

Chapter 5 • Consultation and Coordination

The management planning process, in general, serves as a mechanism to guide understanding, encourage involvement, and build consensus among community members, existing and potential partners, and the general public. The management planning and public involvement process related to the Niagara Falls National Heritage Area began in December 2009. At that time, nominations for members of the Niagara Falls National Heritage Area Commission (Commission) had been submitted to the Department of the Interior for approval and representatives of the National Park Service and the consulting team had their first joint field visit. Final approval of the Commissionership by federal agencies in Washington occurred in October 2010, and the first meeting of the Commission was held on December 8, 2010.

The process of developing management alternatives and selecting a preferred alternative plan took eight months, from December 2010 through August 2011. The Environmental Assessment, a NEPA-required document that describes the process of developing and selecting a preferred management alternative, was then prepared and submitted for public review and comment. Also the development of a detailed management and implementation plan for the heritage area was undertaken, also with public involvement and review.

This first section of this chapter describes the nature of public involvement associated with each of the eight phases of the planning process:

- Project Initiation;
- Existing Conditions and Resource Assessment;
- Partner Survey;
- Vision, Goals, and Strategies Development;
- Development and Analysis of Alternatives;
- Selection of a Preliminary Preferred Alternative;
- Development of the Environmental Assessment; and
- Public Review of the Environmental Assessment.

Although more detailed descriptions of certain aspects of the planning process appear elsewhere in this environmental assessment, this section is intended to provide a brief yet thorough overview of the entire process. The second section of this chapter describes the nature of consultation that occurred among key agencies involved in the management planning process.

5.1 Public Involvement in the Planning Process: An Overview

Throughout the planning process, the Commission and consulting team together managed a program of outreach and engagement with partners and the general public. Outreach was designed to provide a forum for interested organizations and individuals to collectively determine the heritage area's mission, goals, and future. The public involvement process began in December 2009 when the consulting team was contracted and conducted its first field visit to the heritage area. From this time until the Commission was officially seated and held its initial meeting a year later, the consulting team researched potential partners and consulted with a number of key partners in order to become familiar with issues and conditions in the region.

Upon the seating of the Commission, a public outreach committee was created to guide the public involvement process and build support for the heritage area management plan throughout the region. The consulting team prepared a civic engagement memorandum for review by the committee to help organize and initiate public involvement. A copy of the memorandum is provided in the **appendices** of the environmental assessment.

The civic engagement memorandum outlined the status of public participation in the project and how the planning process might reach as many interested groups as possible in the best ways possible, so that by the end of the process the heritage area would comprise many willing partners. The memo provided an initial list of possible partners and interested organizations under categories of activity and provided a blueprint for civic engagement through the alternatives phase of the planning process. As a working document, the memorandum was adapted in its implementation to changing circumstances in order to maximize effectiveness. Documentation of the public participation process was undertaken through notes, meeting minutes, and revisions to planning documents in order to respond to the input received and demonstrate the extent of public involvement.

Overall, civic engagement was organized around the monthly Commission meetings and included public workshops, small group meetings, and one-on-one consultations. Commission meetings were open to the public and public comments and input were encouraged. Consultations with potential partners were undertaken by the consulting team around visits for each monthly meeting of the Commission to inform and engage various interest groups. Additional consultations and presentations have been conducted by Commissioners. Workshops were held both with the Commission and with the general public. The public was invited to monthly Commission meetings and public workshops through notification on the Niagara Falls National Heritage Area website, press releases, newsletters distributed through numerous email list-serves, and personal invitation. Public workshop attendees included representatives of many potential heritage area partnering organizations.

The planning process unfolded over a two-year period:

- **December 2009 to December 2010** – The consulting team and National Park Service staff conducted field work, met with potential partners, and provided organizational support before the Commission’s members were approved and seated.
- **December 2010 to December 2011** – The first meeting of the Commission occurred on December 8, 2010, during which organizing activities were undertaken. Since then, the Commission has held regular monthly meetings while progressing through the planning process.

The consultations and field visits by the consulting team from December 2009 to October 2010 and the meetings, workshops, and consultations held between December 2010 and March 2011 introduced the management planning process, engaged partners, and gathered initial input about historic preservation, environmental conservation, interpretation, visitor services, heritage tourism, and community revitalization. Discussion of vision, issues, and opportunities also began during this time. Results included completion of a vision statement, mission statement, and a set of nine goals for the heritage area.

