

A Proposal to Designate the Pathways National Heritage Area

Preface

The purpose of this concept paper is to introduce a proposal and stimulate discussion to designate the Pathways National Heritage Area in central and southern Wyoming. New versions will appear as additional information is gathered. No decisions have been made and the content within is solely that of the authors.

1. What is a National Heritage Area (NHA)?

In 1984, President Reagan signed into law a “new kind of national park” that married preservation, conservation, recreation, education, and economic development---National Heritage Areas (NHAs). Today there are 62 congressionally designated NHAs across 36 States, but none in Wyoming.

A NHA is a congressionally designated geographic area where historic, cultural, and natural resources combine to form a cohesive, distinct, and nationally important landscape. It is akin to a “museum without walls” spread out across many miles and thousands of acres with an assemblage of original in-place artifacts and historical evidence such as: homesteads, trails, graveyards, historic museums, interpretive trails, military fortifications, reenactments, festivals, guided tours, markers, expansive viewscapes, and remote natural areas.

A NHA is a lived-in geographic area encompassing communities, schools and churches, businesses and commerce, highways and utilities, parks and trails, private and public lands, and other development typical of urban/rural America. What distinguishes a NHA is the combination of unique natural, cultural, historic, and recreational assets of national significance. A NHA is a place which tells a valued heritage story to be preserved and shared with present and future generations.

2. Where is the Pathways National Heritage Area (PNHA)?

The proposed PHNA encompasses all of Carbon and Natrona Counties in central and southern Wyoming. The area is approximately 13,340 square miles or some 8,537,600 acres, with some 95K total residents (2021).

3. Why Create a Pathways NHA?

- Central and southern Wyoming has a compelling heritage story to share with the nation.
- provides national recognition and prestige for the area, communities, and State of Wyoming.
- increases heritage tourism visitation (i.e., # of people, length of stay, places visited, expenditures).
- stimulates sustainable economic growth (i.e., increases visitor expenditures for direct and indirect goods and services, expands businesses, jobs, and local and state tax revenues).
- increases respect, pride, and protection of local cultural, historic, and natural resources.
- attracts financial resources in the form of grants, partnerships, donations, fees, sales, private support, loans, appropriations, endowments, and inheritances for resource protection, law enforcement, and restoration projects, and other protective measures.
- facilitates community education and stewardship through school programs, civic organization outreach, tours and interpretive programs, heritage restoration and conservation projects, and volunteer hosts opportunities.
- enables nationwide tourism marketing to be more effective, efficient, coordinated, and impactful.

4. Who is a Heritage Tourist?

The PNHA will attract heritage tourists. The National Trust for Historic Preservation defines a heritage tourist as a traveler seeking to experience the places, artifacts, and activities that authentically represent the people and places of past and present.

A heritage tourist is typically a passive recreationist seeking to learn about and experience multiple heritage assets, auto-transported, passing through the area, resides out of state, has traveled a considerable distance, tends to be older and have a higher income, enjoys short-term overnight stays in lodging accommodations, and plans their multi-day travel well in advance.

A heritage tourist represents a different market segment than the more local active outdoor recreationists participating in such adventure and nature-based activities as motorized recreation, (e.g., dune buggies, OHVs, trail bikes), big-game hunting, backpacking, mountain biking, or rural dispersed camping.

5. Will the PNHA impact private or public property?

By law (H.R. 1316—NHA Act of 2021), NHA designation and management will **NOT**:

- alter or impact private property owners or their property rights;
- require property to be maintained to any specification, condition, or nature;
- alter or impact any private land uses and rights associated with grazing, ranching, farming, mineral exploration, or extraction, including the management and use of minerals, water, vegetation, timber, and wildlife resources;
- alter or impact any existing state or federal use authorization related to agriculture, grazing, water, minerals or other natural resources and activities;
- affect an owner's desire to sell, subdivide, donate, change, or develop their property as they wish;
- place any restrictions or conditions on communities, subdivisions, businesses, districts, municipalities, cities, counties, state or federal agencies, tribal lands, or other jurisdictions within or adjacent to the NHA.

6. Role of National Park Service?

The US Congress delegated the administration of the National Heritage Areas Program to the National Park Service (NPS). A National Heritage Area is not a unit of the NPS and the NPS does not have any on-the-ground presence, responsibility, or authority over local heritage assets or the proposed NHA (e.g., facilities, signage, staff, law enforcement, or management of any kind). The NPS has two roles:

Feasibility Studies: Prior to introducing authorizing legislation for a new NHA, a feasibility study is undertaken to determine if the proposed NHA meets the 10 NPS criteria. NPS staff are available to help organize and provide advice. Feasibility studies are reviewed by NPS subject matter experts and findings are a fundamental part of the NPS Congressional testimony on NHA authorizing legislation.

