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APOSTLE ISLANDS NATIONAL LAKESHORE

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HEARING
BEFORE THE
SUBCOMMITTEE ON PARKS AND RECREATION
OF THE
COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS
UNITED STATES SENATE
NINETY-FIRST CONGRESS

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FIRST SESSION

ON

S. 621

A BILL TO PROVIDE FOR THE ESTABLISHMENT OF THE
APOSTLE ISLANDS NATIONAL LAKESHORE IN THE STATE
OF WISCONSIN, AND FOR OTHER PURPOSES

MARCH 17, 1969



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

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APOSTLE ISLANDS NATIONAL LAKESHORE

MONDAY, MARCH 17, 1969

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

The subcommittee met, pursuant to notice, at 10:35 a.m., in room 3110, New Senate Office Building, Senator Alan Bible (chairman of the subcommittee) presiding.

Present: Senators Bible, Nelson, and Hansen.

Also present: Jerry T. Verkler, staff director; Roy Whitacre, professional staff member; Porter Ward, professional staff member; and Charles Cook, minority counsel.

Senator BIBLE. The subcommittee will come to order.

This is the time which we have regularly scheduled to take testimony on Senator Nelson's bill, S. 621, which establishes the Apostle Islands National Lakeshore in the State of Wisconsin.

During the last Congress this committee held very extensive hearings on the proposal, both in the State of Wisconsin and here in Washington. It was favorably considered by this committee and passed the Senate on August 21, 1967. The House unfortunately took no action and it is necessary to repeat our legislative procedures again during this Congress.

The bill is substantially the same as S. 778, and since a very voluminous record has already been made, I would suggest that the witnesses confine their testimony as nearly as they can to new material that has not already been presented to the members.

Correspondence has indicated that the cost of the lakeshore, \$13,310,000, does not represent the true cost of land acquisition and development. It is now my understanding that the previous estimates as to land acquisition have been verified and that the price tag is substantially correct. I would anticipate and admonish the Department witnesses to address themselves to this matter, because we have on numerous occasions had a rather sorry history in keeping the prices within those that are testified to and those that are authorized.

I will, without objection, include in the record the text of the hearings of May 9 and June 1 and 2 of 1967. They will be reincorporated by reference as a part of this hearing record. We will also include in the present hearings a copy of the bill and the Department reports thereon.

(The documents referred to follow:)

[S. 621, 91st Cong., first sess.]

A BILL To provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a)(1) for the purpose of conserving and developing for the benefit, inspiration, and use of the public certain islands, shorelines, beaches, sandspits, and other natural and historical features within Ash-

land and Bayfield Counties, Wisconsin, which make up a significant portion of the diminishing shoreline and archipelago environments of the Great Lakes region and which possess high values to the Nation as examples of unspoiled areas of great natural beauty.

(2) For the purposes of encouraging and enhancing the development and utilization of this region as an important center of public recreation activities, and particularly to encourage participation in the accomplishment of such purposes by the Bad River Band and the Red Cliff Band of the Lake Superior Chippewa Indians of Wisconsin (hereinafter referred to as the "Bad River Band" and the "Red Cliff Band") the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to establish and administer the Apostle Islands National Lakeshore (hereinafter referred to as the "lakeshore").

(b) The lakeshore shall comprise those islands, waters, and portions of mainland within Ashland and Bayfield Counties, Wisconsin, as generally depicted on a map identified as "Boundary Maps—Proposed Apostle Islands National Lakeshore, NL-AI-7100B, sheets 1, 2, and 3," dated May 1965, revised February 1967. Said map shall be on file and available for public inspection in the offices of the National Park Service.

(c) As soon as practicable after acquisition by the Secretary of an acreage within the boundaries of the lakeshore which in his opinion can be administered efficiently for the purposes of this Act, he shall establish the lakeshore by publication of notice thereof in the Federal Register.

SEC 2. (a) Within the boundaries of the lakeshore, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, or exchange. Any property or interests therein owned by the State of Wisconsin or any political subdivision thereof may be acquired only by donation. Notwithstanding any other provision of law, any Federal property located within the boundaries of the lakeshore may, with the concurrence of the agency having custody thereof, be transferred, without transfer of funds, to the administrative jurisdiction of the Secretary for the purposes of the lakeshore.

(b) Lands or interests therein within the boundaries of the lakeshore that are held by the United States in trust for the Bad River Band or the Red Cliff Band may be acquired by the Secretary only with the concurrence of the beneficial owner. The Secretary may agree to pay the purchase price either in a lump sum or in installments which in the aggregate equal the purchase price plus interest on unpaid balances.

(c) In order to provide substitute lands for the Bad River Band and the Red Cliff Band or for individual Indians of said bands in cases where their lands are acquired for the lakeshore, the Secretary may, from funds made available to him by such band or individual Indian, acquire by negotiated purchase any lands or interests therein outside of the boundaries of the lakeshore: *Provided*, That title to such lands shall be held by the United States in trust for the band or the individual Indians involved.

(d) In exercising his authority to acquire by negotiated purchase any land within the boundaries of the lakeshore that is held in trust or in a restricted status for individual Indians, the Secretary may, in cases where a particular tract of land is so held for more than one Indian, acquire such land without the consent of all of the beneficial owners if the acquisition is agreed to by the owners of not less than a 50 per centum interest in any land where ten or fewer persons own undivided interests or by the owners of not less than a 25 per centum interest in any land where eleven or more persons own undivided interests. The Secretary may represent for the purpose of this subsection any Indian owner who is a minor or who is non compos mentis, and, after giving such notice of the proposed acquisition as he deems sufficient to inform interested parties, the Secretary may represent any Indian owner who cannot be located, and he may execute any title documents necessary to convey a marketable and recordable title to the land.

(e) In exercising his authority to acquire property within the boundaries of the lakeshore by exchange, the Secretary may accept title to any non-Federal property therein, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction in the State of Wisconsin 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.

(f) In order to facilitate the acquisition by exchange of the lands within the boundaries of the lakeshore that are held by the United States in trust for the Bad River Band or the Red Cliff Band or held in trust or in a restricted status for individual Indians of said bands, the Secretary may acquire by negotiated purchase, lands, or interests therein, outside of the lakeshore boundaries. Lands

so acquired may be exchanged for such Indian lands. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

Sec. 3. (a) With the exception of not more than eighty acres of land in the Red Cliff Creek area that the Secretary determines are necessary for an administrative site, visitor center, and related facilities, any owner or owners, including beneficial owners (hereinafter in this section referred to as "owner") of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed twenty-five years, or, in lieu thereof, for a term ending at the death of the owner, or the death of his spouse, whichever is the later. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner.

(b) A right of use and occupancy retained pursuant to this section may be terminated with respect to the entire property by the Secretary upon his determination that the property or any portion thereof has ceased to be used for noncommercial residential or for agricultural purposes, and upon tender to the holder of a right an amount equal to the fair market value, as of the date of the tender, of what portion of the right which remains unexpired on the date of termination.

(c) The term "improved property", as used in this section, shall mean a detached, noncommercial residential dwelling, the construction of which was begun before January 1, 1967 (hereinafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

Sec. 4. (a) The Bad River Band and the Red Cliff Band, notwithstanding the provisions of section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended (25 U.S.C. 415), may enter into leases with the Secretary for lands beneficially owned by the Bad River Band or the Red Cliff Band for a term of not to exceed ninety-nine years, and shall grant the Secretary the option of renewing the lease for as long as the lands are used as part of the lakeshore.

(b) Notwithstanding any other provision of law, improvements and structures needed for development and administration of the lakeshore may be constructed on lands leased pursuant to this section.

Sec. 5. Within the portions of the Bad River and Red Cliff Indian Reservations that are included in the lakeshore, recognized members of the Bad River and Red Cliff Bands shall be—

(a) permitted to traverse such areas in order to hunt, fish, trap, boat, or gather wild rice or to obtain access to their homes or businesses: *Provided*, That in order to preserve and interpret the historic, scenic, cultural, and other outdoor features and attractions within the lakeshore the Secretary may prescribe regulations under which the area can be traversed;

(b) granted the first right of refusal to purchase any timber at fair market value if the Secretary determines that the harvesting or removal of timber is necessary or desirable;

(c) granted, to the extent practicable, a preferential privilege of providing such visitor accommodations and services, including guide services, as the Secretary deems are desirable: *Provided*, That such a preferential privilege will not be granted unless the visitor accommodations and services meet such standards as the Secretary may prescribe;

(d) granted employment preference for construction or maintenance work or for other work in connection with the lakeshore for which they are qualified; and

(e) encouraged to produce and sell handicraft objects under the supervision of the Secretary.

Sec. 6. The Secretary shall, to the extent that appropriated funds and personnel are available, provide consultative or advisory assistance to the Bad River and Red Cliff Bands with respect to planning facilities or developments upon their tribal lands which are outside of the boundaries of the lakeshore.

Sec. 7. Subject to such regulations as the Secretary may prescribe, the recognized members of the Bad River and Red Cliff Bands may use without charge any docking facilities within the lakeshore that are operated directly by the Secretary.

Sec. 8. (a) The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the lakeshore in

accordance with the appropriate laws of Wisconsin and the United States to the extent applicable, except that he may designate zones where, and establish periods when, no hunting, trapping, or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations prescribing any such restrictions shall be put into effect only after consultation with the appropriate State agency responsible for hunting, trapping, and fishing activities.

(b) Except for such regulations as the Secretary may issue under authority of this Act, nothing in this Act shall affect the existing rights of members of the Bad River Band or Red Cliff Band to hunt, fish, trap, or to gather wild rice, and the Secretary shall grant to such Indians the same rights with respect to lands acquired by him within the portions of the lakeshore that are applicable within the Bad River and Red Cliff Indian Reservations.

SEC. 9. The lakeshore shall be administered, protected, and developed in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4), as amended and supplemented; and the Act of April 9, 1924 (43 Stat. 90; 16 U.S.C. 8a et seq.), as amended, except that any other statutory authority available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of the Act.

SEC. 10. (a) In the administration, protection, and development of the lakeshore, the Secretary shall adopt and implement, and may from time to time revise, a land and water use management plan which shall include specific provision for—

(1) protection of scenic, scientific, historic, geological, and archeological features contributing to public education, inspiration, and enjoyment;

(2) development of facilities to provide the benefits of public recreation and a scenic shoreline drive on the Bayfield Peninsula;

(3) preservation of the unique flora and fauna and the physiographic and geologic conditions now prevailing on the Apostle Islands within the lakeshore: *Provided*, That the Secretary may provide for the public enjoyment and understanding of the unique natural, historic, scientific, and archeological features of the Apostle Islands through the establishment of such trails, observation points, exhibits, and services as he may deem desirable; and

(4) preservation and enhancement of the unique characteristics of the Kakagon River and Bad River Sloughs.

(b) With respect to the portion of the lakeshore located within the boundaries of the Bad River Indian Reservation such land and water use management plan shall provide for—

(1) public enjoyment and understanding of the unique natural, historic, and scientific features through the establishment of such roads, trails, observation points, exhibits, and services as the Secretary may deem desirable; and

(2) public use and enjoyment areas that the Secretary considers especially adaptable for viewing wildlife: *Provided*, That no development or plan for the convenience of visitors shall be undertaken in such portion of the lakeshore if it would be incompatible with the preservation of the unique flora and fauna or the present physiographic conditions.

SEC. 11. Section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended (25 U.S.C. 415), is hereby further amended by inserting the words "the Bad River Reservation, the Red Cliff Reservation," after the words "the Pyramid Lake Reservation,".

SEC. 12. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., January 16, 1969.

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

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill "To provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes."

We recommend that the bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The bill would provide for the establishment by the Secretary of the Interior of the Apostle Islands National Lakeshore in Wisconsin. The lakeshore would consist of three units as follows: (1) the Apostle Islands unit—a group of 21

islands in Lake Superior which form an archipelago about 30 miles long and 80 miles wide and which contain about 39,941 acres of land and 24,762 acres of water; (2) the Red Cliff unit—a $\frac{1}{4}$ to $\frac{1}{2}$ mile wide and 30-mile long strip of highlands along Lake Superior on the Bayfield Peninsula containing approximately 7,200 acres of land and 3,805 acres of water; and (3) the Kakagon-Bad River Sloughs unit—a 10,370-acre land area that includes a long sand spit fronting on Lake Superior and marshlands and waterways stretching behind the sand spit, together with 4,483 acres offshore.

The Apostle Islands unit is the primary feature of this new lakeshore. The Apostle Islands comprise 22 islands, but the proposal would exclude Madeline Island with its permanent year-round community, developed summer colony, and extensive network of permanent roads. The other 21 heavily forested islands have a red-brown sandstone base and range from 50 to almost 500 feet above the lake surface. Storm-driven waves have produced intricate and grotesque carvings along the shores of the islands. The picturesque arches and pillars and other striking rock formations created by the waves have given the Apostle Islands wide fame. In some places the shores have gentle to moderate slopes and magnificent beaches. A variety of birds and mammals common to the northern Great Lakes region inhabit the islands. Except for some logging and quarrying, there has been little human activity on the 21 islands included in the Apostle Islands unit. The majority of the islands are therefore ideally suited for wilderness camping, hiking, and natural science studies, while boating and fishing in the surrounding waters are highly desirable uses. The islands may be reached by boat or float, or ski-equipped aircraft. Excursion boats will be operated for visitors wishing to make day trips around the islands.

The Red Cliff unit on the Bayfield Peninsula is also an area of great natural beauty. The shoreline of this unit is characterized by secluded white sand and pebble beaches, alternating with spectacularly beautiful arches, caves, caverns, cliffs, and bays. At the present time the shoreline areas can be reached only at a few points, but the construction of a proposed 30-mile scenic shoreline drive will enable the naturalist, scientist, photographer, and casual visitors to enjoy the special interest and beauty of the unit. A dense second-growth forest forms a delightful background to the shoreline. The unit also has a variety of plant and animal life. About 80 percent of the land included in the Red Cliff unit is within the Red Cliff Indian Reservation.

The Kakagon-Bad River Sloughs unit contains two highly important natural elements—the long sand spit fronting on Lake Superior, and the vast marshlands or slough stretching behind the spit. The Kakagon and Bad River Sloughs are among the most significant wildlife areas on the upper Great Lakes. Between the water courses of the two rivers and Bear Trap and Wood Creeks are upland hummocks inhabited by deer, bear, and small animals. Acres of wild rice, alder thickets, heaths, and aquatic plants grow along the streams. More than 240 species of birds have been observed here and the small streams provide abundant fishing opportunities. The unit is most suitable for natural science studies, wilderness camping, hiking, and some boating. Almost all of the land included in this unit is within the Bad River Indian Reservation.

The establishment of the Apostle Islands National Lakeshore will preserve for the benefit of the American people a unique portion of the shoreline and archipelago environments of the Great Lakes region. No other area of the Great Lakes possesses islands, shorelines, marshes, and highlands in one complex. The proposed lakeshore will substantially help fulfill the need for outdoor recreation opportunities in the Great Lakes region.

The proposed Apostle Islands National Lakeshore has been found to satisfy the criteria for national recreation areas set forth in Policy Circular No. 1, adopted by the Recreation Advisory Council (now the President's Council on Recreation and Natural Beauty) on March 26, 1963. The Advisory Board on National Parks, Historic Sites, Buildings and Monuments has endorsed the proposal.

Section 1 would authorize the Secretary to establish and administer the lakeshore. Establishment would be deferred until enough land has been acquired to permit efficient administration.

Section 2 would authorize the acquisition of the needed lands or interests therein by donation, purchase with donated or appropriated funds, and exchange. This section also contains a specific subsection on exchanges. We note that the lease-back, sell-back, and option provisions of the Land and Water Conservation Fund Act of 1965, as amended by the Act of July 15, 1968 (82 Stat. 356) would also apply to this new lakeshore.

Section 3 would provide that, except on not more than 80 acres in the Red Cliff Creek area for administrative, visitor, and other related purposes, owners of improved property could retain a 25-year of lifetime occupancy.

Sections 2, 4, 5, 6, 7, and 11 contain provisions designed to encourage participation of the Red Cliff and Bad River Indian Bands in the development of this national lakeshore. Most of the Red Cliff and Kakagon-Bad River Sloughs units of the lakeshore are within these Indian Reservations. The bill, would provide, for example, that the Indian lands held in trust by the United States may only be acquired with the concurrence of the beneficial owners.

Section 2(b) provides, in part, that the Indian bands, upon agreement, will receive an assured annual income for a period of years in lieu of a lump sum payment of the purchase price. By the time the installment payments are completed, the lakeshore should be fully developed and the Indians will then be able to capitalize on the economic potential associated with providing visitor accommodations and services. We favor the acquisition of fee title to the lands and, since we must obtain the concurrence of the Indians before we can acquire the lands, this provision should facilitate our ability to negotiate the acquisition of lands owned by the Indian bands.

Section 4(a) of the bill would allow the Red Cliff and Bad River Indian Bands to enter into 99-year leases with an option in the Secretary of renewing the leases or as long as the lands are used as part of the lakeshore. In addition, section 4(b) of the bill would enable us to construct permanent improvements on such leased lands.

Section 2(a) of the bill now authorizes the Secretary to acquire lands and interests therein. The term "interests therein" includes a leasehold interest. To the extent we utilize this authority, we would not enter into any leases for less than 99 years and would want an option to renew for an indefinite term. We would expect to negotiate our leases with the Indians prior to acquiring other lands since the bulk of the private lands are Indian-owned. We would, however, exercise our option authority to nail down the price of the lands to be acquired. We would expect to negotiate a fixed annual rental with the Indians for at least the 99-year initial period.

Section 8(a) directs the Secretary to permit hunting, fishing, and trapping on lands within the lakeshore "in accordance with the appropriate laws of Wisconsin and the United States to the extent applicable." The Secretary's policy statement relative to hunting and fishing would apply to the area within the boundary of the lakeshore which is acquired.

The enclosed proposal does not contain any provisions relative to our authority to make arrests within Apostle Islands National Lakeshore violations occurring in the area. The omission is temporary. We are currently reviewing various statutory provisions of the Department relative to making arrests with the view to making legislative recommendations thereon either by general legislation or on a case-by-case basis. We will make our recommendations known to the Congress before hearings are held on this proposal.

Section 11 of the bill would amend the Act of August 9, 1955, as amended (25 U.S.C. 415), to authorize the Bad River and Red Cliff Bands to enter into leases for public, religious, educational, recreational, residential, or business purposes for a maximum term of 99 years. At present these Indian bands are limited by that Act to a term of 25 years with authority to renew for one additional term of up to 25 years.

Section 11 goes beyond that authority necessary for the lease of certain lands for the establishment of Apostle Islands National Lakeshore. Independently of section 11, the Indians are given authority to lease lands to the Secretary of the Interior for the lakeshore, under section 4(a), and this authority is adequate for our limited Park Service needs.

The basic justification for the wider leasing authority in section 11 is that the Indians would like to use the opportunity to initiate commercial development of their property which will arise in conjunction with the development of the lakeshore.

There is a definite need for the development of the Indian lands surrounding the lakeshore. The closest overnight accommodations and restaurants are situated in Ashland, Wisconsin, some 26 miles away. The lakeshore will attract a great number of tourists. The excellent fishing, hunting, and water-skiing available on the large nearby lakes suggest that sportsmen will also heavily patronize such facilities.

The bands are unable to develop the lands out of their own resources.

The bands must have authority to lease the property for more than 50 years in order to enable developers to secure the necessary financing. The regulations governing leasehold loans by Federal Savings and Loan Associations require a minimum unexpired lease term of 50 years when the loan is made. Insurance companies follow restrictive policies that vary depending to a large degree upon

the requirements imposed by the laws of the States controlling their organization. But in general they request leases to extend well beyond the loan amortization period, and in some cases require 99-year leases. Section 11 would offer the flexibility necessary to satisfy the requirements of most lending institutions.

Land acquisition costs for the National Lakeshore are expected to be \$6.66 million. Last year land acquisition costs for the National Lakeshore were estimated at \$6.66 million based on a 1967 appraisal. We have not had new appraisals made. However, since the price of recreation lands has been rising rapidly, we would assume that the current cost of land acquisition for this proposal would be more than \$6.66 million.

The man-years and cost-data statement (based on current assumptions and estimates) required by the Act of July 25, 1956 (5 U.S.C. 2953), when annual expenditures exceed \$1 million, is enclosed.

The Bureau of the Budget advised us on January 16, 1969, that this legislative proposal is in accord with the President's program.

Sincerely yours,

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

[Enclosures]

SUBJECT MATTER: TO PROVIDE FOR THE ESTABLISHMENT OF APOSTLE ISLANDS NATIONAL LAKESHORE, WIS.
ESTIMATED ADDITIONAL MAN-YEARS OF CIVILIAN EMPLOYMENT AND EXPENDITURES FOR THE FIRST 5 YEARS
OF PROPOSED NEW OR EXPANDED PROGRAMS

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
Estimated additional man-years of civilian employment:					
Executive direction:					
Superintendent.....	1	1.0	1.0	1.0	1.0
Administrative officer.....	1	1.0	1.0	1.0	1.0
Management assistant.....				1.0	1.0
Secretary.....	1	1.0	1.0	1.0	1.0
Clerk-typist.....		1.0	1.0	1.0	1.0
Total, executive direction.....	3	4.0	4.0	5.0	5.0
Substantive:					
Chief, Interpretation and Resource Management.....		1.0	1.0	1.0	1.0
Park naturalist.....	1	1.0	1.0	1.0	1.0
Supervisory park ranger.....	1	2.0	2.0	2.0	2.0
Park ranger.....	1	1.0	2.0	2.0	3.0
General supply clerk.....		1.0	1.0	1.0	1.0
Clerk.....	1	1.0	1.0	1.0	1.0
Chief of maintenance.....		1.0	1.0	1.0	1.0
Secretary-steno.....		1.0	1.0	2.0	2.0
Foreman, ungraded.....					1.0
Mechanic, ungraded.....		1.0	1.0	1.0	1.0
Maintenance man, ungraded.....	1		1.0	2.0	2.0
Laborers, ungraded.....		1.0	2.0	3.0	4.0
Park ranger (seasonal).....		.5	1.0	2.0	2.0
Park naturalist (seasonal).....		2.0	3.0	3.0	3.0
Fire control aid (seasonal).....	1		.5	.5	.5
Clerk-typist (seasonal).....				1.0	1.0
Park aid (seasonal).....		1.5	2.0	3.0	5.0
Laborers (seasonal).....	1				
Total, substantive.....	7	16.0	21.5	27.5	32.5
Total, estimated additional man-years of civilian employment.....	10	20.0	25.5	32.5	37.5
Estimated additional expenditures:					
Personal services.....	\$80,500	\$157,400	\$189,500	\$254,100	\$265,900
All other.....	331,100	1,765,300	2,453,900	3,947,200	4,353,100
Total.....	441,600	1,922,700	2,643,400	4,200,300	4,619,000
Estimated obligations:					
Land and property acquisition.....	2,160,000	2,200,000	2,300,000		
Development.....	446,000	1,408,900	1,886,000	2,378,400	1,751,400
Operations (management, protection, and maintenance).....	105,600	213,800	257,400	321,900	367,600
Total.....	2,711,600	3,822,700	4,443,400	2,700,300	2,119,000

PROPOSED APOSTLE ISLANDS NATIONAL LAKESHORE SUMMARY SHEET

Legislation: S. 621 (Nelson); H.R. 555 (Kastenmeier).
Location: Ashland and Bayfield Counties, Wisconsin (South shoreline of Lake Superior).

Visitation: By 1970: 920,000 people per year.

Area:

Water: 33,050 acres.
Land: 57,511 acres.
Total: 90,561 acres.

Ownership (land):

Federal: 1,213 acres.
State: 9,920 acres.
Local Governments: 10,325 acres.
Indian allotted: 5,965 acres.
Indian tribal: 4,902 acres.
Private: 25,186 acres.
Total: 57,511 acres.

Costs:

Land Acquisition: \$6,660,000.
Development: \$8,257,700.

Operating:

\$105,600—first year.
\$213,800—second year.
\$257,400—third year.
\$321,900—fourth year.
\$367,600—fifth year.

Improvements (as of Dec. 30, 1968):

Year-round residences, 14.
Seasonal cottages, 135.
Rental cottages, 16.
Docks, 28.
Other, 4.
Total, 197.

(The bill submitted is identical to S. 621.)

Senator BIBLE. I would first recognize our colleague on this committee, Senator Nelson.

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

Senator NELSON. Thank you, Mr. Chairman. It is a pleasure to have this opportunity to present to the subcommittee the bill to establish an Apostle Islands National Lakeshore in northern Wisconsin.

I am especially appreciative, too, of your early attention to this legislation. This should assure sufficient time for full consideration by both bodies, and thus greatly increase the chances for final action in this Congress.

The proposal has been nearly 40 years in the making—Congress first authorized a study for an Apostle Islands National Park in 1930.

The time spent in developing and refining the idea, and building support for it has been worthwhile. Now, for several important reasons, I believe the bill is ready for final action.

First, establishment of the national lakeshore has broad and bipartisan support, locally, statewide, regionally, nationally.

In this subcommittee's 1967 hearings in Ashland, Wis., near the proposed lakeshore, and in Washington, about 230 persons testified or submitted statements or letters in support of the bill. Endorsements have also been received from 180 labor, civic, farm, governmental,

business, and conservation organizations, many of whose representatives were among the witnesses at the 1967 hearings.

For instance, 37 business organizations have declared themselves in support of the bill, including groups in the area, such as the Ashland and Bayfield Chambers of Commerce, and other business associations around the State.

In addition, the lakeshore is supported by 17 civic organizations, including local groups such as the South Shore Lions Club and the Iron County Historical Society, as well as such statewide groups as the Wisconsin Federation of Women's Clubs. Sixteen farm organizations locally and statewide, including the Bayfield County National Farmers Organization, the Bayfield Electric Cooperative, and the Wisconsin Electric Cooperative endorsed the project. Major labor organizations such as the Duluth-Superior Labor Council and the Wisconsin State AFL-CIO are for the bill, as are six regional organizations and 12 governmental organizations.

The Apostle Islands National Lakeshore has nearly unanimous support among local, State, and national conservation groups, ranging from such State groups as the Wisconsin Conservation Club, Inc., and the Citizens' Natural Resources Association of Wisconsin, to national groups such as the Izaak Walton League, the Wilderness Society, and the Citizens Committee for Natural Resources. All together, at least 50 such groups are supporting the lakeshore.

Finally, the bill has been endorsed by 28 newspapers, including such nationally known papers as the Milwaukee Journal, the Milwaukee Sentinel, the Capital Times, and the Minneapolis Star, and local papers such as the Ashland Daily Press and the Bayfield County Press.

I have a list of the organizations endorsing the proposal, and ask that it be included in the hearing record.

In the vicinity of the lakeshore, the County Boards of Ashland, Bayfield, and Iron Counties have endorsed the proposal, as have the City Councils of Ashland, Bayfield, and Washburn.

Other endorsements have been received from the Wisconsin Department of Natural Resources, the Wisconsin congressional delegations, and from the Michigan and Minnesota delegations.

Also, the three Republican Governors of Wisconsin, Minnesota, and Michigan wired the House Interior Committee on September 4, 1968, to express their support for passage of the bill. Governor Knowles, Governor LeVander, and former Governor Romney stated in their telegram that:

The Upper Great Lakes Regional Commission reaffirms its support for the establishment of the Apostle Islands National Lakeshore under Resolution No. 12 dated the 28th day of August, 1967, and submitted to the chairman. The bill has the endorsement of the Wisconsin delegation and is strongly supported by numerous conservation, business, and civic interests throughout the State.

Second, the bill has received careful review and refinement, and broad support in the last two Congresses. The action began even earlier, in 1963, when President Kennedy, during a conservation tour of the United States, said during his stop in Ashland, Wis.:

Lake Superior, the Apostle Islands, the Bad River area, are all unique. They are worth improving for the benefit of sportsmen and tourists * * *. In fact, the entire northern Great Lakes area, with its vast inland seas, its 27,000 lakes, and its thousands of streams is a central and significant part of the fresh water assets of this country, and we must act to preserve these assets.

Soon afterward, then Secretary of the Interior Stewart Udall appointed a task force which made a comprehensive study of the region and provided expertise for the initial Apostle Islands bill. I introduced that bill in 1965.

In February 1966 President Johnson in his conservation message to Congress asked that the study and planning for the Apostle Islands National Lakeshore be completed at an early date.

The next year, on January 30, 1967, President Johnson's conservation message raised the Apostle Islands proposal from the planning and study stage to the action level. He listed it in his top four priorities for national park acquisitions for the 90th Congress, and recommended that Congress:

Establish the Apostle Islands National Lakeshore in Wisconsin, to add a superb string of islands to our national seashore system.

The next important step was the public hearings held for 2 days in Ashland and for 1 day in Washington, D.C., in May and June of 1967. The hearings were completely open to all who wished to comment on the proposal and achieved a thorough airing of all points of view. Unusually broad local support was demonstrated at the hearings. The record of those hearings is printed as a 325-page document which is available to the public. After careful consideration, the committee reported the bill favorably to the Senate where it was passed unanimously on August 21, 1967.

The measure also was received favorably during a public hearing by the House Interior Committee, but the committee was unable to take the bill up before adjournment last fall. One comment at the hearing was by Congressman Saylor, of Pennsylvania, who described the proposal as "one of the finest projects that we have ever had presented to us."

This year, the Apostle Islands National Lakeshore was again included in the January budget message to Congress, again with a high priority, along with the Potomac National River in Maryland, and with the support of the Department of the Interior and the Bureau of the Budget.

Third, now, more than ever, establishment of the Apostle Islands Lakeshore would be appropriate and highly beneficial to our upper Great Lakes region and to the Nation.

The economic impact for the State and the region would be great. An eminent economist from the University of Wisconsin, Prof. I. V. Fine, did an intensely thorough study of the proposed project.

He found that after the area had been fully developed, almost 1 million visits per year would be paid the area by tourists and nature lovers who would generate about \$7 million in new consumer spending. In addition, the Interior Department estimated that the lakeshore would employ 21 persons full time and 50 part time, adding an annual payroll of \$350,000. The study also showed that the project would generate 363 new jobs.

Naturally some private land would be lost to the tax rolls, but this would amount to less than \$12,000, according to the 1965 study. The commercial development and payrolls and tourist spending would far outweigh that initial loss.

The other benefits would be many and varied. For years, the Bad River Indians and the Red Cliff Indians living in the area have had to exist on what is left of the economy. With the project's approval, they

will be able to seize new opportunities both inside and outside the national lakeshore area in terms of new jobs and new business starts and expansions.

It should be pointed out that great care has been taken in the writing of this bill to assure that the Indian lands and rights are protected. At least 60 meetings with Indian people, community citizens, county boards, town and city officials, and other public and private groups have been held during the development of the proposal. Through these meetings, many useful suggestions were received from local people and included into the bill.

Under the provisions of the bill, Indian trust lands can be acquired only with the concurrence by referendum vote of the Red Cliff and the Bad River Bands, and in addition to purchase, the acquisition may be accomplished by lease or easement or exchange.

Second, the Secretary of the Interior may acquire lands by negotiated purchase outside the lakeshore for exchange for trust lands and individual Indian lands within the lakeshore.

Third, provisions are made which give the Secretary authority to overcome difficult heirship problems.

In addition, the Indians are assured of their rights to hunt, fish, trap, or gather wild rice on their lands or on any of these lands which may be acquired for the lakeshore. The Indians also will be provided preferential employment rights, as well as a preferential privilege of providing visitor accommodations and services in the lakeshore.

It should also be pointed out that when the lakeshore is established, the two Indian bands, with their existing land base, will be in an excellent position to provide tourist services, marinas, guide services, and gift shops, and to be employed in lakeshore operations.

Finally, it is important to note that of the approximately 30 miles of Lake Superior shoreline on the Bayfield Peninsula that would be in the lakeshore, only 5 miles is in tribal ownership. In the remaining 25 miles of shoreline, which is in private, allotted or public ownership, there is more than adequate opportunity for public access. It is important to remember too that with regard to the allotted Indian lands, as distinguished from tribal lands, the bill provides for the Secretary of the Interior, as trust officer for the Indians, to negotiate a fair price with individual owners.

In the Kakagon-Bad River Slough, less than one-third of the 10,370 acres is tribally owned land. These lands are in the center of the slough and are already accessible to the public by boat. It is difficult to envision that anything could happen to these lands which would be adverse to the lakeshore. In fact, the Indians have a splendid record of managing their resources wisely.

On the Apostle Islands to be included in the lakeshore, there are no Indian holdings.

Thus, the lakeshore could be established with minimal or no acquisition of Indian tribal lands.

The economic impact of the Apostle Islands National Lakeshore would be felt far beyond the project's borders. The Apostle Islands area is situated almost in the geographical center of the 119-county area of the Upper Great Lakes Regional Commission. The Commission, set up by Congress under the Public Works and Economic Development Act of 1965, is designed to spur the economic growth of this underdeveloped northland. The Apostle Islands project can

be the progenitor of substantial economic spinoff through the pyramiding of the park's seed money.

Besides being in the center of the Regional Commission area, the lakeshore is also located in the center of economically depressed EDA counties, where outmigration is critical. In five immediately adjacent EDA counties, it is estimated that the population will decrease by almost 20 percent during the two-decade period ending in 1980, unless there is the stimulus for orderly development.

The area roughly encompassed by the 119 counties of the Upper Great Lakes Regional Commission has seen periods of dizzying prosperity and severe economic depression. Originally the area was rich with the resources of thick virgin forests of pines and hardwoods, high-grade iron ore deposits, immense numbers of lake trout, and small but efficient farms.

Timber interests cut through the forests with little thought of the future and nearly destroyed the resource. The high-grade ores were exhausted, and mining became marginal. The sea lamprey ruined the lake trout fishery. Many marginally productive farms failed, and the short growing season discouraged all but a few of the remaining large, mechanized entrepreneurs.

Now, the region's future is brightening somewhat. New methods of managing timber for long-term yield have been adopted. And taconite ore is being studied in parts of Wisconsin in hopes that iron mining can again become an integral part of the State's economic backbone. With the increasingly efficient control of the lamprey and the planting of coho salmon, a double-barreled approach has been developed for restoring commercial and game fishing.

I believe, however, that the future of the region lies principally with the continued development of its tourism, already a \$1 billion a year business in Wisconsin and important throughout the region.

The future rests on the uniquely high quality of our environment: clean air, free of smoke and smog; clear water, free of filth and debris; and open lands where a man can draw a breath and commune with his spirit.

Our region is extremely fortunate in having these natural opportunities still available to us. There is, however, no warranty for their future. Without adequate protection, the values of the lakes and rivers, the scenic vistas, the fish and wildlife, the islands, the vastness of the northland, will be lost to tragic byproducts of civilization such as pollution and haphazard urban development.

Nationwide, the rapid development of land continues at an accelerated rate. Frequently, prime park and recreation sites are lost forever. Unique areas, primarily valuable for recreation, must be saved now while the opportunity exists. In conservation, delaying until tomorrow is a bad risk.

Clearly, the need for protective steps is still urgent. And the demand for natural amenities for their own sake and for recreation continues to escalate. Public participation in outdoor recreation has increased by 51 percent in the last 9 years. Estimates are that by the year 2000 we will see a 400-percent increase.

In 1967 alone, the National Park Service reported an increase in use of 11.5 percent over the previous year. The biggest increase was recorded by the four national seashores where attendance was up 33.3 percent.

In light of this very real national need, we will be taking an important step forward not only for Wisconsin and the region, but for the Nation if we seize this opportunity for the Apostle Islands. The lakeshore can stand on its own as a nationally valuable feature, but its establishment would in addition provide an essential link in the nationally significant network of national parks and lakeshores, scenic and wild waterways, and national forests that is now emerging in the Great Lakes region.

Such a network would provide protection to a magnificent series of complementary natural and historic features, assuring an enjoyment for future generations of Americans. Apostles would be a welcome addition.

Since it is in very nearly the same form as in the 90th Congress, let me describe for you the Apostle Islands National Lakeshore proposal in brief fashion. Basically, the lakeshore would be made up of 57,500 acres consisting of three separate entities.

One section would include 21 of the 22 islands making up the archipelago off the Bayfield Peninsula. Madeline Island—the biggest island—is not included because of its advanced stage of commercial and residential development. Also included in the project is a strip of land along the Bayfield Peninsula shoreline one-fourth to one-half mile wide and 30 miles long. This is referred to as the Red Cliff unit. The third component is the 10,370-acre section called the Bad River-Kakagon Slough.

The 21 islands are uninhabited formations of rugged beauty, consisting of rock outcroppings covered with clay, sand, and stone deposited by the glaciers millions of years ago. Time and erosion has stamped its imprimatur of nature at work. Pines and hardwoods cover the islands dropping their leaves and needles so that a blanket of soft carpeting muffles the hikers' footsteps.

The islands are of such spectacular natural and recreational value that they could stand alone as a national park or recreational area, although the islands, the Red Cliff unit, and the Bad River-Kakagon Slough together comprise what will be a magnificent, nationally significant lakeshore.

Miles and miles of shoreline provide havens where campers and latter-day explorers can tie up and scale the majestic brownstone cliffs or hike the sandy beaches with their inlets and coves.

The National Park Service would lay out new hiking trails and existing ones would be improved. But the theme is to leave the area as untouched, unspoiled, and undisturbed as possible. There would be minimal docking facilities at certain deepwater locations, and simple campsites, fireplaces, and toilet facilities on certain islands adaptable to campers' needs.

The entire project will provide a wide variety of unique natural settings for amateur and professional students of nature—the geologist and the collector of stones, the ornithologist and the robin watcher, the fully equipped week long camper, and the casual sunbather.

The 10,370-acre slough is nature as it has always been. Undisturbed through the ages, including miles of navigable channels, this marsh is covered with wild rice, heath, and alder thickets and heavily populated with deer, bear, otter, and 240 species of birds. Fishing is excellent. This area would be conservatively dotted with parking areas, nature

study trails, observation towers, and primitive camping sites. But the balance of nature would be zealously protected so that the delicate ecological system would not become endangered.

Broad support. Careful congressional attention. A national need and priority. A well-drawn proposal. These are the result of 40 years of work. They represent a strong case.

For these several reasons, I believe and hope that in this Congress we can say the Apostle Islands National Lakeshore is an idea whose time has come.

In the 90th Congress, it was the Redwoods National Park, the North Cascades National Park, and the creation of the national wild and scenic rivers system.

In the 89th Congress, it was the Assateague Island National Seashore, the Cape Lookout National Seashore, the Indiana Dunes National Lakeshore, and the Big Horn Canyon National Recreation Area.

We are nearing the end of what the Nation will surely remember as a conservation decade. I urge Congress to write a fitting end to it, and a new beginning for the next decade as well, by approving the Apostle Islands National Lakeshore this year.

(The list of organizations referred to follows:)

ORGANIZATIONS ENDORSING APOSTLE ISLANDS BILL

BUSINESS ORGANIZATIONS

Antigo Area Chamber of Commerce
 Ashland Chamber of Commerce
 Lake Superior District Power Company, Ashland
 South Shore Scenic Drive Association, Port Wing
 Bayfield Chamber of Commerce
 Chippewa Falls Chamber of Commerce
 Cumberland Chamber of Commerce
 Danbury Chamber of Commerce
 Eau Claire Chamber of Commerce
 Elkhart Lake Service Club
 Glidden Area Chamber of Commerce
 Hilbert Advancement Association
 Hortonville Commercial Club
 Loyal Chamber of Commerce
 Sheboygan Area Chamber of Commerce
 Sayner—Starlake Chamber of Commerce
 Sharon Commercial Club
 Tomah Area Chamber of Commerce
 Washburn Industrial & Area Development Corporation
 Watertown Association of Commerce
 Waupun Chamber of Commerce
 Wauwatosa Chamber of Commerce
 Oregon Chamber of Commerce
 Rice Lake Area Chamber of Commerce
 Wisconsin Indian Head Country, Inc.
 Highway #13 Association
 Shawano Area Chamber of Commerce
 New London Chamber of Commerce
 Sparta Area Chamber of Commerce
 Balsam Lake Commercial Club
 Clinton Chamber of Commerce
 Hammond Business Association
 Wisconsin Rapids Area Chamber of Commerce
 Waukesha Chamber of Commerce
 Sawyer County Recreation Association
 Five Counties Development Group
 Ashland Area Industrial Development Corp.

