

**STATEMENT OF JANET SNYDER MATTHEWS, ASSOCIATE DIRECTOR,  
CULTURAL RESOURCES, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE  
INTERIOR, BEFORE THE HOUSE SUBCOMMITTEE ON NATIONAL PARKS,  
FORESTS AND PUBLIC LANDS, OF THE COMMITTEE ON NATURAL RESOURCES,  
CONCERNING H.R. 754, TO DESIGNATE THE NATIONAL MUSEUM OF WILDLIFE  
ART, LOCATED AT 2820 RUNGIUS ROAD, JACKSON, WYOMING, AS THE  
NATIONAL MUSEUM OF WILDLIFE ART OF THE UNITED STATES.**

**MARCH 15, 2007**

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Mr. Chairman and members of the subcommittee, thank you for the opportunity to present the views of the Department of the Interior on H.R. 754, a bill to designate the National Museum of Wildlife Art as the National Museum of Wildlife Art of the United States.

The Department has no position on H.R. 754 since it involves the renaming of a private museum that is not located within the boundaries of any federally owned property and is not under federal jurisdiction. However, the Administration would not support future federal funding for this museum. Also, while we are not aware of one, prior to moving forward with this bill we would encourage the subcommittee to determine that there is not another National Museum of Wildlife Art that might object to the redesignation of this museum.

In a hearing before the Senate Subcommittee on National Parks, on April 6, 2006, the Department testified with the same position on S. 2252, an identical bill.

The National Museum of Wildlife Art is a private, non-profit entity located just outside of Jackson, Wyoming, across from the National Elk Refuge and only a short distance from Grand Teton National Park. Although the museum is not affiliated with the park, it supports the park's mission to preserve and protect wildlife and serves many of the same visitors.

Grand Teton National Park has a relationship with the National Museum of Wildlife Art. Recently, the park and the museum worked together on a special exhibition of the works of Thomas Moran, one of the premier painters of the American West, and the artist who accompanied the Hayden Expedition into Yellowstone in 1871. Moran is perhaps most widely known for his monumental paintings of Yellowstone, works that showed the American people for the first time the spectacular natural treasures of the area and inspired them to preserve it as the world's first national park. The area that was to become Grand Teton National Park was also the subject of Moran's brush, and the park has several of his works in its museum collection. Last summer, those works were on loan from the Park to the National Museum of Wildlife Art and were displayed as part of an exhibition celebrating the 125<sup>th</sup> anniversary of the Hayden Expedition that first explored and documented the region that is now Yellowstone National Park. Those works are now being stored by the Museum in their high-quality curatorial facility and the Park and Museum are working together on an agreement to facilitate future collaboration and partnership.

That concludes my testimony, I would be glad to answer any questions that you or other members of the subcommittee may have.

**STATEMENT OF JANET SNYDER MATTHEWS, ASSOCIATE DIRECTOR  
FOR CULTURAL RESOURCES, NATIONAL PARK SERVICE, BEFORE THE  
HOUSE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC  
LANDS, COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 713,  
TO ESTABLISH THE NIAGARA FALLS NATIONAL HERITAGE AREA IN  
THE STATE OF NEW YORK AND FOR OTHER PURPOSES.**

**March 15, 2007**

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Mr. Chairman, thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on H.R. 713, a bill to establish the Niagara Falls National Heritage Area in the State of New York.

While a feasibility study has found the Niagara Falls region appropriate for designation, we recommend that the committee defer action on H.R. 713 and all other proposed heritage area designations until program legislation is enacted that establishes guidelines and a process for the designation of national heritage areas. Last year, the Administration sent to Congress a legislative proposal to establish such guidelines and a process for designation. Bills were introduced in the 109th Congress (S. 243, H.R. 760 and H.R. 6287) that incorporated the majority of the provisions of the Administration's proposal, and S. 243 passed the Senate. During the 110th Congress, a similar heritage area program bill, S. 278, has been introduced, and we look forward to continuing to work with Congress on this very important issue.

With 37 national heritage areas designated across 27 states, and more heritage area legislative proposals in the pipeline, the Administration believes it is critical at this

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

In 2006, the National Park Service completed a national heritage area feasibility study of the Niagara Falls region pursuant to Public Law 107-256, the “Niagara Falls National Heritage Area Study Act.” The study concluded that the region met all of the criteria for designation as a national heritage area including the existence of significant levels of public support and local commitments necessary for successful planning and implementation of a heritage area.