Funding & Technical Assistance: Designated NHAs receive funding and technical assistance for capacity building, planning, and implementing programs and projects. Annual appropriations for a new NHA while working on a management plan are approximately \$150,000. When the management plan is complete, NHAs may receive \$300,000-\$500,000 annually subject to matching funds and Congressional approval.

7. Where is the Pathways National Heritage Area (PNHA)?

The proposed PNHA encompasses all of Carbon and Natrona Counties in central and southern Wyoming. The area is approximately 13,340 square miles or some 8,537,600 acres, with some 105,000 residents (2021).

8. Would NHA designation have an Economic Impact on the Counties?

The nearby Cache La Poudre NHA connecting Fort Collins, Windsor, and Greeley (Colorado) provides a comparable. A 2017 study of the economic impact of the Cache La Poudre NHA reported an annual

\$81 million dollar economic impact to the region, supports 1,067 jobs, and generates \$6.9 million in tax revenues. www.poudreheritage.org

9. Who would coordinate the PNHA?

The PNHA would be coordinated by a local entity. One option is a local government department, heritage organization or other existing entity accepts the responsibility of the PNHA. A second option would be to create a non-profit organization with a board of directors appointed by local city, county, and state officials such as:

- Carbon County member – appt by commissioners
- Natrona County member--- appt by commissioners
- Casper member– appt by city council
- Rawlins member– appt by city council
- Private business or landowner member from Carbon County– appt by sitting Board
- Private business or landowner member from Natrona County—appt by sitting Board
- Cultural/Heritage Organization NGO member(s) from Wyoming --- appt by sitting Board
- State of Wyoming member(s) — appt by Governor
- National Park Service --- ex-officio regional NHA program coordinator

10. Role of the PNHA coordinating entity?

- national & international promotion of the PNHA
- development and maintenance of a PNHA app (virtual interpretation) providing information on the Pathways and heritage assets
- promotion of local lodging, restaurants, entertainment, and services on the PNHA app
- assist with local heritage preservation efforts
- partner with local heritage organizations and communities to seek grants and donations to protect, restore, and interpret local heritage sites
- advocate for adequate local, state, and federal management and protection of their existing heritage sites,
- serve as the official business registry for the PNHA
- the PNHA would have no authority, role, or responsibility in the affairs of any heritage asset.

11. What are the Mission and Goals of the PNHA?

- a) **Mission:** The mission of the Pathways National Heritage Area is to protect, restore, celebrate, and share a valued heritage story of travelers traversing the majestic high plains, basins, and river valleys in the mid-1800s to early-1900s.
- b) **Goals of the PNHA:**
 - Share compelling and impactful Pathway heritage stories and information with visitors, residents, and interested people from near and far.
 - Champion national recognition of the PNHA that would then stimulate resource protection, economic development and resilience, community pride, and community sustainability.
 - Coordinate the resources and programs of the NHA by a local non-profit authority which engages the diverse interests of business, city and county government, private landowners, civic organizations, schools, industry, non-profit organizations, and others.

12. Description of PNHA Program?

Type of organization: In the absence of an existing heritage or tourism organization to serve as the local coordinating entity, the PNHA could be legally organized as a non-profit tax-exempt organization (501c3) in the State of Wyoming with a 9–11-person Board of Directors.

Heritage assets: The PNHA program will focus on existing heritage assets (sites) within its boundaries that are recognized by the local communities, State of Wyoming, and/or the National Register of Historic Places. It is estimated that there are 100 heritage assets (sites) to be showcased (e.g., in-place artifacts or evidence that are on display, museums, interpretive sites, homesteads, buildings, wagon ruts, trail markers, historic hotels, military forts, expansive scenic trail routes, etc.). Owners may willingly have the heritage assets on their property included in the heritage tourism app.

Facilities and infrastructure: The PNHA will be a virtual program. It will not build, own, or assume responsibility for any of the buildings, visitor center, bathrooms, signs, parking lots, fences, or utilities. It is expected that in the early years basic administrative facilities and staff would be contributed by the cities (Rawlins and Casper), counties (Carbon and Natrona), tourism associations, hoteliers, businesses, or other existing partners.

Staffing: The initial staffing of the PNHA could be two part-time city or county employees, or other paid or unpaid volunteers. Ideally, there would be one part-time staff in Casper and one in Rawlins. Their job would be PNHA promotion, partnering with local tourism entities and heritage sites, web and app maintenance, grants writing, and otherwise reporting to the Board of Directors.