CIVIC ORGANIZATIONS

Madison Business & Professional Women's Club
 Finnish American Festival, Inc.
 Iron River Lions Club
 South Shore Lions Club
 Mellen Lions Club
 Moquah Men's Club
 New Lisbon Business Men's Association
 Beloit Outlook Club
 Iron County Historical Society
 Wisconsin Federation of Women's Clubs
 Blair Education Committee
 Shorewood Hills Democratic Club
 Washburn Lions Club
 Barren County Democratic Party
 Saxeville Improvement Association
 Brule River Lions Club
 Milwaukee Public Museum

NATIONAL ORGANIZATIONS

American Automobile Association
 Citizens Committee on Natural Resources
 National Park Association
 Wildlife Management Institute
 Izaak Walton League
 National Wildlife Federation
 Save the Dunes Council
 Sierra Club
 Wilderness Society
 National Capital Wilderness Study Committee
 Federation of Western Outdoor Clubs
 National Rural Electric Cooperative Association

FARM ORGANIZATIONS

Barron County Farmers Union
 Bayfield County National Farmers Organization
 Bayfield Electric Cooperative
 Clark Electric Cooperative
 Duluth-Superior Area Milk Producers Association
 Jump River Electric Cooperative
 Managers Association of Rural Electric Cooperatives of Wisconsin
 Oakdale Electric Cooperative Association
 Pure Milk Producers Cooperative
 Wisconsin Electric Cooperative
 Wisconsin Association of Rural Electric Cooperative Office Managers
 St. Croix County Electric Cooperatives
 Vernon County Electric Cooperative
 Taylor County Electric Cooperative
 Price Electric Cooperative
 Chequamegon Telephone Cooperative

LABOR ORGANIZATIONS

Duluth-Superior Labor Council
 Wisconsin State AFL-CIO

REGIONAL ORGANIZATIONS

Wisconsin Northwoods Council
 Northwestern Wisconsin Regional Planning Commission
 Northeastern Wisconsin Regional Planning Commission
 Northern Great Lakes Resource Development Committee
 Northern Great Lakes Area Council
 Minnesota-Wisconsin Boundary Commission

GOVERNMENTAL ORGANIZATIONS

Ashland County Board of Supervisors
 Ashland City Council
 Bayfield Common Council
 Bayfield County Board of Supervisors
 Bayfield Harbor Commission
 Iron County Board of Supervisors
 Polk County Extension Service
 Town of Iron River
 Town of Bayview
 Washburn City Council
 Wisconsin State Board for Preservation of Scientific Areas
 Washburn Planning Commission

CONSERVATION CLUBS

Cumberland—Almena Sportsman Club
 Gile Flowage Association
 Kenosha County Conservation Club
 Daniel Boone Conservation & Education Society, Milwaukee
 Burnett County Audubon Society
 Eau Claire—Chippewa Falls Field Archery League
 Eau Claire Archers
 La Crosse State University Faculty Fishing Club
 Fairchild Rod & Gun Club
 Fond du Lac Chapter of Izaak Walton League
 Fond du Lac County Conservation Alliance
 Hillcrest Garden Club of West Allis
 Milwaukee—Hunting & Fishing Club of Globe Union, Inc.
 New Richmond—Green Thumbelina Club
 Lincoln County Sports Club, Inc.
 Mapleton Hook & Shell Club
 Milwaukee—McKinley TNT Family Campers Association
 Milwaukee Audubon Society
 Milwaukee Nature Club
 Milwaukee Organic Gardening Club
 Milwaukee Post Office Sportsman Club
 Wisconsin State Division, Izaak Walton League
 Northland College Outing Club
 Ozaukee County Fish & Game Association
 Milwaukee County Conservation Alliance
 Pigeon Lake Sportsman Club
 Portage County Chapter of Izaak Walton League
 Rib Lake Fish & Game Association
 South Bay Sportsman Club, Cable
 Watertown Chapter of Izaak Walton League
 West Bend Garden Club
 Eagle River Conservation Club
 Indiana Division, Izaak Walton League
 Duluth Chapter, Izaak Walton League
 Fin 'N' Feather Sportsmens' Club, Inc.
 Illinois Audubon Society
 Audubon Society of Park Ridge
 Pabst Sportsmens' League
 Brown County Sportsmens' Club
 North Dakota Chapter, Wilderness Society
 Citizens' Natural Resources Association of Wisconsin
 Public Lands Committee, Izaak Walton League
 Colorado Open Space Co-ordinating Council, Inc.
 Conservation Agriculture Committee of the Minneapolis Jaycees
 Winnebago Conservation Club, Inc.
 Hoofers Outing Club, Madison, Wisconsin
 Northeastern Conservation Council
 University Outing Club, Ames, Iowa
 Wisconsin Wildlife Federation
 Wisconsin Bowhunters Association

NEWSPAPERS

Appleton Post Crescent
 Ashland Daily Press
 Bayfield County Press
 Chippewa Herald Telegram
 Fon du Lac Commonwealth Reporter
 Green Bay Press Gazette
 Kenosha News
 Madison Capital Times
 Madison, Wisconsin State Journal
 Medford Star News
 Mellan Weekly Record
 Minneapolis Star
 Milwaukee Journal
 Milwaukee Sentinel
 Portage Daily Register
 Racine Journal Times
 Rib Lake Herald
 Wisconsin Farmers Union Herald
 Sheboygan Press
 Superior Evening Telegram
 Vilas County News Review
 Waukesha Freeman
 Wausau Record Herald
 Wisconsin AAA News
 Station KDAL-TV, Duluth
 Station WITI-TV, Milwaukee
 Wisconsin Horizons Magazine
 Badger Sportsman

Senator BIBLE. We will now hear from Senator Nelson's distinguished colleague, Senator Proxmire.

**STATEMENT OF HON. WILLIAM PROXMIRE, A U.S. SENATOR
 FROM THE STATE OF WISCONSIN**

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

Senator BIBLE. Happy to have you here, Senator Proxmire.

Senator PROXMIRE. I am pleased to appear here this morning to express my wholehearted support for S. 621, which provides for the establishment of the Apostle Islands National Lakeshore in my home State of Wisconsin. My enthusiastic endorsement of this bill stems not only from the fact that it will be a great benefit to the citizens of Wisconsin, but also because it will create a much-needed recreational haven within a day's drive of more than a fourth of the country's population.

When the Apostle Islands National Lakeshore is established, as I have every reason to believe it will be, it will stand as a continuing monument to the vision, the persistence, and the energy of my very able colleague, the junior Senator from Wisconsin, Gaylord Nelson. First as Governor, and then as Senator, Gaylord Nelson has given unstintingly of his time and energy to fight to save these islands, lakeshores, woodlands, and marshes.

The magnificent Apostle Island chain in Lake Superior, along with the section of mainland shore, is now threatened by the indiscriminate designs of land speculators and developers. Senator Nelson, as one of the Nation's foremost conservationists, has long struggled to reverse this trend, to insure that future generations will be able to enjoy the untrammeled beauty of this unique natural complex.

He worked tirelessly toward this goal from 1958 to 1962 as Governor of Wisconsin. Surveys and studies of the recreational resources of Lake Superior's south shore area were conducted by the Wisconsin Department of Resource Development during his administration, and these provided much data for the proposal now before this committee.

Carrying his dream as well as his formidable skills to the U.S. Senate in 1963, Gaylord Nelson shaped the present legislation to establish the Apostle Islands National Lakeshore.

President Kennedy visited the area at his request, that is, at Senator Nelson's request in 1963 and was prompted to remark:

Lake Superior, the Apostle Islands, the Bad River area are all unique. They are worth improving for the benefit of sportsmen and tourists * * * we must act to preserve these assets.

President Johnson also pledged himself to that goal after he became Chief Executive. He called for a massive effort in the next decade to save the country's store of natural beauty and listed the Apostle Islands among his top four priorities for national park acquisitions.

In the 90th Congress, Senator Nelson's proposal was favorably reported by the Committee on Interior and Insular Affairs to the Senate and passed unanimously. However, Congress adjourned before the House of Representatives had given the bill full consideration and nothing was enacted. The bill introduced this year, S. 621, has been approved by both the Interior Department and the Bureau of the Budget. I am pleased to see that this bill is receiving early consideration in the 91st Congress. This will assure ample time for study by both Houses of Congress.

There are two things, Mr. Chairman, that I would like to stress in my statement to this distinguished committee:

The first is the importance of providing a major recreational area that is easily accessible to the major metropolitan centers of the country, within the reach of families with modest incomes.

The second is the need to place the conservation of this country's natural resources much higher on the list of national priorities. The great urgency of these efforts is often too easily forgotten.

Perhaps the most significant asset of the Apostle Islands area is its accessibility. There are seven large metropolitan areas within a 250-mile radius, including Minneapolis, St. Paul, Green Bay, and Duluth. Madison and Milwaukee are just over 300 miles away; Chicago and Des Moines are less than 400 miles off; and Cleveland and Detroit are not far outside the 500-mile radius.

There are some 52 million people in the Great Lakes region—a fourth of the Nation's population—who are within a day's drive of the Apostle Islands. It has been estimated that an Apostle Islands National Lakeshore would attract 920,000 visitors yearly.

Thus, people without the money to visit Yellowstone or Grand Canyon National Parks would still have the magnificent scenery of the Apostle Islands National Lakeshore within easy reach. This would be a tremendous drawing card to the many people who have never been to a national park or recreation area.

In this age of growing complexity and uncertainty, the opportunity for a few moments of deep thought and inspiration in this Elysian setting would be appealing to all. Removed from the unending domi-

nation of traffic, neon signs, computers, and button-down businessmen so commonplace in everyday life, the Apostle Islands will help to reestablish man's basic link with nature.

As Senator Nelson says, "In conservation, there is no tomorrow." We must see to it soon and we must see to it in a massive way if we are to successfully contain man's propensity to spoil the beauty around him for shortrun material gain. Nine years ago, the National Park Service reported that of the then remaining 4,786 miles of privately owned Great Lakes shoreline in the United States, only 426 miles remained that possessed important recreational opportunities. Private development is fast reducing public recreational areas of outstanding natural beauty. This is why I say, Mr. Chairman, that we must place more urgency in our conservation efforts. These efforts deserve a much higher priority, I believe, than the race to put a man on the moon, the construction of a supersonic transport, or much of our public works programs and, indeed, a great part of our military efforts.

In addition to the great benefits to conservation that this bill would provide, its enactment would represent a tremendous economic boost for the area. Besides generating more than 350 new jobs, Prof. I. V. Fine, of the University of Wisconsin, estimates that this project would attract over \$7 million of tourist spending annually. Moreover, enactment of S. 621 would protect the Apostle Islands and its Indian inhabitants from the onslaught of the timber interests and unrestrained ore mining.

Mr. Chairman, as a member of the Senate Appropriations Committee and of its Interior Subcommittee, I intend to do all I can to get early approval for the funding of the Apostle Islands National Lakeshore. I strongly urge committee approval of S. 621, and I might say that the typographical error which occurs in the last sentence, the next to the last sentence, might have been put there intentionally. I intend to do all, all I can, to get early approval for the funding of the Apostle Islands National Lakeshore.

Senator BIBLE. Well, that double emphasis is good, I might say. You are a very effective member of the Appropriations Committee and by chance or otherwise, you are on the Interior Subcommittee on Appropriations and that is the committee that produces the money to initiate and acquire the lands for these projects, to give them the money to operate and maintain them. I would say as a team here you are in a great strategic position to see that something is done about this. I have no questions of you. I was wholeheartedly in support of it at the last Congress, and I remain wholeheartedly in support of it in this Congress. I am interested in finding what the price tags are. This is a realistic problem in all of these land acquisitions. I think that is a very, very fine statement. I commend you for it. I am simply refreshing my memory. How much seasonal use does this have? As I recall the testimony of last year, and I have not read it in detail, your season runs, as do most of these lake resorts—this is true of my own State in the northern part, in Lake Tahoe—runs generally from, oh, Memorial Day through Labor Day. Is that a good, fairly good period of time in which this has heavy use?

Senator PROXMIRE. Well, I would defer for an expert and completely responsible response to my colleague, Senator Nelson, but I would say this, that there has been a very dramatic change in the seasonal use of facilities in northern Wisconsin over the past few years.

I have noticed it up in the north. I was just up there this past weekend, and I was up about a month ago, too. A great deal of skiing, snowmobiling, people going up in the fall for what we call colorama, the gorgeous beauties of the north as the colors change, and throughout the year there always seems to be something up there.

So, while there is no question that the intensive season would be in the period the chairman designates, I think that the use of this facility would gradually be more intensive throughout the year.

Senator BIBLE. Well, nationwide that is the tendency, too. Skiing is becoming an ever-increasing popular sport, and again we are in short supply for great ski areas. We are familiar with that in Lake Tahoe. We have maybe a 3-month time frame in the winter where more and more people come there for skiing and snowmobiling and sports allied thereto.

Senator PROXMIRE. Ice fishing is another very popular diversion in our State of Wisconsin; I might say occupation.

Senator BIBLE. It certainly is.

I have no further questions of you, Senator Proxmire. Any questions for your colleague?

Senator NELSON. No. I want to thank Senator Proxmire for appearing today. He has been a strong advocate of this and other conservation proposals in our State and nationally, and we appreciate very much having his testimony again today.

Senator BIBLE. Senator Hansen?

Senator HANSEN. I have no questions, Mr. Chairman. I would like to observe, as the distinguished Senator from the State of Wisconsin already has, that it is important that we have opportunities for recreation near where the people are, and I think this certainly does commend this particular proposal.

Senator PROXMIRE. I thank the senior Senator from Wyoming. I would like to say that the very first national park I ever visited, I was just telling him before this meeting, was Yellowstone, and I just fell in love with it. It is a perfectly stunning and beautiful place.

Senator HANSEN. It is a perfectly natural reaction, I might say.

Senator PROXMIRE. We will welcome you to the Apostle Islands.

Senator BIBLE. Thank you very much, Senator Proxmire.

Senator PROXMIRE. Thank you.

Senator BIBLE. At this point in the record we will insert the following:

A statement by Senator Mondale, of Minnesota; statements by Representative Henry S. Reuss, of Wisconsin, Representative Robert W. Kastenmeier, of Wisconsin, Representative Clement J. Zablocki, of Wisconsin, a telegram from Philip C. Gordon, chairman of the Red Cliff Band of Chippewa Indians of Lake Superior, Wisconsin; and letters from the Citizens Natural Resources Association of Wisconsin, signed by John R. Aiholzer, Jr., legislative chairman, and the Audubon Society, also signed by John R. Aiholzer, Jr.

(The statements referred to follow:)

STATEMENT OF HON. WALTER F. MONDALE, a U.S. SENATOR FROM THE STATE OF MINNESOTA

Mr. Chairman, I want to record my enthusiastic endorsement of Senator Nelson's proposal, S. 621, to establish an Apostle Islands National Lakeshore in northern Wisconsin. This lakeshore has been supported by two presidents—Kennedy and Johnson—three Governors—Knowles, Romney, and LeVander—and numerous local, civic, and conservation groups.

Considerable research and forethought have gone into this proposal. As early as 1930 the Congress authorized the Secretary of the Interior to "look into the advisability of establishing" the park. More recently, former President Johnson placed the Apostle Islands National Lakeshore proposal on a list of the top priority parks projects.

So many of the natural wonders of this country have been thoughtlessly devastated. Surely we cannot and must not wait any longer to protect one of the most outstanding unspoiled areas in the Midwest. The project consists of twenty-one Apostle Islands; a 30-mile strip of spectacular Lake Superior shoreline; and a 10,000 acre natural wild rice marsh.

The islands, which make up an archipelago off the Bayfield Peninsula, are a paradise for anyone who loves the out-of-doors. As Senator Nelson has so aptly stated, on the windward side of the islands the "rock cliffs are continually pummeled by the wind and waves" while on the leeward side "there are beautiful sand beaches" admirably suited for swimming. About the peninsula, he said, "Secluded sand and pebble beaches and calm peaceful bays are interspersed among the rock bulwarks" which make up the magnificent 30 mile Bayfield Peninsula.

The third area of the project, the wild rice marsh, is a unique wildlife habitat. I believe that this area must be developed in a manner which will insure the preservation of the delicate ecological balance of the marsh.

A prominent economist from the University of Wisconsin, Professor Fine, has estimated that once the project is complete, approximately 1 million people a year will visit the area to enjoy its natural splendor as well as to take advantage of the numerous recreational opportunities afforded. Professor Fine also estimates that these visits will generate \$7 million in new consumer spending. This is especially significant since the area has been suffering from economic problems. The Apostle Island project would also result in 360 new jobs for the area.

The grandeur of this area is unmatched. The proposal which would preserve it is economically sound. I am happy, therefore, to add my name to the long list of supporters of the Apostle Islands National Lakeshore project. I hope the subcommittee will speedily report the bill to the Senate. It is time, as Senator Nelson has stated, to make "this 30-year old dream a reality."

STATEMENT OF HON. HENRY S. REUSS, A U.S. REPRESENTATIVE IN CONGRESS
FROM THE STATE OF WISCONSIN

I am grateful for the opportunity to appear in behalf of legislation to establish the Apostle Islands National Lakeshore in Wisconsin. The Apostle Islands are some 400 miles from my home in Milwaukee, but like millions of other Americans I know and treasure the area. The creation of a national lakeshore there is the way to save it.

In September, 1963, the late President John F. Kennedy toured the area and said: "We must act to preserve these assets." On January 30, 1967, President Johnson listed the Apostle Islands as one of the top priorities for addition to the National Park System. On August 31, 1967, the Apostle Islands National Lakeshore bill, S. 778, was passed by the Senate.

It has been nearly five years since President Kennedy's visit to the Apostle Islands and the effort to save this area as one of the few remaining examples of unspoiled natural beauty in the Great Lakes region is now approaching realization.

The passage of this legislation would create a National Lakeshore consisting of 57,500 acres made up of three separate units:

1. The twenty-one uninhabited Apostle Islands themselves: These fascinating bits of geography were created when the glacier deposited its drift on top of the old pre-glacial rocks. They are a paradise for the camper, the hiker, the photographer, the nature lover, and must be preserved this way. Under the park plan, simple trails and campsites would be built—but the islands would be kept wild.

2. On the nearby shores of the Bayfield Peninsula would be the second unit, the Red Cliff unit. Thirty miles long and one-fourth to one-half mile wide, it would provide a scenic thirty-mile drive with plenty of overlooks and with seven major camping areas. The Red Cliff shoreline is full of caves, caverns, and cliffs. It is covered with spruce, pine, and hardwoods.

3. A third unit of the Park is the 10,373-acre Bad River Slough. It is a huge wild rice marsh full of mystery and grandeur. If you want to study ecology, the Bad River Slough is the place to do it. Ducks, geese, and every form of waterfowl dot its marshlands. Game fish abound in its waters. Here, too, the sensible pres-

ervation plan looks toward avoiding any disturbance of the web of life within the marsh.

This legislation will save the Apostle Island area before the honky-tonks and the bulldozers take over. With our new highways, fifty million Americans will live within a day's drive of it.

Setting up the Apostle Islands will do more than just preserve for us all a priceless recreational asset. It will bring jobs to the people of depressed Northern Wisconsin. With lumber and mining and farming on the downgrade, what could be more constructive than a project which can provide much-needed jobs for the residents of this beautiful area?

A University of Wisconsin study estimates that the Apostle Islands National Lakeshore project would bring almost a million visitors a year. They would spend \$7 million a year and create some 363 new full-time jobs. Many of those jobs could go to needy Indians of the Bad River Reservation.

Before it is too late, we must save at least a few areas where the smog-choked residents of our urban areas can find solitude and clean air. No area left in America can more perfectly accomplish that purpose than the Apostle Islands National Lakeshore. I strongly urge the Subcommittee on National Parks and Recreation, which has done so much to conserve America's resources, to add to its long list of accomplishments the creation of the Apostle Islands National Lakeshore.

STATEMENT OF HON. ROBERT W. KASTENMEIER, A U.S. REPRESENTATIVE IN CONGRESS FROM THE STATE OF WISCONSIN

Mr. Chairman, as the House sponsor of H.R. 555, to establish the Apostle Islands National Lakeshore, I welcome this hearing.

The designation of the Apostle Islands area as a national lakeshore would be a farsighted step toward preserving a rare and priceless resource of natural beauty, and, also, providing for a magnificent outdoor recreation area which our citizens can enjoy.

Located in northern Wisconsin along the shores of Lake Superior, this is the only area of the Great Lakes that combines shorelines, islands, marshes and highlands in one complex. This beautiful and unspoiled land is a backyard to the urban population concentrations of the great Midwest. There are 52 million people within the Great Lakes region and more than 5 million people within a 250-mile radius of the proposed lakeshore. The cities of Milwaukee, Chicago, Detroit and the Twin Cities of Minneapolis-St. Paul are only hours away from the Apostle Islands, and the national lakeshore will be within easy reach of the major metropolitan areas of the entire upper Midwest. The visitor will be offered a complete variety of recreational opportunities, such as hunting, fishing, boating, camping, hiking and nature study.

The Apostle Islands also are part of our American heritage. Their earlier pages form one of the most interesting chapters in the history of our Nation, for it was on these Lake Superior shores that the early French explorers, in 1665, planted the seeds of the great empire of the old Northwest Territories.

The natural beauty of this site, with its naked white sand beaches which stretch along the shore, and its wild islands, covered with luxurious growth of mixed hardwoods and conifers, is breathtaking. The pictorial sandstone cliffs, carved by the chafing waves into arches, bastions, caverns and towering walls, have given the Apostel Islands wide fame. Today, the forest which once echoed with the war cry of the Indian, now throbs with a peaceful pulse. This is a land, not ruled by man, but by nature.

The Apostle Islands National Lakeshore would include three sections: The Apostle Islands unit, comprising a group of 21 islands in Lake Superior that form an archipelago extending 30 miles long and 80 miles wide; the Red Cliff unit, a strip of highlands along Lake Superior less than a half mile wide and about 40 miles long; and the Kakagon-Bad Slough unit, a long sand spit fronting on Lake Superior. The national lakeshore will include 57,511 acres of land and 33,050 acres of water.

Enactment of this legislation will provide significant benefits to the Upper Great Lake states through the immense economic potential of tourism and outdoor recreation. This would be a tremendous boon the the economically depressed communities. A 1965 economic study based on Wisconsin traffic volume data con-

servatively estimated that by 1970 some 920,000 persons will be visiting the Apostle Islands area for recreational purposes should the lakeshore be established.

Since large parts of the Red Cliff and Bad River-Kakagon Slough units of the lakeshore are within the Red Cliff and Bad River Indian Reservations, the bill contains a number of provisions with respect to the Indian interests in the area. This legislation will not affect the rights of Indians to hunt, fish or trap, or gather rice in the area. Furthermore, the lands within the lakeshore held by the United States in trust for the Red Cliff and Bad River Bands may not be acquired by the Secretary of the Interior without the approval of the Indian tribes. This measure also gives the Indians preferential privileges of timber harvest, of providing visitor accommodations and services, of employment for construction and maintenance work and the production and sale of handicraft objects.

This Apostle Islands National Lakeshore legislation has strong bi-partisan support for its enactment. The Advisory Board of National Parks, Historic Sites, Buildings and Monuments has recommended its establishment. Two Presidents have called for its passage. It has been endorsed by the Governors of Michigan, Minnesota and Wisconsin. Numerous Members of the House support it and the Senate, in the 90th Congress, passed it without any opposition.

Mr. Chairman, the Apostle Islands National Lakeshore will preserve for the American people a unique and beautiful portion of our natural heritage, and its establishment is in the best interests, not only for our present population, but also, for generations yet to come.

STATEMENT OF HON. CLEMENT J. ZABLOCKI, A U.S. REPRESENTATIVE IN CONGRESS FROM THE STATE OF WISCONSIN

Mr. Chairman, I am pleased to have this opportunity to express my support for S. 621, the bill to establish the Apostle Islands National Lakeshore in the State of Wisconsin. As you know, I am co-sponsoring similar legislation in the House of Representatives.

At the outset, Mr. Chairman, I want to commend you for scheduling early hearings on this important legislation. Also, I commend my fellow Wisconsinite, Senator Gaylord Nelson, for his untiring efforts in the Apostle Islands project as well as other conservation measures. Expanding recreational opportunities for Americans has been one of my own constant concerns during my twenty years in Congress.

As you know, I represent the southern half of Milwaukee County, an overwhelmingly industrial and urban area. The people of my district, like those of every urban area, realize the extent of the pollution of our water, and even the air that we breathe.

People who are victims of the lack of conservation are perhaps the most aware of the value of preserving and conserving our remaining natural wonders. This is certainly true of my constituents, who often write to me and express their interest in the development of parks and recreation areas and the preservation of great natural beauty areas.

Naturally, they have been most concerned about the preservation of the many natural beauties and resources of Wisconsin. My constituents have supported the Ice Age National Reserve, the Mississippi River Parkway, the federal purchase of the Sylvania Tract, preservation of "wild rivers" like the Wolf and St. Croix, and the prevention of beach erosion in public park lands along Lake Michigan.

Most especially, the people of our community have strongly endorsed the legislation to establish the Apostle Islands National Lakeshore.

With the ever extending encroachments of "civilization" on wilderness areas, it becomes imperative that the federal government act quickly to preserve the choicest, most scenic nature areas. The Apostle Islands definitely comprise such an area.

Further, since interstate highways have been constructed across Wisconsin, this once remote area is within a single days trip from the populous urban areas of Milwaukee, Chicago, and the Twin Cities.

It can certainly not be overstressed that establishment of the Apostle Islands National Lakeshore at this time will mean that this area will be preserved for the enjoyment of millions of the present and future generations.

For that reason, I strongly urge this committee to favorably report S. 621 as soon as possible to the floor of the Senate for debate and a vote.

ASHLAND, WIS., March 12, 1969.

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

I, Philip Gordon, chairman of the Redcliff Tribal Council, representing the Redcliff Band of Lake Superior Chippewa Indians of Wisconsin at a Senate hearing to be held at Washington, D.C., on March 17 on proposed National Apostle Island National Lakeshore, a bill, S. 621, we the member of the Lake Superior and of Chippewas Indians do hereby protest the passage of this bill S. 621.

PHILIP C. GORDON,
Chairman of the Redcliff Band of Chippewa Indians
of Lake Superior of Wisconsin.

CITIZENS NATURAL RESOURCES ASSOCIATION OF WISCONSIN,
Milwaukee, Wis., March 13, 1969.

HON. ALAN BIBLE,
Chairman, Parks and Recreation Subcommittee,
Senate Interior and Insular Affairs Committee,
Washington, D.C.

DEAR SENATOR BIBLE: Beginning next week Monday, the Parks and Recreation Subcommittee will begin holding hearings on Senator Nelson's bill to create the Apostle Islands National Lakeshore.

The officers, councilors and members of the Citizens Natural Resources Association of Wisconsin, with some reservations, support this legislation.

The reservations are the desire to keep this fine area in as near as possible its present condition, to preserve habitat for small game and nesting sites for waterfowl and shore birds that now abound in the area, to keep roadbuilding to the very minimum and as far as may be practical from the lakeshore itself, and to keep the "developments" spoken of so often only to those deemed necessary.

For your cooperation, we are,
Sincerely grateful,

JOHN R. AIHOLZER, Jr.,
Legislative Chairman, CNRA.

MILWAUKEE, WIS., March 13, 1969.

HON. ALAN BIBLE,
Chairman, Parks and Recreation Subcommittee,
Senate Interior and Insular Affairs Committee,
Washington, D.C.

DEAR SENATOR BIBLE: Beginning next week Monday, the Parks and Recreation Subcommittee will begin holding hearings on Senator Nelson's bill to create the Apostle Islands National Lakeshore.

May the officers, directors and members of the Milwaukee Audubon Society take this opportunity to urge support of this legislation, but may we also ask that the committee members realize this fine area is in a natural and very much underdeveloped condition, making it renowned for small game, waterfowl and shore birds, besides all the recreational activity it is also noted for? To keep any unwise and unnecessary development from spoiling the area would be a fine undertaking in and of itself.

Thank you for any consideration.

JOHN R. AIHOLZER, Jr.,
Chairman, Legislation,
Milwaukee Audubon Society.

Senator BIBLE. Our next witness is Edward A. Hummel, Associate Director, National Park Service. Mr. Hummel, good to see you again. If there are others in your department that you want to accompany you to the table, bring them forward.

Mr. HUMMEL. Yes. I would like to have Lon Garrison, our regional director of the area; Mike Lambe, and Richard Wittpenn, who has been making the detailed studies there to answer the questions which the committee may have.

Senator BIBLE. You may proceed.

STATEMENT OF EDWARD HUMMEL, ASSOCIATE DIRECTOR, NATIONAL PARK SERVICE, ACCOMPANIED BY LEMUEL GARRISON, REGIONAL DIRECTOR, NATIONAL PARK SERVICE; JAMES M. LAMBE, OFFICE OF LEGISLATION, NATIONAL PARK SERVICE; RICHARD PETER WITTPENN, LANDSCAPE ARCHITECT; AND THEODOR R. SWEM, ASSISTANT DIRECTOR, NATIONAL PARK SERVICE

Mr. HUMMEL. Now, I would like to present my prepared statement, Mr. Chairman.

Mr. Chairman and members of the Subcommittee on Parks and Recreation, we appreciate this opportunity to appear before this committee to testify on S. 621, a bill to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes.

Living within the Great Lakes region are about 52 million people. Some 5 million of these live within a 250-mile radius of the Apostle Islands. The cities of Milwaukee, Chicago, Detroit, and the Twin Cities of Minneapolis-St. Paul are only hours away, and the national lakeshore will be within easy reach of the major metropolitan areas of the entire Upper Midwest. By the year 2000, the population should double; the demand for recreation should triple.

While the preservation of the Apostle Islands area as a national lakeshore has merit, we believe that its establishment at this time must take into account certain problems such as fiscal limitations, and land price escalation that I would like to discuss briefly later in my testimony.

The proposed Apostle Islands National Lakeshore would conserve and develop for the benefit and use of the people, an area of islands, shoreline, beaches, lakewaters, sandspits, and other natural and historical features within Ashland and Bayfield Counties, Wis., which are a significant portion of the diminishing shoreline possessing high values to the Nation as an example of unspoiled natural beauty.

The lakeshore would consist of three units: The Apostle Islands unit, a group of 21 islands in Lake Superior that form an archipelago extending 30 miles long and 20 miles wide; the Red Cliff unit, a strip of highlands along Lake Superior less than a half mile wide and about 30 miles long; and the Kakagon-Bad River Slough unit, a long sandspit fronting on Lake Superior. The national lakeshore will include 57,511 acres of land and 33,050 acres of water.

The Apostle Islands are wild country. Except for logging operations and quarrying of brown sandstone on Basswood, Stockton, and Hermit Islands, human activities on these islands have been mostly limited to Madeline Island which is not included in the proposal because it has a permanent year-round population and a well-developed summer colony.

On the other 21 islands, most of the evidences of man have been erased and the islands appear remarkably unchanged from the day almost 500 years ago when the Chippewa first immigrated to the area. The heavily forested islands are gently sloping without distinctive land forms. The shores are characterized by steep slopes and many cliffs gently washed or battered and carved into intricate and grotesque carvings by the cool and crystalline waters of Lake Superior. In

contrast to the picturesque arches, pillars, and other striking rock formations there are bright sand beaches along the protected shores. A variety of birds and animals common to the northern Great Lakes region inhabit the islands.

The Red Cliff unit on the Bayfield Peninsula is an area of spectacular arches, caves, cliffs, and bays eroded from solid rock by wave and stream action alternating with secluded sand and pebble beaches. Dense stands of second growth northern hardwood forests form a buffer to the shoreline. Along parts of the shore, thick accumulations of bog plants and their remains fill shallow water areas. Although the Bayfield Peninsula is now accessible by a good system of State, county, and town roads, the picturesque shoreline area of the Red Cliff unit can be reached only at a few points. About 80 percent of the land included in this unit is within the Red Cliff Indian Reservation.

The Kakagon-Bad River Slough unit contains two highly important natural elements: The long sandspit fronting on Lake Superior; and the vast unspoiled waterways, marshes, and wildlife habitat of the Kakagon-Bad River Sloughs stretching behind the spit. These sloughs are among the Great Lakes' most significant wildlife areas. Upland hummocks between the water courses are inhabited by deer, bear, and small mammals. More than 240 species of birds have been observed here. The sloughs provide abundant fishing opportunities. Acres of wild rice, alder thickets, heath and aquatic plants grow along the streams. Wild rice growing in the sloughs has been an important Indian food from earliest times. In more recent years, Bad River Indians have harvested it intensively as a cash crop. Almost all of the land included in this unit is within the Bad River Indian Reservation.

Our development program for the lakeshore will be designed to achieve optimum recreational benefit and enjoyment, and as a complement to active recreation, the natural beauty of the area will be preserved. The varied land forms, shorelines, and plant and animal life on the Apostle Islands and adjacent shorelines invite almost every recreational activity found in the northern Great Lakes region: hunting, fishing, camping, boating, hiking, nature study, photography, beachcombing, picnicking, sightseeing, and driving for pleasure. About 1,720 acres will be intensively developed for "mass recreation" and the remainder will be allocated to extensive-use activities such as wilderness hiking and camping, canoeing, and stream fishing.

The plans for the Apostle Islands unit development propose minimum docking facilities at selected deep-water locations for excursion boats, float planes and visitors' privately owned boats. Simple campsites, including "Adirondack-type" shelters, fireplaces, and sanitary facilities as well as a system of trails would be built on certain islands for visitors wishing to spend some time exploring. A large group campground and a family campground are also proposed for two islands. A 30-mile two-part, one-way scenic shoreline drive closely following the topography is planned for the Red Cliff unit. Other visitor use facilities proposed for this unit include: parking areas, hiking trails, picnic areas, and canoeing facilities. Park headquarters and related operational facilities are proposed for the Red Cliff unit. The Kakagon-Bad River Slough unit is most suitable for natural science studies, wilderness camping, fishing, hiking, and some boating

Automobile access will be limited to a short road access to the Wouu Creek area. Other proposed developments include hiking trails, primitive campsites, and a small area for docking and launching boats. Total development costs for the entire proposed Apostle Islands National Lakeshore are estimated to be \$8,257,700. Operational costs are expected to be \$105,600 for the first year, increasing to \$367,600 by the fifth year.

The lands within the proposed 57,511-acre boundary are divided into about 60 percent private lands and 40 percent public lands. Most of the private ownerships are in relatively large tracts, except along the shoreline where narrow subdivided lots exist. Land acquisition costs are estimated to be \$6,660,000.

Approximately 10,000 acres of land in the proposed lakeshore are either Indian tribal or Indian allotted lands. Most of the Red Cliff and Kakagon-Bad River Slough units are within the Red Cliff and Bad River Indian Reservation. The bill contains a number of provisions with respect to Indian interests including the provision that the lands within the lakeshore held in trust for the Red Cliff or Bad River bands may be acquired only with their consent.

Some of the Indian lands are essential to the proposed lakeshore and we will need to acquire them before the lakeshore is established. We will not proceed with the project until we have obtained the consent of the Indian bands to the acquisition of these lands.

Senator NELSON. May I interrupt you there? As you probably know, Mr. Hummel, the first time this proposal for the preservation of the islands was brought up in Congress was 40 years ago. A resolution was passed in 1930 to consider saving this unique collection of islands. And then, we had a depression and time passed and nothing happened. I started working on this proposal when I was Governor in 1961. I have spent hundreds of hours on it during the past 8 years. As Governor I started meeting with the Interior Department, and meeting with representatives of the Indians, in conducting hearings, in drafting this bill so that it met the specifications of the Interior Department and the Bureau of the Budget.

This is the first time the Interior Department has taken the position that there had to be prior approval of the involvement of any Indian lands. I do not understand how this can go on in the Park Service for 9 years and then suddenly out of the clear blue you come up with this reservation.

Now, we were very careful about this, to provide that there would be a negotiation involving Indian lands because we would not think of condemning, taking any of their lands against their wish. A proposal would be made and following tribal procedures there would be approval by the tribe or disapproval by their own vote. So, they would have the whole control of whether the proposal made—the negotiations worked out would be approved by the tribe.

Furthermore, the islands themselves are a unique collection within the boundaries of the continental United States, standing alone as a viable park project. Some of the Indian lands on the mainland units of the lakeshore would be a useful part of the project, but it has never been my contention that they were essential to establishment of the Lakeshore.

It has always been planned that the lakeshore would first be authorized, by congressional act, and then established after the Secretary of the Interior acquires sufficient lands. This would allow the Secretary to proceed with acquisition of the island lands, none of which involve Indian holdings, while negotiating for those Indian parcels in the mainland units which are appropriate for the Lakeshore. This assures even more time for any problems to be worked out with regard to Indian lands, although I emphasize once more that whether Indian lands are acquired is up to a vote of the tribes.

I do not know how we can go any further than that.

Now, you throw in an element that is brand new, that you have to go and first get approval of the tribe before you will approve the bill.

I do not quite understand that, sir.

Mr. HUMMEL. I think our statement merely tries to assure the Indian bands of what the bill already assures them, that this would only be acquired with their consent.

Senator NELSON. Then you are not saying you have to have their consent prior to passing a bill?

Mr. HUMMEL. No. What we are trying to say is that we could not establish the area without having their consent to acquire some of their lands or to use some of their lands.

Senator BIBLE. I wonder if there is a difference there just in semantics. I mean, I do not know whether or not you are on different wavelengths but the statute does say we will not proceed with the project until we have obtained the consent of the Indian bands for the acquisition of these lands. I do not think there is anything to be inferred by that.

I am happy the Senator has zeroed in on this particular area because I think the record should be very, very clear. If I understand it, then, you are not objecting to the bill on the grounds that you must first have the consent of the Indians. You are saying you would not proceed with the project as such, the actual creation of the area, until you obtained the consent of the Indian bands. Is that the distinction you are trying to make?

Mr. HUMMEL. That is right, Mr. Chairman. That is what we intended to say.

Senator BIBLE. Well, may I just pursue that one step further so I am clear on it. What happens about the other private lands that you acquire? There are other private lands that are not owned or not held in trust for the Indians or owned by the Indians, as the case may be. What would happen if you acquired the private lands and then you went ahead and tried to get the consent of the Indians and they would not give you the consent? Then, what happens to the project?

Senator NELSON. I would like to clarify at least what my interpretation is after working on this project for 9 years, that you have a Bad River unit and a Red Cliff unit and that what you would do, I would think, as a practical matter—and there are some private lands involved in order to make a total unit, particularly in the Bad River area—what we would do, the Interior would sit down and discuss a proposal, a mutual exchange of ideas, with the tribal representatives and if they reached an agreement on what the proposal ought to be in terms of payments and how it should be made to the tribe or to the Indians, that then there would be a vote by the tribe following tribal

procedures. If they approved of it, then you would go ahead and settle that aspect. The rest of it is just private lands handled in just the way you handle other private lands.

Senator BIBLE. You would not move in on the private sector.

Senator NELSON. I would think as a practical thing you would not do that because if you include the sector of the Bad River Band Sloughs, Kakagon Sloughs, this would be no good unless you had the consent of the tribe. The same with the Red Cliff shoreline. You may very well desire to acquire some private lands whether or not any Indian lands were acquired.

The point I want to make clear is the sentence above: "Some of the Indian lands are essential to the proposed lakeshore and we will need to acquire them before the lakeshore is established."

That is the first time, if I understand that correctly, that this position has been made. We have always argued that that is a unique collection of islands as you say in your statement. They look like they did 500 years ago. There is no other collection of islands in the continental United States like them; none, any place. It is a remarkable collection of shorelines, of sand that is as pure and beautiful as the sand in the Caribbean, with beautiful cliffs and free-standing rocks of glacial development that is unique. So we have always had the position that unit stands alone on its own. If it does not, then this Department does not support any islands any place. And we would hope that we would have joined to it, and this was my proposal, not the Department's, joined to it the 10,000 acres of the sloughs and that shoreline, but whether the tribes approved or not—and I think they ultimately would because it is in their interest—it might take 2 or 3 or 4 or 5 years—but if the Department took the position that you could not increase the park without the approval of the two parts that are on the shoreline, that is the end of the park because you may have to negotiate with the Indians for 3 or 4 or 5 years. By that time land prices escalate.

But that group of islands stand on their own as unique; do you not think so? You say it in your statement. Why, then, do you insist that you have got to have the shoreline or you are not in favor of the islands? Or is that your insistence? Is that what that sentence says?

Mr. HUMMEL. I think in our studies, Senator, we consider the three units as a package. I have always presented it as such.

Senator NELSON. I presented it as a unit, sir, but have always taken the position in all the discussions for 9 years, 9 solid years with the park department, that that island unit stands on its own. If the Indians did not agree, those sloughs are still there, part of the tribal lands, accessible to the public. If the Red Cliff Indians do not agree, those shorelines are still there to hike and look at. Whether they are in or not, the islands are still there.

This is just an incredible departure and you know how many years I have spent on this, as I think you do, 9 solid years, to have you come in and actually dump the project if you are taking this posture.

I want to know why do those islands not stand alone as a unique project that you would buy if I had never suggested the Bad River Band's property or the Red Cliff? Why do they not qualify for some kind of a national recreation area? What aspect more do they need to qualify?

Mr. HUMMEL. I would like to ask our Assistant Director for Planning, who has been in this project much longer than I have, to respond.

