

1040

9034
IN 8/13
G 79s/2/967
967

GREAT SALT LAKE NATIONAL MONUMENT

74
. In 8/13
G 79 5/2/
967/ PT. 1

GOVERNMENT
Storage

HEARING

BEFORE THE

SUBCOMMITTEE ON PARKS AND RECREATION

OF THE

COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS

UNITED STATES SENATE

NINETIETH CONGRESS

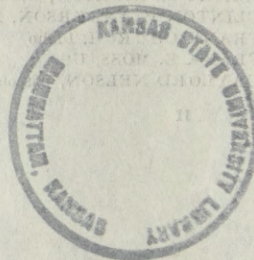
FIRST SESSION

ON

S. 25

A BILL TO PROVIDE FOR THE ESTABLISHMENT OF THE
GREAT SALT LAKE NATIONAL MONUMENT, IN THE STATE
OF UTAH, AND FOR OTHER PURPOSES

MARCH 13, 1967



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

U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1967

76-766

74
 E/8 NI.
 /S/6 P 2
 1.79 / 720

CONTENTS

S. 25-----	Page 2
Departmental reports:-----	
Bureau of the Budget-----	3
Interior-----	3

STATEMENTS

Bennett, Hon. Wallace F., a U.S. Senator from the State of Utah-----	10
Swem, Theodore, Assistant Director, National Park Service; accompanied by Frank E. Harrison, Chief, Division of Legislation and Regulations, and J. F. Carithers, assistant to the Regional Director, Santa Fe-----	14

COMMUNICATION

Rampton, Hon. Calvin L., Governor, State of Utah: Letter to Hon. Frank E. Moss, U.S. Senate, dated March 10, 1967-----	7
---	---

MISCELLANEOUS INFORMATION

Great Salt Lake Authority resolution-----	6
State bill No. 60-----	12
"Time To Push Antelope Island Park," from the Salt Lake Tribune-----	8

CONTENTS

Page	
2	Departmental reports
2	Ministry of the Interior
3	Ministry of the Interior
	STATEMENTS
10	Hon. J. H. Thompson, Minister of the Interior, on the subject of the proposed extension of the Canadian Pacific Railway to the Pacific Coast
14	Hon. J. H. Thompson, Minister of the Interior, on the subject of the proposed extension of the Canadian Pacific Railway to the Pacific Coast
	COMMUNICATION
7	Hon. J. H. Thompson, Minister of the Interior, on the subject of the proposed extension of the Canadian Pacific Railway to the Pacific Coast
	AND MISCELLANEOUS INFORMATION
6	General Bill, Lake Umbagog, resolution
12	General Bill, Lake Umbagog, resolution
2	Time To Push Umbagog Island Park, from the Lake Umbagog

GREAT SALT LAKE NATIONAL MONUMENT

MONDAY, MARCH 13, 1967

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

The subcommittee met, pursuant to notice, at 10:05 a.m., in room 3110, New Senate Office Building, Senator Frank E. Moss, presiding.

Present: Senators Moss, Hansen, and Hatfield.

Also present: Jerry T. Verkler, staff director; Roy Whitacre, and R. K. Griswold, professional staff members; E. Lewis Reid, minority counsel, and Darryl Hart, assistant minority counsel.

Senator Moss. The subcommittee will come to order.

This hearing has been set to receive testimony on S. 25, the bill I reintroduced on January 11 of this year to provide for the establishment of the Great Salt Lake National Monument.

As a matter of clarification, I should point out that the bill had the same number in the 89th Congress. So we can refer to S. 25 and be talking about essentially the same bill. As a matter of fact, it had the same number in the 88th Congress. I have been keeping this number hoping that it would turn up lucky, I guess.

The Great Salt Lake is one of the truly unique geological features of the world. Schoolchildren the world over have studied it in their geography courses. The lake is the living remnant of huge Lake Bonneville of Pleistocene time.

Lake Bonneville was an ice-age lake which covered much of northern Utah, eastern Nevada, and southern Idaho, in places to a depth of over 1,000 feet. The lake drained northward into the Columbia River system. As the climate of the world changed, evaporation from Bonneville's surface exceeded the inflow of fresh water, reducing the surface from about 20,000 square miles to near its present size, just over 100 square miles.

Dissolved salts, left behind by the evaporation, have ranged from 16 to 26 percent and have accounted for many of the unique qualities of Great Salt Lake. A swim in its waters is an essential element of experiencing its wonders. A great industry is developing to extract valuable minerals from the briny waters.

Antelope Island is situated in the southeast quadrant of the lake. It is about 15 miles long by 4 miles wide and its mountain tops soar 1,500 feet above the lake's surface. As this island has been maintained in a near primitive condition, it affords the best site for scientific interpretation of the geologic and biologic phenomena of the lake.

There is also great potential for recreation development on the north end of Antelope Island. The bill provides for the State of Utah to develop and manage certain recreation facilities under agreement with the Secretary of the Interior.

I have also provided in the bill that industrial and commercial developments outside the monument would not be inhibited. Neither are there any restrictions on water level fluctuations nor the State's exercising any rights it may have to build dikes on the lakebed.

At this point in the record there shall be included a copy of the bill and the departmental reports.

(The bill and reports follow:)

[S. 25, 90th Cong., first sess.]

A BILL To provide for the establishment of the Great Salt Lake National Monument, in the State of Utah, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior may acquire on behalf of the United States by gift, purchase with donated or appropriated funds, or exchange, lands, submerged lands, waters, and interests therein, within the area described in subsection (b) of this section for establishment as the Great Salt Lake National Monument.

(b) The area referred to in subsection (a) of this section means—

(1) All of that certain area which, under the Federal survey of 1876, was described as Antelope Island, in the Great Salt Lake, and which is within the metes and bounds of such island as established by the meander line under such survey, plus

(2) All of that certain area (consisting of submerged and related lands and waters) appurtenant to the area described in paragraph (1) and bounded by a line which lies one thousand yards distant from the nearest portion of any part of the area described in paragraph (1).

(c) In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the national monument, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

SEC. 2. When title to the lands and waters within the areas described in section 1 of this Act is vested in the United States such areas shall thereby be established as the Great Salt Lake National Monument and the Secretary of the Interior shall publish notice of such establishment in the Federal Register.

SEC. 3. (a) The Secretary of the Interior shall administer the Great Salt Lake National Monument in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), as amended and supplemented, and in connection therewith he shall provide such interpretive and educational facilities as are necessary to depict for the education and inspiration of the people of the United States the scientific history of the Great Salt Lake and its environs.

(b) The Secretary is authorized to enter into an agreement with the State of Utah whereby the State may provide recreational facilities for swimming, boating, horseback riding, picnicking, and related facilities and services at such places within the Great Salt Lake National Monument as the Secretary and the Governor of the State of Utah shall mutually agree are suitable therefor. Such agreement shall require the State of Utah to provide said facilities and services in conformance with the Secretary's overall plan for, and administration of, the Great Salt Lake National Monument pursuant to subsection (a) of this section, and shall permit the State to charge fees for the use of said facilities and services in accordance with good business practices. If the Secretary finds that the State of Utah has failed to comply with any provision of such agreement, he may terminate the agreement one year after the date he gives written notice to the State of his intention to do so: *Provided*, That a public hearing on the proposed termination shall be conducted at least six months prior to the termination date for the purpose of hearing all interested parties, and thereafter the Secretary may withdraw his notice of intention to terminate the agreement if, in his judgment, the public interest will be served and protected under the agreement.

(c) Nothing in this Act shall be construed as requiring that the water level of Great Salt Lake shall be maintained at a constant level, and nothing in this Act shall be construed to prevent or inhibit the State of Utah or its authorized agents

from exercising any right the State may have to build dikes on the bed of the Great Salt Lake, to raise or lower water levels bordering the Great Salt Lake National Monument, or after consultation with and approval of the Secretary, to build dikes within the national monument to establish or maintain water levels.

SEC. 4. Neither the provisions of this Act nor the establishment of a monument pursuant to this Act shall be construed as (1) restricting or preventing in any way the acquisition, on or after the date of its enactment, by the State of Utah, any political subdivision thereof, or any person of any right with respect to (A) any water flowing into the Great Salt Lake; (B) any water comprising a part of the Great Salt Lake; or (C) any minerals (including oil or gas) or chemicals within or under the Great Salt Lake; or (2) impairing, diminishing, or affecting in any way any valid right of any such State, subdivision, or person existing on the date of enactment of this Act with respect to any such water, minerals (including oil or gas), or chemicals; except that nothing in this section shall be construed as authorizing any such State, or a political subdivision thereof, or person to exercise any such rights referred to in this section within the boundaries of any monument established pursuant to this Act, except to build dikes within such monument, as provided in section 3 hereof, or (3) restricting or preventing the State from exercising any right it may have to construct roads or dikes across any part of the Great Salt Lake, to alter the shoreline, or to take any other lawful action on the shores or bed of the Great Salt Lake outside of this monument.

