

## Q+A from Public Meetings

### **National Heritage Areas**

#### **What is a national heritage area?**

National heritage areas (NHAs) are designated by Congress as places where natural, cultural, historic, and scenic resources combine to form a cohesive, nationally distinctive landscape. NHAs operate through locally based public-private partnerships, with a limited amount of matching federal funds, to support historic preservation, natural resource conservation, recreation, heritage tourism, and educational projects. National heritage areas are managed by local coordinating entities that accomplish goals of interpreting the heritage area history and traditions through partnerships with governments, organizations, businesses, and individuals.

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#### **Are national heritage areas national park units?**

A national heritage area is not a unit of the national park system, nor is any of its land owned or managed by the National Park Service unless such land was previously set aside as a unit of the national park system. NPS partners with, provides technical assistance, and distributes matching federal funds from Congress to NHA entities. NPS does not assume ownership of land inside heritage areas or impose land use controls.

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### **Local Coordinating Entity**

#### **Are there any Native Hawaiian organizations interested in being the local coordinating entity?**

As part of this public engagement effort, we're interested in any suggestions you may have for organizations that could be an appropriate coordinating entity, including Native Hawaiian organizations. Following our public meetings, the study team heard some initial interest from a few local organizations and will be continuing to engage those groups to understand whether they might be a good fit for the coordinating entity role. Coordinating entities for other national heritage areas in the system are varied and include nonprofit organizations, coalitions, local or state governments, and universities or colleges. An entity could also be formed by the community during the study process.

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#### **Could an NHA be a way to present Native Hawaiian culture in a comprehensive way?**

**People view the culture through each individual storyteller, and different groups manage different things. It would be good to have a way to provide a bigger picture, and we currently don't have a way of showing how everything is connected. We have so many different practices. For example, we have fishing shrines and a wind temple designed to teach navigation.**

Typically, the role of the NHA coordinating entity is to serve as a convener that pulls the stories into an umbrella and can connect everyone, their stories, and their practices.

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#### **What if the community disagrees with the identified entity? Can the entity be replaced if the community doesn't want it?**

We suggest the community shares comments about potential coordinating entities early, if there are concerns, or if there is a lack of support for an NHA in general. For the Yuma Crossing NHA, in Arizona, for example, there were concerns expressed by the farming community about whether the coordinating entity would be representative of their viewpoint. To help address those concerns, the NHA incorporated the farming community in the planning process and had representation in the coordinating entity's board of directors. You could note in your comment if you think that certain entities need to be part of the process. Based on what we hear from the public, the study will make recommendations for Congress's consideration.

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**Will Congress designate the Ka'ena Point National Heritage Area if there is no local entity to manage it?**

Without a coordinating entity, the NHA will not meet the criteria for designation. Congress usually identifies the coordinating entity or describes one that is in formation within the legislation to establish an NHA.

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**What kind of financial and human resources are necessary for a local coordinating entity to be successful?**

One of the critical components necessary for success is demonstrated support and commitment from a variety of partners in the form of staff time, supplies, money, and subject matter expertise. The National Park Service asks potential local coordinating entities to complete a "conceptual financial plan" as part of the feasibility study process. In the event a national heritage area is designated, the named local coordinating entity would complete a management plan that would include financial and business planning.

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**Management Plan**

**Please explain the management plan that the local coordinating entity is responsible for.**

If an NHA is designated, a management plan will be developed that outlines the purpose and significance of the NHA and the programs and projects that the local coordinating entity and its regional network of partners will undertake. The designating legislation lays out the required contents of the plan, and one of the key requirements of the plan is extensive public engagement. NHAs must develop the management plan in collaboration with community stakeholders and community partners.

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**What can the community do if the original plan is accepted by the community, but things go off track? Where are the checks and balances?**

The NPS works with the NHA each year and reviews the NHA's annual work plan compared to the management plan to make sure it's in alignment with community desires that came from the original planning process. There is also an established process for the NPS to conduct an evaluation of the accomplishments of a national heritage area after a certain amount of time of implementation of the management plan. For any new projects or proposals, the NHA would need to develop a management plan in collaboration with community stakeholders and partners.

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**If a management plan determines NHA investment in projects, who approves the management plan?**

The plan is submitted to the NPS by the local coordinating entity and is evaluated against legislated criteria (P.L. 116-9, §6001(c)(4)(B)) by the NPS for review and approval by the NPS Director. The criteria ensure that diverse community interests are represented, a public process has been followed in the preparation of the management plan, and strategies for resource stewardship and interpretation have been proposed that adequately protect the resources of the NHA..

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**Financial Support**

**How is financial assistance for a national heritage area provided?**

Congress appropriates funding for national heritage areas that is distributed by the National Park Service. The National Park Service would enter into a partnership with the named local coordinating entity. Legal agreements would include accountability measures and performance requirements for NHA entities. Typically, there is a one-to-one federal to nonfederal match required that can include either cash or "in kind" (e.g., labor or staff time, donated supplies, etc.) for the match.

