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# NATIONWIDE SYSTEM OF TRAILS

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## HEARINGS

BEFORE THE

### COMMITTEE ON

## INTERIOR AND INSULAR AFFAIRS

### UNITED STATES SENATE

NINETIETH CONGRESS

FIRST SESSION

ON

S. 827

A BILL TO ESTABLISH A NATIONWIDE SYSTEM OF TRAILS,  
AND FOR OTHER PURPOSES

MARCH 15 AND 16, 1967



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Committee on Interior and Insular Affairs

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# NATIONWIDE SYSTEMS OF TRAILS

WEDNESDAY, MARCH 15, 1967

U.S. SENATE,  
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,  
Washington, D.C.

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

Present: Senators Moss, Gruening, Nelson, Allott, Jordan, and Hansen.

Also present: Jerry T. Verkler, staff director; Stewart French, chief counsel; Porter Ward, professional staff member, and E. Lewis Reid, minority counsel.

Senator Moss. The committee will come to order.

We are glad to have so many of you here in attendance this morning as we begin our consideration of S. 827.

This is the time that has been regularly set and noticed for the hearings upon S. 827, the bill to establish a nationwide system of trails. The bill is the outgrowth of a joint study conducted by the Secretaries of Interior and Agriculture, in cooperation with public and private interests, which was completed in 1966. Its purpose is to provide a system of trails where there will be opportunity for all Americans to renew their friendship with the outdoors—trails that would be both near and far from metropolitan areas; trails to afford convenient outings that could last for hours or for weeks.

Four trails would make up the initial system—the Appalachian Trail, from Maine to Georgia; the Continental Divide Trail, from near Mexico to the Canadian Border; the Pacific Crest Trail, along the mountain ranges of the west coast between Mexico and Canada, and the Potomac Heritage Trail, from the mouth of the Potomac River to its sources in Pennsylvania and West Virginia.

Eight other trails would be studied for possible future inclusion.

At this point, we will insert in the record the text of S. 827, and the letter of the Secretary of Interior transmitting the bill to the Senate.

(The data referred to follow:)

[S. 827, 90th Cong., first sess.]

A BILL To establish a nationwide system of trails and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## STATEMENT OF POLICY

SECTION 1. (a) The Congress finds that in order to provide for the ever-increasing outdoor recreation needs of an expanding population and to promote public

access to, travel within, and enjoyment of, the National and State parks, forests, recreation areas, historic sites, and other areas, existing trails should be improved and maintained and additional trails should be established both in the remaining highly scenic and unspoiled areas and in the metropolitan areas of the Nation.

#### NATIONWIDE SYSTEM OF TRAILS

(b) To carry out the policy set forth in subsection (a) of this section, there is hereby established a nationwide system of trails composed of (1) trails designated as "national scenic trails" in this Act or subsequent Acts of Congress; (2) park, forest, and other recreation trails on lands within areas administered by the Secretary of the Interior or the Secretary of Agriculture when designated by the appropriate Secretary; (3) park, forest, and other recreation trails on lands administered by the States when designated by the States and approved by the Secretary of the Interior; and (4) recreation trails on lands in and near metropolitan areas when designated by the administering agency and approved by the Secretary of the Interior. The Secretary of the Interior and the Secretary of Agriculture, in consultation with the appropriate Federal agencies, States, local governments, private organizations, and advisory councils, shall select a uniform marker for the nationwide system of trails, and shall provide for the placement upon the uniform marker of a distinctive symbol for each national scenic trail.

#### DEFINITION OF NATIONAL SCENIC TRAILS

SEC. 2. (a) A national scenic trail eligible to be included in the system is an extended trail which has natural, scenic, or historic qualities that give the trail recreation use potential of national significance.

(b) The following trails are hereby designated as "national scenic trails":

(1) The Appalachian Trail, a trail of some two thousand miles, extending generally along the Appalachian Mountains from Mount Katahdin, Maine, to Springer Mountain, Georgia.

(2) Continental Divide Trail, a three thousand one hundred mile trail extending from near the Mexican border in southwestern New Mexico northward generally along the Continental Divide to the Canadian border in Glacier National Park.

(3) Pacific Crest Trail, a two thousand three hundred and fifty mile trail extending from the Mexican-California border northward generally along the mountain ranges of the west coast States to the Canadian-Washington border near Lake Ross.

(4) Potomac Heritage Trail, an eight hundred and twenty-five mile trail extending generally from the mouth of the Potomac River to its sources in Pennsylvania and West Virginia, including the one hundred and seventy mile Chesapeake and Ohio Canal towpath.

#### FEDERAL, STATE, AND LOCAL PLANNING FOR ADDITIONAL NATIONAL SCENIC TRAILS

(c) The Secretary of the Interior, and the Secretary of Agriculture where lands administered by him are involved, shall make studies of the feasibility and desirability (including costs and benefits) of designating other trails as national scenic trails. Such studies shall be made in consultation with the heads of other Federal agencies administering lands through which the trails would pass and in cooperation with interested interstate, State, local governmental and private agencies and organizations concerned. The two Secretaries shall submit the studies to the President, together with their recommendations resulting therefrom for the inclusion of any or all such trails in the system, and the President shall submit to the Congress such recommendations, including legislation, as he deems appropriate. The studies may include, among others, all or appropriate portions of—

(1) Chisholm Trail, from San Antonio, Texas, approximately seven hundred miles north through Oklahoma to Abilene, Kansas.

(2) Lewis and Clark Trail, from St. Louis, Missouri, approximately four thousand six hundred miles to the Pacific Ocean in Oregon, following both the outbound and inbound routes of the Lewis and Clark Expedition.

(3) Natchez Trace, from Nashville, Tennessee, approximately six hundred miles to Natchez, Mississippi.

(4) North Country Trail, from the Appalachian Trail in Vermont, approximately three thousand two hundred miles through the States of New York, Pennsylvania, Ohio, Michigan, Wisconsin, and Minnesota, to the Lewis and Clark Trail in North Dakota.

(5) Oregon Trail, from Independence, Missouri, approximately two thousand miles to near Fort Vancouver, Washington.

(6) Santa Fe Trail, from Independence, Missouri, approximately eight hundred miles to Santa Fe, New Mexico.

(7) Long Trail, extending two hundred and fifty-five miles from the Massachusetts border northward through Vermont to the Canadian border.

(8) Mormon Trail, extending from Nauvoo, Illinois, to Salt Lake City, Utah, through the States of Iowa, Nebraska, and Wyoming.

#### SELECTION OF ROUTES FOR NATIONAL SCENIC TRAILS

(d) The Secretary of the Interior shall select the rights-of-way for trails designated as national scenic trails by subsection (b) of this section, paragraphs (1) and (4), and the Secretary of Agriculture shall select the rights-of-way for the trails designated by paragraphs (2) and (3). Such rights-of-way shall be (1) of sufficient width and so located to provide the maximum retention of natural conditions, scenic and historic features, and primitive character of the trail area, to provide campsites, shelters, and related public-use facilities, and to provide reasonable public access; and (2) located to avoid, insofar as practicable, established highways, motor roads, mining areas, power transmission lines, existing commercial and industrial developments, range fences and improvements, private operations, and any other activities that would be incompatible with the protection of the trail in its natural condition and its use for outdoor recreation. Where practicable, the right-of-way for the Appalachian Trail shall include lands protected for it under agreements in effect on January 1, 1966, to which Federal agencies and States were parties. The location and width of a national scenic trail right-of-way across Federal lands under the jurisdiction of another Federal agency shall be by agreement between the head of that agency and the appropriate Secretary. In selecting a right-of-way, the appropriate Secretary shall obtain the advice and assistance of the States, local governments, private organizations, landowners, the land users concerned, and the advisory council established under subsection (f) of this section. The appropriate Secretary may revise the location and width of a right-of-way from time to time as required by circumstances, with the consent of the head of any other Federal agency involved, and with the advice and assistance of the aforesaid States, local governments, private organizations, landowners, land users, and the advisory council.

The appropriate Secretary shall publish notice of the selection of a right-of-way in the Federal Register, together with appropriate maps and descriptions. If in his judgment changes in the right-of-way become desirable, he shall make the changes in the same manner.

#### MARKERS TO IDENTIFY NATIONAL SCENIC TRAILS

(e) The Secretary of the Interior and the Secretary of Agriculture, in consultation with the Federal agencies, States, local governments, private organizations concerned, and the advisory councils, shall erect and maintain the uniform marker for the nationwide system of trails at appropriate points along each national scenic trail route, and shall select a symbol for each such trail for placement upon the uniform marker. Where the trail route passes through Federal lands, such marker shall be erected and maintained by the Federal agency administering the lands. Where the trail route passes through non-Federal lands and is administered under cooperative agreements, the Secretary of the Interior and the Secretary of Agriculture shall require the cooperating agencies to erect and maintain such marker.

#### ADVISORY COUNCILS FOR NATIONAL SCENIC TRAILS

(f) The Secretary charged with the selection of the right-of-way for a national scenic trail may establish an advisory council for each such trail. The appropriate Secretary shall consult with any such council from time to time

with respect to matters relating to the trail, including the selection of the right-of-way, the selection, erection, and maintenance of the markers along the trail route, and the administration of the trail. The members of an advisory council shall be appointed for a term not to exceed five years by the appropriate Secretary as follows:

(1) A member appointed to represent each Federal department or independent agency administering lands through which the trail route passes and each appointee shall be the person designated by the head of such department or agency.

(2) A member appointed to represent each State through which the trail passes and such appointments shall be made from recommendations of the Governors of such States.

(3) One or more members appointed to represent private organizations that, in the opinion of the Secretary, have an established and recognized interest in the trail and such appointments shall be made from recommendations of the heads of such organizations. In the case of the Appalachian Trail, the Appalachian Trail Conference shall be represented by a sufficient number of persons to represent the various sections of the country through which the trail passes.

The appropriate Secretary shall designate one member to be chairman. Any vacancy in a council shall be filled in the same manner as the original appointment.

Members of an advisory council shall serve without compensation, but the appropriate Secretary may pay the expenses reasonably incurred by the council in the performance of its functions upon presentation of vouchers signed by the chairman.

#### ACQUISITION, DEVELOPMENT, AND ADMINISTRATION OF LANDS FOR NATIONAL SCENIC TRAILS

(g) Within the exterior boundaries of areas under their administration that are included in the right-of-way selected for a national scenic trail as provided in subsection (d) of this section, the heads of Federal agencies may (1) enter into written cooperative agreements with landowners, States, local governments, private organizations, and individuals in order to develop, operate, and maintain the trail; and (2) acquire lands or interests in lands by donation, purchase with donated or appropriated funds, or exchange.

(h) The Secretary of the Interior, in the exercise of his exchange authority, may accept title to any non-Federal property within the right-of-way, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which is located in the States through which the trail passes and 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. The Secretary of Agriculture, in the exercise of his exchange authority, may utilize authorities and procedures available to him in connection with exchanges of national forest lands.

(i) Where the lands included in a national scenic trail right-of-way are outside of the exterior boundaries of federally administered areas, the States or local governments involved shall be encouraged (1) to enter into written cooperative agreements with landowners, private organizations, and individuals in order to develop, operate, and maintain the trail; and (2) to acquire, develop, and administer such lands or interests therein: *Provided*, That if the State or local governments fail to enter into such agreements or to acquire such lands or interests therein within two years after the selection of the right-of-way, the Secretary charged with the selection of the right-of-way may (1) enter into such agreements with landowners, States, local governments, private organizations, and individuals; and (2) acquire private lands or interests therein by donation, purchase with donated or appropriated funds, or exchange, and may develop and administer such lands or interests therein: *Provided further*, That exchanges shall be governed by the provisions of subsection (h) of this section: *And provided further*, That the appropriate Secretary shall utilize condemnation proceedings without the consent of the owner to acquire private lands or interests therein pursuant to this subsection only in cases where, in his judg-

ment, all reasonable efforts to acquire such lands or interests therein by negotiation have failed, and in such cases he shall acquire the fee title only where, in his judgment, lesser interests in land (including scenic easements) or written agreements are not adequate. Money appropriated for Federal purposes from the land and water conservation fund shall be available for the acquisition of property for the purposes of this section.

(j) The Secretary of the Interior shall develop and administer the Appalachian and Potomac Heritage Trails and the Secretary of Agriculture shall develop and administer the Continental Divide and Pacific Crest Trails, except that any portion of any such trail that is within areas administered by another Federal agency shall be administered in such manner as may be agreed upon by the appropriate Secretary and the head of that agency, or as directed by the President. The Federal agencies shall coordinate their efforts to provide uniform administration and protection of the national scenic trails, and shall give encouragement to, and cooperate with, States, local governments, private organizations, and individuals in promoting the purposes of this section.

National scenic trails shall be administered, protected, developed, and maintained to retain their natural, scenic, and historic features; and provision may be made for campsites, shelters, and related public-use facilities; and other uses that will not substantially interfere with the nature and purposes of the trails may be permitted or authorized, as appropriate: *Provided*, That the use of motorized vehicles by the general public along any national scenic trail shall be prohibited, and the Appalachian Trail shall be developed and maintained primarily as a footpath to retain its primeval environment: *Provided further*, That the Federal laws and regulations applicable to Federal lands or areas included in any national scenic trail shall continue to apply to the extent agreed upon by the appropriate Secretary and the head of the agency having jurisdiction over the Federal lands involved, or as directed by the President.

The appropriate Secretary, with the concurrence of the heads of any other Federal agencies administering lands through which a national scenic trail passes, and after consultation with the States, local governments, and private organizations concerned, and any advisory council established under subsection (f) of this section, may issue regulations, which may be revised from time to time, governing protection, management, use, development, and administration of a national scenic trail. Any person who violates a regulation issued pursuant to this Act shall be guilty of misdemeanor, and may be punished by a fine of not more than \$500, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

(k) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

#### FEDERAL PARK, FOREST, AND OTHER RECREATION TRAILS

Sec. 3. (a) The Secretary of the Interior and the Secretary of Agriculture are directed to improve, expand, and develop park, forest, and other recreation trails for hiking, horseback riding, cycling, and other related uses on lands within areas administered by them: *Provided*, That the use of motorized vehicles by the general public shall be prohibited on such trails within (1) the natural and historical areas of the national park system; (2) the national wildlife refuge system; (3) the national wilderness preservation system; and (4) other Federal lands where trails are designated as being closed to such use by the appropriate Secretary. Such trails may be designated and suitably marked as part of the nationwide system of trails by the appropriate Secretary.

(b) Whenever the Secretary of the Interior makes any conveyance of land under any of the public land laws, he may reserve a right-of-way for trails to the extent he deems necessary to carry out the purposes of this Act.

#### STATE AND METROPOLITAN AREA TRAILS

Sec. 4. (a) The Secretary of the Interior is directed to encourage States to consider, in their comprehensive statewide outdoor recreation plans and proposals for financial assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act, needs and opportunities for establishing park, forest, and other recreation trails on lands owned or administered by States, and recreation trails on lands in or near urban areas. He is

further directed, in accordance with the authority contained in the Act of May 28, 1963 (77 Stat. 49), to encourage States, political subdivisions, and private interests, including nonprofit organizations, to establish such trails.

(b) The Secretary of Housing and Urban Development is directed, in administering the program of comprehensive urban planning and assistance under section 701 of the Housing Act of 1954, to encourage the planning of recreation trails in connection with the recreation and transportation planning for metropolitan and other urban areas. He is further directed, in administering the urban open-space program under title VII of the Housing Act of 1961, to encourage such recreation trails.

(c) The Secretary of Agriculture is directed, in accordance with authority vested in him, to encourage States and local agencies and private interests to establish such trails.

(d) Such trails may be designated and suitably marked as parts of the nationwide system of trails by the States, their political subdivisions, or other appropriate administering agencies with the approval of the Secretary of the Interior.

#### UTILITY RIGHTS-OF WAY

SEC. 5. The Secretary of the Interior and the Secretary of Agriculture are authorized, with the cooperation of the Interstate Commerce Commission, the Federal Communications Commission, the Federal Power Commission, and other Federal agencies having jurisdiction, control over, or information concerning the use, abandonment, or disposition of rights-of-way and similar properties that may be suitable for trail route purposes, to develop effective procedures to assure that, wherever practicable, utility rights-of-way or similar properties having value for trail route purposes may be made available for such use.

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
*Washington, D.C., February 1, 1967.*

HON. HUBERT H HUMPHREY,  
*President of the Senate,*  
*Washington, D.C.*

DEAR MR. PRESIDENT: The President in his February 23, 1966, message on preserving our natural heritage, said "I am submitting legislation to foster the development by Federal, State, and local agencies of a nationwide system of trails and give special emphasis to the location of trails near metropolitan areas." Such legislation was submitted in the 2d session of the 89th Congress, and is resubmitted in the enclosed draft bill in a slightly modified form.

A nationwide system of trails will open to all the opportunity to develop an intimacy with the wealth and splendor of America's outdoor world for a few hours at a time, or on one-day jaunts, overnight treks, or expeditions lasting a week or more. A system of trails carved through areas both near to, and far from, man and his works will provide many varied and memorable experiences for all who utilize the trails.

The enclosed draft bill is based upon a joint study by the Secretary of the Interior and the Secretary of Agriculture in cooperation with other public and private interests. The bill provides for the establishment of a Nationwide System of Trails composed of the following four general classes of trails to serve the needs of the American people:

#### NATIONAL SCENIC TRAILS

A relatively small number of lengthy trails which have natural, scenic, or historic qualities that give them recreation use potential of national significance. Such trails will be several hundred miles long, may have overnight shelters at appropriate intervals, and may interconnect with other major trails to permit the enjoyment of such activities as hiking or horseback riding. The enclosed bill designates certain trails as national scenic trails for inclusion in the Nationwide System, and provides that other trails may be so designated by subsequent legislation. The bill provides that money appropriated for Federal purposes from the Land and Water Conservation Fund shall be available to Federal agencies to acquire property for the national scenic trails. By the terms of the Land

and Water Conservation Fund Act of 1965, money appropriated from the fund for State purposes would be available to States and their political subdivisions for land acquisition and development for trail purposes. The development of national scenic trails by Federal agencies would be financed by appropriations from the general fund of the Treasury.

#### FEDERAL PARK, FOREST, AND OTHER RECREATION TRAILS

There will be an improvement and expansion of existing trails and the development of additional trails within areas administered by the Secretaries of the Interior and Agriculture in order to enable the public to make use of the distinctive natural, scenic, and historic resources of the areas administered by the two Secretaries. Among such areas are the national parks, national forests, national wildlife refuges, Indian Reservations, and public domain lands. However, appropriate arrangements would need to be made with the Indian Tribes and individual Indians involved for right-of-way or easement across Indian lands. No new legislation is required to authorize the construction of this class of trails. The two Secretaries will request funds for the trails as part of their regular requests for appropriations as they have in the past. The enclosed bill authorizes each Secretary to designate and mark the trails of this class under his administrative jurisdiction as part of the Nationwide System of Trails.

#### STATE PARK, FOREST, AND OTHER RECREATION TRAILS

An expansion of trails on lands owned or administered by the States will be encouraged. Only a few States now have major trail development programs underway or planned. Almost half of the States report that they have less than 100 miles of such trails. The enclosed bill directs the Secretary of the Interior to encourage the States to consider needs and opportunities for such trails in the comprehensive statewide outdoor recreation plans and project proposals submitted to the Secretary under the Land and Water Conservation Fund Act of 1965 (78 Stat. 897). Upon the approval by the Secretary of the Interior of trail projects proposed by the States for financial assistance under the Fund Act, funds would be available for the acquisition and development of the trails from the monies allocated to the States out of the Fund. The bill also directs the Secretary of the Interior, under the authority of the Act of May 28, 1963 (77 Stat. 49), and the Secretary of Agriculture, under authority vested in him, to encourage the establishment of such trails. The States may designate and mark this class of trails as part of the Nationwide System with the approval of the Secretary of the Interior.

#### METROPOLITAN AREA TRAILS

To serve people near their homes, local governments will be encouraged to develop trails designed primarily for day use in and near urban areas. These trails will satisfy the needs of large numbers of people for limited hiking and riding experiences. Whenever possible, the trails will lead directly from urban residential areas. Where appropriate, river and canal banks, utility rights-of-way, abandoned railroad or streetcar beds, and even city streets and sidewalks will be utilized. The enclosed bill directs the Secretary of the Interior to encourage the establishment of metropolitan area trails under the existing authority and procedures of the Land and Water Conservation Fund Act. It also directs the Secretary of Housing and Urban Development to encourage the planning and provision of trails in metropolitan and other urban areas through the existing urban planning assistance program and the urban open-space land program. In addition, the bill directs the Secretary of the Interior, under the authority of the Act of May 28, 1963 (77 Stat. 49), and the Secretary of Agriculture, under the authority vested in him, to encourage States, political subdivisions and private interests, including nonprofit organizations, to establish metropolitan area trails. This class of trails may be designated and marked as part of the System by the States or other administering agencies with the approval of the Secretary of the Interior.

As initial units of the Nationwide System of Trails, the enclosed bill designates four trails located within easy reach of major population centers as national scenic trails:

1. The Appalachian Trail, extending 2,000 miles along the Appalachian Mountains from Maine to Georgia.
2. Continental Divide Trail, extending 3,100 miles along the Continental Divide from near the Mexican border to the Canadian border.
3. Pacific Crest Trail, extending 2,350 miles along the mountain ranges of the West Coast States from the Mexican border to the Canadian border.
4. Potomac Heritage Trail, extending 825 miles along the Potomac River from its mouth to its sources in Pennsylvania and West Virginia.

The Secretary of the Interior is authorized to select a right-of-way for, and to provide appropriate marking of, the Appalachian and Potomac Heritage Trails, and the Secretary of Agriculture is authorized to do likewise for the Continental Divide and Pacific Crest Trails. The rights-of-way for the trails will be of sufficient width to protect natural, scenic, and historic features along the trails and to provide needed public use facilities. The rights-of-way will be located to avoid established uses that are incompatible with the protection of a trail in its natural condition and its use for outdoor recreation. The location, relocation, and marking of the natural scenic trails will be coordinated with the various Federal agencies, States, local governments, private organizations, and individuals concerned. Notice of the selection of the trail rights-of-way, and changes therein will be published in the *Federal Register*.

The Secretary charged with the selection of the right-of-way for the four national scenic trails is authorized to establish an advisory council for each trail. The council will advise and assist in the selection of the right-of-way, and the marking and administration of the trail. The advisory council will include representatives of the Federal agencies that administer lands through which the trail passes, of the States involved, and of private organizations having an established and recognized interest in the trail.

The enclosed bill requires the advisory council for the Appalachian Trail to include a sufficient number of members of the Appalachian Trail Conference to represent the various sections of the country through which the trail passes. This provision of the bill recognizes the long history of responsible service of the Appalachian Trail Conference and its more than 40 member clubs which now maintain much of the 2,000-mile length of the trail.

The bill authorizes the heads of Federal agencies, within the exterior boundaries of federally administered areas that are included in the right-of-way selected for a national scenic trail (1) to enter into written cooperative agreements with private landowners, private organizations, and individuals to develop, operate, and maintain the trail; and (2) to acquire lands or interests in lands by donation, purchase with donated or appropriated funds, or exchange.

With respect to the lands within a national scenic trail right-of-way that are outside of the exterior boundaries of federally administered areas, the bill encourages States and local governments (1) to enter into written cooperative agreements with landowners, private organizations, and individuals to develop, operate, and maintain the trail; and (2) to acquire, develop, and administer these lands or interests therein. If, however, the States or local governments are unable or unwilling to enter into such agreements or to acquire such lands to protect the established route of the trail within two years after the selection of the right-of-way, the Secretary charged with the selection of the right-of-way is authorized to undertake such agreements with the above parties and State and local governments, and to acquire, develop, and administer the privately owned lands or interests therein. The appropriate Secretary may not, however, acquire the privately owned lands and interests therein by eminent domain without the consent of the owner unless he has made all reasonable efforts to acquire such property by negotiation. And in exercising the power of eminent domain in such cases, he may not acquire the fee title unless he determines the acquisition of lessor interests or written agreements is inadequate.

The Secretary of the Interior will administer the Appalachian and Potomac Heritage Trails, and the Secretary of Agriculture will administer the Continental Divide and Pacific Crest Trails. When any portion of one of the above trails is within an area administered by another Federal agency, however, such portion will be administered as the appropriate Secretary and the head of that agency determine, or as directed by the President.

The use of motor vehicles by the general public along national scenic trails will be prohibited. This will not, however, prevent motor vehicles from crossing

the trails where necessary, or the use of motor vehicles along the trails for rescue, fire fighting, or other emergency purposes. Similarly, it is recognized that additional highways, utility lines, and other vital public facilities may unavoidably be routed across the trails.

The Appalachian Trail Conference will be encouraged to continue its role as the principal guardian of the Appalachian Trail. For over 40 years, thousands of volunteer members of the Appalachian Trail Conference have teamed together to establish and maintain the trail. Their work on the trail has been as important an outdoor recreation activity to them as the enjoyment of hiking and camping along the trail. The enclosed bill will insure that the Appalachian Trail will continue to provide both a source of hiking pleasure to Trail Conference members and the general public and an opportunity for volunteer work to help maintain the trail.

We estimate the land acquisition cost for the four national scenic trails at approximately \$9,985,000 and the development costs for the first five years at approximately \$20,000,000. Annual operation and maintenance costs for the four trails are expected to be about \$1,177,000 after the fifth year.

The \$9,985,000 land acquisition cost figure would provide for the acquisition of lands or interests therein along those portions of the trails not now in public ownership. This assumes acquisition in fee of an average of 25 acres per mile, as well as the acquisition of scenic easements, as needed, to protect trail values on adjoining lands. The 25-acre per mile acquisition in fee would permit a right-of-way averaging about 200 feet in width. We hope, however, that satisfactory written cooperative agreements can be negotiated which will materially reduce the need for land acquisition, and thus the estimated cost.

In keeping with the bill's objective of encouraging cooperation between the Federal agencies, States, local governments, and private interests concerned, we anticipate that non-Federal interests will participate actively in the acquisition, development, operation, and maintenance of the Appalachian Trail. To the extent of such participation, the need for Federal funds also will be reduced.

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 of appropriated funds exceed \$1 million, is enclosed.

This proposed legislation has been prepared in collaboration with the Secretary of Agriculture and has his approval.

The Bureau of the Budget has advised that the presentation of this proposed legislation would be in accord with the program of the President.

Sincerely yours,

CHARLES F. LUCE,  
*Acting Secretary of the Interior.*

A BILL To establish a nationwide system of trails, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

STATEMENT OF POLICY

SEC. 1. (a) The Congress finds that in order to provide for the ever-increasing outdoor recreation needs of an expanding population and to promote public access to, travel within, and enjoyment of, the national and State parks, forests, recreation areas, historic sites, and other areas, existing trails should be improved and maintained and additional trails should be established both in the remaining highly scenic and unspoiled areas and in the metropolitan areas of the Nation.

NATIONWIDE SYSTEM OF TRAILS

(b) To carry out the policy set forth in subsection (a) of this section, there is hereby established a Nationwide System of Trails composed of (1) trails designated as "national scenic trails" in this Act or subsequent Acts of Congress; (2) park, forest, and other recreation trails on land within areas administered by the Secretary of the Interior or the Secretary of Agriculture when designated by the appropriate Secretary; (3) park, forest, and other recreation trails on lands administered by the States when designated by the States and approved by the Secretary of the Interior; and (4) recreation trails on lands in and near metro-

political areas when designated by the administering agency and approved by the Secretary of the Interior. The Secretary of the Interior and the Secretary of Agriculture, in consultation with the appropriate Federal agencies, States, local governments, private organizations, and advisory councils, shall select a uniform marker for the Nationwide System of Trails, and shall provide for the placement upon the uniform marker of a distinctive symbol for each national scenic trail.

#### DEFINITION OF NATIONAL SCENIC TRAILS

SEC. 2. (a) A national scenic trail eligible to be included in the System is an extended trail which has natural, scenic, or historic qualities that give the trail recreation use potential of national significance.

(b) The following trails are hereby designated as "national scenic trails":

(1) The Appalachian Trail, a trail of some 2000 miles, extending generally along the Appalachian Mountains from Mount Katahdin, Maine, to Springer Mountain, Georgia.

(2) Continental Divide Trail, a 3100-mile trail extending from near the Mexican border in southwestern New Mexico northward generally along the Continental Divide to the Canadian border in Glacier National Park.

(3) Pacific Crest Trail, a 2350-mile trail extending from the Mexican-California border northward generally along the mountain ranges of the West Coast States to the Canadian-Washington border near Lake Ross.

(4) Potomac Heritage Trail, an 825-mile trail extending generally from the mouth of the Potomac River to its sources in Pennsylvania and West Virginia, including the 170-mile Chesapeake and Ohio Canal Towpath.

#### FEDERAL, STATE, AND LOCAL PLANNING FOR ADDITIONAL NATIONAL SCENIC TRAILS

(c) The Secretary of the Interior, and the Secretary of Agriculture where lands administered by him are involved, shall make studies of the feasibility and desirability (including costs and benefits) of designating other trails as national scenic trails. Such studies shall be made in consultation with the heads of other Federal agencies administering lands through which the trails would pass and in cooperation with interested interstate, State, local governmental and private agencies and organizations concerned. The two Secretaries shall submit the studies to the President, together with their recommendations resulting therefrom for the inclusion of any or all such trails in the System, and the President shall submit to the Congress such recommendations, including legislation, as he deems appropriate. The studies may include, among others, all or appropriate portions of:

(1) Chisholm Trail, from San Antonio, Texas, approximately 700 miles north through Oklahoma to Abilene, Kansas.

(2) Lewis and Clark Trail, from St. Louis, Missouri, approximately 4600 miles to the Pacific Ocean in Oregon, following both the outbound and inbound routes of the Lewis and Clark Expedition.

(3) Natchez Trace, from Nashville, Tennessee, approximately 600 miles to Natchez, Mississippi.

(4) North Country Trail, from the Appalachian Trail in Vermont, approximately 3200 miles through the States of New York, Pennsylvania, Ohio, Michigan, Wisconsin, and Minnesota, to the Lewis and Clark Trail in North Dakota.

(5) Oregon Trail, from Independence, Missouri, approximately 2000 miles to near Fort Vancouver, Washington.

(6) Santa Fe Trail, from Independence, Missouri, approximately 800 miles to Santa Fe, New Mexico.

(7) Long Trail, extending 255 miles from the Massachusetts border northward through Vermont to the Canadian border.

(8) Mormon Trail, extending from Nauvoo, Illinois, to Salt Lake City, Utah, through the States of Iowa, Nebraska, and Wyoming.

#### SELECTION OF ROUTES FOR NATIONAL SCENIC TRAILS

(d) The Secretary of the Interior shall select the rights-of-way for trails designated as national scenic trails by subsection (b) of this section, paragraphs (1) and (4), and the Secretary of Agriculture shall select the rights-of-way for the trails designated by paragraphs (2) and (3). Such rights-of-way shall be

(1) of sufficient width and so located to provide the maximum retention of natural conditions, scenic and historic features, and primitive character of the trail area, to provide campsites, shelters, and related public-use facilities, and to provide reasonable public access; and (2) located to avoid, insofar as practicable, established highways, motor roads, mining areas, power transmission lines, existing commercial and industrial developments, range fences and improvements, private operations, and any other activities that would be incompatible with the protection of the trail in its natural condition and its use for outdoor recreation. Where practicable, the right-of-way for the Appalachian Trail shall include lands protected for it under agreements in effect on January 1, 1966, to which Federal agencies and States were parties. The location and width of a national scenic trail right-of-way across Federal lands under the jurisdiction of another Federal agency shall be by agreement between the head of that agency and the appropriate Secretary. In selecting a right-of-way, the appropriate Secretary shall obtain the advice and assistance of the States, local governments, private organizations, landowners, the land users concerned, and the advisory council established under subsection (f) of this section. The appropriate Secretary may revise the location and width of a right-of-way from time to time as required by circumstances, with the consent of the head of any other Federal agency involved, and with the advice and assistance of the aforesaid States, local governments, private organizations, landowners, land users, and the advisory council.

The appropriate Secretary shall publish notice of the selection of a right-of-way in the *Federal Register*, together with appropriate maps and descriptions. If in his judgment changes in the right-of-way become desirable, he shall make the changes in the same manner.

#### MARKERS TO IDENTIFY NATIONAL SCENIC TRAILS

(e) The Secretary of the Interior and the Secretary of Agriculture, in consultation with the Federal agencies, States, local governments, private organizations concerned and the advisory councils, shall erect and maintain the uniform marker for the Nationwide System of Trails at appropriate points along each national scenic trail route, and shall select a symbol for each such trail for placement upon the uniform marker. Where the trail route passes through Federal lands, such marker shall be erected and maintained by the Federal agency administering the lands. Where the trail route passes through non-Federal lands and is administered under cooperative agreements, the Secretary of the Interior and the Secretary of Agriculture shall require the cooperating agencies to erect and maintain such marker.

#### ADVISORY COUNCILS FOR NATIONAL SCENIC TRAILS

(f) The Secretary charged with the selection of the right-of-way for a national scenic trail may establish an advisory council for each such trail. The appropriate Secretary shall consult with any such council from time to time with respect to matters relating to the trail, including the selection of the right-of-way, the selection, erection, and maintenance of the markers along the trail route, and the administration of the trail. The members of an advisory council shall be appointed for a term not to exceed five years by the appropriate Secretary as follows:

(1) a member appointed to represent each Federal department or independent agency administering lands through which the trail route passes and each appointee shall be the person designated by the head of such department or agency;

(2) a member appointed to represent each State through which the trail passes and such appointments shall be made from recommendations of the Governors of such States; and

(3) one or more members appointed to represent private organizations that, in the opinion of the Secretary, have an established and recognized interest in the trail and such appointments shall be made from recommendations of the heads of such organizations. In the case of the Appalachian Trail, the Appalachian Trail Conference shall be represented by a sufficient number of persons to represent the various sections of the country through which the trail passes.

The appropriate Secretary shall designate one member to be Chairman. Any vacancy in a council shall be filled in the same manner as the original appointment.

Members of an advisory council shall serve without compensation, but the appropriate Secretary may pay the expenses reasonably incurred by the council in the performance of its functions upon presentation of vouchers signed by the Chairman.

ACQUISITION, DEVELOPMENT, AND ADMINISTRATION OF LANDS FOR NATIONAL SCENIC TRAILS

(g) Within the exterior boundaries of areas under their administration that are included in the right-of-way selected for a national scenic trail as provided in subsection (d) of this section, the heads of Federal agencies may (1) enter into written cooperative agreements with landowners, States, local governments, private organizations, and individuals in order to develop, operate, and maintain the trail; and (2) acquire lands or interests in lands by donation, purchase with donated or appropriated funds, or exchange.

(h) The Secretary of the Interior, in the exercise of his exchange authority, may accept title to any non-Federal property within the right-of-way, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which is located in the States through which the trail passes and 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. The Secretary of Agriculture, in the exercise of his exchange authority, may utilize authorities and procedures available to him in connection with exchanges of national forest lands.

(i) Where the lands included in a national scenic trail right-of-way are outside of the exterior boundaries of federally administered areas, the States or local governments involved shall be encouraged (1) to enter into written cooperative agreements with landowners, private organizations, and individuals in order to develop, operate, and maintain the trail; and (2) to acquire, develop, and administer such lands or interests therein: *Provided*, That if the State or local governments fail to enter into such agreements or to acquire such lands or interests therein within two years after the selection of the right-of-way, the Secretary charged with the selection of the right-of-way may (1) enter into such agreements with landowners, States, local governments, private organizations, and individuals; and (2) acquire private lands or interests therein by donation, purchase with donated or appropriated funds, or exchange, and may develop and administer such lands or interests therein: *Provided further*, That exchanges shall be governed by the provisions of subsection (h) of this section: *And provided further*, That the appropriate Secretary shall utilize condemnation proceedings without the consent of the owner to acquire private lands or interests therein pursuant to this subsection only in cases where, in his judgment, all reasonable efforts to acquire such lands or interests therein by negotiation have failed, and in such cases he shall acquire the fee title only where, in his judgment, lesser interests in land (including scenic easements) or written agreements are not adequate. Money appropriated for Federal purposes from the Land and Water Conservation Fund shall be available for the acquisition of property for the purposes of this section.

(j) The Secretary of the Interior shall develop and administer the Appalachian and Potomac Heritage Trails and the Secretary of Agriculture shall develop and administer the Continental Divide and Pacific Crest Trails, except that any portion of any such trail that is within areas administered by another Federal agency shall be administered in such manner as may be agreed upon by the appropriate Secretary and the head of that agency, or as directed by the President. The Federal agencies shall coordinate their efforts to provide uniform administration and protection of the national scenic trails, and shall give encouragement to, and cooperate with, States, local governments, private organizations, and individuals in promoting the purposes of this section.

National scenic trails shall be administered, protected, developed, and maintained to retain their natural, scenic, and historic features; and provision may be made for campsites, shelters, and related public-use facilities; and other uses

that will not substantially interfere with the nature and purposes of the trails may be permitted or authorized, as appropriate; *Provided*, That the use of motorized vehicles by the general public along any national scenic trail shall be prohibited, and the Appalachian Trail shall be developed and maintained primarily as a foot path to retain its primeval environment: *Provided further*, That the Federal laws and regulations applicable to Federal lands or areas included in any national scenic trail shall continue to apply to the extent agreed upon by the appropriate Secretary and the head of the agency having jurisdiction over the Federal lands involved, or as directed by the President.

The appropriate Secretary, with the concurrence of the heads of any other Federal agencies administering lands through which a national scenic trail passes, and after consultation with the States, local governments, and private organizations concerned, and any advisory council established under subsection (f) of this section, may issue regulations, which may be revised from time to time, governing protection, management, use, development, and administration of a national scenic trail. Any person who violates a regulation issued pursuant to this Act shall be guilty of a misdemeanor, and may be punished by a fine of not more than \$500, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

(k) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

#### FEDERAL PARK, FOREST, AND OTHER RECREATION TRAILS

SEC. 3. (a) The Secretary of the Interior and the Secretary of Agriculture are directed to improve, expand, and develop park, forest, and other recreation trails for hiking, horseback riding, cycling, and other related uses on lands within areas administered by them: *Provided*, That the use of motorized vehicles by the general public shall be prohibited on such trails within (1) the natural and historical areas of the National Park Systems; (2) the National Wildlife Refuge System; (3) the National Wilderness Preservation System; and (4) other Federal lands where trails are designated as being closed to such use by the appropriate Secretary. Such trails may be designated and suitably marked as part of the Nationwide System of Trails by the appropriate Secretary.

(b) Whenever the Secretary of the Interior makes any conveyance of land under any of the public land laws, he may reserve a right-of-way for trails to the extent he deems necessary to carry out the purposes of this Act.

#### STATE AND METROPOLITAN AREA TRAILS

SEC. 4. (a) The Secretary of Interior is directed to encourage States to consider, in their comprehensive statewide outdoor recreation plans and proposals for financial assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act, needs and opportunities for establishing park, forest, and other recreation trails on lands owned or administered by States, and recreation trails on lands in or near urban areas. He is further directed, in accordance with the authority contained in the Act of May 28, 1963 (77 Stat. 49), to encourage States, political subdivisions, and private interests, including nonprofit organizations, to establish such trails.

(b) The Secretary of Housing and Urban Development is directed, in administering the program of comprehensive urban planning and assistance under section 701 of the Housing Act of 1954, to encourage the planning of recreation trails in connection with the recreation and transportation planning for metropolitan and other urban areas. He is further directed, in administering the urban open-space program under title VII of the Housing Act of 1961, to encourage such recreation trails.

(c) The Secretary of Agriculture is directed, in accordance with authority vested in him, to encourage States and local agencies and private interests to establish such trails.

(d) Such trails may be designated and suitably marked as parts of the Nationwide System of Trails by the States, their political subdivisions, or other appropriate administering agencies with the approval of the Secretary of the Interior.

#### UTILITY RIGHTS-OF-WAY

SEC. 5. The Secretary of the Interior and the Secretary of Agriculture are authorized, with the cooperation of the Interstate Commerce Commission, the Fed-

eral Communications Commission, the Federal Power Commission, and other Federal agencies having jurisdiction, control over, or information concerning the use, abandonment, or disposition of rights-of-way and similar properties that may be suitable for trail route purposes, to develop effective procedures to assure that, wherever practicable, utility rights-of-way or similar properties having value for trail route purposes may be made available for such use.

*Estimated expenditures for the 1st 5 years of proposed new or expanded programs*

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
<b>Appalachian Trail:</b>					
Operation and maintenance.....	\$115,000	\$250,000	\$250,000	\$250,000	\$250,000
Capital investment.....	200,000	200,000	200,000	200,000	200,000
Land acquisition.....	500,000	2,000,000	1,000,000	750,000	415,000
Total.....	815,000	2,450,000	1,450,000	1,200,000	865,000
<b>Pacific Crest Trail:</b>					
Operation and maintenance.....	327,000	327,000	327,000	327,000	327,000
Capital investment.....	1,330,000	1,330,000	1,330,000	1,330,000	1,330,000
Land acquisition.....	120,000	255,000	470,000	255,000	120,000
Total.....	1,777,000	1,912,000	2,127,000	1,912,000	1,777,000
<b>Potomac Heritage Trail:</b>					
Operation and maintenance.....	90,000	200,000	200,000	200,000	200,000
Capital investment.....	263,200	263,200	263,200	263,200	263,200
Land acquisition.....	150,000	350,000	560,000	350,000	150,000
Total.....	503,200	813,200	1,023,200	813,200	613,200
<b>Continental Divide Trail:</b>					
Operation and maintenance.....	400,000	400,000	400,000	400,000	400,000
Capital investment.....	2,200,000	2,200,000	2,200,000	2,200,000	2,200,000
Land acquisition.....	254,000	535,000	962,000	535,000	254,000
Total.....	2,854,000	3,135,000	3,562,000	3,135,000	2,854,000
Grand total.....	5,949,200	8,310,200	8,162,200	7,060,200	6,109,200

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

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
<b>Appalachian Trail:</b>					
Supervisors.....	1	2	2	2	2
Laborers.....	9	18	18	18	18
Total.....	10	20	20	20	20
<b>Pacific Crest Trail:</b>					
Supervisors.....	6	6	6	6	6
Laborers.....	18	18	18	18	18
Total.....	24	24	24	24	24
<b>Potomac Heritage Trail:</b>					
Supervisors.....	1	2	2	2	2
Laborers.....	7	13	13	13	13
Total.....	8	15	15	15	15
<b>Continental Divide Trail:</b>					
Supervisors.....	8	8	8	8	8
Laborers.....	24	24	24	24	24
Total.....	32	32	32	32	32
Grand total.....	74	91	91	91	91

Senator Moss. I would like to say that I personally am pleased that we are proceeding with this hearing. I have a brief statement of my own that I will include in the record at this point, calling at-

tion to the Mormon Trail, which is one of the trails to be studied under this legislation, and including a letter from the Utah State Historical Society signed by the director of the society, Dr. Everett L. Cooley.

**STATEMENT OF HON. FRANK E. MOSS, A U.S. SENATOR FROM THE STATE OF UTAH**

Senator Moss. I am very pleased that the committee is holding hearing early in the session on S. 827, the bill to establish a Nationwide System of Trails. We cannot move too quickly to preserve those trails which have historical interest, or are especially beautiful and scenic, or have a special place in the hearts of many Americans. If these important features of our countryside are not marked and set aside for the edification and enjoyment of our people both now and in the years to come some of their character and beauty may be lost, or even obliterated entirely.

I am especially interested in the provisions of S. 827 which call for a study of the Mormon Trail, which stretches from Nauvoo, Ill., to Salt Lake City, Utah.

This trail is more than a set of tracks, or even a line on a map, it is an American institution. It is the route over which thousands of pioneer men, women, and children either rode or walked on their way to Utah, and later on to California and the Pacific Northwest. The Mormons popularized the route, and it turned out to be a better route in many ways than the Oregon-California trail from Independence and St. Joseph. Although it was known as the Mormon Trail, most of it was really the major artery between Midwestern United States and the west coast.

The Mormons did more than any others to make the trail passable. When the first Mormon pioneers started out from Winter Quarters, Iowa, in 1847, there were only two permanent white settlements along the entire 1,035-mile route. These were at Fort Laramie and Fort Bridger. To these two signs of human trespass into the wilderness the Mormons added several others—first an efficient ferry on the Elkhorn and later, ferries on the North Platte and the Green Rivers.

As the men of the Mormon wagon trains encountered huge boulders on the trail, they stopped and threw them off to the side. As they found willows growing in their path, they grubbed them out. When they approached a ford, they dug out the approaches, so it was easier to bring the wagons and the oxen up to the river's edge. All of these improvements made the track faster for everyone who came behind them.

In addition, the Mormons established supply and stock depots so that the wagon trains—and later the handcart companies—would not have to carry all of their supplies with them. Some of these depots disappeared, but many of them stood to become way-stations for the Pony Express.

As more and more Americans turned their faces westward, other ferries sprung up, along with trading posts and bridges and army posts and other humanizing elements. The Mormon Trail became a thoroughfare a quarter mile wide, and the experiences of the wagon

trains along its way are one of the most extensively reported chapters of the founding of the West.

Unfortunately, all too many of the reminders of this heroic story have already been obliterated, but we must save what we can. In Utah, we have what is probably the best preserved section of the old Mormon Trail. That is the section from Henefer, on the Weber River to the "This is the Place Monument" at the base of the Wasatch Mountains overlooking Salt Lake City. This 36-mile stretch of the trail can be traversed by foot, something done regularly by Utah Boy Scouts, who have accepted the responsibility for maintaining a foot trail.

On this section of the Mormon Trail, which was also used by the Donner party, and by the Pony Express, some of the old wagon ruts are still clearly visible, and way stations of the Pony Express still can be identified. There are also various monuments along the trail which were erected by early explorers of the valley.

We are especially desirous in Utah of preserving this section of the trail, and every vestige of its use by the Mormon pioneers. We have been hopeful that funds from the land and water conservation fund might be available for this purpose, but so far none have been forthcoming.

We welcome the introduction of S. 827, and the hearings held here this morning because we feel they are the first step toward the recognition and preservation of the Mormon Trail. The bill calls for a study of this trail, and I hope it will be undertaken at an early date.

I have received a letter from the Utah Historical Society which explains the interest of the society in the bill before us today, and especially in the Mormon Trail proposal. The letter was written by Everett L. Cooley, and it adds considerably to the information I have presented on the trail. I ask that it be included in the record of the hearings at the close of my remarks.

UTAH STATE HISTORICAL SOCIETY,  
*Salt Lake City, Utah, February 27, 1967.*

Hon. FRANK E. MOSS,  
*Committee on Interior and Insular Affairs,*  
*U.S. Senate,*  
*Washington, D.C.*

DEAR SENATOR MOSS: The Utah State Historical Society is very much interested in the proposed bill "to establish a nationwide system of trails." While endorsing the general program of improving and maintaining historic trails of national significance, the Society is especially interested in the Mormon Trail, extending from Nauvoo, Illinois, to Salt Lake City.

And while this trail has special interest to the people of Utah, it also has significance to persons throughout the United States and the world for although along this trail the Mormon pioneers struggled to reach their home in the Rocky Mountains and their place in history, the Mormon Trail served more than Mormons. Fully twenty years before the Mormons began their exodus from Nauvoo, fur trappers were making their way along the banks of the Platte River in order to reach the virgin, fur-trapping streams in the Rocky Mountains. Following these mountain men, adventuresome missionaries and a few Oregon-bound fortune seekers traveled portions of the trail beyond Fort Laramie, through South Pass to the valleys of the Bear River.

Then in 1846 nearly one-hundred wagons, among them the ill-fated Donner-Reed party, traveled from Fort Bridger, through the Wasatch Mountains, across the Salt Desert, and on to California.

This marked the path for thousands of forty-niners and those who followed. The stagecoach and the Pony Express traversed much of the trail.

And so the Mormon Trail, although vitally associated with Mormon history, has broader connotations and associations. The preservation of the trail will therefore, permit Americans today to reassociate themselves with those momentous events which permitted and made the West survive and develop into its present greatness.

The Utah State Historical Society heartily supports the establishment of a system of historic trails and urges the enactment of appropriate legislation.

Sincerely yours,

EVERETT L. COOLEY, *Director.*

Senator Moss. Senator Jordan, do you have a statement?

Senator JORDAN. No statement at this time, Mr. Chairman.

Senator Moss. Senator Nelson of Wisconsin and Senator Dominick of Colorado have sent statements. They will be included in the hearing record at this point.

(The statements referred to follow:)

STATEMENT BY HON. GAYLORD NELSON, A U.S. SENATOR FROM THE STATE OF WISCONSIN

I am pleased to testify in behalf of S. 827, a bill to establish a nationwide system of trails. This legislation will be a benchmark in the history of wise outdoor recreational development in this nation.

Unlike conventional park projects which are dependent upon exceptional geographic features, trails can bring a quality recreation experience into every city in America, quickly and at rock bottom cost. They could provide a high quality, low cost supplement to our system of natural recreational resources.

Trails can bring our increasingly urbanized citizens out into the world of nature where they can obtain the exercise which is vital to their individual health and to our strength as a nation. I see no reason why we cannot have a hiking trail within one hour of every American who needs one.

The Department of the Interior and the Department of Agriculture have recently completed a comprehensive trail study. The bill which we are considering today is the result of that study. Also, from that study has come an outstanding book, "Trails for America." I commend this book to anyone who is interested in this subject.

The Appalachian Trail—that magnificent footpath which winds from Maine to Georgia through some of the most beautiful parts of our nation—is a great example of what can be done. The Appalachian Trail has been developed, maintained and protected for 30 years by thousands of conscientious citizens, some of whom live very close to the trail and others who live many miles from it. They are to be commended for the great contribution they have made to the development and preservation of this magnificent outdoor asset.

But early action to preserve the Appalachian Trail and to establish vitally needed new trails is imperative if we are to have them to enjoy.

Increasing pressure to develop land for commercial and residential purposes is placing existing trails in serious jeopardy and will soon make it nearly impossible to establish new trails where they are most needed, near centers of population. Unless decisive action such as this bill provides is taken soon, we risk the permanent loss of several major trail opportunities and the reduction of the quality of others.

It was in recognition of these great opportunities and serious dangers that I first introduced legislation to recognize and protect the Appalachian Trail in the 88th Congress. In the first session of the 89th Congress I introduced the first National Hiking Trails bill.

President Johnson endorsed the proposal and in the second session of the 89th Congress I introduced with Chairman Jackson the Administration's National Hiking Trails bill which included the Appalachian Trail. S. 827 is an expansion of that bill.

The Nationwide System of Trails bill will provide present and future outdoor recreation needs through the upgrading and expansion of existing trails systems

and through the addition of new trails. A nationwide system would be established consisting of our categories of trails; extended trails of national significance identified as "National Scenic Trails"; trails located in Federal parks, forests and recreation areas; trails located in state parks, forests and recreation areas; and trails convenient to metropolitan areas.

The present Appalachian Trail, for 2,000 miles from Maine through 14 states to Georgia, is listed in the bill for initial national scenic trail status. The Continental Divide Trail, the Pacific Crest Trail and the Potomac Heritage Trail will also be recognized as National Scenic Trails. I heartily endorse this and urge prompt study, development and recognition of the other eight trails listed for study in the bill.

Improvement and expansion of recreation trails in Federal parks are a second major objective of this bill. The bill directs the Secretaries of the Interior and Agriculture to improve, expand and develop trails on the national forests, national parks, public lands, national wildlife refuges and Indian reservations that they administer. Both Departments already have authority for trail development on these lands. However, the potential for trail purposes has only been partially realized. Much more can be done to provide for needed public recreational trail use on Federal lands.

State park and forest trails and metropolitan area trails will be encouraged by the Secretaries of Interior, Agriculture, and Housing and Urban Development. Again, authority exists for such encouragement, but much larger programs are needed, especially in and near metropolitan areas. Once trails have been developed by states and their political subdivisions to acceptable standards, they could be designated and marked as part of the nationwide system with the approval of the Secretary of the Interior.

Special emphasis will be given to trails in metropolitan areas where opportunities for hiking, cycling and horseback riding are often severely limited. In every city our people should be able to walk directly from their homes to an access point on a metropolitan trail network which will enable them to travel at a leisurely pace through natural areas, by watercourses, along ridge lines and through spots of scenic beauty. Utility rights-of-way for example offer many special opportunities for metropolitan area trail development.

Everywhere I go in this nation to speak on conservation I find many people asking what they can do to make a concrete contribution to the cause.

Their energy, spirit and dedication could very well find a most useful and satisfying outlet in working on trails that will be part of the Nationwide System of Trails.

Volunteer workers of many sorts—youth groups like the Boy Scouts and the Girl Scouts, college hiking and outdoor clubs, adult conservation and social clubs—would all be eager to help.

The young men in the Job Corps conservation centers in Wisconsin are helping work on the Wisconsin Trail System and could be available for similar work in other states.

Maintenance of a hiking trail system would generate tremendous support and enthusiasm at the grass roots. I have no doubt that local groups would quickly volunteer to maintain their section of the trail just as local volunteer clubs maintain their sections of the Appalachian Trail and take great pride in it. I can think of no way to secure broader public participation in resource education and preservation, no way to provide a more fruitful opportunity for old and young alike, to make a useful and satisfying contribution to the public welfare.

In my original National Hiking Trails bill I proposed that Federal grants be made to the states to pay the full costs of planning coordinated state hiking trail systems. Under this bill (S. 827), planning money is available to metropolitan areas from HUD funds whereas Federal money for planning state trail systems would come from the Land and Water Conservation Fund. If money for planning trails comes from state portions of the Land and Water Conservation Fund, I am afraid that this much needed planning will be given very low priority by the states. Therefore, I propose that provision be made in this bill to provide states with planning money for state trail systems from the general funds.

The nationwide systems of trails bill follows careful studies by the principal land management agencies of the Departments of the Interior and Agriculture.

These studies were made in close cooperation with many state, localities and private groups. The bill, in my judgment, is a reasonable approach to the problem of providing adequate trail mileage and goes a long way toward meeting the Nation's long-range needs.

I believe that the prospect of a well developed and coordinated system of hiking trails in this nation is an extraordinarily exciting one. However, I believe that time is short. Especially in those areas near our growing urban areas we must either move soon or see land devoted to other uses.

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STATEMENT OF HON. PETER DOMINICK, A U.S. SENATOR FROM THE STATE OF COLORADO

#### THE CONTINENTAL DIVIDE TRAIL

I'm pleased that the Senate Committee on Interior and Insular Affairs has called these hearings on the National Trails bill. I take particular interest in this legislation, since for years I have urged the establishment and development of a Continental Divide Trail included in the overall program presented in this bill. I will limit my comments at this time to the Continental Divide Trail, since it is of so much importance to my State of Colorado.

George Cranmer, former Manager of Parks and Safety of the City and County of Denver, and founder of Red Rocks Amphitheater just outside of Denver, two years ago discussed with me a trail beginning in southwest New Mexico and ending at the Canadian border in Glacier National Park. Mr. Cranmer has been active in setting up an exceptionally fine system of parks in the Denver area and has been influential throughout the entire state in this field, so he is very knowledgeable about the problems—and advantages—a trail along the Continental Divide would have. When he brought the idea to me, we decided to take it to the Department of the Interior to discuss its potentials and express our enthusiastic support for the idea.

As I am sure the Members of this Committee realize, the natural attractions of the area which would be covered by the Continental Divide Trail already have been luring hundreds of thousands of Americans every year. The National Park System which includes great portions of Colorado has become the vacation mecca not just for the Rocky Mountain area but for Americans from every state. A trail extending the length of the great and beautiful Southwest and Rocky Mountain region on up to the northern reaches would be of immense value to all future generations. Providing now for the establishment and development of the Continental Divide Trail would insure that in ten years the people of this nation would more easily benefit from the invigorating and healthful climate of our region. They would be able to enjoy more fully the numerous advantages of my own State of Colorado, which boasts 52 mountains over 14,000 feet in height, interlaced by clear, clean, rushing mountain streams that have been singled out by our water pollution experts as examples of the cleanest water in the country. They would have greater opportunities to experience the fantastic ski areas which Colorado claims as her own. The Continental Divide Trail would preserve for future generations these values of outdoor recreation, if we establish it *now*.

The primary value of the Continental Divide Trail is its emphasis on conservation of the natural beauty of our environment, and on a wise use of our environment to give the greatest pleasure and health to our citizens. Under the proposed scheme, it is my understanding that 90 percent of the Trail would be on federal land, and the environment of the Trail would be kept in its natural state as much as possible. Such an investment is prudent now, before the natural beauty can be eroded through overuse and expansion of communities into the area.

I am very eager to see early action on the Continental Divide Trail proposal, as I think it will be beneficial to every person in this nation. Therefore, I urge this committee to act speedily and favorably on the proposal.

Senator Moss, Governor Burns, of the State of Hawaii, and Governor Hoff of the State of Vermont, have sent letters. They will be printed at this point.

(The statements referred to follow :)

EXECUTIVE CHAMBERS,  
Honolulu, March 9, 1967.

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

DEAR SENATOR JACKSON: My attention has been recently directed to your forthcoming hearing to consider the merits of Senate Bill 827, a proposal to provide support for developing hiking and riding trails for the nation. It is gratifying to be reassured that Congress is continuing its leadership to conserve and make enjoyable to the people of our nation this priceless natural heritage.

We in Hawaii are very much in accord with the goals and objectives of Senate Bill 827, to establish a nationwide system of trails.

Warmest personal regards. May the Almighty be with you and yours always.

Sincerely,

JOHN A. BURNS, *Governor.*

STATE OF VERMONT,  
EXECUTIVE DEPARTMENT,  
Montpelier, March 22, 1967.

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

DEAR SENATOR JACKSON: I am confident that Vermonters will support, in principle, the intent of S. 827, 80th Congress, to protect rights-of-way of natural or wild area trails in the United States against destructive or incompatible development. The further intent of the bill to encourage planning and construction or improvement of trails, through use of the Land and Water Conservation Fund or other federal grants, and through state appropriations, is one which is already a part of the Vermont Outdoor Recreation Plan.

The concept of a network of foot and horseback trails covering the United States is one which will appeal to Vermonters. Coordination of the major regional trails at state lines will increase the usefulness of the trails for both long and short trips.

Protection of the environmental corridors through which these trails pass is one which the State of Vermont supports and for which action has been taken and further action proposed. We are well aware of the much greater pressures in the most heavily urbanized areas of the nation, where residential and commercial development is in frequent competition with the trails' right-of-way or environment, even at high altitudes. We therefore support, in principle, federal action where it is needed to protect these trail corridors.

There have been many expressions of opinion from Vermont agencies dealing with natural resources, and from groups who maintain and enjoy trails, urging that some of the provisions of S. 827 be revised, giving greater responsibility and authority to the states and to those local or regional groups of citizens who have conceived, created and maintained major trail systems such as the Appalachian Trail and the Long Trail.

I feel that our position must be based on two needs which we see clearly in our state. The first is the need to protect the environment for a number of vigorous forest and mountain recreation activities, which are gaining more participants each year. The second need is to protect by coordinated planning the growth of large-scale mountain recreation, such as skiing, and also the long-range health of the forest industries. These two industries represent a very substantial part of the cash income of our state.

A memorandum of specific suggestions is attached, referring to the bill before the Senate of the 90th Congress, S. 827, and to earlier bills of similar purpose, S. 3171 and S. 622 of the 89th Congress.

Sincerely,

PHILIP H. HOFF, *Governor.*

STATE OF VERMONT,  
DEPARTMENT OF FORESTS AND PARKS,  
*Montpelier, March 22, 1967.*

To: Gov. Philip H. Hoff.

From: Robert B. Williams, Commissioner.

Subject: S. 827, a bill to establish a nationwide system of trails.

This bill is substantially identical with S. 3171 introduced in the last session of Congress. The most urgent objections to the earlier bills remain unchanged. This is disappointing, in view of the recently issued report of the Department of the Interior, "Trails for America". This report stresses the fact that the system would embrace trails or sections wholly in State ownership, or under arrangements made by a state with private organizations or individual land owners. It does not appear in this report that trails so administered would be subject to the Secretary of the Interior (or of Agriculture) in their initial location, their possible relocation, or their development standards or use regulations. The present bill, S. 827, does definitely contain such provisions, for the entire length of the trail, not just the portions within federal lands.