SEC. 5. There are authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., March 10, 1967.

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

DEAR MR. CHAIRMAN: This is in reply to your request for the views of the Bureau of the Budget on S. 25, a bill "To provide for the establishment of the Great Salt Lake National Monument, in the State of Utah, and for other purposes."

The report which the Secretary of the Interior is submitting describes the scientific and historical importance of this area and recommends enactment of the bill with certain amendments.

The Bureau of the Budget would have no objection to the enactment of S. 25 if amended as suggested by the Secretary of the Interior.

Sincerely yours,

WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 10, 1967.

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

DEAR SENATOR JACKSON: Your committee has requested a report on S. 25, a bill to provide for the establishment of the Great Salt Lake National Monument, in the State of Utah, and for other purposes.

We recommend that the bill be enacted, with the amendment indicated below.

The bill authorizes the Secretary of the Interior to acquire the area comprising Antelope Island and certain land and water areas appurtenant to the island in Great Salt Lake, Utah, and to establish such areas as the Great Salt Lake National Monument. The national monument will encompass about 26,125 acres of land on Antelope Island, as described in a Federal survey of 1876, and 15,300 acres of relicted land and water.

A 1963 Act of the Utah State Legislature created the Great Salt Lake Authority and charged it with the responsibility for planning, acquisition, development, operation, protection and maintenance of areas, resources and facilities under its jurisdiction. The Authority is specifically authorized to make studies concern-

ing development of any part of Antelope Island for tourists and recreational uses and to secure such part of Antelope Island by donation, purchase agreement lease or other lawful means as deemed necessary for recreational use. (See Title 65, Utah Code Annotated 1953, Replacement Volume 7, sec. 65-8-1 *et seq.*). The Authority has prepared a preliminary master plan and has made a preliminary feasibility study for recreational development of the north end of the island.

The bill therefore permits the Secretary of the Interior to enter into an agreement with the State under which the State may provide, at mutually agreed upon sites within the national monument, certain recreational facilities and related facilities and services. These services and facilities will be those ordinarily provided by private concessioners, and the agreement with the State will be governed by the same policies that apply to private concessioners. The provision does not impinge upon the Federal Government's management responsibilities. The bill will permit the Secretary to furnish essential facilities and services for for the accommodation of visitors in case the State is unable to do so.

The bill provides that it shall not be construed as requiring a constant water level in Great Salt Lake, nor as preventing the State of Utah or its authorized agents from exercising any right the State may have to build dikes on the bed of the lake, to raise or lower water levels bordering the national monument, or, with the approval of the Secretary, to build dikes within the national monument to establish or maintain water levels. In addition, the bill provides that nothing in this Act shall be construed to restrict the State, its political subdivisions, or any person from acquiring water or mineral rights outside of the national monument, nor as impairing any such existing rights, nor as preventing the State from exercising any right it may have to construct roads or dikes across the lake, alter the shoreline, or take other lawful action of the shores or bed of the lake outside of the national monument.

Great Salt Lake is the living remnant of the vast Lake Bonneville of Pleistocene time. Lake Bonneville is the classic Ice-Age lake, and is of world-wide renown. Its wave-cut terraces, as much as a thousand feet above the present water level, were recognized in the last century. Ever since it has been the subject of intensive study—not only for its relict lake features, its great salt deposits, and its briny remnant waters, but also for its effect on the distribution and evolution of plant and animal life in the Bonneville Basin.

Antelope Island, a peninsula when Great Salt Lake is at its lowest, is an excellent platform from which to see and interpret the present lake and its physiographic history. Most of the lake terraces are present on the island, and in addition there are magnificent views of Great Salt Lake and of other islands, promontories, and mountain ranges that stand in and around the basin. The restricted but fascinating lake life, including reef-like algae deposits, and the products of evaporation can easily be interpreted by boat trips from this island base. The effect of Great Salt Lake both as a barrier and as a magnet for fur trappers, explorers, Mormon pioneers, and railroad builders is an important part of the history of westward expansion.

The scientific and historical importance of the area warrant the establishment of the Great Salt Lake National Monument.

The Advisory Board on National Parks, Historic Sites, Buildings, and Monuments at its forty-eighth meeting in Washington, D.C., March 25-27, 1963, considered the scientific values associated with Great Salt Lake, and recommended that Antelope Island, or a portion thereof, be authorized for establishment in the National Park System as the Great Salt Lake National Monument.

Section 2 of the bill defers the establishment of the national monument until the Secretary has acquired all of the property within the areas described in section 1 of the bill. We believe the national monument should be established as soon as the Secretary has acquired an amount of land that can be administered efficiently. We recommend therefore that section 2 be revised to read as follows:

"Sec. 2. When the Secretary of the Interior determines that lands and waters or interests therein within the areas described in section 1 of this Act have been acquired by the United States in sufficient quantity to provide an administrable unit, he may establish the Great Salt Lake National Monument by publication of notice in the Federal Register."

Based on preliminary data, we estimate that acquisition of the non-Federal property within the boundaries we recommend for the proposed national monument will cost approximately \$2,245,000. To develop the national monument about \$9,135,000 will be needed, and annual operating costs, when the monument is fully developed, are expected to amount to \$166,600.

The man-years and cost-data statement (based on current assumptions and estimates) required by the act of July 25, 1956 (70 Stat. 652; 5 U.S.C. 642a), when annual expenditures exceed \$1 million, is enclosed.

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

Sincerely yours,

CLARENCE F. PAUTZKE,
Deputy Assistant Secretary of the Interior.

[Enclosure]

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

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
Executive direction:					
Superintendent.....	1.0	1.0	1.0	1	1
Administrative assistant.....		1.0	1.0	1	1
Clerk-typist.....	1.0	1.0	1.0	1	1
Total, executive direction.....	2.0	3.0	3.0	3	3
Substantive:					
Supervisory ranger.....	1.0	1.0	1.0	1	1
Supervisory naturalist.....	1.0	1.0	1.0	1	1
Park ranger.....		1.0	1.0	1	1
Foreman.....			.5	1	1
Maintenance man.....	1.0	1.0	1.0	1	1
Caretaker.....		1.0	2.0	2	2
Laborer.....	.5	1.5	2.0	3	3
Park ranger (seasonal).....		1.0	2.0	2	2
Park naturalist (seasonal).....		.5	1.0	1	1
Life guard (seasonal).....		2.0	2.0	2	2
Total, substantive.....	3.5	10.0	13.5	15	15
Total, estimated additional man-years of civilian employment.....	5.5	13	16.5	18	18
Estimated additional expenditures:					
Personal services.....	\$50,500	\$87,900	\$108,600	\$119,000	\$119,000
All other.....	2,686,600	2,010,700	2,630,600	2,317,600	1,917,600
Total.....	2,737,100	2,098,600	2,739,200	2,436,600	2,036,600
Estimated obligations:					
Land and property acquisition.....	2,245,000				
Development.....	1,925,000	2,480,000	1,890,000	2,470,000	370,000
Operations (management, protection, and maintenance).....	67,100	118,600	149,200	166,600	166,600
Total.....	4,237,100	2,598,600	2,039,200	2,636,600	536,600

Senator Moss. The record of the hearings held last year in Salt Lake City and here in Washington will be included by reference in this record.

The reason these hearings will be included by reference is that the bill this year is nearly identical with the bill of the last Congress. It includes the very slight amendments that were suggested by the Department during the hearings last year. The hearings, for that reason, are fully applicable and will be included by reference.

The Department witness will testify shortly, and he does have one very minor amendment to suggest this year. We will have him, of course, testify about that.

The State of Utah has created a Great Salt Lake Authority and charged it with planning for the development of the Great Salt Lake. The Great Salt Lake Authority adopted a resolution—I think it was adopted just last Friday—pertaining to this bill, and that resolution

will be made a part of the record at this point. I don't know whether it is necessary to read it all. I can read the last moving clause.

Now therefore, by reason of the foregoing recitations, it is hereby firmly resolved and declared, that the Congress of the United States and the Utah delegation therein be advised that the Great Salt Lake Authority endorses, approves of and recommends the creation and establishment of a national monument on Antelope Island and in furtherance thereof, that S. 25 of the 90th session of the Congress calling for the same, be enacted by the Congress at the earliest possible time.

