportation and commercial networks which integrated the agricultural and urban areas of America.

European immigrants fleeing religious persecution and political revolution and African-Americans fleeing segregation came to the prospering coal fields to find jobs and homes for their families. They brought their rich culture into the mountainous wilds of the emerging coal fields. Much of the beautiful European influenced architecture in Pocahontas dating from that period—the opera house and the company store—still stands today, monuments to a unique civilization. However, if we do not act wisely and quickly, the physical remains of the coal heritage will soon disappear.

Pocahontas, Virginia's Mayor, Hon. Anita Brown, has traveled to Washington today to lend support to the coal heritage initiative. She wishes to express the popular support that she and the town officials, as well as the citizens of the Town of Pocahontas, give to this endeavor to preserve the past and have our coal heritage be recognized and commemorated for its role in American history.

We feel with careful cultural resource management, historical preservation, and public-private sector cooperation, coal field history can again become a significant factor in the economic development of the depressed mountains.

Heritage tourism provides an ideal way that southern West Virginians and southwestern Virginians can preserve their past and help to shape their future as well. As the parent of three boys, I can tell you I am tired of the plastic theme parks and amusement

rides. Allow us to show the Nation the reality of the forces which created and supplied the Nation's major fuel for both domestic and urban use.

Pocahontas Fuel Company once said that "The way to increase employment and increase purchasing power is to increase the use of coal and to use coal because it is the most economical and the most efficient medium for the production of heat and power."

Today we are asking you to use the coal fields and their cultural significance in terms of the contribution they made to the industrialization of the United States, the organization of workers into trade unions, and the unique culture of the Appalachian region.

We thank you for the consideration that you are giving the coal field heritage and we appreciate your attention toward this matter.

Thank you.

Mr. HINCHEY. Well, thank you very much, Ms. Soos.

We appreciate your testimony and your being here with us today. Sister Rose.

STATEMENT OF SISTER ROSE GOLEMBIEWSKI, PRESIDENT, HISTORIC POCAHONTAS, INC.

Sister ROSE. Thank you. I want to thank you for giving me the opportunity to speak before this committee in support of this important legislative bill H.R. 4692.

It is with a great deal of pride that I bring before you the Town of Pocahontas, Virginia. What I will say in my brief remarks will pertain to many other towns in Virginia and West Virginia. I look forward with much enthusiasm as joint efforts are made to promote the preservation and renovation of the various historic buildings in the towns where coal was king.

The town I live in, Pocahontas, is a turn-of-the-century coal mining town all but deserted after the closing of the mines, but possessing great potential for revival economically if it is restored as a tourist attraction. Its architecture and charm remain intact and need only to be revamped to create interest on the part of visitors as well as the residents involved in the restoration and preservation work.

Pocahontas was a booming mining town and has a remarkable history. In 1883, the Norfolk and Western Railroad shipped the first carload of coal which soon became the world's standard for fuel satisfaction. Hungarian immigrant coal miners worked beside sturdy mine mules to provide the energy which made America a global power.

As you approach this quaint town, you are met by a large cemetery which bears witness to the history of days gone by as well as the plight of the present day. The cemetery was born in March of 1884 as a result of the history-making mine explosion that tore through the east mine claiming the lives of 114 men and young boys; 65 were Hungarians. Others were French, German, Italian, and Afro-American. The victims were buried side by side. A memorial service is held each year to honor them.

Throughout its history, victims of similar explosions and accidents have been laid to rest here with others from Tazewell, Mercer and McDowell counties. Stone markers hewn in the native

tongue of Hungarian, Italian, Russian, Polish and Hebrew line the countless graves.

These only further epitomize the uniqueness of the coal heritage, linking the various ethnic backgrounds. These heroic men and young boys lived, worked, and died together and it was fitting that they be laid to rest together.

During the past 10 years, there has been a growing awareness and effort on the part of the community to bring the economy back into a once-booming town. A center for community action has been in operation for nine years. Through this organization, leadership from the grassroots has emerged.

Several small businesses are now open, namely, the Crafter's Mall, Thrift Store and MediBank where over-the-counter supplies can be purchased at a reduced price. Six years ago, a library was opened and is now staffed by volunteers from the community. The funds received for the library are due to the efforts of town involvement.

Funds are needed to restore and renovate the company store. This building was completed in 1884 under the Southwest Improvement Company to be used for mining offices and store merchandise. The store provided a place where the miner and family could purchase the necessities of life. If renovation is not begun soon, the total building will be lost, a part of history gone from future generations.

Another building in need of renovation is the famous opera house built in 1895. This was the entertainment center where the people would gather and enjoy plays, dances, magic shows, and other town gatherings. In connection with the opera house is the old town offices and courthouse with the jail house a reminder of days where laughter and friendship made the town come alive on the weekends. If money is given, these two facilities need major renovation.

At the present time, renovation is being done on the Old Presbyterian Church. The work is completed as funds are provided. Many towns in Virginia and West Virginia are areas of faded memories of greater days. Empty buildings and houses are left to fall, giving at times a sense of hopelessness.

There is an urgency to obtain funds needed to preserve this rich and varied history. The traditions of the past lend a fascinating heritage which beckons travelers to step into an earlier era.

The coal heritage is the link of the present, past, and the future. The story of the past economy in coal mining must be preserved for generations to come. The new economy, if it can be established, will be the romantic telling of the coal mining story and life in a frontier mining town.

We want to express our support of this important bill. Our mayor, Anita Brown, is here and brings to this committee the full endorsement from the town council and our total community.

We pledge to you that if the bill is passed and funds are given to our area, that they will be appropriated for the designated buildings and we promise to be good stewards.

Once again, I say thank you.

In closing, I would like to quote from George Bernard Shaw. I think this kind of brings a summation of what we are about here

as a committee and members of all our local communities what we should be about.

"I am convinced that my life belongs to the whole community and as long as I live, it is my privilege to do whatever I can, for the harder I work, the more I live.

"I rejoice in life for its own sake. Life is no brief candle to me. It is sort of a splendid torch which I hold for a moment, and I want to make it burn as brightly as possible before turning it over to future generations."

As I said, the quote is what the coal heritage, to me, symbolizes. We boast of the past as we look to the future.

Thank you.

Mr. HINCHEY. Well, thank you, Sister. That is a very lovely sentiment. We very much appreciate your testimony and your being here.

Sister ROSE. Thank you.

Mr. VENTO. Mr. Edwards.

STATEMENT OF DAVID EDWARDS, ARCHITECTURAL HISTORIAN, VIRGINIA DEPARTMENT OF HISTORIC RESOURCES

Mr. EDWARDS. My name is David Edwards and I am an Architectural Historian with the Virginia Department of Historic Resources and I am very pleased to represent that agency today in supporting the Town of Pocahontas and the Pocahontas coal mine as being included in a heritage area.

As early as 1972, the entire Town of Pocahontas was designated a State historic landmark and listed in the National Register of Historic Places later in that year. At that time, only one other community in southwest Virginia shared a similar honor.

The Department of Historic Resources believes that the Pocahontas coal mine and the Town of Pocahontas should be further recognized for their historical significance by being included in the proposed American heritage area along with the Town of Bramwell, West Virginia, which is only a couple of miles away.

We believe that Pocahontas is nationally significant for its association with the history of coal mining. The town played an essential role in the opening of the Pocahontas coal field, which contains what is considered to be by many the finest industrial coal in the world.

The coal field owners established the town in 1882 to mine, transport, and market the coal to industries throughout the world. As the first company town in the Pocahontas coal field of Virginia and West Virginia, Pocahontas was more than a mining camp or settlement. The company located its offices there, dug the first mine there, and built a branch railroad that linked the town and the Appalachian coal fields with the ports of Norfolk and Newport News.

Unlike many mining camps, Pocahontas became a service town as well as a residential community for its company's employees. With its banks, stores, saloons—I understand there were 24 at one time, but I believe Congressman Boucher said there were 40, so I will defer to his judgment—and opera house, the town quickly became the economic and cultural center of the region.

The demand for labor added several new ethnic groups to the community, including Hungarians, Italians, Poles, Greeks, and Russians. The most tangible evidence of the lives of these immigrants are found in the town cemetery where numerous headstones and tombs typical of those in Europe are displayed.

I might also add that these tombstones are inscribed in their native languages: Czech, Hungarian, Russian, and so on and we have nothing like that other than this cemetery in Virginia that we have been able to find.

The widespread adoption of coal for fuel by American industries during the late 19th century led to a high level of demand for Pocahontas No. 3 coal. In 1899, a survey asked ship commanders in the Atlantic Fleet of the United States Navy which coal they preferred to use in their vessels and 90 percent of the responses named Pocahontas as their coal of choice.

Before long, the German Navy was accepting bids for none but Pocahontas and Cardiff, England coals. While the United States Navy adopted Pocahontas coal as its standard fuel, by 1902, Pocahontas was the only American coal officially endorsed by the Governments of Germany, Great Britain, and the United States.

Despite some losses of buildings in the Town of Pocahontas since the closing of the mine in 1955, the Town of Pocahontas has retained much of its architectural integrity and character as the first and most significant coal mining town in the region.

Given the historical importance of the Town of Pocahontas and the Pocahontas mine, an American heritage area that includes only the Town of Bramwell, West Virginia, represents only a part of the region's coal mining heritage. While the Town of Bramwell is important as the home of the owners and managers of the Pocahontas mine and we support its inclusion in the American heritage area, the designation would be incomplete if it did not include the mine and the company town nearby where black and white miners of various ethnic groups lived, worked, and died to extract the coal that proved so important to the industrialization of our Nation during the late 19th and early 20th centuries.

Thank you very much for hearing my comments.

If you have any questions, I would be glad to try to answer them.

Mr. HINCHEY. Well, thank you very much, Mr. Edwards, Sister Rose, and Ms. Soos.

I very much appreciate what you have had to say, all three of you, and I congratulate you on your sense of civic pride as well as responsibility in recognizing the extraordinary value that this community has, not only for West Virginia, but indeed for the entire region.

I think, as several of you have pointed out in your testimony, the repercussions or the benefits of the resources of your town have flowed around the world in more ways than one.

So we are very glad that you are here today and that you have been able to present this testimony and we appreciate it very much.

Thank you.

We are also going to enter into the record the statement of Mr. Rahall, who because of other responsibilities, was not able to be

here at this particular hearing, but he has a strong statement with regard to this initiative and we will enter it into the record.

[The statement of Mr. Rahall follows:]

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 28, 1994.

Hon. BRUCE VENTO,
*Chairman, Subcommittee on National Parks, Forests and Public Lands,
U.S. House of Representatives, Washington, DC.*

DEAR BRUCE: Thank you for scheduling today's hearing on H.R. 793, the "Bramwell National Historic Park Act of 1993."

As you may know, I originally introduced this bill during June of 1990. Subsequently, on September 18, 1990, this Subcommittee held a hearing on that bill at which time testimony was received by Bramwell Mayor Harry Donnal Murphy; Louise Stoker, then the Chairman of the Bramwell Historic Landmark District; Beth Hager, the Curator of History for the Huntington Museum of Art; and Commissioner Bill Drennen of the West Virginia Division of Culture and History.

The resolve of the people of Bramwell to gain the enactment of this legislation remains unchanged and the testimony presented during the September 18, 1990, hearing is as applicable today as it was then.

I would further note that as part of the fiscal year 1991 appropriation bill for the Interior Department, with the assistance of Senator Robert C. Byrd, we were able to obtain funds for the National Park Service to conduct a "new area" study on Bramwell. This study was not transmitted to the Congress until December 21, 1993.

Despite the good faith efforts of the people of Bramwell and myself in seeking to obtain an "official" study on this matter, the study was conducted under a contract with a retired National Park Service employee who spent all of a single morning and part of that same day visiting the community. Further, during the course of the study, only four Bramwell residents were interviewed.

In my view, the study is factually and fundamentally flawed and its recommendations are tainted with the prejudice against establishing new units of the National Park System that was endemic to both the Reagan and Bush Administrations.

I would ask that following the testimony presented today on H.R. 793 by the National Park Service, a letter dated January 17, 1994, which I sent on this matter to Bonnie R. Cohen, the Assistant Secretary for Policy, Management and Budget, U.S. Department of the Interior, be submitted into the record. This letter fully elaborates upon the factual errors contained in the study.

Again, Bruce, thank you for conducting this hearing.

With warm regards, I am

Sincerely,

NICK J. RAHALL II,
Member of Congress.

Mr. HINCHEY. Ladies and gentlemen, thank you very much.

The hearing is now adjourned.

[Whereupon, at 11:34 a.m., the subcommittee was adjourned, and the following was submitted for the record:]

103D CONGRESS
2D SESSION

S. 1980

IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 1994

Referred to the Committee on Natural Resources

AN ACT

To establish the Cane River Creole National Historical Park and the Cane River National Heritage Area in the State of Louisiana, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Cane River Creole Na-
5 tional Historical Park and National Heritage Area Act".

1 **SEC. 2. FINDINGS AND PURPOSE.**

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

3 (1) the Natchitoches area along Cane River, es-
4 tablished in 1714, is the oldest permanent settle-
5 ment in the Louisiana Purchase territory;

6 (2) the Cane River area is the locale of the de-
7 velopment of Creole culture, from French-Spanish
8 interactions of the early 18th century to today's liv-
9 ing communities;

10 (3) the Cane River, historically a segment of
11 the Red River, provided the focal point for early set-
12 tlement, serving as a transportation route upon
13 which commerce and communication reached all
14 parts of the colony;

15 (4) although a number of Creole structures,
16 sites, and landscapes exist in Louisiana and else-
17 where, unlike the Cane River area, most are isolated
18 examples, and lack original outbuilding complexes or
19 integrity;

20 (5) the Cane River area includes a great variety
21 of historical features with original elements in both
22 rural and urban settings and a cultural landscape
23 that represents various aspects of Creole culture,
24 providing the base for a holistic approach to under-
25 standing the broad continuum of history within the
26 region;

1 (6) the Cane River region includes the
2 Natchitoches National Historic Landmark District,
3 composed of approximately 300 publicly and pri-
4 vately owned properties, four other national historic
5 landmarks, and other structures and sites that may
6 meet criteria for landmark significance following fur-
7 ther study;

8 (7) historic preservation within the Cane River
9 area has greatly benefitted from individuals and or-
10 ganizations that have strived to protect their herit-
11 age and educate others about their rich history; and

12 (8) because of the complexity and magnitude of
13 preservation needs in the Cane River area, and the
14 vital need for a culturally sensitive approach, a part-
15 nership approach is desirable for addressing the
16 many preservation and educational needs.

17 (b) PURPOSE.—The purposes of this Act are to—

18 (1) recognize the importance of the Cane River
19 Creole culture as a nationally significant element of
20 the cultural heritage of the United States;

21 (2) establish a Cane River Creole National His-
22 torical Park to serve as the focus of interpretive and
23 educational programs on the history of the Cane
24 River area and to assist in the preservation of cer-
25 tain historic sites along the river; and

1 (3) establish a Cane River National Heritage
2 Area and Commission to be undertaken in partner-
3 ship with the State of Louisiana, the City of
4 Natchitoches, local communities and settlements of
5 the Cane River area, preservation organizations, and
6 private landowners, with full recognition that pro-
7 grams must fully involve the local communities and
8 landowners.

9 **TITLE I—CANE RIVER NATIONAL**
10 **HISTORICAL PARK**

11 **SEC. 101. ESTABLISHMENT.**

12 (a) IN GENERAL.—In order to assist in the preserva-
13 tion and interpretation of, and education concerning, the
14 Creole culture and diverse history of the Natchitoches re-
15 gion, and to provide technical assistance to a broad range
16 of public and private landowners and preservation organi-
17 zations, there is hereby established the Cane River Creole
18 National Historical Park (hereinafter in this Act referred
19 to as the “historical park”).

20 (b) AREA INCLUDED.—The historical park shall con-
21 sist of lands and interests therein as follows:

22 (1) Lands and structures associated with the
23 Oakland Plantation as depicted on map CARI,
24 80,002, dated January 1994.

1 (2) Lands and structures owned or acquired by
2 Museum Contents, Inc. as depicted on map CARI,
3 80,001A, dated May 1994.

4 (3) Sites that may be the subject of cooperative
5 agreements with the National Park Service for the
6 purposes of historic preservation and interpretation
7 including, but not limited to, the Melrose Plantation,
8 the Badin-Roque site, the Cherokee Plantation, the
9 Beau Fort Plantation, and sites within the
10 Natchitoches National Historical Landmark District:
11 *Provided*, That such sites may not be added to the
12 historical park unless the Secretary of the Interior
13 (hereinafter referred to as the "Secretary") deter-
14 mines, based on further research and planning, that
15 such sites meet the applicable criteria for national
16 historical significance, suitability, and feasibility,
17 and notification of the proposed addition has been
18 transmitted to the Committee on Energy and Natu-
19 ral Resources of the United States Senate and the
20 appropriate committees of the House of Representa-
21 tives.

22 (4) Not to exceed 10 acres of land that the Sec-
23 retary may designate for an interpretive visitor cen-
24 ter complex to serve the needs of the historical park
25 and heritage area established in title II of this Act.

1 **SEC. 102. ADMINISTRATION.**

2 (a) **IN GENERAL.**—The Secretary shall administer
3 the historical park in accordance with this Act, and with
4 provisions of law generally applicable to units of the Na-
5 tional Park System, including the Act entitled “An Act
6 to establish a National Park Service, and for other pur-
7 poses”, approved August 25, 1916 (39 Stat. 535; 16
8 U.S.C. 1, 2–4); and the Act of August 21, 1935 (49 Stat.
9 666, 16 U.S.C. 461–467). The Secretary shall manage the
10 historical park in such a manner as will preserve resources
11 and cultural landscapes relating to the Creole culture of
12 the Cane River and enhance public understanding of the
13 important cultural heritage of the Cane River region.

14 (b) **DONATIONS.**—The Secretary may accept and re-
15 tain donations of funds, property, or services from individ-
16 uals, foundations, or other public or private entities for
17 the purposes of providing programs, services, facilities, or
18 technical assistance that further the purposes of this Act.
19 Any funds donated to the Secretary pursuant to this sub-
20 section may be expended without further appropriation.

21 (c) **INTERPRETIVE CENTER.**—The Secretary is au-
22 thorized to construct, operate, and maintain an interpre-
23 tive center on lands identified by the Secretary pursuant
24 to section 101(b)(4) of this title. Such center shall provide
25 for the general information and orientation needs of the
26 historical park and the heritage area. The Secretary shall

1 consult with the State of Louisiana, the City of
2 Natchitoches, the Association for the Preservation of His-
3 toric Natchitoches, and the Cane River National Heritage
4 Area Commission pursuant to section 202 of this Act in
5 the planning and development of the interpretive center.

6 (d) COOPERATIVE AGREEMENTS AND TECHNICAL
7 ASSISTANCE.—(1) The Secretary, after consultation with
8 the Cane River National Heritage Area Commission estab-
9 lished pursuant to section 202 of this Act, is authorized
10 to enter into cooperative agreements with owners of prop-
11 erties within the heritage area and owners of properties
12 within the historical park that provide important edu-
13 cational and interpretive opportunities relating to the her-
14 itage of the Cane River region. The Secretary may also
15 enter into cooperative agreements for the purpose of facili-
16 tating the preservation of important historic sites and
17 structures identified in the historical park's general man-
18 agement plan or other heritage elements related to the
19 heritage of the Cane River region. Such cooperative agree-
20 ments shall specify that the National Park Service shall
21 have reasonable rights of access for operational and visitor
22 use needs and that preservation treatments will meet the
23 Secretary's standards for rehabilitation of historic build-
24 ings.

1 (2) The Secretary is authorized to enter into coopera-
2 tive agreements with the City of Natchitoches, the State
3 of Louisiana, and other public or private organizations for
4 the development of the interpretive center, educational
5 programs, and other materials that will facilitate public
6 use of the historical park and heritage area.

7 (e) RESEARCH.—The Secretary, acting through the
8 National Park Service, shall coordinate a comprehensive
9 research program on the complex history of the Cane
10 River region, including ethnography studies of the living
11 communities along the Cane River, and how past and
12 present generations have adapted to their environment, in-
13 cluding genealogical studies of families within the Cane
14 River area. Research shall include, but not be limited to,
15 the extensive primary historic documents within the
16 Natchitoches and Cane River areas, and curation methods
17 for their care and exhibition. The research program shall
18 be coordinated with Northwestern State University of
19 Louisiana, and the National Center for Preservation Tech-
20 nology and Training in Natchitoches.

21 **SEC. 103. ACQUISITION OF PROPERTY.**

22 (a) GENERAL AUTHORITY.—Except as otherwise pro-
23 vided in this section, the Secretary is authorized to acquire
24 lands and interests therein within the boundaries of the

1 historical park by donation, purchase with donated or ap-
2 propriated funds, or exchange.

3 (b) STATE AND LOCAL PROPERTIES.—Lands and in-
4 terests therein that are owned by the State of Louisiana,
5 or any political subdivision thereof, may be acquired only
6 by donation or exchange.

7 (c) MUSEUM CONTENTS, INC.—Lands and structures
8 identified in section 101(b)(2) may be acquired only by
9 donation.

10 (d) COOPERATIVE AGREEMENT SITES.—Lands and
11 interests therein that are the subject of cooperative agree-
12 ments pursuant to section 101(b)(3) shall not be acquired
13 except with the consent of the owner thereof.

14 **SEC. 104. GENERAL MANAGEMENT PLAN.**

15 Within 3 years after the date funds are made avail-
16 able therefor and in consultation with the Cane River Her-
17 itage Area Commission, the National Park Service shall
18 prepare a general management plan for the historical
19 park. The plan shall include, but need not be limited to—

20 (1) a visitor use plan indicating programs and
21 facilities that will be provided for public use, includ-
22 ing the location and cost of an interpretive center;

23 (2) programs and management actions that the
24 National Park Service will undertake cooperatively
25 with the heritage area commission, including preser-

1 vation treatments for important sites, structures, ob-
2 jects, and research materials. Planning shall address
3 educational media, roadway signing, and brochures
4 that could be coordinated with the Commission pur-
5 suant to section 203 of this Act; and

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

9 **TITLE II—CANE RIVER NATIONAL**
10 **HERITAGE AREA**

11 **SEC. 201. ESTABLISHMENT OF THE CANE RIVER NATIONAL**
12 **HERITAGE AREA.**

13 (a) **ESTABLISHMENT.**—There is hereby established
14 the Cane River National Heritage Area (hereinafter re-
15 ferred to as the “heritage area”).

16 (b) **PURPOSE.**—In furtherance of the need to recog-
17 nize the value and importance of the Cane River region
18 and in recognition of the findings of section 2(a) of this
19 Act, it is the purpose of this title to establish a heritage
20 area to complement the historical park and to provide for
21 a culturally sensitive approach to the preservation of the
22 heritage of the Cane River region, and for other needs
23 including—

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

1 (2) assisting in the preservation and enhance-
2 ment of the cultural landscape and traditions of the
3 Cane River region;

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

7 (4) minimizing the need for Federal land acqui-
8 sition and management.

9 (c) AREA INCLUDED.—The heritage area shall
10 include—

11 (1) an area approximately 1 mile on both sides
12 of the Cane River as depicted on map CARI,
13 80,000A, dated May 1994;

14 (2) those properties within the Natchitoches
15 National Historic Landmark District which are the
16 subject of cooperative agreements pursuant to sec-
17 tion 102(d);

18 (3) the Los Adaes State Commemorative Area;

19 (4) the Fort Jesup State Commemorative Area;

20 (5) the Fort St. Jean Baptiste State Com-
21 memorative Area; and

22 (6) the Kate Chopin House.

23 A final identification of all areas and sites to be included
24 in the heritage area shall be included in the heritage area
25 management plan as required in section 203 of this title.

1 **SEC. 302. CANE RIVER NATIONAL HERITAGE AREA COMMISS-**
2 **SION.**

3 (a) **ESTABLISHMENT.**—To assist in implementing the
4 purposes of this Act and to provide guidance for the man-
5 agement of the heritage area, there is established the Cane
6 River National Heritage Area Commission (hereinafter re-
7 ferred to as the “Commission”).

8 (b) **MEMBERSHIP.**—The Commission shall consist of
9 19 members to be appointed no later than 6 months after
10 the date of enactment of this Act. The Commission shall
11 be appointed by the Secretary as follows—

12 (1) one member from recommendations submit-
13 ted by the mayor of Natchitoches;

14 (2) one member from recommendations submit-
15 ted by the Association for the Preservation of His-
16 toric Natchitoches;

17 (3) one member from recommendations submit-
18 ted by the Natchitoches Historic Foundation, Inc.;

19 (4) two members with experience in and knowl-
20 edge of tourism in the heritage area from rec-
21 ommendations submitted by local business and tour-
22 ism organizations;

23 (5) one member from recommendations submit-
24 ted by the Governor of the State of Louisiana;

25 (6) one member from recommendations submit-
26 ted by the Police Jury of Natchitoches Parish;

- 1 (7) one member from recommendations submit-
- 2 ted by the Concerned Citizens of Cloutierville;
- 3 (8) one member from recommendations submit-
- 4 ted by the St. Augustine Historical Society;
- 5 (9) one member from recommendations submit-
- 6 ted by the Black Heritage Committee;
- 7 (10) one member from recommendations sub-
- 8 mitted by the Los Adaes/Robeline Community;
- 9 (11) one member from recommendations sub-
- 10 mitted by the Natchitoches Historic District Com-
- 11 mission;
- 12 (12) one member from recommendations sub-
- 13 mitted by the Cane River Waterway Commission;
- 14 (13) two members who are landowners in and
- 15 residents of the heritage area;
- 16 (14) one member with experience and knowl-
- 17 edge of historic preservation from recommendations
- 18 submitted by Museum Contents, Inc.;
- 19 (15) one member with experience and knowl-
- 20 edge of historic preservation from recommendations
- 21 submitted by the President of Northwestern State
- 22 University of Louisiana;
- 23 (16) one member with experience in and knowl-
- 24 edge of environmental, recreational and conservation
- 25 matters affecting the heritage area from rec-

14

1 ommendations submitted by the Natchitoches
2 Sportsmans Association and other local recreational
3 and environmental organizations; and

4 (17) the director of the National Park Service,
5 or the Director's designee, ex officio.

6 (c) DUTIES OF THE COMMISSION.—The Commission
7 shall—

8 (1) prepare a management plan for the heritage
9 area in consultation with the National Park Service,
10 the State of Louisiana, the City of Natchitoches,
11 Natchitoches Parish, interested groups, property
12 owners, and the public;

13 (2) consult with the Secretary on the prepara-
14 tion of the general management plan for the histori-
15 cal park;

16 (3) develop cooperative agreements with prop-
17 erty owners, preservation groups, educational
18 groups, the State of Louisiana, the City of
19 Natchitoches, universities, and tourism groups, and
20 other groups to further the purposes of this Act; and

21 (4) identify appropriate entities, such as a non-
22 profit corporation, that could be established to as-
23 sume the responsibilities of the Commission follow-
24 ing its termination.