As the bill now stands, the authority given to the Secretary of the Interior (in the case of the Appalachian Trail, and of the Long Trail where it coincides with that trail, and of the Long Trail where it coincides with that trail) could be used to force a substantial relocation of the trail in order to accommodate other "incompatible" projects such as roads, parkways, recreation areas or dams, that might be promoted by other divisions of the Department of the Interior or other federal agencies, or by any other influential groups. Alternatively, this authority might result in regulations which would block the expansion or development of ski areas near the trail, or the harvesting of good quality timber.

State agencies and private groups intimately concerned with trails are in a better position to judge when and how these different uses of the mountains are compatible or incompatible, and under what restrictions. Attention is called to the amended legislation on the acquisition and management of Natural Areas in Vermont, and to the proposed legislation for protection within scenic road or trail corridors from incompatible land uses.

It therefore seems that the extensive authority of the Secretary should be subject, at the very least, to concurrence of the Governor of the state through which the trail passes. For similar reasons, it also seems that the Advisory Council for the Appalachian Trail, and probably for others, should be mandatory rather than optional.

The objection of the Secretary of the Interior, at the hearing on S. 622, to a provision requiring the consent of a state, on the grounds that this an an improper restriction on executive action authorized by the Congress, can be contrasted with the acceptance by the United States Department of Agriculture, Forest Service, of a requirement for approval by a State Commission and by Town selectmen before any purchase may be made.

"Trails for America" recognizes that conditions vary very much from one state to another, so that standards cannot be uniform in detail. Within the states, appropriate agencies can best work out such details as the depth of buffer zones, the intensity or timing of possibly conflicting activities, and other protective regulations for the mutual benefit of all legitimate mountain land uses. Vermont's needs would be better served if S. 287 stated the general purpose of locating the trail and negotiating agreements to protect its character, but not attempting to list all "incompatible uses".

The objective of the federal government, through the Departments of the Interior and Agriculture, to stimulate public interest in providing trails, coordinating their location, and promoting their use will be defeated by an attempt to take over existing trails, or to impose federal decisions on the states, private organizations within the states, or land owners. State concurrence in acquisition of land or easements for trails, including restrictions or other agreements, would remove considerable opposition to federal entry into the field of trail ownership and management.

Senator Moss. I have a letter from Senator Aiken of Vermont in which he raises the question of ski trails. I hope we find the answer to his question today. We will include his letter in the hearing record at this point.

(The letter referred to follows:)

U.S. SENATE,  
COMMITTEE ON AGRICULTURE AND FORESTRY,  
March 15, 1967.

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

DEAR SCOOP: I understand that your Committee is holding a public hearing today on S. 827 which would establish a nationwide system of trails, including the Long Trail in my State of Vermont. On the whole, this would seem to be a wise conservation measure. However, when it was before your Committee during the last Session as S. 3171, it contained language which was questionable as to the possible adverse effects on skiing in Vermont.

I have been told that the objectionable language has been removed, but there has been inserted in S. 827 new language to protect the "primitive" and "primal" character of the Trail (pp. 6, 12).

On page 6, beginning at line 8, the bill specifies certain things to be avoided. Among these are "existing commercial and industrial developments" and "any other activities that would be incompatible with the protection of the Trail in its natural condition. . . ."

Would the above outlaw ski slopes?

Would a ski slope be deemed a "commercial development"?

Is a ski slope "incompatible" with the protection of the Trail in its "natural condition"?

I urge that your Committee carefully consider the importance of skiing as a major recreation enterprise in Vermont and would like your assurance that nothing is intended that would have an adverse effect on this source of cash income to my State. I also wish to bring to your attention a telegram I have received from the Green Mountain Club of Vermont.

Sincerely yours,

GEORGE D. AIKEN.

Enclosure.

BURLINGTON, VT., March 14, 1967.

Senator GEORGE D. AIKEN,  
*U.S. Senate, Washington, D.C.:*

We wish to indicate special interest in S. 827 and its importance for preservation of Appalachian Trail, which coincides with Long Trail for 100 miles in Vermont.

Provision is made in bill for establishment of advisory council. Such a council could and should be of invaluable assistance to appropriate secretary and Federal agencies in trail matters. Especially in regards to Appalachian Trail, an already established trail, which has been built and maintained over the years through initiative of private organizations and individuals. Representation of these people on a council is important but it is also important that council has definite role in Trail's administration. Therefore, we recommend the insertion of "advisory council" to read as follows: P7, L2 with the consent . . . of Federal agency involved "and the advisory council" . . . (deleting this in line 6).

P13, L4 with the concurrence . . . Federal agencies . . . National Scenic Trail Passes "and the advisory council" . . . (deleting this in line 8).

An advisory council, as provided for in the bill, should be in a position to be an effective and vital group with a definite voice in administration and maintenance of the Trail.

The above wording, we feel, would give it this responsibility and opportunity and would make S. 827 a more effective piece of legislation.

RODERICK RICE,  
*Trustee.*

GEORGE SAUNDERS,  
*Treasurer.*

DANE SHORTSLEEVE,  
*President, Burlington Section.*

SHIRLEY STRONG,  
*Conservation Committee of Green Mountain Club.*

Senator Moss. We are fortunate indeed to have as our opening witness the Secretary of the Interior, the Honorable Stewart L. Udall. He is accompanied by Dr. Edward C. Crafts, Director of the Bureau of Outdoor Recreation. We will be pleased to hear from these witnesses.

I should announce that the Honorable Orville Freeman, Secretary of Agriculture, is to be a witness, but must put off his appearance until this afternoon. He is occupied this morning.

Secretary Udall, you may proceed, sir.

**STATEMENT OF HON. STEWART L. UDALL, SECRETARY OF THE INTERIOR; ACCOMPANIED BY EDWARD C. CRAFTS, DIRECTOR, BUREAU OF OUTDOOR RECREATION**

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

It is a real pleasure to appear on this legislation.

This committee in recent years has passed many landmark conservation bills. Of those that are pending before the Congress at the present time that might establish long-term national policies, that would be looked back on as establishing a pattern in terms of our conservation and the use of our resources, I would single out two pieces of legislation, this bill and the scenic rivers or wild rivers legislation, that this committee will consider soon, as the two very definitely landmark pieces of legislation, that are before the Congress. And that is the reason that I am personally here this morning, to express the keen interest in the very top level of my Department in this legislation.

I might say, Mr. Chairman, that we have worked very intimately with the Department of Agriculture and the Forest Service on this legislation. I think you will find Secretary Freeman just as enthusiastic for it as we are.

Two years ago, President Johnson, in his natural beauty message of 1965, called attention to the need for the development of a cooperative program to encourage a national system of trails. In that message the President stated:

The forgotten outdoorsmen of today are those who like to walk, hike, ride horseback, or bicycle. For them we must have trails as well as highways. Nor should motor vehicles be permitted to tyrannize the more leisurely human traffic.

Old and young alike can participate. Our doctors recommend and encourage such activity for fitness and fun.

I am requesting, therefore, that the Secretary of the Interior work with his colleagues in the Federal Government and with State and local leaders and recommend to me a cooperative program to encourage a national system of trails, building up the more than hundred thousand miles of trails in our national forests and parks.

As with so much of our quest for beauty and quality, each community has opportunities for action. We can and should have an abundance of trails for walking, cycling, and horseback riding, in and close to our cities. In the back country we need to copy the great Appalachian Trail in all parts of America, and to make full use of rights-of-way and other public paths.

In the implementation of the President's message, studies were carried out over a 2-year period by Agriculture and Interior in cooperation with other Federal agencies, the States, and local groups. This 2-year study culminated in the pending legislation plus a report, "Trails for America," published about a month ago, that describes existing trails and recommends an action program. Copies of this report are before you. I am sure that members of the committee have

seen this report. I know that Dr. Crafts can take great pride in it.

In later messages to the Congress on our natural heritage on February 23, 1966, and January 30, 1967, President Johnson urged the Congress to establish a nationwide system of trails. The draft bill sent to you on February 1 by the Department of the Interior is in accord with the program of the President. It is our hope and expectation that Congress will act favorably on this measure. We are impressed and encouraged by the early attention given to this legislation.

The establishment of a nationwide system of scenic trails will be an accomplishment worthy of a place beside other major national conservation programs and proposals, such as the wilderness system, scenic rivers, and scenic roads and parkways.

The fundamental objectives of a nationwide system of trails are to provide simple, inexpensive recreation opportunities for all people by having an abundance of trails for walking, cycling, and horseback riding near at home, as well as providing some major historic and scenic interstate trails of national significance.

The bill before you today establishes a nationwide system of trails composed of four general classes:

1. *National scenic trails.*—A relatively small number of trails which have natural, scenic, or historic qualities that give them recreation-use potential of national significance. Such trails will be several hundred miles long, may have overnight shelters at appropriate intervals, and may interconnect with other major trails to permit the enjoyment of such activities as hiking or horseback riding. The great trail that set the pattern and is being copied in other parts of the world as well, is the Appalachian Trail. It is certainly one of the remarkable pieces of conservation pioneering that has been done in this country. It has been achieved, largely, incidentally, not by government, but by volunteer citizens in the private sector.

2. *Federal park, forest, and other recreation trails.*—An improvement and expansion of existing trails and the development of additional trails within areas administered by the Secretaries of the Interior and Agriculture in order to enable the public to make better use of the distinctive natural, scenic, and historic resources of the areas administered by the two Secretaries. Among such areas are the national parks, national forests, and grasslands, national wildlife refuges, and public-domain lands.

3. *State park, forest, and other recreation trails.*—An expansion of trails on lands owned or administered by the States. And, incidentally, some have put this in their State programs under their master outdoor recreation plan, using matching money out of the conservation funds, or using their own funds for such purposes.

Only a few States now have major trail development programs underway or planned. The bill directs the Secretary of the Interior to encourage the States to consider needs and opportunities for such trails in the comprehensive statewide outdoor recreation plans and project proposals submitted to the Secretary under the Land and Water Conservation Fund Act.

4. *Metropolitan area trails.*—To serve people near their homes, local governments will be encouraged to develop trails designed primarily for day use in and near urban areas. These trails will satisfy the needs of large numbers of people for limited hiking and riding experiences. The Secretaries of the Interior, Housing and Urban Development, and

Agriculture are all directed in the administration of programs under their authorities to encourage development of recreation trails in metropolitan areas. As an initial effort, the Department of the Interior last July granted about \$365,000 of Federal matching funds through the States to local governments from the land and water conservation fund for urban trail development in or near 12 large cities. We are delighted with the very imaginative and varied plans that these different cities came in with. And I can furnish the committee, Mr. Chairman, something that describes in detail what these plans were. (The data referred to follow:)

[From the U.S. Department of the Interior News Release, July 24, 1966]

#### SECRETARY UDALL ANNOUNCES GRANTS FOR DEVELOPMENT OF 12 URBAN TRAILS

Secretary of the Interior Stewart L. Udall today announced a series of grants from the Land and Water Conservation Fund to be used in cities across the country to develop a variety of urban trails.

Twelve urban areas will receive a total of \$367,436—all from a Contingency Reserve of the Land and Water Conservation Fund administered by the Secretary to meet urgent recreation needs. The States will match the Federal grants with equal amounts of money.

The trails differ in length—from several thousand feet to many miles; in purpose—bicycling, hiking or walking, horseback riding; and in basic attractions—scenic, recreational, educational; but all are planned for areas where large numbers of people live.

All of the projects have been found to be in accord with the various statewide outdoor recreation plans and have been submitted by the respective State liaison officers to the Bureau of Outdoor Recreation.

Recalling that President Johnson recently stated "beyond the limits of the city lies another America," Udall declared the time has come to make available within congested urban areas more of the attributes of that other America.

"I detect an awakening on the part of many urban areas, as they seek to counterbalance buildings with open spaces, to provide cleanliness instead of clutter, and to develop walkways, and trails, as well as highways," Udall stated. "The trail plans announced today are indications of this growing desire for outdoor recreation and natural beauty within our cities."

The 12 projects range from a walking and nature trail in a forest area in Manhattan to a plank trail through a marshy, wildlife area in Seattle; from improvement of a 140-mile network of bicycle and horseback riding trails near Phoenix to a specially-constructed bikeway on county park land through the heart of Arlington, Virginia, a short distance from the Nation's Capital.

Some of the projects include loop trails, and feeder trails that will connect with already existing county or State or Federal trails. Each project leaves space for additional improvement and refinement in future plans.

"We hope these initial twelve projects will stir the imagination of urban planners in every part of the country," Udall added. "For what is being done in these twelve heavily-populated sections can be repeated to great advantage in a number of other places.

"Urban trails are links to pockets of green serenity near our homes. They can connect with rural fields and farmlands, thus permitting recreation experiences that otherwise would be lost. We should regard these urban trail projects as the first solid brush-strokes in painting a vastly greater concept of conservation and recreation."

The Secretary said that he hoped the grants would stimulate interest in the legislation which he submitted to the Congress in March to establish a Nationwide System of Trails. This legislation proposes four categories of trails for inclusion in the Nationwide System: major long distance national scenic trails, similar to the Appalachian Trail; Federal park, forest, and other recreation trails; State park, forest, and other recreation trails; and metropolitan area trails that will satisfy the needs of large numbers of people for limited hiking and riding experiences. The 12 urban trails announced today could well become pioneer components of the Nationwide System.

Following are synopses of the twelve urban trail projects:

## ARLINGTON, VIRGINIA

Arlington County, Virginia is receiving \$35,000 for development of bicycle trails along Four Mile Run, on one side of this completely urban county and for the development of a hiking trail along Windy Run, a tributary to the Potomac River on the other side of the county. The latter project includes acquisition of two small parcels of land to round out the County's holdings. Foot trails to the River would connect with trails on National Park land along the George Washington Parkway. Two other stream valleys, Donaldson and Gulf Runs, already have County-developed trails where the watercourse and the natural forest cover cut through the Potomac Palisades as fingers from the River into residential neighborhoods. The County is studying various surfacing methods for its all weather bicycle trail, which is planned to run through existing county parks and recreation areas making comfort stations, picnic sites, play areas, shelters and other facilities handy to cyclists. The planned route takes advantage of a pathway created during recent construction of an electric power transmission line, reducing considerably the cost of the project's development.

## ATLANTA, GEORGIA

\$15,550 is the Federal portion of contingency funds approved for Atlanta to develop a system of bicycle and hiking trails connecting three city parks. Over four miles of trail will be constructed, including bridges and safety features; access to the trail will be landscaped. Interpretive signing is also included in the plans. This project is another example of how imaginative planning and a few dollars can provide outstanding outdoor recreation in a densely populated urban environment.

## CHICAGO, ILLINOIS

A \$35,000 grant will enable the Chicago Park District to develop two bikeway projects. Part of the money will rehabilitate a deteriorated 3,000 foot stretch of an existing trail approximately 19 miles long on the shorefront of Lake Michigan; and a new section of river-front bikeway along the bank of the North Shore Channel will connect with over a mile of existing trail. Overall the project makes available to thousands of cyclists healthful activity and scenic attractions in one of the nation's largest population centers.

## DENVER, COLORADO

Colorado is receiving two grants for bicycle and walking trails in the City of Denver, one of \$25,000 for trails around Sloan Lake in a 289-acre, multiple-use city park, and one of \$10,000 for the acquisition of a small amount of land bordering city-owned park land in Sanderson Gulch, which is rolling grassy terrain naturally suited for park development in a residential area. Sloan Lake Park already offers many recreation facilities in a densely populated area with a number of schools close-by.

## DETROIT, MICHIGAN

Belle Isle, 3 miles from downtown Detroit, was originally designed as a park by the renowned landscape architect, Frederick Law Olmstead, in 1883. Now it has an estimated 30 million visits annually for a variety of recreation purposes. A grant of \$20,000 will be used to develop a circular, all-weather, bicycle trail—the route is planned to wind through a naturally beautiful wooded area, and along a scenic streambank. Cyclists at present compete with hikers and horseback riders on trails not suited for cycling, or ride on the park roadways.

## MILWAUKEE, WIS.

\$35,000 from the Contingency Reserve will go to Milwaukee County for the construction of over four miles of new bicycle trails along Lake Michigan. One trail is routed through three Milwaukee city parks, the other extends a mile and a half through a city park in Cudahy. These trails will provide exceptional scenic views for cyclists, keeping them out of the park drive's heavy traffic, in an urban county which has a fine overall bicycle trails plan—a good model for a national plan. In addition the new trails will provide cyclists with access to other existing recreational facilities in the shore-line parks.

## NEW YORK CITY

\$30,000 is being granted to develop and expand over a mile of hiking and nature trail in New York City's Inwood Hill Park. Situated on the northern-

most part of Manhattan Island, the Park consists of 196 acres of heavily wooded land, largely virgin beech and oak, with topography varying from sea level to 230'. At present, only marginal portions are developed, and the Fund money will be used to improve two sections of trail laid out in the early thirties but now so overgrown and deteriorated that they are unsuitable for public use, and to construct new trail connecting these spurs. The resulting circular trail system will make the unique natural beauty of the area readily available to people from the very densely populated areas bordering the park. The trails will run through the high part of the park offering views of the Hudson, as well as through the forest offering opportunities for nature study, or simply respite from the complexity of city life.

## OMAHA, NEBR.

\$35,000 goes to Omaha, Nebraska toward development of an extensive urban bikeway system. Routed along existing streets, railroad rights-of-way, dike embankments, the system is imaginatively planned to cover about 90 miles. Development will include marking the streets and boulevards; and, where necessary, surfacing the various other right-of-way. Connecting trails will provide loop bikeways for virtually every segment of the city's population.

## PHILADELPHIA, PA.

A project in Philadelphia has been qualified in the amount of \$30,000 to construct 3.8 miles of paved bikeway in Fairmount Park, part of 5 miles planned to connect existing segments of trail making a grand total of nearly fifteen miles around the park, and extending along both sides of the Schuylkill River. The completed trail system will enable cyclists to tour historic, scenic, recreation and other attractions in Fairmount Park, a long island of green open space in the center of Philadelphia.

## PHOENIX, ARIZ.

Maricopa County, Arizona, has a far-reaching system of hiking and riding trails, including the 140 mile Sun Circle Trail around the city of Phoenix. A \$22,000 grant will aid in the improvement of this trail which serves a growing urban population. Plans include improved access—bridges along the canals, gates to keep motor vehicles out; and development work in soil stabilization, landscaping, surfacing, and marking.

## SAN FRANCISCO, CALIF.

\$29,886 will be matched in California to develop hiking and riding trails through the Belmont and Menlo Park areas in San Mateo County—the Portola Valley Trail for eight miles, and the Lake Trail, four miles. The development involves clearing and grading the right-of-way, bridge construction, fencing, and marking. Both are feeder trails affording people a chance to leave congested urban areas quickly, and to make use of an existing county network of 58 miles of trail. The overall recreation plan for the State of California calls for some 3,000 miles of connecting trails from San Diego to the Oregon border.

## SEATTLE, WASH.

\$45,000 will be matched from a trust fund held by the University of Washington to develop, as the first segment of a metropolitan trail system for Seattle, a pedestrian waterfront trail along the Lake Washington Ship Canal. The proposed cedar-plank trail will run through a cattail marsh, offering opportunities for wildlife observation and other nature study, as well as walking for pleasure. Bridges will connect the new trail with existing trails on Foster's Island, and through the University of Washington Arboretum, and along the canal. Part of the grant money will be used to improve these existing trails, and also to improve pedestrian access to all parts of the planned trail, including canoe access around the island. The 153-acre Arboretum is a residential area, and has long been used for formal and informal study by the University and by the public. Foster's Island is a bird sanctuary, but also offers fishing, boating and swimming opportunities. Being studied for the future are extensions of the trail system around Union Bay on the University of Washington campus, and extensive trail connections with both existing and potential local parks.

Demonstration urban trail projects—Granite from the land and water conservation fund

Location	Project Identification	Trail use	Length of trail, new and existing	Land source	Prime features	Major work planned
Arlington County, Va.	Four Mile Run	Bicycle and hiking	4 miles, new	Mainly county parks	Scenic; recreation facility access.	Clear, grade, surface; build stream fords, shelter.
New York City, N. Y.	Windy Run	Hiking	3,000 feet, new	County park land plus 0.9-acre acquisition.	Scenic	Clear, grade, surface; landscape access.
Seattle, Wash.	Inwood Hill Park	do	6,000 (or more), new plus existing	City park	Scenic; nature study	Reconstruct 2 trail spurs; rehabilitate overall.
Detroit, Mich.	Arboretum waterfront trail	do	2,400 feet, new, plank; 5,300 existing	Complex combination: Federal, State and University, city, and other.	Scenic; recreation facility access; extensive nature study	Construct plank trail and bridges; rehabilitate existing trails.
Chicago, Ill.	Belle Isle Park	Bicycle and hiking	1.9 miles, new	City park	Scenic loop	Clear, grade, surface.
	Lakefront, near 60th St.	do	Reconstruction, 3,000 feet linking existing sections; rehabilitation on 19-mile system.	do	Scenic; recreation facility access.	Reconstruct; rehabilitate.
Milwaukee, Wis.	Riverfront North Shore Channel	do	1.3 miles, new, to connect with 2.9 miles existing.	Riverbank owned by sanitary district.	Scenic	Surface.
	Lake Michigan shoreline	Bicycle and hiking; snow-mobile	do	City parks	Scenic; recreation facility access.	Grade, surface, construct bridge, culvert, mark, landscape.
Denver, Colo.	Sloan Lake	Bicycle and hiking	4.5 miles	City/county park	do	Grade, surface.
		do	Not yet determined (total park area, 289.2 acres).	City/county park land plus 5-acre acquisition.	do	Clear, grade, surface.
Omaha, Nebr.	Sanderson Gulch	do	Overall approximately 90 miles.	Complex combination: city streets, boulevards, railroad plus dike system rights-of-way, park, and other recreation areas.	Scenic; general recreation	Mark streets, etc.; surface and mark rights-of-way; safety fencing, etc.
	Citywide bike-way	do	Net yet determined	Complex combination: canal right-of-way, streets, etc.	do	Canal bridges, safety gates; soil stabilization; landscape.
Phoenix, Ariz. (Maricopa County)	Sun Circle Trail	Hiking, riding, and bicycle	Sections of 140 miles existing to be improved.	Mainly highway right-of-way	Scenic; recreation facility access.	Clear bridges, safety gates; canal stabilization; landscape.
San Francisco, Calif. (San Mateo County)	Portola Valley Trail	Hiking and riding	8 miles, to connect with 53-mile State and county system.	Mainly highway right-of-way	Scenic	Clear, grade; construct bridge safety fence, mark.
	Lake trail	do	6 miles, to connect with 53-mile State and county system.	Combination: County land, easements, etc.	do	Clear, grade; construct bridge safety fence, mark.
Atlanta, Ga.	City bikeway	Bicycle and hiking	4.1 miles	City parks	Scenic, nature study; recreation facility access.	Clear, grade, surface; landscape access; bridges, safety fence, and marking.
Philadelphia, Pa.	Fairmont Park	do	3.8 miles, part of link with existing 10-mile system.	City park	Scenic; recreation facility access.	Grade, surface.

Mr. UDALL. As initial units of the Nationwide System of Trails, the bill designates four national scenic trails:

1. The Appalachian Trail, extending 2,000 miles along the Appalachian Mountains from Maine to Georgia.

2. Continental Divide Trail, extending 3,100 miles generally along the Continental Divide from Silver City, N. Mex., to the Canadian border.

3. Pacific Crest Trail, extending 2,350 miles along the mountain ranges of the West Coast States from the Mexican border to the Canadian border.

4. Potomac Heritage Trail, extending 825 miles along the Potomac River from its mouth to its sources in Pennsylvania and West Virginia.

The Secretary of the Interior will administer the Appalachian and Potomac Heritage Trails, and the Secretary of Agriculture will administer the Continental Divide and Pacific Crest Trails. Each would select rights-of-way for the trails within his jurisdiction and provide appropriate markings. The rights-of-way for the trails, which may average about 200 feet in width, should be sufficient to protect natural, scenic, and historic features along the trails and to provide needed public use facilities. The use of motor vehicles by the general public along national scenic trails will of course be prohibited.

At this point, Mr. Chairman, I think it particularly appropriate to say a word of special recognition to the Appalachian Trail Conference. The Appalachian Trail is without doubt the best known of the four national scenic trails proposed for initial inclusion in the system. To a very large extent this is the result of the farsighted and persistent efforts of the Appalachian Trail Conference for the last 40 years. The Appalachian Trail Conference consists today of some 65 affiliated groups and some 25,000 members who have led in the location, development, and maintenance of the Appalachian Trail.

In addition to designating four trails as national scenic trails, the bill provides that others be studied for possible additions as national scenic trails by subsequent legislation.

Trails suggested for study are:

Chisholm Trail—San Antonio, Tex., to Abilene, Kans.

Lewis and Clark Trail—St Louis, Mo., to Pacific Ocean, Oreg.

Natchez Trace—Nashville, Tenn., to Natchez, Miss.

North Country Trail—Appalachian Trail, Vt., to Lewis and Clark Trail, N. Dak.

Oregon Trail—Independence, Mo., to near Fort Vancouver, Wash.

Santa Fe Trail—Independence, Mo., to Santa Fe, N. Mex.

Long Trail—Sherburne Pass, Vt., to Canadian border in Vermont.

Mormon Trail—Nauvoo, Ill., to Salt Lake City, Utah.

There are undoubtedly others that could go in the study category. But the interesting thing, as you can note from this list, is how many of the great trails that were traversed during the pioneering period of this country that are associated intimately with our history are eligible for possible inclusion. And this can be a fascinating thing whereby we could combine preservation of history with the preservation of outdoor recreation activity.

Keeping with the bill's objective of encouraging cooperation between the Federal agencies, States, local governments, and private interests

concerned, we anticipate that non-Federal interests will participate actively in the acquisition, development, operation, and maintenance of the trails system. To the extent of such participation, the need for the Federal funds will be reduced.

The bill provides that money appropriated for Federal purposes from the Land and Water Conservation Fund shall be available to Federal agencies to acquire property for the national scenic trails, which could, of course, be done by a trail easement, or where necessary by outright acquisition.

By the terms of the Land and Water Conservation Fund Act of 1965, money appropriated from the fund for State purposes would be available to States and their political subdivisions for land acquisition and development for trail purposes. The development of national scenic trails by Federal agencies would be financed by appropriations from the general fund of the Treasury. In fact, as I indicated earlier, we have already made some grants under this program.

Response to the President's trail recommendations, to the trail report that is before you, and to this legislation has been almost universally favorable.

Now is the time to lay the foundation for a nationwide system of trails which would serve not only our own but all future generations of Americans.

I would like finally, Mr. Chairman, to say what we envisioned, what we hope will emerge from this is not merely a Federal program. In fact it may turn out in the long run that although the Federal program provides the backbone, it will be the least important part of the trail system. What we would envision, what we would hope, if everyone does their job right, would be a great network of trails, so that hopefully out of any major city in this country there would be trails winding into the back country, so that anyone who is interested in these neglected but most important forms of outdoor recreation can take a bicycle or a pack on his back and move right out of a great urban area into the back country.

This quite naturally will be a task that is a big one, that we will be working on 30 or 40 years from now and still adding to it. I think this is the time to begin. We know that we have made great mistakes in the planning of our urban areas already in almost driving the bicycle out. There is no place in many cities today where children can safely bicycle. There are a few places whereby they can hike. And I think there is a great opportunity before us here to break new ground and to initiate a new program that would be of enormous significance to our country over the long haul.

So I thank you very much.

Senator Moss. Thank you, Mr. Secretary. We appreciate your testimony.

Did you have any statement you would like to add, Dr. Crafts?

Mr. CRAFTS. No, sir, I have no prepared statement.

Mr. UDALL. He is my line backer.

Senator Moss. Of course, he is available for questions.

The problem which must be faced is the priority of use, where a trail comes into collision with some other use that has grown up on the land. What kind of priorities do we set up there?

Mr. UDALL. Well, Senator, let me discuss that in connection with the Appalachian Trail, because I notice that the Cattlemen's Association, the forest products people, and others who are private landowners want to testify here. And of course the problem that you have in the West is no different than the problem which exists today with the Appalachian Trail. The Appalachian Trail, despite the maps, is not complete. There are gaps in it. And this is where the main problem is today. We propose an authorization and appropriations to help fill in these gaps.

Now, this committee has acquired a great deal of experience in dealing with the problems associated with the national park acquisition. We know what we have been able to do in our national seashores, particularly by providing flexible tools. And I think what we need is for us to realize that we can, if we are wise, work out plans that in effect harmonize or at least minimize the disturbance with private holdings wherever possible. This would mean that probably in many instances the purchase or acquisition voluntarily of a trail easement would be adequate.

It might mean in other areas that for special reasons outright acquisition would be necessary. But I want to make the record, here with the committee, that we are not suggesting outright acquisition of the land as the only solution. I think in many areas we have developed the concept of scenic easements. I think a trail easement would make a great deal of sense, particularly provided that you have protection for a corridor where people can move. And we have already had a great deal of experience in this. As a matter of fact, the Appalachian Trail today moves over many areas where they have had for many years just voluntary easements, the property owners have been willing to let people move through without any payment of any kind. But we are probably going to find, and are finding, I think, that many of these landowners are entitled to payment for a trail easement, or payment for acquisition of land, so that you harmonize the interests of the public in a trail as well as the interests of a private landowner in having his property rights respected. And I think we will find, if you will give us some flexible tools to work with, that we can work these problems out as we go along, so that we can have a system of trails and still not do violence to the traditional concept of property rights.

Senator Moss. As a specific example, Chairman Jackson has a letter here from Senator Aiken pointing out that the language in the bill says that the primitive and primeval character of the trail should be preserved. And then he asked the question, Would this outlaw ski slopes, would a ski slope be deemed a commercial development incompatible with the protection of the trail in its natural condition? Now, I can foresee that occurring not only in Vermont, where Senator Aiken writes from, but in a number of places in the West.

Mr. UDALL. As you can see, Senator, with particular reference to the language on page 6 of the legislation, the committee will undoubtedly want to give this some attention, because we are proposing here a method whereby we would make determinations of the routes of national scenic trails. And I think this should be flexible. After all, we are not talking about—I think we should make this plain, although

some of the trails will wind in and out of wilderness systems—we are not talking about a wilderness concept in the main with regard to trails. I would think therefore there is nothing wrong if a trail, for example, goes by or near a ski resort. I think all one has to do is to look at some of the areas today on the Appalachian Trail that necessarily skirts near large and small cities. And the interesting thing about trails is that, unlike highways, you are not interested in a straight line. You can meander a trail around. This is the essence of it. And this in itself, if we do our job right, means that we can, in effect, in many instances make the choice that involved the least controversy, and involves the least invasion of private holdings that should otherwise remain unimpaired.

Senator Moss. You indicated, and in my opinion very properly, that the maximum effort would be made to get scenic easements or permissive passage for trails. But the bill does contain the power of eminent domain for the acquisition of fee in a situation where you cannot otherwise protect the trail. Now, would you consider this desirable, or would you prefer to come back to the Congress when you felt it was necessary to exercise eminent domain? I can foresee some difficulties there. When considering the great expanses of area that go from coast to coast and border to border here on this continent, to have an open end power of eminent domain really seems to be excessive to me.

Mr. UDALL. Well, Senator, I think we need to discuss this very candidly, because, just as we found with national parks, if you authorize a national park and do not give us eminent domain, you might as well not even pass a bill. We are not talking about vast acquisitions. We are talking about narrow corridors in most instances. If you want to direct us in the legislation to acquire trail easements, and trail corridors, rather than outright acquisition wherever possible, or to give us other guidance, I think you should do so. But I think if you pass legislation without any eminent domain whatever in it, that, No. 1, we are left at the mercy of those we deal with, and this would necessarily mean that we pay higher prices. And it would mean that—for example, let us take the Appalachian Trail, where the immediate problem exists—it would simply mean that you would not get the job done.

So I would urge, if the committee has reservations about broad powers or an unlimited power of eminent domain, give us directions and put some limitations on if you want. But I think we do have to have eminent domain. As I said earlier, it is like passing a national park bill without giving us any right to park land if we do not have it.

Senator Moss. There is some difference there. In a national park bill the committee would be considering certain boundaries in the bill itself. I think the policy has been, in general, that the power of eminent domain should be granted within those boundaries.

Now, here we are talking about some trails, four that have been defined more or less on alinement, but certainly not metes and bounds as yet. And of course we are going on to study other trails. And this is where it seems to me we are going to have to give some very careful attention to this problem, because the Congress is not likely to want to give a very open end authorization to eminent domain until we do have some metes and bounds.

Is it possible to have some in-between stage, where the Department might acquire easements or other uses, and then come back saying, Well, now, these pieces, we haven't been able to get by mutual agreement on an easement, and for them we want eminent domain.

Mr. UDALL. Well, I think we need to look at this closely. This provision is on page 11, Senator, in the middle of the page:

Provided further that the appropriate Secretary shall utilize condemnation proceedings without the consent of the owner to acquire private lands or interests therein pursuant to this subsection only in cases where, in his judgment, all reasonable efforts to acquire such lands or interest therein by negotiation have failed, and in such cases he shall acquire the fee title only where, in his judgment, lesser interest in land (including scenic easements)—

I suppose you could say trail easements, I think you can have a trail easement—

or written agreements are not adequate.

You are right in that a trail is somewhat different from a park, although I suspect, if you take a 100- or 200-foot strip such as prepared for the Appalachian Trail, I would be interested myself in knowing how many acres that means.

Mr. CRAFTS. Twenty-five acres a mile.

Mr. UDALL. Mr. Crafts says 25 acres a mile is what it means. We can find out by mathematics what it means.

But I think it should be pretty clear that we must have some authority to act. If you send us out naked and all we can do is negotiate, I am sure we will come back in most instances and say, either the price is too high, or we could not succeed, and we are simply going to have to have additional authority.

Senator MOSS. I agree that we should have some arrows in the quivers. But this is a problem.

I want to recognize Senator Gruening, who will not be able to stay for the full hearing. I want to give him an opportunity to question the Secretary, if he has some questions.

Senator GRUENING. Yes.

Mr. Secretary, I am very enthusiastic about this legislation. The principal reservation I have concerning the bill in its present form is that it omits Alaska. We are quite accustomed to that. That has been going on for the last hundred years—come the 30th day of this month. But I hope to rectify that by an amendment.

In the amendment I shall offer, which fortunately was also suggested by Mr. Crafts on page 5 of the bill, I would add a ninth item right after "Mormon Trail," and insert there "Alaska Gold Rush Trails."

Those are very interesting and historic trails. Mr. Ogden of the Bureau of Outdoor Recreation was kind enough to draw an excellent map which I have here that shows three of these trails in southwestern Alaska which led to the Klondike—the Dalton Trail, the Chilkoot Pass Trail, and the White Pass Trail, all three of which would be highly desirable for inclusion, particularly the Chilkoot Pass Trail, because that is still primitive and undeveloped, whereas the Dalton Trail would coincide with or parallel the Haines cutoff which is part of the Alaska and Canadian highway system, and the White Pass Trail would of course roughly coincide with or parallel with the White Pass and Yukon Railway.

These are not the only gold rush trails. There is also a gold rush trail going up from Valdez to the Yukon. And that would coincide with or parallel what is now the Richardson Highway.

These are historic trails. They relate to a very important event not merely in the history of Alaska, but in the history of the United States. It was the last great gold rush. There will never be another like it. It was one of the great adventures of the American epic. It was a chapter in the great westward march of the American people in search of greater opportunity. The trails, incidentally, pass through some of the most beautiful scenery on the North American continent. And I would invite you, the next time you decide to go on a hike to go over one of these, particularly the Chilkoot Pass which is very much as it was 70 years ago. And I would be very happy to accompany you.

Mr. UDALL. I am most glad to have your invitation, Senator. I think this is a most grievous omission, and I will see my people about putting it in.

Senator MOSS. Let me warn you about having the Senator set the pace. If he takes you over the trail it is going to be a blistering walk.

Mr. UDALL. The Senator is one of the younger Alaskans, as I know, because I have been on the trail with him briefly.

Senator GRUENING. This would not be as strenuous as your climbing Mount Kilimanjaro. But it would be a good exercise and it would be a beautiful experience. This is, as I have said, magnificent scenery, mountains rising directly from the sea as almost nowhere else under the American flag. It would be an unforgettable experience for you, Mr. Secretary, and the other hikers, and I hope Mr. Crafts will also be along. I hope that will be done in the near future. I am going to offer this amendment to include the Alaska Gold Rush Trails. I hope, Senator Nelson, you will accept the amendment.

Senator NELSON. I think I will join you on this hike.

Senator GRUENING. It would not cost much if anything. And I think there would be little difficulty, unless something along these trails should conflict with the Indian claims that the Secretary is now wrestling with.

Mr. UDALL. Senator, I do not say this entirely facetiously either. We might invite Dr. Pecora to go along and take some of the new heavy metals detection devices and see if there is still some gold in the Klondike as part of our trip.

Senator GRUENING. These hikes over these trails would also be a reminder to the administration that we still have a gold problem, which we, on another level, with another agency of the Interior Department, are trying to solve, as the Secretary knows.

Mr. UDALL. I am glad we are going further. I know that the Senator is very much interested in the gold and heavy metals field. I have had some recent conversations with my people about your State and how we should apply this program vigorously there. Alaska has had a great past in terms of minerals, and I see no reason why it should not have a great future if we use modern technology.

Senator GRUENING. This legislation to establish historic trails is a splendid piece of legislation. I think it is a fitting sequel to the legislation which the Congress has enacted and other legislation pend-

ing to create more national parks and national seashores and national lakeshores and to preserve wild rivers. I think this is an extension of the great program to preserve as much of our national heritage, of our unspoiled heritage as we can before it is lost. I am glad that we shall proceed with this. Some details may have to be altered, but I shall support the purpose vigorously.

Thank you very much.

Senator MOSS. Thank you, Senator.

I have here a map of the historic trails in my State of Utah that you may have seen, all delineated, and on the back a full story about each one of those trails.

There is one that is called the Powell Trail, where John Wesley Powell went down the Colorado River in 1869, the first trip down the river. Now, would that type of a trail qualify under this bill? That is a water trail.

Mr. UDALL. I do not know whether it would qualify as a water trail or part of the scenic rivers system, Senator. In terms of the framework of this legislation, we are talking about hiking, cycling, and horseback. I think this was one of the great adventures of the exploration of the West, and soon we will be at the 100th anniversary of Powell's first run down the Colorado in 1869. And I hope that this does receive the attention that it deserves.

Maybe the Senator should lead a trip to retrace the Powell Trail in 1969.

Senator MOSS. You are invited, sir.

Senator GRUENING. Will the chairman yield for another comment?

Senator MOSS. Yes, Senator Gruening.

Senator GRUENING. Mr. Secretary, of course all these trails lead into Canada through British Columbia and the Yukon Territory. And I am hopeful that an arrangement can be made with the Province of British Columbia and the Dominion Government, the trail ending under the Dominion's jurisdiction, by which we can continue these trails to their termination, Dawson, in the Klondike goldfields. That would be an essential part of making these trails available and useful. We do not want to stop at the Canadian border if it is possible to extend them all the way. So I think that that would perhaps require the assistance of the State Department.

Senator MOSS. Senator Allott.

Senator ALLOTT. Mr. Chairman, if I may, I will yield to my colleagues for a moment.

Senator MOSS. Certainly. Senator Jordan.

Senator JORDAN. Thank you, Mr. Chairman.

First let me say that I think this is a laudable objective. I think I spent more years of my life on trails than anyone in this room, probably. For 13 years I lived beyond the end of the road, and I had some personal knowledge of the trails and the need for preserving the trails throughout the Nation. So I do laud your objectives.

I have some questions, though, having to do with eminent domain. I would like to inquire, first, Mr. Secretary, what percent of the four trails that you have designated as being in the first category, what percent are now under Federal ownership?

Mr. CRAFTS. Senator, of the four trails that are designated as the national scenic trails, there is a total of 8,220 miles. And of that about

5,500 are already in Federal ownership. So that there are about five-eighths that is in Federal ownership at the present time.

Senator JORDAN. And you would propose to make the intervening three-eighths of the distance which would be in either State or private ownership a part of this by donation, by land exchange, by scenic easement, or if these fail, by perhaps resorting to eminent domain; is that true?

Mr. UDALL. This would be the approach; yes, sir.

Senator JORDAN. In other words, you expect these trails to be 200 feet wide. Do you expect to fence them?

Mr. UDALL. No. I think the essence of the trail system is that you do not want it enclosed. For example, as I said earlier, Senator, since it does not have to necessarily run in a straight line, you can put it in the back 40 if it is grazing land, for instance. It can be in the most ideal place, or least harmful place, let us put it that way, in terms of a rancher, a farmer, or whoever it is.

But the essence of it is that you do not want to enclose it, you want to leave it open. And it is merely a trail.

Senator JORDAN. I anticipate that you will find one set of conditions obtaining in these trails that run generally north and south along the tops of the mountain ranges, and you will find another set of conditions obtaining where you go to easterly-westerly directions across the United States. Because there is less likelihood of being in conflict with another use on the top of the mountain range than there is when you cross through the farmland of the Great Plains area or the irrigated valleys of the West, which you are bound to do, if you follow these routes that you have indicated on the map.

Now, my question is: If you have to cross an irrigated valley, will you buy or condemn an area 200 feet wide and prohibit any other use of that area?

Mr. UDALL. The answer to this is "No." I do not think, in terms of the type of use that is envisioned—and I think this is fortunate—that you have to acquire the land and fence it and make it an exclusive public domain. I think the scenic trail or scenic easement device, probably, could be very useful. I am sorry I cannot stay to hear what the Appalachian conference people can tell you later today about their experience on the trail here. I think they know more about it than really any of us do.

But I am impressed by the point you make, Senator. I had not thought of it in that way. Let us discuss the West for a moment.

The two trails we are proposing to be authorized are the two in red that follow the high mountain country. Now, they are not going to follow the crest of the high mountain divide, because, as Senator Allott and others know, if you stayed up that high you probably have only 30 days a year when there is not deep snow in many parts of it. The Forest Service would operate both of these. As you can see, since the Federal forest lands are in green, they are largely now in Federal ownership.

But I think Senator Jordan is right; when you start moving east and west, forming these historic trails, such as the Oregon Trail, you have a different set of problems. And I think in terms of eminent domain, the trails printed in black that we see on the map, that this

is one of the reasons we need to study them. And I think we need to study them thoroughly and to come back to the committees and report precisely whether we think a trail is feasible, what route it would follow, whether it is broken or unbroken, and so on.

The more we get into it, the more I like this idea of beginning with the types that are the least controversial. We should begin to move on the Appalachian Trail to help them complete it and round it out so that it will set the pattern and help us know what the problems are and how to resolve them. And then we can move on into the second stage with these other types of trails.

Senator JORDAN. I have just one more question, because I want to hear my colleagues here.

You mentioned use by hikers and horses and bicycles. And I see a picture in here of a use by motorcycles. Now, is it your purpose to build a motorcycle trail system throughout the United States?

Mr. UDALL. No, not at all, Senator. We studied this the other day on the House side. There are all kinds of these new vehicles—the tote-goat is one that I know Senator Moss is particularly familiar with. These new snowmobiles are another example, I think, that are causing some of the skiing fraternity some concern.

I think we ultimately are going to need special trails for these people, these motorized and mechanized people. But I think we have got to keep them separate.

We found, as I am sure some of you know that right here on the C. & O. Canal trail the bicycle and the hiker are not incompatible. In most instances the horse and the hiker or the bicycle are compatible. So we are not talking about motor trails. These four trails we are asking you to authorize are in the main hiking trails.

You will find on page 12 of the bill that there is a prohibition of motorized vehicles on national scenic trails. I think that has to be in it.

We found, incidentally, that at the urging of many people, including Dr. Paul D. White, the noted heart specialist, who has talked to me several times that bicycle trails meet a real public need. Dr. White is a great believer in trails, and particularly the bicycle. At Cape Cod National Seashore we recently put in a bicycle trail. This is the first one in a national park. And I think you are going to find a great many more of them. I understand that this is moving along very well. But I think we have to keep the motorized people, both for safety reasons and other important reasons, apart.

Senator JORDAN. I can appreciate your need, perhaps, for some use of eminent domain. But I shall look upon this eminent domain provision with a jaundiced eye, Mr. Secretary. I believe it will be pretty hard to substantiate.

Senator Moss. Mr. Secretary, I was interested in your answer to Senator Jordan in saying the trails, because they may vary in direction and you do not have to go in a straight line, that you could put them on the back 40 and elsewhere. And I wondered if there is a distinction here between just a scenic trail and a historic trail. I know the people who are interested in historic trails will be very insistent that the trail go along the line that historically it followed.

That is where you are going to come into conflict over the routes. If we have some area of leeway where a trail can be moved a quarter of a mile or a half mile one way or the other, or further, then I think we could eliminate a lot of these conflicts and priority problems.

Mr. UDALL. I think we are going to encounter problems, Senator. The more I think about it, the big problems will be when we start talking about following these historic trails. I do not know what they are, and I do not know what the solutions are. If we were proposing authorization of the black trails, moving east and west, at this point, I think you might very well say—because we cannot give you the answers—“We are not going to give you eminent domain until you know what your plan is, how it is going to work.” But we are asking authorization only for the trails through the mountain country, where 80 to 90 percent is already in public ownership. There I think we are not going to encounter the type of serious problems you suggest. Nor would I like to see this committee be in a position to say that you think eminent domain is all right in the East but it is not a good thing in the West. I think we are going to have to have, as we have had with our national park bills, a common approach that has due regard for the private property rights as well as helping us fulfill public purpose where we can.

I know this is a ticklish problem, and I urge you, let us go gingerly along on it. I know that we can work out a solution. We have gone through what initially was a very trying period in deciding what to do in national seashores and all the other new national park bills that we passed.

Senator MOSS. One other small point I would like to raise.

Your answer indicated that you visualized the trails as simply being open country and certainly not fenced off in themselves. But where a trail would come to a large highway, such as one of the interstate highways, you would have to build an underpass or a crossing. Is that envisioned?

Senator ALLOTT. Move on the State highway.

Mr. UDALL. There would be all kinds of problems. As you start following these historic trails you will come to towns and cities. In some cases the actual historic trail itself went through the city. A national scenic trail does not have to go through “Main Street.” The people just walk through the town and pick it up on the other side. This would be my reaction. You do not have to have complete continuity. But I think you have to be able to follow the main segments. And with something like the Appalachian Trail, which has been deliberately designed to stay in the back country, it is easy to solve these problems, if you have the flexibility that you need.

Senator MOSS. Senator Allott.

Senator ALLOTT. Mr. Secretary, in looking at this concept I am troubled by a great number of questions that obviously bother other members of the committee. And one of them, of course, is the power of condemnation.

Not looking at the first four, but at the study areas, I want to ask a question—and I ask it in all good faith. Looking, for example, at the Santa Fe Trail, or the Oregon Trail, or the Mormon Trail, all of them have great historic significance to the western part of the United

States particularly. Now, is it really necessary to think—and I am dead serious about this—is it really necessary to think in terms of a long, constant continuous trail? For example, looking at the Chisholm Trail, or the Santa Fe Trail, or the Lewis and Clark Trail, how many people would utilize a continuous length of such a trail? I cannot imagine anybody in their right mind, for example, wanting to tramp the distance from San Antonio up to Fort Dodge—no, it is east of that—

Mr. UDALL. Abilene.

Senator ALLOTT. Abilene—particularly in the summertime when the average temperature gets a little bit high. And the same thing would be true of portions of the Santa Fe Trail. Now, there are portions of that trail that I can visualize would be utilized as a trail. But should not we ask ourselves, first of all, whether it is necessary to consider this as a long, continuous, uninterrupted trail? For example, who would start down at the bottom of California and walk up to the Canadian border? The answer is obviously nobody except somebody who just had so much money that they did not have any other way to spend their time. And I ask this in all sincerity. Is there not a different approach to this—of course, the Appalachian Trail is pretty well established now—but is it desirable to have continuous trails?

Mr. UDALL. Senator, I think—

Senator ALLOTT. It makes a pretty red line, but—

Mr. UDALL. I would suggest, as far as the Appalachian Trail is concerned, that you ask this question specifically of Appalachian Trail conference people. Because I think they can enlighten us on this.

The hikers are a pretty hardy breed. And my guess is that we should not underestimate them, that some of them will not only hike portions of them—if you have a shelter system—but that there are a goodly number of them that at one time or another move the entire length of the Appalachian Trail. I am sure that many people have. But the interesting thing about it, and this is the reason you have 65 affiliated groups that maintain different sections of the trail, is that the trail is not only a long trail that one can hike the total length of it if one wants, but that there are different segments that are available to the people who live in that area.

But I think the reaction I have to your question about whether it needs to be continuous is a very good argument for saying, let us study these historic trails. And this is precisely what we have proposed.

I do not think I could make a case out to this committee—I do not think I have made one—for saying that the black trails ought to be authorized at this time. I cannot because I cannot fully answer the question you just asked. And that is the reason I think really we should study it.

Senator ALLOTT. Even in laying aside the trails which I have mentioned as being in the Midwest, even in the mountains—and I suppose this would be true in California, true in New Mexico, Colorado, Wyoming, Montana, Oregon, and Washington—how are you going to cope with such things as where you have an established agriculture? I am thinking in terms of pasturage, I am thinking in terms of irriga-

tion. I cannot imagine any farmer or rancher willingly letting people tramp over irrigation ditches at random, because it just means that much more upkeep on it.

Mr. UDALL. Senator, that is where the flexibility comes in. We would not follow religiously a particular line, even on these historic trails. Trail users are trying to see the significant places. The trails would go around ranches and irrigated land.

Let me give you an example of the sort of thing that is being done. I have furnished to the committee the types of trails that these 12 cities and counties are working on right now, where we matched money with them (see p. 25). One example in my own State, one of the very fine public assets that had been wasted, or was not thought of as a public asset at all, was the canal system, the large canals of the Salt River project in the Phoenix area. Horseback riding is very popular, and they had the idea there of having a horseback trail system in the entire valley. Well, it turned out that the public already had a right of way, in fact it was in Federal ownership, fortunately, along the main canal. So we entered into an agreement with the county whereby they would maintain a horseback trail system that followed the canal and tied in with other horseback trails out on the edge. It is very popular, and works extremely well. It is this type of thing that I think can be done if you have creative people working on it.

Senator ALLOTT. Now, as I understand it, you plan on trying to finance this through the Land and Water Conservation Fund?

Mr. UDALL. Yes and no on that, Senator. As far as the development of trails on Federal land is concerned—and for the two western trails, the Continental Divide and the Pacific Crest, the bulk of the land is now federally owned—funds would come from regular appropriations.

Senator ALLOTT. The development of the trails, of trail building work, as far as acquisition is concerned, I think we do propose that \$4 or \$5 million on the Appalachian Trail for acquisition would come out of the conservation fund. I want to give you a breakdown on these trails, because this opened my eyes a little bit. On the Appalachian Trail Federal ownership is 682 miles; State, 452; and private 866. In other words, in the neighborhood of 40 percent is private. When you get out to the Continental Divide, because the trails are in national forests and parks, Federal ownership is 2,700 miles, State 28 miles, and private only 300 miles. So your problem in these two western trails does not have nearly the magnitude of the eastern area. On Pacific Crest there are 1,842 Federal and only 444 miles in private ownership. Thus the Appalachian Trail has a much larger problem even today than western trails do because of the national forests.

When we passed the Land and Water Conservation Fund Act it was intended that the proceeds from this act would finance this sort of development.

Mr. UDALL. Yes, that is correct.

Senator ALLOTT. In fact, that was the sole purpose for passing it, as I recall. Now, in that fund we provided for a 60-40 split, did we not?

Mr. CRAFTS. The law, Senator, suggested a 60-40 split, subject to such change as the Appropriations Committee may make from year to year. It is not a mandatory 60-40.

Mr. UDALL. It is flexible.

Senator ALLOTT. I know that it is not a mandatory split. But I think the reports of this Senate committee and the House committee are rather explicit that that was 60 percent to the States and 40 percent to the Federal Government.

Mr. CRAFTS. That is correct.

Senator ALLOTT. And ever since we passed that act there seems to have been efforts made to break that down. That was the understanding of Congress, though it was not written specifically into the act, to break down this 60-40. Now, what would be the amount for the development, for example, of these four trails that would have to come out of the National Treasury in addition to the Land and Water Conservation Fund?

Mr. UDALL. Well, I want to make two points, Senator. No. 1 is, as far as development on Federal lands is concerned, this does not come out of the conservation fund. The conservation fund is for the purpose of acquisition as far as the Federal Government is concerned.

The States, however, can use it both for acquisition and development. Congress wrote that in. So we would hope—and we are already doing this in many instances—that if a State wants to match money with us and use the money on a trail program, they are quite free to do so. In fact, we are encouraging them to put trails in as a major segment of their outdoor recreation plans.

But let us take the Appalachian Trail. We propose to authorize in this legislation a sum of \$4 or \$5 million, whatever it is, to complete the acquisition of the trail corridor. To the extent that the Federal Government has to acquire the land, this would come out of the conservation fund. Likewise the Federal acquisition that would be necessary on the other three red trails would come out of the Land and Water Conservation Fund.

Senator ALLOTT. Without any additional appropriations?

Mr. UDALL. Well, appropriations from the fund would be scheduled just the way we do our park acquisition, on an individual tract basis.

Senator ALLOTT. I mean without appropriations from the general fund.

Mr. UDALL. That is right.

Senator ALLOTT. You say that the four would be acquired out of the fund, but they would not be developed out of the fund, and a general appropriation would be necessary for the development of these trails?

Mr. UDALL. In other words, we would treat the trails just like we do national parks or national forests, the development work there comes out of the regular budget.

Senator ALLOTT. I note that on the Continental Divide Trail there are some 3,100 miles, and 10 percent of that is on private land. I think you have set aside \$2.5 million to acquire this 301 miles of private land, which is roughly \$337 per acre. This is about twice the national average, I guess.

Mr. CRAFTS. I am not sure, Senator Allott, what figure you have in mind as the national average. I think I can recall that on the purchases that the Park Service and the Forest Service have been making under the Land and Water Conservation Fund, the Park Service aver-

age per acre is considerably higher than the Forest average per acre. It comes out around \$300 an acre for the two agencies together.

Senator ALLOTT. I missed this portion of your statement. You are planning on a right-of-way or an easement of 200 feet?

Mr. CRAFTS. The general idea is that for 100 feet on each side of the trail, or a total of 200 feet, that there would be fee acquisition. Now, this 200 feet could narrow down and expand out, it would not be straight. But it would average this—this would be the average width.

And in addition there would be another 100 feet on each side where scenic easements would be considered if necessary. So the idea is that where the trail traverses private lands that there would be a fee ownership of on the average 200 feet wide, and scenic easements in addition if needed of an additional 100 feet on each side of the trail. This is roughly what we have in mind.

Senator ALLOTT. What would you do, Mr. Crafts, with the situation of separations, where you traverse a man's land and require him, through condemnation or through pressures from the Agriculture Department and the Department of the Interior, to sell and require him to divest complete control over a piece of land 200 feet wide passing through his area.

Mr. UDALL. Senator, let me answer that. I may be in disagreement with my own people on this.

Senator ALLOTT. All right.

Mr. UDALL. It seems to me—and I get back to Senator Jordan's question of a moment ago, do we plan to fence this in—and I think the very essence of a trail system is that it is something that is not fenced in. Therefore, I think we may find that we can be flexible as we move along, because we are not going to fence the land, for all practical purposes, like a landowner, whether you buy a scenic easement or a trail easement. The right of people to pass across a particular section of this land remains since you are not going to build a fence. The farmer or rancher retains for all other purposes the ownership of the land. And it may be that in some instances, particularly if you are near cities—and Dr. Crafts tells me that even the Appalachian Trail goes across the Bear Mountain Bridge, where obviously a trail does not exist—there are gaps in it that will always have to be there.

But I come back really to our experience in national seashores. And if we try to adapt and adjust and work things out with a flexible approach, then we can accomplish our end and end up with everybody reasonably happy.

We faced a very serious problem years ago when we started on our national seashore program. And it looked to me at one early point that the dispute and the controversy would be so great between landowners and public use that we could not resolve it. But we did resolve it. And I think everybody generally is very happy with the end result.

Senator ALLOTT. I do not think everybody is happy by any means. But of course the public use has been augmented.

What is the situation with respect to the Land and Water Conservation Fund now? What is its degree of liquidity?

Mr. UDALL. Well, I think, to be candid, Senator, that there is a general feeling among your colleagues on the committee—and I cannot

argue with it—that our authorizations are a bit ahead of appropriations. In recognition of this fact, the President put an item in this budget of \$32 million of extra money, which is an advance that was provided for under the legislation. It is not just the earmarked fund, it is an advance to be repaid at a later time to help us catch up. There are other members of the committee who feel that we need to earmark additional revenues and augment the funds, and maybe we will get around to considering that this year. But I think as far as the overall success of the program that it has exceeded our fondest expectations. I wish myself that we could have more money. But I think it has enabled us to do some really great things in the last few years.

Senator ALLOTT. So the \$32 million in the present budget is really a loan to the Land and Water Conservation Fund?

Mr. UDALL. That is right, just the Federal side of it. None of that, Senator, will go to the States. The advance will help the Federal Government catch up on the land acquisitions where we have new national seashores, the Delaware Gap areas, which, as you know, is going to be very costly, and others.

Senator ALLOTT. Do you have this little seashore out near San Francisco that we have run into fantastic problems with financing?

We will go into that at another time, I hope.

Mr. UDALL. That is one of the special problems.

Senator ALLOTT. The cost there has far exceeded the wildest imaginations of some of us who tried to raise a red flag at the time.

What efforts have been made toward the west, for example, to encourage the private sector to act in the establishment of these trail systems, or to encourage the States to act with respect to them?

Mr. UDALL. Well, I come back here, Senator, to the map that Senator Moss showed us a moment ago of Utah, and what apparently some of the people of Utah are doing. I want to be quite frank about this, too. What we ultimately envision is what you see on the map there. If it actually exists or is in place, the whole thing, 25 years from now, I think we will be doing a very good job, because what we are talking about really is planning now for the long-term needs of the country.

But this is merely a backbone system, as we can see. I think probably in terms of actual daily use of people these local trails, city trails, county trails are going to be more important than the Federal system. We are trying to put this in focus by this legislation. We are trying to put in a backbone system. And we are trying also to encourage action at the local level. And personally I, myself, think the trails are going to be more and more used, probably one like the C. & O. Canal that goes right out of the city and connects in the country with the trails printed in black.

Senator ALLOTT. That is all.

Senator Moss, Senator Nelson, cosponsor of the bill.

Do you have some questions, Senator?

Senator NELSON. Yes.

In 1964 when I introduced the Appalachian Trail bill, and in 1965 when I combined all the trail bills, we included in that omnibus bill matching funds for the States for the development of the trail system. And we also included planning funds for the States to develop a trail system that would fit into a national program. I regret that there

aren't matching funds in this bill over and above the use that may be made of the Land and Water Conservation Fund, and maybe we can't get them in this bill. But it seems to me that there ought to be grants in here for State planning.

Now, one section has grants that can come from HUD for urban areas. Why shouldn't there be grants for States for the development of the plan in urban areas and throughout the States?

Mr. CRAFTS. Senator Nelson, there can be. There is a specific reference in the bill with respect to the State section urging that the States develop their State plans to give recognition to the trails system. And in the provisions of the Land and Water Conservation Fund Act, as you well know, there is authority to grant money for planning, acquisition, and development. So grants can be paid to the States from the Land and Water Fund Act for planning State trail systems.

And a number of States already in their State plans have included provisions with respect to planning for trails, for State trails, not these national scenic trails.

And we have even gone further than that. And I think we have had around 37 projects from the different States which the Secretary has referred to earlier. We have allocated about \$3 million to the States already under the Land and Water Conservation Fund Act for the acquisition and development of trails. And matching is permitted under the terms of that act for trail purposes.

