FIRE ISLAND NATIONAL SEASHORE

HEARING

BEFORE THE

SUBCOMMITTEE ON PUBLIC LANDS

OF THE

COMMITTEE ON

INTERIOR AND INSULAR AFFAIRS

UNITED STATES SENATE

EIGHTY-EIGHTH CONGRESS

FIRST SESSION

ON

S. 1365

A BILL TO ESTABLISH THE FIRE ISLAND NATIONAL SEASHORE, AND FOR OTHER PURPOSES

DECEMBER 11, 1963

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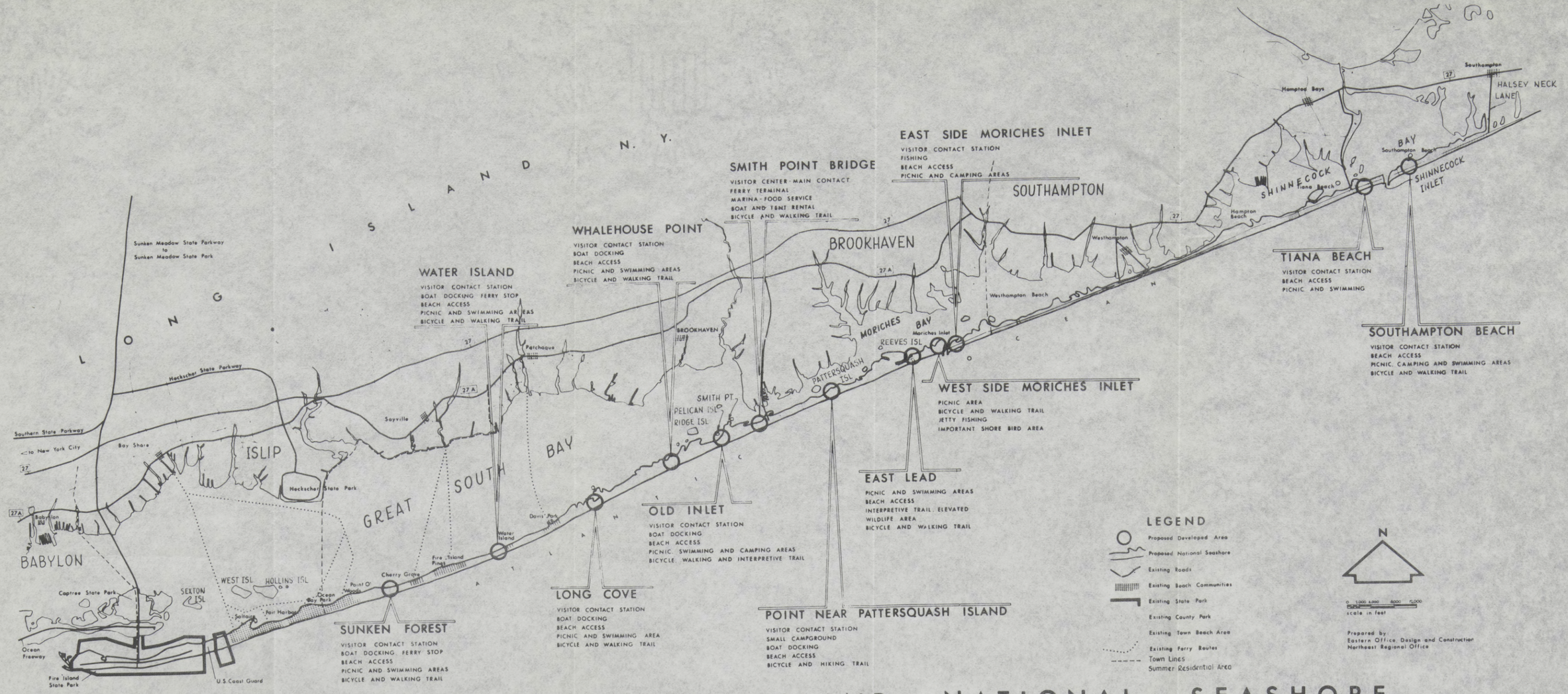

PROPOSED FIRE ISLAND NATIONAL SEASHORE

SUGGESTED BOUNDARY AND DEVELOPMENT

UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

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FIRE ISLAND NATIONAL SEASHORE

WEDNESDAY, DECEMBER 11, 1963

U.S. SENATE,
PUBLIC LANDS SUBCOMMITTEE OF THE
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The subcommittee met, pursuant to call, at 10 a.m., in room 3110, New Senate Office Building, Senator Alan Bible presiding.

Present: Senators Alan Bible, Nevada; Gordon Allott, Colorado; Len B. Jordan, Idaho; and Milward L. Simpson, Wyoming.

Also present: Benton J. Stong, professional staff member.

Senator BIBLE. The subcommittee will come to order.

This is the time set for the first of at least two hearings this subcommittee will conduct on S. 1365, which proposes to authorize the establishment of a Fire Island National Seashore Recreation Area on a barrier island off New York.

The Department of the Interior has submitted a report containing some perfecting amendments and the Bureau of the Budget concurs in the report from Interior. Both favor passage of the bill if amended. A copy of the bill and the departmental reports will be printed at this point.

(The bill and reports follow:)

[S. 1365, 88th Cong., 1st sess.]

A BILL To establish the Fire Island National Seashore, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of preserving certain unspoiled shoreline areas for the enjoyment and inspiration of the people of the United States, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized, in accordance with this Act, to establish the Fire Island National Seashore on the Great South Beach in the towns of Islip and Brookhaven, Suffolk County, New York, in the area between the westerly boundary of the Federal reservation at Fire Island Lighthouse and Moriches Inlet.

SEC. 2. The Fire Island National Seashore shall consist of not more than seven thousand five hundred acres of land designated by the Secretary in the area described in the first section, including the shore front and such adjoining waters and submerged lands as the Secretary shall deem necessary to carry out the purposes of this Act.

SEC. 3. (a) The Secretary is authorized to acquire real property and any interest therein in the area described in the first section by gift, purchase, condemnation, or otherwise, in order to carry out the purposes of this Act.

(b) Any property of the United States not within the jurisdiction of the Secretary shall be transferred to the Secretary for the purposes of this Act by the head of the department, agency, or instrumentality of the United States having jurisdiction of such property upon request of the Secretary.

SEC. 4. (a) Whenever the Secretary has acquired five hundred acres of the real property referred to in this Act, he shall declare the establishment of the Fire Island National Seashore by publishing in the Federal Register notice of such establishment. Establishment of such national seashore by such publica-

tion shall not be deemed to prevent the Secretary from acquiring other real property for inclusion within such national seashore, subject, however, to the acreage limitation provided in section 2 of this Act.

(b) Access to such national seashore shall be provided by ferries at such points as the Secretary may direct.

SEC. 5. In order that the seashore shall be permanently preserved in its present state, no development or plan for the convenience of visitors shall be undertaken therein which would be incompatible with the preservation of the unique flora and fauna or the physiographic conditions now prevailing: *Provided*, That the Secretary may provide for the public enjoyment and understanding of the unique natural, historic, and scientific features of Fire Island within the seashore by establishing such trails, observation points, and exhibits and providing such services as he may deem desirable for such public enjoyment and understanding: *Provided further*, That the Secretary may develop for appropriate public uses, such portions of the seashore as he deems especially adaptable for camping, swimming, boating, sailing, fishing, and other activities of a similar nature.

SEC. 6. The Secretary shall administer, develop, and protect the Fire Island National Seashore in accordance with and subject to the Act entitled "An Act to establish a National Park System, and for other purposes", approved August 25, 1916, as amended and supplemented (16 U.S.C., section 1 and others).

SEC. 7. The sum of $50,000, or so much thereof as may be necessary, is authorized to be appropriated for such surveys and studies as the Secretary may deem necessary to determine the area suitable for inclusion in the Fire Island National Seashore.

SEC. 8. There are authorized to be appropriated such sums as may be necessary for the acquisition of real property to carry out the purposes of this Act, and such further sums as may be necessary for improvement and administration.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., June 10, 1963.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR JACKSON: Your committee has requested a report on S. 1365, a bill, to provide for the establishment of the Fire Island National Seashore, and for other purposes.

We favor the inclusion of Fire Island in a national seashore, but we are convinced from studies of the area we have made recently that some additional nearby portions of Long Island should also be included in a national seashore. We have, therefore, prepared a substitute draft of the bill which would accomplish this purpose, and would also make some perfecting changes. We recommend enactment of the proposed legislation if amended in accordance with the enclosed draft bill.

Under the terms of the proposed legislation, if amended as we recommend, the Fire Island National Seashore would extend from Fire Island Inlet to the junction of Meadow Lane and Halsey Neck Lane in the village of Southampton. This area includes about 52 miles of relatively undeveloped shoreline and encompasses approximately 8,000 acres of seashore environment.

The justification for this proposed national seashore may be simply stated. A unique combination of factors—the existence of some of the Nation's finest beaches in close proximity to the largest concentration of people in the entire United States—is urgent reason that the area be protected in perpetuity for the use and enjoyment of the American people.

Much of the south shore of Long Island has been heavily and effectively developed for seashore recreation. Jones Beach, for example, is justly renowned as an example of well-planned development for high-density recreation, and there are several other State parks that are heavily used.

Much of the shoreline, however, has been developed by private interests and is not available to the public. There remain nevertheless certain segments of the Long Island shoreline that have little development and thus have a substantial public use potential. Unless early action is taken to protect this area for public use, it will inevitably be developed for more limited use and the opportunity lost forever.

This point was made by the Outdoor Recreation Resources Review Commission in its report of 1962 to the President and the Congress when it commented with respect to shorelines as follows: "Highest priority should be given to acquisition of areas located closest to major population centers and other areas that are immediately threatened. The need is critical—opportunity to place these areas in public ownership is fading each year as other uses encroach."

The west end of the area is within 50 miles of the center of New York City, and more than 16 million people in several States live within a 100-mile radius. Nowhere else in the country is there a greater need by so many people for additional outdoor recreation opportunities that can be supplied in abundance and variety in the proposed Fire Island National Seashore.

In order to provide reasonable protection to owners of improved property, the draft bill sets forth the following procedure: Improved private property or interests therein could not be acquired without the consent of the owner, so long as such properties are maintained in accordance with the purposes of this act and in accordance with certain zoning requirements mutually satisfactory to the appropriate zoning authority in New York State and to the Secretary of the Interior. Lands now in public ownership could be transferred to the administrative jurisdiction of the Secretary only with the concurrence of the present administering agency.

Fire Island, itself, is a 32-mile long, narrow stretch of sand reef varying from several hundred yards to half a mile wide. Fire Island State Park, occupying the western 4 miles of the island, currently is undeveloped. By the summer of 1964, however, a bridge will be completed connecting this area with the mainland. The State plans to develop this area for high-density use to accommodate the overflow from Jones Beach State Park, some 15 miles to the west.

Near the eastern end of Fire Island is the Smith Point Bridge connecting the mainland with a Suffolk County Park on the island. Here the county has developed parking areas and a bathhouse for fairly high-density use of about a mile of ocean beach front. Under the plans for a national seashore, these two public areas could continue under their present administration or, with the consent of the governing body, be transferred to the Federal Government.

Between these two major public areas, Fire Island contains an impressive array of seashore resources. The beaches are wide, clean, and gently sloping. The dunes are imposing and usually well stabilized by beach grass, bayberry, other vegetation, and some low-lying pitch pine. The Sunken Forest, in the western half of the island, is a gem of its kind, dominated by American holly trees—some several hundred years old—with an accompaniment of sassafras, red cedar, and pitch pine.

Also located in the western half of the island are several small but rather intensively developed communities. Under the provisions of the enclosed draft bill these communities, as well as the owners of more scattered improved properties, could retain their present state of development as long as adequate zoning approved by the Secretary of the Interior is in effect, and the development remains compatible with the purposes of a national seashore. However, the ocean beaches in front of these communities would be acquired by the Federal Government along with sufficient adjacent lands above the mean high tide to assure continuous free public access to and along the beach at all times.

The area from Moriches Inlet to the east boundary in the village of Southampton is similar in character to Fire Island. It possesses excellent beaches and contains picturesque natural dunes worthy of protection in their present condition. The 1½ miles adjacent to Moriches Inlet are owned by Suffolk County and could, with the concurrence of the county, be relinquished to the Federal Government for development and administration. From this county-owned area eastward to Tiana Beach, including Westhampton and Hampton Beaches, there is an irregular pattern of development similar to that on the central portion of Fire Island. Through this section, there are an improved road parallel to the beach and three bridge connections to the mainland. The remainder, or eastern portion of the proposed national seashore, straddling Shinnicock Inlet, also possesses outstanding beaches and other recreation resources. Although roads also parallel the beach here, this portion remains almost entirely undeveloped. It was listed by the 1955 National Park Service seashore survey as one of the 16 most important public seashore opportunities on the Atlantic and gulf coasts.

Our suggested revision of this proposed legislation would establish a reasonably flexible procedure for establishment of the national seashore.

Section 1 of the draft sets forth the purposes of the act and states that the boundaries of the Fire Island National Seashore are from Fire Island inlet to the village of Southampton. Sections 2 and 3 prescribe the limitations on the land acquisition previously referred to. These provisions will have the effect not only of promoting the objective of this national seashore but also will actually benefit the owners of improved properties by protecting them against any undesirable use or development. Section 4 will permit in appropriate cases the owner of the property that may be acquired for purposes of the national seashore to retain the right of use and occupancy for a period up to 25 years with appropriate adjustment in the selling price. Section 5 will permit hunting and fishing within the national seashore in accordance with the laws of the State of New York. Section 6 will permit the acceptance of donated real or personal property. Section 7 will permit the Secretary to use his general statutory authority governing the national park system and any other statutory authority available to him for the conservation and development of natural resources in carrying out the purposes of this act. Section 8 provides that the national seashore will not interfere with shore-erosion control and beach protection measures by the U.S. Corps of Engineers and/or the State of New York.

The proposed Fire Island National Seashore is eminently suited to become an integral unit of the system of existing and proposed national recreation areas. It meets all of the primary and the applicable secondary criteria as set forth in policy circular No. 1 pertaining to national recreation areas, approved by the Recreation Advisory Council on March 26, 1963.

Based upon studies thus far made, the aggregate area of the national seashore will be approximately 8,000 acres, and we believe that land acquisition costs probably will not exceed $20 million. The data required by the act of July 25, 1956 (5 U.S.C. 642a), are enclosed.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

A BILL To provide for the establishment of Fire Island National Seashore, in the State of New York, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) for the purpose of preserving for public outdoor recreation purposes certain relatively unspoiled and undeveloped beaches, dunes, and other natural features within Suffolk County, New York, which posses high recreation values to the Nation, the Secretary of the Interior is authorized to establish an area to be known as the "Fire Island National Seashore".

(b) The boundaries of the national seashore shall extend from Fire Island Inlet to the junction of Meadow Lane and Halsey Neck Lane in the village of Southampton. The boundaries are delineated on a map identified as "Fire Island National Seashore No. FINS–1000". The Secretary shall file the map with the *Federal Register*, and it may also be examined in the offices of the Department of the Interior.

SEC. 2. (a) The Secretary is authorized to acquire, and it is the intent of Congress that he shall acquire as appropriated funds become available for the purpose or as such acquisition can be accomplished by donation or with donated funds or by transfer, exchange, or otherwise, the lands, waters, and other property, and improvements thereon and any interest therein, within the boundaries of the seashore as established under section 1 of this Act. Any property or interest therein owned by the State of New York, by Suffolk County, or by a political subdivision thereof may be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within such area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this Act. In exercising his authority to acquire property in accordance with the provisions of this subsection, the Secretary may enter into contracts requiring the expenditure, when appropriated, of funds authorized by this Act, but the liability of the United States under any such contract shall be contingent on the appropriation of funds sufficient to fulfill the obligations thereby incurred.

(b) When the Secretary determines that lands and waters or interests therein have been acquired by the United States in sufficient quantity to provide an

administrable unit, he shall declare the establishment of the Fire Island National Seashore by publication of notice in the *Federal Register*.

(c) The Secretary shall pay not more than the fair market value, as determined by him, for any land or interest therein acquired by purchase.

(d) When acquiring land by exchange the Secretary may accept title to any nonfederally owned land located within the boundaries of the National Seashore and convey to the grantor any federally owned land under the jurisdiction of the Secretary. The lands so exchanged shall be approximately equal in fair market value but the Secretary may accept cash from or pay cash to the grantor in order to equalize the values of the lands exchanged.

(e) The Secretary shall not acquire any privately owned "improved property" or interests therein without the consent of the owners so long as the appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid, zoning bylaw that is satisfactory to the Secretary.

(f) The term "improved property" as used in this Act shall mean any building the construction of which was begun before January 1, 1963, and such amount of land, not in excess of three acres, on which the building is situated as the Secretary considers reasonably necessary to the use of the building: *Provided*, That the Secretary may exclude from improved properties any beach or waters, together with so much of the land adjoining such beach or waters as he deems necessary for public access thereto.

SEC. 3. (a) In order to carry out the provisions of section 2, the Secretary shall issue regulations, which may be amended from time to time, specifying standards that are consistent with the purposes of this Act for zoning bylaws which must meet his approval.

(b) The standards specified in such regulations shall have the object of (1) prohibiting new commercial or industrial uses, other than commercial or industrial uses which the Secretary considers are consistent with the purposes of this Act, of all property within the National Seashore, and (2) promoting the protection and development for purposes of this Act of the land within the National Seashore by means of acreage, frontage, and setback requirements.

(c) Following issuance of such regulations the Secretary shall approve any zoning bylaw or any amendment to any approved zoning bylaw submitted to him that conforms to the standards contained in the regulations in effect at the time of adoption of the bylaw or amendment. Such approval shall remain effective for so long as such bylaw or amendment remains in effect as approved.

(d) No zoning bylaw or amendment thereof shall be approved by the Secretary which (1) contains any provision that he considers adverse to the protection and development, in accordance with the purposes of this Act, of the area comprising the National Seashore; or (2) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under, or any exception made to, the application of such bylaw or amendment.

(e) If any improved property, with respect to which the Secretary's authority to acquire by condemnation has been suspended according to the provisions of this Act, is made the subject of a variance under, or becomes for any reason an exception to, such zoning bylaw, or is subject to any variance, exception, or use that fails to conform to any applicable standard contained in regulations of the Secretary issued pursuant to this section and in effect at the time of passage by such bylaw, the suspension of the Secretary's authority to acquire such improved property by condemnation shall automatically cease.

(f) The Secretary shall furnish to any party in interest upon request a certificate indicating the property with respect to which the Secretary's authority to acquire by condemnation is suspended.

SEC. 4. (a) Owners of improved property acquired by the Secretary may reserve for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a term that is not more than twenty-five years. The value of the reserved right shall be deducted from the fair market value paid for the property.

(b) A right of use and occupancy reserved pursuant to this section shall be subject to termination by the Secretary upon his determination that the use and occupancy is not consistent with an applicable zoning bylaw approved by the Secretary in accordance with the provisions of section 3 of this Act, and upon tender to the owner of the right an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

SEC. 5. The Secretary shall permit hunting and fishing on lands and waters under his administrative jurisdiction within the Fire Island National Seashore in accordance with the laws of New York, except that the Secretary may desig-

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nate zones where, and establish periods when, no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment. Any regulations of the Secretary under this section shall be issued after consultation with the Conservation Department of the State of New York.

SEC. 6. The Secretary may accept and use for purposes of this Act any real or personal property that may be donated for such purposes.

SEC. 7. The Secretary shall administer, protect, and develop the Fire Island National Seashore in accordance with the provisions of this Act and the applicable provisions of the laws relating to the National Park System, and the Secretary may utilize any other statutory authority available to him for the conservation and development of natural resources to the extent he finds that such authortiy will further the purposes of his Act. Appropriate user fees may be collected notwithstanding any limitation on such authority by any provision of law.

SEC. 8. The authority of the Chief of Engineers, Department of the Army, to undertake or contribute to shore erosion control or beach protection measures on lands within the Fire Island National Seashore shall be exercised in accordance with a plan that is mutually acceptable to the Secretary of the Interior and the Secretary of the Army and that is consistent with the purposes of this Act.

Estimated additional man-years of civilian employment and expenditures for the 1st 5 years of proposed new or expanded programs

	19CY	19CY-1	19CY-2	19CY-3	19CY-4
Estimated additional man-years of civilian employment:					
Executive direction:					
Acquisition project manager	1	1	1	1	1
Assistant acquisition project manager	1	1	1	1	1
Administrative assistant	1	1.5	2	2	1
Clerk-stenographer	2	3.5	4	4	3
Superintendent	1	1	1	1	1
Assistant superintendent		0.5	1	1	1
Administrative aid		1	1	1	1
Total, executive direction	6	9.5	11	11	9
Substantive:					
Chief ranger	1	1	1	1	1
Assistant chief ranger		1	1	1	1
Supervisory ranger	2	2	3	3	3
Rangers	2	3	4	4	4
Rangers (seasonal)	2	3	4	6	6
Chief naturalist		1	1	1	1
Assistant naturalist			1	1	1
Naturalist (seasonal)			2	2	2
Appraiser	1	2	2	2	
Engineer		1	1	1	1
Clerk-stenographer		2	2	2	2
Maintenance supervisor			1	1	1
Maintenance men		2	3	3	4
Laborers	2	3	4	4	4
Laborers (seasonal)	1	2	3	3	5
Total, substantive	11	23	33	35	36
Total, estimated additional man-years of civilian employment	17	32.5	44	46	45
Estimated additional expenditures:					
Personal services	$125,535	$216,000	$284,555	$293,555	$278,180
All other	2,792,465	4,072,000	4,344,445	5,345,445	5,092,820
Total estimated additional expenditures	2,918,000	4,288,000	4,629,000	5,639,000	5,371,000
Estimated additional objectives:					
Land acquisition	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000
Development	1,000,000	1,500,000	1,500,000	1,000,000	730,000
Operations (management protection and maintenance)	168,000	288,000	379,000	389,000	371,000
Total, estimated additional obligations	5,168,000	5,788,000	5,879,000	5,389,000	5,101,000

NOTE.—All data based on premise State and counties will continue to operate parks under their jurisdiction.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., June 6, 1963.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Bureau of the Budget on S. 1365, a bill to establish the Fire Island National Seashore, and for other purposes.

The report which the Secretary of the Interior is submitting describes this area, assesses its recreational potential, and favors the designation of Fire Island as a national seashore. With respect to S. 1365, the Secretary favors its enactment if amended in accordance with a substitute draft bill accompanying his report.

The enactment of this proposal will authorize certain acquisitions, the financing of which will need to be related to the availability of the proposed land and water conservation fund.

The Bureau of the Budget would have no objection to the enactment of S. 1365 if amended as suggested by the Secretary of the Interior.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

Senator BIBLE. The hearing today is to accommodate official witnesses, including the Senators from New York, authors of the original proposal, and the Department of the Interior. The committee has also agreed to hear a spokesman for major sponsoring organizations and officials from the area.

We plan to have another hearing in the early spring on Fire Island, or at a convenient nearby point, where we will hear local witnesses.

I shall not attempt to describe the proposal. This is the first time the committee members have heard the details of it, and we are here to listen.

I am advised that a number of Washington, D.C., organizations interested in this proposal have indicated a desire to be heard in support of it or to file statements. They have a big meeting going on downtown today so it is inconvenient for them to appear. The members of the subcommittee all want to be on the floor this afternoon, for it is the day designated for tributes to the late President John F. Kennedy.

Since it meets the convenience of both the subcommittee and the private groups, we will arrange to hear them later or receive their statements. It is my hope that we can complete the witnesses listed for this morning promptly, so the Senators can be on the floor when the Senate convenes.

Our first witness will be our distinguished colleague from New York, Senator Jacob Javits, one of the authors of the bill.

I might say this is in line with the statement I made the last time we had a hearing on November 27. I indicated at that time that as far as this subcommittee was concerned it intended completing three pieces of business before we adjourned or recessed over the Christmas holidays.

We intend completing Mesa Verde National Park bill and the Sleeping Bear Dunes bill. We have accomplished this and both bills will be considered by the full committee on this coming Friday. I announced at that time we would commence our hearings on Fire Island at this hearing today, with the definite understanding that there would be field hearings. I indicated then, and I repeat now, my hope that we avoid repetition of witnesses here and in the field. I have learned

over the past several years since I have been chairman of this subcommittee, first on the Cape Cod bill and then on Padre Island and Point Reyes, and Canyonlands and Prairie National and Ozarks and Sleeping Bear and other allied national parks, seashore and lakeshore proposals, that there is a great and understandable tendency on the part of the proponents and opponents of the legislation to appear in both places.

We found through experience that the witnesses come to Washington and testify and they end up being exactly the same witnesses that we have had out in the field, saying exactly the same things.

I pose this caveat hoping that we can avoid duplication. We certainly want to hear everyone who has something to say on this legislation. We have learned, too, by experience, that these issues become very intense issues before they are finally disposed of. We are going to listen to you patiently and objectively and with the hope that something will be accomplished. Again we will have a field hearing sometime in the early spring. I will set that date.

I hope the date can be sometime in April. This is a projection ahead and we will wait and see. We want to go up there at a time when it is advantageous to the people in the field and when your proposed Fire Island National Seashore puts on its best dress and shows to the greatest advantage. Our first witness, as I have stated, will be Senator Javits. We will be very happy to hear from you at this time, Senator Javits.

STATEMENT OF HON. JACOB K. JAVITS, A U.S. SENATOR FROM THE STATE OF NEW YORK

Senator JAVITS. Mr. Chairman, I think the whole State of New York and the Nation will be grateful to the Chair and to the committee for this expeditious hearing with respect to the Fire Island National Seashore Park. I would like to say to the chairman that he sets an example which I hope may be followed. I shall limit myself to 10 minutes if that is agreeable to the Chair. I will watch the time.

Senator BIBLE. We are putting no one on a time restriction.

Senator JAVITS. I am limiting myself, Mr. Chairman, to emphasize, because I am a lawyer first and foremost, the main point of my testimony. The main point of my testimony is the need for accelerating approval of this program, because upon the accelerating approval of this program, because upon the acceleration of approval depends its success or lack of it, and the capability for including what ought to be included in justice to this stretch of tremendous natural beauty and therefore of tremendous national interest. I take my text from the communication of the Secretary of Interior to Congressman Aspinall, dated June 10, 1963, in which he says:

> Unless early action is taken to protect this area for public use, it will inevitably be developed for more limited use and the opportunity lost forever.

While we realize, Mr. Chairman, the limitations which probably will exist upon rights of eminent domain and their assertions in respect of the establishment, happily, of this Fire Island National Seashore, and while we recognize, and I am sure the owners within the area contemplated recognize, the paramount national interest and the need for their observing reasonable restrictions and zoning with respect to the

use of their own property, we know that these problems are so trying that the more that is available in the public domain in the first instance the better project we will have in toto and the least costly. I just talked with the local authorities and members of the board of supervisors, who are here this morning, and I would like to compliment them publicly upon the fact that they have provided just recently an additional mile of shore front themselves, added to the four already available.

This is the direction, Mr. Chairman, in which I believe we in the Congress, in addition to authorizing the whole project, can do the most good, by the acceleration of its enactment so that it may come in time and before there are so many vested interests, so many developers have latched on to pieces of the property, as to either enormously complicate its consummation or make it prohibitively expensive or make it less useful to the purpose for which designed by Senator Keating's bill and mine, than it otherwise would be. It happens that we are speaking of an area of which I have very intimate personal knowledge, not just as a Senator from New York and campaigner and constant traveler around my State but because for 4 successive years Mrs. Javits and I raised our children on Fire Island. We lived there. We know every single inch of it and we couldn't think, either of us, and I believe the committee will come to the same conclusion when they get there, of a more felicitous stretch of beach and ocean than this one to preserve for the Nation.