Potential management alternatives were the focus of meetings from May through August 2011. The May and June meetings resulted in the crafting of four well-defined management alternatives, which were refined and presented in July 2011 at three public workshops to elicit input from the public as well as for further consideration by the Commission. The Commission

meeting on August 31, 2011, was the venue at which the four management alternatives – further refined to incorporate public and Commission input from July – were further considered and the preferred management alternative for the heritage area was selected.

Following the August meeting, the consulting team prepared the Environmental Assessment document for the heritage area in accordance with NEPA requirements. A draft of the Environmental Assessment was completed in late fall of 2011 and posted online at the National Park Service’s official Planning, Environment, and Public Comment (PEPC) website for public review and comment. Press releases and public announcements gave notification of the availability of the draft for public review and encouraged review and comment.

5.1.1 Project Initiation

The Niagara Falls National Heritage Area management planning process and scoping began in December 2009, with the consulting team participating in a two-day tour of the heritage area. This tour, which included National Park Service staff, provided the consulting team with an overall sense of the quality, opportunities, and challenges of the heritage area. During the tour and over the next several months the consulting team identified potential partners and organizations within the region that might have an interest in the heritage area and conducted existing conditions research and assessment. The consulting team made field visits again in March and June 2010 to consult with key partners and document existing conditions. The consulting team was also able to discuss the planning, environmental assessment, NPS coordination, and public participation processes with National Park Service staff during the December 2009 field visit and subsequent consultations.

5.1.2 Existing Conditions and Resource Assessment

The existing conditions and resource assessment phase of the project was informed by consulting team field visits in December 2009 and March and June 2010; by intensive research (including the review of historical literature, planning documents, and maps) from March to May 2011; and through the consulting team’s continuing efforts to gather data from Commissioners, heritage area partners, the public, and other stakeholders at meetings and workshops and in one-on-one consultations. The purpose of this work was to fully understand the character and potential of the heritage area. Areas of focus for this phase of study included historic, cultural, and natural resources; existing organizations and programs; stewardship issues; heritage tourism potential; and community development issues.

5.1.3 Vision, Mission, and Goals

In January 2011, Commissioners met in a workshop to discuss a vision for the heritage area, issues the heritage area should address, and opportunities that were especially suitable to the heritage area initiative. The Commission continued these discussions at its February and March 2011 meetings, and public discussion was facilitated on these subjects during partnership meetings and public workshops in February and March.

Through these meetings and workshops, the Commission and consulting team identified nine categories of regional issues, a set of guiding principles, and a series of potential strategies that the heritage area could pursue. From this work, the Commission and consulting team crafted a vision statement, a mission statement, and nine goals focusing upon:

1. Heritage area management and regional positioning;
2. Interpretation and education;

3. Visitor experience and heritage tourism;
4. Engaging young people;
5. Outdoor recreation;
6. Sense of place and sense of community;
7. Historic preservation;
8. Nature and the river, and
9. Economic revitalization.

5.1.4 Development and Analysis of Alternatives

Between May and August 2011, the Commission and consulting team developed and refined a series of draft alternatives for the heritage area. The alternatives were developed with varying strategies related to management; interpretation; heritage tourism; community engagement; community revitalization; recreation; and preservation of historic, cultural, and natural resources. Each alternative was analyzed in terms of its possible impacts and benefits and its potential for success. The alternatives were reviewed and refined both internally through Commission workshops and externally through workshops with partners and the interested public.

Potential alternatives were first discussed with the Commission during its May 25, 2011, meeting in the Niagara Falls Conference Center. At this meeting, the consulting team presented three alternatives to the Commission: Alternative A, *Current Conditions Continue* (current conditions continue with evolutionary, locally initiated change); Alternative B, *Niagara's Interpretive Experience* (working primarily with partners on interpretation); and Alternative C, *Heritage Development* (act as a lead developer of interpretation, tourism, and community enhancement related projects).