Senator NELSON. But does it come out of the State's share of the matching fund under the Land and Water Conservation Fund Act?

Mr. CRAFTS. Yes; it does.

Senator NELSON. That was the precise point I was making, that for city trails, in urban areas, there was authorization in the bill for 701 funds for planning. That does not come out of the Land and Water Conservation Fund moneys. Am I not correct?

Mr. CRAFTS. That is right.

Senator NELSON. My question is, If you are going to require the States to use their matching funds, so to speak, from the Land and Water Conservation Fund, there is such a shortage of money in all the States for conservation projects that many of them will not consider this a very high priority. As a matter of fact, I have been at this business with my own conservation department since I proposed to them 3,000 miles of hiking trails 3 years ago. Originally there was no interest at all in the hiking trails, very little at all in my State. And so there is a developing interest, and I am hopeful that we will get a comprehensive plan for 3,000 miles.

If we are going to give the urban areas 701 grant money for planning, my question is, Why not give it to the States, so that we aren't competing with the projects within the State, and we will develop a plan which is necessary if we are going to implement this project anyway? That is my query.

That section I am referring to is on page 15, which reads:

"The Secretary of Housing and Urban Development is directed, in administering the program of comprehensive urban planning and assistance under section 701 of the Housing Act of 1954, to encourage the planning of recreation trails in connection with the recreation and

transportation planning for metropolitan and other urban areas. He is further directed, in administering the urban open-space program under title VII of the Housing Act of 1961, to encourage such recreation trails." So in this section of the bill funds for section 701 grants and funds from HUD will go to the cities for planning. But when you move to the rest of the State, the requirement is that they reach into their matching funds that they are already entitled to for planning the rest of the trail system in the State.

And that is the part I am wondering about, if there was any special reason for making that exception here. Why not have all the planning money from the State come out of the 701 grants?

Mr. CRAFTS. I think this could be. This may take a change in the 701 act. But I see no reason why it couldn't be done.

Senator NELSON. The reason it is not in here, is because it is presently under the authorization act. You could not use it for this purpose.

I haven't looked at it for some time, but I think section 701 grants are made for regional planning in all the States. And I would think the language must be broad enough for a statewide trail plan. I am not certain, but I think it is.

Mr. CRAFTS. I would like, if I may, to look into that and give you a statement on it, because I am not sure on that one particular point.

Senator NELSON. You see what the problem is?

Mr. CRAFTS. I get your point.

(The information requested is as follows:)

#### 701 GRANTS FOR TRAIL PLANNING

The Department of Housing and Urban Development reports that it has authority under Section 701 of the Housing Act of 1954 to make grants to States and their political subdivisions to study and plan hiking and riding trail systems. Such planning must be part of the comprehensive planning effort of the governmental jurisdiction. Planning grant monies may not be used to design or construct trails.

Senator NELSON. On the easement aspect of it, the proposal is that a fee acquisition be made of 200 feet, and then a place where it is felt necessary or important, another acquisition be made of an easement. My inquiry is: Why not use the easement device instead of the fee acquisition, or in addition to, at least? In other words, for that first 200 feet where the trail goes is there any objection to using the easement concept?

Mr. CRAFTS. I think, Senator, maybe in an answer in response to Senator Allott I perhaps indicated too much inflexibility here.

First of all, on page 6 the bill makes it very clear that in locating the trail the intention is to avoid in so far as possible the existing roads, mining areas, transmission lines, commercial and industrial developments, and so forth. It is the directive to the Secretary in selecting the location.

And there is a provision for an advisory group in connection with the selection and administration of the trails.

There is also a directive that in selecting the right-of-way the Secretary shall obtain the advice and assistance of the States, the local governments, the private organizations, the owners, and the users of the

land, all with respect to the location of the trail. And there is no reason whatsoever why they couldn't use easements in lieu of fee. The only basis on which I expressed myself earlier was that this was the basis on which the cost estimates were derived that appear in the letter.

There is also further language in the bill that directs that the State and local governments insofar as possible administer these sections of the trails that do not traverse the Federal units.

And there is also provision for the private organizations to enter into cooperative agreements for the operation and maintenance of trails.

In all of those cases the implications are, (1) That the location will be such as to minimize the difficulties that have been discussed; and (2) to the extent that cooperative arrangements can be worked out with the local governments or with the landowners, the cost estimates will be reduced.

So to come back to your question as to the use of easements versus the use of fee. I think that the probability would be that easements could be used more than fee, and fee would be used probably only in those cases where it was felt that easements could not suffice.

Senator NELSON. You are talking about the first 200 feet?

Mr. CRAFTS. That is right.

Senator NELSON. I see. I had understood that that was the emphasis.

Mr. UDALL. That baffled me, Senator, because if you were going to purchase land and you wanted a fee, there is some reason for exclusivity, you want to own that and you want to deny it to everyone else. In this instance what you want is to preserve the setting, at least for a corridor. That is exactly what you are trying to do with a scenic parkway. And you want to have the right of people to move across it. You don't want to own the land.

Senator NELSON. That is what I mean. We have had more experience with easements in Wisconsin than in any other State in the Nation.

Mr. UDALL. What is the pattern there?

Senator NELSON. When I was Governor we initiated the easement concept. And we have found this highly successful. I think it is very important in dealing with a private landowner. We have acquired about 160 miles along the so-called Great River Road running along the Mississippi. The proposal there, originating 30 or 40 years ago, is for all the States along the Mississippi on each side to have a scenic highway running from up in Minnesota all the way to the Gulf of Mexico. And it is a beautiful route and beautiful scenery.

But our view was, if you had a beautiful route that was covered by billboards and developments, that it wouldn't then be a scenic road.

So we proceeded about 7 years ago with the easement concept. We bought the first 155 miles on both sides of the highway, the scenic easement, at an average of \$700 a mile. We found that, when you go to a landowner, and his home or farm has been on this river for 50 or 100 years, he doesn't want to see a fee, he wants to own it. But when we explained to the landowners that all we wanted was land to protect the scenic beauty of this route so that it would be preserved in per-

petuity, with no trees being cut without the consent of the State and no billboards being put up, and so forth, we found that we did not need a single condemnation. We have already gone, I think, 170 miles without a single condemnation.

And we also used the same concept along trout streams and in buying property from people who didn't want to sell. When we explained to them that we wanted to preserve this forever so that it isn't platted into cottages some day, or something like that, they have sold. And in some places for that easement we did have to pay as high as 70 or 80 percent of the fee value of the property. But we got all we wanted, the right of public use and the right to permanent protection.

So the easement concept, I think, is a very good one. And it will solve a lot of wrongs. When you run into the man who says, "This is my land and I don't want to give it up", you can say, "You keep the title of the land, all we want to do is buy this amount of easement for this purpose."

Mr. UDALL. Senator, you were considered one of the best conservation Governors in the country. And you have had a great deal of experience. And speaking from experience on this you say that using this approach you didn't have to have condemnation. And that means that this is a very wise solution, because the truth of the matter is that the landowner, rather than having to surrender something, is getting his own land conserved according to a permanent plan, and he gets money as well. So he has the best of both worlds, really.

Senator NELSON. In this we had several acquisitions that the Conservation Department had wanted to make for years. One of them involved one of the finest spring heads in the State, and the farmer did not want to sell. When we went to him with an easement concept he sold.

Now, our State does have a condemnation law. It is as tough as the highway condemnation, with one exception. That is, that the highway condemns and takes and settles the prices later, whereas the Conservation Department has to condemn and settle the price, if it involves going to court, before they take. But we have had that power for many years in the Conservation Department. And we have had to use it on occasion. For the largest percentage of acquisition for parks, and so forth they have not had to use the condemnation principle. The only place they get really involved in that is when they do decide to acquire some land and they negotiate and finally get some acreage that is necessary to the park and the owner decides he wants a price far greater than is justified and is far greater than the other landowners got. So you end up with a condemnation case in court to settle the price.

But it is a necessary part of the authority for the Department really to be able to accomplish anything, although it hasn't been necessary to use it very often. And in easement cases you relieve a whole lot of that, versus the idea of approaching the man to sell his property.

Mr. UDALL. Senator, I think you have made very powerfully the point for the use of a scenic easement as a device to accomplish these purposes.

You have also touched on another subject where I hold similar views to yours with regard to the difference somehow that has built up over

the years, that we give unlimited eminent domain rights to highways as though highways were sacred, for some purpose, and they go flying across the country—no questions asked, this is a great good, but we oppose condemnation for State parks, local parks, and we say, no, this is some lower purpose, and therefore we are not going to give condemnation authority. I think this is something that needs to be brought out. And I would hope that the committee would look at the Wisconsin experience in writing its legislation.

Senator NELSON. Senator Allott raised a couple of questions that everybody should think about.

But I think the point ought to be made, in connection with what Senator Allott was saying about condemning private lands, that each private acquisition, each separate acquisition or easement is a separately negotiated proposition. If you are going across 1 mile of somebody's land you negotiate with that landowner. And therefore there is lots of room for accommodation. If the landowner has to cross the proposed trail, or has a farm road across it already to take his machinery out to the fields, you are obviously not going to negotiate him out of that access road. So in the easement you simply provide that he can go across there permanently. If he needs to go across that trail some place else in the future, the easement can provide that he can cross it there. It really couldn't hurt the trail any. You are going to have the same thing on the Appalachian Trail running through forests, particularly. Well, from up in Maine down.

Now, the Appalachian Trail in Maine, very frequently jumps off onto a logging road. And certainly you can't ask or wouldn't want to require the company to give up its logging trail or build another trail around the logging trail. The logging trail goes through that area, and the Appalachian hikers are using it now. And the logging company is going to have to continue to use it. It is necessary that they have the right to cross the Appalachian Trail. If they are going in between two hills and there is just one valley, there is only one place they can go. And if they are going to cut the timber across the trail, I don't see that that is incompatible with a hiking trail. And these trails will vary, if you suggest it, all the way from trails that are running all along the highways and by villages to genuine wilderness areas.

In the proposal I made to the State for 5,000 miles of hiking trail, about 350 miles of it would start at the south shore of Lake Superior and run along the Brule River and from there to the St. Croix River, all of which is in a relatively wilderness area, and down the St. Croix until it joins the Mississippi. At that stage the proposed trail would run along the scenic highway all the way to Iowa. It is a beautiful hike, although it isn't wilderness, because there is a highway running nearby, but it makes a nice place to hike.

So you will have a variety of circumstances. And your easements, I think, have to be accommodated to the need of the land. I don't think that is an impossible problem.

The Appalachian Trail very frequently has to jump on the highway. There is a stretch where it has to go on the highway. So the hikers have to hike 10 or 12 miles of the highway. Suppose you ran

into a problem like Senator Allott mentioned, a genuine problem, and it just isn't sensible or possible to put trails across irrigation canals so you are going to have to jump off for 5 miles and hike the highway. I don't see that that is any problem. Do you?

Mr. UDALL. No, I don't, Senator. And I think the people who are going to be able to throw some light on the specific problems we are talking about are the Appalachian Trail people. They have been living with it over the years. And I hope, Mr. Chairman, that the members of the committee will question them at length about it, because maybe they have some answers that we don't have.

Senator ALLOTT. Would you yield for a moment?

Senator NELSON. I am all through.

Senator ALLOTT. I would like to comment.

I think you have hit one of the nubs of the problems. And one of the points that perhaps should be made is that the concept of these trails is not the concept of trails completely in a wilderness area. We have set up certain wilderness areas. And that is not the concept of this bill.

Mr. UDALL. This is not tied to the wilderness area. The Appalachian Trail is a good example. I don't know how many sections of the trail are potentially in wilderness areas. I know how many national parks it goes in, I think, which is two. But it has some wilderness segments. And it goes across the Bear Mountain Bridge. And there are the extremes.

Senator ALLOTT. I would like to ask one other question. I have seen for the first time this morning this "Trails for America" published by the Department of the Interior. I don't suppose you have this information. But could you tell me how much it cost to prepare this, how much it cost to produce this, how many copies were made, and what the distribution was?

Mr. CRAFTS. We will submit that to you, Senator Allott. I don't have that information at hand at the present.

Senator ALLOTT. Thank you.

Senator MOSS. Senator Hansen.

Senator HANSEN. Mr. Secretary, as I recall, in the report of the committee chaired by Mr. Rockefeller a few years ago the No. 1 need identified by that committee was to expand the recreational opportunities for people in population centers. That was the No. 1 concept?

Mr. UDALL. Yes, sir.

Senator HANSEN. Are you in accord with that conclusion?

Mr. UDALL. Yes, indeed. And that is the reason, Senator, that the whole effort that we made in recent years—and most of the money we are spending out of the conservation fund, incidentally, is being spent either in the eastern part of the United States, near the big city, or on the seashores. That is the reason I stressed what I said earlier. I think probably the most important trails that need to be built in this country are near the urban areas, to allow people to move in and out of the urban areas. It may be that some of these cities are so crowded that horseback trails and hiking trails will be placed near high tension lines simply because that is all that is left. We are just going to have to follow railroad rights of way and other things if that is all there is. But I agree completely with that major premise, yes.

Senator HANSEN. As I look at the map, I see that the State of Wyoming would be, with the completion of the trails that we envision here, traversed by three trails, the Mormon Trail, the Oregon Trail, and the Continental Divide Trail. When I was Governor of Wyoming we were led to believe that a Land and Water Conservation Fund could be of great help to our people and contribute to the use and enjoyment of people who came to Wyoming as guests. Because of that belief we got legislation passed, we had a commission appointed, and we solicited the proposal of projects. All this was in the State of Wyoming. And as I recall, 125 were approved by our commission. We were disappointed that there was practically no money made available for the funding of these projects. Would you believe that that sort of request to fund these projects that already have been submitted, that already have been approved, has a priority greater than the establishment of a trail and the condemning of privately owned land?

Mr. UDALL. I would like Dr. Crafts to comment more specifically on it.

And I want you to understand two major things. The trails that you see—of course, the Continental Divide Trail, which would come in at Yellowstone Park and down the—

Senator HANSEN. South Pass.

Mr. UDALL (continuing). Mainly in the national park is the one that we propose to authorize, and the others would be studies. But if these projects would carry it out, these would be Federal, the Federal Government would provide the money.

Now, the State of Wyoming, with its statewide outdoor recreation plan—and I am familiar with the good leadership you provided in that respect—will receive its entitlement to Federal matching funds under the formula. Wyoming would get to carry out its own projects. And so long as its own projects and priorities are in accordance with the requirements of the legislation, it has been our feeling that if a master plan is in, and it is approved, then the State goes right ahead with its own sense of priority working on its projects as it goes along.

I am not familiar at all with the particular details, or whether there is some impasse on the way.

Dr. Crafts.

Mr. CRAFTS. In response, Senator Hansen, I know the situation that you refer to in Wyoming. There were some delays, mostly procedural difficulties, some months ago in getting things worked out. The State of Wyoming receives its proportional share in water fund money.

Senator HANSEN. You say that it has this?

Mr. CRAFTS. It does, it is allocated to it every year. I don't have these figures with me. I didn't know this was coming up. And I can't tell you offhand. But I will be glad to send them to you.

I do know that there was a considerable backlog of projects in the State of Wyoming and that there was a considerable interchange between the State and our regional office in Denver in the processing of some of these projects. I know also that within the last several months we have sent some of our top officials to Wyoming to get this situation straightened out. And so far as I am aware at the present time, this has been done. And there has been a considerable number of land and water projects that have been completed with in the last several months.

And I would be glad to submit to your office both the allocation to the States, the projects that have been activated, and the projects that are currently pending. And I think you will find that the situation at the present time looks much better than you described it, and as it was 6 months ago.

Senator HANSEN. Well, I hope it has improved, because I can assure you that there was widespread disillusionment and disenchantment with the amount of money that we got in Wyoming compared to what the allotment was. We had high hopes, and we got a lot of mayors and people in municipalities generally involved in these projects. And I think they were very worthwhile. But I must say that I will have to look with a jaundiced eye on any other Federal type of expenditure in this area until you do a much better job than had been done at the time I left the office of Governor.

Now, to go to the next question that disturbs me — and I believe it has already been touched upon—because I think you do know a little bit about the problems of the livestock men, let me ask you, Mr. Secretary, what specifically do you propose to do where this trail would cut through privately owned land that is used for cattle raising? Do you propose to have gates or fences, or what?

Mr. UDALL. I think this would be one of the types of things, Senator, where you would do the most practical thing that would cause a minimum of intrusion or interference with the private landowner's use of his land. It might be a gate, it might be one of these stiles that you walk up over —

Senator Moss. Cattle guards?

Mr. UDALL. Something of that kind.

But let me say one other thing. Your State in particular has had the problem, as have all the Western States, with ranches that have intermixed public and private lands. The problem is not much different from the hunter-livestock owner problem that we have had in the Western States. Indeed the person who is following a trail is more single minded than a hunter who is hunting antelope or something that is going to come in some part of the public domain.

So I know that there will be problems. And I think we will be very foolish if we don't go in and sit down and talk with people and say, "We want to pass through this general area. Where in your judgment is the best place to do it?" "What is the way to do it that interferes with you least?"

That is my idea of the way you approach the problem.

Senator HANSEN. Mr. Secretary, will the Federal Government assume responsibility for fires that are caused by these hikers, or for trespasser damage that may occur along the trail?

Mr. UDALL. Well, I think the answer I would have to give you on that is that I don't know of any way whereby you can write any provision of law to make the Government responsible for tort actions by private individuals. It would seem to me it would be difficult to address yourself to this problem. And again I don't think it is any different from the problem you have with hunters and fishermen today. I would assume, on the face of it, that the people who are hiking, if you provide facilities for them, shelters, at certain place, are going to observe trail rules and behave in such fashion as people traditionally

do who love the out-of-doors. The hiker and the hunter generally, in my experience, in my judgment, is somebody who has a great deal more respect for the out-of-doors than the ordinary person who isn't an outdoorsman. I know that there may be some problems arise, as there are some problems from hunters and fishermen. But it is difficult for me to know how you could write the law to make the Government liable, because, after all, if somebody causes damage, if there is vandalism, the individual who causes the damage is the person who is responsible.

Senator HANSEN. Of course, one of the things that is deeply disturbing to the typical rancher is the danger of fire, particularly in the fall when grass or other crops are ripe, and the flammability of them thereby increases. Are you aware that an agency of your Department, the Fish and Wildlife Service, closed the National Elk Refuge last fall to guided trips by a boys camp in Jackson Hole, trips that were made by boys who were under express instructions not to smoke, each under the supervision of a leader? It was closed because of the danger of fire.

Mr. UDALL. Senator, I think that managing a trail system—and bear in mind that the National Forest Service would manage the Continental Divide Trail—you are going to have to follow the same rules as you now follow in the national forest. The national forest people close off certain areas if there is great danger of fire.

You are going to have to use the same management practices on national scenic trails. And the local forester is going to have to make these decisions. If there is a fire danger, whether it is in a forest or a grassland area, if there is a fire danger such that it ought to be closed, I think he will close it.

Senator HANSEN. I am sure you know, because you, too, come from the West, that it is not an uncommon practice for ranchers to cultivate around areas of land so that a fire that is started by a cigarette carelessly thrown from an automobile won't get on private land. But in spite of these precautionary measures I have seen numerous instances in Wyoming of fires started by motorists that spread onto rangelands and really wipe out all of the winter feed on which a rancher depends. This has happened several times. I could document several cases. Now, are you suggesting that perhaps a solution to this problem would be through consultation between the private landowner and the Forest Service, under whose jurisdiction these trails would be, and that the trails be closed when the fire danger becomes of sufficient concern to warrant that?

Mr. UDALL. I would certainly think so, Senator. The danger of fire presents a local conservation management problem, and the responsible local land manager is going to have to do what is prudent. And you are going to have to rely upon your local people to carry it out.

Senator HANSEN. How well would this fit in with the use pattern, in your opinion, of a trail that is held out for public use and public access and public enjoyment? Let us assume that a group of people, or a family, comes from the eastern seaboard to walk the Continental Divide Trail, or the Oregon Trail, or the Mormon Trail, and makes the trip out there, a trip of a couple of thousand miles. And then they are

told, well, you won't be able to walk this trail for a month because of the fire danger. Does that make sense?

MR. UDALL. Well, I think it does, Senator. There are plenty of outdoor places they can go. People can and will go to a park or somewhere else—providing they understand that we must close trails just as we close wildlife refuges, national forests, and other public areas to certain uses if there is danger. Moreover, the danger may be fire, or disease, or something else. But I think people have to recognize that you are going to have to manage your resources, and you are going to have to make the decisions.

Senator HANSEN. Would you agree, Mr. Secretary, that it would be worth while to seriously consider the advisability of the investment of public funds that would go into the acquisition of easements or rights-of-way of privately owned land in the light of the recognition here today of a real fire danger. It might be wiser to put these funds to use in other activities; that is, exclusive of privately owned land, so as not to have invested the Federal funds inadvisedly.

A trail system must deny, if we are going to be prudent people, access to people for at least that part of the year—and I speak now particularly of Wyoming—during which time the fire danger is greatest.

MR. UDALL. I tried to make it clear here today, Senator, and I hope I have, that I think what we seek to do with a problem of this kind is to harmonize, if we can, public rights and public use. And that is the reason I think the scenic easement idea—because it has been tested and approved—is a very good one.

I think, as you pointed out, that we have a problem. Perhaps it is more severe, even on trails than on highways. But the problem with a trail is not much different than the problem of a highway, where the automobile people go through, and either because they stop or they throw a cigarette away, they can create a fire. But the highway, you know, has some of the same elements. And you have a management problem. And you are going to have deal with it.

Senator HANSEN. I would like to say that I share your enthusiasm for our great recreation areas. I mean specifically national parks, national monuments, forest areas. I think they have a tremendous impact upon maximizing the overall public enjoyment of our great Nation. But I must say that I believe that we should look very closely at this proposal, because it occurs to me that we might be putting our money, if we contemplate the acquisition of privately owned land along some of the routes that are indicated on the map, in the wrong places.

Specifically, we are not putting the money where the people are. And Wyoming is, as you know, Mr. Secretary, very much dependent upon the tourist business. I don't want to do one single thing that will stop people from coming into our State. I would like to have them come in ever greater numbers. But I would like to spend our money in doing other things than contemplating buying privately owned land as would seem indicated by this map.

MR. UDALL. Let me comment very directly on this, because I think this is of significance to Senators like yourself.

There is for all practical purposes a priority written in this legislation. And the priority is the Appalachian Trail in the East where it

already exists and where the people are. I think if the Congress were to authorize these two Western trails, the two red ones on the map, that probably the logical way to approach this is: First, the Forest Service would lay them out. These are their trails, and Secretary Freeman may want to comment on this further. I assume that there are some segments, perhaps, that are already in place. They have plenty of work, probably enough to keep them busy for the next 10 years or so, just working on the segments of these two trails in the national forests and national parks, in getting the Federal segments done. What we see here is not something which will be brought into being tomorrow. The problem of getting these Western trails done is a 25-year job.

If the question is making a decision as to where we want to do it now, I think these trails in the East have priority. And that is where you have to spend the money and do most of the work.

Senator HANSEN. I find that the Secretary and I are in greater accord than I first suspected that we might be. I think that, insofar as the publicly owned lands are concerned, we have no argument at all. I would like to see an improvement of the country so as to make it easier and more enjoyable and pleasant for hikers in these areas. But I think when we talk about privately owned land, then certainly in my mind there are some real problems that can't be minimized.

Thank you, Mr. Chairman.

Senator Moss. Thank you, Senator.

And thank you, Mr. Secretary, and Director Crafts. We kept you the whole morning long. And your testimony has been most helpful.

There are questions that arise with the members of the committee from the questions we have asked. This is a new concept in a new field, in effect, that we are now considering and obviously we have a number of questions. And we will have many more.

I think we have been enlightened a great deal. We have perhaps settled some of the questions in our minds here this morning. We do appreciate your coming to testify for us. Thank you very much.

The morning has gone, unfortunately, and we are going to have to recess until afternoon. We will come back at 1:30 to continue our hearing.

We have a rather large list of witnesses who are to appear. I would like to suggest now, and I would suggest again this afternoon, that those who are going to appear consider the possibility of putting in their full statements and highlighting them or emphasizing parts that they want to make particularly pointed for the committee. Otherwise we will not be able to reach all of our witnesses this afternoon or even tomorrow. I realize that it is the committee as much as anything that has prolonged the hearing this morning. But with the Secretary here, and Director Crafts, we have had so many questions of these men who have been developing the wording of the legislation that we now have before us that it has taken all morning.

I would like to announce that Thomas Kimball, the director general of the National Wildlife Federation, is in San Francisco at a meeting, and could not appear, but has submitted a statement. That will be placed in the record at an appropriate place.

I also have a letter from Governor Burns, of Hawaii, endorsing the legislation, and numerous other letters from State organizations and

conservation groups. All these will be placed in the record at an appropriate place.

Senator Allott.

Senator ALLOTT. Mr. Chairman, may I just comment briefly?

I know that this is not a matter over which the present acting chairman has control. Personally I am not happy about having this hearing going on this afternoon. We have on the floor of the Senate the discussion and debate on a very important matter, as the chairman knows. And his interest is no less than mine. Frankly, I shall be disappointed not to be able to be present and participate in the testimony this afternoon. I may be able to be here for a few minutes, but that will be the limit of it. And, I know, that there are other Senators who are in exactly the same situation.

This is a new matter. I think it is obvious this morning that even some of the concepts of the Secretary have been turned around a little bit from the discussion questions this morning. It deserves to be gone into in great depth. But I want it known for myself, at least, that the reason I am not here is because of the situation on the floor of the Senate, which at least for the moment is going to have to take precedence over any consideration of this bill.

Senator Moss. Thank you, Senator Allott. What you say is true. And it may be necessary this afternoon to interrupt the hearing at various times because the debate going on is of great importance. And there will be votes undoubtedly this afternoon, at which time all the Senators will need to be on the floor. We will, however, try to go ahead and complete as much as we can this afternoon.

We will be in recess now until 1:30.

(Whereupon, at 12:10 p.m., a recess was taken until 1:30 p.m. of the same day.)

#### AFTERNOON SESSION

Senator Moss. The committee will come to order. We will resume our testimony on S. 827.

We are pleased to have appear before us next Mr. Edward B. Garvey, secretary of the Appalachian Trail Conference.

Secretary Udall this morning referred many times to the Appalachian Trail and how it has been operating. We are looking forward to hearing from you, Mr. Garvey. The Appalachian Trail is a prototype, I suppose, of other trails to come.

Mr. GARVEY. Thank you, Mr. Chairman.

Senator Moss. Would you introduce for the record your associates, please.

#### **STATEMENT OF EDWARD B. GARVEY, SECRETARY, APPALACHIAN TRAIL CONFERENCE; ACCOMPANIED BY DR. WALTER S. BOARDMAN, CHAIRMAN, CONSERVATION COMMITTEE, AND ANSON O. COURTER, POTOMAC APPALACHIAN TRAIL CLUB**

Mr. GARVEY. Mr. Chairman, my name is Edward B. Garvey and I am secretary of the Appalachian Trail Conference, which has its headquarters in Washington, D.C. I am also a member of the local

Potomac Appalachian Trail Club and served as supervisor of trails for that organization from 1959 to 1965.

I have with me two other men who are active in the preservation and maintenance of the trail. They are Dr. Walter S. Boardman, chairman of the conference's conservation committee and one of the few people who has hiked the entire 2,000-mile length of the Appalachian Trail. The other man is Anson O. Courter, representing the Potomac Appalachian Trail Club.

My discussion of S. 827 will be limited to those portions of the bill that pertain to the Appalachian Trail, since this is the only trail with which I have been actively connected. I have provided the committee with a written statement. Members of the conference and members of some of our member hiking clubs were privileged to appear in September 1965 before members of your subcommittee. Representatives of the Department of the Interior and the Department of Agriculture have appeared before you today and have explained the features of the Appalachian Trail and the other three national scenic trails provided for in the bill. The Appalachian Trail Conference readily recognizes the merits of the other national scenic trails as well as the various park, forest, and metropolitan urban trails. We heartily subscribe to the general provisions for these trails as they are set forth in S. 827.

In my remarks I will touch upon four areas which, in light of the House hearings last week, might be considered controversial or upon which there appears to be some uncertainty.

These four items are:

(1) The tremendous amount of volunteer services involved in the creation and maintenance of this 2,000-mile long trail.

(2) The recommended width of the trailway for which we are seeking protection.

(3) The current usage of the trail; and

(4) The attitude of the Appalachian Trail Conference regarding the possible "takeover" of the trail by the Secretary of the Interior should this bill become law.

In the 1920's and 1930's the job of carving out a route for the trail and then the job of hacking out and marking the trail was carried on by a diverse army of volunteers. When one reads the history of the Appalachian Trail as it appears on pages 28 through 43 of ATC publication No. 5, he cannot but be impressed with the zeal and enthusiasm that conservationists, Boy Scout groups, college outing clubs, educators, doctors, lawyers, and just "ordinary Joes" were attracted to this cause and with the persistence they displayed in carrying the project through to completion. The trail was completed in 1937 and in the 30 years since the completion was achieved the job of keeping the trail cleared and marked has been carried on largely by volunteers. Some 866 miles of the trail goes over private land. All work on these 866 miles is volunteer. Where the trail goes over Federal and State land the work is shared between Federal or State agencies that control the land and by various hiking clubs in the localities involved.

Even the less exciting but equally necessary job of operating conference headquarters and answering mail and filling orders for

ATC publications has been largely a volunteer job. During the first 40 years of its existence the conference had no paid employees. A year ago, the conference felt obliged to hire its first employee, a part-time clerical employee to whom we pay the princely salary of \$75 a month. And the employee who receives this salary worked for over 30 years as a volunteer. The publications which I have here before me, ATC No. 1, the trail manual which contains standards for marking and maintaining the trail, No. 5, which contains the history of the trail, the route of the trail, and the organizations which maintain it, the guide books such as this one, which give the hiker detailed trail data, all these are developed by volunteers who receive no pay. With your permission, Mr. Chairman, I would like to have ATC publication No. 5 made a part of the record. Among other things, it contains on pages 19 through 26, a breakout of the trail mileage from Maine to Georgia, with a listing of each organization or individual that is currently maintaining each section of the trail.

And now I would like to move on to the recommended width of the trail.

Our manual on trail standards provides for a footpath of 4 feet. But the trailway or greenbelt through which this footway passes should be much wider if we are going to preserve any semblance of a wilderness trail. In 1938 the U.S. Forest Service and the National Park Service became signators to an agreement which provided for a protected zone of 1 mile on each side of the trail with no logging activities to be carried on with 200 feet of the trail. Similar agreements were subsequently worked out with each of the 14 States involved except that on State-owned land the projected zone was to be one-quarter mile on each side of the trail.

In January of this year the Secretary of Interior, when transmitting the national side trail bill to the Congress, recommended that the Government purchase a 200-foot strip of land for the trail and that scenic easements be obtained for additional acreage beyond that width so as to provide for a wider protected zone in total. The Appalachian Trail Conference contemplates a trailway stretching for 2,000 miles, a trailway that would be a thin, narrow belt of green following generally the crest of the mountains. When the trailway would go through heavily congested areas of expensive land the narrow belt of green would be very narrow, indeed. But where the trailway would go through undeveloped land that could be obtained at a reasonable price through purchase or easement, then the narrow belt of green should widen out and have bulges in it. We believe there is precedent for this concept. The Blue Ridge Parkway which stretches 468 miles, is a narrow beltway with bulges here and there to provide for overnight campsites or to encompass scenic areas along its path. And the Shenandoah National Park is really a narrow mountain crest park stretching for approximately 100 miles.

We recognize that for planning and budgetary purposes certain assumptions such as 100 acres to the mile, or 50 or 25 are used. We feel that the wilderness concept of the trail would be greatly damaged if the legislation were to provide only for a thin narrow trailway through all of the country through which the trail passes.

We are often asked about the number of people who use the trail. At the Senate hearings in 1965 and again at the House hearings last week,

our chairman, Stan Murray, suggested a conservative figure of 300,000 user-days per year. On the other hand, the Bureau of Outdoor Recreation, after its intensive study of the entire Appalachian Trail in 1965, estimated 1 million users per year. It is most difficult to get an accurate reading on trail usage.

There are literally hundreds of places along the 2,000-mile trail where access to the trail can be had. The use of register boxes along or near the trail seems to be the best bet. But even these figures must be used with caution. Officials at the nearby Shenandoah National Park estimate that only about 40 percent of visitors actually sign the registers that are provided therefor. In the Shenandoah National Park there are 17 overnight shelters located on or near the trail. In 1966 some 31,000 people signed the registers. If we use the 40-percent ratio we would have somewhere between 75,000 and 80,000 people who walked into one of the shelters. And this would not include the tens of thousands of other people who visited such Shenandoah National Park areas as Big Meadows camping area, Skyland, Pinnacles picnic grounds, and many other similar places through which the trail passes.

The trail is well marked in these areas and individuals and family groups frequently hike stretches of the trail from these points. PATC likewise maintains register boxes at the 19 overnight shelters it maintains in the 125 miles north of Shenandoah National Park. Some 7,000 people signed these registers in 1966 and another 7,575 used the locked cabins. Officials of the Great Smoky Mountains National Park estimate that 100,000 people hike on the trail within the park each year. Heavy use occurs at many of the other popular areas within State parks, national forests, and State forests along the 2,000-mile stretch. Whether the usage is 300,000 or 1 million or some other figure is hard to say. But we know the trail is used extensively and that it has the capacity to provide recreation to additional thousands.

And now a final word as to the dangers that face the Appalachian Trail Conference and its member clubs should this bill become law.

Under the terms of the bill, the Secretary of the Interior could eliminate entirely the voluntary contributions in the form of trail maintenance, marking, and blazing of the trail. There are a few people in the conference who fear that he or his successors might do this. On the other hand, our board of managers meeting in December 1966 voted unanimously to back a nationwide trail bill if it contained certain safeguards that we considered essentials.

All of the safeguards that we asked for were written into the bill by representatives of the Department of the Interior and we are heartily in favor of the bill. If we had our "druthers" the conference would prefer to guide the destinies of this trail in the future just as we have for the past 40 years. But we no longer have that choice. It is either a matter of obtaining Federal protection for those vital 866 miles or one of continuing to lose large chunks of the trail with each passing year.

If this committee could and would insert language into this bill that would guarantee the conference a continued voice in the management of the trail, we would be most happy. But even as now written we think this is a good bill and the conference is on record as being solidly in favor of it.

This constitutes the extent of my remarks. My colleagues and I would be most happy to answer any questions that members of the committee may have.

Senator NELSON (presiding). Thank you very much, Mr. Garvey.

Let me say to your last point, I would agree that to the maximum extent we should leave the management to the volunteer trail conference, because the loving care put in by people on a voluntary basis, it seems to me, enhanced the value of the trail greatly. And I would hope that we might work out some formula even better than suggested here to involve the users of the trail and volunteer groups in its management and upkeep rather than turn it over to an institution and then people just come out and walk on it without ever thinking how it got there and what had to be done to acquire the trail and to keep it up, and so on.

And one of the things that strikes me in our modern times—and I don't want to get off on philosophizing—is that we can pass away the initiative and responsibility of the individual to institutions so much. People just fade into the background and don't want to be involved and don't want to make any effort, and just let some governmental agency or business agency or club, do everything, and they no longer contribute themselves. And I think what has been done to date by the Appalachian Trail Conference is a marvelous thing for us as a society, quite aside from the beauties of the trail that you have established.

But we do want to draw on your experience and get as much information as we can.

Perhaps you can tell me how much of the trail has actually been set aside by economic easement or other kind of legal protection, and how much remains just purely right-of-way that is used without any legal sanction?

Mr. GARVEY. Well, there are 866 miles on private land. The Federal part is 682 miles; the State, 485. Where it goes on private land, for the most part we have no legal right to be there. There are a very few places where we have obtained a legal easement to a piece of land. But for the most part we are there just by permission of the landowner, and any time he can tell us to get off. And some of them did tell us that last year in northern Virginia. We received legal notices of eviction from people who were holding land for development purposes. So in very few cases do we have legal easements.

Senator NELSON. When you receive that sort of notice do you have any funds in the conference so that you could go back to bargain for an easement of some sort?

Mr. GARVEY. No, sir; we do not. We have asked the nature conservancy, a conservation organization, to help us acquire land, with the hope that later the State or Federal Government can reacquire it. But we have no money to do this. When that happens we either have to reroute the trail to some other area or out on the road. In the case of the northern Virginia situation last year it meant moving the trail. And as to other tracts from which we weren't evicted, but which were adjacent to the ones we were evicted from, we just had to move onto the road. And over a period of years we have had to do more and more of that, which is the reason we need the protection.

Senator NELSON. So you have lost some parts of the trail in the forested areas and some wilderness areas by reason of the land being taken for development?

Mr. GARVEY. That is right.

Senator NELSON. And it is your estimate that this will continue to grow unless you have some kind of legal protection?

Mr. GARVEY. Yes. We have had many cases in the past 5, 6, 7, or 8 years where little by little we lost chunks of the trail, in northern Virginia, for example, and even where we haven't been evicted some developments have crowded right up to the trail. One week you walk in a forested area, and a month later you see lines already in, and ski slopes, then other developments, so that it is losing its wilderness aspect as a trail.

Senator NELSON. What about this conflict with the ski slope? I asked a question about that this morning.

Mr. GARVEY. I would say generally that lumbering and ski slopes are two types of developments that affect us the least. The ski slope is a recreation area itself. And where it is only a ski slope, that isn't the most difficult thing to cope with. We can reroute the trail around a section of the slope. We hate to find every mountain covered with ski slopes. And in the case of some of them it isn't just a question of the ski activities, but it is the developments that go with them, such as mountaintop residential areas. Down in North Carolina we have one of the most popular types of balds, as they call them down there, which has been taken over entirely for a multimillion-dollar ski area which will have mountaintop property along with it. So we will just have to move out of there.

Senator NELSON. I believe you indicated in your testimony that you thought that ideally there ought to be at least 200 feet on each side of the trail retained in its natural state.

Mr. GARVEY. No, I don't think I said that. I repeated what the Secretary of the Interior asked for when he presented the bill to the Congress in January. He asked for a 200-foot strip which would be under Federal control and which he indicated would be purchased. And he asked for the authority to acquire easements on areas wider than that to protect the trailway. Where the trail goes through national parks and forests now we are protected for a mile on each side. This is our 1938 agreement with the Park Service and Forest Service. And State forests are protected by a court order. We are not asking for any particular minimum width. We just think it is a narrow strip that should be widened out where you can get the land at a reasonable price. And in a place like northern Virginia, in a heavily congested area, we can't get 200 feet, and we know it. It is already developed to a point where you can't get the 200 feet. And we know it will be narrow in places. All we ask is that it be wider in places where it is practical.

Senator NELSON. Although the optimum width might be a mile or a half a mile, you recognize in the practicality of the thing that it will have to be much narrower in many places, and even down to really just enough room to go through, perhaps, in some places?

Mr. GARVEY. That is right.

Senator BURDICK. Will you yield at this point?

Senator NELSON. Certainly, Senator Burdick.

Senator BURDICK. I am the author of a bill to build a scenic road through the Western Badlands. And we had the same problem. There we devised a provision that would provide an easement for maintaining present use. And in that way the landowner or the ranch owner could still use the property, but could not change the use to billboards or honkytonks or anything of that sort. We felt at the time that by just preserving present use that the easement would not be too costly as long as you weren't depriving the owner of the use of the land. And that is a gimmick, but a method that you might think about pursuing.

Mr. GARVEY. Senator Nelson mentioned that this morning that they did that in Wisconsin. And we are heartily in favor of that approach.

Senator BURDICK. Mr. Chairman, it is 1 minute to 2. I am cochairman in the Judiciary Committee, and we have some very important legislation. I want you to know that I am sympathetic with this legislation. I am sorry that I can't be here to listen to it and cross-examine on it. But I will read it in toto.

I might also say that as a member of the Lewis and Clark Trail Association I am doubly interested in this bill.

Senator NELSON. Thank you, Senator Burdick. I regret that you cannot continue to sit with the committee, but I do know of your interest.

We are all committed in various places. And it is a very busy time.

Was it 1937 that the Appalachian Trail Conference was first established?

Mr. GARVEY. It was established in 1925, but 1937 was the first year that the entire 2,000-mile length of the trail was completed. The last link was completed in that year.

Senator NELSON. And the trail is now continuous even though in places you have to go on a roadway, as was mentioned. You also have to cross the George Washington Bridge.

Mr. GARVEY. I will correct that. Bear Mountain Bridge is also used. That is a little less congested than the George Washington. We go across the northern tip of New York City at the Bear Mountain Bridge, and immediately go into the Palisades Interstate Park. But it is true, we have to cross bridges up at Harpers Ferry the same way. We have to use the existing bridges.

Senator NELSON. This is most interesting. I notice that you didn't follow the text of your printed statement. But it will be in the record in its entirety. And the manual that you requested be included will be included by reference, we will attach it to the record for reference by anyone reading the record.

(The manuals referred to will be found in the files of the committee.)

Senator NELSON. I am going to ask Senator Hansen if he has any questions to ask at this point.

Senator HANSEN. Let me say that I have not yet had the opportunity of reading your testimony. I understand you didn't read it anyway.

But I am interested in knowing how much use is made of this trail. And I see on page 2 that, while a precise accounting has been denied you, it is conservatively estimated that there have been 300,000 user

days. Does that mean, if you multiply the number of persons by the number of days used you get 300,000; is that what that means?

Mr. GARVEY. Well, I addressed myself to that just before you came in, Senator.

Our chairman used that figure of 300,000 in the last two hearings, which is a very conservative figure based on registers that we have. The Bureau of Outdoor Recreation estimates 100 million based on a study made in 1965. We have used those register boxes, the Park Service has used them, and the trail club has used them. And I say there are literally hundreds of places where you can enter the trail and there is no paid admission. So whether it is a million or 300,000 is awfully difficult to say. It gets heavier use some places than others, naturally. But the potential for even more use is vast. It could accommodate many times its present use.

Senator HANSEN. I would agree with that statement, Mr. Garvey. It certainly seems to me that here indeed we have a trail that is where the people are. And I think that it is going to enjoy even greater use than it presently has. I suspect in the days and years to come the use will be several times what it might be now.

Mr. GARVEY. We would hope so, because it is there, and it might just as well be used.

Senator HANSEN. No further question.

Senator NELSON. Thank you, Mr. Garvey.

Dr. Boardman, do you have any comments you wish to make?

Mr. BOARDMAN. I might simply add, on the question about closing the trail when there is danger of fire, it has been my own personal experience that you come to a particular section from some distance, and it is a dry season, and you find that the authorities have recommended the closing of the forest. We accept that immediately as something essential. And there would be no problem there from hikers under such circumstances.

Senator NELSON. Thank you very much. That is a question we had this morning. And I am glad you gave us your experience on it. You have found that simply posting as closed has been rather successful, then?

Mr. BOARDMAN. The great majority of hikers would accept that immediately.

Senator HANSEN. Could I ask one further question, sir?

What has been your experience with trespass? Now, I appreciate that a vast majority of people who are energetic enough and interested enough to go out are fine citizens who respect our natural resources. I happen to live right next to a national park. And there are occasionally a few bad apples. I know that, because I have seen all sorts of debris floating down the irrigation ditches to end up in people's meadows. I happen to be a rancher with firsthand experience. What is your feeling about the need to remind them in some fashion or another as to the limits of the trail? Is it necessary in your mind to fence? What about trespass?

Mr. BOARDMAN. A fence would be unfortunate and unnecessary. It has been my experience in hiking that I could almost tell when I was coming to a road by the increase in disturbance. And 5 miles from the nearest road there is no trace of disturbance whatsoever. At about

a quarter of a mile you find the first chewing gum wrappers and beer cans and this increases right down to the last hundred yards, where there is desecration of the trail. And then this increases on the other side. Those who are hiking through care enough about it to respect the rules and obey them. Those who go there in automobiles are the ones who cause the trouble.

Mr. GARVEY. I would second that.

Senator HANSEN. Thank you. I have no further questions.

Mr. GARVEY. One question that was asked before, Senator, was whether we had tried to buy any of these lands in northern Virginia from which we had been evicted. And Mr. Courter will address himself to that.

Senator NELSON. What was the question?

Mr. GARVEY. The trail club was evicted from certain areas in northern Virginia last year, and the question was raised as to whether we should try to buy any of these lands.

Mr. COURTER. An unsuccessful attempt was made to obtain title along one stretch of land in Virginia, and since it was unsuccessful it doesn't matter exactly where. The Potomac Appalachian Trail Club was turned down on the purchase of land.

We do own land there, two shelters, one of which was a very cheap sale to us, almost a gift, and the other was a donation.

There is another question that comes up in relation to the 200-foot right-of-way through timberlands, what our position is on cutting, whether we take an absolutely adamant stand against the cutting of timber there. Of course we don't under all conditions. The section of trail of which I am overseer—that is, I am the primary worker and have people to help me, that is what the term "overseer" means—passes through about 5 miles of State forest in Pennsylvania. Near Old Forge playground the last 4 years of excessively dry weather started disease and dying simply from drought within the area. Despite the fact that there is a trail agreement calling for no cutting for commercial production within the 200-foot strip, it was necessary to cut about three-eighths of a mile. That was the only way of reaching what timber was there. And eventually the tract will benefit by the cut.

Last year, then, the State forester in the region advised us that up near a cabin we maintain, Pine Grove cabin, he considered it necessary to select and to cut the area in order to improve the timber. He is trying to get red oak and tulip and black cherry, for example, to replace sumac and pin cherry. And he explained the matter to us fully. There has been no opposition. And similar situations may arise somewhere else. But we don't act like the owner of land where we don't want anybody to touch it when situations like this arise.

Senator NELSON. This is on State property?

Mr. COURTER. That is in Michaux State Forest.

Senator NELSON. Do you have an agreement with the State on that?

Mr. COURTER. Yes, we do have.

Senator NELSON. Does the agreement touch the question of cutting?

Mr. GARVEY. We have agreements on national land with the Forest Service and the Park Service, and on State-owned land we have

executed an agreement with all 14 States through which the trail passes providing for a protected zone of a quarter or a mile on each side of the trail, and a restricted zone of 200 feet within which there should be no cutting.

Senator NELSON. On public property?

Mr. GARVEY. That is right.

Senator NELSON. Do you have any agreements with private land-owners?

Mr. GARVEY. No.

Senator NELSON. What about the privately owned forests that you go through?

Mr. GARVEY. Our agreement there is verbal permission, that is all. There are a few exceptions, but for all practical purposes on this 866 miles of private land we are there by verbal permission of the land-owner and nothing else.

Senator NELSON. Where the trail passes through commercial forests do you object to selective cutting?

Mr. GARVEY. Within 200 feet. Beyond 200 feet, no, because there is no problem, there is no controversy. Within the 200-foot strip we would ask that there be no logging for commercial purposes.

Now, as Mr. Courter stated, in Pennsylvania, where they were cutting for disease purposes or other control purposes or improvement, there is no objection. But if they start logging right up to the trail itself, then the trail gets cluttered. So we are asking for that 200-foot strip. National parks and State-owned forests respect that.

Senator NELSON. I don't know if any of this trail goes through Douglas-fir country, but what would be the cost of a 200-foot-wide strip through a Douglas-fir stand?

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

Senator NELSON. It could be pretty expensive.

On that trail, now, do you have maintenance on every mile of it, groups maintaining every mile?

Mr. GARVEY. Yes, sir. Where the trail goes over private land the trail clubs do all of the maintenance work, all of the paint blazing and the erecting of the metal markers, the 4-inch diamond-shaped metal markers. And where it goes over State land we cooperate with the controlling agencies in the maintenance of the trail.

Senator NELSON. I have always thought that it was a good concept to get public participation. How feasible do you think it is for the Government to encourage trail clubs and volunteer maintenance along the trails elsewhere in the country?

Mr. GARVEY. I personally think it is very feasible. In my own experience, I worked 23 years with the Soil Conservation Service in the Agriculture Department, and they actually sought back in 1937 and 1938 to get the States to formulate local soil conservation districts. And this was done. All the States have those district laws. And they provided for the creation of those districts, which are locally run. It was a very moving part in the soil conservation movement. And I think the same thing would apply to something like this, that this interest can be created and developed. It can be

done on other trails just as it has been on the Appalachian Trail. This is my personal opinion, but I think it is true.

Senator NELSON. In the proposal I made to our State I urged the conservation committee and the department to actively seek to create groups of Boy Scouts, hikers, adults, young people, to take sections of the trail and maintain it, for a number of reasons. One of them is, you can maintain your trails better and more economically. Another one is, it is a good participation project for the public to be involved in.

Mr. GARVEY. You generate a considerable amount of local interest when you do that.

Senator NELSON. Do you have any other questions?

Senator HANSEN. No; I do not.

Senator NELSON. I am sorry I didn't hear the testimony when you read it. I don't know whether I would have had any other questions or not.

I appreciate your appearance representing the Appalachian Trail Conference. Thank you very much. Your prepared statement will be included at this point.

(The statement referred to follows:)

STATEMENT OF EDWARD B. GARVEY, SECRETARY, THE APPALACHIAN TRAIL CONFERENCE, INC.

Mr. Chairman, members of the Committee: My name is Edward B. Garvey, and I am Secretary of the Appalachian Trail Conference, Washington, D.C. I am also a member of the Potomac Appalachian Trail Club of Washington, D.C., and I served for six years as Supervisor of Trails for that organization.

My discussion of S. 827 will necessarily be limited to those portions of the bill that pertain to The Appalachian Trail, since this is my field of knowledge. The Conference, however, recognizes the merits of other national scenic trails as well as the various park, forest and other recreation trails, and fully subscribes to the provisions for them, as set forth in S. 827.

As stated in Sec. 2 (b) (1) of S. 827, The Appalachian Trail is a trail of some two thousand miles, extending generally along the Appalachian Mountain from Mount Katahdin in Maine, to Springer Mountain in Georgia. The concept of this Trail can be traced back to one man, Benton MacKaye, who envisioned it during the summer of 1900. He made a formal proposal to this end in 1921. Construction started in 1922, and the Trail was completed in 1937. Since that time it has been maintained and improved to accommodate a growing body of hikers, hunters, fishermen, youth groups, and persons who just want to walk where the air is fresh, the woods quiet, and living things grow in simple magnificence according to nature's own pattern.

From the beginning the attributes sought for this Trail have been: (1) an extremely long length—in fact, one that for the average user would be practically endless; (2) a relatively narrow footpath—four feet is usually adequate for foot travel; (3) continuity of marking, so that one can start in either direction from any of the many access points; (4) a primeval environment, where by the user can experience an intimate association with nature; and (5) maximum separation from other developments in order to preserve a sense of remoteness.

In early days, as sections of the Trail were completed, arrangements had to be made for their maintenance; that is, removal of trees that blow down during the winter months and seedlings that grow up during spring and summer. If this work were not done systematically the Trail would soon disappear. There were four trail systems that pre-dated The Appalachian Trail and which provided part of the route—those of the Appalachian Mountain Club, the Dartmouth Outing Club, the Green Mountain Club, and the Palisades Interstate Park. These organizations undertook responsibility for their respective portions of

the Trail. Then, in 1925, the Appalachian Trail Conference was first formed to coordinate the various efforts. As sections were completed, they were assigned to a Trail Club for continued maintenance. Frequently this Trail Club had been organized specifically for the purpose of promoting the Trail through its region. Speaking generally, a Trail Club is a group of persons, usually living in or near one city, that has organized for the purpose of group hiking, Trail work, or both. In most cases, members work voluntarily and without pay; in fact, they usually pay annual dues to the Club for the privilege of belonging.

In many instances a section of Trail is now assigned jointly to a Trail Club and a government agency. In these cases, the government owns the land and frequently does a large part of the Trail clearing. The Trail Club does the rest of the clearing and usually all of the marking. In these cases of joint responsibility, the Trail Club and the Government agency divide the work between them. Close cooperation is needed to avoid overlapping, inadequate coverage, or misunderstanding. It is common for the Trail Club and the agency to meet each year and discuss Trail conditions.

Aside from coordinating the maintenance, preservation, and general welfare of the Trail, the Appalachian Trail Conference, a non-profit organization, publishes and distributes guidebooks (the entire Trail is covered by a set of nine books), the magazine *Appalachian Trailway News*, and other information.

The public benefits already received from the establishment of The Appalachian Trail are evident. Any person may use any portion of the Trail at any time, without charge, registration, or any other acknowledgement of use. (There are special exceptions, as in the case of high fire hazard.) Any precise accounting for the usage of the Trail is impossible. However, estimates from register count, Boy Scout and Girl Scout usage, Trail club usage, and hunters and fishermen suggest a conservative 300,000 user-days. The potential is vast. Any national publicity is followed by a surge in the rising flow of requests for information received by the Appalachian Trail Conference.

Much testimony was given at the September 16, 1965 hearing on Senate bill S. 622, which was a bill to facilitate the management, use, and public benefits from The Appalachian Trail, bearing on the need for public protection of the Trail. The needs presented then have only intensified.

The Appalachian Trail in its finest sense is a fragile entity. The Trail provides an outdoor recreation experience of high quality. A trip on the Trail is seldom forgotten. Unwelcome interruptions have cropped up with disturbing frequency in recent years. Typical are newly-bulldozed roads, logging devastation, communication installations in the center of the Trail, colonies of summer homes, lakeside developments on hitherto unoccupied jewels in the wilderness, and newly-erected gates across the Trail with well-lettered signs reading "Keep Out".

Nearly twelve hundred miles of The Appalachian Trail either passes through or borders on Federal or state lands. Here the route has been generally secure by virtue of the Appalachian Trailway Agreements entered into by the National Park Service, the United States Forest Service and state agencies, for the most part in 1938-39. These agreements have been very important in the preservation of the Trail and have for the most part been honored conscientiously by the land-management agency. Under these agreements, wherever the Trail crosses land under their jurisdiction, the agencies agreed to designate a zone extending for at least one mile on each side of the Trail (one-fourth of a mile for the states), except where it descends into the main valleys. This zone was named the Appalachian Trailway. Within it there were to be no new paralleling roads for public transportation and no developments incompatible with the Trail. Within two hundred feet of the Trail there is no cutting for timber production. The parties also agreed to relocate those portions lying closer than one mile to a paralleling road. To the extent that funds were available, the agencies agreed to maintain sections on their lands, develop simple shelters, and gradually extend their land ownerships along the Trail.

Most problems on these public lands have resulted from lack of coordination among most agencies with respect to The Appalachian Trail. For example, while an agreement might have been signed by a Commissioner of State Parks, a state highway planning board might propose a scenic drive along the very route of The Appalachian Trail. Or, perhaps an agency of the U.S. Government or even the Congress itself might propose an installation or road within a

national forest, unknowledgeable as to The Appalachian Trail or the agreement which the Forest Service tries to honor.

By far the most pressing problem, however, relates to the approximately 800 miles which neither crosses nor borders public lands. Oral permissions were obtained from the landowners, often years ago. Nothing was binding in these original permissions. As property has been sold, the origin of permissions has frequently been lost. The Trail Club makes the best of each new situation. Frequently a new owner is permissive as to the Trail's location, but sometimes a change of ownership means a relocation of the Trail. The latter is apt to be true if the land was purchased for development. We are running out of places to go. With respect to the desired wilderness values, to play upon an old saying, "A moving trail gathers no moss".

Even within the past three years, stewards of the Trail have been confronted with major problems and threats in the majority of the Trail states. These include ski and land development projects in Maine, North Carolina, Tennessee, and Massachusetts; an expanding suburbia near Roanoke, Virginia; recurring problems in Northern Virginia for permissions to cross the land; scenic drive proposals in Vermont and Pennsylvania; and the loss of Sunset Pond in New Jersey. There have been a host of "minor" problems.

It has been clear for some years that The Appalachian Trail cannot survive without some more definite means for assuring the continuity of the right-of-way and for preserving the land environment. The only feasible means we can see of achieving permanent protection through the 14 states, two national parks and eight national forests traversed by the Trail is Federal legislation.

The provisions of the present bill S. 827 have been studied by the Appalachian Trail Conference Board of Managers, a group which comprises approximately twenty-five persons with geographical distribution along the Trail. It has been the unanimous opinion of this Board that S. 827 will help achieve this needed protection. It would provide the necessary authority to the Federal Government to assure that The Appalachian Trail and its essential attributes mentioned above can be perpetuated. It provides an opportunity for the states to take the initiative in protecting the Trail in their respective states. It provides for the continuation of the type of cooperative programs between government agencies and private organizations, such as the Appalachian Trail Conference, that have been beneficial to The Appalachian Trail in the past. It provides an opportunity for making The Appalachian Trail, other national scenic trails, and recreation trails, more readily available and additionally attractive to a growing population.

Whenever the government proposes to take responsibility for a program hitherto handled by private citizens or groups, there may be widespread worry—perhaps with justification—about the effect that will be produced. In the case of The Appalachian Trail this type of worry has expressed itself during the past three years in such questions as: Will the individual initiative and personal stewardship that have been vital to the Trail and added their own unique flavor be lost? Will the government convert the Trail into something unrecognizable and undesired by those citizens who are now seeking its protection?

The Conference Board is of the opinion that the present bill S. 827 provides adequate safeguards that such things as just mentioned will not happen. It is our fervent hope that they will not happen. These safeguards are given in Sec. 2 (f), (g), and (i) of the bill. Sec. 2(f) provides that an Advisory Council may be established for each national scenic trail and that the Secretary charged with the administration of each trail shall consult with such council with respect to matters relating to the Trail, including the selection of the right-of-way, the selection, erection, and maintenance of markers along the trail route and the administration of the Trail. The members of the Appalachian Trail Advisory Council would include representatives from both public agencies and private organizations that are now engaged in cooperative maintenance programs.

Section 2(g) provides that within the exterior boundaries of areas under their administration that are included in the right-of-way, the heads of Federal agencies may enter into cooperative agreements with landowners, states, local governments, private organizations, and individuals in order to develop, operate, and maintain the trail. We would anticipate and expect that such agreements would include those with Trail clubs and organizations now active in the program to the extent that they are both willing and able to carry out the designated responsibilities. Sec. 2(i) relates to similar agreements outside the above-mentioned exterior boundaries.

In effect, these provisions would appear to centralize and formalize a function that has already been going on. It would substitute a more systematic procedure in place of the conferences now held between Trail Clubs and the multitude of state and Federal agencies for the purpose of coordinating all programs affecting The Appalachian Trail.

All persons with whom I have talked, with within government agencies and from Trail Clubs, have expressed the uniform hope that the Trail Clubs and individuals will continue and will be permitted to continue their voluntary stewardship. Needless to say, such participation of the private sector will substantially decrease the expenditure of public funds for maintenance purposes.

The remainder of Sec. 2(g) and Sec. 2(i) refer to the acquisition of lands within the right-of-way. We believe that the provisions contained therein are wisely conceived in that they permit alternative means of protecting Trail values. We would anticipate that in each instance for the Appalachian Trail the decision to acquire fee title, or scenic easement, or to enter into an agreement will depend on such circumstances as terrain, expected present and projected uses, proximity of other developments, commercial establishments and the like. Certainly it will be in the public interest to obtain the least expensive form which will provide adequate protection.

We would, for example, expect that agreements similar to the present Appalachian Trailway Agreements will be quite adequate in protecting Trail values if executed with the lumber and paper companies over whose land extensive portions of the Trail now pass. We would expect that the "other uses that will not substantially interfere with the nature and purposes of the trails" referred to in Sec. 2(j), second paragraph, would include the cutting of timber and should be permitted under such agreements except in the immediate vicinity of the footpath.

We would expect that many a farmer and small-acreage timber owner would prefer an agreement or scenic easement rather than the sale of his land, and his present farming practices could in most cases be continued, except for cutting along the footpath itself.

Where future development of a nature contrary to the purposes of the Trail is anticipated, fee title acquisition should almost certainly be required. Presumably the right-of-way will be selected to avoid present developments of this nature, provided that a suitable route can be found.

We concur with the use of condemnation only as a last resort, when all efforts towards cooperative agreements and negotiation have failed. We have many friends and have developed valued relationships along the Trail over the years.