I might say, Mr. Chairman, that I hope the Chair will confirm this when the Chair takes the tour. I know of no other place—and I have been to Nantucket and many others, and they are all very beautiful—where one has a feeling of being at sea while on land, having the touch of the ocean and actually living at sea than you do on Fire Island.

There is a fundamental difference, Mr. Chairman, between the bills of Senator Keating and myself and Secretary Udall's proposal. Secretary Udall's proposal is for 50 miles of this relatively undeveloped shoreline, whereas our proposal is for 32 miles. We believe we are not in any sense in opposition to each other, and my statement which I ask unanimous consent to file——

Senator BIBLE. Without objection that will be the order.

(The document referred to follows:)

PREPARED STATEMENT OF HON. JACOB K. JAVITS, A U.S. SENATOR FROM THE STATE OF NEW YORK

Mr. Chairman, I very much appreciate having the opportunity to appear before this committee to testify on behalf of S. 1365, a bill to create a national seashore at Fire Island, which I have had the honor to cosponsor with my colleague, Senator Keating. I have actually lived on Fire Island, in successive summers, for 4 years, and know it well personally.

Fire Island is a 31-mile sandbar off the south shore of Long Island, approximately 50 miles from New York City. It is about 2,000 feet wide at its widest point and in many places is less than 500 feet wide. Yet, it is one of the most magnificent ocean fronts in the world. Fire Island is one of the last unspoiled stretches of natural beach on the east coast. It provides perhaps one of the last opportunities for the establishment of public recreational facilities, easily accessible to almost 20 percent of the population of the United States located in the metropolitan complex extending from Boston to Washington—and especially for the 11 million people of the New York metropolitan area. The growth of income and population have accelerated commercial development and increased

real estate values to the point where time is running out on opportunities to preserve areas such as Fire Island for the enjoyment of all the people of the United States. We simply cannot afford to allow this priceless piece of sand and sea to be lost to present and future generations who will use a Fire Island National Seashore.

Secretary Udall expressed his deep concern over the country's "vanishing shoreline" when he stated on June 11, 1963, that "nowhere in the country is there a greater need by so many people for additional outdoor recreational opportunities than can be supplied in abundance and variety." The Secretary has stated that "of the proposed national seashore and lakeshore areas, Fire Island is under the greatest threat of loss to the people of the United States, both today and tomorrow." I believe that we cannot afford to ignore this grave threat to the welfare and enjoyment of the people of New York and of the country as a whole.

The total acreage of the national seashore as established by our bill is 7,500 acres of shore front, vegetation, and submerged wetlands, extending from the Federal reservation at Fire Island Lighthouse to Moriches Inlet. In my view, these boundaries provide the soundest approach for preserving as much of Fire Island and as effectively as possible.

I recognize that while there is a strong consensus of opinion in support of the prompt establishment of a national seashore at Fire Island, there are varying views with respect to the area to be included in the national seashore. The Secretary of Interior has proposed legislation establishing a Fire Island Seashore extending from Fire Island Inlet to the junction of Meadow Lane and Halsey Neck Lane in the village of Southampton, to include 52 miles of relatively undeveloped shoreline and encompassing about 8,000 acres of seashore land. This proposal would extend the boundaries incorporated in our bill by 20 miles. In view of strong local opposition to the Secretary's proposal—opposition with which I am in great sympathy—Secretary Udall subsequently indicated that this proposal was subject to modification and that a consensus of opinion with respect to the boundaries of the seashore would be considered. I am hopeful that such a meaningful consensus will be reached by the committee.

Most proposals for national seashores have stirred major controversies in the past. Happily, except for details, this is not true in the case of Fire Island. Secretary Udall has indicated his strong support for the establishment of the Fire Island National Seashore as have residents of the summer communities, the Suffolk County Board of Supervisors and the administrations of townships of Brookhaven and Islip. The local chambers of commerce, League of Women Voters, sportsmen and conservationists groups and the leading newspapers are also behind this movement. With such support, we should be able to move rapidly toward the establishment of the Fire Island National Seashore.

I fully expect that great benefits will accrue to the people of Suffolk and Nassau Counties, the Metropolitan New York area and the Nation. As in the case of other national parks, adjacent land values have risen and new facilities for goods and services have been created. The seashore will be a significant asset to the Long Island area.

I am, of course, deeply concerned with the protection of the rights of those presently owning property in the Fire Island Seashore Area. The Department of Interior's proposed legislation, as introduced in the House of Representatives, contains provisions for the protection of private property rights. This legislation would forbid the taking of privately owned "improved property" and interests without the owner's consent so long as it would be maintained in accord with zoning requirements mutually satisfactory to the appropriate zoning authority in New York State and the Secretary of the Interior. I have been exploring for some time the possibility of adding provisions to insure further protection of private property rights and to prevent encroachment upon the legitimate interests of local government and residents. The Oregon Dunes bill which has been reported out of the Interior Committee and is presently scheduled for action on the floor will provide valuable precedent for acceptable language in our bill to insure the protection of private property. Consideration of such property rights will require an examination of the Secretary's power to condemn privately owned property and the formula and determination of fair value to be provided for property owners. These problems must be worked out without losing sight of the overall concern for the protection of the natural features of the seashore and its public outdoor recreational potential.

The Federal Government has already made a major investment in this property. The U.S. Army Corps of Engineers is now embarked upon an 83-mile

Federal-State beach erosion control and hurricane protection project which will involve, according to present plans, substantial work on Fire Island. By 1965, more than $11 million of Federal, State and local funds will be spent on Fire Island to protect hundreds of millions of dollars' worth of mainland property, for which the island serves as a barrier beach against the onslaughts of the Atlantic Ocean. This is another reason why the entire dune and ocean front should be preserved for the public instead of having these public funds benefit commercial developers.

Our bill would require that access to the national seashore be provided by ferries at the points determined by the Secretary of the Interior. The Secretary would also be authorized to establish trails and observation points and to provide the services he deems desirable for public enjoyment. Development of portions of the seashore for public camping, swimming, boating, sailing, fishing, and other similar activities is also authorized by our bill.

In ironing out the details of this bill, we must never forget the high national priority of the establishment of a Fire Island National Seashore.

Secretary Udall has stated that "unless early action is taken to protect this area for public use, it will inevitably be developed for more limited use and the opportunity lost forever." In addition to the national urgency, expeditious consideration of this bill in the 88th Congress is particularly necessary because the current local ban on private improvements in the seashore area may be subject to termination in the near future. Interests in addition to those already vested should not be vested or broadened beyond where we stand now. I ask the committee to give prompt and favorable consideration to Senator Keating's and my bill, S. 1365.

Senator JAVITS. My prepared statement contains a description of the area. Certainly no one can quarrel with Secretary Udall's desire to get as much as possible in a neat, proper package based upon the findings and views of his experts. If we are going to do it, I certainly can understand the Secretary's quite proper desire to do it "right." We believe, however, and this is based upon our own studies and the studies of State officials and local officials, that the 32-mile stretch which is provided for in our bill will give everything that should be included with respect to the beauty of the area and satisfy the national concern for the preservation of this magnificent seashore. At the same time it will avoid some of the major controversies which have been stirred by other projects of the same character. We have, after all, to consider the views of summer communities—the Suffolk County Board of Supervisors, the administrations of townships of Brookhaven and Islip, which are mainly concerned, the local chambers of commerce, League of Women Voters, the sportsmen and conservationist groups, and the views of the local press. It is in taking that composite, that concensus, plus the fact that we believe that the area provided for in our bill will do everything that properly should be done with respect to what is to be preserved as a national heritage that we, with respect and without any sense of sword's point controversy, press the point that the area of 32 miles contained in our bill is adequate for the purpose. It will avoid most of the major difficulties, and I believe it is a better basis than the more inclusive area which perhaps ideally would be entirely justified. We have the greatest confidence in the Secretary's good faith and in the expertness of his people, but the extended area will run into so many problems it may vitiate this very fine concept.

The only other point I would like to make, Mr. Chairman, is that there is a bill going through for the Oregon Dunes National Seashore which we thought might have some very useful material on the question of private interests and how to deal with those, which might be apposite to the situation respecting this measure as well.

There are, as I know from personal experience and as the record shows, a good many properties in private ownership.

Taking the area as a whole it is underdeveloped. Finally, the U.S. Army Corps of Engineers has already made a major investment in this property. By 1965 more than $11 million of Federal, State, and local funds will have been spent on Fire Island to protect the hundreds of millions of dollars worth of mainland property for which the island serves as a barrier beach against the onslaughts of the Atlantic Ocean. Everybody knows there was a breakthrough there which caused very great damage in the very recent past, one of a number in modern times.

So that is another reason why the entire dune and ocean front should be preserved for the public instead of having these public funds already expended benefit commercial developers. Our bill would require access to the national seashore to be provided by ferries at the points determined by the Secretary of the Interior, who would also be authorized to establish trails and observation points and provide the services he deems desirable for public enjoyment, including provisions for camping, swimming, boating, sailing, fishing, and similar activities.

Finally, and as I close—I think I have kept within my time—I again reiterate what Secretary Udall has told us, and with which we thoroughly agree, "unless early action is taken to protect this area for public use it will inevitably be developed for more limited use and the opportunity lost forever."

In addition to the national urgency, expeditious consideration of this bill in the 88th Congress is particularly necessary because the current local ban on private improvements in the seashore area may be subject to termination in the near future. Interests in addition to those already vested should not be vested or allowed to be broadened if we can avoid it beyond where we stand now. I hope very much for favorable and prompt consideration of Senator Keating's and my bill, S. 1365.

Senator BIBLE. Thank you very much, Senator Javits. I would ask you at this point only one question, and I have not had the opportunity of examining both bills in great detail. It does seem to me that the bill proposed by the Secretary builds into it the so-called Cape Cod formula. If you are not familiar with that formula it is the formula whereby we say if you own a home on Cape Cod or Fire Island Seashore, as long as you conform with the zoning ordinances of the local authority, whatever that authority may be, then you are permitted to maintain your residence there. In quickly looking over your bill—I am frank to say I have made no study of it up to now—it doesn't seem to me that there is any provision similar to the Cape Cod provision in your bill. I don't know whether you have any thinking on the Cape Cod provision or not. I am frank to say that in each one of these various seashore areas that this committee has considered this always becomes paramount:

First, the boundary question, the size, whether it should be 31 miles or 52 miles or some other figure, and then, No. 2, how will you take care of people who already have homes in this area?

There are other questions, of course, but inherent in Cape Cod and Padre Island and Point Reyes and Sleeping Bear and Oregon Dunes,

just as examples, we have this as one of our real areas of greatest concern. My own feeling is that the Cape Cod formula has worked out reasonably well, whereby we say if you have a home on this particular area you may maintain it as long as you conform with certain zoning ordinances. I don't know whether you have examined this in detail. You might prefer to have the Department give their position before you analyze it. But I would solicit your views as well as the views of Senator Keating on this subject because it is always one of the main points of controversy and conjecture.

You might like to hear the Department's position first.

Senator JAVITS. I would like to say to the chairman that in my testimony I have expressly endorsed the Cape Cod formula and that will be found in the prepared statement although I didn't mention it.

Senator BIBLE. I didn't hear you mention it.

Senator JAVITS. What I said was, and I would like to read it:

> This legislation would forbid the taking of privately owned improved property and interests without the owner's consent so long as it would be maintained in accord with zoning requirements mutually satisfactory to the appropriate zoning authority in New York State and the Secretary of the Interior.

I gather this is pretty much the kind of formula the Chair is mentioning. I might point out that the scheme of the legislation is contained in section 2, and though it does not expressly spell out the formula it does so by exclusion, because it provides only that the seashore shall consist of property acquired by the Secretary and property tansferred to the Secretary, thereby excluding property which is privately owned and which he can neither acquire, unless he had some power of eminent domain, which we don't give him, or which was conveyed to him by any of the other governmental echelons or by gift or device or in some other way.

I certainly, for myself, couldn't agree more with the Chair. There is enough here which is available to make a magnificent Fire Island National Seashore Park in the interests of the Nation. It is unnecessary to move in and kind of mow down those who have established their homes and places in this whole area. As I say, I know it personally so I speak with great feeling on that subject.

Senator BIBLE. I appreciate that viewpoint. Might I ask you just one other question. I know the departmental witnesses will develop it, but so we have a broad overall idea of what is embraced within this proposal, how many homes are located within the 31 miles that you propose in the bill introduced by Senator Keating and yourself?

Senator JAVITS. I couldn't tell the Chair right off the top of my head. I would have to appeal to the local authorities.

Senator BIBLE. We can develop that through the Department people.

Senator JAVITS. Again in repetition, in Sleeping Bear the question is whether we put 1,500 homes in there or whether we put 90 homes in there. This has been inherent in every single one of these issues.

I will say this to the Chair. The Chair will find a great disproportion between the number of homes affected by the added 20 miles and the number of homes in the 31 miles, heavily weighting the increase in the number of homes directly affected if you take the larger area. Senator Keating's view and mine was very heavily dictated by balancing the preponderance of homes affected as against what you would add to the beauty and the preservation of an important strip of land.

We feel very definitely that the balance is against rather than in favor of this extension, taking those two great considerations and balancing them one against the other.

Senator BIBLE. Again we find that Fire Island National Seashore follows the general pattern. We find our good friends from the Interior Department always asking for a little more than I think they really honestly feel they are going to get. This has always been our problem, to try to shrink these boundaries so they are realistic and they cause the least possible disruption. If I say so I think we have a group of men here who have handled a good many of these problems and there is a general theme that runs through them all. Senator Javits, your testimony is very, very valuable. Possibly some of my colleagues would like to ask you some questions.

Senator Allott.

Senator ALLOTT. Yes; I would. First of all, since I am unacquainted with this particular place, as I understand it this probably lies in the Sound east of Manhattan or northeast, is that right?

Senator JAVITS. It would be mostly east because Long Island runs from west to east and this is almost due east. I notice that Babylon is shown on the map because that is a proper beginning for what we have in mind. Really Fire Island proper starts below that. In round figures 55 to 60 miles out of Manhattan on excellent parkways. The run can be made in about an hour and a quarter at normal speeds, and the total transit from home to home on Fire Island is something in the area of an even 2 hours from the time you take getting on the ferry and getting off. It is very contiguous. It would really be a tremendous boon, not only to those from all over the Nation who would visit, but it is quite essential to New York and its environs, that is, Nassau and Suffolk Counties, about 11 million people. It will tie in very promptly within a year to the Jones Beach area, which is already beginning to show the strains which will become very much more acute within the next 5 to 10 years.

Senator ALLOTT. I ask these questions because I am unacquainted with the particular geography just as I am sure the New York Senator is unacquainted with the particular geography in Colorado and some of the other Western States. I would like to ask this question: How far east of Manhattan, say, is the westernmost part of Fire Island?

Senator JAVITS. I would say 50 miles.

Senator ALLOTT. Roughly 50 miles?

Senator JAVITS. Yes; I am told 44 by the experts. It is about that order of magnitude.

Senator ALLOTT. Well——

Senator JAVITS. Bay Shore is the town I was thinking about because that is a little below Babylon which you see on the map and which is about 55 miles from New York. That is really the first point at which there is important communication. But when the bridge is built, the important communication will start about 10 miles west of that, closer to Manhattan, which would be about 44 miles from New York.

Senator ALLOTT. What is the ownership of this island? Is it owned by the State?

Senator JAVITS. No; it is in a kind of mixed ownership. There is a good deal of property which is privately owned. There is a good

deal of property which is owned by the county, that is, Suffolk County. I believe there is some State land as well. There is also right now a park on the property, about a 4-mile park, at the westerly end of the property and it is that which will be connected by a bridge with what is now the Jones Beach complex. So you have the beginning of a park area in an organized way there already.

Senator ALLOTT. Is any substantial part owned by the county or by the State?

Senator JAVITS. Yes; there would be 5 miles and the county officials are here and they will testify, which they have themselves. That has been added to; it was 4. It is now 5 because they themselves see the need for keeping as much as is humanly possible in a position where it can be part of the national park without becoming a prohibitive question of costs.

Senator ALLOTT. I assume that this map which says the Department of Interior, that the dotted area represents the area that the Department of Interior would wish to take?

Senator JAVITS. That is right; 52 miles. They say that is a new proposal. Will one of you gentlemen go to the map and help us on that?

Senator BIBLE. For the record, would you identify yourself?

STATEMENT OF E. C. CRAFTS, DIRECTOR OF THE BUREAU OF OUTDOOR RECREATION, DEPARTMENT OF THE INTERIOR

Mr. CRAFTS. My name is Edward Crafts. I am with the Department of Interior, Director of the Bureau of Outdoor Recreation.

The proposal that the Department sent up as the administration measure last June 10, proposed to go from the village of Southampton to the western tip of Fire Island, which is 52 miles. This line, the dotted line, is the one that the Under Secretary is going to speak to when he testifies.

Senator JAVITS. Will you point out the 32 miles we have?

Mr. CRAFTS. The 32 miles that your bill speaks of is from Moriches Inlet and I think your bill ends down here.

Senator JAVITS. That is right.

Senator ALLOTT. So the Javits-Keating bill goes from the easternmost part of your designation down to the inlet that you have designated, roughly?

Senator JAVITS. The westernmost part is the foot of the map left. It goes west to east. In other words, our proposal would move from this area where there is a State park now, Fire Island State Park, to Moriches Inlet, somewhat short of this new proposal which apparently the Interior Department will testify to, but not very much. Much more in line with that than with the Interior Department's original idea which goes way up here to Southampton.

Senator ALLOTT. I have just one other question, Senator. I will develop this other information from subsequent witnesses. We always run, as the chairman has suggested, into this matter of condemnation, and even though a bill does not give the power of condemnation you really do not have to give the power of condemnation in order to destroy property rights. If a man has a property in this area and he is completely surrounded by a seashore or a park, the pressures can be

put on in such an infinite number of ways that the retention of the property is simply not worth the trouble. Have you given any thought about how you would handle this problem?

Senator JAVITS. We have given some little study to it, both on the Cape Cod example and I mentioned in our testimony the Oregon Dunes problem. I believe in this case it would be possible to work out the problem because the places on Fire Island very much conform to a park idea. Some parts of Fire Island, for example, do not have electricity, and by design. People want it that way. The architecture, the fencing, the fact that most places on Fire Island don't have gardens and no desire to have them. They are kind of seascape decorations. I really feel that, given the barest shred of good faith on the part of the Federal Government which would in the first instance, I hope—and I hope very much the legislation will be drafted that way—commit itself to the policy of allowing the enjoyment of the homes and private places as they exist at the time of the establishment of the park.

When you marry that to the rather unique nature of Fire Island as a place of living which at the desire of the residents quite conforms to the character of a national park, I think in this case it could work out better than many others. But I do agree with my colleague that you would have to provide in the legislation and postulate on the part of the Department and an entire good-faith determination to comply with this fundamental principle, that those who are there shall enjoy in a private way what they have. That I would say, as a sponsor of the bill with Senator Keating, is certainly my intention.

Senator ALLOTT. Fire Island would lie within how many counties?

Senator JAVITS. One county, Suffolk.

Senator ALLOTT. I presume New York has a State law relating to countywide zoning; does it not?

Senator JAVITS. I think it is a question of township zoning. But there is no reason why in respect of a situation of this character by cooperation with the board of supervisors of the county, which is entirely for this project, and they are here to testify, those problems can't be worked out. Certainly I would lend myself to helping to work them out.

Senator ALLOTT. In other words, under the New York State law, this area would be susceptible of a zoning which would take the place of the advantages—and I put several question marks after advantages—of the power of condemnation.

Senator JAVITS. It could be done. I deeply believe that this is a rather unique opportunity because the character of the residences now there is entirely compatible right now. You don't have to change them. That is what the people want. Entirely compatible with the character of a national seashore park.

Senator ALLOTT. This is the last question I want to ask. Do these residences generally run the whole gamut of resort residences from plush affairs to fishing shacks?

Senator JAVITS. There are no plush affairs, with the exception of one or two, on Fire Island. The whole character is seashore. Some are more substantial than others, some larger than others, but essen-

tially it is a very substantial but essentially beach cottage area. The will of the residents has been for years—they fought many battles about this themselves—to maintain that character. So it would be most congenial to this kind of development already in its character and the desire of its people.

Senator ALLOTT. Thank you.

Senator BIBLE. Senator Jordan.

Senator JORDAN. Mr. Chairman, I appreciate the statement that my colleague has made here this morning about the proposed Fire Island National Seashore. As the testimony develops my knowledge of the area and its suitability for this purpose will grow, I am sure, and I am not going to detain my colleague with questions at this time that will be answered by people testifying later. I would say to him that I can think of no more suitable place for a public park or recreation area than one located so close to such a high concentration of population. I commend the Senator for his statement.

Senator JAVITS. I thank my colleague.

Senator BIBLE. Senator Simpson.

Senator SIMPSON. Thank you, Mr. Chairman. I, too, want to compliment my colleague on a fine presentation. I might add that his and Senator Keating's championship of this measure is the best assurance of its passage.

Senator JAVITS. You are very kind.

Senator SIMPSON. I want to say more in the way of observation to my colleague that this is the type of thing that I very much believe in, the establishment of a seashore national park in an area where the people are. We have overlooked that so much. I am quite surprised that many easterners are now seeking to do what has been done in the West for many, many years because of the wide open places. But those places are inaccessible to the people on the east coast by virtue of the economy. So to have a park or seashore where the people are makes good sense. I would even go for the whole park picture rather than the one that is advocated.

But you know the people there best and you know the protestees. We have another situation, and the Senator supported that, adjacent to Washington, 15 miles out, the beautiful Great Falls, where there is this canal built by the Father of our Country, George Washington, under his engineering guidance and leadership, and it is going into decay. It is here within 15 miles of Washington and it has tumbled down and been desecrated by vandalism and nothing has been done about it.

The bill has passed the Senate and now languishes in the House. It would be the Father of this Country's own monument and not one built for him. I would commend the Senator for this and I would go along with his proposal, because if there is any feeling of opposition against this I think you have to look at that. You know more about the people than we do and you know what the situation is.

We have the beautiful Yellowstone National Park and Grand Teton Park in our State of Wyoming and in Colorado is the beautiful Rocky Mountain National Park and we know the advantage they are to people who visit them. I am wholeheartedly in favor of this, I want

to advise my colleague, and I would go for the whole chunk, but in deference to you I will go for the portion you advocate.

Senator JAVITS. Thank you very much.

Senator BIBLE. You have made a very fine statement, Senator Javits. I want to indicate to you that we are running out of areas such as this. Another very good example is the Indiana Dunes. That is very comparable to the area you have here. It serves a great metropolitan area of many millions of people just as this Fire Island seashore will serve many, many millions of people. I think we had not better delay action very long. I have one observation or question. Are the people now living within this proposed area in a fair degree of agreement as to this proposal?

Senator JAVITS. Yes. There will be local testimony, but I think, given the kind of approach which is being testified to by me, and which apparently finds a simple sympathetic ear with the committee, I believe that it is fair to say that this will find favor locally.

Senator Keating, as a matter of fact, has made some trips and addressed mass meetings of citizens in the more settled areas of this particular area that we have described in our bill and has found great receptivity on their part.

Senator BIBLE. This is encouraging because in so many of these areas where we have been attempting to move on seashores, if there is not local acceptance then obviously the problem is a very, very difficult one.

Senator JAVITS. I don't think the Chair will find any problem here.

Senator BIBLE. Your testimony has been most helpful.

Senator ALLOTT. May I ask just one more question?

Generally in this area, are these permanent homes that we are dealing with, or would they be just a summer type of residence, that is, warm weather?

Senator JAVITS. They are permanent summer homes. People come back year after year but they generally come for the season, let us say, April—it is being stretched more and more all the time—April to October. But they return constantly. They own them and keep coming back. There is some rental housing.

Senator ALLOTT. You are dealing generally with the seasonal occupancy?

Senator JAVITS. I don't think it is fair to say in this case. They don't float in there in June and depart Labor Day. It is 6 months occupancy. People go there in the winter to look after the property. They have much more love for it. It is much more analagous to what you people in the Western States would be doing with a house on a lake, 5 or 6 or 10 miles away from town, where you go on a Sunday if you want to rest or write a book or just think. Also the way you keep it in shape, although you may not occupy it in a serious way except for certain months of the year. It is not a transient summer residence as you would think of in some very populous beach.

Senator ALLOTT. This is the point I want to make. It is not an annual year-around residential type.

Senator JAVITS. It is not.

Senator ALLOTT. Thank you very much.

Senator SIMPSON. Senator, I just want to say that the wives write the books as evidenced by my colleague.

Senator BIBLE. Thank you, Senator.

The departmental witnesses are James K. Carr, Under Secretary of Interior; accompanied by R. F. Lee, regional director of the Park Service in Philadelphia, E. C. Crafts, Director of the Bureau of Outdoor Recreation, and A. H. Underhill, Assistant Director of the Bureau of Outdoor Recreation.

Gentlemen, would you assume your places at the witness stand?

I might say that Secretary Carr has indicated to me that Secretary Udall is out of the city and cannot be here. Secretary Carr has also indicated there is a Cabinet meeting which he must attend and he must leave for that in a short time. So I have indicated to him that when he finishes his statement it will be perfectly all right for him to leave and then we can question his battery.

I see one member of the battery, Mr. Hartzog. He is not on my list but we are glad to have you.

Mr. Secretary.

STATEMENT OF HON. JAMES K. CARR, UNDER SECRETARY OF THE INTERIOR; ACCOMPANIED BY R. F. LEE, REGIONAL DIRECTOR, PARK SERVICE, PHILADELPHIA; E. C. CRAFTS, DIRECTOR OF BUREAU OF OUTDOOR RECREATION, DEPARTMENT OF THE INTERIOR; AND A. H. UNDERHILL, ASSISTANT DIRECTOR, BUREAU OF OUTDOOR RECREATION, DEPARTMENT OF THE INTERIOR

Mr. CARR. Mr. Chairman and members of the committee, you have mentioned Mr. George Hartzog, who is Associate Director of the National Park Service, and Mr. Crafts and Mr. Lee. In addition we have with us this morning Mr. Thomas Sullivan of the Solicitor's Office in case there are any legal questions about the legislation.

Senator BIBLE. Might I ask a question at this point? It is always helpful to the committee to know the man who has been there and who has walked over the land and knows what the houses are like and how many people are there, what the local feeling is and the terrain and all the rest of these problems. We find sometimes those people who are in Washington offices sometimes don't know exactly what the seashores embrace. You have with you somebody today who has walked over this and knows it from A to Z.

Mr. CARR. He sits on my left.

Senator BIBLE. This is the man who will be asked the most questions.

Mr. CARR. Mr. Underhill, Assistant Director of the Bureau, has also been over the area, as has Mr. Crafts.

Senator BIBLE. Thank you.

Mr. CARR. Mr. Chairman, I appear before you this morning on behalf of the Secretary who is on an assignment for the President and unable to attend this hearing. I am available with other representa-

tives of the Department to furnish what information you desire and urge approval, with some modifications, of Senate bill 1365, to establish the Fire Island National Seashore in New York.