Senator BIBLE. Why do we not do this, Senator Nelson? Let us permit Mr. Hummel to finish his statement. He only has about a page and a half. This appears to be, as you say, some departure and I want to clarify it. I would think it would be more orderly to let Mr. Hummel complete his statement in full and then have someone refresh our memories. You obviously know all of the facts—based upon your longtime sponsorship and your interest in it. I am a little hazy exactly what we are talking about, to be honest with you. As soon as Mr. Hummel finishes his statement, we will have somebody come up and point out all the islands and the area of difference, if there is a difference—we are the ones that have to resolve this after all.

Why do you not finish your statement, Mr. Hummel?

Mr. HUMMEL. The bill provides that we may pay the purchase price of the Indian lands on an installment basis, plus interest on unpaid balances. The purchase of the Indian land on an installment basis will assure the Indians a continued annual income for a number of years. The national lakeshore will be fully developed by the time the installment payments are completed and will provide the Indians an opportunity to capitalize on the economic potential associated with providing visitor services and accommodations.

Other Indian lands within the proposed lakeshore are not essential to its establishment. The purchase of easements or other interests may be sufficient to meet our requirements for administering the lands as a part of the lakeshore, if the Indian bands are unwilling to sell a fee simple title to such lands.

The establishment of the Apostle Islands National Lakeshore will encourage the development and utilization of the Great Lakes region as an important center of public recreation activities. The Bad River and Red Cliff bands of the Chippewa Indian Tribe may be expected to participate in this development.

I want to emphasize again that, since the use of Indian trust land is essential for establishment of the lakeshore and the bill explicitly bars acquisition of trust land or interests therein without the consent of the Indians, it is clear that the lakeshore could come into being only when and if the Indians support its establishment.

Senator BIBLE. That seems to reemphasize a point that was causing Senator Nelson a problem. Proceed to the conclusion and then we will start analyzing this point.

Mr. HUMMEL. It would seem desirable that this committee solicit from the two Indian tribes affected a clear expression of tribal consent before proceeding to report this bill.

At the outset of my statement, I referred to the need to take certain problems into account in connection with consideration of the Apostle Islands National Lakeshore at this time.

As this committee well knows, there is a substantial backlog of recently authorized but unfunded areas administered by the Park Service and Forest Service. This is in addition to unfunded land acquisition for inholdings for long-established Park Service areas. We are very much concerned, given present and anticipated budgetary limitations, about the size of this backlog in comparison to the funds we can reasonably expect to be available in the years immediately ahead from the land and water conservation fund. This situation has

slowed down or precluded land acquisition in a number of recreational areas already established, thereby compounding the problem because of the land price escalation which has ensued. We want this committee to know that these problems—the backlog and the land price escalation—are matters of growing concern to us.

This concludes my prepared statement, Mr. Chairman, and I will try to answer any questions the committee may have.

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

Thank you.

Senator BIBLE. Very well. There certainly are a few areas here that we should consider that need a little explanation. I would be grateful to you if you would have someone come to the maps and point out the various areas, whoever is best informed, and give us someone who has been there.

Mr. HUMMEL. I would like Mr. Wittpenn, who has been there many times and knows the area well, and has been involved in the study since the very beginning, to do this.

Senator BIBLE. You are Dick Wittpenn?

Mr. WITTPENN. That is right.

Senator BIBLE. And what is your responsibility in the National Park Service?

Mr. WITTPENN. I am a landscape architect engaged in park planning.

Senator BIBLE. And where do you have your headquarters?

Mr. WITTPENN. In Rosslyn, Va., right now.

Senator BIBLE. And you are familiar with the Apostle Islands National Lakeshore proposal?

Mr. WITTPENN. Yes.

Senator BIBLE. You have been there many times?

Mr. WITTPENN. Three times, sir.

Senator BIBLE. How many?

Mr. WITTPENN. Three times. One 2-week period, another week and a half and the other I believe was a week.

Senator BIBLE. So you have spent 5 or 6 weeks there?

Mr. WITTPENN. Yes, sir.

Senator BIBLE. All right. Now, will you proceed to point out the various areas that embrace the park? What area actually goes within the national lakeshore?

Mr. WITTPENN. Those map areas that are colored red, sir, are in the—

Senator BIBLE. All areas that are colored red on the map that you are showing us will make up a part of the Apostle Islands National Lakeshore?

Mr. WITTPENN. That is right, sir.

Senator BIBLE. And first, put us in the correct part of the country. Exactly where is that?

Mr. WITTPENN. The Apostle Islands are located on the south shore of Lake Superior, in the northern part of Wisconsin called Bayfield Peninsula. It is about 60 miles from Duluth.

Senator BIBLE. Sixty miles from Duluth in an easterly direction.

Mr. WITTPENN. That is right. Duluth is the largest city nearby, having about 275,000 people.

Senator BIBLE. Now, I am familiar with Minneapolis. My wife is a Minneapolis girl. I had better be familiar with it. How far is it from Minneapolis?

Mr. WITTPENN. I hope I am familiar, sir, with the distances, but I think it is about 180 miles.

Senator BIBLE. Well, that is close enough. How far is it from the land of the Green Bay Packers?

Mr. WITTPENN. Green Bay? That is off the map, sir.

Senator BIBLE. That is off the map?

Mr. WITTPENN. Wisconsin is quite a large State.

Senator BIBLE. I recognize that. Approximately how far is it from where the Green Bay Packers—

Mr. WITTPENN. I think about 220 miles.

Senator BIBLE. How far is it from Madison, Wis., approximately?

Mr. WITTPENN. I could not say.

Senator BIBLE. About 370, I am advised. About how far is it from Chicago?

Mr. WITTPENN. About 430 miles.

Senator BIBLE. 430 miles from Chicago. I just wanted to get geographically oriented. Thank you.

Mr. WITTPENN. The three main units, sir, are—

Senator BIBLE. One further question before you move into that. The suggested area that would make up the Apostle Islands National Lakeshore is located in Lake Superior, as you have testified, east of Duluth and is composed of how many acres of land?

Mr. WITTPENN. There are 57,511 acres.

Senator BIBLE. About 57,500 acres and they are held in what ownerships?

Mr. WITTPENN. They are held in the—in the specific areas, sir?

Senator BIBLE. In the total. What is the makeup of the total acreage—what is the number again, 57,000?

Mr. WITTPENN. It is 57,511 acres.

Senator BIBLE. Yes, 57,511 acres.

Mr. WITTPENN. 7,200 acres are in what we call the Red Cliff unit.

Senator BIBLE. And where is the Red Cliff unit?

Mr. WITTPENN. This is the outer edge of the Bayfield Peninsula.

Senator BIBLE. The Red Cliff unit is on the mainland?

Mr. WITTPENN. Yes, sir.

Senator BIBLE. All right. Just proceed.

Mr. WITTPENN. The Kakagon-Bad River area is about 10,370 acres.

Senator BIBLE. And that is located where?

Mr. WITTPENN. That is down here, sir, east of Ashland.

Senator BIBLE. Close to Ashland, and you are pointing again to the red area on the map that is entitled—what is it, Bad River?

Mr. WITTPENN. The whole area itself? Kakagon-Bad River area, sir, is the name of it.

Senator BIBLE. And how many acres there?

Mr. WITTPENN. I believe there are 10,370 acres.

Senator BIBLE. Very well. Now, how about the islands?

Mr. WITTPENN. The remaining unit is the Apostle Islands unit composed of 21 islands of the 22.

Senator BIBLE. There are 21 out of 22 islands located in Lake Superior and with a total overall acreage of approximately how much?

Mr. WITTPENN. 39,941 acres. sir.

Senator BIBLE. 39,000. All right. Now, I note a special reference being made to an island called Long Island.

Mr. WITTPENN. That is here. It is an extension of the Kakagon-Bad River area. Chequamegon Point and Long Island.

Senator BIBLE. How about the island that appears to be excluded?

Mr. WITTPENN. Madeline Island is an extremely large island with a large concentration of summer residences and also year-round residences. I believe there are about 50 miles of roads on this island. There is also a large State park. I believe at present the park is about 1,700 acres. It is a summer resort area.

Senator BIBLE. And it is not proposed to take that as a part of the Apostle Islands National Lakeshore.

Mr. WITTPENN. No, sir.

Senator BIBLE. All right. Now, who owns the islands that are the Apostle Island group? Where is the ownership?

Mr. WITTPENN. Well, let me first say, sir, that three islands have been designated as a State forest. I do not know whether I could show you this better on another map that has the detailed land areas, but if you would want generalities, the Stockton Island is almost totally owned by the State of Wisconsin as a part of this—

Senator BIBLE. Which island is that?

Mr. WITTPENN. This is the large island north of Madeline.

Senator BIBLE. What do you call it?

Mr. WITTPENN. Stockton Island.

Senator BIBLE. All right.

Mr. WITTPENN. The other island, of which the State owns not quite half, is Basswood Island. The third island, Oak Island, included in the—

Senator BIBLE. Who owns that?

Mr. WITTPENN. This is owned by Ashland County.

Senator BIBLE. And Ashland County is the mainland county in Wisconsin?

Mr. WITTPENN. It is the county having most of the islands and the Kakagon area.

Senator BIBLE. All right. Proceed. Who owns the other islands?

Mr. WITTPENN. May I refer to my own map, sir?

Senator BIBLE. Sure.

Mr. WITTPENN. Just to be accurate.

Senator BIBLE. I am not trying to confuse you. I want to refresh my memory.

Mr. WITTPENN. My records indicate that Devils Island, the farthest island out here, is in Federal ownership. The other island that appears in total Federal ownership is Raspberry Island, located here. Other Federal pieces of lands occur on Cat Island, the northern part of Otter Island—

Senator BIBLE. Who owns the balance of Otter Island?

Mr. WITTPENN (continuing). It is shown as private. In some cases the island is owned by one person.

Senator BIBLE. I understand.

Mr. WITTPENN. And there is a small piece of Federal ownership on Sand Island, the northern part. These are mostly associated, I believe, with Coast Guard lighthouses.

Senator BIBLE. Well, is it a fair thing to say that in the Apostle Islands group, the islands themselves are owned either in Federal, State, county, or private ownership? Is that a fair statement?

Mr. WITTPENN. Yes, sir; that is a fair statement.

Senator BIBLE. None of the islands as such are owned by the Indian tribes?

Mr. WITTPENN. No, sir. To my knowledge——

Senator BIBLE. None of them are.

Mr. WITTPENN. No. Only portions of Madeline, which is not included.

Senator BIBLE. Just the ones that are within the taking area. Then the Indian ownership is on the mainland of Red Cliff?

Mr. WITTPENN. Yes, sir. Generally, sir, it is found in this red area here but it is also within this yellow area. It is a large reservation, about 54,000 acres, I believe. The Red Cliff Reservation includes all of this yellow land, plus all of the red land that we have shown up to about that point.

Senator BIBLE. They own the mainland part, both red and yellow?

Mr. WITTPENN. I described the reservation. They do not own all the land, sir.

Senator BIBLE. Well, it is in trust for the Indians.

Mr. WITTPENN. No, sir. Some of it is in private ownership.

Senator BIBLE. Even though it is a part of the reservation.

Mr. WITTPENN. Yes, sir; and a lot of it is county land.

Senator BIBLE. I see, but the present occupants of it are the—— what Indian tribe is that?

Mr. WITTPENN. Red Cliff Band.

Senator BIBLE. All right. Now, who owns the red land down to the south?

Mr. WITTPENN. This is almost entirely owned by the Bad River Band. They do have some private lands in there.

Senator BIBLE. Bad River Band.

Mr. WITTPENN. The Bad River Band owns approximately 8,608 acres out of a total 10,370 acres in the area that we propose.

Senator BIBLE. I think for purposes of understanding this, this is the southern mainland area plus Long Island. Who owns Long Island?

Mr. WITTPENN. Long Island is Federal in the center and private on both ends.

Senator BIBLE. Then the Indians still do not own any of the islands anywhere, either the Red Cliff Band or Tribe or the Bad River Tribe?

Mr. WITTPENN. No, sir.

Senator BIBLE. Is that a correct statement?

All right. That embraces the total of the 57,511 acres proposed to be taken.

Mr. WITTPENN. Yes, sir.

Senator BIBLE. I think I understand that quite a bit better now.

Now, what are you saying officially for the Department, Mr. Hummel? You brought assistants to the witness table to help you on this paragraph that we are examining.

Mr. HUMMEL. Senator Nelson asked whether we could still have a national lakeshore if we did not have any of the Indian lands. Am I interpreting your question correctly, Senator?

Senator NELSON. Excepting as to the title, I suppose if it is the title that is bothersome and you did not have any of the Indian lands you would not call it a lakeshore because it is not a shore area. Call it a national recreation island or something. The question is, Could you have a national recreation islands without the shoreline?

Mr. HUMMEL. I will ask Mr. Swem to answer that question.

Senator BIBLE. Yes, Mr. Swem. Identify yourself. Have you been up there?

Mr. SWEM. I have not.

Senator BIBLE. You have not come here very well prepared. I do not know how anybody could come in and testify with authority about an area like that who has never been there. But, go ahead.

Mr. SWEM. Mr. Chairman, the position taken here in the statement is one that we had taken originally and——

Senator BIBLE. You had taken it originally?

Mr. SWEM. Yes. It is the position that we took when we commented on the bill in the 90th Congress. The most desirable lakeshore, of course, would include all of the shoreline and the islands. However, it has never been our feeling that all of the shoreline had to be acquired by the time the lakeshore was established. There is a minimum acreage of Indian lands that we felt were essential for establishment of the lakeshore. These were mainly access points on the shoreline. And if I might ask Mr. Wittpenn, he could go to the map and show these locations where the minimum acreage is involved.

Senator BIBLE. Very well. Now, are you clear on what he is saying now, Senator Nelson? It seems to me this is getting to the nub of your contention that this is a reversal of the former position of the Department. That is what you are saying.

Senator NELSON. That is what I am saying. And my question is, What features do those islands lack to qualify without the shoreline, to qualify to be preserved as some kind of a national recreation area in view of the fact that they are unique in the Great Lakes, in view of the fact that, to quote Mr. Hummel:

The Apostle Islands are wild country. Except for logging operations and quarrying of brown sandstone on Basswood, Stockton, and Hermit Islands, human activities on these islands have been mostly limited to Madeline Island which is not included in the proposal because it has a permanent year-round population and a well-developed summer colony.

On the other 21 islands, most of the evidences of man have been erased and the islands appear remarkably unchanged from the day almost 500 years ago when the Chippewa first immigrated to the area. The heavily forested islands are gently sloping without distinctive land forms. The shores are characterized by steep slopes and many cliffs gently washed or battered and carved into intricate and grotesque carvings by the cool and crystalline waters of Lake Superior. In contrast to the picturesque arches, pillars, and other striking rock formations, there are bright sand beaches along the protected shores.

And so forth and so on.

What more need one say about any piece of property in this United States to entitle it to be protected forever by the people? That is my question. Standing alone, what more do you have to say about any resource to entitle it to national protection? It is said quite eloquently, like it was 500 years ago, unique, beautiful cliffs and shore. Do you have an answer to that?

Mr. SWEM. I do not think there is any question as to the area's qualifications. Again, I think what we are talking about is the

ideal lakeshore from the standpoint of the lands and waters that should be included within the boundary as authorized. The question—

Senator NELSON. Is that for an ideal lakeshore?

Mr. SWEM. Yes. Now, the language in the bill states that the Secretary, when he feels that there are sufficient lands acquired, may establish the lakeshore. I think this really refers to the minimum essential lands. We, too, Mr. Nelson, felt that the use of the Indian lands would be obtained over a period of time, perhaps not tomorrow but in a few years, either through acquisition or through lease arrangements.

Senator NELSON. May I interrupt a moment?

Mr. SWEM. Yes.

Senator NELSON. Is it your feeling that the Indian lands may be acquired over a period of years, and I think it might take some time—but how then can you predicate the adoption of the project, including the islands, if you are going to have to wait a number of years to get approval of the Indian tribe? A number of years destroys the project. It is all over with.

Mr. SWEM. I think the reference to the approval of the Indians applied to these specific limited areas that we felt we had to have before the lakeshore could be established in accordance with the authorization. These would be sites where the public could go and gain access to the islands.

Now, on the Red Cliff unit, as I recall, as you get to the west, there is much in the way of private land and this poses no problem from the standpoint of the questions you are raising. I think the problem comes about in some of the other portions of the Red Cliff unit as we go eastward. There we do come into Indian lands at particularly desirable points of access and base development.

I think Mr. Wittpenn might point those out.

Senator NELSON. This is not getting at answering my question that—I will go ahead. Will you point out the private lands you are talking about?

Mr. WITTPENN. Yes, sir. Starting from the western end of the proposal, we do not meet tribal lands or allotted lands until we come to about this point [indicating]. So this area here is either—well, I beg your pardon. There are some Indian allotted lands back here colored orange.

Senator NELSON. You are not required to acquire in any event to get the shoreland.

Mr. WITTPENN. No, sir. The need down here is to get a road around that sand creek.

Senator NELSON. I want to settle one precise question. I have walked that shoreline all my life so I know it very well, including walking on it a half dozen times last summer, and in the Kakagon Slough. So, I know the area.

My question is—this proposal came from me, not the Park Service. They have been very cooperative, for 9 years, in working on it. But it came from me. And I recognize that it would be ideal to have the Bad River Bands—the Kakagon and Bad River Sloughs included, and it would be ideal to have 30 miles of the Red Cliff shoreline and that, therefore, that is why they are included in the project. But the

project stands alone justified with no Indian lands at all, with none at all. And if at some stage you thought you needed some Federal visiting point, on the shoreline, acquire a piece of private property. It is very easy to do.

The launching point to go to those islands right now is at Bayfield, in particular, because you have got a dock there and there is a ferry to Madeline Island.

My question again is not what is ideal but what more do those islands need based on Mr. Hummel's description to qualify for national protection other than the islands as they now stand? That is my question.

I do not know what the ideal is. I know what that is. I spent 9 years on the ideal.

Mr. SWEM. Well, the position that was taken before and is still being taken today is that in addition to the islands there are certain minimum areas of land owned by the Indians that we want or need to have within the area to establish the national lakeshore.

Senator NELSON. What would the islands need standing alone as they now stand, in addition to what they have got, to qualify them for national preservation by some title or another? is my question. You will not be launching people from the Red Cliff Indians shoreline to the islands. That is a long sand beach and where it is not sand, it is a rock cliff, and there are no beaching facilities and there will not be any there. That is, I do not mean—there are no docking facilities and I would think there will not be any there. There is a nice big dock in Bayfield. That shoreline does not connect with the islands. The Kakagon Slough, you can go into the sloughs any time you want to right now. There is a dock there, boats for rent to go in there. If you launch at Bayfield you can go around the islands, come into the sloughs. Anybody can. It is public waters in those sloughs.

So, I just say when I proposed this, I added two units to it because I thought that would be ideal. What do those islands have to have in addition to that magnificent eloquent statement of Mr. Hummel's about their uniqueness in order to qualify them for national protection?

Mr. SWEM. Well, I do not think that I can answer it other than as I have. As you well know, Mr. Nelson, in 1959 when the lakeshore survey was completed, it was recognized that each one of those three areas was outstanding, that is, the peninsula and the Bad River marshes and the islands area. I do not know that in our thinking during the planning process and past deliberations it ever came down to just whether or not the islands would stand on their own because, again, I think we are planning for the future and we hope as you have that eventually this would be a total complex tied together into one national lakeshore.

As I say, I think the statement did not refer to a sizable acreage. It was based on a minimum acreage to provide adequate access to the islands and for any minimum development that was needed along the shore.

Senator NELSON. Adequate access to the islands from the shoreline in red you are talking about?

Mr. SWEM. Yes. From within the total boundary there.

Senator NELSON. Now, the access to the islands, the best access to the islands, is right out of Bayfield. That is where the best dock is right now.

Senator BIBLE. Would you point out Bayfield?

Mr. WITTPENN. Yes, sir. Right here.

Senator NELSON. There is a big dock there, a ferry there. Boats come in and out. There is service for boats. So that is perfect access to the islands. The public can use it. A public dock.

So, I do not see that there is any—if you are there with your boat, that is where you would launch it. If you are coming there to go out and take a tour of the islands, that is the place in that community where the boats will leave from. They are not going to leave from the Red Cliff shoreline. There is no housing for the boats, no servicing for the boats, no docks for the boats. The commercial people, the people located now to sell rides around the islands, are right at Bayfield. So the argument that you need it for a launching site to the islands does not stand.

Now, if you are saying you think for some reason you need some private lands for people—some lands on which to put a visitor center, in maybe a place where they could get onto the shore and hike. Which I think would be fine on privately owned shoreline. From that private land, 25 miles or 12 miles, that is an awful lot of shoreline that you can acquire without the Indian lands at all. You can have a visitor center there and a hike the whole 30 miles of the beach. Now, wouldn't that be satisfactory?

In other words, if you do not get the Indian lands but get some adequate private lands along the shorelines so you can build a visitor center and have a launching place for people to start hiking the shoreline, would that meet your standard?

Mr. SWEM. I do not see any immediate insoluble problem in that, and, Dick, would you have any reaction in that regard?

Mr. WITTPENN. No, sir. It is just that I have worked—

Mr. SWEM. For access from that north part of the peninsula, going to the island?

Mr. WITTPENN. No. It is only a personal opinion. I have worked with the project so long with the boundary as it is, I have come to feel we need every square inch to do what we have proposed to do.

Now, if there are any other modifications or changes, we would have to, I think, reassess our planning. This is a very close spot here. It takes 15 minutes by fishing boats to go out there. It is a very good spot to take off from just for this particular island.

Senator NELSON. Sure, a fine spot, but if you are up here saying you have got to have perfection or you are going to commit recreation suicide, I think we have reached a sad stage in this country. I want to know—you have answered the question, you say you have worked with it so long, it is such a great proposal, but if you are going to change 1 foot or do not get all of it, therefore, let us collapse that marvelous group of islands than which there are no others in the continental United States, I do not know why you do not stick to the position we have had from the beginning. We will discuss it and negotiate with the tribes. They will approve or not approve.

You realize that there has been approval and disapproval several times in the last 9 years by various tribal leaders.

Mr. WITTPENN. Yes.

Senator NELSON. Do you realize people go up there and tell the Indians the white man is trying to steal your lands from you and then

I talk to some of my Indian friends and they say you are trying to take our lands away. I say, "no, the fellow who told you that is not telling the truth." The next time it happens again. I sit down to discuss it and say, "Look, discuss it with your attorneys. A proposal will be made. If you do not like the proposal, if it is not in the interests of the tribe, you vote it down."

The next year it happens again. This will go on and on.

The only way to handle this problem is to pass the project, and the islands stand on their own whether or not you ever get any Indian lands or private lands. The Interior Department goes in and is honest and fair with the Indians. They are entitled to fairness; there is no question about that. The bill is loaded with preferential treatment for the hiring of Indians to give them jobs. Give them a chance to look at this for a year. They have been cheated so long that I—some demagog goes out into the area who has a private interest in keeping the islands from being purchased or his interest in the exclusive fishing rights in the Bad River-Kakagon Sloughs, goes out there and tells them the white man is cheating, they believe it and I do not blame them at all. They get all upset. They do not trust us and they should not trust us and I do not blame them a bit. They say everybody is against them.

I say the answer is to approve the project. Interior should negotiate with the Bad River bands of Chippewas and with the Red Cliff and say, "Here is a proposal, a fine one. We have discussed it." And if those representing the tribal council think it is a good provision, they take it and have a vote. If the Indians say "No," which they may, OK, it is not in the project. The next year they might very well change their position.

I am satisfied that it is in the interests of the Indians and that after they have had adequate time to look at it they will accept it. They will see that there are jobs in it for them. They will see that there is income in it. They will see that these areas are going to be preserved in perpetuity and I think they will support it, but it might be a year or two or three before they reach that conclusion.

In the meantime, for heaven's sake, let us buy those islands. Let us take those islands that stand on their own as unique. If we cannot buy islands like this and if the Interior Department cannot support a project like this, we had better transfer the conservation responsibilities of this country someplace else.

Mr. HUMMEL. Senator, could I comment? As you—

Senator NELSON. Just pardon me for being upset by the Department's position but I always thought that if you stood for conservation you fought for it. If that is what that Department represents, you ought to be up here fighting for it, not putting up every roadblock you can think of.

Mr. HUMMEL. I think, Senator, you recognize that the approval as to whether this qualified under the national recreation area category of which lakeshores are a part, had to come from the old Recreation Advisory Council, now the President's Council on Recreation and Natural Beauty. We also referred it to our Advisory Board, so the Department is entirely involved. I would like to ask that we be permitted to reevaluate whether it would qualify for a recreational area without this land area which is owned by the Indians; also, that we

be permitted to again have it referred to the Advisory Board and to the President's Council to get full review.

I think we have been working on the assumption, like Mr. Wittpenn pointed out, that this is all a total unit. I think it has always been considered that way, and when Secretary Udall testified in 1967 he made a similar statement on Indian lands, although not as strong as this one.

Senator NELSON. Secretary Udall stood for saving those islands as did Mr. Hartzog, whether you got the Indian lands or not. And if you want Mr. Hartzog to come over here, he will testify that way. They stand for saving those islands. They stand for the whole project. They stand for saving those unique islands whether you get the shoreland or not. After all, there are some politics in dealing with the Indians in this country. We have not been fair to them and if you take the position that you must get approval in advance, 3 or 4 or 5 years go by and then you will be back saying that the land prices have escalated so much we can't afford it.

All I say is for heavens sake, approve the proposal. If the Indians approve, OK. If they do not, they do not, and yet we have got the islands. But you are not going there and get advance approval. You will have to sit down and say we are going to pay x number of dollars, hire x number of Indians, going to do this, going to preserve your hunting and fishing rights, tribal rights, inside the Kakagon and Bad River Sloughs, excepting the visitor center. You may spend 2 or 3 years discussing this before you get approval. If you want to wash it down the drain and get rid of the only collection of islands of this kind in the continental United States, you just continue this procedure I say if those islands do not stand on their own as a desirable national asset to be preserved, nothing does in this country.

I do not know how you could write this lyrical language about the islands if you did not believe they would stand on their own. I am sure you do. But do not foul up this project by putting in conditions based upon situations that you do not understand in the Interior Department.

I have been up to see those islands. I have got friends from both tribes. I have been up there for years and they may vote one way one day and one way the next because they do not believe what the white man tells them—and with good reason. They are going to have a proposal in front of them to discuss and evaluate. They will have meetings of the tribe and discuss it some more. They are going to have to have proof of what they are going to get, and that may take a year or 2 years. Then they will decide on the matter one way or the other. If you do not understand that much about Indians maybe we ought to move the Bureau out of the Interior Department. For heavens sake——

Senator BIBLE. I think you have made your point. At least, I have gotten the message. I think we may proceed.

You may want to confer with your superiors for a little further guidance but I would be interested, and I do not expect you to be charged with the responsibility of making this answer straight up, but assuming this bill passes, and all you get is the islands and you do not have the approval of the Bad River Indians and you do not have the approval of the Red Cliff Tribe, assuming you do not have those,

will you recommend the bill be passed or will you recommend a veto? You find the answer and come back with it before we finish the hearings, because I understand the position.

One question I forgot to ask you and I think I should have for the record. How far is it roughly from the mainland, Bayfield; how far is it from there to the islands?

Senator NELSON. Fifteen minutes by a slow boat. It is a mile.

Senator BIBLE. A mile to the furtherest island?

Senator NELSON. Closest.

Senator BIBLE. A mile to the closest.

Mr. WITTPENN. This archipelago is generally, sir, 30 miles wide. The total distance between the furtherest island and the——

Senator BIBLE. I would like to go up there and see this. I get more intrigued by this country all the time.

Mr. WITTPENN. And 20 miles this way.

Senator BIBLE. From north to south it is 20 miles, and east to west it is approximately 30 miles—20 miles north and south between the islands, 30 miles east and west between the islands. I just want to get the mileage in my mind. I want to go up and see this area at a proper fishing time and see what it looks like.

I have no other questions of you at this time. I want to get into the appraisal matter later on, because there seems to be another condition precedent here—who is your appraisement expert? Who is the man that is going to testify as to your estimates; who does that?

Mr. HUMMEL. Mr. Chairman, we asked our appraisers in our Land Division to reevaluate the land and they came back with a positive statement to us that if the land is acquired within a reasonable length of time, it can be bought for the \$6,660,000 which they previously estimated.

Senator BIBLE. You can stay within their previous estimate. Does that include the acquisition of the lands either by long lease or by fee simple purchase of the Red Cliff Indians as well as the Chippewas that are in the Bad River Tribe?

Mr. HUMMEL. Mr. Chairman, the estimate that they made would be on the assumption of fee acquisition. The assumption is that if we lease, costs would be something less.

Senator BIBLE. I am assuming that maybe the Indians, in negotiating with them—and I thoroughly concur with what Senator Nelson has said—that they are torn two different ways when the white man approaches them because they feel that they have been misled many times in the past, and they just do not quite know exactly whether they can depend on what the white man is telling them.

I think you have to wait until you know what the proposal will be before you are able to offer them something. I agree with Senator Nelson in that respect. Does the figure that you are giving us—you say it is \$6,600,000——

Mr. HUMMEL. That is right.

Senator BIBLE. Does that take into consideration an adequate sum for the acquisition of whatever title, be it a fee simple or lessor interest, that they may be able to acquire or negotiate from the two Indian tribes involved; is that an overall figure?

Mr. HUMMEL. That is an overall figure and like I said, Senator, we assume that acquisition of fee would be the highest price.

Senator BIBLE. And that is assuming the higher price?

Mr. HUMMEL. This is assuming the higher price, and if we have a lease or otherwise, it may be less.

Senator BIBLE. And approximately how do you break that out? I want you to say it approximately because in my experience in handling these park bills and recreation area bills over the last 10 years, I do not want—I know how hard it is to stay within authorized figures and I am sympathetic with the negotiators and sometimes I wait to see what the people who own the property—they sometimes wait to see how much money we authorized here and they set their figures accordingly. And there is no simple easy way to handle this problem. But approximately, in a percentage, \$6,600,000, is it fair to say that half of that would be for acquisition of the islands and the other half would be for acquiring whatever rights you could from the Indians or is there some other percentage you can give us?

Mr. HUMMEL. Our estimate of land acquisition costs from the Indians is \$1,635,000, so that would be a little more than a fourth of the total cost.

Senator BIBLE. And what are the comparative acreages involved?

Mr. HUMMEL. The acreage allotted to Indian lands is 10,867 acres out of 57,500 acres.

Senator BIBLE. That is 10,000 acres and that means the balance of 47,000, roughly—how much is the private ownership? You are not going to pay other Federal agencies anything for land?

Mr. HUMMEL. No.

Senator BIBLE. And you are not going to pay the State of Wisconsin for lands, are you?

Mr. HUMMEL. No. The bill provides that land from the State must be acquired by donation.

Senator BIBLE. And how about the counties?

Mr. HUMMEL. We are assuming we will not buy that, either.

Senator BIBLE. I think you had better continue on that assumption. I always thought in areas of those kinds, the primary beneficiaries are those located in the area and I know you always testified there are benefits flowing from it.

I have been furnished now with what I was trying to develop. It shows the Indian allotted lands, 5,965. The Indian tribal lands are 4,902. The private ownership, to make the comparison I was seeking, would be 25,186. So, your testimony is that you would pay roughly about \$1,400,000, you said? A million what?

Mr. HUMMEL. \$1,635,000.

Senator BIBLE. \$1,635,000, approximately, for the Indian lands, whether they are allotted or tribal lands, and that means that the balance making up the \$6.6 million, approximately \$5 million would be estimated for the private lands?

Mr. HUMMEL. For the rest of the private lands and administrative costs, yes.

Senator BIBLE. For the rest of the private lands. That is the percentage I was trying to arrive at. You are acquiring 10,800 acres of Indian lands, allotted or tribal, for \$1.6 million. You are acquiring 25,000 private acres for approximately \$5 million, for a total of \$6.6 million. Federal lands, State lands, and local government lands are computed at no price tag, which is the way it should be, as I see it.

And your statement is that the planned acquisition figure of \$6.6 million is realistic and if the acquisition can be made within the next few years—what does few mean? One, two, three, four, five?

Mr. HUMMEL. It is scheduled for 3 years. But they assured us that this was a good figure and they went back over it again at our request.

Senator BIBLE. You said that there are improvements on certain of these lands. There are 14 year-round residences, 135 seasonal cottages, 16 rental cottages, 28 docks, and four others for a total of 197 improvements.

Now, how does the bill provide for the acquiring of these improvements? Do you acquire them in fee simple or do you follow the Cape Cod formula, whether it is a straight formula or modified version thereof?

Mr. HUMMEL. It is a little difficult to follow the Cape Cod formula because the communities are not that organized. The bill provides that residential property we would attempt to acquire by offering a life estate. Now, the commercial property we would anticipate buying in fee simple.

Senator BIBLE. Well, how many of the figures that are before me—it does not show anything as commercial properties unless there is something on the docks that makes them commercial properties. Maybe I do not have the right information.

Mr. Hummel. I would like to have Mr. Wittpenn point out where the commercial properties are on the map for you, Senator. There is a restaurant and—

Senator BIBLE. Is the statement, Mr. Wittpenn, that I read correct as to the improvements? As of the end of last year, 14 year-round residences, 135 seasonal cottages, 16 rental cottages, 28 docks, and four other?

Mr. WITTPENN. Yes, sir.

Senator BIBLE. All right.

Mr. WITTPENN. The commercial properties are on Rocky Island. There is a restaurant out there and rental cottages, perhaps five. The tour boat that goes out there now makes a stop at Rocky Island. There is a restaurant there that seats the people and they are able to feed all the people on the boat if they so wish—100 people or so can be fed at this facility.

At Little Sand Bay there is a grocery store and I believe attached to it is a bar. So, there is a grocery store here. There are rental boats down in the Kakagon-Bad River area.

Senator BIBLE. Now, is that what is embraced within the four others?

Mr. WITTPENN. That, I do not know, sir.

Senator BIBLE. Well, are there more than four commercial properties? Just count them up.

Mr. WITTPENN. Well, I guess you would count this as one up here, the restaurant and five cabins. At Little Sand Bay, and down on this slough here.

Senator BIBLE. That is three. Well, somebody prepared this table within your Department and all I know is what it says here. And it would have to come either under the docks or the four other, but in any event, I am not trying to confuse you. I am just trying to find out how many commercial properties there are in the taking area that you propose to acquire.

Mr. HUMMEL. Senator, could we provide you a list of the actual individual pieces and list them entirely? I think the numbers are correct, but I think our records do not indicate exactly what they are.

Senator BIBLE. All right. You can do that.

Senator NELSON. I might say for the chairman, if I may, that inside the sloughs, the boats in there were owned by the late George Ackley who formerly was tribal chairman and who died a few months ago but it is Indian-owned operations and the bill provides preferential opportunity for the Indians within the sloughs. These are Indian-owned enterprises there.

Senator BIBLE. Now, you have 14 year-round residences. In what price ranges are they—\$10,000, \$12,000 homes if it is year-round? Who prepared this table?

Mr. HUMMEL. I think the table was prepared by our land appraisers. Could we furnish that for you, too, for the record?

Senator BIBLE. Yes. This is our first park hearing and in fairness to witnesses, maybe you do not know some of my strange idiosyncrasies, but among other things, I have always demanded and insisted that whoever is testifying on a park or recreation area visit it so he knows what he is talking about not read it or describe it when he cannot make the grand tour of the area. I do not know how you can know it is breathtaking and everything else having never been there. You cannot develop that by reading about it or maybe even looking at some pictures. So, I have made this very clear in the past and in the future you follow very closely to that or we will adjourn the hearing to have somebody who actually has set foot on the territory. And likewise, you should have somebody who knows what kind of residences these are, what kind of cottages these are whether they are tenants or what. There are all kinds of seasonal cottages that cover the gamut.

So, supply it for the record at this time, Mr. Hummel, but make it very clear and positive that hereafter when we will be getting into these park hearings that there is no need of bringing a whole battery of witnesses who do not know the area or the costs involved. It just does not make a good record and you would not last in court very long if you are to qualify as an expert. Let us follow that in the future and the information that you suggest can be furnished for the record.

Now, the operation and maintenance costs are incorporated in your statement, to be made a part of the record, and break it down as to how many people that is in the first year, the second year, the third year, the fourth year, and the fifth year, how many people you buy for \$105,600 for the first year, and so on. One superintendent, assistant, secretary, park rangers, and all the rest. So, furnish that for the record as well.

And I have no further questions of you at this time.

Senator Nelson, I am going to run until about 12:15. Maybe we can finish the Park Service people by that time. I would hope that then, in deference to our friends who do not live here in Washington, we could proceed with them immediately after our noon break, which will be until 2 o'clock, and finish with them. I notice a number of Washington, D.C., based witnesses and they are easily attainable, whereas people that come from a long distance may want to get away by the end of the day and we will at least try to accommodate our visitors that are not based here.

So, I will ask the staff during the noon recess to give me a new schedule of the witness list with that in mind.

Senator Nelson?

Senator NELSON. I would like to explore one point, Mr. Chairman.

In President Johnson's January message to the Congress, he recommended two projects and that is all. This year the Apostle Islands National Lakeshore was again included in the January budget message to Congress, again with a high priority, along with the Potomac National River, and with the support of the Department of the Interior and the Bureau of the Budget. That was in January. What I am curious about is the language here in which you say:

As this committee well knows, there is a substantial backlog of recently authorized but unfunded areas administered by the Park Service and Forest Service. This is in addition to unfunded land acquisition for inholdings for long-established Park Service areas. We are very much concerned, given present and anticipated budgetary limitations, about the size of this backlog in comparison to the funds we can reasonably expect to be available in the years immediately ahead from the land and water conservation fund. This situation has slowed down or precluded land acquisition * * *.

Now, you express your concern there. Is this specifically an announcement by the Department of the Interior that they will not recommend any further national recreation or park areas this year?

Mr. HUMMEL. I cannot speak for the Department completely, Senator, but this particular statement indicates great concern on the part of the Department for expansion of obligations for acquisition of lands.

Senator NELSON. Well, I realize that. That is what concerns me. It expresses great concern. I mention that the President of the United States, President Johnson, recommended two projects. One of them is the one you are here on today and the other is the National Potomac River System, which everybody has been talking about for a long time. And I think it would be a matter of grave concern and great interest to the Congress and the people of the United States and every conservationist in the country if this is the beginning of a declaration by this administration that there will be, because of funding, no more national recreation projects recommended to this Congress. Everybody is going to read this and say you have expressed this great reservation. Do you or do you not endorse the Apostle Islands, the Potomac National River project, and other projects? That is my question.

Mr. HUMMEL. I cannot answer that, Senator.

Senator BIBLE. May I just say again, it just kind of follows out the admonition I just made. I think before these hearings are completed we had better find someone who can answer, whether that means we go right to the Secretary of the Interior or not. We will request that you explore that a little bit further. I am not critical of you. You did not set this policy. But find out who can with authority answer and if necessary, we will have Secretary Hickel come.

Senator Hansen?

Senator HANSEN. I have no questions.

Senator BIBLE. I think this is an excellent time to take our noon break. We will stand in recess until 2 o'clock.

(Whereupon, at 12:10 p.m., the hearing was recessed, to reconvene at 2 p.m., this day.)

AFTERNOON SESSION

Senator BIBLE. The subcommittee will come to order.

Our first witness on this afternoon's schedule is Phillip Gordon, chairman of the Red Cliff Tribal Council, National Congress of American Indians. Mr. Gordon, feel free to have anybody that you care to have join you at the witness table.

STATEMENT OF PHILLIP GORDON, CHAIRMAN, RED CLIFF BAND OF LAKE SUPERIOR INDIANS OF WISCONSIN, ACCOMPANIED BY MRS. MARGARET PASCALE, TRIBAL MEMBER

Mr. GORDON. Mr. Chairman, honorable Senators—

Senator BIBLE. Will you please introduce the young lady you have with you?

Mr. GORDON. Excuse me. The lady's name is Mrs. Marge Pascale. She has been appointed by the tribal council to assist me at this hearing.

Senator BIBLE. Very fine. We are very happy to have you with us.

Mrs. PASCALE. Thank you.

Mr. GORDON. Mr. Chairman, honorable Senators, I, Phillip Gordon, a Chippewa Indian, and chairman of the Red Cliff Band of Lake Superior Indians of Wisconsin, am here to protest the bill S. 621 proposing a national lakeshore park.

Telegrams were sent on Wednesday, March 12, 1969, to the Honorable Henry M. Jackson, chairman of the Senate Interior and Insular Affairs Committee, and to Mr. John Belindo, executive director of the Congress of American Indians, to this effect.

Senator BIBLE. That telegram addressed to this committee has been received and has been made a part of the record.

Mr. GORDON. Thank you.

It is the opinion of the overwhelming majority of the Red Cliff people, and, therefore, the unanimous opinion of the tribal council, that the proposal for a national lakeshore park which takes any of our tribal lands be turned down.