1 (d) POWERS OF THE COMMISSION.—In furtherance
2 of the purposes of this Act, the Commission is authorized
3 to—

4 (1) procure temporary and intermittent services
5 to the same extent that is authorized by section
6 3109(b) of title 5, United States Code, but at rates
7 determined by the Commission to be reasonable;

8 (2) accept the services of personnel detailed
9 from the State of Louisiana or any political subdivi-
10 sion thereof, and may reimburse the State or politi-
11 cal subdivision for such services;

12 (3) upon the request of the Commission, the
13 head of any Federal agency may detail, on a reim-
14 bursable basis, any of the personnel of such agency
15 to the Commission to assist the Commission in car-
16 rying out its duties;

17 (4) appoint and fix the compensation of such
18 staff as may be necessary to carry out its duties.
19 Staff shall be appointed subject to the provisions of
20 title 5, United States Code, governing appointments
21 in the competitive service, and shall be paid in ac-
22 cordance with the provisions of chapter 51 and sub-
23 chapter III of chapter 53 of such title relating to
24 classification and General Schedule pay rates;

1 (5) enter into cooperative agreements with pub-
2 lic or private individuals or entities for research, his-
3 toric preservation, and education purposes;

4 (6) make grants to assist in the preparation of
5 studies that identify, preserve, and plan for the man-
6 agement of the heritage area;

7 (7) notwithstanding any other provision of law,
8 seek and accept donations of funds or services from
9 individuals, foundations, or other public or private
10 entities and expend the same for the purposes of
11 providing services and programs in furtherance of
12 the purposes of this Act;

13 (8) assist others in developing educational, in-
14 formational, and interpretive programs and facilities;

15 (9) hold such hearings, sit and act at such
16 times and places, take such testimony, and receive
17 such evidence, as the Commission may consider ap-
18 propriate; and

19 (10) use the United States mails in the same
20 manner and under the same conditions as other de-
21 partments or agencies of the United States.

22 (e) COMPENSATION.—Members of the Commission
23 shall receive no compensation for their service on the Com-
24 mission. While away from their homes or regular places
25 of business in the performance of services for the Commis-

1 sion, members shall be allowed travel expenses, including
2 per diem in lieu of subsistence, in the same manner as
3 persons employed intermittently in the Government service
4 are allowed expenses under section 5703 of title 5, United
5 States Code.

6 (f) CHAIRMAN.—The Commission shall elect a chair-
7 man from among its members. The term of the chairman
8 shall be for 3 years.

9 (g) TERMS.—The terms of Commission members
10 shall be for 3 years. Any member of the Commission ap-
11 pointed by the Secretary for a 3-year term may serve after
12 expiration of his or her term until a successor is ap-
13 pointed. Any vacancy shall be filled in the same manner
14 in which the original appointment was made. Any member
15 appointed to fill a vacancy shall serve for the remainder
16 of the term for which the predecessor was appointed.

17 (h) ANNUAL REPORTS.—The Commission shall sub-
18 mit an annual report to the Secretary identifying its ex-
19 penses and any income, the entities to which any grants
20 or technical assistance were made during the year for
21 which the report is made, and actions that are planned
22 for the following year.

23 **SEC. 203. PREPARATION OF THE PLAN.**

24 (a) IN GENERAL.—Within 3 years after the Commis-
25 sion conducts its first meeting, it shall prepare and submit

1 a heritage area management plan to the Governor of the
2 State of Louisiana. The Governor shall, if the Governor
3 approves the plan, submit it to the Secretary for review
4 and approval. The Secretary shall provide technical assist-
5 ance to the Commission in the preparation and implemen-
6 tation of the plan, in concert with actions by the National
7 Park Service to prepare a general management plan for
8 the historical park. The plan shall consider local govern-
9 ment plans and shall present a unified heritage preserva-
10 tion and education plan for the heritage area. The plan
11 shall include, but not be limited to—

12 (1) an inventory of important properties and
13 cultural landscapes that should be preserved, man-
14 aged, developed, and maintained because of their
15 cultural, natural, and public use significance;

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

19 (3) an interpretive plan to address the cultural
20 and natural history of the area, and actions to en-
21 hance visitor use. This element of the plan shall be
22 undertaken in consultation with the National Park
23 Service and visitor use plans for the national histori-
24 cal park;

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

5 (5) an implementation program for the plan in-
6 cluding desired actions by State and local govern-
7 ments and other involved groups and entities.

8 (b) APPROVAL OF THE PLAN.—The Secretary shall
9 approve or disapprove the plan within 90 days after re-
10 ceipt of the plan from the Commission. The Commission
11 shall notify the Secretary of the status of approval by the
12 Governor of Louisiana when the plan is submitted for re-
13 view and approval. In determining whether or not to ap-
14 prove the plan the Secretary shall consider—

15 (1) whether the Commission has afforded ade-
16 quate opportunity, including public meetings and
17 hearings, for public and governmental involvement in
18 the preparation of the plan; and

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

23 (c) DISAPPROVAL OF THE PLAN.—If the Secretary
24 disapproves the plan, he shall advise the Commission in
25 writing of the reasons for disapproval, and shall provide

1 recommendations and assistance in the revision of the
2 plan. Following completion of any revisions to the plan,
3 the Commission shall resubmit the plan to the Governor
4 of Louisiana for approval, and to the Secretary, who shall
5 approve or disapprove the plan within 90 days after the
6 date that the plan is revised.

7 **SEC. 204. TERMINATION OF HERITAGE AREA COMMISSION.**

8 (a) **TERMINATION.**—The Commission shall terminate
9 on the day occurring 10 years after the first official meet-
10 ing of the Commission.

11 (b) **EXTENSION.**—The Commission may petition to
12 be extended for a period of not more than 5 years begin-
13 ning on the day referred to in subsection (a), provided the
14 Commission determines a critical need to fulfill the pur-
15 poses of this Act; and the Commission obtains approval
16 from the Secretary, in consultation with the Governor of
17 Louisiana.

18 (c) **HERITAGE AREA MANAGEMENT FOLLOWING**
19 **TERMINATION OF THE COMMISSION.**—The national herit-
20 age area status for the Cane River region shall continue
21 following the termination of the Commission. The manage-
22 ment plan, and partnerships and agreements subject to
23 the plan shall guide the future management of the herit-
24 age area. The Commission, prior to its termination, shall
25 recommend to the Governor of the State of Louisiana and

1 the Secretary, appropriate entities, including the potential
2 for a nonprofit corporation, to assume the responsibilities
3 of the Commission.

4 **SEC. 205. DUTIES OF OTHER FEDERAL AGENCIES.**

5 Any Federal entity conducting or supporting activi-
6 ties directly affecting the heritage area shall—

7 (1) consult with the Secretary and the Commis-
8 sion with respect to implementation of their pro-
9 posed actions; and

10 (2) to the maximum extent practicable, coordi-
11 nate such activities with the Commission to mini-
12 mize potential impacts on the resources of the herit-
13 age area.

14 **SEC. 206. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated such sums
16 as may be necessary to carry out this Act.

Passed the Senate June 16 (legislative day, June 7),
1994.

Attest:

MARTHA S. POPE,
Secretary.

**BACKGROUND ON
S. 1980, CANE RIVER CREOLE
NATIONAL HISTORICAL PARK, AND
CANE RIVER NATIONAL HERITAGE AREA**

The town of Natchitoches, Louisiana is the oldest permanent settlement within the Louisiana Purchase territory, and was the site of the western-most fort of the French Empire, Fort St. Jean Baptiste. In 1767, this part of the French Empire was ceded to Spain. The subsequent conversion of the frontier economy to an agricultural economy led to the development of a plantation economy based on slave labor. In 1803, this area was ceded back to France, and shortly thereafter the Louisiana Purchase gave jurisdiction over the area to the United States.

The early years of French and Spanish domination, and the relative isolation of the area, left a lasting legacy in Natchitoches Parish. One aspect of this multi-cultural history was the development and nurturing of a unique culture on Isle Brevelle, the Cane River Creoles of color, a distinct community which exists today. Nearby Cloutierville retains its French small village flavor, and the life and folkways of the town were the basis for many of the fictional writings of Kate Chopin, who lived there between 1879 and 1884.

A Congressionally-directed National Park Service special resource study completed in 1993 found several resources within the Cane River study area nationally significant, and recommended an approach which would combine National Park Service management of certain specified properties with a heritage partnership framework for the larger area.

S. 1980, introduced by Senator Johnston on March 24, 1994, and approved in the Senate on June 16, 1994, establishes the Cane River Creole National Historical Park and the Cane River National Heritage Area in the State of Louisiana. The Park would consist of Oakland Plantation the portion of Magnolia Plantation owned by Museum Contents, Inc., and a visitor center complex to be constructed. The Heritage Area would consist of areas along the Cane River, the Natchitoches National Historic Landmark District, the Los Adaes State Commemorative Area, the Fort Jesup State Commemorative Area and the Kate Chopin House.

The Heritage Area would be developed and managed by the Cane River National Heritage Area Commission, which would terminate ten years after its establishment, with a five year extension authorized if necessary. The Secretary would be authorized to enter into cooperative agreements to provide assistance for the preservation and interpretation of properties within both the Park and the Heritage Area. The legislation also directs the Secretary to coordinate a comprehensive research program on the history of the Cane River region, and authorizes land acquisition within the Park.

103D CONGRESS
2D SESSION

H. R. 4720

To establish the Hudson River Valley American Heritage Area.

IN THE HOUSE OF REPRESENTATIVES

JULY 12, 1994

Mr. HINCHEY (for himself, Mr. McNULTY, Mr. FISH, Mr. GILMAN, and Mrs. LOWEY) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To establish the Hudson River Valley American Heritage Area.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Hudson River Valley
5 American Heritage Area Act of 1994".

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) The Hudson River Valley between Yonkers,
9 New York, and Troy, New York, possesses impor-
10 tant historical, cultural, and natural resources, rep-

1 resenting themes of settlement and migration, trans-
2 portation, and commerce.

3 (2) The Hudson River Valley played an impor-
4 tant role in the military history of the American
5 Revolution.

6 (3) The Hudson River Valley gave birth to im-
7 portant movements in American art and architecture
8 through the work of Andrew Jackson Downing, Al-
9 exander Jackson Davis, Thomas Cole, and their as-
10 sociates, and played a central role in the recognition
11 of the esthetic value of the landscape and the devel-
12 opment of an American esthetic ideal.

13 (4) The Hudson River Valley played an impor-
14 tant role in the development of the iron, textile, and
15 collar and cuff industries in the 19th century, exem-
16 plified in surviving structures such as the Harmony
17 Mills complex at Cohoes, and in the development of
18 early men's and women's labor and cooperative orga-
19 nizations, and is the home of the first women's labor
20 union and the first women's secondary school.

21 (5) The Hudson River Valley, in its cities and
22 towns and in its rural landscapes—

23 (A) displays exceptional surviving physical
24 resources illustrating these themes and the so-

1 cial, industrial, and cultural history of the 19th
2 and early 20th centuries; and

3 (B) includes many National Historic Sites
4 and Landmarks.

5 (6) The Hudson River Valley is the home of
6 traditions associated with Dutch and Huguenot set-
7 tlements dating to the 17th and 18th centuries, was
8 the locus of characteristic American stories such as
9 "Rip Van Winkle" and the "Legend of Sleepy Hol-
10 low", and retains physical social, and cultural evi-
11 dence of these traditions and the traditions of other
12 more recent ethnic and social groups.

13 (7) New York State has established a structure
14 for the Hudson River Valley communities to join to-
15 gether to preserve, conserve, and manage these re-
16 sources, and to link them through trails and other
17 means, in the Hudson River Greenway Communities
18 Council and the Greenway Conservancy.

19 **SEC. 3. PURPOSES.**

20 The purposes of this Act are the following:

21 (1) To recognize the importance of the history
22 and the resources of the Hudson River Valley to the
23 Nation.

24 (2) To assist the State of New York and the
25 communities of the Hudson River Valley in preserv-

1 ing, protecting, and interpreting these resources for
2 the benefit of the Nation.

3 (3) To authorize Federal financial and technical
4 assistance to serve these purposes.

5 **SEC. 4. HUDSON RIVER VALLEY AMERICAN HERITAGE**
6 **AREA.**

7 (a) **ESTABLISHMENT.**—There is hereby established a
8 Hudson River Valley American Heritage Area (in this Act
9 referred to as the “Heritage Area”).

10 (b) **BOUNDARIES.**—The Heritage Area shall be com-
11 prised of the counties of Albany, Rensselaer, Columbia,
12 Greene, Ulster, Dutchess, Orange, Putnam, Westchester,
13 and Rockland, New York, and the Village of Waterford
14 in Saratoga County, New York.

15 (c) **MANAGEMENT ENTITIES.**—The management en-
16 tities for the Heritage Area shall be the Hudson River Val-
17 ley Greenway Communities Council and the Greenway
18 Conservancy (agencies established by the State of New
19 York in its Hudson River Greenway Act of 1991, in the
20 Act referred to as the “management entities”). The man-
21 agement entities shall jointly establish a Heritage Area
22 Committee to manage the Heritage Area.

23 **SEC. 5. COMPACT.**

24 To carry out the purposes of this Act, the Secretary
25 of the Interior (in this Act referred to as the “Secretary”)

1 shall enter into a compact with the management entities.
2 The compact shall include information relating to the ob-
3 jectives and management of the area, including the follow-
4 ing:

5 (1) A discussion of the goals and objectives of
6 the Heritage Area, including an explanation of a
7 proposed approach to conservation and interpreta-
8 tion, and a general outline of the protection meas-
9 ures committed to by the parties to the compact.

10 (2) A description of the respective roles of the
11 management entities.

12 (3) A list of the initial partners to be involved
13 in developing and implementing a management plan
14 for the Heritage Area, and a statement of the finan-
15 cial commitment of such partners.

16 (4) A description of the role of the State of
17 New York.

18 **SEC. 6. MANAGEMENT PLAN.**

19 The management entities shall develop a manage-
20 ment plan for the Heritage Area that presents comprehen-
21 sive recommendations for the Heritage Area's conserva-
22 tion, funding, management and development. Such plan
23 shall take into consideration existing State, county, and
24 local plans and involve residents, public agencies, and pri-
25 vate organizations working in the Heritage Area. It shall

1 include actions to be undertaken by units of government
2 and private organizations to protect the resources of the
3 Heritage Area. It shall specify the existing and potential
4 sources of funding to protect, manage and develop the
5 Heritage Area. Such plan shall include specifically as ap-
6 propriate the following:

7 (1) An inventory of the resources contained in
8 the Heritage Area, including a list of any property
9 in the Heritage Area that is related to the themes
10 of the Heritage Area and that should be preserved,
11 restored, managed, developed, or maintained because
12 of its natural, cultural, historic, recreational, or sce-
13 nic significance.

14 (2) A recommendation of policies for resource
15 management which consider and detail application of
16 appropriate land and water management techniques,
17 including but not limited to, the development of
18 intergovernmental cooperative agreements to protect
19 the Heritage Area's historical, cultural, recreational,
20 and natural resources in a manner consistent with
21 supporting appropriate and compatible economic via-
22 bility.

23 (3) A program for implementation of the man-
24 agement plan by the management entities, including
25 plans for restoration and construction, and specific

1 commitments of the identified partners for the first
2 5 years of operation.

3 (4) An analysis of ways in which local, State,
4 and Federal programs may best be coordinated to
5 promote the purposes of the Act.

6 (5) An interpretation plan for the Heritage
7 Area.

8 **SEC. 7. AUTHORITIES AND DUTIES OF MANAGEMENT**
9 **ENTITIES.**

10 (a) **AUTHORITIES OF THE MANAGEMENT ENTI-**
11 **TIES.**—The management entities may, for purposes of pre-
12 paring and implementing the management plan under sec-
13 tion 6, use Federal funds made available through this
14 Act—

15 (1) to make loans and grants to, and enter into
16 cooperative agreements with, States and their politi-
17 cal subdivisions, private organizations, or any per-
18 son; and

19 (2) to hire and compensate staff.

20 (b) **DUTIES OF THE MANAGEMENT ENTITIES.**—The
21 management entities shall—

22 (1) develop and submit to the Secretary for ap-
23 proval a management plan as described in section 6
24 within 5 years after the date of the enactment of
25 this Act;

1 (2) give priority to implementing actions as set
2 forth in the compact and the management plan, in-
3 cluding taking steps to—

4 (A) assist units of government, regional
5 planning organizations, and nonprofit organiza-
6 tions in preserving the Heritage Area;

7 (B) assist units of government, regional
8 planning organizations, and nonprofit organiza-
9 tions in establishing, and maintaining interpre-
10 tive exhibits in the Heritage Area;

11 (C) assist units of government, regional
12 planning organizations, and nonprofit organiza-
13 tions in developing recreational resources in the
14 Heritage Area;

15 (D) assist units of government, regional
16 planning organizations, and nonprofit organiza-
17 tions in increasing public awareness of and ap-
18 preciation for the natural, historical and archi-
19 tectural resources and sites in the Heritage
20 Area;

21 (E) assist units of government, regional
22 planning organizations and nonprofit organiza-
23 tions in the restoration of any historic building
24 relating to the themes of the Heritage Area;

1 (F) encourage by appropriate means eco-
2 nomic viability in the corridor consistent with
3 the goals of the Plan;

4 (G) encourage local governments to adopt
5 land use policies consistent with the manage-
6 ment of the Heritage Area and the goals of the
7 plan; and

8 (H) assist units of government, regional
9 planning organizations and nonprofit organiza-
10 tions to ensure that clear, consistent, and envi-
11 ronmentally appropriate signs identifying access
12 points and sites of interest are put in place
13 throughout the Heritage Area;

14 (3) consider the interests of diverse govern-
15 mental, business, and nonprofit groups within the
16 Heritage Area;

17 (4) conduct public meetings at least quarterly
18 regarding the implementation of the management
19 plan;

20 (5) submit substantial changes (including any
21 increase of more than 20 percent in the cost esti-
22 mates for implementation) to the management plan
23 to the Secretary for the Secretary's approval;

24 (6) for any year in which Federal funds have
25 been received under this Act, submit an annual re-

1 port to the Secretary setting forth its accomplish-
2 ments, its expenses and income, and the entities to
3 which any loans and grants were made during the
4 year for which the report is made; and

5 (7) for any year in which Federal funds have
6 been received under this Act, make available for
7 audit all records pertaining to the expenditure of
8 such funds and any matching funds, and require, for
9 all agreements authorizing expenditure of Federal
10 funds by other organizations, that the receiving or-
11 ganizations make available for audit all records per-
12 taining to the expenditure of such funds.

13 If a management plan is not submitted to the Secretary
14 as required under paragraph (1) within the specified time,
15 the Heritage Area shall no longer qualify for Federal
16 funding.

17 (c) PROHIBITION ON THE ACQUISITION OF REAL
18 PROPERTY.—The management entities may not use Fed-
19 eral funds received under this Act to acquire real property
20 or an interest in real property. Nothing in this Act shall
21 preclude any management entity from using Federal funds
22 from other sources for their permitted purposes.

23 (d) ELIGIBILITY FOR RECEIVING FINANCIAL ASSIST-
24 ANCE.—

1 (1) ELIGIBILITY.—The management entities
2 shall be eligible to receive funds appropriated
3 through this Act for a period of 10 years after the
4 day on which the compact under section 5 is signed
5 by the Secretary and the management entities, ex-
6 cept as provided in paragraph (2).

7 (2) EXCEPTION.—The management entities' eli-
8 gibility for funding under this Act may be extended
9 for a period of not more than 5 additional years,
10 if—

11 (A) the management entities determine
12 such extension is necessary in order to carry
13 out the purposes of this Act and notify the Sec-
14 retary not later than 180 days prior to the ter-
15 mination date;

16 (B) the management entities, not later
17 than 180 days prior to the termination date,
18 present to the Secretary a plan of their activi-
19 ties for the period of the extension, including
20 provisions for becoming independent of the
21 funds made available through this Act; and

22 (C) the Secretary, with the advice of the
23 Governor of New York approves such extension
24 of funding.

1 **SEC. 8. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

2 (a) **DUTIES AND AUTHORITIES OF THE SEC-**
3 **RETARY.—**

4 (1) **TECHNICAL AND FINANCIAL ASSISTANCE.—**

5 (A) **IN GENERAL.**—The Secretary may,
6 upon request of the management entities, pro-
7 vide technical and financial assistance to the
8 Heritage Area to develop and implement the
9 management plan. In assisting the Heritage
10 Area, the Secretary shall give priority to actions
11 that in general assist in—

12 (i) conserving the significant natural,
13 historic, and cultural resources which sup-
14 port its themes; and

15 (ii) providing educational, interpretive,
16 and recreational opportunities consistent
17 with its resources and associated values.

18 (B) **SPENDING FOR NON-FEDERALLY**
19 **OWNED PROPERTY.**—The Secretary may spend
20 Federal funds directly on non-federally owned
21 property to further the purposes of this Act, es-
22 pecially in assisting units of government in ap-
23 propriate treatment of districts, sites, buildings,
24 structures, and objects listed or eligible for list-
25 ing on the National Register of Historic Places.

1 (2) APPROVAL AND DISAPPROVAL OF COM-
2 PACTS, AND MANAGEMENT PLANS.—

3 (A) IN GENERAL.—The Secretary, in con-
4 sultation with the Governor of New York, shall
5 approve or disapprove a compact or manage-
6 ment plan submitted under this Act not later
7 than 90 days after receiving such compact or
8 management plan.

9 (B) ACTION FOLLOWING DISAPPROVAL.—
10 If the Secretary disapproves a submitted com-
11 pact or management plan, the Secretary shall
12 advise the management entities in writing of
13 the reasons therefor and shall make rec-
14 ommendations for revisions in the compact or
15 plan. The Secretary shall approve or disapprove
16 a proposed revision within 90 days after the
17 date it is submitted.

18 (3) APPROVING AMENDMENTS.—The Secretary
19 shall review substantial amendments to the manage-
20 ment plan for the Heritage Area. Funds appro-
21 priated pursuant to this Act may not be expended to
22 implement the changes until the Secretary approves
23 the amendments.

1 (4) PROMULGATING REGULATIONS.—The Sec-
2 retary shall promulgate such regulations as are nec-
3 essary to carry out the purposes of this Act.

4 (b) DUTIES OF FEDERAL ENTITIES.—Any Federal
5 entity conducting or supporting activities directly affecting
6 the Heritage Area, and any unit of government acting pur-
7 suant to a grant of Federal funds or a Federal permit
8 or agreement conducting or supporting such activities,
9 shall to the maximum extent practicable—

10 (1) consult with the Secretary and the manage-
11 ment entities with respect to such activities;

12 (2) cooperate with the Secretary and the man-
13 agement entities in carrying out their duties under
14 this Act and coordinate such activities with the car-
15 rying out of such duties; and

16 (3) conduct or support such activities in a man-
17 ner consistent with the management plan unless the
18 Federal entity, after consultation with the manage-
19 ment entities, determines there is no practicable al-
20 ternative.

21 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

22 (a) COMPACTS AND MANAGEMENT PLAN.—From the
23 amounts made available to carry out the National Historic
24 Preservation Act, there is authorized to be appropriated
25 to the Secretary, for grants for developing a compact

1 under section 5 and providing assistance for a manage-
2 ment plan under section 6, not more than \$300,000, to
3 remain available until expended, subject to the following
4 conditions:

5 (1) No grant for a compact or management
6 plan may exceed 75 percent of the grantee's cost for
7 such study, plan, or early action.

8 (2) The total amount of Federal funding for the
9 compact for the Heritage Area may not exceed
10 \$150,000.

11 (3) The total amount of Federal funding for a
12 management plan for the Heritage Area may not ex-
13 ceed \$150,000.

14 (b) MANAGEMENT ENTITY OPERATIONS.—From the
15 amounts made available to carry out the National Historic
16 Preservation Act, there is authorized to be appropriated
17 to the Secretary for the management entities, amounts as
18 follows:

19 (1) For the operating costs of each manage-
20 ment entity, pursuant to section 7, not more than
21 \$250,000 annually.

22 (2) For technical assistance pursuant to section
23 8, not more than \$50,000 annually.

1 The Federal contribution to the operations of the manage-
2 ment entities shall not exceed 50 percent of the annual
3 operating costs of the entities.

4 (c) IMPLEMENTATION.—From the amounts made
5 available to carry out the National Historic Preservation
6 Act, there is authorized to be appropriated to the Sec-
7 retary, for grants and the administration thereof for the
8 implementation of the management plans for the Heritage
9 Area pursuant to section 8, not more than \$10,000,000,
10 to remain available until expended, subject to the following
11 conditions:

12 (1) No grant for implementation may exceed 50
13 percent of the grantee's cost of implementation.

14 (2) Any payment made shall be subject to an
15 agreement that conversion, use, or disposal of the
16 project so assisted for purposes contrary to the pur-
17 poses of this Act, as determined by the Secretary,
18 shall result in a right of the United States of reim-
19 bursement of all funds made available to such
20 project or the proportion of the increased value of
21 the project attributable to such funds as determined
22 at the time of such conversion, use, or disposal,
23 whichever is greater.

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**BACKGROUND ON
H.R. 4720, HUDSON RIVER VALLEY
AMERICAN HERITAGE AREA**

The Hudson River Valley embraces natural, historic, cultural and recreational resources between Troy, New York and the border of New York City representing themes of settlement and migration, transportation, and commerce. The Hudson River Valley Greenway, created by the state of New York, creates a framework for voluntary regional cooperation in the 10 counties of New York's Hudson Valley, emphasizing both environmental protection and economic development. The State of New York has established a structure in which the communities in the Hudson River Valley may join together to preserve, conserve, and manage these resources, and to link them through trails. The national importance of the resources contained in the Valley, as well as the scope of the Greenway project indicate that federal participation in developing and preserving the resources could be appropriate.

H.R. 4720, introduced by Representative Hinchey on June 30, 1994, establishes the Hudson River Valley American Heritage Area in the State of New York. The bill describes the boundaries of the area, and designates the Hudson River Valley Greenway Communities Council and the Greenway Conservancy to manage the area. The legislation directs the development of a compact between the Secretary and the management entities and prescribes a subsequent management plan, as well as the respective duties of the management entities and the Secretary.

The bill prohibits the acquisition of property using federal funds, and authorizes up to \$300,000 in federal funding for developing the compact and management plan provided that federal funding may not exceed 75 percent of the costs of developing such documents. H.R. 4720 authorizes up to \$250,000 in federal funding for operations of the management entity, provided that the federal contribution does not exceed 50 percent of the annual operating costs, and authorizes up to \$10 million for implementation of the management plan, again provided that the federal contribution does not exceed 50 percent of the cost.

103D CONGRESS
1ST SESSION

H. R. 793

To provide for the preservation, restoration, and interpretation of the historical, cultural, and architectural values of the Town of Bramwell, West Virginia, for the educational and inspirational benefit of present and future generations.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 1993

Mr. RAHALL introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To provide for the preservation, restoration, and interpretation of the historical, cultural, and architectural values of the Town of Bramwell, West Virginia, for the educational and inspirational benefit of present and future generations.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Bramwell National
5 Historical Park Act of 1993".

6 **SEC. 2. FINDINGS AND PURPOSE.**

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

1 (1) The coal mining heritage of southern West
2 Virginia is of national historical and cultural signifi-
3 cance.

4 (2) The Town of Bramwell, West Virginia, pos-
5 sesses remarkable and outstanding historical, cul-
6 tural, and architectural values relating to the coal
7 mining heritage of southern West Virginia.

8 (3) It is in the national interest to preserve the
9 unique character of the Town of Bramwell, West
10 Virginia, and to enhance the historical, cultural, and
11 architectural values associated with its coal mining
12 heritage.

13 (b) PURPOSE.—The purpose of this Act is to provide
14 for the preservation, restoration, and interpretation of the
15 historical, cultural, and architectural values of the Town
16 of Bramwell, West Virginia, for the educational and inspi-
17 rational benefit of present and future generations.

18 **SEC. 3. ESTABLISHMENT.**

19 (a) IN GENERAL.—In order to preserve, restore, and
20 interpret the unique historical, cultural, and architectural
21 values of Bramwell, West Virginia, there is hereby estab-
22 lished the Bramwell National Historical Park (hereinafter
23 referred to as the "Park").

1 (b) **AREA INCLUDED.**—The Park shall consist of the
2 lands and interests in lands within the corporate boundary
3 of the Town of Bramwell.