I should like to tell you briefly what is proposed, what it would cost, why it is proposed, and how the Department would administer the area if the Congress decides it should be established.

First, by way of background, a Fire Island National Seashore is an outgrowth of a study of the Nation's coastal areas originally made by the National Park Service some years ago. Within the past year, it has been restudied by the Bureau of Outdoor Recreation and the National Park Service working jointly.

There is only one bill pending in the Senate. There are several bills pending in the House differing mainly as to boundaries and to the authority that would be granted to the Secretary for the acquisition of lands.

The Department has reported on S. 1365 as well as the House bills and has in both cases recommended a substitute bill which would extend the boundaries of the seashore to the village of Southampton. The substitute bill would also restrict the power of eminent domain principally as it applies to improved property. Because of the numerous minor differences in various pending bills it seemed best to propose a substitute bill in connection with the Department's report of June 10, 1963. This you have before you.

Senator BIBLE. For the information of everyone the official report of the Department of Interior dated June 10, 1963, the report signed by Secretary of Interior Udall, and the attachment to the report, the proposed substitute bill, have been ordered printed at the beginning of the hearing record immediately following S. 1365.

Mr. CARR. I might point out that with reference to improved property in the substitute bill, if you look at section 2(e) and section 2(f) you will see that the Department substitute bill makes no distinction between improved commercial property and improved noncommercial property. So this proposal by the Department is a broader proposal than was in the Cape Cod legislation.

Senator BIBLE. It is broader in that it treats commercial property?

Mr. CARR. Yes; it is more generous to those people who have improved property than the Cape Cod bill.

Senator BIBLE. We will want for the record to again ascertain the number of houses and their character and whether they are year around and the approximate value and what type of commercial enterprises are there.

Mr. CARR. We have that information and Mr. Lee will be able to furnish it for you.

Senator BIBLE. I won't question you on that point.

Mr. CARR. Since the Department's report was submitted, there have been widespread discussions of S. 1365, the House bills, and the Department's proposal. Hearings have been held on Long Island by a House subcommittee.

At this point I think I should apologize to Senator Javits and Senator Keating for the fact that we did not let them know prior to the hearing of this recent change which has been hammered out in the last 2 or 3 days with Secretary Udall and others in which we at the Department have reduced the proposal.

In the next minute or so I would like to tell you about that.

Senator BIBLE. What you are saying is that the position you took on June 10 is not the position you are taking today?

Mr. CARR. Exactly.

Senator BIBLE. What is your position as of today and what are we working on?

Mr. CARR. That is what I want to tell you right now.

Senator BIBLE. Very well.

Mr. CARR. It is the Department's view that at this time that, while there are many arguments in favor of a larger area extending from the western tip of Fire Island to the village of Southampton, a lesser area would be a very important and commendable step toward saving for the future our rapidly vanishing seashore resources. Cape Hatteras and Cape Cod are the only other national seashores on the east coast authorized by the Congress. Thus, the remarks I shall make will be directed to a proposal extending from the western tip of Fire Island to the east end of the county property lying 1½ miles east of Moriches Inlet.

This means there is a difference in the length of the area as proposed by Senator Keating and Senator Javits and the Department of about a mile and a half.

Senator BIBLE. The difference is a mile and a half instead of something like 18 or 20 miles?

Mr. CARR. That is right; the total length is about 33 miles. This would reduce the gross land area in the June 10 proposal from 8,000 to about 5,700 acres. Of the 5,700 about 3,500 acres are unimproved lands.

I want to point out, too, that this would require a change in the bill that was sent up on June 10. Section 1(b) would have to have a new map number and a new map that corresponds with this latest Department proposal. I think this has been illustrated if you have a copy of this map.

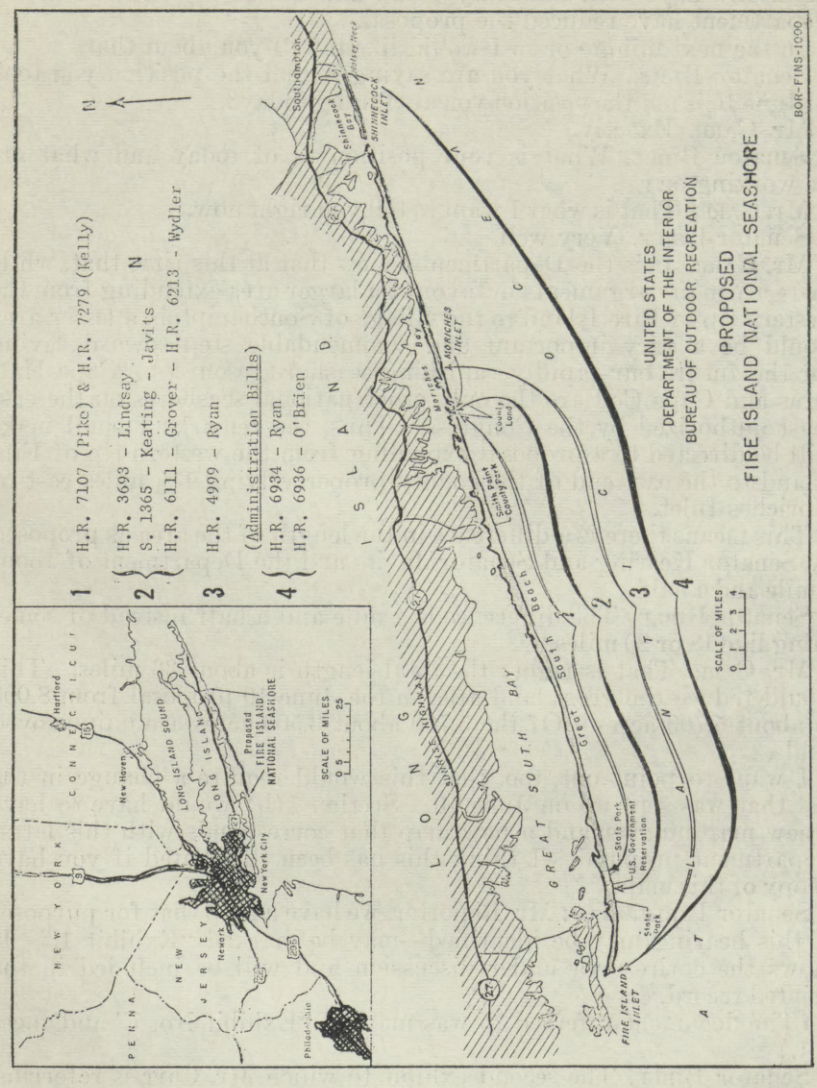
Senator BIBLE. Yes; Mr. Reporter, we have a map that for purposes of this hearing may be identified—may be marked "Exhibit 1." It shows the entire area under discussion and will be included in the printed record.

(The document referred to was marked "Exhibit No. 1" and faces p. 1.)

Senator BIBLE. The second exhibit to which Mr. Carr is referring bears the designation, Bor, FINS–10,000. It may be so identified and referred to as exhibit No. 2.

(The document referred to was marked "Exhibit No. 2" and is as follows:)

33–284—64——4


1 H.R. 7107 (Pike) & H.R. 7279 (Kelly)
2 H.R. 3693 - Lindsay
S. 1365 - Keating - Javits
H.R. 6111 - Grover - H.R. 6213 - Wydler
3 H.R. 4999 - Ryan
(Administration Bills)
4 H.R. 6934 - Ryan
H.R. 6936 - O'Brien
N
NEW YORK
CONNECTICUT
PENNA
NEW JERSEY
Hartford
New Haven
Newark
New York City
Philadelphia
LONG ISLAND SOUND
LONG ISLAND
Proposed FIRE ISLAND NATIONAL SEASHORE
SCALE OF MILES
0 5 25
Southampton
Sebonac Inlet
Jessup Neck
SHINNECOCK INLET
Moriches Bay
MORICHES INLET
Smith Point County Park
Great South Beach
GREAT SOUTH BAY
State Park
U.S. Government Reservation
State Park
FIRE ISLAND INLET
LONG ISLAND
ATLANTIC OCEAN
SCALE OF MILES
0 1 2 3 4
UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF OUTDOOR RECREATION
PROPOSED
FIRE ISLAND NATIONAL SEASHORE
BOR-FINS-1000

Mr. CARR. I would explain to the chairman that it is Bureau of Outdoor Recreation, Fire Island National Seashore drawing No. 1,000. On this little sketch you will note that Senator Keating's and Senator Javit's bill has a length which is designated here as No. 2. It so happens that No. 3, which is comparable to a House bill introduced by Congressman Ryan is very close or identical with the Department's present length of the seashore at that point.

So it is a difference of a mile and a half. Insofar as we are aware, there is complete local support for a Fire Island National Seashore of about the size the Department now recommends. We will have to clear up whether the county agrees with the mile and a half. The Suffolk County Board of Supervisors is on record as favoring a Fire Island National Seashore, as are Members of Congress from that area. The Department has received hundreds of letters favoring a national seashore in this general area.

What the Department is recommending now with respect to Fire Island is an act of Congress that would authorize the Secretary of the Interior, after certain acquisitions have been made, to declare as a minimum the 33 miles previously described to be the Fire Island National Seashore.

I should point out there that this differs from the Senator Keating and Senator Javits bill. If I recall correctly they have a provision which says that after 500 acres have been acquired, the Secretary can declare it. The provision that is in our bill does not set a particular arrangement.

Senator ALLOTT. Would you repeat that? I don't understand that statement, Mr. Secretary.

Mr. CARR. The bill, 1365, has a provision that says the Secretary can declare the establishment after we have acquired 500 acres. The provision in the Department's substitute bill which accompanied the letter of June 10 does not name any specific amount of land that must be acquired before it is established. It leaves it up to the judgment of the Secretary. You may have some views that it should be 500 or it should be some other figure before we establish it as an operating seashore. I just wanted to call that to the attention of the committee.

Along this 33-mile stretch there are several areas intensively developed for summer-home use and several stretches of county, State, and municipal lands. The proposal is to encompass the 33-mile entire area along with some of the outlying islands within the seashore boundary.

Senator BIBLE. At that point have you somebody that can speak for the record as to the ownership of the 33-mile stretch?

Mr. CARR. We have another map, Mr. Chairman, that will cover that and Mr. Lee and Mr. Crafts have information on the ownership and also going back to Senator Allott's questions of the number of people in the area with permanent summer-home occupancy.

Senator BIBLE. If you are covering this otherwise you just proceed with your statement.

Mr. CARR. Yes, sir. So that you have the full information, Mr. Chairman, I have another tabulation which shows the land area and the water area and the total. I would like to point out to the chairman——

Senator BIBLE. May we have copies of that for the committee?

Mr. CARR. Yes, Mr. Crafts will make that available to the committee.

Senator BIBLE. Do you have more than one copy?

Mr. CARR. Yes, sir.

Senator BIBLE. This document will be marked "Exhibit 3." It is entitled "Fire Island National Seashore" and shows the area, the length, the landownership and acquisition cost and will be made a part of the record at this point.

(The document referred to was marked "Exhibit 3" and is as follows:)

Fire Island National Seashore

Area of proposed seashore (revised):		
Land	acres	5,700
Water	do	16,270
Total	do	21,970
Length of area (revised)	miles	32
Landownership (revised):		
Federal	acres	90
State	do	1,000
County	do	800
Town	do	22
Village	do	16
Private	do	3,772
Total	do	5,700
Estimated land acquisition cost (revised)		$12,000,000

Senator BIBLE. You may develop it from there.

Mr. CARR. Mr. Chairman, I mentioned that the land area is 5,700 acres. The present boundaries would include 16,270 acres of water in the area, a total of 21,970 acres with the length of the area 32 miles. I think it is between 32 and 33.

Senator BIBLE. For the record because we will be asked the question, who owns the water acreage of 16,270 acres?

Mr. CARR. I am proposing that Mr. Lee will explain why they need this water area. I did want to bring it to the attention of the committee that it was more than the land. The important part is the landownership. You will note there that the Federal land is 90 acres, State land 1,000 acres, county land 800. To answer a previous question, would you point out where those pieces of county land are on the map? There were five pieces as I remember. Would you point those out, Mr. Underhill?

Mr. UNDERHILL. The other holdings or township holdings Mr. Secretary?

Senator BIBLE. Let us develop this so that the reporter will have the correct designations. The map to which you refer will be designated exhibit 4.

(The document referred to was marked exhibit 4 for reference.)

Senator BIBLE. The colors along the map indicate what? They are different colors. Is there a legend that goes with it?

Mr. CARR. We refer to it as our ownership map.

Senator BIBLE. It may be referred to in addition as exhibit 4 as the ownership map showing the ownership along the 32 miles of the proposed Fire Island National Seashore. What do the colors mean?

Mr. UNDERHILL. Green is State land. The dark green is State land. The blue is Federal land, the Coast Guard station. The maroon is county land, and the small pieces in red are small township or town parks.

Senator BIBLE. And the rest I take it is in private ownership.

Mr. UNDERHILL. The balance in tan or yellow is in private ownership, that is right.

Senator BIBLE. Thank you. Tell us the acreages of each of them.

Mr. CARR. The acreages are Federal, 90 acres; State, 1,000 acres; county, 800 acres; townships, 22 acres; village, 16 acres; and private ownership, 3,772 acres out of a total of 5,700 acres. The estimated land acquisition cost, instead of the $20 million that was mentioned with the June 10 letter, has been reduced to $12 million. I would like to make it clear to the committee that no detailed appraisals or estimates have been made. However, Mr. Lee, the regional director, has been working recently to try to firm up the $12 million. So this is the best figure we have at the moment, $12 million. So this is the best figure we have at the moment, $12 million against the original $20 million.

Senator BIBLE. It seems to me that this would be the proper place in the record to indicate what each of these ownerships are. I mean how many homes or are you going to develop this through Mr. Lee?

Mr. CARR. Mr. Lee has that information. We can develop it here if the chairman wishes.

Senator BIBLE. I know you are under pressure to meet your schedule.

Mr. CARR. I would prefer to finish my testimony because I think there will be additional questions as you proceed.

Senator BIBLE. Suppose you finish your testimony now.

Mr. CARR. Thank you, Mr. Chairman. We would now not advocate the taking of improved private property if zoning standards are met which are acceptable to local authorities and the Secretary of the Interior. Under the terms of the Department's suggested bill the Secretary would not acquire the non-Federal public land in the seashore unless the local governing authorities wish that these lands be taken over by the Department of the Interior. It is proposed that the power of eminent domain may be used if necessary to acquire unimproved private property.

The Department also proposes that underdeveloped stretches between the currently developed areas be maintained and managed largely in their natural state. The basic purpose of proposing the seashore is to make available near the enormous concentration of population in the Northeast States stretches of undeveloped land and natural beach for the long-term future enjoyment of the public.

We do not recommend a road down the length of Fire Island. On the contrary, we suggest that access to particular portions of the seashore be by existing bridges and ferries. Also, there may be

needed additional ferry service to the mainland and along the barrier reef. Hunting and fishing would be permitted under State law.

We do not propose under the Department's plans that the island revert to its natural state. By that I mean we would maintain and continue to use the homes that are established as we have done in other areas. We do propose to maintain undeveloped areas largely in their natural state and thus to protect its future value and also maintain existing developments. The proposal for Fire Island is essentially the same as that which Congress authorized with respect to Cape Cod.

One further point relating to management of the area—the Congress already has given authority to the Corps of Engineers for dune stabilization and shore protection along the island. If approved by the Congress, section 8 of the substitute bill proposed by the Department would modify existing authority of the Chief of Engineers to require that plans for beach protection measures be carried out under a plan mutually agreed upon by the Department of the Interior and the Department of the Army.

As to cost: A rough estimate has been made of about $20 million for acquisition of undeveloped lands in the originally proposed 8,000-acre area. By cutting the gross area back as is now suggested to 5,700 acres, we estimate the cost of acquisition would be about $12 million, or a saving of $8 million.

As to the cost of dune stabilization, we think the Corps of Engineers is the best source of this information. This would be a cost over and above the cost of acquisition. Further cost would involve about $1 million a year for the first 5 years for development plus annual operation costs of between $300,000 and $400,000 a year.

Senator BIBLE. Do I understand your $12 million figure correctly, that it is for the acquisition of undeveloped lands alone?

Mr. CARR. That is right.

Senator BIBLE. This does not contemplate the acquisition of any of the houses or cottages or homes or structures that are on the land because they would be protected under the so-called Cape Cod formula, if we can use that phrase?

Mr. CARR. Yes, the Cape Cod formula on a more generous basis.

Senator BIBLE. The $12 million figure is the cost of acquisition of undeveloped lands?

Mr. CARR. That is right, Mr. Chairman.

Senator BIBLE. Thank you.

Mr. CARR. Secretary Udall asked me to emphasize to you that there is a critical need for defining the future highest beneficial use of this land. It is near the largest concentration of population in the United States.

The major objections have been met by proposed modification of the bill. Existing landowners will be protected. We respectfully urge this committee to report favorably and push for early passage of Senate bill 1365 with the amendments I have outlined.

The proposed Fire Island Seashore has one of the highest priorities in the Department. It represents an opportunity to provide for the future welfare of millions, an opportunity that will soon disappear forever, if we do not act now.

Thank you, Mr. Chairman.

Senator BIBLE. Thank you very much, Secretary Carr, and we will develop through the witnesses these other questions that we have. Do you have any questions of Secretary Carr?

Senator ALLOTT. How big a hurry are you in, Mr. Secretary?

Mr. CARR. Senator, I can always stay for the Senate.

Senator ALLOTT. Just one question, then, because I can ask these other questions later. What would be the situation of a person who had both a piece of property here, we will say, a young man, with the idea of developing a cottage on it, and what would be his picture for the future? Would you take his property since it is now undeveloped?

Mr. CARR. You could, under this act, buy that property if he had the property and no improvements on it. We have in the substitute bill, if I recall, a date of improvements as of January 1, 1963. This is a date that the members of the committee may wish to examine, but it was a sort of cutoff date at which time people would know whether they could keep their property or not.

Senator ALLOTT. I may be going into a hypothetical area. I don't know. But with the pressure that this committee has seen and the chairman has seen over and over again, as we all have, for seashore property, particularly on the east coast, it occurred to me that this question might arise. I just wanted to get your statement with respect to it.

Mr. CARR. This is a very difficult problem and applies to some other areas as to the cutoff date that should apply, and whether certain people have been able to move in and speculate on the property after the Congress began to consider certain legislation.

Senator ALLOTT. I am not worrying about speculators. They can take their own chances. But I am concerned, for example, about a young man who, just getting started with a family, realizes that he wants something like this for his family. After perhaps 2 or 3 or 4 or 5 years of looking he has finally found a spot that he can afford to buy. He is not at the stage where he can start developing it. He may not be for another period of 2 or 3 years. This is the person I am talking about. I am not talking about speculators.

Mr. CARR. Senator, I understand very clearly what you mean because at one time I was personally in the same position.

Senator ALLOTT. We all have been.

Mr. CARR. It is a question of how fast they can go and what constitutes improvement. I think Mr. Crafts and Mr. Hartzog can discuss this with you.

Senator ALLOTT. I won't detain you any longer but I just wanted to get your ideas about it.

Senator BIBLE. I think it is a very excellent question—this cutoff date. Mr. Lee might give a little thought to commenting on it in his testimony, as to exactly what that ownership pattern is there. Because it may very well be as Senator Allott has so properly said that we have many people who own unimproved lots on this island with the hope of starting to build within the next few years. This is the question I wish you would direct your attention to, Mr. Lee, at the time we call on you.

Mr. CARR. As you know, Mr. Chairman, this applies to some other areas where we are trying to work out a policy.

Senator BIBLE. I recognize that and it is always a difficult question.

Senator Jordan.

Senator JORDAN. Mr. Chairman, I shall withhold such questions as I have until the testimony is further developed.

Senator BIBLE. Senator Simpson.

Senator SIMPSON. No questions, Mr. Chairman.

Senator BIBLE. Thank you very much, Mr. Secretary. I will dismiss the panel at this time because I see the distinguished coauthor of this legislation coming in and I know he would probably like to testify at this time.

Senator Keating, we will be very happy to hear from you now.

Mr. CARR. Thank you very much, Mr. Chairman.

Senator BIBLE. Senator Keating, we are very happy to have you with us this morning.

STATEMENT OF HON. KENNETH B. KEATING, A U.S. SENATOR FROM THE STATE OF NEW YORK

Senator KEATING. Thank you. I appreciate your hearing me out of order and I am sorry I was not able to be here at the opening of the session.

I am very grateful to you for arranging these hearings. My appearance, as you know, is in favor of one of the bills to establish a national seashore at Fire Island. There are a number of them and not unnaturally my preference is for S. 1365, which happens to be the bill cosponsored by Senator Javits.

Senator BIBLE. I think, Senator Keating, I should say in fairness, because Secretary Carr apprised this committee, that they have again reexamined their June 10 proposal, and I don't know whether you are aware of this or not, but their present proposal has shrunk from 52 miles to 33 miles. In that respect boundarywise it is very, very close to the same area that is in the bill you and Senator Javits propose. I would assume you were possibly aware of that. I was not positive because Secretary Carr said he didn't know whether or not you had been completely brought up to date on this change of thinking in the Department of Interior.

Senator KEATING. I was informed of it by my own staff. The Interior Department had not informed me of this new bill.

Senator BIBLE. I don't think it is a new bill. I think it is shrinking it down to something like 33 miles, which in that respect is very, very close to the same boundaries as is indicated in your bill.

Senator KEATING. It is, and is a great improvement.

Senator BIBLE. Senator Allott has directly prompted me and said it simply extends 1½ miles to the east over the proposal that you introduced.

Senator KEATING. That is right.

Senator BIBLE. I thought I should call that to your attention.

Senator KEATING. I appreciate your bringing that to my attention. At the time that we introduced our bill back in April, I pointed out then that Fire Island is one of a group of constantly diminishing, exceptionally important and relatively undeveloped seashore areas on the Atlantic coast. It has the decided advantage of being only 50

miles from New York City and within hours of approximately 20 percent of the Nation's population. The National Park Service has concurred in the statement, "It should be preserved as a substantially natural area because of its special qualities and character." In June of this year, I took a special factfinding trip to Fire Island and spoke to hundreds of citizens in the area. I have received literally thousands of letters from constituents about the proposal and have seen, in my Washington office, dozens of interested persons. In September, I testified before the National Parks Subcommittee of the House Interior Committee in behalf of this bill.

There is no disagreement, either in the Government or in the Fire Island area, on the need to establish this national seashore. Points of conflict have arisen on two issues however. The first is boundaries and the second is private property rights.

The bill which Senator Javits and I introduced specifies that the park should extend from Fire Island to Moriches Inlet—a distance of some 31 miles—and consist of not more than 7,500 acres of land designated by the Secretary. When in June we met with Secretary Udall to discuss the Interior Department's position on our bill, we were surprised by his suggestion—later translated into a bill introduced by the House—that a considerably larger area, now privately owned, be included in the park. This proposal has met with strong opposition in Long Island and I would most definitely be opposed to the extension. A second meeting with the Secretary has clarified his support of a national seashore at Fire Island and brought about his agreement not to insist upon adoption of his earlier suggestions on boundaries.

I am not at the moment prepared to discuss very intelligently that extra mile and a half.

Senator BIBLE. On that point you would certainly be welcome to stay or have some member of your staff stay and keep you advised of it, because we plan on asking Mr. Crafts and Mr. Lee and Mr. Hartzog exactly why they extended it a mile and a half east. We hope through questioning we can develop this.

Senator KEATING. I hope to be informed on that. There may be no objection to it. I am not familiar with that at the moment.

Senator BIBLE. Neither is the committee.

Senator KEATING. The second difficulty has arisen with regard to private property rights and how best to protect them. There are thousands of small homeowners on Fire Island whose families have been summer residents for generations. While our bill is fairly general in authorizing the Secretary to acquire real property by gift, purchase, condemnation, or otherwise in order to carry out the purposes of this act, both sponsors, I know, would welcome the informed judgment of the members of the subcommittee on specific language affording the fullest possible protection.

You have had experience with bills of this nature before. A provision of the Point Reyes National Seashore bill of last year, for example, directs that—

> No parcel of more than 500 acres * * * shall be acquired without the consent of the owner so long as it remains in its natural state, or is used exclusively for ranching and dairying purposes, including housing directly incident thereto.

Of course, this 500 acres would not be applicable to Fire Island. We have more creative artists and dramatists there than we do cattlemen and dairymen, but I use this example because it was one which was particularly appropriate to the particular area. I know that you, working with the residents and homeowners of this area, can devise appropriate language to effect a similar result in Fire Island and we will be happy to help on that language with your staff.

Senator BIBLE. On that very point, and I directed the same question to your colleague, this substitute bill, as proposed by the Secretary of Interior in his transmittal of June 10, very largely if not identically builds into the Fire Island proposal the so-called Cape Cod formula with one very marked difference; that is, that it treats commercial as well as residential property in the same category. The Cape Cod bill did not. It says that as long as the property owner conforms with the zoning code adopted by the proper governmental authority and adopts zoning provisions that meet the approval, I think, of the Secretary of Interior and the local zoning ordinance, then in that event they can remain there in perpetuity, both the commercial establishments and the residential establishments. I would invite your attention to the language in the proposed substitute bill of June 10 for whatever comments you might care to make on it.

As you correctly point out, this is always the heart of the controversy in all of these national seashore proposals. I have made inquiries since we created the Cape Cod proposal which as you know was the brainchild of the late President when he was a Senator and was later enacted into law. I have been told that it has worked out very well in that area with a minimum of adjustments, a minimum of controversy and discord with the Park Service. I would invite your attention to the language that is now proposed, not in your particular bill but in the substitute bill that comes to us from the Interior Department, because as you correctly say this is one of the most important areas in these bills. The fact that you have apparently such great unanimity among the property owners of this area would seem to indicate that they are fairly well satisfied with the proposal.

Senator KEATING. I think so. I agree with you about the Cape Cod area. It has worked out with comparatively little friction. I happened to be up there within the last year and was inquiring about it. I found universal support for the way it had been handled there. I will see, if I may, after talking with some of the residents, that your staff is apprised about their feelings regarding this language in the more recent bill of the Secretary.

Senator BIBLE. Thank you.

Senator KEATING. Now, I must make one final plea, and that is for the expedition of this bill. I realize that the exigencies of the situation are such that it cannot be passed at this session and there is no intention to do so and that hearing or further hearings are to be held next year, probably on site. But there is a need for prompt action if we are going to stem the sand erosion that is taking place in these dunes. The Army Corps of Engineers have begun to work but we know that the passage of this bill would give impetus to their labor. We also know that the longer we wait the greater will be the cost of preserving and protecting the area.

The dangers of land speculation in these situations is, I am sure, evident to all of you, so I mention that as a second reason for speed, only in passing. I would like to add a word for the New Yorkers and the other millions of Americans who make their homes in what has been called the megopolis stretching from Boston to Richmond. They will be the beneficiaries of this legislation. They will find respite from the demands of the teaming cities and repose in this haven of natural beauty. Population experts have projected figures which show that before too long, 88 of every 100 Americans will live in a metropolitan area. Unless we begin now to set aside areas for preservation and recreation, near the cities, not 1,000 miles away, our children and their children are apt to condemn our lack of foresight. You know there is an American born every 7½ seconds, so we don't have too much time.

I am very grateful to you, Mr. Chairman, and to the members for taking up this matter at this time, and hope that it can be expedited as much as possible.