(The resolution referred to follows:)

A RESOLUTION OF THE GREAT SALT LAKE AUTHORITY FOR THE ESTABLISHMENT AT THE EARLIEST POSSIBLE TIME BY THE FEDERAL GOVERNMENT OF A NATIONAL MONUMENT ON ANTELOPE ISLAND IN THE GREAT SALT LAKE AS NOW PROPOSED BY S. 25 BEFORE THE CONGRESS

Whereas that lake known as Great Salt Lake is situated in the northern part of the State of Utah; and

Whereas the said Lake is the greatest and last of the inland seas and the historic, scientific, and recreational features of the same are such that its interest and notoriety is State, National, and worldwide; and

Whereas the development of such historic, scientific, and recreational advantages and features of this great inland sea has been long neglected and the natural attractions of the same depressed; and

Whereas there is now pending before the Congress of the United States, this the 90th session thereof, a bill (S. 25) which calls for the creation, establishment, and maintenance of a national monument and State park on Antelope Island in the Great Salt Lake in the State of Utah; and

Whereas the express provisions of said bill call for the preservation of the geologic, historic, and scientific values prominent on Antelope Island on the center and southern reaches thereof, and further call for the use of the northern portions of Antelope Island by the State of Utah, for the development, establishment, and maintenance of a State park and recreational facilities thereon; and

Whereas there is proposed by the Great Salt Lake Authority the creation and establishment of a State park on the northern end of Antelope Island, which park will reasonably obtain to the public use the recreational advantages of the Great Salt Lake and Antelope Island; but

Whereas such proposed State park will not establish, maintain or preserve the historic, scientific, and natural features of the northern central, central, and southern reaches of Antelope Island and will provide access from the mainland to the island only from the north in Davis County and not from the south in Salt Lake County, whereas the national monument and State park, as proposed by S. 25 now before the Congress of the United States, would establish, maintain, and preserve the same and provide access as well from the mainland to Antelope Island from the south in Salt Lake County; and

Whereas it is the mind and judgment of the Great Salt Authority that the passage of S. 25 referred to herein will be consistent with the objectives to be obtained by the development of the State park as proposed by the Great Salt Lake Authority, and will result in the establishment of a purposeful, beneficial, and permanent development of the Great Salt Lake and Antelope Island for the use and enjoyment of the public, and further that a national monument on Antelope Island would be and is in the best interest of the State of Utah and its people: Now, therefore, by reason of the foregoing recitations, it is hereby firmly

Resolved and declared, That the Congress of the United States and the Utah delegation therein be advised that the Great Salt Lake Authority endorses, approves of, and recommends the creation and establishment of a national monument on Antelope Island and in furtherance thereof, that S. 25 of the 90th session of the Congress calling for the same, be enacted by the Congress at the earliest possible time.

GREAT SALT LAKE AUTHORITY,
By GEORGE BUZIANIS, *Chairman*.

Senator Moss. I also have a letter from the Governor of the State of Utah, Gov. Calvin Rampton, dated March 10, 1967, in which Governor Rampton endorses S. 25. His letter will be made a part of the record at this point.

Since it is not very long, I think I will read the letter so that we are all aware of what the Governor of the State of Utah says. It is as follows:

STATE OF UTAH,
OFFICE OF THE GOVERNOR,
Salt Lake City, March 10, 1967.

Senator FRANK E. MOSS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MOSS: Because of the fact that the Utah State Legislature adjourned only yesterday and I have on my desk approximately 100 measures of which I must take executive action within the next ten days, it is impossible for me to get to Washington on March 12th to appear before the U.S. Senate Committee which is considering S. 25.

I am, therefore, requesting that you either read into the record of the hearing, or attach to the record, this letter which states the official position of the state of Utah in regard to this bill.

As you will recall, I did appear before the subcommittee which considered an almost identical bill in the 89th Congress when the subcommittee held hearings at Salt Lake City on October 4, 1966. The position of the state is unchanged since that time. We unqualifiedly endorse the enactment of S. 25.

Since the hearing which was held last October, two significant developments have occurred in regard to the state's proposal to proceed with a development on the north end of Antelope Island hopefully within the terms of S. 25. The Utah statute which had created the Great Salt Lake Authority, the state body which was charged with the responsibility of the state development on the Island, was declared unconstitutional on technical grounds by the Supreme Court of the state of Utah. The Legislature of the state of Utah re-enacted this legislation, correcting the technical defects which had resulted in the failure of the first act. I have reappointed the members of the Great Salt Lake Authority, and the body is again operational.

In preparing the legislation adopted by the immediate past legislative session, S.B. 60, great care was taken to make certain that the provisions of the state bill were in all respects consistent with and harmonious with the objectives of S. 25. The Great Salt Lake Authority is charged with the responsibility of making certain that any state development on the north end of the Island which would be made by the state, conform to the high standards of the National Park Service, both as to construction and as to operation.

I am most enthusiastic about the possibility for the development of the Island under the joint sponsorship of the United States government and the government of the State of Utah. I feel this offers an excellent opportunity for joint state-federal cooperation in a project which will be of inestimable value, not only to the people of the State of Utah, but to the people of the United States.

Sincerely,

CALVIN L. RAMPTON, Governor.

Senator Moss. The bill, in section 3(b), on page 3, provides that the Secretary of the Interior, "Is authorized to enter into an agreement with the State of Utah whereby the State may provide recreational facilities for swimming, boating, horseback riding, picnicking, and related facilities and services at such places within the Great Salt Lake National Monument as the Secretary and the Governor of the State of Utah shall mutually agree are suitable therefor. Such agreement shall require the State of Utah to provide said facilities and services in conformance with the Secretary's overall plan for an administration of the Great Salt Lake Monument pursuant to subsection (a) of this section and shall permit the State to charge fees for the use of said facilities and services in accordance with good business practices."

There is more to the subsection, but I won't read more than that.

I think that explains the reference in the Governor's letter that it is his belief that the State and Federal Government could work

cooperatively on the development of the Great Salt Lake National Monument.

I have here a brief summary of the bill. I suppose this ought to appear in the record at some point.

S. 25, the bill before us, would provide for the establishment of the Great Salt Lake Monument. In area there would be 26,125 acres of land, and 15,300 acres of relicted land and water. By that we mean the beaches that became exposed when the lake receded, as it has over a period of years.

The location of Antelope Island is in Davis County, Utah, about 12 miles from Salt Lake City.

The population of Salt Lake City metropolitan area is over 500,000 persons. It is expected there will be 320,000 visits annually to the island.

The cost estimates are that the land acquisition will be about \$2,245,000 and it will take about \$9,135,000 for an overall 5-year development program on the island and for the approaches. The annual operation after development will be about \$167,000.

There is one other inclusion I want to make in the record before I call on my colleagues.

On Friday, January 20, 1967, the Salt Lake Tribune, which is a daily newspaper published in Salt Lake City, had a lead editorial entitled "Time To Push Antelope Island 'Park'." This will be included in the record at this point. It is indicative of local sentiment about the national monument.

(The editorial referred to follows:)

[From the Salt Lake Tribune, Jan. 20, 1967]

TIME TO PUSH ANTELOPE ISLAND "PARK"

Utah state financial difficulties, coupled with the urgent need to expand tourist-economic resources, should encourage more local support of a proposal to establish a great Salt Lake National Monument on Antelope Island. This famous and unique tourist asset has been neglected too long.

Senator Frank E. Moss, who has had a bill in Congress since 1960 for National Park Service administration of the island, has announced he plans to reintroduce the measure in the present session and press for action on it. The proposal was aired at hearings of the Senate Parks and Recreation Subcommittee in Salt Lake City last year, with most witnesses favoring the general plan.

Meantime, plans are under way to strengthen or clarify the eminent domain powers of the Great Salt Lake Authority, established by the State Legislature in 1963. The Utah State Supreme Court recently ruled that the authority could not legally condemn the privately-owned 4,000 acres at the island's north end, as it had proposed to do, for a public bathing, boating and general recreation area. Governor Rampton and members of the Great Salt Lake Authority have emphasized that there is no conflict between the state and national plans; in fact both may be needed to acquire and develop the island and protect its unique scientific and recreational advantages. The owners of the island are especially opposed to selling only part of it for a park or resort.

The Moss bill would designate the entire island of 29,000 acres of land and adjacent water (1,000 feet out from shore) as the national monument, with the proviso that the state would be given a long-term concession to develop and operate recreational facilities at the north end and be allowed to continue with diking activities in an experimental program to create a fresh-water lake on the eastern shore of the island. The remainder of the island would be kept in its semi-primitive state. The Moss bill, which has been amended and refined repeatedly in accordance with Utah requirements, would not interfere with chemical and mineral exploration and development operations under way or contemplated elsewhere on or in Great Salt Lake. The Tribune is on record in favor of the Moss bill in principle.

We recommend to all interested the published account of the hearings of the Senate subcommittee on the Moss bill (Senate 25) recently published by the Government Printing Office. The 117-page booklet emphasizes the several advantages of federal-state cooperation in developing and protecting the island.

