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ASSATEAGUE ISLAND NATIONAL SEASHORE

GOVERNMENT

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HEARINGS

BEFORE THE

SUBCOMMITTEE ON PARKS AND RECREATION

OF THE

COMMITTEE ON

INTERIOR AND INSULAR AFFAIRS

UNITED STATES SENATE

EIGHTY-NINTH CONGRESS

FIRST SESSION

ON

S. 20 and S. 1121

BILLS TO PROVIDE FOR THE ESTABLISHMENT OF THE
ASSATEAGUE ISLAND NATIONAL SEASHORE IN THE
STATES OF MARYLAND AND VIRGINIA, AND FOR OTHER
PURPOSES

MARCH 17 AND 18, 1965

PART I

Printed for the use of the
Committee on Interior and Insular Affairs



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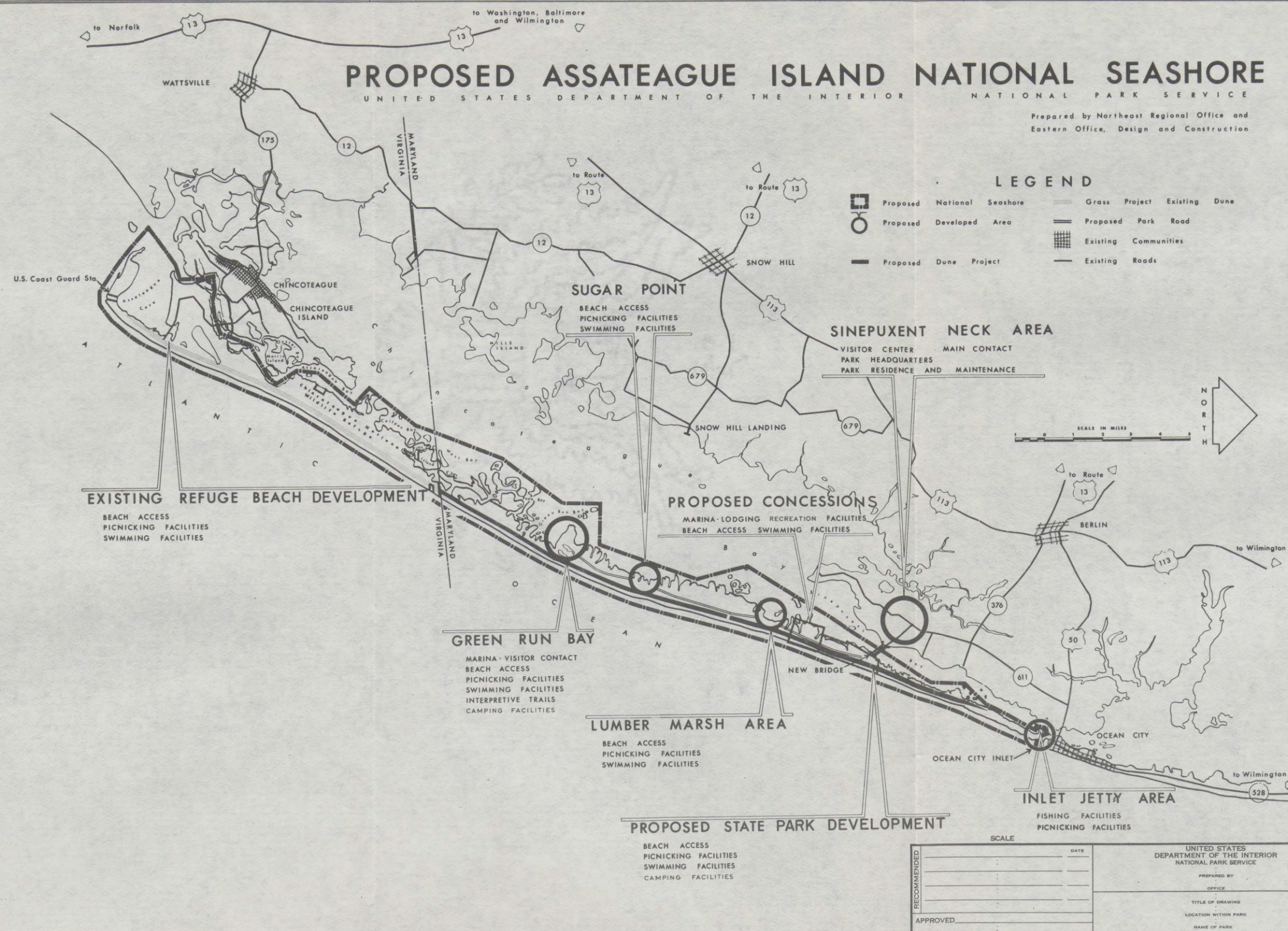
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PROPOSED ASSATEAGUE ISLAND NATIONAL SEASHORE

UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

Prepared by Northeast Regional Office and Eastern Office, Design and Construction

LEGEND

- Proposed National Seashore
- Proposed Developed Area
- Proposed Dune Project
- Grass Project Existing Dune
- Proposed Park Road
- Existing Communities
- Existing Roads

ORIENTATION	
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UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE		PREPARED BY		TITLE OF DRAWING	
OFFICE		LOCATION WITHIN PARK		NAME OF PARK	

PROPOSED ASSAULT AGUE ISLAND NATIONAL SEASHORE

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

SECTION 1

GENERAL DESCRIPTION

1. Name of the area

2. Location

3. Principal uses

4. Other uses

5. Land ownership

6. Natural resources

7. Cultural resources

8. Other resources

9. Other features

10. Other comments

11. Other comments

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ASSATEAGUE ISLAND NATIONAL SEASHORE

WEDNESDAY, MARCH 17, 1965

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

The subcommittee met, pursuant to call, at 10:10 a.m., in room G-308, New Senate Office Building, Senator Alan Bible (chairman of the subcommittee) presiding.

Present: Senators Bible, Jackson, Simpson, Jordan, and Fannin.

Also present: Jerry T. Verkler, staff director; Stewart French, chief counsel; Roy Whitacre, professional staff member; and Crocker Price, assistant minority counsel.

Senator BIBLE. The subcommittee will come to order.

This is the time that has been regularly set and noticed for the hearings on two bills, S. 20 and S. 1121, to provide for the establishment of the Assateague Island National Seashore, in the States of Maryland and Virginia.

Last August 14, hearings were held on a similar bill, S. 2128 of the 88th Congress. At that time, I stated that early this year, the Parks and Recreation Subcommittee would hear in full and in depth any witness who desired to testify on the proposal.

I also said that I had made it a policy since chairing this subcommittee to visit the areas, fly over them, walk over them, and to make a sufficient inspection to give the members a better feel of the entire situation.

Last Saturday, four members of our committee, Senator Simpson, Senator Jordan, Senator Moss, and I, made this trip. We were accompanied by Senator Brewster, and we spent the day in doing just that. I am sure each of us is now in a better position to evaluate the testimony to be presented, and to make a better judgment on the proposal.

I would point out that there are two bills under the consideration. S. 20, introduced by Senator Brewster, is similar to his bill of last year, including several suggested amendments that have previously been approved by the Department of Interior. The other bill, S. 1121 is sponsored by Senator Robertson of Virginia and provides three additional provisions to those called for in S. 20. These are for permanent protection of the Chincoteague ponies, the authorization for the construction of a roadway between the Virginia and Maryland bridges, and third, for the setting aside in the State of Virginia an area for the construction by private interests of suitable overnight and other public accommodations similar to that provided in S. 20 for the State of Maryland.

I trust that the Department witnesses will be prepared to testify on both measures. Before calling on Senator Brewster, the first witness, I will include in the record copies of both S. 20 and S. 1121, as well as the reports of the executive agencies on these two bills.

(The material referred to follows:)

[S. 20, 89th Cong., 1st sess.]

A BILL To provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, 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 protecting and developing Assateague Island in the States of Maryland and Virginia and certain adjacent waters and small marsh islands for public outdoor recreation use and enjoyment, the Assateague Island National Seashore (hereinafter referred to as the "seashore") shall be established and administered in accordance with the provisions of this Act. The seashore shall comprise the area within Assateague Island and the small marsh islands adjacent thereto, together with the adjacent water areas not more than one-half mile beyond the mean high water-line of the land portions as generally depicted on a map identified as "Proposed Assateague Island National Seashore, Boundary Map, NS-AI-7100A", which map shall be on file and available for public inspection in the offices of the Department of Interior.

SEC. 2. (a) Within the boundaries of the seashore, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange, or by such other method as he may find to be in the public interest. The Secretary is authorized to acquire, by any of the above methods, not to exceed ten acres of land or interests therein on the mainland for an administrative site. In the case of acquisition by negotiated purchase, the property owners shall be paid the fair market value by the Secretary. Any property or interests therein owned by the States of Maryland or Virginia shall be acquired only with the concurrence of such owner. Notwithstanding any other provision of the law, any Federal property located within the boundaries of the seashore and not more than ten acres of Federal property on the mainland may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for purposes of the seashore.

(b) When acquiring lands by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the seashore and to not more than ten acres of non-Federal property on the mainland, and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary not required for other Federal purposes which he classifies as suitable for exchange or other disposal. The properties 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 properties exchanged.

(c) The Secretary is authorized to acquire all of the right, title, or interest of the Chincoteague-Assateague Bridge and Beach Authority, a political subdivision of the State of Virginia, in the bridge constructed by such authority across the Assateague Channel, together with all lands or interests therein, roads, parking lots, buildings, or other real or personal property of such authority and to compensate the authority in such amount as will permit it to meet its valid outstanding obligations at the time of such acquisition. Payments by the Secretary shall be on such terms and conditions as he shall consider to be in the public interest. Any of the aforesaid property outside the boundaries of the national seashore, upon acquisition by the Secretary, shall be subject to his administration for purposes of the seashore.

(d) 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. In such cases, the Secretary shall pay to the owner of the property the fair market value thereof less the fair market value of the right retained by such owner. The term "improved property" as used in this Act shall mean any single-family residence 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 noncommercial residential use of the building: *Provided*, That the Secretary may exclude from improved properties any marsh, beach, or waters, together with so much of the land adjoining such marsh, beach, or waters as he deems necessary for public access thereto.

SEC. 3. (a) If the bridge from Sandy Point to Assateague Island is operated by the State of Maryland as a toll-free facility, the Secretary is authorized and directed to compensate said State in the amount of two-thirds of the cost of constructing the bridge, including the cost of bridge approaches, engineering, and all other related costs, but the total amount of such compensation shall be not more than \$1,000,000; and he is authorized to enter into agreements with the State of Maryland relating to the use and management of the bridge.

(b) The State of Maryland shall have the right to acquire or lease from the United States such land or interest therein on the island north of the area now used as a State park as the State may from time to time determine to be needed for State park purposes; and the Secretary is authorized and directed to convey or lease such land or interest therein to the State for such purposes upon terms and conditions which he deems will assure its public use in harmony with the purposes of this Act. In the event any of such terms and conditions are not complied with, all the property, or any portion thereof, shall, at the option of the Secretary, revert to the United States in its then existing condition. Any lease hereunder shall be for such consideration as the Secretary deems equitable; and any conveyance of title to land hereunder may be made only upon payment by the State of such amounts of money as were expended by the United States to acquire such land, or interest therein, and upon payment of such amounts as will reimburse the United States for the cost of any improvements placed thereon by the United States, including the cost to it of beach protection: *Provided*, That reimbursement for beach protection shall not exceed 30 per centum, as determined by the Secretary, of the total cost to the United States of such protection work.

SEC. 4. When the Secretary determines that land, water areas, or interests therein within the area generally depicted on the map referred to in section 1 are owned or have been acquired by the United States in sufficient quantities to provide an administrable unit, he shall declare the establishment of the Assateague Island National Seashore by publication of notice thereof in the Federal Register. Such notice shall contain a refined description or map of the boundaries of the seashore as the Secretary may find desirable, and the exterior boundaries shall encompass an area as nearly as practicable identical to the area described in section 1 of this Act.

SEC. 5. The Secretary shall permit hunting and fishing on land and waters under his control within the seashore in accordance with the appropriate State laws, to the extent applicable, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment: *Provided*, That nothing in this Act shall limit or interfere with the authority of the States to permit or to regulate shellfishing in any waters included in the national seashore. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State agency responsible for hunting and fishing activities. The provisions of this section shall not apply to the Chincoteague National Wildlife Refuge.

SEC. 6. (a) Except as provided in subsection (b) of this section, the Secretary shall administer the Assateague Island National Seashore for general purposes of public outdoor recreation, including conservation of natural features contributing to public enjoyment. In the administration of the seashore and the administrative site the Secretary may utilize such statutory authorities relating to areas administered and supervised by the Secretary through the National Park Service and such statutory authority otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

(b) Notwithstanding any other provision of this Act, land and waters in the Chincoteague National Wildlife Refuge, which are a part of the seashore, shall be administered for refuge purposes under laws and regulations applicable to national wildlife refuges, including administration for public recreation uses with the provisions of the Act of September 28, 1962 (76 Stat. 653).

SEC. 7. (a) In order that suitable overnight and other public accommodations on Assateague Island will be provided for visitors to the seashore, the Secretary is authorized to select and set aside not to exceed six hundred acres having a suitable elevation in the area south of the island terminus of the bridge constructed by the State of Maryland, and to provide such land fill within the area selected as he deems necessary to permit and protect permanent construction work thereon.

(b) Within the area designated under subsection (a) the Secretary shall permit the construction by private persons of suitable overnight and other public accommodations for visitors to the seashore, under such terms and conditions as he deems necessary in the public interest. Such terms and conditions shall include, but not be limited to, the right of the Secretary to approve all plans for the facility and to impose restrictions on the use thereof.

(c) The site of any facility constructed under authority of this section shall remain the property of the United States; however, each such privately owned overnight or other accommodation facility shall be subject to taxation by the State and the political subdivisions thereof in which such facility is located.

(d) The Secretary shall make such rules and regulations as may be necessary to carry out this section.

(e) Nothing in this section shall be deemed to restrict or limit any other authority of the Secretary relating to the administration of the seashore.

SEC. 8. The Secretary of the Interior and the Secretary of the Army shall cooperate in the study and formulation of plans for beach erosion control and hurricane protection of the seashore; and any such protective works that are undertaken by the Chief of Engineers, Department of the Army, shall be carried out in accordance with a plan that is acceptable to the Secretary of the Interior and is consistent with the purposes of this Act.

SEC. 9. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

[S. 1121, 89th Cong., 1st sess.]

A BILL To provide for the establishment of the Assateague 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 protecting and developing Assateague Island in the States of Maryland and Virginia and certain adjacent waters and small marsh islands for public outdoor recreation use and enjoyment, the Assateague Island National Seashore (hereinafter referred to as the "seashore") shall be established and administered in accordance with the provisions of this Act. The seashore shall comprise the area within Assateague Island and the small marsh islands adjacent thereto, together with the adjacent water areas not more than one-half mile beyond the mean high waterline of the land portions as generally depicted on a map identified as "Proposed Assateague Island National Seashore, Boundary Map, NS-AI-7100A", which map shall be on file and available for public inspection in the offices of the Department of the Interior.

SEC. 2. (a) Within the boundaries of the seashore, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange, or in such other method as he may find to be in the public interest. The Secretary is authorized to acquire, by any of the above methods, not to exceed ten acres of land or interests therein on the mainland in Worcester County, Maryland, and on Piney Island, Accomack County, Virginia, for administrative and toll facility sites. In the case of acquisition by negotiated purchase, the property owners shall be paid the fair market value by the Secretary. Any property or interests therein owned by the States of Maryland or Virginia shall be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within the boundaries of the seashore and not more than ten acres of Federal property on the mainland in Worcester County, Maryland, may with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for purposes of the seashore.

(b) When acquiring lands by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the seashore and to not more than ten acres of non-Federal property on the mainland in Worcester County, Maryland, and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary not required for other Federal purposes which he classifies as suitable for exchange or other disposal. The properties 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 properties exchanged.

(c) The Secretary is authorized to acquire all of the right, title, or interest of the Chincoteague-Assateague Bridge and Beach Authority, a political subdivision of the State of Virginia, in the bridge constructed by such authority across the Assateague Channel, together with all lands or interests therein, roads, parking lots, buildings, or other real or personal property of such authority, and to compensate the authority in such amount as will permit it to meet its valid outstanding obligations at the time of such acquisition. Payments by the Secretary shall be on such terms and conditions as he shall consider to be in the public interest. Any of the aforesaid property outside the boundaries of the national seashore, upon acquisition by the Secretary, shall be subject to his administration for purposes of the seashore.

(d) 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. In such cases, the Secretary shall pay to the owner of the property the fair market value thereof less the fair market value of the right retained by such owner. The term "improved property" as used in this Act shall mean any single-family residence, the construction of which was begun before January 1, 1964, 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 noncommercial residential use of the building: *Provided*, That the Secretary may exclude from improved properties any marsh, beach, or waters, together with so much of the land adjoining such marsh, beach, or waters as he deems necessary for public access thereto.

SEC. 3. (a) If the bridge from Sandy Point to Assateague Island is operated by the State of Maryland as a toll-free facility, the Secretary is authorized and directed to compensate said State in the amount of two-thirds of the cost of constructing the bridge, including the cost of bridge approaches, engineering, and all other related costs, but the total amount of such compensation shall be not more than \$1,000,000; and he is authorized to enter into agreements with the State of Maryland relating to the use and management of the bridge.

(b) The State of Maryland shall have the right to acquire or lease from the United States such land, or interest therein, on the island north of the area now used as a State park as the State may from time to time determine to be needed for State park purposes, and the Secretary is authorized and directed to convey or lease such land, or interest therein, to the State for such purposes upon terms and conditions which he deems will assure its public use in harmony with the purpose of this Act. In the event any of such terms and conditions are not complied with, all the property, or any portion thereof, shall, at the option of the Secretary, revert to the United States in its then existing condition. Any lease hereunder shall be for such consideration as the Secretary deems equitable; and any conveyance of title to land hereunder may be made only upon payment by the State of such amounts of money as were expended by the United States to acquire such land, or interest therein, and upon payment of such amounts as will reimburse the United States for the cost of any improvements placed thereon by the United States, including the cost to it of beach protection: *Provided*, That reimbursement for beach protection shall not exceed 30 per centum, as determined by the Secretary, of the total cost to the United States of such protection work.

SEC. 4. When the Secretary determines that land, water areas, or interests therein within the area generally depicted on the map referred to in section 1 are owned or have been acquired by the United States in sufficient quantities to provide an administrable unit, he shall declare the establishment of the Assateague Island National Seashore by publication of notice thereof in the Federal Register. Such notice shall contain a refined description or map of the boundaries of the seashore as the Secretary may find desirable, and the exterior

boundaries shall encompass an area as nearly as practicable identical to the area described in section 1 of this Act.

SEC. 5. The Secretary shall permit hunting and fishing on land and waters under his control within the seashore in accordance with the appropriate State laws, to the extent applicable, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish and wildlife management, or public use and enjoyment: *Provided*, That nothing in this Act shall limit or interfere with the authority of the States to permit or to regulate shellfishing in any waters included in the national seashore. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State agency responsible for hunting and fishing activities. The provisions of this section shall not apply to the Chincoteague National Wildlife Refuge.

SEC. 6. (a) Except as provided in subsections (b) and (c) of this section, the Secretary shall administer the Assateague Island National Seashore for general purposes of public outdoor recreation, including conservation of natural features contributing to public enjoyment, and the seashore shall be open to the public at all times. In the administration of the seashore and the administrative site the Secretary may utilize such statutory authorities relating to areas administered and supervised by the Secretary through the National Park Service and such statutory authority otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

(b) Except as provided in section 7 of this Act, land and waters in the Chincoteague National Wildlife Refuge, which are a part of the seashore, shall be administered for refuge purposes under laws and regulations applicable to national wildlife refuges, including administration for public recreation uses in accordance with the provisions of the Act of September 28, 1962 (Public Law 87-714; 76 Stat. 653).

(c) The Secretary shall designate sufficient grazing areas on the seashore for the preservation and protection of the wild ponies whose natural habitat is Assateague Island.

SEC. 7. (a) In order that suitable overnight and other public accommodations on Assateague Island will be provided for visitors to the seashore, the Secretary is authorized to select and set aside not to exceed six hundred acres having a suitable elevation in the area south of the island terminus of the bridge constructed by the State of Maryland and to select and set aside the public-use area on the Chincoteague National Wildlife Refuge now operated by the Chincoteague-Assateague Bridge and Beach Authority of the Commonwealth of Virginia, and to provide such land fill within the areas selected as he deems necessary to permit and protect permanent construction work thereon.

(b) Within the areas designated under subsection (a) the Secretary shall permit the construction by private persons of suitable overnight and other public accommodations for visitors to the seashore, under such terms and conditions as he deems necessary in the public interest. Such terms and conditions shall include, but not be limited to, the right of the Secretary to approve all plans for the facility and to impose restrictions on the use thereof.

(c) The site of any facility constructed under authority of this Act shall remain the property of the United States; however, each such facility shall be subject to taxation by the State and the political subdivisions thereof in which such facility is located.

(d) The Secretary shall make such rules and regulations as may be necessary to carry out this section.

(e) Nothing in this section shall be deemed to restrict or limit any other authority of the Secretary relating to the administration of the seashore.

SEC. 8. The Secretary of the Interior and the Secretary of the Army shall cooperate in the study and formulation of plans for beach erosion control and hurricane protection of the seashore; and any such protective works that are undertaken by the Chief of Engineers, Department of the Army, shall be carried out in accordance with a plan that is acceptable to the Secretary of the Interior and is consistent with the purposes of this Act.

SEC. 9. The Secretary of the Interior shall construct a suitable road on Assateague Beach immediately west of the existing dunes and connecting with the

existing public parking area on the beach connecting the Chincoteague-Assateague Bridge with the Sandy Point-Assateague Bridge.

SEC. 10. The Secretary of the Interior is authorized to purchase from a public utility any facilities of that utility which are no longer of value to it as a result of the establishment of the Assateague Island National Seashore, and shall pay for such facilities an amount equal to the cost of constructing such facilities less depreciation.

SEC. 11. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 15, 1965.

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

DEAR SENATOR JACKSON: This responds to the request of your committee for a report on S. 20, a bill to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes, and S. 1121, a similar bill.

We recommend the enactment of S. 20, with the perfecting amendments indicated herein. The comments in this report are addressed to that bill. The principal differences between S. 20 and S. 1121, and our comments thereon, are set forth in an enclosure to this report.

Assateague Island is a 35-mile-long barrier beach of low elevation that lies parallel to the coast of Maryland and Virginia. The island varies in width from one-fourth to 2 miles, and contains approximately 19,000 acres. It is separated from the mainland by Sinepuxent and Chincoteague Bays, with 13 linear miles of its southern portion lying in Virginia, and the remaining 22 miles in Maryland. The island is linked to the mainland by two bridges: the one constructed to the Virginia portion of the island by the Chincoteague-Assateague Bridge Authority, a political subdivision of the State of Virginia, was opened to the public in September 1962; and one constructed to the Maryland portion of the island by the State of Maryland was opened to the public in September 1964.

The proposed national seashore, which will include all of Assateague Island and adjacent small islands in Maryland and Virginia, will protect for the benefit of the American people some of the most significant outdoor recreation resources in the Eastern United States. Along the Atlantic coast, there is an extreme scarcity of seashore recreation resources available to the public. Assateague Island is the largest undeveloped seashore area between Cape Hatteras, N.C., and Cape Cod, Mass., and it constitutes one of the few remaining opportunities to acquire a sizable area before it is preempted for a comparatively limited use.

The island's outstanding feature, its clean sand beach, is wide and gently sloping on the Atlantic Ocean side. With a minimum of development it can provide excellent opportunities for swimming, surfing, sunbathing, and other popular beach activities. The climate is favorable for such activities since the spring and autumn seasons are generally mild, and the summers are long and warm. The moderate ocean temperatures lengthen the swimming season, and the general lack of undertow adds to the enjoyment and use of this activity. In addition, the island offers unlimited opportunities for fishing, skin diving, water skiing, and boating. Surf fishing for blues, striped bass, weakfish, and other favorite sport fishes common along the stretch of the coast is outstanding. Clam digging and crabbing are also activities traditional to the area.

The marshes on the bay side of the island provide an excellent habitat for a vast variety of shorebirds and waterfowl, as well as for numerous other birds and wildlife. The southern portion of the island in Virginia is within the Chincoteague National Wildlife Refuge, which was established in 1943, and it contains thousands of ducks, geese, swans, and other birds in season, as well as the famous herds of Chincoteague ponies and tiny, exotic sika deer. North of the wildlife refuge are points and marshes long famous for waterfowl hunting.

Within a 250-mile radius of Assateague Island live some 34 million people—almost one-fifth of the Nation's total population—who are concentrated largely

in metropolitan centers. The island is ideally located to serve the large population centers of Washington, Baltimore, Wilmington, and Philadelphia, all of which are within 150 miles. It will draw people not only from these nearby metropolitan centers, but also from a much wider area, particularly in the crowded Northeastern part of the country.

Assateague Island's natural values, coupled with its proximity to a large, populous area qualify it for national seashore status. The proposal meets all of the primary and applicable secondary criteria for national recreation areas established by the Recreation Advisory Council in its Policy Circular No. 1 of March 26, 1963.

The Advisory Board on National Parks, Historic Sites, Buildings, and Monuments enthusiastically endorsed the proposal at its 49th meeting in November 1963.

The 13-mile portion of Assateague Island in Virginia and the few offshore islands in Virginia and Maryland that constitute the Chincoteague National Wildlife Refuge are currently in Federal ownership. Four miles at the southern end of the wildlife refuge are leased to the Chincoteague-Assateague Bridge and Beach Authority for recreation use pursuant to the act of June 17, 1957 (71 Stat. 175). Of the remaining 22 miles of the island in Maryland, a 2-mile stretch of land located in the upper half thereof is owned by the State of Maryland and is used as a State park. The areas north and south of the State park are in private ownership and encompass private subdivisions and adjacent individual holdings. Although the area south of the State park was subdivided during the mid-1950's, very few cottages have been built, and the majority of these were either destroyed or heavily damaged by the severe storm of March 1962. The storm vulnerability, as well as sanitary and water problems, make the island ill-adapted for private summer home development.

The bill authorizes the Secretary of the Interior to acquire the lands, waters, and other property within the boundaries of the national seashore and not more than 10 acres of land on the mainland for an administrative site by donation, purchase with donated or appropriated funds, exchange, or by such other method as he may find to be in the public interest. The owners of improved property acquired by the Secretary are permitted to retain rights of use and occupancy for noncommercial residential purposes for not more than 25 years. In addition, the Secretary is authorized to acquire the bridge, roads, parking lots, and buildings constructed by the Chincoteague-Assateague Bridge and Beach Authority, on or in connection with the Virginia portion of the island pursuant to the act of June 17, 1957 (71 Stat. 175).

If the bridge constructed by the State of Maryland from Sandy Point to the portion of the island included in the State park is operated as a toll-free facility, the bill directs the Secretary to compensate the State for two-thirds of the construction costs. Since the Department understands that the cost of the bridge is \$1.5 million, the bill limits such compensation to \$1 million. It appears that proponents justify this compensation on the grounds that the major part of the island will be federally owned and administered, and that most of the traffic using the bridge will be generated by the national seashore. However, it is also true that the bridge was built by the State without regard to this legislative proposal.

The Department wishes to cooperate with the State of Maryland with respect to its plans for the existing State park on Assateague Island. If the State, at some future time, should wish to turn over the State park to the Secretary of the Interior for national seashore management, Federal acquisition of this land is authorized by section 2 of the bill. On the other hand, if the State wishes at some future time to expand the park to the north, section 3(b) gives it the right to obtain a conveyance or lease of lands from the United States for this purpose. If the State obtains title to land, the bill requires that it compensate the Federal Government for the land and the improvements thereon, including not more than 30 percent of the cost of any beach protection work performed on the land by the United States. The 30 percent figure is used in order that the State will not be required to pay more for beach protection costs than the minimum it would have been required to pay if the lands had been in State ownership and used for park purposes and the beach protection measures had been constructed by the Federal Government under the provisions of the act of August 13, 1946, as amended (33 U.S.C. 426e(b)).

The Secretary of the Interior will administer the national seashore for the general purposes of public outdoor recreation including conservation of natural features contributing to public enjoyment. While the Chincoteague National Wildlife Refuge will be a part of the seashore, it will continue to be administered by the Department pursuant to the laws and regulations applicable to national wildlife refuges, including the act of September 28, 1962 (76 Stat. 653), which authorizes limited recreation use of such areas when that use is not inconsistent with primary refuge purposes.

With the exception of the area within the Chincoteague National Wildlife Refuge, the bill provides for hunting and fishing within the seashore in accordance with applicable State law, but the Secretary may designate zones where, and establish periods of time when, no hunting or fishing will be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment.

A great deal of local consideration has been given to the matter of accommodating the public on Assateague Island with respect to overnight and related facilities. Section 7 deals specifically with this phase of development and administration of the area. It authorizes the Secretary to set aside not more than 600 acres, in the area south of the island terminus of the bridge constructed by the State of Maryland, for the construction and operation by private persons of overnight and related facilities on a contract basis. The land on which these accommodations are located will remain Federal property, but the facilities will be subject to taxation by the State of Maryland and its political subdivisions.

The problems of beach erosion control and hurricane protection for Assateague Island are dealt with in section 8 of the bill. Pursuant to a resolution adopted by the House Committee on Public Works in June 1963 the Corps of Engineers, Department of the Army, has instituted a study of beach erosion control and hurricane protection on the Atlantic shores of Worcester County, Md., which includes all of the Maryland portion of Assateague Island. Section 8 provides, therefore, for coordination between the Secretary of the Army and the Secretary of the Interior in the planning of protective works for Assateague Island.

We suggest the following perfecting amendments of S. 20:

1. On page 2, line 7, insert after the map number and prior to the quotation marks " , November 1964."

This amendment gives a more positive identification to the map of the seashore.

2. On page 3, lines 10 and 11, delete the words "not required for other Federal purposes."

Inasmuch as lands under the administrative jurisdiction of the Department are to be used to acquire lands that are more usable for other programs of the Department, it should be unnecessary to canvass the needs of other Federal agencies.

3. On page 8, line 1, as a clarifying amendment insert after the word "uses" the words "in accordance."

On the basis of recent appraisals, we estimate that acquisition costs of lands and improvements will be \$16,250,000. This figure includes \$1 million as compensation to the State of Maryland for a portion of the construction costs of its bridge to the island. This figure does not include the cost of acquiring the real and personal property of the Chincoteague-Assateague Bridge and Beach Authority of Virginia. If we decide to acquire such property, it is intended to purchase all of the Authority's property and to pay therefor an amount which will satisfy all of its valid outstanding obligations at the time of acquisition. An audit will be made of the Authority's books in order to determine its valid outstanding obligations at that time. We are unable to estimate at this time what the amount of compensation might be.

Also, the \$16,250,000 figure does not include any cost of acquiring the 2-mile section of the island included in the Maryland State Park. Such acquisition is not contemplated. The development cost is estimated at \$7,765,000 and annual operating costs begin at \$215,000 and rise to \$454,000 by the fifth year after the establishment of the seashore.

The man-years and cost data statement required by the act of July 25, 1956 (70 Stat. 652; 5 U.S.C. 642a), is enclosed.

The Bureau of the Budget has advised that legislation to establish the Assateague Island National Seashore would be in accord with the program of the President.

Sincerely yours,

STEWART UDALL,
Secretary of the Interior.

[Enclosures]

PRINCIPAL DIFFERENCES BETWEEN S. 20 AND S. 1121

S. 1121 differs from S. 20 in a number of respects. The principal differences and our comments thereon are as follows:

1. Section 6(a) of S. 1121 requires the national seashore to be kept open to the public at all times. Ordinarily, national park and seashore areas are always open to the public, but the Secretary of the Interior, as a responsible administrator, must have authority to close these areas when conditions cause them to be unsafe. Such authority is especially needed in the case of Assateague Island because it is vulnerable to hurricane.

2. Section 6(c) of S. 1121 requires the Secretary of the Interior to designate sufficient grazing areas in the seashore for the preservation and protection of wild ponies. Provisions have already been made for the management of the so-called "wild ponies" on the portion of the island within the national wildlife refuge under the laws applicable to the refuge. Under the proposed legislation, the Secretary will have the responsibility of managing these picturesque animals and other animal life on the entire island. Such a provision, therefore, is unnecessary. Moreover, any requirement that certain lands in the seashore be designated as grazing areas for the "wild ponies" could cause conflicts in the management of the lands since these animals cause some destruction of wildlife habitat and some interference with management efforts. The extent of such destruction and interference can be regulated by the imposition of reasonable controls, which the Secretary now has authority to do in the national wildlife refuge and, under the proposed legislation, will have authority to do anywhere on the island.

3. Section 7(a) of S. 1121 provides for setting aside the public-use area of the Chincoteague National Wildlife Refuge, which is now operated by the Chincoteague-Assateague Bridge and Beach Authority of Virginia, for suitable overnight and other public accommodations for visitors to the seashore. This area, however, is an integral part of the national wildlife refuge and is utilized in the management of migratory waterfowl. Public use of the area is restricted when large numbers of waterfowl are present. The Department's existing contract with the Virginia Bridge and Beach Authority limits the Authority's operations to the daylight hours and not later than 10 p.m. local time. Furthermore, such accommodations for visitors can be developed at the town of Chincoteague, Va., which is only 2 miles from the national wildlife refuge.

4. Section 9 of S. 1121 requires the Secretary of the Interior to construct on the island "a suitable road on Assateague Beach immediately west of the existing dunes" and connecting the two bridges to the island. The Chincoteague National Wildlife Refuge is presently used and will continue to be used in the future by increasing thousands of recreationists interested in natural types of recreation such as hiking, beach walking, surfcasting, shell collecting, bird watching, nature study, and photography. The 9 miles of beach within the refuge should continue to provide this type of recreation which could not be enjoyed if a road were constructed through the refuge. If the seashore is established, the remaining 22 miles of the area will provide other types of recreation and the Secretary has the authority to develop within it any roads that are needed. The construction of a road through the wildlife refuge would all but eliminate the fine waterfowl habitat which the Department has developed through the years at considerable expense. Observation of waterfowl and other wildlife is presently thoroughly enjoyed by the public.

5. Section 10 of S. 1121 authorizes the Secretary of the Interior to purchase from a public utility any facilities of that utility "which are no longer of value to it as a result of the establishment of the Assateague Island National Seashore." To our knowledge, the only such facility presently on the island, other than Coast Guard telephone facilities, is an electric powerline which serves property owners residing on the island. It was constructed by two public utilities. This provision implies that the Government should compensate the utilities for a decrease in the market that they would serve because of the establishment of the seashore. In our opinion such payment would not be in the public interest. Whatever loss that might be occasioned by the utilities is, we believe, a result of a risk that each enterprise took when it developed its facilities, and the United States is not responsible for such loss by reason of establishing a seashore. The utilities will be deprived of no compensable right or interest by virtue of such establishment. If the right-of-way or facilities of the utilities are acquired by

the United States, just compensation would be paid therefor. Adequate authority would exist for such acquisition and payment without a special provision in the bill.

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

	19— calendar year	19— calendar year plus 1	19— calendar year plus 2	19— calendar year plus 3	19— calendar year plus 4
Estimated additional man-years of civilian employment:					
Executive direction:					
Superintendent.....	1.0	1.0	1.0	1.0	1.0
Administrative assistant.....		1.0	1.0	1.0	1.0
Secretary.....	1.0	1.0	1.0	1.0	1.0
Acquisition officer.....	1.0	1.0	1.0	1.0	1.0
Assistant acquisition officer.....	1.0	1.0	1.0	1.0	1.0
Clerical.....	1.0	2.0	2.0	2.0	2.0
Total, executive direction.....	5.0	7.0	7.0	7.0	7.0
Substantive:					
Chief Ranger.....	1.0	1.0	1.0	1.0	1.0
Assistant Chief Ranger.....	.5	1.0	1.0	1.0	1.0
Park ranger.....	1.0	2.0	2.0	2.0	2.0
Park ranger (seasonal).....		2.0	3.0	4.0	5.0
Park naturalist.....	.5	1.0	1.0	1.0	1.0
Park naturalist (seasonal).....			.5	.5	.5
Recreationist.....	2.0	2.0	2.0	2.0	2.0
Recreational aids (seasonal).....	1.0	1.0	1.0	1.0	1.0
Maintenance supervisor.....	1.0	1.0	1.0	1.0	1.0
Foreman.....		1.5	2.0	2.0	2.0
Clerical.....	1.0	2.5	3.0	3.0	3.0
Lifeguard (seasonal).....	1.0	3.0	4.0	4.0	6.0
Maintenanceman.....	1.0	1.0	1.0	1.0	1.0
Maintenanceman (seasonal).....			.5	.5	.5
Caretaker.....					1.0
Laborer.....		2.0	2.0	2.0	3.0
Laborer (seasonal).....			1.0	2.0	4.0
Total, substantive.....	10.0	21.0	26.0	28.0	35.0
Total, estimated additional man-years of civilian employment.....	15.0	28.0	33.0	35.0	42.0
Estimated additional expenditures:					
Personal services.....	\$114,000	\$184,000	\$206,000	\$215,000	\$245,000
All other.....	1,736,000	4,066,000	4,570,000	5,458,000	5,447,000
Total, estimated additional expenditures.....	1,850,000	4,250,000	4,776,000	5,673,000	5,692,000
Obligations:					
Land and property acquisition.....	2,250,000	3,500,000	3,500,000	3,500,000	3,300,000
Development.....	190,000	1,297,000	1,423,000	1,564,000	1,825,000
Operations (management, protection, and maintenance).....	215,000	331,000	383,000	413,000	454,000
Total, estimated additional obligation.....	2,655,000	5,128,000	5,306,000	5,477,000	5,579,000

¹ Includes \$1,000,000 compensation for the Maryland State bridge.

DEPARTMENT OF THE ARMY,
Washington, D.C., March 18, 1965.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate.

DEAR MR. CHAIRMAN: Reference is made to your requests to the Secretary of Defense for the views of the Department of Defense with respect to S. 20, 89th Congress, a bill to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes, and S. 1121, a bill to provide for the establishment of the Assateague Island National Seashore, and for other purposes. The Department of the Army has been assigned responsibility for expressing the views of the Department of Defense.

The bills would authorize the establishment for recreational purposes of a national seashore which would include the area within Assateague Island in the States of Virginia and Maryland, and the small marsh islands and certain water areas adjacent thereto. The bills would authorize the Secretary of the Interior (a) to acquire such lands, waters, and other property, or any interest therein, for purposes of the national seashore; (b) to acquire the bridge, roads, parking lots, and buildings constructed by the Chincoteague-Assateague Bridge and Beach Authority; (c) to permit hunting and fishing within the seashore in accordance with appropriate State laws, to the extent applicable, except that the Secretary could designate zones or periods of times when no hunting or fishing would be permitted; and (d) to utilize in the administration of the seashore all authorities made available to him in connection with the programs of the National Park Service and other activities of the Department of the Interior. Owners of improved property acquired by the Secretary would be allowed to reserve the right of use and occupancy for noncommercial residential purposes for not more than 25 years, and the Secretary is authorized to set aside an area of not to exceed 600 acres of land on the island within which the construction by private persons of suitable overnight and other public accommodations for visitors to the seashore would be permitted. The bill would permit the State of Maryland to acquire from the United States lands or interests on the island north of the area now used as a State park as the State may from time to time determine to be needed for State park purposes. The conveyance would be made upon payment by the State of such amounts of money as were expended by the United States to acquire such land and as would reimburse the United States for the cost of any improvements subsequently placed thereon including the cost of it of beach protection. However, reimbursement for beach protection would not exceed 30 percent, as determined by the Secretary, of the total cost to the United States of such protective work.

Section 8 of the bills would provide that the Secretary of the Army and the Secretary of the Interior would cooperate in the study and formulation of plans for beach erosion control and hurricane protection of the seashore, and any protective works that would be undertaken by the Chief of Engineers would be in accordance with a plan that is acceptable to the Secretary of the Interior and consistent with the purposes of these bills.

S. 1121 would, in addition, authorize the Secretary of the Interior to designate sufficient grazing areas on the seashore for the preservation and protection of the wild ponies whose natural habitat is Assateague Island, construct a suitable road west of the existing dunes which would connect with the parking area on the beach, the Chincoteague-Assateague Bridge, and the Sandy Point-Assateague Bridge, and purchase from a public utility any facilities which are no longer of value to the utility as a result of the establishment of the Assateague Island National Seashore.

The Department of the Army favors enactment of either of these bills, although with respect to the additional provisions of S. 1121 described above, the Department defers to the views of the Interior Department.

The Bureau of the Budget advises that the enactment of legislation to establish the Assateague Island National Seashore would be in accord with the program of the President.

Sincerely yours,

STEPHEN AILES,
Secretary of the Army.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., March 16, 1965.

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

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Bureau of the Budget on S. 20, a bill to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes and S. 1121, a bill to provide for the establishment of the Assateague Island National Seashore, and for other purposes.

Section 3(a) of S. 20 directs the Secretary of the Interior to compensate the State of Maryland in the amount of not more than \$1 million for costs incurred in the construction of the Sandy Point Bridge. It would seem that this provision, and, in fact, any proposal which has as its purpose the assumption of Federal responsibility for providing approaches to Federal parks, recreation areas, seashores, etc., augments the Federal-aid highway program and the substantial Federal contributions made to the States under that program. While special circumstances may justify such additional support in some cases, the Congress may wish to consider this matter in connection with the subject bill.

The report which the Secretary of the Interior is submitting on S. 20 and S. 1121 describes in some detail the recreational values of the island and points out that its close proximity to a populous area, coupled with its natural values, qualify it for national seashore status.

The Bureau of the Budget favors the enactment of legislation to create the Assateague Island National Seashore and such legislation would be in accord with the program of the President.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

Senator BIBLE. Our first witness this morning is the sponsor of this legislation, Senator Brewster, and we are delighted to recognize you now, Senator Brewster.

**STATEMENT OF HON. DANIEL B. BREWSTER, A U.S. SENATOR FROM
THE STATE OF MARYLAND**

Senator BREWSTER. Mr. Chairman, on behalf of my Senate colleagues, the 15 cosponsors of this legislation, I want to express the most sincere appreciation for your consideration in bringing this legislation to establish a national seashore on Assateague Island to this early hearing.

On behalf of hundreds of thousands of Maryland citizens, the citizens of States adjacent to my own, and the millions of Americans the length and breadth of this land, let me say "Thank you" to you and to the other members of this committee who have so nobly spearheaded recent efforts to preserve and protect the natural beauties of our land.

The record of dedicated service, sincere interest, and forthright action which you and this committee have made in recent years in the conservation of priceless American resources is a record which will remain for all to see.

Every American living today and every American generation which follows will have reason to be grateful and appreciative of your statesmanlike conduct in discharging the responsibilities of your high office.

Mr. Chairman, since coming to the Senate in January 1963, I have spoken many times and at great length on the importance of joint Federal-State acquisition of this priceless recreational resources. I have continued to stress the need for prompt action because I know that without prompt action the opportunity to bring Assateague into the public domain for the enjoyment of all would be lost.

The case for public development of Assateague Island was first stated in a report issued by the Department of the Interior, Bureau of Outdoor Recreation in April 1963. This report grew out of an earlier meeting between Maryland and departmental officials concerned with the future of this unusual barrier reef.

After lengthy consultations between State and Federal officials at all levels, after extensive public hearings in Maryland, the Maryland

Board of Public Works—my State's highest administrative body—recommended that the State and Federal Governments enter into a joint plan for the public recreational development of Assateague Island. In September of 1963, I introduced appropriate legislation in the Senate of the United States to accomplish this end.

Mr. Chairman, at the time I introduced this bill in the 88th Congress, I made a lengthy statement on the floor of the Senate. When this subcommittee held a preliminary hearing on the bill last August, I appeared before the committee and presented testimony intended to provide this subcommittee with detailed information on the island of Assateague.

I discussed the island's historical, geographical, and natural aspects. I provided this committee with a political and legislative history of the proposal before it. I stressed the potential and the promise inherent in public acquisition of this seashore area. I emphasized the significance of committee action to this and every future generation of Americans.

Mr. Chairman, these statements are all a part of the record, and I do not intend to take the time of the committee to repeat them today. Rather, I will endeavor to bring you up to date very briefly.

Senator BIBLE. Well, at that point, I would like to indicate that the printed record of our hearings which were held on August 11, 1964, and are rather full and self-explanatory, will be made a part of the record by reference, for use of this particular Congress.

Senator BREWSTER. Thank you, Mr. Chairman.

Since the hearing of August 11 of last year, the bridge constructed by the State of Maryland in accordance with an act of the general assembly passed in 1961 has been completed. This bridge links the northern section of Assateague Island with the mainland.

This bridge does more than that. It provides a ready and convenient access to the island for those who wish to enjoy its beauty, and for those who would destroy this beauty.

The completion of that bridge has made 1965 the year of decision for Assateague. Whether this unspoiled shore will be reserved for the many or for the few will be determined here in this Congress this week.

The State of Maryland is firmly behind Federal acquisition. It has already acquired 2 miles of the island for the State park at the eastern terminus of the new bridge. At the same time, Maryland officials have done everything within their constitutional power to prevent rapid, indiscriminate, and even dangerous commercial development.

In recent months, county officials have attempted to employ bulldozers in defiance of the State's authority, and commercial developers have pressed hard for construction permits at the same time they refused to provide State health officials with any plan for sanitation and waste disposal facilities in connection with their proposed development.

The refusal of the State to grant construction permits under these circumstances resulted in a court test, one in which Worcester County Circuit Court ruled against the State. The State appealed this ruling to the Maryland Circuit Court of Appeals, our highest judicial body.

The judgment of the court of appeals has yet to be rendered. What it will be no one knows. But this we do know. If the court sustains the opinion of the Worcester County court and the Congress of the United States fails to act, there is very little likelihood that private development can be longer forestalled and in that event, the American people will have lost the largest remaining undeveloped seashore between Cape Cod and Cape Hatteras, and one of the very few remaining such areas in this country.

The millions of people living in Baltimore, Washington, Wilmington, and Philadelphia, and the additional millions who would be expected to visit the seashore annually, will have been deprived of an unprecedented recreational opportunity.

Last Saturday, I accompanied four members of this committee and officials of the Interior Department on a trip to Assateague Island. We surveyed its entire length, from the Ocean City inlet to Chincoteague, flying with helicopters low over the beach and marshland.

We took vehicles, drove to the State park area and down along the sand for several miles. Nothing that I could say here would more eloquently testify to the actual beauty of this seashore or the importance of its acquisition for all than what we saw there.

Members of this committee who did not make the trip will find copies of a green bound book and small pamphlet on the desk before them. The larger of these materials includes a complete description of Assateague, a review of its legislative history, and a variety of black and white and color photographs.

The drawings and photographs which have been hanging in the rotunda of the Old Senate Office Building and which are now displayed on the walls of this room and in the lobby outside are the work of students from the Maryland Institute of Art in Baltimore. They prepared this exhibit themselves as a part of their contribution to a broader public understanding of the effort to save this island.

Mr. Chairman, I do not wish to take any more of the committee's valuable time. I know that the witness list is long. You have yet to hear from members of the Maryland delegation to the Congress—all of whom support public acquisition of the island.

You have yet to hear from State officials representing a variety of agencies all of whom have made extensive studies and rendered favorable reports on the public utilization of this resource. I know you are also going to afford opponents of this proposal ample opportunity to be heard.

Let me conclude my remarks here today by paying tribute to all those who have worked tirelessly on this project for the past few years: To the Maryland Wildlife Federation, the Maryland Farm Bureau, the Maryland State division of the Izaak Walton League, the General Federation of Women's Clubs, and the National Council of State Garden Clubs.

To Governor Tawes and Secretary Udall, whose keen sense of the public interest led to the original meeting and subsequent Federal and State cooperation in the development of this project.

To Mr. Joseph Kaylor, of the Bureau of Outdoor Recreation, who has provided me and my staff with assistance and service in the finest traditions of his department and of the executive branch of the Government.

To the Citizens Committee for the Preservation of Assateague Island, particularly to Mr. C. A. Porter Hopkins, its president; Mr. Claude Callegary, its vice president; Mr. Howard Gillelan, its treasurer, who have worked tirelessly to bring this issue into focus for the public through a variety of imaginative plans, including the two booklets before the committee this morning.

To newspaper, radio, and television people whose editorial and news comment, some of which is represented in the green book before you, has been uniformly enthusiastic for public development.

And finally to the thousands of citizens who have written to me, the other Members of the Maryland delegation, and to this committee expressing their firm conviction, expressing their desire, expressing their support for the legislation now under consideration.

Mr. Chairman, members of the committee, thank you very much for allowing me to testify, for the great trouble you have gone to already, in your trip to the island, and for your consideration of this proposal.

Senator BIBLE. Well, Senator Brewster, let me assure you that this is a challenging proposal. It certainly is one of the great remaining seashore areas in the entire United States.

We have had an opportunity, as a committee charged with responsibility of looking at seashores, of checking on many of them.

We looked at Cape Cod, on the Atlantic coast, and we have looked at Fire Island. Cape Hatteras, of course, already has been established for a number of years. In the Gulf of Mexico, we looked at Padre Island; on the Pacific coast, we looked at Oregon Dunes, and I think it is incontrovertible that the remaining seashore areas are in short supply. Certainly, there are population pressures and demands for these particular type of recreational facilities and areas. So we certainly are looking forward to a full and exhaustive hearing, to attempt to probe this in depth, to find out what the cost figures are, how much it would take to develop this, the problems of proper dune control, which is a troublesome problem on any of these seashore proposals, and the types of accommodations that would be offered—the development costs, the operation and maintenance cost, the investments of the private owner who has property rights in this particular area.

We hope to go into this exhaustively, and make a very thorough record. I certainly enjoyed my trip last Saturday. We were blessed with wonderful weather. This is a tremendous area. It has great possibilities. I have no questions specifically of you.

We are delighted this morning to have the chairman of the full committee here, Senator Jackson, and I know of his intense interest in the preservation of these recreational areas. He possibly has a question. Senator Jackson?

Senator JACKSON. Well, Mr. Chairman, I merely want to associate myself with your comments. I do want to say of this subcommittee I think they are doing a very important job, not just for this area, but for the entire country.

We are at that point in our history where we need to make some wise decisions, not just for ourselves, but for future generations of Americans who will enjoy these great wonders of the outdoors. I want to commend Senator Brewster and his colleagues for his leadership in pushing this very important project.

We will have a lot of questions to ask. I will defer mine for now, Mr. Chairman.

Senator BREWSTER. Thank you, Mr. Chairman.

Senator BIBLE. Senator Simpson?

Senator FANNIN, any questions?

Senator FANNIN. Mr. Chairman. Senator Brewster, I know there is a tremendous population that would benefit by this development. I have heard figures used, but could you tell me approximately how many people are within the 150-mile area of this development?

Senator BREWSTER. Senator, there are millions of people in the Baltimore-Washington, Wilmington, and Philadelphia metropolitan areas who would be able to enjoy this seashore. I don't have an exact figure before me, but departmental witnesses, I believe, are prepared to give you the exact number of people who reside within definite radius of the island.

Senator FANNIN. Senator Brewster, I have now the information that it is estimated that 34 million people live within a 250-mile area. Thank you.

Senator BIBLE. Further questions of Senator Brewster?

I am delighted to recognize a sponsor of a very similar bill, the junior Senator from the State of Virginia, Senator Robertson. If you would like to come forward, I will be very happy to hear you, Senator Robertson, and then we will next hear the very distinguished Governor from the State of Maryland.

Senator BREWSTER. Mr. Chairman, may I ask unanimous consent to insert in the record a statement by Carlton Sickles, a Member at Large of Congress from Maryland, supporting this proposal?

Senator BIBLE. Without objection, that will be done, and the statement of Congressman Sickles will be made a part of the record at this point.

(The statement referred to follows:)

STATEMENT OF HON. CARLTON R. SICKLES, A U.S. REPRESENTATIVE IN CONGRESS
FROM THE STATE OF MARYLAND

Mr. Chairman, I am grateful for the opportunity to present this testimony on behalf of S. 20, which was introduced by my colleague, Senator Daniel B. Brewster. I have introduced identical legislation in the House of Representatives and have requested early hearings by the House Interior and Insular Affairs Committee.

This bill, which would establish Assateague Island as a national seashore, dovetails with President Johnson's recent declaration to preserve the beauty of our country. The bill would preserve one of the last few stretches of virgin beach on the Atlantic coast for the enjoyment of millions of Americans.

At the same time, this measure would bring significant economic benefits to an area which has been in some respects bypassed by the waves of prosperity which have swept over the country as a whole in the past few years. I think that the bill we are considering, carefully balances the understandable concern of the several thousand Assateague Island property owners with the long-range public and private benefits which would arise from an Assateague National Seashore.

Under the measure, just and economically sound compensation is provided to these individuals. Ample provision is made to permit the leasing by private developers of 600 acres insuring adequate facilities for public use and the promotion of private enterprise without in any way marring the beauty of the island.

We all know that our country has been generously endowed by nature with beauty of awesome proportions, yet we find that as our population tends to

cluster in great sprawling cities, fewer and fewer of our citizens are able to enjoy nature's handwork. Because so few spots of this sort are either accessible or publicly available, it would be a sad waste to permit this lovely island to either remain unused or to limit its use to only a few. President Johnson has pointed out that it is especially those of us who live and work in cities who stand to benefit most from the "enrichment of mind and spirit" which naturally beautiful environments often provide. A national seashore on Assateague Island offers just such an opportunity, and I do not think we can afford to let it pass.

The completion of a bridge between the island and the Maryland shore brings Assateague within weekend excursion distance of millions of people. The Congress cannot afford to defeat or delay this essential legislation and deprive so many citizens of the beauty and relaxation the national seashore will afford. I hope you will give this measure your most earnest consideration.

Senator BIBLE. Senator Robertson, we are delighted to have you here with us this morning.

STATEMENT OF HON. A. WILLIS ROBERTSON, A U.S. SENATOR FROM THE STATE OF VIRGINIA

Senator ROBERTSON. Mr. Chairman and distinguished members of this committee, I appreciate the privilege of appearing before you for the purpose of endorsing the Brewster bill, with a slight amendment.

The amendment is to just let Virginia share with Maryland in the development of this wonderful seashore, which you would have to do by giving us a road through a Government sanctuary, wildlife refuge.

I understand that the Fish and Wildlife Service thinks that that road would be disturbing, but I have an illustration, from a good many years ago, about how smart ducks are. I was in a delegation that was going out to the Philippines for the first inauguration of Quezon, in 1935. We went overland to the great city of Seattle, and by boat from there to the Philippines, and we visited in Seattle, and I heard they had a big park there with a lot of ducks in it, so that is where I went the first thing.

Well, I found one old greenhead mallard had gotten over the fence, and I got about as close as from here to your committee table, up he hopped, and jumped over on the other side of the fence, but as soon as he let down, that's where he stayed, because he knew that under the law, nobody was coming over that fence for him.

We have three game refuges in Back Bay area, our best ducking area, about 20 miles long, 10 miles wide, and hunters down there now say they have signs "Approaching Federal game refuge," and say the ducks can read that just as well as the hunter can, and when they get past that sign, down they let, knowing that they are safe.

So I am telling you, on an experience of some 50-odd years, and especially, in the great city of Seattle, I know ducks are smart, and they don't bother with any automobile that just comes through to go up to the Maryland end of this seashore to enjoy this wonderful beach.

The distinguished Senator from Arizona wanted to know how many people. Fifty million people are within 5 hours of this seashore, and of course our people in Virginia want to have access to it, and in addition to that, we want some of these 50 million people who enjoy the Maryland end of it to come down in the Old Dominion, because we are proud of the Eastern Shore of Virginia.

There was a white settler there in 1608. My first ancestor didn't get to Virginia until 1619. He came over with General Yardley as a

surgeon for his troops in 1619, but they settled over there on the Eastern Shore in 1608, and you remember what Daniel Webster said at the laying of the cornerstone monument at Bunker Hill. He said:

"As long as the James flows by Jamestown Island—

and that is just a few miles away—

As long as the Atlantic washes Plymouth Rock, no vigor of youth, no maturity of manhood will cause our Nation to forget those early spots that cradled and defended the infancy of our Republic.

Now there are a lot of people who haven't been in New York, from some foreign country, for more than 15 or 20 years. We would like for them to come down and find where the first legislative body started in this country.

We would like for them to come down to know where the Virginia Bill of Rights, which was the foundation for Thomas Jefferson's Declaration of Independence and for all the rights written into the Constitution—which some people now think ought not to be there, but that is where they originated—right down at Williamsburg. And of course, it is a wonderful beach.

Now in connection with learning what is being done with the hundred million dollars or more of foreign aid, I have traveled around to see what is going on in some of these countries, and being a mountaineer, I naturally go down to the seashore, one of the first things.

You know how mountaineers are: they want to see something different. Well, I have seen the beaches in South America. Well, Bermuda, we go down to Bermuda. There isn't a beach in Bermuda that compares to this. They told me down there, when they showed me a little beach area near San Juan, where land is selling higher than it is right off of Pennsylvania Avenue here in the District, and honestly, there are rocks in that beach bigger than these chairs. I wouldn't dare to go out in there. Here is a wonderful, soft, friendly Atlantic Ocean, white sand, a wonderful recreational area, and all we need, Senator Brewster, is just a little bridge so that you can come on down to see us, and we can come on up to see you. [Applause.]

And, Mr. Chairman, I ask unanimous consent to supplement these scatterings of remarks with a little prepared statement indicating with a little more clarity why this is a good project, provided you put Virginia in it.

(The statement referred to follows:)

STATEMENT OF HON. A. WILLIS ROBERTSON, A U.S. SENATOR FROM THE STATE OF VIRGINIA

I introduced S. 1121 to place before you provisions that my constituents on Virginia's Eastern Shore believe should be written into any bill to authorize the establishment of Assateague Island National Seashore.

My bill is identical to H.R. 4426, introduced by Mr. Downing of Virginia's First Congressional District, who testified before this subcommittee last year and is here again today with the delegation from his district to elaborate on our viewpoint.

For the most part, the Downing-Robertson bills follow the language of S. 20 but we have added several provisions to reflect the fact that a little more than a fourth of Assateague lies in Virginia and the southern tip of the island has been open to limited public recreational use since the construction in 1962 of a bridge between Chincoteague and Assateague.

In the interest of brevity, I shall leave the broader discussion of the merits of the proposed seashore park to others and will limit my statement to the most significant differences between my bill and S. 20.

First, my bill provides for the construction west of the dunes of a connecting road between the Chincoteague-Assateague and the Sandy Point-Assateague Bridges. This is vital.

There are two bridges now to Assateague but if they are not connected, the only practical access to the proposed national seashore will be by way of the Maryland bridge, from which one will be able to drive to a point within a mile or so north of the State border. The Virginia end of the island will be effectively isolated and the attraction of the existing recreation area there will be minimized, if not destroyed.

During your hearings last August, testimony was presented indicating that a national seashore on Assateague would attract more than 3 million visitors a year, whose presence would have a substantial and beneficial impact on the economy of the State of Maryland and Worcester County. There was a report in which the economic advantages of a national park, with all the promotional value of any unit in the national park system, were weighed against the advantages of permitting the private owners of lots on the island to continue with their own development plans and it was concluded that Federal development would produce greater benefits than private development. There was a report also indicating that Worcester County's economy will be increasingly oriented toward the tourist trade and a conclusion that whatever serves to attract tourists best serves the economy of the county and the State.

Virginia's Eastern Shore counties are interested in the tourist trade also. While there is no opportunity on the Virginia side to choose between public and private development of Assateague because the Federal Government owns the entire Virginia portion of the island, there has been a successful effort to attract tourists. The Chincoteague-Assateague Bridge and Beach Authority has developed a recreational area on land leased from the Fish and Wildlife Service and there is reason to hope that additional facilities will be added in the future.

If the northern portion of Assateague is developed by private interests and the State of Maryland, the Chincoteague Bridge could reasonably be expected to compete as a tourist attraction, but the same cannot be said if the entire island is taken over by the Federal Government and there is no connection provided between the two bridges.

My proposal to construct a connecting road is not without opposition but there is controversy over almost every aspect of the national seashore idea.

I realize that the Secretary of the Interior does not need legislative authority to construct a road within a national park but the road I propose is of sufficient importance to justify its inclusion in any bill to establish an Assateague Island National Seashore.

I am not unmindful either of the view that a connecting road, such as I have proposed, will destroy the value of the existing wildlife refuge. I do not believe this necessarily has to be the case and it even seems possible that the opening of a road, a defined path through the refuge, will minimize whatever adverse effect results from the attraction of more than 3 million visitors to Assateague annually, any number of whom presumably would be free to wander through the refuge as far as they could go on foot.

In considering this proposal to establish an Assateague Island National Seashore, the Congress must balance conflicting interests against one another. For instance, we are asked to take land from private owners, many of whom object strenuously, for the benefit and enjoyment of millions of Americans, now and in the future, who actually have no other claim on the island than the fact they live or may live within driving range of the proposed park. I am asking for a connecting road for those who, by their own initiative, have made a portion of Assateague available already for public recreation but who face the present prospect of being isolated from the principal section of the park because those who would acquire what is now privately owned property for the public use also oppose public passage from one end of the island to another. If the first decision to acquire the land can be made, I believe the second decision to utilize both of the existing entrances can be made also.

S. 1121 differs also from S. 20 in that the Secretary of Interior is authorized not only to select and set aside 600 acres in Maryland for suitable overnight and other public accommodations but also to set aside for the same purpose the public use area now operated by the Chincoteague-Assateague Bridge & Beach Authority. Again the reason for this addition to S. 20 is to afford some opportunity for Virginians to play host to a portion of the anticipated visitors to the proposed national seashore.

The third and final point I wish to mention is the provision in my bill to preserve and protect the ponies on Assateague. At present, grazing privileges for these famous ponies are granted by the Government to the Chincoteague Volunteer Fire Department and we wish strongly enough to see this arrangement continued to request that it be spelled out in the authorizing legislation.

I appreciate this opportunity to discuss the major additions I have proposed to S. 20 and I urge you to accept them.

In closing, I want to mention briefly that we in Virginia are proud of the fact that our Shenandoah National Park is the most popular park in the East so we know from first-hand experience how much use the public makes of these natural outdoor areas when they are accessible and the principal thrust of the language I have added to S. 20 deals, of course, with accessibility.

Virginia, incidentally, purchased the land for the Shenandoah National Park and donated it to the Federal Government in 1935. That method of obtaining national parks is too old fashioned to suggest nowadays but I mention it in passing to indicate that we in Virginia know the value of a national park and earnestly hope that we will not be excluded from sharing in any benefit that may result from Federal acquisition of all of Assateague Island.

Senator BIBLE. I might say, Senator Robertson, I always much prefer your impromptu remarks, rather than your prepared statement. We might have some questions. Don't run away too fast.

You have painted this beautiful friendly ocean. I don't know that the Atlantic is always as friendly as you indicated it is, but this is a great area, and you have given us a beautiful word picture of it.

Senator Jackson?

Senator JACKSON. Mr. Chairman, I just wanted to say that the distinguished Senator from Virginia speaks with great authority on wildlife. I believe you are the author of the Pitman-Robertson Act, and I served in the House on his Select Committee on Wildlife Resources.

I think the point you have made here is a very important one, and one that I know the subcommittee will want to go into very carefully.

Senator ROBERTSON. Well, I appreciate that comment, because we do, in addition to the seashore there, have nearly all the varieties of migratory bird, and a great many shore birds. I used to have some wonderful hunting over there—ducks, geese, marsh hens—and if you haven't ever eaten one of these sea trout at Wachapreague, right after it is caught out of the water, it is worth your time to go over there, and especially in May when there are strawberries almost as big as the bottom of this glass, and so sweet they will melt in your mouth. It is a real place to visit.

Senator BIBLE. I just want to add again, you certainly are a supersalesman.

Senator JACKSON. May I also express my appreciation for your kind comments about our ducks out in Seattle? I want to say the people are smart, too, as well as the ducks.

Senator BIBLE. The Senator from Wyoming.

Senator SIMPSON. Mr. Chairman, I want to commend the distinguished Senator from Virginia for his very fine and graphic, and humorous account, too. There is never a dull moment when my friend, Senator Robertson, is around, and he usually gets the point over in great shape.

Senator ROBERTSON. I want to say about Wyoming that it is also a great State.

Senator BIBLE. You go right ahead and say so.

Senator ROBERTSON. We say the valley of Virginia is as fertile as the valley of the Nile, but more centrally located. Wyoming is a little

far from the center of population, but I had the privilege of riding with the distinguished Senator in the famous rodeo parade in front of their capitol at Cheyenne, and I treasure that memory, as well as that 20-gallon hat I wore.

Senator SIMPSON. So does Wyoming.

Senator ROBERTSON. And Wyoming is a grand State.

Senator BIBLE. Now the Senator from Idaho.

Senator JORDAN. Mr. Chairman, I am sorry I missed part of the testimony of our distinguished colleague, because I have always found it to be instructive and enlightening and entertaining. What he says goes a long way with me.

Senator BIBLE. And the Senator from Arizona.

Senator FANNIN. Mr. Chairman, Senator Robertson, I have much appreciated that forthright statement. Of course, you realize that all five members of this subcommittee are from the West, so you may discourage us with this beautiful area, and our chances of ever getting anyone to go westward again.

Senator ROBERTSON. I realize that, but I would remind the Senator I was glad to vote to give you some water in Arizona in what is called Lake Meade. I went out there several years ago fishing. It wasn't quite up to what we have in the Shenandoah River, but it was pretty good.

Senator BIBLE. Thank you very much, Senator Robertson. We certainly enjoyed your testimony.

Senator BIBLE. I would invite Senator Brewster and Senator Robertson to join us at this head table, if they would care to sit through any of the proceedings.

Senator BREWSTER. Thank you, Mr. Chairman.

Senator BIBLE. And now I am very honored to recognize the Governor of the State of Maryland, Governor Tawes.

STATEMENT OF HON. J. MILLARD TAWES, GOVERNOR OF THE STATE OF MARYLAND

Governor TAWES. Thank you very much, Mr. Chairman, distinguished members of the Senate Parks and Recreation Subcommittee. First I should like to tell you how fortunate I am this morning to have been here to listen to the illuminating and interesting remarks made by my neighbor from the Old Dominion State, Senator Robertson.

He is very familiar with the area we are discussing here this morning. As Governor of Maryland, I wish to voice my wholehearted and unqualified support of S. 20, introduced by Senator Brewster of Maryland.

Under the provisions of this bill, the Department of the Interior will acquire all of Assateague Island in Maryland not now owned by the State of Maryland, and develop it as a national seashore. The State plans to develop its portion as a State park. In fact, the bridge connecting the island with the mainland has now been completed.

The subject matter of this bill has been given thorough and detailed study by the board of public works. This board is the highest administrative body in my State government. It is composed of the comptroller, who is elected by the people at large, the treasurer of the State, who is elected by the general assembly and me, as Governor.

Prior to September of 1963 this board sought and received the recommendations of all appropriate State agencies on the question of Federal ownership and development. These agencies were unanimously in favor of the development of the island as a national seashore. The board held a series of public hearings in Baltimore City and Worcester County.

In addition, the board held meetings with the officials of Worcester County, the county in which the island is located. True, there was some strong vocal opposition to the plan outlined in the bill before you, but that opposition was found to be almost entirely from certain public officials of Worcester County and from certain of the landowners on the island.

A good number of the owners, however, favored Federal ownership and development. The individual members of the board of public works attended all of these hearings and personally inspected the island.

Further, the board sought the advice and assistance of outside independent consultants in connection with beach protection and erosion control of the island. The board also studied reports of other independent consultants on the subject of the economic impact to Worcester County relating to public versus private development of the island.

After all of these considerations, representatives of the board met with representatives of the Department of the Interior to work out the details to be embraced in the proposed legislation to authorize development as a national seashore.

The members of the board were of the opinion that the bill should contain certain provisions which would safeguard the State's position. The bill now before your committee provides just such assurances.

At the previous meeting held by your committee last August 11, Senator Brewster presented for the record a statement which included a letter from me to the Senator dated August 10, 1964, which included my expressions on these matters.

After considering all of this background information and expressions of opinion by individual groups and public officials, the board of public works reached the unanimous conclusion that the best interests of the State of Maryland dictated that all of Assateague Island not acquired for a State park should be acquired by the Department of the Interior and developed as a national seashore.

On September 9, 1963, the board issued a public statement to that effect. A copy of that statement is attached hereto and it is requested that it be made a part of the record of this proceeding.

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

Governor TAWES. Thank you.

(The material referred to follows:)

STATEMENT OF THE STATE OF MARYLAND BOARD OF PUBLIC WORKS

The proper development of Assateague Island has presented numerous problems which have been considered by us for many months. Not the least of these has been concern over damage brought on by storms, dramatized most completely by the devastating storm of March 1962.

Several years ago the State determined to acquire approximately 2 miles of ocean front land, extending in most part back to Sinepuxent Bay, and develop it as a State park and recreation area. In order to make the State park facilities

available to the public it was necessary to construct a bridge from the mainland to the island, and the general assembly authorized the construction of such a bridge to be jointly paid for by the State of Maryland, State Roads Commission of Maryland, and Worcester County. That bridge is now under construction, and the State has acquired substantially all of the area originally proposed for a State park.

A number of months ago the Federal Government, through the Department of the Interior, indicated its desire to acquire the southern 14-mile portion of Assateague Island in Maryland for a national seashore park. This proposed plan by the Department of the Interior met with violent objection from many of the 3,200 property owners who purchased lots in this area which is known as Ocean Beach and South Ocean Beach. Many of the lot owners as well as many officials of Worcester County have indicated that the Federal Government should not be permitted to acquire this area for a national seashore park, but rather that it should be privately developed by the individual lot owners for residential and commercial use.

After the desire of the Department of the Interior was made known, the Governor, on June 17, along with the other members of the board of public works, and certain other State officials, met personally with Secretary Stewart L. Udall and members of his staff at the mansion in Annapolis, and discussed in considerable depth the various problems connected with private ownership and the pros and cons of Federal ownership. Then on June 24, Secretary Udall and members of his staff visited Assateague Island. At that meeting Comptroller Goldstein represented the board of public works and the meeting was also attended by representatives of Worcester County and certain property owners. Present also were both U.S. Senators from Maryland and the majority of the Members of Congress from Maryland.

In order to obtain an expression from the entire Maryland delegation to Congress, the board of public works and certain other State department heads attended a luncheon meeting in Washington on July 31. At this meeting the entire Maryland delegation, including both U.S. Senators, were present, and the pros and cons of the Assateague problem were discussed in great detail.

On September 6, Mr. James P. Gleason, an attorney for the Ocean Beach Club Corp., presented the board of public works with a resolution of the club under which the club agrees to convey the beach front (shore) property owned by the club to Worcester County for public use. And on September 9 the members of the board of county commissioners and the legislative delegation for Worcester County, and other county officials, appeared before the board of public works and expressed their strong opposition to Federal ownership of the lower part of the island. In spite of the above-mentioned resolution, it was brought out at this meeting that the Ocean Beach Club Corp. had recently placed a mortgage on the beach front property with the Small Business Administration and that a substantial sum was still owing on the mortgage.

In order to obtain the views of all interested parties the board of public works determined to hold, and did, on the 15th day of August 1963, a public hearing in the Civic Center in Baltimore. All persons having an interest and wishing to be heard were invited to participate in the hearing or to submit a written statement setting forth their views. At the hearing some 17 persons, representing themselves and some groups, testified against the Department of the Interior plan, and 15 persons, many of which represented large groups and organizations, testified in favor of the Interior Department's plan.

On August 22 the county commissioners of Worcester County held a public hearing in Snow Hill, at which time the members of the board of public works were present. At that hearing some 21 persons testified against the Federal plan, and 2 for the Federal plan, while others expressed a desire for some form of a compromise between the Federal ownership and private development.

In addition to the information obtained by the board of public works at these hearings, individual members of the board and other State officials have received some 936 letters and telegrams, most of which were from persons owning property on the island. The preponderance of these persons stated their desire against Federal ownership and development; however, a substantial number of owners of land on the island indicated they thought the plan proposed by the Department of the Interior was preferable to private development. A further review of these letters reveals that the majority of the writers who were not property owners favored Federal development.