Senator BIBLE. I think that is a very fine statement, Senator Keating, and I can personally vouch for your continued persistence in moving this important legislation forward. I know you have been a great champion of this proposal, and you have my assurance, and I announced at the beginning of this meeting and announced at the time we had a prior meeting that we will move this along as expeditiously as possible. We do plan an onsite hearing. I think the members of this committee are unanimously in the opinion that they have a better feel of the grandeur and the propriety of the area that is being created into a national seashore park if they have actually visited it.

There is no substitute for an onsite inspection. We are going to do this sometime in the range of March or April. I think you made a very fine statement.

Senator Allot.

Senator ALLOTT. I have no questions.

Senator BIBLE. Senator Jordan.

Senator JORDAN. I have no questions, but a word of commendation to my colleague for a fine statement. I look forward to visiting the area and hope you will go along with us.

Senator KEATING. I hope I can. I suggest that you don't wait until it is swimming weather because that is going to delay consideration of this bill a little bit. It is a little bad for swimming in March, but we can figure out some day that it is going to be a nice day for you.

Senator BIBLE. If you can guarantee that, you are all right. We will accept that good day.

Senator ALLOTT. If my colleagues will yield, I hope you will do something about this, because the day that this committee visited Cape Cod was one of the rawest, coldest days I think you can imagine. I am sure the chairman of this committee would agree.

Senator BIBLE. I am thoroughly in agreement with Senator Keating, if he will assure us a fine day.

Senator KEATING. Yes, we will arrange that.

Senator BIBLE. Senator Simpson.

Senator SIMPSON. I thank the Senator for his fine presentation. I will come any time. I don't swim.

Senator KEATING. That is fine. Thank you very much.

Senator BIBLE. Thank you very much, Senator Keating. Now we will resume with out Department witnesses.

Mr. Crafts, would you care to elaborate on the statements that have been previously made? There is no use of repeating them. I think we very definitely need for the record the ownership pattern. I hope this might be a proper place to inject that. We also want to hear from someone, either you or Mr. Hartzog or Mr. Lee, as to why you added this one and a half miles to the east.

STATEMENTS OF E. C. CRAFTS, DIRECTOR, BUREAU OF OUTDOOR RECREATION, AND K. C. LEE, PARK SERVICE—Resumed

Mr. CRAFTS. I might say, Mr. Chairman, that the Under Secretary read into the record the acreage under the different landownership that total 5,700 acres in the current proposal of the Department, which I believe you have before you.

Senator BIBLE. Yes; that was made an exhibit.

Mr. CRAFTS. That is right. In terms of estimated mileage, that is, beach front mileage, there is about a half a mile of Federal ownership, about 5 miles of State ownership, about 2½ miles of country, about a quarter of a mile of town and village ownership, ad early 24 miles of private ownership. With respect to the question of inclusion in the proposed seashore boundaries of the mile and a half to the east of Moriches Inlet, and also with respect to the inclusion of about 5 miles of State park at the west end of the island, the basic thinking behind this was that it follows a pattern that has arisen in connection with other proposals, that these lands are public lands at the present time.

They are not Federal lands. The inclusion of them in the seashore boundary does not mean that they will become Federal lands and be managed by the Department of Interior unless the local public agencies wish to make arrangements with the Department to do so.

Senator BIBLE. Of course, I can give you my position on that very clearly because it is exactly the position we had in the Ozarks National Rivers and I think positively and definitely and unequivocally if this is of assistance to this area in creating a national seashore, as a great national attraction, the land to be acquired at a cost of $12 million, and acquisition costs of many million dollars and an annual operation and maintenance cost of $4,000 or $5,000, it seems to me that the State or the county or the local unit, whatever it is, should donate free of charge the State part of the lands under their control if they want the Federal dollar. I think they ought to put in something themselves. This is unequivocal and we have written language in the Ozarks indicating that and also the Oregon Dunes. This is my position as chairman of this committee.

I hope this can be worked out. It doesn't seem to me to make sense to have an overlapping side by side State and Federal operation.

Mr. CRAFTS. This could be done under the terms of the Department's bill. It would not be required. I think this would be a point on which it would be very appropriate for the Congress to investigate its views in connection with legislative history. But to come to the point I wanted to make. The reason we propose to include this in the boundary is so there can be comprehensive planning with respect to the development of the total area and coordinated planning between those areas which will be acquired and administered by the

Federal agencies and those that currently are under the administration of local public agencies.

Senator BIBLE. Tell me about the State park. Do you call it a State park?

Mr. CRAFTS. That is at the far end of the island.

Senator BIBLE. What is it officially called?

Mr. CRAFTS. Robert Moses State Park. Mr. Lee can tell you more about the details of that park.

Senator SIMPSON. If the chairman will yield, just to familiarize myself, you are speaking about the west end. The inclusion is up on the east end, is it not?

Mr. CRAFTS. These are county lands, Senator. The difference between Senator Keating's and Javits' bill is twofold. I would like to clear up a point or two that the Under Secretary made. The Department's present proposal would run the boundary from this point, one and a half miles east of this inlet.

Senator SIMPSON. I mean east of this inlet to the far end of this. Why?

Mr. CRAFTS. For the reason I have just tried to explain. To incorporate these areas so that if the local governments wish to make them available to the Federal Government they can do so. But in any event to encourage coordinated planning and operations between the Federal Government and the local government.

Senator SIMPSON. Did you do that on your own volition or did you consult with any of the public people with respect to that?

Mr. CRAFTS. I would have to ask Mr. Lee as to the degree of local consultation on this point.

Mr. LEE. Mr. Chairman, the National Park Service has consulted with the Board of Supervisors of Suffolk County on several occasions. Several of the members of the board are here in this room today. At the House hearing the county executive, Mr. Dennison, who is also here, testified about the county lands. The county, I believe, has not fully made up its mind about the transfer of those lands provided authority is written into the bill for the Federal Government to so accept them. It is my understanding, however, that the county authorities would like to have the bill written in such a way that the Federal Government can accept those lands.

Senator BIBLE. I can assure you, Mr. Lee, as far as the chairman is concerned, we will at least write that in because we have written it in right along. This just implements my prior statement. I think it would be helpful, and I don't think the record is completely clear yet, Mr. Crafts, why we go a mile and a half to the east. This is county-owned land?

Mr. CRAFTS. That is right.

Senator BIBLE. This is the reason you say you think it should be incorporated into the bill because then you would have a general pattern of operations and you would follow the same standards. What actually is done on this mile and a half of county-owned land at this time? What is there?

Mr. LEE. Your question, sir, is, What is there now?

Senator BIBLE. Yes; a mile and a half to the east.

Mr. LEE. There is very little development there. It is at the end of a road that comes down Westhampton Beach and terminates at the eastern end of that maroon area. There is a very small parking area

at that point and the few visitors who come there walk around and enjoy the beach and may do a little fishing from the inlet.

Senator BIBLE. Are there any homes?

Mr. LEE. Not within the county lands, but along the road approaching it there are homes almost continuously on the oceanside and for considerable stretches on the bayside of that road.

Senator BIBLE. Within the mile and a half area?

Mr. LEE. No. The road terminates at the entrance to the maroon area on the map, sir.

Senator BIBLE. That is what I wanted to develop for the record. Your testimony is that within the mile and a half lying east of the so-called Keating-Javits proposal, it is county owned, No. 1. No. 2, it is completely unimproved. No. 3, there are no structures whatever on it.

Mr. LEE. That is right.

Senator BIBLE. Thank you. Who can tell me about the State park? I would be interested in knowing who operates it. Can you develop that?

Mr. LEE. The Robert Moses State Park, recently named that—it used to be called the Fire Island State Park—is the first of a chain of parks on Long Island. Establishment began in 1908. Gov. Charles Evans Hughes, of New York, I think, was responsible for starting the park. It is the oldest of the State parks on Long Island and is, I believe, the oldest State park on the Atlantic seaboard.

Senator BIBLE. How large is it, Mr. Lee?

Mr. LEE. There are 1,000 acres of land and something like 2,000 or 2,500 acres of water surrounding it. It is submerged land that is administered as part of the State park. Jones Beach is 15 miles west of the Robert Moses State Park.

Senator BIBLE. Could that be pointed out to us?

Mr. CRAFTS. It doesn't show on this.

Senator BIBLE. It is beyond the green color.

Mr. LEE. Jones Beach is intensely developed with, I believe, parking fields for something like 28,000 automobiles. But even with the amount of development that Jones Beach has, it is not adequate for the public use. So the Long Island State Park Commission, which also administers Jones Beach, has built a bridge from Captree State Park, which is on the main part of Long Island opposite that general area to the green area, and it will be open this winter. It is not open at the present time. Prior to the construction of that bridge the State park was reached only by ferryboat. I think something like 175,000 visitors have used the bathhouse, the picnic areas, the other facilities that are there. The State is currently building a second bathhouse, additional parking fields, and the chief engineer of the Long Island State Park Commission, Mr. Shapiro, told me this summer that they expected it would accommodate about 3 million people when it is fully developed a few years from now.

Senator BIBLE. This is the Robert Moses State Park?

Mr. LEE. Yes. Recently the name was changed from Fairyland to Robert Moses State Park and the bridge is called the Robert Moses Bridge. This is to take overflow from Jones Beach.

Senator BIBLE. This I understand. The Robert Moses State Park has an annual visitation of how many did you say?

Mr. LEE. When it was accessible by ferry it had an annual visitation of 175,000. When this bridge is opened the predictions were, I believe, that the first year the bridge is open the travel may reach 2 million and the ultimate facilities that will be provided there are expected to accommodate about 3 million.

Senator BIBLE. Do you know what the cost of operation is?

Mr. LEE. No, sir; I don't.

Senator BIBLE. Is the director of the State park one of the witnesses at this hearing? I understand he is not. If not, that can be developed when we are on the site. You may proceed, Mr. Crafts. I don't know if you have finished your statement.

Mr. CRAFTS. The only thing I might add, Senator, is one item that was not mentioned. This is Smith County Park here or rather Smith Point County Park. There is a bridge across from here to here. This is developed with visitors centers and accommodations for bathing at the present time. The main concentrations of people are largely in this area here.

Senator SIMPSON. Let the record show you are pointing toward the west end.

Mr. CRAFTS. Yes, sir; although there are several smaller concentrations of homes scattered along the private land stretch of the island. As far as the number of homes, the population, I can give you only generalized figures. Perhaps Mr. Lee can refine these. But my recollection is that there is a summer residence on the island of about 30,000 people. I think there are about 2,500 homes. I think there is a year-long residence on the island of only a few hundred people. There are only a hundred or so homes that are permanently occupied year long. I don't know whether you wish to get into the question that Senator Allott raised concerning the power of taking of the private property. I might point out one or two items with respect to this.

This is a permissive power. This does not mean that the Secretary would automatically take all of the unimproved private property on the island. I would suspect as a matter of policy that the priority acquisitions would be in the areas which have the minimum of development. I think this is a point that has not been made. I think also with respect to the point that Senator Allott made about the individual who had acquired a lot but had not yet developed it, there is nothing in the Department's proposal that would prevent his improving that property after the passage of the bill. The property, if improved after the cutoff date, whatever that might be, would, however, be subject to exercise of eminent domain if it fell in an area of priority taking.

Senator BIBLE. Developing that example one step further, you still follow the Cape Cod formula and the formula you built into Oregon Dunes and Sleeping Bear and others of our lakeshore and seashore proposals, that if you desire to use the right of condemnation in the example that you gave, would you permit the owner to exercise his right to a lifetime estate or for 25 years?

Mr. CRAFTS. I think it is 25 years in this bill.

Senator BIBLE. Just a flat 25 years.

Mr. CRAFTS. I believe that is correct.

Senator BIBLE. In either event if I am a homeowner there now prior to the cutoff date, or if I am a homeowner afterwards, I would have a different protection?

Mr. CRAFTS. If you are a homeowner now you would not be subject to the power of eminent domain if your improvements meet the zoning requirements. If you are owner of a home constructed prior to the cutoff date you would have a right of 25 years tenancy, as I recall.

Senator BIBLE. Prior to the date that is a voluntary exercise on my part. If I have a home prior to the cutoff date, then I can elect to sell it to the National Park Service either outright, or I can agree to take it subject to a 25-year estate.

Mr. CRAFTS. That is right.

Senator BIBLE. You would compensate me for the 25-year estate, is that true?

Mr. HARTZOG. Mr. Chairman, if I may, section 4 of the revised bill refers to the life tenancy in terms of improved property. Improved property is previously defined in section 2 of the bill as property that is improved on or before January 1, 1963. So if I may suggest for your consideration, I do not believe that the man who builds on a vacant lot after such date as the Congress may establish for the cutoff would have the right as would the individual owning improved property prior to the cutoff date established by the Congress.

Mr. CRAFTS. I stand corrected on that.

Senator BIBLE. I am glad to get that clarification. If I had a home on Fire Island prior to the cutoff date, then I can either elect to stay there in perpetuity, or I can agree to sell to the Park Service subject to a 25-year estate, is this a correct statement?

Mr. HARTZOG. That is correct, Mr. Chairman.

Senator BIBLE. These are the issues that involve people and homeowners and they are very vital in their considerations. I want the record abundantly clear so there is no misunderstanding on it. The additional question, Mr. Crafts, that I would like to have developed—I don't know whether you can supply that now or not—I understand you to say there are about 2,500 homes. I would like to have some indication for the record, Mr. Lee, of the character of these homes.

Will you supply them?

Mr. LEE. Mr. Chairman, the private properties fall within the two towns, most of them within the town of Brookhaven, part of them in the town of Islip. Our statistics conform to that breakdown. In the town of Brookhaven there are 1,197 summer residences. Brookhaven, incidentally, is the easterly boundary and is practically identical—the right end of this map. The westerly boundary is in the vicinity of that last red spot. That is approximately the west limit of Brookhaven and beyond that is the town of Islip. In the town of Brookhaven there are 1,197 summer residences. There are about 20 commercial properties. I have a breakdown if you want it. Four restaurants, two hotels, three motels, two casinos, two groceries, two yacht clubs, and a clothing store. In the town of Islip, there are 1,200——

Senator BIBLE. I think it is well for the record, what is a town under the law of the State of New York? Is it what we would call an unincorporated village in the West? Who is the governing body? It doesn't have a mayor or city council?

Mr. LEE. I am unable to answer in detail. Each town has a supervisor who is a member of the county board of supervisors. The town government is linked with the county government in that way.

Senator BIBLE. Somebody in the Suffolk County official family can give us the correct answer to that and I think we should have it for the record.

I am happy to note for the record, Mr. Reporter, there are some 25 or 30 people that are here because of their great interest in this proposed Fire Island National Seashore. Mr. Lee, you may proceed.

Mr. LEE. In the town of Islip, there are 1,575 houses and about 30 commercial properties. Of these, 12 are apartments or hotels, 2 yacht clubs, 10 restaurants, 6 stores, and there are 17 other commercial properties. There are a number of churches in the 2 towns, 13 in the town of Islip and 4 in the town of Brookhaven.

Senator BIBLE. That embraces all of the private ownership?

Mr. LEE. That embraces all of the improved private ownerships. There is, of course, land in the communities and outside of the communities that is privately owned but not developed.

Senator BIBLE. Do you have any idea, because I think it is a relevant question, of the amount, numberwise, of the private ownership of unimproved property within the proposed taking area? Does one person own it all or a thousand persons?

Mr. LEE. No; there are a large number of private owners. I would have to furnish that, sir. It is probably around 6,000 individual ownerships all told.

Senator BIBLE. About 6,000 private ownerships. They own what, a lot 100 by 200 feet or do they own a half acre or are they all irregular sizes? Do we recognize them as town lots or city lots? What I am trying to develop, in this ownership of 2,500, are these half-acre lots or 50 by 100 or 75 by 125?

Mr. LEE. They tend to be smaller than a half acre and conform to the zoning provisions which obtain in the respective towns. If I am correct, I believe it is—the size of lot in Brookhaven is about 6,000 square feet.

Senator BIBLE. That is a minimum requirement. It must be at least 6,000 square feet.

Mr. LEE. It must be at least 6,000 square feet.

Senator BIBLE. That is pursuant to a zoning ordinance?

Mr. LEE. Yes, sir. I am not informed in detail on that but I think that is substantially correct.

Senator BIBLE. I don't think it is necessary and I don't think you are really the proper witness on it, but I think this is something that the supervisor or whoever is the head man for Brookhaven and the other town should be prepared to supply the ordinances which will speak for themselves as to the requirement of landownership and homeownership. I would suggest that whoever is the responsible witness be prepared to do that. If he can't do it here in Washington, we can certainly get that in the field. Did you have anything further, Mr. Lee, at this time?

Mr. LEE. No, sir; not unless there are further questions.

Senator BIBLE. There is one further question. No. 1, who owns the water and why do you put this within the seashore area? You have 16,270 acres of water. Who owns that water?

Mr. LEE. If I may go to the map and speak from there, there are offshore a number of islands. These are low, most of them without any improvements on them, privately owned; a number of them are important bird nesting areas and have other natural values. It has

been suggested by various people that some of those islands ought to be included in the national seashore. Among the islands that have been mentioned are Holly Island, Pelican Island, Bridge Island, Reefs Island, Pattersquash Island, and counting the very small ones, there are some 17 of them. The waters offshore adjoining the Robert Moses State Park on the oceanside as well as on the bay side are administered as part of the State park. The line that is shown here embraces an area that includes the water between the islands—between Fire Island and the smaller islands adjoining it—as well as a thousand feet on the Atlantic Ocean side.

It is our feeling that Congress might wish to consider the desirability of incorporating that as a conservation area with the lands that will be included in the park.

Senator BIBLE. Mr. Lee is referring to exhibit 1.

Mr. LEE. This water is very shallow. This Great South Bay is often 2 or 3 feet deep only. It is a very important area for migratory waterfowl. It is important for shellfishing. It is important for other kinds of fishing. It is a nature study area. It has a variety of uses that I am sure that many of the witnesses who testify on the natural values will enlarge upon. The land under the water is owned variously. Part is owned by the town of Islip and the town of Brookhaven. But some 2,800 acres of submerged land is privately owned, scattered through this area. I believe that in Great South Bay itself beyond this land—beyond this boundary much of the land is privately owned and has been disposed of in that fashion. In the case of Cape Cod we go a quarter mile offshore.

In the case of Cape Hatteras again we go a certain distance offshore. That I believe was for purposes of administration where people swim. There is surf fishing, there are activities that take the people into the adjoining waters. It is our feeling that, while I am sure we are not insistent upon it, it would be desirable to consider that as a part of the conservation project. If it were considered favorably it would add something like 16,000 acres of water if one included the waters adjoining the State park to the 5,700 acres of land area involved in the project.

Senator BIBLE. You would acquire that on behalf of the Federal Government. How much would that cost?

Mr. LEE. The cost of that land is estimated to be very small. I have the figure here somewhere. I think around $213,000 is what it was estimated to cost from the tax assessor's records.

Senator BIBLE. To acquire from the various ownerships to which you testified?

Mr. LEE. That is right.

Senator BIBLE. Thank you, Mr. Lee. Senator Simpson, did you have some questions of these witnesses?

Senator SIMPSON. The bridges are developed by the State of New York, I take it.

Mr. LEE. Yes, sir.

Senator SIMPSON. Would the Park Service propose to take over the transport services like the ferries under this proposal?

Mr. LEE. I would say, no, sir. We would hope and expect that the existing ferry services would continue and would be augmented in order to provide additional services to Fire Island.

Senator SIMPSON. That is all, Mr. Chairman.

Senator BIBLE. Gentlemen, I very much appreciate your appearance here. It has been very helpful. I hope you will remain. Senator Simpson, we have 1 hour more remaining to accommodate the witnesses and without objection we will stand in recess until 2:15 p.m.

(At 12:05 p.m., the subcommittee recessed until 2:15 p.m. of the same day.)

AFTER RECESS

(The subcommittee reconvened at 2:15 p.m., Senator Alan Bible, chairman of the subcommittee, presiding.)

Senator BIBLE. The subcommittee will be in order.

Our first witness this afternoon is Henry Diamond.

STATEMENT OF HENRY DIAMOND, REPRESENTING LAURANCE ROCKEFELLER, CHAIRMAN, NEW YORK STATE COUNCIL OF PARKS

Mr. DIAMOND. My name is Henry Diamond. I am assistant to Laurance Rockefeller, who is chairman of the New York State Council of Parks. At a meeting on October 31, the New York council adopted a position favoring the Fire Island Seashore. With your permission, sir, I would like to incorporate that position into the record and very briefly point out the five points of it.

Senator BIBLE. Without objection, that will be the order.

(The statement referred to follows:)

PREPARED STATEMENT OF HENRY L. DIAMOND, ASSISTANT TO LAURANCE ROCKEFELLER

My name is Henry L. Diamond. I am an assistant to Laurance S. Rockefeller, chairman of the New York State Council of Parks. I am representing him here today.

At its meeting on October 31, the State council of parks adopted a position favoring a Fire Island National Seashore. I would like to present to the committee a copy of that position.

1. The State council of parks recommends the establishment of a national seasore recreation area on Fire Island.

2. The council believes that consideration should be given to the following boundaries for the seashore: On the west, Sunken Forest, on the east, a point approximately 2 miles east of Moriches Inlet; provided, however, that developed areas within these limits be excluded. Later if the excluded areas or additional areas to the west so desire, consideration should be given to inclusion of them in the national seashore area.

3. Shoreline and storm damage protection should be a major management objective of the seashore. However, consideration of current legislation should not deter the shore protection programs of the U.S. Army Corps of Engineers from going forward in cooperation with State and local governments.

4. The council recommends that any legislation include provision for a representative commission to work out arrangements to protect local interests and property owners while assuring the benefits of the national seashore for future generations.

5. The Fire Island committee of the State council as presently constituted shall continue to be available to offer suggestions and advice on legislative proposals and keep the council informed on developments.

Mr. DIAMOND. The council first of all favors a national seashore on Fire Island. The council suggests a consideration be given to these boundaries which are somewhat at variance with those in all of the bills. On the east point approxmiately 2 miles, which we can say is one and a half miles beyond the inlest, on the west, however, the council recommends that the sunken forest, which is a point somewhat to the

east of the present western boundary, be considered. To the west of the sunken forest are primarily heavily developed areas and the Robert Moses State Park. The council, however, felt that this was not an adamant position and if the areas involved are wished to be included it would certainly favor it.

It also pointed out that shoreline and storm damage protection should be a major aspect of park management and it felt that the present shore protection programs of the Corps of Engineers presently going forward should go forward during this consideration.

The council also recommends and very strongly would like to call your attention to a provision that any legislation include provision for a representative commission to work out arrangements to protect the local interests and property owners while assuring the benefits of the national seashore for future generations. This would be made up of townspeople, local government people, State people working with Interior. The State council stands ready to continue to help and advise in any way it can be helpful, sir.

That completes my statement.

Senator BIBLE. Thank you very much.

I might say that we have built advisory commissions into various of the seashore bills. I don't know whether it is or is not in the proposal that is before us from the Interior Department.

It seems to me that the greater the local participation you can build into an act the better. We will certainly give that careful consideration.

Mr. DIAMOND. Thank you very much.

Senator BIBLE. Thank you.

Our next witness will be Mr. Maurice Barbash, chairman of the Citizens' Committee for Fire Island National Seashore.

STATEMENT OF MAURICE BARBASH, CHAIRMAN, CITIZENS' COMMITTEE FOR A FIRE ISLAND NATIONAL SEASHORE

Mr. BARBASH. We wish to thank you for the opportunity of stating our case before you and may we also add, and I discussed this with members of our committee over lunch, that we are all greatly impressed by your manner of conducting this hearing and your questioning of the Department, and we think you are doing a very fine job in developing an understanding of this particular problem.

Senator BIBLE. I appreciate that. We have been working on these for about 5 years so a little has rubbed off. They all follow strangely enough a pretty general pattern. Usually you can be sure that if you have a problem and you take some of the controversy out of it, I hope, in New York, if you go to Oregon you find almost identically the same prblem, the question of boundaries and property owners.

Mr. BARBASH. In the interest of brevity I will excerpt our testimony.

Senator BIBLE. Without objection, Mr. Barbash's prepared statement will be incorporated in full in the record.

(The statement referred to follows:)

PREPARED STATEMENT OF MAURICE BARBASH, CHAIRMAN, CITIZENS' COMMITTEE FOR A FIRE ISLAND NATIONAL SEASHORE

Mr. Chairman and members of the committee, the Citizens' Committee for a Fire Island National Seashore wishes to thank you for the opportunity of testi-

fying today. We are aware that you will hold a later hearing in the Fire Island area, at which time local interests will be heard. Time is of the essence on Fire Island, however, and it is for this reason that we appear before you now instead of waiting for the convenience of the local hearing. May we also at this time express our admiration for your committee, which has done such an excellent job of protecting America's natural resources.

It is fitting that this hearing takes place today as the Senate prepares to eulogize President Kennedy this afternoon. This is precisely the type of natural resource proposal which was closest to his heart, as illustrated by his enthusiastic support of the Cape Cod National Seashore. This and other similar proposals are perhaps the best memorial to his vision for America.

The merit of the Fire Island seashore is immediately evidenced by the overwhelming, unanimous, bipartisan support it enjoys among governmental and private agencies on all levels. The town boards of the townships of Islip and Brookhaven, in which Fire Island is located, the Suffolk County Board of Supervisors, the New York State Council of Parks under Laurance Rockefeller, and the U.S. Department of the Interior under Secretary Udall, all support this proposal, as do our New York Senators, Kenneth B. Keating and Jacob K. Javits, and our local Congressmen, Otis G. Pike and James R. Grover. In addition, our Long Island colleges and universities, chambers of commerce, and virtually every local and national conservation organization are in support. This unprecedented unanimity of approval derives directly from the basic merit of the proposal, for nowhere else in America can one unspoiled seashore mean so much to so many people. Fire Island, due to its comparative roadless isolation up to this time, has truly become the wilderness within the city. If we subscribe at all to the proposition that we must conserve and protect our irreplaceable national heritage, especially our rapidly vanishing shoreline, the Fire Island National Seashore deserves your immediate action.

Others will tell you what this seashore proposal offers to the people of America in terms of recreational, conservation, scientific, educational, and economic opportunities. We wish to address ourselves today to the cost, to certain aspects of the legislation, and to the urgency for prompt action.

We know that you are concerned with the expenditures involved in this proposal. Is the price right? Here we come to a most unusual aspect of this project. Despite the fact that Fire Island represents waterfront property, indeed with waterfront on both sides, and despite the fact that it is within 50 miles of New York City, the island's relative roadless remoteness has helped to hold the price down. We have made a study of typical land sales on Fire Island during the past 5 years, and this study convinces us that the Department of the Interior can purchase the undeveloped lands in the eastern portion of Fire Island for an average price of $125 a running waterfront foot, or $660,000 a mile. Presuming there are approximately 15 miles of beautiful undeveloped land, we believe that the total cost of the basic acquisition could be in the neighborhood of $10 million. Let us add a sum to this for the offshore islands in the Great South Bay and even a large amount for error or other unforeseen expenses, still the total basic cost of 15 miles should not exceed $15 million. This we submit is a fantastically reasonable price for waterfront property in the heart of this population center. For proof, compare these figures with the estimated price that New York City will have to pay for a much smaller piece of property on Breezy Point—just 34 miles to the west. There, the cost may go to $3,000 per front foot, and has been estimated between $20 and $200 million and all because the tide of development and population got there before the city decided to act.

