

STATEMENT OF DONALD W. MURPHY, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING S. 2645, TO ESTABLISH THE JOURNEY THROUGH HALLOWED GROUND NATIONAL HERITAGE AREA, AND FOR OTHER PURPOSES.

June 22, 2006

Mr. Chairman, thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on S. 2645, a bill to establish the Journey Through Hallowed Ground National Heritage Area. 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 using criteria developed by the Department and Congress. Although the study undertaken by the Journey Through Hallowed Ground Partnership is a good beginning step in looking at the resources in the region, it does not fully address the required criteria for designation of national heritage areas. We believe the bill 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 by Congress.

The proposed Journey Through Hallowed Ground National Heritage Area would span a region of approximately 175 miles along Route 15 and part of Route 20, from

Gettysburg, Pennsylvania through Maryland and West Virginia to Charlottesville, Virginia. The region is rich in historic and natural resources including the homes of Presidents Thomas Jefferson, James Madison, James Monroe, and Dwight David Eisenhower, and includes significant Revolutionary and Civil War sites. Revolutionary War sites include Willow Grove, the temporary headquarters of Generals Wayne and Muhlenberg, Point of Fork Arsenal, Castle Hill, home of colonial leader Dr. Thomas Walker, and the Hessian Barracks, used as a prison for British soldiers. Civil War sites include the battlefields of Gettysburg, Monocacy, Antietam, Brandy Station, and Manassas, among others. The region is also crossed by numerous historic trails and byways relating to the Civil War and other scenic resources. All told, there are an estimated 7,000 buildings in the area listed on the National Register of Historic Places, 13 National Historic Landmarks, and 2 World Heritage Sites.

S. 2645 would establish the Journey Through Hallowed Ground National Heritage Area and designate the Journey Through Hallowed Ground Partnership (Partnership) as the local management entity. The Partnership is a nonprofit corporation that has conducted a significant number of public meetings, an important requirement for evaluating local support for the designation of a national heritage area. The bill prescribes the duties of the management entity, provides for the Secretary and the Partnership to enter into a compact, requires the development of a management plan by the Partnership to be approved by the Secretary, and includes a 15-year authorization for up to \$1 million dollars per year not to exceed a total of \$10 million.

Both Congress and the Department have long agreed that a national heritage area designation should be predicated on the completion of a feasibility study that adequately addresses criteria to determine that a proposed national heritage area will enjoy not only public support, but other equally important factors that are necessary for the future success of the area, such as the financial capability to carry out the management plan.

The Department has had the opportunity to review a feasibility study undertaken by the Partnership. We find that the study, while a good first step, fails to address many of the criteria and does not permit an informed decision regarding the feasibility of designating this proposed national heritage area. The report does not adequately address proposed heritage area themes, does not contain any information regarding integrity of resources, nor does it provide an in-depth analysis of management alternatives for the region's resources. The study does not provide any information regarding financial planning and capability, potential sources of matching funds, or specific local commitments to ensure the viability of the programs and activities normally associated with heritage areas. Of concern, too, is the absence of any defined boundary within which federal funding would be targeted.

In addition, the Department has several concerns with some of the language contained in S. 2645. First, section 4 of the bill calls for the Secretary and the Partnership to enter into a compact to delineate the boundaries of the heritage area, discuss heritage area goals and objectives, and explain the proposed approach to conservation and interpretation.

Although compacts were found in many of the older national heritage areas designated,

over the past 10 years they have been replaced by a requirement to complete a feasibility study that includes this information. We strongly believe that these tasks are key components of a feasibility study and must precede designation.

Second, we note that section 5(a)(2)(D) provides that funds authorized under the legislation to the management entity may be used to acquire lands and interests in land, while section 5(e) prohibits the use of such funds for acquisition of real property or any interest therein. We recommend that section 5(a)(2)(D) be removed from the bill, since it is inconsistent with past heritage area statutes, which prohibit the use of federal funds authorized for heritage areas to be used for land acquisition.

The Department has consistently taken the position that proposed national heritage areas follow the proven path of those achieving designation in recent years. A recent National Park System Advisory Board report *Charting a Future for National Heritage Areas* recognized the important role of national heritage areas in expanding conservation stewardship and in identifying and preserving significant historic resources. The report also recognized that national heritage areas need a legislative foundation that sets specific criteria for designation demonstrated by the completion of an adequate feasibility study. The national heritage area program legislation (S. 243) that passed the Senate last year and is supported by the Department outlined the steps followed for success as a national heritage area. That path is always charted by the completion of a comprehensive feasibility study that provides the Department and Congress with an evaluation of the financial, programmatic, and tangible community support and commitment capabilities of

the local management entity. Without information regarding those key ingredients, we are unable to support this bill. We are, however, fully prepared to provide advice to the Partnership to assist it in completing a national heritage area 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.

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