As important as it is to hear the views expressed by those attending the public hearings and to obtain the opinions of the writers of the letters, the board of

public works must consider not only the number of requests both for and against Federal ownership but must take a hard look at realities as they exist and facts within the knowledge of the members in order that the best interest of most of the people of the State of Maryland can be served.

In order to arrive at the proper conclusion, the board of public works asked the Maryland State Planning Department to study the feasibility and the cost of adequately protecting the island from the ravages of storms and insuring proper sanitary and water facilities. The planning department made a detailed study of this aspect of development and submitted a lengthy report much of which was based upon the findings of an outside independent consultant. In addition, the Governor had previously appointed a three-member committee to look into the question of adequate protection of the island from storm damage, and that committee engaged the services of Dr. Thorndike Saville, dean emeritus of the School of Engineering of New York University and a recognized expert in this field, and Maj. Gen. Charles G. Holle, formerly with the Corps of Engineers and president of the American Shore & Beach Preservation Association, who studied the topography of the island, and after making a personal inspection of the land with the members of the committee, issued a statement which was made a part of the committee's report.

The Department of the Interior made a special study of the Assateague Island question, giving special attention to the economic impact on Worcester County if the privately owned land were developed as a Federal seashore area. Subsequent to that report, the county commissioners of Worcester County made a report which questioned many of the facts and conclusions reached by the report issued by the Interior Department.

The Maryland Department of Economic Development reviewed economic considerations offered by development of Assateague and concluded that public development by Federal Government was preferable.

After studying all of these reports, and after listening to all of the arguments both for and against Federal ownership and development, and after having personally viewed the island, the members of the board of public works now conclude that part of the island should be developed by the Federal Government as a national seashore park, and that certain part or parts of the island should be developed and controlled exclusively by the State of Maryland as a State park and recreation area.

The board, in reaching its conclusion, gave full and serious consideration to the possibilities of private development. This consideration included an awareness of the high cost of private development, embracing protective sand dunes, filling to raise the elevations, installation of adequate utilities for water and sewage, and paving. These costs have been estimated at a total figure of \$17 to \$19 million. These totals do not include the 50 percent of the cost of protective sand dunes that the Federal Government would be asked to contribute under its beach erosion control legislation. A proper private development would necessitate sacrificing over 600 waterfront lots which would have to be preserved in some type of public ownership to assure erection of adequate and acceptable dunes. In addition, any private development would necessitate an orderly step-by-step approach that would have to be rigidly controlled and would of necessity require giving preferential treatment to certain property owners, while development of other tracts would have to be delayed for substantial periods of time until a proper stage of development was reached. Not only the cost of such an operation, but the establishment of adequate priorities for development, present obstacles of substantial difficulty.

The board then appointed a committee to meet with the appropriate officials of the Department of the Interior in order to ascertain the Department's view of joint Federal-State development, and to secure assurances from the Interior Department of certain safeguards and benefits that would accrue to the State of Maryland and to Worcester County should this board ask its congressional delegation to assist in the passage of legislation which would permit partial Federal, partial State, development.

Before agreeing to Federal ownership and development of the lower part of the island, the board specifically wanted to determine if it would be possible for the Federal Government to develop the beach front as a national seashore area and permit private ownership to develop the rear portion for residential and commercial use. This plan was entirely unacceptable to the Department of the Interior, and they have advised in writing as follows:

"The Department could not recommend Federal acquisition only of the ocean side of the island, leaving the bay side open to private development. There are

many reasons for this. The island is low, subject to the threat of washover at many points even during moderate storms, and we believe that all of the stable land area is required to develop the full potential as a Federal seashore. The protective dune will utilize much of the desirable upland area, leaving little land available behind it at many places for other recreation development. It is recognized that sewage disposal and water supply are among the unresolved questions besetting commercial development. The costs of beach protection also would be increased if it were necessary to protect private developments. While we expect to encourage private capital to provide daytime facilities on the island, such as for marina and restaurant facilities, these will be under lease agreement and therefore subject to control by the National Park Service, or by the State of Maryland."

The board is of the opinion that the owners of private property on Assateague Island should be assured that they would be justly compensated for their land if it is acquired by the Federal Government, and that owners of existing improved properties be allowed to remain for a reasonable length of time. In order to make positive that the property owners will receive a just payment for their land, the Board is insisting that the proposed Federal legislation make provision for payment of just compensation to the owners of private property on the island.

As a further result of the committee's discussions and negotiations with the appropriate officials of the Department of the Interior, it has been determined that the Department will proceed to acquire all of the island south of the State park area and all of the island north of the State park area, up to the Ocean City Inlet for national seashore purposes and would develop these areas for various types of outdoor recreation on a schedule and timetable consistent with the appropriations by the Congress.

The first objective in the plan of development would be the construction of necessary protective sand dunes and jetties to properly protect the island from storm damage.

The Government agreed to permit the State of Maryland to retain ownership in the area it has acquired or is in the process of acquiring, and to develop same in any manner the State wished to develop it for park purposes. The Department also agreed that if, at some future time or times, the State wished to enlarge the State park area, it would sell back to the State as much of the area between the present State park, northward toward Ocean City that it desired to acquire for park purposes upon payment to the Government of its costs of acquisition and development.

The Department also agreed in writing that it would not in the future seek to acquire land for the purpose of establishing a park on the western shore of Sinepuxent Bay. It takes the position that the western shore area should be privately developed as a complement to the proposed national seashore area.

It was also agreed by the Federal authorities that it would recommend to the Congress that the Government pay two-thirds of the cost of constructing the bridge and approach roads to the island which are now under construction, thereby relieving Worcester County of its total responsibility for any cost in connection with the construction of the bridge and its approaches.

The proposed Federal legislation will also provide that the Federal Government may acquire the title of the Chincoteague-Assateague Bridge and Beach Authority property located in Virginia, which will mean that all of Assateague Island, both in Maryland and Virginia, will be owned by the Federal and State Governments, and the legislation will permit the Secretary of the Department of the Interior to remove the fence and other barricades presently erected on the Maryland-Virginia line after certain safeguards are met to insure adequate wildlife protection. The members of the board have been verbally advised that the Secretary will, with this permissive legislation, remove the fence after certain safeguards to protect the wildlife have been accomplished.

The board strongly feels and concludes that the State should not relinquish the area it is presently acquiring, which consists of 2 miles of ocean frontage extending generally to the bay and which will be developed as a State park and owned by the State of Maryland. There are a number of reasons for this position, among them are:

- (1) We feel that State is able to properly develop this area as a State facility and, therefore, should not seek Federal assistance.

- (2) The timetable of the State planning is such that the beach protection for the State's area can be begun almost immediately and that will be promptly followed by the development of the area as a State park, whereas before the

Federal Government can begin constructing its national seashore area, legislation must be passed by the National Congress, appropriation of adequate funds must be provided by the Congress, which then will be followed by the acquisition of the land.

(3) With a substantial area in State ownership, it can be developed by the State of Maryland in a manner and under a plan which will best suit and justify the needs of the citizens of Maryland.

(4) One of the factors which was very significant to us in making the determination to insist upon State ownership and development of some of the island as a State park is that the General Assembly of Maryland has on three different occasions appropriated money to acquire land and develop a State park and has by affirmative legislative action authorized the construction of a bridge to reach the park area. This indicated clear legislative intention to proceed with the State park, and there has been no expression to the contrary voiced by any legislative committee or the legislative council.

And in addition, if the proposal as presently contemplated is enacted, and if the needs of the State at some future time require additional State facilities, additional land can be acquired north of the State park to expand these facilities.

It is, therefore, the conclusion of the board of public works that the Department of the Interior be requested to acquire all of that part of Assateague Island in Maryland except the area being acquired by Maryland in accordance with the terms and conditions heretofore agreed to by the Department of the Interior, the major items of which are herein referred to.

It is the further recommendation of the board that Worcester County should be relieved from its financial contribution toward the cost of the bridge, and that the State, from the contribution of two-thirds of the cost of the bridge by the Federal Government, should pay Worcester County a sum of money equal to the real estate taxes Worcester County will lose for a 4-year period because of Federal ownership of the island. This amount should be based on current tax yield level.

The board of public works will recommend such legislation and other action as is necessary to effect these considerations.

Governor TAWES. In my letter of August 10, 1964, addressed to Senator Brewster, which was made a part of the record at the earlier hearing, I said: "I am pleased to note that all of you"—and I was referring to the Maryland delegation in the Congress—"That all of you are behind the single proposal which includes the Morton 600-acre area to be set aside for concession development. I have no objection to this at all and if the inclusion of this proposal will mean the saving of the rest of the island for Federal Government development, excluding our State park, then I think it is a position well taken."

Since that action nothing has happened to make me change my mind, and the other members of the board are still of the same opinion. Today, Mr. Chairman, I wish to reaffirm and reassert the action of the board of public works.

I think Senator Brewster referred to this in his remarks. We in Maryland are doing everything legally possible to prevent residential and commercial development on the island. So far we have been successful, but legal actions are now pending before our courts to require the issuing of building permits for improvements on the island. We are doing our very best to hold the line but I don't know how long we can prevail.

Therefore, I strongly urge favorable action on this legislation and I hope your committee and the Congress will be able to act with all possible speed. Otherwise, Mr. Chairman, Assateague National Seashore might be lost forever.

In conclusion, Mr. Chairman, it is my opinion that the passage of this legislation not only is in the best interest of the State of Mary-

land, but also it is in the best interest of the United States. It will make possible the preservation of the island and provide for its proper development for the use and enjoyment of all of the citizens in all of our United States.

Mr. Chairman, when this bill becomes law, millions of Americans from all walks of life, who are not Marylanders, will be able to use and enjoy this fine facility.

I have brought with me today representatives of the three State departments which have prepared position papers on this bill. These are the department of economic development, the State planning department, and the department of forests and parks.

The statements of these three departments are in the record printed last fall. These gentlemen and myself stand ready to answer any questions.

In conclusion, Mr. Chairman, I want to thank you and the members of this committee for according me the privilege of appearing before you in behalf of this legislation.

Senator BIBLE. Thank you very much, Governor Tawes. We are honored to have you here with us this morning, and I would hope that these representatives of your three State departments could remain as we develop the record, because possibly questions will come up on which we would like to have some expression from them.

I would particularly like to direct their attention to one problem area that has given me concern, not only in the Assateague proposal, but in the Indiana Dunes, and in the Ozarks, and practically all the proposals we have had, and that is the suggestion that this part from your present State park, where we landed on Saturday, running north for a period of about 7 or 8 miles to Ocean City, be developed not as a national seashore but be developed as a Maryland State-Assateague Island park. I would like to have them give some attention, and respond somewhere during the course of the hearing as to the advisability of that.

It seems to me that if you do create a seashore area, I can't quite understand why it is desirable to divide the administrative authority to have part of it administered by the Federal Government and part of it administered by the State, and that is a problem that worries us in many, many areas.

It worries us in the Indiana Dunes, it worries us in the Ozarks, and it seems to be rather a recurring problem. I would like to have them give their attention to that in advance, and be prepared to speak on it a little later during the course of the hearing, and if you have any observations, I will be delighted to hear from you, or you may defer to them.

Governor TAWES. I would prefer that they give you the information. They have the detailed information at hand and can give it to you very quickly.

Senator BIBLE. This is a splendid statement, Governor Tawes, and I recognize that you still have a little legislature on your hands, and I know what this means to a Governor. Feel free to leave any time that you want.

Senator Jackson?

Senator JACKSON. I have no questions. I want to commend the Governor for a very fine statement.

Senator BIBLE. The Senator from Wyoming? The Senator from Idaho?

The Senator from Arizona?

Senator FANNIN. Mr. Chairman, and distinguished Governor, I certainly commend you for a very impressive statement. I am anxious to find out just what is involved in this Federal-State relationship in this one particular area, but that will come up.

Governor TAWES. Yes; our staff members will be very pleased to present information to you regarding that.

Senator BIBLE. Thank you very much, Governor Tawes. We are happy to have had you with us this morning.

Our next witness will be Congressman Thomas N. Downing. Congressman Downing, delighted to have you with us.

STATEMENT OF HON. THOMAS N. DOWNING, A U.S. REPRESENTATIVE IN CONGRESS FROM THE STATE OF VIRGINIA

Mr. DOWNING. Thank you very much. Mr. Chairman, members of the committee, it is a pleasure be with you again on this issue.

My name is Thomas N. Downing, and I represent Virginia's First District, which is a coastal district running from North Carolina on the south to Maryland on the north. The Virginia portion of Assateague Island lies in my congressional district.

There are very few undeveloped seashore areas left along the central Atlantic coast. We already have a scarcity of the seashore recreation sites open to recreational use by the general public, and the scarcity of seashore sites is certainly going to become more acute in the future with the population projects for the central Atlantic area that we have all seen.

The barrier islands along Virginia, North Carolina, and Maryland represent just about our last opportunity to acquire recreational sites on the seashore for the benefit of all the people or to put it another way, in the public interest.

Private development along our seashores has been accelerated over the past few years and every prediction I have seen indicates that this acceleration will continue. Private or limited development of a seashore site is not bad and I personally favor private enterprise and private development of our land.

However, we will soon be a Nation of twice as many people as we were when the real estate expansion boom got underway in this country. It now seems clear to me that the Congress has an obligation to balance development in particularly desirable areas between private and public benefits.

Therefore, I support the bill introduced by Senator Brewster (S. 20) because I believe it is useful to give the 50 million or so people who live within a day's drive of the Virginia-Maryland coastal area an opportunity to enjoy Assateague Island's excellent beach and potential recreation activities.

However, I personally cannot support an absolute "public ownership" character for Assateague Island, believing as I do that the island should be developed for the benefit of all our people—not just those of us who like to get away from it all.

It seems to me that many of the 50 million people who could journey to Assateague Island would want overnight accommodations—restaurant and recreational facilities and sedate shops—I do not believe that 50 million Americans coming from the heavily urbanized corridor would necessarily be interested in observing wildfowl or surf casting.

Therefore, I sincerely believe that we should here develop legislation that would, in short, open Assateague Island to use by as many Americans as possible—not just the few who prefer nature in the raw.

Assateague is big enough—it is some 37 miles long, 2 miles wide, and involves about 18,000 acres—to provide natural areas for Americans who prefer this type of recreational opportunity and public and overnight accommodations for Americans with this preference.

I am pleased that the bills you gentlemen are now considering, S. 20 by Senator Brewster and S. 1121 by Senator Robertson, provide for a limited and controlled development of overnight and visitor accommodations.

I believe all of us with an interest in Assateague, both in the House and in the Senate, agree that overnight and visitor accommodations of a limited nature and under rigid controls are vital to the island's future usefulness.

I am, however, very seriously concerned, gentlemen, that the bill introduced by Senator Brewster provides for setting aside land to be used for visitor accommodations only on the Maryland end of the island.

As I mentioned, I support the general purposes of S. 20, however; as I mentioned in my testimony before this committee last year, I support the proposal only if some provision is made to protect Virginia's vital interests in the acquisition of Assateague.

Senator Robertson's bill S. 1121—identical to my bill on the House side, H.R. 4426—contains some alterations in the basic legislation that are designed to protect and promote Virginia interests. I hope and encourage you gentlemen to include the features of the Robertson bill in any legislation that you report from the committee, because my constituency believes that Federal acquisition of Assateague Island should be accomplished in a way that will benefit residents of Virginia and the public interest.

Senator BIBLE. Might I interrupt you there, Mr. Congressman?

Mr. DOWNING. Yes, sir.

Senator BIBLE. Because this is a point that causes me some concern, and I recognize just what you have said, and also, that the bill introduced on this side by Senator Robertson, and you have a companion bill in the House side, as I understand it, does permit the setting aside of a public use area in the general Chincoteague National Wildlife Refuge area, but there does not seem to be any limitation as to the acreage.

I wonder if you have any thoughts on that? Now in the State park area, in Maryland, a limitation is set forth, not to exceed 600 acres, and was there any reason why this was left open in the Robertson bill, and I take it, in your bill?

In other words, they could set aside, theoretically—I am sure they wouldn't do it—but they could set aside all of the Chincoteague National Wildlife Refuge for accommodations, and for use of concession areas, for overnight visitors, and that sort of thing.

Mr. DOWNING. Yes, Mr. Chairman, perhaps that should have been better defined in the bill, but what we are talking about on the Virginia side is that area which is now under the supervision and control of the Chincoteague-Assateague Bridge Authority.

Senator BIBLE. Correct.

Mr. DOWNING. The local people there got together and got a bond issued, built the bridge across from Chincoteague to Assateague, and they were given by the Federal Government for public use a roadway and a strip of beach on which they have now built a restaurant, which is available for surf casters and for people who want to walk along the shore.

Senator BIBLE. And we visited there, I might say.

Mr. DOWNING. That is the area I am talking about. We want no more than what we have already, and really, we don't want to develop this. We hope that it is not developed. I hope that Maryland doesn't develop their area, to tell you the truth, because when you do that, you are going to jeopardize the oyster industry, which is so valuable to that section of the country.

Senator SIMPSON. Say that again, please. Jeopardize what?

Mr. DOWNING. The oyster industry. We have a wonderful oyster, known as the Chincoteague oyster. Very succulent, very tasty, very healthful.

Senator SIMPSON. From my experience last Saturday, you have pretty good Chincoteague crab down there, too.

Mr. DOWNING. Yes, sir, we do, but I suppose the area is more famous for its oysters and perhaps its Chincoteague ponies, but in response to the Senator's question, it is this area that we are talking about, the area we already have, that we want reserved for Virginia.

Senator BIBLE. And how large an area is that?

Mr. DOWNING. Senator, I do not know the exact acreage. Perhaps the department officials can give it.

Senator BIBLE. We can check that out. Thank you, Mr. Congressman, and pardon my interruption.

Mr. DOWNING. Yes, sir.

Now I would like to outline the difference between the Brewster bill and the Robertson bill, and what Senator Robertson is asking you all to include in the Brewster bill—making an amendment in the Brewster bill, if you will.

We are not prideful of the name of the bill. Senator Brewster was a spark in there. My constituency encouraged me and Senator Robertson to introduce H.R. 4426 and S. 1121 because it was feared that the Brewster bill favored Maryland interests alone.

The bills that Senator Robertson and I have introduced differ from S. 20 in five ways and we have incorporated these differences because they will assure that Virginia shares in the future growth and development of Assateague Island.

But here are the differences. First, in the Brewster bill, in section 7, it authorizes 600 acres to be set aside for visitor accommodations on the Maryland end of the island. There is no provision for visitor accommodations on the Virginia end, and the bill introduced by Senator Robertson and on the House side by Congressman Morton and myself provides that the area now controlled by the Chincoteague-Assateague Bridge and Beach Authority be set aside for the construction of visitor accommodations.

Senator BIBLE. And it would be limited to that acreage. That is what you are saying.

Mr. DOWNING. Yes, sir.

Senator BIBLE. Well, I think you have clarified that for me. I wasn't clear on that point.

Mr. DOWNING. Thank you. Senator Robertson's bill and my bill on the House side in section 9, calls on the Secretary of the Interior to construct a road on Assateague Beach west of the existing dunes to connect the Chincoteague-Assateague Bridge with the Sandy Point-Assateague Bridge.

S. 20 contains no such section. I believe this new section may be the single most important feature of our legislation, a road along the beach connecting the two bridges would mean that those 50 million Americans we have been talking about could travel by automobile and really enjoy the island and a southern tour. They would have an opportunity to visit Chincoteague, perhaps come down for one of our famous pony pennings and go on southward.

Or visitors coming up from the South—the urban complex at Norfolk-Virginia Beach, for example—could cross the Chincoteague-Assateague Bridge and go up Assateague Island into Maryland for a northern trip.

A road from bridge to bridge would make possible a circumferential visiting pattern in the area and allow Maryland and Virginia to share in the economic benefit that will undoubtedly come with the development of this tourist attraction.

But without a road connecting the two bridges, Virginia is effectively cut off from any benefit that might result from the development of Assateague as a tourist attraction.

Such a road would greatly benefit the economy of the Eastern Shore, and really, if you look at it, you have two bridges, one on the northern end of the island, one on the southern end of the island. What makes more sense than connecting them by a road?

It is my understanding that later you will have testimony from Fish and Wildlife Service that they will build the road up to the Maryland-Virginia line, or some such proposal. But we want to benefit the economy of both Maryland and Virginia, if we also provide for the acquisition of the island.

Senator BIBLE. What you are saying is you want a road from the northern end of the proposed seashore, connecting with the southern end, where you have the bridge at Chincoteague.

Mr. DOWNING. Yes, sir. Then it would allow people coming from North to South and South to North to make a circumferential tour through there, see the wildlife. The road is not going to hurt the wildlife.

Senator BIBLE. Well, of course that point, and I do want to define that through the Fish and Wildlife Service, because they say that if you construct a road through the wildlife refuge—and I am using their word—it would all but eliminate the fine waterfowl habitat which the Department has developed through years of considerable expense, and now I don't know whether that is right or wrong. I have hunted ducks and geese and pride myself on being a bit of a hunter, just as is your colleague from Virginia, and I can't believe that it would destroy the refuge to that extent, but we can question them rather thoroughly on that.

Mr. DOWNING. I can't believe it will, either. As Senator Robertson says, the ducks really know on what side of the fence they are safe, and deer too.

I have been places where deer will come up within 20 feet of you, because they know they are safe. In addition to the recreational value which this acquisition will have, it will also produce an economic benefit both to Maryland and Virginia, but to Virginia only if you include that road.

Now the Eastern Shore of Virginia is one of the depressed areas of Virginia. Fifty-five percent of the families have less than \$3,000 a year income. At times, the unemployment has been as high as 25 percent.

This is caused by a number of factors. One is that in 1958, Chincoteague Naval Air Station, which was a big center of employment, was abandoned. People have been leaving. Since 1950 there has been a decrease in population of 13 percent. There are 25 percent fewer farm units than there were in 1950.

So it is an economically depressed area. If you put that road in, then we expect a tourist attraction, and economic benefits which will center in the Chincoteague area, and will benefit the entire eastern shore of Virginia—sort of an Appalachian bill for a specific area of our country.

It does not seem fair, to Virginians at least, to enact Federal legislation that will assure millions of dollars for one side of an island and virtually nothing for the other. Some have said that the construction of the road we propose will violate the wildlife refuge which is now on the Virginia end of the island. I do not believe this is necessarily so.

We have proposed that the road be located immediately west of the existing dunes, running along the dunes for the greatest possible distance of the island.

The shorebirds and waterfowl are found on the bay side of the island in the marshy area. The road would be located on the oceanside of the island—in short, as far away as we can possibly put it and we have proposed this location because we are attempting to protect the wildlife refuge.

Put a fence up if you will, but put the road in.

Now section 6(c) of S. 1121 is also a new section not found in S. 20. This section provides that the Interior Secretary "shall designate such grazing areas on the seashore for the preservation and protection of the wild ponies."

I know you gentlemen have all heard, perhaps many times, of the annual pony penning at Chincoteague. It is one of the greatest tourist attractions on the central Atlantic coast in July.

Last year more than 30,000 visitors traveled to Chincoteague to watch the local volunteer fire department herd some 300 wild ponies from Assateague Island to Chincoteague Island. This annual event has been dramatized in a book and a movie titled "Misty." Children especially love the pony penning and several years ago when a severe hurricane threatened the ponies on Assateague thousands of children all over the United States sent contributions of nickels and dimes to aid in the preservation of these animals and in return the people of

Chincoteague, to show their feelings about the matter, are giving a pony each year to a different State, free of charge. This pony penning is really a marvelous thing. These ponies were shipwrecked in about 1603, when a Spanish galleon ran ashore, and a few ponies survived and climbed on Assateague Island, and they have lived there ever since.

They are hardy ponies—tough—and can endure all sorts of hardship.

The pony penning is an important event but it is also a significant contributor to Chincoteague's economy. Chincoteague is not a wealthy area, gentlemen, and I can assure you that the island depends heavily on the income from the annual pony penning.

I believe we must make provisions in the legislation for the ponies' preservation. Otherwise, the day might come when some reason would be found to take the ponies off the island and wipe out one of Chincoteague's most important revenue sources.

In section 6 of the Robertson bill, S. 1121 and H.R. 4426, we have added language to provide that the Assateague seashore "Shall be open to the public at all times." This language addition, gentlemen, goes right to the heart of our contention that Assateague legislation must contain a future for Maryland and a future for Virginia.

The Virginia end of Assateague Island is open to the public now only under rather severe restrictions. A fence across the island makes it impossible for vehicular traffic to go into Virginia. Even visitors on foot to the wildlife refuge are restricted.

We have added this language to assure that the Virginia end of the island is as equally open to tourist travel as the Maryland end. We assume, of course, that a road connecting the two bridges would open up the southern end of the island to full utilization by the public and we would certainly not like to see unreasonable restrictions placed on travel in the area.

In section 2 of our bills we have added a provision to authorize the Interior Secretary to acquire land in Virginia for administrative or toll facility sites. Such a site in Virginia would probably be located on Piney Island rather than on the mainland as would undoubtedly be the case in Maryland.

At this time I am not familiar with the Secretary's plans for the construction of administrative facilities. I have not discussed this with the Interior Department, although I am proceeding on the assumption that the Department will have to locate some sort of administrative facility somewhere nearby the island.

I do not know whether the Department would have to have an administrative facility on the northern approach to the island and another one on the southern approach to the island, so I will say to you in all candor that we would not like to encourage the Secretary to construct an administrative facility that the Department would not need. I do not believe we would fight vigorously to retain this change in the legislation.

Of course, even though we have not written it into our legislative proposals, I would certainly like to suggest to the Interior Secretary that he consider utilizing the old Chincoteague Naval Air Station for any administrative facilities that he may need.

The Chincoteague Naval Air Station was abandoned by the Navy in 1958. It is now partially occupied by NASA but there are still more acres open for the Interior Department's use. Again, this is only a suggestion. We would certainly not want to write this into any legislation on the island.

There is another area of deep interest to Virginians that we have not attempted to work into the language of our bills but I would like to briefly mention it here. The Chincoteague area is now one of Virginia's richest oyster-producing areas. We must preserve Virginia's oyster resources and we must particularly preserve the Chincoteague oyster production and I would hope that the Secretary of the Interior would incorporate into these controlling provisions features that would assure the preservation of the Chincoteague oyster industry.

Mr. Chairman and gentlemen, I appreciate very much your allowing me to appear here. My constituents are deeply interested in the Federal acquisition of Assateague Island. It is a unique island which will be marvelously beneficial to the American people.

As Virginians we certainly recognize the importance of the area and are pleased at the prospect of a Federal seashore. Moreover, I would like to say, in concluding my statement, that Federal acquisition of Assateague and Federal development of a seashore park is going to represent an economic boom in the Maryland area.

We Virginians would like to share in the future growth and development of this unique island and we hope you gentlemen will keep our suggestions for this legislation in mind.

Thank you.

Now, Mr. Chairman, with you permission, I would like to insert in the record a resolution from the city council of the town of Chincoteague, endorsing this project.

Mr. BIBLE. Without objection, it is so ordered.

Mr. DOWNING. From the Board of Supervisors of Accomack County a like reference. Also, resolutions from the Eastern Shore of Virginia Chamber of Commerce, the Chincoteague Volunteer Fire Company, the Kiwanis Club of Chincoteague, and the Chincoteague Chamber of Commerce.

(The material referred to follows:)

RESOLUTION OF THE TOWN OF CHINCOTEAGUE, INC., CHINCOTEAGUE, VA.

On motion of Elwood Clayville, seconded by Gladys McCready, it is unanimously *Resolved*, That the town of Chincoteague approves H.R. 2246 and S. 1121, which are identical, providing for the establishment of the Assateague Island National Seashore and especially the provisions of said bills dealing with the portion of Assateague Island in Accomack County, Va.

That in event the Maryland portion of Assateague Island should be included in the Assateague Island National Seashore this board endorses particularly section 9 of said bills providing for construction of a road on Assateague Beach immediately west of the existing dunes and connecting with the existing public parking area on the beach connecting the Chincoteague-Assateague Bridge with the Sandy Point-Assateague Bridge.

Passed March 15, 1965.

Approved March 15, 1965.

ELWOOD S. TURLINGTON, *Mayor*.
DAVID MCCREADY, *Clerk*.

ASSATEAGUE ISLAND NATIONAL SEASHORE

At a special meeting of the Board of Supervisors for the County of Accomack, Va., held at the courthouse on Wednesday, the 10th day of March A.D. 1965:

On motion of Paul B. Merritt, and seconded by John R. Drummond, it is unanimously

Resolved, That this board approves H.R. 2246 and S. 1121, which are identical, providing for the establishment of the Assateague Island National Seashore and especially the provisions of said bills dealing with the portion of Assateague Island in Accomack County, Va.;

That in event the Maryland portion of Assateague Island should be included in the Assateague Island National Seashore this board endorses particularly section 9 of said bills providing for construction of a road on Assateague Beach immediately west of the existing dunes and connecting with the existing public parking area on the beach connecting the Chincoteague-Assateague Bridge with the Sandy Point-Assateague Bridge.

J. FULTON AYRES,
Clerk, Board of Supervisors.

RESOLUTION OF THE EASTERN SHORE OF VIRGINIA CHAMBER OF COMMERCE, INC.,
ACCOMACK, VA.

At a meeting of the Eastern Shore of Virginia Chamber of Commerce, Inc., on Tuesday, the 23d day of February A.D. 1965:

On motion of Lynn Stauffer, seconded by Wescott B. Northam, it is unanimously

Resolved, That the Eastern Shore of Virginia Chamber of Commerce, Inc., approves H.R. 2246 and S. 1121 and which are identical, providing for the establishment of the Assateague Island National Seashore and especially the provisions of said bills dealing with the portion of Assateague Island in Accomack County, Va.;

That in event the Maryland portion of Assateague Island should be included in the Assateague Island National Seashore this board endorses particularly section 9 of said bills providing for construction of a road on Assateague Beach immediately west of the existing dunes and connecting with the existing public parking area on the beach connecting the Chincoteague-Assateague Bridge with the Sandy Point-Assateague Bridge.

WILLIAM P. BELL, *Executive Secretary.*

RESOLUTION OF THE CHINCOTEAGUE VOLUNTEER FIRE COMPANY, INC.,
CHINCOTEAGUE, VA.

On motion of John Joe Baker, seconded by Russell Fish, it is unanimously

Resolved, That the Chincoteague Volunteer Fire Company, Inc., approves H.R. 2246 and S. 1121, and which are identical, providing for the establishment of the Assateague Island National Seashore and especially the provisions of said bills dealing with the portion of Assateague Island in Accomack County, Va.;

That in event the Maryland portion of Assateague Island should be included in the Assateague Island National Seashore this organization endorses particularly section 9 of said bills providing for construction of a road on Assateague Beach immediately west of the existing dunes and connecting with the existing public parking area on the beach connecting the Chincoteague-Assateague Bridge with the Sandy Point-Assateague Bridge.

WILLIAM WILLIAMS, JR., *President.*
LEONARD R. JESTER, *Secretary.*

RESOLUTION OF THE KIWANIS CLUB OF CHINCOTEAGUE, INC., CHINCOTEAGUE, VA.

On motion of Walter Carpenter, seconded by William McComb, it is

Resolved, That this Kiwanis Club approves H.R. 2246 and S. 1121 and which are identical, providing for the establishment of the Assateague Island National Seashore and especially the provisions of said bills dealing with the portion of Assateague Island in Accomack County, Va.;

That in event the Maryland portion of Assateague Island, should be included in the Assateague Island National Seashore this board endorses particularly sec-

tion 9 of said bills providing for construction of a road on Assateague Beach immediately west of the existing dunes and connecting with the existing public parking area on the beach connecting the Chincoteague-Assateague Bridge with the Sandy Point-Assateague Bridge.

ALBERT T. NOCK, *President.*

RESOLUTION OF THE CHINCOTEAGUE CHAMBER OF COMMERCE, CHINCOTEAGUE, VA.

On motion of Ralph Selby, Jr., seconded by Charles Saunders, it is unanimously *Resolved*, That this Chamber of Commerce of Chincoteague, Va., approves H.R. 2246 and S. 1121 and which are identical, providing for the establishment of the Assateague Island National Seashore and especially the provisions of said bills dealing with the portion of Assateague Island in Accomack County, Va.;

That in event the Maryland portion of Assateague Island should be included in the Assateague Island National Seashore this board endorses particularly section 9 of said bills providing for construction of a road on Assateague Beach immediately west of the existing dunes and connecting with the existing public parking area on the beach connecting the Chincoteague-Assateague Bridge with the Sandy Point-Assateague Bridge.

MARVIN CARPENTER, *President.*

Senator BIBLE. Mr. Congressman, I don't know whether the record is clear. In what county is the Virginia part of Assateague Island?

Mr. DOWNING. It is in Accomack County, Mr. Chairman.

Senator BIBLE. Accomack; what is the population of that county?

Mr. DOWNING. 30,000 people.

Senator BIBLE. About 30,000 people?

Mr. DOWNING. Yes, sir.

Senator BIBLE. What is the main city, or town?

Mr. DOWNING. I would say Accomack, Onancock, and Chincoteague probably are the main towns in Accomack County.

Senator BIBLE. And what is the main industry of this county?

Mr. DOWNING. Farming, truck farming, and water resources, fishing, crabbing, oysters.

Well, actually, the main economy for Chincoteague is this pony penning. With 30,000 people coming down there to see this pony penning, that is really the main economy of the Chincoteague area.

Senator BIBLE. In other words, they rely very heavily on tourists.

Mr. DOWNING. Yes, sir; we have had Federal studies made of the Eastern Shore to see what its best potential use is. This was a Federal study of 2 years ago, and they came up with the solution that the future of the Eastern Shore of Virginia, including this area, is tourism.

Senator BIBLE. Thank you, Mr. Congressman. The Senator from Wyoming?

Senator SIMPSON. Congressman Downing, was your end of this land, which is in the outer perimeter of the proposal, devastated by the 1962 storm which swept over the island?

Mr. DOWNING. Yes, sir; Chincoteague, the town of Chincoteague, was about 70 percent inundated. I flew over it, and it looked like houses sitting in a pool of water. There were 100 ponies killed, 400,000 chickens, and the town is just now getting back on its feet.

Senator SIMPSON. It could happen again?

Mr. DOWNING. It could happen again.

Senator SIMPSON. I was wondering about a road proposed along the dunes. I don't think we have heard anything from any of the agencies with respect to the permanency of such a road. With the buildup of water, the buildup of sand and shifting of it, does the State of Virginia and its agencies have any proposal for the road?

Mr. DOWNING. Senator, it is my understanding that the dunes protect that area fairly well, and that a road would survive. But I would prefer to let the experts on that tell you.

Senator SIMPSON. We will have them. That is all I have.

Senator BIBLE. The Senator from Idaho.

Senator JORDAN. Congressman, I think you have made a very fine statement here. Perhaps if you are not prepared to answer this, we can get it from the experts: How far is it between these two bridges? Do you know?

Mr. DOWNING. Approximately 30 miles; the island is 37 miles long.

Senator JORDAN. Yes; we have some evidence, or some testimony, that the island is moving, that what with the storms, the seashore is receding in some areas and being added to in other areas. I have some questions about the stability of the road which I shall propound to others, unless you want to talk about it.

Mr. DOWNING. Yes, sir; the whole Atlantic Coast is moving Senator. We have areas on the Eastern Shore where the shoreline has receded as much as 100 yards in 10 years, but not in that particular area. But I would prefer that you ask someone more expert than I.

Senator JORDAN. Thank you.

Senator SIMPSON. Mr. Chairman, may I ask another question of the Congressman?

Senator BIBLE. Surely.

Senator SIMPSON. Have you any indication or idea of what the tax loss would be to the county in which the Virginia portion is situated?

Mr. DOWNING. No, sir. You see, all of the Virginia portion is now owned by the Federal Government. That is Chincoteague Wildlife Preserve. That is all Government-owned now.

Senator SIMPSON. The bridge that you speak about, is that the area?

Mr. DOWNING. No; the bridge was built by private means, by the citizens, and under the Brewster bill, and all the other bills, the Government will acquire this bridge, and pay off the bondholders.

Senator SIMPSON. That interests me. I don't know just what precedent will be established there, but all of the evidence is that it is a great economic benefit, and yet they want the Government, in taking it over, to take over the million dollars for the payment of a bridge which will bring more economic benefit, according to their claims, to both the Virginia and Maryland side.

Mr. DOWNING. Yes, sir; I believe it would.

Senator SIMPSON. I think I would like to explore that further, Mr. Chairman.

Senator BIBLE. Very well, the Senator from Arizona.

Senator FANNIN. Mr. Chairman. Congressman Downing, what is the distance of the road that you speak about in your bill, or you refer to, that would cross the island?

Mr. DOWNING. Approximately 30 miles.

Senator FANNIN. 30 miles.

Mr. DOWNING. Yes, sir. Now it is my understanding that when Fish and Wildlife get up here, they are going to propose building a road, but only for a short distance. I may be in error.

Senator FANNIN. What type of a road, in other words, would be involved? I was just wondering about the cost that would be incurred.

Mr. DOWNING. I do not know, Senator. I have no information on that.

Senator SIMPSON. Congressman Downing, would you be for the bill now before us without the recommendations that you have enjoined upon us here?

Mr. DOWNING. I would have very little enthusiasm for the bill, Senator, unless there was a road connecting those two bridges.

Senator SIMPSON. That is all.

Mr. DOWNING. I would vote for it, because I believe it is in the public interest, but certainly, I would feel very poorly about it if it didn't connect those two bridges with a road, which is, to me, a reasonable thing.

Senator BIBLE. And the reason you feel so keenly on that is that if you do not have a road connecting the two bridges, you don't open it up for tourists?

Mr. DOWNING. That is right. Can you get people to go up from Maryland, and go to the fence, and go back? Why not let them go through, and go through Chincoteague, and benefit the economy of this depressed area of our country?

Senator BIBLE. What you are saying is they can get up to your boundary line, but they can't come across.

Mr. DOWNING. That is right. They have a fence up there.

Senator BIBLE. Further questions of the Congressman?

Thank you, Mr. Congressman. You have been very helpful in developing this record.

Mr. DOWNING. Thank you, sir.

Senator BIBLE. Is Congressman Morton here at this time? I have him on the list of witnesses. Senator Tydings indicated to me that he had a prior commitment, and he would not be here until about 11:30.

Our next witness will be James J. O'Donnell. Mr. O'Donnell?

STATEMENT OF JAMES J. O'DONNELL, DIRECTOR, MARYLAND STATE PLANNING DEPARTMENT; ACCOMPANIED BY WILLIAM A. PARR, SUPERINTENDENT OF PARKS, MARYLAND STATE FORESTS AND PARKS DEPARTMENT

Senator BIBLE. Mr. O'Donnell, would you please identify yourself for the record?

Mr. O'DONNELL. I am James J. O'Donnell, director of the Maryland State Planning Department, and on my left is Mr. William A. Parr, superintendent of parks of the Maryland State Forests and Parks Department, and Senator and gentlemen of the committee, I primarily wanted to attempt to clarify the question that you left with Governor Tawes concerning section 3(b) about the right to acquire or lease back the area north of the State park property.

Senator BIBLE. Yes; I was interested in the State's position on that. Tell us first about your agency. This is the agency charged with what responsibilities?

Mr. O'DONNELL. State planning, statewide planning, sir.

Senator BIBLE. You are chargeable with statewide planning in the State of Maryland?

Mr. O'DONNELL. Yes, sir.

Senator BIBLE. How large a planning commission do you have?

Mr. O'DONNELL. We have a 25-member staff, a budget of about \$300,000 a year. We handle local 701 planning under the HHFA program. We handle the State's capital improvements program. We handle statewide planning related to Potomac River, Susquehanna River development plans, the Chesapeake Bay aspects of our public health service investigations, a whole gamut of varied responsibilities.

Senator BIBLE. Very fine, and of course the statement that was prepared by your agency has been previously put into the record.

Mr. O'DONNELL. Yes, sir; it is in the record of the hearings of August 11, 1964, which you referred to earlier.

Senator BIBLE. That has been reincorporated in these hearings.

Mr. O'DONNELL. Yes, sir; right. It was not my purpose to add anything to that.

Senator BIBLE. I understand that, but I am very happy to have you speak to this point, and particularly to section 3 (b).

Mr. O'DONNELL. Yes, sir. Earlier, it was brought out that a tremendous population is within close proximity of Assateague Island, and it was intended in the development of it that the State park be an intensified beach development organization.

Under present thinking, the 2-mile strip of State park probably would serve optimum about 20,000 people a day in intensive beach operation. It was thought, in having the right to acquire or lease the additional northern mileage, that as years go on the more intensive use, the more interest in Assateague, might require further beach development that could be used for intensive bathing and beach pleasures and recreation. That was the basic purpose of it.

I don't think the State of Maryland feels that this is a sine qua non. They feel that this is looking many years ahead, as intensified beach operations bring about improved highways and improvements in Assateague in the years ahead.

Senator BIBLE. Well, I asked the question on Saturday, and as I understand it, you have very little history to go on, insofar as the present State part on Assateague Island is concerned, because the bridge has just been opened.

Mr. O'DONNELL. The bridge has just been opened, sir; correct.

Senator BIBLE. So you have no record of the number of people that visit the State park. Do you have any projection as to the number that you think might visit the Maryland State park in 1965 with the bridge open?

Mr. O'DONNELL. Senator, I think Mr. Parr could address himself to that point.

Senator BIBLE. Fine, and may we have your responsibility or your title?

Mr. PARR. I am superintendent of State parks of the State of Maryland, and the park department.

Senator SIMPSON. I wonder if you could use that microphone, sir. It is difficult to hear you.

Mr. PARR. I am superintendent of State parks with the Department of Forests and Parks, State of Maryland.

I might add that the only prognostication I can give you at this time was that last fall, we had the State roads commission shortly after the bridge was opened—

Senator BIBLE. When was that opened, actually, for the record?

Mr. PARR. I don't remember the exact date.

Senator BIBLE. August or September?

Mr. PARR. September.

Senator BIBLE. It was opened in September 1964.

Mr. PARR. Early in October, we had, or asked the State roads commission to put a traffic counter on the bridge, and on one weekend—it was only there for a short time—Saturday and Sunday, there were over 2,400 cars came into the State park area, into the parking lot, and went back across the bridge.

This would give some indication of what the usage of that area might be.

Senator BIBLE. Do you have any projection for 1965? Could you hazard a guess that there will be 100,000 there, or 150,000?

Mr. PARR. Well, on the basis of the facilities which we will have there, which will be very limited at this time, I would guess that there might be 75,000 to 100,000 people use the area in the summer of 1965.

Senator BIBLE. How much of the year will the Maryland State park on Assateague be open?

Mr. PARR. It is open the year round.

Senator BIBLE. How much of the year will you man it with personnel?

Mr. PARR. After the first of July, when we have funds available, it will be manned year round by personnel.

Senator BIBLE. By how many? How many people will be employed?

Mr. PARR. I think our year-round staff, to start with, will be about four people, plus summer help, lifeguards, and things of this sort.

Senator BIBLE. You are charged with the responsibility of furnishing lifeguards for the each area?

Mr. PARR. Yes, sir.

Senator BIBLE. How far does that extend? Just within the boundary lines of the State park, or does it run up and down Assateague?

Mr. PARR. Just within the boundary lines of the State park, within the area. We will probably delineate an area which will be operated during the summer months as a beach.

Senator BIBLE. You certainly must have a seasonal figure that is higher than four lifeguards?

Mr. PARR. I say the seasonal figure, I don't know the exact figure yet, but I would guess there would probably be 15 to 20 people.

Senator BIBLE. What type of a budget do you have for operation and maintenance of your State park?

Mr. PARR. The balance of this year, we have about \$16,000. I don't know the exact figure for the new fiscal year, because it is included within our other State parks program, with a number of parks, and I would have to pull that out. I could get the information for you.

Senator BIBLE. I think it might be supplied for the record, and I think it would be helpful. Do you propose making a charge for those that come to the Maryland State park?

Mr. PARR. Not this year; no, sir.

Senator BIBLE. How about next year?

Mr. PARR. Probably not next year. Not until we get the area developed.

Senator BIBLE. As soon as the area is developed, then, what will be the charge?

Mr. PARR. Normally, where we have swimming, there is a parking charge of 50 cents per car, plus fees for camping, other special uses.

Senator BIBLE. And do I understand that you must pay a toll to come across the bridge?

Mr. PARR. At the present time; yes, sir—no, pardon me. The toll has not gone into effect.

Senator BIBLE. When it does go into effect, how much will it be?

Mr. PARR. I have no idea. That will be handled by the State roads commission.

Senator BIBLE. Would it be in the neighborhood of 50 cents a car, or something in this range?

Mr. PARR. I would expect. There is a bill, I understand, to be introduced, which will take off this toll by eliminating the county's responsibilities.

Senator BIBLE. There is a section in this bill that proposes doing exactly that, to make it toll free, on the theory that this bridge, if the national seashore is created, is for the benefit of all of America, and that there shouldn't be a charge imposed on the use of the bridge.

Who would be responsive to the cost, or to the price tag of the bridge, and how much it cost, if we have the toll reports? Are they available here?

Mr. O'DONNELL. Not on this, sir. This would be directly under the State roads commission.

Senator BIBLE. This would be directly under the State roads commission. Do we have an authority of responsibility who can speak to those points and answer those questions?

Mr. O'DONNELL. Mr. Busher, who is counsel for the State roads commission, assistant attorney general, who serves as counsel for the State roads commission, is here. He was earlier, and I think he still is.

Senator BIBLE. Fine, I want to ask the correct person the questions. How many State parks do you have in Maryland?

Mr. PARR. We have 33 State parks, 23 operating ones, and the others in stages of acquisition and development.

Senator BIBLE. What type of an annual budget do you have to maintain your State parks?

Mr. PARR. Our annual State park budget for maintenance is approximately \$3,200,000.

Senator BIBLE. What is your overall budget for acquisition and development?

Mr. PARR. It averages about \$3 million a year.

Senator BIBLE. And how large a personnel do you have within your State park system? How many employees?

Mr. PARR. I can't give you that exact figure right now. I would say there are about 100 year-round employees, and probably 250 to 300 seasonal employees.

Senator BIBLE. Very fine. If that could be supplied for the record, I think it might be helpful. The problem I am basically trying to get at is whether it is operationally sound to have an overlapping authority where, assuming that a national seashore is created, this would be under the operation of the National Park Service, and then immediately adjoining it to the north, we would ultimately have a 7-mile strip that might be a Maryland State park.

Why do you have to have the two entities operating a national seashore recreational facility? Why shouldn't it be given to one or to the other?

Mr. O'DONNELL. Well, Senator, I feel that the State had committed itself to a State park on Assateague a number of years ago, and it is just now getting to the stage of fruition with the completion of the bridge. I think the acquisition of our 640 or 650 acres was completed about 2 years ago, if I am correct, and we have invested, perhaps, a million dollars in what we have there now, and additional money going into it this year of \$300,000 or \$400,000 for sand dunes and some first stage development.

We have a development plan laid out for the 2-mile stretch of the State park area, and hope in the next several years to go into full scale development on that plan with beach houses and bathing facilities.

Senator BIBLE. Well, your statement is that the State of Maryland to date has invested about a million dollars in this proposal?

Mr. O'DONNELL. We have invested actually \$70,000 in land acquisition and development, and there has been about \$500,000 go into the bridge construction. There is another \$350,000 in this current budget before our General Assembly that will go into Assateague.

Senator BIBLE. Well, this may be a good example of an area where you can have close Federal-State cooperation, and each of them do a certain part of the maintenance of a recreational area. I just wondered about the overlapping, or if you had any particular observations on it.

Mr. O'DONNELL. Senator, if I might fill in a question that you asked of Mr. Parr earlier, he gave you some information on their operating budget and their general program. Our total programs for State parks and recreation areas throughout the State in the past 5 years has resulted in appropriation of almost \$14 million for land acquisition and development for park areas throughout the State.

There is another approximate \$5 million pending before our general assembly.

Senator BIBLE. Do you have figures showing your annual visitations to your State parks?

Mr. O'DONNELL. I think Mr. Parr's department has figures on most of their park areas.

Mr. PARR. Yes, sir.

Senator BIBLE. I see. If that could be supplied for the record, and likewise, what is the Maryland State policy as to charging to go into Maryland State parks, and what do you charge, fixed fees, or the same, for different State parks, or do you have overnight facilities where you charge more—camping facilities?

And that could be supplied for the record. It gives us an idea of how the State of Maryland is apparently rather effectively handling a recreational park.

Mr. O'DONNELL. Yes, sir. Mr. Parr, I am sure, could give that to you, Senator.

Senator BIBLE. We would be delighted to have you furnish that for record.

(The information requested is as follows:)

DEPARTMENT OF FORESTS AND PARKS,
Annapolis, Md., March 31, 1965.

Hon. ALAN BIBLE,
*Senate Office Building,
Washington, D.C.*

DEAR SENATOR BIBLE: Reference is made to the hearings on the Assateague Island bill, S. 20, recently conducted by you.

At the time of the hearings you requested certain additional information from the department of forests and parks, which I am transmitting herewith.

Our operating budget for fiscal year 1965 totaled \$11,659. For the same year we had a capital budget which totaled \$220,708, which is being used to install temporary facilities. For fiscal year 1966, our operating budget will be approximately \$28,850. Our capital improvements budget for the same period is \$350,000, which will be used for dune construction on the State park area. For fiscal year 1965, our employees will total six temporary employees. For fiscal year 1966, we will have two permanent and approximately eight temporary employees.

During fiscal year 1964, the last full fiscal year for which we have records, there were a total of 3,631,730 visitations to the State parks and recreation areas. A copy of our fee schedule is enclosed for the committee's use.

The temporary facilities which have been installed or will be installed by June 1 include parking for 500 cars, a combination bathhouse and sanitary facility, water, a concession building, and a sewage system.

May I thank you for the opportunity of appearing before your committee and I trust the information given above will be satisfactory and useful to you.

With best personal regards, I remain,

Sincerely yours,

WILLIAM A. PARR, *Superintendent of State Parks.*

[Enclosure]

FEES & FACILITIES	CAMPING (DAY)	TABLES (SSH)	FIREPLACES (SSH)	CHARCOAL	FIREWOOD	SHELTERS	PARKING (WD)	PARKING (SSH)	BOAT RENTAL (WD)	BOAT RENTAL (SSH)	BOAT LAUNCHING	BATHHOUSE
	①	⑤				②	③	③	④	④		
FOR 1964 SEASON												
STATE PARKS												
CUNNINGHAM FALLS	1.25	.50	.50	.50	.25	X						
DEEP CREEK LAKE	2.00	NC	NC		NC	X		1.00				NC
ELK NECK	2.00	NC	NC	.50	.25	X	.50	1.00	2.00	2.50	2.00	NC
FORT FREDERICK	1.25	NC	NC	.50	.25	X			2.00	2.50		
GAMBRILL	1.25	.50	.50	.50	.50	X						
GATHLAND		NC	NC	.50	.25							
PATAPSCO ⑦	2.00	(50)	(50)	.50		X						
ROCKS		.50	.50	.50		X						
SANDY POINT ⑥		NC					.50	1.00	X	X	2.00	.50
SHAD LANDING	2.00	NC	NC				.50	1.00				⑨
WASHINGTON MON.	1.25	.50	.50	.50	.25	X						
RECREATION AREAS												
CEDARVILLE ⑦	2.00	(50)	(50)	.50		X						
HERRINGTON MANOR ⑧		NC	NC		.25	X		.50	2.00	2.50	X	NC
MILBURN LANDING	2.00	NC	NC		NC	X						
NEW GERMANY ⑧	2.00	NC	NC		NC	X		.50	2.00	2.50	X	NC
SWALLOW FALLS	2.00	NC	NC		.25	X						

(NC)-AVAILABLE AT NO CHARGE; (WD)-WEEKDAYS; (SSH)-SAT, SUN, & HOLIDAYS

- ① WEEKLY RATES ALSO AVAILABLE - YOUTH GROUP CAMPING, \$.25 PER PERSON PER DAY.
- ② WHERE AVAILABLE PRICES RANGE FROM \$2.00 TO \$15.00, DEPENDING ON SIZE, UPON RESERVATION.
- ③ SPECIAL RATES FOR BUSES AND TRUCKS, DEPENDING ON CAPACITY.
- ④ AVAILABLE BY 1/2 DAY AND HOUR IN SOME AREAS.
- ⑤ NO CHARGE IN AREAS INDICATED, UNLESS RESERVED.
- ⑥ BOATS BY CONCESSION
- ⑦ (50) DAILY CHARGE FOR TABLES AND FIREPLACES IN SPECIAL USE AREAS IN THESE LOCATIONS
- ⑧ BOAT LAUNCHING FEE, \$2.00 PER SEASON.
- ⑨ SWIMMING POOL; (WD)-ADULTS \$.40, CHILD \$.25; (SSH)-ADULTS \$.65, CHILD \$.40.

IT IS THE POLICY OF THE COMMISSION OF FORESTS AND PARKS TO PROVIDE SOME FREE PICNIC SITES IN ALL AREAS. WHERE RESERVATIONS AND SPECIAL FACILITIES ARE DESIRED, IT IS NECESSARY TO CHARGE NOMINAL FEES TO HELP DEFRAY THE COST OF MAINTENANCE.

DEPT. OF FORESTS & PARKS
STATE OFFICE BUILDING
ANNAPOLIS, MARYLAND

Mr. PARR. Mr. Chairman, could I make one more statement?

Senator BIBLE. Yes.

Mr. PARR. In the development of our master plan for this area, I would like to point out that we have worked very closely with the Philadelphia regional office of the National Park Service. We have kept them informed. We went to their office with our consultants who developed the plan, and talked the thing over with them, so that we would be measuring with them, and not going off in two different directions.

Senator BIBLE. Well, I am delighted to hear that, and this may be a good thing. I don't have any fixed opinion on it. It is something that always somewhat concerns me, and I am delighted to hear that you are working very closely with the National Park Service in an overall development.

The Senator from Wyoming.

Senator SIMPSON. Either one of them can answer this, so just take your choice. I will say, Mr. O'Donnell, first; you heard the testimony of Congressman Downing?

Mr. O'DONNELL. Yes, sir.

Senator SIMPSON. What would be your attitude with respect to a road leading from bridge to bridge?

Mr. O'DONNELL. I don't think from a park or recreational point of view there would be any great harm in it, sir. I think it would be conducive to a scenic-type drive arrangement, in which there has been a great deal of pressure and interest in recent years.

I think it would be conducive to a considerable amount of tourist activity in the area.

Senator SIMPSON. What would be your attitude with respect to turning over the State park land to the Federal Government to let them operate it? From my observation of it the other day it wasn't too prepossessing a place.

Mr. O'DONNELL. Well, it hasn't really gotten underway. There has been money put into it to acquire the land. We had to go through lengthy condemnation proceedings on some aspects of it. We are trying to get money to build the dunes, but I think Maryland has felt and officially taken the position—the Governor, the bodies of the legislature and various committees of the forest and parks commission—that Maryland would like to have a park operation on Assateague Island for intensive day usage.

Senator SIMPSON. Have you had any experience in dealing with the Federal Government Park Service with respect to some of the other parks away from this area?

Mr. PARR. To some degree. We have two adjacent areas in Frederick County, near Fairmount, north of Frederick City in Frederick County, in the Camp David area, where we are operating a State park which is part of what was once a recreational demonstration area, and part of it has been turned over to the State for operation, the other part is being operated under the National Capital Park region.

Senator SIMPSON. What is your attitude with respect to the connecting road between the two bridges of Virginia and Maryland?

Mr. PARR. From our standpoint, we would have no objection to it.

Senator SIMPSON. That is all.

Senator BIBLE. The Senator from Idaho.

Senator JORDAN. Yes, Mr. Chairman. I want to explore a little deeper into this joint management of the Assateague Island between Maryland and the Federal Government, if and when it is made into a national seashore. I recall out in Oregon we had a similar situation, the State park of the Oregon seashore, and I believe the State was going to surrender their title to Huntington State Park out in Oregon.

Senator BIBLE. This is correct, in the Oregon Dunes. They made an agreement, and their Governor, Governor Hatfield, said that if this was created as a national seashore, the Huntington State Park, which is now operated by the State Park Commission of the State of Oregon, would turn that park over to the National Park Service in fee simple.

Senator SIMPSON. Then my question to either or both of you is this: In the event that the Federal Government wanted to acquire the whole island, would you be in favor of the bill if it called for the surrender of Maryland's State park to the Federal Government?

Mr. O'DONNELL. Well, Senator, I think Maryland is committed to this State park. I don't know that either one of us as administrative officials would be qualified to abnegate that commitment. But certainly, we would be happy to explore it, if you think this is germane.

Senator SIMPSON. Well, I am just exploring it myself, because we run into various situations in other parts of the country. But as I recall, in most instances, the one or the other has yielded, so that there is not a duality of management over a particular area. I think it would concern us as to what kind of an arrangement could be made, with respect to the fees to be charged in the State park, with respect to the maintenance of the bridge, and with respect to a lot of things, if duality is to be maintained in this instance.

Senator BIBLE. I think the question is a very good one, and, of course, I think your response is exactly what it should be. But I would hope that you might talk it over a little further with Governor Tawes, maybe some of the legislative leaders. I suppose if Maryland has made a firm commitment, legislativewise or otherwise, to maintain a State park in Assateague, there is a certain feeling of commitment, there, but I would like to have you explore this a little further, and supply us with something for the record.

(The information requested is as follows:)

STATE OF MARYLAND,
PLANNING DEPARTMENT,
Baltimore, Md., March 26, 1965.

HON. ALAN BIBLE,
Chairman, Subcommittee on Recreation and Parks of the Committee on Interior and Insular Affairs, U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SENATOR BIBLE: At the hearing of your subcommittee on March 17, 1965, on S. 20, to provide for the establishment of Assateague Island National Seashore, I was asked to furnish answers to two specific areas of inquiry which are related.

You first questioned the administrative desirability and actual need of the State park on Assateague existing as a separate entity within the proposed national seashore area. In this connotation you have expressed particular concern about possible duplication and administrative problems.

In reply I indicated that the executive and legislative branches of the Maryland State government were committed to a State park on Assateague and that considerable funds for land acquisition, bridge construction, and development were already appropriated with the intention of more funds to follow.

Since our discussion, I have reviewed this question with Governor Tawes and other Maryland officials and as a result, I have been asked to reaffirm to you the State's position of definitely wanting to hold the area in question on Assateague as a State park.

I believe the valid reasons stated hereinafter for this decision will be persuasive for your considerations.

As you are well aware, Maryland is a water-oriented State with the Chesapeake Bay and many other fine bodies of water, yet we have only a small ocean front. State policy affirms the desirability of some portion of this ocean front being owned and operated as a State park by the State of Maryland. In fulfillment of this policy, the State, over a period of years, has been committed to a park on Assateague and has completed basic steps to move fully and swiftly in this direction—this being part of an overall program of intensive land acquisition and development related to all our parks and recreation areas on a statewide basis.

As pointed out elsewhere, the State park facility would be intended to provide intensive type of day-use beach-oriented recreation that apparently will not be fully attainable under national seashore development plans and goals.

Moreover, the compatibility of a State park existing within the national seashore has been discussed fully with the Department of Interior and Bureau of Outdoor Recreation representatives from Secretary Udall on down, and our proposed development plans for the State park on Assateague have been reviewed in detail with these officials to their apparent full satisfaction. It has been indicated at every step that the proposed arrangement is deemed feasible and should not cause conflicts or administrative problems.

You also inquired about the need for the provisions of section 3(b) of the proposed legislation which would give the State of Maryland "the right to acquire or lease from the United States such land or interest therein on Assateague north of the area now used as a State park as the State may from time to time determine to be needed for State park purposes * * *."

The intention of this section, as pointed out at the subcommittee hearing, was to provide possible long-range expansion of the facilities for intensive day-time beach and associated usage. It is felt that within a reasonable period of time, because of the large population relatively close to Assateague, the 2-mile stretch of State park facilities will in time become overcrowded. The possibility of expanding the intensive use northward above the present State park property would give future residents of Maryland and other areas the possibility of realizing the type of day-use beach-oriented recreation that will be available in the State park area.

While we feel that provision in the legislation permitting the future extension of the State park facilities northward is desirable, the need for such a provision should not be considered so great as to jeopardize the passage of the proposed legislation or interfere to any degree with the overall national seashore designation for Assateague.

Additionally requested data relating to park usage, staffing, and funding will be made available directly to you through Mr. William A. Parr, superintendent of parks of the State department of forests and parks, who testified with me on March 17.

Sincerely yours,

JAMES J. O'DONNELL, *Director.*

Mr. O'DONNELL. Yes, sir. I might say this, Senator, for the record, that Mr. Parr's people, the State department of forests and parks, have worked very closely with the Bureau of Outdoor Recreation, and that has been discussed with Secretary Udall right on down the line, and there seems to be, in the minds of both the State and the Federal people, no demonstrable condition of duplication of effort.

They think they can live with it and get along very well with it. Senator BIBLE. I don't think there is any question that you can live with it and get along together, cooperate, as you already have, but I am wondering if this is the best managerial solution. And I would have you explore.

Mr. O'DONNELL. Yes, Senator; I will be happy to.

Senator BIBLE. The Senator from Idaho.

Senator JORDAN. Yes, Mr. Chairman. I want, of course, to explore for the record whether you contemplate charging admission into a State park. We have user fees now for national parks.

I want to know what kind of arrangement is going to be made here? And if you will, go into this and give us some information for the record.

Mr. PARR. Excuse me. I might say that we did talk briefly to the National Park Service about this, because we don't make an admission charge, as such, in the State parks. We make a parking fee, in certain areas, not in all areas, and we talked with the National Park Service about this, about establishing one constant area, one fee, that everybody would pay, in working out the details of it at some future date, when the thing became a reality. But rather than having any dual collection of fees, especially where the bridge enters into the State park area, we felt this should be worked out between us to become something that we could both live with, and both work with.

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

Senator BIBLE. The Senator from Arizona.

Senator FANNIN. Mr. Chairman. Mr. O'Donnell, I was wondering, since Maryland representatives this morning had expressed the desire to have a State park, is it from the standpoint of a more rapid development or a more intensive development that could accrue as a result of the State ownership? Or what would be the reason for the desire to have the State park?

Would it be from the standpoint of leasing facilities for development, or what would be involved?

Mr. O'DONNELL. Basically, the State park area would be an area owned and operated by the State forests and parks department. I think originally, it was felt, of course, that the national seashore area would be a nonintensive use. It would be kept in its natural state as much as possible for surf fishing and for bird watching and other matters of interest to conservationists and wildlife people, whereas the State area could, without the restrictions of a national seashore, be intensively developed for daytime usage for people who want to swim and go surf bathing and play on the beach.

Senator BIBLE. Further questions?

Thank you very much, gentlemen. If you will supply that additional information for the record.

Mr. PARR. Mr. Chairman, I have a copy of the development plan here for the State park, if you would like to have it for the record.

Senator BIBLE. I think it will be very helpful. We will not reproduce it, but we will certainly file it for reference use, and it will be available to the members of the committee.

Gentlemen, thank you very very much.

Senator BIBLE. Our next witness is Mr. Roy Tolbert, executive secretary of the Chincoteague-Assateague Bridge Authority.

According to my witness list, he is to be accompanied by a number of gentlemen. We will be very happy to have them come forward now. I think I have met you.

STATEMENT OF ROY TOLBERT, EXECUTIVE SECRETARY, CHINCOTEAGUE-ASSATEAGUE BRIDGE AUTHORITY; ACCOMPANIED BY ELWOOD S. TURLINGTON, MAYOR OF CHINCOTEAGUE; E. BROOKS HUDSON, ROBERT H. MEARS, AND ROBERT N. REED, MEMBERS OF THE AUTHORITY

Mr. Tolbert. Yes, sir; you have.

Senator Bible. Fine, good to see you again.

Mr. Tolbert. I do have the other members of the authority with me. I would like to have them present, sir.

Senator Bible. We would be very happy to have them come forward, and have them introduced.

Mr. Tolbert. Mr. Chairman, this is Mayor Elwood Turlington, from Chincoteague.

Senator Bible. We are happy to have you with us.

Mr. Tolbert. And Mr. Brooks Hudson, member of the Chincoteague-Assateague Bridge and Beach Authority. Robert Mears, councilman to the town of Chincoteague and a member of the Chincoteague-Assateague Bridge and Beach Authority, and Mr. Robert N. Reed, chairman of the Chincoteague-Assateague Bridge and Beach Authority.

Senator Bible. Gentlemen, we are delighted to have you with us and, if you will just be seated there at the witness table, we will listen to Mr. Tolbert.

Mr. Tolbert. Well, I had your ear, I believe, over at the beach the other day, and you listened a while, but I didn't have you long enough.

Senator Bible. You have me now.

Mr. Tolbert. I have you now, sir.

I am going to start off. I think our Congressmen gave you exactly the way the Chincoteague people feel. He gave you our sentiments exactly. We would like to see a national seashore park in its entirety on Assateague.

When we started off, I believe Senator Brewster said that the year of decision was 1965, but the year of decision for Chincoteague was in 1950. That is when this group of men started to work through the National Wildlife people, and through our own people, on through the board of supervisors in Accomack County, through to the State legislature of Virginia, through to the Wildlife people here in Washington again, and they told us that we could have permission to build our bridge, and to build our road across to Assateague, to the beach.

Senator Bible. This was in 1950?

Mr. Tolbert. Well, that's the time we started all this, sir.

Senator Bible. I understand.

Mr. Tolbert. Now we got that permission to go ahead about 1956, sir, and we really thought we had done something, and then the Wildlife people came back and said "We think you should have an act of Congress," and then we did get an act of Congress.

Our Congressmen interceded for us here in Washington, and that is what happened.

Then we thought we were on our way, sir. You see, we are not as fortunate as our friends in Maryland. They had the money to build their bridge. We did not have it, sir. And we didn't ask anybody for it.

We went to the public and we tried to sell bonds, which we did. We have built the bridge ourselves. In fact, our bridge was floated down from New Jersey, and we have put it back on piling in Virginia. This has been, right up to the present time, about a 12-year stint for those of us who have been working on this.

Our reason for this, sir, and gentlemen, Chincoteague lost, as the Congressman said, its naval air station. At one time, Chincoteague raised 3 million chickens on that little island. Today, I don't believe they are raising much over 100,000. Our oyster industry, which is the main industry of Chincoteague, is just, of course, in the wintertime. You people won't eat them when the R is not in the month.

Senator BIBLE. Is that a correct legend? This is the way I was taught when I came to the Eastern shore area. They tell me that is right. So do you eat them when you have R's in the months, or don't you?

Mr. TOLBERT. Well, when we have our carnival, sir, we sell about 600 gallons, and that is in July. I don't believe they spell that with an R.

Senator BIBLE. In other words, there is nothing in the legend.

Mr. TOLBERT. I don't know, sir.

Senator BIBLE. I don't either.

Mr. TOLBERT. We eat them all year around, and we think they are fine anytime. We don't care when it is we eat them, sir.

Senator BIBLE. All right.

Mr. TOLBERT. The only think that we could see for Chincoteague, for a 12-month thing, was to build our tourist industry. As the Congressman said, just a couple of years ago the Bowden report proved that we are right, that we are in an area of a great many people, and, in fact, one-third of the entire Nation, it is my understanding, is within 1 day's travel of Chincoteague.

We feel that we are unique. We feel that we have something that you people want, here in Washington, New York, and Philadelphia, and what have you, and we want you people. We wanted it so badly that we were willing to work these 10 years to get this bridge across to Assateague. We are surrounded with water, of course; making us an island with 25 miles of inland waterway to fish and boat in, and not a safe place around our island to go swimming.

This is what prompted us to do just what we have done, sir.

This report was made by the State. Of course, as you know, these authority members get no pay.

Senator SIMPSON. Mr. Chairman, may I interrupt? That statement you made, you have no safe place for swimming?

Mr. TOLBERT. I am talking about Chincoteague Island, sir.

Senator SIMPSON. Yes, I know. But what did you mean by that?

Mr. TOLBERT. Well, sir, I would say, when I was a boy I learned to swim in what we called the slips. That is where they keep the boats, and about 20 to 30 feet from that slip would be maybe 10 to 15 feet of water and we don't want our children to learn that way, sir.

It is dangerous. But I learned to swim, and I don't know whether I was fortunate or not, but I survived. We want a safe place, and here just about 600 yards from Chincoteague, not any more than that, on Assateague, where we had to go by boat, is that beautiful beach that you have been hearing about all day today, sir.

Senator BIBLE. We visited it.

Mr. TOLBERT. We believe it is one of the finest beaches along this Atlantic Coast. We are sold on that, sir, and we want the people of America to enjoy it. And believe it or not, we have people going over to Assateague from every State in the Union. We are not having the traffic as the gentlemen just sitting here before me said that they are having in Maryland.

Naturally, I don't believe we would, since we charge a dollar and a quarter toll a round trip for a carload, and their bridge is free. But we have thousands of people, in fact, for the last—we have been opened since 1962, September 30, I believe it was, in 1962, is when we opened.

Senator BIBLE. When you opened the bridge?

Mr. TOLBERT. Yes, sir; and we have had over a quarter of a million people to visit that beach.

Senator BIBLE. Since that date?

Mr. TOLBERT. Yes, sir.

Senator BIBLE. They paid \$1.25 for each car that made the round trip?

Mr. TOLBERT. Yes, sir; they paid the toll. If they walk, they pay a quarter. If they ride a horse, they pay a quarter, and if they drive a car and they have one, up to 15, they pay \$1.25 a round trip, and our people are very happy with this situation. If there was any way in the world for this to be taken over by the Federal Government, to make this a seashore park, we want to preserve the national wildlife refuge. We feel that it is necessary. We feel that our ponies on Assateague are just as essential, because we have facts to back that up. I can safely say that from September until June, sir, that 60 percent of the cars that went across the bridge last year asked, "Can we see the ponies?" That is how important it is.

These ponies, that is another thing that we at Chincoteague have done, sir. We built our fire company after our town burned out in 1924. We have a volunteer fire company that was started with \$4.28, and with an idea of the annual pony swim and roundup from Assateague. Our carnival has grown today until, as the Congressman told you a little while ago, from 20,000 to 30,000 people visit Chincoteague that particular week. But we can't live just that week, gentlemen. We need year-round business. And we believe that, with this road connecting the two bridges, we will help our friends in Maryland and our friends in Maryland will help us.

You gentlemen will be providing a natural area that I don't believe there is any other place on this coast that is any more beautiful for people to view and enjoy. The thousands of birds and geese that winter there in the wintertime are beautiful, and I want to say again, we want the wildlife to stay. We want the naturalist to be able to view these birds. But we believe that the road will not disturb any of this, sir.

So far as I know, this is my statement, and thank you for listening.

Senator BIBLE. May I ask just a few questions? And you are certainly a very, very effective witness. I don't know how anyone can be any more effective than a man who has spent his entire lifetime in an area. You know it from boyhood up to now, and you know the good parts and you know the bad parts of an area such as this.

Number 1, tell me what the bridge cost. What is the total cost to the authority?

Mr. TOLBERT. The original cost of the bridge to the authority—of course it was a contract for the bridge and road, and bath house facilities and the restaurant and a parking area.

Senator BIBLE. The restaurant is the restaurant which we visited the other day?

Mr. TOLBERT. Yes, sir; that was it. \$352,000 was the original cost, and of course we have added additional hardtop surface since then.

Senator BIBLE. What is your total investment in the property that you described?

Mr. TOLBERT. Well, that was the initiative cost, sir.

Senator BIBLE. I know, but you say you added to it, to bring it up to date. What would be your total investment?

Mr. TOLBERT. The figures that we gave to the National Park Service, and they have all of the figures, they have been through our books.

Senator BIBLE. We can develop from them, if you prefer it.

Mr. TOLBERT. Yes, sir.

Senator BIBLE. This was paid for by a bond issue, do I understand this correctly?

Mr. TOLBERT. Yes, sir.

Senator BIBLE. How large a bond issue?

Mr. TOLBERT. \$500,000, sir.

Senator BIBLE. A \$500,000 bond issue. Were all the bonds sold?

