

PROPERTY RIGHTS FOUNDATION OF AMERICA, INC.
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The Honorable Steve Pearce
Chairman, Subcommittee on National Parks
Committee on Resources
U. S. House of Representative
1333 Longworth House Office Building
Washington, DC 20515

HR 5195 - Journey Through Hallowed
Ground National Heritage Area

Dear Chairman Pearce:

This letter is to oppose the designation of the Journey Through Hallowed Ground National Heritage Area.

Beginning in July 1994, at the behest of the esteemed Congressman Gerald B. Solomon, then Ranking Member of the Rules Committee, I presented expert testimony against an American Heritage Area for the first time. It was not only the first time I had presented expert testimony before Congress, but the first testimony in opposition to any American/National Heritage Area. Over these many years, I have experienced a dismaying sort of satisfaction that my remarks were accurate and conservative, but I have also known the intense disappointment that the number of National Park Service American/National Heritage Areas has grown by leaps and bounds.

As a result of the claim that the Heritage Areas will benefit the local economy through promotion of tourism and historic preservation, the National Park Service, the land trusts, and other environmental and historic preservation groups have persuaded Congress to buy into a system of pork barrel that is built on an extreme philosophy of landscape preservation. This philosophical world-view, in which the Heritage Areas are a critical tool, is becoming quite effective in driving out ordinary rural people, substituting a very selective well-to-do colonization of rural America, fostering government land acquisition (both in fee simple and conservation easements) for preservation purposes, and cultivating countless rural preservation-oriented zoning entities and plans.

This is an explanation and summary, point by point, of the negative aspects of National Heritage Areas:

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1. Heritage Areas are greenways, or linear parks, made of government and private land, usually with a river as their spine, but also with historical themes. Historic preservation is a surrogate for the real object, which is landscape preservation.
2. Heritage Areas that focus on history mislead people who love history into supporting a program that is different from what they understand. I have ardently supported historic preservation for decades, as demonstrated by my having been the editor and co-author with my husband Peter, an architect, and local historical writer Jean Hadden of a book on the history of prominent architecture in the town of Stony Creek, where I reside; by my many years of research of my family's genealogy; and by my untold efforts to forestall the State of New York's destruction of historic evidences of the vernacular culture of the people of the North Country. But a federal corridor for historic preservation has its stated purpose as only one feature of its dual purposes, historic preservation and landscape preservation. Of course, the designation of a Heritage Area is irrelevant to historic preservation; by surrounding the designation with the trappings of historic preservation its other purpose goes unnoticed. In this respect, the designation of a historic Heritage Area is a shell game.
3. Heritage Areas have as their parallel spine a national or regional trail, an agent of destruction of private property rights, built piecemeal in secrecy, with deception, threats eminent domain, and formal eminent domain. Trails insert liability, vandalism, crime against persons, and personal property damage along a strip of land through private property that can not be policed. Trails also wall off the waterfront and other cherished or prized private real estate from private property owners.
4. The agencies, most notably the National Park Service, that develop the Heritage Area, use grants and other forms of empowerment to cultivate scores of regional and local government agencies and non-profits that form a cadre to eliminate private property in scenic and waterfront areas and to destroy private property rights.
5. Heritage Areas provide a *raison d'être* for preservation laws. The existence of the designation is cited routinely as an argument for preservation-oriented zoning.
6. The beneficiaries of the Heritage Areas are the bureaucrats, who gain power, turf and financial advancement; the land trusts, who increase their power, garner commissions on flips of land to government, raise funds using the greenways as tools, and who are paid directly out of the federal purse for multitudes of tasks such as management plans.
7. The losers are the ordinary local people, with land prices driven up by the dwindling supply of real estate as land trusts and government over-bid the local market; by the increased cost to build as zoning for large lots such as 20 to 50 acres and more are imposed; by the

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prohibition on construction on supposedly sensitive areas such as waterways, scenic vistas, or battlefields; by the enforced sale of conservation easements and development rights; and by the countless rules and restrictions on the use of land that are foisted on them by the zoning agencies that are precipitated and cultivated by the National Park Service, numerous government agencies (which are themselves often precipitated by the Heritage Area), and their “partner” NGOs.

The Heritage Areas become a place where the ordinary folk, whose real heritage is the area and who have lived often there for generations, are driven out, and the government and land trust landholders take over, with the upper crust private owners who can afford large-parcel zoning and can take advantage of the tax advantages and complexities of conservation easements and sale of development rights, and afford to live on land stripped of its capacity to be put to historic productive uses, replacing the old-time local people.

You can be sure that trailer parks or the 25-ft. by 100-ft. inexpensive plots containing two-family houses of the practical and excellent quality of the area where I grew up will not dominate the housing landscape or the outward expansion of developed sections of Heritage Areas. The scruffy ensemblage of small businesses, agriculture, industry, and residences that have dominated much of the old rural eastern countryside are not acceptable to the landscape philosophy for a Heritage Area, and these areas will gradually phase out their historic heritage. Even the little village centers in old rural areas lose their population of lower income, young rural families, whose tackiness and limited income team up to leave them defenseless against the elite Heritage onslaught.

Our American heritage of freedom, respect for people of differing cultures and financial means, our belief in the function of government to protect the little guy, and our historic tradition of land ownership based in the people all dictate the rejection of any new National Park Service National Heritage Areas.

Respectfully,

Carol W. LaGrasse
President
Property Rights Foundation of America