4 **SEC. 4. ADMINISTRATION.**

5 (a) **IN GENERAL.**—The Secretary shall administer
6 the Park in accordance with this Act and with the provi-
7 sions of law generally applicable to units of the national
8 park system, including the Act entitled “An Act to estab-
9 lish a National Park Service, and for other purposes”, ap-
10 proved August 25, 1916 (39 Stat. 535; 16 U.S.C. 461-
11 467).

12 (b) **DONATIONS.**—Notwithstanding any other provi-
13 sion of law, the Secretary may accept and retain donations
14 of funds, property, or services from individuals, founda-
15 tions, corporations, or public entities for the purpose of
16 providing services and facilities which he deems consistent
17 with the purposes of the Act.

18 (c) **COOPERATIVE AGREEMENTS.**—In administering
19 the Park, the Secretary is authorized to enter into cooper-
20 ative agreements with the State of West Virginia, or any
21 political subdivision thereof, for carrying out the purposes
22 of this Act.

23 **SEC. 5. ACQUISITION OF LAND.**

24 (a) **GENERAL AUTHORITY.**—The Secretary may ac-
25 quire land or interests in land within the boundaries of

1 the Park only by donation, exchange, or purchase from
2 willing sellers with donated or appropriated funds.

3 (b) STATE LANDS.—Lands or interest in lands, with-
4 in the boundaries of the Park which are owned by the
5 State of West Virginia or any political subdivision thereof,
6 may be acquired only by donation.

7 **SEC. 6. COOPERATIVE AGREEMENTS.**

8 The Secretary is authorized to enter into cooperative
9 agreements with the owners of properties of historical or
10 cultural significance within the Park pursuant to which
11 the Secretary may mark, interpret, restore, and provide
12 technical assistance for the preservation and interpreta-
13 tion of such properties.

14 **SEC. 7. PROPERTY OWNER RIGHTS.**

15 Nothing in this Act may be construed as authorizing
16 the Secretary to have access to private residential property
17 within the Park for the purpose of conducting visitors
18 through such property, or for any other purpose, without
19 the advice and consent of the owner of such property.

20 **SEC. 8. MANAGEMENT PLAN.**

21 (a) IN GENERAL.—The Secretary, in consultation
22 with the committee referred to in section 9, shall prepare
23 a plan for the restoration, preservation, interpretation,
24 and development of the historical, cultural, and architec-
25 tural resources of the Park.

1 (b) RESTORATION MEASURES.—The plan referred to
2 in this section shall provide for such measures as may be
3 deemed appropriate for the restoration of public areas
4 within the Park, including but not limited to each of the
5 following:

6 (1) The restoration of a brick surface to such
7 segments of North River Street, Main Street, Rose
8 Street, South River Street, and Bloch Street as
9 deemed necessary to restore the historical and archi-
10 tectural character of the Park.

11 (2) Measures to mitigate the visual impact of
12 public utility facilities such as phone and electrical
13 lines on the historical and architectural character of
14 the Park.

15 (c) DEVELOPMENT MEASURES.—The plan referred
16 to in this section shall provide for such measures as may
17 be deemed appropriate for the development of public areas
18 within the Park, including but not limited to each of the
19 following:

20 (1) The reconstruction of the Bramwell Rail-
21 road Depot.

22 (2) The restoration of an edifice or edifices
23 suitable to provide for the interpretation and visitor
24 appreciation of the historical, cultural, and architec-
25 tural features of the Park.

1 **SEC. 9. ADVISORY COMMITTEE.**

2 (a) **ESTABLISHMENT.**—There is hereby established
3 the Bramwell National Historical Park Advisory Commit-
4 tee (hereinafter in this Act referred to as “Advisory Com-
5 mittee”). The Advisory Committee shall be composed of
6 thirteen members appointed by the Secretary to serve for
7 terms of two years, except for the Governor of the State
8 of West Virginia and the Mayor of the Town of Bramwell
9 who shall serve without limitation of terms. Any member
10 of the Advisory Committee may serve after the expiration
11 of his term until a successor is appointed. Any member
12 of the Advisory Committee may be appointed to serve
13 more than one term. The Secretary or his designee shall
14 serve as Chairman.

15 (b) **MANAGEMENT AND DEVELOPMENT ISSUES.**—
16 The Secretary, or his designees, shall meet on a regular
17 basis and consult with the Advisory Committee on matters
18 relating to the development of a management plan for the
19 Park and on the implementation of such plan.

20 (c) **EXPENSES.**—Members of the Advisory Committee
21 shall serve without compensation as such, but the Sec-
22 retary may pay expenses reasonably incurred in carrying
23 out their responsibilities under this Act on vouchers signed
24 by the Chairman.

25 (d) **MEMBERSHIP.**—The Secretary shall appoint
26 members to the Advisory Committee as follows:

- 1 (1) the Governor of the State of West Virginia
- 2 or his delegate;
- 3 (2) one member to represent the West Virginia
- 4 Division of Culture and History to be appointed
- 5 from among persons nominated by the Governor of
- 6 the State of West Virginia;
- 7 (3) the Mayor of the Town of Bramwell;
- 8 (4) one member to represent the Mercer County
- 9 Commission;
- 10 (5) one member to represent the Mercer County
- 11 Historical Society;
- 12 (6) two members to represent the Bramwell
- 13 Historic Landmark Commission;
- 14 (7) two members to represent the Bramwell
- 15 Millionaire Garden Club;
- 16 (8) one member to represent the West Virginia
- 17 Preservation Alliance, Inc.;
- 18 (9) one member to represent Coalways, Inc.;
- 19 (10) one member to represent the West Virginia
- 20 Association of Museums; and
- 21 (11) one member to represent the Pinnacle
- 22 Rock State Park Foundation, Inc.
- 23 (e) TERMINATION; CHARTER.—The Advisory Com-
- 24 mittee shall terminate on the date ten years after the en-
- 25 actment of this Act notwithstanding the Federal Advisory

1 Committee Act (Act of October 6, 1972; 86 Stat. 776).
2 The provisions of section 14(b) of such Act (relating to
3 the charter of the Committee) are hereby waived with re-
4 spect to this Advisory Committee.

5 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

6 There is hereby authorized to be appropriated such
7 sums as may be necessary to carry out the purpose of this
8 Act.

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**BACKGROUND ON
H.R. 793, BRAMWELL NATIONAL HISTORICAL PARK**

Bramwell, in Mercer County, West Virginia, was founded in 1884 and incorporated in 1888. Located in southernmost West Virginia, Bramwell prospered as a town built on the coal mines, specifically the Pocahontas Coal Field. Bramwell became a business center for the coal fields. Mine owners built elegant homes, such as Edward Cooper, owner of the Mill Creek mine and The Goodwill house, built in 1885 by Philip Goodwill, general manager of the Goodwill Coal and Coke Company. In 1910, fire destroyed much of the business section, with only the Bluestone Inn and one residence surviving. Afterwards, that part of the town was rebuilt in brick. The town's prosperity ended abruptly with the Great Depression. Today, various buildings remain from its "golden age", including its town hall, Bank of Bramwell, Masonic Temple, Presbyterian church, and various private residences.

H.R. 793, the Bramwell National Historical Park Act of 1993, provides for the preservation, restoration and interpretation of the historical, cultural and architectural values of the Town of Bramwell, West Virginia. It establishes the area within the town's corporate boundaries as Bramwell National Historical Park and directs the National Park Service to administer the park. It authorizes donations of funds, property or services and authorizes the Secretary of the Interior to enter into cooperative agreements with the State of West Virginia, its political subdivisions and owners of properties of historical or cultural significance within the park. H.R. 793 authorizes the acquisition of land, and directs that the Secretary shall only have access to private residential property with the consent of the property owner.

The Secretary is directed to prepare a management plan including restoration of a brick surface to several streets and take measures to mitigate the visual impact of utility lines, the reconstruction of the Bramwell Railroad Depot and the restoration of buildings for the park's interpretation. The bill establishes an Advisory Committee to consult on the development and implementation of the management plan and specifies its membership and terms.

103D CONGRESS
2D SESSION

H. R. 4692

To establish the Appalachian Coal Heritage Area.

IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 1994

Mr. BOUCHER introduced the following bill; which was referred to the
Committee on Natural Resources

A BILL

To establish the Appalachian Coal Heritage Area.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Appalachian Coal
5 Heritage Area Act of 1994".

6 **SEC. 2. CONGRESSIONAL FINDINGS.**

7 The Congress finds that—

8 (1) the rise of American industry in the late
9 19th and early 20th century led to tremendous
10 growth in the Appalachian coal fields, creating an
11 area of national historic significance in terms of its

1 contributions to American industry, architecture,
2 culture, and diversity;

3 (2) within the Appalachian coal belt, the area
4 surrounding and including Pocahontas, Virginia, has
5 a particularly rich history because the Pocahontas
6 mine produced some of the Nation's purest and most
7 sought-after coal and now serves as an invaluable
8 historical and educational resource;

9 (3) to accommodate the growing population in
10 the area, the coal mining companies built the town
11 of Pocahontas, one of the oldest and most important
12 company towns in America's coal region;

13 (4) the town of Pocahontas is blessed with a
14 rich architectural heritage that testifies to American
15 cultural ability;

16 (5) this heritage is unique and must be pre-
17 served;

18 (6) the influx of labor needed to support the
19 Pocahontas mine created a unique cultural conver-
20 gence, bringing together Americans from northern
21 mining areas, African-Americans from the South, re-
22 cent immigrants from Southern and Southeastern
23 Europe, and native Appalachians into a diverse yet
24 integrated community that represents the distinctive
25 American heritage;

1 (7) it is in the national interest to preserve and
2 protect physical remnants of the late 19th and early
3 20th century rise of American industry for the edu-
4 cation and benefit of present and future generations;
5 and

6 (8) there is a need to provide assistance for the
7 preservation and promotion of the vestiges of the
8 coal heritage of Appalachia that have outstanding
9 cultural, historic, and architectural value.

10 **SEC. 3. STATEMENT OF PURPOSE.**

11 It is the purpose of this Act to provide a management
12 framework to assist the Commonwealth of Virginia, its
13 units of local and regional government, and its citizens
14 in the development and implementation of integrated cul-
15 tural, historical, and recreational land resource manage-
16 ment programs in order to retain, enhance, and interpret
17 the significant features of the lands, water, and structures
18 of the Appalachian Coal Heritage Area in the Common-
19 wealth of Virginia.

20 **SEC. 4. ESTABLISHMENT OF APPALACHIAN COAL HERIT-**
21 **AGE AREA.**

22 There is hereby established in the Commonwealth of
23 Virginia the Appalachian Coal Heritage Area (hereinafter
24 in this Act referred to as the "Area"). The Area shall con-
25 sist of the area generally depicted on the map entitled

1 "Appalachian Coal Heritage Area Master Plan", num-
2 bered _____, and dated _____, which
3 shall be on file and available for public inspection in the
4 Office of the Director of the National Park Service.

5 **SEC. 5. MANAGEMENT PLAN.**

6 (a) **PREPARATION OF PLAN.**—The town of Poca-
7 hontas may submit a management plan (hereinafter in
8 this Act referred to as the "Plan") for the Area to the
9 Secretary of the Interior (hereinafter in this Act referred
10 to as the "Secretary") for the review and concurrence of
11 the Secretary. The Plan shall be based on existing Fed-
12 eral, State, and local plans, and shall coordinate such
13 plans and present an integrated plan for the protection,
14 enhancement, and interpretation of the cultural, natural,
15 scenic, and recreational resources of the Area. The Plan
16 shall specify a management entity with respect to the Ap-
17 palachian Coal Heritage Area. The Secretary is authorized
18 to provide technical assistance in the preparation of the
19 Plan.

20 (b) **IMPLEMENTATION.**—If a Plan referred to in sub-
21 section (a) is submitted to the Secretary within 1 year
22 after the date of the enactment of this Act, and the Sec-
23 retary concurs with the Plan, the Secretary is authorized
24 to enter into a cooperative agreement with the manage-
25 ment entity specified in the Plan to provide technical as-

1 sistance for the protection, enhancement, and interpreta-
2 tion of the resources identified in the Plan.

3 **SEC. 6. CONTINGENCY IF HERITAGE COMPACT NOT SUB-**
4 **MITTED.**

5 (a) **IN GENERAL.**—The establishment of the Area
6 under section 4 and the authorization of the Secretary
7 under section 5(b) shall cease to be effective if, within 180
8 days after the date of the enactment of this Act, a Herit-
9 age Compact for the Area is not—

10 (1) submitted to the Secretary;

11 (2) approved by the Secretary, after consulta-
12 tion with the Advisory Council on Historic Preserva-
13 tion in accordance with section 106 of the National
14 Historic Preservation Act; and

15 (3) submitted to the Congress, together with
16 any comments that the Secretary deems appropriate.

17 (b) **TECHNICAL ASSISTANCE.**—The Secretary may
18 provide technical assistance to a unit of government or pri-
19 vate nonprofit organization in the preparation of a Herit-
20 age Compact.

21 (c) **DEFINITION OF HERITAGE COMPACT.**—For pur-
22 poses of this section, the term “Heritage Compact” means
23 a compact that—

24 (1) is prepared with public participation;

1 (2) contains information relating to the objec-
2 tives and management of the Area, including—

3 (A) a delineation of the boundaries of the
4 Area;

5 (B) a discussion of the goals and objectives
6 of the Area, including an explanation of the
7 proposed approach to conservation and inter-
8 pretation and a general outline of the protection
9 measures committed to by the partners;

10 (C) an identification and description of the
11 management entity that will administer the
12 Area;

13 (D) a list of the initial partners to be in-
14 volved in developing and implementing the man-
15 agement plan for the Area, as well as a state-
16 ment of the financial commitment of such part-
17 ners; and

18 (E) a description of the role of the Com-
19 monwealth of Virginia regarding the Area;

20 (3) outlines an implementation program that is
21 likely to be initiated within a reasonable time after
22 the date of the enactment of this Act and that en-
23 sures effective implementation of the State and local
24 aspects of the Plan; and

1 (4) is accompanied by the comments of the
2 Governor of the Commonwealth of Virginia.

3 **SEC. 7. DUTIES OF FEDERAL ENTITIES.**

4 Any Federal entity conducting or supporting activi-
5 ties directly affecting the Area shall—

6 (1) consult with the Secretary and the town of
7 Pocahontas with respect to the activities;

8 (2) cooperate with the Secretary and the town
9 of Pocahontas with respect to the activities and, to
10 the maximum extent practicable, coordinate the ac-
11 tivities with the Secretary and the town of Poca-
12 hontas; and

13 (3) to the maximum extent practicable, conduct
14 or support the activities in a manner that will not
15 have an adverse effect on the Area, as determined
16 by the Secretary and the town of Pocahontas.

○

**BACKGROUND ON
H.R. 4692, APPALACHIAN COAL HERITAGE ACT OF 1994**

The Pocahontas, Virginia coal mine, opened in 1882, changing forever that corner of Appalachia at the Virginia/West Virginia state line. The Southwest Virginia Improvement Company built the town of Pocahontas, the first company town in the southern Appalachian coalfields, and brought industry and social changes to the area. Local architecture reflects the migration to this area of Hungarian, German and Welsh workers, along with others, near the turn of the century.

The opening of the Pocahontas mine and the tapping of the Pocahontas coalfield, which some believe contains the world's finest industrial coal, marked the shift from a wood-fueled to a coal-fueled United States. This shift came about a hundred years later than it had in Europe, where availability of wood was more limited and transportation challenges were not as great. The discovery of the high quality bituminous coal in the southern West Virginia and southwestern Virginia "Smokeless Coal Fields," the largest of which is Pocahontas, was the turning point away from widespread use of wood for fuel. The coal was located close to the surface and was cheap to mine, close to major rail lines, highly efficient, clean-burning and, as the name of the coalfields implies, relatively smoke-free.

H.R. 4692 establishes the Appalachian Coal Heritage Area including the towns of Pocahontas, Virginia and Bramwell, West Virginia. It calls for the town of Pocahontas to submit a management plan to the Secretary of Interior that coordinates with other units of government and gives an integrated plan for protection, enhancement and interpretation of cultural, natural, scenic and recreational resources of the area. Following approval of such a plan, the Secretary would be authorized to enter into a cooperative agreement with the management entity specified in the plan to provide technical assistance for protection, enhancement and interpretation. The bill would revoke the heritage area designation if an acceptable Heritage Compact is not submitted to the Secretary and to Congress within 180 days of enactment. The Secretary would be authorized to provide assistance in the preparation of the compact. The bill also provides for consultations and cooperation when the actions of any federal entity would affect the heritage area.

Statement Submitted by
 Senator J. Bennett Johnston
 on S. 1980, a bill to establish
 the Cane River Creole National Historical Park
 and the Cane River National Heritage Area

Subcommittee on Public Lands, National Forests
 and National Parks

July 28, 1994

Senate bill 1980 is based on recommendations made to the Congress by the National Park Service as a result of a Special Resource Study of the Cane River area undertaken at the direction of Congress in 1990. This study involved many hours of research and on-site visits over a three year period, and was completed in June 1993. It was formally transmitted to the Congress on January 12, 1994.

Using the requirements set forth in the National Park Service publication, Criteria for Parklands, including criteria for national significance, suitability and feasibility, the National Park Service study team concluded that Oakland Plantation and associated buildings as well as certain outbuildings and dependencies of Magnolia Plantation, which are owned by a 501(c)(3) nonprofit organization, Museum Contents, Inc., meet the requirements for establishment as units of the national park system. The inclusion of these two areas in the national park system was endorsed by the National Park System Advisory Board on August 11, 1993 and by the Department of the Interior in the January 12, 1994 transmittal letter.

The study also found that there are a number of other important historical resources in the Cane River area. These resources are currently managed by a variety of state, local, nonprofit and private entities. As the study team pointed out, "Since these entities operate independently of each other, there is no coordinated effort to provide interpretation in the area." Moreover, while some of the resources in the study area fully met the criteria of national significance and suitability, because the current owners are affording protection to the resource and furthering community support for such protection, some valuable resources did not meet feasibility criteria for federal acquisition and management.

The team also noted that in several instances a number of problems posing threats to important structures exist which are beyond the capacity of the current owners to correct. Two examples cited are Melrose Plantation which is a national historic landmark and the Badin Roque House which is listed on the National Register for national significance. Both of these

nationally significant structures are owned, operated and maintained by private, not for profit foundations. The team concluded that technical and incremental financial assistance from the National Park Service is warranted and needed to give full protection to these valuable resources. This position was also endorsed by the National Park System Advisory Board in August 1993.

Mr. Chairman, after extensive public consultations held informally over a number of months in the Natchitoches area, I am pleased to report that S. 1980 enjoys widespread support throughout the community. As evidence of this support, I am submitting to you a resolution endorsing the park and the heritage area which was passed unanimously on May 9, 1994 by the Natchitoches City Council. Local support and involvement will be critical in developing and implementing a plan to provide protection to resources within the heritage area proposed by Title II of the bill. None of the resources in this area are contemplated for future Federal ownership; indeed the study team found that existing ownership patterns for these properties are the most cost-effective means of assuring their future protection, and therefore concluded that Federal ownership was neither feasible nor warranted.

Local groups in the Natchitoches area have long recognized the importance of their resources and have devoted many hours to developing sensitive and appropriate protective mechanisms. For example, a substantial part of the City of Natchitoches is a national historic landmark district and the City has its own exemplary zoning code in place to protect the more than 300 historic structures located within the historic district.

Local resources, however, have been stretched to their limit and there is a need for a limited Federal partnership role - primarily technical and incremental financial assistance - to protect these resources as tourism pressures grow in the area. As the Special Resource Study found, "Noteworthy efforts have been made to identify, evaluate, and nominate cultural resources to the National Register of Historic Places. However, the shortage of funds and sufficient levels of continued technical assistance, and the necessity for operation and maintenance for existing historic sites/attractions have either caused projects to languish or not be undertaken."

Title I

Title I of S. 1980 authorizes the National Park Service to acquire the two properties identified in the Special Resource Study as meeting the criteria of national significance, suitability and feasibility. These properties are Oakland Plantation and its associated buildings which can be acquired by donation, exchange or purchase with donated or appropriated funds and that part of Magnolia Plantation known as the "Magnolia Complex" which is owned by Museum Contents, Inc., a not for

profit foundation. This Complex can only be acquired from Museum Contents by donation.

Title I also authorizes the Secretary to acquire up to 10 acres of land for an interpretive visitor center, which the Secretary is authorized to construct, operate and maintain. The Secretary must consult with the State of Louisiana, the City of Natchitoches, the Association for the Preservation of Historic Natchitoches and the Cane River National Heritage Commission in the planning and development of this center. The Secretary may enter into cooperative agreements with the City, the State and other public or private organizations for the development of the center, educational programs and other materials to facilitate public use and enjoyment of the historical park and the heritage area.

In addition, Title I authorizes the Secretary to enter into cooperative agreements with owners of other properties within the historical park to help preserve such properties which are found to be of national significance and which offer important educational and interpretive opportunities relating to the heritage of the Cane River region. Among those properties which could become the subject of such cooperative agreements are two national historic landmarks, Melrose Plantation and the Kate Chopin house locally known as Bayou Folk which are both currently owned by the Association for the Preservation of Historic Natchitoches (a not for profit organization) as well as the Badin Roque house, a rare example of poteaux en terre architecture which is currently owned by the St. Augustine's Historical Society, also a local nonprofit organization.

Title II

Title II of the bill establishes the Cane River National Heritage Area to complement the park established in Title I, to assist in the preservation of the cultural landscape and traditions of the Cane River area, to assure that a culturally sensitive approach to interpreting the Cane River area is adopted and to assist in the preservation of the unique and interesting heritage of the area.

Title II also proposes that a commission be established to provide a framework for involving local, active and broad participation in the development of a plan or plans for accomplishing the objectives of this Title. I am aware that the Administration does not support the establishment of the Cane River Heritage Commission, but I believe this Commission is essential to the concept of limited Federal involvement in the area. Any plan developed for protecting the many sites and resources of the proposed Cane River Heritage Area will necessarily be implemented by non-Federal entities. Therefore, it is critical that these entities be involved formally and in every detail from the beginning in any proposed plans for the heritage area. Similarly because plans for the heritage area

will inevitably be impacted by the General Management Plan for the Cane River Creole Park - for example, the location of the proposed visitor center and interpretive programs - it is essential to the ultimate success of the partnership approach that local groups and concerns be taken into account during the development of the General Management Plan. Providing a formal framework, including a mandate to hold public hearings, for inclusion of those who live in the community to assist in preservation and educational activities will ultimately lessen the need for Federal management or land acquisition in the heritage area.

Would a plan for the heritage area be developed that would have the support of many in the community without a formal commission? Probably.

Would those involved with developing the plan be sensitive to the need for public involvement and active participation? Without a doubt.

But because such a plan would be developed by "managers" likely to come from outside the community, it is likely that the plan developed will take a minimalist approach. Rather than seeking to address difficult issues and develop a consensus to solve them, the incentive will be to avoid conflict and controversy, and to avoid hard decisions.

More important, by placing responsibility for developing such a plan in a "manager's" hands, by placing responsibility for developing support for a consensus plan in a "manager's" hands, those in the community who might otherwise have some "ownership" of the plan may well not feel any responsibility for implementing it. Section 204(c) clearly contemplates that some organization or entity other than the Commission and other than the Federal government will implement the plan developed. A key mandate of the Commission is to recommend what or who that entity or entities will be. For a viable alternative to emerge, local groups, citizens and units of government must be actively engaged, which is unlikely to occur absent some sense of "ownership" of the concept.

Let me also point out that the legislation specifically provides for the expiration of the Commission after ten years, although the Commission may petition for a one-time five year extension.

History of the Area

The area of Louisiana that would be protected through this legislation has a fascinating history. Established in 1714 by Louis Juchereau de St. Denis, Natchitoches is the oldest permanent non-native settlement in the Louisiana Purchase Territory. Located in Natchitoches was the western-most fort of

the French Empire, Fort St. Jean Baptiste, which served for many years as a strategic outpost and center for trade on the Red River. In 1717, the Spanish authorities in Texas responded to French expansion by establishing a mission post and later presidio at Los Adaes, 14 miles southwest of Natchitoches. Los Adaes later became the capital of Texas.

Until the end of the Seven Years or French and Indian War in 1763, this frontier area was the site of considerable contraband trade between the French and Spanish and with the local Caddo Indians. With the Treaties of Fontainebleau and Paris, signed in 1762 and 1763 respectively, the Seven Years War came to an end, and the French were expelled from North America. In 1767, this part of the French Empire was ceded to Spain.

Unlike French settlers in Canada, many of whom eventually resettled in south Louisiana during the Acadian diaspora, little impact was felt in the daily lives of French settlers in Northwest Louisiana by virtue of change in European rule. In fact, the Spanish authorities retained the services of the local French Commandant, Anthanase De Mezieres. The conversion of the frontier trapping and hunting economy to an agricultural economy (first tobacco and indigo and after 1810, cotton), had a more profound impact, for with this change came the introduction of a plantation economy based on slave labor.

In 1803, this area was formally transferred to France by Spain, and shortly thereafter the American Ambassador to France, Robert Livingston, negotiated the Louisiana Purchase, which gave jurisdiction of the area and the entire Mississippi valley to the United States. Later this area was the site of several major Civil War battles during the Red River campaign in the spring of 1864.

The early years of French and Spanish domination, and the relative isolation of the area, left a lasting legacy in the Natchitoches Parish area. In part, this legacy resulted in the development, survival and nurturing of a unique culture on Isle Brevelle, the Cane River Creoles of color, an exceptional community which still exists today. Cloutierville retains its French village flavor; French continued to spoken there until after World War I. Life and the folkways of Cloutierville were also the basis for many of the fictional writings of Kate Chopin, who lived in Cloutierville between 1879 and 1884 and whose works are now receiving renewed interest. Melrose Plantation has a similarly interesting history, from its legendary roots with Marie Therese Coin Coin and the Metoyer family through the early twentieth century writers projects sponsored by Miss Cammie Henry.

Need for Federal Involvement

With this rich historical background, the Cane River region offers an exceptional opportunity to interpret the whole of

Creole culture for within this relatively small area still exist hundreds of resources representative of urban life, rural life and cultural landscapes which retain their integrity. As the Special Resource Study points out, the only national historic landmark outside the State of Louisiana which is comparable to the Cane River area is the Sainte Genevieve Historic District in Missouri, but as unique as that area is and as extensive as the resources are, they lack the variety of structures and in tact setting of the Cane River which in addition to townhouses contains extensive plantations, outbuildings and field systems. The sheer number of resources in the Cane River region, as the Park Service study puts it, "help provide a context that is lacking in other areas."

When the Red River changed its course during the first half of the 1800s, bypassing the town of Natchitoches, economic decline set in. Now, with an Interstate linking Shreveport to Lafayette, and with the revival of navigation along the Red River, Natchitoches is once again becoming more accessible. This is a blessing for the economy, but better access will also result in more pressures on the fragile resources of the area which have survived so long. If we are to protect these resources and preserve the unique culture and heritage of this area, it is absolutely critical that local planners and citizens be given the technical and modest incremental financial resources which are necessary to help them avoid the mistakes of the past which have destroyed or denigrated so much of our nation's heritage. This bill will enable such assistance to become available. For a very modest Federal investment, future generations will be able to enjoy the diversity of this area and the contributions the Creole culture has made to our nation.



CITY OF BEACON NEW YORK

MAYOR
Clara Lou Gould

July 26, 1994

U.S. House of Representatives
Committee on Natural Resources
Congressman Bruce F. Vento, Chairman
Washington, D.C. 20515-6201

Dear Congressman Bruce F. Vento, Chairman, and Members,
Subcommittee on National Parks, Forests, and Public Lands,

I'm delighted to have an opportunity to support H.R. 4720, a bill to establish the Hudson River Valley American Heritage Area.