The National Park Service estimates that acquisition of the non-federal property within the boundaries recommended would cost about \$1,700,000, that development would require about \$8,840,000 and annual operating costs would amount to \$300,000. Governor Rampton explained to the subcommittee that the state of Utah could not afford to buy the entire island but agreed that it would be advantageous to have it all in public control. He said he did not fear conflict with the federal government in administering the island. Haven Barlow of Davis County, now president of the Utah State Senate, agreed that the state could not finance the undertaking as envisioned by the Moss bill but expressed his county's deep interest in utilizing the recreational advantages of the area.

The bill for the national monument may need further distilling but it seems to include the safeguards needed for commercial exploitation of resources of the lake without diluting the recreational advantages of Antelope Island. The possibility of a loop trip from the island to Promontory Point and Golden Spike and back, as envisioned by the National Park Service (through proper location of dikes) adds to the recreational possibilities.

Senator Moss. I am delighted that my colleagues, Senator Hansen and Senator Hatfield, are here today. Both Senators, I am sure, have some personal familiarity with the Great Salt Lake, the State of Utah, and this area generally.

I am going to ask if either of them has any comments he would like to make at this time or anything that he would like to have inserted in the record before we call on the departmental witnesses.

Senator Hansen.

Senator HANSEN. Thank you very much, Mr. Chairman.

I am pleased to be afforded this opportunity to make some observations.

I might say, from a very personal vantage point, that my father and mother spent their honeymoon at Great Salt Lake many, many years ago.

I have visited this area. I am most impressed with it.

I appreciate, as all Americans must who have been privileged to see it, the great opportunity it holds to spell out more clearly an understanding of our geologic past than we would otherwise have. I certainly agree with you that it is in the national interest, as well as in the local interest, to see that its potential is more completely utilized.

On behalf of Senator Bennett, of the State of Utah, I would like to present a statement he has prepared. I ask that it be made a part of the record. I won't take time to read it now. I think it deals generally with the same material that was included in your very fine remarks.

Senator Moss. Thank you. It will be included in full in the record at the end of your remarks.

Senator HANSEN. Senator Bennett had a major conflict this morning. He is a member of the Committee on Standards and Conduct, and that committee is involved this morning in some hearings. On behalf of Senator Bennett I would like to ask that the Court Report Decision No. 31 of the Supreme Court of the United States be made a part of the record and printed therein, or at least by reference.

Senator Moss. It will be included by reference and, since it is a separate printed document, will be included in the file.

Senator HANSEN. Also Senator Bennett would like to have included and made a part of the record a bill to which you have already referred

parenthetically in the letter from Governor Rampton—senate bill No. 60 of the State of Utah.

Senator Moss. That will be included. I am not aware whether there were any amendments to the bill, but the bill was signed into law by the Governor, and I assume with no appreciable amendment. I am not aware of any.

Senator HANSEN. I could not say as to that.

I have no further statement, Mr. Chairman. Thank you very much.

Senator Moss. Thank you, Senator Hansen, Senator Bennett's statement and the State bill will be included at this point.

(The statement and bill referred to follow:)

STATEMENT OF HON. WALLACE F. BENNETT, A U.S. SENATOR FROM THE STATE OF UTAH

Mr. Chairman, I appreciate very much this opportunity to present views to the committee on the proposal to create a Great Salt Lake National Monument.

I would like to make it perfectly clear at the outset to the Committee—as I have many times in the past—that I favor an orderly development of the Great Salt Lake as a tourist attraction, possibly to help it return to its past glories of 25 or so years ago when it was a tremendous attraction.

The Great Salt Lake, Utah's unique inland sea, is perhaps one of the most outstanding physiographic features of the western United States. It is "great" in the sense that it is the largest lake in the United States west of the Mississippi River and the largest salt lake in North America. It is only a remnant of its predecessor, Lake Bonneville, which covered an area ten times as large as the present lake about 50,000 to 100,000 years ago. At its highest level, Lake Bonneville covered 19,750 square miles, was 346 miles long and 145 miles wide. It reached a depth of 1,050 feet. Today we have the Great Salt Lake which is about 70 miles long, 50 miles wide, 34 feet deep and covering an area of about 1,500 square miles.

In addition, Great Salt Lake today is one of the more valuable natural resources in my state. Certainly one of its great assets is its attraction as a potential tourist center. Unfortunately, however, the lake and its surroundings have gradually deteriorated. Its waters have become polluted, although there has been some progress made in alleviating this problem. The lake level also has dropped due both to dry weather and to diversion and impoundment of waters that once fed the lake.

Now, in addition to its natural and physical problems, the lake is involved in a complex problem in resource management involving the interests of several State agencies, various Federal agencies, five counties, numerous municipalities, industrial concerns, private ownership, the Utah Legislature, the United States Congress and, as of two weeks ago, even the United States Supreme Court.

On top of all this the Committee today is opening the 1967 hearings on the Great Salt Lake National Monument Bill (S. 25) which would provide for a monument comprising Antelope Island and adjacent land water areas of the lake.

Under the bill, the National Monument would include about 29,000 acres of land on Antelope Island and 15,300 acres of relicted land and water. The monument boundary would generally lie 3,000 feet from the island and encircle it.

Last October when this Committee held its fact-finding hearing on the proposal, I submitted a number of questions which I felt should be answered before the Congress acted on any bill. Many of the questions I posed were answered—some satisfactorily, others just fairly satisfactorily—in a letter dated October 11, 1966 to Chairman Bible from the Interior Department. Since the letter is part of the file I will not go into it in detail at this time.

I do wish to touch on one or two additional points, however, and bring to the Committee's attention some developments which have occurred just in the last two weeks which, in my mind, provide reasons for the Committee and Congress to delay any action on this proposal for at least two or three years.

Taking these developments chronologically, first on March 1, 1967, the State of Utah filed suit in the United States Supreme Court seeking title to the relicted lands in the Great Salt Lake. This filing of an original action in the Supreme Court is uncommon and requires the court's consent. Included in the documents filed by the State is a motion for leave to file a complaint by which the court can agree to hear the case.

As the members of the full Interior Committee know all too well, the question of the ownership of the relicted lake lands has been in contention for a number of years. We thought that we had licked the problem last year when Congress passed a law which provided that (1) the Secretary of the Interior can determine the fair market value of the relicted land which then can be sold to Utah, or (2) the court can adjudicate the question of ownership.

Interior Secretary Stewart L. Udall has ruled that the fair market value of the relicted lands is about \$3.7 million.

In its suit the State of Utah asks the Supreme Court to declare that the United States "has no right, title or interest whatsoever to any part of said land or minerals located therein or any part thereof, with the exception of the lands legally purchased and acquired by the United States * * * from the State of Utah."

The suit contents that "the unqualified ownership of the State of Utah in and to these lands has been generally recognized and undisputed . . ."

The reason this matter is pertinent to Antelope Island and the National Monument bill is that according to the best information I can get the question of ownership of a great many acres of relicted land and water around Antelope Island are now before the Supreme Court awaiting adjudication with the rest of the relicted lands.

The Federal Government has 60 days in which to file an answer to Utah's Petition to the Supreme Court. The Court must then decide whether to approve Utah's motion for leave to file a formal complaint. If it rules to take it up, there is no telling how long it will take to decide this vital matter.

For the Committee's files—and not so much for the hearing record—I am submitting a copy of the Utah motion filed by the State's Attorney General with the U.S. Supreme Court on March 1, 1967.

That now brings us to the next major development.

The 1967 Utah legislature has passed and the Governor has signed (on March 8, 1967) Utah Senate Bill No. 60, a proposal sponsored and supported by both sides of the aisle. In fact the vote in the Utah State Senate was 26 to 0 and in the Utah House it was 49 to 15.

Utah S.B. No. 60 is a bill providing for, among other items, the State development of the mainland, islands, and water within the Great Salt Lake; creating the Great Salt Lake Authority to execute a program for this development; and appropriating \$400,000 from the General Fund for the authority and for the development of the Antelope Island area.

I think that the Committee files on S. 25 should have a complete copy of this law which I would like to provide at this time.

I also think it would benefit the Committee for me to point out a few of the provisions in the new Utah law.

The very first section says:

"There is established a Great Salt Lake Authority (hereinafter to be known as the authority) for the purpose of establishing and coordinating programs for the development of recreational areas and water conservation within the Great Salt Lake and its environs, and in conjunction therewith to provide for:

"(1) the development of such area of Antelope Island as the authority may determine to be suitable and desirable for recreational usage."

Skipping over the area discussing a tailings test, creation and duties of the authority, etc., we come to section 65-8-4 which says:

"The authority shall have the following powers and duties to implement the provisions of section 65-8-1.

"(1) to acquire real and personal property in the name of the authority by all legal and proper means, including purchase, gift, devise, lease, exchange or eminent domain."