Signage: Given a national designation, it is reasonable to assume WDOT would install “brown” PNHA entrance signs along I-25 and I-80, and where needed on state highways. A PNHA symbol or icon, and QR code, could be developed to indicate that a particular heritage site is part of the program. Because the Bureau of Land Management (BLM) National Sign Shop is in Rawlins, it may be possible to establish an agreement between the BLM and Board for NHA signage. Consistent signage is important and makes the heritage easily recognizable to visitors, but they are expensive so the goal would be to develop a minimum of PNHA signs. Public and private owners may install approved NHA signs at their expense.

Web and App: The PNHA interpretive program will predominately be a virtual interpretive program. That is, using a website and app, visitors to the PNHA would be able to access online information from their homes, while in transit, or while on-site. The website and app would contain maps, directions, photos, and detailed information about the heritage sites, including links to existing facilities and opportunities such as hotels/motels food services, guided tours, auto tours, camping, state parks and wildlife refuges, public lands, outdoor recreation opportunities and other information that would add to a person’s enjoyable and safe visit.

Visitors would be encouraged to download the app information prior to arrival to ensure off-line retrieval of information since Wi-Fi coverage may not be available in some remote areas.

App and advertising fees: Both the website and a portion of the app will provide some general information to inform and attract visitation at no charge. This amount of information would be akin to the introduction chapter to a book or an executive summary of a study. If a visitor wants full information, the app could contain a purchase option to access the most detailed and extensive information, maps, photos, and may contain advertising for local accommodations and services at a modest fee. The app fee could be in lieu of a park entrance fee a visitor would pay.

Modest fees may be charged to those businesses and private landowners who wish to advertise their establishments and services on the PNHA app. (Note: apps are in wide use by the National Park Service, easy to maintain and update, and are very inexpensive compared a paper/hard copy means of distributing information--- Google “NPS App for iphone” for a demonstration)

13. How Could the PNHA be Financed?

Financial sustainability may include cash or in-kind contributions from:

- Federal appropriations (\$150K after authorization while developing management plan; \$300K--\$500K per year after approved management plan)
- City and County appropriations (may be in-kind like office space, staff support, computer, web support)
- State appropriations or grants (e.g., WDOT, State Tourism Office, State Parks, Wyoming Cultural Trust Fund, Wyoming Outdoor Recreation Trust Fund, Land and Water Conservation Fund, Federal Economic Development Programs)
- Corporate grants and donations
- Individual gifts and donations
- App fees
- Advertising fees
- Concession fees
- Foundations and charitable trusts
- Fundraisers, reenactments, special events

14. What are the steps going forward?

1. Assess level of interest in the concept of establishing a NHA.
2. Formation of a feasibility study team.
3. Completion of a feasibility Study---
<https://www.nps.gov/subjects/heritageareas/upload/NHA-Feasibility-Study-Process-FAQ-2.pdf>
4. Congressional authorization of PNHA.
5. Development of management plan.
6. Implementation of Board-approved management plan.

15. Sources of Information

<https://www.congress.gov/117/bills/hr1316/BILLS-117hr1316ih.pdf>

<https://www.nps.gov/subjects/heritageareas/upload/Final-printed-NHA-unigrid-2021-55-areas-508-L.pdf>

<https://www.nps.gov/subjects/heritageareas/feasibility-studies.htm> (NOTE: includes reference to four examples of NHA Feasibility Studies)

16. Lead Volunteers

Vernon Lovejoy—Vernon has deep roots in Rawlins, Wyoming. He married a Rawlins girl, his mother-in-law is still a resident, he was on the first parks and recreation board back in the 1980s and also worked 12 years at the BLM Rawlins Office. His BLM work took him out and across the proposed PNHA area during which time he developed a deep passion and commitment to the protection of heritage resources. He also experienced two energy boom-bust cycles while in Rawlins which drove home the need for economic diversity through heritage tourism. This National Heritage Area project is his vision and the culmination of a career dedicated to helping the people and resources of Wyoming. (velovejoy@gmail.com)

Glenn Haas—Glenn has been a business partner of Vernon's for some 25 years. His primary 27-year career has been as a parks, recreation, and tourism professor and department head in the College of Natural Resources at Colorado State University. After CSU, he became a private consultant working on many local, state, federal, and international natural resource planning and revenue generation projects. Over this time Glenn was involved in the designation of the Cache La Poudre National Heritage Area and the South Park National Heritage Area. He brings considerable technical and policy knowledge to the project about how heritage areas are designated and managed. (glennehaas@comcast.net)

National Heritage Areas FAQs

Sourced from <https://www.nps.gov/articles/national-heritage-areas-faqs.htm>

1. Does NHA designation impact private property owners?

No. NHA designation does not affect private property owners or restrict their property rights and does not require that they maintain their property to any specifications. Designation does not confer any powers of eminent domain to the local managing entity. There is no real, implied, or intended additional restrictions on local land use regulations generated by NHA designation.