As a result of discussion at the May meeting the three original alternatives were revised and a fourth alternative was added for consideration: Alternative D, *Targeted Heritage Projects* (a blending of approaches from of Alternatives B and C). These four alternatives were then presented for review and detailed discussion at a Commission workshop on June 29, 2011, in St. Vincent Hall on the Niagara University campus in Lewiston.

At the direction of the Commission, the consulting team further refined the alternatives and brought them back to the public and Commission for review and discussion during two public workshops and a Commission meeting held between July 25 and 27, 2011. The two public workshops were held at the Niagara Arts and Cultural Center and the Lewiston Public Library on July 25 and 26, 2011. The Commission's meeting on July 27 took place at the Power Vista visitors' center of the New York Power Authority.

The proposed alternatives were posted online at the Niagara Falls National Heritage Area website prior to the July workshops and Commission meeting and were available to partners and the public for review and comment through the end of August. Input by email, fax, and phone, and via PEPC on the NPS website, was encouraged.

At the meetings and workshops, the alternatives were presented to participants using handouts, PowerPoint presentations, and poster-size graphics. Discussion at the meetings and workshops was detailed and enthusiastic. On average approximately 20 to 30 individuals, including the Commission, participated in each public meeting or workshop.

The public discussion was instrumental in developing more robust versions of the four alternatives. Actions common to all of the alternatives were identified, and the four names of the

alternatives were changed to better reflect the strategies they espoused. Detailed changes and refinements were made to each. The revised names were: Alternative A, *Current Conditions Continue*; Alternative B, *Focus on Heritage Interpretation*; Alternative C, *Focus on Heritage Product Development*; and Alternative D, *Focus on Visitor Experience*. The four alternatives are discussed in detail in Chapter 2 of this Environmental Assessment.

5.1.5 Selection of a Preferred Alternative

The draft alternatives were emailed to partners for consideration in a July 2011 newsletter and posted on the Niagara Falls National Heritage Area website. Public workshops on the alternatives were conducted on July 25th and 26th after having been announced at the June Commission meeting and through a press release. On July 27th, the Commission met to consider the public input and to further discuss the proposed alternatives. Following the July workshops, Commission members were asked to submit any further comments on the alternatives to the consulting team by August 15th. Final modifications were made to the alternatives by the consulting team based upon the public and Commission comments received. The final alternatives were then presented to the Commission at its August 31st meeting, at which Commission members selected Alternative D, *Focus on Visitor Experience*, as the Preferred Alternative by voice vote. Following the selection, the Commission and the consulting team began planning for the development of a Draft Management Plan to outline the strategies, actions, and responsibilities of partners in implementation of the Preferred Alternative.

5.1.6 Public Review of the Environmental Assessment

Following the selection of the Preferred Alternative by the Commission in August 2011, the consulting team prepared a Draft Environmental Assessment as required under NEPA. The Draft Environmental Assessment describes the planning process, presents the range of reasonable alternatives considered, and analyzes and discloses the potential impacts and environmental consequences of those alternatives.

The Draft Environmental Assessment has been released for a 30-day public review and comment period. The Draft Environmental Assessment has been made publicly available on the National Park Service's PEPC website, www.parkplanning.nps.gov, as well as on the Niagara Falls National Heritage Area website, www.nps.gov/nifa/index.htm. Public comments can be submitted electronically through the NPS PEPC website. Availability of the Draft Environmental Assessment has been publicized through Niagara Falls National Heritage Area emails, email newsletters, press releases, and personal communication.

During the public review period, the Niagara Falls National Heritage Area will continue to meet and receive input from partners and the public. All comments received during the review and comment period will be carefully considered, and appropriate changes may be made toward finalization of the Environmental Assessment and Preferred Alternative and its proposed implementation as the heritage area moves forward toward completing the heritage area's management planning process.

5.1.7 Development of the Draft Management Plan

Upon selection of the Preferred Alternative, the Commission and consulting team began working on details for its implementation. The Management Plan for the Niagara Falls National Heritage Area will outline guidelines, actions, and recommendations for implementation of the heritage that are consistent with the strategies described in the preferred alternative. The management plan

is being prepared in accordance with requirements outlined in the heritage area's enabling legislation. Like the process for development and selection of the preferred alternative, the process for crafting the management plan will be undertaken with the engagement of partners and the public. Like the Environmental Assessment, the Draft Management Plan will be made available for public review and comment on the National Park Service's PEPC website.