As Senator Bible pointed out in the opening statement he made on May 8, 1967, the Chippewa Tribe has occupied this area since several years before Columbus discovered America, and since approximately 1610, the Chippewa Tribe has occupied the south shore of Lake Superior.

One of the stated purposes of the bill is to encourage participation by our tribe in the conservation of the unspoiled beauty of this land. The Government proposes to accomplish this by taking our best land, by regulating our use of it, and placing restrictions upon our historic hunting and fishing rights. I reject this idea as more of the paternalistic garbage that the Federal Government has fed to the Indians for too many years.

We have held the land for 350 years, and it is still unspoiled. We do not need the Department of the Interior to teach us conservation.

The Red Cliff Band does not object to the establishment of a national park in this area. The offshore islands, owned for the most part by various Government agencies, and such land on the lakeshore of the Indian reservation as is available may well make a beautiful park.

We are aware of the scenic beauty of the area. The white man has seldom understood or tried to understand the unique relationship that an Indian has to his land which is, for us, a religious one. Instead, the white man, acting individually and through his government, has used every method to take the best of that land from the Indian, from driving us off with armies to taking our land in exchange for meaningless promises, all of which are eventually broken by the white man.

One instance of such promises is the treaty of 1854 with my tribe establishing our reservation where it now is. Now, forgetting the treaty for his own convenience, the white man proposes to push us off that land, giving us his concept of the "fair market value" of the land, or exchanging land which is supposed to be "just as good."

I am here to say on behalf of my tribe that we do not want your money for our land. You cannot pay its fair market value to us, and there is no land just as good. This is our tribal home and we want to keep it.

The legislation you are presenting pretends to be fair. It says that you will take our trust land "only with the concurrence of the beneficial owner," which I take it means only with our consent. But aware of the history of how the white man has taken 2 billion acres of Indian land, I read the rest of the bill and I see that where any land is held by the tribe, or more than one Indian, we have a peculiar kind of democracy working here.

My attorney tells me that when a trustee of white man's property has a conflict of interest he must resign as trustee or not exercise his vote against the interest of the beneficial owner, or he becomes subject to penalties and liabilities. When a member of the board of directors has to vote on a resolution in which he has an interest, the outcome of the election must be determined by a majority of noninterested directors or it is not binding. Why should the Indian be treated differently? Why should the Secretary of the Interior, who is committed to the formation of this park and who has a substantial interest of his own in its formation, be allowed to vote for any Indian, let alone for any Indian minor or one who is non compos mentis, or who cannot be located? Is this the white man's way of teaching us democracy?

If our children's interests are to be protected by any person voting, why should not their parents, rather than the Secretary of the Interior, cast their votes?

If noncompetent Indians are to express their views, why not through someone who has the Indians' interest at heart?

If absent Indians are to be given a vote, why not through proxies so that they have a choice? Or why should they not have the right to abstain?

Above all, as to lands which are owned by more than 10 persons, which means our tribal lands, why should a vote of 25 percent of the tribal rolls voting in favor of the acquisition—consisting of the Secretary of the Interior voting in his own interest in the name of children, incompetents, and absent Indians—be able to defeat the wishes of 75 percent of the tribe consisting of competent adults who live on the land?

The record of hearings indicates a resolution of the Red Cliff Tribal Council supporting a bill to establish a park in this area. But

the record should be clear that such a proposed park did not involve any of the lands of the Red Cliff Reservation. As to the present proposal, a tribal referendum was held on July 5, 1967, in which those voting indicated better than 3-to-1 opposition to involving the lands of the Red Cliff Reservation in the proposed park. Since that time, observing the total failure of Government representatives to communicate with us, and learning more about the provisions of the bill, the opposition to the bill has increased until it is nearly unanimous, and the tribal council voted unanimously on March 13, 1969, to oppose this proposal. Senator Nelson has said, as author of this bill, at page 279 of the committee hearing reports:

There isn't any doubt in anybody's mind that since the white man came here he had dealt disgracefully with the Indians. That is one of America's great tragedies. I wouldn't intentionally put anything in any bill involving Indian lands that I didn't think was beneficial. As we have said several times here, no Indian lands will be leased or traded without the approval of the members of the two tribes, without their approval, and we wouldn't have it any other way.

Senators, the Secretary of the Interior is not an Indian, nor is he a member of the tribal council or the tribe. You have now received the official position of the tribe, and we will see how much your words and promises mean; we are opposed to any use of lands within the Red Cliff Reservation for this park. We want to keep our land.

We are also concerned about the indirect way in which this bill proposes to take away our hunting and fishing rights and subject them to the laws of Wisconsin.

Our tribe has limited resources, but they have sent me here to make our views known. Now that you have heard them, we will see whether you mean your words that you wish to avoid the tragedies of the past.

Thank you.

Senator BIBLE. Thank you very much, Mr. Gordon. I think that is a very effective statement, and I think I understand your position. I would like to ask you a few questions.

Going to the third page of your statement, you make one statement that I think should be clarified. You say:

Why should the Secretary of the Interior, who is committed to the formation of this park and who has a substantial interest of his own in its formation, be allowed to vote for any Indian?

By "substantial interest of his own" in the park, do you mean that he has any type of interest in the park or do you mean that it is just his interest in the creation of the park?

Mr. GORDON. The way I take it, I believe it is just his interest in the creation of the park.

Senator BIBLE. He does not have any financial interest; he is not going to profit if the park is created or anything like that, personally? Is this right? You are not trying to say that?

Mr. GORDON. No.

Senator BIBLE. I wanted to clear the record on it because I think it might have been subjected to that type of interpretation. I did not think that is what you meant, but I wanted to be absolutely sure.

Now, on that same page you say this, which somewhat puzzles me:

Above all, as to lands which are owned by more than 10 persons, which means our tribal lands, why should a vote of 25 percent of the tribal rolls voting in favor of the acquisition—consisting of the Secretary of the Interior voting in his own interest in the name of children, incompetents, and absent Indians—be able to defeat the wishes of 75 percent of the tribe consisting of competent adults who live on the land?

I think that should be elaborated on, in fairness to the record, in fairness to you, and in fairness to us who are simply trying to work out the problem that exists before us.

Let me first ask you: How many people do you have in your Red Cliff Indian Band?

Mr. GORDON. We have a population of 325.

Senator BIBLE. 325. That is the Red Cliff Band of Lake Superior Indians of Wisconsin?

Mr. GORDON. That is correct.

Senator BIBLE. How is that made up? You comment on adults, children, and everything else.

Is that the total number within the tribe? Or is it just the total number on the rolls?

Mr. GORDON. That is not our total number on the rolls. That is just the total number who live on the reservation today.

Senator BIBLE. Does that include man, wife, children, and everybody?

Mr. GORDON. Yes; it does.

Senator BIBLE. It includes everybody. You have 325 Red Cliff Band Indians living within the area that they propose to take; is that a correct statement?

Mr. GORDON. That is correct.

Senator BIBLE. How many are adults and how many are children, just roughly? Does it run 50-50?

Mr. GORDON. No.

Senator BIBLE. How many adults do you have actually living there?

Mr. GORDON. Seventy five percent of this total are children.

Senator BIBLE. Seventy five percent of the total are children; 75 percent of 325 are children. By that you mean boys and girls under 18 years of age? Is that how you define it? Or under 21?

Mr. GORDON. I would say under the age of 21.

Senator BIBLE. Under the age of 21; 75 percent are under the age of 21.

Now, how many other members of the Red Cliff Band of Lake Superior Indians which you are representing, as I understand it, live off of the land?

Mr. GORDON. To be honest with you, I cannot give you an exact estimate of how many Indians are off that reservation but, roughly, I would say 150.

Senator BIBLE. That is all of the additional members you have of the Red Cliff Band of Lake Superior Indians? That would be the total strength of this particular tribe of Indians in the United States?

Mr. GORDON. Using this as a figure, I can't give you the exact number. It could be more; it could be less.

Senator BIBLE. Yes. All right. I am just trying to get a general idea.

Then, when you have your meetings, how many actually attend the meeting that you have? Would you say at the last vote it was almost unanimous in voting against the proposal which is before us? How many did you have there?

Mr. GORDON. I would say pretty well the whole community.

Senator BIBLE. And would that mean 25 percent of the 325, which is roughly about 80 Indians? Would that be about right, 80 to 100?

Mr. GORDON. Yes; that would be correct.

Senator BIBLE. And they attended the tribal council meeting? How did they vote? Did they just say: "Are you for or against it?" Or do you vote by written ballot? What are you voting on?

Mr. GORDON. We voted, as I stated in my statement. This vote was held on July 5, 1967, and this was a ballot voting.

Senator BIBLE. That was ballot at that time, all right. And you say at that time, on July 5, 1967, the tribal referendum was better than 3-to-1 in opposition. Now, is there anybody else that can vote in addition to the adult members of this particular tribe? What if I were to go up there and ask to vote, you would throw me out, wouldn't you?

Mr. GORDON. Yes; we would.

Senator BIBLE. Good. I think you should. But I am trying to see whether anybody else has a vote.

Mr. GORDON. On the first election we had on this referendum it was not as strong at that time until the more recent feelings that we had at our meeting.

Senator BIBLE. I understand. All I am trying to find out is not how you voted but who you permitted to participate in the vote, because I am trying to find out the correct and honest attitude of the members of the Chippewa Tribe.

You are Chippewas?

Mr. GORDON. Yes.

Senator BIBLE. The Chippewa Tribe or the Chippewa Indians that belong to the Red Cliff Band Tribe. That is all I am trying to find out.

Mr. GORDON. It was just the members of the Red Cliff Band.

Senator BIBLE. I see. And, then, again, you say, when you voted on March 13, which was only a few days ago, that they were nearly unanimous in voting against it.

Mr. GORDON. This was the reaction of the people.

Senator BIBLE. How do you get that reaction? Did they say, "All in favor, stand up." Or, "All opposed——"

Mr. GORDON. Yes.

Senator BIBLE. Maybe some of them are afraid to stand up.

Mr. GORDON. Well, just about all of them stood up.

Senator BIBLE. Maybe they would have been scared to sit down, then. I mean, is it a fair thing to say that the members of the tribe on the land which is supposed to be taken or whatever you want to call it, however it is worked out—you think it is a "taking"—maybe you are right, I do not know. But your statement to me is that you are almost unanimous in being opposed to it?

Mr. GORDON. Yes.

Senator BIBLE. The Indian people themselves, who are the Chippewas. They are the Red Cliff Band; they are the ones opposed to it. This is what you are telling me?

Mr. GORDON. Yes, sir; we are opposed.

Senator BIBLE. Almost unanimously?

Mr. GORDON. Unanimously.

Senator BIBLE. What does it mean when you say "in determining this vote, there is only 25 percent of the tribal rolls voting in favor of acquisition, consisting of the Secretary voting in his own interest

in the names of the children, incompetents, and absent Indians, defeating the wishes of the tribe consisting of competent adults who live on the land”?

Will you tell me what it means in your own way, because I do not know what it means myself. I am a little puzzled. This is on page 3 of your statement, in the next to the last paragraph. I am not trying to confuse you. I just want you to explain what you understand that to mean.

Mr. GORDON. As I understand it, that is the way the bill reads.

Senator BIBLE. The author of the bill is here. I am going to turn the questioning over to him, because, obviously, it is his State and he is greatly interested in it. He has made it very clear, I am sure, that he wants to be fair to you people and he wants to be fair to his lifelong dedication in conserving this for future generations.

He is one of the most honorable and honest men with whom I have ever dealt, and I am sure there is not anyone here who is attempting to do something underhanded. He just does not operate this way, and I want to assure you, as a member of this committee—and sometimes this comes about by reason of misunderstandings—that I do not blame you for raising these questions. We have this constantly crop out at our park hearings where the people who are in the area affected do not quite understand the problem and maybe the Park Service, sometimes, is not best representing these things and they are taking unfair advantage. That is why we are here. It is to hear all of these things. If you want to elaborate any more on that, I would be happy to have you do it.

Mr. GORDON. Mr. Chairman, what I am referring to in the bill is 4(f).

Senator BIBLE. Let's take a look at that and see what 4(f) says. Which bill do you have before you, S. 621?

Mr. GORDON. It is a Senate-passed bill, S. 77—

Senator BIBLE. That was another bill, and I do not know whether that is the same as this year's bill or not.

Mr. GORDON. The section is identical in the present bill, Mr. Chairman.

Senator BIBLE. What is that?

Mr. GORDON. The section is the same in the new bill.

Senator BIBLE. I see. I think that is something that Senator Nelson, who is the author of the bill, may be able to clear this point up. You are referring to 4(f) in the old bill?

Mr. GORDON. Yes.

Senator BIBLE. Do you have the benefit of the new bill before you?

Mr. GORDON. No; I do not, sir.

Senator BIBLE. You have not examined that? I do not know whether it is the same thing, frankly, or not. There is no 4(f). I see a 4(d) and I see 2(f), but 4(d) apparently is the one you are directing your attention to.

Senator NELSON. Section 2(d) on page 4.

Senator BIBLE. Section 2(d) on page 4. And since this seems to be one of your objections, I think we ought to read it into the record.

Section 2(d) on page 4 of the present bill, the bill we are considering—and I have asked to clerk to give you a copy of it, so you can familiarize yourself with it—reads as follows:

(d) In exercising his authority to acquire by negotiated purchase any land within the boundaries of the lakeshore that is held in trust or in a restricted status for individual Indians—

And that certainly is your situation—

the Secretary may, in cases where a particular tract of land is so held for more than one Indian, acquire such land without the consent of all of the beneficial owners if the acquisition is agreed to by the owners of not less than a 50 per centum interest in any land where ten or fewer persons own undivided interests or by the owners of not less than a 25 per centum interest in any land where eleven or more persons own undivided interests.

Well, that is undoubtedly where you picked up your 25 percent. I do not know on first reading that it means quite what you say, but it should say something about owners of not less than 25 percent of any land where 11 or more persons own undivided interests. Continuing:

The Secretary may represent for the purpose of this subsection any Indian owner who is a minor or who is non compos mentis, and, after giving such notice of the proposed acquisition as he deems sufficient to inform interested parties, the Secretary may represent any Indian owner who cannot be located, and he may execute any title documents necessary to convey a marketable and recordable title to the land.

That may very well be a section that needs some clarification. I have not studied it in detail, and I would yield to the Senator from Wisconsin. He may desire to pursue this a bit further.

Senator NELSON?

Senator NELSON. Mr. Chairman, if this provision applied to tribal lands as Mr. Gordon interprets it to apply, I would agree with him in opposing the provision. It does not apply to tribal lands.

The provision was drafted by my staff and the legal staff of the Secretary of the Interior. It applies to allotted lands. They are not tribal. You may have a circumstance where you may have 40 acres and you might have 20 owners, and you can't find even half the owners. Most of it is not being lived on, or much of it is not lived on at all.

This is a provision the Interior Department proposed. Now, if it does not make sense, OK. It can be changed.

Senator BIBLE. That seems to be the basis of a misunderstanding.

Senator NELSON. Yes.

Senator BIBLE. That is very obvious, because they are using that one-quarter in a broad context, and you say it does not apply in a broad context.

Senator NELSON. No. It does not apply to tribal lands at all.

Senator BIBLE. Only to allotted lands?

Senator NELSON. Allotted lands, individually, privately owned.

Senator BIBLE. Do you understand what Senator Nelson is telling you, Mr. Gordon?

Mr. GORDON. Yes, I do.

Senator BIBLE. Well, now, "allotted lands." I suppose that is allotted land allotted to a specific Indian, and he owns it in fee simple the same as anybody else owns it. Is that what you are saying?

Senator NELSON. Correct.

Senator BIBLE. Then, maybe, the owner dies and it goes on to heirs, and they can't find all of the heirs. Is that what you are saying?

Senator NELSON. That is the case.

Senator BIBLE. That is the case of the allotted lands.

Senator NELSON. Yes.

Senator BIBLE. And there is no intent to say that it applies in any way to the tribal lands?

Senator NELSON. I would oppose that. It would be ridiculous to apply it to tribal lands, because the intent in the bill is to give the tribe decisionmaking authority to decide whether they want to participate or whether they do not. And their vote is final.

There is nothing the Secretary or the Congress, under this law, can do about it. If they do not want any part of their land involved in the project, not one single acre would be involved, and it is up to the tribal council and the members of the tribe exclusively.

Senator BIBLE. I wanted to let you have that before you, because it may clear up some of your misunderstandings. I do not know whether it does or does not, and I do not know what your tribe's attitude will be if it is applied only in the way that Senator Nelson says it applies, and if the language is not clear to your people that that is what it means, we will draft language that does say that, if that meets your objection.

Let me go around this just a little differently. Insofar as the tribal lands that are within the Red Cliff Band area and are proposed to be taken—to which they have testified—insofar as those lands are concerned, with the understanding that it does not reach the allotted lands, that it only reaches the private lands, what would be the feeling of your 80 to 100 Indians who met 4 days ago on March 13 of this year?

Mr. GORDON. They would object.

Senator BIBLE. And why would they object to that?

Mr. GORDON. They oppose this national park.

Senator BIBLE. I am sorry?

Mr. GORDON. Our Band of Red Cliff Indians of Lake Superior of Wisconsin definitely do not want the proposed national park.

Senator BIBLE. I understood you to say that you did not particularly object to the national park or lakeshore, whatever you want to call it, provided that it did not take your land.

You do not have any objection if they take the islands; is that true?

Mr. GORDON. We object to the bill the way it is proposed.

Senator BIBLE. I understand.

Mr. GORDON. But we are not against a park.

Senator BIBLE. That is what I thought you said.

Mr. GORDON. If our lands are not involved and it is just the islands.

Senator BIBLE. But you say, no matter how it is worded, that you would object to any type of bill that in effect took lands from the Red Cliff Band of Indians?

Mr. GORDON. Yes, we would.

Senator BIBLE. That would be your feeling.

Now, your 80 to 100, as you placed the vote. How would the vote come out if you had participated?

Mr. GORDON. I believe the vote would come out "opposed."

Senator BIBLE. By a wide majority, or would it be 51-49 or three-fourths? Have you any idea?

If they understood this problem, that we were not trying to cram something down their throats—and nobody here is trying to cram anything down their throats—and, I am sure you feel that what I am telling you isn't true, but I think Senator Nelson has made it abundantly clear that if the Chippewa Indians, the Red Cliff Band, do not want their land in this lakeshore proposal, he would certainly abide by what the Red Cliff Indians say about it. I assume he would follow this.

Mr. GORDON. Mr. Chairman, I would anticipate that if the vote were held now it would be by a wide majority.

Senator BIBLE. Would it be by secret ballot or by a standup vote? The only reason I ask that question is that sometimes you will not get as completely an honest expression if you have to stand up if you have a meeting on which there have been outside influences used. I mean I am speaking from experience.

I have been in politics a long time, and sometimes people will vote one way on a secret ballot where they will not vote the same way where they have to stand up so their members can count them. This is human nature. It applies to everybody across the board.

Mr. GORDON. This vote would be taken by a show of hands.

Senator BIBLE. It would be taken by a show of hands?

Mr. GORDON. Yes.

Senator BIBLE. Is that the way the tribal council usually decides these questions, just by a show of hands?

Mr. GORDON. Yes, sir.

Senator BIBLE. And the fellow that shows his hand up, and the majority is against him, nothing happens to him?

Sometimes it does in America. I mean, we are all Americans but in various places in America sometimes they are scared to do it. But you are convinced by your own standard methods of voting that the majority of the Chippewa Indians who are entitled to vote would vote against including their lands in the lakeshore area? That is your opinion, based on the last sampling you had, which was only 4 days ago?

Mr. GORDON. That is correct.

Senator BIBLE. I do not want to misstate anything at all, and you correct me if I am not stating it right. Your further statement is that you see no objections to this national lakeshore being created, as long as it does not take your lands?

Mr. GORDON. That is correct.

Senator Nelson?

Senator NELSON. I just want to emphasize that that has been my intent from the beginning, and in all of the conferences that we have had with representatives of the Red Cliff Band and the Bad River Band, we have made that clear. Sometimes the tribe, over the 9-year period—sometimes, we have had tribal representatives say, "We favor it," and sometimes we have had tribal chairmen say, "We are opposed to it."

I would like to ask one question on this aspect.

Do you have a vote of the council or of all members of the tribe?

Mr. GORDON. It was of all members of the tribe.

Senator NELSON. At that time, was there a specific proposal made saying that the Government would propose to lease this land for a certain amount of money and that there would be employment opportunity, and so forth? Was there any specific proposal discussed or was it just the bill itself?

Mr. GORDON. We thoroughly discussed this bill with our people, bringing in what we would think would be employment, and they still are against the bill regardless of how you propose it or set it up. They are absolutely against it.

Senator NELSON. Just so you may be assured about it, it is the intent of this bill to leave the total decision on tribal lands to the tribe.

I, personally, favor legislation at the congressional level to preserve hunting and fishing rights in all of these reservations where State conservation departments have taken away those rights. It has happened in the West; it has happened in my State, and I have opposed all conservation departments taking away hunting and fishing rights. That is not the intent of this bill.

But, in any event, the intent is that we make the proposal, and if, after the Secretary talks with the tribal council, they like the proposal and think it is beneficial, they can have a vote on it.

If they think it is not beneficial, they vote it down and that is the end of the matter. I just want it to be clear that the decision, the final decision, rests with the tribe in each case.

Senator BIBLE. Thank you, Senator.

Senator Hansen?

Senator HANSEN. I do not have any questions, Mr. Chairman.

I do want to thank the chairman of the Red Cliff Band for his testimony. I think it does add significantly to the hearings, and I am very much interested.

Senator BIBLE. Did you have anything to add, young lady?

Mrs. PASCALE. Yes.

Senator BIBLE. Will you give your name for the record, again?

Mrs. PASCALE. Yes. I am Margaret Pascale. I am a Chippewa Indian from the Red Cliff Reservation.

We have a park already with 34 campsites, water and rest facilities, a boat ramp, and a small dock.

Senator BIBLE. Tell me where that one is.

Mrs. PASCALE. This is right in Red Cliff.

Senator BIBLE. This is right in Red Cliff. All right.

Mrs. PASCALE. Yes, this is right where the line is going to start; the red line.

Senator BIBLE. All right. Is that a State park or a county park?

Mrs. PASCALE. It is a tribal.

Senator BIBLE. Oh, you have a tribal park of your own?

Mrs. PASCALE. Yes, we do; and we have another park in Raspberry, which is 5 miles from this other park, but we have no water there or rest facilities, but the people do camp there.

Senator BIBLE. By "people," you mean the members of your tribe?

Mrs. PASCALE. No, outsiders.

Senator BIBLE. As well as visitors?

Mrs. PASCALE. Outsiders, too.

Senator BIBLE. Do you charge admission to come into your park?

Mrs. PASCALE. Not to this park, not to Raspberry, but to the Red Cliff Park.

Senator BIBLE. You do. All right.

Mrs. PASCALE. There is a small fee. This bill includes the reservation. I am talking about the bill, now. If the bill is amended to exclude the reservation, then you will have our approval, but to say that you will negotiate for our lands after you pass the bill and include them, we oppose.

We are aware of the kind of pressure the Government uses in its negotiations. We resent the statement of the Senator that our views can easily be swayed.

Our position has been consistent. We support a park in the area not including reservation lands. We do not want the Secretary of the Interior voting for us. This shows the double deals involved.

Senator BIBLE. I think I understand your position, and I think it comes through very clearly. I can understand what you are saying and, probably, with some justification in many areas.

What you are saying is that you think this is all right as long as it does not take the land. I think that is what you are telling me; is that right?

Mrs. PASCALE. Yes.

Senator BIBLE. You have no objection to it as long as it does not take your land. You do not want your land taken.

Mrs. PASCALE. Right.

Senator BIBLE. Senator Nelson?

Senator NELSON. I thank the chairman.

I did not get your name?

Mrs. PASCALE. Margaret Pascale.

Senator NELSON. I would just like to say as to your statement about being easily swayed: Any person can be lied to. I have had meetings several times since 1961 with members of both Red Cliff Indians and the Bad River Band where they had been told that this land was going to be taken away from them and were not told that they had a right to vote and, so, when we got through explaining that the decision was in the hands of the tribe, those I talked with said, in each one of these cases, "We did not understand that."

"We were told by some people from Ashland and by some people from elsewhere that they were going to take the land away." They did not have copies of the bills themselves to read and believing the misrepresentations that were made, why, they were against the bill. Of course, I would be against the bill myself if it did what some said it did.

Mrs. PASCALE. Can I ask you a question, sir?

Senator NELSON. Yes.

Mrs. PASCALE. Have you ever been up to Red Cliff?

Senator NELSON. Yes; I have been up there in the last 40 years probably 50 or 60 times.

Mrs. PASCALE. But no one knows of your—

Senator NELSON. I was there twice last summer. I will be there this summer again. I go there every single summer.

Mrs. PASCALE. You did not go as far as Ashland?

Senator NELSON. Yes.

Mrs. PASCALE. I mean, you have been up to Red Cliff, itself?

Senator NELSON. Yes; and I go on that shoreline every single summer; as I say, twice last summer.

Mrs. PASCALE. But you cannot walk the whole shoreline, because there are rocks in between.

Senator NELSON. That is right, and I have been there to two camps.

Senator BIBLE. The next time he comes up there, I suggest you get in touch with him.

Mrs. PASCALE. We shall walk along with him on the shoreline.

Senator NELSON. I shall be glad to.

Senator BIBLE. Thank you, very, very much. You have been very, very fine witnesses, and we appreciate having you with us today.

Our next witness is Harold C. Jordahl, acting Federal cochairman, Upper Great Lakes Regional Commission, Madison, Wis.

STATEMENT OF HAROLD C. JORDAHL, JR., ACTING FEDERAL COCHAIRMAN, UPPER GREAT LAKES REGIONAL COMMISSION, MADISON, WIS.

Mr. JORDAHL. Mr. Chairman, members of the subcommittee, I have prepared a rather lengthy statement—

Senator BIBLE. The lengthy statement will be incorporated in the record, and I suggest you highlight it.

Mr. JORDAHL. Fine. My name is Harold C. Jordahl, Jr., of Madison, Wis. I am the acting Federal cochairman of the Upper Great Lakes Regional Commission. I might add that this is a Federal-State commission organized under the aegis of the 1965 Public Works Economic Development Act. I am here to testify in favor of S. 621, providing for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, on the basis of my former position as regional coordinator, USDI, for the upper Mississippi-western Great Lakes area, as well as my long professional association with the developments that have culminated in the bill which you have under consideration today.

On August 28, 1967, the Upper Great Lakes Regional Commission, by formal resolution, endorsed enactment of the proposed Apostle Islands National Lakeshore. In addition, on September 4, 1968, the commission reiterated this support in a telegram to the chairman of the House Committee on Interior and Insular Affairs urging prompt action by the Congress. Parenthetically, I will say that copies of the commission Resolution 12 and telegram are attached.

The commission's support of the Apostle Islands stems from its position that recreation and tourism are key elements to the future growth and prosperity of its 119-county area in northern Wisconsin, Michigan, and Minnesota, where we have responsibilities. In addition, the commission, consisting of Governor LeVander, State cochairman, Governor Milliken, and Governor Knowles, has also recommended to Congress by resolution, the Sleeping Bear Dunes National Lakeshore in Michigan and has endorsed the idea of the Voyageurs National Park in Minnesota.

The importance of recreation and tourism to the region is highlighted by a preliminary report on commercial tourism which is currently under review by the commission and other private, public,

and university groups in the region. This report estimates that tourist spending exceeds \$300 million per year, that growth is occurring at the rate of 8 percent annually, and that a purposeful program of tourism development could attract 12 million tourists annually who would spend almost \$2 billion a year in the region. To accomplish this goal will require a public capital investment of approximately \$175 million. This investment, coupled with investments by the private sector approaching \$1 billion, would achieve that goal. The Apostle Islands and Sleeping Bear Dunes National Lakeshores will make significant contributions.

The commission, in its annual report to the Congress on January 21, 1969, proposed a recreation-tourism development strategy which is built, in part, on the establishment of a national system of attractions in the upper Great Lakes region. I would like to quote directly from this document:

A principal strategy, therefore, is to create a network of natural and historic areas that would have a national appeal to the higher-spending, mobile tourists. Most immediately, this means gaining congressional approval of the proposed Sleeping Bear Dunes and Apostle Islands National Lakeshores and the Voyageurs National Park, along with accelerated acquisition and development on authorized projects. Improvement of the national monument and working with the Indians to establish an Indian park on the Grand Portage Indian Reservation in Minnesota is also proposed.

The network will comprise natural areas of national significance. In addition to the proposals listed above, the network would be made up of the following already established areas: Pictured Rocks National Lakeshore, Sylvania Recreation Area, and Isle Royale National Park, all in Michigan; the Ice Age National Scientific Reserve in Wisconsin; The Boundary Monument in Minnesota, the St. Croix and Namekagon National Wild Rivers in Minnesota and Wisconsin and the Wolf River in Wisconsin.

These attractions will gain the Region national recognition as a place of outstanding beauty and recreational appeal. The additional visitors that such facilities would attract (for four proposed new areas, an estimated 5.8 million per year) would have impact initially in the commercial tourist field. However, such attractions would also make the Region a better place in which to live, thus attracting additional residential and manufacturing growth.

In addition, creation of the four proposed new areas would, over time, bring into the Region an estimated \$84 million in federal funds for acquisition and development. An important supplement to the network is the system of state and local parks which is undergoing continual expansion and improvement.

It is based on the eventual establishment of Sleeping Bear Dunes, Pictured Rocks already authorized, the Sylvania Recreation Area, on the Ottawa National Forest, the three magnificent wild and scenic rivers authorized as part of the national system in Wisconsin and Minnesota in the last session of the Congress, the proposed Apostle Islands Area, the Island National Park, Grand Portage, and the Voyageurs National Park proposal.

To implement this strategy, the Commission has proposed to the administration a supplemental funding request for fiscal year 1970 which includes recommendations for funds to accelerate acquisition of lands and development of key facilities on those portions of the national network now authorized and those which will be authorized by the Congress in fiscal year 1970.

During my 19 years of public service in natural resources at the State, Federal, and university levels, I have not been involved in a proposal of this type that has been more carefully planned and developed than the Apostle Islands National Lakeshore. I personally be-

came acquainted with this area as a State wildlife biologist in the early 1950's and have continued my interest and involvement in plans for the region since that time.

National interest was focused on the area by the 71st Congress in 1930, when the National Park Service, responding to congressional resolution, made a study of the region. In 1955 the Wisconsin Conservation Commission adopted a statement, "Policy on Acquisition of an Apostle Islands Wilderness Area," which was followed by establishment of an acquisition unit for the Apostle Islands State Forest consisting of three islands, Stockton, Oak, and Basswood. To date, State acquisition has been confined essentially to Stockton. In addition, the State has implemented acquisition of the Big Bay State Recreation Area on Madeline Island, the only island not included within the boundaries of the national lakeshore proposal. Parenthetically, plans and programs of the State will complement the Federal proposal.

In 1959 the National Park Service report, "Our Fourth Shore: Great Lakes Shoreline Recreation Survey," recognized the potential national significance of this area.

From 1960 to 1965 the State of Wisconsin has, in its recreation and comprehensive planning programs, recommended that this area be established as a part of the National Park System.¹

In 1962 a resolution of the Tribal Council of the Bad River Band of Chippewa Indians requested the Secretary of the Interior and the Governor of Wisconsin to institute studies into the feasibility of establishing a national area (copy of resolution attached). At that time, I served in Wisconsin State government and prepared the supporting materials which Gaylord A. Nelson, then Governor of the State of Wisconsin and now the author of the Senate bill, submitted to Interior Secretary Udall and Indian Commissioner Phileo Nash. Subsequently, Secretary Udall sent the Director of the Bureau of Outdoor Recreation, Dr. Edward Crafts, to make a field inspection of the area which followed preliminary Department studies in 1962 and 1963.

On September 24, 1963, President John F. Kennedy, Secretary Udall, and other Federal, State, and local officials visited the region. In his speech at Ashland, Wis., the President stated that the area was worth preserving and pledged the cooperation of the Federal Government. Secretary Udall then established a special subcommittee of the North Central Field Committee of the Department to coordinate the planning effort. I was privileged to serve as chairman of this group and submit for your information a copy of our report. This task force report formed, in part, the basis for the following documents: "Apostle Islands National Lakeshore, a Proposal," prepared by a subcommittee of the North Central Field Committee in August of 1965, and "The Apostle Islands Region," reprinted from the 1964 summer issue of the Wisconsin Tales and Trails magazine.

¹ Zube, Ervin H., Taconite and the Landscape in the Lake Superior South Shores Area, Wisconsin Department of Resource Development, 1963;

Lewis, Philip H., Jr., landscape analysis, Lake Superior South Shore Area, Wisconsin Department of Resource Development, 1963;

———, South Shore Resource Development Potential: A Preliminary Recreation Report. Wisconsin Department of Resource Development 1962;

Zube, Ervin H., and Dego, Hugh A. Wisconsin's Lake Superior Shoreline. Wisconsin Department of Resource Development, 1964;

Fine, I. V., Recreational Potential of the Lake Superior South Shore Area. Wisconsin Department of Resource Development, 1964.

In addition, Prof. I. V. Fine, School of Commerce of the University of Wisconsin, prepared a study highlighting the economic implication of the proposed Apostle Islands National Lakeshore (copy attached). In brief, Professor Fine's report indicated that the area, when fully developed, will attract 920,000 visitors whose spending would have an impact in the area of more than \$7.25 million. The lakeshore will generate a direct Federal payroll of \$350,000—full-time and seasonal employees—and employment in the tourist service industry of more than 363 jobs. Public ownership of the proposed area would result in a modest property tax loss of less than \$10,000 and five full-time jobs.

President Johnson, in his message, "Our National Heritage," of January 30, 1967, recommended that the area be established as a part of the national parks system and again urged congressional action on March 8, 1968, in his message, "To Renew a Nation."

Locally, interest in the area has been high. A citizens committee for the Apostle Islands National Lakeshore was organized in 1962 and is headed by Dr. B. C. Prentice, of Ashland, Wis. I met with this group on numerous occasions during the planning period. In addition, I, along with members of the subcommittee, met on numerous occasions with members of the Bad River and Red Cliff Indian Bands. At the completion of the subcommittee's work, we met formally with each Indian band, and also held a public informational meeting at Northland College in Ashland, Wis., to present task force recommendations. During the course of my involvement with this proposal, since 1960, I know of 60 meetings with Indian people, community citizens, county boards, town and city officials, and other public and private groups. Other meetings have also been held. Through these meetings, many useful comments and suggestions were received from local people and were incorporated into legislation now before this subcommittee. Through this effort, there has developed a broad base of support for the proposal locally, statewide, and throughout the region and Nation.

The Apostle Islands region has national significance. It is unique in that it consists of an island archipelago, a rugged, beautiful peninsula environment and a large unspoiled marsh and sand spit. There is no comparable area in the entire Great Lakes region consisting of such rich, historic, scenic, and recreational variety, and within easy access of the large metropolitan regions to the south.

The Interior Subcommittee recommended the establishment of a national lakeshore which would accomplish three goals:

1. Preservation of a remnant of the Great Lakes shoreline for public use;
2. Improvement in the economic conditions of the immediate area through tourist expenditures and Federal investments; and
3. Improvement in the status of two disadvantaged Indian groups.

The first goal has been discussed. The second goal is documented by the Fine study of the University of Wisconsin. In addition, note should be made of the fact that northern Wisconsin has been exploited for minerals, timber, fisheries, and agriculture. Use of these resources has steadily declined since the boom periods of the late 19th and 20th centuries and the economy has declined. Tourism and recreation now offers an opportunity to build the economy of the region. The third goal requires explanation.

Senator BIBLE. Based on your visits with the members of the Red Cliff Indian Band, do you think they are for or opposed to the present bill as it is now before this committee?

Mr. JORDAHL. I cannot answer that question, Mr. Chairman. Mr. Gordon is a much more perceptive, I think, observer of the situation as it relates to his people in that area.

Senator BIBLE. When was your visit with the Red Cliff Indian Band?

Mr. JORDAHL. I have met with the Red Cliff Indian people for about, perhaps, six times within the last few years. The last meeting would be 1966—maybe early 1967. Now, my recommendation to the two Indian groups was this: Do not take a position with regards to the proposed legislation until they knew exactly what was going to be enacted by the Congress.

Senator BIBLE. That is good advice.

Mr. JORDAHL. And feeling at that time, then, they could negotiate it with the Department of the Interior and make their decision accordingly; Mr. Chairman, I have consistently recommended that.

Senator BIBLE. Thank you.

Mr. JORDAHL. The Secretary instructed our group to provide for the equitable treatment of Indian interests. No other groups of citizens stand in precisely the same relationship to the Federal Government as do Indians. The unique nature of this relationship is rooted in treaties and laws which provide that the Secretary has a responsibility of Indians and their resources. We were aware of the strategic location of Red Cliff and Bad River Reservations. Thus, the proposed development gives credence to Indian ownership and occupation with a marked degree of national indebtedness to the Indians for preserving a significant portion of the lakeshore. Our recommendations provided for a means whereby the Secretary could meet his trust responsibility to the Indians while at the same time achieving his other responsibility of providing Americans with significant outdoor opportunities.

S. 621 gives credence to Indian interests. Specific provisions have been carefully worked out in consultation with the Indian people. Also, careful attention was given to precedents established by the Congress in other areas regarding Indian people and Indian interests. I am personally satisfied that Indian interests are thoroughly and adequately protected if this legislation is enacted into law; and, that, if they so choose, it will provide them with an excellent opportunity to improve their economic and social well-being. Specifically, S. 621, in the statement of purposes, encourages participation by the two bands, and provides the Indians with the following options and alternatives regarding their lands, regarding hunting, fishing, employment, wild-life, and the like:

1. Trust lands will be acquired only with the concurrence of the bands, and this can be done by lease, purchase, easement, or exchange.

2. The Secretary may acquire lands by negotiated purchase outside the lakeshore for exchange with the bands and individual Indians for lands within the lakeshore.

3. The Secretary may acquire for individual Indians lands outside the lakeshore by negotiated purchase using funds paid to the individual owner for lands acquired within the lakeshore.

4. Provisions are made to provide the Secretary with authority to overcome difficult heirship problems.

These land provisions permit a great deal of flexibility for both the Secretary and the Indian people to incorporate Indian lands within the lakeshore. In addition, the Indians are provided their historic rights to traverse the area, to hunt, fish, trap, boat, and gather wild rice, to purchase timber, and to provide visitor accommodations and services. Also, they will be provided preferential employment rights, use of docking facilities without charge and within the lakeshore, and an extension to the Indian people of their historic treaty rights to hunt, fish, trap, boat, and gather wild rice on lands which were once Indian, within the reservation boundaries, but which through the years have been alienated.

Our task force recognized that legal rights of the Indian people to hunt, fish, trap, and so forth, are not completely clear in either Federal or State statute, or through judicial decision. Therefore, I have worked closely with the former attorney general of the State of Wisconsin regarding these legal matters. He did, in an opinion, clarify Indian rights to hunt, fish, and trap. Also, his staff has worked with the Indian people, and the Great Lakes Intertribal Council to establish conservation programs and tribal regulations which will conserve wildlife resources. At the request of the Wisconsin attorney general, legislation was introduced in the State legislature which would grant to the Indians on the Bad River Reservation and also to Indians on other Wisconsin reservations, the right to wild rice. As a Wisconsin citizen, I testified in favor of this legislation. It passed the Wisconsin Assembly and will be reintroduced in the 1969 session of the legislature. In addition, the Wisconsin judicare program, representing Indian people, is presently pursuing a case in Federal court to clarify Indian rights to hunt and to fish. I cannot overemphasize the importance of these rights, whatever they may be, to the Indian people. I firmly believe that every effort has been made and is being made to insure to them important historic rights and privileges, as they may be influenced by the lakeshore proposal.

I would like to make one further observation regarding Indian interests. When the proposed lakeshore boundaries were drawn, careful attention was paid to existing Indian ownership. Thus, when the lakeshore is established, the two Indian bands, with their existing land base, will be in an excellent position to provide tourist services, marinas, guide services, and gift shops; and to be employed in lakeshore operations.

(The attachments as indicated in Mr. Jordahl's prepared statement follow:)

UPPER GREAT LAKES REGIONAL COMMISSION RESOLUTION NO. 12

Whereas the Upper Great Lakes Regional Commission is concerned with the increase of economic activity in the region; and

Whereas part of such increase depends upon the orderly development and preservation of areas of natural beauty for the purpose of strengthening the tourist industry; and

Whereas the Apostle Islands area in Bayfield and Ashland Counties in Wisconsin is a rare and priceless resource of natural beauty; and

Whereas Senate Bill S. 778, which would provide for the reservation and development of this area, has been introduced in Congress and passed by the Senate: Now, therefore, be it

Resolved by the Upper Great Lakes Regional Commission, That enactment of S. 778 be recommended to the Congress.