Mr. TOLBERT. Yes, sir.

Senator BIBLE. The complete \$500,000.

Mr. TOLBERT. Yes, sir.

Senator BIBLE. How many have been redeemed?

Mr. TOLBERT. Not any, sir.

Senator BIBLE. You still owe for the \$500,000 bond indebtedness against the Chincoteague-Assateague Bridge Authority?

Mr. TOLBERT. Yes, sir.

Senator BIBLE. And how long are these bonds? What is the length of them?

Mr. TOLBERT. I think—let's see, the B bonds—

Senator BIBLE. They have different maturities, I assume?

Mr. TOLBERT. Yes, sir; they do.

Senator BIBLE. Is it a total of 25, 30, 40, 50 years?

Mr. TOLBERT. 30 years.

Senator BIBLE. 30 years. They have to be paid in full in 30 years from the date, I assume, of their issuance?

Mr. TOLBERT. Yes, sir.

Senator BIBLE. And they were issued in 1961?

Mr. TOLBERT. In 1961; yes, sir.

Senator BIBLE. They were issued in 1961. How many people did you tell me actually visited this particular area where we visited with you on Saturday?

Mr. TOLBERT. Now "actually" is one thing.

Senator BIBLE. Well, I mean by estimate.

Mr. TOLBERT. I would say a quarter of a million since we have opened, sir.

Senator BIBLE. And that was in September 1962.

Mr. TOLBERT. Yes, sir.

Senator BIBLE. That is about 3 years, then?

Mr. TOLBERT. Not quite, sir. It was 2 years in September past.

Senator BIBLE. Two years this last September.

Mr. TOLBERT. Yes, sir; we have only had two summers.

Senator BIBLE. How far is it from the restaurant on the south end of Assateague to the Maryland-Virginia boundary line?

Mr. TOLBERT. I would say between 8 and 10 miles, sir.

Senator BIBLE. And your suggestion is that there be a road to connect—

Mr. TOLBERT. West of the dunes.

Senator BIBLE (continuing). Maryland with Virginia?

Mr. TOLBERT. Yes, sir.

Senator BIBLE. Now where would you put this road? Would this be on the bay side?

Mr. TOLBERT. Could I point it out, sir?

Senator BIBLE. Surely. And would you point out the State line? I think we can see it from here.

Mr. TOLBERT. The Maryland-Virginia line is right here, sir [indicating], and of course from this arrow here down is what we—

Senator BIBLE. He says from the arrow here, and for the reporter, that would be an arrow entitled "existing refuge beach development."

Mr. TOLBERT. Right here, sir. We have a lease from Congress. Congress gave us a lease.

Senator BIBLE. How large an area is that?

Mr. TOLBERT. I have measured it by truck, and it is roughly 4.8 miles.

Senator BIBLE. We can develop the exact acreage.

Mr. TOLBERT. Right here, sir, of course, is the Assateague Coast Guard Station, and that was built on the point of the beach in 1922. From here to here was built.

Senator BIBLE. From here to here is where to where? For the reporter, because she won't be able to follow your finger.

Mr. TOLBERT. This is from the Assateague Coast Guard station to the point of Chincoteague Inlet. That is approximately 2 miles.

Senator BIBLE. Now your proposal is to build the road from where to where?

Mr. TOLBERT. From the Maryland line, sir, the Maryland-Virginia line, west of the dunes, right on down to the existing Chincoteague-Assateague bridge and beach road, which is our road through the reservation at the present time, and of course this would come west of the dunes, which we feel—

Senator BIBLE. When you say "west of the dunes", is that oceanside of the dunes?

Mr. TOLBERT. No, sir, the Atlantic Ocean, of course, is on the east side, and the wildlife refuge is on the west. This is east, sir. This is the ocean.

Senator BIBLE. That is correct. Now where would you put it? You would put it west of the dunes?

Mr. TOLBERT. Yes, sir.

Senator BIBLE. Therefore, it would be on the bay side.

Mr. TOLBERT. No, sir, bay side is over here. Of course it would be on the bay side of the dunes.

Senator BIBLE. That is what I am trying to arrive at.

Mr. TOLBERT. It would still be practically on the beach, only just behind the dunes, and our reasoning for that is the fact that the wildlife don't make use of any of this beach, to my knowledge, at the present time, other than the fact that maybe the shore birds run down and feed from the ocean. I can't see, for the life of me, what a road would hurt from here right on through, sir.

Senator BIBLE. Of course, their point, and I think you are aware of it, is that if you build a road along a wildlife refuge, it is going to be devastating to the wildlife in the area. It is going to drive them away, I assume, and they won't nest in this area.

I don't know whether this is right or wrong, but I think it is their position.

Mr. TOLBERT. Sir, Pea Island refuge in North Carolina has a road right through the whole thing.

Senator BIBLE. And this is used—

Mr. TOLBERT. The wildlife is on both sides, yes, sir. They had, I believe, last year, over a million visitors to Pea Island, down in Hatteras.

Senator BIBLE. We will try to get the position of the Fish and Wildlife Service. I don't know whether it is sound or not.

Mr. TOLBERT. I read an article just Sunday that the manager there says that so far as he is concerned it is compatible, that the people and the ducks and the geese and so forth are compatible, and I personally have been through there, and I have seen these ducks and geese come up to the fence, and so forth.

Senator BIBLE. Would a road—and of course I suppose we ought to ask the highway or public roads authorities on this—would a road hold in this area, with the shifting of the sand and the dunes?

Mr. TOLBERT. It is the same situation as Pea Island, sir, I believe. It is a guess. I am not a road man.

Senator BIBLE. We can ask the road authorities this.

Mr. TOLBERT. I wouldn't really know, sir.

Senator BIBLE. But you have lived in this area all your life, and one problem, I think, that concerns all of us, is that this isn't a cheap proposal. The acquisition cost given to us by the Interior Department is something in the neighborhood of \$17 million, and the cost to develop another \$7 million plus, and our experience has been, in working on legislation such as this type, that they always underestimate, they never overestimate, and it probably would cost many millions of dollars more, both for acquisition and for developing, than they have projected.

The thing that would concern me is, if this were to be created as a national seashore, that there is nothing, as I understand it, either in dune control or anything else, to prevent this from being completely washed away by another hurricane similar to the 1962 one. Is this right or wrong?

Mr. TOLBERT. Just a minute, sir. Mr. Chairman, I was born and raised there, and I am 47 years old. I have a mother-in-law who is 82, and she doesn't remember but this one storm in her 82 years, sir, and never remembers hearing her father and mother talk about a storm, who were also born and raised there, that was as devastating as this one, sir, and let's hope it will be another 100 years.

Senator BIBLE. Well, I hope so, too. I think this is an area of concern.

Mr. TOLBERT. Yes, sir.

Senator BIBLE. One questions whether it is wise to spend these millions and millions of dollars, and have them wiped out by a hurricane.

Mr. TOLBERT. We live on Chincoteague, and I have seen the island partially covered in my lifetime, about three times. And if it is covered again, just like it was then, I am still going to live at Chincoteague, sir.

Senator BIBLE. What do you consider the population of Chincoteague at the present time?

Mr. TOLBERT. 3,800.

Senator BIBLE. 3,800?

Mr. TOLBERT. Yes, sir.

Senator BIBLE. And as I understand it, this population has gone down a little, or a lot, or—

Mr. TOLBERT. Well, the Accomack County is losing population.

Senator BIBLE. Chincoteague itself has stayed fairly level?

Mr. TOLBERT. Fairly stable since the naval air station left. Of course, at the time the naval air station was active, it was up around 5,000.

Senator BIBLE. I understand. Where there is a military installation, these problems occur all over the United States. When they move out, it has an impact upon the local area, but aside from that, the general population would be about 4,000.

Mr. TOLBERT. Yes, sir, around that.

Senator BIBLE. Thank you. Did you care to have any of these other men supplement what you have said? Do any of you gentlemen care to add anything to what Mr. Tolbert has very effectively said?

Maybe the mayor would like to make some observation.

Mayor TURLINGTON. Mr. Chairman, my name is Elwood Turlington, mayor of Chincoteague.

I wish to confirm what Mr. Tolbert has said here. I would like to insert into the record at this time a notation that in 1962, with this storm we have been talking about, we were really down on our knees. And since then, we are recovering very well, and we are not here to ask the Government to give us anything.

All we are asking is they don't take away from a potential that we have lying on Assateague. This is one of the industries we are concentrating on to build up our economy.

Senator BIBLE. You mean tourists?

Mayor TURLINGTON. Tourists. That is right. We are pushing tourism over and above anything else at the present time. We want to build up our tourist trade, and if this project doesn't go through, we feel that it is going to hinder us with our tourist trade.

Speaking of this storm in 1962, I was born in Chincoteague, lived there all my life, and when I was a boy I used to go over there in a boat. It has always been a dream from my childhood up until the bridge was put over to Assateague to have some way to get over there so we would have access to this beach.

We are an island surrounded by water, but we do not have a safe beach around the island for inexperienced bathers to bathe in. Now this beach over there, in the last couple of years, has been run effi-

ciently, with the proper supervision, lifeguards to protect inexperienced bathers, and we would like to keep it that way.

As far as the wildlife is concerned, we want the refuge there. We are behind it 100 percent, because it is a drawing attraction to our community.

We do not wish to do anything that is going to hurt the wildlife. We wouldn't be here asking for these projects that we have asked for, if we thought for one moment that it was going to hurt the wildlife, and its operations.

All we are asking for as far as the road is concerned down the beach, is to have access to the beach itself, so that the people can go over there and bathe in the summertime. That's what we are asking for, and we believe that this road would help both the Maryland end and the Virginia end.

I wish to thank you for your attention, and allowing me to speak before this committee this morning. Thank you.

Senator BIBLE. We appreciate having you here, mayor. Do we have further observation from any other gentlemen?

Mr. MEARS. Could I have a word? I am R. H. Mears from Chincoteague.

I happen to be in the oyster business, and I can speak for the seafood business, I believe. I have been in the business 37 years. The oyster business, the last few years at Chincoteague, has been declining; our oysters haven't been living too well. We haven't been getting a good catch of sea oysters for the last few years.

So our economic condition is very poor at the time, and we feel that this road connecting with the State of Maryland, along the beach and controlled by the Park Service, would be a big benefit to our area.

Thank you.

Senator BIBLE. Thank you, sir. Other observations?

The Senator from Wyoming, for questions.

Senator SIMPSON. I would like to ask Mr. Tolbert a question. I take it from what you gentlemen have said here—and let me commend you on the type of individual people who are indigenous to that particular area—I take it from what you said that your support of this measure would be less enthusiastic if the committee decides to leave the road out?

Mr. MEARS. Yes, sir.

Mr. TOLBERT. Yes, sir; it would.

Senator SIMPSON. Is that the sentiment of the other gentlemen on the authority?

Mr. MEARS. Yes, sir.

Mayor TURLINGTON. Yes, sir.

Senator SIMPSON. And in the event that the committee recommends the passage of this act, which one of the bills do you support, S. 20 or the other one?

Mr. TOLBERT. Congressman Downing, sir.

Senator BIBLE. Senator Robertson's bill, which is before us.

Mr. TOLBERT. Either one, sir, or both, yes, sir.

Senator SIMPSON. Would your group seek recompense for the bridge that has been built?

Mr. TOLBERT. Would we do what, sir?

Senator SIMPSON. Would you seek repayment for the cost of the bridge?

Mr. TOLBERT. We would have to have it, sir.

Senator SIMPSON. What is the interest on these bonds?

Mr. TOLBERT. On the B bonds, $3\frac{1}{3}$ percent, and 5 on the A bonds.

Senator BIBLE. The Senator from Idaho.

Senator JORDAN. Yes, sir. Mr. Chairman, I would like to commend the gentlemen of the authority here for the resourcefulness and initiative they have shown in building this bridge and doing something for the community.

Following the line of questioning that you started, Mr. Chairman, and Senator Simpson pursued, with respect to these bonds, are you current now with the interest payments on the bonds?

Mr. TOLBERT. Yes, sir.

Senator JORDAN. You are current with the interest?

Mr. TOLBERT. Yes, sir.

Senator JORDAN. You have made no retirement of the principal?

Mr. TOLBERT. No, sir.

Senator JORDAN. But you are current with the interest payments. And when you talked about the road as you illustrated on the map, you stopped at the boundary between Maryland and Virginia, but I assume from your other testimony that you want this road to go from bridge to bridge?

Mr. TOLBERT. Oh, yes, sir. We are just taking for granted that the Maryland boys have already said they would like to have the road down the beach.

Senator JORDAN. I wanted that clear for the record, because that's where you stopped the road. Thank you, Mr. Chairman.

Senator SIMPSON. Mr. Chairman, off the record.

(Discussion off the record.)

Senator BIBLE. Further questions?

The Senator from Arizona.

Senator FANNIN. Mr. Chairman and gentlemen, I am wondering about the area that is traversed by the prospective road, and I understand that is across some dunes, or a dunes area?

Mr. TOLBERT. I beg your pardon, sir?

Senator FANNIN. The road that would be across this refuge, would that cross in the dunes area? In other words, what type of base would it have?

Mr. TOLBERT. Sir, I couldn't tell you.

Senator FANNIN. Well, I mean, it is sand, or what is it?

Mr. TOLBERT. What we did over there was put down clay, and we just put a blacktop right over the clay, just tar and gravel right over the clay, and it is doing fine, right across the same type of sand.

Senator FANNIN. I see. There is a movement of that sand, other than in areas where the storm affected it. Is that right? In other words, is there any shifting of the sand that would affect the road?

Mr. TOLBERT. Not in that particular area. You are back from the beach, I guess in places you would be back 300 or 400 yards.

Senator FANNIN. All right.

Mr. TOLBERT. Our reasoning, sir; for the road at that particular point is that it would keep the people off the refuge area. It would drive them by it, but not—of course, it is all refuge area, don't get me

wrong—but I mean if the road were built behind the dunes it wouldn't be in the actual nesting areas, to my knowledge. That is the point I am making.

Senator FANNIN. Thank you. That is all.

Senator BIBLE. I am not sure whether the location of road is clear on this point. Maybe the Fish and Wildlife people could comment on it, but because of your intense interest in seeing that these two bridges are connected up with a road, I think you might want to comment on it. For the road which you propose, which lies west of the dunes, but east of the fish and wildlife refuge, does that actually traverse the refuge itself?

Mr. TOLBERT. Yes, sir. It runs right down the beach. Of course, it is going to hit parts of the area, but it would be in the least place to affect any of the area. That is our thinking.

Senator BIBLE. It is not going to be right down the center of the wildlife habitat?

Mr. TOLBERT. Oh, no, sir.

Senator BIBLE. It is going to be off to the east of that area, and maybe a little removed from it?

Mr. TOLBERT. Yes, sir.

Senator BIBLE. I recognize, now, you don't propose to be a highway engineer, and you don't know exactly where the road would be located, but I think there is an area there where you could locate it so it would not be running right through the center of the wildlife habitat, and yet, won't it be in the middle of the dunes, where the sand is shifting all the time?

Mr. TOLBERT. Oh, no, sir. That is the way we feel. Now we can be wrong, of course.

Senator BIBLE. Further questions?

Gentlemen, we are delighted to have had you with us this morning. You have made a very able presentation and I am sure I express the sentiments of my colleagues in complimenting you for your ingenuity in fighting against a lot of hardships. I think you have done a great job, and we want to compliment you. We thank you, and we invite you to come back another time.

I am going to come back down there when there isn't an "r" in the month, now that you have assured me I am safe.

Mr. TOLBERT. You come back and we will feed you oysters, no matter what time of the year it is.

Senator BIBLE. Our next witness is Dr. R. V. Truitt. We are happy to have you, Doctor.

STATEMENT OF DR. R. V. TRUITT, DIRECTOR, MARYLAND DEPARTMENT OF RESEARCH AND EDUCATION

Dr. TRUITT. Mr. Chairman and honorable members of the committee, with your permission, because of physical limitations, I would like my wife to present my brief.

Senator BIBLE. Very happy to have you do so, Mrs. Truitt, in behalf of your husband, the doctor, so you may proceed.

Mrs. TRUITT. Mr. Chairman, honorable members of this committee, I am Mrs. R. V. Truitt. I wish to thank you for permitting me to present this brief for my husband, who has been ill.

My name is Reginald V. Truitt. I was born and reared within 8 miles of Assateague Island and there was specific family interest there. I am the retired director of Maryland's Department of Research and Education, and for many years I was a member of the State's commission of water pollution control, a member of the board of natural resources, and a full professor of zoology and conservation at the University of Maryland. I was the founder of the Chesapeake Biological Laboratory at Solomon's Island. Presently, I live on Kent Island.

Senator BIBLE. Now, will you tell me where Kent Island is?

Mrs. TRUITT. In Maryland. It is across the Chesapeake Bay, Queen Ann's County, Md.

Dr. TRUITT. East end of Bay Bridge.

Senator BIBLE. I think I have it located, then, thank you.

Mrs. TRUITT. I appear here to offer an expression of interest in having Assateague developed in the best possible way to serve the greatest number of Americans—local, State, and National. I am fully aware that the local county officials are anxiously concerned, along with certain of the lot owners and a segment of the local populace, that private development be furthered as an answer to the problem of Assateague.

On the other hand, the people of the county, through their lay leadership, have been concerned over the future of the island. In 1957 they initiated a factfinding study of Worcester's broad socioeconomic potentials for the purpose of advancing sound principles and recommendations for the future development of the area.

I accepted an invitation to carry on the study with two provisos, to wit: that the study and recommendations be completely divorced from politics and that no appropriations, or expense accounts, be provided, thus assuring simon-pure interest and results. A printed report of that 2-year study is attached to this brief since an Assateague problem is treated in it together with ways and means of financing.

The report is out of print, thus only one copy is available.

Assateague Island's dimensions and geography are well known. The history of the island starts with a well-authenticated story of a landing made by Norwood at Fenwick Island in 1649 and a subsequent trip by foot to Virginia's Eastern Shore. At that time, in 1649, there was an inlet at Fenwick, somewhat above Ocean City.

The next authenticated record of the island seems to have been a memorial presented by Col. William Whittington at a meeting of Lord Baltimore's Council, March 5, 1686, concerning—

a certain Isthmus Peninsula of Marish and Piney Hummocks called and known by the name of Assateague Island * * * containing 15,000 acres, the southward end of which is reputed to be within the bounds of Virginia.

Somewhat later, the council authorized Vincent Lowe and William Diggs to take up a considerable area of the island but not until 1702 were patents recorded, it appears. From then on patents were infrequent and some of the bayside marshes continued as a public domain until well into this century.

Assateague Island has been an elastic designation over the decades. Back in 1837, John N. Alexander, State topographical engineer, found that the island ran unbrokenly from Virginia to Indian River Inlet, Del., some 50 miles. Since then inlets resulting from hurricanes such as the well-remembered ones of 1933, 1954, 1955, and 1962 have appeared in several places along the coast with varying degrees of con-

tinuance, in the main lasting a few days but others lasting 10 to 12 years. There is full reason to believe that the island, which is visited about every 5 years by hurricane-proportion winds and tides, has not only had inlets out through it time and again but that its configuration has changed, also.

Columbus, incidentally, reported three very severe hurricanes in his explorations and since then records abound as to coastal visitations of so-called tropical storms and their devastations. The ocean, maddened by hundred-mile winds, is a tremendous, unpredictable foe. Note that Sinepuxent, Rocking, Fenwick's, Lower Pines, and Assateague are coastal island names of record and that in cases, location of the respective inlets defining them, are known.

It can, therefore, be freely forecast that hurricanes should be considered an integral part of the future regardless of what plan for the development of Assateague is to be followed. Actually, the possibility of these hurricanes should be a starting point for any plan that is adopted.

The ocean is an enduring entity, characterized by its immensity, its beauty, its utility as a vehicle of food production and transportation, and even by its violence. It grips the imagination, stirs the soul within and, with its sandy littoral and a smiling sun over a long summer, invites all to its shores to commune, to find wholesome recreation, sun-tanning, and other physical, sportive, and social inducements. The seas belong to the people of the world and are hallowed by all nations. The coasts are national and as such are jealously guarded to their offshore limits.

Assateague is a precious, long-neglected possession of Worcester County, of Maryland, and of the Nation. Its protection and perpetuation require, right now, before another devastation, bold thinking, and bold action. Such thinking should be, indeed, must be in terms of the greatest good to the biggest number of Americans and the cost borne accordingly.

We must think in terms of the 80 million who live on or near U.S. Route 50 which terminates in Worcester County. And, in thinking boldly, we must be realistic and recognize that costs of stabilizing, maintaining and developing Assateague fall in the multimillions, sums far beyond the potential of the owners, the developers, or the county's resources.

We pass over the problems of roads and their maintenance, planning, zoning, water supplies, sanitation and all, since others, better qualified, have or will treat of them.

A group of owners has indicated fear that Federal ownership and development would be a step toward Russian communism. While I do not share this fear leastwise, though a strong advocate of private capital and development under normal circumstances, I do share the State health department's fears as to what will happen if cesspools are basic in the development.

Also, as an advocate of private capital I share the view that public funds should not be used to provide access to a private development, a view cited in the report of the Worcester County Committee, 1959—a distinguished group, 46 in number, of citizens of the county. The recommendation was as follows:

This committee recommends that the county commissioners and the county delegation at Annapolis act vigorously, and soon, to secure permissive legislation

for either a Worcester County authority or a Maryland-Assateague Island authority, as deemed by them best suited to the needs of the county and, especially, Assateague Island.

This recommendation was made to counter the move by the developers and owners to have the State step in as a partner to their affairs, not a private capital move.

Moreover, the report of the able Worcester Study Committee, 1959, criticized the developers for failure to take cognizance of the public needs as follows:

Despite the long reaches, 12 to 15 miles, of this ocean front, there is neither an area set apart, deeded for public use, an elemental feature in such a development, nor a section dedicated to the preservation of natural conditions, as is generally anticipated and expected in such an extensive area.

Even in the face of several years of high-pressure salesmanship, Assateague Island today does not have, by far, as many houses on it as were actually occupied there year-round late in the last century.

This is a day of leisure and ease of travel, sunshine seeking, surf bathing, out-of-doors living, shore and deep sea fishing, sailing, canoeing, water skiing, surfing, shell collecting, and general communing with nature—all at their best in this locale.

It would seem that past leadership in the county has almost studiously avoided sharing this great asset with the thousands upon thousands of people who want precisely what Assateague has to offer and are willing to pay for what they get, all to the economic good of the county. Vision has not been demonstrated over the years in this regard.

It is well known that managed dune lines can anchor and maintain ocean fronts and that they are extremely expensive to create and maintain, far beyond private reach; thus, for private development, the public, the State, and the Nation would be called on constantly and extensively to provide for private gain.

It is inescapable from the foregoing that the public has not only a stake in, but a concern for, the results that may come out of so-called private development—private development, that is, so largely out of public funds.

It is not socialistic to deny appropriations for private developments and to use such funds for purposes dedicated to public use. The need is so great and so obvious for public areas, such as Assateague might become, that the point is not labored here except to indicate that all the records, all planning to date, and all the experience of the State and the national level, show that the accruing economic gains from real public development and public use are equal to and eventually exceed the gains made from private use.

Assateague is the largest undeveloped seashore between Cape Cod and Cape Hatteras and is one of the very few remaining such areas in the country. Its location is central to the many millions in nearby cities and counties. The United States itself has neglected, to a considerable extent, the acquiring and making available vast shore areas for public use, an obligation now broadly considered paramount, especially so since shores then are protected, wise, and wholesome use of beach areas is promoted, and scenic and natural areas are set up in perpetuity.

In conclusion, it is my seasoned judgment, based upon local study and observations made widely in the United States, that Assateague Island should be preserved and dedicated to public use, and developed to that end. Since such a development would attract and benefit people from all over the country, it is my strong recommendation that the

problem should reside at the governmental level with due and known safeguards for the State, the county, and especially the people who have invested in sites and homes.

Thank you very much.

Senator BIBLE. This is a very splendid statement, Dr. Truitt. I have two questions, if you feel that you can respond to them, and if not, you could certainly give it to us in writing, and/or tell your wife, whatever your problem might be.

You have two sentences here that intrigue me. On page 5, you say "it is well known that managed dune lines can anchor and maintain ocean front, and that they are extremely expensive to create and maintain far beyond the private reach."

I think that is one of the problems that concerns this committee, the price tag of dune control.

Now in making that statement, is that predicated upon any type of figure of what you could envision?

Dr. TRUITT. Which lines are they, Mr. Chairman?

Senator BIBLE. Page 5, right in the middle "it is well known that managed dune lines can anchor and maintain ocean fronts."

Dr. TRUITT. Oh, yes.

Senator BIBLE. I am wondering if you have any price tag figure that you used as a basis for this conclusion? This is something that bothers the committee, and bothers me personally. I mean, what type of price tag are we getting into to maintain this dune control?

Dr. TRUITT. Well, the evidence for that material came from the State head, Dr. Joseph Aincenwall, of the John Hopkins University, of the State Department of Geology, Mines and Water Resources, who had said repeatedly that sand dunes, properly grassed—they have to be covered with vegetation to hold in hurricane tides, and under hurricane winds—will protect beaches and hold the lines. There will be, of course, shifting back and forth, between the seashore itself, intertidal seashore, and the dune lines, but if it shifts out, the next southeast storm will shift it forth, so that between the dune lines and the shore will maintain.

Senator BIBLE. My question was primarily to your words "are extremely expensive to create and maintain." Would you have any idea as to how expensive it would be to create and maintain these ocean front lines?

Dr. TRUITT. No, I would refer that question to the Fish and Wildlife people who have had considerable experience, and know the answers. I think the import of that statement is that it is such that private individuals can't afford, and even if they could afford, with success of houses, the shore lines would be so affected that dune lines wouldn't be instituted and maintained.

It would be too expensive for the private individual, and this cost would inevitably fall on the county, and this particular county is not in a position to do that, on the State, or on the Federal Government, or on all three.

Senator BIBLE. Let me just ask you one further question.

Your last sentence in your statement—and you might want to refer to that, Doctor, if you would—your very last sentence, says:

Since such a development would attract and benefit people from all over the country, it is my strong recommendation the problem should reside at the governmental level, with due and known safeguards for the State, the county—

and to this last clause—

and especially the people who have invested in sites and homes.

Now what is your thinking on that? Because that is one of the very realistic problems we have confronting us on this proposed national seashore. We have some 3,200 people owning some right in something like 5,000 lots. Now how do we meet this? What do we do? What do you say to that?

Dr. TRUITT. Well, I think equity would require that the people who have invested their money would not be paid less than they paid for it, and perhaps, if this is the kind of answer you want, not be expected to lose, say, interest on their money over the period of investment that they have had the place, plus whatever the practice might be in acquisition of such lands, and I don't know what they are, but I do think that—and this was based originally on the State building a bridge, and resulting through private authority methods, somewhat like they have in Virginia—at Assateague Island, at least, safeguards on it to be such that the State will get its money back out of the bridge.

Senator BIBLE. Well, I wanted to probe that just a little, because I didn't know if you had in mind some type of a proposal where you would permit a private development to exist within the national seashore. I assumed from your earlier statements that you don't subscribe to this type of an approach to the problem, because it would cost so materially much to control the dunes, is what I think you are saying.

Dr. TRUITT. Well, I think the experience there, Mr. Chairman, would come from what has happened on Cape Cod, and what has happened at Hatteras.

Now I visited both projects, and don't know just what the method of procedure is in providing for the people who own land, but I am sure whatever it is, it wouldn't deprive a person of his property without not only due process, but adequate compensation.

Senator BIBLE. Just compensation. I am sure we couldn't do that under the Constitution. I just wanted to be very clear as to what point you were making.

Doctor, this is a very colorful and well written statement and I certainly appreciate your appearing here this morning. I will ask if there are questions from the Senator from Wyoming.

Senator SIMPSON. Mr. Chairman, may I say that I want to concur with what our chairman has said with reference to this statement. It is prose, but with your lyrical reading of it, it is sheer poetry.

I would like to know if in the light of your experience there, Doctor, what do you think about the road that is proposed by the Virginia group from bridge to bridge?

Dr. TRUITT. Well, I would unhesitatingly say, as a person who has followed biology, and particularly the conservation aspect for a lifetime, and that is now covering way beyond three score and ten, that I would have no hesitancy in recommending that a road be put through, because with considerable experience with wildlife, under protection such as such an area has and will have, it would not be greatly interfered with.

I am sure the speed limit for the Sitka deer, which is common in that area—and on the white-tailed deer, for that matter—the speed limits would be such that you won't hit them, if you go through the area where they are in residence.

I think the wildfowl would not be affected at all. There is a very minimum of wildfowl breeding in the area. A rare black duck breeds in the area, but hardly ever does a mallard, or any of the other ducks breed there.

There are a great many terns, gulls, and strikers, and what are called oystercrackers, locally, backswimmers, do breed on the island or the sandy shores, in the bay, but not in that area we are referring to.

Senator SIMPSON. That is all I have.

Senator BIBLE. The Senator from Idaho.

Senator JORDAN. No questions, Mr. Chairman, just my comments for a very fine statement and good questions and answers.

Senator BIBLE. The Senator from Arizona.

Senator FANNIN. Mr. Chairman and Dr. Truitt and Mrs. Truitt, I have agreed that this is a very excellent statement and has clarified in my mind some of the problems that would exist. I would just ask you about the shifting sand, and you speak about the maintenance of these dunes by grass coverage. Would that be a one-time program, or would it be a continuing program?

Dr. TRUITT. Senator, I would prefer that somebody with more expert knowledge answer that question, but my observation has been, and my knowledge is, as a matter of fact, that there is an experimental station that has bred up and is now breeding up grasses that readily catch—a term, I am sure, that is familiar—taking hold on these dunes, and that shortly covers them. In cases, I have no doubt that a few of these dunes might be washed away in such a storm as what they call the tropical storm of 1962. Actually, it wasn't a tropical storm, in 1962. It was a storm that had its origin in Mississippi, moved through Georgia, went off the Gulf Stream without any special notice, took up great force in the Gulf Stream, moved toward Bermuda, turned back toward shore, zigzagged over and on shore—most unusual behavior—and then struck out northeast of our coast and did the damage at Ocean City, Lewes, Rehoboth, Jersey coast, and on out to Montauk on Long Island.

That kind of a storm, I am sure, would cut into some of your sand dunes, and they probably would have to be replaced, but the sand from the dunes would be spread not too far away and readily replaceable, presumably, when it came time to restore your line.

I won't anticipate the maintenance of the line as too great a problem in maintenance of the shoreline of the beach. It is a problem, it will be a problem, but not a great problem, compared with the inherent values of the beach in national use.

Senator FANNIN. Thank you, Doctor.

Senator BIBLE. Dr. Truitt, we certainly very much appreciate your appearance here. You have given us the benefit of your knowledge, your very intent knowledge of this area, and Mrs. Truitt, I want to thank you for accompanying your husband to read his statement.

Mrs. TRUITT. Thank you for permitting me.

Dr. TRUITT. Mr. Chairman, may I make one short statement?

Senator BIBLE. Certainly.

Dr. TRUITT. The quotations in this article were taken from a committee of distinguished and able local county people, who made a study of this problem in 1959, and came up with the recommendation that you have read and heard read in the last few minutes, and they are not whim. They are substantial people back of it, and they are people in that county, as well.

Senator BIBLE. Thank you very much, Doctor. I intended recessing now, but I understand that the junior Senator from Maryland has an afternoon commitment, and his statement isn't very long. When we do recess, and we will recess after his testimony, we will stand in recess until 2 o'clock this afternoon.

But we will accommodate our distinguished colleague from Maryland, junior Senator, Senator Tydings.

STATEMENT OF HON. JOSEPH D. TYDINGS, A U.S. SENATOR FROM THE STATE OF MARYLAND

Senator TYDINGS. Thank you very much, Senator Bible, members of your distinguished subcommittee, Senator Brewster:

I might add just for the record, gentlemen, that you have just heard the testimony of a man who is probably more responsible for the preservation of fin wildlife, fish wildlife, our great natural resources in the Chesapeake Bay, than any other man living today in the State of Maryland, and I also had the pleasure of attending the University of Maryland with his daughter, some years ago.

Mr. Chairman, members of your subcommittee, it gives me great pleasure to cosponsor S. 20, with my senior Senator, Senator Brewster, the bill to establish Assateague Island National Seashore Park. I thank the subcommittee for the opportunity to express my support.

For many generations, gentlemen, the vastness of our country postponed any consideration of the preservation of special areas as unspoiled wilderness and recreational lands. During the frontier era, Americans could deal with forest and stream in the most careless fashion, and harm no one.

As the frontier disappeared, and the continental United States became organized, the Federal Government a century and a half ago recognized the importance of public lands by establishing the General Land Office to administer a vast system of forests, parks, and wilderness areas, almost entirely in the western part of the United States, which areas you gentlemen represent in the Congress.

A local government soon followed with long-range planning for land use through zoning laws, county land use plans, developments of green belts around growing cities, withholding land from private use for schools, watershed, and so on.

In the 1930's and in the 1940's, the crises of depression and war postponed consideration of the need for preservation of unspoiled wilderness and recreational areas. Now in the 1960's with mercurial speed, we have become an urban society. Nearly 200 million citizens of the United States, with, and I am afraid I must admit, shamefully despoiled water, land, and air, with decaying cities and commercial engulfment of too many open areas.

Many areas of our great Nation are rapidly becoming places not only unpleasant for human life, but devoid of space, or places for men to pause, to play, or to contemplate.

Now this is especially characteristic of the Eastern United States, with its dense megalopolis stretching from Washington to Boston. In Assateague Island, in our State, there is available an opportunity to preserve for public use a lovely 33-mile strip of virgin seashore, the only one like it remaining along the entire eastern coast of the United States from Cape Cod to Hatteras.

The use of Assateague as a national seashore park has been thoroughly reviewed, and approved by the top elected officials of our State, and by the U.S. Department of the Interior.

The bill itself, S. 20, provides for the proper compensation of the property owners affected. I feel very sincerely, Senator Bible, and members of this committee, that the passage of S. 20 will enrich any State, and will enrich my Nation.

I believe that we should aspire not only to the Great Society, but to a gracious and beauty-loving society, and I wholeheartedly offer my support for this bill.

Senator BIBLE. Thank you very much, Senator Tydings, for a very effective statement.

The Senator from Wyoming?

Senator SIMPSON. Senator Tydings, you haven't been able to be here for a portion of the testimony this morning, but the Virginia group have been very insistent that we build a road to traverse the island lengthwise from bridge to bridge.

Senator TYDINGS. Yes, I know. I am familiar with that.

Senator SIMPSON. Do you know how the Department feels about that? How do you feel about it?

Senator TYDINGS. Well, Senator, I don't have any strong objection to such a road. I think with proper policing, it would not be harmful, would not have a harmful effect on the wildlife, and I would offer no serious objection.

Senator SIMPSON. That is all.

Senator BIBLE. The Senator from Idaho.

Senator JORDAN. No questions. That was the question I was going to ask, and it was well answered.

Senator BIBLE. The Senator from Arizona.

Senator FANNIN. Mr. Chairman, and Senator Tydings, I just wonder if you favor, would you think there would be advantages that would come if this is accomplished?

Senator TYDINGS. You mean——

Senator FANNIN. If there is a road.

Senator TYDINGS. Let me say this: If it would insure the support and the passage of the bill in the House, I think those advantages alone would warrant my support, and, at the present time, I understand the Virginia Senators and Congressmen are strongly in favor, so that I would think perhaps these advantages would weigh heavily on any consideration of the measure.

Senator FANNIN. Thank you.

Senator BIBLE. Well, it does seem to me, Senator Tydings, and I am sorry that you didn't hear the testimony of Senator Robertson and Congressman Downing, and the members that come from the affected Virginia counties, but the thrust of their presentation was that you in Maryland would have a road traversing almost the entire length of the national seashore, whereas they have equally beautiful ocean

sands, and beachfronts in the Virginia sector of the island, and there isn't any particular reason why they shouldn't have a road to open that up as well, and it seems to me that is rather a compelling argument.

Senator TYDINGS. Well, as I said, and I have discussed this problem with Senator Brewster, because we have had it laid in our laps, so to speak, by the Virginia Congressmen, and my recollection of our conversation was that Senator Brewster and I both felt that it was certainly a reasonable request, and we would support it.

Senator BIBLE. Thank you very much, Senator Tydings. We appreciate your presence here, and if you care to come back and join us at the head table, as it were, we would be delighted to have you during the course of these hearings. From the list of witnesses, it appears we are going to be here for several days, so at any time you want to come in and join us in this nice auditorium, you are welcome to do so.

Senator TYDINGS. Thank you, sir.

Senator BIBLE. And with that, we will stand in recess until 2 o'clock this afternoon.

(Whereupon, at 12:32 p.m., the committee recessed, to reconvene at 2 p.m., the same day.)

AFTER RECESS

(The committee reconvened at 2 p.m., Senator Alan Bible presiding.)

Senator BIBLE. The committee will come to order.

Our first witness this afternoon will be Paul Cunningham, publisher of the Worcester Democrat.

FROM THE FLOOR. Mr. Chairman, I don't believe Mr. Cunningham is going to be able to get over here today; he is an editor of the paper that comes out on Wednesday.

Senator BIBLE. Without objection, his written statement will be included at this point in the record.

(The statement referred to follows:)

STATEMENT OF PAUL CUNNINGHAM, OWNER AND PUBLISHER OF THE WORCESTER DEMOCRAT

Mr. Chairman, I am Paul Cunningham, owner and publisher of the Worcester Democrat, a weekly newspaper in Pocomoke City, Worcester County, Md. I am a member of various civic groups such as the chamber of commerce, Pocomoke Economic Development Committee, and Rotary.

In my appearance today I represent the Chamber of Commerce of Pocomoke City and myself as a businessman and homeowner in Worcester County. I am testifying in favor of making Assateague Island into a national seashore park. My main reason for backing this proposal is to try to prevent the tragedy of a county with an assessable basis of around \$110 million being saddled with the multi-million-dollar responsibility of trying to properly develop Assateague.

Three questions I want to raise and answer are: (1) Just how representative of the residents of Worcester County are the present board of commissioners; (2) In dollars and cents how much does Worcester County "owe" the individual property owner on Assateague for taxes he has paid into the treasury at Snow Hill, and (3) How much taxwise will Worcester County really be hurt if Assateague Island is put under the national seashore park plan and removed from the taxrolls in the county seat?

Because the members of the county governing body have been so vociferous in their demands for private development of Assateague, I think it would be good for members of this committee to have some knowledge of the political climate

in Worcester County. This way they can judge for themselves just how much weight to give testimony furnished by the commissioners. Without a background of Worcester County politics, the committee might erroneously assume that the commissioners mirror the opinion of county residents, because the county governing body is an elective group.

First of all, races for local offices in Worcester are seldom more than popularity contests. Issues are rarely mentioned and only occasionally does a real political battle erupt. Files of the Democrat go back to 1930 and nowhere do they show where the Republican Party ever fielded a full slate of county candidates against the Democrats. Republicans make up about 20 percent of the registered voters in Worcester County. Yet on the county level, they are completely ineffective in providing the voters with a chance to make a choice in local elections.

On the second question, the Worcester County governing body plays heavily on the idea that their constituents "owe" Assateague Island property owners something in the way of services and capital investment by virtue of the fact that for the past 10 years about \$55,000 a year has been paid into the Worcester treasury by lot holders. Even if every property owner on the island purchased his lot without the idea of speculative gain, there is still a fundamental weakness in this idea. Few have ever stopped to break down the \$55,000 figure to show the actual amount paid in county taxes by the majority of lot owners.

Most lots on Assateague are assessed for tax purposes at \$500. It wouldn't be worthwhile for the county to send a bill of any less than the \$9 this brings in at the \$1.80 per \$100 rate. So if a property owner has held his lot for 10 years, he has \$90 tied up in county taxes.

Some ocean-front lots are probably assessed for as much as \$1,000. Owners of these have to pay out \$18 a year, or a little over 35 cents a week. The average smoker spends many times that amount, and everyone knows more than half the cost of a pack of cigarettes is taxes.

A special 90-cent-per-\$100 levy authorized against island property owners to help pay for the recently constructed bridge will probably never be collected. A bill has been introduced in the Maryland State Legislature to reimburse the county its \$500,000 share of the span's cost.

As I see it, the only thing "owed" to the property owners on Assateague Island is a fair market value for their lots when the area is turned into a national seashore park. The third hook upon which the commissioners hang their argument for private development of the island is the importance of it to the county's tax base. They infer that loss of the \$55,000 tax income will necessitate increasing the county tax rate by 5 or 6 cents. Is this really so?

Tuesday, March 9, when the county school board brought its budget before the commissioners, it was estimated the increase in the assessable basis this year would be around \$8 million for the county. Members of the county governing body were bemoaning the fact that with each \$1 million increase in the assessable basis that brings \$18,000 into the treasury at the \$1.80 per \$100 rate, the State board of education cut down its contribution to Worcester by \$12,000. This left the county with a net gain of income for each \$1 million worth of property of only \$6,000. (In Maryland a formula is used to determine State aid that takes into account the assessable basis of the county and per capita income. Normally it works out that the higher the per capita assessable basis is, the smaller the percentage of expenses contributed by the State.)

Point I am trying to make is that if \$12,000 worth of State aid is lost to the county school system each time the assessable basis increases \$1 million, the opposite should also be true. If \$3 million on Assateague Island is removed from the tax rolls, the State should increase its aid to schools in the county by \$36,000. That would leave the county treasury with a net loss of around \$18,000 instead of the \$55,000 claimed by the commissioners. I can't state for sure that this is the way it will work, but the situation is certainly worthy of study by a fiscal expert from this committee.

Returning to the residents of Worcester County and the way they might feel towards the disposition of Assateague, it is my personal opinion that most of them want to see the problem settled one way or another so they can forget about it.

At the same time, it is important for the committee to remember that a group such as the Pocomoke City Chamber of Commerce, composed of 50 of the 75 businesses listed in the 1963 Census of Business, has endorsed the proposal of a national seashore park. This was done with full knowledge that their

elected representative (Ray Redden) to the board of county commissioners was working hard for private development.

I do not question the right of the commissioners to fight for the private development of Assateague nor do I challenge their motives. At the same time I want to point out that in their promotion of private development, they are spending public funds. As a specific example, the report by Julian Tarrant called, "A Plan for Private Development of Assateague Island," was paid for with county funds. In addition over \$300 was spent out of the county treasury to make reprints of the report and distribute them. Also, I have every reason to believe that expenses of the county attorney and former county engineer incurred in preparing and presenting testimony at this hearing will be paid for out of county funds. The hotel bill and expenses of the county commissioners who are here most likely will also come from county funds.

It is ironic to me that as an individual backing the national seashore park proposal, I take time off from my business and pay my own expenses to testify at this hearing, while some of those seeking "private development" resort to the use of public money to subsidize their appearance.

Senator BIBLE. Our next witness is Dr. Jonas Rappeport.

STATEMENT OF DR. JONAS RAPPEPORT, BALTIMORE, MD.

Dr. RAPPEPORT. Mr. Chairman, I am Dr. Jonas Rappeport of Baltimore, a member of the Citizens' Committee for the Preservation of Assateague Island. I am a practicing psychiatrist, as well as the court psychiatrist for the circuit court of Baltimore County. I am also president-elect of the Maryland Psychiatric Society. I am also a camper and represent the National Campers and Hikers' Association, a nonprofit organization, dedicated to the camping interests of over 19,000 families. At our last national campout at Tasmin, Ohio, in July, there were over 3,400 families in attendance. Unbelievable as it is, the membership of this group has grown from 13,000 families in June of 1964 to 19,000 families in February of 1965.

If you are not involved in camping and have never visited a crowded public or private campground, it will be difficult for you to understand of what I speak. As you know, recreation has become a tremendous national pastime. We have just passed through the boating phase with a tremendous increase in the number of boats owned by Americans.

It is my feeling that we are entering the camping phase. More and more people find themselves with more and more leisure time, and more and more of them are becoming aware of the great out of doors. As a psychiatrist, I am faced in my practice with those who have had trouble adjusting to the complicated problems of our complex society.

As a colleague recently said, "The trouble with success is that its requirements are the same as those of a 'nervous breakdown.'" Because of the very stresses that our wonderful technological advancements have placed on the human organism, there is an increased desire to return for a brief controlled period to the simpler, less complicated life, yet still maintain some of the pleasures of civilization. What we really do when we go camping is attempt to turn the clock back to what hopefully was a less responsible time of our life as children in the out of doors, or, if we didn't enjoy such a childhood, we attempt to identify with our pioneer forefathers who founded this country, "a sort of hero worship."

This, of course, is controlled by us. We can go home or to a motel if it rains too much, so fantasy such as this is safe. Of course, there

are campers who prefer things quite primitive, but still there is control. We aren't gypsies, we aren't drunks (many camps allow no drinking), we don't fight, the loudest noises one hears in a campsite usually come from papa when, after a 4- to 6-hour drive, he tries to set up camp and splits his tent stakes on a hidden rock, or the tent falls in on him when junior lets go to run after a pretty striped kitty. We want to visit different places, see nature as God made it, and learn about the world around us.

Working with the courts, I see a great many juvenile delinquents. Rarely have I seen a child of a "camping family" in trouble. It should be easy to see that only wholesome, intact families can use their leisure time so constructively and thereby contribute healthy children to our great Nation.

The very cooperation required to set up a campsite, the joint effort, general spirit, and so forth, all contribute to the development of the necessary give and take that is required of mature adults. There are no snobs at campgrounds. Here we see the true "melting pot" theme of America at its fullest—doctor, lawyer, truckdriver, laborer, factory worker, teacher—people from every walk of life, background, and corner of America.

You have before you, or shortly will, the statistics prepared by the Department of the Interior, based on past experience, projecting the future use of Assateague. I feel certain that these figures are not exaggerated, but possibly underestimated. Last August we organized a Northern Baltimore Campers Chapter limited to 15 families. By January there were three other chapters in Baltimore alone, and in the State there are four or five other chapters.

This thing is growing and yet it is not quite big enough in this country for the general establishment of good, privately owned campgrounds wherever land is expensive. With all respect to owners, the private campgrounds at Ocean City, Md., leave a lot to be desired, yet they are being used a great deal.

Here at Assateague I think you have the opportunity to save for everyone the privilege of enjoying camping on the ocean, hiking, nature study, surf fishing, and so forth. The Assateague Island National Seashore is a must, not just for campers, but for all America.

I urge you to look favorably on the bill for the future growth of our Nation.

Senator BIBLE. Thank you very much, Doctor.

I take it from this statement you have visited Assateague yourself.

Dr. RAPPEPORT. Yes, sir.

Senator BIBLE. Have you done this on many occasions?

Dr. RAPPEPORT. I have visited actually on the island only once just before the bridge officially opened. I have been at Ocean City on many occasions.

Senator BIBLE. Have you ever actually camped on Assateague?

Dr. RAPPEPORT. I have not; I have friends who have, but I have not.

Senator BIBLE. I have no further questions.

The Senator from Wyoming?

Senator SIMPSON. No questions.

Senator BIBLE. The Senator from Arizona?

Senator FANNIN. Mr. Chairman. Doctor, did you hear the testimony this morning?

Dr. RAPPEPORT. The latter part of it; I got here about 11 o'clock, sir.

Senator FANNIN. I was wondering if you have any thoughts as to whether or not a full Federal development or a State development as proposed would be most desirous as far as the campers are concerned.

Dr. RAPPEPORT. I do not think we would have any particular position. All campers have found State facilities, Federal facilities and private facilities all, generally speaking, excellent within limitations.

In Maryland, the department of forests and parks operates excellent camping facilities of the highest type that certainly compare with the Federal facilities that I have been in, such as down at the Skyline Drive at Big Meadow. I do not think we have had any particular feeling opposed to that question that the State and Federal operate together, or however would be best.

Senator BIBLE. The Senator from Wyoming?

Senator SIMPSON. Do you have any interest in Ocean City or on the island? I mean in the acquisition of property?

Dr. RAPPEPORT. Personal interest, no, sir.

Senator BIBLE. Any further questions?

Thank you, Doctor.

Our next witness is Mrs. Edward A. Maher.

Mrs. Maher.

STATEMENT OF MRS. EDWARD A. MAHER, BALTIMORE, MD.

Mrs. MAHER. Mr. Chairman, I am Mrs. Edward A. Maher, of Baltimore, Md. I am president of the Federated Garden Clubs of Maryland, which has more than 4,500 members. The federation is a member of the National Council of State Garden Clubs, which in turn represents 411,000 members. Conservation education and preservation of our natural resources are major parts of the concerted effort of our organizations.

For several years our members have made a thorough study of the need for the preservation of Assateague Island as a national seashore area.

We have visited the island, and have conferred with both professionals and our representatives in State and Federal Government on the urgent need for preservation of this barrier reef island and on the danger of destruction from coastal storms.

Senator SIMPSON. Mr. Chairman, would you mind if I interrupt you there?

Mrs. MAHER. No, sir.

Senator SIMPSON. This comes back to this question we have been talking about. You say here you have visited the island and conferred with both professionals and others, and there is a need for preservation of this barrier reef island and on the danger of destruction from coastal storms.

Regardless of who has it, it is going to be subjected to the storms that come.

What is the purpose of that statement?

Mrs. MAHER. The purpose, I feel, is that it has to be protected by dunes or some other form.

Senator SIMPSON. In other words, if the Government would take steps to protect it, the State and private interests would not.

Mrs. MAHER. I think they are able to take steps that the others would not be able to.

Senator SIMPSON. Thank you very much.
Excuse me for interrupting.

Mrs. MAHER. As a result we are convinced that Assateague—mile after mile of low-lying golden sandy beach, a barrier reef with beaches of a quality to rival any in the world—is a precious national asset. We, as women, feel that this beauty must be preserved in its natural state as a legacy for future generations. We believe that it is vital to provide natural areas where our children and grandchildren may go to picnic, to camp, or swim or fish.

We are gratified that the Honorable Stewart L. Udall, Secretary of the Interior, has seen fit to have a thorough study made of the island, and that he recommends that Assateague Island should be preserved as a national seashore and public recreation area.

We are pleased that President Johnson, on February 8, 1965, in his memorable message to Congress, proposed "a broad program to preserve natural beauty with conservation principles in the forefront," and that he stated his intention to make this a "Parks for America decade," making particular mention of funds needed to acquire lands necessary to establish Assateague Island National Seashore and other areas equally in need of preservation.

As President Lincoln once said, "Government should do those things that need doing, but that the people cannot do as well for themselves." We believe this to be true in the case of Assateague Island. We need the help of Congress, and particularly this committee, to approve the necessary legislation for the preservation of Assateague Island as a national seashore area.

We respectfully request that you support Senator Brewster's bill, S. 20.

Mr. Chairman, may we draw your attention to the attached resolution: To establish the Assateague Island National Seashore in Maryland and Virginia, which has been adopted by the Federated Garden Clubs of Maryland, and ask that this resolution also be made a part of the record of this hearing.

Thank you.

Senator BIBLE. Without objection, that will be ordered.

(The resolution follows:)

RESOLUTION OF THE NATIONAL COUNCIL OF STATE GARDEN CLUBS, INC.

Whereas the National Park Service, as long ago as 1935, has identified Assateague Island, in the Atlantic Ocean, off the coast of Maryland and Virginia, as one of the 12 areas suitable for national seashore status; and

Whereas the Secretary of the Interior, Stewart L. Udall, has stated that, "Assateague Island is the largest unspoiled section of beach in the midsection of the Atlantic coast which is suitable for preservation as a national seashore"; and

Whereas Assateague Island has definitely been established as "dynamic," which is to say, that it is in motion and changing as a result of the shifting effects of wind, waves, and currents, and is in definite need of Federal action to acquire the remaining portion of the island to assure that protective measures such as protective dunes and stabilizing beaches, will be taken to stabilize the island; and

Whereas "Assateague Island is ideally located to serve the large population centers of Washington, Baltimore, Wilmington, and Philadelphia, and nearby areas, and would provide for future generations and present-day Americans—a

remarkable area for recreation, sports, fishing, swimming, and conservation"; and

Whereas Federal officials from both the executive and legislative branches of the Government have recommended the enactment of legislation to establish the Assateague Island National Seashore in Maryland and Virginia, to the Public Lands Subcommittee of the Senate Committee on Interior and Insular Affairs; and

Whereas the protection to be afforded by such an act of Congress in establishing this national seashore area is most urgent: Therefore be it

Resolved, That the Federated Garden Clubs of Maryland, Inc., the Central Atlantic Region, and the National Council of State Garden Clubs, Inc., go on record in support of the proposed legislation establishing the Assateague Island National Seashore; and further be it

Resolved, That this resolution be incorporated in the minutes of the fall board meeting of the National Council of State Garden Clubs, Inc., held at Hot Springs, Va., October 27, 28, 29, 1964; and be it further

Resolved, That copies of this resolution be sent to the President of the United States, the chairman of the Senate and House Committees on Interior and Insular Affairs, and the Governors of Maryland and Virginia.

Senator BIBLE. Thank you very much for a fine statement, Mrs. Maher.

I would have but one question. You say for several years members of your club have studied the needs of the preservation of Assateague Island. When did you first feel this need?

Mrs. MAHER. I would say 4 years ago.

Senator BIBLE. You did not get into studying this 40 years ago, 20 years, or 15 years ago?

Mrs. MAHER. No, sir.

Senator BIBLE. The Senator from Wyoming?

Senator SIMPSON. No questions.

Senator BIBLE. The Senator from Arizona.

Senator FANNIN. I would just ask if you support the other bill that is providing for both the States to participate. You referred to S. 20. There is also S. 1121, which provides that both Virginia and Maryland participate in this program and that the road be provided to connect the two bridges.

Mrs. MAHER. I do not think we could have taken a stand on that, sir.

Senator FANNIN. Thank you.

Senator BIBLE. Thank you very much, Mrs. Maher.

Mrs. MAHER. You are welcome.

Senator BIBLE. Our next witness is Mr. Clayton Hoff.

FROM THE FLOOR. I don't believe Mr. Hoff is here. He lives in Wilmington.

Senator BIBLE. His statement will be received by the committee and filed as given.

(The statement referred to follows:)

STATEMENT OF CLAYTON HOFF, WILMINGTON, DEL.

Mr. Chairman, in addition to my own personal interest as a private citizen, I represent as its executive vice president, Forward Lands Inc., a nonprofit private organization with the objective of acquiring open spaces and holding them for future public use.

My interest in Assateague Island stems from my frequent visits to it as early as the year 1937.

The terrain of Assateague Island varies from sandy beaches at sea level, salt water and fresh water marshes and flats to active drifting sand dunes of a few feet in height to stabilized and forested dunes perhaps 7 to 8 feet above sea level.

The vegetation of Assateague Island ranges from aquatic plants, mosses, lichens, hudsonia, cyripedium, opuntia, and numerous other wild flowers to enormous loblolly pines several feet in diameter and perhaps 80 to 90 feet in height.

There are a few, if any, remaining places along the Atlantic coast where such a variety of terrain and vegetation can be found and it is considered most important by all the ecologists that this be preserved for general public use, study, and enjoyment.

This great variety of terrain and vegetation, together with the fact that there is an ocean shore on one side and a marshy bay shore on the other, make this an outstanding habitat for many forms of wildlife, particularly shore birds, waterfowl and game, and it is considered extremely important that the entire island, not only the Virginia section, but the Maryland section as well, be preserved as a wildlife habitat for resident and migratory wildlife, not only for the ornithologist, but for the sportsman and hunter who must depend not only on hunting grounds but breeding grounds for his supply of wildlife and game.

It has also been observed that the shore of Assateague Island provides an excellent facility for surf casting for thousands of anglers, and it is deemed expedient that this island be kept so that this sport would be available to the public rather than restricted to a few who might be temporary residents of the island.

I have been on Assateague Island in fair weather and in storms, and I have seen a tremendous area of Assateague Island completely inundated during northeasterlies and its is not only my own observation, but common knowledge that the surface features of Assateague Island have been radically changed by severe storms which would indicate that the major portion of Assateague Island, particularly that in Maryland, is entirely unsuited for permanent residents or commercial developments. It would appear that the expenses to the taxpayers at large of maintaining or protecting or restoring their residences on much of Assateague Island would be many times the original cost of the land and the buildings combined. It should be remembered that the lighthouse at Cape Henlopen, rebuilt in about 1767, was located on a high dune almost 1 mile from the shoreline. This site is now between 200 and 300 feet out in the Atlantic Ocean.

Shorelines change rapidly and sections of Assateague Island are no exception.

My own observations have supported the geologists, hydrologists and public health officers who have pointed out the difficulty of fresh water supplies and of sewage and waste disposal. Costs appear prohibitively high and there is great question as to their sanitary safeness.

There is more to life than dollars and cents. The human being, to be morally, mentally, and physically healthy, needs contact with some of the fundamental, natural things of his environment. Man's soul does not thrive on brick, stone, concrete, asphalt, oil, iron, and steel. The last few remaining natural areas along the Atlantic coast should not be sacrificed for the financial benefit of a few.

For the foregoing reasons, I urge that legislation be enacted establishing Assateague Island as a national seashore area.

Senator BIBLE. Our next witness is Mr. Dominic Nicholas Fornaro.

STATEMENT OF DOMINIC NICHOLAS FORNARO, BALTIMORE COUNCIL OF AFL-CIO UNIONS (MARYLAND)

Mr. FORNARO. Senator Bible and members of the committee, my name is Dominic Nicholas Fornaro, and I am president of the Baltimore Council of AFL-CIO Unions (Maryland) representing a membership of 125,000.

I would like to go on record in support of passage of S. 20, relating to the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, now being considered by the U.S. Senate.

Organized labor today recognizes the immediate and critical need for additional public recreational facilities, particularly in our mid-atlantic area where the rapidly expanding population already outstrips the land available for one to enjoy the great outdoors.

Labor is moving ahead in these times, gaining for the working man more leisure time through shorter work days and work weeks, and longer vacations. Automation also provides more time for the working man from his job.

Moreover, more and more working people seek the healthy, relaxing and enjoyable offerings of the out of doors for recreation away from their jobs.

This, I believe, is a commendable trend, and one which should be encouraged in any way practical. It contributes considerably to our American society, the understanding of our American heritage, our appreciation of conservation, and our love of the wonders of nature—all of which are necessary if we are to make our citizens more aware of maintaining and restoring the natural resources so vital to the future of this great country.

Remember this, too, outdoor recreation is oftentimes family recreation. Families enjoy the out of doors together. They swim, hike, watch birds, fish, take pictures, camp, and even hunt together. Outdoor recreation strengthens family ties at a time when many other everyday tensions can tend to loosen them.

Think, too, of the part expanding outdoor recreation can play in the curbing of juvenile delinquency. Youngsters, both boys and girls, can obtain a fresh outlook on life through the appreciation and enjoyment of our natural resources and the companionship of their mothers and fathers on trips in the out of doors.

Here we have a situation where conserving our natural resources for the benefit of man can actually conserve our human resources for the benefit of man.

Now, what is the laboring man and his family looking for in the way of recreational opportunity?

They seek a place to relax and enjoy themselves, oftentimes as a family unit, and at a cost they can afford.

Many of the people I represent cannot afford the private clubs, expensive resorts, and high-priced trips. Everyone is aware of the costs of raising, educating, and caring for a growing family today.

These people seek something that is best exemplified in the proposal for the conversion of Assateague Island to a national seashore. This, of course, is only one of many such worthwhile projects being considered by our Federal, State and local governments.

To my area, however, Assateague is by far the most important now under consideration in the recreation-conservation field. It represents a solid guarantee to those I represent that they will have available to them a natural wilderness and seashore area not only in our lifetime, but for future generations.

Here we have a long thin silver of land on the Maryland-Virginia eastern shore that can be made available to 35 million people who are within a 275-mile drive of its beauty and recreational opportunities. It is the only such place available north of North Carolina to the working people of my area.

These people seek to escape from the concession stands, teeming public beaches, and the crowded resort cities that no longer provide them with the relief they yearn for from the hustle and bustle of everyday life.

They want to go places where they can enjoy in "togetherness" their time away from their jobs, school, and home. The establishment of

an Assateague Island National Seashore represents one of the important answers to their hopes.

Therefore, I cannot express myself too strongly in favor of S. 20 on behalf of not only my membership, but on behalf of myself personally and my family, and I earnestly seek your support for this most beneficial program.

Mr. CHAIRMAN. I want to thank you for allowing me to appear here and express my views for the people I represent.

Senator BIBLE. We are very happy to have you do so.

You direct your testimony, as much of the other testimony has been directed, only to S. 20. Do you have any feelings as to the companion bill that is before us that includes the State of Virginia and the building of the road between the two bridges?

Mr. FORNARO. I would embrace that also, because working people live in Virginia.

Senator BIBLE. So, you have no feeling one way or another on that, if the committee thinks it is wise to join these together this is what should be done.

You say you are speaking for yourself and your family. Have you actually visited Assateague Island yourself?

Mr. FORNARO. Twice I have been there fishing, before the bridge.

Senator BIBLE. I have no questions.

The Senator from Wyoming?

Senator SIMPSON. Yes; I would like to ask Mr. Fornaro: Do you have a resolution from your membership, the Baltimore Council for—

Mr. FORNARO. This is a national AFL-CIO policy for recreation and any type of conservation. This is a policy from the national AFL-CIO.

Senator SIMPSON. Then it applies to any such seashores?

Mr. FORNARO. Yes, sir.

Senator BIBLE. The Senator from Idaho?

Senator JORDAN. No questions.

Senator BIBLE. The Senator from Arizona?

Senator FANNIN. No questions.

Senator BIBLE. Thank you very much.

Our next witness is Mr. Claude Callegary.

STATEMENT OF CLAUDE CALLEGARY, BALTIMORE, MD.

Mr. CALLEGARY. Senator Bible, as cochairman of the citizens committee, I have been perhaps busy with getting ready for these hearings so that when our schedule was changed, I did not have an opportunity to make a complete written statement of what I would like to say to the committee.

I wrote down several notes for myself.

My interest in this—I am an attorney from Baltimore, I am also the attorney for many of these labor unions, the Auto Workers, International Association of Machinists, Communications Workers of America, and so forth.

I am also the senior vice commander of the Disabled American Veterans, the incoming national commander.

I am also a conservationist and a duck hunter, if you want to bring all the facts into this.

I became very much interested in this project 4 or 5 years ago when legislation for this Assateague project first came up and it became apparent that there might be some way of saving Assateague.

Along with Porter Hopkins, who will speak next, we formed a group of all these interested people who you have listed in the front of the brochure. It shows the many groups that have been interested in preserving Assateague.

I am a native of Baltimore City, born and raised there, have traveled the State of Maryland. The reason that I am involved in this is because I can remember that when I was a child you could walk a mile in any direction and you had an area that you could play in. I was born in the row house area of Baltimore City.

Now this is all gone. Baltimore has been my home all the time except when I was in the service and now when I am traveling for the D.A.V.

In reading conservation backing interested in this project, I realized that it is a very tiny conservation project in comparison to the immense areas that you have just passed in the wilderness bill, for example, the Wild Horse Range in central Nevada, which is 435,000 acres established in 1962.

During the service I was privileged to travel in Alaska in World War II. I was very recently in Hawaii, very recently to the great mountain ranges of the West, and I have seen the South Pacific in its more primitive aspects in the service during World War II.

I say privileged because it is quite clear to me that the millions of people who live on the eastern seaboard will not, for one reason or another, be able to see an area in its natural state. It takes only a single flight from Boston to Friendship Airport, gentlemen, as the plane starts to let down over Havre de Grace, to see that there are homes and new communities which have sprung up on the shores of the Chesapeake Bay stretching inland and on the shores of every river.

Assateague represents to me and my family, and to my children, a tiny touch of the wild. Now, you gentlemen are from the West. I was in Idaho recently, in Boise, up in the great Tetons, and you have all the immense areas of undeveloped land and you have the great national parks. On the east coast we do not have any of that.

For our children this seashore, in its natural state, and I have been on it many times, will be, in effect, their visit to Hawaii, or other great beaches. Alaska, where I have been, has its primitive areas where the people can come and enjoy themselves. An open area like the West, which we do not have here on the eastern seaboard at all, can be provided by this legislation for our children to enjoy.

This national seashore, when it is created, will not be lost to the many people who now own tiny pieces of it. I have many friends who own these lots. They have come to me, many of them have said to me, "we realize it is going to be a national seashore, let's get it over with." Others have said to me, "we feel we do not want it taken away." But it is my feeling, and why I am involved with this committee, that they will not lose this land, these people who own this area now. We hope they will be bought out and the area changed to a national seashore. Then they and their children's children will be able to enjoy it in its natural beauty.

As the years go by I think they will come to agree. As a lawyer representing many, many working people in the State of Maryland, I

feel that these people should be fairly and adequately compensated for their holdings, and I am certain that this Congress will see that they do not lose any of their investment in this island. I think the matter has been put off for too many years. In the interim period these people have gotten interested, not only interested but vitally interested, in building homes there and they are entitled to that interest.

But it is my feeling and why I am working with this committee that the greater need today is to create a national seashore for the people that are going to need it. The people that coming after us.

And, gentleman, that is the reason I am the chairman of the Committee for the Preservation of the National Seashore, and that is why I am here today, sir.

Senator BIBLE. That is a fine statement, Mr. Callegary.

I would only ask you one question. You say that you recognize that one of the problems, and there seem to be many, but this is one of them, is the fact you do have a good many property owners, a good many lot owners, and they have very keen feelings, it is property they have purchased, and you say you would see that they received fair and adequate compensation.

What would your measure of that be? How would you measure the compensation? If I had a lot I had purchased 15 years ago on Assateague Island and the Federal Government was about to move in and create a national seashore, what would be a fair and adequate compensation to me as a holder of a lot there for some 15 years?

Mr. CALLEGARY. Senator Bible, as we use it in the law we use fair market value. I do not know what the fair market value of those lots are. I understand that some of the lots even today, if the dunes were erected, would be beyond the dune area. Now, what the fair market value of these lots is, I do not know, but it should never be less than the purchase price of these lots, in my opinion.

Senator BIBLE. I am sure that anybody who purchases a lot would agree with that statement; it perhaps would be a lot more. I just wonder, this is one of the areas where we have a problem in this proposal that is before us. I intend to explore it in the course of these hearings which go on tomorrow and all day Friday.

I thought you would have some views because you mentioned the compensation. I was wondering what fair market value would be. Some lot owner might ask me what that means, and I would like to know how to answer him.

Mr. CALLEGARY. Senator Bible, these people, as I know, will be well and adequately represented by fellow members of the bar. Mr. Holly Pitman here, a classmate of mine in law school, I understand he represents a good many of them. I know these people will be fairly and adequately represented.

I think if the U.S. Government is going to take this over that these people should be fairly and adequately compensated. I don't know what that is, but it should not be less than the fair market value or the purchase price. I do not think they should be permitted to raise the price of this simply by building things there subsequently to this proposed acquisition. I do not think they should be permitted to enhance the value of it now, but they should go away, as we call it in the law school.

Senator BIBLE. This would be a matter of opinion, I guess, but we visited there on Saturday, and I would think if I was a lot owner, I would have some difficulty in enhancing the value right at this stage. Now maybe somewhere along the way it would be enhanced, but I wanted to get your views on that.

The Senator from Wyoming?

Senator SIMPSON. Mr. Chairman. Mr. Callegary, have you been here all morning?

Mr. CALLEGARY. Yes, sir.

Senator SIMPSON. What is your attitude with respect to the bridge to bridge road?

Mr. CALLEGARY. Sir, I was very interested in that part of the case because I must say I am a dedicated duck hunter, and I hunt off of the Bombay Hook Refuge in Delaware. Of course, there are roads all through the Bombay Hook Refuge. I know my children know this because I have taken them there many times. These ducks and geese will come, as long as you are not too close to them, maybe 150 feet away. They will remain comparatively unalarmed. What they do in that refuge is that during certain times of the year they close the roads. I think perhaps if this road is erected through this island that at certain times of the year, during the period of greatest migration, they may very well have to close this road down if it is put on the island.

Senator SIMPSON. Would you be for S. 20, then, without thought of the recommendation of the Virginia group?

Mr. CALLEGARY. Sir, you mean without the road or with the road?

Senator SIMPSON. Yes.

Mr. CALLEGARY. If the road is going to enhance the use of the island I would favor it. There is no sense in creating this or making a national seashore unless you can get the maximum usage out of that both for Maryland and Virginia. I agree with the Senator from Virginia. They are entitled to their fair share of visitors, campers, sightseers, or whatever it is, as long as it is not to the detriment of the national seashore, No. 1, which is our primary interest, and, secondly, to the wildlife refuge which, of course, is secondary in this instance.

So, I am not afraid of a road if it is properly administered, sir.

Senator BIBLE. The Senator from Idaho?

Senator JORDAN. No questions, Mr. Chairman.

Senator BIBLE. The Senator from Arizona?

Senator FANNIN. Mr. Chairman.

Mr. Callegary, you heard your distinguished Governor testify as to the development by the State. Are you in favor of the Maryland State Park program going forward?

Mr. CALLEGARY. Sir, I just came back from your beautiful State and the Grand Canyon and all through that area. I am of this opinion that the Federal Government, if they are going to create a national seashore, perhaps not to get into later problems with this State-Federal Government controversy, that the ideal situation would be for it to be like any other national park or national seashore and should be administered uniformly by the Federal Government. This would be my opinion in this area, sir.

Senator FANNIN. Well in many instances, you know, there is a State-Federal program that works quite advantageously.

Mr. CALLEGARY. Yes, sir. And I am well aware of it. But this is a tiny spectrum of land in the whole conservation area. I do not see how you can have Virginia, the Federal Government, and Maryland all having jurisdictions over a 33-mile piece of land without having some areas of conflict.

Senator FANNIN. Thank you.

Senator BIBLE. Thank you very much. We appreciate your testimony.

Our next witness is Mr. Porter Hopkins.

STATEMENT OF C. A. PORTER HOPKINS, GLYNDON, MD.

Mr. HOPKINS. Thank you, sir.

Mr. Chairman and members of the committee, my name is Porter Hopkins. I live in Glyndon, Md., where I farm and operate a commercial shooting preserve in neighboring Harford County. I am also employed by the Maryland Historical Society as an assistant director, in which capacity I travel the State seeking to uncover and preserve items precious to our local heritage.

For recreation I hunt, fish, paint, watch birds and enjoy the association of those similarly inclined. In brief, my adult life has been spent so far seeking to conserve, and to preserve those features of our natural and cultural heritage without which future generations of Marylanders and Americans would in my opinion be spiritually handicapped.

To this end I have served or am serving on such civic undertakings as Baltimore Heritage, the Flag House, the Maryland Conservation Federation and the Society for the Preservation of Maryland Antiquities.

I am an active member of various conservation organizations, including the Audubon Society, the American Forestry Association, the Izaak Walton League and Ducks Unlimited, and am a Republican appointee to the Baltimore County Board of Recreation and Parks.

I am concerned as an individual with the loss of space in which to hunt, to fish, to walk, and to think in our part of the world, and I see this from the working farmer's point of view as well as the recreationists. I have had the privilege of spending many summers in and around Acadia National Park in Maine, and I have the highest respect for what the National Park Service has done and is doing for this country. I have no fears of a "Federal takeover" in this vital area of our national economy, and as a conservative Republican, I only wish the States did half as good a job as the Park Service.

My acquaintance with Assateague goes back at least 10 years. I have hunted marsh hens and duck on the neighboring bays. I have fished and watched the ponies and turtles and birds, and I have taken my family there before the bridges were built so that they could know what the Lord created before man messed it up. I might also say here that I know and admire many of the people of the area from Chincoteague to Ocean City, and that much of the pleasure derived on my trips has been from the associations I have had with the watermen and their families.

We have heard a lot here today about the natural resources of this area. I think the people are one of the greatest natural resources and that they have been overlooked in our part of the world.

I appear here today as president of the Citizens Committee for the Preservation of Assateague Island. You have heard from Mr. Callegary about the formation of that committee last year by a group of interested citizens in the Baltimore-Wilmington-Philadelphia-Washington area who felt the public's attention should be brought to the immediate problem facing Assateague, and that problem was whether to allow the private development or some form of park use to be made.