Once the right-of-way has been designated and the necessary control of the land within this right-of-way obtained, provision must be made for the proper administration of the land. Development costs associated with the footpath itself should be minimal and will consist mostly of continued maintenance, proper marking, and some improvements and relocations as the route is finalized. Addition of some simple shelters and campsites to the existing chain should complete the requirements. Administrative costs related to land ownership but not specifically to the Trail include fire fighting, control of any timber sales, and the like.

Caution must always be exercised against over-development and loss of the very qualities this bill would preserve. Sec. 2(j), paragraph 2, appears to be adequate in this respect. It states that "national scenic trails shall be administered, protected, developed, and maintained to retain their natural, scenic and historic features . . . and the Appalachian Trail shall be developed and maintained primarily as a footpath to retain its primeval environment." These statements concisely summarize the purpose of S. 827 as it relates to The Appalachian Trail; they are of the utmost importance. I would borrow from Michael Nadel's testimony on S. 622 (89th Congress). Here he quoted from a memorandum which Benton MacKaye addressed to the Seventh Appalachian Trail Conference, held at Skyland, Virginia, in June 1935:

"The physical path is no end in itself; it is a means of sojourning in the primeval or wilderness environment whose preservation and nurture is your particular care. The Appalachian Trail, as originally conceived, is not merely a footpath through the wilderness, but a footpath of the wilderness."

Sec. 2(j) also wisely prohibits the use of motorized vehicles by the general public along any national scenic trail. Such a requirement is vital to The Appalachian Trail, which is neither intended for nor suited for motorized vehicles.

Any attempt to make it so would absolutely destroy the very thing we would preserve.

We acknowledge and respect the provision in Sec. 2(j) which provides that other uses that will not substantially interfere with the nature and purposes of the trails may be permitted or authorized, as appropriate, within the right-of-way. As I pointed out in my testimony under S. 622 of the last Congress, there are other incidental public benefits that can accrue from steps to protect national scenic trails for recreation purposes. One such benefit is the encouragement of a wildlife habitat stretching the length of the trail. Another is the protection of a valuable timber resource. A third is the protection of watershed for certain communities.

In summary, we in the Appalachian Trail Conference have been trying to provide a wilderness trail for the benefit of those who seek outdoor recreation, which will provide hiking opportunities for Boy Scouts and Girl Scouts and other youth groups, a challenge to him who would walk day after day with reliance on only his own preparedness and ingenuity, a place where experts and amateurs alike may study a wide range of flora and fauna, and a retreat for those who find communion with the out-of-doors, woods, and mountains an essential component of a well-balanced life. In this attempt, we encounter more and more problems, in particular in those areas where the Trail crosses private property. The only feasible means of countering these problems and providing for an Appalachian Trail in the future is through Federal legislation. S. 827 appears to meet this need remarkably well.

The Appalambian Trail Conference will welcome the establishment of a nationwide system of trails as outlined in this bill. We believe the measure to be in the public interest. We thank you for this opportunity to present our views.

Senator NELSON. The next witness is the Secretary of Agriculture.

We are pleased to have you here today, Mr. Secretary. And you may read or extemporize, however you wish to make your presentation.

**STATEMENT OF HON. ORVILLE L. FREEMAN, SECRETARY OF AGRICULTURE; ACCOMPANIED BY EDWARD P. CLIFF, CHIEF, FOREST SERVICE**

Mr. FREEMAN. Thank you, Mr. Chairman.

I have a short statement which I would prefer to put directly in the record, and then respond as best I can to the questions of the committee.

I am pleased to have with me here the Chief of the Forestry Service, Mr. Ed Cliff, whom I am sure can respond in more detail to some of the questions that the committee may have.

I am here to support S. 827.

This proposed legislation is the result of another of this administration's efforts to foresee and provide for the needs of Americans today and beyond the 20th century. It reflects President Johnson's personal recognition of and interest in those needs. More specifically, it reflects the needs to provide, in a variety of ways, the opportunities for all to enjoy the benefits of our great outdoors.

President Johnson requested that a study be made of the opportunities and resources available for the cooperative development of a nationwide system of trails. In response to the President's request, the Department of Agriculture and the Department of the Interior worked in full partnership to complete that study. The legislation which you are considering today resulted from that study.

Improving the quality of our environment involves more than the full conservation of our natural resources. We must also provide

assurance that every American will be able to enjoy the spiritual and physical benefits of actual contacts with nature. A nationwide system of trails would help provide this assurance.

Most of us have known the pleasures and the benefits of quiet walks through the woods, along a stream, or down a farm lane, or just meditating on a hill away from the sounds and smells of the city and the work-a-day world. But, unless we take action now to provide a way, millions of our people won't have these pleasures and receive these benefits in the years to come.

S. 827 would be another step in meeting one of the most serious domestic problems we face, a conservation crisis precipitated by today's technological environment—a crisis which concerns the totality of man's environment: land, air, water, plants, and animals, and open space to move in. We in the Department of Agriculture are willing and eager to bring the Department's conservation resources and capabilities to bear on the problem. I want to comment on the contribution the Department will make to a nationwide system of trails.

This concept of a system of trails is not new. We already have a going program that can contribute to a nationwide system. But that program is not sufficient as it now exists. It needs improvement and expansion to extend the outdoor recreation and other opportunities and benefits of walking and riding trails to all Americans. Our experience in the development and use of the trails which now exist in the national forests and other areas affords a sound foundation on which to build the program this bill would establish. Therefore, I think it important that we know first what is now available and its relationship to the proposed nationwide system.

We now maintain over 100,000 miles of trails in the national forests throughout the 39 States in which they are located. The development and use of these trails began with the establishment of the national forest system over 60 years ago. Most of these trails are suitable for hiking or for riding. They offer opportunities for short walks of an hour or an afternoon or for overnight long-distance treks.

In 1965, the latest year for which we have complete records, national forest trails were used on some 100 million occasions by people walking or hiking, riding horses, or riding bicycles and trail scooters. These people were from the city and the country. They included whole families and all ages from tots on their parents' backs to grandmothers and grandfathers. They represented many professions and walks of life—farmers, steelworkers, schoolteachers, corporation executives, and a host of others.

S. 827 would establish a nationwide system of trails made up of four general categories. The Department of Agriculture would be intensively involved in two of these: the national scenic trails and the Federal park, forest, and other recreation trails. We would be involved to a lesser degree in State park, forest, and other recreation trails and metropolitan area trails.

Of the four national scenic trails, the Continental Divide Trail and the Pacific Crest Trail would be the primary responsibility of the Department of Agriculture.

Of the overall 3,100-mile length of the Continental Divide Trail, approximately one-half would be within national forest boundaries.

About one-third of the total length of the trail is substantially in place. The bill would provide both for the improvement of this portion and the completion of the balance. This trail will run through Montana, Idaho, Wyoming, Colorado, and New Mexico. On its route through the national forests it will cross five wildernesses. It will involve federally owned land administered by the Forest Service, the Bureau of Land Management, and the National Park Service. As in the case of other national scenic trails, the portion within the boundaries of areas administered by other Federal agencies will be administered in such manner as is agreed upon by that agency. For the approximately 300 miles outside of federally administered areas, the cooperation and active participation of the States will be sought.

The 2,350-mile Pacific Crest Trail extends through Washington, Oregon, and California. Approximately two-thirds of its total length is within national forest boundaries, where it passes through eight wildernesses. About 300 miles is on other Federal lands, and slightly more than 400 miles on privately owned lands. Although nearly all of the length of this trail is roughly in existence and used today, this legislation will assure that the needed improvements will be made, that the trail will be maintained, and that its natural environment will be protected for all future generations.

Over one-half of the Pacific Crest Trail is in the State of California. Over 16 years ago, we entered into a formal agreement with the State of California under which trails in interrelated State, private, and national forest lands would be developed. We will expect to continue our cooperation with the State with respect to the Pacific Crest Trail.

S. 827 provides that the Secretary of the Interior will have primary responsibility for the Appalachian Trail, as has already been pointed out in previous testimony. This trail is practically all in place and is heavily traveled over most of its route from Georgia to Maine. Approximately 500 miles of it is within national forests. For 30 years or more we have cooperated with the Park Service and with the Appalachian Trail Conference in developing and maintaining this well-known trail. This cooperation will continue under the provisions of S. 827.

Our long, successful experience in cooperative work with the Park Service, with other Federal agencies, and with State and private organizations and individuals all over the Nation proves that working teams of Federal, State, and private groups can make an effective partnership. This kind of partnership S. 827 will provide.

Studies of additional trails for designation as national scenic trails will also be provided for under the bill. These studies will be made cooperatively. Many of the potential national scenic trails will pass through national forests and we will participate in making the studies of them under the provisions of the bill.

In addition to national scenic trails, S. 827 would include as a major part of the nationwide system those trails on lands administered by the Secretary of the Interior and the Secretary of Agriculture designated by the appropriate Secretary as a part of the national system. These Federal parks, forest, and other recreation trails will include in due time most of the permanent trail system within the

national forests. By far the greatest part of a nationwide system of trails is and will be in this category.

Although our existing system contains more than 100,000 miles of trails, many sections are inadequate to meet even today's recreation demands. We need to make a number of improvements. Some of these involve geographical distribution, standard of construction, trail continuity, and provisions for a variety of uses—needs that reflect a change in public purpose since existing trails were located and constructed. Less than 10 percent of the trails are in the heavily populated Eastern portion of our country. Paradoxically, much of our heaviest trail use is in the West. Such a condition points up the necessity for weighing factors other than population in determining the appropriate geographical distribution of our trails.

Many of the existing national forest trails were originally constructed to serve fire control uses. As we have changed our firefighting techniques in remote areas to aerial attack methods, trails as a means of access are not so important for that purpose. Many of these firefighting trails need to be relocated to take advantage of scenic vistas, to provide access to points of special natural or historic interest, or to follow more leisurely routes.

This fiscal year, we are spending \$4 million on expansion and improvement of the national forest trail system. We plan to increase this to over \$5 million in fiscal year 1968. To meet the increasing recreation demands on our national forest trails we plan to upgrade the whole system over the next 15 to 20 years. At current rates this will cost about \$80 million. The proposed act leaves enough administrative flexibility, particularly as it concerns the existing trail system, so that we can further adjust our program to meet the future needs and desires of the people.

The development and management of the nationwide system will benefit from the extensive knowledge and experience gained over the years in building and administering our national forest trails. We have an extensive field organization. We have had years of contact and association with ranchers, farmers, woodland owners, timber operators and other rural residents, and State and local forestry and agricultural organizations. This affords us a unique opportunity and a common ground for cooperating in the selection and development of trails involving lands administered by this Department in the vast areas of the Eastern and Midwestern portions of our country where Federal ownership is small and widely separated.

The establishment of a nationwide system of trails will greatly enhance the usefulness of our existing trails. More importantly, it will identify those routes where a continuity of travel by trail is possible. This legislation is necessary to set forth the intent of Congress that certain outstanding routes will be established and marked and that the beauty of these trails and the open country will remain available for us, our children, and grandchildren.

Making a program such as a nationwide system of trails effective takes State and local initiative, leadership, and planning. This bill would provide for encouraging the kind of participation and cooperation at all levels that will make a nationwide system of trails effective. It will be creative federalism at its best.

Thank you, Mr. Chairman.

Senator NELSON. Thank you for a very fine statement.

Do you happen to know how many youth conservation camps you now have in Federal forests?

Mr. FREEMAN. I think between 40 and 50—in the national forests.

Senator NELSON. Yes.

Mr. FREEMAN. Do you know offhand, Ed?

Mr. CLIFF. We have something over 300. Most of these are built and operated by such organizations as the Boy Scouts, the Girl Scouts—

Senator NELSON. Pardon me. I didn't make myself clear. I say, under the poverty program, the Youth Conservation.

Mr. CLIFF. The Job Corps conservation centers. We have 47 in national forests.

Senator NELSON. Forty-seven. I am sure that you know that the act permits the use of corpsmen for trail building, and there is also an amendment to the act which permits the use of these corpsmen for trail building and conservation work on other public property, State forests, and so forth.

How many men are in these 47 camps?

Mr. CLIFF. There are slightly under 8,000 in our camps. And the Interior Department has about 38 camps. And I believe they have around 5,700 corpsmen.

Senator NELSON. Who does?

Mr. CLIFF. The Interior Department.

Senator NELSON. On Interior Department land?

Mr. CLIFF. Yes.

Senator NELSON. I realize the program is run by the Office of Economic Opportunity, and that they, in cooperation with the Secretary of Agriculture and the Secretary of the Interior Department, do certain work in the forests; improvements like bank stabilization, and so forth. Have any of those corpsmen been used for trail building work in the forests?

Mr. CLIFF. Yes; they have. This is one of the activities they engage in, Mr. Chairman. However, the camps are so widely scattered that they couldn't make a great impact on the four scenic trails that we are recommending here in this legislation. They can make a contribution in the vicinity of the camp. But there are limitations on how far you could transport these boys and how much work they could do. But they are available for this kind of work in the areas where the camps are located.

Senator NELSON. Of course, most of the trail mileage, once we get a real trail program underway, will not be these national trails, it will be the trails within the forests and on public lands and elsewhere that are sort of supplementary to the large trail system. And the Secretary did, very kindly a year or so ago, agree that the Job Corps in the Chequamegon National Forest in Wisconsin can work on trails and work in cooperation with the State government. But I think there is a great opportunity for trail building 30 or 40 miles from the camp.

Mr. CLIFF. That is correct, Senator.

Senator NELSON. I forgot to ask when Mr. Garvey was here testifying for the Appalachian Trail Conference, but I assume that, al-

though Interior is going to administer the act, the Appalachian Trail people will maintain their same activities in relationship to the trail as they always have in the past, and that that would be considered desirable by the Government.

Mr. FREEMAN. Most definitely. And I think that is quite sharply provided for in the bill, that very strong efforts would be taken to evolve and to maintain working relationships and get a maximum of cooperation and contribution in leadership and activity on the part of the private groups that are or can be involved in all the trails.

Senator NELSON. Just before you came I asked Mr. Garvey and the representatives of the Appalachian Trail Club whether or not they would consider it feasible for the Government, the Forest Service or Interior Department, or whoever is responsible for any particular trail, to actively encourage the creation of hiking groups to maintain the trails in their vicinity as the Appalachian Trail people have maintained the Appalachian Trail. And Mr. Garvey's response was that he thought that it would be feasible.

Would you consider it would be a responsibility of your forestry personnel to help encourage the creation of such groups in the areas where the trails are?

Mr. FREEMAN. Yes; it is the kind of thing that would be a part of the overall approach to the trail development and maintenance and the proper use and protection of the trail.

Senator NELSON. You don't see any problem in working with private groups on national forest lands to maintain trails?

Mr. FREEMAN. I see no problem at all.

Senator NELSON. Where the trails are going through forest lands, do you consider it practicable that there shall be no cut within the 200-foot strip set aside by the trail?

Mr. FREEMAN. I think that would normally be the case. I can think of some instances where there might be exceptions to a rule. There could be insect infestations or a number of other problems that might arise.

Senator NELSON. But you don't see any problem about not harvesting for commercial purposes the timber abutting the trail on that 200-foot strip?

Mr. FREEMAN. Generally no; it would be perfectly consistent with the multiple-use principles that are now followed in the national forests. In an area where you have a trail and it was heavily used you certainly would maintain all the natural beauty that could be maintained. And this would be perfectly consistent with exactly what we are doing now.

Senator NELSON. I was rather startled by the 100 million figure that was used as the number of people hiking the trail in 1965. Do you think you have a fairly accurate count?

Mr. FREEMAN. I will defer to the chief in terms of how the count was made. But we estimate that there were 160 million visitor-days of recreation use on the national forests. So this gets into big numbers and lots of people.

Mr. CLIFF. This is an approximation, Senator. But we think it is a reasonably good approximation. It is an estimate based on our local knowledge of the trail use on all of the 154 national forests by

different kinds of people. You must realize that not only hikers and people who go horseback riding use these trails, but the hunters and the fishermen use them. A lot of people use these trails.

Senator NELSON. Do you have a map that shows all the trails in the national forests?

Mr. CLIFF. It would take a pretty big map to show that, Senator. However, we have maps showing the location of every trail that is in the system; yes, sir.

Senator NELSON. Suppose a visitor comes to one of the national forests and wants to do something like camping, or to stay overnight; is there a map of that particular forest available to him?

Mr. CLIFF. Yes, sir.

Senator NELSON. Is it a printed map?

Mr. CLIFF. It is a printed map. It is made specifically for the recreation visitor. It shows the location of recreation facilities, our campgrounds, our picnic areas, our ski areas, our trails, our roads, and other facilities that they need to know about. And we have these for virtually all the national forests—I think for all of them.

Senator NELSON. I am glad to know that. I got lost in the Chequamegon National Forest last year.

Senator NELSON. Senator, do you have any questions?

Mr. CLIFF. We will see that you get one, Senator.

Senator HANSEN. I do have.

Mr. Secretary, I happen to live in the western part of Wyoming and have been privileged to become acquainted firsthand with some of the magnificent real estate which is under your able management out there. I might say, parenthetically, that I have known the Chief of the Forest Service for a long time. We have ridden a few of these trails together. As a matter of fact, one of the things that was mentioned in the testimony is the use of motor scooters. What is your feeling? Have you any feeling about the use of motor scooters on these trails, Mr. Secretary?

Mr. FREEMAN. Well, there are already trails on which motor-scooter use is an accepted part of the use plan. And while we think adequate opportunity for the motor-scooter advocates and those who enjoy that kind of thing is important, I would be in support of the provision here that would ban them from these national scenic trails.

Senator HANSEN. You would do what?

Mr. FREEMAN. Under the law the motor scooters are not permitted on these trails.

Mr. CLIFF. On the national scenic trails.

Mr. FREEMAN. On the national scenic trails. And I would feel that that is a sound provision.

Senator HANSEN. I am delighted to hear you say that. I happen to share your conviction. I think that there is something about motorized vehicles that destroys something very fine that we are hoping so much to preserve. And I have noted with considerable dismay that the people in our country not only use motor scooters but also four-wheel-drive vehicles. It almost becomes a challenge with them to see how far they go. And we have seen them cut trees and make temporary bridges and go over the wet places. I really think it does violence to something which means so much to all of us. And I would

hope that you might be encouraged through the actions of the Congress to take further steps to prevent this sort of intrusion into areas that I believe ought not to be so used.

Mr. FREEMAN. Well, it is not an easy proposition, as you are well aware. And there are other motorized vehicles like snowmobiles, for example. In other parts of the country where you have a different problem, there are lots of people who find a lot of recreation and enjoyment in doing this kind of thing.

So we do try to balance this off in those areas that are the most exotic, shall we say, where you have particular values such as you referred to a moment ago, we try to find a strict policy and make some provision. Otherwise it is a matter of safety. I have always lived in horror, not being a very good horseman, of coming down one of these trails at 8,000 or 10,000 feet and meeting a motor scooter and looking down a thousand feet or more. The prospect is not very appealing.

Senator HANSEN. I might say that there is one difference that might be pointed out in the use of the snow vehicle as compared with these other types of mechanical contrivances we have been talking about. And that is this, that snowmobiles don't cause erosion, they don't injure the flora or the country generally. I am generalizing. But I would say that ordinarily, from what little observation I have had, they are the least harmful of any type of motorized vehicle that you could put into the back country and not harm it.

Mr. FREEMAN. That is what some of the people that want to use them in northern Minnesota tell me.

Senator HANSEN. I was interested too in your statement that the major use of these trails seems to be in areas that are rather far removed from population centers. Is this because of the innate attractiveness of the forest areas generally? Would you say this is the reason that the trails are used in the forest areas to a greater degree proportionately than you might expect in the cities?

Mr. FREEMAN. I think that is one reason people are attracted to these areas. They come for that purpose, and come for longer visits.

Senator HANSEN. Would you agree that, as you have observed the use of these trails, it would make sense to spend the first money we spend in trying to expand and make easy the access, ready the use of these areas of considerable singularity insofar as the beauty is concerned, and take a considerable amount of funds that we may talk about setting aside from the Land and Water Conservation Fund to acquire privately owned land?

Mr. FREEMAN. I think that is a generalization that you can follow. But I would be careful in connection with applying it everywhere. There may very well be some places where you would want to move very quickly to get easements and rights to protect a trail you wanted. Otherwise it might become so expensive later on that it would be irrevocably lost. With that in mind I would agree to the basic principle of the first things first, and that the areas where it might be most desirable should be opened as quickly as possible.

Senator HANSEN. My guess is, when I look at the State of Wyoming, which the map here indicates would be traversed by the Mormon Trail, the Oregon Trail, and the Continental Divide Trail, that there

are portions of those trails that might be used more extensively than other trails, if I know the State of Wyoming.

Mr. FREEMAN. I am sure that is right.

Senator HANSEN. Some parts of the State are beautiful, some more than others.

Mr. FREEMAN. I realize that.

Senator HANSEN. Thank you, Mr. Secretary.

Senator NELSON. Thank you very much, Mr. Secretary. We appreciate your coming.

The next witness is Mr. Robert R. Edgar, of the American Pulpwood Association, accompanied by James Carlaw International Paper Co.

**STATEMENT OF ROBERT R. EDGAR, VICE PRESIDENT, AMERICAN PULPWOOD ASSOCIATION, ACCOMPANIED BY JAMES CARLAW, INTERNATIONAL PAPER CO.; AND J. EDWIN MOORE, FORESTER, AMERICAN PULPWOOD ASSOCIATION**

Mr. EDGAR. Mr. Chairman, I am R. R. Edgar, vice president of the American Pulpwood Association, and I am presenting this statement on behalf of members of that association.

I am also vice president of the Bowaters Southern Paper Corp., with headquarters at Calhoun, Tenn. With me is James B. Carlaw, manager of northern woodlands for the International Paper Co., who will present a supplementary statement, and J. Edwin Moore, forester for the American Pulpwood Association. They will assist with any questions directed to us regarding our testimony.

The American Pulpwood Association, with headquarters in New York City, is composed of pulpwood producers, dealers, consumers, and others who are directly concerned with the growing and harvesting of pulpwood—the principal raw material, produced in 42 States—used in the manufacture of pulp, paper, paperboard, and other forest products.

Our members and other forest industry groups own forest lands under management where a considerable portion of this proposed system of trails would traverse. Of the 866 miles of the Appalachian Trail crossing private lands we estimate that one quarter of this mileage crosses lands owned or leased by members of the American Pulpwood Association. Many of them buy hundreds of thousands of dollars of pulpwood and other forest products from areas adjacent to the trail system. These products must of necessity be harvested, and the areas concerned reforested, on or close to these trails and in some cases logging roads must traverse the trails themselves.

We will comment on our interest in a nationwide system of trails and then outline several features of S. 827 where greater clarification would improve the final draft of this legislation from our point of view.

First we want to express our interest and support of the principle of a nationwide system of trails. We think it is desirable for a number of reasons. The increase in interest in outdoor recreation that has taken place in recent years certainly indicates the need for more outdoor recreational facilities for better use of leisure time. Hiking

along a forest trail is an excellent and healthful form of outdoor recreation and is far more interesting and satisfying than walking in densely populated areas.

I might add that many of our various companies have devoted many acres of their land under the multiple-use concept for outdoor recreation. And this will be another form in which I think it would be acceptable to the great majority.

Trails are or can be an important part of the program for Boy Scouts, Girl Scouts, and other youth groups—both from the standpoint of seeing and learning about our country and some of its resources and their management, and also from the standpoint of improving physical fitness.

Industry has supported and worked cooperatively with the Appalachian Trail citizens' organizations in the past. A large portion of the trail is on privately owned land and many landowners, including many forest industries have provided right-of-way and have provided some help in maintaining the trail. For these reasons, and for others I will not take time to enumerate, we do support the principle of setting up a nationwide system of trails.

The first of the major features of S. 827 we feel should be clarified concerns acquisition. The objectives of the bill can be carried out with a minimum of Government acquisition of private landholdings. Emphasis needs to be spelled out that simple cooperative agreements shall be given first consideration.

I might add at this point that most of the industry acreage is held under long-term management programs that would give the continuity necessary to effect the long-range plans for a trail. And it would not be necessary to acquire the land under a fee simple or even under easements.

In support of this, I would like to point out that the Appalachian Trail has been used by hikers for many years.

I am sorry to hear that they had some trouble in some areas. But I do not believe that any of the troubles that they have experienced have been with any of their industry cooperators, they have been probably with small landowners.

During this time the trail right-of-way has not been owned by the trail's sponsors. The trail crosses land belonging to many landowners—both private and Government—and only informal arrangements have been used. It is our understanding that this has worked very well and some landowners have assisted in maintaining the trail. It would seem that acquisition of the entire right-of-way, simply because the trail is to be administered by a Government agency is unnecessary.

Several other points should be clarified.

What is meant by "sufficient width"? Quite frankly, I am a bit confused at this time to know exactly how wide this trail will be. What is meant by "sufficient width to provide the maximum retention of natural conditions and scenic features"?

One of the chief attractions of the trails specified in this bill is the scenery that can be viewed from points along the trail. We are concerned that the bill could be interpreted to authorize a right-of-way from a few feet wide to wide enough to take in the entire view.

We would like to see the bill clearly stress that right-of-way over private lands shall be gained by simple cooperative agreements. Such agreements should be clearly defined as permitting forestry practices, including logging, modified to the extent they are compatible with the scenic values concerned.

I would suspect that with the exception of the areas in the Great Smoky Mountains National Park very little of the Appalachian Trail goes through a great deal of really virgin timber.

Senator NELSON. May I interrupt a moment?

The acquisition of the trails should be only by mutual agreement?

Mr. EDGAR. Certainly with respect to a pulp and paper company that has its land on a long-range program, perhaps where we are operating on rotations of up to a hundred years to grow our trees, we are not going to disturb the ownership of that land. In other words, the continuity of the trail would be guaranteed. We have no intention of selling. The trail is open and is being used now. And when you are growing trees on a hundred-year rotation—in Wisconsin I imagine a lot of your rotations there are 50 or 60 years—there is no intention of selling that land.

Senator NELSON. Are you suggesting that the bill should not have in it any power of condemnation by the authority?

Mr. EDGAR. Well, sir, in certain places you might have to have it. But let's look at the situation this way. It was suggested today that perhaps the people who were planning these trails should come back to you after they find out what they actually need before they are granted power of condemnation.

I might add in here that the forestland owners now face a great deal of condemnation. We have powerlines, we have pipelines, we have highways, we have reservoirs. And I know personally in my own company that there isn't a day that goes by that I am not faced with another use of the land being taken by somebody with the power of condemnation. I suspect that is true with every other person who administers large areas of land. After you face these things day after day after day you begin to wonder where the end is. And if it can be accomplished without adding another power of condemnation I think the industry would feel that that would be the soundest policy.

Senator NELSON. My own opinion is that it would be impossible to accomplish the nationwide trails system without any authority of condemnation. One property owner could stop the trail. It would be impossible to make it work.

Now, I certainly agree that it should be used with great discretion, and that the negotiations should and must be carried on between the owner and whatever agency involved. But we frequently run into a situation in the conservation field where you are going to acquire a national park and one owner simply asks a terribly exorbitant price and holds up the whole park and won't even negotiate in good faith. And if you don't have any power of condemnation you would never have a National park or State park.

Mr. EDGAR. I think probably what we are getting at here is that the bill is a little bit indeterminate on how much can you take.

For example, if it is a hundred feet on each side of the road, that is one thing. If, however, the language of the bill is such that what-

ever administrator happened to come along and want something could take it with impunity, without having some control over what he might personally decide he wanted, then the Congress should write some kind of a limitation on this thing, sir.

Senator NELSON. I don't think there is any question but what the committees here in the Senate and the House will take this power of condemnation very seriously, and they will want to be sure that the language is drafted in such a way that it couldn't be abused, or wouldn't be used whimsically, so to speak.

Mr. EDGAR. I think that the basis of scenic easements, if I heard correctly from where I was sitting, was that the limitation would be an additional 100 feet over the first 100 feet. But that isn't in the bill. In other words, from where I sat it looked like the maximum width of the trailway might be 400 feet. But still the bill has nothing in it that would limit the administrator to that 400 feet or 200.

Senator NELSON. So you are concerned about a specific limit of authority, a certain width?

Mr. EDGAR. That is right, sir.

Senator NELSON. Suppose in negotiating the agreement the Department wanted 200 feet in which there would be no cut, and that is all, no control elsewhere, would that be too burdensome?

Mr. EDGAR. One thing about this. In many of the high elevations, you are dealing with lower site values and poor timber up at the top. And it isn't as important there as at lower elevations. We have some areas at fairly high levels that are not too valuable for timber anyway.

Senator NELSON. Some of the trails will be running through the lower areas also?

Mr. EDGAR. Yes. One of the things that was not brought out here is that when, for example, we cut on a rotation every 40 years, we cut over one-fortieth of our land and replant it. If we did that in an area through which a trail went, it would have all gradations of timber in it, a great deal of it merchantable, and all the way down to the seedlings in the ground. It wouldn't be an ugly sight really. And, as I pointed out here earlier, a lot of these trails in the East go through virgin timber now.

You mentioned the Chequamegon Forest. I used to live up in that country. That is, of course, second growth now. It is beautiful country, with a lot of lakes in it, and it has been well managed over the years. But it is not a virgin timber area in any sense of the word. I think that some logging could be done within certain areas where there happened to be particular high grade stands of timber. It would be better to cut and harvest trees rather than let them rot, which is ultimately their lot—that is what eventually happens to a tree.

Senator NELSON. You are saying that in some instances at least it would be better, without seriously affecting the quality of the view, to selectively cut it?

Mr. EDGAR. Yes, I believe so.

For example, if someone cuts trees and drops them across the trail and makes a mess of the whole thing, that should be prohibited. But if there is valuable timber the landowner should remove it from the right-of-way. Nobody would really notice it when he came through. With stumps cut low, there would be nothing unsightly.

Senator NELSON. One of the big uproars years ago was up in Minnesota in the Superior-Quetico area where they clear-cut timber right to the shore—really created a horrible-looking mess and destroyed the whole view of anybody going down the river. And it seems to me that it wouldn't have been too much of an imposition to have left a couple of hundred feet of standing timber along the bank so that the view would have been preserved.

Mr. EDGAR. I have seen areas like that. But what I am objecting to, Senator, is just a blanket indictment of any cutting whatsoever. I think any time you draw up a set of rules you have to have a certain amount of flexibility and judgment in them, because no place on this trail is like any other place. No place that this trail goes can be managed by the same rules as an area a thousand miles away. If you set up too stringent a set of rules you are going to have ridiculous situations arising.

Senator NELSON. Thank you.

Mr. EDGAR. I believe that we have been through that pretty thoroughly. I will not touch on that again.

One other provision that might cause some trouble—I don't think it will be any great problem—but in the event that a logging road crosses a trail there should be some exceptions made here so that a logger can go along the trail and not have his property cut in two.

Senator NELSON. I don't think there is any question about that.

Mr. EDGAR. I wouldn't think so.

Senator NELSON. In each negotiated purchase where there is a necessity to cross the trail for farming, logging, or whatever, I am sure that everybody would expect that to be provided for.

Mr. EDGAR. We also mentioned the danger of forest fires. This is a problem with us on all of our lands. About 95 percent of our fires are caused by human beings in one way or another. Also, there should be some kind of policing of these trails, so that they are kept clean and safe. I can think of some areas in the Southern Appalachians that I wouldn't want to walk through after dark.

With respect to the advisory councils, may we suggest that in line 5 on page 9 the word "may" be changed to "shall" so that it reads "shall establish an advisory council for each such trail."

Changing to that wording would be in keeping with the provision on page 6, lines 21 to 24, which requires the appropriate Secretary to consult with the advisory council.

And then the makeup of the advisory council contains a serious deficiency. It provides for representation by (1) Federal departments administering land through which a trail passes; (2) States through which it passes, and (3) organizations interested in this trail, but no provisions are made to represent private landowners or associations representing the landowners through whose land the trail will pass. We feel that this should be corrected.

Senator NELSON. So you would propose that an advisory council shall be established, that it not be optional, and a representative of the landowners—

Mr. EDGAR. Be represented on it.

For example, you may come to a place where, for some reason after a certain amount of time has passed, the trail location has to be

changed, and you are going to have to swing the trail around. Having the land for the new location, the landowner might recognize the necessity for moving it and be more willing to cooperate than if he were not represented.

That is just one example that comes to mind.

On financing, while it would be impossible to determine the exact cost of carrying out the plan for the Nationwide System of Trails at this time, sound fiscal procedures dictate that some type of limitation of the total funds or annual amounts that can be spent on any particular trail or on the annual expenditure for trails, should be placed on the authorization.

In summary, we are concerned that (1) the bill places no limitation on land acquisition; (2) some of the terms used in the bill permit interpretations that could be detrimental to private forest management, harvesting, and protection programs; (3) landowners are not represented on the advisory council; and (4) no limitation is placed on the authorization for financing.

We realize that our suggestions must be considered along with suggestions from many other persons and groups. For that reason we have not suggested specific language. However, we will be glad to work with this subcommittee or members of its staff in drafting changes to the bill and we will appreciate the opportunity of participating in any revision of the portions of the bill we have noted in this statement.

(The complete prepared statement of Mr. Edgar is as follows:)

#### STATEMENT OF R. R. EDGAR, FOR THE AMERICAN PULPWOOD ASSOCIATION

I am R. R. Edgar, Vice President of the American Pulpwood Association, and I am presenting this statement on behalf of members of that Association.

I am also Vice President of the Bowaters Southern Paper Corp., with headquarters at Calhoun, Tenn. With me is James B. Carlaw, Manager of Northern Woodlands for the International Paper Co., who will present a supplementary statement, and J. Edwin Moore, Forester for the American Pulpwood Association. They will assist with any questions directed to us regarding our testimony.

The American Pulpwood Association, with headquarters in New York City, is composed of pulpwood producers, dealers, consumers, and others who are directly concerned with the growing and harvesting of pulpwood—the principal raw material, produced in 42 states, used in the manufacture of pulp, paper, paperboard and other forest products.

Our members and other forest industry groups own forest lands under management where a considerable portion of the proposed system of trails would traverse. Of the 866 miles of the Appalachian trail crossing private lands we estimate that one quarter of this mileage crosses lands owned or leased by members of the American Pulpwood Association. Many of them buy hundreds of thousands of dollars of pulpwood and other forest products from areas adjacent to the trail system. Many of these products must of necessity be harvested, and the areas concerned reforested, on or close to these trails and in some cases logging and logging roads must traverse the trails themselves.

We will comment on our interest in a nationwide system of trails and then outline several features of S. 827 where greater clarification would improve the final draft of this legislation from our point of view.

First we want to express our interest and support of the principle of a nationwide system of trails. We think it is desirable for a number of reasons. The increase in interest in outdoor recreation that has taken place in recent years certainly indicates the need for more outdoor recreational facilities for better use of leisure time. Hiking along a forest trail is an excellent and healthful form of outdoor recreation and is far more interesting and satisfying than walking in densely populated areas. Trails are or can be an important part of the program for Boy Scouts, Girl Scouts and other youth groups—both

from the standpoint of seeing and learning about our country and some of its resources and their management, and also from the standpoint of improving physical fitness.

Industry has supported and worked cooperatively with the Appalachian Trail Citizen's organizations in the past. A large portion of the trail is on privately owned land and many landowners, including many forest industries have provided right-of-way and have provided some help in maintaining the trail. For these reasons, and for others I will not take time to enumerate, we do support the principle of setting up a nationwide system of trails.

The first of the major features of S. 827 we feel should be clarified concerns acquisition. The objectives of the bill can be carried out with a minimum of government acquisition of private land holdings. Emphasis needs to be spelled out that simple cooperative agreements shall be given first consideration.

In support of this, I would like to point out that the Appalachian Trail has been used by hikers for many years. During this time the trail right-of-way has not been owned by the trail's sponsors. The Trail crosses land belonging to many landowners—both private and government—and only informal arrangements have been used. It is our understanding that this has worked very well and that some landowners have assisted in maintaining the trail. It would seem that acquisition of the entire right-of-way, simply because the trail is to be administered by a government agency is unnecessary.

Several other points should be clarified.

What is meant by "sufficient width \* \* \* to provide the maximum retention of natural conditions \* \* \* scenic features \* \* \*"? One of the chief attractions of the trails specified in the bill is the scenery that can be viewed from points along the trail. We are concerned that the bill could be interpreted to authorize a right-of-way from a few feet wide to wide enough to take in the entire view.

We would like to see the bill clearly stress that right-of-way over private lands shall be gained by simple cooperative agreements. Such agreements should be clearly defined as permitting forestry practices including logging, modified to the extent they are compatible with the scenic values concerned.

Mr. Chairman, our industry is concerned about an attitude that seems to be growing, that forestry practices such as planting trees, harvesting, and control of insects and disease, somehow do not fit into the scenery. There are many of us who feel that a well-managed forest is also a beautiful forest. The forests of Europe have been managed for years and the people of European countries have been enjoying the recreational use of these managed forests for centuries. Instead of recognizing the value of forest management we seem to be going back to the so-called "primitive" or "wilderness" concept. Although forests along the Appalachian Trail, for example, have been cut over many times in the last two centuries and most are under some form of management, the implication of the bill is to convert this back to a wilderness area.

Provisions for revising "the location and width of a right-of-way" appear to be satisfactory providing the revisions involve only federal or state land. If the trail is on private land, relocation could lead to severe hardship on the landowner if it included condemnation of additional land. And what of the old trail location? Revising the trail location could result in the government acquiring more land than is needed to carry out the purposes of this bill. Any relocation of the trail should be by mutual agreement and the bill should provide for this.

Section 2(h) which provides for land exchange of federal land for private land should be clearly broadened to permit exchange of any federally owned land or timber—not just that under the jurisdiction of the Secretary charged with administering the trail.

#### FOREST MANAGEMENT AND HARVESTING

There are several matters of great concern to any private landowner who derives income from sale of trees and to any logger who makes his living logging on private, state or federal land in the vicinity of any trail in this system. One is the effect provisions of the bill would have on forest management and harvesting.

In describing the right-of-way to be selected Sec. 2(d) requires retaining "natural conditions" and the "primitive character of the trail area." Later in the bill, Sec. 2(i) the term "scenic easement" is used but not defined. Do

these references mean that harvesting on the trail right-of-way would be prohibited? Would there be a buffer zone covering the right-of-way where harvesting would be modified? What is meant by "scenic easements" in this bill and how would they affect forest management, harvesting practices, and the availability of timber and pulpwood? Any restrictions on timber sales or harvesting would reduce the landowner's income, and reduction in the volume of timber and area of commercial forest land (whether government or privately owned) would tend to reduce the logger's income and reduce employment. Inflexible interpretation of this bill could lead to private landowner problems that would be much greater in their impact than the small area of the trail itself.

This concern to landowners is acute, as they consider the need for, and use of, roads. It is certainly an understandable objective to keep motor vehicles from operating on these trails. But some of our members have agreed to locating portions of the Trail on their logging roads. This was needed and requested by the Appalachian Conference because difficult topography required such location. A landowner should not lose the use of his logging road as the result of past cooperation with a trail club.

Clear provisions must be made for crossing the trails with logging equipment. A logger's costs could be extremely high if he had to take circuitous routes in order to use an established trail crossing on the way from his woods operation to the mill. As more people use the trails the danger of fire will increase and forest fires where lives of workers, the public, and trees may be in danger.

Logging operations need not be avoided. In much of the rugged territory where these trails are located, the kind of forest management that must be practiced provides for logging at infrequent intervals. In any event, logging at any given time takes place along a very small percentage of the trail.

#### ADVISORY COUNCILS

The Advisory Councils provided for under Section 2(f) should serve a useful purpose. May we suggest that in line 5 on page 8 the word "may" be changed to "shall" in the case of establishment of any trail for which any private land must be used or acquired? Changing the wording would be in keeping with the provision in page 6, lines 21 to 24, which require the appropriate Secretary to consult with the Advisory Council.

The make-up of the Advisory Council contains a serious deficiency—it provides for representation by (1) federal departments administering land through which the trail passes, (2) states through which it passes, and (3) organizations interested in the trail, but no provisions are made to represent private landowners, or associations representing landowners, through whose land the trail will pass. We feel that this should be corrected.

The Advisory Council could serve as an appeal board where local proposals or complaints could be heard and settled. This should help to keep the trail administrators in closer touch with landowners and trail users, and help keep disputes out of the courts.

#### FINANCING

Section 2(k) authorizes such sums "as may be necessary to carry out the provisions of this section." While it would be impossible to determine the exact cost of carrying out the plan for the Nationwide System of Trails at this time, sound fiscal procedures dictate that some type of limitation on the total funds or annual amount that can be spent on any particular trail, or on the annual expenditure for trails, should be placed on the authorization.

#### SUMMARY

To summarize our remarks, we are concerned that—

1. The bill places no limitation on land acquisition;
2. Some of the terms used in the bill permit interpretations that could be detrimental to private forest management, harvesting and protection programs;
3. Landowners are not represented on the Advisory Council; and
4. No limitation is placed on the authorization for financing.

We realize that our suggestions must be considered along with suggestions from many other persons and groups. For that reason we have not suggested

specific language. However, we will be glad to work with this subcommittee or members of its staff in drafting changes to the bill and we will appreciate the opportunity of participating in any revision of the portions of the bill we have noted in this statement.

Senator NELSON. What terms are you referring to there?

Mr. EDGAR. Well, you were talking about the scooters. For example, some of these areas of the Appalachian Trail run over on logging roads now. The industry would have to use some of these roads. They would have to bring in fire protection equipment and management equipment to do their work. That is one example.

Senator NELSON. And you are saying that in those cases where the trail and the logging roads run together, you are concerned about that?

Mr. EDGAR. That would be one example.

Of course, I am also talking about cutting, that there should be a provision in the bill for cutting in some cases. I think just an absolute prohibition of cutting is not realistic. I believe that if you prohibit cutting in some places you are just destroying economic values that don't have to be destroyed. Cutting will not destroy the beauty of the area. I am a great lover of the woods. That is the reason I became a forester. I like to live out there.

Senator NELSON. What you are saying is that there may well be cases, particularly where there is wilderness, or in any event, some cases where it would be agreed that there shouldn't be any cutting, and there are other places where it can be agreed that there should be some cutting?

Mr. EDGAR. In other words, keep the policy flexible under some kind of an advisory council or someone capable of making these decisions. And that, Mr. Chairman, is the statement.

We have a statement now from Mr. Carlaw of the International Paper Co. He will discuss some of the problems that have faced his company.

Senator NELSON. Mr. Carlaw, your statement will be printed in full in the record. And you may proceed to present it as you see fit.

Mr. CARLAW. Thank you, Mr. Chairman. I will edit it, because I realize that we are a little behind time, and quite a few of my points have already been mentioned.

Our company is very interested in the Appalachian Trail, and has been involved cooperatively in its use for many years.

The trail crosses through 13 towns in which we have an ownership for about 28½ miles. In addition, the trail crosses through Government and private lands, from which we purchase wood and from which we hope and expect to continue to purchase wood.

Please remember also that while we grow pulpwood on our lands we also produce a substantial value of sawlogs. The latter is an important source of raw material for a number of independent local saw mills. Our company has publicly announced a multiple-use policy. I have attached this policy as an exhibit to my statement. It goes into some detail, but I will not go into that at the moment. I believe Mr. Ward has copies of it.

Senator NELSON. We will make the policy available in the files for the committee staff.

Mr. CARLAW. I have supplied it to him in quantity.

Senator NELSON. You are not requesting that it be printed as part of the record.

Mr. CARLAW. That might be burdensome.

Senator NELSON. We will have it available to the Committee.

(The document referred to will be found in the files of the committee.)

Mr. CARLAW. I might define our multiple-use policy, sir, as one which aims to provide timber protection, watershed protection, food and shelter for wildlife, and recreational opportunities for the public. I am proud to say that for this policy, which applies in all the States in which we operate, we earned last year the recognition of the New York State Conservation Council as the outstanding conservation organization in the State of New York.

Now, as part of this multiple-use policy we welcome the public recreational use of our timberlands for hiking. We have a number of hiking trails on our land, some of which have been developed in cooperation with State governments, and some with trail committees.

As an example, the Green Mountain Club in Vermont. Some of these trails have been developed almost spontaneously through the public use of our logging roads which have provided easy and scenic access to the heart of the forest.

We have enjoyed good cooperation with these groups, and I believe the feeling is mutual.

I believe you will be interested in this sportsman's map of our Stratton Mountain tree farm.

[Exhibiting map.]

I believe these have been given to you by Mr. Ward.

Do the Senators have our exhibit B?

This map shows a portion of the Long Trail which crosses our lands in this area. In the Stratton area the Appalachian Trail and the Long Trail coincide and are one.

The Appalachian Trail is familiar to you. The Long Trail mentioned for study in the bill is a similar footpath running the full length of Vermont from the Massachusetts State line to the Canadian border.

Now, in Stratton a portion of that Long Trail passes through the Daniel Webster Memorial. This is a monument to the great orator and marks the spot where he spoke to an assembled crowd of some 15,000 persons during the election campaign of 1840. We have donated this monument to a local historical group, believing that it had real historical significance.

So I hope it is quite obvious to you that we support the principle of a trail like the Appalachian Trail. However, there are two major points which we would like to bring to your attention.

The first is our need to retain productive timberland. The second is our need to retain access to our lands.

While the bill makes no reference to any details of trail or trailsite management, we do note the emphasis on the words "natural, primeval environment." Similarly the Department of the Interior's publication "Trails for America" stresses "wilderness."

Now, a strict adherence to this concept will conflict with our multiple-use policy management of our timber resources.

We have a policy of managing our trailside lands with a selective harvesting of mature timber within 200 feet of the trail. We make every effort—

Senator NELSON. May I ask a question?

By selective harvesting to within a hundred feet of the trail on each side, are you saying that you don't selectively cut closer than that?

Mr. CARLAW. That is what I don't want to get trapped in. We do selectively mark and harvest our timber in the Northeast. This is an accepted silviculture procedure. We mark our softwood stands and we mark our hardwood stands. In the 200-foot strip along the trail we are more strict—we will mark only to 15 inches, that is, trees which are 15 inches in diameter and larger. These are the mature trees. And they are marked by a forester with the esthetics in mind. In other words, he will in no case remove too much timber so as to offend the esthetics.

Senator NELSON. And this is simply the voluntarily established policy of your company?

Mr. CARLAW. That is correct.

On the remainder of the land the trees are also selectively marked. But we engage in thinning activities which necessarily remove smaller sized trees. Along the trail we definitely have a higher level for our cutting, and we definitely cut our stumps especially low. And we definitely lop the tops, that is, we use a chain saw to cut the branches down so that they will lie flat on the earth and rot in a relatively short period of time. We try to keep the debris out of the trail. When a tree falls into the trail we remove it. We make a special effort to maintain the esthetics. But we do feel that it is necessary to log in the trailside area. We think it would be an unnecessary and undesirable waste of timber to avoid doing this.

We do want to mention that our harvesting activities really affect only a small portion of the trail at any given time. And Mr. Ed Garvey touched upon this.

Now, the Department of Interior has suggested a complete ban on cutting on trailside strips in the interest of developing a wilderness atmosphere. We would oppose vigorously any such restrictions as being unnecessary from the esthetic point of view and undesirable from a forest management point of view.

We are also concerned about the restrictions on the use—

Senator NELSON. May I interrupt for questioning for a moment.

You heard the testimony of the Secretary of Agriculture. When you say you would object to any policies that prohibited any cutting along the trail, would your objection run to the policy of the Department of Interior or Department of Agriculture on their land respecting genuine wilderness areas?

Mr. CARLAW. I think, if it is a genuine wilderness area where timber management has by definition been excluded, I therefore would not find an objection to it.

Senator NELSON. Would you object to a policy of no cutting if it only applied to Forest Service and Interior Department land?

Mr. CARLAW. I think the timber resources of this country are needed regardless of the Federal department controlling the land.

My point here is that in the Green Mountain National Forest we do buy stumpage, and we do produce wood. It does go into usable products. We would hate to see a restrictive policy put into effect that affects those resources which are currently going into economic use.

Now, our second concern has to do with access to timberland. I would say these points have really been covered in presentations to date. I have drawn a cartoon, if you wish, based on a USGS map taken from the State of Maine. I have two examples here illustrating our concern about access.

If you will flip over the first page, which is just the USGS sheet, and look at diagram No. 1, this is the example of where we have two steep hills with a draw between. We have established a logging road between these hills. It is the only place to put the road. What happens very frequently is that the trail folks establish the trail on our road. This is just fine with us, but it wouldn't be fair for us to lose the use of our road because of a definition of wilderness.

I think you have reassured us with your comment today that we are not likely to be in danger here.

Senator NELSON. I gave you my viewpoint.

Senator MOSS (presiding). I would agree.

Senator NELSON. I have trouble taking care of just one vote around here.

Mr. CARLAW. I think you will be persuasive.

The next diagram covers a point where the trail follows the ridge line, necessarily hits the valley between the ridges, and continues on. We own land on either side of these hills, and in order to reach it we have a logging road which crosses the trail at right angles. Necessarily, we have to continue to cross the trail at this point. We feel that it would be very regressive not to continue to have this right. And we would be in substantial difficulty if this came about.

First of all, in wanting to use this road, we have no intention of abusing the trail. Roads are expensive. We will not build roads along the trail any more than we absolutely have to. Our purpose merely is to maintain the right to cross and recross only as changing conditions require it.

Concluding, we would like to note that we have had a number of cooperative agreements with private sportsmen's groups in the various States for recreational activities. These have worked out very well. In connection with this particular bill, we see no need for Federal acquisition of additional timberland, or of any rigid Federal administration to achieve the purposes of the Nationwide Trails System. We think there is a much better way to go at it, and that is through the cooperative agreement.

Thank you.

(The complete prepared statement of Mr. Carlaw follows:)

SUPPLEMENTARY REMARKS TO STATEMENT OF AMERICAN PULPWOOD ASSOCIATION  
BY JAMES B. CARLAW, INTERNATIONAL PAPER CO., WASHINGTON, D.C.

My name is James B. Carlaw. I am the Manager of Woodlands Northern Division for the International Paper Company. It is my responsibility to manage the timberlands which International owns in the northeastern states of New York, Vermont, New Hampshire and Maine. International has five pulpmills in the Northeast which my Department supplies with pulpwood. A substantial

part of our wood comes from lands owned by others, both public and private, with the balance coming from wood harvested from our own lands. As a major user of this important resource we are vitally concerned with its continued availability.

We are very much interested in the Appalachian Trail and have been cooperatively involved in its use for many years. The Trail crosses our lands in 13 towns for an estimated 28½ miles. In addition, the Trail crosses through government and private lands from which we purchase wood and from which we hope and expect to continue to purchase wood.

Please remember that while we grow pulpwood on our lands, we also produce a substantial volume of sawlogs. The latter is an important source of raw materials for a number of independent local sawmills producing lumber and other wood products to supply the public need.

International Paper has a publicly announced and active policy for the multiple use of its timberlands. An explanation of this policy and its implementation is given in the booklet which I will attach to my statement (Exhibit A). However, in summary I would define our multiple use policy as one which aims to provide perpetual timber production, watershed protection, food and shelter for wildlife and recreational opportunities for the public. I am proud to say that this policy, which applies in all states in which we operate, earned for the Company last year the recognition of the New York State Conservation Council as the Outstanding Conservation Organization in the State of New York.

As part of this multiple use policy we welcome the public recreational use of our timberlands for hiking. We have a number of hiking trails on our land, some of which have been developed in cooperation with State governments and some with trail committees such as the Green Mountain Club in Vermont. A number of trails have been developed almost spontaneously through the public use of our logging roads which have provided easy and scenic access to the heart of the forest. We have enjoyed good cooperation with these various groups, and I believe the feeling is mutual.

You will be interested in this sportsman's map of our Stratton Mountain Tree Farm in southern Vermont (Exhibit B). This map shows portions of the Long Trail which cross our lands in this area. In the Stratton Mountain area the Appalachian Trail and the Long Trail coincide and are one. The Appalachian Trail is familiar to you. The Long Trail mentioned for study in the Bill is a similar footpath running the full length of Vermont from the Massachusetts state line to the Canadian border.

In Stratton, a portion of the Long Trail passes the Daniel Webster Memorial. This is a monument to the great orator and marks the spot where he spoke to an assembled crowd of some 15,000 persons during the election campaign of 1840. It is impressive to realize that this forested area was once a vast farmland that has been reclaimed by nature, like so many of the former farm-sites that used to cover the Green Mountains. International Paper is the former owner of the site of the Memorial. We donated it to a local historical group because of its historical significance.

I hope it is quite obvious to you that we support the principle of a trail like the Appalachian Trail. However, there are two major points that we would like to bring to your attention. The first is our need to retain productive timberlands. The second is our need to retain access to our lands. Let me describe these points further.

While the Bill make no reference to any details of trail and trailside management, we note the emphasis on the word "wilderness." Similarly the Department of the Interior's publication "Trails for America" stresses "wilderness." A strict adherence to this concept will conflict with our own multiple use policies in the management of our timber resources.

We have a policy of managing our trailside lands by a selective harvesting of mature timber within 200 feet of the trail. We make every effort to keep tree tops and other debris out of the trail. While we recognize that our harvesting activities touch only small segments of the Trail at any one time we do keep aesthetics in mind. The Department of the Interior has suggested a complete ban on timber cutting in trailside strips in the interest of developing a "wilderness" atmosphere. We oppose vigorously any such restrictions as unnecessary for aesthetic purposes and undesirable from the forest management point of view. We are also concerned about the restrictions on use of the proposed two-mile strip in the Green Mountain National Forest as noted in the "Trails for America." This seems excessive.

Our second concern has to do with access to timberland. Reference to our Stratton sportsman's map (Exhibit B) shows the Long Trail/Appalachian Trail proceeding north along the East Branch of the Deerfield River. I would like to point out that the trail at this point is really one of our logging roads. In many cases we have found that after we build a logging road the Trail is superimposed on it. This is just fine with us but we do not think it fair to have our use of the logging road restricted now because it might not meet the wilderness concept of trailside management.

Perhaps another example is needed. Please refer to USGS topographical map of the Old Speck Mountain, Maine Quadrangle (Exhibit C). Here the Appalachian Trail passes through our lands in the townships of Andover West Surplus and Andover North Surplus, Maine. Please note the area encircled. This is very rugged terrain. The only practical place for our logging road is parallel to the stream in the bottom of the draw. Our timber cruisers tell me that hikers find the terrain rough also and that it would be difficult to locate the trail elsewhere. They doubt that a trail party carrying heavy packs would use an alternate location. So again we have a location where the Trail and our access roads need to coincide.

Then there is the need for crossing the Trail to get to or from our lands on either side of the Trail. If we could not cross the Trail or use our logging roads that are now concurrently serving both trail hikers and logging crews, it would isolate large areas of our resources which are needed to operate our mills. We do not know what all our future needs may be so we must have freedom to cross the Trail as needed in the management of our land.

We have no intention of abusing the Trail. Roads are costly to build and, I assure you, we will not build any more than are absolutely necessary.

In conclusion, we would like to note that we have had a number of cooperative agreements with private sportsman's groups and the various states. We feel that a good cooperative program can be worked out at these levels. We see no need for federal acquisition of timberland or of rigid federal administration to achieve the purposes of the nationwide trail system.

Senator Moss. Thank you, Mr. Carlaw, for that statement which I didn't hear. I am sorry I didn't have a chance to hear your entire statement. But I want to say that I am in agreement with the position you have taken. I can assure my vote, and I believe that the attitude of the committee and Congress would be that logging trails and roads are compatible with the kind of trails we are talking about here, that they might lie on top of one another, or cross at any point that is necessary. And certainly there would be no disposition that I am aware of to cut off any of the logging activities in the vicinity.

I was interested in your discussion about your logging practices along the trail. They do not offend me in the least. I think a forest that is managed is as beautiful as one that is allowed to continue in a completely primeval state. I perhaps differ from some of my colleagues on that point. Your description of the way you select and log the trees that do grow along the trail seems to me perfectly compatible with what we are trying to achieve here. After all, the bill does not propose setting aside a wilderness trail, it proposes to set aside a trail that might traverse the wilderness, but which certainly will traverse much land that is classified other than wilderness, and even goes through towns and cities where necessary. I appreciate your testimony.

The next witness to come before us is John E. Loomis, representing the Bicycle Institute of America. We heard a good bit about bicycling earlier today from the Secretary of the Interior. And we will be glad to hear from you, Mr. Loomis.

Senator NELSON. Mr. Chairman, I am pleased to welcome Mr. Loomis here. He comes from Wisconsin, and formerly practiced law there with a very distinguished law firm.

Senator Moss. We are very happy to have you, sir.

**STATEMENT OF JOHN E. LOOMIS, REPRESENTING THE BICYCLE  
INSTITUTE OF AMERICA**

Mr. LOOMIS. I am also an alumnus of the SEC, Senator Moss. Senator Moss. Very good. I welcome you doubly, then, sir.

Mr. LOOMIS. Secretary Udall stated the case so well this morning that I am afraid I am going to be somewhat anticlimactic.

I have a statement here which I would like to submit for the printed record, Mr. Chairman. I will not read the statement. I would like a brief opportunity to summarize it if you like.

Senator Moss. That will be agreeable. And the entire statement will be placed in the record. You go ahead and summarize it.

**STATEMENT OF THE BICYCLE INSTITUTE OF AMERICA IN SUPPORT OF S. 827  
TO ESTABLISH A NATIONWIDE SYSTEM OF TRAILS**

The Bicycle Institute of America, with headquarters at 122 East 42nd Street, New York City, is an association representing four major organizations—the Bicycle Manufacturers Association, the Cycle Parts and Accessories Association, the Bicycle Wholesale Distributors Association and the Merchant Member Group, and in total, represents over 90% of the domestic bicycle industry.

The Bicycle Institute of America heartily endorses the legislation you are considering today, S. 827. Last week the Bicycle Institute had the pleasure of submitting testimony on similar legislation before a Subcommittee of the House Committee on Interior and Insular Affairs. The Institute is pleased today to be testifying before this Committee of the Senate. One of the members of this Committee, Senator Gaylord Nelson, introduced the initial legislation on this subject back in the Fall of 1965. The Institute has followed subsequent developments with great interest and is delighted that the Chairman of this Committee saw fit to introduce the legislation before you, which is so vitally needed to secure the trail facilities for cyclists that are so sadly lacking.

The Bicycle Institute would like to give this Committee some idea of the scope of interest in cycling that exists in the country, and some insights on the depth of the effort that is required to provide these much-needed trail facilities.

There has been a tremendous growth of interest in cycling in recent years. According to the Athletic Institute in Chicago, there are more than 60 million cyclists in the country today, making cycling the nation's Number One Participation sport.

There are many reasons why this is so. Bicycles are relatively inexpensive to buy and maintain. They require little upkeep. Practically everyone knows how to ride a bike. The skills of cycling, once learned, are never forgotten. Therefore, it is an activity that can be carried on from childhood through the adult years. Cycling can be done alone, or by entire family groups, and has been praised as the near perfect means of outdoor recreation.

Another factor in the rise in cycling's popularity is the increasingly widespread recognition that regular cycling can help people achieve and maintain a better state of physical fitness, a goal which is, of course, very much in keeping with the goals of our government. Cycling for better physical fitness has been endorsed by the American Heart Association, the American Medical Association, the National Education Association, and many other prominent groups and individuals, including, of course, Dr. Paul Dudley White.

The bicycle is also a great "democratizer." Tall or short, thin or fat, rich or poor, black or white, everyone in our society can find cycling within their means.

A substantial number of these 60 million cyclists are children 14 and under. Cycling has always been popular with youngsters, and we are delighted that this interest continues. Our industry has for many years conducted a nationwide safety education program directed at these children. We are proud of this program, and believe it has contributed significantly to the fact that the incidence of bicycle accidents in the country has been on the decrease in recent years.

It is these children, along with growing numbers of young adults, married couples, businessmen and senior citizens, that make up the growing army of Americans, riding bikes for fun, outdoor recreation, physical fitness and transportation.

These pleasures can be made available to all our citizens if there are safe, pleasant places to ride.