And Section two:

"To construct and maintain those facilities consistent with the purposes of this act; except that in regard to facilities constructed, operated, or leased as concessions on Antelope Island, the authority shall adopt guidelines similar to the standards used in our National Park system and approved by the State Park and Recreation Commission as to type, number, and quality of such facilities, in order to preserve the beauty and natural features of the island and to safeguard it against excess exploitation; and to construct and maintain such access roads as are not otherwise provided for in this act."

Moving to section seven, the new Utah law states:

"To proceed without delay to gather all studies, investigations and reports regarding the Great Salt Lake and concerning the development of any part of Antelope Island for any of the purposes enumerated in section 65-8-1."

The next section points out that acquisition of the property will be by eminent domain.

The Utah law even goes into the road program which the Utah Legislature felt would be desirable.

Section 65-8-6 tells us:

"Within the limitations of available funds the State Road Commission is authorized to construct a road from the town of Syracuse to the north end of Antelope Island along with the necessary roads on the island to serve the recreation development."

Mr. Chairman, this Utah bill was introduced so as to grant statutory strength to the planned development on Antelope Island on a state level.

The Great Salt Lake Authority was frustrated last year when it attempted to condemn the northern end of the Antelope Island when the Utah Supreme Court declared the State agency lacked eminent domain powers. This law now grants the authority such powers.

Actually, the State is seeking a development of the long-dormant recreational potential of the northern end of Antelope Island which comprise the only worthwhile, National Monument standard lands from a tourist and beach standpoint.

As I have pointed out, Mr. Chairman, the State now has the authority to proceed with this development. It has the power of eminent domain. It has an appropriation of \$400,000 for the development program and, as I have shown from the new State law, it must comply with guidelines similar to the standards used in the National Park system.

My point is that since the State law itself calls for a development program to proceed under National Park Service standards, there is nothing that could really happen in the interim to preclude the Congress from taking national action later.

I say let us give the State of Utah a chance to come up with its own program for Antelope Island. This delay which I propose will give Congress an excellent opportunity to watch a State agency at work. I am fairly certain that the results will be commendable and that in the long run there will be no need for any Federal intervention in the middle of the Great Salt Lake since most of the S. 25 objectives are covered in the new Utah law.

In conclusion, Mr. Chairman, in light of:

1. The question hanging over our heads in the form of a pending U.S. Supreme Court case on exactly who owns the relicted lands around the lake (a number of acres which are involved in S. 25);
2. The overwhelming Utah Legislature's approval of the Utah Great Salt Lake bill;
3. The tailings road tests which are currently under investigation;
4. The question of costs of the National Monument—I have seen assessed figures of the land ranging from \$10 an acre to \$62 an acre;
5. Mounting deficits and inflation which will receive a contribution of \$9.1 (m) million via a National Park Service development program and \$2.2 (m) million for purchase of the entire island;
6. The question that many Utahans and I have over the effect a National Monument at Antelope Island will have on the development of the tremendous mineral potential (I realize there is language in the bill providing for that development and I have been told by the Park Service "don't worry about that," but Administrations do change, interpretations change, rule-makers change, and, besides, I get paid to "worry" about Utah);

I recommend that this Committee defer action on S. 25 at least for two or three years.

Thank you, Mr. Chairman.

[State bill No. 60 by E. LaMar Buckner, Ernest H. Dean, Ezra T. Clark]

AN ACT Repealing and reenacting sections 65-8-1, 65-8-2, 65-8-3, 65-8-4, 65-8-5, 65-8-6, 65-8-7, and 65-8-8, Utah Code Annotated 1953, as enacted by chapter 161, Laws of Utah 1963, and enacting new sections 65-8-9 and 65-8-10, Utah Code Annotated 1953; providing for the development of the mainland, islands, and water within the Great Salt Lake meander line established by the United States Surveyor General; providing for the creation of the Great Salt Lake Authority to execute a program for such development; appropriating \$400,000 from the general fund plus the unexpended balance of appropriation made by chapter 175, section 13, item 129, Laws of Utah 1965, to the Great Salt Lake Authority, and providing an emergency clause

Be it enacted by the Legislature of the State of Utah:

SECTION 1. Sections 65-8-1, 65-8-2, 65-8-3, 65-8-4, 65-8-5, 65-8-6, 65-8-7 and 65-8-8, Utah Code Annotated 1953, as enacted by Chapter 161, Laws of Utah 1963, are hereby repealed and reenacted to read:

65-8-1. There is established a great salt lake authority (hereinafter to be known as the authority) for the purpose of establishing and coordinating programs for the development of recreational areas and water conservation within the great salt lake and its environs, and in conjunction therewith to provide for:

(1) The development of such area of antelope island as the authority may determine to be suitable and desirable for recreational usage.

(2) Testing the feasibility of the use of tailings in the development of great salt lake and its environs.

(3) The use of tailings in the development of the great salt lake and its environs.

(4) The restoration and preservation of points of historical interest on antelope island.

65-8-2. "Great salt lake and its environs" shall mean and include the mainland, peninsulas, islands, and water within the great salt lake meander line established by the United States surveyor general.

65-8-3. The authority is to be comprised of five persons, no more than three of whom shall be of the same political party, appointed by the governor, by and with the consent of the senate, who shall be selected because of their understanding of and demonstrated interest in the development of the great salt lake and its environs. One member shall be selected from each of the counties bordering on the great salt lake. Three of the five members shall be appointed for terms beginning on the effective date of this act and ending March 1, 1969, the remaining two members shall be appointed for terms beginning on the effective date of this act and ending March 1, 1971. All subsequent appointments shall be for terms of four years. Vacancies occurring shall be filled by the governor for the unexpired term.

Members are not entitled to compensation, but they may be paid a per diem allowance for expenses as may be fixed by the board of examiners.

At the first meeting of the authority and annually thereafter the authority shall elect one of its members as chairman, who shall hold office for a term of one year and until his successor is elected. If a vacancy occurs in the office of chairman, the authority shall appoint another of its members to fill such vacancy for the remainder of the term. Three members of the authority shall constitute a quorum.

65-8-4. The authority shall have the following powers and duties to implement the provisions of section 65-8-1.

(1) To acquire real and personal property in the name of the authority by all legal and proper means, including purchase, gift, devise, lease, exchange or eminent domain. In acquiring any real or personal property the credit of the state shall not be pledged without the consent of the legislature. Gifts and devises of land or other property may be accepted at the discretion of the authority.

(2) To construct and maintain those facilities consistent with the purposes of this act; except that in regard to facilities constructed, operated, or leased as concessions on antelope island, the authority shall adopt guidelines similar to the standards used in our national park system and approved by the state park and recreation commission as to type, number, and quality of such facilities, in order to preserve the beauty and natural features of the island and to safeguard it against excess exploitation; and to construct and maintain such access roads as are not otherwise provided for in this act.

(3) To operate under its own administration or to lease or rent concessions of all lawful and appropriate types on properties owned or administered by it to persons, partnerships and corporations for a valuable consideration and upon such terms and conditions as the authority deems fit and proper.

(4) To hire officers and employees as required at a rate of compensation to be determined by it. To adopt rules and regulations governing the hiring, conditions of employment, compensation, conduct, and termination of such officers and employees, consistent with state law.

(5) To deputize, or obtain from local authorities by contract, such peace officers as may be necessary to protect real and personal properties owned or administered by the authority and to enforce state laws within the area of its jurisdiction.

(6) To seek assistance from federal and local governments in planning and developing uses of the great salt lake. All departments, agencies, officers and employees of the state of Utah are authorized and directed to give to the authority such consultation and assistance as the authority may reasonably request.

(7) To proceed without delay to gather all studies, investigations and reports regarding the great salt lake and concerning the development of any part of antelope island for any of the purposes enumerated in section 65-8-1.

65-8-5. Acquisition of property by eminent domain shall be in the manner authorized by Chapter 34 of Title 78, Utah Code Annotated 1953.

65-8-6. Within the limitations of available funds the state road commission is authorized to construct a road from the town of Syracuse to the north end of antelope island along with the necessary roads on the island to serve the recreational development. These roads are to be located by the state road commission with approval of the authority, and are to be programmed for design and construction upon the securing of antelope island property.

65-8-7. The legislature hereby ratifies all contracts, agreements and any and all other obligations incurred by the de facto great salt lake authority prior to the effective date of this act and hereby declares said obligations to be binding on the authority established herein.

Sec. 2. Sections 65-8-9 and 65-8-10, Utah Code Annotated 1953, are enacted to read:

65-8-9. If any provision of this act or the application of any provision to any person or circumstance is held invalid, the remainder of this act shall not be affected thereby.

65-8-10. There is appropriated from the general fund, from funds not otherwise appropriated, the sum of \$400,000 to the authority established in this act for the purposes described for the period beginning July 1, 1967 and ending June 30, 1969, plus the unexpended balance of appropriation made by Chapter 175, Section 13, Item 129, Laws of Utah 1965.