We cannot afford to wait for this to happen to Fire Island, as surely it must in the immediate future. Much beautiful waterfront land can be saved now, and the price is right. Tomorrow or the day after tomorrow will certainly be too late. Fire Island is on the brink of development today. It will be engulfed tomorrow and the opportunity lost forever. Certainly a national seashore is preferable to further subdivision on this vitally located, beautiful shoreline area.

Concerning the legislation itself, we would like to make the following general points now and request permission to submit a detailed recommendation at a future date:

1. The boundaries of this seashore should extend from Fire Island Inlet on the west to the Brookhaven-Southampton town line, beyond the Moriches Inlet on the east.

2. The various islands and wet lands along Fire Island's north shore in the Great South Bay should be included.

3. The seashore should include State, town, and county properties, if desired by the Department of the Interior and consented to by the local governmental bodies.

4. The concept of a natural, roadless national seashore should be emphasized to the maximum extent feasible.

5. Before the legislation is written in its final form, the National Park Service should designate to the Congress those areas on Fire Island which are considered efficiently administrable for national seashore purposes. All other areas, especially in the developed western end of the island, which for reason of their limited size, proximity to intensive development, or other reasons, are not considered efficiently administrable for park purposes, should be included in a zone which permits their continued development, subject to building and zoning ordinances approved by the Secretary of the Interior. The size and nature of the project permits the National Park Service to make such inventory quickly.

6. A citizens' advisory commission, similar to that created in the Cape Cod Seashore legislation, should be authorized in this legislation.

We are confident that your experience in the establishment of previous national seashores will enable you to solve the normal problems of public access and adjustment of public and private interests. The people of our area are doing their best to hold the line for the national seashore. Specifically, the Brookhaven Town Board is desperately staving off efforts to build on or further subdivide Fire Island property. As you must realize, this holding action cannot succeed indefinitely.

We know that you have many proposals before you, and that many worthy projects have been under consideration for years, but in view of the urgency of this situation, the unanimity of support, the unusual opportunity and merit, and the fact that the price is right, we respectfully request your immediate approval.

Mr. BARBASH. The unanimous bipartisan support that this has engendered is self-evident today, I think. The need for this type of project, this one in particular, has been more eloquently expressed than I can do now. Therefore, I will go to some of the pertinent points: First, the price.

Is the price right? Here we come to a most unusual aspect of this project. For despite the fact that Fire Island represents waterfront property, indeed with waterfront on both sides, and despite the fact that it is within 50 miles of New York City, the island's relative roadless, remotelessness has helped to hold the price down until now. We have made a study of the typical land sales on Fire Island during the past 5 years and this study convinces us that the Department of Interior can purchase the undeveloped lands on the eastern portion of Fire Island for an average price of $125 a running waterfront foot over $660,000 per mile. Presuming there are approximately 15 miles of beautiful undeveloped land, we believe that the total cost of the basic acquisition could be in the neighborhood of $10 million.

Let us add a sum to this for the offshore islands which have been discussed, and even a large amount for error or other unforeseen expenses, still the total basic cost of 15 miles should not exceed $15 million. This, we submit, is a fantastically reasonable price for waterfront property in the heart of this population center. For proof we ask you to compare these figures with the estimated price that New York City will have to pay for a much smaller piece of property on Breezy Point, actually just 34 miles to the west of this property in question today. There the cost may go as high as $3,000 per front foot and has been estimated to run between $20 and $200 million, and all because the tide of the development and population got there before the city decided to act.

We cannot afford to wait for this to happen on Fire Island, as surely it must in the immediate future. There is much land that can

be saved and the price is right today. Tomorrow I assure you, sir, it will be too late. Concerning the legislation itself, we would like to make the following general points now and request permission to submit a detailed recommendation at a future date.

Senator BIBLE. We will be happy to have you do that. We will be up in your country one of these days and you can submit it in full then.

Mr. BARBASH. Thank you. The boundaries should extend from Fire Island Inlet on the west to the Southhampton town line on the east as discussed by various witnesses.

Senator BIBLE. Is that the 32 miles?

Mr. BARBASH. That is right. Approximately 31 or 33 miles. With this addition it might be 33.8. The various islands and wetlands of Fire Island north shore and Great South Bay should be included. The seashore should include State, town, and country property if desired by the Department of Interior and consented to by the local governmental bodies.

The next point, No. 5, hits directly to questions which you and Senator Allott raised this morning. I will read our point and discuss it briefly. Before the legislation is written in its final form the National Park Service should designate to the Congress those areas on Fire Island which are considered efficiently administerable for national seashore purposes. All other areas, especially in the developed western end of the island, which for reason of their limited size, proximity to intensive development, or other reasons, are not considered efficiently administerable for park purposes should be included in a zone which permits their continued development subject to a building and zoning ordinance approved by the Secretary of Interior. The size and nature of this project permits the National Park Service to make such an inventory quickly.

Senator Allott asked about the fellow who bought a piece of property and wanted to build a house there. To my knowledge this would occur mostly in the highly developed communities. Most of the undeveloped land is in larger parcels than someone would own if he just wanted to build a little house there. It would seem to me, if I may point this out, sir, that when it comes to these highly developed areas where the Park Service has really nothing to gain by taking over existing houses and they state they do not want the houses, it would be proper to delineate these areas and allow the single, little property owner to build a house there, because allowing a 60 by 100 plot to lie there fallow serves nobody's interest. It serves not the park nor the individual property owner. So instead of allowing it to lie in limbo I suggest that you delineate the area and permit continued building.

Senator BIBLE. I think there is a lot of merit in that suggestion. I might say we did exactly that in our Cape Cod legislation where we carved out three villages. Of course, in carving out those three villages we did not envision the taking of a vacant lot right in the middle of the town which is what you are saying.

Mr. BARBASH. That is exactly correct, sir. In this legislation the villages are all included within the boundaries of the national seashore. In the Cape Code they were excluded. Therein lies the difference. If you wish to include them he should be set aside in a separate

zone. I think you have a pending seashore bill in the hopper now which provides a similar condition. It may be Sleeping Bear, if I am not mistaken.

Senator BIBLE. Sleeping Bear had that among many other problems, and it was about the most energetic bear I have ever seen to be called a sleeping bear. We hope it comes to life tomorrow. It has been reported out of the subcommittee.

There is a lot of merit in what you say and it does not make good commonsense to prevent something being done with a vacant lot that lies between two improved pieces of property. I think this is what you are saying. I am sure we can work out something along that direction. We will know more about it when we make our on-site inspection.

Mr. BARBASH. Thank you, sir.

The last point is the one of the Citizens Advisory Commission which you have written into legislation for other seashores.

Senator BIBLE. I think there is merit in that.

Mr. BARBASH. We know you have many proposals before you and many worthy projects have been under consideration for years. But in view of the urgency of this situation, the unanimity of support, the unusual opportunity and merit, and the fact that the price is right, we respectfully request your immediate approval.

Thank you very much.

Senator BIBLE. Just one thing: Identify the Citizens' Committee for Fire Island National Seashore. What is it, who makes it up, how many members do you have, are they dues paying members, is it a volunteer group, how often do you meet, when did you organize?

Mr. BARBASH. We like the word "confederation." We are a group primarily of Suffolk County residents who organized ourselves in a very loose manner, not incorporated, to act as an action body and a coordinating body for all of the various organizations which are interested in acquiring and establishing a national seashore in Fire Island. The list is a mile long and we would be glad to submit it to you.

Senator BIBLE. I don't care about seeing the list. How many members are there?

Mr. BARBASH. We operate with an effective group, I guess you see half of them here right now, of about 30 people in Suffolk County who actually do the work. We have a central office and we employ help when we need it and we correspond with all of the conservation groups in New York State, people like the Federated Garden Club, the Garden Club of America, the League of Women Voters, the Long Island Beach Buggy Association and you can go down the list and the national groups like the Wilderness Society, National Wildlife Federation, National Audubon Society, and we are in constant contact with all of them coordinating this effort to establish this national seashore.

Senator BIBLE. How many members do you have?

Mr. BARBASH. I would say we have roughly 35 members.

Senator BIBLE. You have 35 members?

Mr. BARBASH. Not everybody comes to the board meetings. I think we can claim a representation probably of hundreds of thousands of people through our affiliated groups. I don't know how many National Audubon has.

Senator BIBLE. We hear this constantly in these presentations and I just wanted to have it for the record. You certainly don't have a hundred thousand members in this association?

Mr. BARBASH. No, sir, we do not. We have actually, I would say, 35 active members who come to meetings and who do the work. These members, most of them, represent other organizations.

Senator BIBLE. This I understand. You have 35 members and do you represent the 2,500 people that have homes here in Fire Island?

Mr. BARBASH. No, we do not represent those people who have homes on Fire Island. Mr. Charles Lowry, president of the Fire Island Association, represents those people. Mel Stamberg, of the Fire Island Association, is their representative on our board, if you see what I mean, where Mrs. Roe and Mrs. Larson are representatives of the League of Women Voters who attend our meetings; Mr. Harry Kilthau represents the New York association group.

Senator BIBLE. You are a good deal like the Save the Indiana Dunes Council, or Save the Oregon Dunes Council. Your membership is composed of people from all over the United States who want to preserve this for future generations.

Mr. BARBASH. That is right.

Senator BIBLE. That is all I want to know, then.

Thank you very much, Mr. Barbash.

Our next witness is Mr. H. Lee Dennison, of Suffolk County. Mr. Dennison.

STATEMENT OF H. LEE DENNISON, SUFFOLK COUNTY EXECUTIVE

Mr. DENNISON. Mr. Chairman, Senator, I am the county executive representing the executive branch of the Suffolk County government.

Senator BIBLE. Would you, in accordance with the request that I made a little earlier, tell us about your county government and how it is set up and who has jurisdiction over these two towns?

Mr. DENNISON. The county is composed of 10 townships. Each township has a supervisor. Each supervisor of each of the 10 towns is automatically a member of the county legislative body. The county exists to act as agent for the 10 towns as a county group. This in a nutshell is our form of government outside some 28 incorporated villages.

Senator BIBLE. What are you in that setup?

Mr. DENNISON. I am the county executive. I am the county administrative branch of the 10 towns as a group.

Senator BIBLE. There are 10 towns within the county?

Mr. DENNISON. Yes.

Senator BIBLE. They have a legislative organization?

Mr. DENNISON. The supervisor, the executive officer of each of the 10 towns is a member of the county legislative body, the county board of supervisors. This is the county government, representative from each of the 10 towns.

Senator BIBLE. That is the county board of supervisors?

Mr. DENNISON. That is right.

Senator BIBLE. They are vested by law with what type of authority?

Mr. DENNISON. They are a municipal corporation in exactly the

same, but with greater powers than the township government, which is also chartered by the State.

Senator BIBLE. I assume your county supervisors are very similar to what we would call county commissioners in our part of the country?

Mr. DENNISON. That is correct.

Senator BIBLE. They have authority over the entire county?

Mr. DENNISON. Yes.

Senator BIBLE. They can pass ordinances?

Mr. DENNISON. Yes. We adopted in 1959 a new charter form of government, which gives us local home rule powers of local ordinances and local laws. It is the agency of the 10 towns as a group.

Senator BIBLE. Of those 10 towns, there are 2 towns who are in the Fire Island National Seashore.

Mr. DENNISON. Yes, sir.

Senator BIBLE. Each of those two towns within the Fire Island National Seashore have two representatives of this board of supervisors?

Mr. DENNISON. Each town has one representative on the county board. The supervisor of the largest town in the county and almost in the State is here today and he will speak, Supervisor Dominy. The chairman of the county legislative body is also here and probably you would like to hear a word from him.

Senator BIBLE. We would be happy to do it. I wish you would furnish for that committee—you may not have it immediately available—an organizational chart with reference to the relevant New York State laws that give you your authority to act.

Mr. DENNISON. I would be very happy to do that, sir.

Senator BIBLE. Who passes zoning ordinances?

Mr. DENNISON. This is a township function.

Senator BIBLE. That is a township function?

Mr. DENNISON. Yes. Each town in effect has its own planning department and is charged with the zoning, planning, the assessment of property, the collection of taxes and that sort of thing.

Senator BIBLE. Who acts and makes up those boards in each of the two towns, Brookhaven and Islip?

Mr. DENNISON. Who makes up what?

Senator BIBLE. Who makes up the governing board of Brookhaven?

Mr. DENNISON. There is a town board for each town. Town councilmen, members of the town board, the justices of the peace we used to have.

Senator BIBLE. How many members are on the town board?

Mr. DENNISON. They are different in each town.

Senator BIBLE. Would you also supply that to the committee. I am not particularly concerned with the other towns in Suffolk County. I am concerned with the two towns that are within the proposed Fire Island National Seashore. The point I am trying to arrive at is who has the authority to pass zoning ordinances and what zoning ordinances do you have in each of the two towns?

Mr. DENNISON. The town board has this authority, and I would suggest that Supervisor Dominy of the largest town we have explain that to you.

Senator BIBLE. Very well.

Mr. DENNISON. Our county of Suffolk is known as the fastest growing area in this Nation.

Senator BIBLE. Do you have a prepared statement?

Mr. DENNISON. No, I do not.

Senator BIBLE. You may proceed.

Mr. DENNISON. We are growing at the rate of new permanent residents every 11 minutes around the clock year-round and have been for a good many years. Our population is expected to be, at the present rate of growth, 2 million people in Suffolk County by 1980.

Senator BIBLE. What is it now?

Mr. DENNISON. It is about 825,000 now. In addition to the countless public services that are required for these great numbers of people we must also acquire public areas for public use and benefit and conservation. We have in these last 4 years acquired some 6,000 acres of these public lands in anticipation of the growth that is yet to come. But according to our national standards we will require by 1980 some 20,000 acres of public lands at the county level. I am stating this to try to put across the fact that the county as such cannot handle all this by itself, which is one reason why we are here asking for aid for the creation of this national seashore.

We are, in the county of Suffolk, the Atlantic shore front and all of our shore front—as a matter of fact, we are an island, an oceangoing county, you might say—we consider that every inch of our shore front is a priceless public heritage. Whether it be county, State, or Nation, we consider that every inch of it that is possible should be in public hands in anticipation of this tremendous growth that is yet to come. I said we have acquired in the last 4 years some 6,000 acres of the total of 20,000 that we will eventually need. A part of this is on the Atlantic shore front and does lie within the proposed Fire Island National Seashore. Now, to indicate to the committee the actual real intent and purpose of the county, the town government and the county government, we have within recent weeks acquired, mainly to prevent development and in hopes of the creation of a national seashore, an additional 4 miles with State aid of undeveloped lands on the ocean shore front adjacent to the county park we now own, which has been talked about heretofore.

Only Monday of this week the board also initiated condemnation of an additional 6,000 feet of this Atlantic shore front, again in anticipation, and so worded in the board resolutions, of the creation of a national seashore, and these two particular areas being included therein. I state this to make sure the committee understands the desire and intent of local government within the county in which the proposed national seashore does lie. I am here mainly to urge, as Senator Javits did, and Senator Keating, the real need for immediate action in the face of this tremendous growth. Fifty thousand new residents in the county every year means that we have got to acquire these areas as fast as they possibly can be acquired.

There is one suggestion that I would have, and I could say here that as county executive I am charged with keeping the legislative body informed about the public affairs of the county. I would urge that this committee at least consider a section of a bill introduced by Congressman Pike of the House about which there was a hearing held in Suffolk County, and in particular the part I have reference to has to

do with some 8 miles to the west of the lands we recently acquired this week. In this 8 miles, you might say it is only partially developed. There are some 116 scattered homes. Then there are two highly populated communities and beyond this another 2½ miles in which there are 56 more scattered homes.

I would strongly urge the committee consider in the preparation of the Senate bill that it be so worded that these 160-some homes actually be acquired under a 25-year clause, or whatever might be desired—the 25-year use clause before we had final title to it—the point being twofold. One is that where you have scattered private homes it becomes a problem, as far as I am concerned in the public interest, of taking care of an isolated island in a national or a public park area—these 166 scattered, separated, small individual privately owned properties. If these homes were also, after a 25-year period or sooner, eliminated it would have a greater bearing on the cost of the beach protection or erosion structures that might be required if they were permitted to remain.

Senator BIBLE. On that point, and I wish you would call it to our attention when we make our on-site inspection, offhand it worries me just a little because it seems to me that you are treating 166 people a little differently than you are treating 2,450. I don't know how the 166 people will feel about this.

Mr. DENNISON. There is a great deal of difference here because of the 2,600 homes, 2,400-some-odd are in concentrated communities. The 160 I am talking about are separate, isolated islands of private ownership within a national park or a public park area. This creates automatically the problems of police, welfare, health and safety, and that sort of thing.

Senator BIBLE. Are they zoned at the present time?

Mr. DENNISON. Yes. All I am saying is that the difference that must be considered is the isolated plot against a concentration of a community.

Senator BIBLE. I understand what you are saying. We will examine it. I think maybe we will have a better picture when we are actually on the ground. Again it would seem to me if I am one of the 166 that are outside of the munificence of the township protection of these two towns I would look a little unkindly at this treatment. Maybe I am wrong. We will certainly take a look at the section of the Congressman's bill and we will take a close look at it if you take the individual burden to refresh my recollection and the committee's attention when we are actually on the ground.

Mr. DENNISON. I would be happy to do that. You see, the point here is that the county-owned lands or in-process ownership, if you will include up to the Southhampton town line, will amount to 13½ miles and the 8 miles additional I am talking about to the west would give us more than 20 miles which can be considered natural conservation areas if the homes are not there. That is, the scattered homes.

Senator BIBLE. Senator Simpson.

Senator SIMPSON. Mr. Dennison, I take it that probably, like most of these propositions, there is some opposition in the community. How widespread is the opposition to this seashore?

Mr. DENNISON. Very little, if any. As a matter of fact, this has been bruited around now for nearly 2 years and the opposition is so

minute as to be almost indistinguishable among the favorable impressions that I have received from all quarters.

Senator SIMPSON. That is a very happy circumstance. So that I will be clear, the zoning is made by the townships?

Mr. DENNISON. That is right.

Senator SIMPSON. The county has nothing to do with that?

Mr. DENNISON. No.

Senator SIMPSON. This 8 miles you are talking about to the west, is that within or without the proposed area?

Mr. DENNISON. That is within.

Senator SIMPSON. That is on the west end of it?

Mr. DENNISON. Yes.

Senator SIMPSON. What do you say about the little point of divergence here with respect to the land on the east, the 1½ miles? Are you in favor of the park bill on that?

Mr. DENNISON. I am personally in favor of it and I am quite sure that our legislative body would be, as an inclusion in the overall Fire Island National Park, so long as the phrase were still included, choice of turning it over.

Senator SIMPSON. Have you had any indication of their attitude of that until today?

Mr. DENNISON. The chairman of the board is here. I would rather have you ask him.

Senator SIMPSON. I would like to ask you because you have a responsible position. Would you be recommending it to Senators Keating and Javits?

Mr. DENNISON. I would be recommending it in the inclusion with the phrase of choice of turning it over to the park. In other words, I like the open door here.

Senator SIMPSON. What would be your attitude with respect to taking the balance in light of the population explosion you have just stated? I am talking about the original park bill.

Mr. DENNISON. You mean the additional 20 miles in the town of Southampton? That 20 miles I can see no feasibility at all for inclusion.

Senator SIMPSON. There is none?

Mr. DENNISON. No. It is too highly built up.

Senator SIMPSON. That is all I have, Mr. Chairman.

Senator BIBLE. Thank you very much, Mr. Dennison.

Mr. DENNISON. Thank you, sir.

Senator BIBLE. Our next witness will be Mr. Charles R. Dominy.

STATEMENT OF CHARLES R. DOMINY, BROOKHAVEN TOWN SUPERVISOR

Mr. DOMINY. Senator Bible, I am one of those supervisors.

Senator BIBLE. I am glad to meet you. You are the Brookhaven town supervisor?

Mr. DOMINY. Yes, sir; the third largest town in the State of New York, an area of over 370 square miles. It has a population of approximately 130,000 people, about 23 miles of this is in my town.

Senator BIBLE. I asked Mr. Dennison the question preliminarily and I will ask you the same question. I hope that one or the other of

you will furnish an organizational chart of how government works in Suffolk County so we have a clear picture of it. As I understand it, you are in effect analogous to a county commission. Is that the closest thing?

Mr. DOMINY. I believe so.

(A chart of the Brookhaven town government appears on p. 79.)

Senator BIBLE. We have different terms out West than you have in the East. I am trying to get on the same wavelength.

Mr. DOMINY. Actually I am the executive administrative officer of a township which is composed of villages, hamlets, unincorporated areas, incoporated, the whole bit. So in this vast expanse of land called the township of Brookhaven there is every type of residential house.

Senator BIBLE. Where does Brookhaven township run? It runs considerably north.

Mr. DOMINY. It starts here and runs completely across Long Island and it goes just short of Point O'Woods and across the island this way.

Senator BIBLE. That is Brookhaven township?

Mr. DOMINY. Yes, sir.

Senator BIBLE. How about Brookhaven town?

Mr. DOMINY. That is the same thing. Township is probably a better word than town.

Senator BIBLE. How about the Brookhaven within the proposed Fire Island National Seashore?

Mr. DOMINY. The Fire Island National Seashore is within the township of Brookhaven. You can call it town or township.

Senator BIBLE. You are one of the legislative governing members of the Brookhaven town within the proposed Fire Island National Seashore?

Mr. DOMINY. Yes, sir.

Senator BIBLE. But you also have all the rest of this territory under your jurisdiction as well, is that correct?

Mr. DOMINY. You are right. The part of Great South Beach Fire Island, which is inside the town of Brookhaven, is also inside the confines of the proposed national seashore. I am also a member of the county board of supervisors that has the whole county of Suffolk. The town of Brookhaven extends from the ocean to the sound, the entire width of the island. So I have both.

Senator BIBLE. Give us an organizational chart as well as a map of complete Suffolk County and how it breaks down governmentwise so we can get the picture a little more clearly, because questions will be asked on it.

Mr. DOMINY. Just for the record at this point, we have a supervisor and six councilmen in the town of Brookhaven. That is the legislative body.

Senator BIBLE. Thank you.

Mr. DOMINY. I said a minute, and I meant to keep it to a minute, because I made my views in favor of the establishment of the national seashore park very clear last September at the House committee hearing. I will be glad to testify when you come into our locality more explicitly. I have two brief points to make, however, at this point.

Suffolk County is moving to bring more than 5 miles of this seashore city under public control, and in anticipation of Fire Island National

Seashore we had a resolution adopted last Monday pledging county money toward the immediate acquisition of another over-a-mile strip. The need for this national seashore is urgent. In Brookhaven several months ago we issued a moritorium on development or improvement of areas on Fire Island. Since that time we have been threatened with court action and in some cases we have had to issue building permits in the developed sections of Fire Island to owners who maintained we had taken an illegal stand. I don't have to tell you that where the land is being developed, that development ultimately will be reflected in increased cost of acquisition. So I appear before you today to appeal to you for swift action so that our town and county are given support from Congress in our moves to halt the development by private interests of one of the most priceless natural assets in our country. This is the total amount of my statement at this point. I will be glad when you come up to have many more details and will furnish you with the information you asked.

Senator BIBLE. I wish you would supply it by the time we get up there so we can refresh our memory so we will have the entire organizational setup better in mind.

Mr. DOMINY. Yes, sir. In answer to the question of Senator Allott this morning the ownership of single houses, we in the town of Brookhaven are faced in the easterly end very much with not the single-ownership proposition but of tracts that people are trying to put into development. In the words of someone this morning, a speculator's paradise because of this pending legislation. As far as the mile and a half east of Moriches Inlet goes I am very much in favor of that. It goes to the town line, No. 1. It makes a normal geographical boundary set up through all the maps that you could find anywhere. It makes sense to include both sides of Moriches Inlet and the area is completely uninhabited and there is nothing on it whatsoever.

Senator BIBLE. Thank you very much.

Our next witness is Charles Lowry, president of the Fire Island Association.

Mr. Lowry.

STATEMENT OF CHARLES LOWRY, PRESIDENT, FIRE ISLAND ASSOCIATION

Mr. LOWRY. Thank you very much, Mr. Chairman.

I would like to go through the statement I have here, sir.

Senator BIBLE. You may do as you wish, Mr. Lowry.

Mr. LOWRY. This is probably the first time in your experience that an association of property owners has appeared before you to give enthusiastic and almost unanimous support for a national park proposal. The Fire Island Association represents all 18 communities on Fire Island, some 3,000 property owners and about 1,500 other people who are regular tenants or who simply love this unusual beach area.

You may be interested in why we should be so much in favor of a Fire Island National Seashore.

Most of us came to Fire Island because it offers the only relatively unspoiled natural beach area easily and inexpensively reached from the major communities in the New York metropolitan area. We want

to keep it that way, even if it means giving up some of our rights to private beaches and exclusivity. Several of our members have written to Secretary Udall and offered to donate their acreage and property to the national seashore—that's how strongly we feel.

We feel that the national seashore is the only practical proposal for keeping the unique and irreplaceable values of Fire Island, not only for ourselves but for the whole Nation in generations to come. The ocean has buffeted us and taken our homes, 41 on the island last year. The commercial developers have bulldozed and torn up acre after acre, year after year. Right now, six new developments are planned. If this Congress doesn't act, the next Congress may not find enough undeveloped acreage left to bother with. If that happens, it is not we property owners who will lose the most, it is the people of the United States.

Now for some comments on the proposals that are before your committee.

Senator BIBLE. Before you get to that, are the commercial developers for this plan of a national seashore?

Mr. LOWRY. I could not speak for them, sir. I don't know any of them.

Senator BIBLE. The only reason I ask the question, if they follow the traditional pattern we have in other seashores they would be dead against it.

Mr. LOWRY. I am sure they are.

Senator BIBLE. I knew I would find some opposition somewhere. I am not trying to dig it up but I am sure there is some opposition somewhere.

Mr. LOWRY. You may find some there.

Senator BIBLE. You find this in other cases.

Mr. DOMINY. If I may interject, we have had quite some dealings because they have been treatening to take me to court. Basically they are not opposed to it. I don't think you will see one person appear in any hearing in opposition to it from even the speculators because they realize it is to the good. Each one wants to make an individual case for their particular lot so they can be in to sell the property where nobody else can.

Senator BIBLE. I see.

Human nature is no different in the east than in the west.

Go ahead, sir.

Mr. LOWRY. We have no comment to make on the proposal to include the Hamptons within the boundaries of the national seashore.

Speaking for Fire Island, we feel that all the proposals have great merit. Senators Javits and Keating were among the first to recognize the Fire Island situation and its potentials by the introduction of their joint bill, S. 1365, in the Senate. Congressman Pike later introduced a bill in the House, H.R. 7107. Congressman Pike had the benefit of a national park survey and therefore his bill contains the most thorough provision for the protection of the public interest, and the private interests involved. We respectfully suggest that these bills be the foundation upon which the committee acts.

Senator BIBLE. I think that is a good point. I would suggest to you people that we use as the bill the foundation upon which we work, the proposed substitute offered by the Department of the Interior. It seems to me that this is their last version. This is a version that says

it is 33 miles long. It includes another mile and a half to the east. We find in these hearings again, if we go back to experience for our guidance, that we find so many people talking about different bills. You get all kinds of bills and all are handled a little differently.