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**How much funding is available for NHAs?**

At time of designation, Congress will authorize the NHA entity to receive a limited amount of funding for a set number of years. Typically, Congress will provide \$150,000 per year for the first three years while the NHA is developing its management plan. After a management plan is approved, there is usually an increase to \$300,000 to \$500,000 a year (contingent on sufficient appropriations by Congress) to assist with implementing the approved plan, and the one-to-one match is still a requirement. NHAs are eligible to receive this funding as long as Congress authorizes and appropriates it.

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**Could funding be used to hire an executive director?**

Yes, funding can be used for staffing costs.

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**Is a cooperating agreement the mechanism that is used to deliver funding?** Yes, the NPS awards funding to NHA local coordinating entities through cooperative agreements.

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**Access, Uses, Management, and Ownership**

**How would access or uses change with an NHA designation?**

NHA designation doesn't change existing access or uses; landowners would continue to manage their property appropriate to their own interests. Vehicular access, cultural practices, fishing, hiking, hunting, and protections of certain species would not change if an NHA were designated. However, NHA designation could introduce new projects in the area (trails or other recreational opportunities, enhanced interpretation or education, etc.). New projects would be determined by the coordinating entity based on what the community wants and what is identified in the NHA's management plan.

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**How does management and ownership change if an NHA is designated? Would state regulations still be in place on state lands?**

The NHA doesn't have a regulatory or enforcement mechanism, and the NPS wouldn't own or manage land. No real, implied, or intended additional restrictions on local land use regulation would result from an NHA designation. Designation would not impose changes to current land management; the NHA would leave management responsibility to existing public and private landowners, and landowners are not compelled to change their practices. But an NHA could provide a means to enhance the community's involvement in the area, potentially fostering conservation and preservation opportunities.

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**What's wrong with how the area is being managed now?**

If an area is identified for an NHA feasibility study, it doesn't mean that anything is wrong with current management. Rather, an NHA could offer some additional support and serve as an additional tool for community collaboration. Through an NHA, there would be some funding and technical support available. This isn't a tool to change management. National heritage area designation can be a way to highlight community interest and allow multiple land managers in an area work together under an NHA partnership model.

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**If an NHA is designated, will there be language included in the legislation about access and preserving existing property rights, etc.?** The National Heritage Area Act, [Pub. L. 117-339, §2\(b\)\(1\), Jan. 5, 2023, 136 Stat. 6162](#), asserts that NHA designation would not change existing access or property rights. It says, in part, "Nothing... abridges any right of a public or private property owner" or "modifies any provision...with respect to public access or use of private land".

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**Potential Benefits of Designation**

**What would be the benefit to the NHA program if Ka'ena Point were designated?**

Designated NHAs further the mission of the National Park Service (NPS) by fostering community stewardship of our nation's heritage. The NPS cooperates with partners, such as through the system of NHAs, to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world. NPS partners with, provides technical assistance, and distributes matching federal funds from Congress to NHA entities.

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**Would creating an NHA make it easier to create a national monument in the future at Ka'ena Point?**

An NHA would likely increase awareness that there are nationally important resources at Ka'ena Point, but an NHA and national monument are not inherently tied to each other.

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**What is the value of an NHA for the community?**

Long-term benefits of NHAs have included:

- Sustainable economic development
  - Healthy environment and people
  - Improved quality of life
  - Education and stewardship
  - Community engagement and pride
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### **Regulatory and Permitting Requirements**

**Would establishment of an NHA trigger additional federal consultation or permitting requirements? For example, current activities in the area may not have a federal nexus now, but if the NHA were to be established, would this continue to be the case?**

Compliance that is required when receiving federal funding would apply. The NPS is required to consult with state and tribal governments as part of the NPS review and approval of NHA management plans, as per legislation. An NHA may use diverse funding sources to carry out projects and programs, including non-federal sources. Depending on the project and sources of funding, additional federal consultation and permitting may or may not apply.

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**Do the federal restrictions flow down through the funding?**

The receipt of federal funding could require compliance with certain federal laws. Depending on which projects are selected and how they are funded, compliance requirements could include National Environmental Policy Act, National Historic Preservation Act Section 106, and Endangered Species Act requirements typical of any project that receives federal funding. State-level compliance would still be required on state-owned lands, regardless of NHA designation.

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**Would the NPS be the lead federal agency for Section 106 if NHA funds require compliance with the National Historic Preservation Act?**

If the NHA is implementing a project, or undertaking, on a historic property that is eligible for listing or listed on the National Register, and if the NHA spends federal dollars towards it that were received due to being an NHA, then the NPS could potentially be what is known as the "cognizant" agency for Section 106 consultation (the lead agency responsible for Section 106). However, if there is another federal agency providing funding toward the project, then the "cognizant" agency is usually the agency providing the most money.

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**Are there additional regulatory protections only available for NHAs that the area currently does not have?**

No additional regulatory protections would be conferred by an NHA, since there would be no impact on land management.