It is further recommended that Section 11 of the Bill, authorizing appropriations, be promptly implemented by the Congress in order to avoid the serious economic problems which can arise in an area if its status is made uncertain by the passage of such legislation without funding.

Adoption by the full Commission this 28th day of August, 1967.

WARREN P. KNOWLES,
State Cochairman and Governor of the State of Wisconsin.
THOMAS S. FRANCIS,
Federal Cochairman.
GEORGE ROMNEY,
Governor of the State of Michigan.
HAROLD LEVANDER,
Governor of the State of Minnesota.

UPPER GREAT LAKES REGIONAL COMMITTEE,
September 4, 1968.

WAYNE ASPINALL,
*Chairman, House Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.:*

The Upper Great Lakes Regional Commission reaffirms its support for the establishment of the Apostle Islands National Lake Shore under resolution No. 12 dated 28th day of August 1967 and submitted to the chairman. The bill has the endorsement of the Wisconsin delegation and is strongly supported by numerous conservation, business, and civic interests throughout the State. It is imperative that Congress approve this legislation now as two of the islands will be up for sale in the immediate future which could, if sold to others than conservation interests, would hamper the project.

In light of passage of S. 1401 it is urged that funds be made available promptly to expedite the project. The Commission gives unanimous support to H.R. 13124 and urges prompt passage and funding of this project.

GOV. WARREN KNOWLES,
GOV. GEORGE ROMNEY,
GOV. HAROLD LEVANDER,
THOMAS FRANCIS.

(Appendix A)

RESOLUTION BY BAD RIVER TRIBAL COUNCIL, MAY 10, 1962

RESOLUTION NO. 1326

Whereas the Bad River Indian Reservation located in Ashland County, Wisconsin, is in a chronically depressed area as designated by President John F. Kennedy, and

Whereas we, the members of the Tribal Council of the Bad River Band of Chippewa Indians feel that the natural resources, the ancient customs and culture of our reservation should be preserved for all times and should contribute now and in the future to the economic well-being of the members of the Band, and

Whereas the Bad River Sloughs or Marshes as well as the contiguous Lake Superior shoreline held unique scenic terrain features and unsurpassed opportunities for wildlife habitat and recreational facilities of great significance and interest to the people of the United States: Now, be it therefore

Resolved, That the Tribal Council of the Bad River Band of the Lake Superior Tribe of Chippewa Indians of Wisconsin hereby requests that the Secretary of the Interior, the Honorable Stewart Udall, and the Governor of the State of Wisconsin, the Honorable Gaylord Nelson, institute studies into the feasibility of:

- (1) the establishment of a National Shoreline-Recreational-Wildlife Area consisting of approximately 20,000 acres of land within the Bad River Reservation north of the Village of Odanah and U.S. Highway No. 2; and
- (2) the prudent development of such an area so that the full economic value will accrue to the members of the Bad River Band of Chippewa Indians; and be it

Further resolved, That copies of this resolution be sent to the Secretary of the Interior, the Governor of the State of Wisconsin and to the Commissioner of Indian Affairs.

CERTIFICATION

I hereby certify that the Tribal Council is composed of seven members, of whom six members were present at a meeting duly called and held on the 10th day of May, 1962, thereby constituting a quorum, and that there were five votes for the resolution and 0 against.

Dated at Odanah, Wisconsin this 10th day of May, 1962.

(S) MILDRED L. ARBUCKLE,
Secretary, Tribal Council.

Mr. JORDAHL. I might, for the purposes of the record, Mr. Chairman, indicate that it is my recollection that in 1953—and I do not have the task force report with me—the number of Indian people actually living on the lands in question was approximately as follows: I believe there were three families of about 12 persons on the Red Cliff unit within the boundaries now, and two or three families on the Bad River unit, involving nine to 12 people.

Senator NELSON. That was of the allotted land.

Mr. JORDAHL. These would be either allotments or on assignments from the tribe, on tribal land. The bulk of the Indian people, you see, live off the project area.

We tried to draw the boundary in such a way that both the Bad River group at Odanah and the Red Cliff group at Red Cliff Village could capitalize, you see, on their existing ownership, given the infusion of tourists that would come to the area. This is the basic strategy.

Senator BIBLE. That does not suggest that there was anything wrong in the statement of Mr. Gordon to the effect that there were 80 to 100 that came to this meeting on March 13. That is completely compatible with the statement you are making; is it not?

What you are saying is that those members of the Red Cliff Indian Band who came to the meeting on March 13, many of them did not live within the boundaries of the taking lands?

Mr. JORDAHL. Yes, there are only three families, as I recall.

Senator BIBLE. I thought I understood you correctly.

Mr. JORDAHL. Yes.

Senator BIBLE. Three families of a total of 80 to 100. The balance of them came from somewhere else beyond the boundaries of the Red Cliff Band taking areas.

Senator NELSON. May I ask a question?

Senator BIBLE. Certainly.

Senator NELSON. Just by way of clarification for myself, did I understand that the three families you are talking about within the Red Cliff boundaries and those within the Bad River boundaries are families living off the reservation itself but on allotted lands?

Mr. JORDAHL. No, sir. They are within the boundaries of the reservation and within the boundaries of the lakeshore.

Senator NELSON. But are they living on tribal or allotted lands?

Mr. JORDAHL. They could be living either on allotted or tribal lands where the tribal council has made an assignment, a right of use to the Indian families to use tribal lands for occupancy purposes.

Senator NELSON. I did not understand exactly the point you were making, that there were three families in the Red Cliff area and two in the Bad River area?

Mr. JORDAHL. Two to three families.

Senator NELSON. What was the point you were making? I did not understand.

Mr. JORDAHL. The point I was making is that it does not significantly disrupt the place where the Indian people live on their reservations in these two instances. The bulk of the Red Cliff people live to the south in their village, and the bulk of the Bad River people live in Odanah, south of the lakeshore boundary.

Senator BIBLE. Is there any argument about that, Mr. Gordon, as to the fact that there are only three Red Cliff families living actually in the area that is proposed for taking? Is that a correct statement?

Do you understand the question?

Mr. GORDON. Yes; I do.

Senator BIBLE. Well, three families are not very many; so, you ought to know if it is three, five, seven, 20, or whatever it is. I am just trying to get clear on this point. Maybe I do not have it in my own mind.

The point that he is making, if I understand it correctly, is that there could not be too much adverse effect on the Red Cliff Tribe if, in truth, there were only three families that are actually within the taking area.

Mr. JORDAHL. It does affect their lands, however.

Senator BIBLE. It affects their land, but it does not affect where they are living. It affects their land; I am clear on that, but it does not affect where they are living. Is this true?

Maybe I should ask it the other way around.

How many of your tribe are actually living within the area that is proposed to be taken?

Mr. GORDON. The statement Mr. Jordahl made; that is correct.

Senator BIBLE. There are only three families that actually live there. The balance, whatever the number is, up to the 80 to 100, they do own land, even though they do not live there.

Mr. GORDON. That is correct.

Senator BIBLE. Very fine. I am glad to have that clarified for the record. Thank you very much.

I have no further questions.

Have you, Senator Nelson?

Senator NELSON. No. Well, I did have this question: As I understand it, the Upper Great Lakes Regional Commission, composed of the three States of Minnesota, Wisconsin, and Michigan, has twice approved the project, and that was the first time Governor Romney, of Michigan, Governor Knowles, of Wisconsin, and Governor LeVander, of Minnesota, and the last approval was of what date?

Mr. JORDAHL. Last fall in September, Senator, when the three Governors, still the same Governors, sent a telegram to Chairman Wayne Aspinall of the House committee, when the bill was still before that committee.

Senator NELSON. Now, there has been a subsequent approval again involving the Governor of Michigan?

Mr. JORDAHL. No, this matter has not been brought to the Commission since that date.

Senator NELSON. I see. All right.

Senator BIBLE. Senator Hansen?

Senator HANSEN. Thank you, Mr. Chairman. I do have a few questions to ask of Mr. Jordahl.

On page 10, provision 4, and I quote:

Also, they will be provided preferential employment rights, use of docking facilities without charge and within the lakeshore, and an extension to the Indian people of their historic treaty rights to hunt, fish, trap, boat, and gather wild rice on lands which were once Indian, within the reservation boundaries but which through the years have been alienated.

Are these rights spelled out in the bill?

Mr. JORDAHL. Yes, sir.

Senator HANSEN. How do you go about determining who the members of this particular tribe are?

Mr. JORDAHL. They have an official roll, Senator.

Senator HANSEN. They have an official roll?

Mr. JORDAHL. Yes.

Senator HANSEN. And is that kept up to date?

Mr. JORDAHL. They take a roll periodically. I could not tell you how often they take this.

Senator HANSEN. But the bill provides that all Indians registered on the roll will be accorded these rights?

Mr. JORDAHL. Whatever the rights are, sir, and it is an extremely important consideration that we have addressed ourselves to many times through the years. The problem on both reservations is, of course, that a good many of the lands have been alienated, you see, and whatever rights the Indian people had to hunt, fish, trap, trespass, collect wild rice, have been alienated as a result.

The bill proposes now that within the portions of the lakeshore within the two reservations where lands are acquired by the Secretary, where these rights have been alienated, they would now again be available to the Indian people, a very important consideration.

Senator HANSEN. I am glad to have your views on that point, Mr. Jordahl. I happen to come from an area of Wyoming where similar assurances were given to certain people within an area that there would be no charge for their going into a designated area. Subsequently—it was not written in the law at that time—I know, it has come back to plague the Government and those few remaining people and their children who live there, because they are now charged to enter into an area which they were assured a number of years ago would not be restricted in any way to them. I think that it is important that these rights be spelled out.

Now, with reference to your statement that only three families actually live here. I suppose on the basis of numbers little injury could be done because only three families are involved, and I would ask you: Do the few individuals, the few families involved, in any way mitigate the Government's responsibility to stand by treaty commitments and promises that have been given, in your judgment?

Mr. JORDAHL. No, sir.

Senator HANSEN. What is the significance, then, of saying that it really is of little consequence?

These are not your words, but I gather, implicitly, that because not many people are affected, there really is not as much concern to be felt in this regard as might occur if more people lived there. I am not sure I understood the point you were making.

Mr. JORDAHL. This is the point I was making, Senator; yes.

Senator HANSEN. What point?

Mr. JORDAHL. That it is not going to unduly, of course, disrupt the Indian people where they are presently living, other than these immediate families. If you assumed you had to move right in and acquire them, I have always taken the position, knowing the location of these Indian homes, that there is no necessity for the National Park Service to have ownership of these lands immediately. The Indian people can continue to live there for a good many years. Then, it may be possible 25 years from now, for example, to work out an exchange of property, which is important to them, so they maintain the trust status, you see. The Secretary could acquire property somewhere else within the reservation. The Indian people could move to that new location, and it is still trust land with all of the privileges associated with Indian ownership which would continue, you see.

Senator HANSEN. You would not say, though, that the effect would be any less traumatic on those three families because there are only three?

That would be the case if it were three or 300 families?

Mr. JORDAHL. No, sir; the effect is going to be just as bad.

Senator HANSEN. I happen to have some feelings about that point, too.

Mr. JORDAHL. Yes, sir.

Senator HANSEN. I think that to assume, as we sometimes do, that with the passage of time lots of things will change—and certainly in many instances this is true—it is not necessarily true insofar as the ownership of a home is concerned.

Mr. JORDAHL. Yes, sir.

Senator HANSEN. I would suspect that these people, having lived there, as I understand it, since around 1610, have some very deep roots in this area, and I just want to say that, so far as I am concerned, it will be my intention to see that this Government recognizes the validity of the treaties that it makes with Indian tribes, and if it is just one family I am going to be as insistent as I can in seeing that we live up to what we have said.

I do not care if it is one or 100, I think the point is important, the principle is significant, and I would hope that our Government does not take the position that because few people are involved it is all right to treat them a little differently than would be the case if more were involved.

Thank you.

Senator BIBLE. Thank you, very much, Senator.

Thank you, Mr. Jordahl, for your very fine statement.

Our next listed two witnesses are Carl Dahl and Robert Dahl. Are you fellows brothers?

I think you can appear as a brother team. You are listed as being from Wisconsin, but I understand you are going to the University of Maryland in College Park. Is that correct?

You are actually from Wisconsin? I want to accommodate the outside-of-area witnesses first.

If you two fellows will come up as a team, we will be very happy to hear from you now. Just be seated, Mr. Dahl. You are Carl Dahl from Bayfield, Wis. and you are Robert Dahl from the same place?

Mr. CARL DAHL. Yes.

Mr. ROBERT DAHL. Yes.

Senator BIBLE. Do you have statements for the use of the committee, or not?

Mr. CARL DAHL. Yes. It is briefer than it looks. We are not handing out statements.

Senator BIBLE. All right. You may proceed.

Mr. CARL DAHL. My name is Carl Dahl, and I am a summer resident on Sand Island, one of the Apostle Islands suggested for inclusion in the lakeshore area. I am here representing myself. I am opposed to the establishment of the lakeshore, firstly, on the grounds that the rights of the property owners are not given sufficient consideration and, secondly, on the grounds that the proposed bill has been misrepresented to the Congress of the United States. This bill is impossible to implement in its present form. It can only result—

Senator BIBLE. Where is your present residence?

Mr. CARL DAHL. I am presently living in Baltimore, Md.

Senator BIBLE. I understood you to say you are from Wisconsin?

Mr. CARL DAHL. Yes; I have been here 6 months. I will be going back in June to stay.

Senator BIBLE. I understand. Where are you going when you finish your work tonight; back to Baltimore?

Mr. CARL DAHL. Yes.

Senator BIBLE. That is not too far away. Do we have any people from the State of Wisconsin that has a long way to go?

Everybody else, than, is from this area? That is all I was trying to get at. Sometimes, people who come from a long distance, why, I prefer to accommodate them first.

You are from Wisconsin but you are now living in Baltimore, so if you had to come back tomorrow it would be no great hardship. If you are a student, you would probably like that.

Mr. CARL DAHL. I am on annual leave. I work with the Department of Health, Education, and Welfare, Social Security and Negro Employment Opportunity right now.

Senator BIBLE. All right. We have you properly identified.

Mr. CARL DAHL. May I continue?

Senator BIBLE. You may proceed.

Mr. CARL DAHL. This bill is impossible to implement in its present form. It can result only in uncertainty and confusion in the proposed lakeshore area.

The area proposed for the lakeshore would include three units, the Kakagon area of the Chippewa Band, the entire shoreline of the Red Cliff Chippewa Shore Band, and 21 of the 22 Apostle Islands.

In the testimony for the last bill proposing this lakeshore, on page 227, Senator Nelson stated:

This bill does provide that no aspects of this bill affecting any tribal lands could go into effect without a referendum of approval on the part of the members of the band.

Then, he goes on to say, page 279, in his closing remarks:

I certainly would not put my stamp of approval on anything I thought was unfair to the Indians or to private owners.

Yet, private owners have never been consulted concerning their views on what is unfair concerning the disposition of their own lands. The 25-year or life-tenancy provisions of the bill provide no real

choice to the owner. He either sells immediately or he loses. He is severely penalized if he chooses to remain on his land.

It is even more grossly clear that there is an information gap concerning the Indian views on this proposal. The Red Cliff Band of Chippewa Indians has rejected the proposal outright, insofar as their lands are concerned. The Red Cliff shoreline is a key element in the lakeshore proposal, if it is to have national scope.

How can this bill be considered with the foreknowledge that the Indians have no intention of participating?

In the closing statement of the field hearing in Aspen, on page 278, Senator Moss stated:

One of the difficulties with matters of this sort is that oftentimes the period for consideration extends over long periods of time. It is good to get the matter settled so that the definite plans can be made.

I submit that under the circumstances, most clearly, in this case, definite Indian opposition, there is no possibility that this matter can be settled. Under these conditions, definite plans cannot be made regardless of the passage of this bill. This bill simply cannot accomplish what it intends.

The passage of this bill would grant the authority to acquire certain lands vital to the proposal, but it would not guarantee the possibility of exercising that authority.

If this legislation is recommended, with the foreknowledge that it cannot be implemented, it will be, to my mind, a prime example of legislating in bad faith.

It would show blatant disregard for the rights of those people who live on the land and it would be a shocking attempt to violate the rights of a minority group who also live on the land, but most seriously, to my mind, to the extent that it is a misrepresentation of the facts, it would not do service to the rest of the Congress which depends on you, the members of the subcommittee, to honestly represent the merits of this proposal.

Senator NELSON. May I interrupt a moment?

Mr. CARL DAHL. Yes.

Senator NELSON. I was interrupted here momentarily. I apologize. What misrepresentation of facts are you referring to?

Mr. CARL DAHL. I am referring to such things as Indian hunting rights and such things as the 25-percent clause, and so on. These things have been known in the area for some time, but in this area no one seems to know what these kinds of proposals, these kinds of clauses, no one seems to know what they mean.

The individual landowners do not know what this 25-year-tenancy segment means and how it is going to be implemented, and so on, and members of your own committee have said that they were not clear on the issues involved, and yet they have passed on this bill, a bill that actually had the same substance last year, and I am just saying that obviously there has been a misrepresentation of facts—I do not mean on the part of the committee, but I mean of the facts that have been available for your use. I do not know where they come from, from the staff here or the staff there, but somewhere there has to have been some kind of a communications breakdown. Otherwise, these things would be well known and clear to everyone.

As I said, for myself, what is this 25-year tenancy? What does it mean? We do not know. Do we pay taxes during those 25 years?

Do we pay a lease fee to the Government? These things should be spelled out in some way so that the individuals who are most clearly affected in this case can really, and truly, evaluate the bill.

I am saying that the facts available have not made it possible for anybody to truly evaluate the bill. At least, it has never been clearly represented to me that this is so.

I am not, as I say, trying to say that this person or that person is responsible here, but I am just saying that it is obvious, you know, that the reason that opposition is growing is because, through re-examination and reexamination, we are becoming so familiar with parts of this bill that really are not clear to make it wide open for conjecture. They could mean many things, you know. I just wanted to point this out.

Senator NELSON. Fine. I suppose that any bill that passes the Congress, you could find many people, thousands, that did not know what was in it.

This measure has been pending and discussed for 40 years, and intensively for the last 7 years. We had hearings in Ashland, Wis., 350 pages of testimony, 250 witnesses, and witnesses in communication. Everybody was invited to come. We had representatives from every walk of life. These hearings were published on August 1 and 2, 1967. That is a year and a half ago. So, there has been a lot of material available. I do not expect everybody to read it, but the bill has been worked over very carefully.

I want you to understand that any time the Indians decide they do not like the Secretary's proposal or could not reach agreement they can vote against it.

You make the point that if they do not participate, there is no shoreline. Twenty-five miles of that shoreline involved here does not belong to the Red Cliff Indian Tribe. Six miles, one-sixth of it, does. Just so you have it clear in your mind, it would only eliminate one-sixth of that shoreline itself.

Mr. CARL DAHL. It is just at the actual hearing we brought up the point why certain units were necessary, and the answer was continuously—I do not know whether this is part of the record or not, but the answer at the hearing was that the segments are necessary for this proposal to have national significance and scope. Without them, it would be too local. It would not be an area in which the Federal Government at this level should get involved in. This was the kind of logic that was used then.

As I say, I do not know if this was given formally as a part of the hearing, but I was specifically examining the maps that you had at that time, and we were going over the various areas involved, and this was the answer that was given at that time. In other words, there is the source of my facts, and that is the limit of them also.

May I continue? I have about a page and a half left.

Senator NELSON. Go ahead.

Mr. CARL DAHL. To my mind, indiscriminate recommendation of park and recreation legislation is not a virtue simply because it is to preserve natural beauty. If a bill such as this cannot garner support without a whitewashing of segments which are highly questionable, and if it cannot be implemented without a virtual stripping of rights of self-determination which the Indians now retain for themselves,

I suggest it is not worthy of the recommendations of this subcommittee and I suggest that it is certainly not worthy of the support of the Congress of the United States.

And to think that Mr. Gordon, the chairman of the Red Cliff Band of the Chippewa Indians of Wisconsin, the chairman of the tribal council, had to be sent here at the expense of his band to point out injustices that it seems to me this committee should have been the first to note and the first to eliminate from the bill, but—

Senator NELSON. I do not think there are any injustices in it. If you know of any, let me know.

Mr. CARL DAHL. Senator Nelson, I am simply pointing out the fact that it is ambiguous. It can be interpreted so many ways that nobody really knows what will be done.

Senator NELSON. The land might be leased, and in some cases it might be appropriated, and, actually, there is nothing in the bill that prohibits the Secretary from appropriating all of the land except, as you say, with the consent of the Indians, but the 25- and 50-percent clauses do not apply to tribal laws at all.

Mr. CARL DAHL. But the point is, 25 versus 75 percent, it would not seem to me would apply anywhere in the United States. That is my point in this case.

Senator NELSON. If you object to the provisions as to the private lands, allotted lands that is, that is perfectly valid and that can be changed; but as to the tribal lands, there is not any question but what the tribe is the final arbiter. We would not think of taking an acre of land from the tribe over their objection, and if the tribe, after looking at the proposal and what is involved in it, in terms of their land in terms of the moneys, says: "No, we do not want it." That is absolutely the end of it. We can then proceed to take that aspect that does not involve the tribe. Just so, you understand that.

Mr. CARL DAHL. My only question would be that it would be incorporated in the bill in this fashion. I understand when you say this, but someone else might say something differently, you see. It is not spelled out in the bill in that manner, and I think that is a discrepancy, you see.

Senator NELSON. I think one of the problems in drafting any legislation is that it cannot be written as a newspaper story, in narrative fashion. It has to be written in legal language which will stand up in court. This has been discussed and hashed back and forth by lawyers and I think it says what we say it says.

Now, if some lawyer who can find a mistake says that it does not say what we are saying it does say, then, we would be glad to correct it forthwith. Nobody has pointed that out yet.

They have simply said: "We have read this legal document," which is legislation, "and we do not understand it."

Well, that is perfectly understandable. Sometimes lawyers have trouble with tough legal questions and a layman might read it and not understand it at all, but I am satisfied myself that, in terms of the drafting, it is clear as to what it says.

But if it is not, I will insist that this committee correct it. If you know of anybody who has read it and/or if you have any questions about exactly what it means, you submit the questions, and I will get legal counsel from the Department of the Interior to answer you

in full, and if there is anything that needs to be corrected that you have thought of that nobody else has, we will certainly correct it.

Mr. CARL DAHL. The major provision, in my mind, would be that the people most directly involved would understand before they were supposed to have any kinds of votes one way or another on the question, so it is very important that the people involved in the land understand the provisions of anything that has to do with their land, I feel.

Senator NELSON. I think if the bill passes there will be an elaborate explanation drafted, everything about it. The tribal council well represent the tribe. They will discuss it, and they will decide then that they do not like it and will make a recommendation to the tribe; they will have a vote. Or they will decide they do like it, and they will make a recommendation, and they will vote. I do not know how you can make it more fair.

Mr. CARL DAHL. But here is the other question, you see.

This is being represented to Congress as a total picture, as a possibility now, and not something that might include this unit and might include that unit, depending on what might happen 3 or 4 years from now.

Is that the kind of legislation that is being proposed?

This is not my understanding. These are variables over which the Government does not have control, and they should not present them in a package that seems to say that they do have control over them and that this is the way the result is going to be.

I think that this is a misrepresentation to the rest of the Congress. They have no way—Well, they have ways, I imagine, but the time element and all the rest, I imagine, are getting involved in the fine points of these bills, and I would suspect they would more or less take the recommendation of a committee of this nature, providing there was nothing blatantly outstandingly unjust about the bill.

Senator NELSON. For your information, nobody is being misled. It has been explained elaborately. I insisted on it, because the Congress is not about to arbitrarily take lands away, so, the question has been raised time after time; "Well, now, you are taking Indian lands?" We pointed out, "No, we have drafted it in such a way that the Indians may or may not, depending on their own vote, participate."

For your information, Congress is not being misled. This committee is not being misled. Nobody involved is being misled. We are emphasizing that it is not a whole package unless the tribes agree to it, and if they do not agree to it, then the project will involve the islands and whatever private lands along the shore that may be agreed upon as a necessary or important part of the project.

I have probably given at least 100 speeches in the State in the last 8 or 9 years and explained it exactly this way. So I think it is as clear as it can be made.

Mr. CARL DAHL. Just to close here, I would have to say that I disagree with this type of proposal. However this may be, I have faith enough myself to believe that this subcommittee will not recommend for the consideration of Congress this unjust recap as imputing it, in my own opinion, as a previously unjust bill.

I appreciate this opportunity to address the subcommittee. Thank you.

Senator NELSON. Thank you very much. We appreciate your taking the time to come over and give your views to the committee.

Yes, sir; would you identify yourself for the record?

Mr. ROBERT DAHL. I am Bob Dahl, born and raised in Bayfield. I have a statement here to give, but I do not see the reason for giving it right now, seeing that you are the only Senator here present. The other two happen to have gone somewhere.

We know where you stand, so we know we are not going to convince you of anything as to our views, so I will even question the constitutionality of this particular proceeding as it stands right now.

Senator NELSON. Every word that is said here is taken down by the reporter. It will then be printed in document form, and then it will be supplied to every single member of the subcommittee, every single member of the full committee, and there will be a committee report available to all Members of the Senate.

Then, the subcommittee will discuss it, and all the questions that have been raised will be discussed. Then it will be taken to the full committee. So, there is a full committee report here that is available to every committee member.

Mr. ROBERT DAHL. Well, I will go ahead anyway. It still does not seem fair, but here goes.

My name is Bob Dahl, and I am Carl's brother, as you well know. I was born and raised in the Bayfield area, Bayfield, Wis., as a matter of fact, and educated there through high school. I wish to go on record in opposition to Senate bill 621.

The information that I am about to give—I am not supposed to be an expert on this, but I am just speaking as someone who may be even picked up off the streets of Bayfield and gives his observation.

It has been said that the park is to be an economic boon to the area, because it has been said that the Bayfield area is economically depressed and these is little opportunity for gainful employment, and the park is supposed to alleviate much of this, especially for the Indians.

I do not know what the non-Indian residents are going to do when the park comes in, but at least the Indians would be given preferential treatment, which I am for, by the way. At one time it may have been true that the Bayfield area was an economically depressed area, but with the introduction of the Coho salmon and the constructive development of available recreation facilities, much gainful employment is now available. I have here several examples of what has happened in the last several years.

Probably the biggest boom here has been in the trolling industry. Back in the early 1950's the trolling industry had died, mainly because the sea lamprey had eliminated most of the lake trout in Lake Superior, but now there are many, many Coho salmon there that the State conservation department—and possibly the Federal department had something to do with it, too, I am not sure, but at any rate the trolling industry is back to the level that it probably was in the early 1950's where we have approximately 10 trolling boats traveling out of Bayfield every year where, in the early 1950's, we had zero.

Another industry, if that is what it can be called, in an area that has improved considerably over the last several years has been the skiing and winter sports industry. The ski hill right outside Bayfield,

which Senator Proxmire mentioned this morning, is becoming one of the most popular in northern Wisconsin and is bringing much outside money into the area; so, there is winter employment.

There are also several marinas being planned and being built in the area, and someone this morning mentioned honky-tonk towns and this kind of thing, but from all indications there has been much thought put into the construction of these things, making sure that the esthetics of them work, cooperation of the land and this kind of thing. There are schools going up, bars, and this kind of thing, but the construction is such that it fits in with the land.

Also, Mrs. Pascale mentioned the two campsites. There is one just north of Bayfield, a rather large campsite, where there are facilities for people coming in from the outside, and so forth.

Most of these activities are utilizing local talents and skills and are being planned by the local people. In this day and age, with the prevailing philosophy that local people should work to solve their own problems, with Government assistance, it seems incongruous to me that the Federal Government would want to squelch local incentive to gain an end when the local populous is already working toward this end. It does not make sense to me, but a lot of things don't.

Another industry that is really upsetting the Bayfield people, anyway, has been the commercial fishing industry. This was on the rise, as well as the trolling industry was on the rise, and now all of the sudden there are all kinds of restrictions and there are all kinds of fish, but with the many restrictions nobody can go out and fish commercially. This is an industry that is being taken away. The logic is not there; I can't really grasp it in my mind.

This is about all I had to say. I just wanted to make sure that it was known that the Bayfield people and the Bayfield area was developing in a constructive manner.

People are somewhat afraid it will become like the Wisconsin dales. If the people are familiar with the Wisconsin dales, this is a honky-tonk area. But the Bayfield people, I feel, are better people, and they are concerned about conservation.

As Mr. Gordon mentioned, the Red Cliff Band of Chippewa Indians are very much concerned with conservation, and the Bayfield people are very much concerned with conservation, but we would just like to have an opportunity to do it ourselves.

Senator NELSON. I agree with you about Bayfield. You may not know about this, but about 4 years ago I called a conference in the Ashland area. We had the communities of the north there, to plan for their future development.

They got a \$10,000 Federal appropriation to be used in planning the future development of Bayfield, and I was glad to see that the Bayfield people were interested in that. I just wanted you to know that I called the conference and got the University at Ashland and the University of Wisconsin involved, and Bayfield involved, and about 40 other communities up there, because I think it is important that you have a good plan for the development of any community so it does not become a honky-tonk.

Thank you all very much for coming.
(Following the hearing, an additional statement was received, as follows:)

ADDITIONAL STATEMENT OF CARL DAHL

At the hearing on S. 621 on March 17, 1969, Senator Nelson alleged that the Apostle Islands "stand alone" as a lakeshore proposal and further, that there was enough shoreline exclusive of Indian lands to provide for points of embarkation and debarkation. This was his attempt to "grasp at straws" when it became apparent that the lakeshore area as delineated in S. 621 was impossible to attain due to the explicit refusal of the Red Cliff band of Chippewa Indians to sacrifice any part or parcel of their lands and freedoms to the proposal.

Let us examine Senator Nelson's counter proposal. As he would have it, the northern portion of the shoreline inside reservation boundaries but owned in part by non-Indians would be used. There are several compelling reasons for rejecting this proposal. Firstly, this shoreline is many times more exposed to the tremendous potential danger of Lake Superior than is the Red Cliff bay area proposed in S. 621. As one can see on the charts of the lake, this northern shore receives the full brunt of the Northeast and Northwest winds, the directions from which the most severe storms on the lake originate. Southwest and West winds also sweep the channel between Sand Island and the mainland. Furthermore, it is not unusual for the wind to switch from gale force Southwest to gale force Northeast in several hours.

Storm warnings covering these waters are issued from the Duluth Coast Guard Station. These warnings are issued many days in succession during the summer months. During these periods, only seasoned residents of the area venture out onto the lake. These are primarily ex-commercial fishermen who have lived in the area since the turn of the century or other long-time residents of Sand Island and the immediate vicinity. These people are prepared to get up in the middle of the night and move their boats from one end of the island to the other, to suit the moods of the wind. There is *no* single mooring in the area that is safe under all conditions.

The islands lying close offshore the City of Bayfield and the town of Red Cliff are relatively protected because the outlying islands shelter them somewhat. But, *none* of the outlying islands are safe at any time for novices or anyone not familiar with the waters of Lake Superior, regardless of the type of boat used.

Everybody in the area knows this. The people who live on the islands (excluding Madeliene) are prepared for adverse situations. They can remain on the islands until the winds subside; they can remain in their island homes and enjoy the storms. These people are the first to admit that these islands are beautiful. But these are not tourist islands. The power and unpredictability of Lake Superior prevents this except on a very limited scale.

A proposal such as S. 621 or Senator Nelson's alternate "islands only" proposal may draw people to the area, but for many, this will mean a damp, shivering stand on the shores of the lake looking out toward foreboding grey-green islands.

At the end of the line, if any of these proposals are to accomplish what they purport, large groups of people have to venture out onto the lake. This is where any proposal linking tourists and the Apostle Islands breaks down.

STATEMENT OF ERIC P. WESTHAGEN, GRADUATE STUDENT, DEPARTMENT OF AGRICULTURAL ECONOMICS, UNIVERSITY OF MARYLAND

Mr. WESTHAGEN. I also am not traveling from Bayfield, but there is no one else right now.

Senator NELSON. Fine, sit down and speak into the microphone. Where do you live?

Mr. WESTHAGEN. I am a permanent resident of Sand Island, but I am doing graduate work here at the University of Maryland.

Senator NELSON. Where is your voting residence?

Mr. WESTHAGEN. Wisconsin. I voted by absentee ballot.

Senator NELSON. You have a summer cottage on Sand Island?

Mr. WESTHAGEN. Yes.

Again the same point that was brought up by Mr. Dahl. We are addressing just you, and you went through your elaborate statement of the due process and all that, but if that was the case, there would be no reason to have public hearings. It would be all turned in by mail and go on through that due process.

I still plan on giving my statement.

Senator NELSON. Just so it will be clear to you, this committee would not accept an ultimatum from you or from anybody else.

Mr. WESTHAGEN. I am sorry, Senator.

Senator NELSON. But I would like to point something out. This committee had as elaborate a hearing as you could have. Let me show you a list of 250.

Mr. WESTHAGEN. I am aware of that—

Senator NELSON. Let me finish what I have to say, if you please.

These hearings were held in Ashland, Wis. The committee chairman requested that we go there to hear them, so that every single person, every property owner on the islands, on the shore, so that both Indian tribes, so that everybody could be heard. Senator Moss went up there. He conducted elaborate hearings. There is no point in trying to get 250 people to come down here to testify at their own expense. Now, that part of the hearing is all done.

Mr. WESTHAGEN. That is true. I agree with you.

Senator NELSON. And it would not make sense for the taxpayer or anybody else. So you are making the statement that nobody was here to listen, we have gone all through that.

Mr. WESTHAGEN. No, I was speaking of the committee because we are addressing the committee now, but now the committee consists of two Senators, so that is altogether different than one, the sponsor of the bill.

Senator NELSON. Just so the record is clear, this same committee considered the same bill and we had the hearings in Wisconsin. We had the hearings here. We had the committee sessions. We passed it unanimously in our committee and unanimously in the Senate, so you do not leave the impression with anybody here that this bill has not been elaborately heard with full testimony of everybody in the State of Wisconsin to testify or submit a statement. As I say, some 250 people did, overwhelmingly in favor of it, almost 90-odd percent.

Go ahead.

Mr. WESTHAGEN. Do you have copies of it before you?

Senator NELSON. Yes, I do.

Mr. WESTHAGEN. Fine, thank you.

It is almost 2 years since we met here last to discuss this bill. The last hearings gleaned 325 pages of testimony. Therefore, it should not be our role this morning to be repetitious. We have all had a chance to cool down, smoothen ruffled feathers, and look at the entire matter in greater dimension.

There is still one glaring, unanswered question which consistently shines through. Why can't we all get together and make a park, agreeable to all park residents? Landowners, both Indian and non-Indian rightfully feel that they have worked hard for their land and have acted with considerable restraint when one remembers that the 1965 proposal was completed in its present form without a resident even knowing about the idea. From that time on, straw upon straw has been placed on the camel's back: The announcement session conducted by Mr. Jordahl, then with Interior, was held in Ashland and consisted of photoslides of other park developments along with estimates of tourist flows and directed toward a house packed with merchants. It seemed to the residents that everything was over at the very beginning. Then came the field hearings, held 30 miles away from the planned park gates at a college, bent upon its own growth and therefore closed minded and adherent to the full plan.

At the hearings the residents felt that they were disadvantaged on the agenda and were insulted by having to listen to statements by elementary schoolchildren, of which this is an example: "I think parks are good because some animals should be able to be free just like people." After the hearings, letters were ignored while blood pressures rose, yet the bill remained the same as it was first written. All of us have questioned—why?

In retrospect the pieces have fallen together. In the June hearing there is a statement that during Senator Nelson's first term as Governor of Wisconsin he signed a bill to study the tourist industry in the State. That was 1959. This morning and all the way through this hearing we have heard of that, the 9 to 10 years that the Senator has worked on this proposal.

A marketing professor from the University, School of Business, received the contract. The 1965 academic study for the Apostle Islands Park followed a similar pattern and was conducted by the same marketing professor, Dr. Isodore Fine. Although Fine is a specialist in marketing, currently teaching courses in Industrial Purchasing and Marketing Management Problems, he was chosen as sole author of a study entitled "Some of the Economic Implications of the Proposed Apostle Islands National Lakeshore (1965)."

And incidentally, what was handed out at that first session with Mr. Jordahl in Ashland alluded to the study.

In conversation with Senator Nelson's legislative director, William Cherkasky, I learned that there were 742 studies, of one sort or another, conducted on these northern areas and that many were concerned with tourism and spoke of the need for an Apostle Islands Park for tourism stimulation.

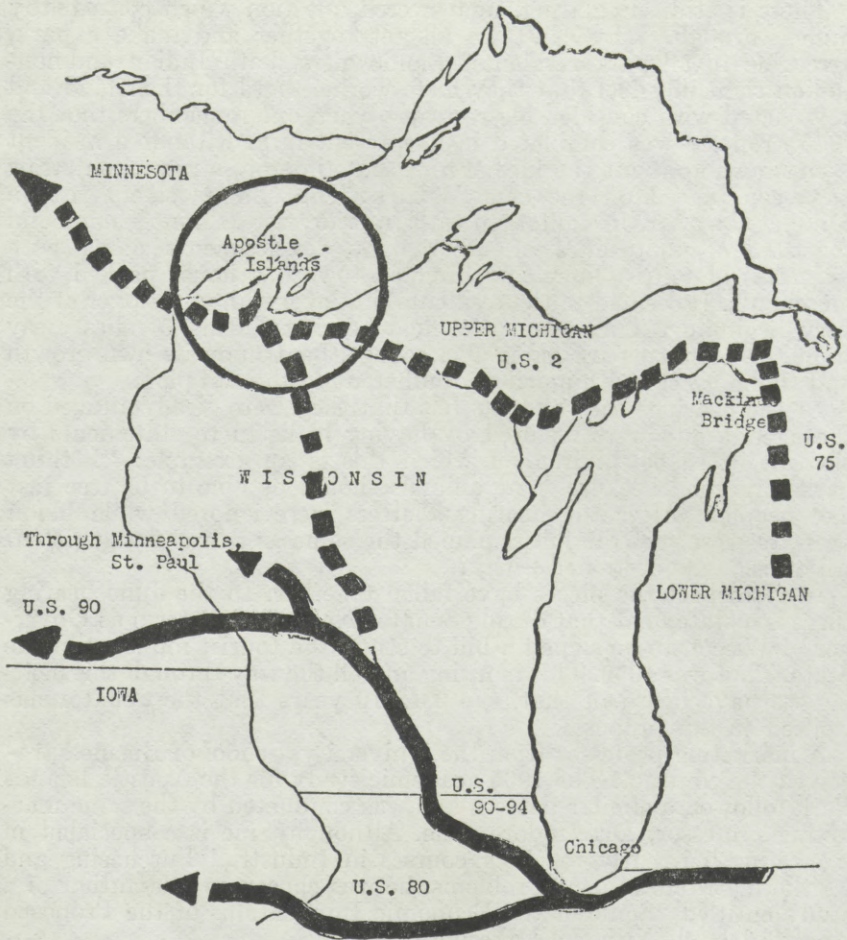


Illustration No. 1

If you would please turn to my illustration No. 1, you will see how natural this conclusion would be. Illustration No. 2 shows quite explicitly the 37.2 percent of the land that is already owned, including Stockton, Oak Island, we have gone all the way through that, but just for the record those islands include all of the presently publicized attractions, the best caves are on Devil's Island. Stockton Island is the second largest island, and is in fact over $7\frac{1}{2}$ miles long; Oak Island has the only high elevations, and Basswood Island is the only island close to the mainland and protected for small boating.

I do not want to leave out Long Island which is the sand spit which is usually photographed.

You will see how natural this conclusion would be. I is not just green space that is needed. Please turn to my illustration No. 3.

