

MAILBOAT REX IV

DON'T BELIEVE THE NATIONAL PARK SERVICE

To the editor:

The National Park Service (NPS) assertion that National Heritage Area (NHA) designation of Washington and Hancock counties "does not allow eminent domain takings nor limitations to private use" is not true. It is evasion, unresponsive to my letter – QT 8/12 – warning of federal legislation S3932 now being pushed through Congress with almost no one knowing what it is. It has no meaningful property rights protection.

The implementation for each NHA is determined by its specific enabling legislation and political implementation, not by glib NPS reassurances. NPS is no source to trust for protecting property rights, shown by a century of its brutal

history of broken promises sacrificing property owners.

S3932 mandates "comprehensive" planning and implementation of broad "resource protection": land acquisition and control, with government agencies. It further requires the plan to "recommend" additional National Park Service "protection" advertised to not be in an NHA.

The plan must include a comprehensive "inventory" for "protection," broadly required as "an inventory of the natural, historic, cultural, educational, scenic and recreational resources of the Heritage Area relating to the themes of the Heritage Area that should be preserved, restored, managed, developed."

It "shall include comprehensive policies, strategies and recommendations for the conservation, funding, management

and development of the Heritage Area." It must "include an analysis of, and recommendations for, ways in which federal, state and local programs may best be coordinated to further the purposes of this act, including recommendations for the role of the National Park Service in the Heritage Area." Federal approval is required for the comprehensive plan.

The plan and coordinating its execution are done by the nonprofit Sunrise County Economic Council (SCEC) arranged for "local" appearance, but as an unelected overlay on locally elected government, unaccountable to property owners, and influenced by NPS insider political expertise.

SCEC must "give priority to the implementation of actions, goals, and strategies set forth in the management plan, including assisting units of government and other persons in carrying out programs and projects that recognize and protect important resource values in the Heritage Area."

Reassurances of protection of private property rights are false and meaningless.

1. Land use regulation falls in general under state authority, so cannot be specified or limited in the federal S3932. The federal funding requires the planning and state coordination, with no limits.

2. Anticipated results of required planning for additional direct NPS "protection" acquisition are not disclosed in S3932; S3932 can't and doesn't prohibit condemnation authorization.

3. Property rights are deemed by government as what is left after restrictions or acquisition under current and future law: Land use prohibitions, NPS eminent domain and trapping people as vulnerable inholders are in general not acknowledged to violate property rights.

4. The federal Coastal Zone Management Act of 1972 requires states to "protect" areas proclaimed to be nationally significant.

None of this is free money with no strings attached as SCEC is blithely telling people. Why is this legislation not reported and discussed? Stealth legislation should not be tolerated.

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