I would think, if we can direct our attention to the substitute as suggested by Secretary Carr this morning, it would put us all on the same general bill so we all know exactly what bill we are talking about. I say this to you and to your good people here today advisedly so when you return to New York and we have our hearing there we will be directing our attention to the remarks as well as the substitute bill which was incorporated as part of the record. Maybe you have already done this, but this is the bill I would like to work against.

Mr. LOWRY. I think I can say that I am sure all of our 18 communities would be willing to go along with that bill.

Senator BIBLE. You may even have suggestions on that one. I am not trying to say it can't be improved. At least you have made a great deal of headway because when you came in here this morning you had a 52-mile proposal, now it is shrunk to 33 miles, which is a mile and a half different than what Senator Keating and Senator Javits are asking. That is a lot of headway in just one little hearing.

Mr. LOWRY. We are in agreement, as in Senators Javits' and Keating's bill, that the boundaries extend from Fire Island Inlet to Moriches Inlet, instead of the restricted boundaries now in the Pike bill. This would give State, county, and local agencies the option of retaining present park lands or ceding them to the National Park Service jurisdiction. Far from violating "home rule," this gives "home rule" a choice of any course of action which makes the most sense.

We urge that the western boundary begin at the Federal reservation where the Fire Island Lighthouse is located. This is a valuable historic as well as a natural area eminently worth preserving under the national seashore. In time, the Coast Guard may want to give up the lighthouse. Then the pressures to develop this stretch of unspoiled beach in a way incompatible with the national seashore will be greater than they are today because population pressure will be greater.

We agree completely with the proposal in Congressman Pike's bill for a Fire Island National Seashore Advisory Commission, but we respectfully urge that Fire Island itself be represented on this Commission. We will be pleased to submit at a later date a specific recommendation as to the composition of this Commission.

Again may we urge you to take action promptly. A map defining the areas to be included in the national park should be developed immediately for consideration by all parties. The longer we wait the less land will be available at reasonable cost. The sea continues to work against our shores, and pressure of commercial developers continues to mount.

I can assure this committee that the residents and visitors of all 18 communities on Fire Island overwhelmingly support the national seashore, and that, through our village and community organizations, we will work in close cooperation with the National Park Service to create the kind of national seashore which will preserve the natural resource of this unspoiled beach, and which will reconcile our private interests with the public interest to the benefit of all.

Thank you.

Senator BIBLE. Thank you very much, Mr. Lowry. That is a very fine statement.

Again I comment you for the unanimity which you express.

Mr. LOWRY. Thank you, sir.

Senator BIBLE. Our next witness is Dr. Robert Murphy.

STATEMENT OF DR. ROBERT MURPHY, RESIDENT OF LONG ISLAND, N.Y.

Dr. MURPHY. Mr. Chairman, in the interest of brevity and emphasis I am going to depart from the outline I made and speak about just a few practical points. In the first place——

Senator BIBLE. First identify yourself, Dr. Murphy.

Dr. MURPHY. I am a lifelong resident of Long Island and I am authorized to speak for conservationists united for Long Island on the advisory committee of which I have had a place from the beginning. I want to speak in support of what Chairman Dennison said with reference to the scattered homes. With every wish to see justice done to individual landowners, it is necessary to point out that the public interest requires that families cannot make their homes in places best reserved for fair weather picnics. This business of erosion on the South Beach has been going on ever since the end of the ice age. The waves rob Peter to pay Paul. They break through new inlets. They extend tons of lands to the west along the whole length of the south shore. Fire Island Lighthouse, which stood at the edge of the inlet in 1840, is now 5 miles east of the inlet. Not all the ingenuity and the power of the Army Engineers can protect everybody who lives on the great South Beach. These communities combine their intelligence and their efforts and they can cooperate with protective agencies. But where you have these scattered homes, many of them built where they never should have been built, you get a footpath over the dunes, the wind rushes through and makes a scour and the next storm brings the waves through. There are many many homes scattered on Fire Island Beach which can certainly not stay there forever in the interest of the individual owners because they cannot be protected from their own misunderstanding or negligence in making these homes where they have made them.

Another point I want to speak of is the proposition to extend——

Senator BIBLE. On that point, Doctor Murphy, before we leave it, how would you deal with these 166 homes? You say lots of people have built these homes where they should not have, and I suppose that is true. I suppose he considers his home a castle as you consider your home a castle if you are within the town limits. What would you propose be done to this man who has used poor judgment where he located his home and located where it might be washed away by the waves or blown down by the winds or the stands? What would you propose doing with that particular homeowner? Are you going to condemn his home? Are you going to let him stay for a lifetime or 25 years? Just what do you propose?

Dr. MURPHY. That is an administrative matter. The man would have to be compensated even if he made his home on the basis of poor judgment. That is the responsibility that he accepts. Whether he could occupy it for 25 years or only for 6 years until the next sea washed him away, only time can tell. But certainly no responsible

Government organization can assume the protection of scattered homes, particularly along areas of the beach which would make a part of the natural nearly primitive wilderness of the seashore of which we have extremely little left in the East. There is not 2 percent of such land left on the whole extent of the coast of New Jersey.

Senator BIBLE. I am certainly for the concept of a national seashore. I think the record is very clear as to my position on it. We first had Cape Hatteras until the late President Kennedy pressed for Cape Cod; that was the only national seashore on the Atlantic coast. Now we have two Atlantic seashores. I would hope we end up having three or more because they are in short supply with civilization growing and moving in. What you are saying, if I understand you correctly, and I want to be clear on this, is that as to these people, these 166 people, you think that the administrative office, and the National Park Service as the governing agency, should have powers of condemnation.

Dr. MURPHY. I do.

Senator BIBLE. The minute we say "condemnation" we are right back in trouble again. This word "condemnation" causes us more trouble hearing in and hearing out than any one word we use. I just wanted to get your views on it. We are simply trying to work in a very difficult area.

Dr. MURPHY. I think in most cases persuasion would answer.

Senator BIBLE. Persuasion and condemnation are a little different. I just wanted your view, Doctor. You may be right. We reported a bill out the other day that had the rights of condemnation and we have not heard the last of it yet. We will press forward and see if we can work it out in this area. I wanted to get your views. You favor condemnation as to these 160 homes?

Dr. MURPHY. When necessary, I do.

Senator BIBLE. Very well.

Dr. MURPHY. It is not many years since there was not a single house on West Hampton Beach. We know from records that I looked up in the U.S. Weather Bureau offices that between 1800 and the building of the first houses on West Hampton Beach many hurricanes sent waves across that beach in many places and it was not even news. But as soon as houses are battered from their foundations and corpses wash into the bay, the hurricanes raise endless notoriety.

Senator BIBLE. What washes into the bay?

Dr. MURPHY. Corpses. In 1938 large numbers of people were drowned. It is in that interest that I am speaking of the 156 scattered homes.

Senator BIBLE. How much loss of life was there in that particular hurricane?

Dr. MURPHY. I don't remember the number at West Hampton Beach. Eight hundred people were drowned in South Hampton, R.I. I remember that figure. The only reason that 800 were not drowned on West Hampton Beach is that in 1938 there were not that many people there.

Senator BIBLE. There was quite a substantial loss of life?

Dr. MURPHY. There was. Now, if I may leave that aspect, I want to speak of the relief. I have learned from several sources, from the chairman of the board of supervisors, and from the Senators who spoke this morning, with reference to the short stretch to the east of Moriches Inlet. It is extremely important to have the inlet, both coasts of the

inlet, within the boundaries of the park. It is around the inlets that currents form bars and shallows and it is around the inlets, such as Fire Island Inlet and Moriches Inlet, that you get your most spectacular demonstrations during the migratory flights of the water fowl and the shore birds. Around Moriches Inlet on these flats one can see approximately 28 species of curlews, pluffers, snipes, sandpipers, and so on. It is also in the neighborhood of the inlets that we have the spectacular colonies of birds like the black skimmer that have come back to our northern latitudes where they were not known before since colonial days. Here we have to the east of the inlet a mile and a half of land without a building of any sort on it, land which also through county and State aid has been put in first-class condition as a natural sea shore and bay shore area. Mr. Laurance Rockefeller's representative spoke about the importance of the Sunken Forest area just to the east of Point O' Woods.

In 1933 I, perhaps for the first time, brought out in print the value and the charm of that particular area because it contains a large and age-old holly grove of which very, very few are now left on the coast, the northernmost one being on Cape Cod, unfortunately not within the confines of the national park, but near the canal. But that territory, as has already been announced, now in possession of a private corporation, will be presented to the national seashore if the bill goes through.

Finally, I take only one moment more, sir. This area that remains and which must be taken quickly if we are going to get the utmost value for the population of today and tomorrow, is about the only strip left on Long Island that vegetation naturally, and in its animal life, is close to its primitive condition. When Henry Hudson landed at Coney Island in 1609 he spoke with great enthusiasm about the beach plums there and the other native vegetation. As you go east now all of that has disappeared until we come to this great South Beach, which is a natural primitive area despite the fact that there are some 2,500 or 2,600 homes on it today. There are long stretches where you get in the interdune swalres large trees for the east, perhaps not for you in the Nevada mountains, of many kinds, including these groves of holly.

You get marches where the azaleas and crocuses in considerable variety and the sundews and the associated life of those things still is there. It has never had a longitudinal road. Long Island population has been doubling and redoubling. Suffolk County had approximately 29,000 people in 1800 and it had barely more than doubled by 1900, and now it has close to 2 million people.

The only thinly inhabited, the only natural tract we have left on the whole island, of the 11 distinct types of country that Long Island rejoiced in primitive times, except for small tracts, is on Fire Island Beach. Supervisor Dominy has emphasized again that you can't make a moratorium on building last forever. He wants to stop the building in the area until this matter is settled. But the way to settle it once and for all is to get this bill through as fast as possible and make it safe for us and the generations to come.

Senator BIBLE. Doctor, that is a very fine statement. May I ask you this. What is the width of this island?

Dr. MURPHY. The width of the island is anything from a couple of hundred yards at the narrow point to a little over half a mile, or approaching three-quarters of a mile in two places, I think.

Senator BIBLE. It varies from a few hundred yards to approximately a half mile.

Dr. MURPHY. Yes, a little more than a half mile.

Senator BIBLE. I should have asked that question earlier. I can see, of course, that it is a rather narrow strip of land. I don't believe I developed the width of the island.

Dr. MURPHY. One more important point is that this as a national park would make a wonderful protective flange on one of the great waterfowl flyways of the continent and it is much to the credit of sportsmen. Presumably there would be no shooting in a national park, yet the sportsmen to a man are in favor of the preservation of the great South Beach in this form and for the inclusion of the island on the northern side of the base.

Senator BIBLE. Doctor, you appear to be a most knowledgeable witness. I have just received a letter that is rather apropos of what you are testifying to. It comes from a gentlemen, Mr. Hewlitt R. Bishop, Chairman of the National Seashore Committee of Water Island Association. It reads as follows:

> It is my understanding your subcommittee is holding a hearing on Wednesday, December 11, on the above subject. Water Island is a small summer community on Fire Island Beach.

Where is Water Island?

Mr. DOMINY. It is a section, sir, east of Cherry Grove, on the main beach.

Senator BIBLE. It is within the taking area.

Mr. DOMINY. It is not a separate island.

Senator BIBLE. It is within the taking area. It is embraced with the proposed national seashore. The value of this letter, Dr. Murphy, is that he goes on to say:

> In thet past 12 years the ocean has cut back our dune line about 200 feet. Some homes that were once built in the middle of the beach are now ocean front property. This situation exists in many places along Fire Island Beach.
>
> We believe Fire Island Beach should be preserved in its natural state and wish to register our support for Congressman Pike's national seashore bill.

The problem that concerns me just a little in that sentence, if you turn this into a national seashore, what assurance are you going to have that this is going to be in existence 50 years from now? This ocean keeps cutting back all the time.

Dr. MURPHY. It will be in existence because these changes are not in one direction. You never know where the ocean is going to attack next, though much can be learned about that from past history. But the protection of the Seward Dunes is slightly essential for human settlements. The people who live on the beach in these little hamlets and enclaves know that now. They don't allow any walking whatsoever on the Seward Dunes.

Every house has a boardwalk over the dunes so as to make no flues through which the waves can run. The scattered individuals who disregard that custom are bound to have their houses washed away.

But this beach is not destroyed. The beach is changed constantly and human beings occasionally suffer from that change. Occasionally, they benefit from that change. Land grows. Five miles can be added to the end of the great south beach purely by the work of the ocean, unaided by man at all.

Senator BIBLE. I have one further question.

This is not similar to Padre Island on the gulf. I don't know whether you are familiar with that. It is a long narrow island running 90 miles between Corpus Christi and Brownsville, Tex., on the gulf. It had the problem of dune stabilization.

Dr. MURPHY. I have been there. I know the tract.

Senator BIBLE. What has been the characteristics of this island over the last years since we have had records? Has it varied much in width over the last 50 to 100 years? Does it look the same now as it did 100 years ago?

Dr. MURPHY. I think it would look very similar. You are referring to the great south beach and the contiguous beaches. But the inlets have been in various places. Moriches Inlet is a couple of miles or more from where it was. The inlets break through and they are filled in again.

There has been a consistent effort for a long time to stabilize those inlets by placing them where they are hydrostatically in the best situation.

Senator BIBLE. Has that worked out very well?

Dr. MURPHY. It has worked out very well. As far as I can tell, Moriches Inlet is where it is likely to remain indefinitely.

Senator BIBLE. In general, the point I am trying to develop, the proposed Fire Island National Seashore, as far as its physical characteristics are concerned, is generally about the same as it was possibly 100 years ago.

Dr. MURPHY. It has to be, because the holly trees with trunks 15 inches in diameter are much more than a century old. There are large tupelos, large oaks, large pitch pines, small but very edged red cedars and much shrubbery along that beach. Many of the trees are extremely old.

Senator BIBLE. So you think there is a good likelihood that this would be here for another 100 years?

Dr. MURPHY. It will be here for another 100 years or 500 years. They will be here unless some great secular change in climate such as the oncoming of another ice age or something we don't have to anticipate for 12,000 or 15,000 years. So, it doesn't need to worry us today.

Senator BIBLE. It is very helpful to get this in the record because our action, if the proposed Fire Island National Seashore materializes, and I would hope that it would, we would be in rather an awkward position if 50 years from now the seas came in and there was no more island there. You don't think there is much likelihood of that?

Dr. MURPHY. I think there is no likelihood of that, sir.

Senator BIBLE. I appreciate your testimony.

Our next witness is Mrs. Donald Larson of the Suffolk League of Women Voters.

STATEMENT OF MRS. DONALD LARSON, SUFFOLK COUNTY LEAGUE OF WOMEN VOTERS, NEW YORK

Mrs. LARSON. Mr. Chairman, before I say another word, I wonder if I might presume on behalf of all of us here to further identify for the record Dr. Murphy.

Senator BIBLE. He was rather modest.

Mrs. LARSON. Yes; he certainly was.

He is curator emeritus of the American Museum of National History and an internationally known naturalist, and we are all very proud of him.

Senator BIBLE. I knew he was a man of great distinction.

I am glad to have you add that for the record.

Mrs. LARSON. Mr. Chairman, the Suffolk County Council of the League of Women Voters is the official title of the group I represent. I am the vice president of the county council. It is composed of the separate local leagues of Bellport, North Brookhaven, Islip Town, Riverhead, Smithtown, and Huntington. The first three I named are located in the two townships affected by this proposed legislation.

We support the establishment of Fire Island National Seashore.

Because of the shortage of time, we did not presume to offer the bulk of our testimony today and would like to defer it until the spring. We have here a lengthy and detailed statement which we would like to put into the record at this time for your consideration over the next several months.

Senator BIBLE. Very fine.

Without objection, that will be made a part of the record at this point.

(The statement referred to follows:)

PREPARED STATEMENT OF MRS. DONALD LARSON FOR THE SUFFOLK COUNTY COUNCIL OF THE LEAGUE OF WOMEN VOTERS OF NEW YORK

The Suffolk County Council of the League of Women Voters of New York is grateful for the opportunity to submit for the record this amplification of the league's position on Fire Island as presented in earlier testimony.

This statement will be divided into three parts. In the first, we shall consider the recommended overall geographic extent for a Fire Island National Seashore, particular features to be included, and why. In the second and third parts, we shall discuss those general purposes and specific provisions which the league would like to see defined now and written into the law establishing the seashore.

A. GEOGRAPHIC CONSIDERATIONS

1. General extent recommended and the importance of comprehensive planning for Fire Island in its totality

We cannot stress too emphatically that Fire Island and the Great South Bay should be thought of as one geographic and ecological entity—a complex of highly interdependent elements of great scientific, recreational, and economic value to our people, if they are properly planned for with due regard for the whole.

It is chiefly for this reason that we support the inclusion of the entire island and much of the contiguous bay bottom within the broadly permissive boundaries to be established for the seashore. H.R. 7107 also names and adds certain specific offshore islands in the Great South Bay. The league endorses those inclusions and hopes they will be retained in any final bill that is passed.

However, regarding the east/west boundaries we do not believe that H.R. 7107 goes far enough and, instead, agree with Senator Keating's statement at Adelphi College on September 31, 1963, that it "would be wise to leave open the question of whether the State and county parks at either end of the island should be incorporated into the national park or not," and that there is no reason to exclude them from the Federal legislation, provided the option to be included now or at some future date is left with the State and local authorities. To exclude them now would prejudge the issue and preclude negotiations that might at some future time be advantageous to overall planning.

Therefore, and also in order to preserve the maximum amount of open land presently available in nearly contiguous form, we urge the Congress to authorize the establishment of the national seashore in the area extending between Fire Island Inlet on the west and the Brookhaven/Southampton town line, which is approximately 1¼ miles east of Moriches Inlet. (Suffolk County now owns the land on either side of this inlet.)

(NOTE.—The New York State Council of Parks, in its policy statement of October 31, 1963, recommends "approximately 2 miles east of Moriches Inlet.")

We are all aware of the objections raised locally to inclusion in the seashore of developed areas east of the town line, along the barrier beach in the town of Southampton. However, the league would like to take this opportunity to urge all government agencies concerned—local, State, and Federal—to give further serious consideration to the protection of wetlands and bay bottom behind the barrier beach farther east in Moriches Bay.

Concerning the westerly boundary: If the Robert Moses State Park should be excluded from the general boundaries of the seashore, then we strongly recommend at least using the western boundary of the Federal Fire Island Lighthouse Reservation as the western boundary of the seashore (as in S. 1365). The State of New York owns a section of the island directly east of the reservation which it might be willing to convey to the Federal park at some time. These two areas and the section of open land to the east of the State land, now privately owned, if taken as a single unit would lend themselves to reasonable administration as a primarily natural park area and serve as a buffer between the high-density Moses State Park and the settled communities in the town of Islip.

But the broader geographic scope mentioned as the first choice leaves the opportunity open for more fruitful joint State-Federal planning.

For instance, there might be possible an agreement to exchange part of the lighthouse reservation for an equivalent area of beach and marsh along Fire Island Inlet (now part of the Moses Park)—a strip on the bay side only, but extending to the very tip of the island. With its marshy ponds and sand flats washed by the tidal flow of the inlet, this spot on Fire Island happens to be unusually rich in the migratory bird life for which the Great South Bay and the barrier beach are so important and famous a habitat. It would constitute a serious loss, for instance, if this were to be covered by black topping for parking lots. If the Federal Government were able to supply land to the east for the accommodation of future State park facilities, then this valuable strip could be set aside and preserved under Federal conservation management.

On the other hand, depending on the degree of pressure for facilities, a conservation policy might be achieved under State management without such an exchange of land. (We also realize that the Coast Guard has the disposition of the Federal property here and may require full control over all the land now in the reservation.)

Our speculations on this matter only serve to draw attention to the need for close cooperation between Federal, State, and local agencies in determining the best land-use policies for the various sections of the island. Flexibility in planning for the island as a whole might prevent the sacrifice of the choicest conservation areas while, at the same time, providing ample land of equal, if not more suitable, quality for other important uses.

In conclusion: Scope for such flexibility will, in some part, depend on the extensiveness of the authorized boundaries of the seashore.

2. The communities

Incorporated villages and other densely settled communities should, the league believes, be included within the general boundaries authorized for the seashore, except that they should be treated as autonomous enclaves to be governed by existing local authorities. The land-acquisition powers of the Secretary of the Interior should be waived in these portions of the seashore, provided that certain minimum zoning and land-use standards are mutually agreed upon by the local authorities and the Secretary. To this end, we suggest the procedures used in the creation of the Cape Cod National Seashore, with a reasonable period of time allowed (90 days) for the exchange of recommendations.

A major objective of this collaboration between Federal and local authorities should be the development of adequate regulations to safeguard the dunes and their protective vegetation.

From our study it seems clear that the erosion problem on Fire Island has been partly created and certainly greatly aggravated by human interferences with the dunes and their vegetation. The dunes and plant cover working together, in a paradoxical alliance of fragility and strength, seem to serve as resilient and adjustable storm buffers when left to shift for themselves according to their own laws. But they tend to become puny and perishable when man intrudes upon them his paths and dwelling places.

Another objective with respect to zoning would be to prevent incompatible commercial, industrial, or residential uses growing up within the body of the seashore, such as, for instance, high-rise apartment houses or hotels.

3. Bay-to-ocean sections of open land between developed areas

The largest and most desirable stretches of open land eligible for seashore acquisition lie to the east of Point O'Woods. Nevertheless, certain smaller bay-to-ocean sections of open land lying elsewhere between local parks or communities should also be considered for inclusion.

Such sections would help to define and separate heavily developed areas and enhance their recreational amenities. The growth of an unbroken, densely settled strip, stretching for miles along the beach, chiefly in the town of Islip, would be undesirable for many reasons, but especially because it would leave most of the inhabitants, at a considerable distance from any natural areas (other than the ocean and bay fronts themselves).

On the other hand, undeveloped parcels lying within the communities, or parcels adjacent to them that are not large enough or otherwise feasible to administer as part of the seashore, should be left in private ownership. We suggest that in some cases the communities themselves might be encouraged to acquire such smaller pieces for local park purposes.

4. The beach front and first dune line

The beach front and first dune line along the entire island should be included in the seashore (*a*) to enable unified administration and erosion control policies and (*b*) to connect physically any separated parts of the national seashore.

(Note: Public control over beach and first dune line is already a stipulation in the Army Engineers erosion control plan.)

5. The related wetlands and bay bottom

All the wetlands on the barrier beach side of the Great South Bay, the offshore islands, and the bay bottom in a substantial area running parallel with the beach and extending perhaps 1 to 2 miles offshore should be included within the general boundaries of the seashore.

The most important function these resources can perform for the benefit of the human population on the mainland opposite is to continue to provide the essential conditions of life for all the marine and wildfowl populations they now support. (See the testimony of scientists and fish and game people concerning the habitat requirements of the birdlife, the shellfish, and the finfish of all kinds in this area.)

Aside from scientific and esthetic considerations, there are commercial and sports fisheries, hunting, boating, and a host of supporting industries (of multi-million-dollar total value) which depend on the maintenance of these wetlands and the bay bottom in a healthy and productive condition.

The shallows and marshes also serve the low mainland shores as well as the bay shore of the barrier beach itself in a strictly physical way: as buffers to trip and expend the force of storms and tides.

Unfortunately, these resources are highly vulnerable to changes wrought by man and have been persistently reduced in extent in recent years despite contrary advice from the U.S. Fish and Wildlife Service. Dredging, filling, and pollution are the chief threats and should be rigidly controlled if not eliminated.

The league believes that proper attention would be given to these matters in any area coming under the administration of the National Park Service working together with the U.S. Fish and Wildlife Service and other agencies or specialists.

B. LAND-USE AND MANAGEMENT POLICIES

1. Primary purposes

Among the many different kinds of groups and individuals who support the creation of a Fire Island National Seashore there has been remarkable agreement on basic objectives for the future use and protection of the island and consequently on the primary purposes to which the seashore should be dedicated. These people include civic and sportsmen's groups, scientists, educators, commercial interests, professional planners, and conservationists alike. Agreement and correspondingly effective action have also been forthcoming from public officials on all levels of government.

In recognition of this harmony of intent, and in order to support the Park Service in years to come with firm guidelines for its management of the seashore, the league urges that the primary purposes agreed upon be reflected as explicitly as possible in the establishing legislation, rather than left to future administrative discretion. We see these purposes to be as follows:

(*a*) Preservation of natural features in as nearly their present condition as possible—for their scientific and economic values as well as for the enjoyment of present and future generations.

(*b*) Accommodation of only those recreational activities that are compatible with this principle—to be complementary to rather than duplicating the activities provided for at the State and county levels.

(*c*) The increase and dissemination of scientific knowledge and understanding concerning the marine and land resources of the island and the natural forces interacting there upon each other.

We reiterate our confidence in the National Park Service to give full consideration to the totality of the resources of the beach and related waters and, with the cooperation of other authorities, to strike a balance in the accommodation of diverse recreation and conservation needs on the island as a whole.

2. Science and education

The league defers to the scientists to put the full case for preserving significant specimens of natural shoreline environments for their intrinsic interest, their usefulness in science teaching and the opportunities they provide for basic ecological research. The geological and oceanographic sciences also need natural "control areas" at their disposal.

It would seem that such scientific work could be conducted very suitably within the framework of a national seashore and would in fact serve to stimulate and enrich the sort of educational program usually offered by the Park Service in its "interpretation centers," the most recently established being at Cape Cod where lectures by scientists, historians, and others were already a well-received part of the program during this first summer of its existence (1963).

3. Recreation and space

The league does not hesitate to insist that a national seashore on Fire Island should cater to low-density recreational uses. The facilities are numerous along Long Island's Atlantic shoreline for high-density forms of oceanfront recreation. They are offered in State and local parks and in private resort communities. Many are of outstanding quality—Jones Beach, Smith Point County Park, Robert Moses State Park, among others. Although we do not presume that these high-density facilities will be adequate forever, we do know that the undeveloped natural lands available for other forms of recreation are at a premium.

Fishing and boating, hiking, camping, picnicking, painting, photography, beachcombing, nature study in many forms and simply the quiet and solitary enjoyment of wild, natural surroundings—all these pursuits, to be fully enjoyed, require the dispersal of people. They require space, and space is disappearing. In their aggregate the above uses account for a very large proportion of the outdoor activities being sought by people in coastal areas. They are important to the mental and physical health of our people, and must be accommodated.

Wherever possible, the satisfaction of space-consuming requirements for housing, restaurants, transportation, parking, etc., as these relate to use and enjoyment of the seashore, should, we urge, be taken care of outside its boundaries, so that increasing numbers of users will not eventually extinguish the thing they have come to enjoy. Though impressively long on bay and ocean waterfront, Fire Island is narrow, its backbone is fragile, and its surface highly vulnerable. Its essential character will surely be destroyed unless great discretion is used in determining what may be demanded of it.

The ecologist John Milton has stated the case well: "When too many people walk over a primitive dune area, a number of signfiicant changes * * * take place; ecologically, the plant and animal communities are simplified to the point of extinction where too many feet have passed; esthetically, in addition to the loss of quiet solitude, the quality of the recreational experience is downgraded through the loss of species variety and dune erosion; economically, although more money may be spent in visiting the dunes, there is less quality in what the money is paid for * * *. Man, within nature, must face this problem of carrying capacities on wild land squarely, or our own unrestrained, wilderness seeking numbers may love the very wilderness they search for to death."

4. Recreational land-use zoning

From the foregoing it will come as no surprise that the league recommends formal adoption of the concept of recreational land-use zoning so brilliantly developed in the report of the President's Outdoor Recreation Resources Review Commission, published in January 1962 (Outdoor Recreation for America).