In my totally biased opinion, the Hudson River Valley deserves that designation for many reasons, most notably the beauty of its scenery, much of it still unspoiled, the many historic sites ranging in time just in our Mid-Valley area from Beacon's 1709 Madam Brett Homestead, the Huguenot stone houses in Hurley, General Washington's Headquarters and Mt. Gulian where the first Veteran's Organization was begun after the Revolutionary War, 19th century estates and factories, West Point, the Franklin Roosevelt Home and Library and Eleanor Roosevelt's Val Kill. South of us and North of us is an equally impressive list. My comments refer to Beacon and its fairly immediate surroundings since that's the area I'm most familiar with. However, I'm quite sure that the situations I refer to are replicated throughout the Valley.

City of Beacon Mayor's Office, 427 Main Street, Beacon, New York 12508 (914) 831-8770

ENCLOSURE FOR MAYOR'S OFFICE

Many buildings are on the National Register, and in addition to buildings, that designation has been given to Tioronda Bridge in Beacon, one of only two bow-truss construction bridges remaining in the country, (hopefully about to be restored) and a tour boat operating out of Haverstraw, the Commander.

We are happy to welcome visitors to the Hudson River Valley so they can share in enjoyment of its beauty and history, and avail themselves of the many recreational opportunities. We know American Heritage designation would attract more visitors. Added to our pleasure in sharing is the very important favorable financial impact such a designation would have, in an area devastated within the last year by IBM down-sizing. We are working to create more visitor amenities, and to restore and enhance what we have, but as you can imagine, financing is a major challenge. Some benefits that I would see to our communities by this designation:

1. Since we are Mid-Hudson Valley, situated ideally to receive visitors from all directions, I would think the I-84 corridor would be a perfect location for the Hudson River Valley American Heritage Area Visitors' Center. I can even suggest a precise location, the property on I-84 near the Newburgh-Beacon Bridge already targeted for a Dutchess County Intermodal facility and visitors' center. It would make perfect sense to incorporate the Heritage Area center. It is about 10 to 15 minutes from Stewart Airport, the New York State Thruway, MetroNorth Train Center and the Taconic Parkway. The County Executive's office agrees enthusiastically that this would be an ideal site, and while it is in City of Beacon School District, it is actually in the Town of Fishkill, which would be very happy to welcome the center.

2. Historic sites are always in need of restoration work and we are always seeking new funding sources. There are also sites on which work has yet to begin, which would add to their historic value and preserve them for the future. Old cities and villages have needs different from towns; towns need new infrastructure while cities and villages need to rebuild and restore what they have. We also need help with environmental clean-ups and upgrading. Standards have changed since our historic buildings were constructed.

3. Our proposed Greenway Trails include areas for recreation, for both visitors and residents, and if there were funds available to help with boat launches, reconstruction of our old Beacon-Newburgh ferry dock which would also be used for tour boats, and an access road and restored bridge to the State Dennings Point park which we hope will be opened later this year, it would benefit many people. We also hope to create a Greenway Trail from Dennings Point up Fishkill Creek to our Main Street trail. This is a very beautiful area, including 3 waterfalls. Our plan would hope to convert a junkyard to a park, include the City highway yards currently sited on the creek, and adaptive reuse of an old factory building. Another old industrial site has owners eager to work with the City in restoring and developing their historic property appropriately.

4. Another private property on the riverfront is also owned by people interested in quality development, environmentally appropriate and accessible to the public. Among their proposed uses are a sailing school, a steam railroad station (the spur line travels via Dennings Point), an aquarium, a marina with facilities for visiting boats, a small motel or inn, and some residences. All of the educational attractions have excellent ideas but are in need of funding. An American Heritage area designation would be a great help.

5. Another major attraction in our area is Mount Beacon, where Revolutionary War signal fires were ready to be lit should British ships be spotted coming up the river. General Washington would see the fires from his headquarters across the river in Newburgh and could take appropriate action. Areas of the mountain are part of Hudson Highlands State Park, and New York - New Jersey Trail Association has numerous trails available to hikers. From the beginning of this century until the mid-1980's the mountain top was accessible to non-hikers as well, on the incline railway built by Otis Elevator Company. There is strong interest in restoring the railway, or building a similar access to the mountain, with perhaps a restaurant at the top as a destination. In former years there was first a hotel which drew many visitors from New York City as well as locally, then a second hotel and later a dance casino, all of which burned, as did some of the railroad. Now the mountain is accessible only to hikers, ATV's and mountain bikes, and the vehicles which service the antennas. Funds to restore access to others would have a favorable impact.

I've frequently said I would find it very difficult to decide where you get a more beautiful view, out on the river looking up at the mountains or up on the mountains looking down at the river and the valley. Trying to make the decision might be also a challenge for visitors. It would require a lot of research on their parts, and a lot of visits to what we hope will be part of the Hudson River Valley American Heritage Area.

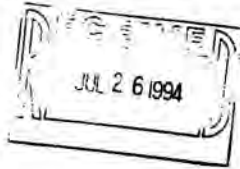
BEACON HISTORICAL SOCIETY

P.O. BOX 89

BEACON, NEW YORK 12508

July 25, 1994

Hon. Clara Lou Gould
Mayor
City of Beacon
477 Main Street
Beacon, NY 12508



Dear Mayor Gould:

Thank you for the opportunity to express, on behalf of our organization, my support for the declaration of the Hudson River Valley as an American Heritage corridor. Rich in scenic beauty and historical significance, no region lends itself more aptly to such a designation.

It, is in some respects, a microcosm of the American experience. From its earliest days as the lands of the Lenape and Wappinger Indians, through its past as New Netherlands, its role in the American Revolution and era of great Hudson River estates, to its evolving chapter as an industrial hub turned computer mecca, the valley is a fascinating lesson in some of our nation's most significant history.

Beacon has many chapters to share in that history: the courageous story of our first settler, our renown as the hat-making capitol of New York State, our claim to one of the nation's longest running ferries, and the "Eighth Wonder of the World--The Mount Beacon Incline Railway" are all important parts of the valley's story. We look forward to the opportunity to share those chapters.

What's more, we have witnessed an amazing awakening in the history of our valley. More and more people are discovering the importance of our nation's past and want to know what role the Hudson River Valley played in it. This type of designation would surely allow groups such as ours to reach out with our message that local history is a vibrant, vital subject that's meant to be shared.

Sincerely,

A handwritten signature in cursive script that reads "Denise Doring VanBuren". The signature is fluid and written in dark ink.

Denise Doring VanBuren
President

THE PROPERTY RIGHTS FOUNDATION OF AMERICA

P.O. Box 75, Stony Creek, New York 12878 - 518/696-5748

*The right to own private property is a fundamental American freedom that
guarantees personal liberty and promotes economic prosperity.*

Testimony to
Subcommittee on National Parks, Forests and Public Lands
of the House Natural Resources Committee

In Opposition to the
Hudson River Valley American Heritage Area (HR-4720)

Presented by
Carol W. LaGrasse, President
The Property Rights Foundation of America, Inc.
July 29, 1994

To look at the Hudson River Valley American Heritage Area in isolation is to entirely miss the nature of the proposal. It is one of a vast array of National Heritage Corridors in various stages, that individually and as a totality are potentially devastating to private property and which are complementary to an array of federal environmental controls on land such as wetlands and endangered species rules, as well as agencies and policies such as the U. N. Biosphere Reserves and watersheds and coastal commissions, that have barely begun to demonstrate their own powers to mutilate private property rights.

The American Heritage Areas, which I shall refer to more appropriately as "National Heritage Corridors," have been conceived without local participation, by secret communication among elites. The Hudson Valley corridor includes part of Congressman Jerry Solomon's district in Saratoga, Columbia, Greene, Rensselaer and Dutchess Counties. It is my understanding that Congressman Solomon opposes the corridor district unless the communities

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request designation. Four county farm bureaus, Albany County -- whose president attends every Greenway Council meeting--, Columbia County, Greene County, and Ulster County, are forwarding resolutions in opposition to the national designation.

In New York State, the Hudson Valley National Heritage Corridor is part of a vast system of land regimentation and acquisition. From the 6-million-acre so-called Adirondack Park occupying a full one-fifth of the area of the state, the controls are expanding to the United Nations Adirondack-Champlain Biosphere Reserve, to the federally designated Northern Forest Lands, to the interstate Great Lakes Commission, and so on to the Champlain-Hudson Heritage Corridor proposed by Senator Jeffords of Vermont.

Congressman Hinchey was the prime mover in the State Legislature in the failed effort to increase state regulation of private land in the Adirondack Park in line with the recommendations of the elite 1990 Governor Cuomo commission which Audubon's president Berle headed. The centerfold of the Positions on Property gives a picture of the magnitude of the environmental zones and land acquisition programs already accomplished and being set down in the state. Over 60 percent of the land is under the gun. The pie chart on page 5 shows the cumulative effect, considering the other corridors, coastal areas, other environmental zones such as the million acres in the Catskill Mountain preserve and watershed, and wetlands.

The Champlain-Hudson Corridor would start at the Canadian border and extend to the Saratoga Battlefield National Park, which is presently being expanded under threat of eminent domain. From

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the National Park, the Hudson River Greenway established by the State Legislature continues southward. The mandatory zoning powers sought by Mr. Hinchey for the Greenway agency were eliminated because of local opposition. The Hinchey Hudson River Heritage Corridor bill would convert the State Greenway to a joint National Park Service/State program, and with the Jeffords' Champlain-Hudson Heritage Corridor proposal would establish federal zoning jurisdiction over fully every county from the Canadian border to the city of New York, down the historic spine of New York State.

Nationally, the Heritage Corridor system is, similarly, only a part of a juggernaut of federal controls on land use and land acquisition, which can barely be alluded to during this testimony. The Hudson Valley proposal is part of a generic system containing so far 100-odd regional corridors in various stages of legislation.

Other federal preservation programs have taken ten to twenty years to confront property owners in all their brute potential. Who would have thought that the 1973 Endangered Species Act to protect creatures from "harm" would be interpreted to preserving hundreds or thousands of acres per owl of "habitat" untouched on private land or that people would lose their homes in California to protect rats? Who would have speculated that a law against dumping fill in navigable waters would evolve to the point that good citizens are imprisoned or lose their life savings for filling apparently dry so-called "wetlands"?

The Heritage Corridor system in its initial stages is far more ambitious than the wetlands or the endangered species legislation. First, the vastness of the program, as mapped by Congressman Young's staff from the command list quietly kept by the National Trust

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for Historic Preservation, is unmistakable. It is growing to be a virtual takeover of the eastern half of the U. S. by the National Park Service. The 11 most westerly states are already nearly half federal land. The generic bill calls for National Park Service "regulatory assistance." The Hudson Valley bill, like the generic bill, calls for a contractual relationship between the National Park Service and the state entity, in this case the Greenway Council. (The head of this state agency is paid by the remarkable arrangement that his salary comes by check from the private interests that spawned the corridor, rather than from the state comptroller.)

To get an idea of how the federal control of zoning comes in, take a look at the Canal Corridor in Augusta, Georgia. The National Park Service said on June 28 that it cannot accept the plan for that corridor unless zoning was made stricter.

The Mississippi River Corridor calls for an all-powerful consortium of the National Park Service, U. S. Army Corps of Engineers, U. S. Coast Guard, and U. S. Fish and Wildlife Service to plan for protection of every resource in the 2,500-mile Mississippi River Valley from cultural and historical to biological and water resources.

A couple of corridors that seem to have settled in peacefully enough as voluntary setups are cited as examples for the Hudson Valley corridor. But the plan for the most-cited one, the Blackstone River corridor in Massachusetts and Rhode Island, calls for ultimately scrapping the voluntary arrangement and imposing mandatory zoning controls.

Another arrangement cited as a model for the corridors is

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the federally created interstate Columbia River Gorge Commission, where small property owners are finding their lifetime investment subject to inverse condemnation--their land reduced in value and up for sale to the U. S. Forest Service.

In the Hudson Valley, there is State and not-profit land land trust pressure to acquire land for "public use," Scenic Hudson being the major acquisition agency. The State's Open Space Conservation Plan calls for acquiring 60-odd strips of land in the corridor in the central Hudson Valley alone. This State acquisition list was made without the knowledge of the landowners whose properties comprise the land areas.

The National Park Service, which would be the managing arm for the Heritage Corridors, has a far worse record than New York State respecting private property, not just in places like Ohio's Cuyahoga River Valley where 400 homes were condemned in the 1970's, but to this day in the Indiana Sand Dunes where suburban homes are under pressure and 700 have been removed, along the Appalachian Trail where owners are threatened with eminent domain to widen the completed trail, and along the Buffalo National River in Arkansas where residents fear that the park will be enlarged from a viewshed to a ten times larger watershed.

The corridor system must be recognized for its real nature -- an effort to create vast greenways for animal habitat and biodiversity, using the flimsy economic diversion of trails and tourism, and cultural preservation, as the ploys. The National Park Service is an enemy of cultural preservation; witness the blocking off of cemeteries from families who want to pay their respects inside the

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new Buffalo River park and the lack of permission to rebuild homes after the free-ranging fires in Yellowstone, for instance.

In reality, the proponents and the beneficiaries of the corridors are not farmers, nor town and rural businesses and residents, but land trusts like The Nature Conservancy, the Conservation Fund, and the Trust for Public Land (who got the last residents out of Tridal Veil in the Columbia Gorge by creating an asbestos scare); the national environmental organizations like Sierra Club, Audubon and Earth First! whose "eco-regions" and "wild-lands" schemes glamorize their fundraising; and the bureaucrats who increase their turf.

The real loss if programs like the Hudson Valley National Heritage Corridor are allowed to proliferate is two-fold: First in personal freedoms, including the civil right to own private property, and second in economic prosperity, as big government squeezes the use of land and resources.

- Carol W. LaGrasse



POSITIONS ON PROPERTY

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The Return to THE STONE AGE OF GOVERNMENT

By Carol W. LaGrasse

The destructive power of government is taking hold.

Where in New York State can a person go today that the government doesn't impinge on his life? Educational failure, high taxes, business decline, rampant crime, and regulatory abuse all trumpet the fundamental corruption of government in New York and across the country.

Government is taking our freedom. This is the hidden price for dubious environmental protections, social programs, and crime measures, and their self-feeding bureaucratic machinery.

The security of the right to "due process," or government by written law, and the right of private property are being systematically dismantled.

The security promised by government welfare has bred the single-parent home. The breakdown of the family brought the breakdown of true security of society. Crime now rules the city streets. A "solution" to crime is to disarm innocent people from defending themselves. Another "solution" is asset forfeiture laws. While aimed at drug lords, they give police a license to steal from innocent people, who are thereby no longer secure in their own homes. There is no end to it.

Government control of the family destroys the family. Without the family, either anarchy or total repression thrives.

There is no power without control. But nowadays it is necessary for those amassing power to take control without using the gun. In New York—as in the rest of the country and in the federal government—environmental preservation is the expedient banner to centralize greater and greater control in a powerful complex of bureaucrats and political elites.

In the name of "preservation," communities are dismantled.

Under the guise of "pollution control," hazardous industries are born and taxpayers ravished.

Under the umbrella of "planning," the future is foreclosed.

Under the pretext of "species protection," human families are made destitute.

How can the family prosper without privacy, security and freedom? Private property is the basis of a person's and a family's independence and self-reliance. The right to own, use and be assured of accumulating private property gives a person and a family freedom to grow and prosper without fearing government repression or being dependent on the whims of bureaucrats.

Would-be reformers who see the diminishment of the community, family and opportunities for work as the root causes of crime miss or avoid the significance of the total diminishment of the potential to own property. The heart and soul of civilized society, the right to have roots, to control the sphere around a person, to have a home, is being lost in both urban and rural society, which each have their own version of disarray. The elements to carry on life—food, housing, medical care and education for employment—are lavished on people disenfranchised of the right to have a sphere of control, to become propertied.

The right to achieve and to accumulate private property goes to the core of the debate over empowerment vs. dependence. This option is being diminished every day by government's accumulation of the power to interrupt and destroy. The land

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The Diminished Potential of Private Property NEW YORK STATE ENVIRONMENTAL ZONES

Proportion of land in New York State where state & federal environmental preservation agencies are currently gaining control or already have major land acquisitions and controls over private land.



This first issue of *Positions on Property* exposes for the first time, the quiet trend toward state & federal land acquisition, zoning & environmental controls that are dismantling the potential to property in New York State. See *The Government Squeeze on Private Property* p.3.

STONE AGE

issue is the visible demonstration of government's intent to absolutely control, whether through taxes, regulations of even beneficial programs.

What is property? Private property includes a person's land and home, but also all of his creation such as his music and inventions. Private property is, in short, all that a person holds dear. The privacy and sanctity of the family and the person are each person's ultimate property. This is the sacred Anglo-Saxon tradition secured in the Declaration of Independence and the Bill of Rights.

How can a person be personally secure if the extensions of his identity are not his alone?

When a person saves wages from his job or runs a business, or a homeowner maintains the right to the sanctity of his house from burglary or illegal searches, the person is asserting his "natural," or God-given, rights guaranteed in the Bill of Rights to own and use private property.

Those who would relegate land to the public sector devalue people and their families. They freely dismantle marginal communities to accomplish "environmental" goals.

Costs of unchallenged pseudoenvironmental federal and state government mandates are becoming an outrageous burden. Billions to create a hazardous industry to remove harmless asbestos in schools from New York City to the smallest rural district. Billions more for unscientifically mandated water filtration for New York City. Hundreds of millions to expropriate private land from Catskill farmers for the City's "watershed protection." Projected multi-billions for scientifically unjustified storm water control. Billions for the State's "environmentally significant" land acquisition. And on a national basis, \$1.4 trillion so far for U.S. Environmental Protection Agency regulations. Non-productive jobs that are an endless round of

munity after community across the U.S., the government declares unbuildable land which people who have become senior citizens saved for many years for their retirement homes.

And it is not only one flag that is being used to wave away basic rights. Criminal laws to allow property-seizure in drug crimes have threatened the home of an innocent grandmother because her grandson was arrested for selling marijuana on the porch and a retired California man his life, probably because the National Park Service wanted his ranch.

"The politics of restoration will start, not in Washington, but in many other places, separately and together, when people decide to close the gap between what they believe and what is. People may begin this work by understanding what they are up against."

—William Greider, *Who Will Tell The People*

In recent years in Oregon's Columbia River Gorge, Ohio's Cuyahoga Valley and Indiana's National Seashore dunes, the National Forest Service and National Park Service have forcibly uprooted communities of 30, 400 and 700 homes, respectively at a time to establish scenic areas and recreation areas. Like Hitler did with inventories of liturgical relics of the Jews, the National Park Service reconstructs museums of the people who once flourished in greenways. These skeletons of cultural genocide are ironically called living museums. Unfortunately, although private property secures the culture, the culture cannot be perpetuated by institutionalizing the relics of private property. And so, as with government requirements for costly "archeological surveys," even the history of habitation is used to prevent future habitation.

There is no security for families and there is no freedom for free enterprise to flourish. "Environmentalism" is the sugar coating of tyrannical power.

Government is relentlessly eroding our freedom and security. Interlocking regulations and bureaucracies present a maze that leaves the applicant subservient to the bureaucrat's conditions. This serves the inherent goal of the bureaucrat of unquestioned power. Local government is usurped by State, and State by Federal, ever further from the people. Sham democracy allows the people to feel that they are influencing government but they are left behind and left out.

Benefits bringing government "solutions" are dealt out to people at the expense of freedom. But when that most precious of rights, the right to own property, is finally lost in totality, the benefits of a huckster government will be shallow. The grand huckster will not be able to deliver the benefits either, for what was the source of the largesse but the fecundity of a prosperous society of people secure in their persons and property?

"As St. Thomas More warned, if in order to catch the devil you cut down all the laws that shield him you'll find that once you've cornered him and he turns around to lunge at you there'll be no laws left between him and you,"
"That's what our increasingly therapeutic society is doing, letting our passions cut down the law,"
—Jim Sleeper, *Daily News* (Jan. 25, 1994)

paper shuffling and environmental consulting that would better be called environmental warfare, to be supported by what remains of the productive sector.

The insecurity of "environmentally" justified denial of basic due process and property security has chilled the exercise of freedom. In New York, potential builders and homeowners may have to hire consultants to do elaborate surveys of potential habitats, and endangered species, costing dearly. In part of Oregon and Washington, farmers must get government permission to cut their hay. Men in Maryland, Pennsylvania and Florida have gone to Federal prison for supposedly filling wetlands. In com-

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THE GOVERNMENT SQUEEZE ON PRIVATE PROPERTY

Total Government Take: New York Property Owners

A cancer of spreading controls is infecting a blight on the future of New York property.

The powers that be in Albany are well along in the process of achieving the total control over property. Aided and abetted by the those that hold sway in Washington, D.C., they have set laws, agencies and regulations in place, and are tightening and expanding them. They are developing legal dogma in think tanks and establishing it in court. They are secretly plotting a major planning coup to establish an overlay of their mindset on every piece of property in New York State.

The state government has acquired millions of acres of land and is accelerating acquisitions. But total control of private land by the government is considered the economically sensible way to eliminate the use of land by the private sector, at least for the interim.

"Litigate, legislate, regulate and mediate." (1) This environmental philosophy that is bringing the sugar industry to its knees in Florida succinctly expresses the prognosis for land-use under the thumb of environmentally accredited power.

The mediation process is perhaps the most insidious of all.

"Litigate, legislate, regulate and mediate." This environmental philosophy that is bringing the sugar industry to its knees in Florida succinctly expresses the prognosis for land-use under the thumb of environmentally accredited power.

Today, whether as the final stage of an environmentalists-instituted lawsuit or during an environmental enforcement action, mediation is the key that silently exacts its toll on the functionality of business.

Bureaucracy draws its club from today's enormous stock of regulations. The heaviest and most universal club is wetlands.

A typical scenario affecting an owner of one of the perhaps 25 percent of parcels by area in New York containing regulatory wetlands is worth outlining. A building or development is planned in a location where articulate neighbors are opposed to change. The opponents include a biologist who finds a *habitat* which could harbor a particular endangered species. The species is hard to find or is not on the New York list, which is less extensive than the federal one. But invariably, a reasonably large tract has a regulatory 12.7-acre New York wetland, or if not a smaller, genuinely wet wetland that might pass the tougher federal standards. So, under the threat of otherwise very expensive wetland mitigation, the State Department of Environmental

Conservation (DEC) forces the property owner to go to the expense of tracking a species, preserving a habitat, reducing or redesigning a project, or whatever.

The two to three million acres of New York land that meet DEC jurisdiction through the wetland and buffer requirement make it nearly impossible for developers to escape DEC's arbitrary mediation process during an enforcement of its environmental oversight powers. This type of State environmental management adds a virtual tax of 5 to 10 percent on any project in the state.

Property rights of ordinary homeowners and the right to do business are being slammed already, but the individual and corporate populations have no idea what is coming.

One by one, preservation-oriented controls are developing an atmosphere conducive to comprehensive Albany management of land throughout the state. Separate proposals for statewide zoning and a Catskill Park Agency like that instituted for the Adirondacks were defeated 20 years ago but have not died. With little notice a network of a multitude of different types of Federal and State controls and policies has laced the state during the last five years. This seeming hodgepodge is not enough for the powers bent on central growth management of New York, however. They are working publicly and secretly for the clear goal of 100 percent State control of land.

With zoning for the most part of 42 acres per building and other hard-to-meet rules, the Adirondack Park Agency Law was long the most onerous in the nation, but regulations in the works under joint New York City-State aegis and Federal pressure for the Catskill Mountain watershed plus much of Putnam County would rival the Adirondack controls. The new machinery of control that is taking hold in this state ranges from linear greenways that follow major rivers like the Hudson to vast blocks of land like the UNESCO Champlain-Adirondack Biosphere Reserve which covers much of New York north of the Mohawk River corridor, including cities like Plattsburgh and Glens Falls.

In fact, the State and Federal controls and policies, whether accomplished, partly in place, or proposed, are of such significance that, when viewed on a map, the intrinsic power to control a vast proportion of the area of the state without any future legislation is obvious.

The study that produced the map in *Positions on Property* was analogous to a GIS (geographic information system). Few people are aware of the computerized information about property that State, Federal and private environmental entities are accumulating. Preservation-oriented planners are working with Federal and State funds at the School of Forestry of SUNY Syracuse to tie together in compact-computerized efficiency of GIS the State's vast data banks about assessment, labor, forestry, agriculture and environmental conservation, plus data from private groups such as The Nature Conservancy (TNC). The Conservancy has created data banks on endangered species and

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habitat throughout the United States on both public and private property and works in a common office with DEC just outside of Albany to facilitate enforcement of endangered species and wetlands protection.

We have spent nearly four years unearthing, analyzing and exposing the secretly conceived plans to control and expropriate from the private domain vast areas of this state for State and Federal government. In northern New York, close to forty important programs are in effect or seriously planned. The private Northern Forest Lands Council (NFLC) is supposed to design a Federal-level agency with jurisdiction over 40 percent of the land-mass of four states, from western New York across Maine, 26 million acres. Property rights opposition stopped the NFLC from receiving its Congressional charter, but the private agency acting on behalf of government was funded quietly as a line item. The Northern Forest Lands program is one of the most dangerous programs for property owners and resource-based industry in the United States today. The practical function of the NFLC, as a veritable government planning agency, coupled with its inside relationship with DEC, take it one step further than the relationship of TNC and DEC: NFLC was founded for governmental purpose. Companion Federal Forest Legacy land acquisition is planned for the New York-New Jersey Highlands and the north country. As a result of our opposition, northern New York Congressman Jerry Solomon hampered the program somewhat with a clause respecting home rule.

□ Multitudinous State and Federal Land Programs

As the map demonstrates, the plans to control land in this state, both north and south, especially in the east half of the state, are overarching. The Hudson-Champlain corridor all the way from New York City to the Canadian border is the target of several Federal and State programs. Saratoga Battlefield National Park, where the National Park Service has recently been expanding into farmland by wielding threats of eminent domain, is the junction of the North Country controls in various stages such as the Champlain-Hudson Heritage Corridor under National Park Service auspices and the State's southern system of incipient control, the Hudson River Greenway stretching down to New York City. In 1993, freshman Congressman Maurice Hinchey, who as Assembly Conservation Chairman created the Hudson River Greenway, joined with U.S. Department of Interior Secretary Bruce Babbitt to announce at a meeting in the Catskills that he and Babbitt are bringing the National Park Service to the lower Hudson Valley to form the Hudson Valley Heritage Corridor, with roughly the same extent as the ten-county greenway.

Across the state, the Finger Lakes are to be re-wilded; Montezuma Wildlife Refuge expanded across farmland; the Lake Erie-St. Lawrence River shores protected (as well as the Hudson River estuaries, Long Island coast, and Mohawk-Erie Canal corridor, etc.); several river corridors and greenways established such as the Upper Delaware River Corridor; Sterling Forest and the New York-New Jersey Highlands and other mountain areas protected and acquired as need be, to say nothing of New York

City's intention of exerting a stranglehold on land in the city's entire, Catskill and Putnam watershed. An Adirondack Park-style state agency, but with local representation, has just been established for the Long Island Pine Barrens.

In the backdrop is a document called *Conserving Open Space* in New York State created by the DEC under the guidance of environmental groups with the cooperation of political leadership in each of the nine DEC regions. It contains a fluid list of vast areas of the state that were originally to have been acquired by the funds from the defeated 1990 Environmental Quality Bond Act but which are now to be bought or broadly encumbered using designated moneys in the State's treasury under the Environmental Trust Fund enacted in 1993. The State government claims it has no knowledge about the untold billions the acquisitions in this official document would cost. The cost of environmentally significant acquisition is shocking. DEC spent \$40 million, amounting to \$117,000 per acre, on a single Long Island parcel in 1992.