5.2 Agency Consultation

Section 106 of the National Historic Preservation Act of 1966, as amended (16 USC 470 et seq.) and National Park Service policy require federal agencies to consult with the State Historic Preservation Officer (SHPO), Advisory Council on Historic Preservation, and interested persons before undertaking an action affecting historic properties. Section 7 of the Endangered Species Act of 1973 as amended (16 USC 1531 et seq.) requires all federal agencies to consult with the United States Fish and Wildlife Service to ensure that any action authorized, funded, or carried out by a federal agency does not jeopardize the continued existence of listed species or critical habitat.

Consultations were undertaken with the New York SHPO, local public agencies, and private organizations in the course of the project. The New York State Historic Preservation Office staff, Historical Association of Lewiston, Inc., City of Niagara Falls, and the villages of Lewiston and Youngstown were consulted during the existing conditions phase of the project for background information, data, and GIS mapping. Representatives of these organizations and of the Niagara Falls Underground Railroad Heritage Area, Niagara County Historical Society, Seaway Trail, Inc., and Erie Canalway National Heritage Corridor are historical organizations with a local presence that have either been contacted directly by the consulting team or included in an email distribution list regarding the Niagara Falls National Heritage Area's meetings, workshops, and planning process. A representative of the New York Office of Parks, Recreation, and Historic Preservation and Niagara Falls State Park located within the heritage area serves on the Niagara Falls National Heritage Area Commission. Upon completion of the Draft Environmental Assessment, the New York State Historic Preservation Office, Advisory Council, and Preservation League of New York State were contacted by letter and by telephone for review and comment.

Consultations were undertaken with the US Fish and Wildlife Service and the New York State Department of Environmental Conservation during the project. These consultations provided information about threatened and endangered species and critical habitat located within the heritage area. Correspondence received from these agencies identifying rare and endangered species within the project area is cited in Chapter 3 and included in an appendix to the Environmental Assessment. Additionally, as noted above, a representative of Niagara Falls State Park, where most of the listed rare and endangered species have been identified, serves on the Niagara Falls National Heritage Area Commission. Upon completion of the Draft Environmental Assessment, these federal and state agencies were contacted by letter and telephone for review, input, and comment.

During the planning process for the heritage area's feasibility study in 2005, consultation was undertaken with three federally recognized Native American Tribes – the Seneca Nation, Tuscarora Nation, and Tonawanda Band of Seneca. Consultation with each tribe also occurred in the current project. A representative of the Tuscarora Nation sits on the Niagara Falls National Heritage Area Commission and participated in the alternatives process. The Seneca Nation also has a seat on the Commission, but the seat unfortunately remained vacant during the alternatives process due to the death of the appointed member. All three tribes have been either contacted

directly by the consulting team or included on an email distribution list regarding the Niagara Falls National Heritage Area's meetings and planning process.

During the planning process an additional list of Native American tribal representatives with possible interest in the heritage area was provided to the Commission by the National Park Service. These tribal representatives were contacted by letter, informed of the planning process, and invited to consult in the review of the Preferred Alternative and development of the Management Plan. A list of the representatives contacted is included in an appendix to the Environmental Assessment.

The management plan does include general recommended actions regarding improved interpretation and visitor services for sites within the heritage area. These actions may at some point affect known Native American resources, including the Lewiston Mound (a prehistoric burial mound); the Lower Landing Archeological District; and the Colonial Niagara Historic District. The Lower Landing Archeological District is part of the Colonial Niagara Historic District, which is a National Historic Landmark significant for extant resources associated with Native Americans and European groups. However, no site-specific actions are proposed in the management plan for Native American archeological or burial sites and any potential actions to be undertaken in future implementation of the plan will require full compliance with all federal, state, and local laws and review procedures, including those related to archeological and Native American burial sites.

A variety of other national, state, and local agencies and organizations participated in development of the Niagara Falls National Heritage Area environmental assessment and management plan. Broad participation was received from organizations at all levels during the project with interests in historic preservation, historic sites, environmental, and parks and recreation. A list of participants is included in the appendix to the Environmental Assessment.