If we intend to give long-range protection to natural environments set aside for recreation, and if we intend to provide for variety and quality of outdoor experience, as well as for the accommodation of large numbers of people, then the application of this classification system should help very much in the task of making clear distinctions and setting consistent policies.

For convenience, we have added below a summary of the six recommended classifications of land use. They vary according to density of human use and to the amount of manmade facilities introduced for the convenience of visitors.

We strongly recommend management for a Fire Island National Seashore under a combination of classes III, IV, and V.

CLASSIFICATION SYSTEM FOR OUTDOOR RECREATION AREAS

(Formulated by the President's Outdoor Recreation Resources Review Commission, under the chairmanship of Laurance Rockefeller, in Outdoor Recreation for America, January 1962, pp. 95–120.)

Class I.—High-density recreation areas

Intensively developed and managed for mass use. Commonly town, county, or State owned and near major urban centers, as is Jones Beach, but also private or commercial resorts, such as Atlantic City.

Class II.—General outdoor recreation areas

Substantial development for wide variety of specific recreation uses. Always some manmade facilities, typically provided in portions of public parks and forests, public and commercial camping sites, picnic grounds, trailer parks, ski areas, resorts, streams, lakes, coastal areas, and hunting preserves.

Class III.—Natural environment areas

Emphasis on enjoyment of resources "as is" for "close to nature" outdoor experiences, rather than on manmade facilities. No size criteria. Accessibility through secondary roads, trails and simple campsites placed to encourage widely dispersed uses—typically hiking, fishing, camping, picnicking and boating. Often shared by other resource uses; e.g., forestry, grazing, fisheries.

Class IV.—Unique natural areas

Outstanding for scenic splendor, natural wonder or scientific importance. Scarce in number and irreplaceable. Size according to physical features. Barest minimum of manmade facilities for public safety and protection of the resource. These should preferably remain on periphery.

Class V.—Primitive areas

No manmade facilities of any sort. To give the user "the wilderness experience," far removed "from sights and sounds of civilization." Managed for unequivocal purpose of maintaining their primitive characteristics. No road, no mechanized transport, no economic or commercial utilization should be allowed.

Class VI.—Historic and cultural sites

Also listed by ORRRC report—not directly applicable to the case of Fire Island.

C. LEGISLATIVE SPECIFICS

With the foregoing discussion of primary purposes and land use in mind, we would like to comment on certain specific legislative provisions, some of which are already included in one or more of the seashore bills introduced.

1. The primary conservation purpose

S. 1365, section 5 (lines 3–7), expresses the primary conservation purpose of the seashore and prohibits developments for the convenience of visitors which would be incompatible with the preservation of unique natural features, etc., in language similar to the "Cape Cod formula." The same provision is used in H.R. 7107, section 7(b)—but more specifically in reference to particular parts of the seashore: the Sunken Forest and an 8-mile stretch between Ocean Ridge and Smith Point Park.

We urge that this provision be kept as in S. 1365 to apply to the entire seashore, while at the same time endorsing the use of special provisions as in H.R. 7107 to give added protection to particular sections.

Indeed, the stretch of beach east of the Smith Point Park is almost wholly undeveloped and has been rated most high in preservation value by those who know the island well. In fact, to insure its protection until a national seashore might be established, the Suffolk County Board of Supervisors has applied to the State of New York for assistance to acquire 4.4 miles of this area now in private ownership.

2. Special protection for the Sunken Forest

The Sunken Forest falls into the category of "a natural wonder" and should be protected as a class IV area. Because of the relatively small size of this rare botanical "climax" forest and its vulnerability to destruction from overuse, the concept of controlled access should be adopted for it.

The excellent provisions of H.R. 7107 concerning the Sunken Forest will, we hope, be kept in any final version of the legislation.

3. Access

Regarding the important question of access to the seashore, the league endorses the provision in section 4(b) of S. 1365 for access "by ferries at such points as the Secretary may direct."

Since access to Fire Island is presently afforded by ferry at eight or nine points, mainly in the resort communities, and by two bridges, coordination of access facilities for the national seashore with what already exists should in some ways be possible.

League opposition to the building of a major roadway along the length of the barrier beach can hardly be overemphasized. It was in fact the recent threat of such a highway which alerted people as nothing else might have done to the various forms of manmade encroachment, endangering the total character of Fire Island as we presently still know it.

As a general principle, points of access to the "natural environment" class III areas of the seashore should be few in number and located in places least subject to deterioration from overcrowding. From these points the dispersal of visitors to the seashore could be planned for along footpaths and perhaps bicycle trails as on Cape Cod. (Bicycle-hiring establishments could also be provided to encourage this healthy form of locomotion—in the spirit of Dr. Paul Dudley White.)

For visitors using ferries or one of the bridges it may eventually be necessary to provide more parking facilities on the mainland. (Conceivably, the Secretary could be authorized to enter into agreements with local authorities or private owners for the acquisition of certain limited parking areas on the mainland. A possible location for one might be somewhere north of the Smith Point Bridge with a shuttle bus to transport visitors through the county park to entrances of the national seashore on either side of it.)

Many sportsmen and the others will approach the seashore by private boat and for them adequate marinas or anchorages, in association perhaps with the ferry landings, will eventually be needed.

4. Erosion control

Concerning erosion control and beach stabilization, with attendant cooperation between the Secretaries of the Interior and of the Army, our members prefer the wording of section 8 in H.R. 6934; namely, "* * * a plan that is mutually acceptable to the Secretary of the Interior and * * * of the Army * * *."

Without pretending to any technical knowledge of the engineering involved, the league takes the general position that erosion control work, wherever needed, should be undertaken with great care so that in conserving one natural feature others equally if not more valuable are not unnecessarily destroyed. We have in mind the value of the bay bottom and the vegetation on the barrier beach which are inevitably damaged by the hydraulic fill transfer operations used in building up the dunes and enlarging the beaches.

If, through incorporation in a seashore, large sections of the barrier beach are withdrawn from use for future residential construction, then wherever possible, and certainly where there are no buildings requiring protection, less catastrophic techniques of erosion control can and should be employed.

The profiles included in the Army Engineers' erosion control report for the south shore of Long Island make graphically clear the differences in the amounts of hydraulic fill the Engineers consider necessary along developed and along undeveloped sections of the ocean front—in order to carry out their $45 million protection proposals.

As manmade structures multiply along the beach, more and more storm and erosion protection measures are required or demanded. One of the most urgent reasons for bringing the remaining undeveloped stretches of the barrier beach into public domain is to forestall the further increase of this demand and the companion rise in costs, both in terms of dollars and of "borrowed" bay bottom materials (whose irreplaceable values we have touched on earlier).

5. Cooperative agreements

It seems obvious to us that the Secretary should be given the authority to enter into cooperative agreements with State and local authorities. With

Federal, State, and local jurisdictions all administering parts of the island, it will be important to avoid duplications and also to work for coordinated and consistent overall plans for the preservation and use of the island.

A formal committee representing the Long Island State Park Commission, the county planning department, the towns of Islip and Brookhaven, and the National Park Service might be useful as a means of accomplishing this end. Such a committee could also meet with (or be a part of) the Advisory Commission provided for in H.R. 7107 and discussed below.

6. A Citizens Advisory Commission

Finally, the league would like to express its unqualified support for the concept of a Citizens Advisory Commission as incorporated in the Cape Cod National Seashore Act and also in H.R. 7107. Congressmen and Senators of both House and Senate Interior Committees are undoubtedly aware of the remarkable citizen support for the Fire Island Seashore. Perhaps this support has been encouraged in part by the Cape Cod prototype and the hope that local people in this case also will have some share in the further formulation of policies governing the seashore.

As to the composition of the Advisory Commission, the league recommends that the membership defined in H.R. 7107 be modified to include qualified persons representing not only political jurisdictions, but also scientific, conservation, and educational interests, and perhaps some other related citizen interest groups. These should naturally be chosen for their particular knowledge and experience and with the functions of the seashore in mind. We should like to see such representation guaranteed in the original enabling legislation and believe this would be an important way to enhance the usefulness of the Advisory Commission to those directly responsible for administering the seashore.

In this regard, we note the precedent to be found in the composition of the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments provided for in the Historic Sites Act of April 1960. This Board of 11 persons appointed by the Secretary must include "representatives competent in the fields of history, archeology, architecture, and human geography," all of course being disciplines directly related to the subjects to be advised upon.

Reference is also made to another precedent, this time to be found in Public Law 85–470 of June 1958, establishing the Outdoor Recreation Resources Review Commission. This act provided that the Commission itself should be assisted by an Advisory Council to include among other appointees "25 additional members appointed by the Commission who shall be representative of the various major geographical areas and citizen interest groups * * *." These interest groups were named in the law and included a great variety of State, municipal, and private agencies and organizations, all concerned in some way with land and water resources and their many uses.

Mrs. LARSON. The statement summarizes and then elaborates on the league's position. We deal with many of the points you brought out today. The geographic boundary, the extent and content of the scope of the seashore as we would like to see it, the land use, management policies which we would like to see incorporated into legislation.

Such subjects as the very important question of access, erosion control, cooperative agreements between Federal, State, and local governments, and the citizens advisory commission.

Hopefully, we submit this to you for your consideration so that in the spring we may treat it with detail. However, if there are any questions now which you would like to ask us concerning these things you have touched on today, we would be happy to try to answer them.

Senator BIBLE. No; I have no questions.

The only thing that bothers me a little is when you say you would like to submit it in detail. I am not quite clear what that connotes.

Again, and I am very delighted with this wonderful representation that you have here today, I hope when we do come to New York and to Fire Island as we shall for our field hearings, we will not have a rerun of the testimony that is here. There is very little advantage in having testimony repeated time and time again.

I would hope that we can get to you; I don't know whether we can or not, and I will defer to Mr. Stong on this. Maybe the House record

is printed. I would hope we could narrow our testimony down to new testimony.

If there are any points that have not been covered that should be covered, let us do it there. Let us not go over all the things that we go over here. Maybe the League of Women Voters will have other suggestions to make at that time and we will welcome them.

It seems to me that out of this meeting today, if I can read the signs correctly, we are pretty close to being in agreement at least as to the size of the national seashore. It seems to me that you are talking about a 33-mile national seashore. So there is no use of arguing whether the original figure of 52 is too long. We have decided that today.

So, if we can decide these problems step by step, it will help us a great deal in reaching a final conclusion.

I would hope when you say detail, I don't know what that means.

Mrs. LARSON. Our thought was that we would not ever orally testify to this extent.

Senator BIBLE. You do it by submission.

Mrs. LARSON. Yes. There are specific provisions in specific bills which can be treated which we would like to suggest and point out and we feel it would take too much time today. I promised I would take 1 minute.

Senator BIBLE. I repeat that the bill that we should use as our guide is the substitute bill testified to today by Secretary Carr. It is the substitute bill that was attached to their official report of June 10 of this year.

If your people can take that bill and make whatever suggestions you make on that bill and could do so in advance of our coming to Fire Island and submit it to us here in Washington, we can see exactly what these issues are and what the problems are that are bothering you and maybe we can expedite the hearing to that extent.

Mrs. LARSON. Yes. I think what all of us have done is to take provisions that we like from the various bills and then apply them to the basic bill which you are talking about.

Senator BIBLE. I think generally as this bill has moved along, I think you pretty well established the boundaries. I think you pretty well are coming to a point where you are going to have something very similar to the Cape Cod formula in handling the improved property that is there. As far as the unimproved property, this is an area where there is still some little difference of opinion as to how far this goes condemnationwise.

Another important problem I think we should have somebody be prepared to speak on is where you should properly set the cutoff date, because this also poses problems to us.

It seems to me these are the main areas.

I don't know whether you want to build a road down the middle of this or not.

Mrs. LARSON. Heavens, no.

Senator BIBLE. We want to get a little testimony on that because we had testimony on that on Padre Island. Some wanted a road and some didn't.

Mrs. LARSON. One other factor, if I may continue, would be the matter of the Citizens Advisory Commission which many people have supported.

Senator BIBLE. As chairman, I very much favor some type of local participation.

We have written this into Padre Island; we have written it into Cape Cod and other bills. I don't think that poses much of a problem for you, but the suggestion should be made. Again, it has been made two or three times today. But, try to narrow the issues.

It looks to me you have your seashore in such beautiful shape that I don't want to see it muddied up too much.

Mrs. LARSON. I don't believe we are going to muddy it up.

May I say this one thing, and I can get something definitive into the record today?

Senator BIBLE. Certainly.

Mrs. LARSON. The Citizens Advisory Commission, for instance, we would all be concerned with the composition of it.

The Cape Cod Citizens Advisory Commission was unique to Cape Cod.

The only other example that we have for Fire Island is that found in H.R. 1707, which is Congressman Pike's bill.

The league feels that the selection of members for this commission is much too restrictive as he wrote it because the members are selected along strict political jurisdictions rather than with regard to qualifications and interests of the people.

It is this type of thing which we have treated in this testimony which we submit to you today and we hope you will take under consideration.

Senator BIBLE. I suggest that through Senator Keating and Senator Javits you have them in turn contact our staff people and they can indicate to you and give you examples of how we have treated advisory committees in each of these other seashore areas and national park areas and lakeshore and river areas. It may be a good guide for you. Then get together with as much unanimity as you can and when we get up there you can say, "This is the type of advisory committee we would like."

I am a strong believer in this business of home rule and self-government. If you can come to an agreement as to who the members should be of this advisory committee, come to that agreement and present a united front as to who you think should be on the advisory committee.

Mrs. LARSON. Yes; I believe we have done that.

Senator BIBLE. Thank you very much, Mrs. Larson. You have been most helpful.

Our next witness is John P. Keith.

STATEMENT OF JOHN P. KEITH, EXECUTIVE DIRECTOR, REGIONAL PLANNING ASSOCIATION

Mr. KEITH. My name is Mr. John Keith. I am the executive director of the Regional Planning Association. The Regional Planning Association might be called the town club of the New York metropolitan area. It represents something over 1,000 individual members. It is supported by several hundred corporations and foundations. Not several hundred foundations but several hundred corporations and about half a dozen foundations at any one time.

For over 40 years, the association has been concerning itself with the development problems of the New York metropolitan region and planning ahead for the development of the area.

I won't go into our credentials which are mentioned in this statement.

The parks that were planned on the plan of 1929 which the Regional Planning Association's predecessor drafted and which the association has seen to completion and are now great landmarks in the area.

In 1960, we replanned the region, so to speak, in terms of parks and I have here, Mr. Chairman, a copy of the final report of the four-volume report on the parks of the area, and I would be very pleased to provide them for your staff if you would care to have them.

Senator BIBLE. If you have extra copies we would be happy to have them and they will be incorporated by reference.

Mr. KEITH. I would like to submit them by mail, if I may.

Senator BIBLE. That will be fine.

Mr. KEITH. Within this report is mentioned as one of the most important sites for development as a park in the New York metropolitan area, Fire Island. This really, as you have been told today, is one of nature's real wonders. In the statement that I filed with you we gave our minimum requirements, and we would certainly subscribe to the Park Service recommendation of 33 miles.

I know there is going to have to be an accommodation between the New York State Park Commission and the Department of the Interior, and I would say that the New York State Park Commission has been one of the most active and effective commissions in the country, and I am sure you are aware of the great park system they have built.

But I am also positive that an accommodation can be made so that for the people of the Nation a park can be developed jointly or by passing over the land that belongs to the commission to the Department of the Interior.

So, I would like to add that it seems to me that this park, as you yourself suggested, fits the new emphasis of the outdoor recreation resources review commissions of putting parks where the people are. It also fits the historic criterion of acquiring unique and unspoiled land.

I am sure for over 100 years Long Island has been a national recreation site attracting people across the Nation much in the fashion of Cape Cod. Now with the complex of the bridge across New York Harbor you will find vacationists particularly from the South and West will find ready access to Fire Island without crossing the heart of the great New York metropolitan region.

As an indication of interest of people of the other States a committee of the Regional Plan Association made up of businessmen in New Jersey sent you a wire yesterday at a meeting which they held adding a piece of evidence of the interest of that State in this projected park.

Now, one final point—the projection is for the New York region on which we have assembled in a volume called "Spread City," which was developed with Harvard University over a period of 3 years, in my statement you will see the wave. I incorporated two charts at the end of my statement, showing the nature of employment development in chart 1.

If you can, notice the crosshatched bars which are the growth of employment which indicate that the employment on Long Island will be something like 2 million jobs by 1985. You can see that the development of jobs has passed through Brooklyn and Queens and Nassau and is now pressing against Suffolk County.

The same picture is shown on the next chart but this is for population. You see the loss projected for Brooklyn, a very modest growth

for Queens, a falling off in Nassau County of the tremendous growth they have experienced in the last decade, but the zoom in the population development of Suffolk.

I show you this only to say that it forewarns us of the rapidly increasing cost that we are going to find in the acquisition of Fire Island as Suffolk County develops.

One further point. I spent some years in Arizona and Texas and so I am quite aware of the kind of area you come from, sir.

What the New York region needs is a place for people to sit on a mountain top and commune with Mr. Maker and this is one of the last and greatest chances to acquire such.

You know perhaps that something on the order of 1,200,000 people go to Coney Island, a very small strip of beach, on a hot weekend in the summer. This kind of beach will provide the kind of area that the New York metropolitan region, indeed the Nation, will require in the years ahead.

As for the citizens advisory committee point, I do think that the Nation will need to be represented as well as Suffolk County.

Thank you, sir.

Senator BIBLE. Thank you very much for a very, very fine statement. Your prepared statement will be printed at this point.

(The prepared statement is as follows:)

PREPARED STATEMENT OF JOHN P. KEITH, EXECUTIVE DIRECTOR, REGIONAL PLAN ASSOCIATION

My name is John Keith. I am speaking for the Regional Plan Association of which I serve as executive director. The association, as you may know, is a nonpartisan civic group drawing support from individual members, corporations, and foundations. For over 40 years it has concerned itself with questions of development and planning in the New York metropolitan region.

As a preface, please permit me to make brief mention of the credentials of Regional Plan with respect to parks in the Connecticut-New Jersey-New York metropolitan area. In the 1929 plan of New York and environs which has largely been carried out, the following were mapped as parks: Cheesequake, Corlears Hook, Flushing Meadows, Garret Mountain, Great Kills, Willowbrook, and the High Tor and other additions to the Palisades Interstate Park. Those of you who are immediately familiar with the 7,000-square-mile region projected by the 1929 plan will recognize all these as familiar landmarks of today.

In 1960, the association released its influential "Race for Open Space" report which set standards for acquisition of local parks and featured a number of major park sites for Federal and State acquisition. All of these sites lie in the mountains that ring the region to the north and west, or along the river valleys that tie them to the seacoast, or lie along the region's ocean front. The association's agenda for public action has already had far-reaching results. It was a real factor in securing the $100 million open space acquisition funds in New York, $60 million in New Jersey and $10 million in Connecticut—testimony to the great interest of our Eastern Seaboard States in capturing natural and open lands before the opportunity is foreclosed forever. Of the recommended parks, several have been acted upon since 1960: One-third of Sandy Hook is now a State park and New Jersey is negotiating with the Department of Defense for the remainder. Waywayanda is being purchased by New Jersey, Lloyd Neck is about half acquired by New York, and Tocks Island and Fire Island are now being considered by this Congress as national recreation areas. In addition, the acquisition of Breezy Point (the eastern tip of Long Island's barrier beach) for a park has been declared the official policy of New York City and condemnation of the first parcel has been authorized.

Certainly, one of the most important sites recommended in our 1960 report is Fire Island. It was likewise accorded highest priority by the National Park Service in its Seashore Recreation Area Survey, 1955.

Fire Island is one of nature's wonders—a great barrier beach running along the southern coast of Long Island. Much of it is still virgin and possesses natural growth and wildlife that should be conserved as part of the country's heritage. The island has an ocean front of 30.7 miles, of which 5.5 miles are now

developed under private ownership. The remaining 25.2 miles, including the existing county and State parks on Fire Island and the private, undeveloped land, in the opinion of RPA, should become a national seashore.

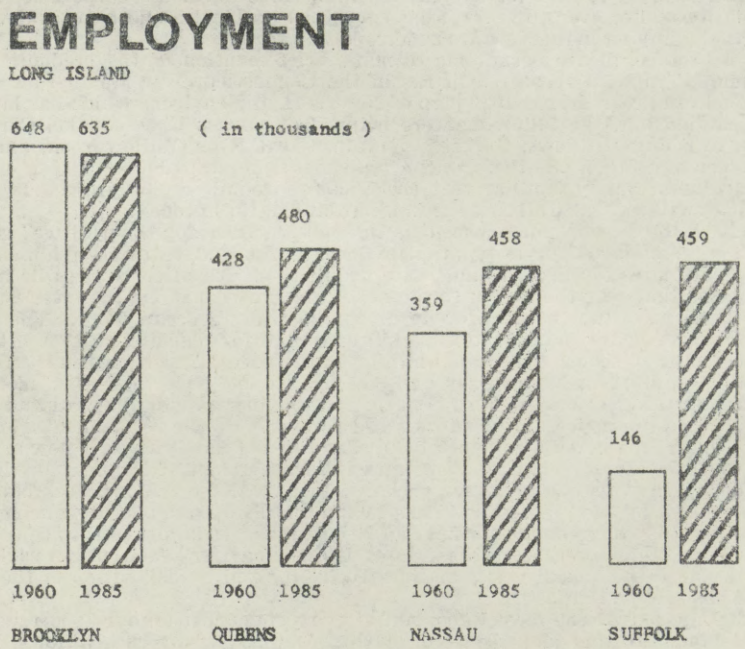
To give some indication of the scale of Fire Island, the Cape Cod National Seashore has 38 miles of ocean front.

In the new emphasis for additions to the national park system, as proposed by the Outdoor Recreation Resources Review Commission, lands are to be acquired for park purposes close to great centers of population. Fire Island probably fits this criterion better than any other site in the Nation. It also fits the historic criterion of acquiring unique unspoiled land to preserve for the enjoyment of future generations.

For over 100 years Long Island has been a national recreation area attracting people from many parts of the country in the same fashion as Cape Cod. With the completion of the Verrazano Bridge across New York Harbor's Narrows, it will be possible for vacationists from the south and west to avoid the heart of the New York region and find ready access to Fire Island and Suffolk County resorts. As immediate evidence of the interest of New Jersey residents in this potential, a favoring telegram was dispatched to you by the association's New Jersey committee when assembled yesterday.

In a region which our projections show will grow from 1960's 16.2 million to 22.2 million by 1985 (and likely pass 25 million by 2000), it is imperative to preserve all our remaining open beach. I have attached our most recent employment and population projections for the Long Island sector of the region. Note how the wave of jobs and people that has passed from Brooklyn to Queens to Nassau is now pressing into Suffolk County. The development of Suffolk County presages the development of Fire Island and the destruction of this magnificent park opportunity. Furthermore, it forewarns of rapidly increasing costs of Fire Island land.

In sum, Regional Plan Association urges this subcommittee to recommend to the Congress immediate purchase of Fire Island as a national seashore. A similar request was presented to the National Parks Subcommittee of the House Committee on Interior and Insular Affairs at its hearing at Oakdale, Long Island, September 30, 1963.



Regional Plan Association December 1963

CHART 1

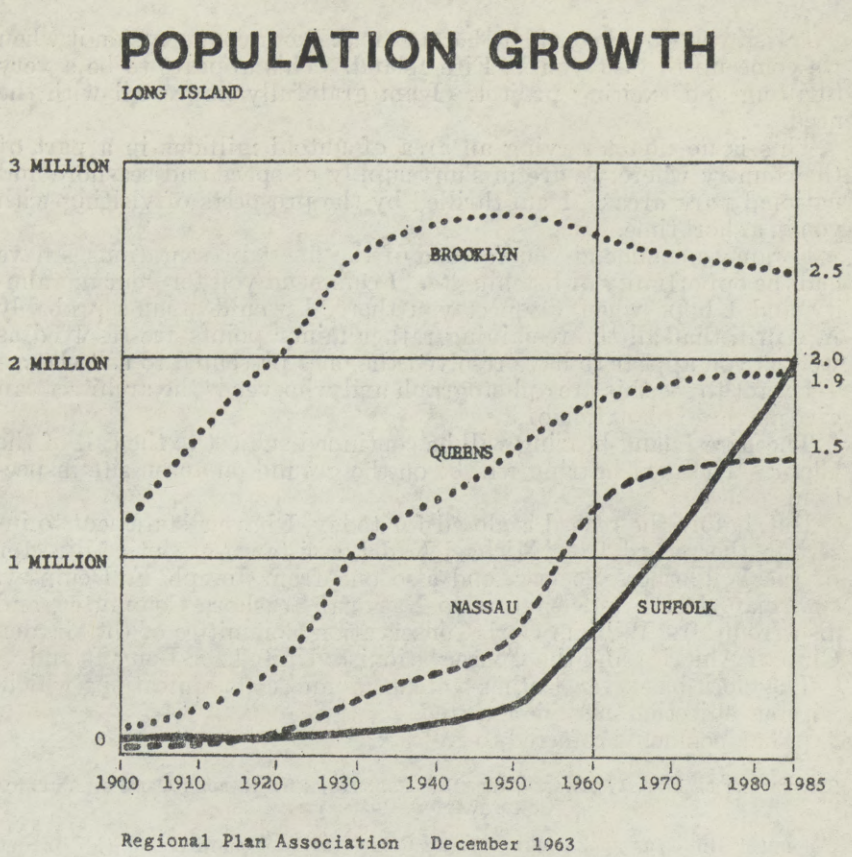


CHART 2

Senator BIBLE. I want to read into the record and call to the attention of the audience here something that we wrote in the Ozark National Rivers report apropos of this problem that is involved with the Robert Moses State Park. In that report, on page 4, we said this:

> The committee feels that where State parks are contiguous to a proposed Federal park or recreation area, it is appropriate that they be donated to the Federal Government so that the whole area may be administered as one unit without duplicating administrative machinery on a unified plan. There would be no objection to inclusion of a provision for reversion of the property if for any reason the Federal Government did not continue to administer the State areas for park or recreation purposes. The occurrence of State parks in the proposed Federal areas is not confined to Ozark National Rivers but occurs in numerous instances including the Oregon Dunes and Sleeping Bear Dunes proposals now pending. In most instances, States will save on administrative expense by contributing these parks to the national area. In all events, unified administration will be most economical.

This is the committee position on three of these proposals that we have passed on to date. I would commend it to your attention and we will attempt to explore this further with the responsible parties on the State level. It just seems to me that if you are going to give this an overall national flavor and give it the significance of a national seashore, I think you should put the entire land as one overall great Fire Island National Seashore project.

I wish you would consider that and make your comments on it when we come up to visit you at Fire Island. This appears to be a very thrilling and exciting project. I am gratefully impressed with the need.

This is no doubt serving an area of untold millions in a part of the country where we are in short supply of space and seashore and national park areas. I am thrilled by the prospects of visiting with you in a short time.

I want to commend you for one of the finest presentations I have had the opportunity of listening to. I commend you for your unanimity and I hope when we meet you there, I would assume probably in April, that all the remaining rather minor points are resolved as well as you appear to have resolved the ones presented to us today.

I want to see this area photograph and whoever is the architect can give me the explanation of it.

The Fire Island hearing will be continued subject to the call of the Chair. The next hearing will be on the ground on an on-site inspection.