Sec. 3. This act shall take effect upon approval.

Senator Moss. Senator Hatfield, do you have any comments at this point?

Senator HATFIELD. Not at this point, thank you, Mr. Chairman.

Senator Moss. We will proceed, then, to hear from the National Park Service.

I pointed out, Senator Hatfield, before you came in, that last year we held full hearings on a similar bill, and there are no significant differences in this bill. In effect all the testimony here is relevant, and the Park Service, therefore, is not expected to cover the same ground. But we have asked the Park Service to come here and, in effect, bring us up to date—tell us whether there are any changed conditions, if the Park Service position is modified in any way, if there are any changed estimates on cost, and whether the position of the Bureau of the Budget is the same as it was last year.

It is felt that if those matters can be brought up to date, basically the subcommittee and the full committee then can make its decision based on testimony that was given last year.

Mr. Theodore Swem, Assistant Director of the Park Service, will be our witness. Will the other gentlemen from the Park Service come to the table also? If we have any questions of any of you, you can respond from there.

STATEMENT OF THEODORE SWEM, ASSISTANT DIRECTOR, NATIONAL PARK SERVICE; ACCOMPANIED BY FRANK E. HARRISON, CHIEF, DIVISION OF LEGISLATION AND REGULATIONS; AND J. F. CARITHERS, ASSISTANT TO THE REGIONAL DIRECTOR, REGIONAL OFFICE, SANTA FE

Mr. SWEM. Mr. Chairman, I have a brief statement which I would like to read.

Before doing so, I would like to ask your permission that, following my reading of the statement, we ask Mr. Carithers, who is our assistant to the regional director, from our regional office in Santa Fe, to refer

to the two exhibits we have here on the easel so that he briefly can orient the committee concerning the particular island involved and then also to explain our development plan for the proposal.

Senator Moss. That will be a satisfactory procedure.

Would you also identify Mr. Harrison?

Mr. SWEM. Mr. Harrison, on the left, is the Assistant to our Director for Legislation.

Senator Moss. Thank you. You may proceed.

Mr. SWEM. Mr. Chairman and members of the committee, Utah's Great Salt Lake is one of the most famous scientific phenomena in this country. It is known all over the world to scientists and laymen as the living remnant of the ancient ice age lake which covered almost 20,000 square miles. The lake, called Lake Bonneville, existed more than 30,000 years ago. Over the years it has shrunk to the Great Salt Lake as we know it today—leaving salt flats, great concentrations of brine, and ancient lake terraces marking the levels where the waters once stood.

The geologic history of this ancient lake and its effect on surrounding plants and animals is a classic in modern science. What is needed is a site accessible to the public where this story can be told and where people can see for themselves the features left by thousands of years of evaporation. We believe that Antelope Island, almost surrounded by the waters of Great Salt Lake, is ideal for such a site. We therefore support S. 25, which authorizes the establishment of a Great Salt Lake National Monument on Antelope Island and certain surrounding waters.

Three members of this committee—Senator Moss, Senator Church, and Senator Jordan—visited the site and took testimony at Salt Lake City in June of 1966. For the benefit of those members who have not seen the area, I will describe it briefly.

Antelope Island is actually a peninsula when the lake is at its lowest. It comprises about 26,000 acres of land, which is largely in one ownership. It is located about 16 miles from Salt Lake City and may be reached by a road which runs from Salt Lake City to the south end of the island. The island is about 14 miles long by 4 miles wide at its widest point. The island is used primarily for cattle grazing. There is a ranch house with some associated outbuildings. The principal owner, the Island Ranching Co., has expressed a willingness to sell its holdings for the development of a national monument. We believe that the total land acquisition cost will not exceed \$2,245,000.

The National Park Service has studied the possibilities of developing Antelope Island for visitor use and interpretation. An island road some 45 miles in total length will be the most important means of interpreting the Great Salt Lake story. A visitor center and headquarters area also will be developed. A series of exhibits and overlooks will be placed along the roads and trails. We estimate that the total cost of development will be about \$9,135,000 and annual operating costs will be about \$167,000 when the monument is fully developed. An operating staff of 13 full-time employees and 5 man-years of seasonal personnel is contemplated.

Mr. Chairman, at this point I wish to direct the committee's attention to the provisions on pages 3 and 4 of the bill which authorize the Secretary of the Interior to permit the State of Utah to

develop certain recreational facilities and related facilities and services. These are provisions not usually found in the park legislation that comes before this committee. There is, however, good reason for them in this case. The State of Utah is also interested in the preservation of a portion of Antelope Island as a public resource. In 1963 the State legislature created a body called the Great Salt Lake Authority and charged it with making studies of the public use of the island for tourism. The authority has since made preliminary plans for the development of a State recreation area on a 4,200- to 4,400-acre tract of land at the north end of Antelope Island. According to the testimony of Governor Rampton at the hearings in Salt Lake City last June, if this bill passes, the State expects to develop its facilities at the north end of the island in accordance with the general development plan for the national monument; and if the bill does not pass, then the State would go ahead on its own and develop this recreation area. On March 8, 1967, a bill was signed into law by the Governor authorizing an appropriation of \$400,000 for the Great Salt Lake Authority for land acquisition and development on Antelope Island.

Given this interest on the part of the State, we believe it would be appropriate to permit the State to provide the visitor facilities and services ordinarily furnished in the parks by concessioners, that is, facilities for swimming, boating, horseback riding, and picnicking. These facilities would be provided pursuant to an agreement between the Secretary of the Interior and the Governor of the State. Any developments by the State will be carried out in accordance with the Secretary's overall plan for the administration of the national monument. We believe that in this fashion the Federal Government can work most effectively with the State to bring about the best opportunity to interpret this area to the visiting public. We estimate that about 320,000 people will visit this area during the first year after the monument is fully developed.

We believe the enactment of S. 25 will provide for a significant contribution to our Nation's inventory of outdoor resources.

Thank you very much.

Senator Moss. Thank you.

First of all, I think your estimates of costs for acquisition, development, and operation vary from the estimates that were made last year by the Department. Can you tell me the differences and explain why there is a different figure in each of those instances?

Mr. SWEM. Yes, I can do so, Mr. Chairman.

The land acquisition cost as reported last year was a maximum of \$1,700,000. This year in our statement we are reporting a maximum of \$2,245,000.

As you know, during the past year or two we have been trying to improve our land cost estimating. We are now using a formula, and it has been applied for this year's estimate, which includes a sufficient amount for what we call contingency costs as well as administrative costs. This is the formula we are now applying to the cost estimates that we work up for any area that is proposed for addition to the national park system.

The development cost increased from \$8,840,000 to \$9,135,000. Actually the reason for this increase is that the construction costs were updated to 1967 from 1966. Mainly this reflects the increase in the building cost index.

The operations cost last year was reported at \$300,000 per year, and I am sorry to say that in submitting that cost last year we made an error in our calculations and in going over and updating our costs for this year we identified this error, and the actual cost of operations for the staffing for this particular project are actually estimated now at \$166,000.

Senator Moss. In the course of arriving at the estimated cost of acquisition, have you had any conversations or contacts with the owners of the island? As I understand it, the Island Ranching Co. owns about 98 percent of the island, so there would be one person really to contact.

Mr. SWEM. It is my understanding, Mr. Chairman, that we have. But I would like to refer this question to Mr. Carithers, if I might.

Mr. CARITHERS. We have discussed this with Mr. Alwell, who represents the Island Ranching Co. He has indicated a willingness to sell to the Federal Government. We have not discussed price.

Senator Moss. Then you have made no effort of any sort to get an option or settlement on price of any kind?

Mr. CARITHERS. No sir; we have not.

Senator Moss. The reason I ask the question is that there is a considerable increase in the amount over your 1966 figure. Yet I have the understanding without anything specific on my part, either, that last year's estimate seemed to be quite satisfactory to the Island Ranching Co. I just wondered why there is this considerable increase in the amount now.

Mr. SWEM. I do not think necessarily that the new cost reflected here could be attributable in any way to an increase in value of the land on the island. I think that most of this increase is due to the fact that we are including a more liberal allowance for contingency and for administrative costs, based on our experience in the last 2 or 3 years in land acquisition.

Senator Moss. Isn't it a fact, though, that this amount was in the record as an estimated cost of acquisition? It is then rather difficult to deal with the landowner and talk about a figure something less than this.

Mr. SWEM. Well, I think it would be unless it was recognized that included within this total amount is this liberal amount for contingency and mainly the administrative costs.

Now, I might explain there—it would be difficult to go through the calculations, but from the standpoint of administrative cost, based on our experience in land acquisition, we have found out that, averaging all the projects across the country, it is costing approximately 18 percent total cost of land acquisition for a project from the standpoint of what we would call our administrative costs. This would involve the surveys, the appraising, the negotiations and this type, of activity.