This got us together and we do represent numerous individuals and groups of representatives, some of which you have already heard, and the names and associations of our committee are in the record from the hearing of last August, which both Mr. Callegary and I attended.

Our reasons for caring about Assateague Island's future are as diverse as our committee's interests—we have doctors, lawyers, bankers, housewives, teachers, writers, farmers, and workingmen on our committee, and they obviously do not all have the same interests or beliefs. We all do share the idea, however, that Assateague is too precious a jewel in the natural state to allow it to be cut up for commercial, or even residential use.

We appreciate your interest and courtesy in scheduling this and the hearing of last August, and for giving us an opportunity to make our presentation before you. We stand willing to cooperate in any decision or request that is made of us.

To save someone asking me the question, I would like to say that the committee urges the creation of this national seashore under either bill. I would like to submit the testimony of several witnesses who were scheduled to appear but could not be here, copies of which I have.

I would also like to submit for the record copies of two letters, one from Allston Jenkins, the president of the Philadelphia Conservationists in Philadelphia, and another from the Open Spaces Committee of the Citizens Council of Delaware County, Pa.

Senator BIBLE. The letters will be printed at this point and the statements included with the other statements we have received.

(The letters referred to follow:)

PHILADELPHIA CONSERVATIONISTS, INC.,
Philadelphia, Pa., March 11, 1965.

HON. ALAN BIBLE,
Chairman, Senate Subcommittee on Parks and Recreation,
Senate Office Building, Washington, D.C.

DEAR SENATOR BIBLE: I understand that the Assateague Island National Seashore bill (S. 20) has been referred to the Subcommittee on Parks and Recreation and that hearings will be held on March 17, 18, and 19.

On behalf of our more than 900 members I am writing to express to you, and to the subcommittee, the hope of all our members that this bill will be favorably reported by the subcommittee. Assateague Island is a unique and precious portion of unspoiled seacoast which is capable of giving pleasure to millions of people on our crowded eastern seacoast, if it is preserved as a natural seashore area for all time. We in the East need such areas desperately and you in the West will enjoy them when you visit us if they are preserved, just as we in the East enjoy yours when we travel in your beautiful West.

You are blessed with many wonderful natural areas in the West. We here in the East have only a few still remaining unspoiled areas. Assateague Island is one of these and one of the best of these. I know I speak for many besides our own members when I urge you and the members of the subcommittee not only to report this bill favorably but also to participate actively in obtaining a favorable report from the whole committee and passage by the Senate.

Sincerely yours,

ALLSTON JENKINS, President.

CITIZENS COUNCIL OF DELAWARE COUNTY,
March 12, 1965.

HON. ALAN BIBLE,
Chairman, Senate Subcommittee on Parks and Recreation, Senate Office Building, Washington, D.C.

DEAR SENATOR BIBLE: I am writing in behalf of the Open Space Committee of the Citizens Council of Delaware County, Pa., in favor of quick passage of the Assateague Island National Seashore bill (S. 20).

At a meeting held on Thursday, March 11, the open space committee unanimously voted to endorse the Assateague bill.

Here in Pennsylvania we are just starting an expanded system of State, county, and local parks under project 70. We also desperately need larger recreation areas such as Assateague (and Tock's Island) for our rapidly expanding population with increasingly more leisure time. We feel that this unique island should be purchased now for the enjoyment of present and future generations. We earnestly hope that your committee will report favorably on this important bill.

Very truly yours,

JOHN A. HARRIS, *Executive Director.*

Senator BIBLE. I have one question. You state this citizens committee of which you are president was organized about 1 year ago. I am curious as to whether or not there were other antecedent groups in earlier years?

The purpose of the question is this: There are those who have lots and who will speak tomorrow and the next day, who, I am sure, will make a point of the fact that they were led to believe that this was an open area and that there was no reason for a national seashore or national recreation area; therefore, they went in and invested their hard-earned money in a lot and suddenly several years later an effort is made to disrupt their ownership or take them out of their ownership and create a national seashore.

Were there earlier movements to preserve Assateague Island as either a State or a National seashore?

Mr. HOPKINS. I am glad you asked me that question because I would like to give you my view, sort of a historical view of it.

I was 16 or 17 at the end of World War II, when one real estate man whom I know quite well put together several of these properties and offered them for sale at that time either to, I believe I am correct in saying, the State or developers. This is where the initial development started.

I know also that over the years there has been, among the conservation minded in the State, the feeling that this was a natural jewel we have all visited long before the bridge was built, and I think many of us were upset when the bridge was built—the Maryland side I am talking about now.

The best way to see Assateague was to get in one of the scows in Chincoteague and go up the bay and pick the pony you wanted. Those of us who looked for things like that liked to see them and hoped they would last forever, but knew that was not possible.

As far as any movements to preserve, I cannot state there were any organized movements, but I know a sportsmen's club, in which I am active and in which several of the members of our committee have been active, had been talking about Assateague Island for 5 or 6 years before the State legislation set aside a park. I think, to conclude this, that there was one man in particular in the State, Mr. Green, who fought singlehandedly, really, in the State of Maryland, for public de-

velopment of this island. He even appeared before the legislature in a wheelchair shortly before his death.

Senator BIBLE. How many years ago was this?

Mr. HOPKINS. I would say 2 or 3 years ago. He had been writing letters to the papers and talking to everyone for years and years. I know there are people in the room who can verify this for me.

Senator BIBLE. This is admittedly a very attractive area. There are pressures now for development and these areas are becoming in short supply, but I am wondering why somebody did not do this 15 years ago, 20 years ago, or 25 years ago. I do not know whether there is any explanation of this or not.

I am just wondering if there is any light that you could throw on that.

Mr. HOPKINS. I think a great many people in Maryland feel as you and I do, that this should have been done 20 years ago. As a conservative I think that it would have been preferable 20 years ago for the State of Maryland to have done it, but the State of Maryland did not do it, and this is 1965, and I do not believe the State of Maryland could do it. Again I say I have lived near the Park Service in Maine and I went to work for them when I was about 16, also, one summer, and I have the most tremendous respect for what they have done both in the East and what few parts I have seen in the West.

Senator BIBLE. Thank you, Mr. Hopkins.

The Senator from Wyoming?

Senator SIMPSON. Mr. Hopkins, I notice you have a lot of avocations which interest me very much—hunt, fish, paint, watch birds, and so forth. This was placed on our desks today, a brochure for purchases. I thought I might have an occasion to use it because I would add to your avocations maybe one of girl watching. I also recommend to you that the Health, Education, and Welfare Department has recently put out a book and there is one chapter devoted entirely to girl watching. I always thought I had done pretty well and came out pretty well with the wife I have, but my technique was nothing like they advocate.

I do not see any man's picture here, but all the cheesecake in the country is depicted on this folder, and I am going to keep it and hang it in my boy's bedroom. [Laughter.]

Mr. HOPKINS. If I may answer that briefly, I have one of the best looking women who is my wife, who is not here with me today. She took the kids skiing in Vermont. But I would say this, that a great many lovely ladies in Maryland have concerned themselves with Assateague over the years, and that we owe a great debt to the garden clubs in particular for the work they have done.

Senator SIMPSON. I do not think they go with the purchase, I think it is just background.

Senator BIBLE. The Senator from Idaho?

Senator JORDAN. Mr. Hopkins, you have made a fine statement, and it is quite obvious to me you are a man of sound judgment. Could I ask you this: Would this idea of a road between the two bridges do violence to your convictions as a conservationist?

Mr. HOPKINS. No, sir; it would not. I not only raise ducks in some number, but I think I am probably as extreme as Senator Robertson in his pursuit of ducks, and in fact I had some correspondence with him about the collections that he wanted to see in our part of the world, and I would like to see what he has also.

We have a private refuge in Maryland known as the Remington Farms Refuge. It was part of the Glenn Martin estate, and when Mr. Martin died, Remington Arms-Dupont bought it. It is quite a thing to see. They have a visitors area by their main refuge pond, and this pond has at times a concentration of Canada geese in our part of the world and Kent County, Md., is rapidly becoming the No. 1 goose winter area. These geese are flying in over the pond, into the pond, around the pond, over the cars, within 10 feet of the cars, as they park or drive through this road without any problem at all, and there is shooting on this place.

I cannot see that the road would affect the wildlife, particularly the waterfowl, to any great degree. On the question of the road, it just seems clear to me that people in Chincoteague can certainly use it and other people from the South. I would think that to have the beach and not be able to get down it would be a waste. That is quite a big island and if there is not some provision for travel down the length of it many people would not be able to use it. Some of these beach buggies and jeeps may get by a guard or two. I know, growing up as a kid in Acadia National Park, I think I could get around the backroads better than most of the wardens up there and I probably still could. This use of beach vehicles over roadless areas can be pretty dangerous to the dunes themselves. I would rather see the road through the refuge than not have any road.

Senator BIBLE. The Senator from Arizona.

Senator FANNIN. I want to commend you for your dedication to conservation and your interest in this program. I am just wondering if a greater number of people would benefit if they did have a Maryland State Park in connection with the overall program inasmuch as this does not take any considerable percentage of the area and would, as I say, accommodate a great many other people that would perhaps not be otherwise accommodated.

Mr. HOPKINS. You are asking me whether I think we should have both?

Senator FANNIN. If it would be advantageous to have the Maryland State Park in order that a greater number of people would be accommodated.

Mr. HOPKINS. I cannot speak for the citizens committee.

My own personal opinion is that the Maryland State Park was designed as a hedge, that if there were not going to be the Maryland portion preserved in toto, that at least some of it would be preserved. I guess there are always those who think that in another hundred years or so maybe something might happen to our form of government that might result in the loss of the Federal portion and that a part of a park rather than no park would be better than nothing at all. This is my own belief, but I think this was some of the original feeling about—you know we do not have much seacoast in Maryland. This is, I am sure, better than half of it. To surrender it all to the Federal Government at one time except for that developed area around Ocean City would be giving up a little bit more than the people in the State wanted to do perhaps.

Senator FANNIN. I assumed from the testimony this morning that the facilities that would be developed through the Maryland State Park would accommodate a greater number of people.

Mr. HOPKINS. Yes, sir; I have seen those plans. I know the gentleman who had a great deal to do with planning that area and, in fact, he is chairman of the Baltimore County Board of Parks, and he is very much interested in the area. I think his ideas for the Maryland park are very well founded. I wish he were here today to testify to that effect.

Senator FANNIN. Thank you.

Senator SIMPSON. Off the record.

(Discussion off the record.)

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

Our next witness is Mr. C. R. Gutermuth, vice president of Wildlife Management Institute.

Mr. DANIEL A. POOLE. Mr. Gutermuth is not here, Senator Bible.

Senator BIBLE. We are happy to have you.

**STATEMENT OF DANIEL A. POOLE, WILDLIFE MANAGEMENT
INSTITUTE, WASHINGTON, D.C.**

Mr. POOLE. Thank you.

I am Daniel Poole, assistant to Mr. Gutermuth, secretary of the Wildlife Management Institute, which is one of the older national conservation organizations, and its program has been dedicated to the restoration and improved management of natural resources in the public interest since 1911.

Senator, we just completed putting on the 30th North American Wildlife and Resources Conference here in Washington, which was the best attendance we have ever had, nearly 1,500 people, and in the rush of closing that up and getting prepared for this I do not have a final copy of my statement. It is in preparation now at the office.

With your permission, I would like to go through and emphasize the main points and tomorrow morning forward the complete statement.

Senator BIBLE. We will insert the complete statement of Mr. Gutermuth for the Wildlife Management Institute immediately following your remarks.

Mr. POOLE. Fine. Thank you.

I will not get into the prefacing material, but we do urge the committee to give favorable consideration to establishing the Assateague Island National Seashore.

At the same time, however, we also ask that the committee and the Congress make sure that the purposes and values of the contiguous Chincoteague National Wildlife Refuge are not impaired by the seashore plan. It would be most unfortunate if, by its authorization of the national seashore, the Congress would inadvertently set into motion a chain of events that would impair the national wildlife refuge.

Senator BIBLE. Do you want to elaborate on that?

Mr. POOLE. I will, Senator.

Senator BIBLE. Fine.

Mr. POOLE. The Institute prefers the principal provisions of S. 20 to those of S. 1121 for a number of reasons. We feel strongly, in fact, that some of the provisions of S. 1121, if enacted into law, would be extremely detrimental to the Bureau of Sport Fisheries and Wildlife's program at the Chincoteague National Wildlife Refuge.

The provisions of S. 1121 to which we object are (1) paragraph (c) of section 6, which would direct the Secretary of the Interior to designate grazing areas on the seashore for the "preservation and protection of the wild ponies"; (2) section 7, paragraphs (a) and (b), which would authorize the Secretary to provide one or more areas for the construction of overnight and other facilities on that portion of the Chincoteague National Wildlife Refuge now under lease agreement to the Chincoteague-Assateague Bridge and Beach Authority; and finally section 9, which would direct the Secretary to construct a road "immediately west of the wildlife refuge with the Sandy Point-Assateague Bridge." Such a road would bisect the wildlife refuge.

Senator BIBLE. Would that be true? This is something we have been asking the witnesses all day.

Mr. POOLE. I will take them up singly.

Senator BIBLE. I will be interested.

Mr. POOLE. Briefly, I wish to explain these positions.

Paragraph (c) of section 6 would put the needs of the ponies above the wildlife purposes of the refuge. The ponies currently graze on the wildlife refuge under agreement between the Bureau and the Chincoteague Fire Department. The agreement provides the Bureau with sufficient latitude to control the number of ponies on the refuge so as to protect the refuge from overgrazing, and to all the Senators from the West I am sure they are familiar with that need. But even under these controlled conditions, the ponies overgraze parts of their range and also interfere with management programs that are designed to improve the refuge for wildlife.

We urge that the Congress permit the Secretary to retain that authority so that he may continue to administer the use of the refuge by the ponies so as to minimize interference with wildlife use of the refuge. No one wants to do away with the ponies, but it must be kept in mind that the ponies could ruin a large part of the refuge.

Senator BIBLE. Before you move on, section 6(c) says:

The Secretary shall designate sufficient grazing areas on the seashore for the preservation and protection of the wild ponies whose natural habitat is Assateague Island.

Now, what is there in that language that would prohibit the Secretary from managing that grazing area so that it was not overgrazed? I think I understand the point you are making.

Mr. POOLE. We feel, Senator Bible, that this is now a directive to the Secretary to provide sufficient grazing areas which in time persons more interested, perhaps, in the ponies than in the wildlife refuge would then turn to the Secretary and say, "You are required to do thus and thus and such by the law."

We would prefer to have the Secretary retain the discretionary authority that he now does have, to (1) operate the wildlife refuge as a wildlife refuge, and (2) to accommodate the grazing of these ponies within the requirements to meet the wildlife objectives of the refuge, and he is doing that now and we feel that that authority should continue with him.

Senator BIBLE. I just wanted to get your viewpoint. It does not seem to me there is too much incompatibility of what Senators Robertson and Downing propose to do. But we can examine that with other witnesses as they come along.

Your next point.

Mr. POOLE. Conservationists disagree with section 7, paragraphs (a) and (b), of S. 1121, which would set aside the public-use area on the Chincoteague National Wildlife Refuge now operated by the bridge and beach authority under agreement with the Department of the Interior, to provide landfill, and to permit the permanent construction of overnight and other public accommodations. This provision conflicts with the purposes of Public Law 87-714 by which Congress authorized the Secretary to accommodate public recreation on units of the National Wildlife Refuge System where it is an "appropriate and incidental use" which is "compatible with the primary purposes of such areas."

That public law left the determination as to the kind and nature of public recreational use with the administering agency, and that is where the discretion should remain. Only the people responsible for the wildlife can determine the impact of recreational use on the overall value of the refuges.

Section 7, also conflicts with Public Law 85-87 by which the Congress authorized the Secretary to permit the construction of a "bridge and road across the Chincoteague National Wildlife Refuge." In a departmental report to the Congress on the bill which sought to authorize the bridge and road, the then Assistant Secretary of the Interior Ross Leffler wrote that—

We believe that regulated public use of the beach on the Chincoteague Refuge can be permitted without encroachment upon lands that are of primary importance to wildlife.

The bridge and road were authorized and have been in operation for a number of years under regulations which provide for public use, while protecting the values and purposes of the wildlife refuge.

S. 1121 would change all this; it would overthrow these safeguards by opening the public use part of the refuge to land fill, permanent construction, a network of roads, and all the other accommodations of a developed public recreation area.

Recreational development and use of the kind contemplated, Mr. Chairman, appears to be contradictory to the purposes of the national wildlife refuge system. This was demonstrated to the Congress when public hearings were held on the proposals that lead to the enactment of Public Law 87-714, which authorized public recreation on refuges when it is an incidental or secondary use.

We do not oppose Federal acquisition of the bridge, road, and other property and interests of the bridge and beach authority, but we believe that the law should make clear that the acquired property should be administered by the Secretary so as to comply with the purposes of the national wildlife refuge.

This leads me to my final comment on S. 1121, and that is on section 9. It would authorize the construction of a road "immediately west of the existing dunes" connecting the Sandy Point-Assateague Bridge with the Chincoteague-Assateague Bridge.

I want to emphasize to the members of this committee that the Chincoteague National Wildlife Refuge is an acquisition refuge, lying mostly in Virginia, which was purchased by use of about \$130,000 obtained from the sale of duck stamps to sportsmen. It is not a large refuge, as members of the committee know. They have been there.

It comprises slightly more than 9,000 acres, and it is long and narrow in outline. The refuge provides essential habitat for snowgeese, brant, ducks, shore birds of many kinds, gulls, terns, and sitka deer.

Thousands of dollars have been invested in the refuge, clearing worthless brush, constructing fresh-water ponds and water-control structures, planting green forage crops, and in otherwise increasing its utility for wildlife. The dunes and the natural beach provide nesting, resting, and feeding grounds for many species of shore and wading birds.

When people express themselves in terms of the wildlife refuge, in terms of ducks and geese, actually there are many other wildlife values there, and the Federal Government has a responsibility under the Migratory Bird Treaties with Canada and Mexico for a long list of migratory birds in addition just to ducks and geese.

Construction of a road through this long, narrow refuge, as contemplated by S. 1121, and the ultimate pressures for access to the refuge beach and to other points within the refuge would greatly harm its primary value as a wildlife refuge. Authorization of such a road would be a breach of faith with America's sportsmen who have been buying duck stamps with the understanding that the areas acquired under the terms of the Duck Stamp Act would be dedicated to preserving habitat for migratory birds and other wildlife rather than in primarily providing public recreation. We are all for outdoor recreation, but at the same time we believe that caution must be exercised to assure that outdoor recreation in itself does not destroy natural values of considerable magnitude.

I realize that the legislators from Virginia may be under considerable pressure to obtain direct access to the national seashore as well as to give Chincoteague businessmen an opportunity to share in the prosperity that such an area most certainly will create. We believe that such a direct connection can be provided, but it does not have to pierce the heart of the wildlife refuge. Rather, by constructing a road north out of the town of Chincoteague on Chincoteague Island and by using a causeway and bridge, direct access to the seashore is possible without harming the wildlife refuge.

Finally, Mr. Chairman, I want to turn to S. 20, which conservationists hope will be the focal point for the committee's consideration and action. We believe that section 2(c) should be modified to make clear that the Secretary of the Interior is authorized to use the acquired rights, title, or interest of the bridge and beach authority for the purposes of the Chincoteague National Wildlife Refuge rather than for the national seashore.

We urge that section 6(b) should be amended to exclude the Chincoteague National Wildlife Refuge from the boundaries of the Assateague Island National Seashore. The refuge was acquired many years ago, and it has been operated since then in furtherance of specific wildlife programs of the Federal Government.

We can see no logical reason why the area should not be retained, without encumbrance of any kind, in the national wildlife refuge system. The national wildlife refuge system has been in existence for many years, and there is nothing to be gained from including one of its units in a seashore area. We urge that the committee exclude the refuge from the description of the seashore area.

Senator BIBLE. That certainly is a very provocative and thoughtful statement.

You say in part that we should exclude the wildlife refuge from the national seashore.

Mr. POOLE. Yes.

Senator BIBLE. What is the eastern boundary of the wildlife refuge? Does that run completely to the ocean?

Mr. POOLE. The eastern, yes, I believe it is within the dark line to the left side of the map there. It should be an illustration, it is not a map, it is backwards, actually, with north being over to the right.

Senator BIBLE. The north is to the right and the south is to the left; in that respect it does seem to be a little backward. But your understanding is that the refuge runs all the way to the ocean?

Mr. POOLE. Yes.

Senator BIBLE. Under your theory you would completely eliminate practically all of the national seashore as appears on the map to my right and to your left from the national seashore, is that right?

Mr. POOLE. You eliminate the national wildlife refuge from the proposed national seashore, yes.

Senator BIBLE. Then, there would not be any part of the national seashore within Virginia, is that right?

Mr. POOLE. No, I should say no it would not be. The dividing point is the Maryland-Virginia line.

Senator BIBLE. Then the southern boundary of the national seashore would be the boundary line between Virginia and Maryland under your proposal?

Mr. POOLE. Yes.

Senator BIBLE. I do not know if you heard the testimony this morning of a Mr. Tolbert, but he appeared here—did you happen to hear his testimony, No. 1?

Mr. POOLE. Yes, I did, and I have spent a considerable amount of time on the beach down there with Roy Tolbert. I think very highly of him.

Senator BIBLE. My question was going to be pointed to his observation that there was this national wildlife refuge, if I understood him correctly, and I have forgotten the name of the island, he named some island I think he said it was in the Carolinas.

Mr. POOLE. Pea Island, which is within the Cape Hatteras National Seashore.

Senator BIBLE. I understood him to make the point that within that particular wildlife refuge there is a highway that bisects it and that is traveled all the time by the traveling public and that the ducks and the geese and the wildlife and the motorists all seem to live happily together.

Is there a distinction between that area and this one?

Mr. POOLE. Roy Tolbert and I share about the same age, Senator, and just yesterday I was talking to Dr. Ira Gabrielson, one of the world's renowned biologists and also a former director of the Fish and Wildlife Service, and we talked about this. He says the difficulty with most people who talk about Pea Island and the road today is that they were not there before the road was constructed. He said, "I was." He has been about everywhere. He said the difference between then and today is very demonstrable.

Senator BIBLE. In what respect?

Mr. POOLE. In the lessening in habitat and the human intrusion into the wildlife refuge.

Senator BIBLE. Then your position is that no matter where you put a road, if you put it anywhere close to this wildlife refuge, you would disturb the habitat?

Mr. POOLE. Yes. But as I mentioned in my statement, we think there would be an opportunity to come up Chincoteague Island proper and then go across by a bridge and causeway system.

Senator BIBLE. That might be a little expensive, would it not?

Mr. POOLE. It may be, Senator. We authorized last year, after 8 years or so of deliberations, a wilderness bill to save bits of natural America. We have here 9,000 acres of very fine natural wilderness beach, and certainly if we are going to preserve bits of wilderness elsewhere, I think that we would have an opportunity to start here.

Senator BIBLE. You go on the premise that a national seashore and wildlife refuge cannot exist side by each. This is the main thrust of your statement.

Mr. POOLE. No; they can, very decidedly, side by each, as you say.

In our statement we say we do not think a national seashore should be put down over a national wildlife refuge which predates it by many, many years.

Senator BIBLE. Let me clarify this a little more. You would still be opposed to having use made of the ocean side of the seashore in Virginia?

Mr. POOLE. That ocean side of the seashore, in other words, the ocean side of the dunes—and that is a prominent geographical or topographical feature—is now an area that is limited to foot traffic, with the exception, if that map were nearer I could show you, with the exception of that hooked part to the left and just a little bit up, which is under lease agreement to the Chincoteague Beach and Bridge Authority.

Senator BIBLE. That is where we landed on Saturday.

Mr. POOLE. To the north of where that little coffeeshop is there is a fence running across there, from there north to the Maryland-Virginia line, for all intents and purposes it is a very limited access beach. The only traffic there is that of the U.S. Fish and Wildlife Service, and it is normal administration of the area. All the rest of us go there by foot.

Senator BIBLE. What you are saying is that use should be limited to beach buggies, I suppose.

Mr. POOLE. No; to foot traffic.

Senator BIBLE. Just to foot traffic?

Mr. POOLE. Yes; under a continuation of the existing administration as it is carried out by the Fish and Wildlife Service there now.

Senator BIBLE. If you had beach buggies there, would that disturb the habitat?

Mr. POOLE. Yes; it does. I think when Mr. Gotshauck is scheduled to be here, he is the director of the Bureau of Sports Fisheries and Wildlife and will be here with Secretary Udall, he can give you a number of instances where beach buggies have been quite disruptive of habitat.

Senator BIBLE. I suppose this boils down to the fact that if you get human beings down in that area they are very apt to go exploring over on the refuge part and disturb the wildlife.

Mr. POOLE. And also the beach buggies will spoil the dunes, unless the operators stay to the designated protected passageways.

Senator BIBLE. You have been a fine witness.

The Senator from Wyoming.

Senator SIMPSON. Mr. Chairman, he may have done his homework, but I sure do not agree with it.

We have been taking testimony here with respect to the establishment of this Assateague resort. We have been told as a come-on by all the witnesses that within 250 miles of this park there are all the way from 34 to 60 million people, and we wanted to make this available to that great group, or as many of them as could make it.

Now, I have been exploring this, and I think the committee has, from the standpoint of its usability and availability to people, not to ducks or horses or even the deer or other wildlife that you have.

The whole thrust of your testimony seems to be, "let's close it up; let us lock it up, let us not give a lot of it to the people," and you eliminate that beautiful area that goes into Virginia.

Then you say that the roads will disturb the game refuge. We have a lot of those out West, as you probably know, and we find that where they know they are protected they are not disturbed.

As Senator Robertson said this morning, even those old ducks have sense enough to get back in. You seem to take issue with the Department of the Interior with respect to their observations with respect to this report.

Mr. POOLE. Senator, perhaps I have misled you with my testimony. The wildlife refuge now north of the area under lease to the bridge and beach authority is administered for all intents and purposes as mostly inviolate wildlife refuge, the traffic there now and for years has been limited to foot traffic.

Senator SIMPSON. They manage it very capably, do they not?

Mr. POOLE. Yes; anyone who wants to hike up the beach to surf fish or pick up shells may do so. The only requirement is they not go up the beach in a beach buggy.

Senator SIMPSON. Why do you think a road down alongside the wildlife refuge will disturb the wildlife?

Mr. POOLE. A demonstration of this is at Pea Island, and I do not think that it is correct to think of this as of this year, and on an immediate basis. We have to look to the future and I have talked with the administrators of these areas and they get to feeling bad—

Senator SIMPSON. Do you not feel that the committee is looking toward the future when they try to include as much as possible of this beautiful island instead of excluding some of it?

Mr. POOLE. You would not be excluding it in the sense that you would be excluding it as a natural area.

Senator SIMPSON. You are talking now about wilderness areas.

Mr. POOLE. You would be maintaining a wilderness beach type opportunity for people who want to enjoy the beach that way.

Senator SIMPSON. That is a small proportion.

Mr. POOLE. Yes, it is, and that is a small proportion of the beach also that we are talking about, of the total beach that is available.

There are people who wish to enjoy it that way. For those who wish to enjoy it by automobile, there will be all those miles to the north.

Senator SIMPSON. But no connecting link between a bridge in Virginia to a bridge in Maryland.

Mr. POOLE. In our statement, we express the thought that a bridge from Chincoteague Island across to connect the seashore to give us a circuitous route would be desirable.

Senator SIMPSON. Mr. Poole, I have seen lots of them, back in times before I was Governor or Senator, and the attitude of your institute is about the same as it was back 25 years ago, and I think that I recommended to your institute that you get in step with some of the things that are being done with respect to trying to open up national seashores and resorts of this kind, because the people of the East, where it is most populated, are the ones who need it.

Mr. POOLE. Perhaps I should have read the introductory paragraphs to my statement, Senator, because my sentiments are parallel with yours, and those of the institute are parallel with yours.

Senator SIMPSON. You surprise me, but if it is there, it is going to take all of it.

That is all I have.

Senator BIBLE. The Senator from Idaho.

Senator JORDAN. Mr. Poole, so that I understand you correctly, you would keep the part now known as the refuge in its present primitive state?

Mr. POOLE. Under its present administration, with the exception of approximately 4 miles of beach now under lease to the bridge and beach authority at the southern hook end of the island.

Senator JORDAN. Were you here this morning, Mr. Poole?

Mr. POOLE. For the most part.

Senator JORDAN. We had testimony this morning that witnesses hope perhaps someday that the State of Maryland might extend the Maryland State park north to Ocean City. If that were true, and you made the reservations that you were recommending here with respect to the wildlife refuge, do you think it would be worthwhile to create a national seashore for the area in between?

Mr. POOLE. Yes; I do, Senator. There is considerable mileage there. I do not have it firmly in mind. It is 20-some, I believe, or nearly 20.

Senator JORDAN. The refuge, it seems to me from flying over it and looking on the map, the island is much wider down at the south end. I would not know as to area, but it would seem to me that you are excluding a substantial part, perhaps as much as 50 percent of the area of the island in the refuge. Do you know the exact—

Mr. POOLE. You are talking in terms of surface area. I do not know the proportions. But, at the same time, as I had hoped I could point out when Senator Simpson was asking some questions, is that this has been administered as a unit of the national wildlife refuge system for 20-some years.

Senator JORDAN. With which I am in full accord in its proper place, but we are talking here now about a national seashore to serve 35 to 50 million people. Obviously, to retain that in its present state would certainly limit it to the use of a very small percentage of that population.

I just wanted to get clear what you were recommending here. Do you think it would be entirely feasible to have a national seashore

between the refuge on the south and the Maryland State Park on the north?

Mr. POOLE. Yes, sir; I do.

Senator BIBLE. The Senator from Arizona.

Senator FANNIN. Mr. Chairman. Mr. Poole, as you, of course, realize, economics do enter into the decision that would be made with regard to the development of the island. Is it not rather strange that your testimony would conflict so with the testimony that was given previously that you heard where the same illustrations were given to show feasibility of having a joint or full utilization, multiple utilization, whereas you come back and say that Pea Island was not practical and still the testimony, all of the testimony, I would say, this morning would indicate that it is feasible and practical and also that they would highly recommend it?

Mr. POOLE. This is why I said that I think it is inappropriate to think of these developments strictly in the terms of today. Dr. Gabrielson was at Pea Island many years ago when there was no road. He has the experience to contrast his observations then with those of today. He said there has been a net reduction of available wildlife habitat and use. He has the same apprehension for that at this place, at the Chincoteague wildlife refuge.

Senator FANNIN. I would say this, if we project to the future and the number of people that would want to utilize this area, we would have a more serious problem.

Mr. POOLE. We certainly will.

Senator FANNIN. But not only from the standpoint of what you are discussing and the point of view that you are taking, but the number of people that must be accommodated.

Mr. POOLE. Yes, Senator. One thing I wish I had pointed out, and if you will permit me, I will add it. At the same time that we have an enlargement of the population, we are also having a decrease of available wildlife habitat. There has to be an accommodation somewhere to the extent that we are going to have some wildlife habitat and we are also going to have areas available to people to do all sorts of recreation.

Senator FANNIN. I understand that you are quite well informed on the availability of wildlife habitat. At the same time, I imagine that you could also point out areas that could be developed where they would not be so detrimental to a program such as this to accommodate millions of people.

I would hope you could, because I do feel this multiple utilization is so vital to the programs of today.

Mr. POOLE. That refuge was selected, located there and developed because of its favorable position with respect to the migratory flights of birds. It was not put there in a haphazard manner. It was put there for a specific purpose.

Senator SIMPSON. Would it still be available for the purposes it was put there?

Mr. POOLE. In a degree, Senator, with some subtraction of habitat, it would be.

Senator FANNIN. I would think it would be feasible to work out a joint program similar to what has been done in other areas. Of

course, Pea Island is an example, although you do not wholeheartedly agree with what has been stated in the testimony this morning.

Mr. POOLE. I have been at Pea Island and I have seen the public use there, and I know that the various types of shore birds and what-not that nest in the beach area and in the dunes area are subject to all sorts of disruption now.

Senator FANNIN. It may not be perfect from that standpoint, but certainly we know the necessity of multiple-utilization so I think we must weigh one against the other and try to come up with a balance and that is what we are trying to achieve here in this instance.

Mr. POOLE. Multiple use has not ruled out exclusive use under some categories, I do not believe.

Senator BIBLE. The Senator from Wyoming would like to ask a question.

Senator SIMPSON. As you know, out in my country, in Wyoming, we have the two greatest parks in the world today in our book. We have well-graded roads and oiled highways and in both of those areas, which comprise about 3 million acres, we have bear and elk and deer and moose and all the other big game animals. They come down to the road, the snow drives them down in the spring or they come up in the spring. We have one problem of overgrazing on the La Mar River, but outside of that the grazing is plush. I notice you even resist the ponies, the overgrazing of land.

Mr. POOLE. I think they should be continued, and I have elaborated on that in the statement.

Senator SIMPSON. How are they being run now?

Mr. POOLE. They are under lease agreement with the Bureau of Sports and Fisheries.

Senator SIMPSON. Could that not be perpetrated in the years to come?

Mr. POOLE. We think it should, and should continue under the discretion—

Senator SIMPSON. Why are you worried about them? Why do you want to exclude this because of the overgrazing?

Mr. POOLE. Senator, I have been to Chincoteague and spent quite a bit of time there. I might say I spent a good many years in the West in Montana and I am not totally unfamiliar with that problem.

Senator SIMPSON. I am trying to get information and I get what I do not like.

Mr. POOLE. You can sit in an automobile and look out. You get a long look over the expanse where the ponies are, they have it nibbled down closely. You go to the areas where the Bureau of Sports and Fisheries has plowed it and planted it to green forage crops for the geese, the ponies are there, jump fences, break fences, do anything they can to get to the area. There is a definite balance that should be maintained between the number of ponies and the available forage, and all that we are asking is that the Secretary be continued, that discretionary authority to maintain that balance.

Senator SIMPSON. And if they did you would be in favor of it?

Mr. POOLE. Yes, we are for the retention of ponies.

Senator BIBLE. Thank you very much, Mr. Poole. We appreciate your viewpoints. We will print the statement of the institute at this point.

STATEMENT OF C. R. GUTERMUTH, VICE PRESIDENT, WILDLIFE MANAGEMENT INSTITUTE

Mr. Chairman, I am C. R. Gutermuth, vice president of the Wildlife Management Institute. The institute is one of the older national conservation organizations, and its program has been devoted to the restoration and improved management of natural resources in the public interest since 1911.

I want to make clear at the beginning. Mr. Chairman, that the institute endorses and supports the objectives of the bills under consideration. We believe that the authorization and establishment of the proposed Assateague Island National Seashore definitely would be in the public interest. A large part of this country's population resides within a day's drive of Assateague Island. The residents of the metropolitan areas of the mid-Atlantic States have relatively little natural ocean beach available for public recreation. Urbanization and accompanying industrial development have destroyed much of the original beach fronting on the Atlantic Ocean. Future generations will be the beneficiaries if we can succeed in sparing a few miles of ocean beach from the blight of hotels, boardwalks, shipping facilities, refineries, and row upon row of private cottages. Only through public ownership and controlled development of Assateague Island will future generations be assured of access to an ocean beach that retains its natural character.

The Congress is confronted by the same challenge at Assateague as it was at Point Reyes and Fire Island. Open ocean beach is a dwindling resource, and its preservation for the benefit of this and future generations requires its prompt acquisition and administration as a seashore recreation unit. Some of these areas no doubt can be acquired and developed by State and local governments. Others, like Assateague, clearly qualify for Federal administration.

We urge the committee to give favorable consideration to establishing the Assateague Island National Seashore. At the same time, however, we also ask that the committee and the Congress make sure that the purposes and values of the contiguous Chincoteague National Wildlife Refuge are not impaired by the seashore plan. It would be most unfortunate if, by its authorization of the national seashore, the Congress would inadvertently set into motion a chain of events that would impair the national wildlife refuge.

The institute, along with other conservation groups, prefers the principal provisions of S. 20 to those of S. 1121 for a number of reasons. We feel strongly, in fact, that some of the provisions of S. 1121, if enacted into law, would be extremely detrimental to the Bureau of Sport Fisheries and Wildlife's program at the Chincoteague National Wildlife Refuge.

The objectionable provisions of S. 1121 are (1) paragraph (c) of section 6 which would direct the Secretary of the Interior to designate grazing areas on the seashore for the "preservation and protection of the wild ponies"; (2) section 7, paragraphs (a) and (b) which would authorize the Secretary to provide one or more areas for the construction of overnight and other facilities on that portion of the Chincoteague National Wildlife Refuge now under lease agreement to the Chincoteague-Assateague Bridge and Beach Authority; and (3) section 9 that would direct the Secretary to construct a road "immediately west of the existing dunes" connecting the parking area on the public use section of the wildlife refuge with the Sandy Point-Assateague Bridge. Such a road would bisect the wildlife refuge.

Briefly, I wish to explain the conservationists' objections to these provisions of S. 1121. Paragraph (c) of section 6 would put the needs of the ponies above the wildlife purposes of the refuge. The ponies currently graze on the wildlife refuge under agreement between the Bureau and the Chincoteague Fire Department. The agreement provides the Bureau with sufficient latitude to control the number of ponies on the refuge so as to protect the refuge from overgrazing. But even under these controlled conditions, the ponies overgraze parts of their range and interfere with management programs that are designed to improve the refuge for wildlife. We urge that the Congress permit the Secretary to retain that authority so that he may continue to administer the use of the refuge. No one wants to do away with the ponies, but it must be kept in mind that the ponies could ruin a large part of the refuge.

Conservationists strongly oppose section 7, paragraphs (a) and (b), of S. 1121 which would set aside the public-use area on the Chincoteague National Wildlife Refuge now operated by the bridge and beach authority under agreement with the Department of the Interior, to provide land fill, and to permit the permanent construction of overnight and other public accommodations. This

provision conflicts with the purposes of Public Law 87-714 by which Congress authorized the Secretary to accommodate public recreation on units of the national wildlife refuge system where it is an "appropriate and incidental use" which is "compatible with the primary purposes of such areas."

That public law left the determination as to the kind and nature of public recreational use with the administering agency, and that is where the discretion should remain. Only the people responsible for the wildlife can determine the impact of recreational use on the overall value of the refuges.

Section 7, also conflicts with Public Law 85-87 by which the Congress authorized the Secretary to permit the construction of a "bridge and road across the Chincoteague National Wildlife Refuge." In a departmental report to the Congress on the bill which sought to authorize the bridge and road, the then Assistant Secretary of the Interior Ross Leffler wrote that "We believe that regulated public use of the beach on the Chincoteague Refuge can be permitted without encroachment upon lands that are of primary importance to wildlife." The bridge and road were authorized and have been in operation for a number of years under regulations which provide for public use, while protecting the values and purposes of the wildlife refuge.

S. 1121 would change all this; it would overthrow these safeguards by opening the public use part of the refuge to land fill, permanent construction, a network of roads, and all the other accommodations of a developed public recreation area. Recreational development and use of the kind contemplated, Mr. Chairman, is contradictory to the purposes of the national wildlife refuge system. This was demonstrated to the Congress when public hearings were held on the proposals that lead to the enactment of Public Law 87-714, which authorized public recreation on refuges when it is an incidental or secondary use. Interestingly, when the residents of the Chincoteague area were promoting their bridge authority, they refused to join forces with a real estate operator who wanted to push a road through the refuge to the seashore area. Such a road they said, would ruin the wildlife refuge.

We do not oppose Federal acquisition of the bridge, road, and other property and interests of the bridge and beach authority, but we believe that the law should make clear that the acquired property should be administered by the Secretary so as to comply with the purposes of the national wildlife refuge.

This observation leads me to my final comment on S. 1121, and that is on section 9 that would authorize the construction of a road "immediately west of the existing dunes" connecting the Sandy Point-Assateague Bridge with the Chincoteague-Assateague Bridge. I want to emphasize to the members of this committee that the Chincoteague National Wildlife Refuge is an acquisition refuge, lying mostly in Virginia, which was purchased by use of about \$130,000 obtained from the sale of duck stamps to sportsmen. It is not a large refuge. It comprises slightly more than 9,000 acres, and it is long and narrow in outline. The refuge provides essential habitat for snow geese, brant, ducks, shorebirds of many kinds, gulls, terns, and sika deer. Thousands of dollars have been invested in the refuge, clearing worthless brush, constructing fresh water ponds, and water-control structures, planting green forage crops, and in otherwise increasing its utility for wildlife. The dunes and the natural beach provide nesting, resting, and feeding grounds for many species of shore and wading birds. Construction of a road through the center of this long, narrow refuge, as contemplated by S. 1121, and the ultimate pressures for access to the refuge beach and to other points within the refuge would greatly harm its primary value as a wildlife refuge. Authorization of such a road would be a breach of faith with America's sportsmen who have been buying duck stamps with the understanding that the areas acquired under the terms of the Duck Stamp Act would be dedicated to preserving habitat for migratory birds and other wildlife rather than in primarily providing public recreation. We are all for outdoor recreation, but at the same time we believe that caution must be exercised to assure that outdoor recreation in itself does not destroy natural values of considerable magnitude. It would be folly indeed to have units of the national wildlife refuge system impaired or destroyed in the name of outdoor recreation. Congress recognized this danger and established a realistic policy for protecting the refuges from such incompatible uses when it approved Public Law 87-714 on September 28, 1962.

I realize that the legislators from Virginia may be under considerable pressure to obtain direct access to the national seashore as well as to give Chincoteague businessmen an opportunity to share in the prosperity that such an area most

certainly will create. We believe that such a direct connection can be provided and it does not have to pierce the heart of the wildlife refuge. Rather, by constructing a road north out of the town of Chincoteague on Chincoteague Island and by using a causeway and bridge, direct access to the seashore is possible without harming the wildlife refuge.

Finally, Mr. Chairman, I want to turn to S. 20, which conservationists hope will be the focal point for the committee's consideration and action. As stated earlier, the institute strongly supports and endorses this proposal. We believe, however, that section 2(c) should be modified to make clear that the Secretary of the Interior is authorized to use the acquired rights, title, or interest of the bridge and beach authority for the purposes of the Chincoteague National Wildlife Refuge rather than for the national seashore.

Conservationists urge, too, that section 6(b) should be amended to exclude the Chincoteague National Wildlife Refuge from the boundaries of the Assateague Island National Seashore. The refuge was acquired many years ago, and it has been operated since then in furtherance of specific wildlife programs of the Federal Government. We can see no logical reason why the area should not be retained, without encumbrance of any kind, in the national wildlife refuge system. The national wildlife refuge system has been in existence for many years, and there is nothing to be gained from including one of its units in a seashore area. We urge that the committee exclude the refuge from the description of the seashore area.

Section 7(a) could be expanded to make clear that the several tracts might be selected within the 600-acre limitation for overnight facilities in the area south of the island terminus of the Sandy Point-Assateague Island Bridge should not be located within the boundary of the national wildlife refuge.

With these amendments we believe that S. 20 will be an appropriate proposal for authorizing the national seashore. It is hoped that the bill can be amended in the manner suggested and that it will be reported promptly for the favorable consideration of the Senate.

Senator BIBLE. Our next witness is Mr. Louis S. Clapper, vice president of the National Wildlife Federation.

We are pleased to have you, Mr. Clapper.

STATEMENT OF LOUIS S. CLAPPER, VICE PRESIDENT OF THE NATIONAL WILDLIFE FEDERATION

Mr. CLAPPER. Mr. Chairman, I am Louis Clapper, chief of the division of conservation education for the National Wildlife Federation which has headquarters here in Washington, D.C.

The federation is a private organization which seeks to attain conservation goals through educational means. Our organization has affiliates in most of the States and these groups, in turn, are made up of individuals who, when combined with associate members and other supporters of the National Wildlife Federation, number an estimated 2 million persons.

The National Wildlife Federation and its affiliates in the States concerned, the Maryland Wildlife Federation, and the Virginia Wildlife Federation, support the principle of the establishment of the Assateague Island National Seashore and welcome the invitation and opportunity of making this position known here today.

I should like to point out, Mr. Chairman, that for years our organization has supported the objective of setting suitable areas aside for public recreation. This basic philosophy has been applied to wilderness areas, to natural rivers, to parks, to multiple use recreation areas, and to lakeshores and seashores.

In 1963, delegates to our annual convention singled out Assateague Island as one of the areas meriting priority consideration because, un-

questionably, this unique seashore offers a wide variety of recreational opportunities to large population centers and should be preserved and managed for the public benefit.

This subcommittee has performed outstanding work in reviewing and establishing seashores such as Cape Cod, Padre Island, Point Reyes, and Fire Island, and we are hopeful that Assateague can be added to the list. We were pleased and gratified when the President personally saw fit to recommend its establishment.

We should like to comment briefly about specific provisions in these proposals.

The National Wildlife Federation is in accord with the area proposed for inclusion in the seashore by both S. 20 and S. 1121, as outlined in section 1, and with the method of acquiring properties, as outlined in section 2. This includes the provision for "phasing out" ownership of improved property.

We are pleased that section 5 provides for hunting and fishing under appropriate State laws, giving due attention and consideration to special needs for public safety and enjoyment of the seashore.

The National Wildlife Federation strongly urges that section 6(b) of these bills be clarified to make it definite that the Chincoteague National Wildlife Refuge will maintain its separate identity. This is one of the most important units of the national wildlife refuge system and we believe it merits special consideration.

The beach area within the refuge already is open to daytime public use. Limited access to the pond areas is provided by nature trails and these offer unique experiences to observe waterfowl, shore birds, and other forms of wildlife.

In order to maintain this refuge for the purpose for which it was acquired and established, we oppose three features of S. 1121:

One, we believe that the reference to grazing habitat for ponies in section 6(c) should be deleted. Certainly a reasonable amount of forage should be set aside for the wild ponies, which are a novel asset to the Chincoteague National Wildlife Refuge. However, to specify this by act gives preference to these animals over other wildlife with which it might be in competition, directly or indirectly. We understand that the management now is satisfactory and there is no need for this section.

Two, we do not believe that the public use area on the Chincoteague refuge should be expanded to provide facilities for overnight accommodations, as would be provided by section 7 of S. 1121. Such activities would detract from the refuge. Needs for these services can better be provided on the mainland in the vicinity of the town of Chincoteague, Va.

Three, a road constructed through the refuge would cause irreparable harm to its value for wildlife, as proposed by section 9 of S. 1121.

The road would destroy valuable habitat and traffic would cause severe management difficulties. In this connection, we are intrigued by suggestions that a regular excursion boat service might be instituted in the inner bay to provide novel access to various points on the island and hope this possibility might be investigated once the seashore is established.

In conclusion, Mr. Chairman, we express the hope that the subcommittee soon can see fit to issue a favorable report on S. 20.

Thank you again for the opportunity of appearing here today.

Senator BIBLE. I appreciate your statement, and if I understand the position you are taking—could you elaborate a little more why this road is going to cause irreparable harm to the wildlife?

Mr. CLAPPER. We feel it would be located so close to the pond there that the traffic would disrupt the operation of the refuge as such. We believe that the observation of the wildlife on this area is a part of outdoor recreation and that it merits special consideration in operation as it is presently operated.

Senator BIBLE. Your general theory is that you keep all types of auto traffic out of that part of the seashore that is in Virginia, then?

Mr. CLAPPER. Yes, sir.

Senator BIBLE. With the exception of the lower southern end of it.

Mr. CLAPPER. Yes, sir, exactly, as it is being operated at the present time.

Senator BIBLE. What purpose would there be, then, in putting the wildlife refuge within the national seashore?

Mr. CLAPPER. Well, it would be operated as a part of the entire complex, Senator. As I tried to point out, I believe that many people who would come into the area would also appreciate seeing an area kept in its natural state; that they would be intrigued by this as a recreational opportunity that would be enhancing the overall situation that they might find on the other parts of the island.

Senator BIBLE. But your theory is, if I want to look at the wildlife on the Virginia part of the proposed seashore, I would have to do that on foot.

Mr. CLAPPER. Yes, sir, and there are nature trails already provided. I think the director of the bureau will tell you tomorrow.

Senator BIBLE. And you would leave them exactly in that same state?

Mr. CLAPPER. Yes, sir.

Senator BIBLE. The Senator from Wyoming must take a phone call, and he has indicated to me that he is interested in your statement. This is on page 2, about the middle of the page, Mr. Clapper. You say the National Wildlife Federation strongly urges that section 6 (b) of these bills be clarified to make it definite that the Chincoteague National Wildlife Refuge will maintain its separate identity. This is one of the most important units, and so forth.

Now, what prompts you to make that statement?

Mr. CLAPPER. Well, we would like for it to be maintained in the same manner that Pea Island is maintained with relation to Cape Hatteras. We believe it should not be swallowed up and encompassed as just a general part of the seashore. We think it should be maintained in this special category.

Senator BIBLE. That being true, if you want to preserve the identity, why do not you exclude it from the national seashore?

Mr. CLAPPER. It would be contiguous and part of the overall opportunity.

Senator BIBLE. The Senator from Arizona.

Senator FANNIN. Mr. Chairman.

Mr. Clapper, one thought that I have regarding patrolling of this area, is it not true that as greater numbers would travel to this island you would have a problem of proper control? Would it not be better

to have the road on through so that you could have the better supervision?

Mr. CLAPPER. We believe not, sir. We believe it would be better maintained in its present status.

Of course, you have this problem, I think, with relation to any type of special category area such as wilderness areas where you have a particular problem involved with management, but again we would prefer that the wildlife refuge be maintained in its present identity.

Senator FANNIN. But you admit it would not be available to as great a number of people if they are going to need to walk this distance as compared to traveling by car, by motor vehicle.

Mr. CLAPPER. Yes, sir; it would not be as available as other portions of the seashore, but it would still offer many recreational opportunities for millions of people.

Senator FANNIN. That is all.

Senator SIMPSON. Would you recommend the bill if the committee decides to leave the bridge-to-bridge road in it?

Mr. CLAPPER. We would certainly prefer not, we would prefer that the bill—

Senator SIMPSON. But you would not be against it?

Mr. CLAPPER. My organization has not taken that definite position, sir, but we are definitely against the road.

Senator BIBLE. No further questions, Mr. Clapper. Thank you very much.

Our next witness is Mr. Robert Dennis, of the Izaak Walton League. Mr. Dennis.

STATEMENT OF ROBERT DENNIS, IZAAK WALTON LEAGUE; ACCOMPANIED BY CHARLES I. WILES AND C. B. HARRIS

Mr. DENNIS. Mr. Chairman, I am Mr. Robert Dennis, and our statement will be made by Mr. Charles I. Wiles, of our Maryland division, and he will be accompanied by Mr. Harris, of the Virginia division.

Senator SIMPSON. May I say a word. I understand that the Izaak Walton League meets in Cody, Wyo., at its next meeting. I have already accepted an invitation and complimented the Cody club and chapter. I think it is a great tribute to my town of Cody that you chose it as the national shrine for this time.

Mr. DENNIS. Thank you, Senator; we will all be there.

Senator BIBLE. Fine. Mr. Wiles, you may proceed.

STATEMENT OF CHARLES I. WILES, JR.

Mr. WILES. I am Charles I. Wiles, Jr., legislative chairman of the Maryland division of the Izaak Walton League and member of the league's national executive board. With me are C. B. Harris, legislative chairman of the league's Virginia division and national IWLA vice president; and Robert T. Dennis, assistant conservation director on the national staff. We appreciate the opportunity to present the league's views on the legislation before you today, and will be happy to answer any questions which this committee might have concerning our statements.

I would like to say that the Sport Fishing Institute would like to be associated with our statement and concurred in our paper that we are

presenting with our testimony today. I should add a letter will be coming from the institute, too.

Senator BIBLE. Fine. When received, it will be incorporated in the record.

Mr. WILES. The Izaak Walton League of America strongly endorses establishment of Assateague Island National Seashore, and respectfully urges that legislative action be completed this spring before private development of the island proceeds further. The league's Maryland and Virginia divisions fully support this position.

We have submitted resolutions from our national office and also our Maryland division and Virginia division have submitted resolutions passed by each of these groups.

Senator BIBLE. The resolutions will be received and incorporated in the record.

(The material follows:)

RESOLUTION NO. 8 OF THE IZAAK WALTON LEAGUE OF AMERICA

Whereas the Izaak Walton League of America has long recognized the pressing need to preserve representative portions of the Nation's shorelines in public ownership; and,

Whereas the Outdoor Recreation Resources Review Commission placed special emphasis on the need to acquire public shoreline areas; and,

Whereas Assateague Island, which is a part of the "outer banks" lying in Maryland and Virginia, has scenic and locational characteristics which make it outstanding for seacoast recreation purposes: Now, therefore, be it

Resolved by the Izaak Walton League of America in convention assembled this 27th day of June, 1964, at Davenport, Iowa, That it strongly urges the Governor of Maryland and the U.S. Government as represented by the Secretary of the Interior to acquire Assateague Island for public recreational use as a joint State park and national seashore area.

RESOLUTION OF THE MARYLAND DIVISION, IZAAK WALTON LEAGUE OF AMERICA

Whereas Assateague Island, located off the Maryland-Virginia coast, has been cited by conservationists, citizens, and the Chief of the U.S. Park Service, as a vital link in establishing a national seashore system; and,

Whereas, the President of the United States in his state of the Union address said, "We must make a massive effort to save the countryside and establish * * * for tomorrow * * * more seashores * * *"; and,

Whereas highway access is available to this island by completion of a linking bridge in the fall of 1964 by the Maryland Department of Highways; and,

Whereas some interests are striving for early private development of the island thus endangering public acquisition and use of the island: Now, therefore, be it

Resolved by the Maryland Division of the Izaak Walton League of America, this 10th day of January 1965, That acquisition of Assateague Island as a national seashore park be speedily enacted into law by the U.S. Congress; and be it further

Resolved, That the Department of the Interior, upon such passage of a law, quickly develop the necessary improvements to provide public usage of this unique seashore area.

RESOLUTION OF THE VIRGINIA DIVISION, IZAAK WALTON LEAGUE OF AMERICA

Whereas Assateague Island is an outstanding seashore area which should be preserved in natural condition for the public benefit; and

Whereas recent completion of a bridge to the Maryland end of Assateague opened that end of the island to development which would destroy its natural values; and

Whereas the need for public action to preserve Assateague is therefore an immediate need; and

Whereas an acceptable version of a bill to establish Assateague Island National Seashore enjoys widespread support and very little opposition in the State of Maryland: Now, therefore, be it

Resolved by the Virginia Division, Izaak Walton League of America, in convention assembled this 18th day of October 1964, at Arlington, Va., That we respectfully request the support of the Virginia Senators and Representatives in the promotion of early enactment of Assateague Island National Seashore legislation by the U.S. Congress.

Adopted October 18, 1964.

Mr. WILES. Mr. Chairman, the Izaak Walton League units all across America are making constant efforts to encourage their communities and their States to preserve outstanding outdoor areas for public use and enjoyment. For example, our Virginia division is working in close support of the Virginia Outdoor Recreation Study Commission, which is charged with developing far-reaching outdoor recreation policies and programs for that State. This Saturday, weather permitting, a work force having approximately 1,000 people working will begin a cleanup beginning at the District of Columbia line and working toward Cumberland. This will not be done in one weekend, but this is an initial step in cleaning up the Potomac River.

What I am getting at is that the Izaak Walton League concurs with recommendations of the Outdoor Recreation Resources Review Commission that State and local governments and the private sector should assume greater responsibilities for building a better outdoor America, and that we are doing what we can to implement those recommendations.

We believe equally that it is a Federal responsibility to preserve outdoor areas of national significance, of which Assateague Island most certainly is one. That should be included in this kind of a program.

This expanse of sand, dunes, grassland, woods, and marsh stretches for over 30 miles along the Maryland-Virginia coast. Its undisturbed natural splendor lies within 150 miles of more than 11 million Americans, within 250 miles of approximately 33.6 million.

It is readily accessible from Philadelphia, Wilmington, Baltimore, Washington, Richmond, and Norfolk. It represents the last opportunity to preserve a significant reach of unspoiled ocean beach and bayfront for the people of this densely populated region. It represents one of the few remaining opportunities to preserve representative portions of natural Atlantic shoreline for the people of America.

League members know this island firsthand. We have seen it with our own eyes before the storm; other members of our division and committee have visited the island after the storm and have seen the damage and also the possibilities of this island.

Mr. Chairman, there is no question in our minds that Assateague Island is a resource of national significance. We firmly believe that it should be quickly established as a national seashore.

We do have a few specific comments about the bills before you today.

As a matter of principle, the Izaak Walton League would prefer that section 7 be omitted from both S. 20 and S. 1121. We believe that the Secretary of the Interior has adequate authority under general laws pertaining to the national park system to construct or cause to be constructed public service facilities where deemed necessary and desirable by professional administrators. We believe that language in an

Assateague Island National Seashore Act authorizing the Secretary to set aside designated public use areas might effectively require establishment of such areas, even if future experience shows them to be unnecessary.

From watching the development of various Assateague proposals during the 88th Congress, we are led to believe that section 7 was written into S. 20 as economic assurance to our Eastern Shore county that they would have more tax base. We certainly sympathize with this position, but we are quite certain that private enterprise will soon see the opportunity provided by the Assateague Island National Seashore for development of a major public facility center on the counties nearby.

League members from Maryland, Virginia, and elsewhere have long been acquainted with Cape Hatteras National Seashore and have noted that developments related to that area are thriving and that new accommodations are built every year. As at Hatteras, Assateague Island National Seashore will provide incentive for private enterprise to locate without its boundaries, on the Maryland-Virginia mainland; we see no clear need for intensive tourist development on the island itself.

If it is the judgment of this committee to approve section 7 of S. 20, the league believes it would only be equitable to support section 7 of S. 1121, which makes provision for further public facilities on the Virginia end of the island. Indeed, the public use area added by S. 1121 already exists through administrative action by the Secretary of the Interior.

We point out, however, that further facility development on the Virginia end of the island might provide competition to private enterprises already established in Chincoteague, Va.

We are also concerned that intensive development of the Virginia portion of the island might prove incompatible with the Chincoteague National Wildlife Refuge.

In summary, the league believes that location and extent of public use facilities within the Assateague Island National Seashore should be determined through normal administrative procedures.

Under this same principle, we do not support section 6(c) of S. 1121. Our members, particularly those from Virginia, are fully aware of the desirability of maintaining a population of ponies on Assateague—the ponies are one of the attractions of the Chincoteague-Assateague region.

But we believe this should be and would be handled under administrative procedures. We note that ponies now on the Chincoteague National Wildlife Refuge are managed under cooperative agreement between the Department of the Interior and the Chincoteague Fire Department, and we urge that this same agreement continue.

Furthermore, we are somewhat concerned that enactment of section 6(c) of S. 1121 might give the ponies more status on the Chincoteague National Wildlife Refuge than the wildlife resources for which the refuge was established and is apparently so successful. I think this was pointed out by several other people, this would give them more status on the island. In this case, they are mentioned specifically by name, the ponies.

The Izaak Walton League questions the desirability of section 9 of S. 1121, providing for construction of a through road on Assateague Island beach between the Maryland and Virginia bridges. A road once existed down the center of the Maryland portion of Assateague, but was destroyed by the storm of March 1962.

Because of severe storms, it may well not be feasible to plan a permanent road on the island. Also, any road through Chincoteague National Wildlife Refuge might seriously damage parts of the wildlife values. For these reasons, we feel that any decision to build a road could come only after detailed study, and should be made by the Department of the Interior as an administrative decision.

Mr. Chairman, our reservations about some of the details of the legislation which you are considering today should not detract from our enthusiastic endorsement of the purposes of both bills. The Izaak Walton League believes that Assateague Island National Seashore should be established this spring, if at all possible.

We thank you for the opportunity to appear before you today and will be happy to answer any questions.

Senator BIBLE. Do you have any feeling as to the advisability of including or excluding the northern part of the national seashore so that the State of Maryland might develop it as a Maryland State seashore rather than be developed under the National Park Service?

Mr. WILES. The resolution, as it was submitted today from our national organization, of course, was submitted through the Maryland division, so it is the thinking of the Maryland division, and it states in the resolution we would like to see a joint State and Federal working agreement on the island.

In other words, that the Maryland portion to the north would remain in the hands of the Maryland parks.

Senator BIBLE. In other words, you think that it is sound reasoning to have a Maryland seashore and an Assateague Island National Seashore under the operation of the National Park Service existing from north to south, rather than to combine the management of them?

Mr. WILES. We think the northern end should remain as a State park and be administered jointly with the national seashore area to the south.

In other words, remain pretty much as it is today except acquiring the additional private property and putting it in the hands of the Department of the Interior.

Senator BIBLE. One suggestion I think may be even in this bill is that the Federal Government acquire this some 7 miles from the present State park up to the inlet jetty area where you move on into Ocean City—

Mr. WILES. That is to the north of the State park.

Senator BIBLE. That is to the north of the State park. That the Federal Government acquire that and lease it back to the State of Maryland. It seems to me that is kind of an awkward arrangement. Either the State should operate it or the Federal Government, and I cannot see the Federal Government purchasing it and turning around and leasing it to the State of Maryland. It does not seem to me operationally sound.

You say you think the two can operate side by side?

Mr. WILES. We think they can operate closely and cooperatively. They have done it in other areas and we think it can be done here also.

Senator BIBLE. Thank you. The Senator from Wyoming.

Senator SIMPSON. Mr. Wiles, I would take it from the concluding paragraph of your report the main thing in your mind is the establishment of the national seashore.

Mr. WILES. We are anxious to see it established at an early date.

Senator SIMPSON. Even though the committee might do some things contrary to your recommendations, you still think, even as bad as we might make it, you would still go for it?

Mr. WILES. We hope it would not be that bad, I am sure. Perhaps Mr. Dennis would have something to say.

Mr. DENNIS. Mr. Chairman, I would like to add to that, if I may. The points that we made here are based on a matter of principles. The league does believe that, in matters of this kind, the Congress should provide the general guidelines, but that a lot of the decisions as to where to locate facilities and whether or not to build the road, and so forth, should be made by the administrative people after the amount of study that might be required.

We feel that writing these things into the bill requires that they be done even if a longer range study by professional people in the field may then think that this might not be the wisest thing to do, that instead of locating the facilities where the bill says that perhaps it might make sense, if there are to be facilities on the island, to put them some place else. This is what we are getting at, and it is a matter of principle.

Senator SIMPSON. I think I understand your motive, Mr. Dennis.

The thing that disturbs me is that all of the organizations such as Izaak Walton League and the Wildlife Institute come in with the same report and I have never seen you demur to any proposal for a park or seashore, and you may be right about that. There has to be a balance somewhere along the line, because private property and private interest in my book still should be sacred in America, and if we continue to nibble away at the great portions of our country to put them in single use, the so-called single use purpose, we might overdo it. I am not saying we have. The difficulty has been that right here in the center of population they have not done a darn thing with respect to it in recent years.

Out in our part of the country this has been a perennial battle, we are fighting the encroachment of parks. People owning land in the area have had a difficult time keeping it. We had a lawsuit in the Federal court just last year after a condemnation proceeding instituted by the Park Service and the Park Service was compelled to pay a gigantic sum, three times over what they had offered, from the standpoint of their own appraisal. We have private rights involved here. We have the persistence of your fine group of people who believe in a more beautiful America and put your association behind those efforts to get it, but by the same token, it leaves this committee in the position, and I think you must recognize it, where we have to weigh all the testimony and the balances and imbalances and come up with the best thing under the circumstances that we can do.

So I am grateful to you for your fine report here, Mr. Wiles, but I am sure that you cannot be forgetting that there are a lot of owners of

private property who are going to be deprived of it and the boundaries of this proposed legislation is something this committee has to recommend to the full committee.

I did not intend to get off on a talk on it, but I think that should get into the record as being the feeling of the Senator from Wyoming.

Mr. WILES. This has come to our attention and I am sure other groups have studied it far longer than we. We had a committee working on this about 6 years ago when the Izaak Walton League, with a number of other organizations, made a study on a save-our-shorelines program a number of years ago: where could we have more shorelines so that all people could get to the shoreline rather than to be bottled up or prevented from access to the beaches. We know we have that problem also on our rivers. Private property and, of course, they should have private property, blocks access to these ocean or river areas, so we need a balance between the two. It came to our attention that Assateague Island is our last area, at least so we thought, within this general region from Philadelphia or New York down to Hatteras where we could have an extensive shoreline area and people could get to the ocean without, well, see more of the natural splendor rather than the Ocean City kind of thing. We need both types of shore area, we feel.

Senator SIMPSON. I still want to go back to the one question, and I appreciate the forthright answer, and as bad as it might be if we included everything, the bridge-to-bridge road, you would still say that that would be more desirable than nothing at all?

Mr. WILES. We feel we need Assateague Island National Seashore badly.

Senator BIBLE. The Senator from Arizona.

Senator FANNIN. Mr. Chairman, gentlemen of the Izaak Walton League, I think the Senator from Wyoming has stated exactly what I have in mind from the standpoint of compromise. From all of the testimony that has been given today, there is, I think, a great deal of conflict, but at the same time there is a general understanding of the desire to have the island provide the services that would be available. So we are talking about a road that would give additional people the opportunity to utilize these services but we also have the feeling that this would—in some cases the testimony has shown—be derogatory to the preservation of what has been there for many years in the way of the wildlife preserve. So I think that what we must do is to try to get the elements of the two bills and, with the assistance of those who are knowledgeable, work out what would best accomplish the objective, and the objective is to have this accomplished and also to have it accomplished in a way that will serve the greatest number of people properly.

Mr. WILES. That is one reason we asked that the construction of the road and authorization and so forth be in the hands of the administrators. In other words, of the Department of the Interior, so that between a national wildlife area and a seashore area they would be able to study and measure the pros and cons and come up with something that would work out to, I guess, the best for the good of as many people as possible.

Senator FANNIN. But, Mr. Wiles, that would not provide assurance that that would be done. I think the desire, especially of the Senator

from Virginia, Senator Robertson, is to know specifically that this will be done, and if it is just provided that the administrative officials would make that decision, then it would not satisfy them, I am sure.

Mr. WILES. Mr. Harris, from Virginia, may have some comment.

Mr. HARRIS. S. 1121 specifically states, I think, that the road shall be built.

Senator FANNIN. Yes.

Mr. HARRIS. And that is where we would like to put a limitation on it and leave it to the Secretary of the Interior to determine whether such a road is feasible and is it necessary to accommodate the people who will use this area.

I can state from experience, I understand Dr. Gabrielson will be here tomorrow, but I have traveled the Hatteras area back 30-odd years ago, and I know that the refuge or the wildlife that used the area in that time is far different than the wildlife you see as you ride down the blacktop road now.

Senator BIBLE. Are there any further statements or further questions?

Senator SIMPSON. I have a question.

Mr. Wiles, at page 3 of your statement you say:

We see no clear need for intensive tourist development on Assateague Island and believe only such development should occur only if future study by the Department of the Interior shows need for it.

That baffles me due to the fact of the millions of people that would be available to it.

Mr. WILES. We feel we would have more development on the mainland.

Senator SIMPSON. You would be opposed to the 600-acre withdrawal for commercial and private purposes?

Mr. WILES. We would be opposed to it being named as an area to be developed commercially and would leave any developments—

Senator SIMPSON. This pamphlet is put out by the chamber of commerce, a 1965 guide to Ocean City, Md. It is full of advertisements about places of accommodation, hundreds of them in it, and it seems that they are all overflowing in the tourist season with people and they raise the rate accordingly, even at the Bobby Baker Carousel, where they can both drink fifths and take them out. I was just wondering if you really believe that the Park Service is wrong in doing them out of that, including that 600-acre piece for future development.

Mr. WILES. We think the mainland would serve the local people far better, and it would give them more commerce. It would be in the hands of individuals, and it would be far safer from nature when there would be a storm coming through that area. Of course, they talk about the tax base, and, of course, they need taxes to support their programs in the county and we think on the mainland would be a far better place where there are better facilities for sewerage disposal, water sources, and things of this sort which we think would certainly help out in making a more stable commercial development.

Senator SIMPSON. Thank you. You are a pretty good witness, all of you three boys.

Mr. HARRIS. May I ask the Senator from Wyoming, what we are getting at, Senator, like Yellowstone, the accommodations are built according to the needs. Am I right?

Senator SIMPSON. Mainly there is a need for it because we have some 25,000 visitors a day in the Yellowstone, or from 8,000 to 25,000. We only have accommodations for 8,000, and in July and August people either sleep in their cars or on the ground or get out.

Mr. HARRIS. Yes; but rather than setting a specific area aside, the Secretary would determine the amount.

Senator BIBLE. I think the congressional answer to this point of leaving everything to the Secretary is well known to this committee. We find out if we leave everything to the Secretary, he sometimes does not do the things we think he should do, so I, for one, if I have any question about it, I am going to write it right into the law, so that the Secretary and the bureaucracy can understand perfectly without any peradventure of a doubt, exactly what I have in mind.

I do not believe in leaving these unfettered guidelines to bureaucracy, because I have had too many experiences with it, and if we do not say what we mean in this law, then I do not think we are measuring up to our responsibilities as Senators.

This is my own personal view.

Senator SIMPSON. I want to adopt the same sentiment. Inasmuch as the wilderness bill was mentioned here, to batten down and corroborate on the statement made by our chairman, the Green River in Wyoming, already under the control of the Forest Service—and that was agreeable to the people living in the area—63 miles from its source down to Daniel, Wyo., has now been put in the wilderness reserve, but the State of Wyoming, the Governor, and the Representatives in Congress were assured that it would not be in because it was already better taken care of than any of the other areas contemplated. But it was put in without even giving legislators the benefit of the finance report. This was done on a wide open authority granted the various departments, so I am getting a bit gunshy like the chairman.

Chairman BIBLE. Thank you very much, gentlemen. You have certainly made an effective presentation.

Our next witness is Mr. Fred Lewis.

STATEMENT OF FRED C. LEWIS, FAIRFAX, VA.

Mr. LEWIS. Mr. Chairman, my name is Fred C. Lewis, of 10 Estel Road, Fairfax, Va. My wife, Mrs. Norma L. Lewis and I own jointly approximately 1½ acres of property on Assateague Island with 100 linear feet of waterfront.

I was born in Virginia. I live in Virginia. But I hope to die on Assateague Island.

I want to say I am most appreciative of the opportunity to appear before you. I know you have a terrific problem in this matter and your decision will not be easy. What I have to say will give you only my viewpoint, as I am speaking solely for myself and my wife as property owners, although maybe at this point I am just a voice in the wilderness since I am the first person to talk against the taking over.

Senator BIBLE. I am sure you will not be the only one. This hearing will last for several days. You may be the leadoff.

Mr. LEWIS. I believe, however, that I reflect the viewpoints of most of the other property owners.

The decision by the Interior Department to try to acquire Assateague Island was made quickly after a campaign of publicity in the various news media. Much of this material was done in haste and I think the truth was stretched considerably, probably by accident. A dark picture was painted that private development was impossible, that the island was being swept away, that it was impossible to have proper water and sewage disposal, and so forth.

What struck me at the time—this was back in 1963—if these things be true, then why is the Interior Department so fearful of private development? Would not the forces of nature keep the island in its natural state for hundreds of years?

The various congressional bills which have been introduced in connection with the Assateague takeover—S. 20 and S. 1121—provide for setting aside 60-acres for construction by private persons of suitable overnight accommodations and other accommodations for visitors to the seashore. How does this tie in with the allegation that it is impossible to have proper sewer and water facilities?

How can this tie in with the idea of preserving the unspoiled nature of the island? Is this not really just taking land away from the rightful owners and turning it over to someone else to develop?

I realize that the Interior Department will be authorized to approve all plans for the facilities and impose restrictions thereon. If it takes a central authority to do this, then, as a property owner, I would be willing to allow either the State of Maryland or the Interior Department to dictate to me what and how I should build, but they do not have to take my land away from me in order to control the development of the island to preserve its beauty.

I would like to ask this committee to consider these alternatives, and no doubt you have already thought about most of them.

Open up the Interior Department's bird sanctuary in the southern part of Assateague Island to the public. As it was proposed this morning, there is plenty of room for recreation for human beings within this refuge which would not disturb the birds if planned properly. I had a little experience with this in your State, Senator Bible, when I was taking advantage of one of its major productions. I had to establish residence there for almost 3 months, and not wanting to indulge in the sinful, you might say, frailties of human beings, I took a job as a groundskeeper at your University of Nevada. There they have the lake and I happened to be there during the bird season.