But, before the record is closed for today, I have a statement to insert in the record from Michael Nadel, assistance executive director of the Wilderness Society, and also one from Joseph F. Dempsey, chairman, LIBBA delegation to National Seashore Committee, and also from Mrs. William Carl, Conservation Committee of the Garden Club of America and the Conservationists United for Long Island.

The clerk has several other statements and communications which, without objection, may be inserted.

(The documents referred to follow:)

STATEMENT OF MRS. WILLIAM CARL, REPRESENTING THE GARDEN CLUB OF AMERICA CONSERVATION COMMITTEE

Senator Bible, as spokesman for the Conservation Committee of the Garden Club of America and its 13,000 members, I would like to register a plea for speed in establishing the Fire Island National Seashore.

In 1913, when the Garden Club of America was first founded, one of its four objectives was "to aid in the protection of native plants and birds." Over the years this organization has been vigilant in its support of conservation issues. In fact, in April of this year at the observation of its 50th anniversary, the late President Kennedy wrote: "The club's constructive work in advancing the highest standards of natural resource conservation and horticulture includes a broad range of activities. Your support of the legislation to establish a Cape Cod National Seashore, for instance, helped set aside this magnificent part of America for the enjoyment of this and future generations."

In the press of those bills before Congress with louder voices—civil rights, tax cuts, and defense spending, for instance—the urgency of this Fire Island National Seashore might not make itself heard.

But consider, if you will, that this 32 miles of barrier beach is the last example of this sandy, glacial moraine formation remaining on any coastline. And consider, too, that this unique seashore, with its wide strand of white sand on its oceanside, and its lush, wildlife-filled wet lands on its protected bayside, is only 50 miles from the greatest megalopolis in the world. The flora and fauna here are unique, having taken 10,000 years to develop.

Nowhere else are there the so-called sunken forests that are found here. Down between the dunes of the island's inner swale, protected from the wind, and growing from age-old deposits of black humus, are holly trees 35 feet tall, tupelos with diameters of 15 inches, pitch pine with 17-inch trunks, oak, sassafras, rum cherry, red cedar, and red maple. The floor of the forest is quiet and damp, in some places a tangle of vines, in others a soft carpet of ferns, sarsaparilla and mayflower. The trees are gnarled and twisted and their tops are wind planed at the height of the surrounding dunes.

Nowhere else do the northern varieties of fish, like whiting and cod, meet the Gulf Stream varieties, like pompano and tiny velella. Nowhere else can hundreds of thousands of warblers and catbirds passing through on the Atlantic flyway south, share marshland thickets with wintering hordes of black duck, canvasback, and scaup.

The late President said in his report to Congress on conservation: "It is our task in our time and in our generation to hand down undiminished to those who come after us, what was handed down to us by those who went before, the natural wealth and beauty which is ours * * * an America of open spaces, of fresh water, of green country; a place where wildlife and beauty cannot be despoiled, where increasing urbanized population can still find the spiritual strength upon which our greatness as a nation depends."

But, as Secretary Stewart Udall said in 1961: "Rapid advances in engineering techniques have made possible a vastly accelerated exploitation of natural resources—with corresponding reductions in favorable wildlife environment. Wildlife, therefore, is caught in a squeeze from two directions: diminishing habitat and increased demand." As the New York megalopolis spreads, this rare wilderness area that has been handed down to us is in acute danger of commercial development.

Consider what a loss is involved, and realize the urgency of this legislation. For not only would the Fire Island National Seashore be saving a natural resource, it would also be saving a piece of beauty and serenity. And serenity today is our rarest natural resource.

Before time runs out for this last unique and fragile sample of seashore barrier reef, consider what naturalist and explorer Charles William Beebe said in 1906: "The beauty and genius of a work of art may be reconceived, though its first material expression be destroyed; a vanished harmony may yet again inspire the composer; but when the last individual of a race of living things breathes no more, another heaven and another earth must pass before such a one can be again."

STATEMENT OF MICHAEL NADEL, ASSISTANT EXECUTIVE DIRECTOR OF THE WILDERNESS SOCIETY

I am Michael Nadel, assistant executive director of the Wilderness Society. Our organization, with a membership of over 25,000 individuals throughout the entire United States, in Canada, and in some other countries, has its headquarters office here in Washington, D.C. It is a national, nonprofit, philanthropic, private conservation organization, founded almost 29 years ago. Its purpose is to educate in, to foster, to mobilize support for, the values of wilderness preservation in the public interest; to make investigations of wilderness areas and problems; to bring wilderness needs to the attention of those concerned with public land policies. The society publishes the Living Wilderness, a quarterly magazine; conducts a program to bring people into the wilderness, called "A Way to the Wilderness." The longtime, broad purpose of the Wilderness Society is to increase the knowledge and appreciation of wilderness, wherever found. It joins with other organizations in cooperation for the conservation of all natural resources.

In my appearance here I am testifying for the Wilderness Society, Mr. Chairman. Yet my testimony is personal, too.

I remember Fire Island. I remember a day, and a night, spent there, many, many years ago. I think about it as I draft this statement, at home, the night before today's hearing. I take down from my shelf a copy of Raymond H. Torrey's "New York Walk Book," published by the American Geographical Society. I see by the flyleaf that I purchased it on April 16, 1925. I turn to page 145, to the paragraphs dealing with Fire Island.

Folded between pages 144–145 I find a yellowed clipping from the old New York Post, a column by Raymond Torrey called "The Long Brown Path." It is an article entitled "Beaches and Marshes." It tells about the 60 miles of beach and booming surf from Fire Island to Montauk.

Next to it I find my pencilled notes—made probably in 1926 or 1927. They tell me that I can take the Pennsylvania Railroad from the heart of New York City about 9:15 a.m. to Bayshore, Long Island (round trip $3.08) and as far as I can remember, less than an hour's run. I can take a train back from Bayshore at 6:14 p.m.

So, one autumn morning, I took the train to Bayshore, found my way to the boat moorings. But in those days, at this season, there was no ferry service

from the mainland to Fire Island. I found a private boatowner to take me across the choppy bay.

I wandered among and atop the dunes and along the salt marshes. If I were a botanist I could recognize the odd marine plants of this splinter-thin barrier beach.

Beyond the high tide I could have recognized the "rare little coast amaranth," the seaside sandwort, the dusty miller, dune grass, sea rocket, seaside spurge—all magic names, all described by Robert Cushman Murphy in 1933—and many more.

I remember at one point, as I stood remote and alone atop one of the higher dunes, the waters of the bay chopped away almost at my feet, on one side. On the other below me, the sea rolled up with blue in its eye and a white froth on its lips. It was terribly beautiful, and terribly awesome.

At the end of the day of poking and wandering, I found no one to take me across to the mainland. I don't think I tried very hard. So that night, to the best of my recollection, I slept somewhere on the beach.

The next morning I set out to wander some more. Then, to the westward or bay's edge, I came across it, the sunken forest. There was no weather-beaten sign at that time, but who could mistake it? The floor of the forest, dark mysterious, damp, dense, dropped suddenly before me, below sea level. And here was a narrow, swinging footbridge of wooden slats, with a rope handhold. It swayed dizzily as one staggered over it, sometimes over, sometimes between, Laocoon-like intertwined and twisted ancient tree forms and shrubs—holly, shadbush, pitch pine, rhododendron. It seemed that if one fell from that dizzy footbridge into the gnarled mass below, it would take days to cover the quarter mile that separated one edge of the forest seaward to the other edge bayward.

Since those late 1920's I have traversed a bit of the Yukon, tramped a little in McKinley National Park in Alaska, canoed in the boundary waters canoe area of the Quetico-Superior region, ridden horse in the Bighorn Crags of Idaho, the Blue Range Primitive Area of Arizona, the North Cascades of Washington, the Tetons in Wyoming, climbed in the forest preserve of New York, and elsewhere.

But I have never forgotten over the years and many experiences of grand and majestic and lonely scenery, the magic of Fire Island. I would like my daughter, and some day, her daughter, to see what I saw.

Let's save Fire Island. Let it not suffer detriment. Let's make it a national seashore area for generations of today and tomorrow to enjoy, to dream about and relive the experience of, and to tell future Congressmen how they appreciate the foresight of today's.

Statement of the Izaak Walton League of America

Mr. Chairman, the Izaak Walton League of America is a nationwide organization of citizens dedicated to the wise and proper use of America's natural resources base for all the purposes it must serve. The league has long worked to preserve key portions of the Nation's streambanks and shorelines in natural condition, and to make them available to the people. We have also maintained a continuing interest in outdoor recreation generally—and in the whole complex of outdoor recreation, as well as in the specific case of shoreline preservation, have focused and are focusing our efforts toward stimulating needed action at local and State levels, where major needs exist.

We believe that each level of government must live up to its own responsibilities.

Therefore, we strongly urge establishment of a national seashore at Fire Island, N.Y.

The Outdoor Recreation Resources Review Commission put the shoreline problem in perspective:

"Historically, the shoreline has been relatively neglected by the Nation as a public resource. It has been left for acquisition and use by whoever wanted it. It is estimated that some 90 percent of this limited, highly desirable resource is under private control, about 5 to 7 percent is in public recreation areas, and about 3 percent is in restricted military areas * * *.

"Immediate action should be taken by Federal, State, and local governments to acquire additional beach and shoreline areas."

In the case of Fire Island, we believe that it is the Federal Government which should act immediately. Fire Island is without question a shoreline of national significance. This was reported by the National Park Service 9 years ago. It cannot be doubted today in light of the fact that Fire Island is within a 2-hour

drive of 11 million people—easily accessible to citizens of three or four of America's most densely populated States.

Fire Island, together with Acadia, Cape Cod, and Assateague Island (which we hope Congress will soon also set aside as a national seashore) will constitute a minimum basic shoreline resource along the North Atlantic coastline of the United States. These national areas, preserved as nearly as practicable in natural condition, complemented by State and local areas now existing or yet to come, will make available to residents of the North Atlantic States the opportunity which ORRC recognized as vital.

The Izaak Walton League endorses S. 1365. Also, we observe that because of the population surrounding Fire Island, any national seashore established there should be of the largest area possible—every undeveloped square foot of Fire Island will be a treasure in years to come.

LONG ISLAND BEACH BUGGY ASSOCIATION, INC.,
Sag Harbor, Long Island, N.Y., December 6, 1963.

Re Fire Island National Seashore.

Senator ALAN BIBLE,
Chairman, Subcommittee on Public Lands of Senate Interior and Insular Affairs, Washington, D.C.

DEAR SIR: We are an association of approximately 1,000 sportsmen and conservationists. Our membership is direct and dues paying.

We are in complete support of the bill H.R. 7107 which has been introduced in the House of Representatives by Representative Otis Pike providing for the establishment of a Fire Island National Seashore.

We would like, however, to recommend revisions to the following sections of this bill.

Section 1(b), we recommend be changed to:

"The boundaries of the national seashore shall extend from the easterly boundary of Fire Island State Park eastward to the easterly boundary of Brookhaven township" * * *

Section 7(b), we believe, should read as follows:

"No roads shall be constructed on the Fire Island National Seashore except such minimum roads as may be necessary for park maintenance vehicles. No development or plan for the convenience of visitors shall be undertaken therein which would be incompatible with the preservation of the unique flora and fauna or the physiographic conditions now prevailing, and every effort shall be exerted to maintain and preserve the Fire Island National Seashore as nearly to its present state and condition as possible."

Our request for this revision is based on the desire to allow surf fishermen access to the Fire Island beaches in beach vehicles. Surf fishing is one of the most important recreational aspects of a national seashore and beach travel is being permitted by the National Park Service on both Cape Code and Cape Hatteras National Seashores subject to intelligent regulations. This section of the bill as now written would seem to bar beach travel between Ocean Ridge and the Smith Point County Park at all times of the year.

We also believe that this section, as now written, does not bar the building of a road between Smith Point County Park and Moriches Inlet. The area from Smith Point County Park east (approximately 4½ miles) is one of the most beautiful and unspoiled on Fire Island.

With regard to section 8(a) of H.R. 7107 we prefer the wording and intent of Mr. O'Brien's bill H.R. 6934, section 8, which calls for erosion control that is mutually acceptable to the Secretary of the Interior and the Secretary of the Army. In many of the uninhabited areas of Fire Island methods of erosion control other than the pumping of fill might prove adequate. Snow fencing, the erection of groins, and the planting of beach grass could prove more economical and more naturally preserve the beauty of the seashore.

We would like to be accorded speaking time at the next hearing of your committee, which we understand will be held on Long Island. The majority of our members actively use the Fire Island beach during the course of the year, and the recreational and conservation aspects of a Fire Island National Seashore are very important to us.

Very truly yours,

JOSEPH F. DEMPSEY,
Chairman, LIBBA Delegation to National Seashore Committee.

NATIONAL WILDLIFE FEDERATION,
Washington, D.C., December 10, 1963.

Hon. ALAN BIBLE,
Chairman, Public Lands Subcommittee, Senate Committee on Interior and Insular Affairs, New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: The National Wildlife Federation will be unable to appear in response to your committee's kind invitation to comment on S. 1365, a bill to establish the Fire Island National Seashore. We would be pleased, however, if this letter could be made a part of the hearing record.

Meeting at annual convention earlier this year, the National Wildlife Federation went on record on behalf of the immediate preservation of suitabel shoreline areas as being necessary for a program of varied public outdoor recreation. One of the areas singled out as being of outstanding importance is the proposed Fire Island National Seashore on Long Island.

We are of the firm conviction that the unique and valuable shoreline on Fire Island will constitute a recreational asset of great magnitude. The area not only is admirably suited for recreational purposes, but has an unusual importance because of its close proximity to New York City.

We would recommend that your subcommittee provide for hunting and fishing on this area in according with State law. We would recommend language similar to that in the Ozark Rivers bill already passed by your committee.

The National Wildlife Federation is sure that the committee will include an adequate amount of land in the seashore to make this an installation of true national significance.

Thank you for the opportunity of making these observations.

THOMAS L. KIMBALL, *Executive Director.*

Newark, N.J., December 10, 1963.

Senator ALAN BIBLE,
Chairman, Committee on Interior and Insular Affairs Subcommittee on Public Lands, Room 3110, New Senate Office Building, Washington, D.C.:

The undersigned members of the New Jersey Committee of Regional Plan Associations, meeting today in Newark, urge prompt and favorable action by the Congress to establish Fire Island National Seashore in Long Island, Suffolk County. We sincerely believe this great natural recreational facility and conservation area should be acquired as a public trust for all the people of our country.

Cesar J. Bertheau, Clayton S. Cronkright, Cowles Andrus, C. W. Floyd Coffin, Mason W. Gross, Thomas A. Hyde, Henry C. Little, Arthur L. Manchee, Albert W. Merck, Arthur R. Nelson, Harold F. Osborne, B. Franklin Reinauer, George F. Smith, Ralph Wahoski, Edward A. Jesser.

AN ANALYSIS, SUBMITTED ON INVITATION BY ANTHONY WAYNE SMITH, PRESIDENT AND GENERAL COUNSEL, NATIONAL PARKS ASSOCIATION

My name is Anthony Wayne Smith. I am president and general counsel to the National Parks Association. I am an attorney admitted to practice in New York and the District of Columbia and a professional student of regional planning and of natural resources management. I appreciate the invitation to submit this analysis.

The National Parks Association is an independent, private, nonprofit, public-service organization, educational and scientific in character, founded in 1919 by Stephen T. Mather, first Director of the National Park Service. It has over 28,000 members throughout the United States and abroad. It publishes the monthly National Parks magazine, received by all members. Its responsibilities include the protection of the great national parks and monuments of America and the protection and restoration of the natural environment generally.

As our population in America grows and we become more mobile and leisured we find ourselves in greater need from year to year for places to which we can escape to enjoy reasonably natural outdoor conditions.

Our cities are spreading everywhere and urban sprawl and congestion make it difficult to find any measure of solitude and spaciousness anywhere.

Access to natural seashores, lakeshores, and flowing rivers for the general public has been obstructed increasingly by subdivision and intensive recreational development of the Coney Island type.

We need to preserve our remaining shorelines for public enjoyment in their natural condition as rapidly as we can; there would be too few of them if we could save all that remain.

Fire Island is one of the most magnificent largely unspoiled seashores remaining on the North American Continent. Its ready accessibility from the New York metropolitan center gives it added importance.

It is definitely in the interest of the people of America and certainly of the New York metropolitan region that Fire Island, with its dunes and sunken forests, be preserved as it is in perpetuity. This would be difficult to do as a State park, partly because of the cost of land acquisition, but also because local pressures often make natural preservation difficult. The sound approach to protection here is the establishment of a national seashore; the Cape Cod and Hatteras National Seashores provide excellent examples; likewise, Padre Island in Texas and Point Reyes in California.

Similar proposals have been advanced for the protection of Assateague Island on the Maryland Atlantic seacoast, Sleeping Bear Dunes in Michigan, Oregon Dunes, Indiana Dunes, and the Ozark Riverway in Missouri. The project for a Fire Island National Seashore will insure the participation of the people of the State of New York in a program which has been widely accepted everywhere else in the United States, protection of outstanding examples of seacoast for enjoyment of present and future generations.

Our Coney Islands can provide for entertainment of a certain type; parks like Jones Beach also have their place for mass recreation purposes; if the various types of outdoor enjoyment are to be broadly represented along all the Long Island coast, then a park-type preserve in which the protection of nature is the dominant theme should also be established.

In this perspective, it would be utterly out of place to construct a highway along Fire Island, as has been proposed; one plan to dredge the bay to get the fill for the highway would be even worse, disturbing natural conditions on the island and on the bay simultaneously.

Developed residential properties already in existence should be allowed to remain. The best way to do this is to obtain easements, by eminent domain if need be, against further development incompatible with protection of natural conditions. Beyond that point the power of eminent domain might well be suspended indefinitely for such properties; in due course many would come on the market voluntarily and could be acquired.

If hunting is to be permitted in the seashore, the decision should be discretionary with the Secretary of the Interior; the Federal Government should not be bound to grant such permission under all circumstances, or to a mandatory compliance with State laws.

We point out merely as a matter of fact that the time element in these situations is usually crucial; once bridges and causeways are built, real estate speculation begins, then subdivision and overcrowding, and the inevitable destruction of the natural scene. It is just a fact of the situation in which we find ourselves that if Fire Island is to be protected, it must be done soon. The establishment of a national seashore is by all odds the most feasible method of protection.

Senator BIBLE. Without objection, we will also print any pertinent statements which are received in the next few days.

The hearing is recessed.

(Whereupon, at 3:40 p.m., the hearing was recessed, to reconvene at the call of the Chair.)

(Under authority previously granted, the following communications were ordered printed in the hearing record:)

SIERRA CLUB,
San Francisco, December 23, 1963.

Hon. ALAN BIBLE,
Public Lands Subcommittee,
Senate Committee on Interior and Insular Affairs,
Washington, D.C.

DEAR SENATOR BIBLE: The Sierra Club and its Atlantic Chapter support the position taken by Secretary of the Interior Stewart Udall regarding preservation of Fire Island in its present state. We urge that its undeveloped beaches, dunes, forest, and marsh remain in as nearly pristine condition as possible consistent with erosion control, that they be brought under public ownership for the common enjoyment, and that roads and motorized vehicles be kept to a minimum on the island.

I have visited parts of the island, have seen it in broader perspective from the air, and have concluded that its uniqueness makes it a national asset. A tragic loss would be inflicted on this shoreline by attempts to reduce it to its lowest common denominator. The citizens of New York and the entire Nation would be the losers if this last bit of beach, dunes, and marshland should be transformed into a paved parkway suitable for automobiles but not for people, and should the opportunity for public use be diminished.

To protect existing private rights where appropriate, we should like to see such legislative pioneering in Fire Island legislation as is contemplated for Sleeping Bear Dunes and Oregon Dunes; that is, we should like to see private rights accommodated for those owners who respect the natural scene and the public interest in accordance with land-use regulations set up by the Secretary of the Interior. The objective should be to reassure private owners who have an attachment and a respect for the place in order that they would be willing to see the Federal Government exert the needed role of preservation and management, and, in due course, if the owners are willing, acquire inholdings over a long period of time.

The Sierra Club urges establishment of a Fire Island National Seashore as the best and highest use of this small segment of our Nation's fast disappearing unspoiled natural coastline; that its unique qualities may remain open for the wonder and enjoyment of today's children, and for that of future generations.

Sincerely,

DAVID BROWER, *Executive Director.*

SPORT FISHING INSTITUTE,
Washington, D.C., December 24, 1963.

Re S. 1365—A bill to establish the Fire Island National Seashore.

Hon. ALAN BIBLE,
Chairman, Senate Subcommittee on Public Lands, Committee on Interior and Insular Affairs, Washington D.C.

DEAR SENATOR BIBLE: The Sport Fishing Institute, a nonprofit, non-Government, professionally staffed national fish conservation organization supports Senator Keating's and Senator Javits' proposed legislation to create a national seashore on Fire Island, N.Y. We did not appear to present testimony December 11, 1963, as we were participating in the annual conservation conference of the National Wildlife Federation (I believe you were informed of this fact).

We wish to express our support of S. 1365 in the interest of helping to provide more and better opportunity for the sport fisherman. We all know too well what the eventual fate of our national seashores will be without the protective shield of a public agency, working in the best interests of that public to provide an everlasting area of outdoor recreational opportunity. In view of the tremendous concentrations of outdoor recreation seeking people, particularly in the Middle Atlantic States, it is necessary that permanent public access be assured to the coastal waters of Fire Island so that the Americans may continue to utilize natural resources there which has been their heritage since they became inhabitants of this earth.

There has been a reduction of the original proposal for the Fire Island area from 8,000 to about 5,700 acres and though a smaller area is now being considered we still feel that a potential for access to get the people through to the ocean for fishing is a primary concern. Perhaps, too, there can be an anticipated suitable and harmonious development of the shoreline on Fire Island to help the fishermen reach the renewable fishery resource construction of fishing piers, and other aids, such as rock jetties now proving successful elsewhere both on the east and west coasts to enable anglers to improve their fishing opportunity and recreational experiences.

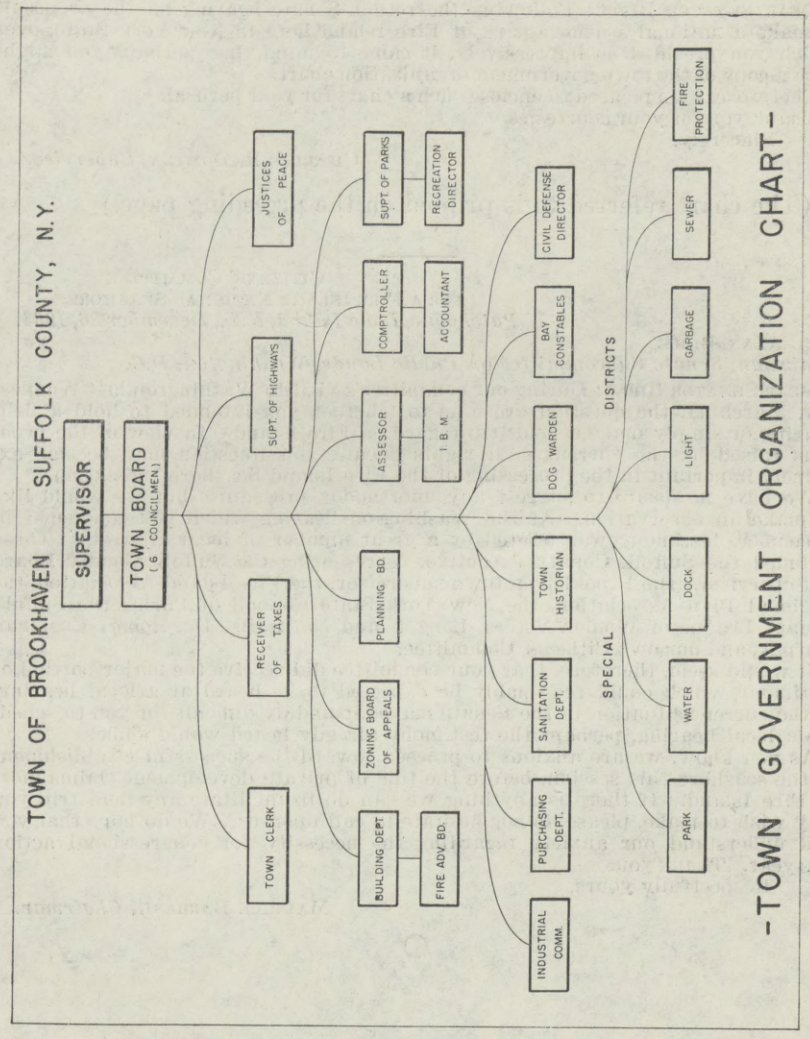
With the anticipated number of anglers at approximately the 100 million mark by the year 1976, it seems urgent to support any effort to provide more suitable and adequate outlets for the fishing urge. The preservation of Fire Island in a national seashore would go far toward this end, particularly in the New York City megalopolis. Not only would this enhance the immediate area, but would provide access to the several thousand acres of excellent offshore fishing in the Great South Bay.

We would appreciate your including this letter in support of S. 1365 in the official record of hearings held December 11, 1963.

Thank you.

Sincerely,

PHILIP A. DOUGLAS, *Executive Secretary.*



-TOWN GOVERNMENT ORGANIZATION CHART-

TOWN OF BROOKHAVEN,
Patchogue, Long Island, N.Y., December 24, 1963.

Hon. ALAN BIBLE,
Senate Office Building, Washington, D.C.

DEAR SENATOR BIBLE: Following the recent Senate hearing on the proposals to make a national seashore park at Fire Island here in New York State, over which you presided so impressively, it came to mind that perhaps you might wish a copy of the town government organization chart.

Therefore, I am pleased to enclose such a chart for your perusal.

Thank you for your courtesies.

Sincerely,

CHARLES R. DOMINY, *Supervisor.*

(The chart referred to is printed on the preceding page.)

CITIZENS' COMMITTEE
FOR A FIRE ISLAND NATIONAL SEASHORE,
Patchogue, Long Island, N.Y., December 26, 1963.

Hon. ALAN BIBLE,
Chairman, Senate Subcommittee on Public Lands, Washington, D.C.

DEAR SENATOR BIBLE: During our committee's visit to Washington last Wednesday, March 11, the question arose as to whether you intended to hold a field hearing or simply make a field trip regarding Fire Island. In view of the problems raised by the current civil rights debate, this question may become extremely important in the processing of the Fire Island Seashore legislation.

We have no desire to suggest any unorthodox procedure, but we would like to make an observation. At the Washington hearing which you conducted in December, testimony was offered by a great number of local interests. These included the Suffolk County executive, representing the Suffolk County Board of Supervisors, the Brookhaven town supervisor, the Fire Island Association, the Regional Plan Association, the New York State Council of Parks, the Suffolk County League of Women Voters, Long Island Naturalist Dr. Robert Cushman Murphy, and our own Citizens' Committee.

It would seem, therefore, that your committee did receive the major portion of testimony which could reasonably be expected to be heard at a local hearing. If the current situation in the Senate makes it unduly difficult for you to schedule a local hearing, perhaps the testimony already heard would suffice.

As you know, we are anxious to proceed toward the successful establishment of the seashore this session, before the tide of private development claims most of Fire Island. If there is anything we can do to facilitate any field trip you may wish to make, please do not hesitate to call upon us. We do hope that you will understand our anxiety regarding the necessity for congressional action this year. Thank you.

Respectfully yours,

MAURICE BARBASH, *Chairman.*