For those of you who do not have the illustrations here, I will explain the significance of it. What is the sad part is that the Senator

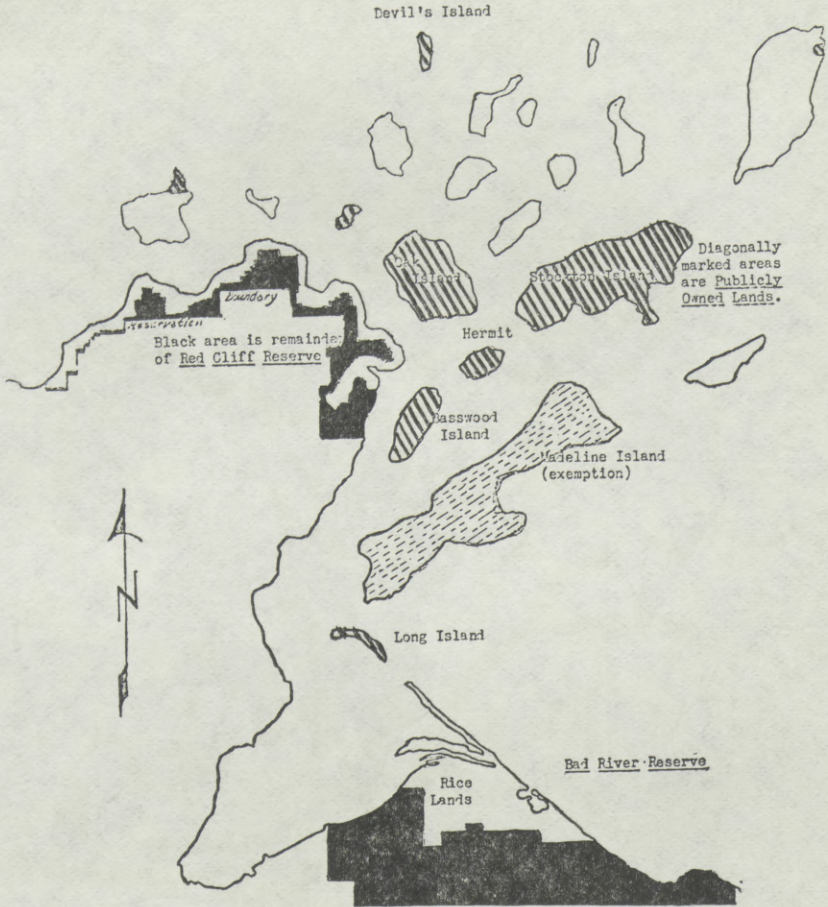


Illustration No. 2

is not satisfied with just the attraction of the islands, which would be of little use to the average tourist, but he must have the Red Cliff general camp site as well as the scenic drive for the tourists, who then could be counted on highways throughout northern Wisconsin and upper Michigan and Minnesota, but who would not have the time to get more than a postcard glimpse of the islands at 65 miles an hour.

In this illustration No. 1, I have drawn a map of the State, and I show the U.S. interstate highways going through Chicago, U.S. 80, 90, 95 a little farther north, running through St. Paul and Minneapolis, and unfortunately for tourism the Mackinac Bridge has not been as successful as they had hoped, and the Apostles are about 1 day from the Mack, or less, if you are traveling slowly. Anyway, this would be the intended stimulation for the north, to attract tourists that are traveling to the western parks. They have a choice of the north or the south, and judging from the fact that you do not see any well-developed interstate highways in Wisconsin, you can see that they

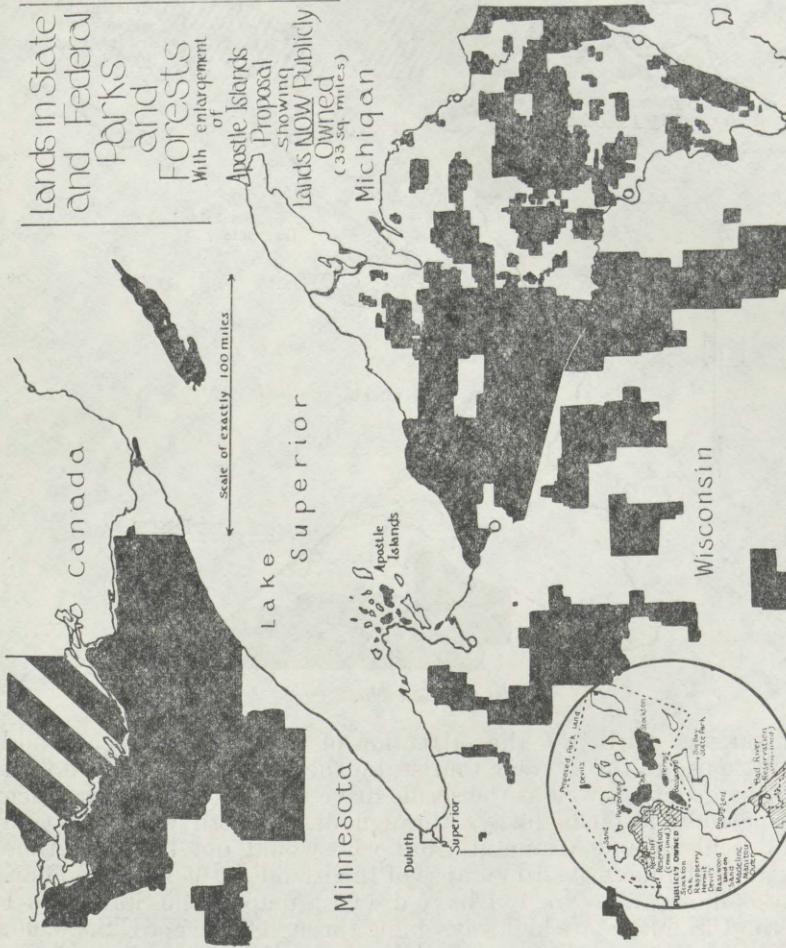


Illustration No. 3

just are not going north. And then for further amplification for those in the audience, my illustration No. 3 here is an example of all of the public lands drawn visually, and this is off a nationally distributed road map. It shows all of the State and Federal parks and forests together with an enlargement of the Apostle Islands showing the land which is now publicly owned, again which I have just gone through, the 37.2 percent.

Here are my conclusions:

1. The park size should be limited to the land which is now public, which accounts for 37.2 percent of the proposed area and includes virtually all of the islands with extraordinary physical attractiveness.

2. If additional land is sought, negotiated purchase should be used.

3. To curb the threat of disorderly land improvements, scenic easements, zoning, and such instruments of control should be used.

I am a graduate student on a Ph. D. program with the Department of Agricultural Economics at the University of Maryland. We are quite familiar with such instruments as scenic easements. I believe this is the instrument used on the Potomac Palisades, if I am not mistaken, but these instruments are available, and so it is not a matter of either/or, honky-tonks or no residents, to use the language which is thrown about in the press.

4. Academic studies should be initiated at once with specialists in sociological and cultural changes, induced changes in land uses, and economic impacts to the society as a whole. As we have already covered sales and marketing, the study which I propose would call upon specialists in sociology and cultural anthropology, agricultural economics, and econometrics, or statistical economics.

Senator NELSON. Thank you very much.

Do you have any questions, Senator Hansen?

Senator HANSEN. I have no questions, Mr. Chairman.

Senator NELSON. Thank you very much for taking the time to appear before the committee today.

Mr. WESTHAGEN. Thank you, sir.

Senator NELSON. Our next witness is Mr. S. W. Jensch, property owner, Washington Grove, Md. Nice to see you again, Mr. Jensch.

STATEMENT OF S. W. JENSCH, WASHINGTON GROVE, MD.

Mr. JENSCH. Thank you, Senator Nelson.

Do you mind if I stand?

I appreciate the opportunity of talking to you, Senator Nelson and Senator Hansen. As you know, we are much concerned about this.

I heard the statement from Mr. Gordon this morning, and I am sorry to say that my impression is that the Indians have no faith in big government. They feel that they have been misused and mistreated consistently over the years. There was no better, flagrant disregard of their rights than the statement by Mr. Jordahl, who has assisted in the preparation of this legislation and the facts supporting it, than his statement that he thought that since there are only three people involved living on the tribal lands, that we in effect could forget about them.

Senator NELSON. May I interrupt there a moment? You may have interpreted it that way, but I do not, and that is not the kind of a

man Mr. Jordahl is. What he was simply pointing out to the committee was that the disruption was not massive in terms of numbers, and Senator Hansen raised the point that one person or 300 is important, and Mr. Jordahl certainly agreed with that.

I think it was important information for the committee to know that on the lands brought within the proposal, there were I guess three families in the Red Cliff Park and two in the Bad River area, and that is a piece of information that I had not known before, and it was proper for the committee record, but I am sure he did not mean it that way. As a matter of fact, it is not required under this statute as I interpret it under the bill, nor is it my intention, that they have to move in any event.

Mr. JENSCH. Thank you, Senator Nelson. I rather shared the view that Senator Hansen expressed, and I think many of us had the same impression, that this was an endeavor to say that there are three people involved, and that he will be insistent upon their rights.

I have read the 1854 treaties, and if there ever was intended to be a firm commitment by the U.S. Government, I am sure it is expressed in that document. But just as the Seneca Indians up in New York State felt they had a firm commitment, and their lands were flooded for a dam, and the appropriations did not follow to replenish their funds, these Indians remember that type of thing, and they do not want any legislation telling them what rights they can exercise. They have rights, and they do not like the big brother to tell them, "Well, you can keep on hunting." They could keep on hunting now if the treaty will be respected.

Senator HANSEN. If I could interrupt for just a moment, let me try, in an effort to be fair to point out that Mr. Jordahl spoke about three families, not three individuals. I may have misspoken myself in saying three individuals. I think the testimony will disclose that he said three families.

Mr. JENSCH; Three families, that is correct, yes.

Now, just one further thing on the Indians. They have adequately represented themselves and they will continue, I am sure, to adequately represent themselves. But he mentioned two votes, one in July of 1967 and one just the other day. He didn't add—and I am sure you can confirm it with him if you will ask him—but he did not have any information that this meeting was going to be held until he heard from Mr. Westhagen a couple of days ago. They rapidly assembled themselves to vote on this matter, and they assembled about 100 people or whatever he said, 80 to 100. There are a lot of those Indians who want to come back. That is their home. They are not there now. But they have their roots and they want that kept for them.

Now, there have been two meetings of formal import, one in July of 1967 and one recently, both opposing it very substantially, the latter almost unanimously. This is not something that should be voted again, but if that is the procedure, they will vote it again, but we do seem to feel there has been an attempt to say, "Big Brother knows how we will arrange your houses and we will substitute some lands for you," and this is the kind of thing that leads to distrust of big government, I am sorry to say.

Now, of course we feel, first of all, as property owners, few as we are, we are the serfs on the land. They were going to have Madeline

Island—the first theory of this thing was it had to be a complete unit, all the islands, all of the Red Cliff and all of the lands. Well, the big estates are on Madeline Island, and the opposition would be a little more formidable than we can assemble. We are a bunch of little individuals trying to be heard by big government, and we feel that it is the same story. There are only three families, forget them. We will push on.

Now, the provisions in the bill, as far as affecting us are concerned, are substantially the same as the other, and we would emphasize now, however, that——

Senator NELSON. Your property is on Sand Island as I recall, is it not?

Mr. JENSCH. The land we have——

Senator NELSON. You are on the shore?

Mr. JENSCH. Little Sand Bay.

Senator NELSON. Little Sand Bay.

Mr. JENSCH. Right.

Senator NELSON. I thought I remembered that from the last hearings.

Mr. JENSCH. Yes, thank you, Senator.

Now, we do not feel that we can pay the rent, and when you get rent and evictions, they are the horror words today. We are taking care of the ghettos and so forth to protect against the rent and the evictions, and that is what is facing us small fellows, because there is no standards for the rent. It will be paid, I think the language is, the fair market value of the right reserved. There is no standard for that kind of a determination at all, and you know because we are opposing it we will be the first to go, and we think it is arbitrary and unreasonable and unconstitutional.

Secondly, we think any description of land that is left to a map hanging on some building here in Washington is void and unconstitutional for being indefinite and uncertain and ambiguous.

Now, there is some thought that there are some favored people who just are outside the proposed line, and they happen to be pretty close to sponsorship of this bill.

Senator NELSON. What exactly do you mean by that?

Mr. JENSCH. Well, we understand that there are people who are supporting this project with great enthusiasm who have lands just outside, some motel owners, some farmers who believe——

Senator NELSON. I understood you to say close to sponsorship.

Mr. JENSCH. Oh, yes.

Senator NELSON. You are not referring to me, are you?

Mr. JENSCH. Oh, no; not at all, Senator. I do not have any thought of your connection with it, but there are people who are close to it.

Senator NELSON. There are people who are supporting it who are not in the project; is what you are saying?

Mr. JENSCH. I do not know whether they are in the project. You look at the hearings out there and you find some of them who are pretty close to it.

Senator NELSON. You mean people who live near it?

Mr. JENSCH. Yes.

Senator NELSON. Oh, yes; there is no question about that. As a matter of fact, there are all kinds of people living close to it who

support it. In fact the overwhelming numbers of people in the whole State support it.

Mr. JENSCH. Those who do not have any land to lose are supporting it.

Senator NELSON. Correct.

Mr. JENSCH. You are right, and those who have nothing to lose are the loudest in support of it.

Senator NELSON. Although some of the landholders are in support of it.

Mr. JENSCH. It is infinitesimal. There are many people who oppose it. You take this list; 99 percent of those standing up for it are merchants or gasoline station owners who are looking for tourists. They are not looking for conservation. Who has been conserving this land? We have. We have been up there for 50 years, and we do not have honky-tonks. We will go for zoning. We are glad to have zoning to preserve it the way we have had it. You can preserve the dignity and the beauty of this area through zoning.

Furthermore, if you want to make that land accessible to people, put a road up there, that is all that is needed. You do not have to burn down the house trying to accommodate some arrangement. If you let people get there, they will see it as they drive by. This country is not a touring country like Yellowstone with its geyser. This is living country. You have to live there. You go there a week, it will rain, it will be cold, in the summer time, in July, but you wait a week and if you have a place you can enjoy it the next week or two. That is the kind of place it is.

Now, the reason that these islands will not be satisfactory as a park is so clearly illustrated by Isle Royal. Isle Royal is a national park 65 miles from here [indicating]. There have been a lot of people saying it is 200 miles. It is only 200 miles when you use the subsidized transportation from Houghton, Mich., but physically located it is 65 miles, and it is failure as a park. They have thrown out all the small property owners who had little docks and boats and took their children for the summer to play and to grow. None of that now. They have to subsidize a ship from Houghton. I do not know why they do not go from Bayfield to save some money, but it goes from Houghton, Mich., and the Government has to pay to haul people to see it.

Well, the same thing will be true here, because you cannot get on those dangerous waters of Lake Superior by a bunch of canoes.

Some of these people who came up from Madison and said, "Oh, we'd love to go canoeing," well, go try it now. If they live through a drowning episode, they will be fortunate, because the Coast Guard does not want this.

We have checked with the Coast Guard. The Coast Guard discourages canoeing in this lake, and yet that is the kind of support that is given this park project.

The reason that there are so many people in this hearing in Ashland supporting it is because the opponents did not have an opportunity to present all of their number who were opposing it. A day and a half of the hearing was taken up with the proponents. A schedule was announced for the final afternoon that the opponents could be heard, and they came in the last afternoon and they said, "Oh, one more, we have

got another proponent," and so they took him. Finally they said, "Why don't you fellows put in your statement?" Well, we believe that those who decide must hear.

Senator NELSON. Were you at the hearings?

Mr. JENSCH. No I was not.

Senator NELSON. Then let me correct you because I was. What you said is not the case. Any single organization or anybody who had given notice of any opposition at all was notified, and given an opportunity to testify, and at the last moment some people came in that we had never heard from, and Senator Moss who was presiding permitted them to testify. Notice was given way in advance to every single person that we had heard any opposition from, so since you were not there you might better rely on what I said rather than your guess about it.

Mr. JENSCH. I want to rely on what you say, Senator. To support my statement, however, and the reason I asked for a further hearing, and I appreciate this opportunity here, but the real people who should be heard are those who are living out there. And I will venture that there will be 100 people speaking in opposition if the opportunity is given to them. This record will show: "Will you put in your statement, will you put in your statement."

These people wanted to stand up. These three boys here, the two Dahl boys and Westhagen are kids who have grown up on these islands, and they have come over here and taken their leave to ask that you hear them, because they know their friends and associates out there have not had an opportunity.

I am sorry that Senator Bible is not here, because he spoke so fine of this area and wanted to see it. I would only encourage him to please do come. Well, there are 5 feet of snow now but it should be off by the end of June.

He inquired "How long is this season, about the first of June to the first of September?" That is approximately right, but for practical purposes you would get down to 65 days for people who would venture into this type of thing. You have got to be a little more rugged to enjoy your 90 days, and you might be a little more to enjoy 120 days.

As you say, I am asking for this opportunity because there are many people who feel they did not have a fair shake.

Senator NELSON. If you have anything, and let me say this has been pending and discussed for years, if you know of a single soul on the islands who has something to say on this, if you will notify them it will be printed in full in the record. If you have 50 we will put in 50. We have loads of people in the record so if you know anybody there who was denied the opportunity, let me know, because after the hearings up there, we did the same thing. We announced publicly anyone who had something or if they knew of anybody who wanted to submit something for the record, to submit it and we will print it, so if you know of anybody we will take it.

Mr. JENSCH. Thank you, but what they want to do is talk to you face to face, Senator, because they think it is more persuasive. The rule of law, as you know, is those who decide must hear, and the courts have pretty uniformly held that, and we just urge that for this legislative group, which may not be guided in the same way, but these people really do want to talk to you.

Senator NELSON. We have heard them and as a matter of fact, Mr. Jensch, you sent a friend of yours over to my office. He came to see me. You testified on page 33 last year. We have you here again today.

Mr. JENSCH. I appreciate it, sir.

Senator NELSON. We are glad to have you and if you know of anything let us know.

Mr. JENSCH. Thank you.

Senator NELSON. But do not leave the impression that nobody has had a chance to be heard. I happen to have been Governor of the State, U.S. Senator. I spend at least 2 or 3 weeks every year right in the heart of the area. I have talked to hundreds and hundreds of individuals, but if you know somebody who hasn't been heard send them in and we will take their testimony and put it in the record.

Mr. JENSCH. Thank you, Senator Nelson. I think what Mrs. Pascale wanted to say if you have been up there so long, nobody has, ever seen you. Please make yourself known because we are affected by it. I know there are a lot of people who are promoting this project, but those who are on the land, we have never seen you up there, and many of us would like to talk to you up there.

Senator NELSON. How long have you lived up there?

Mr. JENSCH. Sir, I hate to tell you my age, but I have been going up except for the time during World War II. I have spent part of every summer since I was 6 months old in this area.

Senator NELSON. I have been in the area for 52 years, and almost every summer except when I was in the Army I have spent part of my time in that part of the country so I am very familiar with it.

Mr. JENSCH. Good, good. One other thing. I was hopeful Senator Bible could be here too because I would like to urge Senator Hansen and Senator Bible won't they please let you incorporate the Cape Cod formula as Senator Hart got it for the Pictured Rocks National Park in Michigan, which is about 150 miles down the shore. He got the Cape Cod formula, which permits the landowners to occupy without paying rent or without a limitation of time period, and we thought it was ideally adapted. I was surprised to hear the Park Service say while it does not have the unit arrangement, I do not know what this arrangement is or mathematical calculation, but I know that it applies in Pictured Rocks, which does not have any houses on it, and still it could be applied, because landowners want to eventually go there.

Senator Hansen, I am urging you, because I know Senator Nelson will agree with us, that there is room for a combination of many interests in this proposal, one of which is to accommodate the Indians. They will not have it, and slice it how you will, tell them you will let them have the same hunting rights, they do not want anybody telling them they are going to have the same hunting rights, They have them. Their interests can be accommodated.

We plead with you. Please give us the Cape Cod formula. We think there is a basis for it. And you know, the word has been going around who is opposing it? "Oh, they are just selfish little landowners."

Of course, if we had Madeline Island in this project, there would be some big landowners but we are not that formidable; we are small. But we are taxpayers and we hate to be criticized, "Oh, they are selfish people." America was built on taxpayers, and Lord protect them if He will. We just think it is discriminatory to deny a feasible procedure

of Cape Cod formula, which is being applied generally across the northern tier of States since the formula was devised. In many other park programs the Cape Cod formula is being applied and we believe it is applicable and we urge its enactment here.

I think what Mr. Dahl was emphasizing is that he objected to the bill, that it is unconstitutional for a sponsor to sit in a judicial capacity. I think that is an additional element you may want to consider in this proceeding. I have nothing further to say. I am grateful to you gentlemen for permitting me to speak here again, and Senator Nelson, for permitting us to be heard. I am really making a plea for those who want to talk to you to have a hearing out there again, without the time period set down, saying "Send your statement in and we will put it in the basket and later incorporate it into the record." I thank you kindly, gentlemen.

Senator NELSON. Thank you kindly. Very nice of you to come back again.

Mr. JENSCH. Thank you.

Senator NELSON. Our next witness is Mr. William C. Brewer, vice chairman of the South Shore Property Owners' Association.

Go ahead, Mr. Brewer. We are glad to have you here representing the South Shore Property Owners' Association. Who appeared representing the South Shore Property Owners' Association at the previous hearing?

STATEMENT OF WILLIAM C. BREWER, VICE CHAIRMAN, SOUTH SHORE PROPERTY OWNERS' ASSOCIATION

Mr. BREWER. The chairman, Mr. Willard Jenkins, appeared for the South Shore Property Owners before.

Senator NELSON. Go ahead.

Mr. BREWER. Distinguished Senators, before I begin, I would like to comment on the one statement by Senator Nelson that all the people concerned in the Apostle Islands National Lake Shore proposal were notified of the hearings in 1967. I was not notified. I was not notified at any time, and even today I had a letter from Senator Jackson stating that my name was put on the hearing list, and when I arrived here for today's hearings, my name was not on the hearing list and I had to make sure.

Senator NELSON. Let me clarify that. We did not send a letter to every member of the South Shore Property Owners' Association, because of course we do not have a list, or the Ashland Sportsmen's Club or the names of any of these groups, but the South Shore Property Owners' Association was notified, and it was up to them to tell, and they appeared as I recall it, twice, here and in Ashland, and of course I do not know whether they have 100 or 200 members, but it is up to them to notify their membership, not the Congress of the United States, since we do not know who they are. We notified the organization.

Mr. BREWER. Well, it does seem peculiar that everyone else was notified though. You said the overwhelming majority of the people who testified in Ashland—

Senator NELSON. If people wrote, individuals and organizations, and asked to appear, they were invited. Every organization such as yours that was opposed received an invitation to appear. We did the

best we could, and then there was front page publicity and stories as to the time of the hearing. Very few people did not know about it.

Go ahead.

Mr. BREWER. All right. Well, I am here to testify to the fact that as the bill reads, S. 621, I only have the sister copy, H.R. 555, with me. I did request a copy to be sent to me, and only the Congressional Record copy was sent to me. Is that the same?

Senator NELSON. Pardon me, I was interrupted momentarily. I am sorry. What was your question?

Mr. BREWER. Is the Congressional Record copy of S. 621 the same as H.R. 555? I was only given H.R. 555, although I did request Senate bill 621.

Senator NELSON. I do not remember the numbers, but when the bill was introduced in the last session—

Mr. BREWER. No, this is the present session, H.R. 555.

Senator NELSON. I have not looked at it. I assume they are the same, unless they were introduced last year, but I have been the author of the bill, and in the past those who have been interested in it have introduced my bill in the House.

Mr. BREWER. So they will not change it without your authorization?

Senator NELSON. Well, no; that has nothing to do with it. If there are some differences in the two bills, I do not know about it.

Mr. BREWER. The reason I bring this question up is because H.R. 555 is the bill that I will be referring to.

Mr. JENSCH. It is the same.

Senator NELSON. Is that left over from the last Congress?

Mr. BREWER. No, this is the present Congress. The last Congress is H.R. 10427.

Senator NELSON. I have not looked at what they introduced on the House side but I assume it is the same as ours. If not they introduced the one from last year.

Mr. BREWER. Well, my testimony will begin with the vague, unjust, discriminatory, and unconstitutional provisions in the present Apostle Islands National Lake Shore proposal.

In the opening statement "To provide for the establishment of the Apostle Islands National Lake Shore in the State of Wisconsin and for other purposes," that is too vague of a wording for the Senate and House of Representatives to vote on and have the President sign into law. What are these other purposes?

Senator NELSON. They are spelled out in the bill. That is just the title you have read. It is the usual title on hundreds and hundreds of bills, but it is just the title. The other purposes are spelled out in the bill.

Mr. BREWER. Then the purposes are what is in the bill and no others?

Senator NELSON. Yes.

Mr. BREWER. That can be assumed. Nobody can assume anything?

Senator NELSON. I do not assume anything.

Mr. BREWER. Fine. Line 3 of the first section, "for the purpose of conserving and developing." This is a contradiction. You cannot conserve something and develop it at the same time. It has to be one or the other. It cannot be both. To preserve, which is what the residents wish, what the Indians wish, or you develop. You put in your scenic drive, you put in your marinas, you put in your motels, your

hotels, which is in the reports that we have been reading of the projects that will go into the proposal. Now you do that or you conserve it, one of the two. I cannot see a side-by-side conservation and development project.

On page 2, line 2—well, I will make reference to that in other testimony further on. But line 6 again it says “public recreational” or rather “public recreation activities.” This is not conservation.

Line 16, “generally depicted.” “Generally depicted” is not a specific term. I do not see how it can be used. “Generally” cannot be used in a court of law. It has to say specifically depicted. You cannot expect the Congress of the United States and the President to sign into law a generally depicted map, something that may or may not come into existence.

Line 24 of the same page, “The boundaries of the lake shore which in his opinion can be administered effectively.” My point there is that the entire bill is written in complete favor of the Secretary of the Interior. He has complete say as to who or what, or anything else that will be involved in this national lake shore proposal. No one else can, and we find this grossly unfair.

Page 3, section 2, line 7, the word “exchange,” referring to exchanging privately owned land for other federally owned land in the State of Wisconsin. Now in previous bills it did not limit the exchange of land to just the State of Wisconsin. It says any federally owned land and it was changed to just include the State of Wisconsin. Well, there is not any surplus Federal land in the State of Wisconsin. This completely restricts any exchange of land for property owners.

Senator NELSON. That law applies to every project in every State in the Union.

Mr. BREWER. All right, we cannot do anything there.

Senator NELSON. So whether it is right or wrong it is not discriminatory against Wisconsin.

Mr. BREWER. All right. Page 4, section 3, lines 16 to 19, “The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less the fair market value on such date of the right retained by the owner.”

In effect these lines say that if the owner elects a 25-year or a lifetime occupancy clause, that right will be deducted from the price of the land. In effect we would not be paid for our land if we choose to live on it. That is discriminatory. Again, as Mr. Jensch pointed out, the Cape Cod formula is the one that would take care of that clause.

Senator NELSON. That is in the Cape Cod formula, the same provision. Every act Congress passes has that provision. All have an offset.

Mr. BREWER. Less the right retained?

Senator NELSON. That is what I am advised by counsel, and that is what we have been passing.

Mr. BREWER. Well, then the Cape Cod formula is unacceptable, too, because that is very discriminatory. If you are going to subtract this right retained, you force the property owner to accept the fair market value outright, and I will talk about fair market value later, after I get through with the bill.

Now I have a legal opinion written by Norman J. Small, legislative attorney, American Law Division, Library of Congress. On page 5 in section 3 paragraph (c) the term “improved property” as used in this

section "shall mean a detached noncommercial residence dwelling, the construction of which was begun before January 1, 1967, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling."

Now Mr. Small does not know exactly what that clause means. He does not know if that means that any property improvements made after January 1 will be excluded from condemnation or they will not be paid for. This is not clear. He gave me a legal opinion for both, and I will read either one if I can get a clarification of this point at this moment.

Senator NELSON. I do not want to try off the top of my head to give legal opinions. My judgment is that it means improvements made after a certain date will not be paid for, but if you have legal questions like this, if you submit them in writing I will turn them over to counsel and the Interior Department and get you an answer to it.

Mr. BREWER. I already have the answer from the Library of Congress. If in fact it says that no payment will be given to property owners for improvements made after January 1, 1967, Norman J. Small, and I quote—

Senator NELSON. What page are you on?

Mr. BREWER. I am not on any page right now. I am going to read my legal opinion, but I am referring to section 3, paragraph (c) beginning "The term 'improved property' "—

Prior to taking title to private property for public purposes through condemnation proceedings, the National Government is without power to control or limit owners in their improvement thereof. Accordingly if pursuant to section 3 paragraph (c) the Congress intended to authorize the Secretary of the Interior to seize in 1959 private property improved after January 1st, 1967 and to compensate owners of the land by offering them no more than what the property was worth in 1966, then section 3 paragraph (c) would be open to challenge as depriving such owners of their property without due process of law as guaranteed by amendment 5 to the United States Constitution.

Now there has been much said about the 25-percent vote of the Indians in acquiring their allotted lands. Regardless of what lands they are, if they are owned by the Indians, whether they are allotted or privately owned by the Indians it is immaterial. There should be at least a majority vote involved, whether you can find the Indian property owners or not. In a court of law, when legal heirs are concerned for ownership of property, everything, every means is utilized to find out where all these heirs are, and the title or the abstract for the land will read that all the heirs that could not be found still had legal rights to the land, even though they could not be found. Now this is exactly what it should say in the bill.

This 25 percent, whether it is private or allotted lands, is not a very democratic rule, regardless of who has ruled upon it. Twenty-five percent is not a majority rule. It is immaterial as to whether you can find the Indians or not.

In regard to the Indians protection of rights, the bill does state that they will be given preferential treatment, but the bill also states, which no one talks about, that the bill takes these privileges away from the Indians. For example, on page 8 section 4, "The Secretary

may prescribe regulations under which an area can be traversed," this is referring to the Indians.

Section (c), "To the extent practical" in the same section, "as the Secretary deems are desirable," and in the same section "meet such standards as the Secretary may prescribe."

Paragraph (d) of the same section: "for which they are qualified under the supervision of the Secretary."

Section 6, "to the extent that appropriated funds and personnel are available."

Section 7, "subject to such regulations as the Secretary may prescribe."

Section 8, "in accordance with the appropriate laws of Wisconsin to the extent applicable except that he may designate zones where an established period when no hunting, trapping, or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management or use for public use and enjoyment except in emergency"

I made a mistake there. I should have paused there. There was a period. The next statement should have said "exception emergency." That is a separate statement.

Paragraph (b), section 8, "except for such regulations as the Secretary may issue under authority of this act."

Now all these sentences that I have just read are involving the Indians' rights. Preferential treatment will be given to the Indians and preferential treatment is taken away from the Indians in the same bill. These are restrictions that should not be there. The Indians' rights should be protected. Unilaterally, no restrictions whatsoever. They have treaties with the U.S. Government comparable to foreign powers, and they should not be broken, and no restrictions whatsoever should be placed upon them by State or Federal Government.

Now the last sections that I am referring to in the bill are complete contradictions to each other. Section 10, paragraph (a), section 1, paragraph (a), section 10: "Protection of scenic, scientific, historical, geological, and archeological features."

Section 2, development of facilities, subsection 3, "Preservation of the unique flora and fauna, establishment of such trails, observation points, exhibits, and services as he may deem desirable."

Subsection 4, "Preservation and enhancement of the unique characteristics of the Kakagon River and Bad River Sloughs." Section (b), subsection 1, "Roads, trails, observation points, exhibits, and services."

I do not see how you can have roads and in the reports that I have received of Prof. I. V. Fine of the University of Wisconsin, roads, boat marinas, motels, tourist lodges, the scenic drive according to Howard Hays, the civil engineer hired, I believe, by the Interior Department to make a preliminary survey of the scenic drive as costing \$1 million a mile is compatible with a conservation project. You have one or the other. You cannot have both.

Senator Nelson has spoken about the fact that Congress or the Interior Department has been working on this project for 40 years. There is information lacking here, because the report was sent back to the Congress that the Apostle Islands area, I should say to the 71st Congress, that the Apostle Islands area does not meet the standards set down by the National Park Service. So there was a termination of that

study. This is a reopening of that study, and not a continuance of that study.

Senator NELSON. The Bureau of the Budget and the Department of the Interior both approved this project in January of this year. The present Interior Department apparently approve it if it includes the present provisions. So it is their interpretation that it meets whatever standards are necessary.

Mr. BREWER. I do not quite understand that. But the point that I wanted to make was that there is constant allusion to the fact that this is a continuous process, since the original inception 40 years ago. This is not. This is a reopening of it. In 1959 testimony was reopened on the feasibility of a lakeshore or a national park in the Apostle Islands. The 71st Congress closed it.

The Reader's Digest in December 1968 points out the many problems that are incurred by property owners when there is a Federal takeover of land, and these facts are what the permanent and summer residents of the area and the Indians are extremely concerned with. There is a great deal of mental anguish involved in being deprived of your land. According to the Harvard Medical School, people have such a firm attachment for their land that they grieve for it as severely as they do a lost loved one, and there are permanent mental scars inflicted upon people as a result. The article continues on and states that there is a great deal of harassment by the Federal land negotiators. I won't go into specific cases that the article brought up, but in effect they call upon landowners 10 or 15 times a day, call them at 2 and 3 o'clock in the morning, harangue elderly people or uneducated people, who do not know their rights, whether they could fight back or what instruments are to be used. These people are extremely victimized, and we have allusions to this happening to us.

As far as fair market value is concerned, the article pointed out that in over 66 percent of the incidents involved in Federal land takeovers, 66 percent of the incidents were paid under the appraised value, grossly under the appraised value.

Fair market value is a very ambiguous, arbitrary term. The bill that Senator Nelson has proposed does not definitely state how fair market value will be arrived at, how the Federal Government will arrive at fair market value. The directive may come out of the Interior Department, it may come out of Congress, it may come from down in the field as to what the limit for property will be valued at, and no property owner will receive moneys above that limit. This is grossly unfair.

Senator NELSON. I think I should correct you there. It can always be by negotiations and by appraisal, and if the property owner is not satisfied with the offer made by the Government, the court will set the fair market value. That happens in highway condemnations, in school condemnations, street condemnations all across the Nation, so the final arbiter is the court and not the department.

Mr. BREWER. Yes, but you don't understand the position here. A property owner can be tied up in a Federal court for 30 or 40 years.

Senator NELSON. I understand that very well. I just wanted to clarify it when you said that the order might come from below decision or some place and set a price. I just wanted to point out that the court has the final word.

Mr. BREWER. That is set by someone somewhere. As far as these interstate highway commissions are concerned, the urban renewal projects that I have studied in Chicago, I have talked to people that were moved out of their houses, and they were notified that the price that they were offered is the limit, and the Government will go no higher. This is grossly unfair.

Speaking of price, the previous statement as to the acquisition and the development cost is approximately \$13 million. I do not have that exact figure with me, \$13,310,000. Now, according to letters that I have received from a U.S. Congressman, advising me not on the exact price but that the acquisition of land is grossly understated, an individual engineering company by the name of Brody Engineering Co. of St. Paul, Minn., valued the acquisition costs of Apostle Islands and the Indian units as \$190 million. Six million dollars is going to be appropriated for the acquisition of land.

Now, according to the validity of property evaluation, property such as the Apostle Islands National Lakeshore is valued per foot of lakeshore frontage. It is not valued by the acre except when it is away from lakeshore frontage, and I will give you the advice sent to me by U.S. Senator Edmund Muskie, U. S. Senate:

The National Park Service advises "that the 1965 survey to which you refer is now considered obsolete. Current studies that include value estimates consider all land according to its highest and best use rather than present use. Sufficient evidence has been discovered from extensive market research to indicate that lake frontage is indeed a valid consideration."

The point that I am stressing here is that the land acquisition costs for this project are grossly understated, according to information that I have received from various Congressmen. If this bill is passed, signed by the President into law, the Congress could appropriate more money, as it sees fit. Now it seems to me that the cost figures for this project are grossly understated, so that the project will be voted into law and they therefore later can come back for more money. If this is voted into law, with the \$13 million price tag attached to it, I guarantee you the project is going to come back for more money, and not just for a few million dollars more.

Further testimony in regard to the testimony in Ashland, Wis., or even here in Washington, the overwhelming support that Senator Nelson says he has, and he does have it, but you must examine the people that are supporting this proposal. The supporters of this proposal are outside the parkland owners, outside the park motel owners, chambers of commerce, power companies. These people in effect are going to be making the same killing, if this project is voted into law, that Senator Nelson claims the property owners are trying to make within the park.

Another strong point in opposition to this proposal is the fact that Ashland and Bayfield Counties, in which this project is situated, is already half owned by the Federal Government. There is a 260,000-acre national forest situated within miles of this proposal, completely—I should not say completely, but very unused, so to speak. There are hundreds or maybe even a few thousand shoreline miles of inland lakes within this national forest that are unused. You have the Odanah National Forest in upper Michigan. You have the Superior National Forest, and the national park in Minnesota. You have Isle Royal. You have Canada Lake Nipagon Province Park and Kitaga Park, all

in conjunction with Voyageurs and Superior National Parks. The Government owns approximately 1 million acres now in its Federal parks and forests. They are in effect the largest landowners in the United States, and they are the largest landowners in the two counties that are now under consideration for another Federal project, and if there is an economic depression in the area, the ones that have the most power in the area should be the ones that should be blamed.

Taking 57,000 more acres cannot guarantee that any economic depression will be alleviated, when the Federal Government already owns approximately 600,000 acres in the area.

I do not know when the Governors of the two joining States and Governor Knowles made their statements in support of this project, but in Governor Knowles' most recent statements, he stated that any national lakeshore park in this area will be nothing more than an identification of the area, because of the inaccessibility and remoteness of the islands, and the temperature of the water. I have an article here from Boating magazine, March 1969 issue, and I will read a few lines from it, four to be exact:

"Discover the Ancient Apostle Islands" is the name of the article and the name of the magazine is "Boating, March 1969."

Take care, the winds can be violent after gathering momentum across the open lake, and squalls move quickly across Lake Superior. The cold offshore water can immobilize a man overboard in minutes.

The projects that are to come into this area call for the pleasure canoers and the boater to move about the islands at will. I am situated on Basswood Island, and by boat I can get to my island in 4 minutes from Red Cliff Creek. That is directly adjacent to the northern tip of Basswood Island. On just a 10-mile-an-hour wind it took me 1 hour and 40 minutes to get back to the mainland. These boaters, these 1 million people that are projected to come into the area, do not know the treachery of Lake Superior. Yet they are given the idea that this is just some little warm water inland lake. In effect the waves will play ping-pong with their canoes and boats. This is a treacherous lake.

The feasible season for this, as Mr. Jensch pointed out, is approximately 60 days, and that is only if you stay the whole 60 days. A person coming up for a 2-week vacation will have 2 weeks bad weather, and when he leaves maybe the sun will come out. Now I do not know how many have 2 or 3 months' vacation. I just came back from there last weekend. There is 5 feet of snow on the ground, and the snow will remain to the end of April. The water never warms up for swimming. And as I said, the lake will just wreak a great deal of death with the boaters that will venture out into this lake, not knowing the treachery of Lake Superior.

Now there have been many statements made about the fact that there will be a donation of land that is already publicly owned by the county, State, and townships. This is not a fact. According to the 1968 Ashland County Board minutes, it is illegal for Ashland County to donate its public lands to anyone. L. P. Voight, the secretary of the national resources of the State of Wisconsin, publicly stated that the State of Wisconsin expects payment for its public land. The township of Russell, and the town of Russell, which has public lands in the northern tip of the unit, not only will not donate its land but they will not sell it. They absolutely will refuse to have any part of the proposal whatsoever, because this is their primary income. The limited logging

operations, they call this forest crop. You are familiar with these multiple-use programs or purposes of forests. This is their income, and this brings up the point that only \$12,000 will be taken off the tax rolls. Well, \$12,000 to the town of Russell is half of its budget. That is equivalent to half of the Federal budget. I am speaking in percentages. The Federal budget is approximately \$190 billion. Take \$95 billion off of that. That is essentially what you are doing to the town of Russell. You are taking half of their budget away from them. The Federal Government could not survive on half of its budget nor can the town of Russell.

I will try to summarize the rest that I have to say. Two Congressmen from the State of Wisconsin have written me. Vernon W. Thomson, of the Third District of Wisconsin, wrote me a letter, and I quote:

In light of the conflicting information which is being disseminated regarding the project and in light of the opposition by Governor Knowles it would seem that this matter is one demanding judicious and thoughtful study before any action is taken either way.

The Honorable Glenn R. Davis, Ninth District of Wisconsin:

I will have your views in mind should this measure ever reach the House floor. I was not sympathetic toward this proposal last year because of the shortage of funds in the Federal Treasury, and so far see nothing in the financial picture of the Federal Government this year which would induce me to alter this position during the current session.

The Honorable Wayne N. Aspinall, chairman of the Interior and Insular Affairs Committee of the House of Representatives, stated in a Washington report sent to me as follows:

There is no money to take care of the parks we have. We have got park facilities running out of our ears.

Now the report goes on to say something else. I do not know if these are his words but the report goes on to say:

Present authorization for reclamation projects are sufficient to last 20 years at the current rate of appropriations.

Now in other articles I have read I cannot quote directly—

Senator NELSON. Reclamation, did you say?

Mr. BREWER. This is what he said, reclamation projects.

Senator NELSON. Reclamation funding is entirely different.

Mr. BREWER. Is entirely different?

Senator NELSON. Yes.

Mr. BREWER. But he does state this about park facilities. The authorization of parks since 1962—

Senator NELSON. We have a whole list of what is authorized already available.

Mr. BREWER. That is fine, and I hope you pay attention to that list, because those parks that have been authorized, there is no money to be found for them. Yet we continue to authorize more Federal land projects such as the proposed Apostle Islands National Lakeshore, and this is another point in question. They should be a national park and not a national lakeshore, because a national park would eliminate all of these development projects. If this is going to be a conservation program, then preserve the area, and the residents, myself included, would be for some kind of conservation in this area. Zone it. Give us restriction, restricted easements but do not bring in the motels, the tourist lodges, the scenic drives, the boat marinas. That is not conservation. That is ruining the land.