In Nevada there is a lot of shooting and I indulged in some of that, too. The school is crowded with students, and I was there in the fall, but the birds came into that sanctuary and you could walk up and almost feed them. So birds have a real keen acumen. They know where to go even though the human beings are around. They will even fraternize with them.

I had some property down at the Patuxent River and I used to bar hunting there so there would be no killing. A lot of birds, geese, and even swans, showed up in this small sanctuary that I had. It was right in the middle of a building development.

That is one alternative.

Another alternative would be to look for sites to accommodate the general public where large parcels of land are owned by a few people. In our case, we have roughly 3,200 owners to be displaced; owners

who bought property years ago, paid for its maintenance, paid taxes, dreamed of a bridge which is now a reality and are willing to develop the area on their own, including dune maintenance, which we have done ever since the property was first developed. In my case, I have been an owner along with my wife for 15 years.

For people from Philadelphia and New York there should be plenty of shore property in Delaware.

For people from Baltimore and Washington, the Chesapeake Bay offers over 6,000 miles of shoreline. Despite what was said this morning, most of this shoreline is undeveloped, particularly on the Eastern Shore and is in a natural state. This is much more susceptible for comfortable quarters for visitors, because it has hills and valleys and not hot sunshine as you would find on Assateague Island, which is practically undeveloped except for overnight buildings.

There is a scenic highway proposed by John B. Funk, director of Maryland State roads, in a report to the President's Recreation Advisory Committee. I got this information out of an article in the Washington Post. This highway is proposed to run through southern Maryland and should draw many of the swimmers, campers, hunters and fishermen, bird watchers, and also girl watchers from Maryland and Virginia and many other States who seek natural beauty and recreation. Actually, there are really few people in this category. Most people want much more livable accommodations.

There are actually few people in this category. There are people who want to visit seashores but who want comfort. Most people want more livable accommodations than I have heard described either in the bills or testimony today.

Then you have this proposed Tocks Island National Recreation Area along the 32-mile Delaware River area in New Jersey and Pennsylvania and that will provide 70,000 acres of recreation land. How much do nature lovers need?

At one time the claim was that Assateague Island is the last piece of unspoiled ocean property from Cape Hatteras to Maine. What about the area south of the bird sanctuary? There are miles of ocean front at Virginia Beach, 60 to 70 miles long, running into North Carolina. This land is between the Atlantic Ocean and Back Bay, which was mentioned today by Senator Robertson.

I have not been there for some little while, but I do not think it has changed. It is completely unspoiled. It does not even have a road to it or through it and is owned by some 30 to 40 people. So I understand. I think this needs to be checked, because I do not have the real facts in this case, but at least it is owned by a handful of people in contrast to the 3,200 owners of ocean beach land on Assateague.

So much for alternative considerations.

The Secretary of the Interior, on April 18, 1963, made a report to Governor Millard Tawes titled "Assateague Island and Vicinity: A Study of Recreational Values and Potential Uses."

Some of the substance of this report, but not all was included in the August 11, 1964, hearings which you, Senator Bible, chaired. It was on S. 2128. I have a copy of the full report and I would like to leave it so you know just what I am referring to here.

Senator BIBLE. I think we already have it. I think that has been made a part of the record.

Mr. LEWIS. This report was made and issued actually as a result of a study by a private consulting firm but it was made and issued without any consultation whatsoever that I know of with the property owners.

So then it is no wonder to me that many of the arguments are put forth for a special use, vague and one sided, and these were refuted by a document entitled "Assateague Island-Ocean Beach—The Property Owners Point of View." And this document was an enclosure to Ocean Beach Club news notes of July 30, 1963. I have a copy of this, too.

Senator BIBLE. We would be very happy to have that and it will be made a part of the record.

Mr. LEWIS. I fully agree with this, sir, so I am happy that you want it for the record.

(The data referred to follows:)

ASSATEAGUE ISLAND-OCEAN BEACH—THE PROPERTY OWNERS POINT OF VIEW

On April 18, 1963, Stewart L. Udall, Secretary of the Interior, forwarded to the Governor of the State of Maryland, the Honorable J. Millard Tawes, a report entitled "Assateague Island and Vicinity, a Study of Recreation Values and Potential Use," prepared by the Bureau of Outdoor Recreation, U.S. Department of Interior, April 1963, together with the approval of the Secretary. This report recommended public ownership of the entire area known as Assateague Island, either wholly by the Federal Government or in conjunction with the State government. This report and recommendation was based upon an economic feasibility study conducted by Robert R. Nathan Associates, a private enterprise.

The Department of Interior report was made without consultation with the 3,200 owners of the property under discussion.

What does this island consist of? On Assateague Island the State of Maryland has already established 2 miles of ocean front in a State park and intends to add 6 or 7 additional miles of ocean front park in the near future; the Department of Interior already has 9 miles of ocean front in a bird sanctuary—the use of which could be made readily available to recreational use compatible with the purposes of the sanctuary. In addition to these 18 miles of ocean front already available or earmarked for open public use, the island is in the immediate vicinity of the commercial public recreational facility—Ocean City, Md.

The stated policy of the Federal Government, as evidenced by the Outdoor Recreation Resources Review Commission (ORRRC) report, congressional statements of policy, and even the Secretary of Interior himself, is that the Government should not step in where private enterprise can provide necessary facilities, afford the public access to seaside recreational areas, the Federal Government should not expend huge sums of money merely to make that access "free."

Moreover, this policy states that Federal acquisition of such facilities should not be undertaken without consultation with and consent of State, local authorities and private interests.

The costs of such acquisition, development, and maintenance are prohibitive in the face of the restricted use envisioned by the Department of Interior. It would seem, therefore, capricious to forceably take by condemnation the property of approximately 3,200 owners, themselves members of the public, for additional seaside recreational facilities.

It is somewhat difficult to accept the position of the Department of Interior people that there are not now adequate shoreline facilities for current demand, nor that there will not be adequate facilities for future demands for the public at large. Certainly, experience proves that the general public as a whole is not very interested in visiting recreational areas which are in a pristine or primitive state of improvement and contain no modern conveniences. The public which desires ocean front recreation is invariably drawn to population centers where comfortable hotel and motel accommodations are available, as well as shopping facilities and social activities. These are available in every State bordering the Atlantic Ocean, notably New York, New Jersey, Delaware, Maryland, Virginia, the Carolinas, Georgia and particularly Florida. These areas are open to the

public and as a matter of fact, cater to and depend upon the public for their support, and do not restrict themselves to any economic class of the public. Take, for example, the classic seaside resort of Atlantic City, N.J.; and of course, to a smaller degree, Ocean City, Md. As long as proper personal conduct is maintained, no one has been denied the use of this type of recreational facility. The overwhelming majority of those who seek seaside recreation prefer this type of commercial facility, which offers, in effect, a 24-hour service. And, other than for curiosity visits, this tremendous group would shun a daytime-only facility.

We come then to a very small segment of the seaside-desiring group who are certainly in the great minority. This very small group can be generally classified as the magnifying-glass nature lover and the bird watcher. For that very small minority who want a daytime-only facility, there are existing facilities—notably public recreation areas in Delaware, the Chincoteague Wildlife Refuge, Cape Hatteras, and notably Cape Cod, but to mention a few of the more well-known. It would seem unnecessary and unwise to expend millions and millions of dollars of tax money to provide additional facilities for this particular group.

Mr. Udall's report on page III-3, and in many other places, states that the Federal Government would prepare for an immediate annual load of 1,300,000 persons and anticipates the level of visitation to be 3 million by 1975. This unsupported estimate of use for a daytime-only facility with no living accommodations or other conveniences is a conjecture—not to be taken seriously. If Mr. Udall is serious why does he not open to public recreation the beach front areas of Chincoteague Bird Sanctuary located on the southerly end of Assateague Island and which is over 9,000 acres in area—more than one-half of the entire area of Assateague Island and over 9 miles of ocean front where: "The summer months are quiet. Except for a few black ducks and a handful of blue winged teal"—now open only at times "that the proposed use of the property does not conflict with the needs of the birds." (Chincoteague, a National Wildlife Refuge, U.S. Department of Interior, 1947, pp. 1, 12, and 17.)

In spite of the fact that sufficient and adequate facilities are available to those seeking seaside recreation, Mr. Udall still recommends public acquisition of additional seaside facilities, comprising, at present, some marsh areas and approximately 5,850 subdivided and platted one-half acre lots owned by approximately 3,200 individuals and families. This is not not an area being given to the Federal Government, but one which the Federal Government will have to purchase. And the overwhelming majority of the 5,850 lots will have to be taken from private ownership by forced condemnation by the Federal Government. A cursory examination of various documents and reports discloses that such action would be against the stated policies of the Congress of the United States and even against the strong recommendations of the Outdoor Recreation Resources Review Commission for private enterprise support.

The ORRRC report "Outdoor Recreation for America" January 1962, on page 5 states "the Commission wishes to emphasize, however, that the key elements in the total effort to make outdoor recreation opportunities available are private enterprise, the States and local government. In relation to them, the role of the Federal agencies should be not one of domination, but of cooperation and assistance in meeting their respective needs. On page 6 of the same report it is stated that "It should also stimulate desirable commercial development which can be particularly effective in providing facilities and services where demand is sufficient to return a profit." On page 157, we find "the most important single force in outdoor recreation is private endeavor—individual initiative, voluntary groups of many kinds, and commercial enterprise. When Americans seek experience in the outdoors, they do not necessarily turn to government. Approximately two-thirds of the Nation's land is in private ownership, and in the Eastern States the proportion is much higher * * * People on weekend trips and vacations involving outdoor recreation usually patronize private accommodations, while some stay at privately owned cottages in seashore, lake, or mountain settings * * * The activities of private land owners and suppliers of food and services in meeting public needs for outdoor recreation will be governed chiefly by the prospect for private profit. Even this chapter therefore, which is devoted to the private role, must deal largely in terms of the relationship of government to the private sector. Outdoor recreation, unlike such a service as police protection, cannot be the responsibility of government alone. General access to the out-of-doors and simple facilities should be made available to everyone. But the more specialized activities are among the good things of life that must be paid

for by the individual who wishes them. Government can help make opportunities available and can carry out projects in the public interest than cannot be done privately, but it does not, cannot, and should not provide for all the outdoor recreation needs of every citizen."

Let me cite for you the published policy of the U.S. Government as contained in the ORRRC report of January 1962: "*Recommendation 11-2: Government agencies should stimulate diversified commercial recreation investments on private lands and water. * * * Recommendation 11-2: Government agencies should promote greater public recreation use of private lands and waters.* [Emphasis added.]

This statement of policy is also evidenced by Senate Report No. 11, February 28, 1963, by the Committee on Interior and Insular Affairs, accompanying S. 20, Federal and State programs relating to outdoor recreation. Among other things, the report sets forth that the act was amended on page 3, line 10, to include "private interests." In support of that amendment, the committee said "the Outdoor Recreation Resources Review Commission recommendations and the bill itself contemplate that a very large part of the Nation's outdoor recreation needs will be met by private interest." After quoting from the ORRRC report, the committee then stated "the committee agrees with the Commission that private interest groups, both commercial and nonprofit, should be provided technical assistance within the general guidelines to be found in the ORRRC report * * *". The act was further amended in the House of Representatives and referred to a conference committee which agreed to certain amendments which again reflected the attitude that private interests should provide most of our outdoor recreation.

It should also be noted that Report 109, April 3, 1963, accompanying S. 4, of the Senate Committee on Interior and Insular Affairs amended the so-called wilderness bill to provide that there would be no right of condemnation with respect to privately owned land within the boundaries of the wilderness areas.

And again, Secretary Udall himself, in an address before the National Conference on Outdoor Recreation Research at Ann Arbor, Mich. on May 7, 1963, said "if we are going to obtain the benefit accruing to the public use of outstanding recreational areas, especially the East, we must at the same time recognize that if there be existing private buses compatible with public recreation, such should be protected." Assateague is a 33 mile island. Nine miles of the north end are to be a State park area. In addition, over 9 miles of the southern end are in a bird sanctuary whose beaches could be opened to recreational development—a total of over 18 miles of public ownership. Why, then, is public use of the intervening middle section of 15 miles incompatible merely because the interior lots are privately owned by 3,200 members of the public who bought, paid for, and paid taxes for over 14 years to build summer homes for themselves, their families and their friends.

On page 29 of the Bureau of Outdoor Recreation Report of April 1963 Mr. Udall sets forth the estimated cost of acquisition and development of the 15 miles of Assateague Island. His cost of acquisition of real estate would seem to be based upon the fact that Worcester County now has approximately a \$3 million assessment for this area and that its assessments generally run between 50 and 60 percent of value. His cost of real estate acquisition in the amount of \$7 million is therefore totally out of line with what he could be expected to pay for the property in a forcible condemnation proceeding. This again is due to inadequate investigation of background material. When the costs of title search, court proceedings, jury, travel, etc. are added to the cost of the land itself, it is felt that a conservative estimate of property acquisition would be closer to \$25 million. Nor does this take into consideration the cost of acquiring 15 miles of one of the world's finest natural sand beaches.

In his cost of development, Mr. Udall has included \$2,030,000 for use facilities. The report does not specifically spell out what these use facilities will be, but generalizes such to be bath houses, concessions buildings, picnic tables, shade areas, parking areas, and boat docks. Adequate facilities must be provided for drinking water, sewage disposal and storm shelter for his 3 million annual visitors. If, as the Secretary says, the cost of providing water sources and sewage disposal for a few thousand private owners is prohibitive, what would be the cost of providing those facilities for his 3 million visitors? And these use facilities must include provisions for restaurants and bath houses for 3 million people. We all know that 3 million people are not going to drive 5 to 10 miles twice a day in bathing suits, lugging sandwiches, thermos bottles and

beer coolers, together with blankets, umbrellas, and sunburn lotion to make day only use of his proposed park.

Included also in the \$3,300,000 figure are roads and trails. If we presume that by trails, he means foot paths, we can dismiss comment on costs, for as we all know, the cost of foot paths is relatively minor. However, we cannot dismiss the cost of building roads. On the map following page 23 of the outdoor recreation report, Mr. Udall shows proposed construction of a road leading southeastwardly from the Stephen Decatur Highway on the mainland of Worcester County across Sinepuxent Bay to Assateague Island and then southward to the wildlife preserve where it branches and becomes two roads. Assuming two roads in the wildlife preserve to be approximately 15 miles, the road through Ocean Beach and South Ocean Beach to be 15 miles, the road through the existing State park to be 2 miles, and the road on the mainland to be approximately 1 mile, total road mileage is 33 miles. The area across Sinepuxent Bay would necessarily have to be bridged. We already know that the approximate cost of the road on the mainland and the bridge leading to the State park is \$1,500,000. The cost of the remaining 32 miles of road would depend upon the type of road Mr. Udall has in mind, which is not set forth in the report. The State Roads Commission of Maryland considers any more use than 3,000 to 4,000 vehicles per day to require a dual highway. This type of construction would require at least four travel lanes separated by a median strip and would require a 120 foot right-of-way. The approximate cost per mile of such construction would be \$250,000 per mile. This would require a construction cost of \$8 million for Assateague Island.

It is admitted that the above discussion may not be accurate, but it must be remembered that it is based on Mr. Udall's report, which is itself a very vague and inaccurate one. However, it will give an indication of how to treat the figures shown by Mr. Udall for cost of development of Assateague as a Federal park.

There is very little that can be said about Mr. Udall's figure of \$600,000 for annual operation and maintenance. This, of course, would depend upon many factors. It is felt that this figure is ultraconservative for the maintenance of a recreational and park area servicing 3 million annual visitors.

The Department of Interior Report of April 1963 contains a tremendous amount of false, misleading and erroneous information collected in a short period of time, without proper research and investigation, by economic surveyists having no competence in the fields pursued and not knowing how to evaluate the disjointed material collected.

This is particularly true in the case of water supply, sewage disposal, safety, elevation, and erosion control. It should be sufficient to say that in general, the 15 miles of Assateague under consideration is as safe for construction as is the north Ocean City area where millions of dollars have been spent on the construction of private homes, apartment houses, hotels and motels; that the erosion problems on this section of Assateague Island are no different than the problems in the North Ocean City area and can be handled in the same way: that there is an adequate supply of water for private wells and adequate area for private sewer systems, with proper supervision. Intensive testing by health department officials under the Deputy State Health Officer, Dr. Frederick S. Woesche on May 29, 1963, less than 3 weeks ago, proved adequate percolation for private sewage disposal systems. At the first stages of construction, public water supply systems and sewage disposal systems are not necessary, but can be installed when the density of population should so require as was the case in the North Ocean City area for a period of 20 to 30 years.

The "facts" recited in the Department of Interior's Assateague Report of April 1963 are obviously based upon false, erroneous, misleading and misinterpreted statements and information; therefore, they cannot be considered as a substantial base upon which to predicate Federal condemnation of Assateague.

We cannot take the time of you ladies to comment on every erroneous statement made in the report of the Bureau of Outdoor Recreation of the Department of Interior—some of the points made are minor and little attention should be paid to them at this time. However, there are several outstanding subjects about which the report comments in a most detrimental manner.

There is one impression which should be corrected immediately to avoid misunderstanding in consideration of the report. Throughout the report there is reference made to a 15-mile stretch of Assateague Island which is in the ownership of Ocean Beach, Inc. This is simply not true. That 15-mile stretch to

which they refer consists of approximately 5,850 lots which are owned by about 3,200 individuals. There is no one entity controlling the area and, therefore, though the report reads as if one entity were to be dealt with, there are at least 3,200 private property owners to be dealt with.

Pages 11 and 12 of the report deal with "water supply problems." While there are and will be water supply problems in this area, they will be no greater than the same problems faced in other like areas, notably, the North Ocean City are of Worcester County. Generally speaking, water supplies on Assateague Island have been entirely satisfactory and have been and can be filtrated and purified by relatively inexpensive individual units. This has been done for many years in North Ocean City, which is a very very similar area, but has a tremendously greater growth in density of population, being improved by private homes, apartment houses and motels.

Much has been made of an opinion of the Department of Geology, Mines and Water Resources (Maryland) that the wells on Assateague Island could become polluted from both salt water and affluence. Again, any seaside area could become so subject to pollution. This, too, is a problem faced by the North Ocean City area. However, tests made shortly after the March 1962 storm which washed over the North Ocean City area disclosed a minimum of salt water pollution, and health authorities recommended only the capping of abandoned wells and the drawing off of the minor pollution which did take place. Therefore, since the water supply is adequate for future needs (Nathan Report, p. 1-8), there is no reason that this area cannot be privately developed as was North Ocean City until such time as the density of population warrants a public water supply.

The Outdoor Recreational Report April 1963 has much to say about sewage disposal. In fact, the report, in part, seems to be preoccupied with the subject. On page 4 in Mr. Udall's summary, there is a statement: "* * * the installation of individual septic tanks has been condemned and forbidden by the State health authorities as a public health hazard." This is absolutely false, it has not done so. On pages 12 and 13, certain statements are attributed to one "Brown." Either he is misquoted, or misinterpreted, or the statements attributed to him were intentionally misleading. Intensive percolation tests conducted by State health department sanitarians, while it was raining, after a heavy rainstorm the previous night and during a period of very high tide, proved that the overwhelming portion of this section of Assateague Island would properly support individual septic tank systems, and that a good portion of the balance could inexpensively be made to do so.

Much in the April 1963 Department of the Interior report deals with erosion and safety of private construction. In order to clear the air, it should be stated that Coast and Geodetic Surveys from about the middle 19th century to present show very little, if any, general change or westward migration in this coastal area—not 100 to 150 feet as stated on page IV-6 of the April 1963 report which is based upon a verbal estimate of the Department of the Interior. Let us see what the Department of Geology, Mines and Water Resources of the State of Maryland says about the erosion in Bulletin 6, "Shore Erosion in Tidewater Maryland, 1949, page 110: Ocean City Inlet to latitude 38°14' N. The entire shores has suffered erosion with a maximum linear recession of 1,350 feet at 5,600 feet south of the Ocean City Inlet. Southward from this location the rate of recession gradually decreases to latitude 38°14' N. where the shore is stable. Latitude 38°14' N. to latitude 38°09' N. The entire shore has built out a maximum of 250 feet. To translate this into laymen's terms, the shore is stable and/or has built out on the portion of the island which is privately owned—with the exception of an area of approximately 1,600 feet in the southern portion. Needless to say, the property owners will take steps to correct this as soon as they have access to the island and are permitted to build.

There is an overall southward littoral drift which, because of the north jetty of the Ocean City Inlet, has caused beach starvation of the first couple of miles of the North end of Assateague Island. This is the only section that has had any marked westward migration. This area is totally unsuitable for development in its present state, and is to become a part of the State park. The balance of Assateague Island has remained little changed in the last 100 years. The beach front and dunes which were removed by the March 1962 storm and deposited on the interior of Assateague Island thereby raising it, immediately began to build back after the storm. Approximately 40 to 60 percent, depending upon location, of that which was lost on the beach has now been replaced. Except for the action taken by the Corps of Engineers in building a dune from

Delaware south to the Ocean City Inlet, this area is no different than the area north of Ocean City. In relation to dunes, the property owners have begun a program of rebuilding those dunes with sand fences and related works. In the matter of a couple of years, the beach front area will be entirely restored, mostly by nature itself. Regarding dune construction, the Department of the Interior is correct when it says on page 18 that no authoritative study has been made on protective measures. This is true of the entire coast line of Maryland.

Insofar as construction of homes on the island is concerned, there is no dispute but that safe construction can be made. Assateague Island was awash as a result of the March 1962 hurricane. So was Ocean City, the North Ocean City area, and all beach areas along the eastern seaboard, but they survived. No greater percentage of construction was lost south of the inlet than was lost north of the inlet. Homes properly constructed on pilings, had little or no damage. As a matter of fact, one home personally built by man and wife owning the lot, lost no more than its front steps. The homes lost were those that were not properly constructed on piling or were not properly tied to that piling.

As stated on page I-8, a building code is now in effect which requires construction on piling in areas subject to inundation and requires those pilings to be driven into the ground below certain depths, depending on the distance from the ocean front.

All these details are cited to put to rest unfounded and careless statements derogatory to the private development of that portion of Assateague Island which the Department of the Interior covets, and is in addition to the over 9 miles they already own. It is, therefore, difficult to give an orderly, logical presentation to refute a report which is neither orderly nor logical. But I have endeavored to present the thinking of the property owners who will defend their right to own property; will defend their right to protect themselves against condemnation without representation; and who are determined to fulfill their hopes and dreams of building a community of homes and cottages and supporting service establishments—to develop a community that they and their neighbors and the State of Maryland will be proud of.

Mr. LEWIS. At one time, as I remember, the Interior Department estimated that \$6.5 million would acquire Ocean Beach property. About a year later in August 1964 he estimated it at \$16.8 million. S. 1121, in section 2 states: "In case of acquisition by negotiated purchase, the property owners shall be paid the fair market value by the Secretary."

I do not believe this latter amount, this \$16.8 million, should be anywhere near the fair market value for even the beach front, much less the entire island.

Senator BIBLE. What in your opinion would be the fair market value?

Mr. LEWIS. I would not know that. I think it should be arrived at by an arrangement I am going to describe in a few minutes.

Senator BIBLE. Very well. You may proceed.

Mr. LEWIS. People who seek seashore recreation fall into two broad general categories. Some people I have heard are those who own land and those who want to take it away from them. That is not my definition. I think we would describe them as those who like comfort and those who are so-called nature lovers, campers, fishermen, hikers, and the like. The former, I think, are in the vast majority, as witnessed by the hordes who invade beaches like Ocean City, Myrtle Beach, Virginia Beach, Miami Beach, and so on, and the relatively few who visit places like Cape Hatteras, where I often go fishing and where you never see any great amount of people.

One of the main purposes of this legislation is to provide recreation. Much has been said about limiting construction to overnight accommodations. I am a hunter and fisherman, and camper, but I do not see how anyone can construe recreation as driving a total of some

200 to 300 miles back and forth just to spend a day or two in what might be termed discomfort. That is not what most of these people who live in this area where there are some 40 million persons are looking for.

So, I firmly believe that the public's needs for recreation can best be served by compromise, by allowing us private owners to develop our land for those who like comfort in conjunction with the State and Federal parks to the north and south, thus providing a wider variety of attractions and accommodations, and, incidentally, you might say a source of revenue for the already overburdened budgets of Maryland and the Federal Government.

Somehow I just cannot believe that the Federal Government, despite the Secretary of the Interior and his assertions, will take property away from people who have held it so long, against their will by force. But if this should come to pass, then I believe two things should be done.

One, the people who own property now should be given the first choice as to whether they would want to construct accommodations for the public as provided for in section 7(b) of S. 1121, and, incidentally, of S. 20.

Secondly, that the fair market value for each piece of land be determined by a group of three evaluators, one of whom is to be selected by the property owners through their Ocean Beach Club, one to be selected by the Secretary of the Interior, and one to be selected by the Governor of Maryland from among competent realtors in the State of Maryland who would know the property values of Ocean Beach.

I therefore urge that S. 1121 be amended to this effect, as well as S. 20.

I would like to express again my thanks for the privilege of appearing here.

Senator BIBLE. We are happy to have you, Mr. Lewis. You have suggested some pertinent points. We will be hearing from the Secretary of the Interior, and the park service people tomorrow, and I intend to ask these questions you have posed in your statement. Thank you very much, Mr. Lewis.

Our last witness this afternoon will be Mr. Edmund H. Harvey. Is he here?

FROM THE FLOOR. His testimony has already been submitted, sir.

Senator BIBLE. Very well. The statement of Mr. Harvey will be incorporated at this point in the record.

(The statement referred to follows:)

STATEMENT OF EDMUND H. HARVEY, PRESIDENT, DELAWARE WILDLIFE FEDERATION

I am Edmund H. Harvey, president of the Delaware Wildlife Federation, an affiliate of the National Wildlife Federation. I am also a member of the Citizens Committee for the Preservation of Assateague Island and am president of Delaware Wild Lands, Inc., a nonprofit, tax-exempt corporation dedicated to the preservation of certain areas in Delaware and the Eastern Shore of Maryland. We presently own about 1,300 acres of cypress swamp in Sussex County, Del., and 500 acres of similar land in Worcester County, Md. I am a full-time conservationist and receive no pay for my work.

I am strongly in favor of the Bureau of Outdoor Recreation's plans for the preservation of Assateague Island. With the pressures of increasing population and expanding commercial and housing development, private ownership, unfortunately, can no longer assure the preservation of areas such as Assateague

Island. I will leave it to others to point out the recreational and esthetic values of this island. I wish to comment on the importance of areas such as this to migratory waterfowl, to shellfish, and finfish conservation. Public development of Assateague Island will eliminate resting places and wintering grounds for large numbers of many species of these kinds of birds. Any development which will alter the character of the tidal marshes on the western side of the island can result in calculable reductions in the harvesting of shellfish and finfish. It is well understood by biologists and ecologists that salt marshes are the nurseries for innumerable varieties of commercial and sports fishes. To the same extent, a shellfish industry cannot exist without such marshes to serve as the first link in the biological chain which produces oysters, similar shellfish, and crustaceans. Each acre of salt marsh removed from its primary function in the life cycle of any of the species referred to above results in dollar-and-cent losses to commercial fisheries and reduces the catches of those who fish, crab, and gather clams for their enjoyment.

I firmly believe that the facts as stated above would be sufficient reason to preserve Assateague Island along the lines advocated by the Bureau of Outdoor Recreation of the Department of the Interior.

Senator BIBLE. This concludes some 20 or 21 witnesses today.

The hearing will open tomorrow morning at 10 o'clock, and by the number of witnesses that I have listed here, it looks like another full day tomorrow, as well as the next day, and we will stand in adjournment until 10 o'clock tomorrow morning.

(Whereupon, at 4:15 p.m., a recess was taken until tomorrow, Thursday, March 18, 1965, at 10 a.m.).

ASSATEAGUE ISLAND NATIONAL SEASHORE

THURSDAY, MARCH 18, 1965

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

The subcommittee met, pursuant to recess, at 10:05 a.m., in room G-308, New Senate Office Building, Senator Alan Bible (chairman of the subcommittee) presiding.

Present: Senators Bible, Simpson, and Jordan of Idaho.

Also present: Jerry T. Verkler, staff director; Stewart French, chief counsel; Roy Whitacre, professional staff member; and Crocker Price, assistant minority counsel.

Senator BIBLE. The committee will come to order.

Our first witness this morning is Congressman Morton, of Maryland. Mr. Congressman, we are delighted to have you with us this morning.

STATEMENT OF HON. ROGERS C. B. MORTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MARYLAND

Mr. MORTON. Thank you very much, Senator. I appreciate the opportunity to appear before your committee. I had the opportunity to appear at the preliminary hearings, which were held during the 88th Congress.

Senator, I have a prepared statement. It is fairly short, but I think that, even in the interests of time, I will just make one or two comments, and then perhaps you would like to ask me some questions in connection with this project.

Senator BIBLE. Well, your statement will be incorporated in full in the record, and you highlight it in your own manner.

(The statement referred to follows:)

STATEMENT OF HON. ROGERS C. B. MORTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MARYLAND

Mr. Chairman, first, may I express my thanks for the opportunity to appear before this committee. I represent the First District of Maryland, made up of the nine counties comprising the Eastern Shore of the Chesapeake Bay, including Worcester County in which Assateague Island is located.

Under consideration before this committee is a proposal that the National Park Service, at the invitation of the State of Maryland, establish on Assateague Island a national seashore, and the Congress is being urged by the administration to enact legislation to this effect.

Under consideration is a bill, S. 20, introduced in the Senate by Senator Brewster, of Maryland—a bill which I am happy to give my support provided it be amended in one major respect to conform to my bill, H.R. 2071, which I introduced on January 7, 1965.

You have heard lengthy testimony about Assateague Island and the proposals to make this undeveloped strip of barrier beach into a national seashore. For this reason, I will limit my remarks here today to only those points which I believe have not been properly stressed previously, and to the major difference between my bill and those already submitted.

In the first place, it is imperative that we make clear from the start that the primary objective of the proposed Assateague National Seashore is to preserve the island and to create a recreational area for literally millions of Americans so often denied any access to fresh air, wild spaces, and the sea.

It is not intended that the establishment of this seashore recreation area detract from the purpose or effectiveness of the Chincoteague Wildlife Refuge which is now existent and occupies most of the Virginia portion of the island.

The conservation and wildlife aspects of Assateague are, indeed, vital, and under no circumstances do I subscribe to a project that might put these assets in jeopardy. It is, then, in terms of both a recreation area for the general public and the protection of migratory water fowl and other wildlife that section 9 of my bill reads as follows: "The Secretary of the Interior shall construct a suitable road on Assateague Island connecting the Chincoteague-Assateague Bridge with the Sandy Point-Assateague Bridge. Such road shall be open to the general public at all times."

There are a number of reasons why this road must be an integral part of any plans for Assateague Island, and, in my opinion, each one is positive, constructive, and absolutely free of any damage or possible harm to the overall objectives we seek.

Let me list these points:

(1) The road would provide convenient access to the whole recreation area from either north or south and greatly add to the usability of the park.

(2) The road would tend to spread these visitors over wide reaches of the island instead of concentrating large crowds in a few areas.

(3) A road connecting the two bridges will tie the park into a logical highway system that becomes most important for the growth and development of the lower Eastern Shore of Maryland and Virginia as well as providing convenient utilization of the area by the public.

And, let me strongly emphasize this final point—there is no evidence, either from research I have made involving Assateague, or in those national park and seashore areas already established, that a road such as I propose would, in any way, cause harm to the wildlife refuges.

In short, construction of a road on Assateague Island between the two existing bridges will offer substantial economic and recreational benefits without resulting in the slightest despoilation of those irreplaceable resources we must by all means protect.

There is general agreement that in any Federal project concerning Assateague Island, suitable overnight and other public accommodations should be provided. I would like to stress two points in this regard.

First, these areas, under rules and regulations established by the Department of the Interior, could set an influential standard for all construction, public and private, throughout the entire area. The tasteful and well-designed buildings would also provide, under section 9(c) of my bill, additional tax revenues to Worcester County which will have suffered a considerable tax loss under this Federal project.

There is another Federal project, currently under study, which can have an important effect on the development of the national seashore and on the economic future of the entire area. I speak of the proposed canal which would connect Sinepuxent Bay with the Chesapeake Bay, and thus provide what is now a missing link in our Intracoastal Waterway.

This canal would encourage full utilization of the excellent waterway aspects of the national seashore, would afford thousands of visitors the opportunity to visit the parkland by water, and would permit commercial fishermen and waterborne freight to cross the lower peninsula, a route heretofore closed to them. This canal would also offer the entire lower shore a much-needed economic stimulus.

In closing, I appreciate the chance today to present my views on the proposal for a national seashore on Assateague Island. I am for the establishment of the Assateague National Seashore and I believe that a substantial majority of the people of my district on the Eastern Shore are for the project. However, as I am sure you are aware, there are many property owners on Assateague

and others who are opposed to public development of the island. I hope that, in the interests of their rights and their position, you will provide them the opportunity of stating their case for the record and give them their day in court. Thank you.

Mr. MORTON. Thank you very much.

The bill that is under consideration, S. 20, introduced by the senior Senator from Maryland, Senator Brewster, differs a little bit from the bill which I have introduced in the House, and I think that, in the interests of time, it would be well just to point out the differences.

Other than that, I think we are together on this proposition.

I have felt that, because of the location of Assateague, that the utilization of this seashore is going to be very, very high, and a great many people are going to visit it, both from the north and from the south.

As you know, there is a new bridge-tunnel complex linking the eastern shore of Virginia with the whole Norfolk-Newport News-Portsmouth metropolitan area, and I think a good deal of traffic that goes to Assateague will originate from that area, and come across the new bridge tunnel.

For this reason, and for other reasons that I would like to mention, I am very strongly in favor of the construction of a road that will connect the two bridges, that is, the Chincoteague Bridge in the Virginia portion of the island, which exists, and now the new bridge which Maryland has put in, which you see on that map in the proposed concession area.

That is a little bit south of the bridge. The bridge is a little bit north of that, and it says "new bridge" on the map.

I am fully aware that this road would go through the National Wildlife Refuge, the Chincoteague Wildlife Refuge, very much in the same way that the road goes through the Pea Island Refuge, and runs down to Cape Hatteras, and I am fully aware that refuges are pretty sacred areas, as far as invasion by the human being is concerned, but I don't believe, since this refuge is used primarily by geese, and geese don't seem to be bothered much by traffic, that a road through the refuge will do any damage whatsoever to the wildlife there.

I feel that the wildlife there will probably be in populations that will be to the limit that the refuge can support, as far as feed is concerned.

This year I went down to Pea Island Refuge, as I have done almost every fall for the last 5 or 6 years, to visit that refuge and observe the snow geese, and even though that road runs right through the middle of the refuge, the number of geese that are there now, I was told by competent authority, are just about the saturation point as far as the feed is concerned, so I don't believe that by putting a road through or around the refuge, as the case may be, we damage this proposition at all.

Now, other than that, I am, of course, very much for the idea of a concession establishment in the Maryland portion of the island, and I would have no objection to concession establishments in the Virginia portion of the island. I believe that we should have overnight accommodations there. I think we should have a restaurant and certain facilities there, similar to those facilities that we have in other national parks, like the Everglades National Park in Florida and many others.

And the reason that I think they ought to be of a concession type is because I think they should set the standard of the kind of develop-

ment for accommodations that will inevitably grow up around this park. If millions of people are going to visit it annually, and I think millions are, a great many of them are going to want to stay in the area overnight, and a lot of them are going to want to spend the night in the park itself. So I believe that if a good job of planning is done by the Department of the Interior, through the Park Service, and we have a good, first-class, but simple, inexpensive accommodation facility in the park, it will be a standard setter, and will provide the guidelines for other development in the area.

Mr. Chairman, I am for the proposition. I also want to recognize the fact that there are a good many other people who are opposed to this, and I am sure that in the wisdom of this committee, and in the wisdom of the chairman, why, they will have their day in court, and have the opportunity to present their side of the story.

There is one other collateral project, however, that I would like to mention, because I think it does bear on the proposition of making Assateague Island into a national seashore.

We have under study now the concept of digging a canal connecting Sinepuxent Bay at about the point a little bit to the north of the Snow Hill Landing, with the Pocomoke River, which is a deep river, and empties into the Chesapeake Bay. This is a missing link in the inter-coastal waterway. It would provide access to the Assateague area by water. It would also provide a channel for waterborne commerce and for commercial fishing boats of the fishery to interchange between the Delaware Bay or coastal area and the Chesapeake Bay, and I am very, very much for this, and the local community is very much for it, and we are doing everything that we can to push that work along. But it does have a bearing on Assateague, because it means that Assateague will be usable by literally thousands of people who would like to visit it by water from the Chesapeake, where boating has become such a big proposition.

I think, Mr. Chairman, that is all I have, unless there are some questions that you have of me.

Senator BIBLE. Well, Mr. Congressman, as I understand it, your bill is similar or identical to the bill that has been introduced on the House side by Congressman Downing? Are there differences? Or maybe you haven't had a chance to check.

Mr. MORTON. The differences are negligible. The thing that Congressman Downing has put in his bill that doesn't appear in my bill is the reservation of land, as I understand it, in the lower Virginia portion of the island for a concession.

Senator BIBLE. That is correct. Well, that is a reservation of the present area that is under lease from the Chincoteague Bridge Authority.

Mr. MORTON. This is correct, and I certainly would be perfectly happy to amend my bill to conform with Congressman Downing's.

Senator BIBLE. But Congressman Downing and Senator Robertson, who has a counterpart bill on this side, also have in a section providing a set-aside of a certain area for grazing by the Chincoteague ponies, and I don't know whether your bill has that in it or not.

Mr. MORTON. No, we haven't gotten into that. I think that ought to be left to the discretion of the Department and to the Secretary. These ponies down there are a very valuable asset. They should be

protected. The method that it is done, and whether it should be done through a specific grazing set-aside, or whether it should be done through other land management, I don't particularly feel that we should legislate the matter.

I am sure that the Department of Interior and the Department of Parks and the Fish and Wildlife people are going to look out for the ponies as well as they do for the ducks and geese.

Senator BIBLE. Well, we will hear testimony from them today, and we will question them on that point, as well as on the road point, because they seem to take somewhat of an adverse position, but I think these are questions that we can explore with them. In response to your question on hearing everyone that wants to be heard, we are going to do our very best.

I have before me the witness list, and we have, I think, 20 witnesses today, and apparently about 30 tomorrow, and so we are going to hear everyone, and we recognize the general areas of opposition and difference. We handle many, many of these seashores, and we are going to do it objectively and calmly and patiently, and try to arrive at the correct end result, and I certainly do appreciate your testimony, Mr. Congressman.

Did you have another observation?

Mr. MORTON. I don't want to appear to be arbitrary about this road, but I do want to point out to the committee that the utilization of this island perhaps will be, as far as national seashores are concerned, at the highest level of any of our seashores, and one of the reasons that I think a road is necessary, running the full length of the island, is to spread the people out to use the facility so that they won't all be ganged up at one point, and we have a great stretch of country without anybody being able to get to it except by walking, and we also have a large concentration of people which I think will be at one point at the bridge-heads, which I think detracts a great deal from the proper utilization of the beach and of the island itself.

It also ties the island into a highway system, which I think is very vital to the development of towns such as Berlin, Snow Hill, Ocean City, itself, Chincoteague, and towns in the lower Virginia section, so the people can go through this park and visit other areas, which means an awful lot.

Tourism is our biggest business, outside of poultry, on the Eastern Shore, and I feel that we shouldn't do anything except encourage its development.

Senator BIBLE. I guess you have had some problems with poultry, haven't you?

Mr. MORTON. Well, I think that ought to be another hearing, Senator.

Senator BIBLE. Thank goodness we don't have to have the chicken hearing; we have enough trouble on this one. But I would like to ask you just a brief question.

Mr. MORTON. Yes, sir.

Senator BIBLE. We heard the Maryland representatives yesterday, Governor Tawes, and the State park man, the planning man, and, as I understand it, their proposal is to develop a State park as a State project, and then later, extend it to the north, right down to Ocean City, and use that entire area as a State park, and I wonder whether you have any observations in regard to that plan.

My concern has been that we have this beautiful island, Assateague Island, and part of it, under this proposal, would be operated by the National Park Service and the other park by the State of Maryland, and I am wondering if that is good managerial practice.

It seems to me that it can well be a duplication of administrative overhead, and that sort of thing. Have you taken a look at it, or do you care to comment on it at all? If you do, we would be delighted to have your views.

Mr. MORTON. Well, I feel the Maryland coastline is a very short coastline, as far as coastal States are concerned—not as short as New Hampshire's, but it is pretty short, and I think there is an element of pride here on the part of the State and the State agencies, as well as other considerations, that make the State park-Federal park complex a very compatible one.

I think if there is, at some future date, duplication, of effort, and there is difficulty in the two getting along, why, certainly the State park can be incorporated into the seashore, if that is what the State wants, but the feeling of the body politic of the State of Maryland is that they should have a State park there. I think we ought to encourage the States, rather than discourage the States, to take on this responsibility of providing recreational areas and putting a program forward and not just depend altogether on the Federal Government.

Senator BIBLE. Well, I couldn't agree more, except where it seems to be overlapping and duplicating, I wonder why we have two agencies doing almost exactly the same thing, because there is a great pressure on the tax dollar. As a Congressman, you are certainly aware of the pressures on the taxpayer as to where you shall spend his money, and I am sure this is even aggravated in the cases of the State.

I just wanted to explore it with you, because we have this problem in most all the seashores we have heard, and national parks, too.

If you think it is a matter of State pride that the State of Maryland would like to have a State park on Assateague, and if they would develop this under their own auspices, I recognize there will probably be very little conflict. I think they both can operate there, but I am just wondering if it is good economical management.

Mr. MORTON. Well, I think it depends on what the mission is here. If we are going to develop a lot of facilities that will require management and have programing and all of that, you could very well have duplication of effort, but the upper part of that island is a pretty low area.

Senator BIBLE. Now by "upper," you mean the northern part?

Mr. MORTON. Yes, and I think the general feeling is that the State park would be just left in a very natural state, and that the facilities would be there to supplement and complement the facilities that may be developed in the national seashore.

I feel sure there will have to be some joint planning to avoid the very thing that you mention.

Senator BIBLE. Thank you, Mr. Congressman.

Senator Simpson?

Senator SIMPSON. Mr. Chairman. Congressman Morton, you have something in your statement here about this connection of Sinepuxent Bay and Chesapeake. Where is that river, the deep river that you mentioned? Would you point it out on the map?

Mr. MORTON. Well, the Pocomoke River doesn't show on the map here, because this map doesn't go all the way across the peninsula, but this map is lying down, north is this way [indicating], and the Pocomoke River runs near the town of Snow Hill, right here, and flows in a westerly direction into the Chesapeake Bay, and doesn't show on this map, but that is generally the direction it flows in, and there is really a very short distance to couple the Pocomoke River and the Sinepuxent Bay, which is this body of water here.

There are some problems in it. The problem of salinity is one of the problems that has been discussed, as that is why we have had the Corps of Engineers working on it, making a study, but it does bring the national seashore park into a situation where it can be reached by water from the Chesapeake, where there is a tremendous concentration of boating.

And it saves the north-south intercoastal waterway user about 220 miles in going from New Jersey points down farther south into the Carolinas, rather than going all the way up to the C. & D. Canal, which is the Chesapeake-Delaware Canal. It would lop off a lot of distance.

The C. & D. Canal, of course, is a very vital commercial artery connecting the metropolitan areas of Philadelphia and Baltimore.

Senator BIBLE. I think that is all the questions, Congressman Morton. We do very much appreciate your appearance here this morning.

Mr. MORTON. Well, I certainly want to thank the chairman and the committee.

Senator BIBLE. My attention has been called to the fact that Mayor McKeldin of Baltimore, former Governor of Maryland, is here. I recognize he has some commitments in connection with the legislative session in Maryland, and I would be very happy to have Mayor McKeldin come forward. I think I see him up here in the audience.

Mayor, we would be very happy to hear from you at this time. Delighted to have you with us this morning.

STATEMENT OF HON. THEODORE R. McKELDIN, MAYOR OF BALTIMORE, MD.

Mr. McKELDIN. Thank you very much, Senator Bible. My former colleague as a Governor, Senator Simpson, I am delighted to see you here.

Senator SIMPSON. Thank you, sir.

Mr. McKELDIN. The early establishment of the Assateague Island National Seashore in the States of Maryland and Virginia is a matter of great importance to millions of present and future Americans.

Assateague is the largest and almost the last undeveloped stretch of shoreline between Cape Cod and Cape Hatteras. It is one of the few remaining areas of its kind in the United States. Some 33½ million people, or about one-fifth of the population of this country are to be found within a 250-mile radius of the island, and nearly a fourth of this number live within a 3-hour drive.

For nearly three centuries the island has been in private hands, but the difficulties in the way of its development have been so great that private enterprise has not been able to overcome them, nor can the State do so without spending a disproportionate share of its resources on the island.

As a matter of fact, I started this when I was Governor. We made the survey for the 685 acres that we now have. My term expired, I had been Governor for 8 years, and that is all you can be, and I left office, and my successors have carried on in a very magnificent fashion here.

The interest of Baltimore city and of the rapidly growing population of the urban area immediately surrounding it lies in the need for a larger oceanfront recreational area. The rapid rate of our population expansion makes it imperative that we act now to preserve for the residents of our cities, our suburbs, and our towns the recreation areas which will enrich the lives of their inhabitants.

Wise conservation and development of our natural resources today will return vast dividends tomorrow. Each failure to act now is an opportunity lost forever. The task of preserving our natural resources become more acute each day. To conserve and preserve what is left, and to reclaim some of what has been lost, is an obligation which we owe to ourselves and to future generations.

It is my understanding that the number of visitors to the Hatteras National Seashore, which has no nearby metropolitan area, was increased by 500 percent in a period of 10 years. Reasonable projections indicate that the establishment of the Assateague Island National Seashore can be expected to bring 3 million visitors a year to Assateague area by 1975.

Very clearly, regardless of the absolute precision of such figures, a national seashore at Assateague will serve as a magnet for visitors which will increase in drawing power each year. The areas adjacent to the island should acquire an enormous potential for private development and growth in view of the plans of the Department of the Interior for only limited facilities on the island itself.

Great economic benefit thus can be expected to accrue to both Worcester County and the State of Maryland, as well as the State of Virginia, from this valuable natural asset.

It is essential, of course, and reasonable safeguards seem already to have been provided, that private property be justly compensated. It is my understanding also that Worcester County and Maryland will be compensated adequately for amounts already spent for the island bridge and its approaches.

Among the reasons that establishment of a national seashore at the island seems attractive are these:

First, competent engineering surveys have confirmed that the sandbank is not suited to residential development.

Secondly, the beach itself nevertheless is a fine one and with intelligent engineering could be made magnificent.

Thirdly, the Federal Government has the resources, both financial and technical, for rapid construction of the roads, protective works, sanitary facilities, and potable water supply essential to public use of the beach.

I should also, in closing, like to address myself to the question of urgency. It is obvious, of course, that it is desirable to have such a magnificent natural area available to the public without further delay. Beyond that, it appears that immediate action will be necessary, as a result of past and impending court rulings, to forestall the issuance of construction permits for commercial development.

For all of the reasons cited above, I believe it very much to the interest of the State of Maryland, the county of Worcester, and the city of Baltimore to have the Federal Government take over the island, developing the beach as a public recreation area and the rest as a wildlife preserve.

And may I say how delighted I am that I have been invited also by my very good friend, Senator Brewster here. We are very proud of Senator Brewster and the magnificent work that he is doing for us, and we are proud of the record that he is making.

Thank you very much.

Senator BIBLE. Governor, it is a real pleasure to have you here this morning.

I have no questions, but possibly your former colleague in the Governors' circles might have, and I will defer to him.

Senator SIMPSON. Nice to see you, Ted, and thank you for coming.

Mr. McKELDIN. Thank you.

Senator BIBLE. Nice to see you, sir. Thank you for being here.

Our next witness will be Hon. Stewart Udall, Secretary of the Interior, and, Mr. Secretary, you might indicate those you would like to have accompany you to the witness table, if you would like to have anyone come up with you.

STATEMENT OF HON. STEWART L. UDALL, SECRETARY OF THE INTERIOR; ACCOMPANIED BY GEORGE B. HARTZOG, JR., DIRECTOR OF THE NATIONAL PARK SERVICE; EDWARD C. CRAFTS, DIRECTOR OF BUREAU OF OUTDOOR RECREATION; AND JOHN S. GOTTSCHALK, DIRECTOR OF THE BUREAU OF SPORT FISHERIES AND WILDLIFE

Secretary UDALL. I would like to have the Directors of the National Park Service, the Bureau of Outdoor Recreation, and the Bureau of Sport Fisheries and Wildlife join me at the table.

Senator BIBLE. George Hartzog, Director of the National Park Service; Ed Crafts, Director of the Bureau of Outdoor Recreation; and John Gottschalk, Director of the Bureau of the Sport Fisheries and Wildlife.

I think we may very well have some questions of each of them.

Delighted to see you, Mr. Secretary. Your report has previously been made a part of the record, and we have before us your written statement and the statement of Mr. Hartzog for the National Park Service and they will be incorporated in full in the record. You may highlight your statement in your own manner.

(The statements referred to follow:)

STATEMENT OF HON. STEWART UDALL, SECRETARY OF THE INTERIOR

Mr. Chairman and members of the committee, I am here today to express again the Interior Department's enthusiastic endorsement of legislation which will authorize establishment of the Assateague Island National Seashore. With your permission, I will ask three of my associates—Director Hartzog of the National Park Service, Director Crafts of the Bureau of Outdoor Recreation, and Director Gottschalk of the Bureau of Sport Fisheries and Wildlife—to join me at the witness table. Each is prepared to answer detailed questions concerning his Bureau's area of specialized knowledge.

This project is one in which three of our Bureaus have participated, namely: The Bureau of Outdoor Recreation, the Bureau of Sport Fisheries and Wildlife, and the National Park Service. Approximately 2 years ago, I requested the Bureau of Outdoor Recreation to coordinate studies by our Department with regard to Assateague. This resulted in a study in 1963 and in conclusions by our Department that Assateague was indeed a worthy project. Subsequently, field studies have been carried out by the National Park Service which have resulted in much additional data and information. The Bureau of Sport Fisheries and Wildlife has also cooperated in these studies and plans.

As is indicated in our report to your chairman, the Department recommends enactment of S. 20, with certain perfecting amendments. An attachment to our report indicates the principal distinctions between the aforementioned bill and S. 1121. At this time, therefore, I will not go into them; my remarks are addressed to S. 20.

Gentlemen, I am certain that you are familiar with the President's recent message on natural beauty, in which he listed a dozen proposed areas which he recommended be established by the United States. The President urged that the new land and water conservation fund, for which this committee deserves so much of the credit, be used to acquire lands for these proposed new parks, seashores, lakeshores, and recreation areas.

It is heartening for me to know that our Nation's Chief Executive shares fully in my concern, and that this committee, for the natural beauty of our Nation. A key phrase of the President's message was this one:

"We must not only protect the countryside and save it from destruction, we must restore what has been destroyed and salvage the beauty and charm of our cities. Our conservation must be not just the classic conservation of protection and development, but a creative conservation of restoration and innovation."

In Assateague Island we have one of the rare remaining opportunities of the Atlantic seaboard to set aside a sizable expanse of ocean beach for the enjoyment of all of our cities. The sponsorship of this legislation by 17 of your colleagues, and by several Members of the House of Representatives, is ample evidence of the broad support this proposal is receiving. And, as is the case with nearly every other new area proposal, the longer action is delayed, the greater are the costs and difficulties involved.

I regret that I was unable to accompany the members of this committee who went to inspect the area personally over the past week end. I understand that the trip was successful and that they had an opportunity to examine the 35-mile long-barrier reef which actually forms a portion of the coastlines of Maryland and Virginia.

The proposed national seashore would include all of Assateague Island. In addition, it would encompass the adjacent small islands, submerged lands and waters in the Chincoteague and Sinepuxent Bays, and waters on the ocean side to a distance of one-quarter mile from the shoreline. The bill would also permit the Department to acquire not more than 10 acres on the mainland as a site for visitor reception and administrative headquarters. The boundary would be defined specifically by an official map.

Assateague Island's outstanding feature is its broad, gently sloping beach of clean, white sand. With a minimum of development this beach can provide excellent swimming, surf boarding, and sunbathing for thousands of people. We envision the area's use also for fishing, skin diving, water skiing, boating of all types, clam digging and crabbing, hunting and that recreation which many of us find to be simplest and most rewarding of all—simple, quiet contemplation of the wonders of nature.

The southern portion of the island, all of its Virginia portion, has for 22 years been set aside as the Chincoteague National Wildlife Refuge. The refuge supports during migration thousands of ducks, geese, swans, and other waterfowl which traverse the Atlantic flyway. Under the terms of the bill the refuge would be included in the national seashore, but it would continue to be managed by the Department's Bureau of Sport Fisheries and Wildlife.

Immediately north of the refuge are marshes and points which have long been famous for waterfowl hunting. Hunting will be permitted subject to State law and any restrictions necessary for the public safety.

Within a 150-mile radius, a half day's drive from the island, the present population is more than 11 million, taking in the cities of Washington, Baltimore, Wilmington and Philadelphia. Draw a 250-mile circle and you will find some 34 million inhabitants. We estimate that immediate annual attendance at the

national seashore would be in the neighborhood of 3 million; and many millions more would use it within a few years.

Access to the area is excellent. Since 1962 a bridge operated by the Chincoteague-Assateague Bridge and Beach Authority has been providing vehicular access to the Virginia portion. Last fall another bridge, constructed by the State of Maryland and Worcester County, opened to serve the northern end of the island. This latter bridge, goes from Sandy Point on Sinepuxent Neck to the 692-acre Maryland State park. Under the legislation, this park would remain under State ownership and operation—in fact, it could be expanded to the north.

It is unnecessary for me to relate here the detailed history of private residential and commercial developments on Assateague Island.

Some background may be helpful, however. In 1935, when this Department conducted its initial survey to determine which Atlantic coast areas should be acquired and preserved for public use and enjoyment, Assateague Island was identified as one of 12 areas suitable for national seashore status.

Again in 1955 the Department surveyed the Atlantic and gulf coasts to obtain up-to-date information on various seashore possibilities. By this time, however, much of Assateague Island had been subdivided by a private developer and lots sold to several thousand individuals. Since extensive private development appeared to be imminent, our Department believed the opportunity to acquire the area for public recreation had been lost. For that reason the island was not recommended for Federal or State ownership in the 1955 report.

Comparatively recent events, however—particularly the severe storm of March 1962, which inundated much of the island—raised serious doubts as to the feasibility of private development. We therefore considered various alternatives, including the renewed possibility of national seashore status. Governor Tawes, of Maryland, and I agreed to make a joint study to determine the best use of Assateague. It was our conclusion that the greatest public benefit would be achieved through public ownership and development of the island. A special report prepared in 1963 by this Department recommended that a national seashore be established encompassing all of Assateague Island.

That massive, destructive storm of 1962 demonstrated forcefully that few structures here could withstand the fury of Atlantic winter hurricanes without extensive dune construction and beach erosion control. The Army's Corps of Engineers is currently conducting a study to determine what types of public works would be necessary to protect the various types of proposed developments.

This proposed national seashore fully meets the criteria of the Recreation Advisory Council, and it has the endorsement of the Advisory Board on National Parks, Historic Sites, Buildings and Monuments.

Now, Mr. Chairman, I hope you will permit Director Hartzog to discuss and outline some of the specifics of this proposal. I am sure that he and the other two Directors can clear up any questions that arise.

Thank you.

STATEMENT OF GEORGE B. HARTZOG, JR., DIRECTOR, NATIONAL PARK SERVICE

Mr. Chairman and members of the committee, we would like to explain our reasons for recommending the boundaries of this proposed national seashore as we do and to describe the manner in which we propose to develop the area.

Our first map illustrates the point the Secretary brought out so clearly in his statement: That Assateague Island lies within easy reach of the major metropolitan areas of the eastern seaboard—Baltimore, Washington, Wilmington, Philadelphia, and Norfolk. These urban complexes are all within 150 miles of the island and they have ready access to Assateague over major U.S. highways.

We also have a map showing Assateague Island in detail, with the boundary the preliminary development recommended by the Department of the Interior.

The proposed boundary will encircle the entire 35-mile-long island, extending from the Ocean City inlet on the north to the Chincoteague inlet on the south. About 22 shoreline miles of Assateague Island are in Maryland; the remaining 13 miles of shoreline are in Virginia.

Assateague Island is a low barrier reef ranging from about one-third of a mile to a little over 2 miles in width. It parallels the coast and is separated from the mainland by Sinepuxent Bay at the northern end and by Chincoteague Bay in the middle and southern portions.

The island's outstanding feature is its clean sand beach which is wide and gently sloping. Inland from the ocean beach the sand mounts into low dunes,

some of which are bound by beach grasses or other sand-loving dune plants. Toward the bay side of the island, the vegetation increases and the dunes fall away into salt marshes. Within the marshes are patches of firmer, higher ground, forested with loblolly pine and occasionally carpeted with thickets of myrtle, bayberry, baccharis, sumac, and catbriar.

The marshes on the bay side north of the State line provide an excellent natural resting place for a vast variety of shore birds and waterfowl, particularly brant and black ducks. Within the Chincoteague National Wildlife Refuge on the south end of the island are found thousands of ducks, geese, swans, and other birds in season, attracted by the five fresh-water pools which have been developed there.

The proposed Assateague Island National Seashore contains 39,630 acres, consisting of 19,096 acres of land and 20,534 acres of water or submerged lands. Approximately 9,453 acres of the land on the island is in Federal ownership, 922 acres in State ownership, and 8,721 in private ownership.

The present state of development on Assateague Island, proceeding from north to south, is as follows:

The northern 6 miles of the island consist of two large tracts, one of which has been subdivided and another containing a private lodge, dwelling and boat-house, a dock and lesser structures. Otherwise, the northern 6 miles is devoid of improvements.

Next, the newly acquired Maryland State park lands comprise 692 acres and occupy about 2 miles of ocean shoreline. The State park area has a few temporary facilities and is accessible by a newly constructed bridge from Sandy Point to the island.

The next 14 miles of the island, from the State park to the Maryland-Virginia State line, contain a subdivision of 5,850 lots now owned by an estimated 3,200 individuals, plus several other privately owned tracts. There are 16 summer cottages, 17 gun clubs, and a few other structures in this area. This stretch also includes 418 acres of the Chincoteague National Wildlife Refuge.

The major portion of the refuge, authorized in 1943 and administered by the Bureau of Sport Fisheries and Wildlife, occupies the southern third of Assateague Island. It is about 13 miles in length and contains 9,030 acres more in Virginia. Until recently the development of the refuge was confined principally to impoundments for feeding, resting, and nesting of migratory waterfowl. In 1962, a toll bridge constructed by the Chincoteague-Assateague Bridge & Beach Authority was opened to the public. The authority leases from the Bureau of Sport Fisheries and Wildlife 4 miles of the island, including the "hook." It is being developed as a day use recreation area. A restaurant, a bathhouse, restrooms, and a parking area have recently been built here. An active Coast Guard station is located in the southern hook.

The preliminary development plans for the proposed national seashore, from north to south, are as follows:

1. *Inlet jetty area.*—This area, located adjacent to the Ocean City inlet, would provide facilities for surf and jetty fishing and for picnicking. Access would be by foot trails or by boat.

2. *Maryland State park.*—The State would develop, maintain, and administer this park as an intensive use area. It has already developed temporary facilities for camping and bathing and intends to build several bathhouses, beach facilities, picnicking and camping facilities, a restaurant, a marina, riding stables, and other recreation facilities.

3. *Concession area.*—This proposed development would be immediately south of the State park and would contain about 600 acres of land and a mile and a half of ocean beach frontage. To illustrate the types of development that we believe are feasible within this concession area, a third map has been prepared which indicates the location of the overnight accommodations and related facilities, the marina, recreation building, and outdoor game courts. The land would be owned by the United States but the buildings and other facilities would be provided by private capital and operated under a concession contract with the Federal Government.

4. *Sinepuxent Neck area.*—The Department proposes to acquire a 10-acre area on the mainland as a site for the seashore's administrative headquarters. This would be the point of first contact and orientation for most seashore visitors. Developments here would include a visitor center, the park headquarters, and the park residence and maintenance area.

5. *Lumber marsh area.*—This would be the first of the three major recreational areas to be operated by the National Park Service. Beach access and facilities for swimming and picnicking would be provided.

6. *Sugar Point area.*—This area would be similar to the Lumber Marsh area, with provision of beach access and facilities for swimming and picnicking.

7. *Green Run Bay area.*—Planned to be more completely developed than Lumber Marsh or Sugar Point, the Green Run Bay area would provide a visitor contact station, a marina, swimming facilities, camping and picnicking facilities and interpretive trails.

8. *Chincoteague National Wildlife Refuge.*—The Bureau of Sport Fisheries and Wildlife will develop and operate recreation facilities in the refuge under existing authority and the Assateague Island National Seashore legislation. A major development near the present restaurant and several small beach shelters along the hook are contemplated. Interpretive services and a visitor center would be provided at refuge headquarters near the bridge.

In summary, the area will consist of 39,630 acres—about an equal amount of land and water—with over half of the land already in Federal ownership. The island would provide 35 miles of excellent ocean beach. There are 16 summer cottages and a permanent residence on the area. Three major recreational areas are proposed for development in addition to the Maryland State park development and the concession area which will be developed by private interests. At the southerly end of the Chincoteague National Wildlife Refuge, recreation facilities will also be developed and operated. The island would be used primarily for swimming, picnicking, fishing, camping, and marinas, and overnight accommodations would be provided. The area would accommodate 3 million visitors annually during the initial stages of development. Land acquisition costs are estimated at \$16,250,000 and development costs at \$7,765,000.

That concludes our description of the proposed Assateague Island National Seashore.

Secretary UDALL. I know how busy the committee is, and I have testified before on this legislation, so I think I can be very brief, Mr. Chairman.

First, I would like to commend the committee and the chairman for the very hard work that you have put in on this and other proposals, and your willingness to lead hikes on the seashore, and other things of that kind. I think this is the way that we can really understand the nature of these problems.

I think it is rather significant, Senator, that it is 3 years ago this month that the big March storm of 1962 caused all of us in the conservation field, both the State people and the Federal people, to take an entirely new look at the whole eastern seaboard.

Already out of that new look has come the Fire Island National Seashore. This was one of two areas on the east coast—both heavily damaged in the March 1962 storm—where we felt that national seashore establishment was the solution.

These are the only two coastal areas, incidentally, that we have identified as being potential additions to the national park system between Cape Hatteras and Cape Cod, so that once this work is done, it is likely that the Federal Government's job is done, the remaining tasks then will rest on the States and local governments.

We think that this island represents a splendid opportunity for a national seashore. I know the committee has had a chance to look at it, and is taking all of this testimony, so I needn't dwell on its value as a national seashore.

If I may, Mr. Chairman, I would like to get right to the heart of the matter, because from listening to the questions a moment ago I know the main matters that are of concern to this committee.

I am very much concerned about the question of a road, and I think I ought to address myself to it very directly.

As you know, and as the chairman knows from handling previous national seashore bills, road proposals have been involved in many of the national seashore proposals. Some of the people at the southern end of Padre Island, for example, began by insisting that a road had to be built; otherwise, they would oppose the bill. Finally they moderated their views.

One of the big controversies on Fire Island was a plan for a road.

Senator BIBLE. At that point, though, Mr. Secretary, I don't think the areas are comparable, are they? I mean, in this respect: there is already a road on the Maryland side of the national seashore. Isn't this correct? In the State park? I certainly thought we saw a road as we went there.

Secretary UDALL. No, there is not a usable road to the south. On the Maryland side?

Senator BIBLE. On the Maryland side, yes. Am I right or am I wrong?

Secretary UDALL. There was a road which was largely washed away or made unusable by the March storm. It has not been restored. I don't think there is a usable road there at the present time.

Senator BIBLE. Let me clear the record on that. I may be laboring under somewhat of a misapprehension. Is there any intention, if this is enacted into law, and made a national seashore, to build a road from the State park—and you are familiar with that, that is where the bridge is—running south to the Virginia boundary line?

Secretary UDALL. Well, as with some of our other seashore areas, we plan to have some roads, but under the present plan we do not propose to build a main highway all the way down.

Senator BIBLE. How far would you penetrate, then, going south?

Mr. HARTZOG. Mr. Chairman, there will be 2 miles of road inside the State park, and 10 miles south from the State park for a total of 12 miles.

Senator BIBLE. Ten miles south of the State park.

Secretary UDALL. Yes, sir.

Senator BIBLE. Well, that is going to take you a long ways toward the Virginia boundary line. How far is it from the State park to the Virginia boundary line?

Secretary UDALL. It is about 16 miles.

Senator BIBLE. Then you would be within 6 miles of the Virginia boundary.

Secretary UDALL. That is correct.

Senator BIBLE. Then you are going to run a highway for a long distance down the Maryland side of the national seashore, from the State park south, for 10 miles, if I understand you correctly.

Secretary UDALL. That is correct, sir.

Senator BIBLE. And another 6 miles; is that right?

Secretary UDALL. Approximately. There are 24 miles in Maryland, and about 9 miles from the south end of the State park to the north end of the island, so that the road would extend 2 miles across the State park, and then 10 miles south of the State park. Therefore we would have a roadless gap of about 6 miles to the State line. The important point, however, is that 13 coastline miles of this proposed area are in the State of Virginia, and there would be no road there.

Senator BIBLE. We understand this, but my concern is, why do you build 10 miles on the Maryland side and say this isn't good on the Virginia side?

Secretary UDALL. Sir, let me answer that question, Senator, because I want to make the point that it may very well prove in the long run, after we get established, that we can construct a road that will not do serious damage to the wildlife values and the recreational values.

I think it is premature to write such a road into the legislation at this time. My belief is that if we put a road in now we are going to arouse opposition and controversy that may very well defeat or delay the bill. I think the way this committee could handle this problem might be to direct us to make a study and report back to you. Then the committee could make the ultimate decision.

Senator BIBLE. Of course, I think the other side of the coin is that if this is enacted into law, and we don't make provision for the road, we would certainly get ourselves into controversy, so we have got controversy whichever way we go.

Secretary UDALL. As usual, there is no noncontroversial route in this matter, as the chairman points out. But after you have heard from some of the wildlife people—

Senator BIBLE. I want to talk to Mr. Gottschalk about this a little later, if he is your expert on this, because the record seems to be rather fuzzy as to whether building a road frightens away ducks and geese and other wild fowl or whether it doesn't, and I want whoever is the expert to testify. What is the correct answer? I simply don't know, but you men are the experts in the field. Either Mr. Gottschalk or Mr. Crafts, or you, or Mr. Hartzog, who can develop that point, because this is one of the real points that we have to consider.

We have a lot of them, but this is one of them.

Secretary UDALL. Well, in terms of the different values that are there, and of the type of planning that needs to be done, to put a mandatory provision for a road in at this time would be premature. I think this needs a great deal of study. I don't think it should be decided without a thorough study.

We don't reject the road idea, but in many ways Assateague Island is much more similar to Fire Island than it is to Cape Cod or to Cape Hatteras, in terms of geography. Certainly if anyone envisions a six- or eight-lane high-speed highway running down the island, I believe this sort of thing would destroy many of the wildlife and recreational values. This is true because the highway would have to run right near the beach in some places. Some of the questions, therefore, are what kind of a highway, and where would you build it. These things would take a great deal of very careful planning, particularly since we would have a wildlife refuge as well as a national seashore to consider. This is the main point, Mr. Chairman, that I should like to make: I think there is a compromise way out of this, and the committee needn't at this time grasp the nettle as far as the road issue is concerned.

Senator BIBLE. I didn't follow your last statement, Mr. Secretary.

Secretary UDALL. Well, I say that by requiring a study and a report back, and by giving us time to do this adequately, the committee has an opportunity to reserve the decision until later. This road proposal should not become a controversial matter that delays movement of the bill.

Senator SIMPSON. Mr. Chairman.

Senator BIBLE. Senator Simpson.

Senator SIMPSON. Mr. Secretary, if this thing were designated as now proposed, which you say is the important thing, then the study could take place after that, could it not? The study doesn't have to be made prior to the enactment of the measure?

Secretary UDALL. Yes, indeed. This is what I would suggest strongly, sir, as the best solution. We are quite willing to let the Congress make the ultimate decision on this, if the Congress wants to, after reviewing our study and recommendations. We are honestly not prepared at this time, considering all of the very delicate questions involved, to accept or reject this road proposal. We haven't even studied routing, and things of that kind. It may very well be that a road—properly planned, properly placed, and of the right kind, because we take some pride in our Department that we know how to build scenic roads and parkways—would be a good thing. The President included scenic parkways in his natural beauty message, and I think they represent one of the major missing elements in our whole national highway program today. We are doing a lot of new thinking in this area, and it may very well be that we can come up with a good solution. Today, however, I can't give you an answer.

Senator BIBLE. Well, to summarize your answer, then, on whether there should or should not be a road connecting the two bridges, you say you think it is better to have a directive from the Congress requiring you to study rather than making it mandatory that it be constructed?

Secretary UDALL. That is right.

Senator BIBLE. This is what you are saying; is that right?

Secretary UDALL. Yes, sir.

Senator BIBLE. Fine.

Now did you have some other observations?

Senator SIMPSON. Mr. Chairman, I wanted to ask another question.

Senator BIBLE. Certainly.

Senator SIMPSON. If the Congress saw fit to establish this national seashore, within the perimeter of the proposal, and instructed you to build a road from the Virginia side to the Maryland side, would you oppose the bill, then? Would you be for the bill, or not?

Secretary UDALL. Well, Senator, I hope we aren't required to make a recommendation on that. I don't have enough information at the moment to give you a flat answer.

My understanding is that if the Senate were to include a provision of this kind, I think it would arouse a whole new group of opponents, and this may make the proposal so controversial that it wouldn't move through the Congress. Then I would never even reach the point where I had to make a recommendation to the President regarding the road provision.

I just think it would be premature to include it at this juncture. I don't think we are ready to make a good judgment on it.

Senator BIBLE. Is this the response that you make to Senator Robertson's bill, which is 1121, in this regard?

Secretary UDALL. Yes, indeed.

Senator BIBLE. This is the way you answer it, because you recognize that the committee has before it Senator Robertson's bill, which specifically provides for this.

You may continue.

Secretary UDALL. Senator, there is one other main point that I wish to make, and this concerns the inquiry the chairman made a moment ago with regard to the Maryland State park. I know and I generally agree with the position that the chairman and the committee have taken on these situations where State parks are located in or near national park areas.

As a practical matter, the main concern that I have is that this is going to require a very, very close coordination between the Federal Government and the State, with some restraint on the State side. The alternatives would be either restricting the State area or putting the State park ultimately in the national seashore. The type of concession development that we propose here would be of a very, very high caliber, and first rate, model facilities of the type found at Grand Teton National Park, installed by Jackson Hole Preserve, Inc., which is connected with the Rockefeller Foundation. The danger that I see here, if we are not careful—this is just the point that worries me—the danger would arise if there is competition between State and Federal concessioners, such competition could create some very serious difficulties, because in the normal concession in a national park, one company is given a monopoly; there is no other way to describe it. They are given a monopoly because they have to make very heavy investments, and usually their business only operates for a few months of the year. If we are going to have the right kind of Federal development and entice a concessioner who will do the right kind of a job, we are going to have to coordinate this very well with the State. Otherwise, we may find ourselves with an element of competition here which will make it difficult for either the State or the Federal areas to be developed suitably.

This is a concern that we have, and it is one that I think should be a part of the picture before the committee.

Senator BIBLE. Well, it is a concern I have, and of course you have built some language into section 3(b) of the proposal which you have submitted that bothers me just a little. If I understand it correctly, you are asking for authority to acquire the land north of the State park, and then in addition to that, you are asking for authority, if the State wishes, to lease that same land back to the State.