But that's a very important "if." Neither children nor adults could be expected to ride bikes for any reason if they couldn't ride them in pleasant surroundings and with a reasonable degree of safety.

Continually booming automobile production, increased legal highway speeds, and poor community recreation planning has just about squeezed the cyclist off the road. The constant harassment of traffic, noxious fumes and blaring horns have tyrannized the more leisurely forms of human traffic. It's a wonder that cycling and walking have survived at all as recreational activities, much less grown so popular.

The greatest single factor limiting cycling in this country is not the cost of bicycles, but the lack of trail facilities. The bicycle industry has long been aware of this, and has expended a great deal of time and effort to try to correct the situation.

To serve as a guide to the thousands of people who wrote to us for information about bike paths and trails, the Institute underwrote the research and publication of the handbook "Bike Trails and Facilities, A Guide to their Design, Construction and Operation," published by the American Institute of Park Executives. The book became the core of a complete kit of informative materials on the subject which was then distributed widely across the country. More than 15,000 copies have been made available to park and recreation officials, civic leaders, community planners and members of the federal government. Indeed, the Bureau of Outdoor Recreation of the U.S. Department of the Interior ordered 600 copies of this kit for use by key administrators.

To further answer the need for information about bike facilities, the industry now produces a Bikeways Newsletter, mailed free to nearly 6,000 enthusiasts all over the country, in and out of government. We have labored long and hard in this vineyard, and are therefore most gratified by your current efforts.

This Committee is, of course, fully aware of the Report of the Nationwide Trail Study entitled "Trails for America" that was released by Secretary of the Interior Udall and Secretary of Agriculture Freeman in January. This Report has been exceptionally well prepared and fully documents the problem or lack of facilities for the cyclist, as well as for the hiker and the horseback rider. We would like to point out one statistic in that Report that graphically illustrates this lack of facilities. That statistic is on page 110 where the statement is made that only 11 States of this country have provided bicycle trails. We could cite many more such statistics, but we think the situation can best be illustrated by asking each of you to stop a moment and think of the extent to which cycling facilities exist or do not exist in your own States. Where can the cyclist who is looking for a safe and scenic place to cycle go in the various cities in your State? Most of you will find it difficult to cite many examples. Washington, for instance, as elsewhere in this country, has few places to cycle other than the C. and O. Canal, and there are hardly any facilities in nearby Maryland and Virginia.

While the picture is pretty dark, we in the bicycle industry are most optimistic that there will be facilities in the future, in a large part due to the attention and emphasis this Administration and the Congress have been giving to the problem in recent years.

The Report on the Nationwide Trail Study, which we mentioned a moment ago, had its genesis in the request of President Johnson in February of 1965, in which he referred to hikers and bikers as the "forgotten outdoorsmen of today" and requested that this Study be made. The President has in a number of other ways demonstrated his interest in seeing that the need for sufficient outdoor recreation facilities is recognized. The Congress likewise has enacted a number of measures demonstrating its full knowledge and interest in the problem; the principal one, insofar as cycling is concerned, being the Land and Water Conservation Fund Act of 1965, a landmark piece of legislation, that encourages the States to develop comprehensive plans for dealing with the problem, and that provides the financing required to attack it. Many Government agencies, such as the Bureau of Outdoor Recreation of the Department of the Interior, also deserve praise for what they have accomplished.

As mentioned earlier, we in the bicycle industry have also tried to do our part to see that our cyclists have trail facilities available to them; our industry provided much information which was helpful to those persons who worked on the National Trail Report.

One of the most significant breakthroughs that has occurred in the entire field of outdoor recreation in recent years has been the development of the Bikeway, with which the Institute has been fully associated. The members of this Committee may not all be familiar with the type of trail that has come to be known as a Bikeway and we shall explain it briefly.

A Bikeway is a route for cyclists that has been appropriately designated by suitable authority, that runs along lightly-travelled streets and roadways. The idea of a Bikeway was first originated by citizens of Homestead, Florida, about four years ago and it has rapidly developed in this country.

The big advantage of a Bikeway is that it can provide a safe and usually very scenic pathway for cyclists to travel and at only minimal cost, for the basic facilities in the form of streets and roadways, already exist. The City of Milwaukee, for instance, has developed a Bikeway that runs completely around the City on some 64 miles of lightly-traveled streets and parkways. The State of Wisconsin last May inaugurated a Bikeway that crosses the entire state; this Bikeway is some 300 miles in length and travels through a number of scenic areas. More than 100 other communities from Coral Gables, Florida, to Pasadena, California, have developed new Bikeways in the last year or two.

The present legislation, S. 827, is directed at the problem of securing the development and expansion of trail facilities in our country, and we think most people will agree that it is badly needed. This Bill provides for the establishment of a nationwide system of trails that would include a number of National Scenic Trails, such as the Appalachian, Continental Divide, Pacific Crest and Potomac Heritage. We are pleased to see the recognition that this Bill gives to the place these Trails hold in our country, and for the increased opportunities they will offer the hiker and the horseback rider. Large portions of these trails have only limited appeal for cyclists, either because they are on too rugged a terrain or because they are far removed from population centers. There are, however, significant portions of them that would be ideal for cycling and we were pleased to note that the Trail Study Report recommended that cycling be encouraged on several portions of these Trails.

Section 3 of the Bill directs the Secretary of the Interior and the Secretary of Agriculture to improve and develop park, forest and other recreation trails for cycling, among other uses. The Trail Report documents the present situation in these areas. The chart on page 93 of the Report shows that of the some 88,000 miles of trails that exist on Federal lands, only 4,529 of those miles are suitable for cycling and over 1,000 of those are situated in one state (Idaho). We have noted a great awareness of the problem among the Federal agencies involved and this Bill will enable these agencies to do the job that is required.

Section 4 of the Bill, relating to State and Metropolitan Area Trails, is of the greatest interest to the cyclist. There are a number of provisions in that Section that will do much to alleviate the present problem of a lack of trail facilities in our States and cities. The Secretary of the Interior is directed to encourage States to consider opportunities for trails on lands administered by the States or in their urban areas, when submitting proposals under the Land and Water Conservation Fund Act. The Secretary of Housing and Urban Development is directed to encourage the planning of trails by cities in connection with their overall recreation and transportation planning under the Housing Act of 1954, and also to encourage urban areas to submit trail proposals under the open-space program of the Housing Act of 1961. The Secretary of Agriculture is further directed to encourage States, local agencies and private interests to establish trails.

We previously referred in this statement to the statistic in the Trail Study Report that only 11 states had provided bicycle trails in this country. The lack of facilities for cycling in our cities is fully as critical. The Trail Study Report analyzes the situation that exists today. The Report concludes on page 133 that of all types of trail that can be developed, "Perhaps the greatest need in metropolitan areas is for cycling trails." After determining the scope of interest that exists in cycling, the Report recommends the establishment of 25 miles of bicycle trails for each 50,000 urban residents. These trails are not there today though, and the passage of this Bill is urgently necessary if they are ever to be developed. We endorse the goal announced and pledge our support to see it achieved.

The problems now facing our cities are some of the greatest difficulties facing us today. We are ever more becoming a largely urbanized nation and must take steps to insure that the citizens living in our cities have a quality of en-

vironment that is consonant with our national goals and aspirations. The lack of sufficient outdoor recreation facilities is a very significant part of the overall picture. Trails for the hiker and the cyclist can provide recreation opportunities for millions.

Another problem confronting our cities is that of traffic congestion. We will not deal with the problem and its possible solutions at any length, other than to point out that it is not a simple one, and there do not appear to be any simple solutions. Among the many alternatives that may be available, however, we of the bicycle industry feel that trails for commuter cycling have much to offer and should be fully considered. We have shown in our Bikeway program how streets can be used for bicycle routes; these streets can handle large numbers of cyclists at little cost to the cities involved. Many people across the land have written the Institute to question why specific streets leading into town could not be dedicated to bicycle use during the rush hours of the day. They ask why they should be compelled to drive their automobiles bumper-to-bumper through the traffic maze that exists in our cities, and also be forced to pay large parking fees when they reach their destinations, when it would appear relatively simple to have a street or streets made available for them to commute to work by cycling. We do not have all the answers to the problem of traffic congestion, but we do suggest that the bicycle be considered as one means of alleviating the situation and of keeping our citizens physically fit in the process. It would appear that the use of commuter cycling could well be considered by the Secretary of Housing and Urban Development under the provisions of the legislation you are considering since the Bill directs the Secretary to encourage urban areas to consider trails in their overall recreation and transportation planning.

We appreciate this opportunity to submit this statement. We congratulate this Committee on the interest it has shown in seeing that sufficient trail facilities are developed in our country, as evidenced by the hearings it is having on this legislation. The Committee can be assured that the bicycle industry will fully cooperate with the various governmental agencies that are given responsibilities under this legislation, once it is passed. We hope this occurs soon.

Mr. LOOMIS. The bicycle industry wishes to go on the record as heartily endorsing the provisions of S. 827. We are delighted with the interest that this committee has so obviously shown in the trails, as evidenced by the hearing that you are having today.

We followed the progress of the various bills, starting with the one introduced by Senator Nelson back in 1965, with great interest. And it is delightful for us to see the interest in this subject reach the point it has today.

The principal point that I would like to emphasize, if I might, is that there are some provisions for secondary trails in this bill that are apart from the provisions relating to the national scenic trails. And I am referring to the provisions in sections 3 through 5 which Secretary Udall testified to at some length this morning. In a way my training as a lawyer tells me that I might do better not to say anything, because so far as I have noted in the hearings today, there has been little opposition or controversy to these particular provisions. And generally in such a situation when you think that the court might be going with you to some extent it is usually better not to say anything rather than to make a statement that might lead to controversy.

On the other hand I think it could be helpful to the committee to add emphasis to the remarks of Secretary Udall this morning in which I believe he used the statement, referring to the national scenic trails, that they would be the structural background, but that the trails in the State, national park, and forest areas, the trails in our metropolitan areas that come through sections 3 and 5, would provide the volume or the number of trails that are needed today. I don't want to leave

any wrong impression with this committee that the bicycle industry does not wish to go on record in favor of these national scenic trails. We are delighted with the recognition that this bill gives to these trails. We are delighted also at the opportunities these national scenic trails are going to give the hiker and the horseback rider, for the cyclist recognizes and accepts very freely and willingly the fact that he is a member of an overall trail family. And the people who like to hike and the people who like to ride horseback for pleasure are certainly entitled to the same consideration as the cyclist. The fact of the matter is, though, that these national scenic trails, except in certain areas, are not suitable for cycling. Either the terrain is too rugged, or they are apart from population centers, and would not be widely used by cyclists.

So our principal interest, so far as we are concerned, lies in these other provisions which make certain that these trails are erected on national forests and parks and in our recreational areas.

It is estimated that there are today 60 million cyclists in the United States. That is almost one out of every three. The cyclists are of all ages. And for a long time we have had a great interest on the part of the children—and by children I mean those aged 14 or under. It is a rare person that you will find anywhere who did not have a bicycle as a child.

In recent years there has been a great development of interest and a great rebirth and growth of interest on the part of the more adult members of our population, the young married people, the middle-aged people, businessmen, and senior citizens. And the statement puts forth at least our summary of why we think this cycling is attractive to them.

I think probably it has best been summarized in two words. It is fun to ride a bike, and it is also a means of keeping physically fit.

The problem which the cyclist is faced with today, though, is that there are few or no places in which to cycle.

Reference has been made in these hearings to the report entitled "Trails for America," which we in the industry think has been exceptionally well prepared, and very well documents the problem that is involved.

A number of the statistics in this report are of great interest. But I will cite one in particular and that is on, I believe, page 110, where the statement is made that only 11 States have provided bicycle trails in this country. The lack of facilities can perhaps best be emphasized by asking members of the committee where in their States, in the various cities of their States, can you find safe and scenic places to cycle. I know Senator Nelson would have a good answer to a large extent because of efforts he undertook while he was Governor of that State. But the fact of the matter is that there are very few places.

Here in Washington we were delighted over the weekend to note that Secretary Udall announced that certain areas of Rock Creek Park would be available for cycling as a temporary measure this spring, until the permanent trails which are being erected there are completed. But outside of the C. & O. Canal, in the heart of Washington, and the bicycle trails up in Maryland, there are very few other places in which to cycle.

I happen to be living in the State of Virginia, out in Fairfax County, and it is a real effort out there for a person who is looking for a place to ride his bike to find a place that he considers both safe and scenic to do so.

Senator NELSON. You are aware of that section in the bill which authorizes the Department of Housing and Urban Development to make 701 planning grants to urban areas for the development of trails?

Mr. LOOMIS. Yes, Senator.

Senator NELSON. And you may also be aware that a year ago the city council and the county board started establishing bicycling trails throughout the whole park system, which, I think, is a very good development. But under the planning grant in the bill I think you will see some encouragement to cities and urban areas and metropolitan areas to develop some plans for hiking and cycling.

Mr. LOOMIS. I agree entirely with the magnitude of the need. The problem facing us is great, and planning is a very essential element in this whole process. We are delighted with the provisions for planning that are included in this bill.

This national trail report also discusses the need for trails in the metropolitan and urban areas of our country. It makes the statement that perhaps the greatest need in metropolitan areas is for cycling trails.

The report recommends the erection or construction of 25 miles of bicycle trails for every 50,000 urban residents in our country. The fact of the matter is that these trails are not there today, and that legislation like the legislation you have before you today is essential if we are going to see those goals developed. It is sections 3 and 5 and the encouragement that the Secretary of the Interior and the Secretary of Agriculture can give to States and municipalities to encourage them to develop trails and encourage them to undertake planning which are essential if we are going to reach these goals.

One final comment I would like to make.

I would like to describe briefly a form of bicycle trail that has come into popularity the last 4 or 5 years with which the Bicycle Institute has been very closely associated. We refer to that trail as a "bike-way." Now, a bikeway is a bicycle route that has been laid out on very lightly traveled streets and roadways. The city of Milwaukee, for instance, has a bikeway running 64 miles entirely around the city on lightly traveled streets, and on some very attractive parkways. The State of Wisconsin this last year inaugurated a statewide bikeway running some 300 miles across the State using basically secondary roads. That is a new development within the last 5 years, and has come into great favor. The great advantage of the bikeway is the cost factor. The streets and the roadways and the parkways which are being used already exist. And about the only element of cost that enters into creating this type of a trail which we call a bikeway is that involved in purchasing appropriate signs to install along the right-hand side of the roadway to not only guide cyclists as to where the route goes, but also to serve as a warning to motorists. We end our statement with a reference to the provision Senator Nelson mentioned a moment ago relating to the direction this bill gives to the Secretary of Housing and Urban Development to encourage urban

areas to make trails in their overall recreation and transportation planning. We would like to throw out for thought the possibility of developing bikeways for commuter cycling. It seems to us that traffic congestion in our cities is one of the greatest problems that is facing us today. We are frank to admit that we don't know the answers. It seems quite obvious to us that it is not only a simple problem, but that there are no simple solutions.

We have shown in the bikeways, by using the streets and roadways, a very inexpensive form of providing bicycle roads. And we have had any number of people writing to the Institute and asking why a bicycle street or two in a given city could not be dedicated, at least for some part of the day, for use by cyclists. Here in Washington you are pretty well compelled to drive your car and fight your way through the maze of traffic. And if you are working where I am you pay a very healthy parking fee besides.

Certain people want that opportunity to commute, to come to work on a bicycle. A lot of them have asked if we could dedicate a street or two not only here in Washington, but in other cities, and make it available for cycling. It would be an inexpensive way for people to get to work. It would contribute to their fitness, and also take a number of cars off the streets. We don't have all the answers to the use of bicycles for commuting either, gentlemen. But we are pleased to note this provision in the bill directing the Secretary of Housing and Urban Development to consider trails for transportation planning, because we think it is a concept that certainly merits discussion and thought in this overall problem.

We appreciate the opportunity to testify before you. And you can rest assured that the bicycle industry will cooperate fully with the various governmental and other agencies which are given responsibility under this bill. We urge you to pass this legislation.

Senator Moss. Thank you, Mr. Loomis. That was very illuminating testimony.

I was surprised at the large number of people who still cycle. I agree, young people do. But it seemed to me the old folks had pretty well given it up. Maybe more of them are doing it now than I have observed.

Mr. LOOMIS. They are coming back.

Senator Moss. And to the extent that this bill facilitates the designating of bikeways and planning for them, why certainly it would be helpful. I agree that there ought to be a considerable acceleration in making areas available for bike riding. It is fun. And it is a good health measure.

So we appreciate the support that you have expressed for this legislation.

I don't know that I have any specific questions.

Any questions, Senator Nelson?

Senator NELSON. No.

Senator Moss. Thank you very much.

We will now hear from Ralph D. Hodges, Jr., representing the National Forest Products Association.

And we will ask Robert Witter if he would like to come forward with Mr. Hodges. He represents the Northern Pacific Railroad.

**STATEMENT OF RALPH D. HODGES, JR., VICE PRESIDENT, GOVERNMENT RELATIONS, NATIONAL FOREST PRODUCTS ASSOCIATION**

Mr. HODGES. Mr. Chairman, I am Ralph D. Hodges, Jr., vice president, government relations, for the National Forest Products Association. NFPA, with headquarters in Washington, D.C., is a federation of 17 regional, product, and species associations representing the forest products industry from coast to coast.

A good many of the points that I have in my statement have already been covered so I will just mention them and ask that my statement be put in the record.

Senator Moss. That will be granted. Your statement will go in in full.

Mr. HODGES. I have a short article showing how one timber company has cooperated in locating the Pacific coast trail. I think the committee will be interested in seeing it.

Our main concern is that forest management may be unduly interfered with. We think forest management and a National System of Trails can be very compatible.

There has not been enough discussion of the probability, the necessity, and the standard practice of moving trail locations when fire, blowdowns, or erosion or overuse of a trail make it necessary. It is very simple to relocate most trails, and it is a common practice. We shouldn't look on these trails as though they were six-lane highways, permanently located.

The matter of fire has already been discussed. It should be generally understood that if a trail is an important factor in forest fire control, that the scenic trail system allow its use. Senator Hansen brought that out, I think.

The motorized vehicle problem can probably be taken care of by a definition of the term "general public." The bill would prohibit motorized vehicle use by the general public. You already discussed recreational use of motor scooters. You realize, I hope, that in some cases motorized vehicles are used on trails for forest management, for protection, and for other uses by the landowner in his management.

The problem of locating trails on logging roads where there is motor vehicle use has already been brought up.

We are concerned about the forest acreage where management is to be influenced by the trail and in the corridor alongside. There is some confusion about this. We hope that the committee will clear this up.

There are several other parts that are confusing. We need a clear definition of the terms that are included in the sentences on trail location "\* \* \* to avoid insofar as practicable existing commercial and industrial development, private operations, and any other activities that would be incompatible with the protection of the trail." We don't know how commercial timber operations fit into that. This has been amply discussed already.

We are in agreement with Senator Nelson's remarks on land acquisition made this morning when Secretary Udall was testifying. We feel there is too much emphasis on the idea of Federal land buying. Mr. Edgar has already given a good explanation of our general viewpoint.

In regard to industrial tree farms, we feel that there should be restrictions on condemnation, and that trail locations and use can be negotiated by cooperative agreement with practically no cost to the Government. There is no need, we feel, on industrial tree farms to acquire either rights-of-way or easements of a permanent nature.

You realize that a trail wiggles and winds its way through the topography. If you have strips of a hundred feet or 200 feet on either side through commercial timberlands, you will have a monumental problem of knowing where the boundaries are. You remember that the Secretary this morning said there was no intent to fence these boundaries.

Senator NELSON. Can I ask a question?

Senator MOSS. Certainly.

Senator NELSON. If there were not any power of condemnation for either acquisition or easements in the bill, the Government would then be in the position, for example, of making a large investment on a privately held tree farm, and then at any stage the owner might say, "I don't wish you to walk across my land any more." That position has been established for a long time. That would result in a trail that stops for some considerable distance, and there is nothing that can be done about it. It seems to me that you have to have the authority to condemn, even though it must be exercised very carefully. I would anticipate that if you use easements, which I think should be used as extensively as possible, that each easement would be negotiated with fair consideration given to whatever the problem of the manager or owner of the farm might be. If he has to cross the trail, that is acceptable. But I think residual authority would have to rest with the Government to be able to condemn if it were absolutely necessary to do so.

Many of the timber companies have been very good all the way across the country, in my State and elsewhere, in allowing their forests to be used for hiking and camping. I think that all the private forests through which the Appalachian Trail runs have been very cooperative. But I think that we need condemnation power to use at some stage where an owner may refuse to let the trail continue. This could result in the Government's large investment on each side of the area being effectively lost.

Mr. HODGES. I think we are in agreement. We suggest some language in the top paragraph on page 4 that would allow this residual power of condemnation in cases where there is no possibility for negotiations.

We are also concerned about the restrictions on commercial forest management on Federal lands. There is a little confusion in our mind about page 46 of the publication "Trails for America." The statement is that on the national forests, restrictions on timber would apply a mile on either side of the trail. Now, I hope I am misreading that, and that there would not be a restriction on timber growing. These are some of the things we think the committee should look at because we do not feel that there is any need for such restrictions on national forest or Bureau of Land Management lands.

We are also concerned about the access restrictions that have been discussed. We suggest an amendment to the bill that would provide

that an adjacent landowner may reserve or obtain access across the trail.

We are somewhat concerned about liability for fire and liability for injury to trail users.

On the Advisory Council, we agree with the comments that were made by the previous industry spokesmen. We think that there should be a landowner representative on the Council.

We also suggest some criteria to facilitate land exchanges where it is necessary to acquire land.

And, lastly, in regard to the financing, I was not able to hear Secretary Udall's answers to the questions raised by Senator Allott this morning. But we feel that trail construction, maintenance, and relocation and the development of facilities are going to be the most important costs. The bill provides that the Land and Water Conservation Fund moneys will be used for the acquisition of lands. Appropriated funds would have to be sought for the most important costs. I think there ought to be consideration of turning this around the other way.

We do think the agencies tend to give too much attention to the acquisition of private forest land, and too little attention to the development—the installation of facilities—on the lands that are newly acquired and the lands that are presently in government ownership so they are developed to the maximum extent for public use.

After the trails system is established, the main costs are going to be in development and maintenance. We hope that these funds would be separately appropriated rather than taken from forest road funds on a discretionary basis as is now done for trails.

That concludes my statement.

(The prepared statement of Mr. Hodges follows:)

STATEMENT OF RALPH D. HODGES, JR., NATIONAL FOREST PRODUCTS ASSOCIATION

Mr. Chairman and members of the committee, I am Ralph D. Hodges, Jr., Vice President, Government Relations, for the National Forest Products Association. NFPA, with headquarters in Washington, D.C., is a federation of seventeen regional, product and species associations representing the forest products industry from coast to coast.

The forest products industry is concerned with some of the provisions of S. 827 that need the careful consideration of this Committee. We are, however, in general agreement with the objectives of providing a system of trails for public recreational use and enjoyment.

Much of the land on which these trails are located is used for growing commercial timber. A large portion is federal, State or private forestland where commercial timber management is the primary economic use of the land. It is important to the economic livelihood of the people in these areas that timber management be allowed to continue. There is no reason why this can't be so, but changes will be needed in the legislation.

Trails are easy to move or to relocate. They should not be laid out with the degree of right-of-way permanence or rigidity specified in S. 827. It should not be necessary to negotiate a new easement or right-of-way every time forest management or physical conditions dictate a change in location. Standard practice is to move trail locations when fire, blowdown or erosion make another adjacent location superior. Over-use, especially from horseback riders and pack strings, causes the soil in a trail to wash or blow away leaving a rocky and often dangerous trail bed. Relocation is an easy solution. Timber growing and harvesting operations can often be carried on without interfering with trail use, but not always. When trail use would be unsafe or unwise because of forestry operations, it is usually a simple operation to change the location temporarily to avoid

the problem. For these reasons we doubt that it is advisable to attempt to locate major trails on a permanent location on either government or private forest lands.

Some trails are important for uses in addition to recreation—fire being the most important. If a trail is an important factor in fire protection and is to be included in a scenic trail system it should be understood that there will be no reduction in fire prevention, detection and suppression.

S. 827 provides that there will be no "general public" use of motorized vehicles on scenic trails. In areas where there is no alternative method of transportation, motorized trail vehicles may be used for forest management, including fire protection. Government forest administrators, their contractors and the managers of private forest land should not be deprived unnecessarily of this tool of forest management. Occasionally, trails are located on logging roads which should not be a reason for prohibiting future use. Perhaps this problem can be resolved by a definition of "general public."

One of our principal concerns is the acreages of land to be affected by the scenic trails. The definition of the right-of-way contained in S. 827—"sufficient width and so located to provide the maximum retention of natural conditions, etc."—is unnecessarily broad. Although the Secretaries are to consult with various persons and groups concerned with the lands and resources, their decision, to the point of condemnation, is controlling in establishing such rights-of-way. We are concerned that unnecessarily large acreages of commercial timber land may be included within trail rights-of-way.

An uncertainty in the right-of-way to be acquired is caused by the provision that trails are to be located "to avoid, insofar as practicable . . . existing commercial and industrial development . . . private operations, and other activities that would be incompatible with the protection of the trail. . . ." Without a clearer definition of these terms we are not certain whether intent is to avoid commercial timber operations or whether timber growing and harvesting is to be prohibited on lands adjacent to trails. We do not think timber management has impaired the use and enjoyment of trails in the past. It is our contention that scenic trails and commercial timber growing can exist side by side with only minor modifications needed in each use.

In negotiating for trail rights-of-ways, the Secretary would be restrained from using condemnation except where he decides that "all reasonable efforts to acquire such lands or interests therein by negotiation have failed." The commercial timber land crossed by the trail system can remain in private ownership without impairing trail use and attractiveness. We suggest that the Secretary be authorized to condemn (1) trail rights-of-ways only when reasonable efforts at negotiation have failed and (2) lands adjacent to trails only when reasonable efforts at negotiation have failed and the current or prospective use of the land is such that will impair the use and attractiveness of the trail permanently and relocation is impractical.

We expect that good management will result in occasional relocation of portions of trails. There is no reason why the substantial acreages of forest lands adjacent to National Scenic Trails cannot be intensively managed for timber production and remain in private ownership.

We are also concerned with the location and width of trail rights-of-way across commercial forest land in federal ownership. Much of this land is also currently used for timber production and other commercial resource uses and is part of the sustained yield calculations of federal forest managers. To unnecessarily remove this timber from the available timber supply may work undue hardships on the communities, industries, and employees dependent on that timber resource.

It is important in the management of both government and private forest lands adjacent to trails that land managers have as few restrictions as possible on access to these lands. Access by trail or roads is a primary tool in land protection and management. S. 827, which is silent on access, should be amended to clearly provide that adjacent landowners may reserve or obtain access across these trails. There should be no limitation on the number of access points per mile of trail, since natural topographic conditions dictate the points where access is feasible.

Another subject which seems to have been given little consideration by the Department of the Interior is the problem associated with increased public use of private forest lands. Before the federal government pursues a program

aimed at increased recreational use of private lands, there should be adequate consideration of fire hazards to adjacent public and private lands and liability for injury to trail users. S. 827 does provide for campsite shelters and related public use facilities; however, there is also need for safe smoking areas along the trail and for increased fire prevention and protection efforts to protect adjacent lands. This would include complete "closure" to public use in some areas under certain conditions. There is also the problem of the landowner's liability to the trail users who are injured on his lands. While we do not have a suggested solution, it is a problem that should be considered by this Committee.

S. 827 creates an advisory council on national scenic trails consisting of representatives of federal agencies, States and private organizations selected by the Secretary. We suggest that this group be broadened to include several persons representing the owners and users of the lands and resources which may be affected by the location of national scenic trails and management of adjacent areas.

The Secretary of the Interior would be authorized, in acquiring lands for national scenic trails, to offer in exchange any federally owned property under his jurisdiction which is located in States through which the trail passes. The forest products industry is concerned with land exchange legislation and has developed the following criteria which we suggest be considered by the Secretary in determining the suitability of land exchanges proposed under this Act. We request that these criteria be included in S. 827.

In exchanges involving federal lands full consideration should be given to:

1. The need to facilitate access, to provide for efficient forest management;
2. The private land and tax base;
3. The effect upon stability of dependent communities and industry;
4. Multiple-use values of the lands to be exchanged but not to preclude exchange for single purpose use when in the greater public interest;
5. The concept that public lands declared surplus should be sold rather than exchanged; and
6. The desirability of holding timely local public hearings and of obtaining concurrence of county governing boards.

Public land ownership should not be extended through the exchange of cutting rights to public timber for private lands.

S. 827 provides that money from the Land and Water Conservation Fund would be available for the acquisition of land for National Scenic Trails. Trail construction, maintenance, relocation and the developemnt of facilities appear to be the most important costs. Wiser use of public funds and national resources would result from the use of Land and Water Conservation Fund moneys for these needs rather than land acquisition. We think the agencies are giving too much attention to the acquisition of private land and too little attention to the development of the newly acquired lands or the lands already in government ownership.

Regarding trail development and maintenance, we assume you intend these funds to be separately appropriated rather than to be taken from road funds on a discretionary basis. Currently trails on federal lands are funded from "roads and trails" accounts. We think it would be unwise to have these accounts assume the costs of developing and maintaining the National Trails System.

Mr. Chairman, these comments are intended to help improve the bill. The forest industries are not appearing in opposition.

Senator Moss. Thank you very much, Mr. Hodges, for a very fine statement.

I was glad to have you point out that the alinement of these trails can be somewhat flexible, that a trail doesn't always have to go right on the same path that it did before. If changing circumstances make it expedient to go around the other side of the hill, or some other route, the trail can be realined, because these are not improved installations such as highways where you may have to cut and fill and put in bridges.

I think that is an important thought to keep in mind. However, it does bring back one point I raised this morning with the Secretary of the Interior, the difference between having just the scenic trail and

the one that is a historic trail. The historic trail is pretty well confined to a definite alignment. I guess you agree with that.

Mr. HODGES. Yes.

Senator Moss. So there would have to be a somewhat different kind of treatment of these two types of trails.

I am glad to have your testimony. I think it is very helpful to us.

Any question, Senator Nelson?

Senator NELSON. No questions.

Senator Moss. Mr. Witter, would you like to proceed?

**STATEMENT OF ROBERT N. WITTER, JR., LAND SUPERVISOR,  
NORTHERN PACIFIC RAILWAY CO., SEATTLE, WASH.**

Mr. WITTER. I am Bob Witter, land supervisor, Northern Pacific Railway Co., of Seattle. And although we are not a member of either of the two wood-using associations who have testified here this afternoon, they have brought up most of the points which I wanted to discuss. And therefore I will explain some on-the-ground examples, and perhaps with a western flavor, of what land managers can encounter on the ground with these trails.

Senator Moss. Would you like to have your entire statement placed in the record, and then you can comment on it?

Mr. WITTER. Yes; I certainly would.

For many years the company has allowed and even encouraged trail development on company and intermingled public land for recreation and protection. Now hundreds of miles of the Pacific Crest, Lewis and Clark, and other lesser public trails cross these lands. And in all cases the trails were established without charge for right-of-way to the Government. For the most part, the trail exists without formal agreements or easements. I believe this point was discussed several times this morning.

The company has exercised judgment and is deserving of public trust for its demonstrated willingness to recognize such areas and offer them in exchange or to modify management plans to protect them.

Senate bill 827 would dedicate four long and significant trail systems without considering whether all of the lands crossed are even scenic in nature. Parts of the Pacific Crest Trail, a major part of at least one of the other trails listed in the bill, and many hundreds of miles of lesser trails are not primarily valuable for recreation or scenery. And by going through an example which I feel probably is typical of industry tree-farm lands crossed by these trails, perhaps I can make my point.

To clarify these statements, please consider the following examples of the Cascade, or as S. 827 calls it, the Pacific Crest Trail, from Snoqualmie Pass to Naches Pass, Wash. I believe you have a map attached to my full statement showing this section of the trail. The trail was constructed many years ago and is maintained by the Forest Service. It runs along the ridge line for approximately 40 miles, 24 air miles. Roughly half the area belongs to Northern Pacific and is in dedicated industrial tree farms. Starting with, and including, the freeway crossing at Snoqualmie Pass, there are four existing pri-

mary road crossings, 14 planned primary crossings, and numerous other logging roads that must cross the area so we can properly manage the commercial timber stands which exist there. The area is characterized by a high percentage of operable forests between the 3,000- to 4,000-foot elevation. These lands generally support even aged forest stands of overmature hemlock and white fir or young second growth resulting from early forest fires.

In the commercial timber-growing areas, encompassing approximately 92 percent of the distance, existing stands average over 30,000 board feet per acre, in some cases much more. The topography is typical of the timbered areas in the Cascades where, despite the boom in the aerospace industry, wood is still about one-third of the area's basic economy. These stands cannot be managed by selective logging procedures or by leaving narrow buffer strips. And this point was discussed several times relative to the Appalachian Trail. And this is the case in our western area, because these overmature, even aged forests just won't stand by themselves. If you try to selectively log them the rest of them fall down. If you try to leave strips, they blow down. These stands cannot be managed by selective logging procedures or by leaving narrow buffer strips, because the forces of nature rapidly devastate what is left. Although admittedly not pleasing to the eye for the period which it takes to reforest the area, it is good silvicultural practice to clear cut such stands and reforest them to conifer reproduction.

And in this regard I don't think it makes any difference whatsoever—and I believe Senator Nelson asked a question on this—whether it is public or private land in this regard.

Secretary Freeman mentioned that he would not cut in the 200-foot strip. But I don't believe he is thinking of these forest stands on the west coast. Either he is going to have to leave a whole stand uncut, which would involve thousands and thousands of acres, or he is going to have to cut the trail, because the trees will blow down.

The point of this is that except for isolated spots which have not been disturbed by the company or by the Forest Service, the trail is not used except by an occasional logger, or a hunter. Even the easily accessible scenic spots are not used. This is because there are many more scenic areas to the north and south that the people do use.

So we would point out that the Pacific Crest Trail is only a concept, and realistically should never be more. Some parts of the proposed trail have no scenic value and may never be used on the ground. Making one single trail by connecting the many scenic segments will be costly and will not create more benefit to the public.

We have a series of recommendations here. And one of them I would like to mention, and then conclude, because I think it bears on commercial forest lands.

Provision could be made, and there is a recommendation in the bill, to establish public education programs in areas where other resources are primary. For example, where stands of old-growth timber are cut and regeneration is established, informational material could be established along the trail to describe the management practices that are in progress. Such education could be a major benefit to conservation by informing trail users of some of the problems encountered

daily by professional land managers and explaining solutions. This type of information and education program might clear up some of the confusion which results from social conflicts in land use.

The Northern Pacific sincerely thanks you for the opportunity to present its views for consideration in your deliberations over the national scenic trails bill, S. 827. We will welcome an opportunity to help you clarify these matters if there are any questions.

(The complete prepared statement of Mr. Witter follows:)

STATEMENT OF R. N. WITTER, JR., FOR THE NORTHERN PACIFIC RAILWAY COMPANY

I am R. N. Witter, Jr., Land Supervisor, Northern Pacific Railway Company, Seattle, Washington. The interest of the Northern Pacific Railway Company in forest land, wild land and, therefore, national scenic trails, is well known to Senator Jackson; and we hope that our comments on S. 827 will furnish valuable background to this committee when considering the bill.

The Northern Pacific Railway Company owns and manages a substantial acreage of forest, range, and agricultural land in the States of Washington, Idaho, and Montana. For many years the Company has allowed, even encouraged, trail development on Company and intermingled public land for recreation and protection. Now, hundreds of miles of the Pacific Crest, Lewis and Clark, and other lesser public trails, cross these lands. In all cases the trails were established without charge for right-of-way to the government. For the most part, the trails exist without formal agreements or easements.

Company lands are managed for the optimum output of goods and services over the long term or, to use a of common phrase, on a sustained crop basis under the multiple use principle. Although most Company lands are primarily valuable and managed to produce income, some are principally valuable for scenic or recreational beauty. The Company has exercised judgment and is deserving of public trust for its demonstrated willingness to recognize such areas and offer them for exchange or to modify management plans to protect them. Notable areas we have helped preserve are a petrified forest in Yellowstone National Park, a substantial area of the Bob Marshall Wilderness Area, land in the Selway-Bitterroot Wilderness Area, the Mission Mountains Primitive Area, Spanish Peaks Primitive Area, Swan Valley Highway, Alpine Lakes Primitive Area, and Spirit Lake Recreational Area, to name a few. Likewise, considering the Company's and the Northwest's resource-oriented economy, the Company does not hesitate to identify and utilize other resources, such as timber, where they are primary.

The Company believes that in most instances several uses, including recreation, are compatible on the same land area except, of course, in such outstanding areas as listed above. It also believes that frequently the sum of the benefits of multiple use far exceed the highest single use benefit.

The Northern Pacific has no quarrel with the Statement of Policy on page 1 of S. 827, but it seriously questions whether the proposed bill is a reasonable, fair or professional method to establish a national public trails system. Aside from the always serious question whether restrictive laws are the correct means to professionally manage resources, the Company feels that S. 827 lacks the flexibility to handle the varying character of lands crossed by existing public trails; lacks clear definition of intent for acquisition of trailside scenic easements; is potentially too restrictive to development of other rights-of-way such as roads; and lacks clarity about the nature of cooperative agreements for management of trails on private land.

S. 827 would dedicate four long and significant trail systems without considering whether all of the lands crossed are even scenic in nature. Parts of the Pacific Crest Trail, a major part of at least one of the other trails listed in the bill, and many hundreds of miles of lesser trails are not primarily valuable for recreation or scenery.

To clarify these statements, please consider the following example of the Cascade or, as S. 827 calls it, the Pacific Crest Trail, from Snoqualmie Pass to Naches Pass, Washington (see attached map). The trail was constructed many years ago and is maintained by the Forest Service. It runs along the ridge line for approximately forty miles (24 air miles). Roughly half the area belongs to Northern Pacific and is in dedicated industrial tree farms.

Starting with, and including, the freeway crossing at Snoqualmie Pass, there are 4 existing primary road crossings, 14 planned primary crossings, and numerous locations where temporary roads will be necessary to properly manage existing commercial timber. The area is characterized by a high percentage of operable forests between the three to four thousand foot elevation. These lands generally support even-aged forest stands of overmature hemlock and white fir or young second-growth resulting from early forest fires. In the commercial timber growing areas, encompassing approximately 92 percent of the distance, existing stands average over 30,000 board feet per acre. The topography is typical of the timbered areas in the Cascades where, despite the boom in the aerospace industry, wood is still about one-third of the area's basic economy. These stands cannot be managed by selective logging procedures or by leaving narrow buffer strips, because the forces of nature rapidly devastate what is left. Although admittedly not pleasing to the eye for the period which it takes to reforest the area, it is good silvicultural practice to clear-cut such stands and reforest them to conifer reproduction.

Except for isolated spots which, by the way, have not been disturbed, the area is not scenic. The trail is not used except by an occasional hiker, usually a hunter. Even the scenic spots, all easily accessible, are not used. This is probably so because this 40-mile section of the Pacific Crest Trail does not compare to the scenic beauty of the many alternative scenic areas to the north of Snoqualmie Pass or to the south toward Mount Rainer. This section of the Cascades contributes more long-range public benefits, economically and socially, by providing jobs through utilization of timber crops than it does, or could, if it were preserved for recreation.

The Pacific Crest Trail is only a concept and realistically should never be more. Some parts of the proposed trail have no scenic value and may never be used on the ground. Making one single trail by connecting the many scenic segments will be costly and will not create more benefit to the public.

The Northern Pacific Railway Company recommends the following points for your committee's consideration on S. 827:

1. Field hearings and studies could be scheduled to establish facts about present trail status, future needs and primary resource values.

2. We believe that legislative restrictions should not be imposed which establish any one resource use as primary over the uses established by flexible, sound professional management which can act as times, conditions, and public needs change.

3. Provision could be made to establish public education programs in areas where other resources are primary. For example, where stands of old-growth timber are cut and regeneration is established, informational material could be established along the trail to describe the management practices that are in progress. Such education could be a major benefit to conservation by informing trail users of some of the problems encountered daily by professional land managers and explaining solutions. This type information and education program might clear up some of the confusion which results from social conflicts in land use.

4. Restrictions to other rights-of-way and the term "scenic easements" should be clarified in the bill so that sound judgments on their economic significance can be made.

5. Serious thought should be given to the philosophy of this and other legislation in Congress which propose to dedicate land and resources to single use without considering the land's ability to handle several uses as population builds.

6. Consideration should be given to the specific facts that indicate certain sections of notable trail systems already in existence are not scenic or recreational in character.

The Northern Pacific sincerely thanks you for the opportunity to present its views for consideration in your deliberations over the National Scenic Trails Bill, S. 827. We will welcome an opportunity to help you clarify these matters if there are any questions.

Senator Moss. Thank you very much for your testimony. We will indeed examine the full text. As I understand it, you would like to point out that it may not be necessary or even desirable to try to build a connected trail that goes literally all the distance from the Canadian border, for example, to Mexico, but that the concept of a trail running

along a general alinement is all that is necessary with sections where you actually keep a walking trail open so people can hike and enjoy the out of doors; is that right?

Mr. WITTER. I believe you go further than my intent, Senator. But that is the basic idea, yes. The trail in this case already exists; and in the logging operation the trail is kept open. So the trail does exist on the ground, but its usefulness is very doubtful. And this isn't because the trail isn't open for people to use. The point is that there are other areas, north and south, east and west from the Cascade Crest trail that are more attractive, and they will remain so.

I would like to make a comment on Senator Nelson's comment on condemnation a moment ago.

He asked whether or not this wasn't a very important part of the bill. I can't answer that question. It may be, although I would point out that I don't think the facts would indicate that yet. In my opinion the comments that were made this morning such as: Let's wait and see, and perhaps go a little slow and see if the Government agencies do have trouble acquiring the right-of-way or not, before granting broad condemnation authority to the agencies, might be a proper way to proceed. As I have already pointed out, our company, for example, already has hundreds and hundreds of miles of Forest Service trails on lands that are intermingled with national forest lands and they have been no problem in the past. I have granted trail easements recently for Forest Service trail construction programs. I don't believe there is a problem here, at least as regards my knowledge of the problem.

Senator Moss. Senator Nelson.

Senator NELSON. My guess would be, from the information I have about the private forest owners, that this would be less of a problem with them, and perhaps not any problem at all, than it would be with other private owners. The people in the forestry business, timber and paper, have a considerable history now of multiple use and permit access by the public. They do in my State, and they do in many States that I know of. So it would probably not be much of a problem there.

But it would probably be somewhat of a problem with people who are not appearing here today and do not have a history of allowing public agencies to use their land.

Mr. WITTER. We have talked a great deal about the public access. It cannot be emphasized too much on the western lands. The topography is rugged, and there are not too many opportunities for access roads. In some cases the trail goes down roads that are already in existence, and there will be considerable areas of timber both public and private adjacent to the trail.

Senator Moss. Thank you, Mr. Witter.

Our next witness is Mr. Lyle Liggett, American National Cattlemen's Association.

Mr. Liggett, we are glad to have you, sir.

#### STATEMENT OF LYLE LIGGETT, AMERICAN CATTLEMEN'S ASSOCIATION

Mr. LIGGETT. I am Lyle Liggett, director of public relations of the American National Cattlemen's Association headquartered in

Denver, Colo. I am here to take the place of E. P. Harvey, who was to make our presentation, but who, at the last minute, could not make it. He would like to have his statement placed in the record. And I am very happy to be able to paraphrase, because most of the questions that he asked have been answered.

Senator Moss. The full statement will be placed in the record.  
(The complete statement of E. P. Harvey follows:)

STATEMENT OF E. P. HARVEY FOR THE AMERICAN NATIONAL CATTLEMEN'S ASSOCIATION

My name is E. P. Harvey. I live in El Paso, Texas, although my ranching and farming operations are in New Mexico. I am vice chairman of the Landowner-Recreationist Committee of the American National Cattlemen's Association, and I appear here today in that position and at the association's request. The American National Cattlemen's Association is headquartered in Denver, Colo., and represents, through nearly 140 affiliated state, local and regional organizations, several thousand beef cattle producers and feeders.

I am here to raise some sincere and serious questions about S. 827, which seeks to establish a nationwide system of trails. This is not because the American National is opposed to recreation, but because it is in favor of the best interests of all the people. Neither am I here to voice these questions merely because thousands of livestockmen and other landowners would be affected by the trails proposed by the bill. However, the principles and procedures established by the bill would, if extended fully to all the trails suggested for "future consideration," have widesweeping and serious impact on this nation's basic livestock production industry, and therefore, upon its future food supply.

The bill asks for immediate action on four trails—the Appalachian, Pacific Crest, Potomac Heritage and Continental Divide—but also creates the structure for study and, supposedly, new and rapidly passed authority for eight additional trails. Therefore, it is only fair and logical to take the basic 12 into account in talking about questionable generalities in the bill.

It also will be germane to scrutinize closely some of the specific costs and other questions arising from published material on the four primary trails, particularly in view of the logical supposition that whereas the first four trails are primarily on public lands, almost all of the other eight will be mainly on private lands.

First, even casual addition gives the 12 trails a gross mileage of more than 21,000 miles. The Interstate Highway System—one of this nation's major undertakings in acquiring right of ways involves only about 40,000 miles. So we are not talking about some casual, meandering path, out of sight and out of mind. We are talking about discernible, vibrant veins coursing over, around and among more than one-half million acres of this nation's land.

All this presumably to be added to the nearly 103,000 miles of existing trails on federal and state lands and the thousands of miles of municipal or local area trails. And, possibly, in addition to published statistics which indicate that various public agencies currently intend to create another 48,000 miles. All of which seem like an awful lot of trail already.

We have fiscal outlines only for the first four trails in the bill upon which to project for costs of right of ways, but they must be indicative of some of the costs further along.

For instance, the projections for land acquisition costs for the first four trails reveal that someone guesses that purchase of right of ways over the 301 miles of *private lands* in the Continental Divide Trail will average out to \$8,438 per mile. At a stated average of 25 acres per mile of right of way, the per acre cost comes to \$337. As a person somewhat familiar with the geography over which this trail will pass, I am a little stunned at this figure. . . . particularly when the national average cost per acre of land, including prime farm land—of which none of this terrain can possibly be—is \$157!

The bargain of the four is the \$2,747 per mile cost for the right of way over private lands involved in the Pacific Crest Trail. The Potomac Heritage Trail carries a price tag of \$4,128 per mile for the right of way needed on the 378 miles over private land. The Appalachian Trail has been long established. But the proposed extension, which includes 866 miles of private land, will carry a land acquisition burden of \$5,388 per mile.

This is an average of a little more than \$5,000 per mile for all of the private land involved in just these four trails. An average of about \$200 per acre. Yet we are talking about four trails involving some 8,000 total miles.

In the area of cost we have noticed several seeming oversights in the proposed budgets, such as those printed in the very fancy and expensive propaganda booklet "Trails for America" the Department of the Interior caused to have published.

For instance, nowhere under "Capital Improvements" do we see figures directly set aside for fencing. Perhaps vast stretches of the original four trails can go unfenced—after all what Boogie Man could get to a hiker at 11,000 feet on the Continental Divide?

Fencing to delineate a right of way is almost as American as Appie Pie. You set up a right of way, and somebody will decide to fence it—either to keep undesirable elements out (and in the case of these trails, the undesirables may well be the two-wheel "trail bikes") or to confine the recreationist from hazards from which he must be protected . . . out there in the Wilds. . . .

Thinking of fencing leads us to question the private and public liability involved in leading humans into unknown hazards both on the trails or the adjacent lands. Who would patrol, who would rescue? Will the role of samaritan arbitrarily be tossed to nearby landowners?

The American National Cattlemen's Association has obtained average cost figures from such vast fence builders as the Bureau of Land Management, Forest Service, Bureau of Reclamation, Bureau of Public Roads, etc. We've arrived at a very modest and conservative figure of \$850 per mile for a fence serviceable for either purpose—keep 'em in or keep 'em out.

That doesn't sound too bad until you multiply it by two. Oh, indeed, you normally fence both sides of a right of way. So we have a figure of \$1,700 tacked onto every mile that might need fencing, for one reason or another, on both public and private lands. Not all of these lands will need fencing of course, natural terrain will see to some of it, but far more fence protection will be needed over much of even the most remote trails in the future to deny the two-wheel and four-wheel fume-belchers their seemingly ordained right to go anywhere anybody else goes. . . .

To say the least, *\$1,700 tacked atop the \$8,438 per-mile* average for the land acquisition for the Continental Divide Trail seems a smidgen ridiculous. . . . And we've not even considered cross-fence stiles or gates. . . .

We also fear that the planners of the four initial trails glossed over a few other vital items in projecting forward their Capital Investment Costs. (They may not have had fur-lined privies in mind, but nearly \$20,000,000 set aside for such "Capital Investments"—or nearly \$2,400 per mile—does make one wonder.)

For instance, no place in the publications available to us are there mentions of overpasses over Interstate Highways, Toll Roads and other major highway arteries.

Now the law requires that pedestrians be barred from Interstate Highways. It seems like a reasonable law—particularly if it should protect a pooped hiker from being scragged while limping across a 300-foot right of way (after climbing the fence, of course.)

A simple overlay of the maps of the four primary trails covered in the bill shows at least 50 crossings of Interstate or Toll Roads, with more than 80 crossings and recrossings of major U.S. Highways. (No attempt was made to project the crossings for the additional eight trails considered in the Bill.)

It has been conservatively estimated that each overpass would cost \$100,000—give or take a few thousand depending on terrain, traffic expectancy, contractor/labor whims. But let's use \$100,000 each as a reasonable figure.

That means another \$5,000,000 just to give continuity because any trail must be able to get from here to there.

We presume that thought has been given to providing water for man and beast. I don't know about the two eastern trails, but you can be sure that substantial sums will have to be spent to provide potable and life-saving water over the other two!

In talking of costs, we also question whether \$5.6 million over five years is enough for operation and maintenance. Surprisingly, many thousands of miles will have to be mowed or sprayed to keep the weeds, grasses and brush from providing a fiery death trap or a tinderbox to fuse damage to millions of acres of grass or timber lands. Some highway right of ways now are no-

torious weed incubators. Certainly we cannot allow a swath of pleasure to become an insidious threat to adjacent fields and meadows upon which food is grown.

I've harped overly-long on costs. Perhaps this is because I cannot visualize very many people benefiting from such staggering expenditures. I also keep thinking of the inherent seasonality in such investments—most of these trails could or would be used only a small part of each year.

We then wonder if this bill is not ahead of itself; if the proposed expenditure of so many millions is not depriving more people of immediate benefits than it would be providing to the few in the long run? Although the bill gives encouragement to development of trails in and near centers of population, as recommended as a pressing need by the Outdoor Recreation Review Commission, it concentrates on at least two major arteries generally far from people.

(Imagine the ire of the purchaser of a "Golden Passport" to learn that a major portion of those funds is going toward developments hundreds of miles away while the nearby park and trail needs take a back seat.)

Costs aside, we do have serious questions about some of the procedures and practices outlined in the bill.

Among them is the ambiguity of the language about "scenic easements". Just how far down the hill or across the valley must the scenery be aesthetically cleansed of billboard and other eyesore? Will future acts of man be allowed, such as are necessary in forestry or range or watershed management? What sort of a hidden "wilderness bill" is being proposed here?

We note also some vague language about avoiding "insofar as practicable" such things as highways, mining areas, power transmission lines and "range fences and improvements". I'm sure our operators in the back country, both on public and private lands, will welcome such legislated avoidance, but just what is proposed in the way of alterations of existing practice to be sure they would not be "incompatible with the protection of the trail in its natural condition and its use for outdoor recreation?"

We find equally vague the wording of the exercise of eminent domain in acquiring lands. Certainly it is to be hoped that many landowners, recognizing their historical, cultural and recreational responsibilities, will grant easements or sell right of ways insofar as those easements or right of ways are compatible with the vital need for producing food and fiber for a nation that likes to eat as well as hike.

However, we sincerely challenge the language of the bill that would make either the Secretary of the Interior or the Secretary of Agriculture the sole judge of just when all "reasonable efforts to acquire such property by negotiations" have ended before he can instigate condemnation procedures.

The language of the bill is so loose as to literally make a cabinet officer the judge and jury. It seems unlikely that our courts, or Congress, would allow such a situation, particularly when this awesome power could be delegated so arbitrarily.

I am sure the proponents of this bill had no intent to further complicate and hinder the work of the Public Land Law Review Commission, but it does seem odd that such new, thorny legal problems as proposed here would even receive congressional consideration before the Commission has the chance to solve some of the old problems before it.

We question also the "taxation-without-representation" connections of the establishment of "advisory councils" to help administer the law and, in fact, assist in promulgation of regulations of the trails' administration, use and extension.

Please examine carefully the provisions for establishing "Advisory Councils". You will note that involved Federal Agencies may be represented by one person each, that the states crossed shall be represented by an appointee, and that one or more representatives of "private organizations" may be selected to represent their "established and recognized interests in the trail." Nowhere is it made clear that county or local governments, landowners, or permittees using public lands will be consulted more than casually *if at all*. A rather ominous situation to say the least.

The Department of the Interior is rather scarred over the land-exchange manipulations of the Point Reyes' controversy and the severe repercussions from Oregon. It surprises us then that Interior would go along with a suggestion that there could be an exchange of public property for private property

should such public property be in *any state* through which a given trail passes.

This is conterminous legerdemain at its most flagrant. What would a Montana rancher do with a chunk of New Mexico desert in exchange for his condemned bottom-land? And what would county and state officials say to such sudden loss of prime tax base?

The latter, and many of the previous points, are particularly germane to the advancement of the bill's purpose in establishing a framework for later trails, particularly those which must pass mainly over the plains of private ownership.

We respectfully ask that you inquire closely into questions of costs that we raise. We ask further that you look behind the slick brochures, the emotion and the avowedly noble purpose of this proposal.

And, we especially ask that you examine closely the provisions of this bill abrogating so completely the rights of landholding.

This nation, our government tells us daily, must produce more and more food and fiber, not only for our own consumers but for much of the rest of the world.

As irate as a thwarted hiker might be, he'll seem calm indeed when compared to the primary producer of food and fiber who is frustrated from pursuing his dedicated goal because the strands across his land are not the web of a spinner, but the barbed-steel skein only to protect the fritterers.

And especially is he going to be irate should a fire, started in a 200-foot swath across his land or range—destroy thousands of acres of grass or timber. And bitterly ironic will he be if human contamination pollute the freshets and streams after so many years of vaccination and efforts at eradication in his herds and flocks of the diseases known to also bother man.

First, gentlemen, we are opposed to this particular bill because it avoids or fails to answer some fundamental questions of law, practical land management practices, biology, physiology or, even, that important question; is food and fiber more important than recreation? All these can be answered, over time, by rewriting the bill to allow for due processes of law, to accommodate advice of local and/or practical persons, or to recognize simply that a trail from here to there has many, many problems not now considered.

However, it is far more important to recognize our objections as being tolerant of recreation, but aghast at the grandiose and fey proposals set forth in favor of the very few as opposed to the direct and indirect impact on the other 200 million Americans who must work to insure the rights of all people to eat, be clothed—or hike, if that is their choice.

Senator Moss. And you may proceed, Mr. Liggett.

Mr. LIGGETT. Thank you.

The American National, which has 42 State-affiliated cattlemen's groups across much of the area that these trails will go, is not against recreation by any means whatsoever. But we are definitely concerned over the vagueness and some of the confusion that has arisen in the language of this bill and we are concerned that some of the basic premises and principles which might be applied to these four basic trails which are principally on public land might carry over as principles applied to in blanket form on the other trails which would be predominantly on private land.

We have a great concern over the cost, simply because we are confused with cost. The land acquisition, itself, as suggested in the booklets and other material for these trails, as applied to private lands, were discussed this morning; that on the Continental Divide Trail, for instance, the 301 miles of privately owned land would cost, somebody guesses, around \$337 per acre. This is quite the cost, roughly, of the 444 miles of the consequent acres for the Pacific Crest Trail. And Secretary Udall said, I believe, this morning that the Appalachian Trail and the Heritage Trail would be higher cost operations so far as land acquisitions are concerned. My mathematics would indicate that

the cost on the Appalachian Trail for the 866 private miles they have to pick up would run around \$214 per acre, and that on the Potomac Heritage would be around \$175 per acre, which is pretty close to the national average for farmland or for nonurban land.

Mr. Harvey makes quite a point in his testimony, and it was brought out this morning, about fencing. There was some indication that there should not be any fencing. Unfortunately some of these trails are operating through States where there are liability laws that you must either fence in your livestock or fence out other things. So there will be fencing necessary. Definitely there will be fencing necessary to go through a man's operations so that he can manage his herds and manage his farming operations in all kinds of ways.

The cost of fencing is one thing we would like to raise. We are taking a very conservative figure of \$1,700 per mile for fencing. Should there be half of the initial trails that need fencing—and this might be overly generous by some degree—but let's say half, this would run something like \$6,800,000.

And there was some mention about overpasses this morning. We took a look at that map and a map of the Interstate Highway System, and just by a quick count there are something like a total of 50 places where the trails cross the Interstate Highway System.

Now, we don't know what an overpass is going to cost. We have checked around and the costs that we have found have been in the neighborhood of \$200,000. Now, this is another \$5 million. So already we have \$11,800,000 of the \$20 million earmarked for capital investments.

These are some of the costs connected with the trails that raise questions in our minds. We hope that will be cleared up. But certainly they are not just something tossed up in the air.

We talked about fencing, too, from the standpoint of liability. Who is going to patrol this area? It was imagined this morning that perhaps if you had a dry season, and the grass was dry, the forest was dry, the trail could be closed. There are a lot of places where people, who might not know that they are not supposed to be in there, can get in. And who is going to go around and put the signs up and the gates up, and so forth? Who is going to spray the weeds? I don't believe this has been brought up. Frankly, this is a very serious problem that landowners, particularly in the West and other areas such as this, are going to be concerned with, because we have an awful lot of highway rights-of-way.

We are also very concerned with the fire hazards to all of us who live on the land or who live from the land in all seasons of the year, particularly across the country. The folks down in Oklahoma would be quite upset about something like a Chisholm trail.

We have also calculated that the operation and the maintenance budget has been rather grossly underestimated. It comes out to something like \$1 million, or a little more per year. And that seems like an awfully small amount of money to control the miles that are involved here, to cut these weeds, cut this brush, and all the things that may be necessary to be done, and clean the privys.

We also feel that perhaps this bill is ahead of itself. It was brought up this morning that the Bureau of Outdoor Recreation has said that

our main thrust should be where people are. And we don't think there are too many people in this part of these areas.

We are also concerned over the wording and the implications on eminent domain. We are concerned for a variety of reasons. But to anticipate, perhaps, the question, we wonder if it is the end of the road for reasonable negotiation if the appropriate Secretary should say, All right, you don't want to take a price for your land, but we have some land down here in New Mexico that we will give you in exchange for your land in Montana, take it or leave it. And at that point he decided arbitrarily that he can go into eminent domain, because he has exhausted all the reasonable methods.

But the bill does spell out that you can take in exchange public lands for private lands in any area touched by the trail. This is pretty far fetched, it seems to us.

These problems of land transfers, eminent domain, and the question of access and scenic easements are probably the greatest. And what about future works of man in the normal pursuit of whatever was going on heretofore? They all bring up problems that seem to us make this bill a little premature because of the work and study of the Public Land Review Commission, which has the problem before it already. The Advisory Council is a little concerned. Certainly we hope that everyone who has land in this country will be well meaning and take some of the responsibility for this effort and other civic efforts. But if a landowner is almost excluded from consideration, he perhaps is not going to be very cooperative when somebody asks him to give an easement. And maybe it would be better if the landowner and the other users, whoever might be concerned, are brought in and spelled out in the bill and at least established as not second-class citizens.

Also one of the main questions that must be considered and must be answered in this and all other types of operations where people and land seem to be in conflict is whether food and fiber are more important than recreation. Our Nation is telling us every day that we need more food and fiber. We have hungry people around the world. We may be running out of land to grow food on in this country before too long. Perhaps even the scope of the building activity of this trail system will make a difference.