If you will notice, that scenic drive skirts the entire Red Cliff unit very closely to the shore. You put that scenic drive through and you will have in a sense eliminated that entire unit, because there will be nothing left except that road. You are going to have to move back farther to have any more land incorporated into the national lakeshore, which means taking up more of the Indian reservation, and then you are going to start getting into actual permanent residents.

Now one more point in question I wish to bring out concerning Madeline Island. There are many statements made that the property owners, the residents of the area, are selfish people. We want all this land for ourselves. We are a chosen people. We are a fortunate few.

Well, I do not know of anybody, except on Madeline Island, that has any money. The association scraped together nickels and dimes so that I could be here today, and I am not even sure whether we can even pay the entire plane bill that I had and where I am staying. We do not have any money to really oppose this project effectively. But Madeline Island has, and I was told that no trespassing signs are wanted on these islands. You should look at Madeline Island. It is just one big no trespassing sign. There are thousands of acres of fenced-in lands, private game preserves, on Madeline Island. Madeline Island is actually a virtual wilderness just like all the other islands. I do not get this idea where they have permanent residence. There is a town there which dates back to the fur trading days, back to about the 17th century. It is a block long. And the roads that they talk about that are permanent are nothing more than just gravel grades. But there are a lot of no trespassing signs up throughout that entire island. But of course the opposition on that island would be too formidable. We would not have nickels and dimes, we would have a couple million dollars on our side, and this is too formidable to fight.

I have many other points that I would like to stress, but I would like to know if these hearings will be left open for written statements to be presented later on. Then I can present something in writing.

Senator NELSON. If you wish to present something in 10 days it will be put in the record.

Mr. BREWER. Thank you. Then in conclusion I would like to state that I do have a petition here from the permanent residents of the area. I have some letters from the permanent residents that will be in the area all year round to be submitted for the record, and the petition of over 300 signatures that actually eliminates this idea of overwhelming support in the area. We would have more signatures except for the fact that we were only notified 2 weeks ago that there were going to be hearings today.

Senator NELSON. They will be made part of the record. The petition will be put in the files.

(The material referred to follows:)

SOUTH SHORE PROPERTY OWNERS' ASSOCIATION,
OF THE APOSTLE ISLANDS AND LAKE SHORE, WISCONSIN,
March 21, 1969.

INTERIOR AND INSULAR AFFAIRS COMMITTEE,
SUBCOMMITTEE ON PARKS AND RECREATION,
New Senate Office Building,
Washington, D.C.

GENTLEMEN: As the Testimony for S. 621 regarding establishing the Apostle Island National Lakeshore will remain open for further additions until March 27, 1969 I wish the concluding summary to be placed at the end of my March 17, 1969 testimony.

A properly conceived plan is needed for the Islands with the Federal Government, State of Wisconsin, Ashland and Bayfield counties, the Red Cliff and Bad River Bands of the Chippewa (Ojibway) Nation and the property residents all cooperating to achieve a benefit for the nation in establishing a park-like environment. Such a plan has a precedent. The Nez Perce National Historical Park in the Idaho Panhandle.

If this plan is initiated for the Apostle Island National Lakeshore then there will be overwhelming support for S. 621. The Indians and residents are not opposed to preservation of the Apostle Islands and Lakeshore. They are opposed to being turned off their property with no where to relocate. This precedent, which allows all owners of property to retain ownership, will achieve the National Lakeshore, receive everyone's support, cost considerably less and achieve all the high goals of Senator Gaylord Nelson.

Sincerely,

WILLIAM C. BREWER,
Vice Chairman.

PETITION

To Whom It May Concern:

The undersigned are against the establishment of a Federal National Park in the Apostle Islands area for the following reasons; to-wit: (1) the existing town, County, State, and City public parks in this area are adequate for public needs, (2) if a national park is established in this area it will take the property off of the tax roll, (3) the land in this area is unique and the property owners in the Apostle Islands area would not be adequately compensated if it were taken away from them by condemnation.

(The above petition was signed by 478 residents.)

SCHOFIELD, Wis., March 17, 1969.

Senator ALAN BIBLE,
Chairman, Subcommittee on Parks and Recreation,
Senate Office Building, Washington, D.C.:

HONORABLE SIR: The rape of the Apostle Islands from the Indians and other landowners is another travesty of American justice. Previous hearings were a farce. 67 percent of the shoreline from Duluth to Sault Ste. Marie is already controlled by Government agencies. Soil tests in the Apostle area indicate need for extensive, expensive sewage disposal facilities in the event the number of people as indicated by the proponents of the bill crowd into the area. The passage of this bill without the incorporation of funds for pollution control of Lake Superior would be compounding the felony. Pollution control is now a national emergency and a national disgrace. Do not condone it with the passage of this bill.

C. D. CAMP.

BAYFIELD, Wis.,
March 10, 1969.

Senator HENRY M. JACKSON,
Senate Interior and Insular Affairs Committee,
Washington, D.C.

DEAR SIR: I am one who is opposed to Bill S. 621 (Apostle Island Lake Shore) National Lake Shore. There is much sentiment up in this area against it for many reasons. On one hand the people are told the land is waste land and worthless, and on the other hand it is priceless. (Which is true? We believe it is priceless, that is why we live here. We like it.)

At the hearing held in Ashland there was much double talk and it appears Senator Nelson wants the land for nothing so to speak. I believe it is the wrong place for a National Lake Shore, Lake Superior is big and cold (not good for swimming, etc.) and can be treacherous, not good for use of small boats, canoes, etc. There are many other reasons also.

I sure wish someone with an open mind would come up here and talk with the people who *live* up here (farmers, commercial fishermen, retired people, the Indians, and plain working people.) I believe you would get the true picture in this way.

I am a retired person with two working sons, one single and one married with a family who live in the town of Russell, Bayfield, Wis., and we are all opposed to this National Lake Shore Bill No. S. 621.

Yours truly,

Mrs. RUBY LEASK.

ASHLAND, WIS., March 11, 1969.

Senator HENRY M. JACKSON,
Senate Office Building, Washington, D.C.

DEAR SENATOR JACKSON: Once again the Apostle Islands National Lakeshore proposal will come before the Senate Interior Committee of which you are chairman. I am in opposition to this proposal and want to protest to you and your Committee personally. In the first place I think it is just another land grab by the Federal Government with no regards to the property owners involved. The area involved (57,000) acres is not large enough to handle the (1,000,000) tourists a University of Wis. professor stated would use the lakeshore area. A National Park preserves the area, but a National Lakeshore does not and this area will end up a honky tonk garbage ground by people who will use the area once and don't care what happens to the area involved. We have to live here year round and I don't care to see our area over run by tourists who will pollute and destroy our area. The Federal Government will also help destroy it.

The Indians on the Red Cliff Indian Reservation have voted against the Federal Government taking over their land, and I believe the Bad River Indians have also voted against the taking of their Indian lands.

There is more opposition to this Apostle Island National Lakeshore than you think there is I hope you will look into this proposal before you make any hasty decision on it. I strongly oppose the establishment of the Apostle Island National Lakeshore. Thank you I remain:

Sincerely yours,

FRED HUYBRECHT.

CHEQUAMEGON OUTBOARD BOATING CLUB, INC.,
Ashland, Wis., March 10, 1969.

Hon. HENRY M. JACKSON,
*U.S. Senate,
Washington, D.C.*

DEAR SIR: The members of the Boat Club have gone on record as strongly opposed to the National Shore Line Park and Recreation Area in Northern Wisconsin.

As it is, forty-two per cent of Ashland County is already government owned.

Also, due to weather conditions and the short seasons, we the members, think this inadequate to serve as a tourist recreation area.

Very truly yours,

DWAINE J. CAMERON,
Secretary.

BAYFIELD, WIS.
March 11, 1969.

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

DEAR MR. JACKSON: This letter concerns Senator Gaylord Nelson's proposed "Apostle Island National Park" in Northern Wisconsin. This proposal takes most of the tax paying land in the Town of Russell, Bayfield County.

Besides taking our lake shore property would make us give up our homestead because of the increased taxes on property left to run town affairs. As a good many people here are on Social Security and small pensions they manage to get by as things stand but any increase in taxes will make it impossible for them to keep what they now own. The government owns more land now than they need, why don't they develop what they have instead of spending more money that could be used for better purposes.

As for tourists building up our part of the country, so far the litter has cost our town a good deal more than these people have spent. They bring all but the

incidentals with them so where does Senator Nelson get the idea they can make us all a living by their spending.

Summer residents are more desirable as they buy what they need for the season and pay taxes on the land they own thus helping to keep our area going, schools need these taxes also roads etc.

Has Senator Nelson told the Senate that all these Northern roads are unfit for all the proposed traffic, what it will cost to replace these roads or improve them?

Our weather here is seldom warm enough to suit most people and many remark, they'll never come again. One month out of the year the water may get warm enough for swimming. The mosquitoes and biting flies make it impossible to enjoy outings for most people. Are these things conducive to a National Park? I think not!

Even Gov. Knowles on his visit last summer said, and I quote, "This is no place for a National Park". We hope you will examine the proposed bill and do what you can to kill it.

Sincerely,

ESKEL HOKENSON.

LITTLE SAND BAY, BAYFIELD, WIS.,
March 10, 1969.

Senator HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs.

DEAR SENATOR JACKSON: I am very much opposed to Senator Nelson's Bill S. 621 to establish the Apostle Island National Lake Shore. The climate and Lake Superior waters for one thing are too cold, people can't enjoy recreation here as they would like to. I know, I live here. People that do come to this area have said, "If this becomes an Apostle National Lake Shore project they would never come back here again." This is a quote from the Milwaukee Journal. Gov. Knowles, council chairman said: "When you consider the difficulties of the remoteness of the islands and the temperature of the water, recreation use would be nothing more than identification of an area."

Small business organizations are getting started to increase trolling and that will be destroyed. Small business can not be operated within the Apostle Island National Lake Shore without concessionaire privileges. Commercial fishing was forcibly discontinued by the conservation and commercial trout fishing is better now than it ever was.

The valuation of the property within the Apostle Island National Lake Shore was estimated in the year of 1963. Since then it has tripled in valuation. Taxes have also tripled. Property owners just can't stand to take that kind of a loss.

"In Sec. 10 Par. 2 of bill S. 621, Development of facilities to provide the benefits of public recreation and a scenic shoreline drive on the Bayfield Peninsula." The shoreline drive alone will cost well over one million dollars per mile, on account of many miles of Brownstone at the surface, a large number of gullies and ravines, a great number up to 50 feet deep. I think you can get an estimate of the cost of the Lake Shore drive from the engineers that surveyed it.

The State of Wisconsin now has 48 parks comprising 36,000 acres. Fish management lands of 40,000 acres. The Federal Government has taken over a number of the rivers in Wisconsin and plan on more. They own more than half of Bayfield and Ashland counties. What will be left for private enterprise. Where will the taxes come from, not from tourists, they will come with out an Aspostle National Lake Shore.

The Red Cliff Indians voted against bill S 621 so I can't see where a parcel of white man's land here and there can make a National Lake Shore.

The Isle Royal Park is a failure and a large expense. This Aspostle Island National Lake Shore would be a failure and a big expense too. The value of the bill proposal is vastly underestimated.

If this bill S 621 should pass we think this would be discriminating to both Indians and Whites.

Yours truly, member of the S.S.P.O.A.,

Mr. and Mrs. ROY HOKENSON.

AMERICAN AUTOMOBILE ASSOCIATION,
Washington, D.C., May 8, 1969.

Senator HENRY M. JACKSON,
Chairman, Senate Interior and Insular Affairs Committee, 3106 New Senate Office Building, Washington, D.C.

DEAR SENATOR JACKSON: On behalf of the American Automobile Association and its more than eleven and a half million members we desire to express our support for S. 621 to establish the Apostle Islands National Lakeshore in Wisconsin.

It will be appreciated if you would include in the hearing record our letter and the enclosed copy of the letter to you from Stuart B. Wright, General Manager of the Wisconsin Division, AAA, together with Mr. Wright's statement in support of S. 621 dated March 25, 1969.

Sincerely yours,

CORNELIUS R. GRAY,
Director, Legal Department.

[Enclosure]

STATEMENT OF STUART B. WRIGHT, GENERAL MANAGER, WISCONSIN DIVISION,
AAA

On behalf of the 252,000 members of the Wisconsin Division of the American Automobile Association, I want to enthusiastically endorse S. 621 introduced by Senator Gaylord Nelson (D.—Wis.) to establish the Apostle Islands National Lakeshore.

I hope this Committee will again take action to make this 40-year old dream come true. The rising cost of land in all areas of the country, even since this Committee last reported out a similar measure, makes it imperative that Congress and the Administration move forcefully and promptly to set this area aside.

The remarks I made at a public hearing in Ashland, Wisconsin, on this same proposal in June 1967, are as true today as they were then. "The Great Lakes area has a tremendous potential as a tourist attraction and no finer choice can be found anywhere than this Apostle Islands proposal."

The Apostle Islands National Lakeshore is an important step in forging another link in the priceless chain of parks, scenic and wild waterways, and forests now being created in the Great Lakes region.

The State of Wisconsin has played an important part in forging this link by its wise use of state funds in the field of conservation. The State, realizing the spiralling costs of acquiring new lands, is proposing to use part of a \$200 million bond issue for park land acquisition.

The tremendous increase in scenic and pleasure driving is bringing about a great need for trails and tours with emphasis on scenery and education which the Apostle Islands area so capably provides.

Experts have said that Wisconsin, in the next decade, faces either massive despoilment of its forests, streams and lakes, or preservation and expansion of its natural resources through orderly planning for the benefit of the greatest number of people. All of us want the latter and it can best be accomplished through the Apostle Islands National Lakeshore project, which would be a tremendous recreational asset to Wisconsin and a great tourist drawing card for the entire nation.

I urge you to move firmly and quickly to establish the Lakeshore area proposed in S. 621 as it would provide miles of shoreline; havens where campers can tie up and scale the rising brownstone cliffs or hike the sandy beaches with their inlets and coves.

Approximately 50 million persons live within a single day's drive of the proposed 57,500 acre Lakeshore. Other statistics on the desirability of creating the area *now* have already been presented to the Committee, so let me conclude by saying—this will be an invaluable addition to the bank of our national resources which must meet the soaring demands of the future.

NORTH WISCONSIN ROD & GUN CLUB,
March 12, 1969.

Senator HENRY M. JACKSON,
Chairman, Senate Interior and Insular Affairs Committee,
Washington, D.C.

DEAR SIR: I would like to inform you that on April 13, 1966 the North Wisconsin Rod and Gun Club unanimously went on record opposing the Apostle Island National Park bill, sponsored by Senator Gaylord Nelson.

Our club has voiced its opposition to the National Park at public hearings held at Washington, D.C. and Ashland, Wisconsin.

We appeal to you to support our opposition at the Senate hearings to be held in the near future.

Yours truly,

INER KIRKLEWSKI, *Secretary.*

BRADLE TOBACCO CO.,
Ashland, Wis., March 11, 1969.

Senator HENRY M. JACKSON,
Chairman, Senate Interior and Insular Affairs Committee,
Washington, D.C.

DEAR SENATOR: I request that this correspondence be recorded as official opposition to Bill S. 621 or said Apostle Island National Lakeshore.

Being in business for the past 30 years I can find no economic value to this proposal. At present, Ashland County is more economically secure, than it has been in the past several decades. It is at present, one of the few counties that is not on the depressed area receiving federal aid. A project such as this would create economic havoc, as part time park employment would leave nine months of compensation payment and public assistance to those unemployed by this project during that period of time.

This bill as presented by Senator Nelson, is an area which is ideal for canoeists, small boat operators, etc. Check the weather factor on Lake Superior and you will find it to be just the opposite. Senator Nelson was to be a proponent for safety. Not in this matter.

Representing the Ashland Rod & Gun Club and the Outboard Boating Club, I refer you to "Hearings before the Committee on Interior & Insular Affairs, Ninetieth Congress, 1st Session on Bill S. 778," for additional data in opposition to this National Lakeshore (page 144).

Very truly yours,

JOSEPH J. BRADLE.

ASHLAND, WIS., March 13, 1969.

Re: Apostle Island Lakeshore.

Hon. WAYNE N. ASPINALL,
Chairman, Interior and Insular Affairs Committee, Rayburn House Office
Building, Washington, D.C.

DEAR MR. ASPINALL: We wish to go on record in opposition to the establishment of the Apostle Island Lakeshore for the following reasons:

1. The Red Cliff Band and the Bad River Band of the Chippewa Indians are not in favor of this proposal. On July 5, 1967, in a referendum vote, the Red Cliff Tribe voted overwhelmingly against the proposed lakeshore and we feel their wishes should be upheld.

2. By building a highway or scenic drive in this area and along the lakeshore, you will be destroying the wilderness which now exists rather than preserving it.

3. The establishment of a lakeshore will remove more land from the tax rolls thus creating an even heavier burden on those remaining in the area.

4. The government (federal, state and county) already possess 44% of the land in Northern Wisconsin.

5. There is no comparable lake frontage available elsewhere in this area for the private landowners whose properties will be condemned.

6. If a lakeshore is established, all or part of the hunting (some of the best in Northern Wisconsin) will be eliminated.

7. The lakeshore property is worth far more than the suggested price of \$15 an acre. Present real estate is selling from \$25 to \$100 a foot which would make it impossible to purchase land elsewhere with the monies received for the condemned land.

8 In a communication dated 2-17-69 from the American Law Division of the Library of Congress, we received a legal written opinion stating that the 1-1-67 improvement clause in the Apostle Island Lakeshore Bill is *unconstitutional*.

9. By creating a "lakeshore" rather than a national park, the government is allowed to construct and operate any type of business it desires within the lakeshore area.

10. The New York Times called our national parks the "slum areas of America"—we do not want this in Northern Wisconsin!

The above are only a few of the reasons we could give concerning this matter. As landowners we urgently request that all action regarding the Apostle Island Lakeshore Proposal be suspended at this time. If this is not done then we ask for the same privileges granted to Mr. Udall and the Kennedy family landowners in the Potomac Valley area—the so-called *easement grants* to permit the owners to **RETAIN THEIR PROPERTY FOREVER** providing that only a house, garage and the like are constructed in the present undeveloped areas.

Another alternative would be to create a setting as the *Nez Perce Nat'l Historical Park* in Idaho wherein the Indians and the landowners would retain their lands under the "controlled development" of the Park Service.

Sincerely,

MR. AND MRS. DAVID GOOD.

ASHLAND, WIS., March 12, 1969.

Senator HENRY M. JACKSON,
Chairman of Interior and Insular Affairs Committee,
Washington, D.C.

DEAR SIR: As a Sportsman and business man of this area I disagree with the entire proposal of the Apostle Island National Park.

With the coming of the tourist in mass, wildlife and scenic beauty as we know it will go, and when it goes I go—to Alaska!

Sincerely yours,

PETER CROWLEY.

ASHLAND WIS., March 11, 1969.

Senator HENRY M. JACKSON,
Chairman, Interior and Insular Affairs Committee,
Washington, D.C.

DEAR SIR: As a sportsman and life long resident of this area, I am totally opposed to the Apostle Island National Lakeshore. My opposition is based on my belief that government control of this area will result in government restrictions.

Sincerely yours,

WILLIAM F. KNADLAUCH.

BAYFIELD, WIS., March 12, 1969.

Senator HENRY M. JACKSON,
Chairman of Senate Interior and Insular Affairs Committee,
Washington, D.C.

DEAR SIR: The people of this area have been faced with the Gov't. take over of lands, to satisfy Senator Nelson's desire to make a National Lake Shore.

I feel that there is no need for a Gov't. take over of our lands. There are so many thousands of acres now in Gov't. hands that the Gov't. has ads in papers to sell, so why must they acquire more.

Why don't they develop lands now held.

With taxes going up every year what will happen when more lands are taken from tax rolls?

Are we not on our way to becoming a communistic state?

My parentage arrived here from Norway to get away from a country where private possession of lands was not possible, to enjoy the freedoms our Country has been noted for.

The Indian population of our area are deeply concerned over losing the last of their reservation.

I think the time is long over due for the elected officers of our Country to take into deep consideration the welfare of the people and to protect a man's lands and respect his right to ownership.

Many land owners of this area have not gone ahead with planned building and other development, because of Senator Nelson's planned proposal.

Lake Superior is a large and treacherous body of water. Waves that will swamp large ore carriers and water so cold that a man could only survive minutes without rescue.

Senator Nelson has led people to believe it a mill pond for canoes and a bathing beach.

This could be no further from the truth.

With deep respect for your office I remain,

LAWRENCE E. HALVORSON, Sr.

P.S.—Member of South Shore Property Owners Association, third-generation property owner in this area.

BAYFIELD, WIS., March 12, 1969.

Senator HENRY M. JACKSON,
Committee on Interior and Insular Affairs,
Washington, D.C.

DEAR SIR: I am writing you in *opposition* to the Apostle Islands National Lake Shore. These islands are not park lands. The only time they are really safe at all to travel to is in midwinter and then some cannot be gotten to then. In the summer we have bad weather at times and small boats cannot travel to them so why should the government take them over? Then spend money to advertise them for hundreds of thousands of people to come here, jeopardize their lives just to try to get to them. We now have a quite a few people that have summer homes on these islands. These people were born and raised here so they know how to watch the weather so they aren't caught in bad squalls in the summer. The boats people bring here in the summer are so small being 12 foot boats aren't made for Lake Superior. In winter for snowmobiling, most city people don't carry a compass for snow storms so they get lost. Then who has to go and look for them, us natives that has kept these islands and lake shore preserved ever since time. Well Sir, if this ever gets to be a National Lake Shore, I'm for one of any of these people that come here tend to get into trouble be it summer or winter, you can bet I'm not going to help rescue any of them. How Sir, does Senator Nelson call this a National Lake Shore and not a park? Does this mean the government can do anything they want to with this land like build a Super Highway to ruin the beauty of the Lake Shore line also build any kind of building to clutter up our lands. A park is to preserve but this is not called a park, the Bill says National Lake Shore.

Now Sir, I'm writing as a Town of Russell official which this Lake Shore Bill is in 95% of our town, so I just can't sit back and take all this without a fight. This land GRAB takes the lands from the Indians in my township which is the Red Cliff Reservation. These people voted several times not to give up their lands up, but I guess that doesn't mean much to the Government. Also, all our highest tax valued land will go so then what happens to our township when we don't have these taxes to run our town and also our schools? Is the government going to reimburse the town so the rest of the tax payers don't have to be double burdened? I'm a tax payer both on the Lake Shore in the Sand Bay subdivision. We also have another subdivision that will be destroyed and I can't see why these places have to be taken away also homes that are worth from 30 to 50 thousands dollars, I think these places and land should be excluded from this Bill if it does pass. We have 3 public parks now in our township, also 5 boat landings we need give up more land to the public?

Sir, what we need up here is more people to settle these islands and lake shore. The taxes gotten from this would more than equal what the tourists would bring also employment for building and maintaining homes would keep more people employed than a few college kids in the summer time to watch the National Lake Shore if it does pass. I'm a carpenter contractor working in the Bayfield Apostle Islands area and since 1965 the building in this proposed area has dropped to nothing because people were told any building after 1964 would not be paid for so people who have owned land in this area just won't develop it until they know

for sure if it is safe. We need employment up here not tourists, that is one thing natives can't eat. So Sir, if you can understand our side of it and this letter has done any good in making up your mind and other Senators who are on this committee to abolish this Bill I'll be very happy.

Sincerely yours,

ROBERT L. HOKENSON.

BAYFIELD, WIS.

Senator HENRY M. JACKSON,
Washington, D.C.

DEAR SIR: In regard to bill S. 621—We are completely fed up with what goes on in Washington. It's time the government concentrates on cutting down on expenses and leave the Indians in peace on what little poor land they have left. They have been pushed off continually through the years.

As far as a scenic drive and park around Lake Superior in Bayfield county, it would be no more than a race track and place to deposit trash. It's a very treacherous lake, no place for amateur boaters, always too cold to swim in and another thing you would find if you come in June, July, or August you would find the flies unbearable. Add all these up and it's no place for a park.

Yours truly,

FRED and AVALON HEATT.

BAYFIELD, WIS., March 12, 1969.

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

DEAR SIR: I am a member of the South Shore Property Owner's Ass'n., and wish to say I am opposed to the Apostle Island Lakeshore Park and we hope very sincerely that something can be done to stop its coming into fulfillment and trust that you will do everything in your power to head it off. Thanking you very much for your efforts I remain,

Yours truly,

ARTHUR G. PETERSON.

BAYFIELD, WIS., March 11, 1969.

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

DEAR SENATOR JACKSON: Monkeying around Lake Superior with greenhorns—fly-by-night visitors?

Is just like the two tenderfeet below trying to cut down a tree.

Enough said.

Very cordially yours,

DAVID J. BRITH.

Senator NELSON. Senator Hansen has a question he would like to ask.

Senator HANSEN. Mr. Brewer, if you would tell us, I would like to know the date of the letter written by Senator Muskie. You referred to a letter that was written by the Senator.

Mr. BREWER. March 7, 1969.

Senator HANSEN. March 7, 1969?

Mr. BREWER. Yes.

Senator HANSEN. Thank you, Mr. Chairman.

Senator NELSON. Do you have a copy of the letter there?

Mr. BREWER. I have a copy but it is the only copy I have.

Senator NELSON. We would like to have it for the record. Can you submit a copy for the record? I think Senator Muskie would like to be quoted in full. We will send the letter back if you want it.

Mr. BREWER. Yes. I would like to have the letter back.

Senator NELSON. It will be printed in the record.

(The letter referred to follows:)

U.S. SENATE,
COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C., March 7, 1969.

Mr. WILLIAM C. BREWER,
Vice Chairman, South Shore Property Owners' Association, Chicago, Ill.

DEAR MR. BREWER: This is in further response to your letter of January 11. I will relate to you the situation as described to me by the National Park Service.

We understand that the Apostle Islands National Lakeshore is in the proposal stage. Pending authorization and appropriation of funds to acquire the necessary lands, all activities involving this proposed national lakeshore must necessarily be limited to planning studies.

The National Park Service advises, "that the 1965 survey to which you refer is now considered obsolete. Current studies that include value estimates consider all land according to its highest and best use, rather than present use. Sufficient evidence has been discovered from extensive market research to indicate that lake frontage is indeed a valid consideration within the ability of the local market to absorb it, if offered for sale in its entirety. It must be remembered, however, that a reasonably accurate value estimate for an individual property can only be accomplished by a detailed tract appraisal. Until these are prepared, there is no real way in which property values can be discussed in a valid manner. You can be assured, however, that should Apostle Islands National Lakeshore be authorized, each property, regardless of ownership, would receive desired individual consideration to insure a fair estimate of just compensation. Until that time, planning estimates will continue to be based upon current market considerations in order, as nearly as possible, to reflect true conditions regarding real property value in the affected community."

I hope this information will be helpful to you. If I can do anything further to be of assistance to you, please feel free to call on me.

With best wishes,
Sincerely,

EDMUND S. MUSKIE, *Chairman.*

Mr. BREWER. Now the statement has been made "The bulldozers are lying in wait."

Senator NELSON. What?

Mr. BREWER. "The bulldozers are lying in wait," by a Congressman.

Senator NELSON. What Congressman said that? Lying in wait for what?

Mr. BREWER. He did not say. He was in support of the bill.

Senator NELSON. What Congressman?

Mr. BREWER. I do not know how to pronounce his last name. It is R-e-u-s-s. Congressman Reuss of Wisconsin stated in the 1967 hearings "The bulldozers are lying in wait."

Senator NELSON. Did he say what they were waiting for?

Mr. BREWER. He was in support of your bill, so I imagine he is referring to the fact that the property owners have bulldozers hidden in the woods waiting to sweep down on the islands and just push them into Lake Superior. That is my interpretation. His interpretation I do not know.

Senator NELSON. That is a pretty wild position for the Congressman to take, I would say.

Mr. BREWER. However, what I would like to say is that it is not the property owners' bulldozers that are lying in wait. It happens to be the Federal Government's bulldozers that are lying in wait to gouge out the scenic drives and motels, the tourist lodges, the marinas.

There are two marinas that have just gone up in the area, one on Madeline Island. It is approximately—I do not know; this is just my fair estimation—from \$1 million to \$3 million. That is approximately

what that marina cost on Madeline Island. There is one going in south of Bayfield. I cannot see them spending any less than \$1 million in what they propose to do for that marina.

It is rather peculiar that these people have gone ahead and built marinas when this proposal is still in doubt. I am just wondering if they know something that I do not know as to why they would invest such large amounts of money in something that is in doubt. This is a rather large gamble on their part that the Apostle Islands National Lakeshore will go through.

Now in closing, the million people that will come into the area, if they do, indeed, come into this area, will completely ruin the area. Bayfield has a population of approximately 250 people. It cannot handle more than 5,000 to 10,000 people a year, and now the proposal is presented that they handle 1 million people in the space of 2 months. They will trample the entire lakeshore project just into the dust, and they will leave behind all their beer cans and bottles and trash. You talk to any national forest or national park ranger, he will tell you what those tourists leave behind. It is a fantastic cleanup job that tourists leave behind.

I do not see why Indians and property owners have to be sacrificed for a financial gain by outside-the-park merchants. Outside-the-park merchants will be gaining large amounts of money, if this park goes through with the tourist facilities that they will be building to cater to the tourist influx of the park. We, in effect, are being sacrificed for their financial gain and all we will receive will be fair market value, which no one knows what fair market value is.

In summary, the park in a conservation concept is all right, but in its present form it is not all right. One million people will destroy the area. Lake Superior is a treacherous body of water. It is not for the casual boater or canoeist.

The discrimination, the unconstitutional clauses, and the understatement of the price as to the acquisition and development of this project are in themselves reason enough to eliminate this project or at least revise it, update it. I do not know how the Interior Department arrived at their figures as to how much this land is going to cost, but lakefront land is not considered a very cheap piece of land. And \$6 million is not going to buy all that. Six million dollars can buy that land if you drag us into court and condemn us and give us exactly what you feel like giving us, but if you truthfully wish to use the word "fair" it is not going to cost six and a half million dollars, and it was not going to cost \$6.5 million in 1959. Lakeshore land sells for between \$10 and \$100 a foot. It does not sell by the acre, and this is not an escalation of price since 1965. These are prices that were in effect before 1965, before the full impact of the Apostle Islands National Lakeshore hit the area. We did not know really what was going on until 1965. That is all that I wish to say and I thank you very much for allowing me to speak today.

Senator NELSON. Thank you very much, Mr. Brewer.

Senator HANSEN. I have no questions, Mr. Chairman.

Senator NELSON. Dr. Spencer M. Smith, executive secretary of the Citizens Committee, National Resources.

STATEMENT OF DR. SPENCER M. SMITH, JR., EXECUTIVE SECRETARY OF THE CITIZENS COMMITTEE ON NATURAL RESOURCES

Dr. SMITH. I am Spencer M. Smith, Jr., executive secretary of the Citizens Committee on Natural Resources, a national conservation organization with offices in Washington, D.C.

I had planned to make a very brief appearance, and had hoped to be Senator Bible's star witness, and he generally judges the star witness' caliber on the brevity of the statement, and I had hoped to qualify.

I have been here since 10 this morning, and I shall try and restrain myself as best I possibly can, since our testimony is in favor of the bill. I might point out that we have been extremely interested in this area, as I think the Senator knows. We have tried to be concerned about a balanced recreation program on the east coast, the west coast, the midwest, the gulf areas, and this has been one of the outstanding areas.

I qualify secondly, and I cannot do that very often, but I have visited the area at some length. We did support, in the 89th Congress, the Senator's bill, S. 2498. We supported it in the 90th Congress, and I might add we read the bill too, S. 778, and we also read Report No. 156 to accompany S. 778.

We thought a number of the items that have been discussed here today that the Senate had killed these dragons and laid them well to rest back at the time they issued this report on August 17, 1967. The first one was in regard to Indian claims. I cannot do much more than reiterate what the Senator's rebuttal has been both with the Department and other witnesses, that this act does not become operative until the Government has a specific proposal and goes to the Indians and enters into negotiation with them, and at that time the Indians either accept the negotiation or they reject it.

Our people have been very active up in this area. I am not telling any tales out of school, certainly that the Senator does not know, but you know exactly what is happening and so do I. A certain group of people in favor of this project go to the Indians and they are persuasive and the Indians support them, and then when they leave the commercial interests and others go to them and they persuade them and when they leave the Indians are persuaded in that way. Now this has been going on for 10 years to the best of my knowledge, and I could not begin to tell you the most recent analysis, because I fell off at the third turn about in 1963 or 1964 as to exactly what the tribal influences are. I think the most telling argument was that only one-sixth of this particular shoreland involves Indian lands, and I should point out that I was in this Chamber when Secretary Udall testified regarding when he wanted to handle the aspect of the Indian lands and incorporating them into this lakeshore bill, that it was clearly with the intent that these particular areas would be negotiated over a period of time, and that they certainly would not be incorporated until this negotiation had taken place.

It was not the intent of the Department then, and I hope it is not now, that this project not go forward until Indian consent had been acquired.

I concur completely, and we thought again that when we had this put in, not we, but when we supported the establishment of section (c) on page 2 line 10, and this was in the report, Report No. 516, which said:

As soon as practicable after acquisition by the Secretary of the Interior of an acreage within the boundaries of the lakeshore, which in his opinion can be administered efficiently for the purposes of this Act, he shall establish the Apostle Islands National Lakeshore by publication and notice thereof in the Federal Register.

That same language is in the bill, S. 621, and it is now on page 2 line 19, section 1(c), lines 17 through 23, the exact language that appeared in the committee's report, and the presumption was that of course the Indian lands would not come in immediately, and that there was no indication at that time that the entire project be precluded if the Indian lands could not be negotiated for forthwith.

I want to rest that if possible at this juncture right here, because this was a matter which, as you well know, has come in for long and detailed discussion between yourself and the Department and many conservation groups within the Midwest and the Upper Great Lakes States, and certainly I have no brief against people who have worked extremely hard to protect their property. This is a difficult decision for Congress always, and I concur completely with Senator Hansen. It does not really make much difference whether it is three or 300. This is a difficult decision for this committee and the Congress always to make as to whether the taking of land is in the public interest or whether it is best served in the private interest, and if the public does take the land, that they must follow the due process of law in so doing. This is the decision that this body must make, and it must weigh the testimony.

We feel the public interest is served by this bill, and we can only give you our recommendation, and we cannot presume to think for you, and we do not try to. We have learned over a long period not to do that.

Senator HANSEN. Mr. Chairman, if the witness would indulge me, I just wanted to make a point. Dr. Smith, I didn't mean to imply by my questioning about the number of families involved exactly what I think you may have inferred from it.

I quite agree with you in the case of the typical American citizen. I think that this is very properly a question to be resolved by the good judgment of the Congress. However, I feel with respect to the Indians that they are rather unique, and having made treaties with them as we have from time to time, I take, I would hope, not a more serious view of these treaties than you would.

I think when we give our pledged word we are going to do certain things, we must live up to that oath given. I just wanted to say that if you had inferred from my questioning that I was implying that Indians—Indians covered by treaties and their rights covered by treaties, as contrasted with the typical American citizen whose rights are protected under the court which recognizes the right of the Government to exercise eminent domain in certain instances are analogous, I did not mean that. I think these two situations are not analogous.

Dr. SMITH. I couldn't agree with you more. I understood that at the time, if I have given an improper inference, my apologies, because I, too, feel that the Government should live up to its treaties.

I feel, Senator, after having carefully read S. 621, that this does not do violation to any treaty. I may be in error there, but it seems to me, before this can be implemented in the sense involved the Indian lands, that there must be an arm's length negotiation that is involved. That was the only thing.

Senator HANSEN. I did not mean to read into the bill that it violated the Indians' rights or their treaty rights. I was simply questioning a point I recalled Mr. Jordahl making that since so few families are involved that there wouldn't be any substantial injury, or something to that effect.

I am certain I am not quoting him, but the point I wanted to make was that if these people have been covered by a treaty, then I think that it is beside the point to try to equate the injury, the damage, in terms of the numbers of families represented. If there were only one family, I would feel just as keenly as I would if there were 100.

Dr. SMITH. I would agree. If there is one family involved, and it involves an abrogation of the treaty, then it is valid, no matter whether it is one or 1,000. I find no issue with that, sir.

Senator HANSEN. Thank you, Dr. Smith.

Dr. SMITH. One other thing I wanted to say, Mr. Chairman, is the fact that we have been very careful in terms of our appraisals in support of those making certain analogies, because we have been embarrassed in support of certain projects of the Government in the past wherein the costs of authorization have not quite run true when it got around to appropriation time.

I think the proposals, and from every evidence that we can obtain, and I must confess it is not definitive, but we have made as careful an analysis as we can, and we feel that the analysis of land acquisition of \$6,660,000 is a rather conservative estimate.

In fact, ours run a little bit less than that, but we don't claim to have the expert appraisers, as does the Park Service in this instance, and I might add that I think the Park Service estimates have been much better.

I will put it on the record and say after the point raised, incidentally I think in relation to the Park Service, I feel the analysis given land acquisition is fairly accurate.

Secondly, it would be my hope that if there is a need to cut back or reduce expenditures, either at the authorization stage or at the appropriation stage, that it be done on the development side, because you can develop land at later dates, if there is some stringency at the moment, but you certainly can't affect development on land that you do not have at the later date.

Also, it would occur to me that the costs are more likely to escalate on land acquisition than they are on development. I don't wish to be misread at this point, though it is our fervent hope that we can get sufficient authorization to include both the land acquisition and the development, but if something does have to be sacrificed, it would be our hope that the operating schedules which are set forth here for approximately 5 years, and I think involve a little over \$1 million, and the development which is approximating \$8 million, a little better, about \$8½ million, there is almost \$10 million of the \$16 million, and if there are cost savings to be effected, that it be done in this area, rather than in land acquisition.

I suffered the prejudices of a conservationist. Congressman Blatnik's favorite story is about the sparrow who arrived late in Florida one winter because he happened to be light and he got caught in a badminton game. We feel a little like this between the administration and the Congress, and the administration wants to show they are economizers, and then the Congress wants to show they are better economizers than the administration. Quite often we get in this squeeze, and a number of projects fall by the wayside.

I had a letter from one very ardent conservationist from your State of Wisconsin, sir, in which he says the difficulty at this time of year is that the Democrats want to spend the money on the wrong things, and the Republicans don't want to spend it on anything. So maybe we are in this kind of a bind, and if we are, and if there are decisions that have to be made, we hope that the funds for the acquisition can be kept in.

I do want to point out one other major item. Having spent some 20 years of my life as a college professor, and as an economist—I suppose that is double jeopardy in some parts—I would simply suggest two things:

That there is a genuine difference, it seems to me, of when you use scenic easements. Under contract with the Bureau of Recreation some time ago I attempted to set down on paper the economic analysis of scenic easements, and since we had very little empirical evidence upon which to relate, we did come to the conclusion that probably we are going to have to use scenic easements to a far greater degree than we have previously.

We have some experience with them in the area opposite Mount Vernon. In this instance we had some that were given to the Government as landowners gave them. We didn't have very much land given in title, but some; and we purchased some and we took some by condemnation.

But it occurs to me that fee simple is probably much more appropriate in this particular area, dealing with this type of land in this state of development.

I am aware that when anybody argues a case, inconsistencies can come rather handily, and I fear many of them have today. I can't think on the one hand of trying to cut down the costs, and then be criticized for ruling out Madeline Island. This was obviously the reason this was ruled out.

I don't think there was any really devious and dark secrets as to why this wasn't included. Of course I suppose that there are wealthy people there. The land is valuable, but it would also place this whole project perhaps out of reach of completion if we had to take that land either in fee or lesser title, and this was the basic reason that it was ruled out. I know of no unseemingly activities that were going on that caused this to be excluded from the archipelago. It was simply this: It cost too much.

Senator NELSON. In my original proposal, after much consideration, this is the way I proposed it. There is one big wealthy owner up there whom I have never seen, never met, and I don't know, except his name. That island is the one that is close to shore.

It has been a recreation island since before 1800, and the State of Wisconsin has 1,800 acres in one of the best parts of the island. We

thought that there ought to be a place for tourists to stay overnight. That is where the ferry runs regularly. If the State protects the public in terms of access where there are 1,800 acres in there, I think it is 1,800, I think they plan to go to 2,000, and that is one of the reasons it was just left out.

Dr. SMITH. I am almost positive that there were these and other considerations. I did want to say a word in behalf of this committee, too, which I think might be appropriate at this time. That on both sides of the aisle I have appeared in front of this committee since 1954 now, and I have disagreed and been in marked disagreement with some proposals that have been before it, and with some of the members thereon, but I have never been treated unfairly. I have waited a long time, sometimes, to speak, but since we are in Washington this is rather common and not unusual. It goes with the job.

