

# Facts about the new Northern Plains National Heritage Area

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## **Elwood "Woody" Barth – Viewpoint Union Farmer**

In late March, the U.S. Congress passed legislation establishing the Northern Plains National Heritage Area along the Missouri River, consisting of "a core area of resources in Burleigh, McLean, Mercer, Morton, and Oliver counties." This legislation came along with the authorization for \$10 million in federal matching funds for projects in the heritage area over the next 15 years.

Heritage areas are places where natural, cultural, historic and scenic resources combine to form a cohesive, nationally distinctive landscape arising from patterns of human activity shaped by geography. There are 49 National Heritage Areas across the nation, designated by Congress as having a particular national significance. The entire state of Tennessee is designated as a heritage area.

Although the legislation creating the Northern Plains National Heritage Area has been in process since 2005 – and had been the subject of numerous news stories, including front-page features in local newspapers – passage came as a surprise to some people.

The law answers many questions that have arisen. There is no regulatory component to the heritage area, just cash incentives for preservation and heritage tourism projects. Private property rights are absolute, spelled out in the legislation:

"[N]othing ... abridges the rights of any owner;" or "requires any property owner to permit public access ... ; or alters any adopted land use regulation ... ; conveys any land use or regulatory authority to the local coordinating entity ... ; or creates any liability ... of any private property owner."

These property rights were reinforced by passage of a Department of the Interior appropriations bill. The bill included provisions by Sen. Byron Dorgan, D-N.D., to clarify that landowners in the designated area have complete control over their property. Private lands would have to be opted in and could be opted out at any time with proper notification. Landowners who decide to opt into the NPNHA do not give up any property rights.

What the law allows for is matching grants to state or local governments, nonprofit organizations or private individuals in accordance with goals set by a management plan. The management plan is written and implemented by a local nonprofit organization based on public input.

The Northern Plains Heritage Foundation has three years to write a management plan from the receipt of the first dollars. The NPHF will sponsor public meetings in each of the five counties starting in November. Once the plan is prepared, it will be submitted to the Secretary of the Interior for approval. Once approved, identified projects can be implemented.

North Dakota Farmers Union has no policy either endorsing or opposing the NPNHA. NDFU endorses a land-use policy that secures private ownership and proper use of land with minimum government interference. We believe in family farmers and ranchers, and reserve the right to determine the use and future use of our land.

National Heritage Areas are meant to develop economic activity and create jobs. They don't regulate anyone; they offer marketing and financial support for business development of heritage tourism. If implemented and managed properly, heritage areas can preserve heritage resources while maintaining all private property rights.