The state government also extorts large tracts of "environmentally significant" land from the Niagara Mohawk Power Corporation, using the Richard King Mellon Foundation of Pittsburgh and the Conservation Fund as intermediaries. Instead of the taxpayers, the rate-payers had to hear NiMo's cheap disposal of breathtakingly beautiful Upper Hudson land in Warren County and Salmon River shore lands in Oswego County. Iroquois Gas Transmission System bought its 1991 DEC permit with \$1 million toward the State purchase of Black River land in Lewis and St. Lawrence Counties.

The potential decline in assessed value because of cloud on the title of parcels listed in the Open Space Conservation Plan is just one example of the many causes of depreciation of the real estate tax base and shift of tax burdens to other property owners as a direct consequence of land preservation. (2)

When mapped, the preservation goals highlighted in the Open Space plan form a grid across the entire state. The document actually has a little diagram with that effect. This grid is the raw framework for preservation through acquisition and extensive controls, which is to mature into full-fledged State zoning.

Wherever the State or Federal schemes are referred to as plans, they are instead invariably plans for preservation for wildlife, to the detriment of a future for human communities. Forestry and agricultural protection and tourism "development" are used as ploys to de-legitimize human habitation and diminish private ownership. The routine is, first get the people out under the pretext of improving forestry or agriculture, then once the people are gone, come for the foresters. In the Adirondacks, where the State cannot justifiably find fault with forest industry operations, it repeatedly harrasses and impedes forest-based businesses. In the Catskills, the City/State environmental list is drawn against farmers.

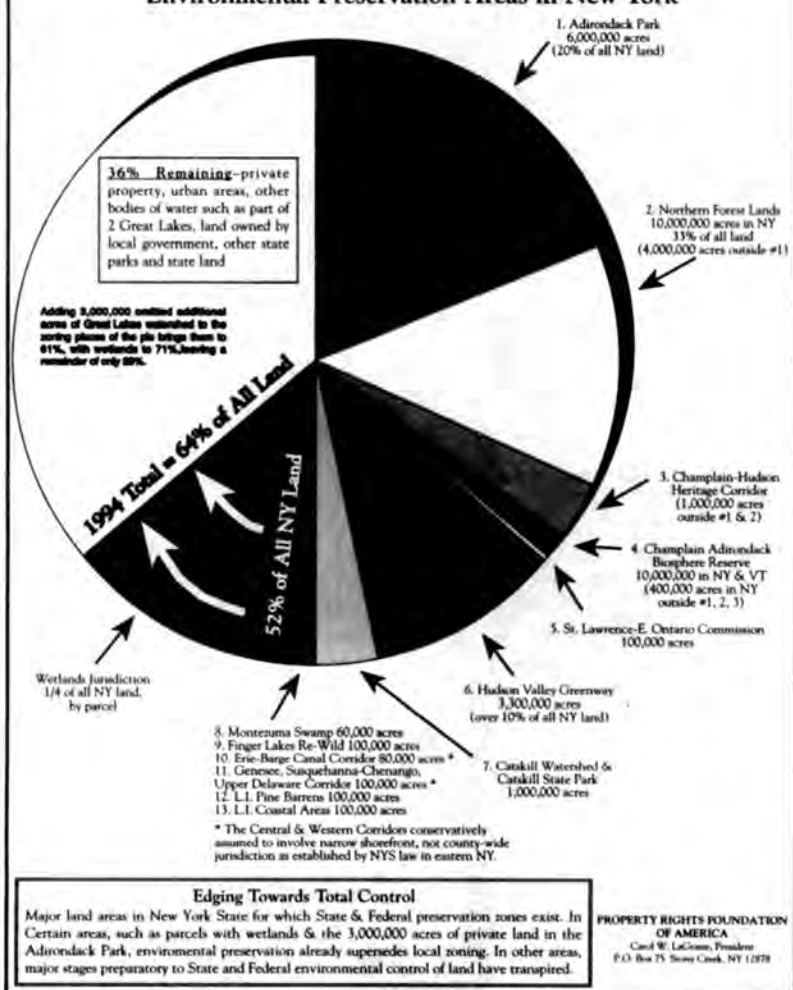
□ The Campaign to Modify the Legal System

The law that is bringing total government control over private

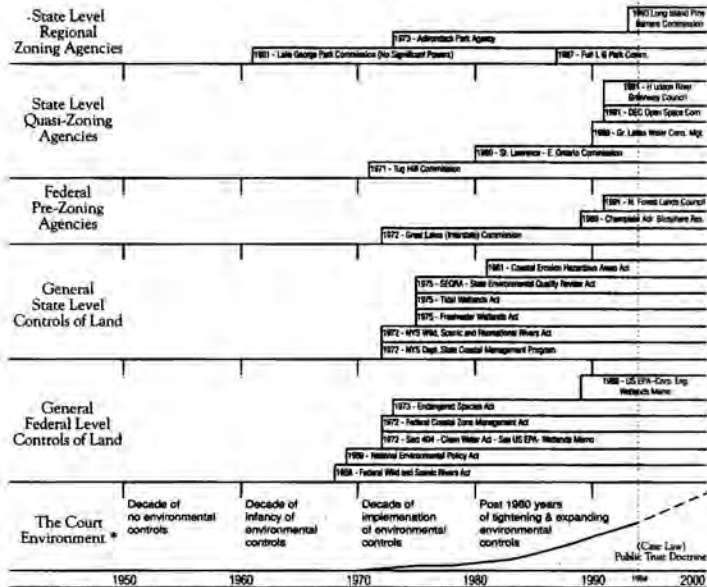
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DIMINISHING THE FUTURE OF PRIVATE PROPERTY

Environmental Preservation Areas in New York



ACCELERATING ENVIRONMENTAL MANAGEMENT OF NEW YORK'S PRIVATE PROPERTY OVER THE LAST 45 YEARS



* In addition to the weight of case law of the public trust doctrine being accumulated, regulatory powers of agencies such as the Corps of Engineers (Wetlands) under sect 404 of the Clean Water Act were vastly extended by the courts. (In 1975 the Natural Resources Defense Council won a ruling causing Corps of Engineers to define navigable waters as any "Wetland".)

SIGNIFICANT AREAS OF NEW YORK DESIGNATED FOR GOVERNMENT CONTROL & ACQUISITION

FEDERAL

Sterling Forest
Northern Forest Lands (Goreau Adirondacks & Tug Hill)
Finger Lakes Ice-Wild
Monterey Wildlife Refuge
Champlain - Hudson Heritage Corridor
Hudson Valley Heritage Corridor
Saratoga Battlefield Congressional
North Country Scenic Trail
Appalachian National Scenic Trail
Upper Delaware Recreational River

STATE

Catskill Watershed (With NY City)
Hudson Valley Greenway
Adirondack Park
Long Island Pine Barrens
Montezuma Wildlife Refuge
Erie-Mohawk Barge Canal Corridor
Genesee River Corridor
Saratoga - Champlain River Corridor
Upper Delaware River Corridor
Shawangunk Ridge

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land is coming through both the legislature and the courts. At Pace Law School and the Government Law Center of Albany Law School, advocates like property law professor John A. Humbach, who produced scholarship to validate legislation to open private waterways to public use, stimulate discourse on how to fashion the legal framework for statewide comprehensive planning and public control of private land.

The two law schools are at the forefront of environmental legal activism. Pace environmental law professor Robert F. Kennedy, Jr., actively pursues preservation and environmental causes in the lower Hudson Valley. These private legal activists and those in the Adirondacks focus on relatively small businesses that provide essential community services such as stone crushing needed to maintain roads or septic waste disposal hauling. It is not just university theorizing. Environmental activists get right down harassing regulators and bring them to court to enforce and increase environmental controls beyond written legislated law.

□ The Public Trust Doctrine

The public trust doctrine asserts that the government has rights in private land that it can take without compensating the owner. Eminent domain, where government formally condemns land and pays the owner compensation fixed by the court, is not needed. Albany Law School's Government Law Center has held a conference annually for three years on the insidious doctrine. The conferences have produced remarkable refutations of the Bill of Rights such as this 1991 statement by Professor Robert I. Reis of University of Buffalo School of Law:

The Public Trust Doctrine "further delineates the correlative nature and extent of private rights which...are still protected under the Fifth and Fourteenth Amendments of the Constitution of the United States and the various State Constitutional protections afforded private property. It might be said that as the public trust doctrine expands to include contemporary environmental and social interests within the scope of its purview, the correlative private rights or future privatization of rights would be precluded or significantly diminished." (3)

In common language, this means that as these activist lawyers strengthen the public trust doctrine, the private property rights which regrettably, in their opinion, still exist will decline or die.

At the conference, the attendees from major national environmental groups like The Nature Conservancy, American Farmland Trust and Sierra Club, and government representatives up to the U.S. Department of Justice, discuss how to deal with U.S. Supreme Court decisions that recognize the constitutional right to be compensated for a government taking of private property and how to fabricate the legal precedent to make the public interest in places like the Hudson Valley or the Adirondacks supplant the legal interest of property owners. The public trust doctrine is the one most significant step to take total control of land, if it can be considered such in its way of working case by case, precedent by precedent.

The perception of the common good in the public trust doc-

trine is the greatest distortion of all. The common good is the guise for an increasing body of case law that erodes fundamental rights. Its proponents are in one common business—that of self-perpetuation. Access to waterways and land under the public trust distortion is a lie. The proponents do not want to see a stream of "rabble" clutter their greenway trail from New York City to Montreal. Least of all do they want the ordinary people or lower classes defacing their canoe routes. The public trust they cite is the opposite of public good. In reality, it means decreased access, decreased use (whether use by hunter, homeowner or businessman) and decreased public benefit. Preservation in the name of public trust is a gift to the power mongers.

The real public is snookered in with phrases like greenways or hiking trails. The court system is perverted with twisted precedent to manipulate the future traditions.

The real accomplishment of the public trust doctrine and all its extensions is to solidify control over the most basic element of property, land. The hiking trail, the wetland restriction, and all the other ramifications of the public doctrine are instruments of power to expand government. The perception is the common good, but the ultimate result is a return to the stone age of law, where the people had no rights.

□ The Ultimate Control: State Level Zoning

The powers that drive New York government are bent on establishing universal state government zoning control over private land. The visible focus of the effort is a Pace and Albany law schools which sponsored a seminal twin conference during April 1993 at the institutions to analyze the impediments to State level land-use controls. Patricia E. Salkin, the director of the Albany Law School Government Law Center, and John R. Nolan of Pace Law School led the annual conference, advocating comprehensive statewide planning and regional planning as the centerpiece for any local controls. The idea of growth management they are pursuing is that local land-use controls would have to meet the State's comprehensive plan or be overruled by the State rules, which is the system underway in Florida.

Sponsors of the conference included planning organizations like the Regional Plan Association and New York Planning Federation, land trusts like the Open Space Institute and Trust for Public Land which acquire private property for government, State agencies like the Adirondack Park Agency and office of Rural Affairs, preservation groups like Scenic Hudson which was instrumental in forming the Hudson River Greenway, bar associations, trade associations, and municipal association. Gratified by the increasing power it can wield carrying out land management, local county and even town government is being sucked into a strong-arm role by the professional managers and upper level bureaucrats.

□ A Conspiracy

Several groups who have assumed the burden for attaining State level land-use controls in New York met surreptitiously at the Government Law Center in November 1993 to conceive leg-

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Private Interests Pay Salary of Head of State's Potentially Most Powerful Zoning Agency

BUY YOUR OWN BUREAUCRAT

Ultimate Corruption—The Overt Interlocking of Private Sector and Government

The head of the Hudson River Greenway Council, a state zoning agency directly answerable to Governor Mario Cuomo, is paid by old money special interests who have been prime movers since the 1960's to foster regional planning, State level control of zoning and State acquisition of land.

Instead of receiving his salary check through payroll audited by the New York State Comptroller as other State employees normally have, David Sampson, the executive director of the Hudson River Greenway Communities Council, receives his paycheck directly from the organization Historic Hudson Valley. The Council was conceived to rule land-use in ten counties from Albany. According to John Clarkson of the New York State Budget Office, Sampson receives \$83,000 plus fringe benefits determined by the private organization rather than the state. Historic Hudson Valley, in turn, receives the money to pay Sampson from the Jackson Hole Preserve, according to Clarkson.

The Jackson Hole Preserve and Historic Hudson Valley are both connected to the Rockefeller family, who have been a powerful force in public and behind the scenes in the extreme wilderness and greenway preservation movement and State level zoning. The Rockefellers put big money behind the studies and movement that gave impetus to the creation of the Council. Originally intended to have regional zoning power, the Hudson River Greenway council currently is charged with facilitating communities throughout the ten-county region to implement zoning plans to preserve and increase the natural, forested character of the Greenway.

The State considers the procedure of paying a bureaucrat directly out of private corporate coffers to be technically legal, although it is illegal for officials to accept bribes and gratuities of significant value. How can it be that the private payment of a government official's complete salary does not amount to the payment of a significant gratuity? Under federal statute, the payment of official salaries by interest groups is illegal under anti-deficiency statute. Under the Hobbes Act, the "intent to influence" need not be proven, judging by the conviction and jail sentence of Albany County Legislator Jim Coyne in 1992 for

receiving a loan of \$30,000 from an architect who was awarded a contract from that legislature.

The Greenway director's method of salary payment may be but one example of a widespread abuse. It was revealed to the Property Rights Foundation that a major New York utility has been coerced into paying certain DEC officials' salaries as a *quid pro quo* for the issuance of permits.

Historic Hudson Valley, which is located in Tarrytown, New York, was founded in 1975 by Mrs. Nelson Rockefeller, Laurance S. Rockefeller and others as Sleepy Hollow Restoration, Inc. John D. Rockefeller, Jr., Laurance S. Rockefeller, and the Rockefeller Brothers Fund donated the original funding for the Jackson Hole Preserve foundation, the name of which reflects the "Rock Resort" in the Grand Teton near the national park carved out by the Rockefellers.

Laurance Rockefeller himself is credited with the original impetus for the Hudson River Greenway.

The Rockefellers' American Conservation Association as well as the J. M. Kaplan Fund located at the same Rockefeller Plaza address, have also been

pumping money into wilderness and greenway establishment in New York State for years, both openly and behind the scenes to contribute indirectly through other groups such as Scenic Hudson who further the same causes.

Multimillion-dollar foundations take the long view, outlasting human life spans. A greenway does not have to be mandatory when first implemented. In a less threatening mode, it can accomplish a change in mentality by local government, an acceptance of *intermunicipal cooperation and consolidation* guided by experts and central managers, obviating the "recalcitrant" obstruction of State controls by locals who fear the threat to home rule. Whether through a series of grants to local planning agencies in a selected *corridor*, or through a direct payment of a salary of a critical state agency head, the *marriage of public and private interest* through careful channelling of funds from special interest groups influences the course of New York State government toward ever more centralized planning.



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islative strategy. Predictably, Robert Yaro and John Feingold of the Regional Plan Association, Lee Wasserman of Environmental Planning Lobby, Salkin of the Government Law Center, and Tony Giardina of the Office of Rural Affairs took the lead. The latter entity was created for the benefit of rural towns but has diverted a disproportionate effort to the Department of State's consolidation effort to eliminate local municipalities. Calling to mind the leadership of the Albany Times-Union and the Nelson A. Rockefeller Institute of Government to regionalize services in the Capitol district, John Footman of Capitol District Regional Transportation attended. Also attending was New York State Builder's Association director Robert Wieboldt, who directed the 1970 State-wide zoning proposal.

The secret confab concluded that the New York State growth management initiative (like the top-down Florida mode) should be low-key and nurtured to credibility through education of the Legislature. To avoid controversy, it would be especially important to lie low during the 1994 gubernatorial campaign, they agreed. They planned to use a "core" of the Legislature, such as the legislators who supported the Long Island Pine Barrens controls, which were sponsored successfully in 1993 by Assemblyman Thomas P. DiNapoli and Senator Kenneth P. LaValle.

The clandestine planners listed potential champions they would up to foster growth management through the Legislature: Assemblymen Brodsky, Gramm and DiNapoli and Senators Levy, Luster and Pataki. These would be presented with their study bill, which would be started with material from the spring '93 conference, Hinchey's old state zoning bill, and principles developed at a 1990 Cornell University conference of the Adirondack Park Agency and county planners.

The secret group was very concerned that at the joint spring conference held by Pace and Albany law schools people "invited

themselves." They therefore planned a tighter coalition in the future, with certain groups not allowed to participate. Although Bob Weibolt of the New York State Builders Association was included, they specifically planned to keep out the New York State Association of Towns and the New York Conference of Mayors.

The group feared that the plan they intend to draft in the next couple of months would be pegged as coming from professional planners, and decided to develop terminology like "growth facilitation" to imply business support. Yaro persuaded them to plan to create a crisis around the issue in terms of the supposed costs to developers of this "cockamamie system."

Compared to the refinement and sophistication in the show-piece public conference Salkin's law school and Pace sponsored in the spring, the surreptitious strategy meeting had a primitive guerrilla aspect. At the secret meeting were highly placed individuals in the planning and environmental world plotting to create a phony panic, to hide the truth about who is behind the planning initiative, and to keep out the most interested parties from early discussion, so that opposition does not understand what is behind the effort.

Growth management in New York is so important to the powers that hold sway and their managerial corroborators among the lawyers, environmentalists and professional planners, that they will utilize an unsavory range of methods to accomplish the goal. The thirst for power and the religiosity of the environmental movement is an unscrupulous combination.

But at the same time, this unscrupulousness exposes the ultimate lack of credibility and the vulnerability of their effort, considering the limitless financial resources at their beck and call.

It is apparent to the most disinterested observer that government in this state has already run amuck. Further centralization

Continued on page 12

Please return this form to the Property Rights Foundation of America, P.O. Box 75, Stony Creek, NY 12786

THE PROPERTY RIGHTS FOUNDATION OF AMERICA

The right to own private property is a fundamental American freedom that guarantees personal liberty and promotes economic prosperity.

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The Betrayal of American Democracy
—William Greider

"No person shall be...deprived of life, liberty or property, without due process of law; nor shall private property be taken for public use without just compensation."

—Amendment V—United States Constitution

STONE AGE

The U.S. Constitution guarantees the fundamental rule that was first recognized in the Magna Carta that government must abide by the law. No citizen is safe when due process is not sacred. By its very nature, concentration of power sacrifices due process. The failure of due process means unjust searches, confiscation of property, jailing without fair trial, and the prevalent *defacit denial of the right to petition the government for redress of grievances*, to name a few of the current time-hallowed ways of victimization by all level of bully government.

The environmental movement is only a dog and pony show

What is property? Private property includes a person's land and home, but also all of his creation such as his music and inventions. Private property is, in short, all that a person holds dear. The privacy and sanctity of the family and the person are each person's ultimate property. This is the sacred Anglo-Saxon tradition secured in the Declaration of Independence and the Bill of Rights.

compared to the greatest legal achievement of history, the United States Constitution and the Bill of Rights.

If there were ever cruel and unusual punishment, it was a sentence of three years of Federal prison and a \$202,000 fine for removing tires from an old dump that bureaucrats called a wetland.

of control will only benefit those in power. The juggernaut of centralized management of land in this state under the guise of environmentalism has already gone too far.

—Carol W. LaGrasse

(1) Florida Lt. Gov. Buddy McKay, quoted by John H. Cushman, Jr., "U.S. & Florida Lean on Sugar Producers..." *NY Times*, Jan. 16, 1994

(2) LaGrasse, Carol W. "Tax Base Eroded by Shifting Sentiment," *Capitol Business Review*, Aug. 17, 1992

(3) Reis, Robert I. "The Public Trust Doctrine—The Search for Future Standards," December 6, 1991 from proceedings of the Albany Law School Government Law Center. "The Public Trust Doctrine: The Ownership and Management of Lands, Water and Living Resources."

This is despotism. This is what the colonists had in mind when they refused to ratify the Constitution unless a Bill of Rights was forthcoming.

The march of government must be stopped

"As St. Thomas More warned, if in order to catch the devil you cut down all the laws that shield him you'll find that once you've cornered him and he turns around to lunge at you there'll be no laws left between him and you."

"That's what our increasingly therapeutic society is doing, letting our passions cut down the law."

—Jim Sleeper, *Daily News* (Jan. 25, 1994)

Our task is to unmask government's destructive power. Only then can we hope to regain the vision of government that the people of this country once had in common. This vision is as grand as the Declaration of Independence and the Constitution, which pronounced a government to protect the freedom and security of the people.

We must eliminate the monumental chasm between the vision and the reality of a bloated government that uses and is used by special interests like the environmental cult that construct and invade the people's freedom and steal their prosperity.

"The politics of restoration will start, not in Washington, but in many other places, separately and together, when people decide to close the gap between what they believe and what is. People may begin this work by understanding what they are up against."

—William Greider, *Who Will Tell The People*
Please join with us in this vision.

—Carol W. LaGrasse

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Carol W. LaGrasse, President.



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Next issue:

Re-wilding the United States of America: Why preservationists always want more. And now their most extreme visionaries have credibility.

PROPERTY RIGHTS FOUNDATION OF AMERICA, Carol W. LaGrasse, President

A GUIDE TO REGIONAL HERITAGE PROJECTS NATIONWIDE

(The National Trust is currently preparing one of their Interpreting Series on regional heritage areas, to be published in June 1994. This list is the Appendix to the Trust publication, and is made available for the convenience of the Southeastern Pennsylvania Heritage Preservation Commission.)

In an effort to document both the scope and extent of heritage area development efforts nationwide, this appendix attempts to list every major potential heritage development project in the United States, including some long-established areas administered by the National Park Service. While it is impossible to assure that every qualifying area is included, we are confident that the great majority of viable projects are included here and we solicit the names and numbers of areas not listed.

In order to keep the list restricted to regional heritage efforts, the following characteristics were required of most entries:

The geographic region includes more than a single county (or a large number of phases within one county) and is focused on a clear historic theme; it is an identifiable historic place.

The project addresses historic, scenic, natural, and cultural resources in its planning efforts.

There is a consistent central coordinating office.

Under the direction of the Editor and with the help of heritage area staff throughout the country, this appendix was assembled by Chris Ottens and checked prior to publication by Marry Morant and Susan Tinsford. New additions or corrections may be addressed to T. Allen Coop, Editor, Southeastern Pennsylvania Heritage Preservation Commission, 318 Washington St., Suite 378, Johnstown, PA 15801, 814-639-2816.

ALABAMA

Birmingham Industrial Heritage District
Margie L. White
Birmingham Historical Society
One River Center
Birmingham, AL 35222
(205) 251-1800

The resources of the proposed Birmingham Industrial Heritage District, including East Riverfront National Historic Landmark, civil war fortifications, cultural and recreational resources across a five-county area will appeal to our visitors and residents the economic and social history of our region, the crucible of New South industry and Civil Rights.

Chattahoochee Trace
Douglas C. Percell, Executive Director
Historic Chattahoochee Commission
P.O. Box 33
Safeway, AL 36072-0033
(205) 687-6755

The Chattahoochee Trace is an 18-county heritage tourism corridor along the lower Chattahoochee River in Alabama and Georgia which features a multitude of historic landmarks, scenic wonders and picturesque lakes.

Muscle Shoals Heritage Area
Able Rosenbaum, Project Consultant
3167 Rolling Road
Cherry Chase, MD 20815
(301) 454-1988

Muscle Shoals, the birthplace of the New Deal and significant developments in hydroelectric power, is an example of 20th century heritage planning, beaming within its borders the Wilson Dam National Landmark, a Frank Lloyd Wright Union House, and several examples of the 19th century transportation industry.

CALIFORNIA

Redden Gate National Recreation Area
Superintendent
Fort Mason
San Francisco, CA 94123
(415) 556-7990

The park encompasses shoreline areas of San Francisco, Marin, and San Mateo counties, including scenic beaches, redwood forest, lagoons, marinas, military preserves, a cultural center at Fort Mason and Alcatraz Island, site of the penitentiary.

COLORADO

Catche La Poudre National Water Heritage Area
Karl V. Henderson, Senior City Planner
City of Fort Collins
P.O. Box 530
Fort Collins, CO 80522-0530
(953) 221-6758

The Catche La Poudre River National Water Heritage Area encompasses a watershed basin of nearly 1,000 square miles, in two counties. The Area will provide education about the history of western water management and the critical role water continues to play in the agriculture, environment and social development of the American West.

Road to the Rockies Heritage Region
Ed Thayer, Mayor
Town of Georgetown
P.O. Box 428
Georgetown, CO 80444
(303) 568-2555

The area in Clear Creek and Gilpin Counties contains Georgetown-Silver Plume National Historic Landmark District, Central City-Black Hawk National Historic Landmark District, and the Main Springs National Historic District, which represent the genesis and early development of gold and silver mining in two of Colorado's original territorial counties.

CONNECTICUT

Quinnipiac and Shetucket River Valley Heritage Corridor
John Boland, Chairperson
Commission for a Quinnipiac-Shetucket Rivers Heritage Corridor
c/o Northwestern Connecticut Council of Governments
10 Wagon Road
P.O. Box 198
Brooklyn, CT 06254
(203) 774-1253

The Quinnipiac-Shetucket Rivers Heritage Corridor is a predominantly rural region in northeastern Connecticut that includes 25 towns along two rivers.

showing a full town-and-village history and cultural landscape as well as an abundance of natural and recreational resources.

DELAWARE

Coastal Heritage Greenway
Sonia M. Laporte, contact
Coastal Heritage Greenway Council
Delaware Dept. of Natural Resources & Environmental Control
80 Kings Highway
P.O. Box 1401
Dover, DE 19903
(302) 738-6285

The Coastal Heritage Greenway spans 30 miles along Delaware's coast, through all three Delaware counties. Trails and an auto tour through the greenway highlight quiet "rural" villages, which were early ports for shipping mustnut galls and other products; marsh meadows, wildlife refuges and historic buildings.

DISTRICT OF COLUMBIA

The Civil War Heritage Trail (proposed)
Elliot H. Gruber, vice president for development
The Civil War Trust
1225 Eye St., N.W., Suite 401
Washington, D.C. 20005
(202) 328-8420

The Civil War Trust proposes to link public and private, local, state and federal Civil War sites into a national Civil War Heritage Trail starting in 1995. Anchored by Civil War Heritage Education Centers at ten top-priority battlefield locations, the trail will tell the military, social, political, economic and human story of the Civil War.

FLORIDA

Florida Black Heritage Trail
Judith Cargner
Bureau of Historic Preservation
500 South Broadway
Tallahassee, FL 32319-0250
(904) 487-2333

Florida Black Heritage Trail lists notable sites in Florida's Black history city by city and includes biographies of famous African-American leaders, educators and artists. A book contains photographs and describes sites of significance, along with maps and thematic tours, calendar of festivals and events.

Red Hills Region
Julie H. Mason, Director
Red Hills Conservation Association
Route 1, Box 678
Tallahassee, FL 32312-9712
(904) 893-4163

The Red Hills region is a mosaic of vast pine plantations, limestone sinks and lakes, rich in biological diversity and historical significance covering a 25 square-mile area in north Georgia and north Florida. The RHCA formed by organizations, local citizens and landowners, develops strategies to conserve the unique Red Hills resources.

GEORGIA

Augusta Canal National Historic Landmark
Dayton L. Sherwood, Executive Director
Thomas H. Robertson, Chairman
Augusta Canal Authority
801 Broad Street, Suite 507
Augusta, Georgia 30901-1225
(706) 722-1071

The Historic Augusta Canal and Industrial Heritage Area, organized around an unusual 19th-century example of southern industrial development, seeks to interpret the nation's history through the principal theme of capturing its agriculture, trade, transportation, manufacturing, and its influence on the south and the nation.