That seems rather an indirect way of doing this. If the State of Maryland wants this land north of the State park, why should the U.S. Government acquire it for them and then enter into some type of a lease and then work out a complicated formula as to how much they pay, and then later on, decide to turn it back to the U.S. Government?

I mean, this seems like an involved section, section 3(b) and since you have opened up the subject I would be delighted to have you comment on that a little further.

Secretary UDALL. Well, Senator, this emerged out of our own negotiations with the Maryland people, and this is certainly something that the committee has every right to go into. It is a compromise arrangement we worked out. I can see both its advantages and its disadvantages, and if the committee wishes—

Senator BIBLE. Well, is there any precedent for this? As you know, I have been handling these for about 5 years, and this is an absolutely

new section to me, where the U.S. Government goes out and acquires land and then leases it back to the State. If the State wants it, why doesn't it acquire it, itself?

Secretary UDALL. I think you are correct, in that we haven't done this type of thing before.

Senator BIBLE. You have or have not?

Secretary UDALL. Have not. Not that I know of.

Senator BIBLE. Fine. Now were you through with your remarks?

Secretary UDALL. Yes. The only other thought that I want to express—and perhaps I don't need to strike this urgent note—is the feeling that time is of the essence. I hope that we can get action on this this year. The Maryland people, the State people, have done yeoman service in helping to preserve the status quo until a decision could be made. I think the landowners, the State, and all the people in this mid-Atlantic region should have a congressional decision on this as soon as possible.

Senator BIBLE. Let me move into a number of the other problem areas, if you have finished your statement in full, and maybe you, or some of the able men that you have with you, could respond.

You state on the first page of your report accompanying this bill:

Assateague Island is the largest undeveloped seashore area between Cape Hatteras, N.C., and Cape Cod, and it constitutes one of the few remaining opportunities to acquire a sizable area before it is preempted for a comparatively limited use.

A witness yesterday directed our attention to the fact that there are areas to the south of Chincoteague that are unspoiled ocean property, have a very limited number of people owning them, and they suggested that there are other lands lying north. Now would you care to comment on that? Because if I recall the statement that has been made about the desirability of Assateague, it has been that this is the only remaining seashore area between, not Cape Cod now, but Fire Island and Cape Hatteras.

Now aren't there other areas along the Atlantic coast that are adaptable to this type of a seashore development? How thoroughly has this been studied?

Secretary UDALL. Well, Mr. Chairman, it has been studied very thoroughly. We had a shoreline study in the 1930's, we had one in the mid-1950's, we made another one after the March storm 3 years ago, and although the statement in the report is rather broad, we stand by it.

This is a large unspoiled area, suitable for a national seashore—I think this is what we are trying to say—this is the best one that there is left. There is an area in below Norfolk that might be added to the Cape Hatteras seashore. And we have proposed the Cape Lookout National Seashore to the south. But there is nothing remaining of this length and scope and size, and we have no national seashore proposals presently pending between Cape Cod and Cape Hatteras, other than this one. Furthermore, I don't think we see any in the future. There was talk sometime back about Parramore Island, for example—

Senator BIBLE. Yes, and I think this was suggested to us when we visited Ocean City on Saturday. What is the name of this island, again?

Secretary UDALL. Parramore Island. This is in Virginia, and I think one of the Mellon Foundations looked at this with the Park Service a few years ago. It may represent an opportunity. I don't know, but we don't have it under consideration at the present time.

Senator BIBLE. Well, you think that you have thoroughly explored the area between Cape Hatteras and Fire Island, and this is the last remaining seashore area of sufficient size to justify and meet the criteria that must be met in order to create a national seashore?

Secretary UDALL. My answer is "Yes." Yes, sir.

Senator BIBLE. You state on the same first page:

With a minimum of development, it can provide excellent opportunities for swimming, surfing, sunbathing, and other popular beach activities.

And I would like to have this developed a little, because that minimum development, I notice, is going to cost some \$7 million plus, and I don't know what your idea of minimum is.

That is still a pretty fairly heavy expenditure, and what will you spend \$7 million for?

Secretary UDALL. I will let the Park Service Director answer that, Mr. Chairman.

Mr. HARTZOG. Sir, if I may move to that map, perhaps we could be oriented a little better.

Senator BIBLE. Yes; I think everyone would have a good idea, and as you point out, try to indicate the area on the map, so that the reporter will know the area to which you are referring, Mr. Hartzog.

Mr. HARTZOG. Well, sir, the heavy broken black line surrounds the proposed 35-mile seashore. Beginning at the north end and coming south is the orientation from right to left on this map.

Senator BIBLE. Now may I ask a question at this point, because this continues to concern me. As I understand it, the black outer line surrounds the proposed Assateague Island National Seashore, if the Congress of the United States and the President signs the proposal into law. Is that correct?

Mr. HARTZOG. That is right, sir.

Senator BIBLE. Now will you run around it with your pointer?

Mr. HARTZOG. We will start at the north end, sir, and come to the south, through these marsh areas and islands, including them, then up this inlet, and back down the ocean front. It includes some 39,630 acres, of which 19,096 acres are land areas, and 20,534 acres are water or submerged lands. There are 9,453 land acres of this now in Federal ownership, in the Chincoteague National Wildlife Refuge. There are 922 acres in State ownership in the State park, and there are 8,721 acres of it in private ownership.

Senator BIBLE. Now may I ask a question of either the Secretary or you, as the Secretary indicates? Why, if you have feelings about the opening up of the area within Virginia, do you include this fish and wildlife refuge in the proposed national seashore? If this is more valuable as a wildlife refuge, why shouldn't it remain as it is now, instead of incorporating it into a national seashore?

Secretary UDALL. Well, let me answer this, Senator. This is not unlike the question, you may remember, that we had concerning the Monomoy National Wildlife Refuge, up at Cape Cod, which we proposed originally be included within the national seashore, but it was eliminated in the legislative process. Of course the truth of the mat-

ter is that formerly we were able to operate within tidy compartmentalizations in terms of wildlife refuges, national parks, national monuments, and so on. Today, however, more and more of the various areas have overlapping functions and purposes, and our management plans grow increasingly complicated.

Every national park, for example, is a wildlife refuge. The National Park Service is as interested in protecting and preserving wildlife as is the Fish and Wildlife Service. Here at Assateague, on the back bay side is the marsh habitat for geese and other wildlife. On the front side is the beach.

And so the question is, When property of this kind comes under our jurisdiction, can we—and this is the trick—can we manage the area in such a way that we preserve and protect the wildlife values, and simultaneously enhance the public recreation opportunities in the area?

I think we can do it by zoning, by having the proper kind of nature trails in the wildlife refuge for those who want to observe the wildlife, and at the same time, by not having a fence around the beach, but keeping the beach open for the people's enjoyment.

As for the Fish and Wildlife Service, with their wildlife refuges, they are finding themselves increasingly getting into what we would call the outdoor recreation business; the National Park Service, I hope, is finding itself more and more concerned about protecting the wildlife values in the national park areas. These trends are indicative of the complexity of our management problems, and of modern life generally.

Senator BIBLE. You think the bather and the wildlife refuge can get along together. Is this what you are saying? Do you think the bather and the swimmer and the skindiver and the fisherman that will use the ocean side of the national seashore within Virginia, and the fish and wildlife people that will use the bayshore side, will be able to get along very nicely together?

Secretary UDALL. Well, I think these uses are compatible. This may mean zoning, and it may mean we must develop management plans with the understanding that these diverse objectives can be met. We are confronted by these problems, and we are simply going to have to resolve them. I think we can.

Senator SIMPSON. Well, right there, may I ask a question?

Senator BIBLE. Certainly. The Senator from Wyoming.

Senator SIMPSON. If you can, and I think you can, Why can't you resolve them with the total picture of the proposed national seashore left in, instead of going against the road? Can it all be resolved with the cooperation of the private owners who will remain, and the Park Service, and the wild game refuge people?

Secretary UDALL. Well, Senator, we propose that the wildlife refuge and the State park be included within the National Seashore boundaries. Of course we will have to develop very, very precise and complicated management plans for an area of this kind, plans that respect all the values that are there. I think the proposal that has evolved and developed over the last 3 years through our work with the two States and with the local people, is about the best plan we can come up with.

Senator SIMPSON. That is what I wanted to approach. I think all of us know that these things are born out of travail, and some cooperation and consideration must be given to the people who own property within an area, and this committee is faced with that, as you know, so it is discouraging when we work toward an end that we think will be beneficial to the country, and then the Government agencies come in and refuse to give any attention to realistic recommendations made by the citizens of that community.

We are going to have to have their help and support in order to get this thing done, and I think the Virginia side has a very meritorious case with respect to connecting these two sections of the two States.

Secretary UDALL. Well, I don't reject their argument out of hand, at all, Senator. I simply say, let us take some time and see what we can come up with.

Senator SIMPSON. What I want to point out is that you have the time, don't you?

Secretary UDALL. Yes, that is correct.

Senator SIMPSON. You want principally the seashore to be established, and knowing the Park Service, it will take them a long time.

Secretary UDALL. Exactly. The other thing the committee should recognize, however, is that if you decide to leave the wildlife refuge out of the seashore, we can't very well even address ourselves to the road problem, because we won't have any Virginia lands within the seashore.

Senator BIBLE. Well, this I recognize, but since you apparently have some very serious reservations about building roads, I thought maybe this solves your dilemma.

Secretary UDALL. No, I have tried to make by position quite clear, Senator, and I think we may very well be able to solve this problem. I don't know the answer at this point, but I can assure you it is a very delicate and controversial problem.

Senator BIBLE. We recognize that.

Senator SIMPSON. Mr. Chairman.

Senator BIBLE. Yes, Sir.

Senator SIMPSON. I don't want the record to show that I am casting any aspersions upon the Park Service. I think, of necessity, they have got to go slowly, and I think they do, and I want the Director of the Park Service to understand that it was no slap at the department or at him.

Senator BIBLE. And I agree, and now show us where you want to spend \$7 million.

Mr. HARTZOG. Sir, beginning at the north end here [indicating] in this inlet jetty area, we propose development of fishing facilities, not only to make the ocean side available but also jetty fishing and picnicking areas. Access would be by boat and by trail.

Senator BIBLE. How much would you spend for that?

Mr. HARTZOG. Mr. Chairman, we do not have the costs broken down by areas. They are broken down by activities. Parking lots, visitor centers, maintenance buildings, and this way—the customary breakdown. We will be happy to supply a breakdown by area for the record.

Senator BIBLE. Supply them for the record, Mr. Hartzog.

Mr. HARTZOG. Thank you sir.

(The information requested is as follows:)

Assateague Island National Seashore

Federal Developments Planned in 1st 5 Years:

Inlet jetty area: 50 picnic sites, sanitary and water facilities, boardwalk and docking facilities for 50 small boats-----	\$35, 000
Sinepuxent Neck area (mainland): Visitor center, administrative headquarters, maintenance buildings, residences, water and sewer systems, parking and minor miscellaneous facilities in this area-----	1, 076, 700
Proposed concession area: Elevate 200 acres by 3 feet, construct boating marina, day parking for 2,000 cars, overnight parking for 400 cars, boat and trailer parking for 100 units, utilities and miscellaneous facilities-----	2, 036, 700
Lumber Marsh area: Visitor contact station with restrooms and change stalls, 100 picnic sites, parking for 250 cars, boardwalk, utilities and miscellaneous facilities-----	283, 600
Sugar Point area: Visitor contact station with restrooms and change stalls, 100 picnic sites, utilities, parking for 300 cars, boardwalk and miscellaneous facilities-----	283, 320
Green Run Bay area: Boating marina, visitor contact station with restrooms and change stalls, 100 picnic sites, 200 campsites, comfort station, utilities, parking for 400 cars, boardwalk and miscellaneous facilities-----	704, 260
General: Access roads, interpretive trails and facilities, channel dredging, wildfowl hunting facilities, and parking for 40 cars--	1, 064, 420
Chincoteague National Wildlife Refuge: Expansion of sanitary and bathhouse facilities and parking areas; reconditioning and lengthening roads; erection of observation towers; construction of visitor center, picnic shelters, anchorage and dock facilities--	815, 000
Subtotal-----	6, 299, 000

Federal developments planned in future years:

General: Additional parking, picnic sites, utilities, road and trails, other public facilities contemplated to accommodate increased visitation after the 1st 5 years-----	1, 466, 000
Total-----	7, 765, 000

Mr. HARTZOG. The next area near here is the new Maryland bridge. The bill proposes a detached 10-acre area on the mainland for a headquarters site where we would have a visitor center as the principal point of initial contact for visitors to the area. It would also contain the national seashore headquarters, such limited residences as are necessary, and our maintenance facilities.

This proposal is based on the fact that this area is subject to severe storms, so our emergency equipment and our permanent headquarters installation would be back on the mainland. With this arrangement we would be prepared for any eventualities or emergencies that might arise.

Senator BIBLE. Well, right at this point, I wish you would state—this is something that troubled me ever since I have seen this revised proposal. On the one hand, you want to keep yourselves on the mainland. In the report, you make a comment that storm vulnerability as well as sanitary and water problems make the island ill adapted for private summer home development.

Then in another place in your bill you provide for the carving out of 600 acres within the island itself, and just south of the State park, for the development of overnight facilities.

How does this all square?

Mr. HARTZOG. Thank you, Mr. Chairman. I will try to explain it.

This is a permanent type of installation which could be built a great deal more economically on the mainland than it could on the island, because on the island itself, the developments will need to be comparable to those at Flamingo in Florida's Everglade National Park. I brought along for the committee this morning a brochure of photographs showing those developments.

All of these facilities are on stilts, and they are extremely costly to install. In addition, we feel that the rescue and emergency operations that may become necessary during severe storms make it advisable that our radio communications, our ranger facilities, our maintenance facilities, and similar things be protected from storm hazards.

This is distinguished from the operating part of our program. Our rangers and our other uniformed people who serve the public will, of course, be on the island, right along with the visitors. It is not our intention to separate anything here, but we feel that these permanent facilities, particularly our communications and maintenance facilities, should be away from the hazards of the seashore.

Senator BIBLE. Well, that explains part of my question, but still doesn't answer the main question I asked you. Maybe you are going to develop it. My question still remains, if you claim that you have a sanitary and water problem on the island proper, why do you carve out 600 acres to build facilities on?

Mr. HARTZOG. Sir, we do have water and sanitation problems here, and as the Secretary suggested, with respect to the provision that authorizes us to acquire lands north of the State park and lease them back to the State, this, too, is a feature not employed previously in any of our seashores. It represents a departure from the traditional pattern that has evolved. The proposed concession area is a compromise, aimed at meeting the needs of the people in the immediate area, and at the same time serving the general public's needs, as we see them, in the total area.

Senator BIBLE. Well, we are still not on the same wavelength, because you are talking about the area from the State park, as I understand you, sir, north to Ocean City.

Mr. HARTZOG. No, sir; I am now talking about the 600 acres, right here.

Senator BIBLE. All right. Then I stand corrected. And the bill says the Secretary is authorized to acquire not to exceed 600 acres. I believe this is correct.

Mr. HARTZOG. That is correct.

Senator BIBLE. Why are you going to acquire that 600 acres, then? What are you going to do with it?

Mr. HARTZOG. We would have it developed with concession facilities, a wide variety of concession facilities—marina, lodging, restaurants, beach access, swimming, boating—the whole array of normal commercial facilities. The total investment contemplated here is some \$5,200,000 by concessioners. It is going to cost the Government about \$1 million to put in the needed road system, sewerage, and water supply facilities.

Secretary UDALL. Senator, may I explain the way this evolved?

Senator BIBLE. Yes.

Secretary UDALL. This, basically, is a compromise that developed, not initially as our idea, but a compromise with the Worcester County

people and the State of Maryland people who felt—since we proposed to eliminate the private landholdings on the island, to take them off the tax rolls—that there should be developments on the island that would, in part, replace the tax values lost. Of course the bill provides that everything built here would be taxable. These developments would be located so that they would be most protected, and built in a special way, so that they would serve the needs of people who came to the island. They would include overnight facilities of a very high standard, the type the Park Service requires. They would broaden the county's tax base, while at the same time providing facilities, for those who wanted to stay overnight on the island.

This is another of the compromises that we worked out. It is different from what we have done before.

Senator BIBLE. I don't particularly quarrel with that concept. I am not arguing with the concept you have. My query persists as to the sanitary and water problems.

Secretary UDALL. Well, I think we will be able to solve the water supply and sanitary problems in ways that could not be employed, except at very great expense, to meet the needs of private developments. I think the Director of the Park Service can give you the specific answer on that.

Senator BIBLE. Yes; I wish he would, because I am not quarreling with your concept of carving out 600 acres, because I recognize that when this is leased out to concessionaires, that property becomes taxable, and this is an attempt to augment the tax base that would be otherwise taken away from Worcester County.

Senator SIMPSON. Mr. Chairman, may I inject a matter right here? We keep talking about, or the witnesses keep telling us and the evidence before us is that this is an area where within a certain 150 miles there are 34 million people, within 250 miles, there are 60 million people, and we talk about millions will be visiting the proposed national seashore, and then we talk about the accommodations that are there presently, and what you propose to do.

Actually, wouldn't it be just like Yellowstone, where we have some 25,000 visitors a day, and only accommodations for 8,000 at the most in the area. Isn't this a snare and delusion to the prospective viewer of or occupant of this national seashore? You won't have any accommodation for the people who come, if they come in the droves you say they will.

Secretary UDALL. Well, Senator, our national seashores are quite distinct from parks like Yellowstone, which is a remote area; people have to take almost a day's drive to get there. This is an area where as high as 85 to 90 percent of the people would come just for the day. Particularly on summer weekends there would be very heavy intensive use. We would anticipate, also, that in Worcester County on the mainland, there would be motels and hotels and other public facilities of all kinds.

Senator SIMPSON. Mr. Secretary, wouldn't it be better, then, to enhance the value of it to take in all of that in the Virginia way and to make a roadway between the north and the south, the Virginia side and the Maryland side? It would open it up for more people.

Secretary UDALL. Well, as I said, Senator, ultimately, it may be that this is the answer. I can't say at this time, however.

Senator BIBLE. Thank you, Mr. Secretary.

Secretary UDALL. Mr. Chairman, since I am leaving such able people here, may I return to my office? They will answer any questions. I don't want to leave, but I do have an appointment at the White House in a few minutes.

Senator BIBLE. Well, I understand the tremendously busy schedule that you do have, and the one question that I was going to ask, and I think I should ask it before you do leave, but you may leave the others to answer if you want, and that is concerning this figure of acquisition, which is obviously going to be one of the other difficult problems for this committee to solve. I am wondering how realistic the figure of almost \$17 million for the acquisition of land on Assateague Island is?

Is that a realistic figure? Who is prepared to respond to that in depth?

Secretary UDALL. Well, I think both Dr. Crafts and Director Hartzog are prepared. We discussed this coming up here today, and I would rather they give you the answers on this. I do want to indicate my agreement with the chairman's position because we have had some recent talks on this, that we should try to come up with a realistic figure. We shouldn't delude ourselves, the Congress, or anyone else. I think we need realistic figures, and I believe that they will give you realistic figures.

Senator BIBLE. I hope they will, too. The real problem is that we don't want to delude ourselves, and we don't want to delude any property owners, either. I mean, we want to deal in this just as fairly as we can, and the measuring stick in the bill now is fair market value.

I want to know what that means, what it embraces, and just compensation under the Constitution, and this, of course, I suppose, could be determined either by the judge or the jury, if you have to go that far. But when you negotiate it, you say that it is going to be fair market value, and I would like to have some attention given by Ed Crafts or George Hartzog as to exactly what fair market value means, because people, and each of you men, are cognizant of one of the real problems we have here.

We have 3,200 property owners, owning 5,000 lots, who have purchased these anywhere from 10 to 15 years ago, and they paid their dues to the Ocean Beach Club, or whatever the name of it is, and they have paid taxes every year, and they have a stake in this, and they are kind of interested, if this national seashore goes forward, about how they would be treated, and so am I, because, in all of these areas, this is always a very, very difficult problem.

Secretary UDALL. Well, I do think they are entitled to reassurance, Senator. There is just one additional thing that I would like to point out to the chairman and to the committee. Under your guidance and direction, in the last 4 years, we have undertaken a very ambitious national program—at Cape Cod, at Padre Island, at Point Reyes, and now at Fire Island, just talking about seashore areas—we have been purchasing this same kind of property in many parts of the country. We have spent millions of dollars. We have very heavy budgets for such land acquisition this year. But I have yet to see a complaint come across my desk.

I haven't heard anyone from this committee, or any property owner, saying that they didn't get fair market value, or that they were not treated properly. In a very few instances we have had to go to court through condemnation. Most land acquisition has been accomplished by negotiation, and I have had no complaints in any national seashore project, that this committee has authorized in the last 4 years, of anyone being mistreated in terms of the value they have received.

Senator BIBLE. Well, I appreciate your commitment to the White House, and I am very happy that you were here with us this morning, and I trust you will leave your very able George Hartzog here with us for the balance of the session, because we are just starting to get into probably the controversial parts, and Ed Crafts of the Bureau of Outdoor Recreation. I am not so sure about Mr. Gottschalk, because I don't think his area is probably quite as controversial as these other areas that we will be getting into very shortly, but I do appreciate your appearance here this morning, Mr. Secretary. I know of your dedication in this field, and compliment you.

Secretary UDALL. Thank you very much.

Senator BIBLE. Thank you, Mr. Secretary.

Mr. Hartzog, you may proceed.

Mr. HARTZOG. Thank you.

Mr. Chairman, to return to the utility problem in this concession development area, it is our belief, based on the studies made of this by our sanitary engineers and our design officers, that the problem can be handled much more easily in this 600 acres than it could if private developments were spread out all along here.

This is one of the difficulties that have been experienced with the problem of water and sewage disposal. It accounts for the statement that you referred to in the material the Department submitted.

Here we would propose—and I would like to read into the record from the report of our engineer—that the sewage treatment plant for each of these developed areas along here, including this 600-acre concession development here—

will be located on the sound side of the island at a site selected for higher elevation and advantage in protection. The design will consider high flood levels and will be constructed on piling to be secure under major storm conditions. Treatment method will be selected in relation to the size of the installation. Superaeration is particularly applicable to park-type sewage that does not bear a heavy load of syndets or industrial waste. Final disposal following complete primary and secondary treatment would be by controlled dosing of natural sandbeds to eliminate any surface disposal.

The sewage plants will include provision for chlorination of the final effluent in the event of some unforeseen circumstance.

However, the design will provide for complete treatment and final subsurface disposal of the polished product of combined aeration and filtration.

With respect to the water supply, our engineers indicate that—because of the possibility of high water and salt water intrusion, the island does not lend itself to individual shallow wells and septic tank sewage disposal that usually accompany private development along the shore.

In planning for the water supply, the preliminary estimates are based upon securing potable water from the two known subsurface aquifers. The Pocomoke aquifer at a depth of 175 feet and the Manokin aquifer at a depth of 300 feet have an excellent potential for water supply development.

These are the two major aquifers on the island, which our designers propose to tap in order to fulfill our water needs.

Senator BIBLE. Now you say the cost of doing this is approximately how much money?

Mr. HARTZOG. In this 600 acres, approximately \$1 million.

Senator BIBLE. Very well. Now where are you going to spend the rest of the money?

Mr. HARTZOG. This would also include such limited interior roads as may be necessary. These roads are at \$81,250 a mile.

Sir, returning briefly, we passed over this State park development, in view of the chairman's interest in this question. The State park would have 2 miles of this 12-mile road inside of it. It would be developed intensively with beach use facilities and those for picnicking, swimming, and camping, as well as restaurants, and the sale of day-use types of items, but with no overnight accommodations.

Senator BIBLE. Now this is done in the limits of the State park?

Mr. HARTZOG. Yes, sir. Approximately 2 miles is included in this State park now. Yes, sir.

Senator BIBLE. By whom is this development done?

Mr. HARTZOG. This would be done by the State of Maryland, sir, or such concessioners as it may select.

Senator BIBLE. I was getting the inference that the National Park Service was doing this, and I was wondering why you were doing it.

Mr. HARTZOG. No, sir; I was trying to give you a broad picture of all these developments along here.

The next development under the seashore would be this lumber marsh area, which would be a day-use area for beach, picnicking, swimming facilities, a very limited type of day-use.

The next would be the Sugar Point development, also with limited physical facilities, to accommodate beach use, picnicking and swimming activities.

A larger development is contemplated at Green Run Bay, where the road would terminate, and here we would have a marina, visitors center, a visitor contact station, and such emergency facilities as are necessary, including a communications installation tied in with our headquarters back on the mainland.

Picnicking and swimming would be accommodated, and there would be interpretive and hiking trails out through here, and also a campground.

The next development would be up in the area of the Chincoteague National Wildlife Refuge. Mr. Gottschalk can probably answer any questions you may have about this. It would be a limited type of development with no overnight facilities contemplated.

The Chincoteague-Assateague Authority now has some 4 miles of this hook area under lease, and in that area, they are developing a restaurant, bathhouse, restrooms, and a parking area.

The demand for overnight accommodations would be met adequately in the communities adjacent to the seashore on the Virginia side.

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

I think some other questions might occur.

I think you have developed in detail, and you are to supply certain information for the record as to the makeup of this proposed \$7 million for the development costs.

Now how much of this amount of money goes into dunes control?

Mr. HARTZOG. None of this \$7 million, Mr. Chairman, is for dunes control. The dunes stabilization program is now under study by the Corps of Engineers, and its cost is not included in any of the figures that we have furnished the committee.

Senator BIBLE. Well, I understand you have a section, I think, in the bill, that specifically provides for your cooperation with the Army Engineers, whose main responsibility is to take care of this dune control and dune erosion problem.

Have you met with them and secured any estimates as to what amount of money we are talking about for dune control? Because I assume the U.S. taxpayer is going to pay for this as well.

Mr. HARTZOG. Yes, sir. Sir, we have met with them, and there is a representative of the Army Corps of Engineers here this morning in the audience. With your permission, we would be pleased to have him join us here.

Senator BIBLE. I think maybe this is a very proper place to have the Army Engineers join up with Park Service, and so if the representative of the Army Engineers is here and is qualified to speak on this point, we will be happy to have you come forward.

Would you first identify yourself for the record, sir?

STATEMENT OF ALBERT BRAINER, COASTAL ENGINEERING AND RESEARCH, CORPS OF ENGINEERS

Mr. BRAINER. My name is Albert Brainer.

Senator BIBLE. This is going to be heard far and wide, and so we want it to be well recorded.

Mr. BRAINER. Coastal Engineering and Research, sir, of the Corps of Engineers, formerly Beach Erosion Board. Most people know it by that name.

Senator BIBLE. Very well.

Mr. BRAINER. As far as the development and dune stabilization on Assateague Island is concerned, the cost would depend on the amount of usage or kind of usage for a park, the minimum protection that would be required.

But the developed area, where the concessions would be, would require full protection. I am not at the moment able to give you actual estimates of the cost.

Senator BIBLE. Well, have I been given to understand—it seems to me I read this somewhere, and I thought it was in the report from the Secretary of the Interior, that it is presently under study by the Corps of Army Engineers?

Mr. BRAINER. Yes, sir; it is under study.

Senator BIBLE. How far has that study gone along?

Mr. BRAINER. Not quite halfway. About one-third of the required funding has been made.

Senator BIBLE. I wouldn't hold you to any figures, because I recognize that is a little difficult to do so, but in what range are we talking, based upon your very fine record, and I compliment the Army Engineers for the great record they have made on dunes control work, at other sea shores, but based upon your vast experience in this field, and in the seashore areas, are we talking in the range of \$50 a mile, or \$100 a mile, or \$500 a mile, or \$1,000 a mile, or can you give us any ranges so we kind of know what we are talking about?

Mr. BRAINER. Well, I could give you a comparison. A report has recently been completed on Core Banks. That is from Ocracoke Inlet to Cape Lookout in North Carolina, where the situation is somewhat comparable, and roughly a little over \$100,000 a mile is the cost of minimum stabilization for park purposes.

Senator BIBLE. A hundred thousand dollars a mile in the Cape Lookout area. Now whether this is comparable to this area, you say it is roughly comparable.

Mr. BRAINER. It is roughly similar.

Senator BIBLE. We visited the Oregon Dunes just a year ago, and there the Army Engineers are cooperating as well, and I just can't recall what the figures were per mile for dunes control on the Pacific, as contrasted to the Atlantic. Do you have any ideas what those dunes control figures are out in the Pacific?

Mr. BRAINER. No, sir; I do not, but I think the situation would be very dissimilar.

Senator BIBLE. Would be dissimilar.

Mr. BRAINER. Yes.

Senator BIBLE. So it would not be a good comparison?

Mr. BRAINER. That is right.

Senator BIBLE. How about Padre Island?

Mr. BRAINER. That would be more similar, but I don't have any figures on it, sir.

Senator BIBLE. If you can obtain them, would you supply them for the use of the committee?

Mr. BRAINER. Yes, sir.

Senator BIBLE. We recognize that your study is incomplete, and certainly, as a thorough workman, as the Corps of Army Engineers is, you are not going to make any statement as to what this is going to cost, but I was wondering in what range they were talking, and if this is similar to the Cape Lookout situation, then you say it would be in the area of \$100,000 per mile.

Mr. BRAINER. Yes, sir.

Senator BIBLE. Something in that range.

Mr. BRAINER. I don't know of any figures. I haven't seen any figures on Padre Island. I don't know whether there are any available.

Senator BIBLE. Well, if there are none available, obviously you can't furnish them, but if you have any.

How about Fire Island? I know you did a great job of dune control there. Now whether Fire Island is comparable to this particular area or not, I don't know, but if it is, furnish us those figures, because the Army Engineers were in there on dune control.

Mr. BRAINER. Yes.

Senator BIBLE. I wouldn't think it was really comparable with this area, but I could be in error. Somebody is going to ask me this question, and I have got to answer it, and I have got to have somebody answer it for me, so I will know how to respond.

Mr. BRAINER. Those figures are available, but as you say, they are not as similar as the Core Banks area, the Ocracoke to Cape Lookout. The situation is not as similar, so I would say that the figures for Ocracoke to Cape Lookout would be the best figures we would have available.

Senator BIBLE. Well, do you have any other areas along the Atlantic coast where we have this dune control problem that are similar to the proposed Assateague National Seashore?

Mr. BRAINER. I don't know of any that would be as good as the Core Banks area.

Senator BIBLE. You still say the Cape Lookout is the one comparable area?

Mr. BRAINER. That is the best one I know; yes.

Senator SIMPSON. Do you have anything to do with the acquisition of the land at Cape Hatteras?

Mr. BRAINER. No, sir; that is entirely National Park Service.

Senator BIBLE. Thank you very much. I think the testimony will be of assistance to the committee.

Is there anything else you care to add, sir?

Mr. BRAINER. No, sir.

Senator BIBLE. Thank you very much, and we appreciate your appearance here this morning.

Mr. BRAINER. Thank you.

Senator BIBLE. Now, Mr. Hartzog, I guess we are back to you. We are away from the figures on dunes control, and as I indicated to the Secretary, I am concerned as to how you arrive at your estimate of \$16,250,000, the acquisition cost of lands.

STATEMENT OF GEORGE HARTZOG—Resumed

Mr. HARTZOG. Sir, this figure was arrived at out of data compiled by three appraisers, two Government appraisers and one private appraiser in the area. It is broken down as to land and improvements, and I will be happy to read these figures into the record.

Senator BIBLE. I think it might be helpful because I am sure there is a lot of the audience that is quite interested in this particular phase of it.

Mr. HARTZOG. Building lots constituting 5,640 acres, \$11,047,500.

Senator BIBLE. Now how many lots is that? Do you have the number as well as the acreage?

Mr. HARTZOG. This is 7,308 lots.

Senator BIBLE. 7,000 lots?

Mr. HARTZOG. 7,308 building lots.

Now the rest of the 8,700 acres of private land is made up of marshlands, 1,878 acres, at \$1,122,200.

Senator BIBLE. What was your lot figure again?

Mr. HARTZOG. \$11,047,500.

Senator BIBLE. I see.

Mr. HARTZOG. Bay islands, these are the islands off on the sound side, 1,183 acres of bay islands at \$177,450.

Senator SIMPSON. Mr. Chairman, right there, Mr. Hartzog, would you tell us if these figures you are stating are based on the values placed by the three appraisers or do you have in consideration that you might have to condemn an awful lot of this land?

Mr. HARTZOG. This, sir, is the appraisers' estimate of the fair market value, being the value at which a willing buyer and a willing seller would transfer ownership; in the absence of a willing buyer and a willing seller, we would resort necessarily to adequate appraisal and condemnation.

Senator SIMPSON. And condemnation.

Mr. HARTZOG. Yes, sir.

Senator SIMPSON. Just set me right on this, because I don't know, but in my research with respect to this bill, I looked into the Cape Hatteras situation. Now you began those condemnation suits at Cape Hatteras 13 years ago, 1952, and in my understanding, the information I have, now after 13 years, there are a hundred of them still pending. For the Worth property, the department originally offered for his land and facilities on the south side of Cody Island, \$140,000. He was asking \$280,000. As a result of the condemnation, the court granted him \$525,000.

Now you run into that all the time, don't you? And that makes your figures rather unrealistic, doesn't it?

Mr. HARTZOG. Well, in those instances in which we have condemnation, of course, Senator, the value is set by the jury, and this becomes the price that the Government has to pay. And you are correct. There is no way we can predict this. We win some, we lose some.

Senator SIMPSON. You can't win them all.

Mr. HARTZOG. Certainly we can't win them all. That is right.

Senator BIBLE. You may proceed.

Mr. HARTZOG. Thank you, sir. And then the remaining property would be some 10 acres for a headquarters site estimated at roughly \$25,000.

Now improvements, there are 55 improvements made up of year-round residences, some cottages, 1 restaurant and a bathhouse, storage buildings, gun clubs, gunning shacks, oyster watch houses, trailers and docks, at a total of \$418,300.

Senator BIBLE. Do you classify those as residences?

Mr. HARTZOG. As improvements. In other words, this is the valuation for all of these improvements.

Senator BIBLE. As I understand the bill as it now reads, if I happened to have a summer cottage on Assateague Island I would be permitted to continue to occupy that summer cottage for a period of 25 years. Is that correct?

Mr. HARTZOG. That is correct, sir, in which case this figure that is included in this gross for improvements would be reduced by the value of the term retained.

Senator BIBLE. How many improvements under your grouping of 55 would be entitled to remain there for 25 years?

Mr. HARTZOG. According to this record, 17 of them, sir, plus some 18 gun clubs, or 35 out of the 55.

Senator BIBLE. And your total estimated cost of acquisition is what?

Mr. HARTZOG. \$418,300. If acquired in fee, without any term reservation.

Senator BIBLE. \$418,300?

Mr. HARTZOG. Yes, sir.

Now, then, there is included in this figure a payment of \$750,000 to the Chincoteague-Assateague Bridge & Beach Authority, based on the actual cost record which they filed with us. We have not appraised the property further than this; in other words we have used in this appraisal the same information which we understand has already been furnished this committee. This is the unamortized cost in this facility.

Chincoteague-Assateague Bridge Authority, which has this lease of this 4-acre plot up at the south end.

Senator BIBLE. This acquires the bridge, is this right, the Chincoteague-Assateague Bridge?

Mr. HARTZOG. It takes care of all of the unamortized costs that they have in the bridge and such developments as the authority possesses. It includes the bridge, a bathhouse, a restaurant, a parking area, a tollhouse, road, right-of-way fence, advertising, and so forth. The whole ball of wax.

Senator BIBLE. Now you are talking about the Virginia bridge.

Mr. HARTZOG. Yes, sir. The Virginia bridge. Not the Maryland bridge. The Maryland bridge, the bill itself provides—

Senator BIBLE. I want to query you on that just a little later, but I am trying to refresh my memory as to what the Chincoteague Bridge Authority said yesterday, and I thought they said they had some larger figure in bonds that still had to be retired, that were levied, and I am asking my staff to find that. As soon as they find it, we will include it.

You may proceed, Mr. Hartzog.

Mr. HARTZOG. Sir, with the permission of the chairman, I would submit for the record a statement which was submitted to us by the Chincoteague-Assateague Bridge & Beach Authority at the time of this appraisal, which is the basis of the figure that is included in here.

(The statement referred to follows:)

CHINCOTEAGUE-ASSATEAGUE BRIDGE & BEACH AUTHORITY,

Chincoteague, Va., June 1, 1964.

Mr. JOSEPH M. LYONS,
*Appraiser, National Park Service,
Department of the Interior,
Washington, D.C.*

DEAR MR. LYONS: Following is a list of the obligations of the Chincoteague-Assateague Bridge & Beach Authority and an estimate of the funds needed to meet them:

Series A revenue bonds.....	\$250,000.00
5 percent interest July 1, 1964-July 1, 1971.....	87,500.00
5 percent premium.....	12,500.00
Subtotal.....	350,000.00
Series B revenue bonds.....	250,000.00
3.3 percent interest July 1, 1961-July 1, 1971.....	82,500.00
5 percent premium.....	12,500.00
Subtotal.....	345,000.00
Liabilities (audit report Dec. 31, 1963):	
Road surfacing.....	35,000.00
Loan payable (West Maddox).....	1,592.50
Accrued commissioners fees.....	1,027.60
Subtotal.....	37,620.30
Other liabilities and contingencies: (final audit and legal expense, oyster grounds—suit for damages now pending—current con- tracts for advertising, commissioners' fees from Dec. 31, 1963, etc.).....	17,379.70
Total.....	750,000.00

Figures used in computing the amount needed to retire the Revenue Bonds prior to their maturity were taken from article III, section 301(a), of our bond indenture. A copy of this article is enclosed.

Very truly yours,

ROBERT N. REED, *Chairman.*

MAY 15, 1961.

Contract price-----	\$352, 537. 41
To be paid from series A bonds-----	142, 537. 41
To be paid from series B bonds-----	210, 000. 00
Total-----	352, 537. 41
\$250,000 series A bonds (5 percent) :	
Part payment cost of construction-----	¹ 142, 537. 41
Traffic and earnings report-----	² 8, 500. 00
Oyster grounds-----	² 500. 00
Legal services-----	³ 10, 000. 00
Financing and administration expenses-----	³ 3, 000. 00
Advertising and signing-----	³ 25, 000. 00
Contingencies (right of way, oyster grounds, etc.)-----	³ 6, 712. 59
Working capital-----	⁴ 10, 000. 00
Capitalized interest for 18 months on series A bonds-----	⁵ 18, 750. 00
Bond discount (purchase price of 90)-----	25, 000. 00
Principal amount of bonds-----	250, 000. 00
Investment earnings added to contingencies :	
\$250,000 series B bonds (3.3 percent) :	
Balance of cost of construction-----	⁶ 210, 000. 00
Bond discount-----	40, 000. 00
Principal amount of bonds-----	250, 000. 00

¹ Deposited to the construction fund and paid out as per agreement.² Deposited to the construction fund and immediately reimbursed.³ Deposited to the construction fund.⁴ Deposited to the revenue fund.⁵ Deposited to the special interest account in the construction fund.⁶ Paid out to contractor at closing as per agreement.

ARTICLE III. REDEMPTION OF BONDS

SEC. 301. The bonds at the time outstanding may be redeemed prior to their maturity either—

(a) in whole, on any date not earlier than July 1, 1971, at the option of the Authority, from any moneys that may be made available for such purpose, at the principal amount of the bonds to be redeemed, together with the interest accrued thereon to the date fixed for redemption, plus a premium of 5% of such principal amount if redeemed prior to maturity, or

(b) in part, on any interest payment date not earlier than July 1, 1966, from moneys in the Sinking Fund, at the principal amount of the bonds to be redeemed, together with the interest accrued thereon to the date fixed for redemption, plus a premium of 3% of such principal amount if redeemed on or prior to July 1, 1976, 2% if redeemed thereafter and on or prior to July 1, 1986, and 1% if redeemed thereafter and prior to maturity.

Any redemption in whole shall include all of the bonds of both series at the time outstanding.

If less than all of the bonds of a series shall be called for redemption, the particular bonds to be redeemed from such series shall be selected by lot by the Treasurer of the Board in such manner as the Treasurer of the Board in his discretion may determine.

SEC. 302. At least thirty (30) days before the redemption date of any bonds the Treasurer of the Board shall cause a notice of any such redemption, either in whole or in part, signed by the Treasurer of the Board, (a) to be published once in a financial journal published in the Borough of Manhattan, City and State of New York, (b) to be filed with the paying agent, and (c) to be sent by registered mail, return receipt requested, to all bondholders who shall have filed their names and addresses with the Secretary of the Board for such purposes, but failure so to mail any such notice shall not affect the validity of the proceedings for such redemption. Each such notice shall set forth the date

fixed for redemption, the redemption price to be paid and, if less than all of the bonds of a series then outstanding shall be called for redemption, the distinctive numbers and letters, if any, of such bonds to be redeemed.

SEC. 303. On the date so designated for redemption, notice having been published and filed in the manner and under the conditions hereinabove provided and moneys for payment of the redemption price being held by the Paying Agent in trust for the holders of the bonds to be redeemed, all as provided in this Resolution, the bonds so called for redemption shall become and be due and payable at the redemption price provided for redemption of such bonds on such date, interest on the bonds so called for redemption shall cease to accrue, the coupons for interest thereon payable subsequent to the redemption date shall be void, such bonds shall cease to be entitled to any benefit or security under this Resolution and the holders of such bonds shall have no rights in respect thereof except to receive payment of the redemption price thereof.

SEC. 304. All unpaid coupons which appertain to bonds so called for redemption and which shall have become due and payable on or prior to the date of redemption designated in such notice shall continue to be payable to the bearers severally and respectively upon the presentation and surrender of such coupons.

SEC. 305. Bonds so redeemed and all unmatured coupons appertaining thereto shall be cancelled upon the surrender thereof.

SEC. 306. Bonds which have been duly called for redemption under the provisions of this Article, or with respect to which irrevocable instructions to call for redemption at the earliest redemption date have been given to the Treasurer of the Board by the Board, and for the payment of the redemption price of which moneys shall be held by the Paying Agent in trust for the holders of the bonds to be redeemed, all as provided in this Resolution, shall not thereafter be deemed to be outstanding under the provisions of this Resolution.

Senator BIBLE. I am happy to have that in the record, because the figure I had in mind—while Mr. Goldstein has been testifying, I refreshed my memory—was \$500,000. This was the amount of bonds that are still due and owing; but I understand that, in addition to that, the Chincoteague Authority would like to be paid back all of their interest and the money for their improvements. I think this is something that we are going to have to consider carefully and in complete honesty; because, if their position is correct, the very purpose of the acquisition of the bridge in taking their financial liability from their authority and from their little village of Chincoteague is based upon developing tourists, and bringing money into the coffers there, and connecting it up with the roads, so I think there are a lot of pluses for them, as well as the problem.

We find—and I say this in all good humor—that every time they look toward “Uncle,” they look toward him good. I guess this is just human nature, but I would think that this should just be examined somewhat closer.

It just seems to me, if this is put there for their benefit and it takes the liability off their backs, certainly there must be some area where both sides can get together.

Mr. HARTZOG. Sir, the total of the figures that I have given to you for land and improvements amounts to \$13,540,450. There is an item in this appraisal of a million dollars for compensation to the State of Maryland, and Worcester County, as authorized in this proposed bill, for the bridge that they built connecting the mainland to the proposed seashore, which would bring the total to \$14,540,450.

Senator SIMPSON. One moment, Director Hartzog. I am lost here. Which bridge are you talking about now?

Mr. HARTZOG. This now, sir, is the Maryland bridge.

Senator SIMPSON. Is that within the outer perimeter of the seashore area?

Mr. HARTZOG. Sir, the legislation now pending authorizes reimbursement to the State of Maryland for up to two-thirds of the cost of that bridge but not in excess of \$1 million, provided the State makes it a toll-free facility.

Senator SIMPSON. Is it in the park—the seashore?

Mr. HARTZOG. The boundary line goes right across it, Senator Simpson. Right here [indicating]. It is not in the seashore as such. This is the bridge, this red area here, and the boundary line goes right down midstream in the bay area.

Senator SIMPSON. So it is outside.

Mr. HARTZOG. Part in and part out, yes, sir.

Senator SIMPSON. What precedent do you have for taking the bridge? Here you are going to enhance the value of an area, and the bill calls for reimbursement of the States who put these things in long before there was any idea, or least certainly before there was any idea, of acquisition. What precedent do you have for purchasing bridges or other improvements like this?

Mr. HARTZOG. Sir, first, this is not a “taking,” it is reimbursement for a part of the cost. Secondly, the precedent that is most nearly applicable, I think—and it is not on all fours, I agree with you—is at Hatteras, where the Congress authorized the Federal Government to participate with the State in the construction of a bridge. This is to be differentiated from this one, in which the bridge was built by the State of Maryland and the county in advance of any legislative authorization, and the payment to them is conditioned upon their making the facility a free facility. It is now a toll bridge.

Senator SIMPSON. By the way, Director Hartzog, what did we do on Fire Island with respect to the connecting bridge? There was nothing considered in that?

Mr. CRAFTS. There was a bridge already there, Senator Simpson.

Senator SIMPSON. Well, similar to this.

Mr. CRAFTS. And there were no provisions in the act with respect to payment by the Federal Government for the bridge.

Senator SIMPSON. Thank you.

Senator BIBLE. And that is a toll-free bridge, isn't it, on the Fire Island, as I recall it?

Mr. CRAFTS. I think—I am not sure of my answer on this one—

Mr. HARTZOG. It is not a toll-free bridge. It is a toll bridge.

Mr. CRAFTS. I think it is a charge to a county recreation area that is on the island, and the charge is collected as the people cross the bridge.

Senator BIBLE. Well, what we are probing for, obviously, is to try to find out whether this would set a precedent or whether this would be an innovation, because once we move into this area, from here on out, they will be asking us to do this repeatedly. I think perhaps there is another precedent, and I wish you would clear me up on this, because this comes before the Appropriations Committee of which I am a member—the connecting of the roads from the end of the boundary lines of a national park into an existing road system.

Don't you sometimes contribute to that expenditure, even though it is not within your park boundaries?

Mr. HARTZOG. Approach road authority, yes, sir, in which we build roads leading into parks. Sir, I now have a summary of all of the

instances in which this has been done: At Cape Hatteras, which was the act we mentioned earlier; at Dinosaur National Monument, in which it covered an entrance road, an approach road to the park; at Point Reyes National Seashore, which is another entrance road situation; Olympic National Park; at Coronado National Memorial; and at Whitman National Monument.

Senator BIBLE. Thank you, Mr. Hartzog.

Mr. HARTZOG. Now, sir, the remaining element that makes up this total figure of \$16,800,000 is approximately 15 percent of the cost which I have given you, an amount of \$2,300,000 for administration, contingencies, and what we anticipate may be overruns in condemnation, or expenses that may arise that the appraisers were not able to anticipate in the context of fair market value as of today, such as increases in costs of lands resulting from a land acquisition program spreading over a number of years, and so forth.

Senator BIBLE. Fine. You may proceed.

Mr. HARTZOG. That makes up the \$16,800,000 figure, sir. This figure was arrived at by two of our Government staff appraisers. The land and improvement information, the figure that amounted to \$13,540,000, was based on an appraisal report by a private appraiser employed for the purpose.

(The National Park Service later submitted the following clarifying letter:)

DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, D.C., April 21, 1965.

HON. ALAN BIBLE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BIBLE: Reference is made to the hearing held by your subcommittee March 17-22 on S. 20, a bill to authorize establishment of the Assateague Island National Seashore. Subsequent to the hearing, Mr. Roy Whitacre of your staff asked the National Park Service to furnish an explanation of the methods employed in arriving at its \$16,250,000 estimate of the cost of acquiring the necessary lands and improvements.

The properties involved on Assateague Island were given a preliminary appraisal by two National Park Service appraisers. In addition, a preliminary estimate of value was obtained from an independent local appraiser. The staff appraisers interviewed members of a highly reputable Ocean City, Md., real estate firm who are very familiar with transactions on the island. The staff appraisers and the local appraisers, working independently, came up with estimates of value that were not far apart.

The staff appraisers spent 344 man-hours, not counting travel time, to accomplish the preliminary appraisal. On four occasions during the period from December 1963 through June 1964 they made inspections of the island. At the Worcester County, Md., Courthouse they inspected and obtained official records of land ownerships on a sampling basis, as well as tax data from the county assessor.

Furthermore, the Government appraisers obtained historic sales data, what the owners originally paid for their lots, on a sampling basis, along with the lots' current (at the time of the investigation) tax assessments.

The estimates of value, however, are based on current market sales data, primarily in Ocean Beach Estates subdivision, where by far the most transactions have taken place, and this was obtained on a typical lot value per block basis. Maps were utilized in connection with the sampling of lot values in order to obtain typical market data on a block-by-block basis.

Aerial photographs taken shortly after the March 1962 storm were obtained, and with great care an overlay was made of the subdivided lots so that it was possible to obtain a relatively close identification of each parcel and its physical location on the island.

The appraisers interviewed officials of the State of Maryland with reference to the State's condemnation of some 2 miles of frontage on the island surrounding the new bridge. They discussed appraisal problems with contract appraisers retained by both sides in the Maryland condemnation proceedings.

The other request made by Mr. Whitacre concerned the assertion by a witness (Mr. Hickman) that Federal ocean-front property at Fort Miles in the State of Delaware was sold to that State for far less than current market value.

An investigation disclosed that the property in question was indeed sold to the State of Delaware, pursuant to Public Law 88-228, dated December 29, 1963. We believe Senate Report No. 773 and House Report 1042, both of the 88th Congress, should be consulted for the detailed background of this legislation. In summary, however, it appears that much of the Fort Miles property was ceded by Delaware to the United States in the 18th century for a lighthouse installation, that more acreage was acquired for coastal defenses during World War II, and that the compensation required of the State, some \$63,000, was approximately equal to that paid originally by the United States. In addition, the State must employ the acreage for park, recreational, or educational purposes; otherwise, it will revert to Federal ownership.

If the National Park Service can furnish the committee with further information concerning the Assateague Island proposal, please call on us.

Sincerely yours,

JACKSON E. PRICE,
Acting Director.

Senator BIBLE. And now I would like to ask you one further question: The bill, on page 2, section 2(a), beginning at line 18, says:

In the case of acquisition by negotiated purchase, the property owner should be paid the fair market value by the Secretary.

Would you please tell me what that means?

This isn't getting to court. This is a negotiated purchase.

Mr. HARTZOG. Sir, this is the value which a willing buyer and a willing seller will pay in order to conclude a transaction in which neither party is under any pressure to either sell or buy. It is a willing seller, willing buyer situation.

Now, in our procedure, in order to determine the basis for making an offer, we use the appraisal system, because this is the basis for us establishing a record of value from which to make an offer, and thereafter, it is a process of negotiation. We make an offer, the party makes a counter offer, and from there we try to arrive at a price.

Senator BIBLE. You testified there are 7,308 lots on proposed Assateague Island National Seashore. Do you know the size of each of those lots?

If you don't, that could be supplied for the record.

Mr. HARTZOG. We have that, because we have had aerial photographic topographic maps of the area made.

Senator BIBLE. Do you know the ownership of each of those lots?

Mr. HARTZOG. We do not, no, sir.

Senator BIBLE. That is available to you by going to the county recorder's office at Worcester, I assume.

Mr. HARTZOG. That is correct, sir.

Senator BIBLE. Do you know what the individual owners of the 7,308 lots paid for their lots?

Mr. HARTZOG. No, we do not have that information, either. In other words, the appraisers didn't go back to the historical record. What they tried to do was to arrive at a valuation of the property as of the time of the appraisal.

Senator BIBLE. The purpose of my question is this, and it is rather preliminary at this state, I think: That if one went to the county

recorder's office and looked up John Doe's name and found that he had one lot, that he would know first the size of the lot, and then secondly, I suppose by the revenue stamps, he would be able to determine exactly what the cost was.

Mr. HARTZOG. That is correct.

Senator BIBLE. And I am going to ask some of these owners, as they come forward, as to what those costs are, but this is all preliminary to some observations that have been made to me. I didn't know there were so many people around Washington who owned these lots, but I have found out, and their point is that some 15 years ago they paid, let's say, a thousand dollars for a lot and in the meantime they have paid certain dues, as I said earlier, to keep up their membership in this Ocean Bay Association, and in addition to that, they have paid annual taxes. Therefore, they are in for the original cost, plus the taxes, plus the dues, plus the loss of the interest if they had invested a thousand in U.S. Government bonds, and they come up with a figure, obviously somewhat substantially higher than \$1,000, and I am wondering if your group has ever given that any consideration in dealing with the property owners.

I would be a little frustrated myself if I had a lot out there and I had been waiting for 15 years and all of a sudden, I find out that the U.S. Government is going to take it and that I am not even going to get my out-of-pocket money back.

How do you men who are experts in this field answer that question? Because people ask them and I would just like to have your viewpoint as to how you work this out, because under a negotiated purchase, you are going to be charged with this responsibility, and of course this is a tough area, as we know.

Mr. HARTZOG. Well, sir, it is, indeed. We try always to deal with these property owners with a high degree of sensitivity to their involvements and to the investment which they do have in these things, because as the chairman states, it is a very sensitive and a very important matter to them. We are cognizant of this. We are powerless, however, in the absence of any mandate from the Congress, to pay more than fair market value—in other words, to guarantee to reimburse an individual for all of his costs associated with his property, if over a period of time, conditions have arisen—through no fault of the owners or of the Government—which have resulted in his paying more than fair market value, or in having incurred costs that are now unrecoverable as a part of fair market value, we are powerless to exceed that value. All of these transactions are audited not only by our own auditors but also by the General Accounting Office, and, in the absence of a condemnation verdict, we are held to the criteria of fair market value.

Senator BIBLE. Well, what are those criteria?

Mr. HARTZOG. That is the price of a willing buyer and a willing seller. And where we cannot negotiate a price within the limits of our appraisal reports, if we must have that property, we then go to court, and let the court establish the value of it. This is the situation that Senator Simpson alluded to. Some of these we win; that is, the verdict is in line with our appraisal. And in some the court goes along with the property owner's appraisal.

Senator BIBLE. I suppose, as a basis for negotiation, if I am the owner of the lot, I am certainly going to put in all my costs plus a little interest, maybe plus a little pain and suffering, and that is going to be my offer to you.

Mr. HARTZOG. That is correct, sir, and when you do that, we will then make a counteroffer, and again, a counter-counteroffer. Some of these negotiations, Mr. Chairman, for example, up at Cape Cod, have been going on for a year and a half, in an effort to resolve the differences in values. I am happy to say that in many of these cases, we are able, over a period of time, to resolve them.

In some situations we simply cannot reach an agreement through negotiations. There comes a time in which the price that they want—and we may be in complete sympathy with them; they can produce records proving that they paid this much for it, but circumstances have changed, and we just can't get an appraisal, we can't even get three appraisals that will reach the price they want for this property—there comes a time when the only remedy we have is through eminent domain.

Senator BIBLE. You mention Cape Cod and that is one area that bothers me. Another area that bothers me is Point Reyes.

I forget the authorized amounts in those, but in Point Reyes we authorized an acquisition cost, I think, of some \$15 or \$16 million?

Mr. HARTZOG. \$14 million.

Senator BIBLE. \$14 million.

Now I see your latest estimate for acquisition costs is \$44 million. And this is troublesome to the Congress, and of course on Cape Cod, you have an authorization of \$16 million, and you now estimate it will be \$38 million, and these are figures that were just furnished me the first of the year.

I am not hypercritical on this area, because I know how difficult it is, as a former attorney general with the unpleasant job of filing condemnations now and then, to determine these values. But it makes it difficult upon us as a committee to try to come up with some realistic figures that we can give to the Congress, and feel that they are safe. This is all I am trying to say. We have two instances—and it just so happens they are both seashores—Cape Cod is up \$22 million over its original estimate, and Point Reyes is up a fantastic \$30 million over its original estimate. Is there anything that can be done about this?

Mr. HARTZOG. Well, Mr. Chairman, as you have pointed out previously, we are aware of the concern of the Congress, and we, too, are concerned about this. We have made a special effort, as we have reported, during the past year and a half, to be realistic in these estimates which we give you. All of these estimates which you are getting with this legislation are derived from appraisals which have been prepared either by staff appraisers, from personal inspection on the ground, or by contract appraisers from personal inspection on the ground. So we are doing everything in our power to try to give you realistic estimates. These figures are put together on the basis of personal inspections by competent appraisers of the properties involved.

Now as to the Point Reyes situation, since we started buying land, the prices have just increased fantastically. There are other areas in the national park system in which the price of land rises fantastically

as our acquisitions are spread over the period during which the Congress gives us the funds required to conclude the program. Grand Teton National Park is a good example of this, where the price of property has not doubled and tripled, but quadrupled and more, during the period of the acquisition program.

In these seashore projects—and in this one, particularly, with the preponderance of undeveloped property—we would expect that the acquisition program, if the Congress appropriates the money for it, would move much more rapidly than it does in heavily developed areas such as Cape Cod, where we have a great many inholdings. We always try to deal with these people with a great deal of sensitivity and appreciation for their individual feelings.

Senator BIBLE. Thank you very much, Mr. Hartzog. I want, No. 1, and I am very happy to spread it on the record, to compliment you on the splendid manner in which you have made this presentation, where you have met all these questions head on. You have certainly done your homework. If I could think of any more questions you did not know the answers to, I would ask them, and if I do think of them, I will still ask them, but I can't think of them right now, and I do want to compliment you for a job well done.

I only have one question of Mr. Crafts. Where will the money come from to pay for this property?

Mr. CRAFTS. I am glad you asked that question, because this was something that I hoped would be brought out. It relates to the comment that Mr. Goldstein made when he was testifying. The money to pay for this Assateague National Seashore, if authorized by Congress, would come from the land and water conservation fund. This was specifically clarified in the President's natural beauty message, and even if it had not been so clarified, this was the purpose of the land and water conservation fund in part, to authorize acquisitions for the national park system, the Forest Service, and the Bureau of Sport Fisheries and Wildlife.

Now, we have priced out the probable cost of these proposals, about a dozen proposals in the natural beauty message, plus the questions of needed increased authorizations such as those that you have been talking about, plus a portion of the inholdings in the present national park system, against the probable income to the fund over its 25-year life, and based on the assumption that Congress will appropriate the moneys that go into the fund, as well as we can foretell at the moment, although we are still working on this, the fund looks as though it will be adequate to cover these presently foreseen proposals.

But to answer your specific question, this money will come out of land and water conservation fund, and as you, of course, know, since your committee handled this legislation last year, the money from the fund in turn comes from miscellaneous funds of the Treasury, but out of the sale of surplus Federal property, out of income from motorboat fuels, tax out of user fees for designated Federal recreation areas, and out of the sale of recreation conservation stickers, so this to a considerable extent is, I think, properly termed a pay-as-you-go funding proposal, and this is where the money will come from.

Senator BIBLE. Of course that is limited to acquisition, correct?

Mr. CRAFTS. For the Federal portion, it is limited to acquisition. The development portion will not come out of the land and water conservation fund.

Senator BIBLE. That would depend upon straight appropriations?

Mr. CRAFTS. That is correct.

Senator BIBLE. Well, I think that is very nice to have for the record.

Senator SIMPSON, questions of either?

Senator SIMPSON. I have one of Director Hartzog. When the Secretary was here—this isn't quite fair to do this to you—you heard him say that if they built that road they would run into a great deal of controversy and might lose the whole proposition. Do you know what he had in mind? Why the controversy? What would it be?

Mr. HARTZOG. Well, sir, I would be reluctant to talk about what might have been in his mind.

Senator SIMPSON. Do you feel the same about it?

Mr. HARTZOG. I do feel the same way about it. Furthermore, from the comments I have heard and from the limited information that is available—and it is limited information, because we have never studied the continuation of this road through the wildlife refuge—as we have looked at this 35 miles, we have analyzed its values for all types of recreational use and enjoyment. We have selected an area for intensive use and development, and we have reached the conclusion that some 12 miles of road should be constructed in the Federal and State portions going through this 600 acres of intensive concession development here. In other areas, we would have very limited facilities for fishing, picnicking, and boating for those people who cared to camp in this State park, and hike the beach. For the beachcombing and fishing, for the individual who takes his boat and wants to get away for awhile by himself, for these people a large undeveloped section of beach would remain. The fish and wildlife refuge would be left as a wilderness type of area for those people who want to walk the beach and just enjoy an experience in the out of doors, completely natural and undisturbed.

Senator SIMPSON. Could not they do it without having to leave their care on the Maryland side? They could walk to their heart's content, could they not, even if they had a car nearby?

Mr. HARTZOG. Sir, this area varies in width from about one-third of a mile to about 2 miles.

Senator SIMPSON. Yes; we saw that.

Mr. HARTZOG. With the visitation that is contemplated, if a road were built, connecting the two bridges, I think we would have a traffic loop, which would be very disturbing to the individual who went to the beach for a really quiet type of vacation.

Senator SIMPSON. Well, it is indicated here, Mr. Hartzog, by Virginia and Maryland people that they were in accord, which helped our situation on the committee. Now the agencies come in and say that it will cause added controversy, and I just wonder if it really would.

Yes, to some nature lovers, I grant it would, but would not the greater number of people be served by virtue of a road existing between those two important points, especially within the confines of the proposed seashore area? I will say this. You don't retreat from your position on that.

Mr. HARTZOG. Well, I certainly acknowledge that this is not a black and white issue. And your observations are meritorious, Senator. We submit for your consideration that in an area 35 miles long—within 250 miles of some 34 million people, with the need today for

some quiet place to get away from all of the mechanization and the crush and the crowding of our highly urbanized society—that setting aside these few miles inside of this area, in our judgment, will in the long run serve the greatest good for the greatest number.

Senator SIMPSON. Mr. Hartzog, you don't retreat from your position, and I concur with what the chairman said with respect to your knowing your homework. I will say you are very fair and straightforward about it.

Mr. HARTZOG. Thank you, sir.

Senator SIMPSON. I happen to disagree with you, because I think I know something about the wildfowl and wild game, and I agree with these people who say that it isn't going to disturb their habitat very materially, and I am sure it won't, if it is run by the proper agencies and run carefully.

Mr. HARTZOG. Thank you very much, and I certainly appreciate your point of view.

Senator SIMPSON. Mr. Chairman, just one more thought. It is patent to me that if we don't build this road, but establish the seashore as recommended here, that the Congress will be assailed with bills in the future to build the road and get it done. I am just thinking that is what our committee has to come to a decision on.

Mr. HARTZOG. Well, sir, if in its wisdom the Congress believes that the road is a desirable feature, we respectfully urge that it be covered in the form of an instruction to study and report back to you, so that we can take into account all of the various factors that are involved, rather than a direct mandate of the road.

Senator SIMPSON. My experience has been that when I disagree with any of you, that my disagreement is overruled or vetoed on the floor of the Senate.

Senator BIBLE. We now come to our last witness for the morning, and this is really part of his bailiwick. He is Mr. Gottschalk, the Director of the Bureau of the Sport Fisheries and Wildlife. I am sure he has sat through enough of this to get the sentiments of the witnesses and I would like to hear from Mr. Gottschalk as to what he thinks the building of a road would do to the geese and the ducks and to the wildlife of the area. Is this going to make this unusable as a wildlife refuge? This is your department, and so you have heard enough colloquy, I think, to get some viewpoints and see that they are not in complete agreement. So if you would just take over there and respond to some questions.

Mr. GOTTSCHALK. Thank you, Mr. Chairman.

Senator BIBLE. Number one, do you or don't you think we should have a road from the Virginia bridge to the Maryland bridge, if this national seashore goes forward?

Mr. GOTTSCHALK. I would like to state quite unequivocally that we feel that a road in this section of the Assateague Seashore would have some very detrimental effects from the standpoint of the management of our national waterfowl resources.

There are three points that I would like to make, Mr. Chairman. There has been some discussion about the aspects of a disturbance factor, and I think that the point we have to recognize is that wild birds are like people; not any two of them, necessarily, react in exactly the same way, and this is even more true when we are talking about

different species of wild animals. You can take an old greenhead mallard duck and feed him a few handfuls of corn and the first thing you know, he is apt to come and pick at your pants' leg to get another handout; but there are a lot of other of these birds that don't have that characteristic. Human disturbance over the last few decades in terms of hunting, and also the destruction of habitat, has provoked in these birds an instinctive reaction to men, and mankind, and what people do.

Senator SIMPSON. May I interrupt you there, Mr. Gottschalk?

Mr. GOTTSCHALK. Certainly.

Senator SIMPSON. The bill calls for hunting areas on the island, so would not the sound of shooting disturb ducks and other wildfowl more than a road that has a car chugging along it?

Mr. GOTTSCHALK. We don't think so, sir. In other words, the hunting would take place up in the upper end of the area. It does now take place in the channel to the west of the refuge, over in the marshes, near Chincoteague. But the thing that would bother, as we see it, in this disturbance factor, is for some species—the snow goose was mentioned in some of the testimony earlier, these birds, I have seen myself—swans and some of our more quiet birds will sit quietly, and the minute that there is human intrusion, in a place where there are geese, these birds are immediately in the air. And, of course, this is one of the primary objectives of Chincoteague, to provide a steppingstone for the annual migration of these great birds that nest far up in Greenland and Labrador, fly down to the St. Lawrence River, then down to Delaware Bay, then to this area, and on down and finally to Back Bay and Currituck, where they spend the winter, then back in the spring. This is a very critical area from the standpoint of this type of migration.

Senator SIMPSON. It is also limited in feed, isn't it?

Mr. GOTTSCHALK. This particular areas is. And this is the second point that I want to make. There was some question about whether we had enough feed to really expand the population of birds particularly. Well, we have with the assistance that Congress has provided with funds over the last several years, undergone a substantial development program down there, involving these pools. We are at the point now where if we visualize a road, traversing that section behind the dunes, we are going to seriously reduce the amount of habitat that we have created there at the expenditure of nearly a million dollars in just recent years.

Senator SIMPSON. Let me ask you this: Are you sure of that, Mr. Gottschalk? My understanding is that the road would come down along the east side of the refuge, wouldn't it?

Mr. GOTTSCHALK. Our developments have primarily consisted of fresh water impoundments in the south part of the refuge, just to the north of Toms Cove, continuing up through this narrow portion of the island, and all the way up to the area which we call Wash Flats.

This, incidentally, was one of the areas which was hardest hit by the 1962 storm, and also by the more recent hurricane of last fall.

Senator SIMPSON. One moment.

You had better identify that map there, because now we will need that identification.

Mr. GOTTSCHALK. I have another map which would correspond to this section of this larger map. We are looking at——

Senator SIMPSON. By "this section" you mean the southern end of the island?

Mr. GOTTSCHALK. We are looking at the southern end of Assateague Island. The Maryland portion would continue up in this direction [indicating], and this is the 13 miles of refuge beach, all the way around to the point of the spit at Toms Cove.

Now, when you get down into places like this, or even along here, to build a road would take at least 200 and possibly 300 feet of right-of-way, in order to get a satisfactory base. No engineer in his right mind would put a road out on the dune proper, and you can see that even though we have not made detailed studies, as the Secretary indicated, the alinement shown here is well back of the dunes. These dunes are very ephemeral. They come and they go with the winds and the tides, and you would have to get your road well back away from the dune proper.

The result of that is this, there would be a swath of habitat, depending on the final design of the road itself of 200 or 300 feet, or possibly greater area, all the way down along this part of the beach, thus shrinking the habitat that is already limited, and which is the reason why we have asked for this help to carry this program forward of improving the food supply and the habitat in this area.

Well, we do think there is going to be a very serious habitat loss, and that this is going to further impinge on the dwindling resources that we have for these waterfowl on the Atlantic coast.

In this connection, I would just like to make one other point. There is a tendency to accuse wildlife conservationists, you know, of being only for the birds, but I would like to make a very sincere point that our objective is not solely related to the intrinsic value of birds themselves. We are thinking about the fact that these wild animals, throughout the United States, have established themselves in the minds and the hearts of thousands—millions—of our people across the country. These are the people that I think the Secretary was talking about this morning, when he said that there might be some objection if there was not serious consideration given to the detrimental effects of a road through the refuge.

These are not local people, and this is the kind of a problem that we always have to wrestle with, that we are asking in effect that some of the local people undertake a certain amount of sacrifice for the broad benefits that will come from this program throughout the Atlantic flyway.

The last point that I want to make is that we recognize the interests and rights and enjoyments of people, and we have undertaken, with the bridge authority, a substantial recreational development at the lower end. There are 4 miles there which constitute a tremendous beach and which are now being used. We had 135,000 people visit the Chincoteague Wildlife Refuge last year, but their enjoyment was not for the honky-tonk type of thing—not that I am suggesting that that is what would come with the Assateague National Seashore—these people go there to enjoy the wild, unspoiled beauty that you find on the beach, and in the woods, to study nature. To go swimming, that is true, but to stroll out on the beach by themselves, to get away, completely

away, to walk along that narrow strand that faces the Atlantic, all by themselves, with nobody else around.

Now, there are a lot of people, we think, that have a great interest in this, and we want to emphasize that we think our refuge, in this context, contributes greatly to the total concept of the Assateague National Seashore.

Thank you.

Senator BIBLE. Well, I appreciate, Mr. Gottschalk, that you do have widespread interest from many, many conservationists and naturalists.

One thing that continues to intrigue me, not only here but elsewhere, throughout the United States, and that is the fact that just across the Virginia line and in Maryland you have some of the best duck-hunting clubs, I guess, in the world. Don't you get complaints from people that say, "Well, how come you are permitting the building of a duck-hunting club right next to a refuge?"

Isn't that a little unfair to the duck and to the goose? Maybe he thinks he is coming into his refuge, and he ends up flying over a shotgun. I don't know. We have this problem out my way, and I am just wondering if you don't get some static on that. Many competent witnesses favor the road as does our distinguished colleague from Virginia, who is one of the greatest authorities in this field of conservation, probably has done almost as much, and maybe more, for wildlife conservation than almost any other man on the congressional level. He was the father, with a predecessor of mine, Senator Pittman, of the Pittman-Robertson Act. He was a pioneer in all this, and he is a great wildlife enthusiast. He is also a great duck hunter and, of course, he doesn't share your concern, because it is his bill that provides for the road on the Virginia side.

But I am a little curious, at least, about the building of or permission of duckblinds right at the edges of these wildlife refuges. Are there any standards you follow on that? I suppose you can't extend that indefinitely. You couldn't make the whole country a wildlife refuge, but do you get complaints on that?

Mr. GOTTSCHALK. Well, there are, of course, places where there are complaints, but we look at it this way: That the wildlife that we are protecting through this refuge system is a resource, and a resource ought to be used. We are not against the hunter at all, as a matter of fact, even though sometimes when we go in and buy up an area there is objection that we are taking hunting ground. But we want to encourage the retention of duck clubs and gunning areas.

Now, it is obvious that we have to establish a boundary around a refuge, and it just works out that there are times when there is a gun club just outside the refuge, and they do derive a very preferential benefit from their location, and this gets to be a problem sometimes. We try to work out with them, in some cases, a sort of a zone adjacent to the refuge, but there are some places where there are, in effect, preferential situations.

Senator BIBLE. It seems to me that Senator Simpson's point on this is excellent, and that is that the duck or the goose would probably prefer a road to a shotgun, and so if he is going to be disturbed by a road, it seems to me he would be disturbed an awful lot more by a hunting club that lies just over the boundary line.

Mr. GOTTSCHALK. Is there really a question of a choice between these two things, though? The duck clubs are there, and the road isn't.

Senator BIBLE. Well, this I understand. Don't you think that the duck-hunting clubs are going to disturb the wildlife?

Mr. GOTTSCHALK. Well, there is such a great distance between the location of these duck clubs. Most of the duck clubs are located in this section here and on up in this section [indicating].

Now, I don't see the scale, but we have 9 miles here. This section right in here would be roughly a mile away from the edge of the refuge. A bird flying in or out is pretty high, if he is a mile away before he comes down.

Senator SIMPSON. Let's get this in the right perspective.

Those blinds that the chairman refers to are all around the refuge there, and up close to it. We are talking not only about duck clubs, but hunting blinds, where the duck or the goose has to run the gauntlet.