Senator Moss. Naturally I am concerned that the owners of land within my own State, people I represent, get full and fair value for any property that they may transfer to the Federal Government. On the other hand, I think we all are conscious of the fact that, where a national monument or other Federal installation is proposed, there usually is an escalation of land prices. So we must find a fair point in between—one that is fair to the landowner, but one that is also fair to the Federal Government in its acquisition. That is what I

am directing my questions to, since the amount in this case went up quite a bit, and gives me some concern.

I take it from your testimony that this increase is mostly because of the formula the Department uses to cover contingencies in its appraisal of lands. Is that correct?

Mr. SWEM. Yes, Mr. Chairman. And in the future on other new proposals we would be applying this very same formula.

Senator Moss. Could you tell me how the Department ordinarily proceeds on land acquisition; that is, before it becomes necessary to go into court, if it does become necessary? How do you negotiate in the first instance?

Mr. SWEM. Well, Mr. Chairman, once a project is authorized we have a special land staff and representatives of this particular staff would go into the area and make a detailed appraisal of the lands involved. This appraisal would serve as the base for our negotiating the purchase of this land from the owners. We make every possible effort to, of course, negotiate purchase of the land based on the appraisal.

There is a limited allowance for flexibility for us to go in on a negotiation, to go above the appraised price. If, as a result of our efforts at negotiation, based on our appraisal, we are unsuccessful in acquiring the land needed, we would then, of course, have to consider the use of eminent domain. We do this only as a last resort, however.

Senator Moss. My understanding in this case—and I have talked with the representatives of the owners—is that there is a willingness to negotiate a sale. The owners of the land have reached a conclusion that the ultimate result is going to be a transfer, and they are willing to negotiate.

I was wondering, if this monument were authorized, in your negotiation will you start off at your estimate of price, or do you get down to hard bargaining, as we would call it?

Mr. SWEM. Actually, before we attempted a negotiation we would go back on the property and make a detailed appraisal of the ownerships, mainly, for two reasons: First of all, to update them completely, and secondly to give a detailed appraisal of the value. These cost estimates that we use here are not based on what we would call normally a final appraisal, or a detailed appraisal of the particular property. We do send our land appraisers out there, and based on their checking the records and going over the land, they come up with the best estimates they can. Normally it is not as refined, or not as detailed as the appraisal that is made just prior to negotiation.

Senator Moss. You are testifying that this is the best estimate you can make at this point as to what the cost of acquisition would be?

Mr. SWEM. Right.

Senator Moss. Now I want to clarify one thing.

In the departmental report there was an amendment recommended to section 2 which would have the effect of permitting the Secretary to declare the monument by publication in the Federal Register when he determines that he has a sufficient quantity of land to provide an administrable unit. Is this the ordinary language that is used in establishing monuments?

Mr. HARRISON. Mr. Chairman, it is the language which we ordinarily are using these days. It takes into consideration the fact that it is possible that sufficient land can be acquired with which to go

ahead and provide services to the public and enjoyment in advance of every foot of the land being acquired. So this is the reason for offering this amendment.

I believe the way S. 25 was written it technically would require that all of the land be acquired before the land could be established for public use. So it is in the nature of a technical verification of what probably was intended anyway.

Senator MOSS. In this case, as I recall, there are either two or three 40-acre tracts that are in another ownership. They are really negligible as compared with the entire island.

Mr. HARRISON. That is right.

Senator MOSS. Under your language, if you reach an agreement with the principal owner and you had 98 percent of the island, it could be declared a monument at that point. Then you could proceed from there on to acquire these other very small holdings. Is that correct?

Mr. HARRISON. That is right, sir.

Mr. SWEM. And this is really probably the main reason for it, too, because of the particular landownership status here—the fact that there is more than one owner involved.

Senator MOSS. There is one other question I would like to ask concerning the language of the bill.

Section 5 has the usual provision authorizing to be appropriated such sums that are necessary to carry out provisions of the act. This committee has a practice of setting maximum sums which may not be exceeded.

If this section were to be amended with a “not to exceed” authorization, what figure would the Department recommend?

Mr. SWEM. Are you talking here, Mr. Chairman, about land acquisition alone?

Senator MOSS. This would be land acquisition and development funds.

Mr. SWEM. If the ceiling were used, we would recommend the ceiling that we have included within our statement, because we are contemplating that the acquisition and development would be carried out within the first 5 years.

Senator MOSS. If we add your figure of \$2,245,000 for acquisition and \$9,135,000 for development, the total would be \$11,380,000. If my arithmetic is correct, that is the amount you would recommend as the maximum.

Mr. HARRISON. That is right, sir.

Senator MOSS. Perhaps my colleagues would like to ask some questions.

Then we will have Mr. Carithers explain the maps.

Senator HATFIELD. I have some questions in line with what you have just been talking about.

Senator MOSS. I will recognize my colleagues. Senator Hansen, do you have any questions?

Senator HANSEN. I have just one question I would like to ask.

The island is owned principally by one group of owners, as I understand.

Mr. SWEM. That is correct, sir.

Senator HANSEN. Does the State own any land on the island?

Mr. SWEM. Yes. The State owns 80 acres of land on the island itself.

Senator HANSEN. And I notice here on page 3 of your statement you speak about the Great Salt Lake Authority—this is down about halfway in the first incomplete paragraph on page 3. You state: "The Authority has since made preliminary plans for the development of a State recreation area on a 4,200- to 4,400-acre tract of land on the north end of Antelope Island."

This land to which you refer is not presently State-owned. It is just an area that the State has in mind for development.

Mr. SWEM. That is right. This is land that would have to be acquired.

Senator HANSEN. I think the other questions I had have been adequately covered.

Senator MOSS. Senator HATFIELD.

Senator HATFIELD. Mr. Swem, is there a significant legal differentiation between a monument and other recreational establishment of the Department such as a national seashore?

Mr. SWEM. Many of the national monuments were established originally under the authority of the Antiquities Act. Recently, however, the national monuments have been established through specific legislation.

The national recreation areas also now must be established through specific legislation.

Senator HATFIELD. In other words there could be little difference, depending on the wording of the bill, between a national seashore and the process by which you establish it and a national monument and the process by which you establish it.

Mr. SWEM. From the standpoint of use of legislation, I would say there would be relatively little difference. But what would be contained in the legislation would be quite different, and also before an area is recommended for a national recreation area it has to satisfy certain requirements which have been established by the executive branch. Their administrative criteria—and they were established by the President's Recreation Advisory Council—contains seven mandatory criteria, and I would say this, that all of them really are tied into the relationship between the location of an area to population centers.

The requirements for a national monument—and this, of course, is borrowed from the intent of the Antiquities Act—is that the area be of national importance from the standpoint of scientific or prehistorical values.

Senator HATFIELD. I read, on page 1 of the bill, the language which you have created to acquire this property. I do not find a condemnation provision in this bill anywhere, or did it slip by me?

Mr. HARRISON. May I answer that, sir?

The first section of the bill on page 1 authorizes the Secretary to acquire, by gift, purchase, donated or appropriated funds or exchange, lands and so forth. The word "purchase," Senator, includes condemnation. This goes back to an early statute which authorizes the acquisition of lands through condemnation where there has been a determination by the appropriate agency in the Government that the lands are required. So that word "purchase" does include with it, by construction over the years, the authority to condemn, sir.

Senator HATFIELD. And yet one of the points that held up the Oregon Dunes National Seashore bill in the last session of the Congress was the condemnation language of that bill, which the Secretary of the Interior refused to compromise or to modify or to back off of.

It was not at all implied by such vague language as "purchase." It was spelled out in detail about the power vested in the Secretary of Interior to condemn land for the establishment of the Oregon Dunes National Seashore. And that was the point which hung up the bill.

Senator MORSE refused to approve of that section. He made many public pronouncements on it, simply because of the language of that bill. Why is this one so vague and that one so specific?

Mr. HARRISON. I cannot answer you as to why that one was so specific and this one so vague. All I can say is that there were limitations placed on the condemnation authority in the Oregon Dunes National Seashore legislation.

I think that, in terms of writing the limitation in, you pretty much have to use the word "condemnation."

Here, this is the accepted condemnation authority when you place no limitation upon it.

Senator HATFIELD. Would the Department be willing to approve an Oregon Dunes National Seashore bill with this kind of language relating to the question of condemnation?

Mr. HARRISON. Senator, your question is a very general one, involving strictly the legal standpoint, I believe, and I will answer it in the same fashion, by saying, "Yes, they would."

Now, this is not to say that the Department is insisting on absolute condemnation authority in the Oregon Dunes National Seashore, because the bill on which it reported favorably last year included various limitations upon the condemnation authority, sir.