But this is not a question that must be decided by this society. And there are many more problems than the 8,000 miles for the 35 million golden passport dollars that are involved here. And one of the questions that comes to my mind is, is a hiker supposed to carry a sticker in plain view as he hikes along? I don't know whether this would apply.

Our suggestions are tolerant of the need for recreation, but we are intolerant of the confusion of such simple things as costs and the seemingly few thinking about fences and overpasses, and where do you get the money for them, and fire hazards, and perhaps pollution. This is a grandiose plan to please a few, perhaps. But seemingly it disregards the need of many of the populated areas, or disregards the impact on others who must work to insure the right of all the people in the country to eat and have clothing, or take a hike if they want to.

Thank you, gentlemen.

Senator Moss. Thank you, Mr. Liggett.

You have raised some very grave questions and important considerations that we certainly must wrestle with in this committee and it is helpful to us to have you do this. It brings to our minds the problems that we must consider and in our collective judgment decide what is a reasonable answer to those questions.

Your recitation of the costs that may be involved is certainly one point we will have to look squarely in the eye and make a decision as to whether we can incur those costs for the benefits that are held out. So I do appreciate your coming here to counsel us in this regard. And the testimony of Mr. Harvey has gone into the record in full. That ought to help our record considerably.

I don't know if my colleagues have any questions of Mr. Liggett. Senator Allott?

Senator ALLOTT. I am glad to see you here, Mr. Liggett, to welcome you here, of course. We are very proud that the American National Cattlemen's Association is within our State. And we are happy to have your thoughts on this.

Of course, at this late hour, without belaboring things that will be discussed at much greater length further on, we have discussed the condemnation features of this area today. And I am sure that there are very few of us who aren't concerned about the condemnation features of some of these bills.

But one thing I thought particularly might be worth bringing out here, Mr. Chairman, at this time is that our State, Colorado, is in an unusual position, I believe, and it may, in fact, be a unique position in the West, in that the State laws of Colorado provide that a man must fence livestock out. He doesn't fence livestock in, he must fence the livestock out.

So in consideration of a bill of this sort you have to consider the implications that this will have on the application of a trail system to a given area.

The answers of the Secretary this morning to the questions of our friend, the Senator from Wyoming, were not entirely satisfactory. The New England area and this area are not generally a tinderbox as much of our area is at certain times of the year. And the Senator from Wyoming recognized this in his questions this morning. When you get to the months of June, July, and August, particularly, I think you must consider the use of these trails by people who come through and build campfires, and smoke, and throw matches here and there, and cigarette butts here and there, and that sort of thing. You have to consider not just damage protection, but the fact that all the dollars in the world won't make up for what a man loses when he loses his home. Often he has put 50 years into the construction of that home.

And then there is one other thing I would like to comment on. Your statement—speaking for Mr. Harvey—sounds pessimistic as to costs. I would say that our experience with all of our national seashores, and certainly with the Point Reyes matter, serves us well in calling our attention to it. Because as far as I can recall, the Department of the Interior has not hit the target on any of these costs as yet. And I expect that the costs that they have promulgated for the purpose of this hearing, both as to capital investment and the maintenance and operation, are only a small part. I wish it were possible to get a strong

analytical budget for one of these projects. The Congress could deal with them much more realistically then. But we don't get them.

Senator Moss. I suppose we will have no more time for questioning. We must go to the floor to vote.

We appreciate your appearance, Mr. Liggett.

I understand Dr. Ruth Weiner is here from Colorado and has only today. I am going to ask Mr. Ward, a staff member, to stay and take her testimony. Then we will recess at the end of Dr. Weiner's testimony until 10 o'clock tomorrow.

A number of witnesses have submitted their statements, and they have been placed in the record. If there are others who are in a situation where they cannot come back, or that prefer not to come back tomorrow, they may submit their statements for the record, and they will be printed in full. They will be considered in full by the committee. When the record is complete, of course, we print it and distribute it to everyone who testifies, as well as to all of the committee members. And the record is analyzed very thoroughly. So you needn't think that your testimony will be lost at all if you choose that method. We like to hear it orally when we can, because it enables us to ask questions if it raises points in our minds, or if we need some clarification. However, we do also consider everything that is printed in the record. That will have to be the procedure.

I will ask Mr. Ward, the staff member, if he will take the testimony of Dr. Weiner, and then recess the hearing until 10 o'clock tomorrow.

Mr. WARD. Dr. Weiner.

#### STATEMENT OF DR. RUTH WEINER, COLORADO MOUNTAIN CLUB, DENVER, COLO.

Miss WEINER. In order to save time, I will just cover two points which I wanted to make.

Mr. WARD. That will be excellent. I will see that your entire statement appears in the record.

Miss WEINER. The first point is that during the past 5 years, approximately, 200 members of the Colorado Mountain Club have surveyed the routes for the Rocky Mountain Trail, which is on the Continental Divide in Colorado. And their recommendations have been made to Mr. Stein of the Forest Service in Denver. We have noted that there are provisions in the legislation that members of the Appalachian Trail Conference be included on the Advisory Committee for the Appalachian Trail. We would like to have a similar provision written into the legislation for the Colorado Mountain Club and the other outdoor groups in Colorado, in recognition of the history of responsible service and cooperation that these groups have given in maintaining and routing trails through the State, and particularly for the Continental Divide Trail.

The Colorado Mountain Club was founded in 1912, and has been serving in this capacity since that time.

There are two other points I would like particularly to make. The first is, we noticed that a very large sum of money has been suggested for allocation, aside from land acquisition, for train construction and trail maintenance for the Continental Divide Trail. Now, speaking

only of Colorado, if you keep the trail off the crest of the divide, there are already 540 miles of existing trail, and the trail through Colorado covers 614 miles. We would suggest that, instead of putting a new trail along the crest of the divide, the existing trail mileage off the crest be used.

This is for a number of reasons. First of all, it is much less expensive. And second to build an actual trail, to dig one into the ground along the crest, is not very satisfactory. I have hiked along the divide, and everyone I know who has agrees with me, that what you tend to get is a rut that is not very easy to walk in. It ruins the countryside. Since there is snow there for 9 to 11 months of the year in any case, a trail dug into the ground doesn't really do you much good. It does you much more good to have cairns and markers along the way.

This is the present situation on the Wyoming Trail, which is part of the suggested route of the Continental Divide Trail. There is no actual trail, there are only markers. And this serves very, very well.

Part of the Wyoming Trail is a stockdrive, with the little yellow stockdrive signs. And the hikers follow them. They are very easy to follow and make very easy walking.

We suggest that the trail not be routed along the crest, because a great number of people will use this national scenic trail, and not all of them are from Colorado or from the Rocky Mountain States, and the person who is not properly prepared to hike along the crest of the divide can get caught in very unpleasant situations. This trail, if it were routed along the crest, would be over 10,000 feet, and almost entirely over 11,500 feet in many places. Up there is no shelter. Storms come up very quickly. It can be beautiful weather in the morning, and in the afternoon around 1:30 or 2 o'clock you can get a storm and lightning. And it snows in July. I have been up there in snowstorms in July and August. And people who are not accustomed to this sort of hiking can very easily be caught unprepared. They are generally not prepared for this kind of weather. And they are generally not prepared for the altitude. We would suggest instead that the lower existing trails be used with side trails up to the divide, so that the people can get up and down from the divide quite readily.

The last specific remarks I would like to make is in answer to the comments about fencing and going across private ranch land, especially irrigated ranch land. We have always found ranchers to be very agreeable to our crossing private land in the event that a hike took us across private land, even where there was no trail. We simply asked permission. And we have done this in parties of as large as 60 with the Colorado Mountain Club, or if just two of us are going, all you have to do is ask the rancher if you can cross his land, and he generally has no objection at all.

There are a fair number of trails now in Colorado which cross private land where it is necessary to open and close the fences for stock. And we have club policy in the Colorado Mountain Club—and we are very careful to observe it even when we are not on club trips—that a gate which is found closed should be left closed, that we should be very careful to observe this. We have never had complaints to the Colorado Mountain Club about the behavior of our hikers on private land. And a specially notable case of this is the two holidays presently at the

Dinosaur National Monument. There are two private ranches there. Last Memorial Day Mr. Chew very kindly permitted us to cross his land; he had no objection at all, he pointed out the trail to us.

Finally, I would like to say that we think this is a very good bill, and we strongly support it. The only reservation that we had at any time is that the Forest Service has lately shown a tendency to develop such trails; that is, to overdevelop the trails. There is a tendency to make long, shallow switchbacks, probably because it is felt that this is easier to walk on. Well, sometimes the additional length will overcome the ease of not having such a steep grade. In some instances, this is because of erosion, and then it is quite understandable.

But we would like to see the Forest Service, whenever possible, keep the trail as steep as is consistent with good management practices. They seem to have a rule now that you can't have a grade steeper than 10 percent. And this is just ridiculous. If you are going up to the divide, if you are going up, say, 1,000 or 1,500 feet, it just takes you forever to go up on that kind of a grade.

I would like to acknowledge that a number of members of the Colorado Mountain Club helped in preparing this statement, particularly Gale Kehmeier, who is trails committee chairman, who has himself scouted a large portion of this route. And the rest of the conservative committee—we have a small committee—has looked over the statement very carefully, and endorsed the bill in hopes that it will be passed.

Thanks very much.

MR. WARD. Thank you, Doctor. You have come a long way to testify and the committee appreciates it very much, and your full statement will be included.

(The statement referred to follows:)

STATEMENT OF RUTH WEINER, REPRESENTING THE COLORADO MOUNTAIN CLUB

My name is Ruth Weiner. I am a resident of Denver, Colorado, and I am appearing here today as representative of The Colorado Mountain Club, an organization of 1900 members, founded in 1912, "to unite the energy, interest, and knowledge of the . . . lovers of the mountains of Colorado . . . to encourage the preservation of forest, flowers, fauna, and natural scenery . . . to render readily accessible the Alpine attractions of this region." We are thus very interested in the proposed legislation, especially in the Continental Divide trail. My comments will be directed toward this trail in particular.

The Colorado Mountain Club has engaged extensively in trail routing, building and maintenance. During the past five years, approximately 200 members have surveyed various routes for the Rocky Mountain Trail, and their recommendations have been forwarded to Mr. Ed Stein, of the U.S. Forest Service in Denver, who coordinates with the supervisors of the various National Forests in Colorado. One CMC member, Arch White, has spent ten summers helping to lay out this trail. We note that a provision is made in the legislation to include members of the Appalachian Trail Conference in the advisory committee for the Appalachian Trail, and we ask that a similar provision be made for us with reference to the Continental Divide Trail:

That the advisory council for the Continental Divide Trail include a sufficient number of members of The Colorado Mountain Club, and other outdoor groups in the state, to represent the users of the trail in Colorado. This provision recognizes the history of responsible service and cooperation of these groups in maintaining this portion of the trail.

We applaud restriction of the trail to travel on foot or horseback, but we would like to have this extended to exclude use of motor vehicles for any purpose, at least along the divide in Colorado. Mr. Jackson's statement in the Congressional Record of 3 Feb. 1967, would permit "use of motor vehicles along

trails for rescue, fire-fighting, or other emergency purposes." However, no section of the proposed trail is sufficiently remote to make use of motor vehicles for rescue mandatory—if an emergency is not serious enough to require a helicopter evacuation (certainly the method of choice), rescue on horseback is probably much safer and just as fast as by motorized vehicle.

Most of the proposed trail in our state will be at 10,000' and much of it at elevations above 11,000'; tundra and subalpine meadows at this elevation and in this climate are quickly ruined by motor vehicles. Recovery is excruciatingly slow; the growing season is six to eight weeks per year. If the trail is above timberline, there is no fire hazard. There are no concentrations of down wood or heavily timbered areas along the crest, and in other places there is already adequate access.

We are concerned with the entire problem of "trail development" and we note with consternation that \$2,200,000 is requested for capital investment, not including land acquisition. We are certainly happy to see money go to the USFS, but we do not like to see it used for unnecessary trails or for "super-trails." At present the proposed route through Colorado covers 614 miles, of which about 540 miles is existing trail. We also question the advisability of routing the trail entirely along the crest of the Divide, instead of using the existing lower trails with side trails to the crest. The inexperienced casual tourist in Colorado, especially if he is not a resident of a Rocky Mountain state, can too easily be caught by an electric storm or by a sudden drastic change in the weather, and be totally unprepared.

As far as trail development along the crest itself, this is treeless tundra or open meadows, and generally provides easy walking, except over the peaks where rock scrambling may be required. The present Wyoming trail, where my husband and I led several trips this past summer, is an example, where there is no trail at all—the route is marked with cairns and signs, and stock drives are utilized. And there is absolutely no need for a trail dug into the tundra or meadow; you can see where you are going for miles. In the meadow regions, where there is more rainfall, erosion aided by a cut trail can be extremely damaging. On the tundra, we have found that trails tend to develop into ruts, and it much easier to walk on the tundra itself. On a trail marked by cairns, the traffic does follow a path and there is no excessive damage from spread-out traffic. A trail-less situation is much preferable. I might point out that on many parts of the proposed trail there is snow for nine months of the year, in which case a trail dug into the ground doesn't do much good anyway. This is where cairns and markers are invaluable.

The Continental Divide trail will come under the jurisdiction of the Dept. of Agriculture—that is, under Forest Service jurisdiction. In general, the USFS trails are a pleasure to walk on, and go a long way toward maintaining the primitive character of an area. Recently, however, there has been a deplorable tendency to make trails unnecessarily wide and grades unnecessarily shallow. It is *not* necessarily easier to walk on a wide shallow trail than a narrow steep one, especially since the former invariably increases the distance one would like to go. We hike a great deal with our four daughters (ages 3½ to 9½) and they go much better on shorter steeper trails than long shallow ones—the total distance is what matters. Even on a *long* steep hike, children prefer a fairly rugged trail; it is more interesting and more fun. Hiking on something like a jeep road can be pretty deadly. After all, the purpose of a trail restricted to foot and animal travel is to maintain a wilderness experience as closely as possible, and the pleasure of hiking is in the trail itself as well as in the destination. Over-development of a trail can destroy the very purpose for which the trail was laid out.

Anyone who has maintained a trail knows that long shallow switchbacks are sufficiently exasperating so that they encourage short-cutting, which in turn encourages erosion, which brings you back to the shorter steep trail anyway. Over-developed trails are also not left as dirt tracks, but are filled in with loose stones and gravel. I don't know how this is for horses; for people, especially going downhill, slipping on that sort of fill is tiresome. The less trail there is, the less fill is needed, and the easier it is to walk on. The best examples I know of beautifully maintained trails are in Rocky Mountain National Park, in the back country. A foot trail need be no more than two feet wide, and can easily have a grade of 30–35°—as long as you don't need to use your hands. These are the real fun trails, that differentiate hiking from walking down a

street. We urge the USFS to re-adopt this type of standard. On the Continental Divide trail, we urge that, unless a trail cut in the ground is deemed an absolute necessity by the advisory council, only markers, cairns and blazes be used to mark the trail.

I urge you gentlemen to consult with the hiking clubs, who represent the largest percentage of trail *users*, when drafting this bill. If possible, field hearings in regions like Denver would be a great help—most of us who use these trails cannot afford to come to Washington. I happened to be here on other business.

In closing I would like to acknowledge the help of many CMC members who helped me prepare this statement—Jim Wade, Gale Kehmeier, Bill Wackler, Dr. Estella Leopold, J. R. Guadagno, and of Dr. Betty Willard. Also of the CMC conservation committee in general. I would also like to extend an invitation from The Colorado Mountain Club to all of you; let us show you the Continental Divide trail, and demonstrate how we think it can best be built and maintained.

Mr. WARD. The hearing will stand adjourned until 10 o'clock tomorrow.

(Whereupon, at 4:20 p.m., the committee was adjourned, to reconvene at 10 a.m., Thursday, March 16, 1967.)

We had the TRS to receive this type of standard. On the Central Division that we rise that time, a train out in the ground is found as a whole necessary for the industry, covered with papers, charts and glass.

There is a connection to connect with the other side. The present the actual performance of work, which is the job. It is possible to have a train in the West, which has been great help, most of us who have been in the West, which is a connection to connect with the other side.

It is not possible to connect with the other side. The present the actual performance of work, which is the job. It is possible to have a train in the West, which has been great help, most of us who have been in the West, which is a connection to connect with the other side.

At 10:30 a.m. the meeting will stand adjourned until 10 o'clock tomorrow.

(The meeting at 1:30 p.m. the committee was adjourned to reconvene at 10 a.m. Thursday, March 12, 1907.)

## NATIONWIDE SYSTEMS OF TRAILS

THURSDAY, MARCH 16, 1967

U.S. SENATE,  
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,  
*Washington, D.C.*

The committee met, pursuant to recess, at 10 a.m., in room 3110, New Senate Office Building, Senator Clinton P. Anderson presiding.

Present: Senators Anderson, Moss, Jordan of Idaho, Fannin, and Hatfield.

Also present: Jerry T. Verkler, staff director; Stewart French, chief counsel; Porter Ward, professional staff member, and E. Lewis Reid, minority counsel.

Senator ANDERSON. Mr. McCafferty, will you come forward, please.

### STATEMENT OF JAMES A. McCAFFERTY, PRESIDENT, POTOMAC AREA COUNCIL, CAMP FIRE GIRLS; ACCOMPANIED BY MRS. CHET W. GOODSON

Mr. McCAFFERTY. Mr. Chairman, I am James A. McCafferty, president of the Potomac Area Council of Camp Fire Girls. With me today is Mrs. Chet W. Goodson, chairman of the camping extension committee of our area, and she is also on our council board.

Incidentally, she told me a few minutes ago, although her age does not show it, that she has been a Camp Fire Girl since 1937. And some of the trails in the trail bill she has walked.

First, I would like to thank you for continuing these hearings for another day. As I sat here yesterday I wondered if I would get to speak. And when I went home my children asked me what happened. I told them that I had seen the magic of democracy at work, with two Cabinet members, several Senators, and others interested in this bill stating their views.

Our council serves girls in a program for ages 7 through 17 in the metropolitan area, including Washington, D.C., Montgomery, and Prince Georges Counties, and what we refer to as northern Virginia. We have been in existence since November 4, 1941, and recently celebrated our 25th anniversary with the dedication of an authentic Indian totem pole at Cabin John, one of the regional parks operated by the Maryland National Capital Park and Planning Commission. The totem pole, carved by Indians of Haines, Alaska, was a gift of the 5,500 girls and adults in the Camp Fire Girls program to the National Capital area. In a sense this totem pole highlights our concern for the preservation of our country's Indian culture and the traditions of Camp Fire Girls, which include conservation and beautification.

Now to the reason for my testimony. Our national council, with offices in New York City, when apprised of the significance of the proposed House and Senate bills, asked our council to appear before you and present the views of the national organization. And I have with me a copy of that letter which you may wish to put in the record. (The letter referred to follows:)

CAMP FIRE GIRLS, INC.,  
New York, N.Y., March 1, 1967.

JAMES A. McCAFFERTY,  
President, Potomac Area Council of Camp Fire Girls,  
Washington, D.C.

DEAR MR. McCAFFERTY: This letter is your authorization to represent the National Council of Camp Fire Girls, Inc. at the Congressional Hearing of the Senate and House of Representatives proposed Bills, H.R. 4865 and S. 827, to establish a nationwide system of trails.

We are most grateful for your willingness to represent Camp Fire Girls, Inc. at this important hearing.

Sincerely yours,

HESTER TURNER,  
Executive Vice-President,  
National Executive Director.

Mr. McCAFFERTY. I have heard our new national executive director, Dr. Hester Turner, describe her hikes in the Oregon mountains with her children. I know full well her concern for continuing the availability of protected and secured trails. This bill provides for this.

Camp Fire Girls was founded on March 17, 1910—our anniversary is tomorrow—by a band of men and women who enthusiastically sought an organization for girls which gives full opportunity for personal development and a close acquaintance with the great American tradition of pioneering. These, together with the significance of Indian lore, continue to attract girls in this atom- and space-oriented world.

We believe part of the attraction is the opportunity to camp and to hike. Most girls today can do little on their own. Modern day conveniences provide few opportunities for doing something from scratch. In fact, to bake a cake you need only to have the right cake mix, know the correct temperature for the oven, set the timer, and you probably have a cake as good as grandmothers made, but without any satisfaction of having really made the cake.

In the Camp Fire program hiking permits girls to learn self-sufficiency and this dependence on self, includes knowing how much to carry, wearing proper clothing and shoes, preparing proper shelter, and of course taking care of keen appetites. With no electricity or gas, a group of girls find that they can learn self-reliance even if it means eating some underdone pancakes or overly diluted hot chocolate.

What makes this possible is our trails, which, as man continues to need more space for housing, roads, and shopping areas, will virtually disappear. No, this won't happen overnight, but the gradual acquisition of lands where trails now exist threatens these trails.

We are now thinking of the year 2000 in much of our urban planning. Can we visualize what will happen to the proposed trail systems if our Congress does not act now? Indeed, we can see them disappear, especially along the eastern seaboard. One example is the Appalachian trail, now maintained by the Appalachian Trail Con-

ference. Our local council owns about 900 feet of primitive camp property in West Virginia abutting the Appalachian trail, about 15 miles from Harpers Ferry. We are vitally interested in this trail, but know that without collective concern of all our citizens, as exemplified by this bill, we can anticipate that private landowners will eventually request that the trail be moved off their property. However, this is only part of the concern. Trail maintenance, including enforceable instructions for use of the trail, is greatly needed.

When I have been on the trail, I have noticed many fallen timbers and some of the rubbish we also find along our highways. Our timbers have been left in order to discourage gocarts and motorcycles which can tear a trail to pieces, as was indicated in the testimony yesterday. As to the rubbish, it appears to be an American custom to shower your route with evidence of your passing. National concern for this trail and others, plus the indication along the trails that these are national trails, will assure that they will be given better care.

Last summer, in connection with our resident camping program, five of our counselors-in-training—these are the older girls, 16 and 17 years old—plus two adult counselors, took a 3-day hike along the Appalachian trail. Beginning at Harpers Ferry they traveled several miles with 2 nights in trail shelters. Reverberations of this trip are still being felt in our council, not only because it was the first hike out of our resident camp, which we have operated some 20 years, but because of the enthusiasm of the girls and leaders who pioneered this hike. One of the girls noted in the special book at the Keys Gap shelter that the hike was fine, but there was no water. Last summer, you will recall, water was in short supply even on the Appalachian trail. This girl will not need to be convinced about our reliance on water. I might add that a nearby farmer let the girls fill their canteens.

I would not want to leave you with the feeling that only seven members of our council used the trail last year. In our council of some 5,500, many use the trail, as well as the Chesapeake and Ohio Canal trail, and the trails afforded by Rock Creek.

In fact, in our program blue birds, which are our youngest girls, do much hiking. When they "fly up" to be Camp Fire Girls their first rank is that of trail seeker. Simply stated, it tells each girl to "go on a nature hike. Tell about three interesting things in nature you saw, where seen, and some interesting facts about them." This is a challenge to girls 9, 10, and 11 years old. We think it important to have hiking trails not only for today's girls but for the many millions of young people whether or not they belong to a national youth organization.

Before closing I would like to emphasize that our program, which represents some 1 million members in every State, including Alaska and Hawaii, with over 250,000 going to camp each year, utilizes trails in small groups under an adult guardian. It may be a short walk on a trail in a nearby metropolitan park or an extensive reliving the pioneer life, as was done by a group of Camp Fire Girls who spent a week in a wagon train last summer. According to the March 1967 issue of *Seventeen*, page 144, the girls rode shotgun, forded rivers, dined on buffalo steak, and faced a band of shrieking "Indians"

played by disguised local teenagers. Their wagon trip used the old Smoky Hill trail which crosses the Kansas prairie.

It may be trite to talk about encroaching civilization, but the reality of this fact faces us. Camp Fire Girls, Inc., is pleased to support the trail bill and hopes that the Congress acts upon it before, in the more urban areas, we have only cement highways to mark our "trails" and young people do not become acquainted with the trails which, in pioneer times, bound this country together.

Thank you.

Senator ANDERSON. Thank you very much. I am sure the Camp Fire Girls will appreciate your testimony here today.

Senator Hatfield.

Senator HATFIELD. No questions. I would just like to have Mr. McCafferty remember me to Dr. Turner.

Mr. McCafferty. We are delighted to have her as our national chairman.

Senator ANDERSON. Mr. Seegers.

#### STATEMENT OF SCOTT SEEGER, PRESIDENT, VIRGINIA POTOMAC VALLEY ASSOCIATION

Mr. SEEGER. Mr. Chairman and Senators, my name is Scott Seegers. I am president of the Virginia Potomac Valley Association.

I came up here yesterday with instructions from the executive committee of my association simply to oppose the portion of the bill that deals with the Heritage trail from the mouth of the Potomac to its sources.

Sitting here and listening to the testimony of the Secretary, the questions that were asked of him, and his answers, created in my mind a number of very serious reservations about the entire bill in its present form.

Mind you, I am in favor of woods, I am in favor of the outdoors, and I am in favor of people getting out and using their feet instead of using automobile tires and breathing carbon monoxide.

Nevertheless, I would like to preface my formal testimony with a few observations that are born out of what I heard yesterday. And I would like these remarks to be made a part of the record, because in many ways I consider them more important than the testimony I came up here to give.

Senator ANDERSON. You go right ahead, and they will be so regarded.

Mr. SEEGER. Thank you, sir.

This bill, as was evidenced from everybody's testimony and everybody's questions yesterday, represents a totally new and as yet untried type of project on a national scale. Yet it is presented in a network of projects that will cover much of the entire United States. It is presented to this committee without any specifics whatever. It is presented to this committee in the form of a request for absolutely dictatorial powers vested in one man, the Secretary of the Interior.

I am accustomed to the processes of our government being carried out with appropriate checks and balances. And it frightens me to see an appointed official reaching out for as much power that will cover as much of the country as is implicit in this bill.

Let me give you an example.

The routes of these trails are delineated only in a most general fashion. The Potomac National Heritage Trail is indicated by a red line that on the scale of that map will be more than one-half mile wide. Every ultimate decision regarding the location and the extent of taking and the facilities to be constructed within this area are left up to the discretion of the Secretary.

Now, the middle part of the Potomac, which is the part in which my association is most vitally interested, is in 1-acre, single-family residential zoning, and a larger portion of it is in 2-acre, single-family residential zoning. If you take a strip half a mile wide, and by the decision of one man, put the trail anywhere within that half-mile corridor without any reference to the development of the community or to the desires of the local governments, you can just play hob with the pattern of life in the community.

When you come to funding, the Secretary's project is not even subject to normal appropriations processes. There is no scrutiny provided by an appropriations committee. The Secretary can dip right into the Land and Water Conservation Fund and presumably there will be no public hearing about that.

Now, when the Interior Department wants to establish a new park somewhere they present a detailed project to this committee, with topographical studies. They tell you exactly or within a very narrow margin how many acres they expect to take. And they will have made a reasonable estimate of the cost.

When the Corps of Engineers wants to build a dam they present to the appropriate committee a specific project for one dam, so that the committee has some very close idea as to what it is authorizing.

Any one of these trails alone is an enormous project. Any one of them alone deserves a much more detailed study than has been presented to this committee. Each one of them alone to my mind should be considered by this committee after a public hearing. And then each one of them should be subject to the scrutiny of the appropriations committee.

I would like to suggest that the Interior Department, instead of giving you some kind of a pig in an enormous poke, be asked to make a much more detailed, much more specific study of each of these projects and bring them up and present them one at a time to this committee, so that the committee will have some idea of what it is authorizing.

I would also like to suggest that while the Secretary surely should have the authority to determine the areas through which these trails should go, in order to have some check on his completely unilateral power, as implicit in this bill, I would like to see the local county and municipal governments, through their designated representatives, have the ultimate decision about the specific location of the trail and the specific amount of land to be taken through their respective jurisdictions.

I would like also to see that an enormous kitty such as the Land and Water Conservation Fund not be available to the Secretary at his discretion, but that every dollar he gets for carrying out this project be subjected to the normal scrutiny of an appropriations committee after a public hearing.

That concludes my off-the-cuff remarks. Thank you for listening to them.

I will carry on now with my normal prepared statement.

Senator ANDERSON. I think you have opened some new questions here.

You say that this bill is possibly dangerous because it vests too much authority in the Secretary?

Mr. SEEGERS. With this completely unchecked, unbridled power vested in the Secretary, this project could be completely disruptive to the pattern of life of any community through which a trail passes or near which it passes. That is the way it seems to me. And I feel that as a matter of basic American principle that no one single man, least of all an appointed official, should be granted that amount of power over a project as vast as this.

Senator ANDERSON. Do you regard that as unusual, these grants of power? Somebody has to trust somebody.

Mr. SEEGERS. Yes, sir.

Senator ANDERSON. And the Secretary of the Interior has been handling these affairs for a long time. You think this bill should not give him so much power?

Mr. SEEGERS. I think that this bill provides too much power with no check and no balance to the power, plus the fact that funding the project does not require the Secretary to subject his expenditures to the scrutiny of an appropriations committee. Yes, sir, I think that is dangerous. I think that is one long step toward 1984.

Senator ANDERSON. Senator Jordan.

Senator JORDAN. I yield to Senator Hatfield. I did not hear the presentation.

Senator ANDERSON. Senator Hatfield.

Senator HATFIELD. What would be your suggestion as to how this should be handled in order to acquire the land and be fair and equitable to the landowners and still make it possible for the land to be acquired in proper context? In other words, would you suggest that the State have some authority over it, or the local governments?

Mr. SEEGERS. I suggest that the Secretary have the authority to establish the areas through which the trail shall pass, but that the final determination of the precise route of the trail and the amount of land to be taken, be a power of decision, be vested in the officials of local governments. I just cannot accept the principle that all wisdom and that the best solutions for local problems automatically stem from the Federal hierarchy. I believe that local officials can just as often come up with the correct solution, and sometimes more often than a Federal official who is partly occupied with other things.

Senator HATFIELD. Would you not say that in most of the States there is an authority or agency that works in this regard? Would it be your suggestion that the State government participate with the local government before a decision is made?

Mr. SEEGERS. Certainly I believe that the local governments, that is to say, the municipalities involved and the counties involved, should have not simply an advisory function, but some power over the decisions, some actual authority to determine the precise route of these trails through their jurisdictions, and also some power to determine

the amount of land to be taken. Now, the State might very logically get into it too. But I would hate to see the role of the municipal and county governments be reduced to that of an advisory function which, as we all know, has some slight influence but no real power.

Senator HATFIELD. I am wondering about the mechanics of it. It would be very difficult if they had to go to each municipality. But if there is a State agency that works with local governments it seems to me that it would be more practical.

Senator ANDERSON. I am interested in those remarks, because there are some people here on the committee who have been Governors of their States. And this same question arises: Do you trust the State governments, or do you break it down into small areas? You apparently favor breaking it into municipal groups, do you not?

Mr. SEEGERS. What I am frightened at, Senator, is the prospect of removing all authority from the local governments. Now, the State government, by the very nature of its structure, is more responsive to a county or a municipal government within that State than the Federal Government is, because the counties and the municipalities elect that State government, and so they have some control over it. They have a great deal more contact with State and local officials and a great deal more community of interest with them than they can possibly have with the Federal Government because of the enormous size and the enormous distance geographically and sometimes philosophically between them and the Federal Government. And I am frightened at the prospect of all real authority being removed from the county and municipal governments. I do not think it is right.

Senator ANDERSON. I just want to be very sure about it, because the people who write the bill may decide something else.

Mr. SEEGERS. I know, sir.

Senator ANDERSON. I for one am not scared by certain people here administering the situation. I just wonder what has disturbed you about it. Is it all experience in Government operations?

Mr. SEEGERS. What disturbs me about this bill in its present form, Mr. Chairman, is the complete and total lack of any check or balance on the unilateral power of the Secretary, as this bill is presently written. I believe that there should be some check on the power of every official that has anything to do with the Government of a country such as this. And this bill is written so that there is no check, not even when it comes to funding the project. That is what scares me.

Senator ANDERSON. Senator Fannin.

Senator FANNIN. How many county governments do you have in the State of Virginia?

Mr. SEEGERS. I have not the slightest notion. It is a great big State. I imagine that this trail would probably traverse about 10 counties.

Senator HATFIELD. I would not totally disagree with you on some of your premises as it relates to power and the location of power and the problem of balance and checks in the exercise of power. But I think when you come in to ask us to move to the other side of the pendulum, or to swing the pendulum clear to the other side and deal only with the municipalities and counties, it is totally impractical and unrealistic. I do not know about your State, but out West we had ex-

perience in trying to build roadways for automobiles. And we found that the various local groups which took this as their responsibility had variations in standards and widths and so forth. They became highly balkanized in their thinking. And sometimes they would run their county road up to their county boundary and it would be far removed from where the next county picked up its road. There was just no system. And finally the State had to move in and establish a uniform program for roadbuilding. This was a very real problem that we had out West. I think what you are advocating is returning today to the old vulcanized county roadbuilding program, which has been discarded and in the ashcan for many years.

I think that there is a middle road here Senator Fannin has already alluded to, and that is, that the State agency might very well play the part of balancing this exercise of power that you are concerned about. Very frankly, sir, I just do not agree with your premise that the only way we are going to have a guarantee of our political freedom is in proliferation of responsibility and abdication of political power. I think when we diffuse so broadly we lose our freedom, because there is lack of access and responsiveness to the people. I feel that you have a point, but I think that your offered solution is unrealistic, if I may be so blunt.

Mr. SEEGERS. Please do.

Thank you, Senator. I have no objection to the State government having an active part, and also active authority in this project.

If I may reply to one of your points regarding standards and possible balkanization, it is not my idea that anybody except the Secretary and his designees establish the standards for the trail. That would avoid one of the major disadvantages that you raise.

And also I suggest that the Secretary have the authority to designate the areas through which the trails shall pass. I believe that both of these provisions would tend to ameliorate a little bit the danger of a return to the last century. I hope so.

Senator FANNIN. Mr. Seegers, I think we must take into consideration that the municipalities and the counties are entities created by the State government. Are you desirous of taking the rights under that relationship away from the State?

Mr. SEEGERS. No, sir, I am not. I just do not want to see all authority and all power removed from the municipalities and from the counties, because they have their own local problems. And no matter where this trail passes, it is going to be a local trail in every community through which it passes. It is going to create local problems. And I firmly believe that local officials are just as likely to come up with acceptable solutions to local problems as the Federal hierarchy is.

Senator HATFIELD. But you recognize the necessity of having a co-ordinated program?

Mr. SEEGERS. Oh, yes, sir.

Senator FANNIN. That is all, Mr. Chairman.

Senator ANDERSON. I have been anxious to hear these questions also, because my State is next door to Arizona, and the able Senator from Arizona was a longtime executive there. None of us worried about him, he administered his job in fine fashion. And I appreciate very much the actions which Senator Fannin took.

I know of the record of Governor Hatfield. And I would not be worried too much about letting him have some control over a situation. We have had much experience in the last few weeks with these other folks. I think that the State executives have been very tolerant and very useful and very helpful in these corrective programs. I would not worry about how much authority the Governors carried as long as they are people of the caliber of the former Governors represented here.

I am glad they asked these questions. I appreciate it very much.

Mr. Seegers, you may proceed.

Mr. SEEGERS. Thank you.

Perhaps some of my following testimony will underscore the reasons for our concern.

The action of the Department of Interior within the Potomac Valley under the Capper-Cramton Act has been marked by instances of favoritism toward certain people and certain groups. This is a serious charge which I expect to document.

In Prince Georges County, Md., the George Washington Memorial Parkway swings well inland at Indian Queen Point, a beautiful point overlooking the river a little north of Mount Vernon.

The parkway came down the river shore until it got to the neighborhood of Indian Queen Point, where it swings inland away from the river. One of the prominent residences that crowns Indian Point—I have a picture of it here, it is a lovely place—is the residence of Dudley Bayliss, who was at that time Chief of Parkways for the National Park Service. The parkway swings inland well north of this neighborhood and continues inland away from the river, leaving all of this neighborhood in the possession of these property owners until it reaches a point downstream. This is a remarkable coincidence, I think.

There is another such example that is much nearer home to me. I live in Fairfax County, Va. A few miles downstream, just a short distance upstream from Chain Bridge, there is an exclusive, beautiful area that has come to be known as the Merrywood neighborhood. Now, the plans of the Interior Department which are projected as far ahead as the year 2000 show that every foot of the Potomac shore as far as Harper's Ferry, every foot of the Potomac shore except the Merrywood neighborhood is to be in public ownership.

Now, the Merrywood neighborhood is where the Honorable Secretary of the Interior lives. It is the residence also of Mrs. Nancy Dickerson, Mrs. Wyatt Dickerson, who is well known as President Johnson's favorite news correspondent.

Senator ANDERSON. She is a fine person.

Mr. SEEGERS. I quite agree. And the Secretary is a fine man, too.

And Senator Edward Kennedy is a fine man. He owns property in what has come to be called the "golden ghetto of the Great Society," because of the apparently magical immunity from the threat of condemnation for public purposes that those highly placed people and their neighbors enjoy.

Now, this is an exercise of power, Senator. And it is the type of exercise of power that makes us uneasy.

Senator ANDERSON. Could you spell that out a little bit more on Nancy Dickerson, as to what danger she does that community?

Mr. SEEGERS. Senator, you are pulling my leg.

Senator ANDERSON. I would like to have you put it on the record.

Mr. SEEGERS. I have never met her, but I understand she is a charming girl. I doubt if she is a danger to the community. She has contacts and influence in high places. The neighborhood where she lives is magically immune from condemnation for public purposes. That is my only point, sir.

Recently when public attention was called to this situation, Mr. Walter Pozen, who is Assistant to Secretary Udall—

Senator ANDERSON. Who is that, please?

Mr. SEEGERS. Walter Pozen. He was asked by Miss Helen Dewar of the Washington Post why it was that Secretary Udall's neighborhood was apparently being exempt from the threat of condemnation. Mr. Pozen said, that it is because Secretary Udall has given a protective scenic easement that will keep his land from ever being destroyed. And he added that such exemption from the threat of condemnation would be available to anyone giving the same type of easement.

I called Mr. Pozen immediately and told him that for the past 2½ years I and my neighbors upstream have been trying desperately to donate to the Federal Government exactly the same restrictive easement that Secretary Udall and his neighbors had donated. And I was delighted to know that they were ready to accept them under the conditions that he described.

He said that, well, he was not certain quite yet of the Department's authority to accept scenic easements.

I said, "That should be simple enough, just accept them under the same authority that provided your acceptance of the Secretary's easement."

And he said, "Well, the plans have not been completed yet, the plans for the land use of the Potomac Valley."

I suggested that perhaps these plans should take into account the availability of scenic easements that were to be donated.

He said, "Well, goodbye, I have got to go now," and hung up. This makes us uneasy, Mr. Chairman.

Senator ANDERSON. You listed here Senator Edward Kennedy?

Mr. SEEGERS. Yes, he owns land in that little enclave.

Senator ANDERSON. Did he not trade with his brother recently, and the brother moved back into town?

Mr. SEEGERS. No, sir. That was Senator Robert Kennedy, who occupies the place known as Hickory Hill, which is the late Supreme Court Justice Jackson's old home. And he got that in some sort of trade with—I thought it was with his brother, the late President, I am not certain. But Senator Edward Kennedy—

Senator ANDERSON. Not with the late President, but the two families traded, Teddy and Bobby.

Mr. SEEGERS. Yes, sir, there was some trade there. But that did not involve this area that I speak of now. It involved nothing in the Merrywood neighborhood. This was a purchase recently by Senator Edward Kennedy.

Senator ANDERSON. You yourself have brought this up, and talked about Nancy Dickerson, and then said another landowner is Senator

Edward Kennedy. My point is, I do not believe that Senator Kennedy has very much interest in that area, but Bobby Kennedy does have.

Mr. SEEGERS. Mr. Chairman, I do not really know what the intensity of Senator Edward Kennedy's interest in that neighborhood is. However, it is a matter of record that he recently purchased a piece of land in what we call the "golden ghetto." That was the only point that I was making.

Senator ANDERSON. I do not know any golden ghetto. I would be happy to have you use the term, "golden ghetto." But I thought Hickory Hill is a pretty nice place.

Mr. SEEGER. Oh, it is golden, it is lovely.

Senator ANDERSON. Do you say that Nancy Dickerson has acted in an improper fashion?

Mr. SEEGERS. No, sir.

Senator ANDERSON. As a matter of fact, Nancy Dickerson was very well acquainted with many of the people in the Congress, was she not? And she moved out to this house where her husband was. Was it proper for her to move out there, would you say?

Mr. SEEGERS. This was not intended as a criticism of Senator Edward Kennedy. It is not intended as a criticism of Mrs. Nancy Dickerson. It is intended as a criticism of the Interior Department for making arbitrary exemptions from condemnation for public purposes in certain areas where people who are highly placed and influential own land. That is the only criticism intended. It is intended as a criticism of that. Because we have the two very specific examples, one in Prince Georges County and one in Fairfax County.

My correspondence with Mr. Daniel Shear, who is general counsel of the National Capital Planning Commission, attempting to give this free scenic easement, is reproduced, and copies are attached to my statement. I would like them entered into the record.

Senator ANDERSON. It may be done.

Mr. SEEGERS. About 2 years ago, on February 8, 1965, I wrote to Mr. Shear accepting on behalf of myself and my neighbors all the conditions that he laid down for an easement that would be acceptable to the Department of the Interior. I have not yet had a reply to our offer.

After several weeks I wrote to Secretary Udall to enlist his interest in the project. I asked him to come along and go on a general tour of the region so he could see what we were doing, and what we proposed to do, and described the nature of our offer. After a couple of weeks I got a handwritten note from him declining the invitation and urging me to "keep up the good fight."

After it became obvious that I was not going to be able to give this scenic easement to any agency of the Department of the Interior, I got the backing of Fairfax County Supervisors Board to negotiate the scenic easement with the Northern Virginia Regional Park Authority. These negotiations are within a matter of days of being made final. And for the record, I submit a facsimile of the report on this matter from the Park Authority to the Fairfax County Board.

All we are after here is to find some responsible agency that is willing to accept these easements, which are perpetual and unconditional, which will bind us never to seek higher density zoning in the area,

which bind us never to establish a commercial enterprise in the area, to restrict it to single-family residential purposes, and which will bind us not to wantonly destroy the trees. In other words, we are interested in retaining the primitive aspect of that portion of the Potomac shore, and retaining it in private hands. In return, we would like simply an assurance of the same immunity from condemnation that the Honorable Secretary of the Interior and his neighbors enjoy.

We have a practical reason beyond that for objecting to the extension of the trail along the river shore. The terrain is very rough, very heavily wooded, it is all cut up with ridges and ravines, with bushes all over the place. It would be impossible to police. We who live there would not be safe in our persons or our properties if the public were given access to it. The National Park Service does not adequately police its holdings in the Washington area. This is almost a matter of judicial notice, 6 or 7 years ago the National Park Service took over an 800 acre wilderness at Great Falls. This is known as the Pepco tract, and it is really a wilderness. There used to be bear up there, and there are still herds of deer, there are foxes, there are raccoons, there is all kinds of wildlife. But the wildlife did not really begin until after the National Park Service took it over. Then it became such a focus of disorder that twice the Fairfax County Board of Supervisors has asked the National Park Service to detail more policemen to that area in an effort to hold down the crime. The National Park Service has told them they do not have the money to do it. But this spring the National Park Service let a contract for a \$323,000 visitors' center which will desecrate the very edge of the gorge. But they cannot hire another policeman to help keep order in the area.

That entire 800 acres of forest and crag and undergrowth is patrolled by one U.S. Park policeman. And he goes off duty at 5 o'clock. So this is the way the Park Service polices their holdings.

You take a trail strung out along the river in the area where we live, chopped up the way it is, you cannot see 35 feet in the summertime, you turn the public into it, and it would become a focus of crime that would be alarming to those of us who live in the area.

Last December Walter Lang, Chief of the National Park Police, reported that the Washington parks are, to use his own words "virtually unprotected." I had a photocopy of that news story made. I would like to submit that for the record.

Senator ANDERSON. Without objection.

Mr. SEEGERS. It is notable in the current budget that the National Park Service did not ask for one additional park policeman. So when they take such an area and turn it into public use, the citizens who live nearby are without protection, they are exposed to violence.

Last August I took Captain Dodson and Lieutenant Wahl, of the Fairfax County Police, on a jeep and foot tour of that area. Later Captain Dodson reported to the Fairfax County Board of Supervisors that "if this area were opened to the public it would be a paradise for criminals and would involve a tremendous enforcement problem." I am submitting for the record a facsimile of Captain Dodson's report.

So those are the reasons that my association is opposed to the extension of a trail along the Potomac shore. And before that I trust

that I have made my case and have expressed my own reservations about the bill in general.

Thank you, Mr. Chairman.

Senator ANDERSON. Thank you. The letters you referred to will be printed in full, at the end of your oral testimony.

Senator JORDAN.

Senator JORDAN. I am intrigued by your statement, Mr. Seegers. You bring a fresh and sometimes humorous viewpoint to the committee.

Tell me, how many people are you speaking for in this community in Fairfax County where you live?

Mr. SEEGER. I am speaking for about 40 families.

Senator JORDAN. And will you tell us what portion of the bill before us, S. 827, deals with the particular area you represent?

Mr. SEEGER. Do you know the Potomac shore, sir?

Senator JORDAN. Only generally.

Mr. SEEGER. It would deal with the area between the Cabin John Bridge and Great Falls.

Senator JORDAN. Are you familiar with the bill before us?

Mr. SEEGER. Yes, sir; I studied it last night with increasing alarm.

Senator JORDAN. Would you point to the section in the bill that deals with your area, please?

Mr. SEEGER. Which page?

Senator JORDAN. Is it the Potomac Heritage Trail?

Mr. SEEGER. Yes, sir.

Senator JORDAN. I see. On the bottom of page 3.

Mr. SEEGER. That is right. And that is the only reference. There are absolutely no specifics given for this project you are being asked to approve.

Senator JORDAN. And I take it from your testimony that all you want is the privilege of giving the same scenic easements that have been allowed to other property owners in the neighborhood?

Mr. SEEGER. Correct, and in return, to be permitted to occupy our land in peace and privacy, free from the continual threat of condemnation.

Senator JORDAN. Free from condemnation under the right of eminent domain?

Mr. SEEGER. Yes, sir.

Senator JORDAN. You want that same assurance to be applied to you and your neighbors as you claim in your statement is presently granted to other neighbors of yours who will be likewise affected by the enactment of this bill?

Mr. SEEGER. Yes, sir.

Senator JORDAN. And you have not been able to get any satisfactory response from the Secretary of the Interior's office?

Mr. SEEGER. That is correct, sir.

Senator JORDAN. Failing that, you took the matter up with—what group are you now presently negotiating with?

Mr. SEEGER. The Northern Virginia Regional Park Authority. This is an authority that represents three counties and two cities in northern Virginia. And I am working with them with the express backing of the Fairfax Board of County Supervisors. There is at-

tached to my testimony a letter to the chairman of this committee from the supervisor whose district is involved with the river shore, Mrs. Harriet Bradley. She sets forth the position of the county board regarding the location of the trail.

Senator JORDAN. Can this local group grant you immunity from condemnation?

Mr. SEEGER. No, sir; obviously they cannot override the Federal power.

Senator JORDAN. And this is why you would much rather see this power vested in the county than in the Secretary of the Interior?

Mr. SEEGER. Yes, sir. I tried for two and a half years to give this easement, which is the same one that Secretary Udall gave, to the Department of the Interior, in conferences, at luncheons, and in correspondence. My correspondence with the National Capital Planning Commission is attached to my testimony. And we got right up to the point where the General Counsel of the National Capital Planning Commission wrote me setting forth their conditions under which they would find the easement acceptable. On February 8, 1965, I wrote accepting these conditions on behalf of myself and my neighbors. I have not yet had a reply. I cannot get to them. And now they deny having ever heard of such negotiations.

Failing the attempt to get the Interior Department to accept these easements and leave us alone, then I turned to our local government and to the regional park authority, which I am certain is just as highly motivated as is the Interior Department. Naturally they cannot prevent the Federal Government from condemning our land. The most they can do is to officially disapprove any such condemnation by the Federal Government or other body having power of eminent domain. This is what they have agreed to do.

Senator JORDAN. You present interesting testimony here this morning, Mr. Seegers. If the record backs this up, I think it is something that this committee should be concerned with.

Mr. SEEGER. Thank you, sir. I certainly hope it will.

I do not want to leave a false impression about this easement. It is protective, a scenic easement. It does not provide for public access. But neither does the easement that Secretary Udall and his neighbors granted. So in its restrictions on the use of the land it is identical with the protection which Secretary Udall and his neighbors have given. Mr. Pozen said this protection was the reason why Secretary Udall's land is not in any danger of being condemned.

Senator JORDAN. You have made a charge of favoritism here which, if sustained by the facts, would be pretty serious, it seems.

Mr. SEEGER. Senator, it is sustained by the direct evidence here attached to my testimony.

Senator JORDAN. And we have all the data before us in your testimony that you have on this matter?

Mr. SEEGER. Yes sir, including a facsimile of my reply from Secretary Udall when I wrote him and tried to enlist his interest in the matter.

Senator JORDAN. Well, I cannot understand why such a controversy would exist. I have no reason to suspect the Secretary of anything but the highest motives here. And it looks to me like there was a

lack of communication someplace. I cannot understand for the life of me why your proposal to grant a scenic easement, without any cost to the Government except the same guarantee that has been afforded to others who are your neighbors under similar circumstances, I cannot understand why it would not have some validity.

Mr. SEEGERS. Well, the only possible conjecture I can make in answer to that is that the Interior Department wants to seize our land; twice since the date of this correspondence the Interior Department has made an all-out effort to condemn our land again, but never the Secretary's land. That is a matter of record also. I wish that I could answer the question, sir. But I am delighted that the committee is interested.

Senator JORDAN. As this case unfolds, would you keep the committee informed of the exchange of communications with the parties involved?

Mr. SEEGERS. Yes sir, I would be delighted to.

Senator JORDAN. I wish you would.

I have no more questions.

Senator ANDERSON. Senator Fannin.

Senator FANNIN. I would say that we are very much concerned with what you have brought forward. I recognize your concern and that of others who have voiced their opinions to you.

Of course we are desirous of having these trails in this area and other areas made available for the purpose which the bill describes.

I notice in the letter from the County of Fairfax that they endorse the concept of the Heritage Trail, but feel that this should not be planned exclusively along the waterfront. Do you agree with what is proposed in their letter?

Mr. SEEGERS. I cannot take exception to that at all, sir.

Senator FANNIN. Has the same proposal been made to the Secretary?

Mr. SEEGERS. Not by me. I do not know, sir.

Senator FANNIN. Do you think that the Secretary, from your contacts with his office, would be amenable to accepting a suggestion of this nature?

Mr. SEEGERS. Senator, my contacts with the Secretary's office and with the Interior Department have resulted in complete and total frustration. The most recent one was about 3 weeks ago, when I called Mr. Walter Pozen on the telephone and told him I was delighted to know that they were willing to accept scenic easements such as Secretary Udall's in lieu of condemnation. Were you here when I was describing my conversation with him?

Senator FANNIN. I came in late, so I do not know whether I heard your full testimony in that regard or not.

Mr. SEEGERS. He told Miss Helen Dewar that this apparently magical immunity from condemnation which applies to the Merrywood neighborhood where Secretary Udall lives is due to the Secretary's gift of a scenic easement. This became a matter of public notice a couple of months ago—less than that, I guess. Three or four weeks ago Miss Helen Dewar of the Washington Post called Mr. Pozen who is—I do not know exactly what type of assistant, but a very close assistant to Secretary Udall—and asked him, why it was that this Merrywood

neighborhood is not under any threat of condemnation, and none of the plans of the Government projected as far ahead as the year 2000 show that the neighborhood is going to be in any status except that of private ownership. How come?

Mr. POZEN said that it was because Secretary Udall and his neighbors have granted a scenic easement that protects the land. And he added that such exemption is available to any property owner giving a similar easement on his land.

After reading Miss Dewar's story in the Washington Post I called Mr. Pozen and said I was delighted to know that they are willing at last to accept scenic easements, because I had been trying for two and a half years to give the Interior Department scenic easements, and I have the correspondence to prove it.

And he said, well, it was not quite certain, it was not entirely clear about the Department's authority to accept scenic easements.

And I said, "Well, that should not present any problem. Just accept them under the same authority which provided your acceptance of Secretary Udall's easement."

And he said, "Well, the plans for land use of the Potomac Valley have not yet been completed, and we cannot talk about that until they are completed."

I suggested that any plans for land use in the valley should take into account the availability of such easements which will be given free.

He said, "Goodby, I have got to go now."

That was my most recent contact with the Secretary's office, about 3 or 4 weeks ago.

So beginning in 1964, when I first started trying to give them this easement, this has been the type of response. I have been kissed off every time.

In view of that experience, it had not occurred to me to make any further approaches to the Secretary's office. If you feel that I should, I would be delighted to do it, because I want to get this easement into effect. I have put a lot of time and work on it, because I believe that the Potomac shore should be preserved in its present primitive aspect.

Senator FANNIN. Understand, I am not taking issue with you. I am just asking you if the same requests have been made of the Secretary of the Interior that have been made to this committee through Chairman Jackson. And that is what I wanted to determine.

You talk about the scenic easement. And I well agree that you would desire that scenic easement to include the construction of this trail; is that right?

Mr. SEEGERS. It would not—

Senator FANNIN. It would delay it, you feel. It would have the same effect as that in other areas?

Mr. SEEGERS. I beg pardon?

Senator FANNIN. You feel that by having the scenic easements in some areas of the river shore that some considerations, perhaps, are not being given to you at the present time that have been given to others?

Mr. SEEGERS. Yes, sir.

Senator FANNIN. Because you feel that what has been done in the other cases has precluded the construction of the trail in your areas; is that your feeling?

Mr. SEEGERS. Yes. It has been publicly stated that that is the reason for the immunity from condemnation that is enjoyed by the Secretary and his neighbors. We would like the same protection. We have been prepared for years to give the same easements. They would not take them.

Senator FANNIN. But to finalize my first question, you do feel that the same requests have been made of the Secretary of the Interior that you are making to this committee in regard to the considerations that you are asking of this committee?

Mr. SEEGERS. Yes, sir; I do, with one exception, which may be significant, Senator. This is as good a time as any to bring that up.

That easement of Secretary Udall's does not exist. That easement that was granted by Secretary Udall and his neighbors was granted conditional upon the U.S. Government's acquiring the same easement in 90 percent of the properties in the Merrywood neighborhood. The people who were promoting the easement, who are neighbors of mine, were able to get about 50 percent of the residents of the Merrywood neighborhood to donate the easement. Secretary Udall was one. Subsequently the Interior Department has not raised a finger to acquire this easement in the additional 40 percent of the properties which would make Secretary Udall's easement binding. I am reading from the document that accompanied the easement form that was distributed to the residents of the Merrywood neighborhood:

The United States of America must have acquired or must have agreed by binding agreement to acquire or must be beneficiary of a binding agreement by which it will acquire fee title to or scenic easements and interests in at least 90 percent of the privately owned acreage contained in said above described area, of which 90 percent must include the so-called Merrywood property, before September 1, 1966, or this agreement shall therefore become void and of no effect.

As of now, Secretary Udall's easement does not exist. Our offer is unconditional, and it is perpetual. It contains no escape clauses and no gimmicks. But in all other respects it is identical.

Senator FANNIN. What percentage of the people in your area have agreed to this?

Mr. SEEGERS. Of the 16 property owners in that stretch of river-shore, I have signed letters of intent from 12.

Senator FANNIN. And would the percentage of the property ownership be in about the same relationship, would that represent about the same percentage? Some of them own a lot more property than others, but percentagewise what would you say it is?

Mr. SEEGERS. It does not represent more than about half the actual property there. But we have reason to believe, that in two of those cases, once we get this easement finalized, we can bring those two into line. The remaining two property owners, whom I have no hope of doing anything with, we would recommend that the Northern Virginia Regional Park Authority condemn that easement in their land.

Senator FANNIN. I was trying to see whether in your case you could abide by the same stipulations that are prevalent in the case of the property on which the Secretary of the Interior resides.

Mr. SEEGERS. Yes, sir.

Senator FANNIN. Thank you.

Senator ANDERSON. You are familiar with the area along the Potomac where they tried to establish a sanitary sewer project?

Mr. SEEGERS. Yes, sir.

Senator ANDERSON. And they got a scenic easement without too much trouble, didn't they?

Mr. SEEGERS. Are you speaking of the Scott's Run sewer, Mr. Chairman, or the one that is farther up the river?

Senator ANDERSON. I am not sure.

Mr. SEEGERS. This is a big one. You must be speaking of the Federal project.

Senator ANDERSON. Yes.

Mr. SEEGERS. Well, I know where that is. I am familiar with the river there. I have no idea of the negotiations that went into that project.

Senator ANDERSON. Is the CIA building involved in this?

Mr. SEEGERS. The CIA building is downstream from us.

Senator ANDERSON. Downstream?

Mr. SEEGERS. Yes, sir; it is downstream from the Cabin John Bridge. And we are upstream from the Cabin John Bridge.

Senator ANDERSON. Thank you very much, Mr. Seegers.

(The exhibits referred to follow.)

COMMONWEALTH OF VIRGINIA,  
COUNTY OF FAIRFAX,  
Fairfax, Va., March 14, 1967.

HON. HENRY M. JACKSON,  
*Chairman, Senate Interior and Insular Affairs Committee,  
Senate Office Building, Washington, D.C.*

DEAR SENATOR JACKSON: Since your Committee has scheduled a hearing on March 15th regarding the proposed Heritage Trail, may I please review for your members the position of Fairfax County concerning the riverfront property along the Potomac.

In adopting our updated Park Plan for our bond referendum last November, the Fairfax County Board of Supervisors held extensive hearings on the river frontage and means by which the shoreline should be used and protected where the property would not be in public ownership. We arrived at the conclusion that portions of the shoreline must be protected by scenic easements without public access, since we had been advised by law enforcement officers that certain areas will prove impossible to protect.

I do endorse the concept of the Heritage Trail but I feel this should not be planned exclusively along the riverfront. There are certain areas where such a trail along the river would be safe and sensible for hikers, for example, the Great Falls parkland and the County parkland beyond. Here it would be practical to construct such a trail because protection can be provided for those wishing to use it and public access is available. There are other areas where the rugged terrain makes it impossible to offer such protection and public access is not available.

In view of the evidence which was presented to us, we concluded it would be wiser to have the Trail follow the right-of-way of the Parkway in certain stretches instead of the shoreline all the way. Such a trail would offer some shoreline and some interior country, all of which has scenic value and would offer more variety to hikers.

I would like to make one further reference here. The Task Force has already proposed that the Trail follow the right-of-way of the Parkway in that enclave between Route 123 and the Parkway in the Chain Bridge region; this is the area commonly described as the Merrywood complex. By excluding the shoreline in this complex, the Task Force has admitted that there are areas along the Potomac where they feel the trail cannot follow the riverfront. I agree with their planning in this stretch but I would like to repeat that there are other areas along the river of similar rugged terrain which are not safe for public use and where reasonable public access cannot be obtained.

Very sincerely,

HARRIET BRADLEY.

NORTHERN VIRGINIA REGIONAL PARK AUTHORITY,  
*Fairfax, Va., January 4, 1967.*

Re: Progress report, Potomac Palisades land easements.

Mr. JOSEPH ALEXANDER,  
*Chairman, Fairfax County Board of Supervisors,*  
*Fairfax, Va.*

DEAR MR. ALEXANDER: Within the next thirty to sixty days, the Northern Virginia Regional Park Authority expects to execute deeds of easements with Potomac Palisades land owners. It is expected that the easements to be executed will cover most of the Potomac shoreline area lying between Cabin John Bridge and Great Falls.

A proposed Deed of Easement was presented to the Authority at its November 9 meeting by Mr. Scott Seegers, speaking for approximately twelve land owners. The Authority unanimously approved a motion that the proposal be submitted to our attorney for consideration and recommendations. At the December 21 meeting of the Authority, unanimous approval was given to the motion that the easement proposal be accepted contingent on the opinion of attorney Charles Russell. Mr. Russell advises that his report should be received within a few days.