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### **Study Process and Public Involvement**

**How long will the feasibility study take?**

Typically, the study process takes 3 years. This feasibility study is in the first year, and a report will eventually be transmitted to Congress with the findings. We anticipate completion of our work by the end of 2025.

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**Is there a way for the public to reject a potential NHA?**

Through the NHA feasibility study process, the study team will evaluate the area against legislated requirements. One of those requirements is to determine whether the proposed NHA includes a diverse group of communities that have demonstrated significant support for the designation. Also, the NPS is required to describe in the study to Congress any community opposition that may exist to the establishment of an NHA. A coordinating entity would only work with willing partners. The public comment period is a good time to share your thoughts on this subject.

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**Does the public have the chance to weigh in on the entity/entities and whether they seem appropriate?**

There are two ways that the public can provide feedback. One way is through this feasibility study process—by helping to identify a potential entity and demonstrating if there is community willingness to work with and support said entity. The second opportunity for involvement occurs if the NHA is designated. After designation, the NHA is required to create a management plan. The management planning process also includes substantial public engagement and public involvement.

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**Will information about the study process be posted?**

Information about the study process can be found on the NPS Planning website: [ParkPlanning - Ka'ena Point National Heritage Area Feasibility Study](#). Information posted on the website will be updated throughout the study process.

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**Example National Heritage Areas****Are there any other national heritage areas?**

Congress has designated 62 NHAs in 36 states and territories. However, there are currently no national heritage areas in Hawai'i.

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**What would be a comparable NHA?**

At this time, the study team is still learning about the Ka'ena Point area and its communities' interests, so it would be too early to identify a comparable NHA. However, St. Croix NHA in the U.S. Virgin Islands is comparable in the sense that it is an NHA on an island. The St. Croix NHA is going through the management planning process now, as they were designated in 2023. Washington Maritime NHA is another example that may have comparable elements, in that it includes both water and land. You can learn more about all 62 NHAs here: [Discover NHAs - National Heritage Areas \(U.S. National Park Service\)](#)

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**Have communities with NHAs ever expressed regrets about designation?**

We haven't heard of regrets. Many times, some stakeholders and communities who were not interested in participating early in the planning process will opt to participate in NHA activities later on. Sometimes communities want to expand NHA boundaries and the list of partners who are included.

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**Must all of the activities of an NHA occur within the boundary?**

Generally, yes, but sometimes there are “gateway” opportunities for projects that are just outside the boundary.

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**What are some examples of work or projects that designated NHAs carry out?** Northern Plains NHA in North Dakota hosts a “Music on the Missouri” summer event in Bismarck, ND. The project is a partnership between the county public health office, an arts council, history-focused nonprofits, and the NHA local coordinating entity. The partnership revived a park near the Missouri River, and people bike, kayak, and walk the trails alongside the Missouri River to attend the event. Attendees experience the public space through dance and contemporary folk music.

In 2020, Sangre de Cristo NHA in Colorado and its partners undertook a Stream Management Plan, resulting in a description of the physical condition of the Rio Grande and Conejos Rivers and the development of goals and methods to address environmental, recreational, and community needs facing each stream and watershed. This planning effort will be used by stakeholders to inform projects that protect the values of the area’s natural history, natural resources, and landscape.

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### **Potential NHA Boundaries**

**Where would an NHA boundary be at Ka'ena Point? If an NHA were created, could the boundary be adjusted afterward?**

The study process includes identifying a conceptual boundary that is informed by resources, opportunities, and public support. Boundary adjustments have been made to some NHAs after initial designation. Boundary adjustments to existing NHAs would need to be made through congressional legislation.

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**Who is the final decision-maker on the boundary?**

The legislation authorizing the study allows the study to propose any boundary on the island of O'ahu, but the study team is interested in hearing from the community about where an appropriate boundary could be drawn. To meet the NHA criteria, the boundary should minimally include resources that help tell a national story; have opportunities for conservation, education, and recreation; and it must be supported by the public. Your comments on the boundary are needed to help us understand what might be most suitable. Ultimately, Congress is the final decision-maker about whether an NHA is designated and where the boundary is located.

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**How small can the boundary be?**

It can be small if it meets all the NHA criteria. One of the smallest is Yuma Crossing NHA which only encompasses seven square miles along the Lower Colorado River in Yuma, Arizona. To meet NHA criteria, landscapes must have an assemblage of historic, cultural, and natural resources that tell an important national story; provide excellent opportunities for improving the quality of the resource through conservation, recreation, and education; and support ongoing traditions, customs, and lifeways associated with a nationally important story.

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**Could the boundary include existing military lands and uses?**

Yes, an NHA boundary may include existing military lands and uses. NHA designation would not change land ownership or management. Some existing NHAs have military lands within

their boundaries, like the Northern Neck NHA in Virginia and the Southern Maryland NHA in Maryland.

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**Would an NHA boundary for Ka'ena Point include offshore areas?**

None of the initial concepts include the water, but we've heard during civic engagement that it might make sense for Ka'ena Point. We'd like to hear from the community about where a boundary that includes water might be most appropriate and what themes (for example fishing and/or surfing) and resources should be included.