HAWAII

The Hanalei Project
Baron Runk
Mousses Grove Farm Homestead
P.O. Box 1631
Lihoe, HI 96768
(808) 245-3202

This project, started by extensive community involvement, is working towards long-term planning efforts through conservation of natural resources and landscapes, designation of historic districts, education of residents and visitors on the fragile array of resources in the Hanalei Valley, and expansion of the role tour plays as a traditional food.

ILLINOIS

Illinois and Michigan Canal National Heritage Corridor
Gerald W. Adelman, President
Canal Corridor Association
220 S. State Street, Suite 1800
Chicago, IL 60604
(312) 427-3888

Illinois & Michigan Canal National Heritage Corridor Commission
Lee Haines, Executive Director
15702 S. Independence Blvd.
Lockport, IL 60441
(815) 740-2847

Designated by Congress in 1984, the Illinois and Michigan Canal National Heritage Corridor extends 120 miles from Chicago to LaSalle-Paris, encompassing a region which boasts a rich variety of modern industry, historic developments, parks and trails that makes it attractive to residents, tourists and business interests alike.

INDIANA

Historic Southern Indiana
Dr. Darrell Bigham, Director
Historic Southern Indiana
University of Southern Indiana
8000 University Boulevard
Evansville, IN 47712
(317) 465-7014

Historic Southern Indiana is an alliance of people and agencies working to preserve, develop, and promote the special places of a 28-county area in southern Indiana. The area contains many historic sites significant to our nation's history and is rich in natural and scenic beauty.

Wabash River Heritage Corridor Commission
Tom Schmitt, Director, Facilities Planning and Construction
1804 Franklin Hall
Purdue University
West Lafayette, IN 47907-1804
(317) 494-8003

The Indiana General Assembly established the Commission to promote the conservation and development of the natural, cultural and recreational resources in the Wabash River Corridor. The Wabash River traverses the heartland of Indiana, a distance of nearly 500 miles, from the eastern to the western border.

IOWA

Route J-40: Van Buren County

Mary Mor, Executive Director
Villages of Van Buren, Inc.
P.O. Box 9
Keweenaw, IA 52565
(319) 293-7111

It is the aim of Van Buren County to protect, preserve, and enhance Highway J-40 as it travels through the county, connecting historic, scenic, natural and recreational areas along its path.

Siles and Smokestacks
Tom Callahan
America's Agricultural/Industrial Heritage Landscape
P.O. Box 2845
Watertown, IA 50704-2845
(319) 234-5587

Siles and Smokestacks is a multi-county rural and urban advocacy and development program telling the story of how American agriculture found with industry to help feed the world: from hand tools to tractors, from farm to market, and from seed to table.

KENTUCKY

Lexington-Frankfort Scenic Corridor
Kara McCallough, Executive Director
Lexington-Frankfort Scenic Corridor Inc.
4600 Old Frankfort Pike
Lexington, KY 40510
(606) 254-5883

The Lexington-Frankfort Scenic Corridor covers 95 square miles of bluegrass country, which runs through scenic agricultural and threatened farmland, and features historical legacies of bluegrass culture.

LOUISIANA

Jean Lafitte National Historical Park and Preserve
Robert Bales, Superintendent
385 Canal Street, Suite 3080
New Orleans, LA 70130
(504) 589-3882

The Park consists of four physically separate units that preserve significant examples of the rich natural and cultural resources of Louisiana's Mississippi Delta Region.

Mississippi River Heritage Corridor Study Commission (10 stated
Dan Derfus, Chairman of Commission
P.O. Box 41380
Baton Rouge, LA 70805-1380
(504) 272-1825

The purpose for this corridor is multifield, with emphasis on the preservation and restoration of the Mississippi's cultural, historic, environmental, and economic resources, better access for the use of these resources, environmentally-sound sustainable economic development, and public education on the corridor's natural and cultural importance.

MAINE

Malen Acadia Culture Project
Bruce Jacobson, Resource Planner
Acadia National Park
P.O. Box 177
Bar Harbor, ME 04808
(207) 288-5472

The National Park Service is completing a plan to assist residents of the St. John Valley in telling the story of French-speaking settlers and their descendants to identify and preserve material resources associated with Malen Acadia culture and to preserve distinctive forms of cultural expression.

MARYLAND

Audubon's America
Walt Penney
National Audubon Society
1104 Pennwood Ave., #200
Camp Hill, PA 17011
(717) 753-4085

Audubon's America is a thirty-four state natural heritage corridor which connects public- and private-owned existing and restored natural areas along ecological corridors where John James Audubon lived, worked and traveled. Started in 1991 by the EPA and the National Audubon Society, the effort is sponsored by 20 public and private organizations.

Beach to Bay Indian Trail
Kerley Fisher, Executive Director
Furness Town Foundation, Inc.
Box 207
Snow Hill, MD 21863
(410) 632-2032

This automobile touring trail ties together people, ports, historic sites and natural areas -- from the Atlantic Ocean to the Chesapeake Bay -- along highway routes 113, 388, 413, and 667, and includes ten heritage sites of cultural, historic, and natural significance.

Lower Eastern Shore Heritage Area
Sandra Marinet
Somerset County Tourism
P.O. Box 243
Princess Anne, MD 21853
(410) 851-2968

Stretching from Annapolis Island State/National Seashore in the east to Crisfield, MD, in the west, the planned Lower Eastern Shore Heritage area will include a variety of federal, state and local parks, forests, wildlife management and scenic river areas, as well as various locations of historic significance.

Ocean Heritage Highway
J. Glenn Eugster
Great American Landscapes
3886 King Street, Suite 108
Alexandria, VA 22302
(703) 845-5488

The 1,000-mile Ocean Heritage Highway is proposed to be a seven-state heritage area following Routes 13 and 17 from central New Jersey to northern Florida. The route, which follows the "King's Highway," would be used to encourage more and local ecological and cultural tourism along with resource protection and economic revitalization.

Pocomoke River and Sound Heritage Greenway
Pocomoke River Alliance
Jack Spurling, President
500 Shadlow Lane
Pocomoke City, MD 21851
(410) 857-3758

Emerging from the Green Cypress Swamp of Delaware, the Pocomoke River and Sound Heritage Corridor follows the route of the river through five counties and numerous communities which share in a wide variety of natural and cultural landscapes.

Potomac River Heritage Project
William Carlsen
Accolade Foundation
3488 Bryon Point Road
Accolade, MD 20687
(301) 283-2113

The Potomac River Heritage Project seeks to weave together the wealth of cultural, natural and recreational resources that lie along the nearly 400

miles of the Potomac River into a program which will effectively convey the unique story of the region.

MASSACHUSETTS

Blackstone River Valley National Heritage Corridor IMA & R3
James R. Pepper, Executive Director
15 Menden Street
P.O. Box 730
Uxbridge, MA 01568
(508) 278-9400

The "Age of Industry" is readily visible in this heritage corridor, which offers a series of cultural landscapes, remnants of the Blackstone Canal, mills, and mill villages of the early 19th century, in an expanse which covers 250,000 acres and includes twenty cities and towns in Massachusetts and Rhode Island.

Essex Heritage ad hoc Commission
Annex C. Harris, Executive Director
Salem, MA 01970
(508) 741-8100

This Salem-based project seeks to incorporate under one plan seventy to eighty historic sites throughout Essex County which are relevant to particular areas in the region, including early settlement, maritime, and the Industrial Revolution.

Massachusetts State Heritage Parks
Brian Shanahan, Coordinator
Division of Forests and Parks
State of Massachusetts
100 Cambridge Street
Boston, MA 02202
(617) 727-3190 x.672

This project is a network of seven State Heritage Parks across the state of Massachusetts each within the perimeters of 120 acres. They include: Fall River, Gardner, Holyoke, Lawrence, Lowell, Lynn, and Western Gateway.

Lowell National Historical Park
Richard J. Rember, Superintendent
159 Main Street
Lowell, MA 01852
(508) 970-5000

[It is only one city, but Lowell is The Original, and still a useful model - Ed]

With management shared by the National Park Service, the state and the city, Lowell National Historical Park preserves and interprets the American Industrial Revolution in Lowell, Massachusetts. The park includes historic cotton textile mills, 5.8 miles of canals, operating gate houses, and worker housing. Turn-of-the-century trolleys operate, and boat tours trace the city's canals.

MICHIGAN

Ford Heritage Trail
Nancy Darga, Chief of Design
Wayne County Park System
33175 Ann Arbor Trail
Westland, MI 48105
(313) 251-2034

The Ford Heritage Trail consists of four vehicular routes stretching along rivers in Southeast Michigan and Windsor, Canada; it focuses the evolution of the automobile industry including historic mills and the Henry Ford Museum.

Western Upper Peninsula Heritage Reserve
Steve Allen, Senior Planner
Regional Planning Commission
P.O. Box 385

Houghton, MI 49931
(906) 452-7205

The WUPHR covers 6,247 square miles and includes the western six counties in Michigan's Upper Peninsula. Its five thematic areas tell the etymology of its native Americans and the European immigrants along with interpreting how its copper, iron ore and timber were extracted to fuel the nation's industrialization and western expansion.

MINNESOTA

Mississippi Headwaters
Molly MacGregor, Director
Mississippi Headwaters Board
Cass County Courthouse
Walker, MN 56484
(218) 547-3300 ext. 763

An eight-county, joint powers board serves to protect and preserve the natural, cultural, scenic, scientific, and recreational resources along the first 400 miles of the Mississippi River; these goals are accomplished through local land-use regulations and informative, educational programs which promote stewardship towards the land.

Mississippi River Parkway Commission
John F. Edson, Executive Director
Pioneer Building - Suite 1513
338 Robert Street
St. Paul, MN 55101
(612) 224-9903

An organization of the ten Mississippi River states in existence since 1938 to preserve, enhance, and promote the resources of the Mississippi River valley and to develop the Great River Road. Designation of a National Heritage Corridor for the Mississippi River is under study.

MONTANA

Southwestern Montana Heritage and Recreation Area
Joan Corbitt, Project Director
Community Development Services of Montana
201 W. Granite
Butte, MT 59701
(406) 723-7993

The rich heritage resources of the southwestern Montana region, among them agriculture, timber and mining, offer opportunities for education, recreation and heritage tourism through the development of sites and corridors such as the Anaconda-Butte Cultural Heritage Area, which is dedicated to the historical interpretation of mining in the region.

NEW HAMPSHIRE

New Hampshire Heritage Trail
Wilbur LaFage, Director
New Hampshire State Parks
P.O. Box 856
Concord, NH 03302
(603) 271-3255

A celebration of "man's built environment," this trail will link diverse communities, telling the story of each location in relation to the larger picture of the state's heritage, creating employment opportunities for youth, fostering volunteer stewardship, and instilling a sense of concern for the state's valued natural and cultural resources.

Connecticut River Valley
Sharon Francis, Executive Director
Connecticut River Joint Commission
P.O. Box 1182
Charlestown, NH 03603
(603) 826-5685

Fifty-three towns in the Connecticut River Valley are involved in the preservation and protection of the region. Concentration within the corridor includes hiking, canoe trails, heritage protection, and agricultural and economic development based on natural resources.

NEW JERSEY

Delaware and Raritan Canal Heritage Corridor
James C. Aron, Executive Director
Delaware and Raritan Canal Commission
P.O. Box 539
Stockton, NJ 08559-0539
(609) 397-2000

The Delaware and Raritan Canal is a 30-mile long historic barge canal that is now a water supply system and a State Park. It is New Jersey's premier greenway park and serves as the spine for a network of preserved lands, historic sites, and ancillary greenways that link open space throughout the region into a continuous unit.

New Jersey Coastal Heritage Trail
Janet C. Wolf, Project Director & Phil Cornell, Trail Manager
New Jersey Coastal Heritage Trail, NPS & New Jersey Department of Environmental Protection & Energy (DEPE)
P. O. Box 118
Mauwontown, NJ 08229
(609) 785-0076

Established by Congressional legislation, the New Jersey Coastal Heritage Trail is a partnership project between the National Park Service and the State, chemically linking natural and cultural resources owned and operated by a variety of entities in order to foster education, understanding, appreciation, and enjoyment for the region's heritage.

Pinelands National Reserve
Terrence D. Moore, Executive Director
The Pinelands Commission
P.O. Box 7
New Lisbon, NJ 08054
(609) 854-9342

Federal legislation established the Pinelands National Reserve in 1978. The Commission administers a comprehensive management plan for the 1.1 million acre reserve which specifies the type, intensity and location of all development within the region. The New Jersey Pinelands are also an International Biosphere Reserve.

NEW YORK

(New York has a state system of Urban Cultural Parks, two of them regional efforts - Ed)

Champlain Valley Heritage Network
Virginia M. Westlake, Coordinator
c/o Lake Placid/Esser County Visitors Bureau
Rt. 1, Box 220
Crown Point, NY 12928
(518) 537-4646

This grassroots coalition of business and cultural organizations seeks to revitalize the economy of towns on the western shore of Lake Champlain using interpretive projects to enhance awareness of military and mining history, lake and river resources, and agricultural and industrial traditions of work in the valley.

Gateway National Recreation Area
Kevin C. Buckley, General Superintendent
Headquarters Building #68
Fliegelmann Field
Brooklyn, NY 11234
(718) 338-3575

Established by the Congressional legislation in 1972, Gateway covers approximately 25,000 acres of land, water and marshes in New York City and at Sandy Hook, N.J. In addition to protecting significant natural, cultural and

historic resources, Gateway sponsors a wide variety of interpretive and educational programs the year-round.

Hudson-Mohawk Urban Cultural Park (RiverSparks)
Ann Luby, Director
Hudson-Mohawk Urban Cultural Park Commission
97 Mohawk Street
Cohoes, NY 12047
(518) 237-7999

With a focus on waterpower, which sparked the industrial age for this region, the Hudson-Mohawk Urban Cultural Park features natural resources, and 19th-century industrial sites and transportation facilities in the surrounding cities, towns and villages.

Hudson River Valley Greenway
Maggie Vinciguerra, Associate Director
Hudson River Valley Greenway Communities Council
Capital Building
Capital Station, Room 254
Albany, NY 12224
(518) 473-3835

Voluntary, locally driven planning process providing for regional planning, natural and cultural resource protection, public access, economic development and heritage and environmental education in a two-county region along the Hudson River from Albany to New York City.

Northern Frontier Heritage Project
Diane D'Amore, Legislative Director
Congressional Reauthor
House of Representatives
1127 Longworth Building
Washington, DC 20515
(202) 225-3605

The Northern Frontier Heritage project is a citizens' endeavor to promote cooperation, communication and coordination among local communities, private groups and citizens, and federal and state agencies who share an interest in the historical and cultural significance of Central New York.

OHIO

Ohio & Erie Canal Corridor Study
Paul Labovitz, Outdoor Recreation Planner
National Park Service
Cuyahoga Valley National Recreation Area
15610 Vaughn Road
Brecksville, OH 44141
(216) 857-2998

This proposed corridor would run from Lake Erie in Cleveland through the Cuyahoga Valley to Zanesville, Ohio, with the Cuyahoga Valley National Recreation Area and its rich natural and cultural resources serving as an anchor.

Little Miami National and State Scenic River
Eric B. Parton, Executive Director
Little Miami, Inc.
3012 Sycamore Road
Cincinnati, OH 45237
(513) 251-6400

The Little Miami National and State Scenic River is one of Ohio's richest aquatic resources with over seventy-five fish species and thirty freshwater mussel species, and is enjoyed by over 250,000 people annually by canoe and by bike on the Little Miami Scenic Park BikeBike Trail.

Maumee Valley Heritage Corridor, Inc.
Ted J. Lighall, President
2638 North Kalamoon Drive
Toledo, OH 43608
(419) 305-7290

This 150-mile river corridor stretches from Fort Wayne, IN, to Toledo, OH. One of the earliest international transportation routes, it features sites associated with Pontiac, Tecumseh, Anthony Wayne, Johnny Appleseed, William Henry Harrison, the Miami/Wabash, & Erie Canal, and other cultural, architectural, natural, recreational, and agricultural resources.

OKLAHOMA

Route 66
Malvena Helick, Deputy SVPD
Oklahoma Historical Society
621 N. Robinson, Suite 375
Oklahoma City, OK 73102
(405) 521-6248

[Other states are also working on Route 66, call Oklahoma for more information]

The Oklahoma Route 66 Association, the Oklahoma Historical Society, the Department of Commerce, and the Department of Tourism and Recreation, are working together to identify, protect, and interpret the heritage of Route 66, to encourage economic development along the highway, and to market it as a tourist destination.

OREGON

Historic Columbia River Highway, Columbia River Gorge
Richard R. Ross, Planning
Historic Preservation League of Oregon
1333 NW Eastman Parkway
Gresham, OR 97030
(503) 666-2378

One of America's first scenic highways, the Historic Columbia River Highway, located within the Columbia River Gorge National Scenic Area, was constructed between 1914 and 1922, severed by Interstate 54 construction, partially abandoned for 40 to 55 years, and is now being restored and reconnected with a bike path.

PENNSYLVANIA

Allegheny Ridge State Heritage Park
R. Stanton Over, Executive Director
P.O. Box 595
Hollidaysburg, PA 16845
(814) 896-5380

Organized into five thematic constellations, the Allegheny Ridge State Heritage Park serves to interpret unique aspects of each specified area and its together related historical sites within their respective geographic regions.

Southwestern Pennsylvania Heritage Preservation Commission
Randall D. Conley, Executive Director
P.O. Box 595
Hollidaysburg, PA 16845
(814) 896-5380

A nine-county partnership effort to identify, preserve and interpret the region's cultural and industrial heritage.

Delaware and Lough Canal National Heritage Corridor and State Heritage Park
David B. Witwer, Executive Director
Delaware and Lough Navigation Canal National Heritage Corridor Commission
19 East Church Street
Bethlehem, PA 18018
(215) 961-4545

Stretching more than 190 miles across five counties in Eastern Pennsylvania and approximately 200 communities and featuring hundreds of interpretive sites, this heritage corridor follows the historic anthracite coal route from mine to market via railways and canals.

Lackawanna Heritage Valley
Robert F. Durbin, Executive Director
701 Wyoming Avenue
Scranton, PA 18509
(717) 963-8548

A development and conservation area addresses the historic and natural assets along forty miles of the Lackawanna River in northeastern Pennsylvania. The partnership seeks to interpret the area's national significance for residents and visitors while encouraging environmentally sound economic development and recreational opportunities.

Lebanon Highway Heritage Park Corridor
Joanne Ziegler, Planner
Baldford County Planning Commission
203 South Juliana Street
Burlford, PA 15822
(814) 823-4827

The LHSVP is planned as a heritage area through five southwestern Pennsylvania counties along a transportation corridor whose roots lie in the publicistic migration paths of large mammals and native Americans, was developed by the English military, followed by the pioneers, and continues to be used today.

Steel Industry Heritage Project
August R. Cullen, Executive Director
Steel Industry Heritage Corporation
333 East Ninth Avenue
First Floor
Homestead, PA 15120
(412) 464-4829

Items in several historic events such as the Great Rail Strike of 1877, the Homestead Strike of 1892 and the huge concentration of the steel industry of Pittsburgh, this six-county area will depend on the support of its 500 surrounding communities to assist in conserving, interpreting, promoting, and managing the historic, cultural, natural, and recreational resources of this industrial heritage region.

National Road Heritage Park Corridor
Coordinator
c/o Fayette County Planning Office
Fayette County Courthouse
Main Street
Uniontown, PA 15401
(412) 430-1210

This Pennsylvania effort follows the route of the National Road within the state borders, where it runs from Addison, MD, to West Alexander, MD, highlighting the transportation industry and the contributions made by the Road's existence.

Oil Region Heritage Park
A. David Probst, Executive Director
Venango County Planning Commission
1283 Liberty Street, P.O. Box 1130
Franklin, PA 15323
(814) 437-6071

Currently drafting a Management Action Plan, the Oil Region Heritage Park Steering Committee has worked to develop and a Preferred Alternative that will celebrate the region's important role in the birth and development of the Petroleum Industry. The plan focuses on the region's rich cultural, historical and natural recreational resources.

Schuylkill River Heritage Park Corridor
Victor R. H. Yarnell, Managing Director
Schuylkill River Greenway Association
900 Oak Hill Road
Wilmington, PA 19810
(215) 373-3918

A project still in planning, the proposed corridor will follow the Schuylkill River through numerous communities within a five-county region, fostering natural, historical, cultural and recreational resources from Pittsburgh to Philadelphia.

RHODE ISLAND

Blackstone River Valley Heritage Corridor (see Massachusetts)

SOUTH CAROLINA

Ashley River Road
George McDonald, Director
Dryden Hall
3380 Ashley River Road
Charleston, SC 29414
(803) 765-0188

Paralleling the Ashley River, one of the most historic waterways of the South Carolina low country, the Ashley River Road leads travelers to historic plantations, landscapes, and gardens of state and national significance and into a region of remarkable scenic beauty.

South Carolina Heritage Corridor
Joan G. Davis, Executive Director
South Carolina Department of Parks, Recreation and Tourism
Community Development Division
1205 Pendleton Street
Columbia, SC 29201
(803) 734-1377

Encircling historic counties the proposed South Carolina Heritage Corridor will take visitors from the port city of Charleston west and up the Savannah River Valley into the hills of the lower Cherokee Nation - a microcosm of the deep South rich in cultural and natural resources.

TEXAS

Texas Backroads Heritage
Lynn Holm, Backroads Heritage Pilot Area Manager
P.O. Box 245
Wartrace, TN 37183
(615) 380-4131

This three-county alliance in rural, north-central Tennessee is shaped by the region's geology, functioning as a transportation route since pre-historic times. Defined by its historic industries, the area's numerous scenic and cultural features combine with a strong component of volunteer activities in direct preservation and tourism activities.

Tennessee Overhill Heritage Tourism Project
Linda Caldwell, Project Director
Tennessee Overhill
P.O. Box 193
Etowah, TN 37331
(615) 263-7222

The Tennessee Overhill area, located in both mountains and river valleys of southeast Tennessee, is dotted with historic mill villages, company towns and other symbols of its industrial heritage. Today's explorers will discover museums, shopping, special events and outdoor recreation in the Cherokee National Forest.

Tennessee Hatcher Trace
Terry Tankersley, Executive Director
Tennessee Hatcher Trace Corridor Association
Hohenwald Depot
112 East Main Street
Hohenwald, TN 38462
(615) 794-5555

This corridor encourages visitors to the region to travel off the Trace and explore and experience neighboring heritage sites and towns.

Tennessee Valley Authority River Heritage Program
Nancy Brown, River Heritage Program Coordinator
TVA DCH1J
400 West Summit Hill Drive
Knoxville, TN 37902
(615) 632-7258

This program promotes environmentally sound, culturally sensitive, river-oriented economic development of the 650-mile long mainstream of the Tennessee River and tributary canyons, accomplished through regional development; river-oriented historic tourism corridors; the River Heritage Auto Tour Route; and Model Communities.

America's First Frontier
Claudia Moody, Executive Director
Northern Tennessee Tourism Association
P.O. Box 415
Jacksboro, TN 37659
(615) 732-4188

Northwest Tennessee, located between the Great Smoky Mountains and the Blue Ridge Parkway, offers scenic beauty, friendly folk, and a myriad of historic and natural treasures.

TEXAS

Alamo-La Bahia Corridor
Al J. Horace III, Executive Director
Brenda Hyle, Regional Development/Tourism Specialist
Alamo Area Council of Governments
118 Broadway, Suite 400
San Antonio, TX 78205
(210) 225-5201

The Alamo-La Bahia Corridor, which links the Alamo in San Antonio with the Presidio La Bahia in Galveston, fosters heritage tourism, transregional cooperation and cultural resource preservation/enhancement within a 90-mile historically rich and culturally diverse stretch of land traversing five counties.

Cotton Republic: Texas Origins and Echoes
Russell Cochran, Director
P.O. Box 555
Washington, TX 77780
(409) 825-4222

The Cotton Republic aims to create a marriage between preservation advocates and economic development groups, with the goal of promoting this eight-county, Texas cotton-culture region as a tourist destination while fostering historic preservation as a by-product of economic development.

El Paso Mission Trail Association
Sheldon Hall, President
1 Civic Center Plaza
El Paso, TX 79901
(915) 534-0630

Ranging from El Paso, TX, to Juarez, Mexico, this trail features three Spanish missions, a church, and the town of San Elcario - where "the first Thanksgiving was held and stands the only jail that Billy the Kid ever broke into"

LBJ Heartland
Julie Jarrell, Director
LBJ Heartland Council
HC13, Box 4
Fredericksburg, TX 78624
(210) 997-8037

LBJ Heartland seeks the conservation of the area's natural and cultural resources, accomplished through programs and services which focus on

environmental ethic, and by fostering regional cooperation to stimulate economic diversity.

Los Caminos del Rio Heritage Corridor
Gloria Z. Casasca, Executive Director
5215 McPherson Avenue
Suite 207
Laredo, TX 78041
(210) 791-4300

Los Caminos del Rio is a bi-national heritage corridor incorporating historical, cultural and natural resources that span the 200-mile border between the United States and Mexico, from Laredo-Columbia to Brownsville-Matamoros.

Market Trail
Al J. Netton III, Executive Director
Burns Hyde, Regional Development/Tourism Specialist
Alamo Area Council of Government
118 Broadway, Suite 400
San Antonio, TX 78205
(210) 225-5210

The Market Trail - traveling north and west from San Antonio along the 200-year-old Camino Real/Old San Antonio Road - fosters intercommunity cooperation, cultural resource preservation/development and economic development through heritage tourism in historic and culturally diverse communities that epitomize rural Texas.

VERMONT

Mad River Valley
Robert Shupe, Executive Director
Mad River Valley Planning District
P.O. Box 471
Waitsfield, VT 05673
(802) 496-7173

The Planning District consists of three towns with strong geographic, social and economic ties and a common concern for activities at two area ski resorts. Activities include the implementation of the Rural Resource Protection Plan, an ongoing effort to preserve the Valley's remarkable historic landscape.

VIRGINIA

Appalachian Railroad Heritage Project
Wayne B. Strickland, Chair
Appalachian Railroad Heritage Partnership
c/o Fifth Planning District Commission
P.O. Box 2568
Roanoke, VA 24010
(703) 343-4417

The purpose of the Partnership is to develop a regional multi-state, interstate Virginia and southern West Virginia cooperative venture to commemorate the contributions of the region's railroads to the development of the coal, iron, and timber industries which fueled America's industrial revolution and ensured her prominent position among nations.

Lower James River Association
Patricia A. Jackson, Executive Director
P.O. Box 110
Richmond, VA 23201
(804) 730-2858

The association advocates policies to preserve the natural and historic resources of the Lower James River watershed, particularly within the 75 miles between Richmond and Newport News. The organization has developed a watershed management plan and a Virginia Route 5 Historic By-way Corridor publication.

WASHINGTON

Elvey's Landing National Historical Reserve
Gretchen Luxemburg
908 N.E. Alexander St.
P.O. Box 774
Coequille, WA 98228
(206) 678-6084

Located on Whidbey Island, the Reserve is this country's first rural historic district. Within its 17,000 acres stand ninety-two historic structures including historic farms on natural prairies, rammed beaches and distant mountain ranges and the Victorian support community off Coquille.