The Niagara River flows for 35 miles between Lake Erie and Lake Ontario and includes the rapids, Niagara Falls, and the Niagara River Gorge. Eight parks operated by the State of New York are located along the river and within the gorge. The river forms a boundary between the United States and Canada.

Niagara Falls is an internationally significant natural resource that attracts from 8 to 10 million visitors a year. It is one of the most well-known destination attractions in the United States and Canada. The Niagara River Gorge is an exceptionally scenic corridor,

carved by the movement of the falls from its original location near Lewiston, New York (10,000 to 15,000 years ago) to its present location 10 miles upstream at the City of Niagara Falls. Besides its scenic values, the gorge has been cited as a world-class location of fossils from the Upper Ordovician and Silurian periods.

The Niagara River region contains a wide variety of flora and fauna. Recent inventories identified 1,623 plant species including unique miniature old growth eastern white cedars. Fauna inventories also include 50 mammal species, 17 amphibian species, 99 fish species, and 17 species of reptiles. Bird inventories identify 342 species including 19 separate species of gulls. One-day counts of gull populations have reached over 100,000 individuals. In recognition of this critical habitat, the National Audubon Society has designated the Niagara River as a Globally Important Bird Area.

The region is also rich in cultural resources related to the history of the United States and Canada. It has significant associations with Native American habitation and early European contact, the French and Indian War, the American Revolution, and the War of 1812. It was also a major link in the Underground Railroad for African Americans escaping slavery to enter Canada. The existence of ample water made it an early site for hydroelectric power and it remains an important source to this day.

Three National Historic Landmarks have been designated along the Niagara River. The Adams Power Transformer House, built in 1895, is the only surviving structure of a hydroelectric facility that has been called “the birthplace of the modern hydroelectric

power station.” The Niagara Reservation, which includes the American Falls, was the first state park in the nation created under eminent domain and originally designed by Frederick Law Olmsted. The Colonial Niagara Historic District, within the communities of Lewiston and Youngstown, was a key portage route linking interior North America and the Atlantic seaboard until the late 1700s. It also contains extant resources associated with Native American occupation and early European contact. Historic Fort Niagara on the shore of Lake Ontario is an important component of the district. Within the City of Niagara Falls and the communities of Lewiston and Youngstown, there are 14 sites listed on the National Register of Historic Places.

Despite the richness of the natural and cultural resources in the area, there is widespread belief that the United States side of the falls has never fully achieved its tremendous potential for visitors and for the local communities. A heritage partnership framework has been advocated as a way for the many partners in the region to protect its precious resources and further the contribution of the Niagara Falls region to the United States and to the people of New York. We have found considerable support for this proposal during the feasibility study.

H.R. 713 provides for the establishment of a limited term (5-year) federal commission to undertake the heritage management plan and to identify a successor local coordinating entity representing the varied interests of the region. It includes the opportunity for a limited number of heritage area related resources, outside of the designated heritage area boundary, to participate in heritage area programs if they are identified as eligible

through the heritage area management planning process. These provisions are consistent with the preferred alternative of the National Park Service national heritage area feasibility study.

Mr. Chairman, while the proposed Niagara Falls National Heritage Area contains significant natural and cultural resources and meets the established criteria for congressional designation, we would again request that the committee defer action until national heritage area program legislation is enacted. However, if the committee chooses to move ahead with this bill, the Department would like to work with them to make some technical corrections to the bill. In addition, the Department would recommend that the bill be amended to include an additional requirement for an evaluation to be conducted by the Secretary, three years prior to the cessation of federal funding under this act. The evaluation would examine the accomplishments of the heritage area in meeting the goals of the management plan; analyze the leveraging and impact of investments to the heritage area; identify the critical components of the management structure and sustainability of the heritage area; and recommend what future role, if any, the National Park Service should have with respect to the heritage area.

We are also advised by the Department of Justice that the restrictions placed on the Secretary's authority to appoint the members of the Niagara Falls National Heritage Area Commission raise constitutional concerns. We, along with the Department of Justice, would like to work with the committee to address these concerns.