Senator HATFIELD. Would you pay the State for the land that you acquired from the State of Utah for this national monument?

Mr. HARRISON. We would hope that it would be either donated or exchanged, sir. There is authority in this bill for that.

Senator HATFIELD. You would not insist on it being donated?

Mr. HARRISON. I believe that the State has already indicated a willingness to transfer the land, but we do not have a firm commitment on donation yet. We would certainly like to get it that way.

Senator HATFIELD. And yet the Department insisted that the State of Oregon donate some of the highest developed State parks in the entire Nation in the Oregon Dunes National Seashore proposal. A rather inconsistent policy, would it not be? You are talking about 80 acres here, as I understand it, that you would not necessarily insist on being donated, and yet you insisted on literally hundreds of acres of highly developed recreational land and facilities in the State of Oregon being donated to the Federal Government.

Mr. HARRISON. When it comes to the question of donation of the lands, I think that the history in this committee and the position it has taken is very pertinent.

This committee has taken a position with respect to State lands generally that there should be a donation. It is not a hard and fast rule, though, Senator.

I believe I am accurately stating the position of the committee. I don't want to overstate it.

Senator HATFIELD. I am more interested in the policy of the Department than I am the committee at this point, because it was the Department that made some very difficult situations for us.

Let me ask you this. Where you have the provision in the language that you may exchange land, subsection (c) on page 2, and I read the

language on line 14, "In exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which he classifies as suitable for exchange or other disposal."

Could this conceivably include rich timberlands in the State of Oregon that you would exchange for some of this land in Utah, as you proposed to do at Point Reyes National Seashore in California, for rich timberlands in Oregon?

Mr. HARRISON. The way the language is written, it would not be limited to lands within the State of Utah. It has been the practice of this committee, I believe, and we would certainly go along with it, if the committee wished to amend the bill, to limit it to lands in the State of Utah.

Senator HATFIELD. Mr. Chairman, we had a very unfortunate experience which created a great deal of trouble for Mr. Stoddard, in which there was an attempt made to exchange lands at the Point Reyes Seashore in California for Oregon timberlands. And the reason we raised a great furor over this program by the Department is that you still owe us in the State of Oregon new land selections of about 7,000 acres. You have been very, very slow in paying off the land you owe us. We are not ready to have some of our rich timberlands traded off for a national park when you told us there were no excess lands or disposable lands in Oregon that we could have rightfully ours under the land selection program.

So I want to make the point here that I would like to see spelled out a little bit clearer the question of where they can exchange lands. Second, I am not impressed with agency requests to acquire new lands when they have not returned to the States or given to the States lands that are owed to the States at this time.

Senator Moss. The Senator's point is well made. In fact, I believe that certainly the exchange ought to be of lands that are within the boundaries of the State. Therefore I am going to suggest at the appropriate time that on line 16, page 2, immediately after the word "jurisdiction" the words "in the State of Utah" be inserted. This makes it totally clear that any exchange made is for Federal lands within the State of Utah. There are vast amounts of Federal lands within the State of Utah, and certainly we should not be looking outside the State on any exchange.

Mr. HARRISON. We would look with favor on such an amendment, sir.

Senator Moss. We did get into some great difficulties in this committee on condemnation provisions on the Oregon Dunes bill, and they never were fully resolved. As the Senator indicated, the bill did not become law.

In this instance, I don't believe there is any such issue presented, because the Island Ranching Co. is in a position now where they are certainly willing to talk, and they would like to begin negotiations at this point.

I will ask Mr. Carithers now if he would explain the maps before the committee.

As you make reference to them, please try to make it as clear for the record as you can so when we read it we can understand your testimony.

Mr. CARITHERS. Thank you, Mr. Chairman.

I believe you have a copy of our picture book which will show much more graphically than I can explain what the features of the island are.

This is a vicinity map of the Great Salt Lake area. It shows the relationship of Antelope Island to Salt Lake City, and also the other towns north of there. Also it shows the relationship of the island to the Bear River Wildlife Refuge and the Golden Spike National Historic Site, established last year.

For the benefit of those not present last year when we explained our development program, I would like to explain it now.

I refer to drawing No. NM-GSL-7200-A, entitled "Suggested General Development, Proposed Great Salt Lake National Monument." This map depicts Antelope Island.

Presently there is a road coming out from Salt Lake City, extending up the island approximately to here. This is a dirt road, unimproved. I think at one time it went up to the high point here, which was an old airport beacon of some sort. Our plans are to improve this road from the entrance to the monument up past this station, past the monument headquarters, and on up to the northern tip of the island. We would then have a loop road coming back the south end of the island and on out again.

Ultimately there will be a dike from the town of Syracuse across to the northern tip of the island. This dike is partially constructed now, and will be completed very shortly, I understand. I think the State has funds for this purpose. This will provide an access point from the island to the mainland and provide a very attractive loop route which the visitor could take from here to here, and back around Salt Lake City.

Ultimately there will be a dike constructed from this dike up to Freemont Island. Promontory Point, which will connect these three points and provide a loop route through our Golden Spike National Historic Site and back to Salt Lake City.

In surveying the island, we were particularly interested in the geologic features. We felt the northern tip of the land was the place in which to interpret the Great Salt Lake story.

We selected a point here, which is a high point, for an observation and interpretive center. This is a visitors' center, as we usually call it. This will be a point at which the visitor will be oriented, will be told what is available on the island in the way of interpretation, trails, facilities, roads and so forth.

We intend to have two campgrounds on the island. These are tucked away in two canyons on the west side.

We would also have a network of trails which would keep pretty high up on the backbone of the island, and provide views off to the north and to the west.

Also contemplated is the development of a salt water beach on the northern tip of the island. We are not exactly sure where this would be located. It will depend on the grading involved. We have not made detailed engineering studies. But it is our feeling that swimming or at least bathing in the Great Salt Lake is one of the ways to enjoy and experience it. We would also have a salt water beach somewhere in this approximate location.

Ultimately, when the State completes this dike across here—and this is part of the Great Salt Lake Authority's plan—this will be salt water to the south of the dike and fresh water to the north.

Plans are to make a 170,000-acre fresh water lake by diking. This is the State plan. It is in the works, I understand.

Although the main features here are geologic, it is a wonderful opportunity for a wildlife area. It is an island. It is isolated. The outside influences are minimal. There is a small herd of buffalo on the island now. It is our understanding that buffalo are indigenous to this area and they will remain there. Antelope have been reported on the island. They are not there at the present time. We would give consideration to reintroducing them. There is a very good herd of mule deer.

Wildlife here is exceptional. Although the pictures may indicate that this is a barren, rather bleak island, I hiked from here down to here in one day, following Congressman King—I had no idea we were going to make the long hike, but we did.

It has great possibilities as a hiking area. The views off to the west are spectacular, there is no question about it. It can get hot in the summertime, but in the spring and fall it is ideal for hiking and camping.

I should explain that the gradient—as Senator Moss explained earlier—is critical here. In some places you have to wade out maybe a thousand yards to get in water up to your knees. In some places it is deeper. Right along in here, for example, it is about 10 feet deep, less than half a mile offshore. But the tides can go down, or the water can go down approximately an inch and expose maybe a quarter of a mile of land.

This line is based on the 1876 survey—1,000 yards within that line was the 1876 line. This is why this piece of land, which shows on the map as being outside of the area shown here, is actually under water.

I will be happy to answer any questions of any members of the committee.

Senator Moss. Thank you very much, Mr. Carithers. There is a rather full discussion of this in the hearings that we had last year. We were glad to have you call attention to these points again.

I did agree with the chairman of the committee that we would not cover again things that were fully explained last year.

My colleagues may have some questions, however, that they would like to ask.

One thing I always like to underline is that the old ranchhouse on this island, still occupied, is the oldest building in Utah still being used for the purpose for which it was built. It has been used as a ranchhouse since 1849. So it is a very historic site in that regard alone.

The island has a little cultivation on the eastern slopes where they have seeded in some grain and where the cattle have been husbanded. But the west side is completely primitive and just the way it was before white men showed up.

Thank you, Mr. Carithers.

No questions?

I think this now brings our record up to date.

As I indicated, it is my intention to propose that we accept the language that the Department proposed for section 2, that when the

Secretary finds that he has an appreciable unit he may declare the monument established. I propose to make it clear that any exchange of property is confined within the boundaries of the State of Utah, if exchange is made for any property.

I do propose to follow the practice of this committee of authorizing not to exceed the estimated acquisition cost of \$2,245,000, and not to exceed \$9,135,000 for development.

With that, we can then pass it on.

Is there anything further? I understand there may be a statement coming over from the House side. So the record will remain open for 5 days for any additional statements.

The hearing is adjourned.

(Whereupon, at 11:15 a.m., the subcommittee took a recess, subject to the call of the Chair.)