Sincerely,

WILLIAM M. LIGHTSEY, *Executive Director.*

[From the Washington Post, Sept. 25, 1966]

CHIEF SAYS D.C. PARKS VIRTUALLY UNPROTECTED

(By Leroy F. Aarons)

The U.S. Park Police is so short of manpower that most of the city's parks go virtually unprotected 24 hours a day, according to a private report submitted to Sen. Joseph D. Tydings (D-Md.).

The blame for this, Park Police Chief Walter W. Lange said yesterday, lies largely with his bosses in the National Park Service who, he said, have been unresponsive to appeals over the last ten years for a major increase in Park Police strength.

Serious crimes within the city's parks have increased by 56 per cent in the last five years, according to Lange's report to Tydings. Over the same period, Park Police strength rose only 31 per cent.

There are now 256 policemen on the rolls. At least 400 are needed to protect the city's park visitors and still maintain the Park Police's many other responsibilities, Lange said. To aggravate matters, there are authorized slots for 26 additional men, but no money to hire them.

The demand for Park Police services in highway patrol and special events is so great that there are few men left to guard the parks. On Aug. 6, for example, nearly the entire force was detailed to Luci Johnson's wedding, leaving about 11 men to cover the 46.7 miles of roads within Park Police's jurisdiction.

Even on an average day, the parks are poorly covered. For example, there are usually no uniformed foot patrolmen in Franklin Park, Mount Vernon Square or Lincoln Park at any time of the day. Anacostia Park usually has a single patrolman on duty between 7 a.m. and 3 p.m., but no one at night.

Meridian Hill Park usually has one man on patrol from 7 a.m. to 11 p.m. Montrose Park is patrolled by a single policeman from 7 a.m. to 3 p.m. Stanton, Garfield, Marion and Folger Parks are unpatrolled.

Park Police records show 38 major crimes reported in Anacostia Park between Jan. 1 and Aug. 31, including rape, robbery, assault, burglary, larceny and auto theft. Franklin Park has had 21; Meridian Hill, 17; and there was a total of 14 reported in Montrose, Lincoln and Mt. Vernon Square Parks.

A single Park Police cruiser is responsible for all the parks in Northeast and Southeast, and another is assigned to all Northwest parks. The Park Police also has 16 plainclothesmen for the entire city, assigned to trouble spots as problems arise.

Metropolitan Police keep a cursory watch on the parks, but generally consider them Park Police property.

"I would like to make our parks so safe that people would consider them a refuge from crime on the city streets," Lange said. "If we're going to have parks, why not have them safe enough for people to enjoy and use them?"

Lange, a 25-year veteran of the force who became chief last June, said his superiors "don't let us present what we think we need. They more or less expect you to agree. Whatever they ask for doesn't reflect what I think we should have."

Park Police funds come partly from the D.C. budget and partly from the Interior Department budget. In the 1967 request, Interior asked for no additional men, while the District sought 13. The District budget passed the House with the 13-man request intact, and is now before the Senate.

Floyd Huff, budget chief of the National Capital Region of the National Park Service, the branch of Interior responsible for the Park Police, said yesterday that his department did not seek additional men because it felt the District should carry the burden this year. In past years, he noted, the cost of Park Police personnel was absorbed by Interior, while Congress deleted the positions sought in the District budget.

Asked whether he thought 13 additional men were enough, Huff said, "Of course not. In the overall picture we don't get sufficient funds to do the job as it ought to be done. But all things considered, and with the fund resources available for the national budget, these were the amounts to everybody's best judgment we could go for."

The Park Service has been aware of Park Police needs for at least ten years.

In 1956, Donald S. Leonard, an expert in police administration, concluded in a study that Park Police strength—then at 190—must be doubled by 1966 "to keep the National Parks of the District of Columbia free from the type of crime that is now infesting the parks of New York and Chicago."

And, last June, outgoing chief Nelson Murdock called for a crash program in a memorandum to Park Service Director George Hartzog.

A spokesman for Tydings, who is a member of the Senate District Committee, said the Senator has not had time to study the report.

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THE SECRETARY OF THE INTERIOR,  
Washington, Friday.

Mr. SEEGERS: I'd love to take that trip, but am terribly busy right now.

Keep up the good fight!

STEWART L. UDALL.

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MEMORANDUM

FAIRFAX COUNTY, VA., October 11, 1966.

To: Mr. JOHN BERBERICH, ASSISTANT COUNTY EXECUTIVE.  
From: Capt. STANLEY H. DODSON, COMMANDER, PATROL DIVISION.

On Monday, August 29, 1966, along with Lieutenant Wahl and Mr. Seegers, I surveyed the land on the west side of the Potomac River, which lies within the proposed park trail. Upon receiving instructions from Major Durrer, I conducted this survey to ascertain any difficulties it might present to us as a law enforcement agency.

Personal observation revealed the region in question, in its present form, is very rough, rocky, and the trees and underbrush are very dense which makes walking, next to impossible.

If a person were injured, he would have to be carried, if possible, for a minimum distance of ½ mile. Due to the isolation of this area, I feel if it were open to the public, it would be a paradise for criminals, such as child molesters, rapists, robbers, ect., and would involve a tremendous enforcement problem.

Past police experience has proven that whenever private property is converted to public use, a sharp rise in crime is experienced.

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NATIONAL CAPITAL PLANNING COMMISSION,  
Washington, D.C., May 15, 1964.

Mr. SCOTT SEEGER,  
Vice-President, The Virginia Potomac Valley Association,  
McLean, Va.

DEAR MR. SEEGER: We appreciate very much the opportunity to review and present our comments on your draft of a deed conveying to the United States

certain limited permanent rights-in-land, the conveyance of which you advise is under consideration by a number of river front property owners in Fairfax County between the Cabin John Bridge and the Madeira School property.

As you indicate in your letter of transmittal, the form of deed is based upon that annexed to a form of agreement executed by a number of property owners in the vicinity of the Merrywood property. Similar restrictions on the use of the Merrywood property have been imposed by a declaration of taking filed in condemnation proceedings brought by the United States against the fee owners of Merrywood. However, the United States and the fee owners have agreed to the deletion of the right to enter upon the land by representatives of the Department of the Interior for the purpose of making periodic inspection at reasonable hours to determine whether there has been compliance with the restrictions imposed and the Court has amended the prohibition on the removal or destruction of trees larger than eight inches in diameter and more than 30 feet in height without the written permission of the Secretary of the Interior or his designee to permit the removal of all trees where reasonably necessary for the construction of streets, driveways, utility pole lines and structures for farm or single-family residential purposes. It is anticipated that the form of deed annexed to the agreement executed or to be executed by property owners in the Merrywood area will be revised to reflect these changes and similar modifications should he made in the form of deed which you propose for the area above the Cabin John Bridge.

In addition, we believe the following further modifications in the form of deed to be necessary:

1. Addition of a recital as to the statutory authority of the Commission to acquire permanent rights-in-land;

2. Addition of recitals as to the basis upon which such authority is exercised in the instant case (protection and maintenance of the scenic, historic, and recreational values of the Potomac River and the George Washington Memorial Parkway in Montgomery County, Maryland);

3. Inclusion of minimum lot sizes expressed in acres—rather than reference to the minimum lot sizes permitted under the zoning ordinance—although the minimum prescribed lot sizes may, of course, be those permitted in the zoning district in which the property is located; and

4. Deletion of the provision under which the United States would purport to agree that the subject property would remain in private ownership. Apart from the legal question as to whether the Commission, acting on behalf of the United States, could accept a conveyance of property interests so conditioned, we could not, as a matter of policy, recommend acceptance of a deed under which the United States might be foreclosed from exercising in the future its right to acquire private property for public use or purposes.

There is enclosed a revised form of deed reflecting the modifications described above and which we would be pleased to discuss with you at your convenience.

Sincerely yours,

DANIEL H. SHEAR, *General Counsel.*

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NATIONAL CAPITAL PLANNING COMMISSION,  
Washington, D.C., September 1, 1964.

Mr. SCOTT SEEGERs,  
*Vice President, The Virginia Potomac Valley Association,  
McLean, Va.*

DEAR MR. SEEGERs: Reference is made to our several recent conversations concerning the proposed program for the donation to the United States of America of certain limited permanent rights-in-land by river front property owners in Fairfax County, Virginia, generally between the Cabin John Bridge and the Madeira School, for the purpose of protecting the scenic, historic, and conservation values of the Potomac River and its Palisades and the form of deed which would be used for this purpose.

You have presented the following comments on the form of deed transmitted by our letter to you of May 15, 1964:

1. The statement in the first recital clause on page 2 of the draft deed that the subject property adjoins the George Washington Memorial Parkway in Montgomery County, Maryland, is not accurate.

2. The phrase "or structure" in the last sentence of the second restriction on page 3 should be deleted wherever it appears.

3. The word "domestic" should be substituted for the phrase "farm or single-family residential" in the third restriction on page 3.

4. The deed should contain a prohibition or limitation on acquisition by the United States of fee simple title to any of the properties in which limited permanent rights-in-land are donated.

With respect to your first comment, the authority of the National Capital Planning Commission to acquire permanent rights-in-land is limited to properties adjoining park property (see the first recital clause in the draft deed). It is necessary therefore to establish that the lands in which such permanent rights-in-land are being donated is adjacent to park property, i.e., the George Washington Memorial Parkway in Montgomery County. The Potomac River between Mount Vernon and Fort Washington and Great Falls lies within the George Washington Memorial Parkway on the Maryland and Virginia sides as authorized under the Capper-Cramton Act; islands within the River have been and are to be acquired as part of the parkway; and, for purposes of the Act, the lands on each side of the River are regarded as adjoining the lands on the other side.

There are no objections to the changes suggested in your second and third comments.

We cannot agree to the suggestion that the deed contain a prohibition or limitation on subsequent fee simple acquisition by the United States of properties for which limited permanent rights-in-land have been donated. The Commission is without legal authority to so bind the United States and, in any event, we believe that it would not as a matter of policy attempt to so preclude acquisition of lands which the Federal Government may require in the future for a valid public purpose. We understand that your suggestion is prompted by the possibility that, in the absence of such a restriction, the United States might hereafter acquire fee simple title to the subject properties for the Parkway notwithstanding the donation of limited permanent rights therein. Section 1(a) of the Capper-Cramton Act provides in part:

"As to any lands in Maryland or Virginia along or adjacent to the shores of the Potomac within the proposed limits of the parkway that would involve great expense for their acquisition and are held by [the National Capital Planning] Commission not to be essential to the proper carrying out of the project, the acquisition of said lands shall not be required, upon a finding of the commission to that effect."

Perhaps such a finding by the Commission and the inclusion of an appropriate recital clause in the form of deed would substantially meet your concern in this matter.

We appreciate very much the opportunity to cooperate with you in seeking to protect the Potomac River Palisades and your leadership in developing a program for the donation to the United States of "scenic easements" in this area. In this connection, there is enclosed a copy of Revenue Ruling 64-205 in which the Internal Revenue Service holds that a gratuitous conveyance of a restrictive easement in real property to the United States to enable the Federal Government to preserve a scenic view afforded certain public properties is a charitable contribution. This ruling is an outgrowth of the program for the donation to the United States of limited permanent rights-in-land in the Merrywood area of Arlington and Fairfax Counties and should be of assistance to you in obtaining the cooperation of property owners in the area in which you are working.

Sincerely yours,

DANIEL H. SHEAR, *General Counsel.*

THE VIRGINIA POTOMAC VALLEY ASSOCIATION,  
McLean, Va., February 8, 1965.

DANIEL H. SHEAR, Esq.,  
*General Counsel,*  
*National Capital Planning Commission,*  
*Washington, D.C.*

DEAR MR. SHEAR: I refer to yours of September 1, 1964, regarding the proposal of a number of members of our association to donate to the United States scenic easements in our river-front land in Fairfax County, in the area between the Cabin John Bridge and the Madeira School.

With one minor amendment, to which I am certain you will agree, most of my river-front neighbors now agree to the terms set out in your letter, as follows:

We agree, for purposes of the donation, to accept the proposition that the lands in question adjoin those of the George Washington Memorial Parkway in Maryland.

We are glad to note that you are willing to delete the phrase "or structure" wherever it appears in the scenic easement deed.

The amendment concerns point 3 in your letter, and refers to restriction (3), page 3 in the deed. Instead of "domestic" being substituted for "farm and single-family residential", we prefer that it be *added*, thus to read: "farm or single-family residential or other domestic purposes \* \* \*"

None of us wants to delete the "single-family" stipulation wherever it might appear. Of course, it is pretty well nailed down in restriction (1) on page three. Still, the single-family residential stipulation is the very heart of what we are trying to do, and we prefer to keep the phrase. We accept your assurance, given me verbally, that "other domestic purposes" will cover such uses as tennis courts, swimming pools, etc.

As a substitute for a guarantee as against future U.S. acquisition of the lands, we also accept your suggestion that our concern will be met if the NCPD will invoke the Capper-Cramton Act authority to declare surplus to the needs of the Parkway the lands on which the easement has been given.

You may be interested to know that a number of my more reluctant association members have been moved to acceptance of these terms by the emphasis that President Johnson is now placing on preserving the natural aspect of the Potomac. As a matter of fact, a number of owners of riverside property far west of Great Falls are now listening more attentively than ever before to proposals that they donate scenic easements, including perpetually-frozen minimum lot sizes. These, of course, are not members of my association, and their lands lie outside the area of our immediate concern. However, if we can get this agreement finalized, it will be a powerful stimulus to similar action by property owners farther up the river.

We have noted with concern the reports that a move is afoot to water down the restrictions in the Merrywood easement. Since that easement was paid for with a very substantial amount of public funds, to relax the restrictions will weaken considerably any argument that others should donate similar easements. Any reversal of today's attitude of acceptance on the part of property owners will increase enormously the cost of what the Government hopes to accomplish in the Potomac Valley, and is likely to make it correspondingly harder to get the cooperation of the appropriate congressional committees. We hope very much that the Merrywood restrictions will be adhered to.

I shall look forward to hearing from you.

Very truly yours,

SCOTT SEEGERS.

Senator ANDERSON. Mr. Brandborg of the Wilderness Society is next.

#### STATEMENT OF STEWART M. BRANDBORG, EXECUTIVE SECRETARY, THE WILDERNESS SOCIETY

Mr. BRANDBORG. Mr. Chairman and members of the committee, I am Stewart Brandborg, executive director of the Wilderness Society, a national conservation organization of some 36,000 conservation-minded members, residing throughout the United States. The society, which is broadly concerned with the conservation of all natural resources, has a special concern for the preservation of our Nation's remaining wilderness lands. Through its members and cooperators it seeks to support those programs of State and Federal agencies that will provide enduring protection for wilderness so that it may be used and enjoyed by future generations as we and past generations have used and enjoyed it.

We are approaching the end of a time when the memories of living men can span the growth of our great cities and industries as they impinged upon the physical frontiers of untamed wilderness. The American tradition of appreciation of the outdoors has survived and become intensified as our patterns of work and leisure time become more flexible and individually controlled.

The Wilderness Society and other conservation groups, working with and through our agencies of Government, see firm protection for publicly owned wilderness lands including those within the national park, wildlife refuge, and national forest systems. Trails are one of the best means of providing for desirable public use of wilderness lands. They promise the best opportunity yet devised for bringing people into intimate contact with nature and the unspoiled outdoors in both wilderness and relatively developed settings. Whether within our larger cities and suburban developments or in remote wild land areas, they offer needed respite from pressures of our modern, fast pace of living, from our traffic-bound highways, and release us from our automobiles upon which we have become so dependent. Trails are the most important, the most economical, and the easiest means of providing desirable human access to areas of historical significance, our publicly owned wilderness lands, and areas of scenic beauty. For these reasons, the Wilderness Society is vitally interested in and concerned with S. 827 and related measures for the establishment of a nationwide trails system and the encouragement of trail systems within both public and private ownerships. The society strongly supports this legislation, and will wish to work as effectively as it can with its members and cooperators in furthering its objectives and programs.

Trails are particularly important in planning for the protection and management of wilderness lands which, like all other land areas, are limited in their capacity to support use. Preserving a wild or wilderness area's primeval or natural character in an unimpaired condition while at the same time realizing its fullest potentials for primitive types of recreation, and its scientific, educational, scenic, and historical values, is one of the real challenges facing public land managers today. In wilderness, these potentials must be carefully considered by the public land agencies who serve as protectors of the wilderness resource, its watershed, and soils. Each decision of the land manager must be brought to the test of guiding policies that require protection of the natural environment and its community of life. Where excessive human use becomes a threat to the natural environment, it is essential that every effort be made to channel this use and to gain wider distribution and dispersion of visitors. Trail systems are a way of meeting this challenge to protect the natural environment in such a way as to enhance the quality of wilderness experience found there by the visitor and to encourage the visitor's feeling of personal interest in the preservation of the area. This in turn makes the administrator's task less difficult.

The Forest Service, the National Park Service, and the Bureau of Sport Fisheries and Wildlife face the need for appropriately designed wilderness trail systems for getting people into wilderness with desired dispersion so that there is no harmful impact upon the natural

environment. A major goal of wilderness management is that of providing for desired use by people without destroying the wilderness character of the lands involved and without disrupting natural animal and plant communities. Unobtrusive, safe trails for foot and horse use can be built to appropriately simple and narrow standards for wilderness purposes. The Bureau of Sport Fisheries and Wildlife faces a situation—in managing wilderness units of the wildlife refuges and game ranges—in which adequate trailways can frequently be used to channel visitor use and thus prevent disruption of the wildlife communities which the refuges and ranges were designed to protect.

In providing for the establishment of a nationwide system of trails, these measures also apply to lands in public or private ownership other than those that are now, or may be designated in the future, as wilderness areas. The society strongly supports the establishment of a national scenic trails system consisting of the Appalachian Trail, the Continental Divide Trail, the Pacific Crest Trail, and the Potomac Heritage Trail. It is our hope that this system will be extended ultimately to include other major trails of regional significance, such as those listed for study under section 2(c), and those connecting feeder trail networks that will complement the more important trunk system. In completing these systems, it is very important that trail standards be tailored to the terrain, natural setting, and the uses to which the trails are put, ranging from the very simple, unobtrusive paths through the wilderness to more elaborate, wider promenades and bicycle ways in urban centers. We would strongly urge the encouragement of active participation of both State and local agencies in the planning, development, and administration of trail units within lands administered by these agencies.

We would urge also the active involvement and participation of private citizen groups in planning the development of the system. The provision in these measures for scenic trails advisory councils will greatly strengthen the involvement of both State and local agencies as well as private conservation groups. We endorse as a highly desirable requirement, the representation—as called for in the bills—of the Appalachian Trail Conference by several sectional representatives. Such sectional representations should be provided for each trail that is placed in the system.

The society believes that the provisions of this bill which call for cooperative agreements for operation and maintenance of trails with landowners, States, local governments, and private groups and individuals, are sound. We approve the exchange and condemnation authorities as provided for while recognizing the desirability of exchange, purchase, and other acquisition arrangements whenever these can be employed successfully.

We strongly support the bills require that the Appalachian Trail be used primarily as a footpath and that motorized vehicle use by the public be excluded from all national scenic trails, including those within the national wilderness preservation system, and units of the national park and the national wildlife refuge systems. We urge that this prohibition be extended by public land agencies to all trails within federally administered lands except those which are specifically designated for motorized vehicle use. By carefully planned designa-

tion of certain specific trails within State and regional areas for motor vehicle use, the needs of this group of users could be met and most of the publicly owned trail system administered by the Forest Service, Bureau of Land Management, and other agencies could be relieved of the growing problem of uncontrolled vehicular use, which seriously restricts use of trails for foot and horseback travel by a large part of the outdoor-seeking public. This problem promises to become even more serious unless procedures are established for designating motor vehicle trails that will meet needs of this group of users without permitting power-driven vehicles to be used on most of our trail systems within certain of our public lands. At present there is no general prohibition on the use of motor vehicles except for lands of the national park system, national forest wilderness areas and primitive areas, and in some wildlife refuge system units and other areas where vehicles are specifically prohibited. This is a growing problem that we urge the committee to study as part of its concern for proper use of recreation lands within Federal jurisdiction.

The bill's requirement that scenic trails be maintained to retain their natural, scenic, and historic features is, in our judgment, very important. We would recommend that broad authorization be provided in this measure to serve these important objectives and that provision also be made to allow the incorporation of sufficiently wide strips of land on each side of trails within the nationwide trail system to fully protect these natural and historic values. We would urge the most careful study of a system for marking of trails to assure that any markers that are used be designed to fit into the natural setting. Markers for the Appalachian Trail should be patterned so as to incorporate the present well-known insignia.

It should be made clear in this legislation that rights-of-way, easements, and acquisitions of lands and interests in lands for scenic and historic trails will preclude future construction of highways and non-conforming developments that would detract significantly from a trail's natural and historic setting. The legislation should be clear also in its intent to protect scenic trails from future proposals for highways and developments that would parallel or destroy the trail, greatly detract from its setting, or which, through a period of years, require repeated relocation of the trails.

In conclusion, Mr. Chairman, I wish to emphasize our strong support for this legislation and to encourage you and the committee in gaining its prompt and favorable consideration. We commend you for your interest and leadership in advancing legislation of great significance and long-range importance in bringing new opportunities for the American people to renew their ties with the land.

Senator ANDERSON. Thank you very much. That is a good report. I know well how the association has tried to help all the way through. I am glad to have its support of this bill.

Senator Jordan.

Senator JORDAN. Thank you, Mr. Chairman.

Mr. Brandborg, as you were speaking, I recall a very fine friendship I had with your father that goes away back longer than I can remember when I was a permittee on the Nez Perce National Park with livestock and he was a range supervisor and he used to stop at my ranch. And we enjoyed a long friendship down through the years.

I want to commend you on the fine statement you have made here throughout the years, and talk to you briefly about one point you have raised. That is the incompatibility of motor vehicles on pedestrian and horse trails.

And yet the use of motorcycles is a cult of its own. And it is growing in popularity. And I wonder, have you any suggestions how we can provide some kind of trails for these people who use motorized vehicles, two-wheeled vehicles, separate and apart from the pedestrians trails and the horse trails and the bicycle paths, and so forth? Have you given that some thought?

Mr. BRANDBOG. Yes, we have, Senator. We recognize, as you do, that the user of a motor scooter or other vehicle has legitimate claim to some trail opportunity within our public ownerships, and we would like to see our public land agencies designate certain trails that would be available for these people so that they would have given areas in which to ride their vehicles.

We are very much concerned by the fact that in most public ownerships outside of the national park, the wilderness and primitive areas of the national forest, and some wildlife refuge system units, there is no restriction to speak of on vehicular use. So in the great expanses of country where we have trails we find various conflicts occurring between those who ride horseback, those who travel on foot, and the fellow who comes down the trail sometimes at considerable speed on his vehicle. We think that there should be some program developed by the public land agencies to designate certain specific areas for vehicular use, where this use perhaps would be given a very special priority, where the foot traveler or horse traveler would have to accept the presence of the vehicle, and recognize that the vehicle driver had priority, and if he, as a foot traveler or a horseman wished to come into this trail, he should expect to encounter the vehicular traffic. We feel that we are drifting into a pattern of permitting these vehicles on major parts of our public estate in the absence of any specific designation of areas where these people might be encouraged to enjoy the outdoors by the use of their scooters.

Senator JORDAN. Thank you. I am glad you are giving some thought to it, because I think we cannot turn our backs on that use, and on the desire of people to use the trails for the purposes of motorized transport and enjoyment the same as other people who walk or ride horses or bicycles. But I agree with you that the concurrent uses of the same trail are not compatible with safety. So I think it is something that we do have to explore further.

Senator ANDERSON. Senator Moss?

Senator Moss. Thank you, Mr. Chairman.

I wonder if you can keep these cycle riders on a trail at any point. The problem that we seem to have out in our area mostly is, they want to just go across the hillside. And they go right up the hillside and dig ruts, and pretty soon you have erosion on those hills where they can tear up the surface. And it is posing quite a problem.

So I do hope that you are giving some thought to this, as you suggested. And I think we should too.

I agree that people who like that kind of recreation ought to have an opportunity to exercise their privilege to do it. But perhaps it

ought to be channeled a little better than we have been able to do up to this point.

I did want to ask one question about your statement here. It seems to me that you more or less envisioned these trails as being established and fixed and not being changed from time to time. Is that your general idea of how the trails ought to be laid out and built?

Mr. BRANDBORG. In some cases within the national forests, we recognize that the trails were not well planned originally, that they grew into being as someone made his way through the back country on the way to a bad fire. He had a hand ax, and he used it as he went along to blaze the trail, so the trail does not follow the contours or the gradients that anyone of us, I believe, would select in trying to get people, or saddle or pack stock, through country with minimum impact on the landscape and with minimum damage to the people and the animals.

I have spent a considerable number of years working for the Forest Service in a district where I was involved in trail location and maintenance, and fire prevention work. Once we locate a trail well, I believe very strongly that we should hold to that location. We should locate it in a way to get the desired drainage, and in a way to avoid erosion of the landscape. In some instances, as I have said, our present trail locations leave serious erosion. And they are not compatible with our desire to leave the area in its natural state.

Basically I think trails should be permanently located and only when we find good justification for relocation should they be moved.

Senator Moss. Would this apply equally on nonpublic land? It seems to me you address yourself mostly to our public lands in your answer. What about private land where we must seek permissive use, apparently, for at least a time? Do you contemplate there that we can shift the alinement of trails from time to time?

Mr. BRANDBORG. I would contemplate that we would find it necessary to shift trail locations from time to time, because of the needs of the owner. But again I would hope that in most instances we could stick to well located, planned trails, and that we would find it unnecessary to move the greater mileages of our trail systems.

I do not agree with those who have testified before this committee in their advocacy of repeated moving of trails and relocation of trails. I do not think that we can succeed in doing this time and again without finding that the purposes for which we established the trail in the first place are being sacrificed.

I have tried to follow trails in western areas where there has been logging. And in many cases the trails are completely obliterated and lost. We have not been consistent, and we have had many problems in the last few years to which we have not been able to begin to give proper attention. Maybe this is one of those. But we have not been careful in the relocation of trails when we have this kind of a problem. I think it is a special kind of problem. We cannot feel satisfied with a trail system that is constantly moved. We cannot be content with what I have referred to as "instant trails"—here today and someplace else next month, or next year. I hope we do not have to follow that kind of a course with the development of a nationwide trail system.

Senator Moss. Thank you very much.

Thank you, Mr. Chairman.

Senator ANDERSON. Senator Fannin.

Senator FANNIN. I do understand your mental objectives in connection with these trails, but I wonder if you are not being too inflexible when you state that the motorized vehicles be excluded from all national scenic trails. I think we recognize that, with the crowded conditions in the community, this would be very difficult to bring about successfully. And I am just wondering if you are not requesting something that would not be practicable.

Mr. BRANDBORG. I very much hope that it is not impractical. I feel that those of us who would wish to exclude vehicular traffic from the nationwide system of trails would be consistent in advocating the designation of other trail systems that would be available to the people who want to use vehicles. The two, I believe, must go together to a degree.

And yet it seems that the trail system, the Nationwide Trail System, as provided for in this legislation would best suit the uses of the foot travelers. In some instances we expect horseback use, and this would be desirable.

Senator FANNIN. I am just referring to what you have said here in connection with the Appalachian Trail. I would not disagree as far as one specific trail is concerned. But when we are all-encompassing, then can you be so descriptive? That is what I am wondering. Because here we are talking about a trail of considerable mileage. And in some cases it travels through many areas that are either developed or semi-developed. So are you not being quite restrictive here if you would limit it to what you have stated, that motorized use ought to be excluded from all national scenic trails?

Mr. BRANDBORG. I believe the incompatibility between the foot traveler, the horse traveler, and the user of the vehicle is justification for our statement that within the Nationwide System of Trails, with these four key units, there should not be provision for vehicular traffic. I think we get into some very serious problems if we find heavy vehicle use of these trails by folks who in their mind are perfectly justified in being there, but who, with the kind of equipment they are bringing, and with the noise and the disturbance to the natural environment that results, conflict with those users who travel on foot for relatively short trip purposes, or for people who travel with back packs or with saddle and pack string.

As you know, horses do not mix too well with these mechanical mules. And sometimes there can be real danger to the horseback traveler or to the pack string when they encounter a motor scooter in a bad stretch of trail.

Senator FANNIN. I can understand your objective here. And of course if it was not completely encompassing, I would agree. But when you say all national scenic trails, you are really covering areas that I think it would be improper by your request.

Mr. BRANDBORG. I want to say, Senator, that I am very pleased that you, and apparently this committee, are concerned with some of the western units of the trailway system. I feel that it is very important that we gain placement of at least the Continental Divide Trail or the Sierra Crest Trail in this system initially if at all possible. And I would say this, in further response to your question. We need to do considerable planning in the development of the nationwide trail

system. And perhaps within that planning and within the Nationwide Trail System we will find a place where vehicle use can be accommodated without infringing upon these areas which we now conceive of as being primarily for foot or horse travel.

So I would not foreclose on the possibility that the planners might come up with such a recommendation. I believe my organization would be strongly for limiting use to foot and horseback.

Senator FANNIN. Thank you. That clarifies it. With that understanding, of course, you would not be nearly as restrictive as your statement implies.

Mr. BRANDBORG. I feel that with the development of trail systems—and trails are very important to the proper use of wilderness—we are breaking into a new frontier of management. We have not had the opportunity, nor have the agencies of our Federal Government, to do all that they would like in developing good trail networks. I hope that our plans show us many opportunities that we do not see today. We, as a wilderness conservation organization, are most anxious to go ahead with this planning and do all that we can to support both this legislation and its provisions for long-range plans.

Senator ANDERSON. Thank you very much for your fine testimony. We appreciate your coming here very much.

Mr. BRANDBORG. Thank you, sir.

Senator ANDERSON. Dr. Spencer Smith.

He does not seem to be present. We will place his statement in the record as if read.

Senator Moss. I might announce that Dr. Smith was here yesterday, and he spoke to me saying that if he was not personally present at the time he was called, he would like to have his statement placed in the record. And that is just what the chairman has just ordered.

#### STATEMENT OF DR. SPENCER M. SMITH, JR., SECRETARY, CITIZENS COMMITTEE ON NATURAL RESOURCES

Mr. SMITH. Mr. Chairman and members of the committee, I am Dr. Spencer M. Smith, Jr., secretary of the Citizens Committee on Natural Resources, a national conservation organization with offices in Washington, D.C.

We support strongly S. 827 and related measures which would establish a nationwide system of scenic trails.

This is another in the continuing efforts of the administration and the Congress to establish greater recreation opportunities and effect additional protection for our national resources. The committee has heard at great length and in meticulous detail, not only from the Bureau of Outdoor Recreation but from many other bureaus and agencies that have a similar responsibility, as to the expanding population, the disappearance of resources for recreation purposes and the heightened and ever-increasing interest on the part of the American public for outdoor recreation. We do not plan to reiterate in any detail what has been established effectively as a primary need for the use of our land and water resources.

Not only is the need for recreation resources a quantitative one but it is also qualitative. In many instances, the qualitative aspects are even more difficult to evaluate because of their subjective nature and

the wide ranges of differences such a criteria affords. We have been supporting an increase in overall recreation opportunities but also we have endeavored, throughout our existence, to support a balanced recreation program. In short, a program that attempts to meet the need for mass recreation such as Jones Beach, Coney Island, and similar areas whether they are established under the aegis of private, local, State and/or Federal Government. We have likewise supported areas that meet another need and carry certain historical properties or are representative of resources with a fragility that cannot stand heavy mass recreation use without destroying the very purpose for which the areas were protected. Then, too, we have supported areas that should be maintained and protected for the very intrinsic elements of which they are comprised and wherein man's actual physical enjoyment thereof is a corollary rather than a primary consideration.

As a result of this competition among the many wants of human beings, the process and procedure for satisfying any one will continue to be more complicated. The interest manifested by the American people in hiking and camping in areas not accessible by any other means has long been a favorite type of outdoor recreation. Some feel this activity is recent as one, who stated that very little publicity had been given to this type of activity until recently and perhaps it was not enjoyed to the extent that many claimed. While this kind of activity has no doubt increased as have most other recreation activities, the principal reason for this recent concern is due to the fact that previously no one thought it necessary to protect areas in which this kind of hiking activity could be carried on. It was not until so many areas in various parts of this country that afforded this kind of activity either disappeared to other uses or were placed in serious jeopardy. A good example of this concern involves the Appalachian Trail, which as their membership can attest, has been used widely for decades without any serious threat, though now its maintenance and continuance, if not protected, would be in grave doubt.

Establishing a system of trails is not easy. Administratively, it involves Federal, State, and private areas, as well as a number of different Federal agencies. The authors of the legislation are to be commended in this undertaking for circumscribing the area of applicability is difficult and to establish an administrative pattern for the various levels of Government is equally so or more difficult. The proposed legislation has kept clear, however, its fundamental purpose and the bills are functional to that end. Some trails will be relatively simple because they traverse areas that are already under Federal ownership. Others will have some intermingling of Federal, local and, State governments. Still others will embrace areas that cross, in the main, private lands. The latter will in all probability be the most difficult to establish but its function will nevertheless be equally important. In many respects the people served in the latter instance, of which the Appalachian Trail is an excellent example, are in greater number, since these trails are closer to the more densely populated areas of our country.

It is appropriate that other sites for trails be investigated and that upon conclusion of such investigation subsequent proposals, if found

to qualify, will be presented to the Congress for incorporation into the national trails system.

In establishing trails involving extensive uses of private lands, the bills make every effort to utilize any and all means by which the trail may be preserved. It would appear to us that the advisory counsels provided for in the proposed legislation can be helpful not only in aiding the Secretary with the selection of the right of ways but they can also be effective ambassadors in aiding the Secretary in negotiating rights of way in different areas.

The purpose of the bill is clearly enunciated on a number of occasions. It is to acquire a sufficient right-of-way to protect the trail and its immediate environs. It is obvious from any careful reading of the measures that the right of a condemnation is to be utilized by the Secretary only as a last resort, and that written cooperative agreements with landowners, States, local governments, private organizations and individuals should be utilized for the acquisition of areas or rights thereto. Provisions are made for donation of lands or rights therein that may be offered by States, local governments, or public spirited citizens.

The legislation is cognizant of the impossibility of providing for this type of hiking activity by the Federal Government exclusively. It wisely calls attention to the State programs, which are submitted pursuant to the land and water conservation fund, and directs the Secretary to encourage the States to give serious consideration to the establishment of local and State trails systems as well as developing similar opportunities for State-owned park and forest areas. By the same token the Secretary of Housing and Urban Development is urged to exert leadership in considering this type of recreation in their urban plans.

There will no doubt be problems in establishing some trail areas to the satisfaction of all concerned. The principal motivation for the legislation appears clear, that is the type of hiking and camping experience in areas accessible only by foot. This is true especially in the East. There are certain areas and certain other recreation trails which can be used for cycling and other purposes. The legislation wisely addresses itself to this matter and provides these opportunities in section 3(a). This should in no way be confused with the foot trail national scenic system but it does not, as suggested by some, foreclose throughout the country the utilization of cycles or similar equipment in appropriate areas.

Senator ANDERSON. Anthony Wayne Smith of the National Parks Association is next.

**STATEMENT OF ANTHONY WAYNE SMITH, PRESIDENT AND GENERAL COUNSEL, NATIONAL PARKS ASSOCIATION; READ BY PAUL M. TILDEN, ASSISTANT TO THE PRESIDENT, AND EDITOR, NATIONAL PARKS MAGAZINE**

Mr. TILDEN. The president and general counsel of National Parks Association, Mr. Anthony Wayne Smith, has asked me to read a statement which he has prepared for submission to you on invitation of the committee and to answer any questions you may have.

My name is Paul M. Tilden, I am assistant to the president, National Parks Association, and editor of National Parks magazine.

The statement is as follows:

The National Parks Association is a private, nonprofit membership association, educational and scientific in character with about 35,000 members throughout the United States and abroad. The association publishes the monthly National Parks magazine. It is primarily concerned with the protection of our great system of national parks but it is also interested in other similar nature reserves and the protection and restoration of the natural environment generally.

The purposes and approaches of the principal measures which have been introduced in the two Houses of Congress to establish a national system of scenic trails are in general highly desirable. Reference is made to S. 827 and H.R. 4865 and H.R. 5493.

This is one of the most attractive proposals which has been developed in recent years during the great resurgence of interest in natural outdoor recreation throughout the Nation. Foot and horse trails offer the best opportunities for large numbers of people to escape the pressures of mechanized urban life and to enjoy the finest kind of healthful outdoor recreation in unspoiled natural environments.

A system of trails of this kind can be established with relatively little difficulty, will disturb very few presently existing land uses, and can be provided to a considerable extent on public lands. There will be a very wide consensus on the desirability of the proposals made in these bills and for the most part the methods of management outlined in these measures seem to be well conceived.

Large-scale land acquisition for big roads and big dams has gone so far in this country as to arouse considerable well-founded opposition. Unless care is used in the acquisition of land and rights in land where condemnation is brought into play, the great governmental prerogative of eminent domain may be impaired; used in a bad way in the wrong situations it may become less and less valuable for use in the right way in the right situations. In this perspective the provisions of section 2(i) are well conceived, limiting condemnation to situations where all other reasonable efforts for the acquisition of the necessary interests in land have failed, and requiring thereafter the acquisition of adequate lesser interests before condemnation of see simple.

The proviso that motorized vehicles should not be used by the public along any national scenic trail is excellent. This proviso should not be modified, limited, or weakened in any way whatsoever. The purpose of the scenic trail system is to afford the American people an opportunity to get out into the country on foot, and on the western trails by horseback also. The purpose is to give people a chance to get away from automotive transportation whether on two wheels or four, and away from the noise and air pollution caused by the internal combustion engine. The best way to ruin the purpose of the trail way system would be to open up the trails to motor scooters, motorcycles, and similar motorized equipment. This should never be done. It is good to see that the legislation contains a similar proviso with respect to other trails which may be established by Federal agencies within the national park system, the wildlife refuge system, and the wilderness system, and other designated trails.

The establishment of the nationwide system of trails as outlined in the measures before the committee and subcommittee is definitely in the public interest.

These proposed measures contain many fine procedures for cooperation among Federal Government agencies, as well as between public agencies and private interests. They contemplate a project to eventuate comprehensive regional planning of a kind which is being recommended more and more widely these days by objective students of recreational resource management. The authors of these measures are to be congratulated on this farsighted approach to the solution to recreational and environmental problems of great importance to the entire Nation.

Senator ANDERSON. The next statement will be by Kenneth Pomeroy, of the American Forestry Association.

**STATEMENT OF KENNETH B. POMEROY, CHIEF FORESTER,  
THE AMERICAN FORESTRY ASSOCIATION**

Mr. POMEROY. Mr. Chairman, I am Kenneth B. Pomeroy, chief forester of the American Forestry Association.

The members of this citizens organization support the basic principles involved in establishment of a nationwide system of trails. We strongly urge preservation of historic trails such as the Lewis and Clark Trail, the Oregon Trail, the Santa Fe Trail, and others that played key roles in the early development of our Nation. Scenic trails, such as the Appalachian Trail, also are entitled to public recognition because of their unique value for outdoor recreation.

Some of the provisions in S. 827 need further study and clarification.

Section 2(d)(1) page 6, lines 3 and 4 states: "Such rights-of-way shall be (1) of sufficient width and so located to provide maximum retention of natural conditions \* \* \*."

What width is contemplated? 20 feet? 200 feet? 2,000 yards?

This provision as applied to national forests could be an extension of the Wilderness Act of 1964 and a reduction of the Multiple Use-Sustained Yield Act of 1960. The Congress already has determined what portion of the national forests should be preserved as wilderness and what portions should be devoted to other uses. If the proposal now under discussion does not contain definite specifications regarding the width of trail rights-of-way, it could undermine earlier legislation.

A realistic way of defining the intent of Congress would be to specify that the total area per mile of trail could not exceed some predetermined acreage. For example, 8 acres per mile would provide a uniform strip 66 feet wide or it could be 20 feet wide in open areas and 200 feet wide where camp facilities are to be provided.

Section 2(f)(3) pages 8 and 9 should provide that Advisory Councils include representatives of private landowners as well as public agencies and user groups.

Section 2(g) page 9, "Acquisition". This section should be clarified to make sure that landowners are not denied access to some portion of their property because of a scenic trail right-of-way.

Senator ANDERSON. Next is Thomas L. Kimball on behalf of the National Wildlife Federation.

STATEMENT OF THOMAS L. KIMBALL ON BEHALF OF THE  
NATIONAL WILDLIFE FEDERATION

MR. KIMBALL. Mr. Chairman, thank you for the invitation and opportunity to comment about proposals to establish a nationwide system of trails.

The National Wildlife Federation is a private, nonprofit conservation organization which seeks to attain conservation goals through educational means. The federation has independent affiliates in 49 States. These affiliates, in turn, are made up of local groups and individuals who, when combined with associate members and other supporters of the National Wildlife Federation, number an estimated 2,000,000 persons.

The National Wildlife Federation is of the firm opinion that enactment of S. 827, establishing a nationwide system of trails, would make a significant addition to the promotion of public access to—and travel within—National and State parks, forests, recreation areas, historic sites, and other facilities in governmental ownership or control.

We are in accord with the establishment of a nationwide system including these different types of trails:

1. Those designated as "national scenic trails";
2. Trails on park, forest, and other recreational trails on lands administered by the Departments of the Interior and Agriculture;
3. Trails on park, forest, and other recreational trails on lands administered by the States; and,
4. Recreational trails on lands in and near metropolitan areas.

However, we suggest that this section be enlarged to allow for the possible addition of other Federal areas. For example, the Tennessee Valley Authority has properties with suitable trails—notably the Land-Between-the-Lakes Recreation Area. The Department of Defense, including the Corps of Engineers, has some suitable properties and opportunities also may exist on some military bases which are open to some public use.

We believe an appropriate uniform marker should be selected and used to identify each national scenic trail. Suitable maps of all areas also should be printed and made easily available for the use and convenience of the public.

All four of the trails proposed for initial establishment—the Appalachian Trail, the Continental Divide Trail, the Pacific Crest Trail, and the Potomac Heritage Trail—have widely recognized assets and merit protection under the system. We also agree that the eight trails proposed for the study category certainly merit consideration. Of this group, of course, the Natchez Trace already is a national parkway and the Lewis and Clark Trail, in great measure a river route, is being established under separate authority already approved by this committee.

We are pleased that rights-of-way planning shall take into account the provision for maximum retention of natural conditions and maintenance of the primitive character of the trail area, with locations planned to avoid developments to the best practicable extent.

Advisory councils should help give the administering agency a close liaison with citizens representing the public. We agree that money

should be available from the land and water conservation fund for the acquisition of property. And, we believe that the use by the public of motorized vehicles should be prohibited on any national scenic trail, and recommend that the word "cycling" in section 3(a) be changed to "bicycling" to remove any connotation that the use of motorcycles would be allowed, or that the use of motorized equipment on some forest and BLM lands be spelled out.

In conclusion, Mr. Chairman, we hope that early approval of this proposal will allow this to become one of the first accomplishments of the 90th Congress.

Senator ANDERSON. Mr. Wallick, Washington representative of the Automobile Workers of America, AFL-CIO, is next.

**STATEMENT OF FRANKLIN WALLICK, WASHINGTON LEGISLATIVE REPRESENTATIVE, UNITED AUTOMOBILE, AEROSPACE, AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA, AFL-CIO**

Mr. WALLICK. The UAW appreciates this opportunity to express its support of the national system of trails. At very little expense this legislation can bring great new opportunities for outdoor recreation to thousands upon thousands of American families. We hope these early hearings indicate Congress will act this year to launch this program.

Our membership of nearly one and one-quarter million people contains many who spend their vacation, holidays, and weekends in our National and State parks. With shorter workweeks, more holidays, and longer vacations, more and more American workers visit the outdoors. Hiking and biking are free and vigorous ways for people of all ages to maintain good health, an alert feel for the world around them, and a sound appreciation of nature.

As city dwellers, we are naturally interested in the system of metropolitan trails encouraged by the bill. But we are just as enthusiastic about those trails in more distant parts of the Nation which have historic or scenic significance.

For two summers I have tramped with my family in parts of the Appalachian Trail along the rugged slopes and ridges of New Hampshire. This unique trail system, which stretches from Maine to Georgia, urgently needs Federal protection. It is a great national resource, built and maintained by inspired volunteers.

The record of these hearings will show the Appalachian Trail is now endangered by commercial and real estate encroachment. This bill seeks an umbrella of Federal protection for the Appalachian Trail. We support this phase of the bill with a plea for prompt congressional action.

The question of costs and priorities of the national trails system was raised during hearings before the House Interior Subcommittee on Parks and Recreation. The estimated cost for land acquisition of the trails has been placed at \$10 million, with an additional \$20 million for development costs during the next 5 years, and yearly maintenance costs of \$1.1 million thereafter. An exact cost estimate may not be possible, but even if these costs were doubled or tripled, they are infinitesimal when compared to the billions we are spending on defense and space. Our national accounts budget for fiscal 1968 stands at \$170

billion. This tiny fraction spent for land acquisition, when compared to the Federal budget, is small. We should be spending much more out of general revenue funds to anticipate the enormous need for outdoor activities by an ever-growing population, confronted by always accelerating land costs.

The money spent by Federal and State Governments for parks is a permanent investment which repays the American people many times over during a single lifetime, and it's a rich bonanza when measured over several generations.

Therefore, we feel the proposal for a national system of trails is a sound program worth spending money on now. The trails will serve millions of American families and we hope that Congress will not be frightened off by a dollar sign and a few zeroes.

Mr. Chairman, our monthly UAW newspaper, *Solidarity*, featured in the July 1966 issue, three articles on outdoor recreation which indicate our active interest in these programs. They were written by Secretary of Interior Udall, Secretary of Agriculture Freeman, and Saul Miller, director of publications for the AFL-CIO.

Because they express the broad scope of family camping and hiking and its appeal to working people, I ask, if it is appropriate, that they be made part of my remarks here today.

In 1965, our union designed and printed a booklet called *In Pursuit of Greatness*, containing the President's message to Congress on natural beauty. This was widely praised and circulated then among people concerned with the urgency of America's conservation needs and problems. An important section of that message was the President's call for a trails system. The pending trails bill is a happy result of that message back in 1965.

The Bureau of Outdoor Recreation proposal is a practical and magnificent way to come to grips with fading opportunities for outdoor recreation. The Bureau's study is a thoughtful and imaginative program to act now for the millions of Americans who annually seek a place to hike or bike near or far from their homes.

The genius of the trails bill is its broad appeal to all kinds of people, of all ages, with all kinds of outdoor interests. For most of us rooted to city life, we hope passage of this bill will hasten the day when we can bike and hike along trails in and around our cities.

For those who like the challenge of high and rocky ground, we hope Congress will encourage the Continental Divide Trail and the Pacific Crest Trail.

Hiking and biking is unsafe and highly dangerous if done on public highways intended for high-speed automobiles. The highways have a powerful lobby and billions are spent for concrete to carry the millions of autos we have on the road.

This trails bill provides a modest start toward developing safe places for hikers and bikers. The day should come soon when highways will be for cars, while special bicycling paths and trails will be available for those who move with power supplied by their own feet.

It may seem strange for auto workers whose jobs depend on sales of autos to promote hiking and biking. Let me assure this committee the automobile will always have a place in a vast nation like ours. If we hope to truly see and understand the countryside, the auto can

take us to the foot of the trail—but only our feet can take us beyond the sign pointing to the great wonders of nature and the outdoors.

The automobile and longer paid vacations can take us to States which seemed remote only a decade ago. When we get there—be it Utah, Wyoming, Idaho, or Colorado—we hope the scenery, the fishing, the hunting, and the hiking will be as genuine as the advertisements which got us to drive there in the first place.

(The articles referred to follow:)

(By Orville L. Freeman, U.S. Secretary of Agriculture)

Being true Minnesotans, we Freemans love the north woods. Long before I came to Washington, we used to picnic, hunt, and fish in the Superior National Forest.

We paddled canoes in the forest's unique Boundary Waters Canoe Wilderness, following the routes of the French-Canadian fur traders of the 1700's. In this vast maze of waterways we heard only the sound of water lapping against our canoe and the cry of birds overhead.

I knew then that there were many national forests spread across this land of ours, but I never realized the variety of scenery and the many recreation opportunities they offered until it actually became my pleasant duty to visit some of them. As Secretary of Agriculture, I am responsible for management of 154 national forests, covering some 181 million acres of land in 41 states and Puerto Rico.

I haven't seen them all, but my work has taken me onto trails in the White Mountain National Forest in New Hampshire, where a fellow can walk a week in the mountains along a section of the 2,000-mile Appalachian Trail carrying only his personal gear and stopping for bed and board at "huts" run by the Appalachian Mountain Club of Boston. These "huts," located a day's hiking distance apart, are operated under a special use permit from the Forest Service.

I've camped at the Elizabeth Furnace campground in the George Washington National Forest in Virginia. Only 75 miles from Washington, D.C., this campground fills up on hot summer weekends. Here at one end of a canoe-shaped valley, children wade in the creek, play ball in an open field provided by the campground planners, and wander along the quarter-mile, self-guided nature trail to view the remains of an old iron furnace.

I've ridden horseback in the Bob Marshall Wilderness which sprawls across four National Forests in Montana. In this 950,000-acre area, forever roadless and free of development, a man has a chance to commune with himself and nature and share his innermost thoughts with good companions.

As I rode, I met a family of six, backpacking. Carrying lightweight equipment, they had been on the trail four days and had food for eight more days. Their spirits were high, their steps light and I wished that I might join them. There is tremendous freedom in camping where the feet get weary or where the scenery just cries for attention.

Visting with the family I found that their vacation was a low-cost one, indeed. They had acquired their better equipment piece by piece over the years and had improvised and "made do" with other things. Food was no more expensive than at home. From my talk with them came a how-to-do-it pamphlet, "*Backpacking in the National Forest Wilderness*," available from the Government Printing Office for 15 cents. More than a quarter million copies have been distributed in three years.

The pamphlet lists 88 wilderness-type areas in the national forests. Fifty-four of them are now in the National Wilderness Preservation System established by the Wilderness Act in 1964. All told, the forest service has set aside 14.5 million acres as wilderness, a backpacker's paradise in which there are no roads, no mass recreation developments, no homes, no timber cutting.

This year I'm looking forward to a few days in the High Sierras. There, above the timberline in the Sierra National Forest, in California, I shall enjoy some of the most spectacular and rugged terrain we have. Yet the granite is broken, they tell me, by little meadows, lush with grass, and by mountain lakes fed by perpetual snow fields.

In six years I have barely scratched the surface of what the national forests have to offer. I know, for instance, that the traveler can camp his way across:

the country, stopping at national forest campgrounds every night. He can explore ghost towns in national forests in Idaho and natural arches in the Daniel Boone National Forest in Kentucky. He can pick wild huckleberries in the Gifford Pinchot National Forest in Washington State or drive through clouds to the crest of Pike's Peak in the Pike National Forest in Colorado, via the highest auto road in the country.

The welcome mat is always out in the national forests which also have 91,000 miles of streams and two million acres of lakes and reservoirs for fishing. In the forests, 250 places to swim and 571 boat sites have been developed. There are over 7,000 camp and picnic grounds. The campsites with tables, benches, fireplaces, tent spots, and parking spur may be used for a single night or for two-week stands. National forest campgrounds vary in size from tent villages to back country retreats.

And if, like Daniel Boone, you find three families too big a crowd, you can take to the wilderness on 100,000 miles of trails. Once, when 50-mile hikes were popular, I figured a person could do one a week for 38 years, in the national forests, without once retracing his steps.

I hope that you members of the UAW get acquainted with your national forests this year—and I hope you enjoy them as much as I have.

---

(By Stewart L. Udall, U.S. Secretary of the Interior)

Summer is here and the voice of the camper is heard in the land.

Campers come in an infinite variety of sizes, shapes and tastes. They are equipped with every kind of gear from a sleeping bag and knapsack only, to the most elaborate of trailers.

But whatever they bring with them, these accoutrements represent merely the base of operations. A camping experience is as varied as the imagination and daring of the camper.

Americans used to be primarily a country people. They looked forward to vacation time as a chance to "go to town." Today, with more than three-fourths of our population clustered in cities, the vacation trend has reversed. Our country cousins, who came to gawk at the city and then settled down to live there, today are doubling on their tracks.

One out of every six U.S. adults is a camper, and when a nationwide poll sought their reasons, a majority responded: "It's different from the way we live every other day in the year."

With the trend toward urbanization hurtling 90 per cent of our population into cities by the turn of the next century, the camping craze can be expected to intensify. I confess I am inclined to quarrel with the use of the word "craze" in connection with camping. "The search for sanity" is a more descriptive phrase for the annual outpouring of city dwellers into our scenic out-of-doors.

Personally, my family and I prefer to "rough it" in our frequent visits back to the natural world. It is easier for me to observe and to identify with nature from a sleeping bag than from a deluxe trailer, but this is strictly a matter of personal preference. The natural world is there, and how you seek it out depends upon your own taste.

As the demand increases, both the public and the private sectors of our economy are attempting to provide space and facilities to satisfy all kinds of campers.

Our national parks are outdoor gems; they have to be, to qualify for such status.

The portions along roadways are frequently overcrowded but for the camper who is willing to walk and to do without the conveniences of well-established camp sites, 90 per cent of the national park lands are waiting to be discovered.

Admittedly, my camping cup of tea is not for everyone. I love the overheated desert and the frigid mountainside. I have camped on both in all kinds of weather and in all seasons. I prize the mournful music of wind in the forest as much as the sweet sounds of Segovia. I don't mind working with my muscles for the feeling of infinity which outdoor solitude gives me.

But even for those who are willing to take the outdoor backroads—and much more for those who seek the conventional campsite—the opportunities are growing increasingly harder to come by.

America is outgrowing her outdoors. Campers in search of outdoor elbow room are finding more and more elbows and less and less room.

In recognition of this growing need to grow, Congress last year authorized the setting up of a Land and Water Conservation Fund, financed in part by the sale of an automobile sticker. Proceeds from the sales of these \$7 Golden Eagle stickers go into the fund, to be used for acquiring more recreation land and water. The slogan of the program, "Use, enjoy, and help expand your Great American Outdoorland," states eloquently the opportunity this fund represents for every dedicated outdoorsman.

The family with a Land and Water Fund sticker on its car is a Golden Eagle family, with a Golden Passport to more than 7,000 Federal recreation areas. The purchaser not only gains for himself and his entire family access to existing areas, he helps provide additional areas to take care of tomorrow's campers.

There is a logic and a higher ethic involved in this approach to expansion of our outdoor "rec room." The Golden Eagle Passport becomes, in effect, a torch, passed from the hands of this generation of outdoor-lovers to the next. Its purchase is an implicit act of gratitude for the stewardship shown by previous Americans and a keeping of the faith toward generations yet to come.

Operation Golden Eagle is a program worthy of the spirit which draws men to the out-of-doors . . . the spirit which the out-of-doors nourishes in men.

(By Saul Miller, Director of Publications, AFL-CIO)

Thirty years ago, getting along without a dishwasher, refrigerator, television, telephone, or even electric lights, posed no particular challenge for many American and Canadian workers' families. They lived without them and got along as best they could.

Today, many of the children of these workers look forward to getting along without the modern, taken-for-granted conveniences by getting out into the woods on a camping trip for fun and recreation and maybe a little education thrown in.

To get away from the day-in, day-out drudgery of the job, to discover the beauties and grandeur of their country and to have some of it rub off on their youngsters; to camp at 10,000 feet where there are no disturbances except nature's own; to turn a clearing in the woods into a place to sleep and eat; to warm it and light it—these are the challenges which bring millions of us out of our urban apartments and suburban ranch houses.

In the 1960's, workers for the first time are finding it possible to pack gear and families into cars and take off for the rivers, valleys, the woods, the mountains or the seashore, not in search of new jobs or because they must move along to exist but because they want to.

Family camping takes many forms but there are certain basics common to them all. The family operates as a unit, pooling its abilities and resources. This is for real, not slick magazine, togetherness. Family camping is inexpensive but it also is a firm decision to pass up the air-conditioned, foam-rubber luxuries for a simpler and more creative approach.

Not that any family ought to get overly serious or zealous about "making it" in the woods. Comes a cloudburst or a tornado or illness, the motels and hotels, the warm restaurants, etc., have their place and role.

But sleeping in tents on the ground or on air mattresses, or in good weather under the stars, cooking over an open fire, including heating water for washing, the strains of a guitar or a harmonica in the evening around a campfire: these do not come with apartments or ranch houses and they refresh and refurbish the spirit.

Camping is inexpensive and simple. New gear is light and easy to operate. It can be elaborate to the point of battery-operated equipment. But bringing the conveniences of home into the camp is hardly worth the entire effort; it's better to stay home.

Logistical problems are easily handled—food, water, ice, gasoline and laundry are usually found clustered in almost every small town or crossroad. And such a one stop for all makes an excellent break, especially when on the road from one destination to another, for the car-weary youngsters and the drivers.

On a camping trip, everyone should have a job, a chore, or else setting up and breaking down camp can become tedious and fun-robbing.

A typical campsite in a national forest is a clearing in the woods large enough to pitch a tent or park a trailer, a wooden or stone table and benches, a fire-

place or cookstove and usually safe drinking water and a clean privy close at hand.

In the national parks, there are more conveniences—and closer together campsites—including usually hot running water and showers, flush toilets and sometimes coin-operated laundry equipment.

Along with the business of learning to live in a camp, there is the almost unlimited choice of what to do—swimming, fishing, boating, scaling canyons or mountain peaks, hiking unknown trails, riding or just sitting, maybe reading, napping in a hammock. Given the locale of the camp area, the parks and forests—both state and national—offer something to suit every taste.

This writer and his family got the bug several years ago, translated a desire to see the country, especially the west, into a 9,100-mile camping trip.

The scope and size of the country became a reality for the first time to both adults and children as we headed out of Washington through the midwest and the plains states into Denver. Crossing the continental divide, Mesa Verde, the Navajo country, the Painted Desert and the Petrified Forest, the Grand Canyon, Glen Canyon, Boulder Dam, the Mojave Desert—all these came alive out of geography books and tourist guides.

The rugged and beautiful Pacific Coast, the great cities of Los Angeles and San Francisco, the Redwoods, Crater Lake, Salt Lake City, the Grand Tetons, Yellowstone, the Big Horn Mountains, the Black Hills and more—we began to understand for the first time something of not only the size of the country but its diversity and the people who make it up.

And there was fun—meeting all kinds of people in camps—and campers are a wonderful breed unto themselves, friendly, warm and helpful. There were the meals cooked and eaten in the open, the explorations, the joy of a cool mountain stream.

We have since camped through the TVA country, in the maritime provinces of Canada and elsewhere nearer home in the Appalachians. Given a choice we wouldn't have any other type of vacation.

Senator ANDERSON. Next is John Chesley, speaking for the South Potomac Citizens Council.

#### STATEMENT OF JOHN CHESLEY, REPRESENTING THE SOUTH POTOMAC CITIZENS COUNCIL

Mr. CHESLEY. Mr. Chairman, and members of the committee, I am John Chesley, speaking for the South Potomac Citizens Council, an area probably affected by the Potomac Heritage Trail, as loosely defined in the Preliminary Trails Study. I say probably affected by the Heritage Trail for to date there are no definite maps and designated routes available, at least to us, the landowners concerned.

Recently retired from the Army Corps of Engineers, please appreciate the fact that I would prefer my elected Representatives in both the Senate and House to be legislating facts rather than philosophy. This bill S. 827, as it is understood by the South Potomac Citizens Council conceivably clouds the fee title of every Prince Georges County landowner until such time and at the convenience of the Secretary of Interior a final determination of taking lines is established. Surely, the property owners deserve a better fate than this. We have lived for 37 years under the cloud of the Capper-Cramton Act, and as each new planning group envisions a different route for the George Washington Memorial Parkway, they issue a duly approved map. Today's map of our section of Prince Georges Parkway with all these routes overlaid looks like spaghetti has been carelessly thrown at it. The tragedy of this, is the abrogation of fee simple rights. But the landowner who is denied a building permit for his home, or

is forbidden other use of his land, had better meet the tax man on time. The concept of hiking trails from the source to the mouth of the Potomac is a charming long line on a map—if, facing reality, there just weren't so many established communities with real live people living in them who fervently desire to continue living where they are and as they are.