Recent laws establishing National Heritage Areas have contained provisions intended to address concerns about potential loss of, or restrictions on use of, private property. For example, the John D. Dingell, Jr. Conservation, Management, and Recreation Act, which established six NHAs in 2019, stated that designation of the new NHAs would not reduce the rights of any property owner; require any property owner to permit public access to the property; alter any land use regulation; or diminish the authority of the state to coordinate fish and wildlife, including the regulation of fishing and hunting within the NHA.

In a 2004 U.S. General Accounting Office (GAO) Report, GOA found that “heritage areas do not appear to have affected property owners’ rights. In fact, the designating legislation of 13 areas and the management plans of at least 6 provide assurances that such rights will be protected.”

2. Can the federal government take or restrict private land because it is within a designated NHA?

No. NHA designation does not confer to the local coordinating entity any powers of eminent domain. There is no real, implied, or intended additional restrictions on local land use regulation generated by NHA designation.

3. How will NHA designation affect a landowner’s ability to coordinate or make changes to the property?

Inclusion of private property within the boundary of a NHA does not change or prohibit any actions or use which may otherwise be taken by the property owner with respect to the private property according to federal law or regulations.

4. Is public access required on private property if it included in a NHA designation?

No. Private property owners are not required to allow public access to their lands because of National Heritage Area designation. Designation of a National Heritage Area does not establish public right-of way or change land ownership or authority over private property. Any public access to private property associated with NHA programs or projects is on a voluntary basis.

5. Are there requirements that property owners restore or maintain property in an NHA?

No. The creation of a new NHA does not come with new federal historic preservation requirements; zoning or other land use regulation overlays; or renovation, redevelopment, or demolition rules.

6. Does the creation of an NHA require or empower the federal government to acquire property?

No. NHAs are not federally owned entities. Many of the laws which created individual NHAs did not give any federal government agency the authority to acquire property. In other cases, laws creating NHAs state that the NHA local managing entity cannot use federal funding to acquire real property. Once designated, the wide variety of property ownership patterns existing prior to designation continue, meaning properties remain in private, state, or local government ownership.

7. Can a property owner prevent the property from being included in a NHA boundary?

Yes, potentially. Property owners can voice any concerns about being within a proposed boundary to those leading a NHA feasibility study. The proposed boundary should have public support. The group leading the feasibility study should take public input into consideration when finalizing the study boundaries. Only the federal legislation creating a new NHA – and not the feasibility study – has the authority to include or exclude properties from a new National Heritage Area boundary.

8. Is there a period for public comment before an area is designated as a National Heritage Area?

The NPS recommends a feasibility study be completed prior to designation of an NHA to determine if NHA designation is appropriate and feasible. The study process involves significant levels of public engagement. An effective public involvement strategy assumes that a successful NHA study can only be achieved with the active participation of stakeholders within the region. The feasibility study criteria require findings of public support and commitment to National Heritage Area designation. Since National Heritage Areas are designated by Congress, there is opportunity to reach out to Congressional representatives regarding a proposed NHA and an associated bill, should it be introduced.

9. What's the difference between federal administration and local coordination of an NHA?

Federal Administration:

Each National Heritage Area is established by law and assigned for administration to the Secretary of the Interior via the National Park Service. Subject to available funding, the National Park Service administers financial assistance and provides oversight of federal funds via legal agreements to the NHA local coordinating entities. The National Park Service also provides technical assistance to include coordination among and between agencies and partner organizations in management planning, resource preservation and protection, interpretation and education, and economic development. Sometimes a federally coordinated facility, such as a national park or wildlife refuge, already exists or is created within a National Heritage Area boundary. In those cases, the federally coordinated facility has no role in managing the NHA and is another local partner which may collaborate on NHA activities. (A local PNHA example would be the Pathfinder National Wildlife Refuge)

Local Coordination:

The legislation that creates a new NHA will name a local coordinating entity (e.g., a non-profit, state/local government, university, or federal commission), typically identified in the feasibility study, responsible for creating a management plan and implementing it in collaboration with local networks, partners, and landowners. The local coordinating entity is the recipient of the federal funds administered by the National Park Service. Various government and private entities own or coordinate lands within each NHA.