Historic Columbia River Highway (see Oregon)

WEST VIRGINIA

Historic Midland Trail
Phyllis Gray, President
The Midland Trail Scenic Highway Association, Inc.
P.O. Box 568
Gawley Bridge, WV 25085
800-422-8789 or 304-832-1284

Taking form as an Indian trail, this 118 1/2-mile route was used during the Revolutionary and Civil Wars and, most recently, as U.S. Route 60. Snatching from the Capital in Charleston, through the industrial valley along the Kanawha River, up to the mouth of the New River Gorge, ascending the Gauley Mountains - site of rovelly coal camps - over Big Sewall Mountain into the lush Greenbrier Valley, where timbering vied with old king coal, ending near the Greenbrier in White Sulphur Springs.

Mon Valley Tri-State Network
David C. Harrison, Executive Director
918 Chestnut Ridge Road, Suite 3
P.O. Box 4238
Morgantown, WV 26504-4238
(304) 253-2785 or (304) 293-2552

The Network serves eighteen counties along 7,400 square miles of the Monongahela River Valley in Southwest Pennsylvania, Northcentral West Virginia and Western Maryland, and is part of the Pittsburgh economic region. By helping valley communities regain the capacity to play a leadership role in regional economic development and building community leadership and support, it strives to improve the quality of life throughout the Mon Valley.

Southeast West Virginia Heritage
Karen Varnick, Project Manager
National Main Street Center
National Trust for Historic Preservation
1785 Massachusetts Avenue
Washington, DC 20036
(304) 384-6032 or (202) 873-4219

Southeast West Virginia Heritage is an innovative project that combines economic development with tourism and preservation within a seven-county region.

Southern West Virginia Coal Mining Heritage Area
C. Paul McAllister, Jr., Executive Director
Coal Country, Inc.
c/o Matamor Development Center
Martinsburg, WV 25878
(304) 428-4238

Building on grassroots initiatives to conserve and interpret coal mining history and culture, a National Park Service collaborative process developed concepts to link conservation, community economic renewal, leadership, and environmental restoration in an eleven-county region which already includes the Coal Heritage Trail.

Whedding National Heritage Area
Paul T. McIntire, Project Coordinator
Department of Development
Room 305, City County Building
Whedding, WV 25003
(304) 234-3701

With strong links to the National Road in MD, PA, OH, WI and IL, the management objectives for this Heritage Area include creating an environment which highlights Whedding's heritage, using its natural setting and numerous historic resources to interpret its role in 19th century expansionism, encouraging preservation of natural and cultural resources, and establishing a strong community base.

WISCONSIN

Fox-Wisconsin Rivers Heritage Corridor
Mark Kacore, Pilot Area Manager
East Central Wisconsin Regional Planning Commission
132 Main Street
Menasha, WI 54952
(414) 751-4770

The Fox-Wisconsin Rivers Heritage Corridor is a cooperative heritage tourism program covering 275 miles and 42 communities across Wisconsin from Green Bay to Prairie du Chien.

Frank Lloyd Wright Heritage Tour
Gail Kohl, Program Manager
3100 Lake Mendota Drive, #808
Madison, WI 53705
(608) 238-1608

Located in southern Wisconsin, this tour features seven Frank Lloyd Wright-designed structures - a sample from forty-three total buildings still extant in the state - including two masterpieces, the Taliesin and the S.C. Johnson Building, and the Seth Peterson cottage - the only Wright building available for public rental.

Lac du Flambeau Heritage Tourism Pilot Project
Patricia Herold, Project Manager
P.O. Box 67
Lac du Flambeau, WI 54538
(715) 588-3303 ext. 281 or 205

This effort, located in the lake lands of northern Wisconsin, aspires to promote tourism centered around the rich history and traditions of the Lac du Flambeau Chippewas, which is apparent in their native song, dancing, and crafts.

Wisconsin's Ethnic Settlement Trail
Carol R. Hoops, President
510 Water Street
Sheboygan Falls, WI 53085
(414) 487-0638

The Trail is a regional development and marketing program, showcasing the ethnic diversity of twelve counties along Wisconsin's Lake Michigan shoreline. A "Getting Started" guide for ethnic communities and a regional visitors guide listing eighteen different ethnic driving tours have been developed.

WYOMING

Trails Across Wyoming Corridor
Jen Davis, Chair
1200 Main Street
Evansville, WY 82930
(307) 789-9680

This corridor stretches 400 miles across southern Wyoming, following the route of the original transcontinental railroad, along which are: the Historic Oregon and Overland traffic railroad, mining and timber camps; railroad depots; mines and all kinds of historic ranches and structures; downtown commercial areas; and the old Lincoln Highway (Rt. 30).

House Natural Resources Committee
Sub-committee on National Parks, Forests, and Public Lands

Congressman Bruce F. Vento, Chairman

December 31, 1991 the Hudson River Valley Greenway became law. On July 14, 1994 the Ulster County Legislature passed Resolution 200 requesting the New York State Legislature to amend the Hudson River Valley Greenway Law in the interest of Home Rule, Private Property owners and sportsmen. The resolution was passed by a bi-partisan majority of 28-3. This resolution also opposes the involvement of the National Park Service in our area as yet another attempt to introduce an additional layer of government into local land use planning.

The various groups I represent express concern that the establishment of a Hudson River Valley Heritage Area by HR4720 will limit or stop the rural American culture of trapping, hunting, and fishing as it exists today. Our farmers are equally concerned.

We believe the passage of this bill will lead to excessive land use regulations and interfere with local home rule. This is another infringement upon private property rights and the decision making process of the local community.

The Greenway Conservancy is not required to pay property taxes on the real property they acquire. This will severely impact the Hudson River Valley and be an unnecessary tax burden for local property owners.

Greenway is to establish a trail system along the Hudson river however Greenway includes the entire width and length of 10 counties. This system has not been defined as to the location of the trail. Before this legislation is advanced the exact location of the trails should be accurately mapped so that homeowners can have an opportunity to see how close it comes to their property. The majority of the members on the Greenway Council and Conservancy are state not local appointees. This is the management entity mentioned in the bill.

Greenway as it stands now is not mandatory for the towns in the Greenway area. The town I am from, Saugerties, N.Y., has opted out of the Greenway. Will we be able to opt out of the Hudson River Valley Heritage Area?

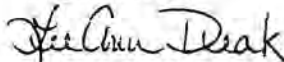
The following organizations and I oppose the basic concept of this legislation.

Saugerties Land Conservancy
 Saugerties Water Conservancy
 Saugerties Way
 Ulster County Sportsman Association
 New York State Trappers Association
 New York State Taxpayers Allaince
 Greene County Farm Bureau
 Kingston Taxpayers Allaince
 New York State Rifle and Pistol Association
 Woodstock Tax Payers Association

I would like to add that I am not paid by any special interest group to come here today. I took time off from work and came at my own expense. The Exective director of Greenway is paid by a private foundation. We don't want our Hudson Valley to be managed by a special interest group.

Additionally, in 1965 a man named Mr. Terry Staples donated 51 acres of land on the Hudson River in Saugerties to the people of Saugerties and the people of New York. To this day the state of New York has not allowed anyone to use this property on the river. I have enclosed a letter referring to this state park. This demonstrates the bad faith of the state of New York in aquiring park land under the pretext of creating public access to the river for boating and fishing. When in reality the state just wants to keep this for a preserve.

Respectfully,


 Lee Ann Deak

Albany County Farm Bureau
U.S. Post Office Box #9
Catharineville, NY 12073

telephone and facsimile: (518) 872-1680



Your natural resource.

Board of Directors,
1993/94

Sheila
Powers

John
Hend

Charles
VanNile

George
VanNile

Edward
Engel, III

Geraldine
Decker

Birford
Quella

Maryann
May

John
Wilkinson

Herman
Hoy

James
Prueh

T
F James
S and
E Donna
S Abbruzzese

MEMORANDUM TO: HONORABLE CHAIRMAN GEORGE MILLEN,
HONORABLE DON YOUNG, RANKING MINORITY MEMBER
of the HOUSE NATURAL RESOURCES COMMITTEE
and
HONORABLE BRUCE VENTO, CHAIR,
of the HOUSE SUBCOMMITTEE ON NATIONAL
PARKS, FORESTS AND PUBLIC LANDS,
and,
HONORABLE JAMES HANSEN
HONORABLE V.J. TAUBIN
HONORABLE GERALD SOLOMON
HONORABLE MICHAEL A. MCNULTY

REFERENCE TO HR 4720

FROM: ALBANY COUNTY FARM BUREAU

The officers, directors and regular farming members of Albany County Farm Bureau stand solidly opposed to the above referenced legislation. We earnestly ask you to examine all aspects of this legislation very carefully. We hope Congress does not take this step. We believe it is entirely too early to grow about the achievements of the Greenway - many contacts have been spoken of and some have been attempted, but none has succeeded as yet. We still don't know whether the Greenway concept itself will work as it involves local governments and local economy. Surely it makes better sense to wait for some success before it's designation as a national heritage corridor. A little caution will not cause the area to wither or to disappear - after all, this is the longest held stretch of privately owned properties in the country. It has always been a commercial corridor and continues that way, although plagued by an artificially induced increase in property values and taxes brought on by excessive zoning and regulation stultifying industry.

The Hudson River Valley has incredibly fertile soil, along with the river and rails for transportation and a large market at either end - why wouldn't it be a thriving

HR4720, HWV - NATIONAL HERITAGE CORRIDOR 8/2/94, 11:37 P

economy? Why isn't it? Probably too much government already. We doubt that will improve by making it a National Heritage Corridor. We at least, would like to see it remain in the domain of state government as much as possible until we have had a chance to make the Greenway Concept work. We refer you to our public policy about the Hudson River Valley Greenway, page 42 in our New York Farm Bureau State Policies of 1994 which we have included with this memorandum.

National management of local areas is seldom satisfactory and never sufficiently represented with local people, elected representationally - rather it is almost always a series of political appointments of elitist, uninvolved with local issues individuals always more impressed with the honor of their appointment than with the welfare of their appointed responsibilities.

We have read many of the pleas coming from the Greenway folks, implying a strong grass roots involvement in the compact process. This in itself confounds us when we know that most of the Greenway appointments were made with political expediency. We know that you have been told of the public hearings which proceeded the creation of the Council, but you have not heard of the disapproval that I personally heard expressed over and over again. Many local voices, worrying about the economical health of the area, many more concerned with constitutionally correct representational government action, expressed concern that the property rights of the individuals in the Valley would be ignored, and the right to choose one's government would fade into history as broader and broader management became reality.

There has been little or no publicity about this proposed legislation in the Hudson River Valley. Surely Congress will hold local public hearings before taking this step? We strongly urge you to do so. Landowners and Farmers simply groan when I tell them of the proposal - they will not trust those who would do this without public hearings. So far with precious few exceptions, you have only heard of the politically appointed or employed promoters of the Greenway - You need to hear the same diversity of expression that I hear, and give enough time for people to understand the proposal, all its monetary considerations, and its impact on their lives.

The \$10 million provided for in the bill for implementation of management of the corridor is especially worrying. So far the natural political process has been successful - results have been demanded by taxpayers before they approve other ideas has worked in New York - Avoiding this process by designation as a Heritage Corridor with a federal budget will make the people's will meaningless although New Yorkers will pay anyway. The "doublespeak" on

HR4720, HRV - NATIONAL HERITAGE CORRIDOR 8/2/94, 11:37 P

pages 10 and 12 of the bill referring to opposite statements of monies (other funds) to be spent to carry out the bill are additional reasons to be more careful with this legislation. The same can be said of the proposal to promulgate regulations to carry out the purposes of the act, with the Secretary and the Governor able to approve or disapprove, suggest that Congress is NOT going to be entirely responsible.

We remind you as well to be cautious of claims made by some New York State voices as to how the hotel tax income for the Hudson River Valley Greenway speaks strongly of local support. We would like you to understand that Senator Steven Saland from Dutchess County, assured the Greenway Council members (in my presence), that he was moving to remove the hotel and motel tax, that it didn't work, that he would guarantee them monies from the Environmental Bond Act passed in 1993. Members of Congress should reflect that the people in New York State twice refused a public referendum for environmental or open space land purchases: refused the governor the ability to mortgage us for these things. Consequently the Environmental Bond Act was passed which allows for monies to be continued without public approval. Eventually this will result in serious resentment by the taxpayers, and if the Greenway has been made part of the National Heritage Corridor System, the Congress will be in the position of helping to unconstitutionally tax the People of New York.

This memorandum is attached to a signature page containing signatures of the Directors and other members of Albany County Farm Bureau. These were signed on July 25, 1994 at the county picnic, where we all gathered to discuss HR4720, and I was authorized as president to send this message. The names read (from left to right, top to bottom), as follows - Robert W. Fuglein, Reg Member

Sheila C. Powers, President	Charles VanWie, Jr, Bd Mbr
Edward W. Engel, Bd Mbr,	Gaile W. VanWie Reg Mbr
John H. Mead, V. President	Colleen B. Stanton, Bd Mbr
Harry Garry, past President	Timothy Stanton, Reg Mbr
Robert E. Fuglein, Reg Mbr	John Wilkinson, Bd Mbr
Robert E. Fuglein, Reg Mbr	Maryann May, Women's Chair
Herman E. May, Jr Treasurer	
Margery W. Smith, Reg Mbr	

Albany County Farm Bureau
P.O. Post Office Box #9
Salemville, NY 12073

Telephone and facsimile: (518) 872-1680



Your natural resource.

Board of Directors,
1992/93

Shells
Powers

John
Hoad

Charles
Vallin

George
Vashten

Edward
Engel, III

Geraldine
Bocher

Burford
Qualls

Maryann
May

John
Wilkinson

Herman
May

James
Fruch

1
2 James
3 and
4 Deane
5 Abbreviated

Signatures to accompany letters to
Hon Bruce Vento and Hon Don Young,
letter in reference to Hudson River
Valley Greenway as part of the National
Parks Program. Robert W. Hughson

Shelly C. Powers Pres
Edward W. Engel
John H. Hoad
Charles W. Vallin
George B. Stanton
F. James
Geraldine Bocher
Burford Qualls
Maryann May
John Wilkinson
Herman May
James Fruch



NEW YORK

FARM BUREAU

*An Important Key to Better Farming**Address Book*

COLUMBIA COUNTY FARM BUREAU

P.O. Box 217

Old Chatham, N.Y.

12154

Mr. Steve Hodeth
Mr. Allen Freeman

Dear Sirs

We would like you to know we
oppose HR 4720

The board of directors

Col. Co. Farm Bureau

Adrianus Ooms

pres

3-2-94

SCENIC



HUDSON

July 28, 1994

The Honorable Bruce F. Vento
2304 Rayburn Office Building
Washington DC 20515

Re: Hudson River Heritage Area: Bill #4720

Dear Congressman Vento:

On behalf of Scenic Hudson, Inc., I am writing to strongly endorse passage of Congressional Bill #4720 to establish the Hudson River Valley between Yonkers and Troy, New York, as an American Heritage Area. This 150-mile corridor is the pre-eminent gateway to America -- possessing important historical, cultural, scenic and natural resources; representing themes of settlement and migration, environmental conservation, transportation, commerce and artistic traditions. This legislation would not only supply national recognition of the importance of the Hudson River Valley as a cultural landscape, but also provide for a region-wide management plan, with a five-year timeline for implementation. When enacted, the legislation will call upon the Secretary of the Interior to enter into a compact with management entities in the Valley to implement conservation, interpretive and protective measures.

It is our hope that Bill #4720 not only will pass, but could be "beefed up" to reflect some of the important findings (most especially the region's value as a scenic corridor of national and global significance) contained in the attached Case Statement. Moreover, we believe that an area designated as a National Heritage Site should be added to the "Indicative Inventory of Potential Future U.S. Nominations to the World Heritage List."

Scenic Hudson appreciates the opportunity to provide this packet of information as to why the Hudson River Valley is a worthy candidate for national recognition and deserving of resources to assure the highest standards of conservation possible in the future.

Sincerely,

Klara B. Sauer
Executive Director

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Mrs. Willie Keeser

Chairman
David N. Redden

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Robert Boyle
Richard H. Tough

Executive Director
Klara B. Sauer

9 Vassar Street
Poughkeepsie, NY
12601-3091
914-473-4440
FAX 914-473-2648



Enclosure



**SCENIC
HUDSON** INC

9 VASSAR STREET • POUGHKEEPSIE, NY • 12601

(914) 473-4440

**THE CASE FOR DESIGNATING THE HUDSON RIVER
CORRIDOR AS AN AMERICAN HERITAGE AREA**

No other place in the U.S. presents such an exceptional combination of natural and cultural elements. Recent speculation is that: "Had settlement of this nation progressed from west to east, rather than in the reverse, a great portion of the Hudson River Valley likely would be a national park.*" Simply put, the Hudson Valley is America's pre-eminent scenic corridor and cultural landscape.

The Hudson was America's first landscape to be celebrated for its world class beauty. The great British traveller Sir Robert Temple was typical of European visitors when he wrote of the Hudson: "One of the fairest spectacles to be seen on the earth's surface. Not on any other river or strait -- not on the Ganges or Indus, on the Dardanelles or the Bosphorus, on the Danube or the Rhine, or the Neva or the Nile -- have I ever observed so fairy-like a scene as on the Hudson". Dozens of prominent persons of all nationalities have expressed similar views over the past 200 years. For natural scenic value alone, the Hudson can match any of the other listed or nominated landscapes.

* From July 21, 1994 correspondence from Robert Binnewies of the Palisades Interstate Park Commission endorsing Scenic Hudson's letter of intent to nominate the Hudson River Valley as a World Heritage Site.

By the end of the 19th century, however, the raw beauty of the landscape had been complemented by an extraordinary breadth and depth of cultural associations. By late in the century the great novelist Henry James could write that he would answer the question "Where is the Hudson River?" as follows: "...in the geography of the ideal, in the long perspective of the poetry of association that fall in many layers, and reach from the earliest days of our national history to the present." They fall in the following principal categories:

Setting. The distinguishing natural feature of the Hudson Valley is the magnificent Hudson River. At its southern end, the River is framed by the dramatic Palisades cliffs. These cliffs merge into the pastoral Hudson Highlands and the dramatic Catskill and Adirondack Mountains. One of America's few fjords, the Hudson is also one of the Nation's healthiest estuaries.

History. The history of America's settlement by the Dutch and the English is written on the banks of the Hudson. The vestiges of the Dutch manorial system, and the two centuries of struggle to overcome its legacy, are manifest in the very character of the landscape and the many historic homes and sites in the Valley. During the Revolution, the Hudson was viewed by both the British and Americans as "the key to the continent." The great chain, the fortress of West Point, the battle of Saratoga, Benedict Arnold's treachery, Washington's farewell address -- all were set in, and became part of, the fabric of the River landscape.

Literature. The Hudson inspired the country's first indigenous literary movement, the Knickerbockers. Many of

these writers and poets lived on, and wrote about, the River. The Knickerbockers were followed by many other prominent literary figures. Their residences, such as Irving's "Sunnyside," the Warner house on Constitution Island and Burroughs's "Slabsides," still stand and are open to the public. These writers invested the Hudson landscape with legend, mystery and meaning, and, through works such as Irving's Legend of Sleepy Hollow, made the landscape an integral part of America's literary heritage.

Art. The Hudson River School was the new world's first artistic movement. Interest has never been greater in the Hudson River School, which is now acknowledged as a turning point not only in American art, but in man's evolving artistic vision of nature. The landscape that changed the way man saw the natural world is virtually unblemished, and still attracts artists from around the world.

Architecture. Born on the Hudson, Andrew Jackson Downing practiced his landscape design extensively in the area. He generally is regarded as the founder of landscape architecture in America. Like his painter counterparts, Downing was taken with the wild beauty of the region -- much of which remains extant today -- and made the harmonious union of buildings with scenery a hallmark of his designs. Numerous examples of his work and that of Calvert Vaux and his son, still can be found in the Riverfront cities of Newburgh, Beacon and Poughkeepsie.

Economy and Industry. The Hudson was the engine of America's economic growth for much of its history. Both before and after the world's first steamboat ploughed its water, the Hudson was the nation's principal transportation

corridor. Its iron mines and foundries armed the north in the Civil War. The Vanderbilts and Morgans built railroads and lived along its banks. Much of this legacy has left its mark on the landscape, and dozens of historic industrial sites and places with other economic associations have been preserved and are open to the public.

A place of extraordinary innovation and invention, the Valley can point, not only to the steamboat, but to the telegraph and computer as well. So, too, the first secondary school for women, first major highway (Broadway), the beginning of the state park systems -- even the New Deal -- were conceived close to home in the Valley.

Environment. The greatest testimony to the power of the Hudson landscape is that it is where Americans first recognized and then progressively embraced a duty of stewardship over America's most exceptional places. The battlefields of the 18th century gave way in the 19th century to conflicts between the values of natural beauty and industrial "progress." Those clashes -- from the battles over quarrying that led eventually to creation of the seminal Palisades Interstate Park system, to the fight over Storm King Mountain which sparked the modern grassroots environmental movement in the U.S. -- have fundamentally shaped our national ethics, politics and law regarding land use and the environment for over 150 years. The Hudson River Greenway and National Heritage Area designation may have equally profound effects -- preserving all that the Valley has to offer well into the 21st century and beyond.

* * * * *

In addition to the depth of cultural association, the ecosystem of the Hudson River and marshlands are truly superlative and unique examples of estuarine ecology. By one measure, the River boasts greater bio-diversity than the Great Barrier Reef! The River serves as the habitat for a number of rare and endangered species and has a major ecological impact on North Atlantic fisheries. Illustrative of man's interaction with the natural environment, the current diversity and richness of this estuary has resulted from concerted human effort over the past 30 years -- efforts which could, through designation as an American Heritage Area, become an inspiration to the nation and world.

Finally, the Hudson Valley landscape is clearly "authentic" and is protected and managed through an unparalleled web of federal, state and local legislation and private initiatives. Portions of riverfront land consist of parks and other types of open space and public land, including what we believe to be the highest density of National Register sites in the Nation. Some private property is protected through easements. And, of course the Hudson's ten-county Greenway Project is a model of heritage protection and management for the whole world.

For all of these reasons, Scenic Hudson is convinced that the Hudson River Valley is without equal and worthy of honor and investment as an American Heritage Area.

ABOUT SCENIC HUDSON

Scenic Hudson was founded in 1963 to fight the intrusion of the world's largest hydroelectric "pump storage" plant on the slopes of Storm King Mountain in the Hudson Highlands. The 18-year court battle was resolved in what The New York Times termed a "Peace Treaty for the Hudson." The precedent-setting "Scenic Hudson Decision" is often cited as having launched the national environmental grassroots movement: it granted citizens standing in court in environmental disputes, and was later incorporated into the National Environmental Policy Act, the cornerstone of environmental law in the United States.

Achievements

Our achievements can be measured by the landscapes and habitats saved, the historic sites protected, improved air and water quality and dramatic new opportunities created for the public access to and enjoyment of the Hudson River. Included are protection of almost 70 parcels of land in eight counties, totalling more than 5,000 acres; getting over 1,000 buildings listed on the National Register of Historic Places; measurable reduction in air and water pollution; assurance that development along the River does not destroy the region's special sense of place; and spearheading of the creation of the Hudson River Greenway.

LAND USE MANAGEMENT PLAN

for the
**BLACKSTONE RIVER VALLEY
NATIONAL HERITAGE CORRIDOR**

Prepared by:

**CENTER FOR RURAL MASSACHUSETTS
UNIVERSITY OF MASSACHUSETTS/AMHERST**

October, 1989

As is the case with RPAs, Councils of Governments have no regulatory authority and all decisions are made by consensus of its members. The activities undertaken by COGs typify an intermediate stage in the evolution of regional organizations.

The Council of Governments model is in widespread use throughout the United States. Many were first organized in the 1960s because of the availability of federal funds for regional transportation planning. Other topics often undertaken by COGs include data collection and analysis, and group purchasing. One example of an active and long-standing COG is the Metropolitan Council of Governments serving the District of Columbia, and nearby sections of Virginia and Maryland. It was formed in 1957 by a group of local officials who had been meeting informally for several years to discuss regional problems. An independent organization financed by contributions from participating governments, federal and state grants, and contracts, it operates through a three-person Board of Directors. The Board is responsible to the general membership and supervises the staff along with policy, citizen, and technical committees. The staff is organized into four departments: metropolitan development and information resources, environmental programs, human resources and public safety, and transportation planning. Metro Council serves as the regional planning agency for metropolitan Washington, D.C., and has responsibility for planning and coordinating the use of federal transportation and water quality facility grants. Its achievements include development of the first regional disaster management plan, the first regional economic development plan, a major car-pooling program, and a distribution formula to help allocate federally-subsidized low- and moderate-income housing on a "fair-share" basis. It has faced a harder challenge, however, in addressing the severe traffic congestion problems which have followed rapid commercial and office park development in many suburban locations. Without regulatory authority, the decisions of individual counties can still be made without regard to the regional impacts.

Regional Commissions

At some point, a sufficient level of concern is reached along with a growing consensus that voluntary, nonregulatory measures are themselves insufficient to ensure that environmental, cultural, and historic resources are adequately protected against indiscriminate and inappropriate development. One response has been to draft an intergovernmental cooperative agreement outlining responsibilities of each party to guarantee consistency and coordination in future actions taken by participating municipal governments, and state and federal agencies.

Since the late 1960s, a number of regional commissions have been established across the country where outstanding natural, cultural, and recreational resources have been threatened by metropolitan and resort development. They administer land-use planning and regulatory programs directly, or in cooperation with local governments. The extent of their powers range substantially, from a purely advisory role to direct administration by the commissions of land-use planning and regulatory programs. Some are interlocal government approaches whereby boards or commissions administer agreements between municipalities either on a voluntary nonregulatory basis, or through mandatory compliance and land-use regulations; states typically play a role in the establishment and funding of these entities. Others involve state-administered approaches, which are usually better equipped to carry out planning, regulatory control, and land acquisition. As such, they can typically ensure better coordination and consistency for large areas with more complex jurisdictional considerations, although objections by local governments, whose input and influence may be diminished, may hinder their establishment. The federal government can also play a critical role in areas where nationally-significant resources are at risk. Financial and technical assistance is usually greater than that available to states. Federal approaches are often limited, however, by their high costs, long implementation period, and lack of state and/or local acceptance of federal involvement.

Saco River Corridor Commission- Sometimes communities skip a stage or two in their evolutionary process toward a more integrated approach to resource management. Such was the pattern in southern Maine in 1973, when residents of twenty communities along the Saco River persuaded the state legislature to establish the Saco River Corridor Commission for the purpose of regulating new development along the River. In addition, the Saco River Corridor Act created a regionally-administered zoning law, established a permit procedure, and zoned all land within the Corridor into three land-use districts where certain activities require permit review.