Condemnation, without the consent of the owner, at the discretion of an appointed, not even an elected official is rather unpalatable fare for independent and proud Americans. Our proud Americans in the South Potomac Citizens Council who have worked, saved, and achieved their particular way of life cannot accept having this taken from them "in the public interest."

We trust that this bill will be put aside, until such time as a realistic and meaningful and specific plan with accurate cost analysis is presented.

Senator ANDERSON. Next is Mr. J. W. Waterhouse, U.S. Navy, retired, representing the Broad Creek Citizens Association.

**STATEMENT OF J. W. WATERHOUSE, REAR ADMIRAL, U.S. NAVY  
(RETIRED), REPRESENTING THE BROAD CREEK CITIZENS AS-  
SOCIATION**

Mr. WATERHOUSE. Mr. Chairman, members of the committee, I am J. W. Waterhouse, rear admiral, U.S. Navy, retired, and I speak for the Broad Creek Citizens Association which represents the area adjacent to the Potomac River between Fort Washington and Broad Creek in Prince Georges County, Md., through which the Potomac Heritage Trail and some metropolitan trails apparently would pass. Our association is in agreement with the statement of policy contained in section 1(a) of Senate bill 827. We are concerned, however, with many of the provisions of this bill.

1. The trails proposed are not sufficiently definitive as to route or lateral width. These determinations are left to the discretion of the Secretary of the Interior, or the Secretary of Agriculture as the case may be, with the "consent" of any Federal agency having jurisdiction of Federal lands involved but only the "advice and assistance" of State and local governments. It would appear that the elected State and local governments should have equal right of consent and the involved property owners have proper hearings. While specific detailed routes and taking lines would require a great deal more planning than the Trails Study accomplished, it would appear most desirable that language should be included in the bill to require routes to be so located as to disrupt private property and homes to the least degree possible, and should specify maximum width. Some respect should be shown for established communities that have provided adequately for their own needs and at their own expenses, these communities should not be deprived of their rights and their chosen way of life.

2. We recommend that the trail routes utilize federally owned land primarily, and that land acquisition be held to a minimum and then only with the consent of the owner. Surely, gentlemen, with 34 percent of our Nation's land in Federal domain, good land planners

can satisfy those who have the urgent need to hike and bike. Further, we recommend that any route acquisition obtained by the Federal Government shall not restrict the State or local governments from rights-of-way for public utilities or roads across such routes, or for their decision as to land use abutting these routes, nor shall they restrict the rights-of-way of owners in cases where the trail of necessity may bisect such owners property.

3. The residents of our community have had long weary years of experience with the George Washington Memorial Parkway authorized by the Capper-Crampton Act of 1930, where enabling legislation has been on the books but no moneys provided by Congress for land acquisition. Funds for this parkway have repeatedly been denied by the Appropriations Committee, and as you know, after enabling legislation has been enacted, that committee is the court of last appeal. We are grateful to them in this case but we are not looking forward to another 37-year bout with the trails bill or the scenic rivers bill or any other bill hanging over our heads. In all honesty to owners of land who support, through their taxes, the operations of the Government, we most heartily recommend that any bills considered be specific as to ultimate intent and with a time limit for accomplishment or abandonment.

In general, we feel that too much authority is left to the judgment of an appointed, rather than to an elected, official of the Federal Government, while authority of elected State and local officials would be seriously curtailed and the due process of law for lawfully titled landowners jeopardized.

Senator ANDERSON. Are there any other witnesses to be heard?

(No response.)

Senator Moss. I indicated to Senator Nelson yesterday that we would keep the record open for 1 week, because he wanted to file a statement. And I think any others that might still want to file a statement should have that privilege.

Senator ANDERSON. That may be done.

(Thereupon, at 11 :50 a.m., the committee adjourned.)



## APPENDIX

(Under authority previously given, the following statements and communications were ordered printed:)

### STATEMENT OF ARTHUR M. ROBERTS, REPRESENTING THE WESTERN FORESTRY AND CONSERVATION ASSOCIATION

Western Forestry and Conservation Association is an organization of land owners and managers in the West dedicated to the primary objective of wise and effective forest land use and the development of forest conservation on all forest land in the Western United States.

The Association is generally in favor of the idea of the development and maintenance of a national system of trails. Western Forestry and Conservation Association is on record as favoring orderly trail development and maintenance by having testified in favor of more adequate trails in certain Wilderness Areas. The designation of historical trails is a very worthy purpose and access by foot to recreation areas and parks is most necessary. Certainly the outdoor recreation needs of the people of the nation must be provided for.

There are provisions in S. 827, however, which we feel need your consideration for clarification or amendment. It is our belief that the public interest will best be served by a system of trails which will be a part of the existing management pattern rather than being an administrative entity on its own. We can see no reason why scenic trails cannot be designated, built and maintained under present national park, public domain, national forest or other federal government ownership in the Wilderness System or out if provision is made for them in management policy. We can see no need for permanent rights-of-way for these trails in areas of public ownership if scenic and access trails are provided for in the management plan.

On those portions of the scenic or historic trail system outside the boundaries of federal reserves the need for the rights-of-way may or many not be essential. In developed areas, it would seem that a simple designation of the trail would suffice and in undeveloped areas, where trails are built, definite guidelines as to rights-of-way should be spelled out in the legislation.

We agree with the purpose of this legislation. We are concerned, however, with paragraph (d) of the draft of the bill which begins on line 23 on page 5 under "Selection of Routes for National Scenic Trails" which discusses right-of-way selection. This paragraph describes rights-of-way in such an all-inclusive and unspecific way that almost any width and location could result. In subparagraph (2) of this same paragraph, the language is, "located to avoid, insofar as practicable, established highways, motor roads, mining areas, power transmission lines, existing commercial and industrial developments, range fences and improvements, private operations, and any other activities that would be incompatible with the protection of the trail in its natural condition and its use for outdoor recreation." This is a laudable objective, but this wording indicates conversely that the listed activities would not be possible on or adjacent to scenic trails when established. While this may be all right on trails within national parks and in wilderness areas, it is most certainly at odds with the aims and objectives of multiple use management as spelled out in the Multiple Use Acts applying to federal lands.

The Association has always been a strong advocate of the multiple use principle of land management, was strongly in favor of the Multiple Use Acts of 1960 (P.L. 86-517) and 1964 (P.L. 88-607) prior to their passage and has spoken out strongly for their complete implementation. Within the framework of these Acts many compatible land uses on the same acres are possible or in other specific cases the very nature of the activity and the land will make the use more restrictive.

Land use is determined in a number of ways—by legislation, by administrative regulation, or by the natural adaptability of the land to the use. Of these three,

of course, the third alternative is the most desirable or at least the easiest to administer. In any number of cases, however, it is necessary to regulate use on land in order to achieve some desired end in use. When this is necessary, then care should be used to make the regulations as compatible with the public good, both social and economic, as is possible.

S. 827, as presently written, indicates an attempt to accomplish a very laudable purpose in land use, that of providing an historical and widely dispersed frame of reference for a recreational activity. As is often the case in proposed legislation dealing with relatively new concepts, the question of how specifically to bind the administrator becomes an issue. If specific rules are to be drawn, then great care must be exercised by the legislative body to see that the resulting law is complete and definitive. If, on the other hand, only guidelines are to be established and administration and regulation are to be left to the managing agency, then more can be left to the judgment of that administration, but the danger of unforeseen complication creeps in.

In the case of S. 827, it would appear that matters dealing with rights-of-way for scenic trails should be clearly delineated especially on lands which are in the public domain or national forest and being managed under the Multiple Use Acts or are in state or private ownership and management. On the other hand, matters dealing with trail location, construction, designation and maintenance might well be left to local administration. This bill leaves both of these categories pretty well up to the designated Secretary in whatever case is involved.

In light of the above thinking, we suggest that the Bill would be considerably strengthened by providing more detail and direction in the matter of rights-of-way definition. It is not enough to say, as is the case in this draft of the bill on page 6, line 2, "Such rights-of-way shall be (1) of sufficient width and so located to provide the maximum retention of natural conditions, scenic and historic features, and primitive character of the trail area, to provide campsites, shelters, and related public use facilities, and to provide reasonable public access \* \* \*" Some more specific definition is necessary to keep the delineation of individual rights-of-way from being completely subjective.

We realize that much of the Scenic Trail mileage will be through areas on which uses other than recreation will not be important; but on the other hand, a considerable share of it will be on the national forest, public domain and through state and private ownership which is presently included in the management plans of resource-based industry. This must be taken into account in the legislation so as to cause as little dislocation as possible. Using the figure of 25 acres per mile of trail for right-of-way, as has been suggested, the trails which would be placed in the system on enactment of this bill would necessitate a withdrawal of nearly a quarter of a million acres of land. While this figure in comparison to the total acreage of land in the United States may not seem large, at the same time it represents another sizeable acreage withdrawn from multiple use for a specific purpose.

On page 8 of the draft of the bill on line 5, under paragraph (f) "Advisory Councils for National Scenic Trails," we respectfully submit that the word "may" be changed to "shall." If the intent is to provide the Secretary with an advisory council, it should be done in all cases.

We believe that the condemnation procedure outlined on page 11, lines 11 to 20, while circumscribed to a certain extent is still a potential danger to private ownership of land.

We disagree with the specific prohibition in the bill on page 12, lines 19 to 21, and suggest again that administrative rules and regulations are best handled on a local level. Whether horses or motor equipment are to be used on any specific trail should depend on local needs, objectives and determining factors.

Finally, we again commend the historic and scenic trail idea but urge careful consideration of the several difficulties involved in the enactment of legislation setting up such a system.

STATE OF CONNECTICUT,

DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES,

Hartford, Conn., March 8, 1967.

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

DEAR SENATOR JACKSON: I wish to offer strong support for S. 827, "A Bill to Establish a Nationwide System of Trails, and For Other Purposes," which will be

heard by the Senate Committee on Interior and Insular Affairs on March 15, 1967. This bill proposes to improve and maintain existing trails and to construct additional trails to meet the growing demand for hiking and pleasure walking, proposals which have long been considered desirable goals in Connecticut.

Connecticut has been fortunate in possessing a relatively large network of officially marked and maintained trails, thanks to the pioneering work of the Appalachian Mountain Club and other concerned groups and individuals. However, the demand for walking facilities is increasing rapidly at a time when the pressures of urbanization are posing a major threat to existing and proposed trails alike. Indeed we have reached the point where largely private efforts cannot shoulder the burden alone. Therefore, the State of Connecticut realizes the need for greater public involvement to provide walk trails of all types, ranging from major routes such as the Appalachian Trail down to local walkways in metropolitan areas.

In Connecticut's Statewide Outdoor Recreation Plan this need has been spelled out. By the end of the century, existing mileage may need to be tripled to meet demand. Several major valley trails have also been recommended, plus many short stretches of trail to link up or complete existing trails. In addition, we have recommended study of the potential of existing or abandoned utility and transportation rights-of-way as possible routes.

In closing, we again state our feeling that protection and development of foot trails is a desirable national goal and strongly urge your support of this bill.

Sincerely,

JOSEPH N. GILL, *Commissioner.*

MICHIGAN DEPARTMENT OF CONSERVATION,  
*Lansing, March 13, 1967.*

HON. HENRY M. JACKSON,  
*Chairman, Senate Committee on Interior and Insular Affairs,  
Senate Office Building, Washington, D.C.*

DEAR SENATOR JACKSON: This concerns the open hearing on S. 827 concerning the National trail system, to be held at 10:00 a.m., Wednesday, March 15, 1967.

While it is not possible for me to be present for this hearing, I would like to have it entered in the record that I support the principle of a Federal action program, in cooperation with the States, for the designation and construction of a national system of recreational trails. Michigan is already active in this field, having recently completed a hiking and bridle trail across the northern part of the Lower Peninsula from Lake Michigan to Lake Huron. The high success of this venture as demonstrated by the use it receives and the very favorable public reaction is testimony to the need for long distance trails.

I note that the North Country Trail is not one of the four named in the bill as initial units. While the need for establishing these trails in accordance with a national priority system is recognized, we assure you that we would support early establishment of the North Country Trail.

I would like to call your attention to an entirely new development in trail needs. Snowmobiles have, in the past three years, become a highly popular feature of winter recreation. Sales are growing rapidly in the northern states. These vehicles are estimably well suited to trail use. While it is still too early to assess the full need for snowmobile trails, we are confident that this new form of recreation will be increasingly important. Already, Northern Michigan trails are being utilized by snowmobiles. These vehicles are not normally suited to highway use, nor under most circumstances, will random cross-country use be advisable or welcomed by land owners.

We, therefore, suggest that the wording in Section 2(j), page 12, lines 19-23, prohibiting the use of motorized vehicles on the national scenic trail system be reconsidered.

We conceive that under many circumstances, winter use of trails by snowmobiles would not be incompatible with the purpose of the national trail system and would, in fact, extend the usefulness of these trails into the winter season when they would otherwise see very little use.

As an added note, we would like to point out that the North Country Trail as depicted in "Trails for America", U.S. Department of the Interior, does not

depict the route through Michigan which we believe to be most appropriate. However, we are confident that future studies will enable those assigned responsibility for trail designation as provided in S. 827, to arrive at agreement as to the most advisable location.

Sincerely,

RALPH A. MACMULLAN,  
By GLENN C. GREGG, *Director.*

THE IZAAK WALTON LEAGUE OF AMERICA,  
*Glenview, Ill., March 14, 1967.*

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

DEAR MR. CHAIRMAN: The Izaak Walton League of America supports enactment of legislation to establish a nationwide system of trails.

We believe that its primary value will be assurance of permanent protection of trail routes through public control. Several of our members have personal experience with trail location and maintenance—particularly on the Appalachian Trail—and have seen their volunteer efforts erased by incompatible land development and use. The land use control costs authorized by national trail system legislation are small in comparison to the associated long run benefits.

The League hopes that costs of trail relocation, construction, and maintenance will in the future be borne in large part by volunteer organizations, as has been the case to date in many areas.

Respectfully,

ROBERT T. DENNIS, *Assistant Conservation Director.*

ARLINGTON COUNTY, VA.,  
OFFICE OF THE COUNTY BOARD,  
*March 22, 1967.*

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

DEAR SENATOR JACKSON: Attached is a copy of a memorandum to me from Arlington County Manager Bert W. Johnson.

I would be pleased if you could enter this memorandum in the public hearing record for Senate Bill #S-827. Arlington has had a hiking trail along the Potomac River for the last three years. We have had a minimum of policing problems, vandalism and crime in this area. I hope that this actual experience may be of value to your Committee as it weighs and evaluates the proposals for a Potomac Heritage Trail. We in Arlington are convinced that such a trail would be an important recreational asset to the Metropolitan Area and would pose no problems of policing or crime prevention.

Sincerely yours,

THOMAS W. RICHARDS,  
*Member, Arlington County Board.*

[Enclosure]

ARLINGTON COUNTY, VA.,  
INTERDEPARTMENTAL MEMORANDUM,  
*March 20, 1967.*

Subject: Park area crimes.

To: Mr. Richards.

From: Bert W. Johnson.

Following up on your request, Chief Fawver has perused the police records and has checked with his staff officers to learn if there had been any alleged

criminal acts against persons in the parks in the area bounded by Potomac River, Glebe Road, Military Road, Lorcom Lane and Spout Run Parkway.

While it would take a considerable time to specifically check out our records, they now being placed on the computer, there is no one who has any recollection of an alleged crime against persons and there have been very few reports of vandalism against park property. There have been a number of breaking and entering cases reported by the homes adjacent to the parks, but we do not believe that the number of such cases has any bearing on their location.

If you want further checking, we would be glad to do so.

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THE CONSERVATION LEAGUE,  
New York, N.Y., March 21, 1967.

HON. HENRY M. JACKSON,  
U.S. Senate, Washington, D.C.

SIR: We wish to express our appreciation for the Senate's interest in protecting the open areas of our countryside for the present and future use of the recreational pleasure and activity of hiking and trail walking in natural surroundings where still possible.

We are grateful for the Senate hearings in the 89th Congress on the Appalachian Trailway bill and for the early Senate hearings on S. 827 to Establish a Nationwide System of Trails.

We believe the careful incorporation of the main features of the Appalachian Trailway bill into S. 827 meets the main problems that face the continued protection of the Appalachian and other noted trails.

However, we believe it would be desirable to have stronger protective wording on the re-location and width of right of way of trails than that presently contained in the language of the bill; viz., Page 6, line 27 through line 6 page 7.

Many individuals, organizations and communities may be willing or desirous of contributing land or money for the purchase of specific lands for inclusion in the trail system. However, with very little assurance that the land will be continued in the future as part of the system there may be considerable reservation about their making the gift.

Although we realize the impossibility of providing protective wording such as that contained in the National Wilderness Preservation System to protect the trailways, we still feel some consideration to provide stronger protection should be made. In view of the scope of the present bill and the several differing types of trails and areas that it includes, stronger wording to ensure continued protection of the right of way may be difficult, but we believe it does deserve careful study.

We thus hope improvements in the bill will be possible but express our endorsement of its other features and its intent. We, therefore, urge careful consideration of the bill and the Committee's reporting of a strong bill to establish a Nationwide System of Trails.

Very truly yours,

LEONARD R. GRAYDON, *Chairman.*

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NORTH AMERICAN TRAIL RIDE CONFERENCE,  
Concord, Calif., March 14 1967.

HON. HENRY JACKSON,  
*Chairman, Senate Interior and Insular Affairs Committee,*  
*Senate Office Building,*  
*Washington, D.C.*

DEAR SENATOR JACKSON: The Board of Directors of the North American Trail Ride Conference congratulate and commend you for authoring Senate Bill 827.

The establishment of these scenic trails are of profound interest to the members of our Association. We believe that the public interest will be likewise notably served by the enactment of this Bill.

Please convey the text of this letter to the members of your honorable committee.

Sincerely,

GEORGE H. CARDINET, Jr., *Secretary.*

POTOMAC APPALACHIAN TRAIL CLUB,  
Washington, D.C. March 13, 1967.

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

DEAR SIR: Please include with the records of the hearings on S. 827 the support of the Potomac Appalachian Trail Club.

This Club maintains the Appalachian Trail from Pine Grove Furnace, Pennsylvania to Rockfish Gap, Virginia, a distance of 226 miles, 94 miles of which are in Shenandoah National Park on a shared maintenance basis. Shorter sections of the Trail go through Michaux State Forest in Pennsylvania, Washington Monument State Park and Gathland State Park in Maryland, along the C & O Canal towpath and in Harpers Ferry National Monument Park in West Virginia. A section of the Trail on South Mountain in Maryland is the State Forest. The remainder is over private lands.

Our immediate problem concerns these private lands. The mountains in Maryland and Virginia lie within a 50-60 miles radius of Washington, near enough for easy access to the Trail, but also near enough for mountain top summer and even year round homes to make real estate developments a threat to the Appalachian Trail. Northern Virginia is the present problem.

Seven landowners used formal legal notices to remove the Trail from their property in 1966. This made a relocation of three miles along State Rt. 601 when only one and quarter miles was actually involved in the requested removal. The Club found other owners of large tracts in the problem area who are willing to allow relocation of the Trail on their lands but arriving at a trail plan which would provide continuity of route can be difficult.

In contrast to the legal approach one developer has long been using proximity to the Appalachian Trail in his advertising. Another developer north of Chester Gap has named the main street Appalachian Trail Street. Many landowners profess interest in the Trail project but feel that Federal recognition of the Trail would place their land development plans in jeopardy. They fully expect the government to exercise their right of eminent domain.

As a Club of volunteers, a week-end research of a land ownership pattern would be a long process. County courthouse records would have to be consulted during the week. We have few who would even attempt this phase.

At best this all a holding action and not the forward looking program proposed in S. 827. As a club we feel that continuity and a permanent location are the two aspects of Trail preservation on which we need assistance.

The continued maintenance is well within the Club's program. In fact we approve the continued use of as much volunteer help as possible. The Potomac Appalachian Trail Club has worked with Federal, State and local personnel on matters of mutual interest as part of regular Trail activity.

For forty years the Appalachian Trail Conference has been our "advisory council." We would look forward to working under the broadened advisory council proposed in S. 827. We anticipate little change at the Club maintenance level.

Our primary interest is in leading hikers into a satisfying trail experience on the Appalachian Trail. Some idea of the scope of our activities can be seen in the fact sheet enclosed. The figures unless otherwise stated were taken from the 1966 annual report.

Finally, two provisions in the bill particularly impress us: the prohibition of motorized travel by the public on any scenic trail, and for the Appalachian Trail that it is to be a *footpath* in a primeval environment as much as possible.

As our knowledge and activity centers around the Appalachian Trail we feel more qualified to comment on that trail. However many of our members hike in other sections of the country. Protected hiking trails, safe from adverse use, we feel are necessary to give the walking public elbow room in the outdoors. The scenic trails are the backbone for other trails which we hope will become part of our hiking future.

Sincerely yours,

Ruth E. Blackburn  
Mrs. RUTH E. BLACKBURN,  
President, Potomac Appalachian Trail Club.

FACT SHEET, POTOMAC APPALACHIAN TRAIL CLUB

Membership:

1927: 6 charter members; 1967, 1,200 members.

Located in the District of Columbia, Maryland, Virginia, 37 States, 23 overseas.

Ratio: Three men to two women.

500 members donated 20,000 man-hours to trail related projects.

80 members of the mountaineering section.

Members pay own trip expenses plus dues.

Trails:

Appalachian:	<i>Miles</i>
Pennsylvania-SNP-----	125
SNP-----	94
South SNP-----	7
Side trails-----	130
Total-----	356

83 members assigned 73 sections trail donated 1,867 man-hours work. (Includes shared maintenance with Shenandoah National Park and the Maryland Appalachian Trail Club, Hagerstown, Md.) Cost: \$230.

Lean-tos:

In SNP (park maintenance)-----	17
Other (PATC maintenance)-----	19

Use figures:

	<i>Persons</i>
1964-----	17,640
1965-----	23,142
1966-----	31,094
1967-----	7,000

1,000 man-hours: cost \$564.

Cabins:

Pennsylvania-----	4
Maryland-----	1
Virginia:	
SNP-----	5
GWNF-----	3
Total-----	13

<sup>1</sup> Lean-tos are also called shelters. About one-half of the 7,000 use figure were Boy Scouts.

Use count, 5,575 persons.

Maintenance cost \$2,000 (major repairs).

Office:

Open to the public 7-10 p.m., Monday-Friday; 3,000 visitors; 50 members rotate duty donating 1,500 man-hours total.

Publications:

- Forecast, monthly newsletter.
- Bulletin, quarterly.
- Free informational folder.
- Three trail guidebooks.
- Four smaller publications.
- Up Rope, mountaineering news.
- Maps: 15 covering the trail; highway approaches; two for George Washington National Forest; one pictorial, Shenandoah National Park; climbers map, Potomac Gorge (in process).

APPALACHIAN MOUNTAIN CLUB,  
Boston, Mass., March 2, 1967.

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

DEAR SENATOR JACKSON: On behalf of the 11,000 members of the Appalachian Mountain Club, most of whom are residents of the Eastern Seaboard, I wish

to submit the following unanimous vote of the Officers of our organization recorded at their meeting in Boston, Massachusetts on Tuesday, February 28, 1967, in support of a bill to establish a Nationwide System of Trails: Voted that the Appalachian Mountain Club supports H.R. 4865 and S. 827 for establishment of a Nationwide System of Trails with the proviso that there be maximum protection for wilderness trail features.

Sincerely yours,

LYLE M. RICHARDSON, Jr., *President.*

ROANOKE APPALACHIAN TRAIL CLUB,  
Roanoke, Va., March 2, 1967.

Re S. 827.

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

DEAR SIR: The members of the Roanoke Appalachian Trail Club have long recognized the need for a national system of trails. We feel that hiking will be increasingly used as a family method of outdoor recreation in coming years. We have recognized from our own experience with the Appalachian Trail that immediate steps should be taken to preserve mountainous and secluded areas adjacent to our cities for this purpose.

At a special meeting of the Executive Committee of the Roanoke Appalachian Trail Club on March 1, 1967, it was voted unanimously to support S. 827, a National Trail Bill. Your efforts in introducing this bill are very much appreciated, and we strongly urge its passage.

Very truly yours,

RAYMOND E. LEVESQUE, *President.*

GEORGIA APPALACHIAN TRAIL CLUB,  
Atlanta, Ga., March 6, 1967.

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

DEAR SENATOR JACKSON: On behalf of the officers and members of the Georgia Appalachian Trail Club, please allow me to express our interest and fervent support of SB #827, "National System of Trails".

In this time of necessary expansion of our urban areas, it becomes more apparent that a bill of this nature is direly needed to protect and endure these trails.

We earnestly request your support of the "National System of Trails", SB #827.

Yours very truly,

TOM C. ADERHOLD, *Chairman, Conservation Committee.*

KEYSTONE TRAILS ASSOCIATION,  
Concordville, Pa., March 2, 1967.

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

DEAR SIR: I am a member of the Board of Managers of the Appalachian Trail Conference, I serve on the Executive Committee of this Board, and I am a Class "C" and "D" member of the Conference.

I am President of the Blue Mt. Eagle Climbing Club of Reading, Pa., and Advisor to the Lebanon Valley Hiking Club of Lebanon, Pa. Chairman of Maps and Guides for the Keystone Trails Association which comprises 26 hiking clubs in Pennsylvania.

I am serving as a Scoutmaster for 11 years and have received many of Scouting's highest awards.

On behalf of Myself as an Individual and of the above mentioned organizations, I would like to testify that we are all solidly in back of Bill s. 827 The Nationwide Trail Bill.

I have been hiking on the Appalachian Trail and many other trails in the East for 26 years, and I find an ever increasing interest in hiking, from people of all stations of life, and with the greatly expanding interest in family camping, and in the use of our Hiking trails by both Boy and Girl Scouts I feel that this bill for a Nationwide system of Trails is a *Must* in order to preserve our existing trails and to establish the trail facilities that our future generations will require.

I completely endorse this Bill and I know that I speak for all of the many thousands of people that I have occasion to represent in the above mentioned organizations.

Please this letter as a part of the Hearings on this Bill if you feel it advisable.

Sincerely,

RICHARD C. KIMMEL.

THE GREEN MOUNTAIN CLUB, INC.,  
Rutland, Vt., March 10, 1967.

Senator HENRY M. JACKSON,  
*Chairman, Senate Committee on Interior and Insular Affairs.*  
*Senate Office Building, Washington, D.C.*

DEAR SENATOR JACKSON. I am John H. Rohrbaugh, residing at 8344 Lefferts Blvd., Kew Gardens, New York. I am president of the Green Mountain Club, a Vermont corporation.

The members of this club, formed in 1910, conceived the idea of the Long Trail, "A Footpath in the Wilderness". This trail was built by members of this club using only their own volunteer labor and their personal funds. It extends along the ridges of the Green Mountains from the Massachusetts border to Canada. The trail is maintained by the club, with the present day assistance of the United States Forest Service where the trail lies within the Green Mountain National Forest. There are 73 overnight shelters on this 255 mile trail, all for the free unrestricted use of the public on a first come, first served basis.

The Appalachian Trail, the subject of S.827, utilizes 95 miles of the Long Trail and the associated 29 shelters.

There can be no question that the members of this club would individually approve the ideas underlying S. 827 and the ideals it represents. This is really established by the fact that they are members, since membership confers on an individual nothing but an opportunity to aid in maintaining the Long Trail. About half of the present total of approximately 1,600 members are residents of Vermont. This club, furthermore, may be regarded as representative of the many clubs whose members have provided a major part of the forest and wilderness foot trail mileage, outside of National Parks, Monuments and Forests, that our country possesses today.

It is very clear that the day when trails can be built and maintained on an informal, volunteer basis is about ended. Objectionably long parts of the Appalachian Trail have already been forced out of the woods and onto roads. Federal protection and nothing less such as that provided by this legislative proposal, could put his trail back in the woods where it belongs. Protection from the feet of animals and from wheeled devices needs also to be provided.

This statement is my own, as an individual. Nevertheless, as pointed out above, it is clear that the mere fact of membership in a club such as this one would render practically certain the approval of these principles by the individual members.

May I conclude by expressing the hope that this bill in its final form will make mandatory the consultation with local groups, such as this club, on all trail and shelter building and maintenance activities; also that protection of the trail against use by wheels or animals' feet will be made absolute.

JOHN H. ROHRBAUGH.

CAROLINA MOUNTAIN CLUB,  
Asheville, N.C., March 14, 1967.

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

DEAR SENATOR JACKSON: The Carolina Mountain Club heartily endorses S. 827, the bill to establish a nationwide system of trails. We are grateful to you for introducing it on behalf of yourself and Senator Nelson.

Being one of the Nation's oldest hiking organizations, maintaining some eighty miles of the Appalachian Trail in Western North Carolina, we are anxious for early passage of the bill.

This legislation has the potential for instituting and perpetuating a valuable system of trails through areas of largely primitive or pioneering character. The system can become a major national attraction for American citizens and foreign visitors alike. Each of the trails will be a valuable contribution to the recreational, scenic, and spiritual needs and to the moral and physical fitness of the people for all time.

Very truly yours,

BERNARD L. ELIAS, *President.*

P.S.—The Carolina Mountain Club has some one hundred fifty members. It schedules weekly hikes to places of scenic beauty in Western North Carolina. A copy of the current hiking schedule is enclosed.

SMOKY MOUNTAINS HIKING CLUB,  
Knowville, Tenn., March 9, 1967.

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

DEAR SENATOR JACKSON: This letter is written to express the enthusiastic support of the Smoky Mountains Hiking Club for your bill, S. 827, providing for the establishment of a Nationwide System of Trails.

We are especially pleased that The Appalachian Trail is one of the four "national scenic trails" proposed for immediate establishment. The Smoky Mountains Hiking Club, organized in 1924 and with a membership of some 250, has been affiliated with the Appalachian Trail Conference for 35 years. As a member of the conference, we—in cooperation with the National Park Service and the U.S. Forest Service—are responsible for the maintenance of a stretch of the Trail extending from the Big Pigeon River southward through the Great Smoky Mountains National Park, across the Little Tennessee River at Fontana Dam, and over the intervening mountains to the Nantahala River at Wesser Station, N.C.

In our opinion the Federal recognition and protection which would be given The Appalachian Trail by the provisions of your proposed legislation are essential to the continued preservation of the Trail. Forty years ago when the Trail was initially being established, the fact that it was located generally along the crests of mountain ranges put it remote from otherwise competing uses of the land, and the Trail could expect to remain undisturbed. But not so today. Increasingly through the years the eastern mountain country has been taken over for the conventional uses of our mechanical civilization, with the consequence that extensive sections of the Trail are constantly having to be shifted elsewhere or are being seriously threatened with displacement. In fact, we have about run out of unoccupied mountain crests to shift the Trail to.

While our principal concern is for The Appalachian Trail, we recognize the need for the other trails proposed in S. 827 in order to provide trails within reach of people in all sections of our country. Therefore, we strongly endorse S. 827 and ask that this letter be made a part of the formal record of the hearing.

Very truly yours,

O. K. SERGEANT, *President.*

## NEW YORK-NEW JERSEY TRAIL CONFERENCE, INC.,

New York, N.Y., March 8, 1967.

HON. HENRY M. JACKSON,

*Chairman, Committee on Interior and Insular Affairs,  
U.S. Senate, Washington, D.C.*

DEAR SENATOR JACKSON: This communication concerns itself with S. 827, the nationwide trail bill. At the outset let it be stated that the New York-New Jersey Trail Conference supports this bill with great enthusiasm. To further comment on this bill, some references to the metropolitan New York area might be quite useful.

Through its member clubs, this organization is responsible for the maintenance of the Appalachian Trail in the States of New York and New Jersey—a total of approximately 155 miles. As a result of this voluntary obligation, we are continually aware of the dangers that threaten the existence of this trail. For the most part, the Appalachian Trail in this region still traverses a highly scenic area. The great numbers of people who use this portion of the trail testify to these qualities. However it is a most difficult task to maintain such a woodland trail when new man-made encroachments frequently necessitate the relocation of a section of this trail through a less desirable location, and these difficulties can be expected to multiply in the future unless positive action is taken now. The protection to be afforded by S. 827 is desperately needed.

The present route of the Appalachian Trail in the States of New York and New Jersey is ideally located. It is far enough removed from the core of the metropolitan area to traverse an unspoiled countryside but near enough to make it a route for frequent outdoor trips. This observation is reinforced by the numerous Boy Scout councils which have established camps adjacent to the trail. However the nearness of the trail to the core of the metropolitan area also means that its security will be more threatened in the future as suburbia spreads even further afield. The need for S. 827 now becomes even more apparent.

However the Appalachian Trail is but one facet of the trail system in the metropolitan New York region. The need for trails close to one's residence are also needed to provide a quick few hours relaxation. The use of utility rights-of-way, such as aqueducts, canals and railroads, are not only possibilities, but this organization, together with others, is striving to protect their continued recreational use. Such trails will foster new adventures for the person who enjoys the out-of-doors and will provide simple pleasures in a highly complex world.

The opportunity is here today to provide an invaluable system of trails; tomorrow it cannot be purchased at any price.

Sincerely yours,

GEORGE M. ZOEBELEIN,  
*President.*

PIMA COUNTY PARKS & RECREATION DEPT.,  
*Tucson, Ariz., March 1, 1967.*

HON. HENRY JACKSON,

*Chairman, Senate Interior and Insular Affairs Committee,  
U.S. Senate,  
Washington, D.C.*

MY DEAR SENATOR JACKSON: We urge that every effort be made to enact proper legislation and appropriate the necessary funds for the establishment of a Nation Wide Trails System in accordance with the program suggested by the Department of the Interior, U.S. Forest Service, Department of Agriculture, and the Bureau of Outdoor Recreation.

We here in Arizona are taking steps to develop riding and hiking trails on a local and state level and therefore ask that you take whatever action you deem necessary in support of the Trails Program.

Sincerely yours,

GILBERT RAY,  
*Executive Director.*

BATONA HIKING CLUB OF PHILADELPHIA,  
Willow Grove, Pa., February 28, 1967.

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

We are indeed very happy to learn the two bills to establish a National System of Trails are to get a hearing so early in the first sessions of the 90th Congress.

There is a great need for such a bill. With the ever growing population and building boom, there will be little open space left for hiking and other activities.

The Batona Hiking Club consists of over 1200 members who I am sure wholeheartedly favor these bills.

We are very much interested in the "A Trail," which is within a short driving distance from our area in which we live. Many of our members have hiked on the "A Trail," from the Delaware Water Gap to the Maryland State Line (216 miles) in sections of 15 or 16 miles.

There are many other hiking clubs who use the "A Trail." If and when the "A Trail" is improved we are sure that many of our citizens of the Metropolitan area would use the facilities of trail.

We are looking forward to an early hearing and consequently the passage of the bills.

Sincerely yours,

JOSEPH GEDER, *President.*

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BATES COLLEGE OUTING CLUB,  
Lewiston, Maine, February, 28, 1967.

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

DEAR SENATOR JACKSON: As President of the Bates Outing Club I would like to stress our support of your bill S. 827 now coming up for hearings before the full committee on Interior and Insular Affairs. We have reviewed your bill and are in accord with the Appalachian Trail Conference when it says that passage of this bill will be of substantial assistance over the years ahead in protecting the continuity and character of the Appalachian Trail.

We, as a Club, are responsible for just short of 50 miles of the Appalachian Trail in Maine and feel that the passage of this Nationwide System of Trails bill will aid considerably in maintaining the beauty of this country.

Sincerely yours,

JAMES A. DOWNING,  
*President.*

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BRANDYWINE VALLEY OUTING CLUB,  
Wilmington, Del., February 27, 1967.

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

DEAR SENATOR JACKSON: We would like to express our great interest in S. 827.

We feel it is a much needed bill and hope for its speedy passage. Our club is among the thousands of people using the trails and we feel this legislation is very necessary to insure that there will be trails in the future for us to use.

Sincerely,

MILFORD J. BRINTON, Jr.,  
*Chairman.*

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THE BLUE MOUNTAIN WILDERNESS PARK ASSOCIATION,  
Lebanon, Pa., March 3, 1967.

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

DEAR SIR: As President of the Blue Mountain Eagle Climbing Club of Reading, Penna., I wish to express our Club's Thanks to you for introducing Bill S. 827 The Nationwide Trail bill.

At the February meeting of our Club we thoroughly discussed this Bill and were unanimous in our decision to completely back this bill.

We feel that with the Appalachian Trail as a model, and the passage of this bill the people of the entire United States will greatly benefit from increased outdoor activities and especially from hiking and the other varied uses of these trails.

I have enjoyed hiking and maintaining the Appalachian trail for more than 25 years and our club pioneered 102 miles of the Appalachian Trail in Penna., and we feel this bill is urgently needed to preserve the future of this trail and to establish and preserve additional trails for our future generations.

Our Nation's Physical fitness will be improved and much of our increasing leisure time will be well taken up with the use of these trails.

Our Club has more than 200 members (218 at present) and will back this Bill 100%.

Please use this letter as written testimony in your hearings if you feel it advisable.

Sincerely,

RICHARD C. KIMMEL,  
*President, Blue Mountain Eagle Climbing Club.*

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COUNTY OF SAN MATEO,  
PARKS AND RECREATION COMMISSION,  
*Redwood City, Calif., March 2, 1967.*

Senator HENRY JACKSON,  
*Chairman, Interstate and Insular Affairs Committee,*  
*U.S. Senate,*  
*Washington, D.C.*

DEAR SENATOR JACKSON: It is my understanding that your committee, on March 15, will hold hearings on Senate Bill 827, the so called Trails Bill. When I was in your office in October I hoped to talk to you about this legislation, but it was my misfortune to have missed you. But, on the other hand, I know of your genuine interest in the great outdoors based on my knowledge of your career in Washington.

We here in California are, of course, greatly interested in the provisions of the bill relating to the Pacific Crest Trail. Those of us here in the San Francisco Bay Area and, in particular, San Mateo County are especially interested in the provisions relating to trails within the metropolitan areas. It is my hope that your committee will report favorably on this legislation.

Sincerely,

G. M. DEAN, *Chairman.*

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SHASTA-CASCADE WONDERLAND ASSOCIATION,  
*Redding, Calif., February 28, 1967.*

Senator HENRY M. JACKSON,  
*Chairman, Subcommittee on Interior and Insular Affairs,*  
*Senate Office Building,*  
*Washington, D.C.*

DEAR SENATOR JACKSON: While we have not had an opportunity of seeing or studying Senate Bill 827, we wish to state that we are in accord with the principles of establishing a nationwide system of trails as outlined in the book, "Trails for America" recently published by the Bureau of Outdoor Recreation.

We understand that hearings will be held on March 15, in Washington. We feel that it is important that serious consideration be given to such legislation, which will develop a nationwide system of trails.

The Pacific Crest Trail, of which we have primary concern, is of great importance to the Pacific Coast and particularly northern California. Its development along with other trail systems throughout the United States will provide extensive opportunities for outdoor recreation for an exploding population.

We urge favorable consideration of Senate Bill 827.

Sincerely yours,

JOHN F. REGINATO,  
*General Manager.*

ILLINOIS DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT,  
 Springfield, Ill., February 15, 1967.

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

DEAR SENATOR JACKSON: We note with interest your recent report "Trails for America," which recommends establishment of a nationwide system of metropolitan, park and forest, and long and scenic trails.

We in Illinois are keenly aware of the national effort to beautify America. We have been active in development of multi-state trails such as the Lincoln Heritage Trail and the Hiawatha Pioneer Trail, which are designed to attract tourists. Being a corridor state, the economic impact of the trails is tremendous.

We wish to lend our full support to the establishment of a nationwide system of trails. The scenic and historic value of these trails and the easy access to them will go a long way to further "Discover America."

Sincerely,

GENE GRAVES.

GREAT NORTHERN PAPER CO.,  
 Bangor, Maine, March 17, 1967.

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

DEAR SIR: I am writing in regard to S. 827 on a nationwide system of trails.

A conflict in my schedule prevented my attending the Hearings this week and I request that this letter be included in the records.

Our Company owns lands in the States of Maine, Georgia, Florida and Alabama and the Appalachian Trail runs through approximately 38 miles of our timberlands in the State of Maine. We have always welcomed and cooperated with the Maine Appalachian Trail Club and expect to continue our friendly relationship.

The history of the Appalachian Trail on our lands we think is a fine illustration of multiple use forest management. By using a selection system of cutting, we have utilized the mature growth from our lands along the Trail without damaging the esthetic values and in many cases, improving both the view and the travel conditions.

We believe strongly that forest land must be managed if it is to be kept in an attractive condition for recreational use. It has been our policy for a number of years to leave protective strips along lake shores, roads, and streams. These strips are usually 60 to 120 feet in width depending on exposure to the wind, soil conditions and other factors, and the general policy has been to remove only those mature trees that would be dead and on the ground prior to the next scheduled cutting operation in the area.

The cutting in these protective strips has been done quite carefully and we have many miles of shore front and road sites that testify to the success of this type of management.

The Maine Legislature and voters have recently approved the establishment of a State operated Wilderness Waterway in the Allagash Region here in Maine. Federal matching funds will be available for this project and I understand that Secretary Udall has on several occasions expressed his approval and pleasure at this solution to the Allagash question. It would be our preference in providing for the protection and improvement of the Appalachian Trail in Maine, that we work with the Maine Appalachian Trail Club and or State of Maine resource agencies.

We do not believe that it is either necessary or desirable for land bordering the trail in Maine to be held in public ownership. We are now working with the Maine Appalachian Trail Club on an agreement patterned after the Appalachian Trailway Agreement between the U.S. Forest Service and National Park Service and other Federal and State managers of public lands through which the Trail passes. We think this agreement will provide adequate protection for the Trail and are opposed to the granting of the power of eminent domain to any Federal Agency in connection with the Appalachian Trail or other trails in Maine.

We have no objection to the basic concept of a National Trail System but would much prefer to continue to work with our local Appalachian Trail Club people

in Maine to insure the continued attractive maintenance of the Appalachian Trail on our land.

Yours truly,

JOHN MAINES,  
Vice President, Woodlands.

CONSERVATION FORUM OF NEW YORK STATE,  
March 15, 1967.

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

DEAR SIR: There are many people in western New York who earnestly hope for the enactment of legislation, for national trails, for hikers and for protection of such trails.

We are especially interested in the conservation trail, from the Canadian border to Penn. and in the Finger Lakes trail which, when finished, will connect our conservation trail with the Appalachian Trail in the Catskills.

Especially interested are the *Conservation Forum* of New York State and several affiliated clubs, including *Foothills Trail Club*, and *Buffalo Hiking Club*.

Will you kindly record our interest in this manner.

Yours very truly,

MABEL H. JAMES.

NORTHERN VIRGINIA CONSERVATION COUNCIL,  
Annandale, Va., March 20, 1967.

Senator HENRY M. JACKSON,  
Chairman, Senate Committee on Interior and Insular Affairs,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR JACKSON: The Northern Virginia Conservation Council supports enactment of legislation to establish a Nationwide System of Trails (S. 827), and submits this statement for the record of the hearing before your Committee on March 15 and 16.

The Northern Virginia Conservation Council is a private, non-partisan group of citizens dedicated to the preservation and wise use of parks, historic resources and open space to preserve Virginia's natural beauty and to meet the outdoor recreational needs of the people.

The rapid increase of population and urbanization in Northern Virginia threaten to obliterate and deny public access to and enjoyment of our region's rich endowment of rivers and mountains and historic features, not to mention pleasant stream-sides and bits of woods and meadows where we can enjoy an evening stroll and where our children, and theirs too, can play. By establishing a system of National Scenic Trails—trails in our parks and other conservation lands, and trails specifically serving our metropolitan areas—S. 827 would encourage regional planning and cooperation among public agencies and private groups to develop an areawide variety of trails before existing opportunities are engulfed in development and high land costs.

Already the Metropolitan Council of Governments, comprised of elected officials of the entire Washington region, has taken the initiative in establishing a Potomac Valley Subcommittee. We look forward to cooperating with this group in promoting a regional trail system.

We applaud the provisions for National Scenic Trails which would protect the right-of-way of the Appalachian Trail along the Blue Ridge, the mountain backdrop to Northern Virginia, and would establish an exciting Potomac Heritage Trail along the banks of the Potomac River, linking past and present. Early action is essential; less than 50 miles from Washington, subdivisions have caused relocation onto highways of a section of the Appalachian Trail in northern Virginia. Metropolitan and resort developments threaten to block access along and mar the banks of the Potomac, a river that belongs to the entire nation as well as the people of northern Virginia and Maryland.

Arlington County and the National Park Service have already developed

trails along the Potomac shores and palisades between Key Bridge and Chain Bridge, and Alexandria proposes walkways along its waterfronts. These and other trails provide the beginnings of a Potomac Heritage Trail. We urge that the route northward from Chain Bridge take full advantage of the highly scenic and spectacular gorge between Chain Bridge and Great Falls. Here exciting rapids, sculptured rocks and bluffs studded with hemlock and tulip trees create a sense of natural wonder and of the wild that is unique in the midst of metropolitan expansion. An unobtrusive trail of simple design, coupled with scenic protection and giving thoughtful consideration to the rights of the property owners, would insure for all time public benefits from the resource.

We appreciate this opportunity to submit our views to your Committee and for the public record. Thank you.

Sincerely,

DORIS KIDDER, *President.*

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NATIONAL AUDUBON SOCIETY,  
New York, N.Y., March 20, 1967.

Senator HENRY M. JACKSON,  
*Chairman, Committee on Interior and Insular Affairs,*  
Washington, D.C.

DEAR SENATOR JACKSON: I respectfully request that this letter be added to the record of the hearing on S. 827, concerning establishment of a nationwide system of trails, which was held March 15.

There is no need to repeat here the many reasons for passage of the bill which were so ably presented by Secretary of the Interior Udall and Secretary of Agriculture Freeman.

We merely wish to make it a matter of official record that the National Audubon Society urges passage of this bill.

Sincerely yours,

CHARLES H. CALLISON,  
*Executive Vice President.*

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OXFORD PAPER CO.,  
Rumford, Maine, March 16, 1967.

HON. HENRY M. JACKSON,  
*Interior and Insular Affairs Committee,*  
*Senate Office Building,*  
Washington, D.C.

DEAR SENATOR JACKSON: Relative to Bill S. 827—Nationwide System of Trails, we submit this letter to be filed within the records of this bill.

The Appalachian Trail passes through eight miles of Oxford Paper Company woodlands. This condition has existed in an amicable and cooperative atmosphere for many years, a fact with permission unwritten, spirit unmarred, and the adjacent area affording the varied uses commonly existing within a forested land. We take wood for our mill, on a selected basis, from the area surrounding the Trail and there is neither abuse by the hikers nor by the owners in the multiple use of these areas. There are no confining boundary lines. As far as we are concerned, the Trail extends laterally for as many miles as one wishes to hike throughout our lands. It is our policy to permit any and all free access and travel through our Company forests and waters. We feel it pointless and a disadvantage to all concerned to confine this type of enjoyment to a limited, artificial corridor which would not truly represent Maine and its people.

The lands bordering the Trail are a part of our present and future business requirements, as well as an important part of our public relations program. They were purchased to assist us in the manufacture of fine papers, we need them and most certainly cannot afford to lose the use of timberlands acquired to support our mills.

Upon the basis of this satisfactory enjoyment by Trail users, we strongly urge that there be an extension of the privileges they now and previously enjoyed by a *simple cooperative agreement*, and in this manner maintain the harmonious relationship currently existing with the landowners.

We urge, sir, that the Committee thoroughly explore the many ramifications involved in S. 827.

Very truly yours,

JOHN L. HARTRANFT, JR.,  
General Manager, Wood Department.

MADISON, WIS., March 19, 1967.

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

DEAR SENATOR JACKSON: I should like to place on record my support for S. 827, the bill to establish a nationwide system of trails. This measure represents an admirable opportunity to provide high-quality outdoor recreational facilities for tens of millions of Americans at a very low overall cost.

An especially commendable aspect of this bill is that it affects such a large area of the nation; the four national scenic trails recommended by President Johnson in his January 30 message to Congress on "Protecting our Natural Heritage" would traverse significant sections of twenty-two states. The value of the well-established Appalachian Trail, crossing mountains within easy reach of tens of millions of Americans on the eastern seaboard, is beyond dispute: I expect that the Pacific Crest Trail, already nearly complete, mostly on Federal lands, and the Potomac Heritage Trail will evoke comparatively little controversy. It is the proposed Continental Divide Trail, however, which I personally find the most exciting. The splendor of the Rocky Mountain scenery which this trail would render accessible to the masses is well known; in particular the magnificent wilderness areas of Wyoming and Montana would receive attention for recreational purposes which they richly deserve.

Features of S. 827 which I find especially commendable include the provisions that motorized vehicles be prohibited, that the Appalachian Trail be maintained primarily as a footpath, and that the assistance of private organizations and individuals be encouraged for trail maintenance.

With respect to subsection 2(c) of the bill, which I recognize that the list of eight trails suggested for study is not intended to be complete, I would like to commend to your attention one trail already in existence which was omitted both from S. 827 and from the Bureau of Outdoor Recreation's publication *Trails for America*. This is the Metacomet-Mattabeset Trail system extending from Mt. Monadnock in New Hampshire southward through the hills of the Connecticut Valley to a point about halfway between Middletown and New Haven, Connecticut. Its route is obviously in close proximity to densely populated centers, and it is continually threatened by private developments, especially stone quarries. Like the Appalachian Trail, it is maintained by volunteer organizations, assisted by college outing clubs. Although it traverses several state parks and reservations in New Hampshire, Massachusetts, and Connecticut, its route is largely over municipal watersheds and privately owned land. I can personally attest that the degree of wilderness which is still accessible by means of this trail is truly astonishing, in view of its location. A connection with the Appalachian Trail either in the Berkshires or western New Hampshire might be feasible.

Sincerely,

WILLIAM G. FORTNEY.

WANDERBIRDS HIKING CLUB, INC.,  
Washington, D.C., March 17, 1967.

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

DEAR SENATOR JACKSON: The Wanderbirds Hiking Club, Inc., Washington, D.C., wishes to have the following statement included in the record of the hearings on March 16, 17, 1967 on S. 827.

"Whereas a bill, S. 827 has been introduced in the United States Senate to establish a nationwide system of trails and for other purposes, and

Whereas this bill would establish the Appalachian Trail, the Potomac Heritage Trail, the Pacific Crest Trail and the Continental Divide Trail as 'National Scenic Trails' and increase protection of the trails by easements on or acquisitions of land necessary to the continuance of the trails,

Resolved that the Wanderbirds Hiking Club support the purposes of this bill by submission of a statement to the Committee on Interior and Insular Affairs."

The resolution was adopted unanimously at the March 6, 1967, annual meeting of the Wanderbirds Hiking Club, Inc.

Sincerely yours,

ANSON O. COURTER  
(For Marguerite Schneeberger, President).

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NASHVILLE, TENN., March 12, 1967.

Senator HENRY M. JACKSON,  
Chairman, Senate Interior Committee,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR JACKSON: I want you to know that I am extremely enthusiastic about your bill for the nationwide system of scenic trails. I regret that we do not have a Tennessean on your committee to urge his cooperation and vote.

The book, "Trails for America," expresses our country's beauty and possibilities for the enrichment of future generations better than anything else I know.

When the bill is actually presented to the Senate for approval, I promise you I shall write Senators Case and Baker urging their support for this inspiring development of our country.

Sincerely yours,

ELEANOR PHILLIPS.

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FRESNO, CALIF., March 14, 1967.

Hon. HENRY JACKSON,  
U.S. Senate,  
Senate Office Building,  
Washington, D.C.:

The California Park and Recreation Society assembled in annual conference in Fresno, California, and representing professional park recreation personnel throughout the State supports the concept of the national system of hiking and equestrian trails and urges favorable consideration of pending legislation.

MARILYN JENSEN,  
President, California Park and Recreation Society.

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RIPON, WIS., March 12, 1967.

Re S. 827 A National System of Trails Bill.

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

DEAR SENATOR JACKSON: I think S. 827 is one of the most imaginative conservation bills introduced in this session of Congress. It fills a need of long standing in this country in an area which has been overlooked for too long a period.

I developed a love for hiking on the Appalachian Trail as a farm boy in Pennsylvania. Coming to Wisconsin in 1938, I missed the mountains and the opportunity of further enjoying this very pleasant form of outdoor recreation. Wisconsin was virtually trailless in those days and still is except for a short trail in the Kettle Moraine State Forest. However, in recent years a number of disconnected short routes were established. The Wisconsin Conservation Department purchased a 30 mile abandoned railroad right-of-way and the Sierra Club has constructed 10 miles of trail in the Baraboo Hills. The proposed 500 mile Ice Age Trail across Wisconsin has never gotten beyond talking stage.

Isle Royale National Park offers the nearest opportunity for long distance back packing and camping experiences. But Isle Royale is not easily accessible. What is badly needed is a mainland long distance route such as the North Country Trail as proposed in S. 827. Such a trail would serve the purposes of the day hiker as well as provide the challenge of a rugged activity for the hardy back packer.

I heartily endorse S. 827 and I strongly urge you and your committee members to look with approval upon this bill.

Yours sincerely,

JOE MILLS.

YORK, PA., March 13, 1967.

HON. HENRY JACKSON,  
U.S. Senate,  
Washington, D.C.

DEAR MR. JACKSON: We understand that Senate hearings are to start immediately on a National System of Trails.

As individuals and as members of several hiking clubs and other groups who are keenly interested in preserving trails for hikers and other outdoor lovers, we urge that you support the bill now being presented to protect the Appalachian Trail and establish other trails in the country.

We thank you for the cooperation in this line.

Sincerely,

Mr. and Mrs. M. C. FLEMING.

MILWAUKEE, WIS., March 15, 1967.

HON. HENRY M. JACKSON,  
Chairman, Senate Committee on Interior and Insular Affairs, New Senate  
Office Building, Washington, D.C.:

By action of a quorum of the executive board of the Sierra Club, John Muir Chapter, the following statement is given for inclusion to the official hearings record on the proposal for a national system of trail bills—S827:

The Sierra Club, John Muir Chapter, compliments the author of the bill as timely and imaginative thinking and strongly recommended this bill to the hearing committee for favorable action.

R. SWENSON,  
Chairman, Sierra Club, John Muir Chapter.

DETROIT, MICH., March 13, 1967.

HENRY M. JACKSON,  
U.S. Senator, Chairman, Interior and Insular Affairs Committee, Senate  
Office Building, Washington, D.C.:

We heartily concur with the provisions of Senate bill 827 with one exception. We recommend the addition in section 2 of "the Marquette Trail" which takes in the discovery of the Mississippi River in 1673 and covers a good 3000 miles including Canada. A great portion of Michigan-Wisconsin-Illinois and the Mississippi Valley down to the mouth of the Arkansas River. Your bill provides a most exciting and welcome prospect.

STEPHEN T. SPILOS,  
Chairman, Father Jacques Marquette  
Tercentenary Committee of Michigan.

SAN JOSE, CALIF., March 2, 1967.

Senator HENRY JACKSON,  
Chairman, Senate Interior and Insular Committee, Senate Office Building,  
Washington, D.C.:

The city of San Jose wholeheartedly endorses the proposals for a nationwide trail system which includes the metropolitan areas.

A. P. HAMANN, City Manager.

SAVE THE DUNES COUNCIL,  
Evanston, Ill., March 1, 1967.

HON. HENRY JACKSON,  
Chairman, Senate Interior Committee,  
U.S. Senate,  
Washington, D.C.

DEAR SIR: We understand that you are holding hearings soon on S. 827, The National System of Scenic Trails.

We heartily endorse this proposal, and urge its adoption by your Committee.  
Yours truly,

MERRILL D. ORMES,  
Executive Vice President.

SAN MATEO, CALIF., March 3, 1967.

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

SIR: This letter is directed to you to urge you to do all that you possibly can to effect the adoption and passage by the Senate of S-827. This legislation would provide for the establishment of the Pacific Slope Trail, the Oregon Trail, the Appalachian Trail, regional trails in the metropolitan areas, and other major units of a trail system which is so much needed.

As a member of the Regional Planning Committee for San Mateo County, I visited a number of County, and State parks, as well as the Pinnacles National Monument during the two holidays in February. All of them were crowded to capacity. There were no available parking spaces. The rangers were turning people away even at this time of year. Those few trails which were available were crowded beyond the point of being pleasurable.

I only wish that you could have been with me and observed the faces of the people who had brought their families and were turned away. Surely you must be aware of this need. I trust that you will do something about it.

Very truly yours,

CHARLES VOGEL.

KLICKITAT, WASH., March 3, 1967.

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

DEAR SENATOR JACKSON: The Senate has scheduled hearings on S. 827 for March 15. If written comment is being accepted, it would be appreciated if these remarks might become a part of that hearing record. As qualification, during a lifetime of interest in the subject, I have walked sections of each of the proposed systems with the exception of the Potomac Heritage Trail.

A national trail system is a worthy undertaking if its purpose is simply to unify the various segments of each system and assure perpetuation. This could be a relatively simple and low cost project.

I am somewhat apprehensive that a massive federal program, with special commissions and publicity—such as we have experienced so many times before—will take over and begin writing the epitaph of trails in America.

A pretty good job has been done thus far. I would urge restraint and simple good taste in preparing a federal remedy for a disease that has perhaps been over-diagnosed. Too much improvement of any of these major trail systems would only make them less interesting.

In summary, I am decidedly in favor of a nationwide trail system, provided that federal participation does not lead to federal domination of a project which, through the cooperation of private, state and federal agencies, has already resulted in a rather impressive system of trails. I would be somewhat apprehensive, also, of over-development similar to what has occurred in some of our national park areas.

Sincerely,

WARD SMITH.

COLUMBUS, OHIO, *March 11, 1967.*

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

DEAR SENATOR JACKSON: I urge the Committee's favorable consideration of S. 827, your proposal for a nationwide system of trails, or the companion bill, H.R. 4865.

Already more than 150 miles of the Buckeye Trail, traversing this state from Cleveland, on Lake Erie, to Cincinnati, on the Ohio River, via the Allegheny Plateau region in southeastern Ohio, and along several former canals, have been established. The Buckeye Trail will go directly through metropolitan areas and primitive areas alike, and will provide for cycling and horseback riding as well as hiking.

However, the need for hiking and scenic trails is urgent in such highly urbanized states as Ohio. The need is particularly acute for preservation of primitive areas, and making them more accessible for such limited recreational activities as hiking and primitive camping.

The passage of S. 827 or H.R. 4865 during this Session will facilitate providing public trails before urbanization further impedes such efforts or makes their cost prohibitive.

Sincerely yours,

JOHN PAUL BAY.



COLUMBUS, OHIO, March 11, 1937.

Senator HENRY M. JACKSON,

Chairman, Committee on Interior and Insular Affairs,  
U. S. Senate, Washington, D. C.

Dear Senator Jackson: I urge the Committee's favorable consideration of  
S. 227, your proposal for a nationwide system of trails, or the companion bill  
H. R. 7082.

Already more than 150 miles of the Buckeye Trail traverse the state from  
Cleveland, on Lake Erie to Cincinnati, on the Ohio River. In the Allegheny  
Mountains between southeastern Ohio and along several former canals, have been  
established. The Buckeye Trail will go directly from metropolitan areas and  
settlements across hills and will provide for excellent horseback riding as well  
as hiking.

However the need for hiking and scenic trails is urgent in such highly urban-  
ized states as Ohio. The need is particularly acute for preservation of primitive  
areas and making them more accessible for such health and recreational activities  
as hiking and primitive camping.

The passage of S. 227 or H. R. 7082 during this session will definitely provide  
the public trails before implementation further impedes such efforts or makes their  
cost prohibitive.

Sincerely yours,

JOHN PAUL DAY.