Mr. GOTTSCHALK. Well, I presume you mean you refer to some blinds here in this cove? And back in here, and there are some of these, but, again, this is an existing use that has gone on there for a long time, and, actually, as you know, and you have probably sat out in a duckblind, ducks do fly over duckblinds, and they do get shot.

But when there is this continuous but somewhat fluctuating automobile traffic, with people getting out, running over to look into the pools where these birds will be resting, this is the sort of disturbance we are talking about.

Senator SIMPSON. But that disturbance is only temporary, and they will move back. Once they find they are not being shot at—they are pretty smart—they will be in that refuge, and they will do this pecking at your pants for a piece of corn.

Mr. GOTTSCHALK. Certain species. I can agree. I am not so sure of some others.

Senator SIMPSON. You know more than I about it.

Senator BIBLE. Well, I think that the question that concerns us is just how much the building of this road is going to disturb this wildlife, and it is hard for me to think that it is going to disturb it as much of you men contend, and this is a matter again, I guess, of judgment.

Now, do you have any further questions?

Thank you, gentlemen.

I have overlooked calling on the very able State comptroller from Maryland, Louis Goldstein, and I apologize for that. I realize he, likewise, has a problem with private calendar, and I am very happy to recognize you now, Mr. Goldstein, if you would like to come forward.

Mr. Comptroller, we are delighted to have you with us.

STATEMENT OF LOUIS L. GOLDSTEIN, COMPTROLLER, STATE OF MARYLAND

Mr. GOLDSTEIN. Thank you, Mr. Chairman and members of the committee.

I wish to take this opportunity to thank you and Senator Brewster for giving me the opportunity to appear here this morning on behalf of Senate bill 20, which provides for the creation of a national seashore park on Assateague Island.

I left several copies of my statement with your staff.

Assateague Island, located in the great States of Maryland and Virginia, is a low, narrow, undeveloped sand reef, about 33 miles in length, lying parallel to the coast of Maryland and Virginia and separated from it by Sinepuxent and Chincoteague Bays. The mainland opposite Assateague Island is 130 miles from Baltimore, 140 miles from Washington, and readily accessible to motorists via the bay bridge and U.S. 50, U.S. 13 and U.S. 113. The vicinity map shows the location of the Assateague Island area in relation to nearby population centers.

The island was formerly the southern end of a peninsula originating in southeastern Delaware and extending unbroken to the present tip of Assateague Island. In 1933, however, a storm cut an inlet just below Ocean City, Md., creating a separate island with an area of about 18,000 acres.

Littoral erosion has caused a westward migration of the shoreline along most of the island. The maximum effect is seen in a stretch of about 5 miles at its northern tip where the recession in the last 30 years has totaled at least 1,000 feet. Further south, the recession in places has averaged about 400 feet. Dramatic evidence of this migration is the exposure by the 1962 storm of large cedar stumps along the foreshore. These stumps are remnants of bayside forests which flourished in recent geologic times.

Assateague Island in both Maryland and Virginia is one of the finest seashore recreation resources on the Atlantic coast. The island's outstanding feature, its clean sand beach, is wide and gently sloping. With a minimum of development it can provide unexcelled opportunities for swimming, surfing, sunbathing, and other popular beach activities. The climate is favorable, since the spring and autumn seasons are generally mild, the summers long and warm. The moderate ocean temperatures lengthen the swimming season, and the general lack of undertow adds to the enjoyment and safety of this activity.

For those desiring other kinds of recreation, the island offers unlimited opportunities for birdwatching, fishing, skin diving, water skiing, boating, and hiking. Surf fishing for blues, striped bass, weakfish, and other favorite sport fishes common along this stretch of coast is outstanding; clam digging and crabbing too are available.

The marshes on the bay side provide superb habitat for a vast variety of shorebirds and waterfowl, as well as for numerous other birds and wildlife. North of the wildlife refuge are points and marshes long famous for waterfowl hunting. Within the wildlife refuge are found thousands of ducks, geese, brants, swans, and other birds in season, as well as the famous wild ponies and tiny, exotic sitka deer.

The legislation now pending is a step in the right direction, as Assateague Island represents one of our last opportunities to acquire a wonderful tract of seashore land that will prove beneficial to this and future generations of Americans.

Hearings have been conducted in Maryland by the board of public works and, as a member of that board with the Honorable J. Millard Tawes, our Governor, and the Honorable John A. Luetkemeyer, our State treasurer, I agree with my colleagues thereon that the Federal Government should acquire Assateague Island, with proper safe-

guards for the development of a State park and recreation area, as set forth in the legislation.

I am of the opinion that Maryland and Worcester County should be compensated for constructing the new bridge from the mainland to Assateague Island, that the owners of private property on Assateague Island should be assured that they will be justly compensated for the land when it is acquired by the Federal Government, and the owners of existing improved properties be allowed to remain for a reasonable length of time.

I am attaching a copy of a statement dated September 9, 1963, which was made by the State of Maryland Board of Public Works with reference to Assateague Island.

In April of 1963, the Bureau of Outdoor Recreation of the U.S. Department of the Interior published a study of recreation values and potential use for Assateague Island and vicinity, to which I would like to refer at this point.

The report states that along the Atlantic coast there is an extreme scarcity of seashore recreation resources available to the public. Currently, 93 percent of the shoreline between New York and Virginia is in private ownership. Each year, the available supply of suitable undeveloped areas diminishes, while the need for such areas steadily increases. In some cases, public pressures have resulted in the acquisition of existing private development for conversion to public use. Assateague Island represents one of the last remaining opportunities to acquire a sizable seashore area for public benefit before it is pre-empted for comparatively limited use.

Assateague Island, stretching some 33 miles along the Maryland and Virginia coastline, is the largest undeveloped seashore area between Cape Hatteras, N.C., and Cape Cod, Mass. The island's seashore recreation resources are superb but, as yet, largely untapped. Its natural values, coupled with its proximity to large centers of population and its accessibility to a large, interstate area, qualify Assateague Island for national seashore status. Congressional authorization for such status is required.

The high recreation potential, of course, made the island appear attractive for private residential and commercial use. The subdivision and rapid sale of some 5,000 lots on the island in the 1950's proved this point, even though access to the island was by ferryboat only at that time.

Provision for a safe and adequate water supply and sewage disposal under the present fragmented private ownership appears to present a serious problem. The installation of individual septic tanks has been condemned and forbidden by the Maryland State Department of Health authorities as a public health hazard.

Studies since the March 1962 storm indicate that the island is not suitable for private residential and commercial development without substantial public subsidy for dune construction and beach stabilization. If public funds are to be spent in considerable magnitude, the benefits should accrue to the taxpayers at large by making this area one for public recreation.

Turning from the position advanced by the U.S. Department of the Interior, I would like to present a brief section of a letter that I wrote

with reference to Assateague Island on July 16, 1963, to the county commissioners of Worcester County, Md. This was after I toured the island with the Honorable Stewart Udall, Secretary of the Interior, U.S. Senator Daniel B. Brewster, Maryland, and U.S. Congressman, and representatives of the Federal, Maryland, Virginia, and local governments.

In the next several years the entire Atlantic Seaboard will be linked with a system of bridges and ferries, and Assateague Island will be in the very center of a large volume of traffic flowing from north to south and south to north. As an example, the great States of Delaware and New Jersey are jointly putting into effect a ferry system from Cape May, N.J., to Lewes, Del., with the ultimate view of constructing a bridge-tunnel over and under the Delaware Bay similar to that being built by the State of Virginia at the mouth of the Chesapeake Bay and scheduled to open in March 1964.

I am advocating a Federal seashore parkway project to link in with the Cape May-Lewes project to come on down the shore, and to provide a continuous Federal parkway to serve Ocean City and Assateague Island, and on to Cape Charles. This will bring millions of new tourists to the lower Eastern Shore of Maryland and Virginia, will generate new business and prove most beneficial to the economy of that area and to the State of Maryland.

Newspaper comments: Hundreds of newspaper articles and editorials have been printed during the past 5 years on the subject of Assateague Island. Following is a condensation of just a few of these articles from the major metropolitan daily newspapers.

[From the Washington Post, Apr. 23, 1962]

In the last month's great storm, the ocean rolled right across Assateague Island into Chincoteague Bay at perhaps five points. Dunes were washed away and the sand deposited in what had been swamps. The shoreline was moved, leaving former beaches deep under water. One summer house, built foresightedly on deep pilings in the dunes, was left with its doorstep out of reach above the new ground level. No disinterested person will disagree with the National Park Service when it concludes that the damage to the island "demonstrates its unsuitability for permanent development."

[From the Baltimore Sun, May 15, 1963]

The Maryland Board of Natural Resources, composed of representatives of the State agencies concerned with water resources, water pollution, commercial and sports fishing, wildlife, geology, forests and parks, is wholeheartedly in favor of public management and use of all 24 miles of Maryland's portion of Assateague Island. As the appointed custodians of the scientific data dealing with erosion, water sources and waste disposal, board members find that private development would be "highly unstable" and that public ownership is desirable.

[From the Baltimore American, May 26, 1963]

Those who bought land on the island, hoping that it would some day become a second Ocean City, have a legal and moral right to expect a profit for their investment and foresight. If, in the course of making a public seashore park of the whole island, the rights of property owners can be protected without allowing unfair land inflation, then unquestionably the park proposal would be sound as a dollar.

[From the Washington Star, June 4, 1963]

With 97.5 percent of the coastline from New York through Virginia already privately owned, we think the proper course is to preserve this last large tract of primeval coastline to the use of future generations of Americans. There is coming in the not too distant future a time when Americans will run the risk of suffering mass claustrophobia if there is no place left within reasonable reach of major population centers where a man can find the solitude that each American sorely needs, whether he knows it or not—where he can find Byron's "society where none intrudes by the deep sea."

[From the Baltimore Sun, June 26, 1963]

An Assateague Park, uncluttered and tranquil, will attract countless vacationers hungry for wildness as the eastern seaboard becomes evermore crowded. And Worcester County would profit more solidly and more lastingly than it would from a private vacation colony.

[WMAR-TV, Baltimore—"Open Letter to All Public Spirited Citizens," dated Mar. 17, 1964]

A difference in tangible public opinion could be the deciding factor in determining whether our children have the chance of seeing a bit of America in its primitive state or must be satisfied with seeing another Ocean City. Certainly there is room for private resorts and boardwalks along our eastern coast, but research strongly indicates that Assateague Island is best suited for a national park. Such a park could put Maryland on the map, enrich private operators and restaurateurs on the mainland near Assateague Island and improve the overall economy of Worcester County. But perhaps most important of all is the fact that existing areas for camping, fishing, and hunting are already crowded proving the popularity of these simple outdoor pleasures.

Finally, I would like to quote a section of President Lyndon B. Johnson's state of the Union message on natural beauty:

For over three centuries, the beauty of America has sustained our spirit and enlarged our vision. We must act now to protect this heritage. In a fruitful new partnership with the States and cities, the next decade should be a conservation milestone. We must make a massive effort to save the countryside and establish, as a green legacy for tomorrow, more large and small parks, more seashores and open spaces than have been created during any period in our history. A new and substantial effort must be made to landscape highways and provide places of relaxation and recreation wherever our roads run. Within our cities, imaginative programs are needed to landscape streets and transform open spaces into places of beauty and recreation.

In his message to Congress on February 8, 1965, the President requested full funding of the land and water conservation fund established in 1964. From the fund, he proposed use of money to acquire land to establish 12 new parks, seashores, and recreation areas when they were authorized.

I wish to congratulate the distinguished members of this subcommittee for making a tour of Assateague Island with Senator Daniel B. Brewster, our host, on Saturday, March 13, 1965. I know that this inspection made an outstanding impression. This is one of the most delightful areas in the United States of America, right in the middle of the megalopolis from Boston, Mass., to Richmond, Va., the greatest concentration of people in the United States of America. They need open spaces, seashores, and a place where they can communicate with God and nature.

As a State official and in individual citizen, I pledge you my cooperation to make Assateague Island a National Seashore Park.

Thank you for your favorable consideration of S. 20.

I have been acquainted with Assateague Island for better than 30 years. As a young boy, I used to go there and hunt, and I walked up and down those shores, some 33 miles long, many, many times, and I had the privilege in June 1963 of going down there with Secretary Udall and his staff, and Senator Brewster, and various officials from Virginia and Maryland, and the outstanding county officials of Worcester County.

Then we conducted a series of hearings in Maryland, and I want to incorporate in this statement the position of the Maryland Board of Public Works, consisting of our distinguished Governor, the Honor-

able J. Millard Tawes, and the State treasurer and myself, after we made a complete study of this entire area and recommended that it be made into a national seashore park.

Senator BIBLE. The statement of the Board of Public Works of the State of Maryland was placed in the record by Governor Tawes. We will place a reference to it at this point.

(The statement referred to is printed on p. 23.)

Mr. GOLDSTEIN. Now, this morning, you had asked several questions with reference to the north area, which is some 7 miles north of the area that the State of Maryland has taken in as a park.

Senator BIBLE. That is correct.

Mr. GOLDSTEIN. I see no reason why that section in the bill couldn't be eliminated and let the Federal Government acquire it, as part of their program, and develop it just like they outlined here a few minutes ago. The State's 2 miles, some 600 acres, is certainly sufficient, and I want to say here today as a fiscal officer of Maryland, in the event that Maryland developed this park and the Federal Government seems to think there is incompatibility, I would certainly see no objection to them acquiring the whole thing, so it would be no reason why we would ever have any faultfinding on what the State is doing, or what the Federal Government is doing.

Senator BIBLE. I did not mean to imply that there would be any faultfinding or inability to get along. My main point was that I couldn't see why you should create a State park right in the middle of a proposed national seashore. You either ought to let it be run by the State of Maryland or it should be completely run by the Federal Government. I could not quite understand why you should have it run by the two different entities. That was the only point I was trying to make.

I am sure they could cooperate and get along, and get along together very well, but I think if I was a hardened businessman, this just is not the way I would run a business.

Mr. GOLDSTEIN. I understand you, sir.

Senator SIMPSON. Mr. Chairman, could I ask would it be agreeable to the witness that the State of Maryland withdraw that section in the bill from the bill, if the Senator from Maryland so decides?

Mr. GOLDSTEIN. Are you talking about now the north area?

Senator SIMPSON. Yes; the area we are talking about with respect to the duplication of administration.

Mr. GOLDSTEIN. Now, I certainly wouldn't want to make a flat statement without consulting with the Governor and the State treasurer, and Senator Brewster and the other cosponsor of this legislation.

Senator SIMPSON. I can understand that.

Mr. GOLDSTEIN. But I can assure you that there will be compatibility. As you know, the State of Maryland, in cooperation with Worcester County, has now built the bridge. You all had the privilege of going there last Saturday, and I certainly appreciate your taking the time to look at it firsthand, and people are now coming to the island.

It is spring, the fish are running, and they want to get down there and commune with God and nature. We don't know how long the Congress may take before they acquire the property, so in the meantime, the State is going ahead and making certain improvements so that the people of Maryland and Virginia and of this great Nation

can use the park. But I feel confident that we will always be able to work out any problem that may arise with respect to the use of the park or its development, with the outstanding Department of the Interior.

Now several questions have been raised here this morning. I would like to make reference to this "Assateague Island and Vicinity." To answer a lot of questions that were brought up here this morning about the cost of stabilizing the beach, because we have had experience at North Ocean City, where the Federal Government came in there and stabilized that beach, and the State of Maryland has had a lot of experience each year, building these jetties that hold at Ocean City, so there is no problem to work out the cost of stabilizing the 33 miles that may need stabilization in order to develop it. There will be no problem at all.

Senator BIBLE. My only concern was how much does that cost?

That is all I was interested. We have made that a part of the record, so we can ask our staff to dig it out, and tell us what it has been for Ocean City.

Mr. GOLDSTEIN. At North Ocean City, according to this report, it cost \$231,000 per mile, which included dredging, and that was a big job. That is the report here published by the U.S. Department of Interior.

Senator BIBLE. And we have made that a part of our record, Mr. Controller.

Mr. GOLDSTEIN. All right. I wish to congratulate Senator Brewster for his efforts in getting the subcommittee down there last Saturday, and I feel with your reviewing it, and the fact that we have this great megalopolis stretching from Boston to Richmond, Va.—it is the greatest concentration of people in the United States, and in fact, in the world—and unless we have these open spaces, like you Senators have out in your wonderful lands in the West, and I have taken a trip to 49 States of the Union. I have never been to Alaska, but if you leave the great Mississippi and go West, go into your wonderful States, you have acquired all these beautiful lands, and are preserving them for future generations of Americans to enjoy, and we would certainly like to see Assateague Island preserved as a national wonderland, so our children, your children and my children, can go down there and enjoy this beautiful place.

Thank you very much. If you have any questions, I will try to answer them.

Senator BIBLE. Thank you very much, Mr. Goldstein. I have no questions.

Senator Simpson?

Senator SIMPSON. Let me ask here, Mr. Goldstein, how much of the acreage in Maryland is owned by the State and how much is owned by the Federal Government?

Mr. GOLDSTEIN. Well, sir; we are not in the position you are. Not as much of our acreage is owned by the Federal Government as out in the West. We have the great military reservations, like down in St. Mary's County, they have 10,000 acres. We have a great military reservation at Fort Meade, and we have a lot of area in the western part of our State. I would say, we have roughly 18,450 acres owned by the Federal Government in the State of Maryland.

Senator SIMPSON. We have 51.6 percent of our State of Wyoming owned by the Federal Government, and with mineral withdrawals, probably 71 to 72 percent, and inherent in that very thing is that the people of my State don't like someone to spend their money or sell their property for them. It is easy to spend somebody else's money, sell somebody else's property, but this committee is confronted with the necessity of determining both the merits of this proposal as set forth by the proponents of this measure, and the demerits as set forth by the opponents who want to save their property. You recognize that this is going to deprive people of their property that they want to have and develop.

Mr. GOLDSTEIN. Well, I make the point very clear, as a lawyer dealing in condemnation cases, these wonderful people who own this porperty should be paid a fair market value, which I am sure would be done, whether it be determined by a jury in the Federal court in Baltimore or elsewhere. I feel confident that under the bill that will pass this great Congress, that the people will be adequately compensated, and by the same token, the Virginia authority will be compensated for their investment in the bridge that was built, and Maryland and Worcester County will be compensated. People will have adequate use of their property for at least 25 years, the ones who built their homes there, and made the investment.

Senator SIMPSON. I wish it was as simple as that. People just naturally like to hold property. They feel that that is their castle.

Mr. GOLDSTEIN. Right.

Senator SIMPSON. And all the tea in China can't take it away from them, but we step in and take it away, and compensate them for what we think is the proper value, or they object and take it to a court where the court determines the value.

Mr. GOLDSTEIN. Well, we have it every day; yes.

Senator SIMPSON. It is too bad, but it is happening all the time.

Mr. GOLDSTEIN. Well, we all, of course, want what is best for the public interest and what is best for the private interests, and I feel confident this wonderful Congress will reconcile the thinking of the State and Federal officials and agencies.

Senator SIMPSON. Would you have any objection to a road from the Virginia bridge to the Maryland bridge?

Mr. GOLDSTEIN. You mean a road to run the length of the island?

Senator SIMPSON. Yes. The length of the proposed seashore.

Mr. GOLDSTEIN. Sir, I feel confident that having been out in your area that they can build a road, a scenic road. It wouldn't be any fast road. It would be a nice road that people would drive maybe 25, maybe 30 miles an hour. I don't think anyone wants to go fast there anyway. They want to see the birds, and see the ducks, and breathe that fresh air. It would be suitable with the acquisition of the land with the contours, and the dunes and what-have-you there, and it could be worked out very easily.

The reason I know that, I built 5 miles of road in my woods myself, where I live down here in southern Maryland and if they want it, they can have it, but I preserved 500 acres for the future. I built 5 miles of road there in my woods. I went down there with two boys, and a bush ax and just cleared it out and made a road. It is curvy, you can't go through it fast, you can't drive through there at

60 miles an hour, but that isn't what you want to do. What you want to do is drive through there slowly, and breathe the fragrance of the flowers and the trees in those woods, and enjoy that wonderful air.

What you want to do down here is just breathe that wonderful salt air, and see how relieved you feel.

Senator SIMPSON. I will take the Wyoming air in preference to that. They are both wonderful.

Senator BIBLE. They are both wonderful areas, and I throw my own State in along with them.

Mr. GOLDSTEIN. Thank you.

Senator BIBLE. Further questions?

Thank you, Mr. Goldstein.

It is now 25 until 1. I realize we have a goodly number of witnesses, we are at the halfway point of our hearings. We will be in session this afternoon, starting at 2, we will be in session all day tomorrow, and we are going to hear those of you who want to testify. We hope that you have your statements prepared for our staff people, and with that we will be in session long enough to hear the witnesses that want to be heard.

Yesterday was St. Patrick's Day, and I had kind of planned on playing a little golf over the weekend, but the green turned to white, and this made a bit of difference, and so I am not going anywhere the next several days, so we will do our best to try to accommodate you.

With that we will stand in recess until 2 o'clock.

(Whereupon, at 12:35 p.m. the hearing was recessed, to be reconvened at 2 p.m. the same day.)

AFTERNOON SESSION

Senator BIBLE. The committee will come to order.

Our first witness this afternoon is General Lanham. Is he here?

If not, his letter will be made a part of the record at this point.

(The letter referred to follows:)

WASHINGTON, D.C., March 9, 1965.

HON. ALAN BIBLE,
Chairman, Subcommittee on Parks and Recreation,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BIBLE: I note that you have scheduled hearings on Assateague Island for March 17, 18, and 19 in the auditorium of the new Senate Office Building. I own an oceanfront lot on Assateague and have for more than 10 years. I am convinced that this magnificent stretch of low-lying land can never be successfully developed by private individuals. Moreover, it is perfectly apparent that in the national interest, this island should be acquired by the Federal Government and made available for the sweltering masses concentrated along the eastern seaboard.

I will be happy to testify to this effect if you wish me to. If not, perhaps this note will serve the same purpose and save the committee's time.

Cordinally yours,

C. T. LANHAM,
Major General, U.S. Army, Retired.

Senator BIBLE. The next witness is William Kerbin.

Mr. Kerbin.

STATEMENT OF WILLIAM KERBIN, PRESIDENT, WORCESTER
COUNTY ECONOMIC DEVELOPMENT COMMISSION

Mr. KERBIN. Mr. Chairman, members of the committee, I am William G. Kerbin, Jr., publisher and owner of the Democratic Messenger and as a private citizen I want to say that I appreciate the opportunity to appear and make a statement before this Senate committee.

As one time I was in favor of private development of the island and was one of the major supporters of it. But when the bills were introduced and after checking conditions and costs, I reached the conclusion that I was wrong and that the Government was right.

I am definitely in favor of the Government taking Assateague Island as a national park under the Brewster bill. I feel that the Government is doing the correct thing in taking all the privately owned land on the island if it reserves a part of it for private, taxpaying development under long-term leases.

The reason that I feel this way is that I think that it would be impossible for the taxpayers and the county to pay for the roads, streets, construction, and maintenance of a dune line, water and sewer, and other governmental functions that would be needed. The property owners are to pay 90 cents per \$100 in additional taxes just to finance the county's part of the bridge. If the Federal Government does take over the island, then the county should be compensated for its share in the bridge.

Some say that the sewer and water systems will come with private development, but it has been 30 years since North Ocean City was the same as Assateague is today and that area is just getting the services.

It would be a matter of years before municipal water and sewer lines could be put in on the island and the owners couldn't stand the cost.

The greater part of the island is unsuitable for private development, especially the levels. I have hunted on the island and while there have been water run across the levels on many occasions.

We would like to see the following done by the Federal Government on the island if possible. First, a square mile of the island should be set aside for the long-term leasing of hotels, motels, restaurants, and other commercial enterprises necessary for the use of the public.

In doing this and allowing the county to tax this property and the buildings on it when built up, it would give the county almost as much assessable basis as there is between the inlet and 41st Street in Ocean City today.

We also think that the Department of the Interior should stabilize the dune line to protect the beach. A road should be built from the bridge in Worcester County to the bridge at Chincoteague in order to draw more people. With such a road travelers could drive across the bridge at one end and come off the island at the other end on their travels either north or south, making a scenic bypass on their trips. Also they would be able to see the ponies.

I think the Secretary of the Interior's comment on investigation this morning was very good but I think we find that the road would not bother the wild fowl because in all the ponds and places we have on the shore you can ride up to and do not bother the geese and ducks.

There are some who might say that the opening of the wildlife refuge would ruin it, but we don't think so. It was done at Cape Hatteras

very successfully. As was done there, a fence could be run down the side of the road leaving the ocean side open. Some of the best drum fishing on the Atlantic coast is done on this island. Also the wildlife does not use the beach but nests in the brush back on the bay side of the island.

We understand that there is some talk about the Government helping to obtain a canal in the county which we think would be beneficial to the county as well as to the proposed Assateague park. We hope to get as much help as possible for a canal.

This matter of the disposition of Assateague has been discussed time and again with many people in the county and we feel that the majority of the residents of the county are in favor of the Government taking over the island under the Brewster plan.

I hope that your committee gives these thoughts favorable consideration and I want to thank you again for the opportunity to be here and to be heard.

Senator BIBLE. We are certainly very delighted to have you with us this afternoon, Mr. Kerbin. I have no questions.

Senator SIMPSON. No questions.

Senator BIBLE. Does the Senator from Idaho have questions?

Senator JORDAN. Just one question. I appreciate the statement. You are talking about the Brewster bill and you are also talking about a road that would connect the two bridges. This is a part of the other bill introduced. You are quite willing to amend the Brewster bill to accommodate the road between the two bridges?

Mr. KERBIN. I think there should be a road. I think the Secretary's comment that an investigation be made to check into the matter is wise but I think it would open up the area. A lot of people traveling north and south would bypass and go in at Chincoteague or go in at Ocean City and come off the other bridge. I don't think it would create any hazard to the ducks or wildlife because you would not want a big road down there, just a scenic road.

Senator JORDAN. We appreciate your testimony.

Senator BIBLE. Our next witness is Charles H. Callison, assistant to the president, National Audubon Society.

Mr. CALLISON. Thank you.

STATEMENT OF CHARLES H. CALLISON, ASSISTANT TO THE PRESIDENT, NATIONAL AUDUBON SOCIETY

Mr. Chairman and gentlemen of the subcommittee, my name is Charles H. Callison, and I am assistant to the president of the National Audubon Society, which is this Nation's oldest and one of the world's largest citizen organizations devoted to the conservation of wildlife and related natural resources, is enthusiastically in favor of preserving Assateague Island for public use. It should be added to the chain of wondrous national seashores that Congress has been creating around our coastlines. It meets all the tests—quality of scenic and wildlife resources, recreational opportunities, strategic geographical location with respect to urban centers, and public need. It is one of last of the relatively unspoiled stretches of barrier island and natural beach that may yet be preserved for future generations. It lies about midway on the Atlantic coast between Fire Island to the north,

and Cape Hatteras to the south. And the time for action, we respectfully emphasize, is now, because development pressures are beginning to threaten the unspoiled character of Assateague and imperil the opportunity to save it.

For 20 years the southern third of Assateague Island has been one of the significant units of the national wildlife refuge system designed to preserve our migratory bird resources in the Atlantic flyway. It is a vital link in the system, providing, in the words of the late Rachel Carson, "these simple and necessary creature requirements—food, rest, and security" for the birds.

Many species of migratory waterfowl use this important refuge in migration and many birds winter here, including the rare and beautiful greater snow goose. Not only wild ducks and geese, but dozens of kinds of shorebirds and wading birds feed and rest along the sandy beaches, in its protected bays and tidal flats, and in its salt marshes. The refuge also provides protected nesting habitat for many species, among them piping plovers, thick-billed plovers, killdeer, willets, oyster-catchers, spotted sandpipers, Forster's terns, and numerous songbirds. Some 250 different kinds of birds have been observed there.

We do not have enough wildlife sanctuary preserved in this Nation to be able to afford the sacrifice of any of it to roads and motels, important as such facilities are in the right places, to accommodate the recreation-seeking public. It should be kept in mind that the birdlife that requires this kind of habitat in order to survive is in itself a recreational resource of incalculable value. It is the scampering shorebirds, the showy herons, the graceful waterfowl, and the soaring, diving seabirds, that give particular life and beauty to all of the seashores and salt marshes and bays from Canada to the Caribbean and the Gulf of Mexico. Some places must be kept inviolate for their conservation in order that people all along the seacoast may share in the beauty and excitement that these wild creatures lend to the landscape and the seascape.

We endorse the provisions of S. 20 and S. 1121 that would keep the Chincoteague National Wildlife Refuge under the jurisdiction of the Bureau of Sport Fisheries and Wildlife and subject to the laws passed by Congress pertaining to the protection and management of the refuge system. The act of September 28, 1962 (Public Law 87-714) referred to in section 6(b) of the pending bills authorizes the Bureau to provide such facilities for public recreation as will not interfere with the primary purpose of the national wildlife refuges. The language of that act and its legislative history makes unmistakably clear that the primary purpose of the refuge is wildlife conservation. Public recreation is a secondary purpose within the refuges.

Therefore, the National Audubon Society must vigorously oppose the provisions of section 7 of S. 1121 that would authorize incompatible encroachments upon the Chincoteague National Wildlife Refuge. Restaurants and motels and hotels have no place within a national wildlife refuge. Their construction would require landfill and dredging and bulldozing and the laying of asphalt that would permanently destroy essential wildlife habitat.

Senator BIBLE. Isn't it true as a matter of fact right now, Charlie, that the southernmost tip of the national seashore has actually under

lease to the Assateague Bridge Authority and they actually do have a restaurant there and they actually have bathers come there and swimmers come there? Right now, as I understand it, that is all that is envisioned in section 7 of the so-called Robertson bill.

Mr. CALLISON. I think that is right, Mr. Chairman, but I think section 7 of the Robertson bill would authorize the development of overnight facilities and this envisions clearly a set of motels and hotels and additional restaurants.

Senator BIBLE. I think maybe that is correct because it reads:

In order that suitable overnight and other public accommodations on Assateague Island will be provided for visitors to the seashore, the Secretary is authorized to select and set aside not to exceed six hundred acres having a suitable elevation in the area south of the island terminus of the bridge constructed by the State of Maryland.

Then second, and this is the thing that you are objecting to—

to select and set aside the public-use area on the Chincoteague National Wildlife Refuge now operated by the Chincoteague-Assateague Bridge and Beach Authority of the Commonwealth of Virginia, and to provide such landfill within the areas selected as he deems necessary to permit and protect permanent construction work thereon.

Right today they have a restaurant there.

Mr. CALLISON. Mr. Chairman, from our point of view that is now an encroachment. It should not have been permitted and I don't think we should let it go any further.

The presence of large numbers of overnight visitors, if I may continue with my statement, would make doubly difficult the protection of wildlife. There is plenty of room for the development of such facilities on Chincoteague Island and on the Virginia mainland, and it would be to the economic advantage of those communities and of the State of Virginia and put them there instead of within the national wildlife refuge.

There is always a temptation, I suppose, to the people who are in the business of building highways and to the planners who think of recreation in terms of automobile traffic, whenever a new national park or national seashore area is under consideration. This committee will recall that some people thought Fire Island could best be developed by building a scenic highway from one end to the other of that narrow and fragile barrier beach. The same kind of proposal, and the same kind of pressure for it, accompanied the consideration of the act that created Padre Island National Seashore.

To build a highway down the length of Assateague, as would be required by section 9 of S. 1121, would damage, not enhance, the natural beauty, the fragile resources, and the true recreational potential of the national seashore. Park access roads of the kind the National Park Service knows how to design and maintain, yes. But a through highway, or a highway within the national wildlife refuge, no.

A through highway would merely invite bumper-to-bumper traffic on every weekend and holiday and bring with it all the noise and litter and the stench of exhaust fumes and spilt motor oil that can be experienced—

Mr. SIMPSON. Mr. Chairman, may I intercede. Do I understand, the people want it included for the people. All of a sudden you want to exclude the people because they are too noisy. I don't get your logic at all.

Mr. CALLISON. Well, Senator Simpson, the logic is that the people who need and can use this particular kind of recreational resource are not those who want large numbers of automobiles driving from one end of a through highway to another. I would suggest, sir, that if this through highway is completed you would have many, many automobiles who would make that trip without ever stopping. You are merely going to create a large amount of traffic. As Mr. Hartzog of the Park Service proposed this morning this is proposing a traffic loop for people who want to make a nice Sunday drive.

Senator SIMPSON. What is wrong with that?

Mr. CALLISON. We have millions of miles of highways now in the United States where people can take a Sunday drive.

Senator SIMPSON. Here in the East?

Mr. CALLISON. This is a special kind of area we are proposing to save, very much like Fire Island. We discovered when the issue was drawn that the people in Long Island and in New York did not want a highway from one end of Fire Island to the other.

Senator SIMPSON. I might say to you that that highway was proposed by one of the greatest men in America today, Mr. Moses, who is in charge of the World's Fair and a very renowned person. It was this committee that squelched his idea of building a road, but this is not a similar circumstance here because this is much less area and different States involved.

Mr. CALLISON. All of these areas are different but the principles are the same. This is a kind of recreational area, a part of which is still wilderness, and this kind of wilderness is exceedingly scarce and increasingly precious in the East. You have lots of it in Wyoming, sir, and in the West, but we have very little of it to hang on to.

Senator SIMPSON. But you don't want the people to see it because here within 250 miles of your seashore there are 34 million people but all of a sudden you don't want anyone to see it.

Mr. CALLISON. This is the situation: If you create a highway, you destroy the wilderness and the people who drive down there won't see a wilderness. As a matter of fact, on heavy weekends they can't look in any direction but the bumper in front of them and out the rear window to see how close the man is behind them. This is hardly a recreational situation.

Senator SIMPSON. I guess there is no use quibbling over automobiles and people. I would like to get a clear idea of what they want to use the place for, some agree on one thing, some upon another. I suppose it encompasses all the things involved.

Senator BIBLE. Charlie, is the position you take the one Senator Simpson has expressed, that as a matter of fact in their planning the Park Service proposes to start at the State park, the nonterminus of the national recreation proposed national seashore area, recreation area, and build a road 10 miles toward the Virginia boundary. Now, if this road business is so bad, why isn't it bad for that 10 miles? In other words—do you understand what I am saying?

Mr. CALLISON. Yes, I do, Senator Bible.

Senator BIBLE. I get to the State park and I can drive 10 miles south on this island. Now, if I can drive it there why not drive it on the Virginia side? What is the difference?

Mr. CALLISON. I tried to cover that point and to make our point of view clear on that in my statement when I said that park access roads

of the kind the National Park Service knows how to design and maintain, yes, but not a through highway.

Senator SIMPSON. What do you mean by "Not a through highway?" They don't know how to design that?

Mr. CALLISON. No, I don't think they do. The Park Service in the first place, if it had its way, would not design a highway that would be adequate to handle the traffic that this road would be subjected to and it would have to be widened if it were not designed for four-lane traffic and very heavy traffic to begin with. I think you are getting into something very dangerous if I may so suggest, sir, because the maintenance of any highway, to maintain heavy traffic, is probably going to be very expensive on Assateague Island where it will be subject to storm damage, overflows and washouts. As I recall, this was one of the reasons why this committee decided not to write into the Padre Island bill to link the Padre Island because of the almost uncertain expense of maintaining it. Now, highway builders like to rebuild highways just like they like to build them in the first place so they don't see that as an objection, but it must be one of the things you take into consideration in providing a highway that would handle a great deal of traffic. This would be a highway for people driving from New York City to Florida, one new way they could make a turnout.

Senator SIMPSON. If this island were left in its present state it would best serve the purposes of your philosophy here than to have it overpopulated with these people in the area whom you are counting on having there. Isn't that about the thrust of your statement?

Mr. CALLISON. I think that it is possible to overpopulate any of our national parks, sir, and measures must be designed into the parks or eventually even perhaps the entrance fees raised to the point to control the number of people who get into them because these are fragile resources. We don't want to turn them all into Coney Island. They can go to Atlantic City and to Ocean City for that kind of recreation. This is something special that the National Park Service offers that is not now available at Atlantic City or at Ocean City or at Rehoboth Beach.

Senator BIBLE. You may proceed, Mr. Callison.

Mr. CALLISON. Continuing my point of view on the road, for those who enjoy taking their recreation in heavy traffic and at littered roadside parks, there is presently no shortage of such opportunities.

Moreover, the filing and bulldozing that would be necessary to construct a through highway would do irreparable damage to the dunes, the marshes, and the vegetative cover of Assateague Island. Within the national wildlife refuge, the construction of such a road would be a totally unacceptable violation of the purposes for which the refuge was established.

We endorse S. 20 as it stands. We urge you to report S. 20, or a bill like it—not like S. 1121—to the full committee and to the Senate floor.

Mr. Chairman, with the permission of the subcommittee I should like to present for the record a concise and extremely informative booklet on the Chincoteague National Wildlife Refuge which was written by the late Rachel Carson. It is a classic, the first of these leaflets prepared by the Fish and Wildlife Service on these various units in this national park system. The record of this hearing, sir, will be an important reference book for future managers, future users

of the Assateague Island National Seashore, and the information in here, I believe, about the wildlife resources, their migration routes, about the opportunities for public use, not only of the bird life but of the shellfish and the other wildlife of the area, would be an extremely important addition to the record.

Senator BIBLE. I think your suggestion is a good one. This has been handed to us. It is not very long so we will print it at this point. Then we can refer to it in the record at any time.

(The data referred to follows:)

CHINCOTEAGUE—A NATIONAL WILDLIFE REFUGE

(By Rachel L. Carson)

The national wildlife refuge at Chincoteague, Va., is one of the newest in a chain of sanctuaries placed along the flight lanes of the waterfowl. Coming down from the north the principal links of the chain are Parker River, Montezuma, Susquehanna, Brigantine, and Bombay Hook. Then from Chincoteague the links run south, through Back Bay and Pea Island, Mattamuskeet and Cape Romain.

Chincoteague, like other waterfowl refuges, is needed because birds migrate, and because in so doing they expose themselves to great dangers. The migration of birds is one of the ancient spectacles of earth, and one of the most mysterious. But while we know little about why birds migrate or how they find their way over enormous distances, common sense tells us this: like human travelers, birds must have places where they can stop in safety for food and rest.

Once there were plenty of natural hostelries for the migrants. That was before our expanding civilization had drained the marshes, polluted the waters, substituted resort towns for wilderness. That was in the days when hunters were few. In those days our waterfowl probably numbered 200 million. Now only a small remnant of this number is left.

If we are to preserve the remaining waterfowl, and the sports and recreations which depend on them, we must set apart for the birds refuges like Chincoteague, where they may find these simple and necessary creature requirements: food, rest, security.

Chincoteague was selected as a refuge site because the biologists of the Fish and Wildlife Service, after years of searching for the best spot to fill the gap between the refuges at Bombay Hook and Back Bay, decided that this wild seacoast island on the Eastern Shore of Virginia would provide protection and breeding territory for the greatest number of species. Purchase of this site for a refuge was approved by the Migratory Bird Commission in 1942; and the refuge was formally placed under administration by the Fish and Wildlife Service in 1945.

Two things determined the location of the Chincoteague refuge: its physical features, combining beaches, dunes, marshes, woodland, and protected waters; and its position with relation to the flight lanes of the birds. As to the first:

About 9,000 acres in area, the refuge occupies the southern third of Assateague Island, separated from Chincoteague Island by a narrow channel. Assateague is one of the barrier islands typical of the Middle Atlantic coast, never more than 3 miles from shore to shore, lying between Chincoteague Bay and the sea. Seen from the air, as the migrating waterfowl coming in from the north must see it, its eastern border is a wide ribbon of sand that curves around in a long arc at the southern end of the island to form a nearly enclosed harbor.

Back from the beach the sand mounts into low dunes, and the hills of sand are little by little bound and restrained by the beach grasses and the low, succulent, sand-loving dune plants. As the vegetation increases, the dunes fall away into salt marshes, bordering the bay. Like islands standing out of the low marsh areas are the patches of firmer, higher ground, forested with pine and oak and carpeted with thickets of myrtle, bayberry, sumac, rose, and catbriar. Scattered through the marshes are ponds and potholes filled with wigeongrass and bordered with bulrushes and other good food for ducks and geese. This is waterfowl country. This is the kind of country the ducks knew in the old days, before the white man's civilization disturbed the face of the land. This is the kind of country that is rapidly disappearing except where it is preserved in wildlife sanctuaries.

The pattern of the flyways, more than any other fact, determines the location of the waterfowl refuges. A flyway is more than a migration route—it is a whole geographic region. There are four such flyways in the United States: the Atlantic, the Mississippi, the Central, and the Pacific. Although the breeding grounds of the various flyways overlap, each has its own wintering grounds, and a complex system of migration paths leading from winter to summer areas.

It is a peculiar fact of bird biology that waterfowl have a hereditary attachment for one particular flyway, and with rare exceptions never transfer from one to another. This means that each flyway must provide everything the birds need—suitable breeding areas, ample wintering grounds, and safe migration routes connecting them.

The Chincoteague refuge is an important way station on the Atlantic flyway. It is located at a strategic point, an area where several of the most heavily traveled lanes of waterfowl traffic converge.

One of these routes begins at the very top of the world—the summer home of the greater snow goose and the Atlantic brant in northern Greenland and the islands of the Arctic Sea. As the snow geese and brant come down by this route across northeastern Canada, they are joined by Canada geese and black ducks and other waterfowl from the shores of Hudson Bay and the Maritime Provinces of Canada. Some of these birds come down the coast. Others come via Lake Champlain and the Hudson Valley, still others via the Finger Lakes of New York to the mouth of the Susquehanna and so to the Chesapeake.

In the latitude of the Delaware and Chesapeake Bays, the Atlantic coast route receives an important tributary from the west. This tributary route is like a river that has many different headwaters scattered over a vast territory, for it has its beginnings in the Prairie Provinces of Canada, the Mackenzie Delta, eastern Alaska, Ontario, and the States bordering the Great Lakes. From the Great Lakes region, the route crosses the mountains of Pennsylvania and strikes the Atlantic coast in the vicinity of the Delaware and Chesapeake Bays. This is the migration path followed by the majority of the ducks of the Atlantic flyway. Among them are scaups, redheads, pintails, baldpates, teal, canvasbacks, old squaws, some black ducks, some Canada geese. For many of these birds, Chincoteague is the first refuge encountered on the long transcontinental journey.

The conservation of the greater snow goose is one of the purposes of the Chincoteague refuge. Estimates vary, but probably there are not more than 20,000 or 30,000 of these beautiful white geese in the world. This entire population spends the winter months on a narrow strip of the Atlantic seacoast from New Jersey to North Carolina.

Few birds have a more northern breeding ground than this goose, which nests along the northern coast of Greenland and in Ellsmere Land, far beyond the boundaries of the continent. From this remote territory, visited only occasionally by explorers, the birds migrate south, probably across Baffin Land and the Province of Quebec, to the St. Lawrence Valley. The birds habitually stop in the vicinity of San Joachim on the St. Lawrence. Between this point and Fortescue, N.J., their known landfalls are few. With increasing frequency of late years, however, they have been reported during migration in New England and New York.

Chincoteague Bay has a long history as one of the major winter concentration points for the snow goose. It has been used more consistently, and for a longer period of time each winter than any other known area between Fortescue and Pea Island in North Carolina. Since the Chincoteague Refuge was established its marshes have held several thousand snow geese each winter.

Although the greater snow goose is legal game in Canada, it is under complete protection within the United States. As an added safeguard, the related species, the lesser snow goose, may not be shot on the Atlantic coast because it is impossible for hunters to distinguish between the species in flight.

Protection against shooting is not enough in itself to insure the welfare of the populations of snow geese. The birds must also find abundant food within their restricted winter range. Their pastures are the salt meadows—the acres upon acres of tough rooted salt marsh hay or cordgrass, *Spartina*. The geese feed on the roots of these grasses. Once there was an abundance of marsh land along the coast, but much of it has been lost by draining and filling. Unless some natural marsh areas are set apart for the use of wildlife, species like the snow goose cannot survive.

Except for the whistling swan, the snow goose is the largest white bird that will be seen on the refuge. The black wing tips show clearly in flight, contrasting sharply with the snowy white of body and wing. Look for snow geese

in season the Ragged Point marshes, where they are likely to be feeding, pulling out the marsh grass by its roots. At times they may be seen flying over the bay or ocean, often in a triangular formation, close to the surface of the water.

The American brant, a small goose seldom found far from the sea, is particularly in need of the protection given by waterfowl refuges. Like the snow goose, it breeds in far northern regions and winters on a small section of the Atlantic coast from New Jersey to North Carolina. It migrates chiefly over water, and its distribution within the United States is confined almost entirely to a narrow belt along the coast.

Brant on their fall migration arrive at Chincoteague about November, remaining until the latter part of March. As a rule, between 2,500 and 3,000 winter on the refuge. The Brigantine and Pea Island Refuges also have wintering flocks.

Heavy shooting and draining of marshes are ancient enemies of waterfowl, but a few years ago the brant was faced with a new menace—the complete destruction of its winter forage. Eelgrass has always been the chief winter food of the brant. Heavy growths of the ribbonlike plant formerly covered the tide flats in almost every coastal bay and sound from North Carolina to Nova Scotia. About 1930 a blight suddenly struck the eelgrass all along the coast. Within the space of a year or two most of it had disappeared. This had an immediate and very nearly disastrous effect on the brant. Without their usual food to help them withstand the rigors of winter, the populations of these small geese very rapidly declined.

Reports of ornithologists all along the coast indicated that the status of the brant had become alarming. Counts by Charles Urner illustrate the decline: from 28,800 brant estimated by Urner as the 1927-28 winter population of brant on the New Jersey coast, the birds declined to 5,400 in 1931-32 and to 2,320 in 1932-33. To give protection to the remaining birds, the Federal Government declared a closed season on brant in the Atlantic coast States in 1933. During recent years the January inventory of waterfowl, taken annually by the Fish and Wildlife Service in cooperation with State conservation agencies, has indicated an encouraging increase in the populations of brant as the birds have turned to new food and as the eelgrass, here and there, has made a slow recovery. The brant was returned to the list of game birds in 1944.

Assateague Anchorage is a good place to look for the brant that winter on the refuge. The brant is smaller and shorter necked than the Canada goose; resting on the water it appears mostly dark, although showing the white under tail coverts. Unlike most geese, it habitually gets its food by "tipping" in the shallow water. In flight, brant move swiftly in long, undulating lines, seldom in the V formation of the Canada goose.

The black duck, the most important of all waterfowl to the eastern gunner, is the predominant species at Chincoteague. It is present in the refuge area throughout the year. From a small breeding population in the summer it builds up to a peak of 9,000 or 10,000 birds by mid-winter. During the spring months, with the influx of transients, the refuge is host to about 12,000 black ducks.

The black duck, the most important of all waterfowl to the eastern gunner, continent—in Ontario, Quebec, Nova Scotia, New Brunswick, Labrador, and Newfoundland, also in northeastern United States. Apparently the black ducks that winter at Chincoteague or migrate through this area use three principal routes in traveling from the northern breeding grounds to their winter quarters. These routes have been revealed by the actual recoveries of banded birds, and the comparison of the place of banding with the place of recovery.

One of the migration paths comes down from the vicinity of Lake Ontario across eastern Pennsylvania to the head of the Chesapeake and Delaware Bays. Another comes from the valley of the St. Lawrence down Lake Champlain to Long Island and thence down the coast. The third and apparently the most traveled route comes down the Atlantic coast from eastern Canada and New England. (See map.) Returns from south of Chincoteague have come from North and South Carolina.

These facts seem to mean that the majority of the black ducks that use the Chincoteague Refuge have been produced in eastern Canada and probably Maine, and that they travel through most of the Atlantic coastal States to reach their wintering grounds. This is a graphic illustration of the fact that waterfowl

conservation is a cooperative problem, and that a waterfowl refuge benefits not only the State in which it is located but many other States as well.

Hardy, wary, always adaptable, the black duck has held its own rather better than most other species. When drought ruined the breeding grounds of central Canada, most of the prairie-nesting ducks found themselves in serious trouble; the black, which nests over a vast territory east of the prairie country, was little affected.

On the other hand, the black duck, like many other waterfowl, has felt keenly the loss of the eelgrass. It is true that the eelgrass itself did not form an important part of the black duck's diet. But the many small sea animals—mussels, crustacea, worms, and the like—that lived on and among these plants were welcome variations in the predominant vegetable diet of the black duck. These were, of course, lost along with the eelgrass.

Fortunately, Chincoteague provides other foods for the ducks. Wigeongrass, which fills every pond and water hole on the refuge in the fall, is one of the best duck foods.

The Chincoteague Refuge also provides good nesting cover, with a minimum of interference from man and predatory animals. Although near the southern limit of the breeding range, the refuge adds more than a hundred young black ducks to the population each year.

Of other waterfowl at Chincoteague, the pintail and the baldpate (locally called wigeon) are among the most abundant. During an average spring season, for example, about 9,000 pintails use the refuge and about half as many baldpates. Other ducks that may be seen on the refuge marshes or feeding in its ponds are the greater and lesser scaup, green-winged teal, blue-winged teal, mallard, shoveler, gadwall, hooded merganser, ringneck, ruddy duck, and wood duck. Offshore there are thousands of scoters each winter. Smaller numbers of old squaws, buffleheads, American goldeneyes, and red-breasted mergansers appear regularly in the waters near the refuge.

Because Chincoteague is on one of the principal goose flight lanes of the Atlantic coast, large concentrations of Canada geese occur here during the spring and fall migrations. A thousand or more remain over winter.

Besides waterfowl, most of the common eastern birds have been reported from the Chincoteague area, and the field ornithologist can always count on running up an interesting list. Some 240 species have been identified on the refuge or in its immediate vicinity.

Shore birds as a group travel farther in their annual migrations, see more sunlight and less darkness than almost any other birds. Some of them nest near the northernmost limits of land; some winter in the most southern parts of South America. In the course of their annual flight between summer and winter homes, they visit our coasts, their migrations in general following the shore lines.

During the 1800's and early 1900's the shore birds were all but destroyed by heavy shooting. They were a favorite target of the sportsmen of that generation; they were also the quarry of market gunners, who shot them for the morsels of food their small bodies yielded. In the 1880's and later, the craze for feathers to adorn women's hats played its part in the slaughter.

Today the shore birds are protected by Federal law. Their habits make them particularly vulnerable: they raise a single brood in a season, lay on an average only four eggs, nest on the ground, and travel in dense flocks over the open seacoast. They could not long withstand the pressure of modern shooting.

While the nesting grounds of most shore birds are in remote areas, as yet little disturbed by modern civilization, this is not true of the wintering grounds. The Hudsonian curlew, several of the plovers, and many others winter in the grassy plains of Brazil, Argentina, and Peru. There agricultural developments have greatly reduced the areas suitable for the birds. Then, too, many of the shore birds are still subjected to heavy shooting in the West Indies and South America. For these reasons, they need all the help we can give them to maintain their numbers. By providing good feeding grounds along their migration routes, wildlife refuges are important aids in the conservation of the shore birds.

Ornithologists—both amateur and professional—find the Chincoteague Refuge one of the best places in the Middle Atlantic region to enjoy the spectacle of shore bird migration. Between 30 and 40 species have been recorded there during the spring and fall migrations.

Probably the best spot on the refuge to see a great variety of shore birds is along the shores of Assateague Anchorage. Look for curlews—large, rather long-legged brown birds with a distinctive sickle-shaped bill—in the fringes of

marsh grass that border the coves, or on the shellfish reefs. The curlews thrust their beaks deep into the holes of the fiddler crabs, or probe the mud of the reefs. Other large shore birds, slightly smaller than the curlews, are willets and yellowlegs (a). These birds feed mostly in muddy places, often on the banks of marsh creeks on the ebb tide. The whistle of the yellowlegs, high and clear but with a peculiarly soft quality, is one of the characteristic sounds of such places. Crow-sized, black and white birds with long red bills are oyster-catchers (b).

The smaller shore birds gather in enormous flocks on the mud flats to feed and rest. A single flock often contains a mixture of many species—the sparrow-sized “peeps” or least (c) and semipalmated sandpipers (d), the larger red-backed sandpiper (e) with its distinctive black belly, and sometimes the rarer Baird’s, white-rumped (f), western, and buff-breasted sandpipers. Sometimes a highly colored bird stands out among the others—a turnstone (g), unmistakable in its clean, sharp pattern of black, white, and chestnut.

The large black-bellied plover (h), one of the the handsomest of the shore birds, with its pale back and black under parts, is more likely to be seen singly or in small parties of its own kind. Even when all the shore birds within sight start up in alarm, wheeling over the flats in one of their indescribably intricate mass flights, the black bellies tend to keep to themselves.

On the ocean beaches look for the semiplumated or ringneck plover (i), the sanderling (k), and the semiplumated sandpiper. These birds feed at the very edge of the surf, snatching up the small crustaceans washed out of the sand, always seeming about to be overwhelmed by a breaking wave, but always somehow escaping.

The changing seasons at Chincoteague are reflected in the changing populations of the birds. The summer months are quiet. Except for a few black ducks and a handful of blue-winged teal, the thousands of waterfowl that wintered on the refuge have gone north. They are now dispersed over an immense area, from Greenland to Alaska. The migratory flights of waterfowl from the south have paused briefly at the refuge and now they, too, are gone.

Up in the marshes around Ragged Point the black ducks have been nesting. In April you might have found their nests here and there under the bayberries; in June the broods of ducklings, with their mothers, begin to appear in the slashes. Around the levels there are a few broods of the blue-winged teal, making its first slow comeback as a nesting bird in this region after years of scarcity. And early almost any morning of the summer you could see a bittern sinking through the tall salt meadow grass or hear the sharp clatter of the rails.

August passes into September, with its briskly cooler nights and shortening days. Since July the shore birds have been returning from the north, and now the beaches and the mudflats are crowded with them. September brings the first of the returning waterfowl, and toward the end of the month flocks of small land bird migrants appear. One morning tree swallows by the thousands are lined up, wing to wing, on the Coast Guard telephone wires for miles along the beach. Heavy flights of robins and flickers pass through; hawks—mostly the narrow-winged falcons and the accipiters—sweep down the coast toward the south. Then in October, when the marshes are silvered with frost in the mornings, the waterfowl begin to pour in from the north. Crossing the levels, you see flights of pintails circling the marshes, dropping down into the ponds. After a night of heavy migration, the refuge suddenly takes on new life as flocks of canvasbacks, redheads, teal, and baldpates rise into the air in noisy thousands.

Offshore, beyond the white lines of breakers, great numbers of sea ducks appear. Rafts of scoters parallel the beach from one end of the refuge to the other. Old squaws and goldeneyes congregate in the nearly landlocked harbor of Assateague Anchorage, following the oyster dredgers. These sea ducks flock around the boats so closely they are almost run down, diving for the small sea creatures and plants stirred up by the dredges. Canada geese are increasing day by day, flocking into the levels and Toms Cove, a few settling in around the marshes of Ragged Point and Sheep Ridge.

Through October, November, and into December the flights of waterfowl increase. Brant gather in the anchorage, a few whistling swans appear in the levels. The snow geese drift in, having made the long flight from Greenland and the islands of the Arctic Sea, with only one or two stops anywhere on the continent of North America.

Some of the waterfowl and all of the shore birds continue south after resting and feeding on the refuge. Other waterfowl remain, some of almost every Atlantic coast species. At Chincoteague the winters are not, as a rule, severe.

The blizzards and the heavy freezes that sometimes lock the Chesapeake in ice from shore to shore are here tempered by the bordering sea, and it is a rare winter when there is not plenty of open water on the refuge where the ducks can get at the wigeongrass and the sea lettuce, and plenty of snow-free marsh where the geese can pull up the roots of the salt meadow grasses.

The turn of the year finds about 30,000 ducks wintering on the refuge itself, another 10,000 or so on the bordering ocean and Chincoteague Bay. As for the geese, a fairly mild winter may see nearly 10,000 of them on the refuge—perhaps 5,000 snow geese, several thousand brant, a thousand Canadas. Black duck, baldpate, and pintail are more numerous than any other kind of fresh-water ducks; scoters and scaups outnumber all other sea ducks.

March is the time of transformation, the month when the great migrations start. Flocks after flock, the ducks, geese, and swans leave for the north. Others come in from the south, linger briefly, move on. By late April, all the waterfowl are gone, except for a few black ducks, teal, and baldpates.

April is the month of the shore birds. Although on an occasional day in March you may hear the high, clear whistle of the yellowlegs, the full tide of the shore bird migration does not reach the refuge until April. The piping, Wilson's, and killdeer plovers, the willet, the spotted sandpiper, and the oystercatcher stay throughout the summer as nesting birds. There are also little colonies of nesting terns, laughing gulls, and black skimmers on the beach at the southern end of the refuge, known as Fishing Point. But for the most part the activities of the refuge have reached their lowest point by midsummer—the ebb between the floodtides of migration.

Bird banding, an important activity at many Federal waterfowl refuges, helps trace the intricate pattern of bird migration. In the short time since the Chincoteague Refuge was established, banding done on this refuge has revealed many interesting and useful facts about the birds. These records are supplemented by the results of earlier banding in this area, carried on chiefly by John H. Buckalew, manager of the refuge.

Many different methods, all of them harmless, are used to capture birds for banding. Waterfowl usually are taken in a large, cage-like trap baited with corn. Once captured, the bird is banded by placing a numbered aluminum band around its leg. The band carries an inscription: "Notify Fish and Wildlife Service, Washington, D.C."

So far, most of the birds banded at Chincoteague have been black ducks and pintails. But during the winter of 1945-46, 10 different species of ducks, totaling 1,617 individuals, were banded on the refuge.

How migrating waterfowl make use of the chain of refuges along their flyways is clearly illustrated at Chincoteague—first, by recoveries of birds banded there, second, by recoveries at Chincoteague of birds banded elsewhere. These recoveries so far link Chincoteague with the following Federal waterfowl refuges: Parker River, Mass.; Bombay Hook, Del.; Mattamuskeet, N.C.; and Cape Romain, S.C.

Banding of black ducks has showed us how the migrating birds come down from Canada and New England (p. 8); it has also given interesting information about the way the ducks move about during the winter. Apparently they roam about over an area with a radius of a hundred miles or more. For instance, two black ducks banded at Chincoteague in December 1945 were recovered the following month, one in Salem County, N.J., more than 100 miles away, the other at Chesapeake City, Md., a distance of 115 miles.

As for the pintails, banding shows that the migrants that stop over at Chincoteague may continue all the way down the Atlantic coast. Pintails banded at the refuge have been recovered from North and South Carolina and Florida.

The most distant recoveries so far of any Chincoteague-banded birds are these: a common tern recovered in Puerto Rico, and a black duck at Tracadie, Nova Scotia.

As management of its marsh lands increases the production of waterfowl foods, creates more potholes and other water areas for the dabbling ducks, and improves nesting areas, Chincoteague will become increasingly useful as a refuge. About 10 years are needed before the results of management can be fairly evaluated. To see what can be accomplished by management, then, it is necessary to turn to refuges older than Chincoteague.

Bombay Hook Refuge, Chincoteague's nearest neighbor to the north, was established in 1937. An initial step in developing the refuge has been the creation of a fresh water area, 150 acres in extent, known as Raymond's Pool. Already this

area, which represents only a part of the proposed fresh water impoundments, has proved its worth. It is filled with a luxuriant growth of sago pondweed and other fresh water duck foods and has become an important concentration point for nesting waterfowl.

Management of the Bombay Hook marshes has increased the use of the area by ducks and geese more than 400 percent over a 10-year period. Records show that approximately 30,000 waterfowl were using this area during the fall months in 1936, just before the refuge was established. By the fall of 1942, this figure had been doubled. By the fall of 1945, more than 137,000 waterfowl were stopping for food at the Bombay Hook Refuge before continuing their journey South or settling down to winter in the area.

Then, too, the development of the Bombay Hook marshes has so improved the area as a nesting ground that the refuge annually adds thousands of young ducks to the waterfowl population. When the refuge was established, only nine pairs of nesting black ducks could be found. By 1941, natural breeding of black ducks in the refuge area had so increased that 6,000 young were produced. Two unexpected patrons of the refuge as nesters are the shoveler and gadwall, western ducks that have found suitable nesting conditions within the Bombay Hook Refuge and now regularly produce broods of young there.

Economic uses of the land included within the Chincoteague Wildlife Refuge continue as before the establishment of the refuge.

The famous shellfish country of the Eastern Shore of the Chesapeake surrounds the Chincoteague Wildlife Refuge. Chincoteague oysters have a widespread reputation for quality; perhaps the fact that they grow in water that is almost as salty as the open ocean accounts for their distinctive flavor. Although the region is best known for its oysters, clamming, carried on throughout the year, probably brings a larger income to local fishermen than the oysters do.

The establishment of a wildlife refuge has not interfered with the use of the area for shellfishing. The refuge itself contains about 250 acres of shellfish grounds. These consist of a narrow strip of flats between the tide lines, running in a long arc around the inside of Assateague Anchorage, and bordering the channel between the islands.

About 184 acres of these grounds are under cultivation. Before the refuge was established, the shellfish area was leased from the former owner of the property. It is now leased from the U.S. Government. One-fourth of the rental is paid to Accomac County, in which the refuge lies. The balance goes into the U.S. Treasury.

Cultivation of oysters as it is practiced in the Chincoteague area consists of bringing in small, seed oysters, planting them on leased grounds, protecting them from natural enemies, harvesting the oysters when they have reached good market size. Fishermen go down the bay to dredge the seed oysters from public oyster rocks, then bring back bargeloads of the baby oysters and sell them to growers in the Chincoteague area. After getting the best price they can for their load, the fishermen then plant the oysters for the purchaser, on whatever part of his ground he directs. These planting operations begin in the spring, continue all summer and into the fall. Fishermen spend many days, sometimes several weeks, dredging a salable quantity of oysters. During the spring and fall they run the risk that a sudden freeze may kill their bargeloads of oysters before they have disposed of them.

Clamming is practically a year-round occupation in the Chincoteague area. At low tide the clammers work the exposed mudflats in the marshes and scattered through the channels between the islands. The clams lie buried in the mud, in warm weather only a short distance beneath the surface.

Common methods of clamming during the summer are signing—watching the signs of a clam's presence in the mud and quickly digging it out with a short-handled, pronged hoe—and wading. An experienced wader, working in water neck deep, feels a clam under foot, quickly slides it up his leg, and tosses it into his sack. During the winter clams are taken by tonging.

Cultivation of clams is simple. Clam dealers who lease growing grounds save the smallest sizes—called buttons—out of each load they buy. They plant these small clams, allowing them to grow before marketing them. Clam culture does not require planting of shells and elaborate protection against enemies as oyster culture does; on the whole, therefore, it is less expensive and the returns to the grower are larger.

The wild ponies of Chincoteague have made the name of this small Eastern Shore island familiar to people all over Eastern United States. Chincoteague Island itself is no longer inhabited by feral stock; the herds graze on Assateague, Wallops, and a few other uninhabited coastal islands. But on the last weekend of July, in the annual wild horse roundup, animals from nearby islands are brought to Chincoteague to be sold, so this island still gives its name to the wild horses of the entire region.

Although historical facts about the origin of the horses are scanty, there is no dearth of legend. Some say they swam ashore from a vessel shipwrecked off this coast long before there were permanent white settlements in the region. Others will have it that pirates, systematically plundering coastwise shipping, used to put their horses ashore to graze on the islands.

From whatever stock the ponies descended, they are a rugged lot. Smaller than an average horse, larger than an average pony, their coats a bit shaggy and long, they bear the stamp of their wild seacoast environment. They live most of their lives within sight or sound of the surf, they crop the sparse marsh grasses, they shelter wherever they can when wild storms sweep up the coast. Once each year, men from Chincoteague Island come ashore, and the annual Chincoteague pony roundup begins. The animals are driven together on the beach; at low tide they are herded across Assateague Channel, swimming through water shoulder high to a man, to Chincoteague Island and into a 20-acre enclosure. There the annual pony sale is held, many of the buyers coming from hundreds of miles. The Chincoteague pony business is now largely in the hands of the town firemen, who own most of the stock, prepare for and manage the annual pony penning carnival and sale.

The establishment of a wildlife refuge on the southern end of Assateague Island did not interfere with the generations-old custom of grazing stock. Permits to graze 300 head of horses and cattle within the refuge property are now held by residents of Chincoteague. One-fourth of the annual rental for this economic use of the refuge land reverts to the counties in which the refuge lies. The presence of these grazing animals is not detrimental to the waterfowl for which the refuge was established. From the standpoint of the owner of the stock, the refuge has proved a better grazing ground than an uninhabited island. The refuge manager, patrolling the grounds, keeps a watchful eye on the stock and more than once has come to the rescue of a pony mired in the marshes, saving it from drowning on the high tide.

Use of the Chincoteague refuge for recreational purposes may be arranged through the refuge manager, who will give permission to visit the refuge at any time that the proposed use of the property does not conflict with the needs of the birds.

The establishment of the Chincoteague refuge has preserved, in a wild and unspoiled state, a stretch of typical Atlantic seacoast for the enjoyment of those who find relaxation and refreshment in the wilderness areas.

This refuge is one of the best places on the middle Atlantic coast for observing the seasonal migrations of shore birds, and is also a good vantage point for seeing migrating hawks and small land bird migrants. For this reason it is visited by many ornithologists.

The Chincoteague refuge provides a demonstration of practical conservation for Boy and Girl Scouts, sportsmen's associations, garden clubs, Audubon societies, and other bird and nature study groups.

Various organizations in the Chincoteague area regularly use the refuge for recreation or nature study. Scout troops find its varied terrain suitable for hikes and for practice in acquiring special camping skills. A group of horsemen from Chincoteague regularly receive permission to ride on the beach.

Assateague Island is a favorite fishing ground for surf casters. Many of them cross the inlet at Ocean City, Md., to the northern end of the island, and work down on the beach; others cross the channel from the town of Chincoteague. During the height of the surf casting season, as many as 50 anglers sometimes use the refuge beaches on a single weekend.

Senator BIBLE. I have no further questions, Mr. Callison.

Senator Simpson.

Senator SIMPSON. This brochure by Rachel Carson was published in 1947 and, of course, there was no thought of Assateague National Seashore then because we did not even have the proposed legislation.

Mr. CALLISON. That is probably right, sir.

Senator SIMPSON. So you admit the necessity to fit your pamphlet with the present request for the seashore.

Mr. CALLISON. I think so. My point, Senator Simpson, and the reason I should like to see this in the record, someday this booklet will not be available and I think it would be very valuable to have the information it contains about the wildlife resources of this area in the record which will find historians, college students, scientists, and political scientists studying it in years to come and not just because it was written by one of the greatest writers about these kinds of resources that this Nation has ever had. I think it is an extremely valuable document.

Senator BIBLE. Thank you, Senator Simpson.

Senator Jordan.

Senator JORDAN. No, sir.

Senator BIBLE. Our next witness is Francis Christy, vice president, Audubon Naturalists Society, Central Atlantic States.

Mr. Christy.

STATEMENT OF FRANCIS CHRISTY, VICE PRESIDENT, AUDUBON NATURALISTS SOCIETY, CENTRAL ATLANTIC STATES

Mr. CHRISTY. Mr. Chairman, Senators, I am Dr. Francis Christy, vice president, Audubon Naturalists Society, Central Atlantic States.

I am very pleased to have the opportunity of appearing here on behalf of our society's 1,800 members. I would like to read a resolution passed unanimously by our board of directors Tuesday night and to request insertion in the record of a copy of a column that appeared in the Washington Post last Sunday, March 14. This column, written by Irston R. Barnes, chairman of our society, expressed our views very clearly and in some detail.

Senator BIBLE. We will print the article from the newspaper at this point.

(The article referred to follows:)

The Naturalist

[From the Washington Post, Mar. 14, 1965]

CHINCOTEAGUE NEEDS PROTECTION

(By Irston R. Barnes, chairman, Audubon Naturalist Society)

I should like to interrupt my commentary on the President's highway beautification program to direct attention to a highway that must not be built; that violates every goal that the President has set for the highways and natural areas of today and tomorrow.

It seems to be a rule or law that special-interest groups will always try to secure destructive rights in any national park, wildlife refuge, or natural area. The present proposals to establish the Assateague Island National Seashore are the occasion for efforts that would destroy the Chincoteague National Wildlife Refuge on the southern portion of Assateague Island.

Senator Daniel Brewster of Maryland has introduced a fine bill, S. 20, to establish the Assateague Island National Seashore. It is cosponsored by Senator Joseph Tydings and 14 other Senators. Parallel bills, H.R. 2607 by Representative Samuel Friedel and H.R. 1730 by Representative Carlton Sickles, both of Maryland, have been introduced in the House. These deserve the active support of conservationists.

However, certain objectionable bills have also been introduced which, either as separate legislation or as possible amendments to the above bill, would destroy the Chincoteague Refuge. These are S. 1121 introduced by Senator A. Willis Robertson of Virginia; an identical bill in the House, H.R. 4426, by Representa-

tive Thomas Downing of Virginia; and a similar bill, H.R. 2071, by Representative Rogers Morton of Maryland, that includes the road, but otherwise agrees with the Brewster bill.

I have not sufficient space to discuss all the details of these bills, but a reference to three features of the Robertson-Morton-Downing bills will indicate the seriousness of the threat.

First, unlike the Brewster bill, these bills would provide for the construction of a highway the length of the island from the Sandy Point-Assateague Bridge south to the Chincoteague-Assateague Bridge, just west of the dunes.

This highway would destroy the refuge. It would permit intrusions every day throughout the year. It would bring too many people into areas that should be largely undisturbed. It would adversely affect not only the waterfowl for which the refuge was established, but also the shore birds and other migrants and summer and winter birds that use the area.

In connection with rebuilding the dunes to protect the whole island, a fresh water impoundment was created at Wash Flats. A recent count showed whistling swans, 3 kinds of geese, and 18 kinds of ducks using the area. Among waterfowl present in unusual numbers were 501 gadwall, 1,070 shovellers, and 93 hooded mergansers. The highway would destroy this area.

Second, the Robertson-Downing legislation would remove from the refuge control the present public-use area now operated by the Chincoteague-Assateague Bridge and Beach Authority and provide for the construction by private persons of suitable overnight and other public accommodations. The present use is restricted seasonally and limited to daytime hours.

Such construction could destroy all of the southern 4 miles of the refuge, an area required for the effective administration of the refuge in the interests of wildfowl.

Indeed, it would seem that self-interest would require even the people of Chincoteague Island to oppose this extension of their privileges, for it would take business from the town for the favored private concessionaire.

The Brewster bill wisely reaffirms the authority of the Fish and Wildlife Service over the public-use area at the southern end of the island.

Third, the objectionable bills would require setting aside "sufficient grazing areas on the seashore for the preservation and protection of the wild ponies whose natural habitat is Assateague Island." This is a real "sleeper." Of course, Assateague Island is not the natural habitat of the ponies. But more important, the ponies must be carefully limited in number if they are not to destroy the whole island.

The preservation of the island requires the building and maintenance of dunes. Great difficulty has been experienced in stabilizing the dunes because the wild ponies, with little else to eat, have been grazing the grasses planted on the dunes. If there is to be either refuge or park, the number of wild ponies must be strictly limited.

Senator Alan Bible's subcommittee of the Senate Committee on Interior and Insular Affairs is holding hearings on the sound Brewster bill, S. 20, and the unsound Robertson bill, S. 1121, on March 17, 18, and 19. Conservation organizations will support the former and oppose the latter. It would be desirable for individuals also to make known their positions in letters to Senator Bible.

Mr. CHRISTY. Thank you, Senator. May I read the resolution?

Senator BIBLE. You may read the resolution.

Mr. CHRISTY (reading):

Whereas the Audubon Naturalist Society of the Central Atlantic States is devoted to the conservation of the region's natural environment; to the enhancement of the region's recreational opportunities; and to the wise management of the region's wildlife; and

Whereas the society places great importance upon the public values of Assateague Island and upon the necessity for preventing uncontrolled private and commercial development on the island, and the society further considers the Chincoteague National Wildlife Refuge to be an irreplaceable natural resource of immense value to the region and Nation; and

Whereas the society feels very strongly that any road through, or any development of tourist facilities in, the area now managed as wildlife refuge would do irreparable damage to the refuge: Therefore be it

Resolved, That the society urges passage of Senate bill No. 20, introduced by Senator Brewster; and be it further

Resolved, That the society stands in opposition to any proposals for a highway through the wildlife refuge joining the bridges at the northern and southern ends of the island.