Thank you for the opportunity to comment. This concludes my prepared remarks. I would be glad to answer any questions that you or the members of the committee may have.



**STATEMENT OF JANET SNYDER MATTHEWS, ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES, NATIONAL PARK SERVICE, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE NATIONAL PARKS, FORESTS, AND PUBLIC LANDS SUBCOMMITTEE OF THE HOUSE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 929, A BILL TO ESTABLISH THE LAND BETWEEN THE RIVERS NATIONAL HERITAGE AREA IN THE STATE OF ILLINOIS, AND FOR OTHER PURPOSES.**

**March 15, 2007**

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Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear before you today to present the Department of the Interior's views on H.R. 929, a bill to authorize the Secretary of the Interior to establish the Land Between the Rivers National Heritage Area in the State of Illinois. The Department does not support enactment of this bill at this time.

Before a national heritage area is designated by Congress, a comprehensive feasibility study should be completed that evaluates an area by applying criteria developed by the Department and Congress. The study undertaken by Southern Illinois University provides a good beginning in identifying the many stories and variety of resources found within the region. However, we believe that H.R. 929 should not be enacted until an adequate feasibility study is completed that yields the necessary information to demonstrate that the proposed national heritage area meets the criteria for designation. We also believe that individual bills proposing to designate new national heritage areas should be deferred until program legislation is enacted that establishes guidelines and a process for the designation of national heritage areas. Last year, the Administration sent to Congress a legislative proposal to establish such guidelines and a process for designation. Bills were introduced in the 109th Congress (S. 243, H.R. 760 and H.R. 6287) that incorporated the majority of the provisions of the Administration's proposal, and S. 243 passed the Senate. During the 110th Congress, a similar heritage area program bill, S. 278, has

been introduced, and we look forward to continuing to work with Congress on this very important issue.

H.R. 929 would establish the Land Between the Rivers National Heritage Area, including Kincaid Mound, Fort de Chartres, Kaskaskia, Fort Massac, Wilkinsonville Contonment, the Lewis and Clark Sculpture, Flat Boat, Cave-in-Rock, the Shawneetown Bank Building, the Iron Furnace, the Crenshaw “Slave House,” Roots House, the site of the Lincoln-Douglas debate, certain sites associated with John A. Logan, the Fort Defiance Planning Map, Mound City National Cemetery, and Riverlore Mansion, and any other sites within 17 counties in the State of Illinois that the management entity determines to be appropriate to include. It designates the Southern Illinois University Carbondale as the management entity.

The Department has concerns about the limited scope of the legislation. For example, H.R. 929 does not make the case that this region is a cohesive, nationally distinctive landscape, unified around one nationally important story that sets it aside from all other areas. The boundaries for the proposed area are not defined. While complete boundaries that encompass the key contributing components of the nationally important story are refined during the development of the management plan, the main region is typically stated within the legislation as a demonstration of where most of the grassroots efforts are taking place.

Also, H.R. 929 does not define the role and functions of the management entity or direct the management entity to develop and submit a management plan for the heritage area. The role and functions of a management entity are defined during development of the feasibility study as they

require concurrence of the residents. Legislative language for a management plan includes a description of comprehensive policies, goals, strategies, and recommendations for telling the story of the area. It specifies existing and potential sources of funding or economic development strategies to protect, enhance, and interpret the area. The plan also includes a description of actions and commitments that governments, private organizations, and citizens will take to protect, manage, and develop resources of the heritage area. H.R. 929 does not include any standard legislative language for management planning. The diversity of perspective and goals of any heritage area requires a written agreement on how to proceed. Specific guidelines regarding these issues were provided in the proposed legislation for heritage areas developed and presented to Congress by the Department last year.

A final concern is that H.R. 929 does not authorize any appropriations to provide financial assistance in conducting and carrying out the activities and functions of the heritage area.

The Department has consistently taken the position that proposed national heritage areas follow the proven path of those achieving designation in recent years. We cannot support H.R. 929 at this time as it does not meet the specific criteria for designation demonstrated by the completion of an adequate feasibility study. We are, however, fully prepared to provide advice or assistance in the completion of a feasibility study that meets our professional standards and provides Congress with the necessary information and assessment upon which to base its decision regarding designation in the future.

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

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