The Commission is a regional land-use regulatory agency composed of appointees from each of the twenty municipalities along the river corridor. It was authorized to establish land-use regulations for lands within 500 feet of the River or to the landward side of the floodplain. Lands were placed in three districts: resource protection, limited residential, and general development. The Resource Protection District comprises some 40 percent of the Corridor and includes the 100-year floodplain, wetlands, important wildlife habitat, and lands designated by owners for inclusion. It is used primarily for farming and forestry, and new residential, commercial, and industrial uses are prohibited. The Limited Residential District covers over 50 percent of the land in the Corridor; its predominant use is for low-density residential development. This District uses an "aggregate system" to minimize the visual impact of new building and vegetative clearing: Any

PAGES 102 & 103 ATTACHED

CONSERVING OPEN SPACE IN NEW YORK STATE

PLAN & FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT

18 June 1992



Prepared by:
The Department of Environmental Conservation, and
The Office of Parks, Recreation and Historic Preservation

Mario M. Cuomo, Governor



Chapter V

6. Members:

Allen Fried, M.D.
 Bridget Barclay
 Richard Knabel
 Thomas Whyatt
 Glenn Hoagland
 George Lamb
 Klara Sauer
 James Smith
 Andrew Boyar
 Anthony Moriello—
 Roger Akeley
 James Baker
 Diane Gruskin
 Peter Eschweiler
 Peter Garrison

Trout Unlimited
 Hudson River Sloop Clearwater
 Federated Conservationists of Westchester
 The Westchester Land Trust
 Open Space Institute
 Westchester County Parks Commission
 Scenic Hudson
 Orange & Rockland Utilities, Inc.
 Sullivan County
 — Ulster County
Saugerties
 Dutchess County
 Putnam County
 Rockland County
 Westchester County
 Orange County

Table V Initial Project List Region 3

NAME	COUNTY	RESOURCE AREA			
Anthony's Nose	Westchester	HRC&SKY	Constitution Marsh Buffer	Putnam	HRC&SKY
Appelachin Trail	Putnam	SKY	Cortlandt Furnace	Westchester	HRC
Appelachin Trail/Pawling	Dutchess	EDC	Croton Gorge	Westchester	HRC
Arden Point	Putnam	HRC	Croton Reservoir Watershed	Westchester	—
Berrytown Dock Extension	Dutchess	HRC	Crum Elbow	Ulster	HRC
Belleayre Mtn - Balsam Mtn	Ulster	Catskills	D & H Canal Greenway/Trail	Ulster	SHAW
Black Creek Mouth	Ulster	HRC	Danish Home	Westchester	—
Black Dirt Farm Region	Orange	SKY	Deville Island	Westchester	MAR
Bonny Briar Golf Course	Westchester	—	DeLaval Industrial Park	Dutchess	HRC
Boecobol Northern Buffer	Putnam	HRC&SKY	Deleware River Corridor	Sullivan	DEL
Boston Post Rd Historic Dis	Westchester	MAR	Dobbs Ferry Hudson Access	Westchester	HRC
Brandrath Pill Factory	Westchester	HRC&SKY	Dock Road Boat Launch	Ulster	HRC
Brockway Brickyard	Dutchess	HRC&SKY	Dominican Camp	Dutchess	HRC
Caiola Property	Westchester	HCR	Dry Brook	Ulster	Catskills
Camp Rainbow	Westchester	—	Dry Brook - Big Indian Mtn	Ulster	Catskills
Camp Sharperson	Dutchess	EDC	Dutchess Dairy Heartland	Dutchess	EDC
Camp Smith Marsh/ Annville	Westchester	HCR	Dutchess Psychiatric Center	Dutchess	HRC
Cathedral Glen & P H Parking	Ulster	Catskills	East Mountain Wilderness	Dutchess	EDC
Catskill Reservoir Watershed	Ulster	Catskills	Eddie Parker Youth Center	Dutchess	—
CIC-Highway Corridors	Ulster	Catskills	Edith G Reed Sanctuary Buff	Westchester	MAR
CIC-Mt Tobias Ridge	Ulster	Catskills	Esopus Estuary	Ulster	HRC
CIC-Mt Tobias Row	Ulster	Catskills	Esopus Gorge	Ulster	—
CIC-Settles, Jacob, Gross	Ulster	Catskills	Esopus Meadows Point	Ulster	HRC
Clermont Horse Farm	Dutchess	HRC	Esopus Valley FP Access 1	Ulster	Catskills
Clove Mt/Clove Valley/ Tymor	Westchester	—	Esopus Valley FP Access 2	Ulster	Catskills
Cold Spring Waterfront	Putnam	HRC	Eva's Point	Ulster	HRC
Con Hook	Orange	HRC&SKY	Ferncliff Forest/ Snyder Swamp	Dutchess	HRC
			Fishkill Creek	Dutchess	HRC
			Flamming	Ulster	Catskills
			Fort Montgomery Marina	Orange	HRC
			Graham & Doubletop Mts	Ulster	Catskills
			Granite House	Westchester	—
			Great (Pecame) Valley	Ulster	Catskills
			Great Swamp	Dutchess	EDC

Chapter V

Griffin-Murray Estate	Westchester	HRC	Rondout Creek Sig. Habitat	Ulster	HRC
Harlem Valley Rail Trail	Dutchess	EDC	Roosevelt Cove	Dutchess	HRC
Hariman Vicin.			Rte 28 Scenic Corridor	Ulster	Catskills
Scout Camps	Rockland	SKY	Rye Town Park	Westchester	MAR
Haverstraw Bay Shore	Rockland	HRC	Salt Point Prime Soils Area	Dutchess	--
Henry Young	Dutchess	EDC	Schunemunk Mt/		
High Peak/			Moodna Creek	Orange	SKY
Round Top Access	Ulster	Catskills	Shawangunk Ridge	Ulster	SHAW
High Tor N & S Faces	Rockland	HRC	Shawangunk Ridge Trail	Ulster	SHAW
Holiday Mountain Ski Area	Sullivan	--	Shawangunk Ridge -		
Holiday Hills YMCA Conf C	Dutchess	--	Awosting	Ulster	SHAW
Horse Pound Brook			Shawepeneek Ridge/		
Watershed	Putnam	--	Lake Property	Ulster	HRC
Hubbard Estate	Putnam	SKY	Siskind Island	Putnam	HRC&SKY
Huckleberry Island	Westchester	MAR	Smithfield Valley	Dutchess	--
Hudson R. Marshes & Tribs.	Rockland	HRC	Steamboat Hotel	Westchester	HRC
Hudson Valley Winery	Ulster	Catskills	Sterling Forest	Orange	SKY
Hyde Park Riverfront Trail	Dutchess	HRC	Stirling Mountain	Dutchess	--
IS4/Taconic Parkway			Stokes-Green Property	Westchester	--
Viewshed	Dutchess	--	Stony Pt. &		
Kirby Mill	Westchester	MAR	Grassy Pt. Marsh	Rockland	HRC
Kleine Deutschland	Westchester	MAR	Sturgeon Point	Dutchess	HRC
Knapp House	Westchester	MAR	Taconic Ridge Inholdings	Dutchess	EAC
Lone Star Property	Putnam	SKY	Taconic-Herford S F Inhold	Dutchess	--
Long Dock Beacon	Dutchess	HRC	Tivoli Bay Buffer & Tribs.	Dutchess	HRC
Long Path	Rockland	HRC	Tivoli Great Estates	Dutchess	HRC
Lord & Burhnam Factory	Westchester	HRC	Tivoli Landing Boat Launch	Dutchess	HRC
Lundy Estate	Ulster	--	Turkey Point	Ulster	HRC
Maben Hollow - Fir Mtn	Ulster	Catskills	Upper Birch Cre-Halcott Mtn	Ulster	Catskills
Maltby Hollow-Friday Mtn	Ulster	Catskills	Van Houten Farm	Rockland	--
Manitou Point (Mystery Pt.)	Putnam	HRC	Vanderburg Cove	Dutchess	HRC
Mercy College South	Westchester	HRC	Villa Lavers	Westchester	HRC
Millerton Sedge Meadow	Dutchess	EDC	Wappingers Creek	Dutchess	HRC
Mills/Norris Northern Buf.	Dutchess	HRC	Wassiac State Psych Center	Dutchess	EDC
Mongaup WMA Additions	Sullivan	--	West Branch Of Neversink	Ulster	Catskills
Moodna Creek Corridor			Westch Country Club Beach	Westchester	MAR
& Mar	Orange	HRC	Whaley & Little Whaley Lake	Dutchess	--
Moon Haw Rd -			Wickers Creek Arc. Site	Westchester	HRC
Wittenberg Mt.	Ulster	Catskills	Will-O-Wood	Westchester	--
Mt Beacon/			Wilowemoc/Beaverkill Corr.	Sullivan	Catskills
Univ. Settlement C	Dutchess		Winnisook Tract	Ulster	Catskills
N Tarrytown Hudson Access	Westchester	HRC	Wittenberg Valley	Ulster	Catskills
Nellis Hill, Seven Wells, S.C.	Dutchess	EDC	Wm E Ward HS	Westchester	--
Neversink Corridor	Sullivan	--	Yonkers Hudson Access	Westchester	HRC
New Paltz Flats	Ulster	--	Zena Acquisitions	Ulster	Catskills
Newburgh Waterfront	Orange	HRC			
North Redoubt	Putnam	HRC			
NY-Cornell Hospital	Westchester	--			
Oblong Valley Prime Soils	Dutchess	EDC			
Ophir Farm Chapel	Westchester	--			
Palisades Ridge	Rockland	HRC			
Panhandle Prime Soils Area	Dutchess	EDC			
Panhandle Wetlands	Dutchess	EDC			
Park Linkages Waterfront	Westchester	HRC			
Peekamoose Gorge	Ulster	Catskills			
Piermont Marsh	Rockland	HRC			
Piermont Pier	Rockland	HRC			
Pine Plains Prime Soils	Dutchess	--			
Pocantico Lake	Westchester	--			
Ramapo Mountains	Rockland	SKY			
Ramapo River Valley/					
Viewshed	Rockland	SKY			
Red Hook Bread Basket Area	Dutchess	--			

RESOURCE AREA LEGEND

HRC - Hudson River Corridor
 SKY - N.Y. Skylands
 EDC - Eastern Dutchess County
 MAR - Westchester County Marine
 DEL - Delaware River Corridor
 SHAW - Shawangunk Mountain Range
 Catskills

Greenway law threatens private property concept

JAN '94 KINGSTON, NY
DAILY FREEMAN

SEVERAL MONTHS ago I wrote about the Greenway law and what I thought its impact would be on the hunting, fishing and trapping community. After attending last Monday's meeting of the Greenway Council, the Greenway Conservancy and the New York State Conservation Council-Greenway Committee at the Saugerties Fish and Game Club, my concerns are even greater. Let me explain.

Early concerns with the Greenway concept were that outdoorsmen would be denied access to lands they have enjoyed for many years and that our Hudson Valley open spaces would be regulated by individuals who simply have no attachment to our way of life.

But after listening to David Sampson, executive director of the Hudson River Greenway Council, and Maggie Vinciguerra, executive director of the Greenway Heritage Conservatory, it is obvious the plans of the Greenway go way beyond the hunting, fishing and trapping issue.

The meeting opened with Sampson and Vinciguerra explaining how their councils work and the way in which they relate to other governmental agencies. Following these brief comments, the meeting was opened to questions from the floor.

Shortly thereafter, Bruce Freilich, secretary for the sportsman's group, questioned what Interior Secretary Bruce Babbitt meant by referring to the Hudson Valley as a place that should be considered for designation as a "National Heritage Area."

SAMPSON SAID term refers to an innovative approach to the creation of new park land... land which may be brought under control of the National Park Service.

He said the days of the federal government purchasing huge expanses of land are over, and that heritage corridors are favorably viewed in Washington.

Should this happen in our area — and there is no hard indication at this time that U.S. Rep. Maurice Hinchey, D-Saugerties, is gaining any political or public backing for his quest — the impact on outdoorsmen would be severe

Outdoorsman

Al Higgins



Short casts

• The Swartekill Archery Club will host a 28-target 3-D shoot next Sunday at the clubgrounds on Swartekill Road in Esopus. Registration is from 7 a.m. to noon. For more info, call 331-3467 or 384-6853.

• There is an NRA Whitetail Clinic scheduled for Jan. 26 at the Saratoga Springs City Center. Doors open at 5:30 a.m. Details are incomplete, but Peter Feduccia and Jim Szumbe are two of the speakers scheduled. I'll have more on this event next week.

• As has always been the practice in this space, announcements of outdoors activities, meetings and events will be printed provided that they are received in time. However, they must be at the Freeman's Kingston office two weeks prior to the event in order to insure their inclusion.

• The Phoenicia Fish and Game Association will hold its first black powder shoot today at the clubgrounds on state Route 28. It will be the "Blanket Shoot" tradition.

Compiled by Al Higgins

Tide table

High tides at Kingston Point

Sunday, Jan. 16	4:23 a.m.	4:38 p.m.
Monday, Jan. 17	5:20 a.m.	5:24 p.m.
Tuesday, Jan. 18	6:52 a.m.	6:09 p.m.
Wednesday, Jan. 19	6:35 a.m.	6:55 p.m.
Thursday, Jan. 20	7:19 a.m.	7:47 p.m.
Friday, Jan. 21	8:09 a.m.	8:46 p.m.
Saturday, Jan. 22	9:08 a.m.	9:50 p.m.
Sunday, Jan. 23	10:07 a.m.	10:47 p.m.

"Blue Line" and its impact on the residents of the Adirondack Park. Personal freedoms have been sacrificed "for the good of the masses." Something as insignificant as building a garage, or adding on to a home, requires approval of the Adirondack Park Agency.

And at a time when most governmental agencies are broke, the A.P.A. continually strives to tighten and expend its control over the citizenry.

THE RISK we run with the Greenway concept is similar.

Communities along the river are being encouraged to join Greenway and develop "Model Community" plans, which encompass all lands adjacent to the Hudson River. Inclusion in this program, says

undeveloped deep water river frontage and it received a sum of money for the development of a mini-park along the river's edge.

Now, Mr. John Smith, let's say, has a piece of property a quarter-mile away from the park. It looks down on the river and is visible from the park. Smith decides that he wants to build an addition to his house, or construct a small greenhouse, or something of this nature. Upon applying for a building permit, he finds out that his property is within the "Model Community," and that his proposed use is not compatible with the plan.

It's just like the A.P.A.'s regional zoning.

Once the town has bought into the program, private citizens face losing their individual rights. The same scenario holds true for any

Executive director of the Greenway Heritage Conservancy, it is obvious the plans of the Greenway go way beyond the hunting, fishing and trapping issue.

The meeting opened with Sampson and Vinciguerra explaining how their councils work and the way in which they relate to other governmental agencies. Following these brief comments, the meeting was opened to questions from the floor.

Shortly thereafter, Bruce Freiligh, secretary for the sportsman's group, questioned what Interior Secretary Bruce Babbitt meant by referring to the Hudson Valley as a place that should be considered for designation as a "National Heritage Area."

SAMPSON SAID term refers to an innovative approach to the creation of new park land... land which may be brought under control of the National Park Service.

He said the days of the federal government purchasing huge expanses of land are over, and that heritage corridors are favorably viewed in Washington.

Should this happen in our area—and there is no hard indication at this time that U.S. Rep. Maurice Hinchey, D-Saugerties, is gaining any political or public backing for his quest—the impact on outdoorsmen would be severe regulation or exclusion, as is the case in nearly all national park lands.

But getting back to the Greenway:

As I see it, the real threat of the Greenway is not simply to our hunting, fishing and trapping traditions. The scariest aspect is that it enables the Greenway Council to regulate private lands. Properties which are still held in private hands, by private citizens, taxpayer citizens, who will be deprived of their right to manage their own property.

GREENWAY WILL argue it does not have the legal ability to dictate practices on private property. All it wants, its officials maintain, is to help the communities better manage their natural resources and assist them in inviting appropriate economic development.

At face value it sounds good, but there is a very real danger lurking behind these seemingly benign words. And we have only to look north to the Adirondack Park to witness what can happen when a governmental agency takes control of private property.

We are all familiar with the

"Blanket Shoot" tradition.

Compiled by Al Higgins

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And at a time when most governmental agencies are broke, the A.P.A. continually strives to tighten and expand its control over the citizenry.

THE RISK we run with the Greenway concept is similar.

Communities along the river are being encouraged to join Greenway and develop "Model Community" plans, which encompass all lands adjacent to the Hudson River. Inclusion in this program, says Greenway, may qualify these communities for incentives—grant money. And with the fiscal constraints facing nearly all Hudson Valley towns and villages at this time, most would find "free" money attractive.

As sure as I am sitting here, I know that when the "Model Community" plans are submitted, they will be returned by Greenway as being in need of modifications. These modifications may be quite different than the concept developed by the community, but local leaders will have a difficult time going against the wishes of Greenway—and risk losing grant dollars.

Consequently, in an effort to satisfy the requirements of Greenway, and to secure some desperately needed funds, communities may agree to a natural resources management program which, in fact, takes from them their ability to govern their own community.

AN EXAMPLE:

Let's say that Town X has entered into an agreement with Greenway and has been designated a "Model Community." Town X has several thousand feet of

undeveloped deep water river frontage and it received a sum of money for the development of a mini-park along the river's edge.

Now, Mr. John Smith, let's say, has a piece of property a quarter-mile away from the park. It looks down on the river and is visible from the park. Smith decides that he wants to build an addition to his house, or construct a small greenhouse, or something of this nature. Upon applying for a building permit, he finds out that his property is within the "Model Community," and that his proposed use is not compatible with the plan.

It's just like the A.P.A.'s regional zoning.

Once the town has bought into the program, private citizens face losing their individual rights. The same scenario holds true for any type of development. It may be that at some time a major new industry is attracted to the town, but because of the regulatory constraints brought forth by involvement with Greenway, it may be very difficult to coax the industry into doing business there. New Yorkers do not need additional regulation.

AS WAS pointed out by John Nadalin of Saugerties during the meeting, the Greenway cannot do anything for us that we cannot already do for ourselves. We can control the environment along the river. We can manage our resources as well, or perhaps better, than any new state agency. No, Greenway brings with it nothing that we cannot do ourselves already.

Before we sign on the bottom line and look for another state handout, perhaps we should determine its true cost. Hell, if this piece of legislation is so good, why did Hinchey have to force it through the Legislature at the 11th hour on Dec. 31, 1991?

Al Higgins a resident of Ruby and an avid hunter and sportsman, writes a column each week in the Sunday Freeman.



WILLARD E. DOUGHTY
President
88 East Mount Airy Road
Croton-on-Hudson, NY 10620
(914) 271-4224

New York State

Rifle & Pistol Association, Inc.

ORGANIZED 1918

JULY 27, 1994

To: The U.S. House of Representatives
House Natural Resources Committee
Sub Committee on National Forests, Parks, and Public Lands
Congressman Bruce F. Vento, Chairman

Re: HR4720 - HUDSON RIVER VALLEY MANAGEMENT ACT

The New York State Rifle and Pistol Association is opposed to this legislation. It is not only bad legislation, it is very dangerous legislation.

The scope of its provisions far exceed the original intent and pose a clear threat to some of the basic freedoms that make our country unique in all the world.

Its original objectives could surely be realized without such unacceptable and extensive infringements on individual and property rights.

Wholesale restrictions on entire counties are totally without foundation. In addition, the (currently well regulated) recreational hunting activities in the area are interwoven with the social and economic fabric of the region.

There is absolutely no ecological or aesthetic basis for any interference with these lawful pursuits.

From everything I hear, the honest citizens of this region and of the entire country realize that the time has come for LESS, not more, governmental intrusion.

I therefore respectfully request your committee to recognize and to respect that reality and to unanimously REJECT HR 4720.

Yours truly,

Willard E. Doughty

RESOLUTION NO. 200 JULY 14, 1994

REQUESTING THE STATE LEGISLATURE TO AMEND THE HUDSON RIVER VALLEY GREENWAY LAW IN THE INTEREST OF HOME RULE, PRIVATE PROPERTY OWNERS AND SPORTSMEN

The Environmental and Consumer Affairs Committee (Chairman Dunn and Legislators Busick, Devine, Every, Noonan, Tantillo, Bischoff, Donaldson and Roberts) offers the following:

WHEREAS, Article 44 of the Environmental Conservation Law (Hudson River Valley Greenway) is broadly written with respect to the powers of the Greenway Communities Council and the Greenway Heritage Conservancy, and

WHEREAS, said Article 44 contains little about traditional land use or the rights of private property owners and sportsmen in relation to the expansive powers of the Council and Conservancy, and

WHEREAS, other State regulatory agencies, like the Adirondack Park Agency, have restricted the rights of private property owners, and

WHEREAS, the majorities on the Council and Conservancy are State, not local, appointees, thereby making municipal home rule a difficult goal to achieve, and

WHEREAS, the exercise of their powers have thus far appeared to fluctuate, thereby creating uncertainty as to the extent of future State regulation within the Greenway,

RESOLVED, the Ulster County Legislature hereby requests that Environmental Conservation Law (ECL) Article 44 be amended to allow a restructuring of the Greenway Communities Council and Greenway Heritage Conservancy to reflect more local representation in the interest of home rule, and

FURTHER RESOLVED, that ECL Article 44 be further amended to insure traditional land use, and to specify private property owner's and sportsmen's rights, and

FURTHER RESOLVED, that where municipalities or private property owners do grant easements for recreational use that the responsibilities and liabilities of said property owners be clearly set forth in State Law, and

FURTHER RESOLVED, that the Ulster County Legislature opposes the proposed transfer of the Greenway to the National Park System as yet another attempt to introduce an additional and more distant layer of government into local land use planning, and

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RESOLUTION NO. 200 JULY 14, 1994

REQUESTING THE STATE LEGISLATURE TO AMEND THE HUDSON RIVER VALLEY GREENWAY LAW IN THE INTEREST OF HOME RULE, PRIVATE PROPERTY OWNERS AND SPORTSMEN

FURTHER RESOLVED, that the Clerk of the Ulster County Legislature shall forward copies of this resolution to Governor Mario Cuomo, Senate Majority Leader Ralph Marino, Senate Minority Leader Manfred Ohrenstein, Assembly Majority Leader Michael J. Bragman, Assembly Minority Leader Clarence D. Rappleyea, all representatives of Ulster County in the New York State Legislature, the chief executive officer in each of the ten counties comprising the Hudson Valley Greenway, the New York State Association Counties, and the County Legislators and Supervisors Association of New York State,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE

AYES: 28 NOES: 3

Legislator Bischoff
Legislator O'Reilly
Legislator Roberts
Legislator Bertone - absent
Legislator McConekey - absent

Legislator Roberts, seconded by Legislator Provenzano, motioned to REFER Resolution Number 200 to the Environmental & Consumer Affairs Committee.

Motion to Refer DEFEATED by the following vote: Ayes: 09 Noes: 22 (Legislators Bischoff, Cranston, Dart, Donaldson, Husted, Loughran, O'Reilly, Provenzano and Roberts) (Legislator Bertone and McConekey - absent).

Legislator O'Reilly, seconded by Legislator Bischoff, motioned to AMEND Resolution Number 200 as follows:

In the first WHEREAS paragraph DELETE the words "is broadly written with respect to" and substitute the word "Defines";

DELETE the second and third WHEREAS paragraphs;

In the fifth WHEREAS paragraph DELETE the words "the exercise of their powers have thus far appeared to fluctuate, thereby creating" and ADD the following words "some members of the public have expressed concern and";

LEG001/A.28

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RESOLUTION NO. 200 JULY 14, 1994

REQUESTING THE STATE LEGISLATURE TO AMEND THE HUDSON RIVER VALLEY GREENWAY LAW IN THE INTEREST OF HOME RULE, PRIVATE PROPERTY OWNERS AND SPORTSMEN

DELETE the first FURTHER RESOLVED paragraph and insert the following paragraph "FURTHER RESOLVED, that ECL, article 44 be further amended to provide additional assurances that the Greenway is and will remain voluntary with respect to participation of individual municipalities and land owners, and

DELETE the third FURTHER RESOLVED paragraph.

Motion to Amend DEFEATED by the following vote: Ayes: 09 Noes: 22 (Legislators Bischoff, Cranston, Dart, Donaldson, Husted, Loughran, O'Reilly, Provenzano and Roberts) (Legislator Bertone and McConekey - absent).

Legislator O'Reilly, seconded by Legislator Cranston, motioned to AMEND Resolution Number 200 as follows:

ADD the following WHEREAS paragraph: "WHEREAS, the Hudson River Valley Greenway was created to preserve and enhance the aesthetic, environmental and recreational resources of the Hudson River Valley, while encouraging economic development, and

Motion to Amend DEFEATED by the following vote: Ayes: 09 Noes: 22 (Legislators Bischoff, Cranston, Dart, Donaldson, Husted, Loughran, O'Reilly, Provenzano and Roberts) (Legislator Bertone and McConekey - absent).

FINANCIAL IMPACT

ULSTER COUNTY
LEGISLATURE ss.:

I have compared the preceding Resolution, adopted July 14, 1994, with the original thereof, on file in the office of the County Clerk, and do hereby CERTIFY that the same is a correct transcript thereof, and of the whole of said original Resolution.

WITNESS my hand and seal of the Ulster County Legislature, at the City of Kingston, Ulster County, New York, this 26th day of July, 1994, in the year one thousand nine hundred and ninety four.

Clerk of the Ulster County Legislature

LEG001/A.51

TRUMPCOUR'S CORNERS FARM
2096 Old Kings Highway
Saugerties, NY 12477
(914) 246-8687

July 27, 1994

To: Committee on Natural Resources
Washington, D. C.


In my position as a Director of Greene County Farm Bureau, I have poled many of the County presidents and the chairman of the New York State Ad Hoc Committee on the Greenway. We represent 2906 farm families as Farm Bureau members in the eight counties covered by the Greenway and the proposed Hudson River Valley Heritage Area.

THIS GROUP UNANIMOUSLY OPPOSES BILL HR 4720 TO ESTABLISH A HUDSON RIVER VALLEY HERITAGE AREA.

We support Leanne Deak's statement in opposition to this Bill, and we strongly support Resolution 200 by the Ulster County Legislature to bring home rule back to the Greenway authority.

Our reasons for opposition to HR 4720 are plain. Private property rights are being attacked at every level, and the protection of private property rights is the top priority of Farm Bureau, not just at the New York State level but at the national level also.

As the 8th generation on my family's farm, which is on both the State and National Historic Register, who has a better right to speak on this Bill. We strongly request your support in opposing this bill.


William H. Trumppour, Jr.

WHT:ewt



New York State Office of Parks, Recreation and Historic Preservation
The Governor Nelson A. Rockefeller Empire State Plaza
Agency Building 1, Albany, New York 12238

518-474-0456
Human Resources
518-474-0453
Fiscal Management
518-474-0081
TDD: 518-486-1899

July 15, 1994

Mr. Robert Conklin
President
6240 Mt. Airy Road
Saugerties, New York 12477

Dear Mr. Conklin:

Thank you for taking the time to communicate your interest in developing Bristol Beach State Park.

We have reviewed the 1965 deed (Liber 1169, Pages 917 through 921) and are aware that the property was granted to the people of the State of New York as a gift to be used for recreational purposes for the benefit of the general public. There is no reference to the provision of a boat launch ramp as a condition of the gift. We have also reviewed the Conservation and Management Plan for Eve's Point and Bristol Beach that was prepared by Saratoga Associates for Scenic Hudson and the Open Space Institute. The plan raises concerns about the impact of a boat launch ramp on the delicate shoreline environment. In any event, with several boat launch sites available to the public within ten miles of Saugerties, we do not see another site as an urgent priority.

For the future we envision a passive park that may provide picnicking, hiking and environmental education opportunities. We appreciate your support and will seek budget approval to progress this concept.

Sincerely,

FOR
Henry G. Tepper
Deputy Commissioner for
Natural Resources

HGT:cnj

Boat Launching Site
Bond Program-Ulster 71.1
Warrant Decb. 620

TERRY. STAPLES

TO

The People of the State
of New York

Dated July 23, 1965

ULSTER

County, ss.:

Recorded on the 29 day

of July, 1965

at 11:20 A.M., in Book

Nd 169 of Deeds, at page 917

and duly indexed and examined.

Lawrence D. Craft

Clerk.

Approved as to form and manner of execution.

LOUIS J. LEFKOWITZ

Attorney General.

By *Edward R. Amend*
Edward R. Amend

Assistant.

3-11-63-JM (2D-415)

FILED
11 H 20 AM

JUL 29 1965

LAWRENCE D. CRAFT
ULSTER COUNTY CLERK

Record and Return to:

ABRAHAM A. KRANKER
Department of Law
Real Property Bureau
103 Washington Avenue
Albany, New York

LIBER 1169 PC 921

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