That is the resolution. Now I have a short statement I would like to make in addition to this.

Senator BIBLE. All right, Doctor, proceed.

Mr. CHRISTY. We feel that the cost of constructing a highway through the refuge would greatly outweigh the advantages in monetary terms and otherwise. There are two elements of these costs that I should like to mention specifically. The first is the damage to waterfowl habitat. This refuge is a very important way station for migrating waterfowl. To construct a 200- to 300-foot-wide road through it would destroy a considerable amount of habitat. In addition, the use of this road and of turnouts and parking areas along it would create severe disturbances.

I do not believe that the many hunters who through their duck stamps are paying for the wildlife would agree willingly to a proposal to damage an essential part of the system.

The second cost is equally significant, and here I would like to expand a little bit on Mr. Callison's statement. This is the cost of the lost opportunity to enjoy a wilderness-type experience. There are many people who value the opportunity to hike in areas that are free from the mechanical aspects of our civilization. They enjoy the opportunity to be away from people and the freedom from roads and automobiles. The Wilderness Act helps to meet their needs but almost entirely in the Western United States. Here there is an opportunity to preserve at least a small remnant of solitude for those of us in the East who like to be away from automobile traffic. There are plenty of opportunities, more than enough, for those who desire to drive to the seashore. The opportunities are almost nonavailable for those of us who like to hike away from the sight and sound of automobiles. This is a variety of our national environment. In similar terms, because more people enjoy beef than they do lamb, this does not mean that we should do away entirely with lamb.

Since there are more people that like to drive to the seashore than like to hike along it, I don't think we should do away entirely with the opportunity to hike along the seashore.

Therefore, in conclusion, keeping a road out of the refuge would serve two very valuable purposes. It would protect the refuge from damage and it would provide an opportunity for enjoying the seashore free from the sight and sound of traffic.

Our society strongly urges immediate passage of S. 20, without amendment, and opposes any highway through the Chincoteague National Wildlife Refuge.

Thank you.

Senator BIBLE. Thank you.

The Senator from Wyoming.

Senator SIMPSON. This road business bothers me, Doctor. I visualize that you would not want a big four-lane highway. I think Mr. Callison brought that out. I think it would be a two lane. This road that runs up, say 10 miles, you are in favor of?

Mr. CHRISTY. I think this is the way the parks propose their plan to provide the variety of opportunities that we would like to see. A road through that 10 miles is not, I think, necessarily a very bad

proposition, although myself, I might not prefer to see it at all. I think there is some justification for this. However, I think that below that conception we could maintain very nicely an opportunity for those of us who don't like to travel just by automobile to the seashore, for those who like to have access to beaches that we can hike along and not be disturbed by the roads.

Senator SIMPSON. I think there are many like you who want that type of satisfaction but it seems to me that if you don't have the complete circle which we have in the other, we have the inner and outer circle—of course there are many acres that come within the confines of that.

Mr. CHRISTY. That is right.

Senator SIMPSON. It seems to me it would relieve a lot of congestion. It seems to me that if you had the entire area you could still have it policed in such a fashion that you could live with the road all the way from the one bridge to the other. You don't believe that?

Mr. CHRISTY. I don't. I believe below that terminal termination of the road the necessity for constructing it as close to the beach as possible or at least as far away from the refuge as possible to protect the refuge values would mean that it would be virtually impossible to hike along that area and be free to the automobile traffic that would be going by.

Senator BIBLE. The Senator from Idaho.

Senator JORDAN. Doctor, I am concerned here, too, because other witnesses have testified that this area would be readily accessible to some 55 million people and the kind of use you are speaking of would be a very small percent of that 55 million. Now, I don't know to what extent the Federal Government is obligated to set aside areas that have a very limited use when the program is being sold to us on the basis of being readily accessible to millions.

Mr. CHRISTY. Senator, I think that the 55 million people have access to many, many other miles of driveways along seashores up and down the coast of the Atlantic from Cape Hatteras Recreation Area on north. They do not have access to areas where they can walk in unspoiled surroundings. It is not just that the 55 million people will be coming to Assateague Island all at one time, a very small portion would be coming there and there would be some among that portion who would value this experience that cannot be obtained elsewhere at the present time.

Senator JORDAN. You are right. But what percent of the people we are proposing to serve here would subscribe to that restriction?

Mr. CHRISTY. I would not maintain that those of us who value this kind of a recreational resource are in a majority. I don't think we are, but I think we are a minority and I think we are a minority perhaps whose rights should be valued and we should have that opportunity.

Now, obviously there are extremes. I would not maintain, for example, that we preserve such an area that may be used by one person every year or every other year. I think that the way it is proposed now we would find that the use of this would probably balance out very nicely, that those who would like to hike down along the unspoiled stretch could find it to their great enjoyment to do so. Now,

I don't know of any other public areas along the coast where this is possible at this time.

Senator BIBLE. Further questions?

Thank you very much, Dr. Christy.

Our next witness will be John T. Moton, president, Atlantic Ocean Estates, Inc.

STATEMENT OF JOHN T. MOTON, PRESIDENT, ATLANTIC OCEAN ESTATES, INC.

Mr. MOTON. Mr. Chairman, the honorable committee, my name is John T. Moton, real estate broker, occupation. I am president of the Atlantic Ocean Estates, Inc., and owner of 36 lots.

Atlantic Ocean Estates believes it is one of the largest property owners of Assateague Island, subdivided into lots, in the number of 3,600. Of this a considerable number have been sold.

This property lies within a few hundred feet of Ocean City, Md., one of the principal seashore resorts on the Atlantic Coast. We believe Assateague Island is one of the finest beaches with its white sand on the eastern coast. Atlantic Ocean Estates, Inc., regrets to have to give up this property, but its board of directors feel they wish to indorse the objectives in this undertaking.

Being a business associate in the motel industry, one of the largest in Ocean City, Md., seeing the large number of people coming each year and at times being turned away for the lack of room, I sincerely, believe the proposed plan for the acquisition of Assateague Island, which has been endorsed by the honorable Secretary of the Interior, Mr. Udall, will be of great benefit in the future to the people in the nearby States.

In view of this, Atlantic Ocean Estates, Inc., is willing to yield to our Government and give them our full support.

Thank you, Mr. Chairman and gentlemen of the subcommittee for giving me this opportunity to testify before your committee, in behalf of the Atlantic Ocean Estates, Inc.

Senator BIBLE. I would only have, I think, two or three questions.

Number 1, this acreage that you describe is immediately across the inlet and runs south toward the State park for how many miles, how far?

Mr. MOTON. I think we run $2\frac{1}{3}$ miles.

Senator BIBLE. You run $2\frac{1}{3}$ miles.

Mr. MOTON. Yes.

Senator BIBLE. And you say of this a considerable number of lots have been sold. How many lots have you sold?

Mr. MOTON. Approximately 300.

Senator BIBLE. Has that been paid for in full?

Mr. MOTON. No. I would say that it was about \$300,000 not paid for yet.

Senator BIBLE. I am sorry.

Mr. MOTON. About \$300,000 not quite paid off; the balance of \$300,000, sir.

Senator BIBLE. Approximately how much, what percentage is that of the total?

Mr. MOTON. I think it amounted to somewhere around a half million dollars.

Senator BIBLE. Sold about a half million dollars worth and you still have \$300,000 coming in under contracts of sale?

Mr. MOTON. That is right and then I would say that it is close to \$200,000 deeded off, mortgages held.

Senator BIBLE. Now, do any of these number of purchasers own their lots in fee at this time?

Mr. MOTON. Yes, sir, quite a few of them.

Senator BIBLE. How many?

Mr. MOTON. I don't have the exact information, but I would say maybe a hundred.

Senator BIBLE. That could be supplied for the record.

I do very much appreciate your appearance here. I have no further questions. I don't know if any other committee members do or don't.

Senator SIMPSON. Would the gentleman be available?

Senator BIBLE. I think he probably would.

That one bell signifies we must go to the floor of the Senate on the voting rights bill of the Judiciary Committee. This is a mighty important vote.

We will stand in recess. I think that we would be back here in about 15 minutes if you would make yourself available. Then our next witness after we return is Wallace Smith of the Ocean Beach Guidance Committee. He will be the next witness after you.

(A brief recess was taken, until 3:15 p.m.)

Senator BIBLE. The committee will come to order.

There appears to be no further questions of Mr. Moton.

Our next witness is Mr. Wallace M. Smith, the Ocean Beach Guidance Committee.

We are very happy to have you with us, Mr. Smith. I take it that you are accompanied by Mr. Ledbetter, is that correct, Mr. Smith?

Mr. SMITH. Yes.

Senator BIBLE. We have your prepared statement.

You may proceed in your own manner.

STATEMENT OF WALLACE M. SMITH, OCEAN BEACH GUIDANCE COMMITTEE; ACCOMPANIED BY I. L. LEDBETTER

Mr. SMITH. Mr. Chairman, if I may request, we have quite a lengthy statement here and in order to save the time of the committee and the rest of the people here I will try to paraphrase some parts of this statement.

Senator BIBLE. You can proceed in any way that you want because I am not going to cut anyone off on time. You may give your statement or highlight it in your own style.

Mr. SMITH. Thank you, Mr. Chairman.

Mr. Chairman, I may make one more remark before getting into the body of this statement.

Senator BIBLE. I wonder first if you would not identify yourself as to residence and who the Ocean Beach Guidance Committee is and what your profession is, and what Mr. Ledbetter's is and so forth. I don't think you are identified for purposes of the record.

Mr. SMITH. Yes, sir.

My name is Wallace M. Smith. I am an attorney and I live in Arlington, Va. I am an owner of property on Assateague Island, I have owned it since 1953.

Mr. Ledbetter is an engineer and is with the Federal Aviation Administration for the U.S. Government.

The Ocean Beach Guidance Committee is a group of property owners who have joined together to keep themselves and other property owners informed as to activities which may be of interest concerning their property and other matters, primarily for the Assateague Island area.

Senator BIBLE. Do you have any particular number of property owners that you represent or is it a rather loosely knit committee?

Mr. SMITH. We speak generally for all the property owners. I would say there are in excess of 1,500 of the property owners who have corresponded with us and that we correspond with.

Senator BIBLE. Thank you.

Mr. SMITH. I was about to suggest, Mr. Chairman, that the day which was set aside, August 11, 1964, of these hearings for the proponents and also the day yesterday used up by the proponents and more than half of the day today has created a bit of concern to the property owners as to whether or not they would be heard by the committee orally, inasmuch as these hearings have been scheduled only through tomorrow.

Senator BIBLE. You have to see how tomorrow is going to go. I think I made it abundantly clear, and I tried to do this just before we recessed for the noon hour, maybe the snow was joining up with your people because I intend to hear just as many people as I can. I don't know that I can hear 3,200 property owners, that might be an undue burden. You are a lawyer and I certainly want to avoid as much me-tooing or repetition testimony as I can, but you are certainly going to have a full day in court, you have no problem on that. We are going to run tonight for about an hour, be back in session tomorrow at 10. Whether we will clean up our witness list scheduled for today or not I don't know, but tomorrow the Senate will not be in session and this will give us a little more latitude.

We have a total of 67 witnesses and you are the 26th witness, so we are moving along pretty well. We are going to balance this time out just as impartially as we can.

Mr. SMITH. Thank you, Mr. Chairman. I think that clarifies this very well for the property owners who are here in the audience.

Mr. Chairman and gentlemen of the committee, the committee is aware of the geographical location, the physical characteristics, and the ownership presently of Assateague Island. In our presentation we desire to discuss these factors and others in determining whether or not the privately owned portion of the island should be taken by Secretary Udall and the Interior Department for a public recreational playground.

Senator Brewster and Secretary Udall testified before this committee last August that the Federal Government, from time to time, has conducted surveys concerning the possibility of acquiring Assateague Island for a national seashore area. An investigation by the National Park Service as long ago as 1935 recommended that the island be preserved as a national seashore park.

In 1945, Congressman Bland, of Virginia, introduced legislation in the U.S. Congress which would provide for Federal acquisition of practically all of the ocean shore of Delaware and Maryland and some similar acreage in Virginia. The total cost to the Federal Government at that time was estimated to be \$950,000.

In 1949, Congressman Bland introduced similar legislation which would provide for acquisition of a reduced amount of property along the same coastline for an estimated cost of \$1,500,000. No favorable action was taken by the Federal Government upon the legislation introduced by Congressman Bland in 1945 or 1949.

In 1950, Mr. Leon Ackerman, a Washington realtor, developed approximately 14 miles in the center of Assateague Island and commenced selling lots to the public. Enough of these lots had been sold to private owners that by 1955 the National Park Service in another of its seashore recreation surveys with reference to Assateague Island stated:

Present use: The area is the site of one of the largest seashore developments along the Atlantic coast. A hard-surfaced road has been constructed the length of the island and lateral streets have been graded and marked out. Several cottages have been constructed and several thousand lots have been sold.

Analysis: The advanced stages of real estate development appear to preclude the possibility of this area being set aside for public recreational use.

Mr. Chairman, in 1964 Secretary Udall made it known publicly that he would seek to take from the more than 3,000 private owners their property, representing about 6,000 half-acre lots. The Secretary is seeking such action notwithstanding the following facts:

(1) That most of the property owners have owned and paid taxes upon their property for a period of 12 to 15 years.

(2) That the property owners have held their property in anticipation of building when access to the island is achieved.

(3) That the property owners expended a quarter of a million dollars in seeking to build their own bridge.

Senator BIBLE. Would you elaborate on that? I don't understand that.

Mr. SMITH. This was over a period of years, Mr. Chairman, that stock was sold in the Assateague Island Bridge Corp. and that money was used to both acquire and prepare bulkheads for bridge approaches on both the mainland and the island approaches. This amounted to the figure here which we have quoted of around a quarter of a million dollars. This undertaking was never completed.

Senator BIBLE. That is what I wanted to develop. This is not the bridge the State of Maryland later came along and completed?

Mr. SMITH. No, it was never completed. It was never completed because there was never enough stock sold to complete the bridge.

Senator BIBLE. The stockholders put up approximately a quarter of a million dollars.

Mr. SMITH. Yes, and the property they still hold to the approaches to that bridge is quite valuable.

Senator BIBLE. Both sides of the bay, I guess?

Mr. SMITH. Yes, sir.

Senator BIBLE. Some of it lies on the mainland.

Mr. SMITH. Yes.

Senator BIBLE. Proceed.

Mr. SMITH. (4) That for a period of 10 years the property owners have worked with the Maryland General Assembly to obtain an access bridge to the island.

(5) That the access bridge, having been obtained, results not only in the possibility of carrying out the long-awaited construction plans but also increased property values of the owners.

We are of the opinion that the inaction of the Federal Government and its refusal to acquire Assateague Island, with full knowledge of its potential, for a period of 30 years, precludes it from now taking the island upon any basis except with the consent of the property owners. The conduct of the Federal Government over this period of time would lead any reasonable person to believe that he would be safe from governmental interference to enjoy any property purchased on Assateague Island. The subsequent act of over 3,000 persons in purchasing their property was based upon such a premise. These 3,000 people should not be injured now legally, morally, or financially through this belated change in the Government's position as evidenced by Secretary Udall's action.

It is interesting to consider the basis for the changed position of the Federal Government relative to Assateague Island. The basic reason put forth by Secretary Udall for Federal ownership of the island at this late date was the sudden discovery that a storm in 1962 raised serious doubts as to the feasibility of private development of the island.

The Ash Wednesday storm of 1962 devastated the Atlantic shoreline from New England to Florida and created far greater damage in other areas than on Assateague Island. Notwithstanding the fact that in the neighboring areas of Ocean City, Bethany Beach, and Rehoboth Beach, far more houses and buildings were lost than on Assateague and notwithstanding the fact that the ocean rolled over the protective dunes in these and other areas of the Atlantic coastline, Secretary Udall proclaimed that only Assateague Island was left unfit for private development. This announcement was made in deference to the fact that the storm deposited from 1 to 3 additional feet of sand on the island and that for hundreds of years the island has withstood similar storms.

Collateral arguments have been used by the Secretary and other proponents of the "Federal takeover" to supplement the one basic reason. We would like to comment on these in detail for the benefit of the committee.

According to Secretary Udall's testimony before this committee the Ash Wednesday storm of 1962, which caused many millions of dollars of damage to shore properties along the entire Atlantic coast, triggered his desire to examine the possibility of having the Federal Government "take over" all of Assateague Island not owned at that time by the Federal Government. This area represented the approximately 23 miles situated in Maryland. The 23-mile portion includes the 14 miles immediately north of the Virginia line known as Ocean Beach, the 2 miles north of that area owned by other individuals.

To start the ball rolling, Secretary Udall contracted with Robert R. Nathan Associates, Inc., for "an impartial analysis of the economics efforts on the local economy of Worcester County, Md.," through the

development of Assateague Island. So, from the basic reason stated by Secretary Udall for his interest in taking over the island then he branched out into a more comprehensive reason than the Ash Wednesday storm—namely his concern about the economic problem of Worcester County.

The Nathan report, to no one's surprise, considering the fact that Mr. Udall was paying the bill—rather the U.S. Government would be more technically correct, Mr. Chairman—came out with an overwhelming recommendation of Federal ownership and development of a national seashore recreation area. Private development of the island was given a polite brushoff. The report revealed the planned joint operation by the Federal and State of Maryland Governments of the northern 23 miles of the island.

The joint operation venture revealed in turn that Secretary Udall and his staff began to woo the political leaders of Maryland to the support of his proposal. A number of meetings were held between the Federal and State officials to determine the fate of the private property owners' interests. It is interesting to note that most of these were secretive and that at no time was a representative of the property owners or local county government allowed to attend any of the meetings.

The Federal-State relationship progressed in a very compatible manner and culminated in the introduction of a bill by Senators Brewster and Beall to carry out the desires of Secretary Udall. The bill provided among other things for—

- (1) Development of Assateague Island for private outdoor recreation;

- (2) Authorization of the Secretary of the Interior to acquire lands, waters, and other property, and to administer these as a national seashore; and

- (3) Authorization for the State of Maryland to acquire land from the United States for a State park on the northern part of the island.

The introduction of this legislation and great circulation of the Nathan report had a snowballing effect upon additional Maryland officials and political leaders. Governor Tawes, who had worked with the private property owners to obtain the access bridge to Assateague Island for many years, began his cooperation with Secretary Udall by requesting reports from various State agencies as to the proper method of developing the island. These reports appeared to be echoes of the Nathan report and will be commented upon below. The Governor nullified all of his work with and promises to the private property owners by agreeing with Mr. Udall's view of Federal ownership and development.

Representatives Long, Morton, and Sickles of Maryland and Downing of Virginia all jumped aboard the bandwagon in support of Mr. Udall's program for the island. Subsequently, Senator Tydings, who defeated Senator Beall, and other members of the Maryland delegation in Congress, endorsed the Federal approach. The fact that not one man in the Maryland delegation championed the private property owners position of private development was a tribute to Secretary Udall's powers of persuasion. On the other hand it was quite a strange political situation not to find at least one member taking the side of the "little man or underdog." Especially was this true when

the Maryland General Assembly, every elected official of Worcester County, and over 3,000 taxpayers were supporting private development of the island. Another strange development in this matter was the about face positions taken by Senator Brewster and Representative Morton who had written letters in opposition to Federal ownership. We would like to quote from these letters which already are a part of the record:

Senator Brewster: (p. 75 of the hearings of last August):

Let me state categorically that I believe the orderly and proper development of the island's full potential requires that the interest of both the public and private property owners be fully protected. I certainly respect the property rights of the individual owners who have patiently waited for many years to develop their property.

My statement that " * * * this still unspoiled beach and wildlife refuge should be set aside for public use and for the benefit of future generations," was made with reference to that portion of the island which the State of Maryland desired to purchase for a State park.

I believe the State's decision to purchase this portion of the island and preserve it for public use was a wise decision and certainly in the interest of all the citizens of Maryland. I further believe that the private development of that portion of the island generally referred to as Ocean Beach would likewise be in the best interests of all the citizens of the State.

The private development of that portion would have an extremely beneficial effect on the economy of Worcester County and the entire Eastern Shore. This dual development of both the private and public portions of the island is linked to the mainland by an adequate bridge, and it, therefore, follows that I would favor the construction of such a bridge.

Representative Morton (hearing, pp. 74-75):

You will have to search the record a long time to find any proposal of mine for a Federal takeover of any island, much less Assateague. I believe the proper mechanism for national park development is by acquisition of the property by the State, not the Federal Government. To me, this is an inherent State right. I believe that the Federal Government should only exercise its right of eminent domain in those cases where national defense and security of the Nation are involved.

I sincerely believe that public development of Assateague Island would, in the long run, accrue the most benefit to the people of Maryland, and in this area you and I perhaps have an honest difference of opinion. But, I would not in any way support a "Federal Government takeover."

The Nathan report and the report of the Bureau of Outdoor Recreation, Department of the Interior, which used the Nathan report as a basis, were used quite successfully by Secretary Udall. Both of these reports, however, suffer from a great usage of supposition, innuendo, misleading and nonfactual statements. A few illustrations will substantiate this charge.

The Nathan report states that under private development water and sewage facilities would be inadequate. Tests already made on Assateague and engineering reports reveal this statement to be false. Even though the statement be true, would it not apply as equally well to the Federal Government as to private development. Especially would this be important if, under Federal development, there would be 3 million visitors per year on the island by 1975 and an immediate annual visitation of 1,300,000. Incidentally, according to the report, this number of persons would never be on the island under private ownership. I might interject, Mr. Chairman, that those figures—3 million and 1,300,000—were the figures used in the Nathan report.

The supposition in the report relies upon a premise that only the Federal Government can prevent erosion of the island. For hundreds of years the island has been in existence and there appears to be no

likelihood of its disappearance within the next several hundred years. It may come as a surprise to some persons that the Ash Wednesday storm of 1962 really increased the height of the island. Erosion control of the island by owners will be just as effective as that by the Federal Government.

The report would lead—and this is the Nathan report I keep referring to—a reader to believe that the Ash Wednesday storm only did damage to Assateague Island. It is a well-known fact that millions of dollars of damage was done in Ocean City, Bethany Beach, and Rehoboth Beach. It may be of interest also, that the same storm cut inlets through Hatteras Island.

Senator BIBLE. I am sure that is correct. We know of the damage that was done to these other areas.

Mr. SMITH. This point was brought in simply to make that illustration and the fact that so many people in support of Federal development, Mr. Chairman, have stated that dunes put up by the Federal Government would seemingly protect it. We just say that the dunes put up by the Federal Government on the national seashore park in North Carolina did not prevent that.

Senator BIBLE. I think you are dead right.

Mr. SMITH. We think that is common knowledge, sir.

Senator BIBLE. Thank you.

Mr. SMITH. Thus, the fact that the Federal Government maintains the Cape Hatteras National Seashore provided no magic in preventing damage to that island.

The report reveals in part I, 2(c) entitled, "The Recreation Industry," that Ocean City, under private development, provided far greater recreational and economic activity than nearby Pocomoke State Forest. A public development of Assateague Island would be superior to private development.

The report reveals that—

while nearly 33,600,000 people live within 250 miles of Ocean City, 90 percent of them have access to similar shore recreation areas closer to home.

I would like to interject again that yesterday everyone spoke of this area of 50 million people. It was 34 million last August and today the statement is made that it has grown to 55 million people.

It does not appear to be reasonable that these people will go to the expense and additional time to go to Assateague Island when they have the same type of recreation closer to their homes. This would make the figure of 33,600,000 people ineffective as used in Secretary Udall's reasoning. Also, it would have a very great effect upon the estimated annual visitors made in the reports.

The report states that Federal-State development of the island will increase the value of the bay side of the mainland and cause it to be developed quickly. We submit that this has not been the result of the Cape Hatteras National Seashore and that over the years such has not resulted in the densely developed area of Ocean City and points northward. Also, such an argument could be used just as effectively for private development.

The report cites Robert M. Brown, Chief of the State of Maryland Department of Hygiene before the Maryland General Assembly on Assateague Island. He testified:

that any concentration of residential and commercial development on Assateague Island would make it a "cesspool paradise."

He further stated that—

no safe habitation could be established there without public water supply and sewage facilities impossible to accomplish within the resources of private people.

In denying an application for a health permit on the above reasoning the court stated the following concerning the agency's action:

It is difficult to conceive of a more flagrant case in which the action of an administrative agency could be considered more arbitrary or capricious and more of an abuse of discretion, or a decision more devoid of supporting facts and substantial evidence.

We think that reliance on such incidents as just recited reveals the ineffectiveness of the Nathan report. In addition, we would remind the committee that no engineering studies of the water and sewage subjects were offered by the Nathan Associates.

As a last illustration of the shortcomings of the Nathan report, we refer to its comments concerning the building of a protective sand dune. These were to the point that the cost would be prohibitive under private development. We can answer only that a 15-mile dune was built in 1950 by Mr. Leon Ackerman—one man. We are of the belief that 3,200 property owners, through combining their efforts, could provide adequate protection for their property.

There are other inconsistencies in the Nathan report, but we think the above makes clear the point that Secretary Udall and the officials of Maryland in use of it has not been on firm ground.

We would like to now discuss the hearing of August 11, 1964, before this committee concerning Assateague Island. There were many misleading and inconsistent statements made by the witnesses at the hearing. We would call attention of the committee to some of these. For instance:

Senator Brewster offered an amendment which was agreed to by all the proponents of the legislation for Federal development of the island. The amendment would provide for setting aside 600 acres near the Sandy Point Bridge for construction of motels, hotels, bathhouses, picnicking, and so forth, for overnight visitors. Such an amendment nullifies all effect of the Nathan report because it was predicated upon a basis of day-use only recreation area. With such construction and expensive dune protection, the impossible water-sewage problem, and the economic problem of private development all would have to be reconsidered and reevaluated. We think this a very important point for the committee to bear in mind.

Mr. Chairman, some of these quotes from the hearings occupy the next few pages, and I will try to run through those as quickly as I can.

Senator BIBLE. You are doing very well. I don't want to preclude you on any time.

Mr. SMITH. Thank you.

Senator Brewster stated at the hearings on page 16—

after extensive promotion and sales of land on the Maryland portion in the early 1950's, only a few houses were constructed.

The answer here simply is that there was no access to the island for bringing construction material except by ferry. Everyone knew the prohibitive costs.

Senator Brewster again stated (hearings, p. 17) :

* * * prior to the 1962 storm, approximately 50 summer homes existed on the exposed area of the Maryland part of the island. A ground check subsequent to the storm showed that only 18 remained, of which 7 were damaged.

I happen to be from North Carolina and my family has owned a cottage for 40 years on the Atlantic coast. In 1954 when Hurricane Hazel came within 20 miles of our cottage, there were 200 homes completely eliminated by that storm. Subsequent to that time all of those cottages have been rebuilt and are now standing in perfectly good order. We just give you a comparison of the happening in that particular area as to what happened up at Assateague in the 1962 storm and that nothing has been done to prohibit the rebuilding of those cottages and the carrying on of the summer recreational activity in private development in that area where it suffered far more extensive damage than on Assateague.

There was a comment of Senator Brewster on page 17 that all existing dunes had been destroyed. I think the members that were on the dunes know that quite a number of dunes remain on the island.

We thought it important enough to put in our statement Senator Brewster's hearings on page 17:

The experience with these disastrous storms made many lot owners on Assateague * * * more anxious to sell at a reasonable price to the Federal Government for the purpose of creating a national seashore.

We do not know what Senator Brewster means by "many lot owners" but certainly representatives of the lot owners would not agree with this statement and have no such knowledge. We think the Senator should supply the committee with such evidence. In fact, we think all of the many conclusions reached by Senator Brewster should be supported by evidence, inasmuch as it can be revealed that practically all of his conclusions are supposition only.

Senator Brewster (hearings, pp. 18-30) put into the record the reports of the State boards and commission relative to Assateague Island. The committee may wish to note that all of these are the same reasoning and recommendations of the Nathan report. It is quite amusing that some of these base their report on the Nathan report. This simply reveals the lack of any investigation on the part of these agencies. Take, for instance, the opening sentence of the State forests and parks commission, which reveals that its purpose is to justify taking the property from the private owners—

To establish and preserve Assateague Island as a great Atlantic coastline park for the use of the greatest number of people * * *.

The Maryland Economic Development Commission at the outset of its report states:

The department of economic development does not consider itself competent to comment as an expert on engineering matters. The questions involving water supply, sewage disposal, erosion control, and safety have all been thoroughly detailed in previous reports on Assateague prepared by other agencies. From a review of these reports, however, it is our belief that the questions of sewage disposal and water supply are sufficiently in doubt and controversial as to make any prudent man hesitant about the feasibility of Assateague being able to maintain such services. * * *

Again, a report on a report, and although admittedly not experts, this commission used two pages to come out with the same recommendation of Secretary Udall's Nathan report; namely, Federal development.

Here is something that we, as property owners, felt quite deeply about. Senator Brewster (hearings, pp. 36-41) inserted 10 editorials supporting Federal takeover of Assateague Island from the Washington Post, the Evening Star, and the Baltimore Sun. We would refer the committee's attention to these same newspapers and their activity relative to Assateague Island in the early 1950's. At that time Mr. Leon Ackerman, the developer of the island, was purchasing full-page advertisements from these newspapers at a very expensive rate for the purpose of selling lots to the readers of those papers. Those ads extolled the beauty, virtues, and the value of owning one's own oceanfront property on Assateague Island.

We wonder how many thousands of dollars these newspapers took for this advertising. There were no editorials then beseeching Secretary Udall and the Federal Government not to allow selfish individuals to usurp this paradise from "all the people." There were no editorials then stating the island was a "cesspool paradise" and the island was subject to being covered by water at any time. Why did not those newspapers have the courage and foresight 15 years ago to urge the Federal Government to take the island rather than taking the money of Mr. Ackerman and extolling the many wonders of the island and cause these people to make such moves in purchasing them.

Senator SIMPSON. It appears here that we take it for granted who Ackerman was. Who was this fellow and what did he do?

Mr. SMITH. I have not taken the time to explain to the committee Mr. Ackerman's position, his background, but as I stated originally at the start of my statement, he was a real estate developer.

Senator SIMPSON. He sounds like a promoter.

Mr. SMITH. Yes; he was the one that started acquiring this 14-mile central part of the island in the early 1950's and he was the one who promoted or developed and sold this property to the many people who purchased.

Senator SIMPSON. Thank you.

Senator BIBLE. Is Mr. Ackerman still alive or not?

Mr. SMITH. No; he is deceased.

Mr. Chairman, we believe this review of the facts reveals the nature of such conduct and negates any honest quality of such editorials.

Secretary Udall (hearings, p. 91) put a letter in the record from property owner, George Brickelmeyer, who recommended Federal development. This was one person's view of the matter. Approximately 95 percent of the property owners would not share the viewpoint of Mr. Brickelmeyer.

Secretary Udall (hearings, pp. 91-92) referred to the March 1962 storm as providing opportunities to regain both Fire Island and Assateague Island which had appeared to be lost for Federal development. He attempted to compare the owners of both islands as desirous of such Federal action. This committee is well aware of the opposition of the property owners of Assateague Island to such action. Again, it appears to be a very harsh decision of the Federal Government to subject a property owner to seizure of his property after an assault by a vicious ocean storm.

Now the next two or three quotes have to do with the proponents of the Federal development and the comparisons to some of their

statements about the unfitness of the island for private development and then as to opposite quotes of the same people as to the valuable property there.

The first one there, Secretary Udall says (hearings, p. 96) :

In fact this island is a sandpit.

Secretary Udall (hearings, p. 97) :

As you know, Senator, the beach areas are evaluated in terms of their sandiness and attractiveness. There are relatively few prime areas, such as Assateague, that have these qualities. The Park Service has studied the entire Atlantic coastline.

Senator Brewster (hearings, p. 36) :

* * * this magnificent island can pass unspoiled to the public * * *.

The report of the Forests and Parks Commission (hearings, p. 18) :

Assateague Island represents valuable real estate.

We cite the above statements to reveal the inconsistency of these persons who have characterized Assateague Island as an unfit place for the owners to live and develop their property.

Secretary Udall (hearings, pp. 98-99) reveals the inconsistency in the Assateague Island plan to create a State park within the national seashore with the general policy of the Department of the Interior, and evidently the policy of the U.S. Congress on keeping State parks separate from national parks. We wonder also at the injustice of the Federal Government taking our property and then giving it to the State.

The August 11, 1964, hearings before this committee had many references to the Cape Hatteras National Seashore Park by the reports included in the record and many of the witnesses.

The gist of these references was that Dare County, N.C., had experienced a great economic boom, that the natives were very happy over the Federal Government taking their land and that many other advantages had been brought about through this benevolent act of the Federal Government.

Mr. Chairman, I am a native North Carolinian and worked for 7 years here in Congress under Congressman Carl Durham of that State.

Senator BIBLE. A mighty fine Congressman.

Mr. SMITH. Thank you, sir.

I know the Cape Hatteras area very well and visit it often. Let me refer to what I consider a misleading comparison to this committee between Cape Hatteras and Assateague Island.

Specific reference has been made to this committee that the Federal development of Hatteras Island has raised the property values, increased business, increased revenues, and generally been responsible for the overall economic growth of Dare County. In the first place, no increased development has taken place along the western shores of the sounds and bays as has been indicated would take place with reference to the Assateague area.

Most important of all, there has been no great increase in the land values on Hatteras Island. Mr. Chairman, the great increase in land values has taken place in northern Dare County in places such as Kill Devil Hill, Kitty Hawk, Nags Head, and Roanoke Island.

These areas are far north of Cape Hatteras Seashore Park and have attractions which bring visitors who have no interest whatsoever in the national seashore.

Their hotels and motels are filled throughout the summer with people who enjoy the outstanding fishing, bathing, and summer activities of that particular area.

These people have no desire to travel 30 or 40 miles down to the seashore park where there are inadequate lodging facilities. Until last year, when a bridge was built across Oregon Inlet, there was a long crowded ferry ride across the inlet which made the trip an inconvenience. Especially was this true if you missed the last returning ferry because it meant you slept in your car all night, or somewhere. I am told that hardly a decent new motel has been opened on Hatteras Island in the last 5 years.

I am told also that the local businessmen are not impressed with some of the visitors to the campsites at the park. This is with reference to increasing the economy of the area. They say that such visitors add little to the local economy by not only bringing their food and lodging but actually bringing their gasoline from areas other than local.

Also, there still is much bitterness toward the Interior Department and the Federal Government from the local populace. Many persons say outright that the Federal Government took advantage of them in not paying a fair price for their property. One person told me that he will receive approximately \$35,000 for land which now would be worth \$3 million had the area been privately developed.

Senator BIBLE. You are a good lawyer, I am sure. That would be pretty speculative.

Mr. SMITH. It is speculative and I think you could say it is about as speculative as the claims of Federal redevelopment on Assateague Island.

Senator BIBLE. Well, I suppose there are varying viewpoints. You and I might look at the different problems differently.

Mr. SMITH. I think this is speculative, but I was told this personally, and I think he has no objection to his name being used. This was several waterfront properties on the Hatteras Island area itself.

Senator BIBLE. I am not questioning what you say for 1 second. All I am wondering is would you think that it would be a wise Federal policy to pull out of Cape Hatteras and turn it back into private development. Is that your principle?

Mr. SMITH. That is not the premise which I am putting forth, Mr. Chairman.

Senator BIBLE. Do you say it was great dissatisfaction at Cape Hatteras?

Mr. SMITH. And great bitterness.

Senator BIBLE. I was rather intrigued by the statement because I have talked with a good many of your North Carolina Senators and Congressmen and I rather got the impression that they felt this was a rather fine natural attraction to have insofar as the State of North Carolina as a whole was concerned.

I am just exchanging ideas with you because certainly I am sure the Federal Government is not trying to recreate one of these national seashores or national parks or recreation areas unless they are of some overall general benefit.

Mr. SMITH. Mr. Chairman, I think that in certain areas there can be very great beneficial effect from the Government going into these places and making recreational areas, developing them and the wild-life refuges, and I think all of our property owners would echo this thought.

In that particular area it is far different from Assateague Island, I would think, simply because we do not have the population down there and we have so much more property on the North Carolina coast than here in this area. Maybe this is an argument that you could say all the more reason we need it up here, but the land had not been owned by as many different people in that area, either, as here.

Senator BIBLE. Very fine. Pardon my interruption, Mr. Smith.

Mr. SMITH. Also, Mr. Chairman, and I think Senator Simpson mentioned this point in this morning's part of the hearing, much of the land is still tied up in court litigation which has not been settled although the park was started many years ago. There is no definite date as to when it will be concluded.

Senator BIBLE. Are you talking about Cape Hatteras?

Mr. SMITH. Yes.

As a summation we would like to leave with the committee these observations:

With reference to Federal costs for acquisition and development, the amount will run far above the estimates of Secretary Udall. In 1963, he estimated acquisition costs of land would be \$6.5 million. In 1964 he estimated this same cost to be \$16.8 million.

I think the gentleman stated earlier today that it would be \$16.2 million.

Upon our projected figures we estimated that the same property would have cost the private owners around \$19 million in 1954. Our basis was the pricelist of the lots being developed and being sold to the public by Mr. Ackerman.

In order to further substantiate our statement here, we believe the cost will run far above the amount of any \$16.8 million.

We refer to the comments earlier here today that already the Cape Cod costs are far above the original estimates. I think that some of these estimates by our Federal Government dealing with contractors and having to go into contracts for governmental purchases and developments that we have to look no further than our New House Office Building over here to see how some of these do get out of hand.

The development of the island according to witnesses in the past 2 days would require many millions of dollars and maintenance would add to that amount.

Mr. Chairman, we as taxpayers do not believe such expenditure of the Federal tax moneys is warranted for this activity. You heard Mr. Roy Tolbert testify Wednesday—yesterday—that Chincoteague Island has been under water from storms three times in his life and that he still will live on Chincoteague. As you know, Chincoteague is adjacent to Assateague and if it can survive without being taken over by the Federal Government we believe we can take care of ourselves on Assateague.

Senator BIBLE. I imagine they can probably survive but if I understood their statement with complete correctness they did want some assistance.

Mr. SMITH. I think that is true, sir. I believe in most of these devastated areas there is a general public policy when such happenings take place that the Federal Government steps in.

Senator BIBLE. I am not talking about devastation of farms. What I meant was the position of these people in that area on the south end of Assateague Island was that they would like to develop this 4 miles of beach; they would like to have the Federal Government reimburse them \$500,000 for bonds that have not been retired; they would like to have, in addition, \$250,000 to cover their interest and other factors. I think they are very happy to have "Uncle Sam" at least standing in the wings. I have at least gotten that impression.

Mr. SMITH. You are absolutely correct, Mr. Chairman. You are speaking of Assateague and I am speaking of Chincoteague; the island on which these people live; the island adjacent to Assateague.

Senator BIBLE. The point I was making was they said they could take very good care of themselves but they are still here asking "Uncle Sam" for aid.

Mr. SMITH. Chincoteague is not included. This is the island adjacent to Assateague which will not be included.

Senator BIBLE. I understand. The south end of the Assateague Island Seashore is included within it.

Mr. SMITH. Yes, sir; that is correct.

Senator BIBLE. Before you get off that paragraph I just wish you would clear up this one sentence because I don't know that I completely understand you.

Upon our projected figures we estimated that the same property would have cost the private owners around \$19 million in 1954.

Mr. SMITH. Yes, sir.

Senator BIBLE. Now how much did it cost the private owners in 1954? Are you saying that the private ownership of the lots on Assateague Island—the cost of purchasing those lots is \$19 million?

Mr. SMITH. No, sir; I am not saying that. It is simply a projection and I gave you the basis for our projection. Although I might interject here too, Mr. Chairman, while we would like to establish this in these hearings, you gentlemen have assured property owners that if the Federal Government takes our property that we should be reimbursed properly for it.

Senator BIBLE. I certainly believe that.

Mr. SMITH. Although we would like to have that established, this is not the point for doing that here.

Senator BIBLE. I understand the basic point. You don't want a national seashore; you want to develop it privately. I understand that main point. I was wondering why you said it would have cost the private owners around \$19 million in 1954.

Mr. SMITH. I think I can locate and provide for the record, Mr. Chairman, the pricelist which we used as a basis for this projection at that time in 1954; the pricelist that was put out by Mr. Ackerman.

Senator BIBLE. You mean sales price?

Mr. SMITH. This is right, sir.

Senator BIBLE. All right.

Mr. SMITH. Many of the property owners at that time paid that full price. It is my understanding that some of them who were good bargainers did not pay that full price but, on the basis of that price-list in 1954, the lots that were sold would have come to approximately \$19 million.

Senator BIBLE. If he had sold every one of the lots for the prices he had them listed on his brochure?

Mr. SMITH. Yes, sir.

Senator BIBLE. That would total \$19 million?

Mr. SMITH. Yes.

Senator BIBLE. But he didn't sell them all?

Mr. SMITH. No.

Senator BIBLE. He did not sell them for the price he had listed?

Mr. SMITH. No. As I just stated, there were the people who were, I suppose, in a position to bargain—and this is a supposition on my part, too—who did not pay the full price according to the list price at that time.

Senator BIBLE. The thing that interests me, certainly, is public knowledge because one would only have to go to the transaction deeds and to the revenue stamps and total up the purchaser who purchased that to find out how many people pay how much for how many lots.

Now how much would that total?

If we went over in the county recorder's office today, of Worcester County, and we took all the purchasers and we totaled them all up, how much would it amount to? Do you have any idea?

Mr. SMITH. No, sir; I do not have that. I think that that would be a considerable man-sized job because you would have to go through every one of them. I suppose it could be done.

Senator BIBLE. I just wanted to know. That information certainly must have been available. This Leon Ackerman, to whom you refer, are his successors still in business, or is he out of business?

You said he died. Does he have anybody that has taken over his business?

Mr. SMITH. I cannot answer that, Mr. Chairman. Maybe Mr. Ledbetter may be able to give us some information on it, I don't know.

Mr. LEDBETTER. It is our understanding that there is a company who has the old Ocean Beach and South Ocean Beach Corp. records for whatever value it is. Whether there are still property rights there, I don't know.

Senator BIBLE. My question is not a complicated one. All I wanted to know was how many people paid how much for the lots in 1954. I understand the point you are making. I don't want to belabor the point.

Thank you very much, Mr. Ledbetter.

Mr. SMITH. Mr. Chairman, to resume, I would like to make one comment here concerning Secretary Udall's repeated statements about Assateague Island is the only area left between Cape Cod and Cape Hatteras, N.C., for public development and which would be considered ideal territory for such recreational use and development.

Just south of Assateague Island itself we understand that there is in the neighborhood of 10,000 acres which is not nearly developed as Assateague Island itself is; that is, as far as having sales of property.

Now in last year's hearings also Senator Allott referred to a 43-mile stretch on the Virginia coast which is just south of Virginia Beach and we would call the committee's attention to those two areas and the possibility of taking that property if it is not as developed and desirous of ownership as Assateague Island is.

Mr. Chairman, for 10 long years the property owners have worked with the Worcester County local government and its representatives and the general assembly to acquire a bridge to Assateague. These efforts bore fruit in 1961 and Governor Tawes and Senator Brewster supported such a bridge and assured the property owners of their belief in private development. The bridge was completed last fall and now after all these years of effort, of final realization of our goal, of many years of paying taxes, not only does the Federal Government desire to take our bridge and property, but Senator Brewster and Governor Tawes support such action. We firmly are of the belief that the Federal Government in action and words for the past 30 years estops it from taking our property.

Gentlemen of the committee, the U.S. Government already is a colossal landowner and we think you are aware of that fact.

Already it owns a full third of the 2.3 billion acres of land in the United States. Another 5 percent is held by State and local units. At the present time we find from State and recreation publications that the States of Delaware, Maryland, New Jersey, Pennsylvania, Virginia, and West Virginia have over 136 State parks having a gross acreage of over 200,000 acres, 33 State forests having a gross acreage of over 390,000 acres, well over 127 special camping grounds, and innumerable camping sites and trailer sites in most of the State parks and forests.

These facilities range from primitive forests to ocean shore locations with many sites on shores, lakes, reservoirs, rivers, and estuaries. Not considering the Federal Government parks and recreation areas in the same States this is a lot of recreation acreage. Practically all of these facilities are within 250 miles of the centers of population that concern Mr. Udall.

We would urge utilization of the wildlife refuges for recreational areas.

We put this in here I suppose in ignorance to the gentlemen who have come today representing Fish and Wildlife Service. Our basis for such a reference, Mr. Chairman, is that the Parker River Refuge above Boston is being used as a dual wildlife refuge and recreational area. In 1962, this latter refuge had 232,500 visitors who enjoyed picnicking, swimming, outings, and various other activities. We believe that utilization of these refuges on a joint basis, including the Chincoteague Refuge which has been closed by barbed wire—even the beaches—from the public for many years, would provide adequate recreational areas along with all the State and county recreational areas, for the whole country.

We would also urge the committee to look into military areas and bases which are now being abandoned and closed by the Federal Government as a possibility for recreation use.

Mr. Chairman, we fail to see the logic of the Maryland State officials' and congressional delegation's desire to give away two-thirds of its ocean shoreline. The States of Virginia and Delaware, their

neighbors, have not seen any advantage in doing likewise. We cannot understand the desire to penalize prudent, farsighted people by giving their land for the enjoyment of those who had the same opportunity to purchase it but did not do so.

If I could interject another statement to that about the inconsistency of the people who have our destiny in the palms of their hands. Mr. Goldstein is the comptroller of the State of Maryland and is on the highest board of State of Maryland. He stated to this committee this morning that he has his 500 acres down in southern Maryland and he is putting it aside to save for the future. At the same time, he was urging you gentlemen to take our property and give it over to the Federal Government.

We fail to understand the legality of the Federal Government taking private property and then turning it over to the State of Maryland. We cannot understand the need for the Federal Government to have a park and the State of Maryland to have a park also, created from our property.

Senator BIBLE. That kind of puzzled me, too, as you know from my question.

Mr. SMITH. Yes.

From the above, Mr. Chairman, we have presented to the committee the many inconsistencies and conflicts of the proponents of the Federal takeover. We give one last such illustration. Representative Downing and Mr. Roy Tolbert testified Wednesday that Chincoteague is a depressed economic area. This points out the fallacy of the proponents' position that Federal development will assist the local economy to a greater degree than private development isasmuch as the whole lower end of Assateague Island is under Federal ownership.

We believe it to be a commonsense recognition that private development of the island will be far superior to Federal development. The erection of homes, businesses, motels, hotels, and water and sewage systems will provide year-round employment for thousands of people. No land would be withdrawn from the tax rolls, as in Cape Hatteras. Payrolls and profits would help this depressed area and parallel the administration's national policy of combating poverty. What can Federal development do in comparison? Private development is ready to commence this very moment. It would be years before the Federal development could provide any type of benefit to the users of the area or to the local economy.

Finally, Mr. Chairman, we would call to this committee's attention the harassment and conspiracy to deprive the private property owners the legal right to enjoy their property. In Senator Brewster's bill a person may have use of his property on the island if it were improved property prior to April 1963. What person would build on his property with that provision in the bill?

Recently the State of Maryland stopped the building of a bridge. This was to prevent the owners from carrying construction materials to the site which is now completed, as you know.

The Maryland General Assembly passed the bill in 1961 which authorized the State to build the Sandy Point Bridge to the island. The contract was let in 1963, 2 years later, because the State agency set the specifications so high that the authorized amount of money

was too small to meet the contract. Later the specifications were lowered. Approximately a year and a half later the specifications were lowered.

Mention has been made of the State health department's refusal to issue permits for septic tanks and the castigation heaped upon it by the court for its conduct.

The action of the Department of the Interior and State officials and representatives in developing the Federal takeover; without any notice or contact; without Worcester County officials, or private owner representatives is indefensible.

On Wednesday morning Senator Brewster and Governor Tawes, in their testimony before this committee, admitted freely and openly that the State had used every possible means to prevent any building or improvement by the owners on their property on the island.

It simply is incredible that these two high-ranking representatives of both the Maryland and Federal Government that they would aid and abet in preventing an individual from the enjoyment of his private property.

The whole fabric of our democratic form of government is based upon the protection of private property rights. Such actions as we have described above created the causes for our forefathers to migrate to this country. We submit to you gentlemen that we should not be treated in a criminal manner simply because we have purchased property on Assateague Island.

The acts described above provide a sad commentary on the direction in which our great country is traveling. We believe that any member of this committee and of the Congress who sat last Monday night in joint session and listened to President Johnson's address on "rights" can only be dismayed and embarrassed inwardly at the tactics employed by the proponents of this legislation which would take the private property of the 3,200 owners on Assateague Island.

We are eminently aware of the value of having recreational areas for the citizens of the country to enjoy. We cannot believe that the recreational values of Assateague will outweigh the many other values to be derived from private development as based on our comments to this committee.

Senator BIBLE. Thank you very much, Mr. Smith. This is certainly a carefully prepared statement and I do appreciate the appearance of both you and Mr. Ledbetter here today.

Let me ask you just a few questions.

Are you an attorney in private practice in law in Arlington? Is this what I understood you to say?

Mr. SMITH. No, sir. I am in association work.

Senator BIBLE. You are in association work. You are a legal adviser for various associations?

Mr. SMITH. For the American Mutual Insurance Alliance, a single association which is composed of fire and casualty insurance companies.

Senator BIBLE. I was not trying to probe into your private practice.

The extent of your representation of property owners on Assateague Island is how extensive? How many do you actually personally represent?

Mr. SMITH. I stated a moment ago, Senator Bible, that we had been in correspondence with in excess of 1,500 of the property owners. The chairman of this committee, I think, is in position probably to comment more intelligently on this activity or participation and I will ask him to answer.

Senator BIBLE. Who is going to do this, Mr. Ledbetter?

Mr. SMITH. Yes.

Senator BIBLE. While you are doing that, Mr. Ledbetter, maybe this question is more properly directed at you. But in the course of your statement I understood you to say that 95 percent of the property owners on Assateague Island were dead set against any type of a creation of a National Assateague Island Seashore. I think that is what you said.

Mr. SMITH. Yes, sir; that is correct.

Senator BIBLE. If that is your statement, I mean how do you document it? Do you have returns from the 3,200 owners?

Mr. SMITH. I will try to answer that, Mr. Chairman, inasmuch as I made the statement. We made that prediction simply upon the basis of the number of people that we have been in contact with and who have indicated their opposition to Federal development.

Senator BIBLE. Well, this is not an actual head count?

Mr. SMITH. No, proportionate percentage basis.

Senator BIBLE. I think you have a perfect right to make a forecast of that kind. I just wanted to know what you based it on.

Now, Mr. Ledbetter.

Mr. LEDBETTER. Mr. Chairman, we have been in correspondence with all the owners of record that we have which is some 3,000. We have been communicating with them for approximately a year giving them information and keeping them abreast of what is happening. This is more or less a worldwide representation.

The members are quite a few here but they go to all reaches of the world. So we have been corresponding with them and in our correspondence we offer such services as getting owners together for buying lots and selling lots and, in this activity I have 15 desirous sellers on my list and this is all I have who are interested at this time in selling.

Senator BIBLE. Selling to whom, to anybody?

Mr. LEDBETTER. To anyone. This many times represents hardship cases.

Senator BIBLE. This group that you represent, do you do this voluntarily or do you charge membership fees or how does it work?

Mr. LEDBETTER. No, this is voluntary, this is by contributions.

Senator BIBLE. They just contribute money toward your secretary or your office space or what?

Mr. LEDBETTER. For our communications.

Senator BIBLE. For your lawyer? I always like to see lawyers well paid. I may have to go back to private practice myself one of these days, you can't tell. Pay lawyers well.

Mr. SMITH. Mr. Chairman, if I may respond to that part, as Mr. Ledbetter indicated, this is simply voluntary, we have been paid nothing. We are out-of-pocket expense way behind the 8-ball. We have done this simply from the standpoint of interest in protecting our property rights.

Senator BIBLE. Just one further question that I have, and I think I understood your viewpoint very clearly. You seem to make a considerable point of the fact that through court action and otherwise you have been prevented from going out to where you own your lot or others have and starting to build. I am just wondering, as a practical matter, and with this matter of the creation or the noncreation of a national seashore pending—you are very obviously a skilled lawyer—if you had no restriction at all, would you go out and start building when this is hanging over your head?

This is what worries me a little bit. I can't see why you would go out and do that right now until the Congress does something one way or the other.

Mr. SMITH. This is very interesting, Senator Bible, and I can talk very sincerely about this. I spoke of my family owning a cottage on the North Carolina coast. I would call attention to the committee that there are hundreds of miles of our coastal area along the Atlantic coast that has no seawall or dune protection whatsoever and that people have gone out there and built their property. I think if I may anticipate Mr. Walker, who is an engineer, that he probably will tell you, and from our own experience on the North Carolina coast, and we are on an island area and this area is in some areas far lower than Assateague Island, if you build your house properly on stilts, pilings, whatever it is that you want to use, that you hardly would even need a dune out there.

As we have testified here, it is common knowledge of the committee, this island has been there for hundreds of years and the island is not going to wash away and leave the people there. There are some vicious storms, there is the need for a method of evacuating the island. In North Carolina our method is that the Weather Bureau, the TV stations, the radio stations, the highway patrol, the local county authorities, in time of hurricane threats the word goes out and everyone gets off the island for preservation of life itself.

In the most vicious of storms I say frankly that if the storm gets high enough it will wash anything in front of it away. We have not found this to be true.

Senator BIBLE. Mr. Smith, that is not really the point I was trying to get at. The point I am trying to get at, I am not questioning your judgment in going out there and building yourself a home, that is your business. My point is that in view of the fact that legislation pending in the Congress would you now, with this legislation pending, go out and build yourself a home when you didn't know whether this would be a national seashore or would not be a national seashore?

That is the only point I am making. I am not questioning your complete sincerity, you are obviously a very sincere man, both of you are, and you are right to go out there and build this home on stilts or however you do it where you have the ocean working havoc as it does, it seems to me that is your business. Would you do that until this was determined one way or another? That is all I am asking.

Mr. SMITH. Rather than give a yes or no answer to this, and I think that a lot of people would have hesitation in going out there in the face of this legislation to build, but I do believe, Mr. Chairman, that any man should have the right to go and build his property out there or act on his property any way he desires. No longer than 2 weeks ago

I probably was unintelligent enough to ask Mr. Walker about putting in some pilings for me to build my cottage, not to try to do anything in an underhanded method or such as that, but I don't believe it is constitutional as a lawyer to have a retroactive application from the Federal Government to the treatment of your property prior to the Federal Government's taking of that property. I think if anyone went out there and built that the Government should either allow them its 25 years of free enjoyment or else pay them the fair market price, all costs involved, of putting that property up.

Senator BIBLE. Then what you are saying, if I can summarize it—we are having a friendly little visit and I want to get your viewpoints because after all I don't think any of us here at the committee table today particularly asked to get into this particular problem. We can see some headaches and some controversy and some things going wrong with it. It is part of our job. We do the best we can.

If I understand you correctly, then, your feeling is that if Mr. Ledbetter at the present time had a home or a cottage, and maybe he does, on Assateague, he is entitled to a 25-year term there pursuant to this legislation which you should also have the same right providing that you would build a home there before the act became effective.

Mr. SMITH. This is my opinion. I may be wrong, Mr. Chairman.

Senator BIBLE. I do not know if you are right or wrong. I used to practice law but I am a little rusty on it. I just wanted to pinpoint your position. I appreciate the frankness of your answers because we are trying to get everything out on the table and meet this problem headon as best we can.

The Senator from Wyoming.

Senator SIMPSON. Mr. Chairman.

That was a very good statement you made, Mr. Smith. I am glad to see that you people still believe in the sanctity of property rights in the country because if we don't do that I think our prospect as a great Nation goes down the drain.

By the same token the national interest, which is the shibboleth in my language, if it transcends that of the private owner under the guise of a national intervenor taking these things away, once a condemnation proceeding starts the title is in the Government and your only recourse is to bring suit.

Mr. SMITH. Yes, I am aware of that.

Senator SIMPSON. You oppose it in the court.

Now we flew over that area the other day. I don't want to insult anyone here but I was quite surprised at the look that I had because it seemed to be a pretty forlorn place. I did not see any buildings of any value except one big one over on the western side in the area from Ocean City up to the end of the island.

These lots there, according to your calculation or the best evidence you can get, how many lots are there, 3,200?

Mr. SMITH. No, sir. There are more than 3,200. We have, as I said, approximately in the Ocean Beach development area around 6,000.

Senator SIMPSON. How much was paid for a lot?

Mr. SMITH. There were different prices, sir. Here is the pricelist.

Senator SIMPSON. That will go in the record?

Mr. SMITH. Yes, if Senator Bible so desires.

Senator BIBLE. I am very happy to have that introduced in the record for whatever weight it should be given because the list that you are producing, and I am perfectly happy to have it in the record, does not prove that that is the amount that the lots were sold for; isn't that correct?

Mr. SMITH. I think all you can use it for is a guide, sir. I think there are probably some people, probably Mr. Walker, who can give you some more enlightenment on that than I can.

Senator BIBLE. Yes.

(The document referred to follows:)

South Ocean Beach price list, effective Sept. 15, 1954

Residential lots:	Price
Ocean-front lots-----	\$6,500
Corner ocean-front lots-----	7,250
1st block (non-ocean-front):	
Lots 5, 12-----	4,000
Lots 6, 11-----	3,000
Lots 7, 10 (facing Baltimore Blvd. corner)-----	3,500
Lots 8, 9 (facing Baltimore Blvd. inside)-----	3,000
2d block:	
Lots 1, 4 (facing Coastal Highway, corner)-----	2,000
Lots 2, 3 (facing Coastal Highway, inside)-----	1,750
Lots 5, 6, 11, 12-----	2,500
Lots 7, 10 (facing Baltimore Blvd., corner)-----	3,500
Lots 8, 9 (facing Baltimore Blvd., inside)-----	3,000
3d block:	
Lots 1, 4 (facing Coastal Highway, corner)-----	2,000
Lots 2, 3 (facing Coastal Highway, inside)-----	1,750
Lots 5, 6, 7, 8 (facing Washington Blvd.)-----	1,750
4th block:	
Lots 1, 2, 3, 4 (facing Washington Blvd.)-----	1,750
Lots 5, 6, 7, 8 (facing Sunset Blvd.)-----	1,500
5th block:	
Lots 1, 2, 3, 4, 5, 6, 7, 8—all lots-----	1,500
All other lots west of Bayview Blvd. (except those specially priced for proximity to water)-----	1,250
Commercial lots:	
Ocean-front lots-----	7,500
Corner ocean-front lots-----	8,500
1st block:	
Lots facing park-----	4,750
Lots facing park (corner)-----	5,500
Lots not facing park-----	4,000
Lots not facing park (corner)-----	4,500
2d block:	
Lots facing park-----	4,000
Lots facing park (corner)-----	4,500
Lots not facing park-----	3,000
Lots not facing park (corner)-----	3,500

Senator SIMPSON. Maybe this question can go to Mr. Ledbetter.

Do you know the area, can you determine the area of those lots with your people on the island looking at it?

Mr. LEDBETTER. It takes a survey, Senator Simpson. It would take a survey, each man would have to have his lot surveyed again. However, there are survey markers all up and down the island. In fact, I was over there Saturday, Mr. Walker, and I were, and were locating some of the original markers of the original survey in the platting of the development.

Senator SIMPSON. Is the title to the property good?

Mr. LEDBETTER. Yes, sir; it is. I have title insurance, Baltimore Guaranty.

Senator SIMPSON. You can see there is sweeping over America at the present time on the part of many, many people to get greater recreational areas, greater opportunities for people in urban centers to get out and rough it up a bit on the sand dune and maybe come out to our beautiful parks in Wyoming and Colorado and the western country, Idaho and Nevada.

Even the AFL-CIO testified here that they are getting a lessening of working time, shortening the workweek. I don't think it goes to the extent of every day being Sunday by and by, but it is obvious that they want their working people to have access to the Indiana dunes and the Oregon dunes and to this area and they are asking you to give up your property interests because the national interest is best served by establishing a national seashore.

After hearing you I have grave doubts that they got the best of the argument.

Mr. LEDBETTER. Senator Simpson, I don't think these owners have ever said that this beach and all would not be available to the public; it would be. This is not a private club-type thing. The beaches and so forth are only community property owned by all the owners. If some one has to take it over he then has some entitlement to the beach, and we have never said that we would bar the public from the use of the beaches.

So the area will be available to future generations.

Senator SIMPSON. I am just pointing these things out to show you this committee has a new attitude in recent years and that is to determine the benefits of private ownership and benefits of national ownership. I happen to be unalterably opposed to the national ownership of these many areas. Of course, this has had a great effect upon our State. I am a little worried about the titles. I am a little worried about the prospect of building on an area like that and I would like to hear some evidence from you or somebody whether or not they propose any widespread building boom.

Mr. SMITH. Senator Simpson, I would like to respond to that and give you another illustration. The island which I mentioned my family has a cottage on in North Carolina had spots on it below sea level. Thirty years ago that island looked worse than the one which you flew over Saturday. There was absolutely no road. We had a ferry across to it the same as we had prior to this bridge being built over the Assateague. That ferry was hung on a cable that had an old motor on it and you just went across and back in one area on the cable. We just had jeeps or we had to go in and out of the island or the length of the island twice a day, and this was when the tide was going out.

Today this island has a hard surface road the entire length of it. It has electricity on it and it is fully developed, there are businesses there, there are cottages the complete length of it, and in the low spots it has been dredged by geniuses in private—

Senator SIMPSON. Are you pointing out it may become subject to the acquisition by the Government?

Mr. SMITH. No, I am saying as to what Assateague Island can become. These low spots down there—

Senator SIMPSON. But it has not become in all these 200 years.

Mr. SMITH. One of the reasons it has not developed quickly here, as I pointed out, we have had many roadblocks put in our path, Senator Simpson.

Senator SIMPSON. That has been fairly recently.

Mr. SMITH. But the property has only been sold in the process of 15 years. Since that time we have had no access to the island. The people are really champing at the bit. I think Senator Brewster, Secretary Udall, and Governor Tawes pointed out if this committee does not act now to take our property away, this thing is going to be built up overnight.

I might point out, too, that there are zoning laws, ordinances already in effect. The platting, the planning of this island and the property there in the 14-mile stretch is one of a modern, really magnificent layout for a recreational or coastal area.

Senator SIMPSON. Does the storm situation deter building there, do you think?

Mr. SMITH. I do not believe so; no, sir. I think the points that we have enumerated to this committee are primarily responsible. Up until the last 2 years the greatest hindrance to any development or building over there was simply that you could not get your property across. I have heard it stated that it would add from \$2,000 to \$3,000 additional just for transportation of your materials, if you wanted to build a modest cottage over there, by this ferry, and that is what we mean by prohibitive costs.

Senator SIMPSON. Do you know what the assessment value of this property on Assateague Island is in the county records? Could you get that data and information?

Mr. SMITH. I think the county commissioners are going to testify here and I am sure they can provide it.

Senator SIMPSON. Very good.

Senator BIBLE. Further questions?

The Senator from Idaho.

Senator JORDAN. Mr. Smith, your testimony here today is a valuable addition to the record on these hearings. It is a very difficult position the members of this committee are in to have to make a judgment sooner or later on what the public interest is and to what extent the public interest transcends real property rights. It is not an easy question and I am grateful to you for your forthright presentation of the case for the property owners here. I say in all sincerity that all of us aspire some time or other to own a piece of surface of the earth in a desirable location but the regulation to build a home and to what extent those ambitions must be thwarted and set aside in the public interest is really something to weigh with a great deal of thought and consideration.

I do not have any questions, just that statement.

Mr. SMITH. I would like to state, Senator Jordan, that this is a heavy responsibility upon you gentlemen, we realize that. We think ourselves a peculiar case, though. As we pointed out, we think that the Federal Government has had ample time to take this property. Less than 30 years ago it was, I think, at least one gentleman is going

to testify that he himself contacted the Interior Department and said why didn't they take it. Now they did not take it but they come just when our bridge is built, and we were the ones that brought this bridge about primarily with our continual work for years with the General Assembly of Maryland. Just when we get accomplished what we thought we could do to enjoy our property, then the Federal Government comes in.

We don't believe this is equitable. We know the interests of the many do transcend the interests of the few, but we still believe that there is some equity in private property ownership.

Senator SIMPSON. The letters communicated back and forth by individuals certainly set up a case against the Government. We are a little bit hog-tied.

Mr. SMITH. That is true, sir.

Senator BIBLE. Gentlemen, you are both splendid witnesses and I appreciate your being here. It is now 20 minutes to 5. We will be in recess until 10 o'clock tomorrow morning.

I would like to mention here that if there are any persons who cannot be here tomorrow and were scheduled to be heard today, we are happy to receive your statements and make them part of the record. I do not want you to make a long trip back, whatever you are going to do. We are going to be here tomorrow. If you are here, we will accommodate you. I would like to start off with the witnesses I have here but I did make a commitment to hear your Senator and delegates from Worcester because they are in legislative session, and I will have to hear them first at 10 o'clock. Then we will revert back to the next name on the list we have here.

If any of you want to leave a statement, you are welcome to leave it.

I have a statement of Dr. Spencer Smith of the Citizens Committee on Natural Resources that I would include at this point as if read.

STATEMENT OF DR. SPENCER M. SMITH, JR., SECRETARY, CITIZENS COMMITTEE ON NATURAL RESOURCES

Mr. Chairman, I appreciate the opportunity to present the views of the Citizens Committee on Natural Resources in regard to the proposed legislation, which would authorize the Assateague Island National Seashore. The Citizens Committee on Natural Resources is a national conservation organization with offices in Washington, D.C. I am sure that the members of our board of directors are well known to the committee and the committee has appreciation of their long-time professional abilities in the general field of natural resources conservation.

The citizens committee has been interested for a long period of time in affording some protection for Assateague Island. We supported the legislation in the 88th Congress but the matter did not come to full fruition at that time.

The two principal measures before the subcommittee are S. 20, introduced by Senator Brewster and others, and S. 1121, introduced by Senator Robertson. Both measures seek to establish Assateague Island as a national seashore. We support, therefore, the purposes of both measures. However, our strong preference is for S. 20.

The difference between S. 20 and S. 1121 is an apparent difference in philosophy. The concept of preservation of certain parts of our national seashore has been developed and debated; quite obviously the type of uses was at the focal point of such debate. The policy began to emerge in the authorization and further implementation of the Cape Cod National Seashore, Padre Island National Seashore, Point Reyes National Seashore, and, most recently, Fire Island National Seashore. The establishment of each of these areas presented some perplexing problems, and the Congress and the administration developed a wider use of techniques in the acquisition and development of these areas. In all instances it appears that a real effort has been made to preserve the area in a state that first called attention to its uniqueness. No one, however, offered programs that would restrict uses as they are so restricted in national parks, wilderness, and similar areas. At the same time, the concept of more Coney Islands and Jones Beaches were likewise rejected. As we understood at the time of authorization of the four national seashores, the principle was a combination of moderate to heavy use. In no instance, however, were uses to be permitted that would be such as to negate the very purpose of establishing the area in the first place.

In the instant case we have no quarrel with the area defined in both Senate bills or with the method of acquisition and the management plans for handling improved properties. Neither do we oppose the hunting and fishing provisions provided that they are carried on under State laws and, further, provided that the Secretary shall not be under constraints in the proper zoning of these activities in his administration of the area, for the principal purposes of the act.

Where the two bills are in conflict is in the establishment of a road through the Chincoteague National Wildlife Refuge, which would connect the Maryland bridge and the Virginia bridge. We strongly oppose paragraphs (a) and (b) in section 7 and section 9 of S. 1121. We cannot think of any program more incongruous with the concept of the act itself. It has been observed by some that with a road, more people would be served. If this is the only criterion to be followed, Ocean City, just a few miles distant, and Rehoboth Beach in Delaware accommodate far more people per square foot of beach than would be possible on Assateague Island. Certainly, the area is for public use. But it is the quality of such public use that we felt was a paramount consideration. S. 20 and the supporting testimony of the Department appears to us to be a most balanced program of use. It has also been suggested that a road going through this area would not do significant damage to the wildlife in the refuge and that this was a good example of multiple use. Taking the latter concept first, this is a convenient distortion of the concept of multiple use. The Congress has carefully delineated this concept of multiple use, and Senator Clinton P. Anderson, at the time of the hearings on the wilderness bill stated that, at no time did multiple use mean that every conceivable use to which the area might be put had to be practiced simultaneously on every foot of ground involved.

No one should argue that the present plans for the development of Assateague Island is incompatible with multiple use. Quite the contrary, it is an excellent demonstration of it. Some area of the island will be used intensively, in some cases public recreation will be heavy. In some areas there is opportunity for individuals who seek a differ-

ent kind of recreation, where quietude and lack of crowds will be paramount objectives in their visit. Concomitantly with the above, is the enhancement of wildlife which in turn provides enjoyment not only for those immediately involved, but for those who are interested in the propagation of wildlife throughout the eastern part of the United States. One can hardly find an area of this size under the proposed program that has such significant multiple use.

It is those who would be their bringing the maximum number of people that the island might support that are the advocates of a single use. Despite the testimony of the best biologists in the country, these advocates of single use continue of the opinion by means of simple observation that a road through the refuge would not hurt much. The wildlife refuge area is represented by better than 20 years of slow and often agonizing effort. Improvement of habitat and the constant scientific study has been necessary to say nothing of the million dollar support by the Federal Government. It should be pointed out also that the land was acquired originally by the sale of duck stamps by sportsmen all over the country.

Only recently the Congress gave approval to increase appropriations, in order to accelerate the acquisition of wetlands. The reason for this action was the serious disappearance of habitat for migratory birds and other wildlife. To turn away, at this point, from a serious effort to increase habitat and directly remove a part of it seems to be folly of the highest order. This conclusion, of course, presupposes that the construction of a road would have deleterious effects for which there has been ample evidence. The layman's knowledge that some particular species of wildlife would be unaffected by the road does not vitiate the basic testimony of qualified biologists. A variety of species are cared for in this particular refuge and many of them would be adversely affected. The size of the area is barely sufficient for its major purpose and the location of the roadbed would take anywhere from 150 to 300 feet as a right-of-way, to say nothing of the area that would be involved at the time of construction.

The point has often been made that gun clubs and shooting clubs are in close proximity to the refuge. No one would argue that in all instances this is good, either at this refuge or at other national refuges. The alternative, of course, is to extend the refuge as far as any area suitable for wildlife is involved. This, of course, is impossible and the Fish and Wildlife Service has, for a period of years, attempted to work out and negotiate methods that would effect the least interference with the purposes of the refuge and the most protection. To argue, however, that since we cannot eliminate all the hazards we should, therefore, make no attempt to eliminate those which we can very well control, does not offer appropriate guides for management.

There are also those who contend that the refuge is being sealed off and access to these areas are being denied to the public. This is not true, and the best example of it is in the fact that some 135,000 people have visited the 4 miles of beach area in the refuge. Public Law 87-714 recognizes that there are certain activities for public recreation that are compatible with the purposes of the refuges. The law states that such activities can be permitted where it is appropriate for incidental use but adds further that this use must be "compatible with the primary purpose of such areas." To continue administration of As-

sateague Island under the present proposed plans for management of the area would provide foottrails and other recreation activities that were compatible with the primary purpose of the refuge. By the same token this activity is desired and sought by a great number of people and it is not a recreation activity that can flourish with throughway traffic.

We hope that the integrity of the Chincoteague National Wildlife Refuge can be continued under the protection that has been afforded it for better than 20 years. If this seems impossible, rather than downgrade the refuge, we would prefer to see the refuge excluded from the national recreation area. We hope that if the Senate acts favorably on the legislation it would choose S. 20. If on the other hand, the decision of this committee should be in favor of S. 1121, we would hope that paragraphs (a) and (b) of sections 7 and 9 would be removed from the proposal.

We thank the committee for the opportunity to present our views. Senator BIBLE. The committee will be in recess until 10 a.m. tomorrow.

(Whereupon, at 4:40 p.m. the committee was recessed, to be reconvened at 10 a.m. Friday, March 19, 1965.)