But in the nature of this bill, this bill has been considered so carefully. This was brought out. I think it needs to be said by someone other than the members of the committee, that hearings were held in the field. They were held here. Somebody said he didn't know about this hearing until 2 weeks ago. Well, that predated me by a week.

I was here in town. I only heard about it a week ago, so it occurs to me that the committee must make reasonable efforts to contact people involved, and who do have an interest in a project such as this.

If there is anybody on the face of the earth who doesn't know about this project, who didn't know about it prior to this hearing, I am sure they do now. There were extensive hearings. There was enormous press coverage, as you well know, in the entire State of Wisconsin, not just the affected areas.

There was press coverage here in the Washington area, for those who were attending school or somewhat far distant from their summer homes could be notified. The Washington Post carried a story almost every day.

We supported them in that effort, so we kept a rather careful clipping service of it. I think the Baltimore Sun has carried extensive interviews, and I think in one instance carried an entire Sunday supplement on Apostle Islands, if you recall, about 2 years ago.

So it is a little bit difficult for me to understand how people just didn't get the word, and somehow that the committee was proceeding in a manner not in conformity to its rules, which I don't think they did.

I think they held hearings, and I think they were very patient, and they labored very much in the vineyards at this, and they do so in most instances, and I can't be critical of them. I would say this goes for both sides of the aisle, because the people on this subcommittee and the full committee have been very careful about the procedural rights of witnesses and individuals involved, and in my brief experience, as I say of some 17 years, I have never found this fault.

I don't say you always agree with me, but most of the time, and frankly that is a pretty good record, but I wouldn't suggest that the procedure in this instance or in any other that I can think of that the bill has been rammed through.

I was at one time accused of pushing a bill through the Senate, which I consider my highest compliment. I know very few individual Senators who can do this, and for an outsider not even a Member of

the Senate to push a bill through the Senate, I always thought that that was the epitome of something or other. Thank you very much. This ends my comments.

Senator NELSON. Thank you very much, Dr. Smith. Did you have any questions to ask, Senator Hansen?

Senator HANSEN. I do have.

Dr. Smith, you spoke about the appeals that were made to the Indians for their support either for or against the proposal, and if I recall I think you said essentially that the commercial interests would make an appeal to the Indians to oppose this proposal.

I note that in the hearings on page 284 there are listed some 35 business organizations. I would presume these are commercially oriented. I note that a great number of them are Chambers of Commerce. They all, so I gather, are among those organizations endorsing the bill.

Dr. SMITH. Well, we have two classes of commercial groups. I didn't want to single them out in any specific fashion except to say that—

Senator HANSEN. What type?

Dr. SMITH. Well, there are three different groups. One is involved in fishing and various activities, and they have arrangements at the present time on Indian lands, I think at least, I am sure they go in there. They are very much against this proposal.

I did not want to mislead the group or the committee in the fact that there weren't most, I think, commercial interests in favor of this proposal. All I was trying to say is the Indian groups have been lobbied on both sides of the fence to a very great extent, and commercial groups have been on both sides of this fence, some who are for it and some who are against it. They have both pled their case with the Indians.

Senator HANSEN. One further question if I may, Dr. Smith. What is your opinion as to the validity of the proposal if the coast line were to be excluded?

I certainly hesitate to try to quote my distinguished colleague, but I think this morning Senator Nelson said that as he viewed it, if we were to be hung up over the question of the claims of private landowners, including the Indian claims, the proposal would still stand as a valid proposition with those areas left out. Would you comment on that?

Dr. SMITH. Yes, I will be happy to react to that, Senator. There is a kind of an irony to this, because the Park Service's first proposal was just the Apostle Islands.

Senator HANSEN. And leave out these two coast lines.

Dr. SMITH. Yes. Now whether official or not, I may be taken to task that this was not cleared by all proper authorities, but certainly at the working level the first Park Service proposal was just the Apostle Islands, and it did not involve the shore areas.

Senator Nelson was absolutely right. It was at his suggestion that we try and round this area out, and the irony involved at this point is the fact that to say now that unless there is agreement before the fact on the part of the Indians that the entire project should not continue, is not in my judgment ridiculous.

I think there is no question about it for anybody that has been there, and the statement of the Department itself. I don't believe, and I am trying very hard now—conservationists are always nervous.

Whenever there is a change of administration they don't know exactly what is going to happen.

There has been a lot of publicity about this change, as the Senator knows, and I don't want to push in any direction and start fighting ghosts when there are none. I just simply want to say that I still feel that the Park Service and the Department of Interior's position, when it is fully developed, will be one which states that they are in support of either S. 621 or something very similar, and that they will not hold up the entire project on the basis of working out an accord with the Indians. This is my judgment.

But if in the wisdom of the committee they would say that, "Well, we can't for one reason or another do this," I am convinced that the Apostle Islands stand by themselves and can merit consideration.

You would have to change the name, as Senator Nelson points out. You could call it an island area, Apostle Islands Recreation Area, rather than lakeshore, because there would be no lakeshore as such involved, but it would be just a change in title.

There is no question in my mind. I have been there and I have been through these areas, and I can compare them with other areas, action which this committee has taken, and they compare very favorably.

Senator HANSEN. Thank you, Dr. Smith.

MR. JENSCH. Mr. Chairman, may I ask one thing? Can this gentleman be asked to file a statement as to who finances this group? We don't know his interests. You know we have councils and committees, and he may be part of the motel or gasoline owners who are onrushing to throw the people out, so they can make some money. I would like to see his financial statement.

DR. SMITH. I will be very happy to respond to that, Mr. Chairman. The gentleman doesn't even have to wait for the committee. All he has to do is go down to the clerk of the Senate.

MR. JENSCH. Tell us for the record, please.

DR. SMITH. We have to file lobbying reports every summer. If the gentleman wishes he can go down to the clerk of the Senate and dig it out as to where we got our money, and where we can spend it. We don't have the same representation from you.

MR. JENSCH. I am representing myself, but we would like to have this record to show how he is pushing something and who is paying him to do it.

DR. SMITH. Mr. Chairman, I simply say that the Citizens Committee on Natural Resources was established in December 1954. We are not tax deductible in the sense that other conservation organizations are.

I assume we are one of the only registered lobbying conservation groups. We have filed a quarterly statement ever since December 1954, and if anybody wants to know any information, they can receive it there, and if this committee wants to know information further than that, we will respond to the committee.

We won't respond to outside individuals who by whim or caprice want this information, but we would be happy to respond to the committee.

Senator HANSEN. Thank you, Dr. Smith. Let me say on behalf of the Chair that I think for all who are interested this information is available and on file. I suspect it might be difficult for you to recall offhand the sources of all of those funds that you may have.

Dr. SMITH. I couldn't begin to, Senator, I couldn't begin to.

Senator HANSEN. I have no further questions.

Senator NELSON. Thank you very much, Dr. Smith.

Our next witness is Joseph W. Penfold of the Izaak Walton League.

**STATEMENT OF TED PANKOWSKY, CONSERVATION ASSOCIATE,
IZAAK WALTON LEAGUE OF AMERICA**

Mr. PANKOWSKY. I am Ted Pankowsky. I am Mr. Penfold's associate.

Senator NELSON. Our name on the witness list is Mr. Penfold.

Mr. PANKOWSKY. I am appearing in behalf of the Izaak Walton League. I am on the staff of the league; yes, sir.

Mr. Chairman and members of the committee, I am Ted Pankowsky, Conservation Associate for the Izaak Walton League of America. The League is a nationwide organization of citizens with a fundamental interest in America's waters and their many values. And, as you may know, we have long recognized and worked in behalf of the water-oriented recreation potentials of the Great Lakes. The league has formally endorsed establishment of the Apostle Islands National Lakeshore and I appreciate the opportunity to appear here today to reaffirm that support.

Two years ago when our conservation director, Joe Penfold, appeared before this subcommittee, he made the point that the Apostle Islands National Lakeshore would complement other representative examples of the Great Lakes scene that have been, and which should yet be, protected for their unique natural values—Isle Royal, Pictured Rocks, Indiana Dunes, and hopefully, Sleeping Bear. That point is more valid today than ever.

The lakeshore, with its string of 21 islands, the 30-mile-long strip of mainland, and the Kakagon-Bad River estuary, pulls together into a protected unit diverse topographic and hydrophic features—the combined beauty of which is unparalleled in the Great Lakes Region. The committee knows these values well, as do league members from the Midwest, and elsewhere, who have worked hard to insure the preservation of this area. And while our appreciation of these values is always worth repeating, I would like to very briefly this morning express the league's sense of urgency about the desirability of authorizing, and of funding, the lakeshore as soon as possible. The same could be said for those other lakeshores which have been in the legislative mill a long time.

Anyone who has seen the north country of the Great Lakes, and sailed its waters, should be alarmed over the "recreational" slums we are creating for the future. Many once remote areas, in northern Michigan for instance with which I am most familiar, are becoming summer and weekend extensions of the cities. Their unique character is being ruined by the same understandable, compelling human need which brings people to these areas to begin with. All too often it is the case of the moth destroying the light bulb. And it will more so as cities become more intolerable, as people become more affluent and mobile and as cottages spring up to preempt access to the "common" beaches and to the public waters. The problem is not in the

"going" but in the "taking with" of the same kind of shortsighted and insensitive land and water use practices that characterize the cities and suburbs.

The lakeshore concept would bring some reason to this type of "sprawl" by creating a protected nucleus around which the inevitable trend to private holdings can be intelligently structured. Apostle Islands is now relatively remote, unspoiled, a natural resource and esthetic treasure in an economically marginal portion of the north country. It will not always remain so. The vacuum between the area's potential for recreation, and the needs of the burgeoning populations of the Midwest will be filled. And the only question remaining is how it will be filled.

The league believes that the national lakeshore is the most fair, and economically and socially productive investment—not only for the populated urban centers of the Midwest and for those men and women who now live along those unspoiled shores, but for the continuation of the natural beauty of the area. Mr. Chairman, the league urges a favorable report on the proposal and again wholeheartedly pledges its support.

Thank you.

Senator NELSON. May I just make the observation at this point that at the last hearing the Izaak Walton League also appeared in behalf of the proposal.

Mr. PANKOWSKI. Yes, sir; they did as they have endorsed this proposal since then. There are three points that I would like to mention which are not part of my prepared remarks, if I might just briefly.

One is that we concur in your opinion and in the opinion of many, many others that the islands would stand on their own, if the tribal units decided not to participate in the lakeshore. We think this is pretty evident, and we commend you for making that point specifically, Senator.

The second point is that development and conservation are certainly compatible. One example that comes to mind immediately is the stocking of coho salmon in the Great Lakes, which did not take care of a conservation problem, but which provided an economic boon to all of the States of the Great Lakes.

The third point is that we can understand the frustration, many of the frustrations that have developed during the course of these hearings. We think that these frustrations are no less than those which are experienced by some 180 million citizens in this country, who have to live in the cities and suburbs, and for whom life is no more than the dreary experience that that provides. We commend you, Senator, and the other members of the committee, for your efforts to preserve this unique area for all of the people, and we offer you every support in that regard.

Senator NELSON. Thank you very much.

Did you have any questions, Senator Hansen?

Senator HANSEN. No questions, Mr. Chairman.

Mr. PANKOWSKI. Thank you.

Senator NELSON. Our next witness is Mr. Rupert Cutler, of the Wilderness Society. Mr. Cutler.

**STATEMENT OF M. RUPERT CUTLER, ASSISTANT EXECUTIVE
DIRECTOR, THE WILDERNESS SOCIETY**

Mr. CUTLER. Thank you, Mr. Chairman, Senator Hansen. You are very patient gentlemen.

I am M. Rupert Cutler, assistant executive director of the Wilderness Society, a 46,000-member national conservation organization headquartered here in Washington. The Wilderness Society, organized 34 years ago to secure the preservation of wilderness, is pleased to once again voice its support for legislation to authorize the establishment of an Apostle Islands National Lakeshore in Wisconsin.

Departing for a moment from my prepared testimony on S. 621 to comment on the administration's statement on this bill this morning, we share Senator Nelson's fear that this negative official posture may represent the unveiling of a no new parks for America policy.

Perhaps we have misinterpreted this statement. We remember Secretary of the Interior Walter Hickel's response to Senator Bible's question on January 15 (at p. 37 of the "Interior Nomination" transcript) in which the Interior Secretary-designate stated that the creation of new lakeshores and seashores near our large cities would be one of his top priorities.

"The Government will have to buy some private lands to do this," Governor Hickel observed, indicating his support for such projects. Now we hear words of concern about the "backlog of recently authorized but unfunded areas administered by the Park Service and Forest Service."

The implication seems to be that the authorization of new park system areas should cease until all authorized areas are completely acquired and developed. We share the administration's concern about this unfunded backlog, but believe that Senator Proxmire's observations this morning regarding the relatively low cost of these conservation projects, compared with the cost of our space, SST and ABM projects were well taken, as well as his contention that conservation projects deserve a higher priority than they have received.

Senators interested in the prompt authorization for the general welfare of the American people of not only the Apostle Islands National Lakeshore but also such projects as Sleeping Bear Dunes National Lakeshore, Big Thicket National Park, Potomac National River, Buffalo National River, Channel Islands National Park, etcetera, will read today's departmental testimony as opposing any new national park projects and they as well as the Nation's conservationists generally will be extremely concerned about this regressive policy.

Clarification of this statement by the administration definitely is called for.

The proposed 91,000-acre Apostle Islands National Lakeshore would be a publicly owned complex of wild Great Lakes shoreline, islands, marshlands, and uplands in the midst of the industrial Midwest and in a State where most of the Great Lakes shoreline is now privately owned. As such, it would play a uniquely valuable role in providing wilderness-type recreation.

It is true that Michigan's magnificent Wilderness National Park, Isle Royal, which incidentally is not a failure as a national park, but a great success, is not far away. But in Wisconsin, the only Federal

lands required to be reviewed under the Wilderness Act are the small Green Bay and Gravel Island National Wildlife Refuges.

We support the preservation of the proposed Apostle Islands, Red Cliff, and Kakagon-Bad River Sloughs units as portions of a new national lakeshore within the national park system, with or without the Indian lands under earlier discussion, and, further, believe that inclusion of major portions of the proposed lakeshore in the National Wilderness Preservation System would be appropriate and indeed necessary to keep them in an undeveloped state.

The present wild or semiwild condition of all of the islands proposed for inclusion in the lakeshore, including 10,000-acre Stockton Island, 8,000-acre outer island, and 5,000-acre Oak Island, is worth protecting. We suggest that this "superb string of islands" be immediately designated as a Park Service-administered unit of the National Wilderness Preservation System.

Such action would be in line with the bill's objective: To preserve this archipelago as an unspoiled area of great natural beauty. It would not conflict with any provisions of the bill, including those dealing with public hunting and fishing opportunities, nor would it conflict with the Park Service's development plans for the islands, which call only for the provision of foot trails and a few emergency shelters on the islands, with minimal boat docking facilities.

The Apostle Islands Wilderness, which this committee could create simply by the addition of a new section to S. 261, could comprise some 65,000 acres of land and water. It would be one of the finest units in the National Wilderness Preservation System—especially in the East, where very little of our remnant wilderness resource is so protected.

Cooperative studies should be carried forward with representatives of the Bad River Indian people to gain designation of a second wilderness unit within the lakeshore, to protect Chequamegon Point and the Bad River Marsh from future overdevelopment. Such designation must proceed in cooperation with and with the approval of Bad River Band representatives to permit the protection of their historic interests in and uses of these wild lands, including the harvesting of wild rice by traditional means.

Such a Bad River Wilderness of 10,000 acres would provide magnificent wilderness camping, canoeing, fishing, and wildlife observation opportunities. Visitor-use developments, including interpretative areas, information centers, concession buildings, and boat launching facilities, could be placed on the periphery of this unit.

The 11,000-acre Red Cliff unit, of course, would offer complementary developed areas for the accommodation of the bulk of the thousands of park visitors.

We make special mention of the opportunity to preserve wilderness here because the 1964 Wilderness Act requires the Secretary of the Interior to review every roadless area of 5,000 contiguous acres or more only in units of the National Park System under his jurisdiction on the effective date of the act. Thus it does not require the Secretary to bring to Congress, through the President, wilderness-designation recommendations for any unit of the Park System established after the date of the passage of the Wilderness Act.

It was not the intent of the sponsors of the Wilderness Act to rule out the designation of wilderness on new Park System areas. We firmly believe steps should be taken, where such new areas are being established, to provide for immediate designation of wilderness within these areas. The planning studies which have been completed in the preparation of this proposal furnish adequate basis for the designation of the wilderness of the Apostle Islands National Lakeshore at the time of its establishment.

In this connection this committee provided last year in the North Cascades National Park legislation that—and I quote:

Within two years from the date of enactment of this Act, the Secretary of the Interior shall review the area within the North Cascades National Park, including the Picket Range area and the Eldorado Peaks area, and shall report to the President, in accordance with subsections 3(c) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d)), his recommendation as to the suitability or nonsuitability of any area within the park for preservation as wilderness, and any designation of any such area as a wilderness area shall be accomplished in accordance with said subsections of the Wilderness Act.

Now, if in the judgment of the committee, immediate designation of wilderness units within the Apostle Islands National Lakeshore is not feasible, we would urge the addition of a section, similar to that which I just read, to the Apostle Islands bill, to assure eventual wilderness review of this park system unit.

We feel strongly about this because national lakeshores are administered by the National Park Service as national recreation areas, and national recreation areas, by definition, are “designed for high recreation carrying capacity” and involve large-scale developments. Without statutory limitations such as those we have suggested, we soon may find this lakeshore overdeveloped, with its natural values eroded or lost.

S. 621 provides that the lands within the lakeshore held by the United States in trust for the Red Cliff or Bad River Indians bands may not be acquired without the concurrence of the Indians. The Wilderness Society, which long has had a great interest in efforts to improve conditions for the original inhabitants of our country, notes with approval that several provisions in this bill are designed to encourage the participation of the two Indian bands in development of the national lakeshore.

Living within the Great Lakes region are about 52 million people, all in need of outdoor recreational opportunities. Certainly, this lakeshore—and others on the Great Lakes as well—should be established as soon as possible.

Mr. Chairman, I would like to submit for the printed record the official statement of the Sierra Club, which also is in strong support of the early enactment of this bill.

Senator NELSON. Your statement and the statement of the Sierra Club will be printed in full in the record.

(The statement referred to follows:)

STATEMENT OF ROBERT WALDROP

My name is Robert Waldrop. I am Assistant Washington Representative of the Sierra Club. This statement, which we would like to have included as part of the hearings, is to inform the Senate Interior and Insular Affairs Committee of the Club's strong support for the Apostle Islands National Lakeshore proposal, S. 621.

For several decades various proposals have been made for protecting the unique and widely recognized natural values of the Apostle Islands region. In 1937 Congress passed an act authorizing the Secretary of Interior to investigate the possibilities for establishing a national park in this northern Wisconsin area. The proposal before us today is the result of that and a number of other studies as well as numerous discussions between all interested and affected people. S. 621 is a well thought-out plan for the protection of this valuable area which is widely accepted by the local people, their representatives, and citizens across the nation. The Sierra Club endorses the provisions of S. 621 and urges favorable committee action on this bill as soon as possible.

We would like to emphasize to the committee not only our support for the general provisions of the bill but also the intention of the proposal to give special attention to the preservation of the Kakagon-Bad River Sloughs areas. This marsh area along the mainland section of the proposed national lakeshore is one of the Great Lakes most important wildlife areas. Much of the region's original wildlife still exists in this natural refuge. Mammals ranging in size from the shrew to the black bear thrive among the acres of wild rice, alder thickets, heaths, and aquatic plants. More than 240 species of birds, including over 100 species of waterfowl, live within this unusually fertile marsh area.

In 1965 a special subcommittee appointed by the Department of Interior to the North Central Field Committee recommended that the Kakagon-Bad River Sloughs unit be managed to give maximum protection to the wild beauty of this area. S. 621 retains this provision which we find especially commendable.

In addition to the values of the Kakagon-Bad River unit, the remaining islands, marshes, and uplands, and the waterways linking them together are also of considerable importance. Opportunities will exist within the national lakeshore for extensive hikes along an undisturbed section of Lake Superior, for studying the habits and habits of the plentiful animal life, for boat trips through the remote islands, and for high quality camping and fishing.

More than 52 million people, over 5 million within 250 miles of the proposed lakeshore, live in the Great Lakes region. The people of the midwest, its large metropolitan centers, and of the nation, have a need for this type of recreation experience. And unless we do something right, there will be many more in future years needing a place to get away from it all.

Thank you.

Senator HANSEN. Mr. Chairman, I don't have any questions. I do feel obliged to make an observation.

I regret that you seemingly found it necessary, Mr. Cutler, to read into the statements made by the Park Service this morning a clear definition of the position that will be taken by this administration.

I don't believe that you serve the purposes of conservation well to imply that this administration, as contrasted with the last, is going to anti-wilderness, anti-conservation, anti-anything else. You didn't say all of these things, but I regret that you said what you did.

I happen to be a great admirer of Russell Train, the Under Secretary, and I think it would be indicated that you let the people in the Department of the Interior write their own record. It is early.

I don't think it is necessary to remind you that not all of the persons up for conservation have yet been cleared by the Congress, and it seems to me altogether too early for anyone to start saying at this time what the Nixon administration is going to do.

I happen to have a bill in the Congress that will establish a wilderness area in my State of Wyoming. I think we have been out in the forefront in Wyoming in recognizing the need for wilderness, and I must say that I am not altogether pleased that you feel it is possible or that it may now be possible to determine on the basis of what you have heard here today what the policy of the administration would be. I hope I misunderstood you.

Mr. CUTLER. I hope we misunderstood the administration witness.
Senator HANSEN. I have no further questions.

Senator NELSON. Thank you very much, Mr. Cutler.
Mr. Clapper of the National Wildlife Federation.

STATEMENT OF LOUIS S. CLAPPER, THE NATIONAL WILDLIFE FEDERATION

Mr. CLAPPER. Mr. Chairman, I am Louis S. Clapper, Director of Conservation for the National Wildlife Federation which has national headquarters at 1412 16th Street NW., here in Washington, D.C.

By way of identification, the National Wildlife Federation is a private, nonprofit organization which seeks to attain conservation goals through educational means. The Federation has affiliates in 49 States. In turn, these affiliates 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 2½ million persons.

We appreciate the invitation and opportunity of appearing here today.

Mr. Chairman, the National Wildlife Federation again wishes to support establishment of the Apostle Islands National Lakeshore in Wisconsin, generally as outlined in S. 621. Our organization endorsed the proposal in 1967 when this committee was considering an earlier version of the same bill and a copy of a resolution which our organization adopted in 1966 is included at the end of this statement. We were pleased that it was passed unanimously by the Senate. However, we were dismayed when it failed of final enactment by the 90th Congress. Now, we are hopeful that approval can be speedy in the 91st Congress.

This endorsement is in line with the longstanding policy of the National Wildlife Federation. We long have supported the principle of preserving areas of suitable quality and size for purpose of public outdoor recreation and education. We have recommended that areas with outstanding significance be set aside for this type of public use and enjoyment, and as rapidly as possible to avoid escalating land costs. In this context, the establishment of the Land and Water Conservation Fund, and authorization of many other individual lakeshore, seashore, park, and recreation area proposals which have come before the Congress at earlier times. And, our affiliate in that fine State, the Wisconsin Wildlife Federation, also has supported establishment of this facility as part of the National Park Service.

In our opinion, there is no question of the merit of this area. The 57,500-acre unit proposed for inclusion centers upon 21 uninhabited islands of outstanding beauty and value and adjacent shoreline areas. Miles and miles of shoreline on Lake Superior on islands covered by pine and hardwood forests provide almost unlimited opportunities for camping, hiking, and picnicking, sunbathing, and fishing. A second segment, the so-called Red Cliff unit, is located on the handsome Bayfield Peninsula and would offer additional recreational opportunities relating to a scenic drive. A third segment features a 10,370-acre slough covered by wild rice and heath and alder thickets and is heavily populated by wild mammals and birds, thus also offering additional educational and recreational opportunities.

We are especially pleased that Section 8(a) provides that hunting, fishing, and trapping shall be permitted within the lakeshore in accordance with appropriate laws of Wisconsin and the United States,

except for areas and times which are excluded on behalf of public safety.

Two other basic considerations bear directly on whether or not S. 621 is enacted, in our opinion. They are as follows:

1. Availability of funds to meet costs estimated by the Interior to be \$6,660,000 for land acquisition, \$8,257,700 for development, and \$367,600 for operation (annually after the fifth year) for the Apostle Islands facility. We are concerned about the backlog of authorizations for expenditures from the Land and Water Conservation Fund, feeling that the expanded program provided last year should be adequate for the job. However, only \$154 million of the \$200 million authorized is proposed for the next fiscal year in the Federal Budget and we urge that members of this Committee make personal appeals to the Appropriations Committee for the full amount.

2. We are dismayed that the Interior Department believes that consent of the Indian tribes involved is necessary before the project proceeds. In our estimation, the 21 islands themselves constitute sufficient reason for establishment of the Lakeshore, irrespective of what the Indians may wish to do with their properties and the authorization should not be contingent upon such an arrangement.

In conclusion, Mr. Chairman, we hope the Committee can act early upon this proposal. Thank you again for the opportunity of making these remarks.

(The resolution referred to follows):

RESOLUTION NO. 19—APOSTLE ISLANDS NATIONAL LAKESHORE

Whereas, the Apostle Islands and adjacent mainland in Wisconsin is an area of largely unspoiled natural beauty not excelled on the Great Lakes; and

Whereas, proposals before the Congress would create an Apostle Islands National Lakeshore to be developed and administered by the National Park Service; and

Whereas this area would provide significant recreational opportunities to people of the Nation among the islands and along the shoreline of Lake Superior, largest fresh water lake in the world: Now, therefore, be it

Resolved, That the National Wildlife Federation, in annual convention assembled March 12, 1966, at Pittsburgh, Pa., hereby endorses the establishment of the Apostle Islands National Lakeshore in the firm belief that it will be a significant addition to the Nation's public outdoor recreational assets.

Senator NELSON. That will conclude the hearings. As I stated earlier, anyone who wishes to offer additional statements or material may do so within the next 10 days, before the record is closed. That will conclude the hearings for today.

(Whereupon, at 5:45 p.m., the subcommittee adjourned.)

APPENDIX

(Under authority previously granted the following statements and communications were ordered printed:)

STATEMENT OF JOHN BELINDO, EXECUTIVE DIRECTOR, NATIONAL CONGRESS OF AMERICAN INDIANS (NCAI)

Mr. Chairman, Honorable Senators: I am John Belindo, a Kiowa-Navajo, and executive director of the National Congress of American Indians, located at 1346 Connecticut Ave., N.W., here in Washington, D.C. I regret that because of a death in my family I was unable to appear personally and testify before your Subcommittee on March 17, 1969, but I submit this statement for inclusion in your record, and hope that it will receive the same degree of attention as if I had been able to present it personally.

NCAI is the only private organization of the Indian people themselves which restricts its voting to legally-recognized Indians and Indian tribes. We represent 105 Indian tribes, and over 350,000 individual Indians.

In our representative capacity, I would like to make clear the position of the two tribes whose land rights are involved in this bill, the Red Cliff Band of Chippewas and the Bad River Band of Chippewas, and then offer some constructive suggestions as to how the bill might be changed to meet the objections of the tribes, without destroying the concept of a National recreation area for the Apostle Islands region. I should also like to offer some general comments expressing our feelings on certain technical aspects of the proposed S. 621, as a piece of legislation, the administration of Indian Affairs by the Department of the Interior, which relates to the way this proposed bill is written, and the attitude of members of Congress to Indians, as reflected by the hearing of March 17, 1969.

In the first place, it should be clear that the positions of the two tribal bands with respect to the treatment of their own land are different, chiefly because the effect on each reservation is different. But it should also be clear that the views are supportive of each other, and are not inconsistent with any previous view taken by either tribal council in the past. They represent an informed reaction to the specific legislation as it has developed. The changes that I suggest would probably meet the objections of both tribes, and still preserve the recreation and conservation area. I think it is safe to say that almost all of the Indians in the area are not opposed to the development of a park in the general area, particularly using government owned land. Whether, and in what way, Indian reservation land is to be used is, however, decisive as to whether Indian support for the bill will be forthcoming.

Simply stated, the Red Cliff Band, as its tribal chairman made you aware on March 17, 1969, opposes the use of any land within the original boundaries of its reservation for the National recreation area. There is only one way to meet this objection, and that is to re-define the park boundary, as set forth in the bill, to exclude the Red Cliff Reservation.

Leaving the proposed boundary as it is presently set forth, subject to obtaining some form of after-acquired "consent" by the Indians involved, is not the same thing, and is not acceptable to the tribe.

The Indians do not desire to be subjected to continuous pressure over a period of years from the Federal government or any of its agencies, who are attempting to beg, borrow, or steal their lands. There are too many ways in which these agencies can exercise unfair leverage, and too many precedents for the application of this kind of pressure for the Red Cliff Band to accept the assurances of white men, even distinguished Senators, that no land will be taken without the consent of the Indians.

The statement of the tribal council should make it clear that the Red Cliff Band does *not* consent to the use of land within the reservation boundary, and that should be sufficient to cause you to amend in committee the proposed leg-

isolation to exclude their reservation, if you are sincere about giving meaningful weight to their assent. Thus, the words "with the exception of those lands within the original boundary of the Red Cliff Indian Reservation" (giving the appropriate legal description of the reservation) should be added to the first sentence of Sec. 1(b).

To assume the view of the tribal council will be different at some point in the future is presumptuous at best, and insulting condescension at worst. When, and only if, the tribal council votes to donate, trade, lease or sell the land within the reservation boundaries to the government, then the recreation area may properly include such lands, but not until such time. Left as is, the bill establishes a governmental expectation that at some time in the future the Indians will be persuaded to change their position as to land within the Red Cliff reservation. Such an attitude is neither proper nor supportable, and is no way to rectify the disgraceful tragedies of the past. In fact, to the Indians involved, it looks like more of the same.

This view is reinforced by the provisions of proposed Sec. 2 (d) of S. 621, applicable to land "held in trust or in a restricted status for individual Indians". While the clarification made at the recent hearing that such provision does not apply to tribal holdings, but only to individual allotments, is helpful, it does not meet the objection that the Secretary of the Interior should never be in the position of casting a vote on behalf of any Indian beneficiary, on the question of whether land held in trust for Indians ought to be sold, traded or otherwise transferred to the Federal government for the use of the Interior Department. Thus, we propose that the entire last sentence of Sec. 2 (d) be deleted. It is one thing to say that a majority of the Indian title-holders may consent to such a transfer on behalf of the entire class. It is quite another to give the Secretary of the Interior the power to cast votes on behalf of all he does not find (which puts a premium on not finding Indians who have ownership interest in the land), or those whom he deems to be legally incompetent. In the case of minors, or those lacking legal capacity to consent, parents, or, in their absence, legal guardians, not the Secretary of the Interior, should be able to vote for their children or wards, subject to the same kind of judicial scrutiny and approval as guardians normally must face.

Since the absence of consent by one or two holders of such an undivided interest should not be allowed to block acquisition of a piece of land where the majority are in favor of transfer, we propose that Section 2 (d) be amended to read, in entirety:

"In exercising his authority to acquire by negotiated purchase any land within the boundaries of the lakeshore that is held in trust or in a restricted status for individual Indians, the Secretary may, in cases where a particular tract of land is so held for more than one Indian, acquire such land without the consent of all of the beneficial owners if the acquisition is agreed to by the owners of not less than a 50 per centum interest."

Under no circumstances should less than a majority be able to transfer the interest to the Secretary of the Interior. Moreover, it should be clear that these provisions should apply only to those Indian trust lands which are outside of the boundaries of the Red Cliff Reservation. Thus, this position is not inconsistent with the previously stated one that the lands within the Red Cliff Reservation should be excluded from the bill entirely. Thus, it would primarily be applicable to lands within the Bad River Reservation, subject, however, to such qualifications as appear below.

To the extent that the 80 acres of land described in Sec. 3 (a), providing for an administrative site, are within the Red Cliff Reservation, it will be necessary to change this section to provide for such a site outside of the reservation boundary. All other references to the Red Cliff Reservation purporting to affect such Reservation (see, eg. Sec. 5, Sec. 11) should be deleted from the Act.

The other important area of concern to the Red Cliff Band and the NCAI is reservation of the tribe's historic hunting and fishing rights, guaranteed by treaty. The language of the proposed bill grants such broad discretion to the Secretary of the Interior to limit such rights, under the proviso contained in Sec. 5 (a), that in effect the rights can be completely taken away. Historical experience has taught the Indians not to trust that discretion. Thus, we request that Sec. 5 (a) in its present form be removed from the bill (and sections 5(b)-5(e) be renumbered accordingly,) and that Section 8(b) be amended to remove the clause "Except for such regulations as the Secretary may issue under authority of this Act", so that Section 8(b) shall read: "Nothing in this Act shall affect the existing rights to members of the Bad River Band or Red Cliff Band to hunt, fish, trap,

or to gather wild rice, and the Secretary shall grant to such Indians the same rights with respect to lands acquired by him within the portions of the lakeshore that are applicable within the Bad River and Red Cliff Indian Reservations."

Only by such language can the rights of the Indians, guaranteed by treaty, be preserved not only from the intrusive discretion of the Secretary of the Interior, but from regulation by the State of Wisconsin, which has made clear its ambitions in this regard.

Given the adoption of such changes in their entirety, the Red Cliff Band would, I believe, support the bill.

The Bad River Band, acting through its tribal council (Bernard F. Lemieux, Chairman), has informed us that (1) it supports the position of the Red Cliff Band tribal council with respect to the Red Cliff Reservation, and (2) that it strongly requests that a hearing be held on the Bad River Reservation to present to the Subcommittee the views of the Bad River Band, who were unable to attend the Washington hearing because of lack of funds.

It appears to NCAI that such a hearing would result in productive dialogue between the tribal members and the Subcommittee, because, given assurance that the above-discussed changes would be adopted, particularly with respect to the hunting, fishing, trapping and wild rice gathering rights, the members of the Bad River Band appear to be of the consensus that some use of their reservation land for this project might be in order, provided that the land was leased rather than purchased by or traded to the Federal Government. It is noted that, in the third full paragraph of Page 3 of the letter of January 16, 1969 from the Department of the Interior to the President of the Senate, the Department states that "we favor the acquisition of fee title to the lands . . .", thereby establishing another point of difference between the interest of the Department of the Interior and that of the involved Indians.

The views of the Bad River Band, expressed by its attorney, Rodney J. Edwards, in his testimony on June 1, 1967, before the Subcommittee, do not appear to have changed significantly. However, it is noted that the present legislation does *not* embody those views, set forth with great particularity by Mr. Edwards. For example, the most significant request of the Bad River Band was that the Band itself be made "a necessary party in negotiations for leasing or purchasing any lands within the original boundaries of the Bad River Reservation," as a precondition to the use of any of the lands within those boundaries. Nothing in the proposed S. 621 makes any such provision, and the present form of Sec. 5(d) sets up the Secretary of the Interior, rather than the Band, as the spokesman and protector of Indian rights. In such form then, you may be assured of the opposition of the Bad River Band to the bill. However, given the suggested modifications, support for the basic bill does not appear to be unobtainable.

If the Subcommittee proceeds to adopt this bill in its present form and without excluding the lands of both Indian reservations, it will serve only as a memorial that all of the Subcommittee's assurances about protecting Indian rights and avoiding the mistakes of the past, and obtaining the assent of the Indians to any taking of their land, are hypocritical demagoguery, unworthy of the men who make them. It is, however, possible, I believe, to obtain the support of both tribes to the basic bill, provided that the changes proposed above and by Mr. Edwards are adopted before the bill is passed, and by conducting a hearing in the Bad River area.

By way of general comment on this legislation, I wish to point out that it represents a classic illustration of why the Department of the Interior, whose primary responsibility is Federal land and resource management, has totally failed in its responsibility to administer Indian Affairs, and serve the human needs of the Indians under its jurisdiction. Simply stated, it is because the two interests are in continual conflict, as they are in this bill, and the needs of the Indian have always come second to the other purposes of the Department.

Finally, the sincerity of Congress in dealing with Indians will not be demonstrated by any quantity of fine-sounding phrases, so long as condescension and paternalism keynote the attitudes of Senators toward Indians. The Indian will inevitably react with distrust, hostility and withdrawal.

Thus, to imply that Indians, like children, are easily influenced, and that tomorrow they will have another view; or that a tribal council meeting is an undemocratic procedure unless a secret ballot is taken (unlike a vote on the floor of the Senate), is demeaning and insulting to a duly-constituted representative of a tribal council. No professional lobbyist or spokesman for any non-Indian organization speaking at your hearing was probed, as was Tribal Chairman Gordon, as to how democratically those loosely-constituted organizations arrived at their posi-

tions or determined the views of their members. Nor, in previous hearings, were the spokesmen for the South Shore Lions Club or the Hurley Women's Club, or any other organization appearing before the Subcommittee, similarly probed.

The time has come when white men, even Senators, should stop protecting the Indian from the supposed infirmities of his own character, and start protecting him from the demonstrable rapacities which the white man has inflicted upon him, especially those proposed in the name of beneficence. We might start with this bill.

I have attached resolutions of the Red Cliff Tribal Council, a telegram from that tribal council, and a telegram from the Bad River Tribal Council.

I thank you for the opportunity to present this testimony.

STATEMENT OF STUART B. WRIGHT, GENERAL MANAGER, WISCONSIN DIVISION,
AMERICAN AUTOMOBILE ASSOCIATION

On behalf of the 252,000 members of the Wisconsin Division of the American Automobile Association, I want to enthusiastically endorse S. 621 introduced by Senator Gaylord Nelson (D.—Wis.) to establish the Apostle Islands National Lakeshore.

I hope this Committee will again take action to make this 40-year old dream come true. The rising cost of land in all areas of the country, even since this Committee last reported out a similar measure, makes it imperative that Congress and the Administration move forcefully and promptly to set this area aside.

The remarks I made at a public hearing in Ashland, Wisconsin, on this same proposal in June 1967, are as true today as they were then. "The Great Lakes area has a tremendous potential as a tourist attraction and no finer choice can be found anywhere than this Apostle Islands proposal."

The Apostle Islands National Lakeshore is an important step in forging another link in the priceless chain of parks, scenic and wild waterways, and forests now being created in the Great Lakes region.

The State of Wisconsin has played an important part in forging this link by its wise use of state funds in the field of conservation. The State, realizing the spiralling costs of acquiring new lands, is proposing to use part of a \$200 million bond issue for park land acquisition.

The tremendous increase in scenic and pleasure driving is bringing about a great need for trails and tours with emphasis on scenery and education which the Apostle Islands area so capably provides.

Experts have said that Wisconsin, in the next decade, faces either massive despoilment of its forests, streams and lakes, or preservation and expansion of its natural resources through orderly planning for the benefit of the greatest number of people. All of us want the latter and it can best be accomplished through the Apostle Islands National Lakeshore project, which would be a tremendous recreational asset to Wisconsin and a great tourist drawing card for the entire nation.

I urge you to move firmly and quickly to establish the Lakeshore area proposed in S. 621 as it would provide miles of shoreline; havens where campers can tie up and scale the rising brownstone cliffs or hike the sandy beaches with their inlets and coves.

Approximately 50 million persons live within a single day's drive of the proposed 57,500 acre Lakeshore. Other statistics on the desirability of creating the area now have already been presented to the Committee, so let me conclude by saying—this will be an invaluable addition to the bank of our national resources which must meet the soaring demands of the future.

RED CLIFF TRIBAL COUNCIL,
Bayfield, Wis., March 13, 1969.

I, Philip C. Gordon, Chairman of the Red Cliff Tribal Council of the Red Cliff Band of Lake Superior Chippewas Indians of Wisconsin.

Has authorized Mrs. Joseph Pascale, resident on the Red Cliff Reservation as a assistant to me, in our presentation of the Apostle Island National Park to the Senate hearing.

Further, The Red Cliff Tribal Council has agreed to my authorization.

Sincerely Yours,

PHILLIP C. GORDON,
Chairman.

RED CLIFF TRIBAL COUNCIL,
Bayfield, Wis., March 13, 1969.

Resolve, That the Red Cliff Tribal Council of the Red Cliff Band of Lake Superior Chippewas of Wisconsin, in session duly called by the Chairman, for a special meeting to be held on Thursday March 13, 1969.

Further Resolve, That Philip C. Gordon Chairman of the Red Cliff Tribal Council, is hereby authorized by the members of the said Tribal Council, to Represent the Red Cliff Band, at a hearing to be held at Washington D.C. on Monday March 17, 1969.

CERTIFICATION

I, Mrs. Elsie Bresette, Secretary of the Red Cliff Tribal Council, do hereby certify, that the above resolution was approved at a special meeting held on Thursday March 13, 1969.

And vote being taken by a affirmative vote 7; Negative vote 0. The same was carried.

ELSIE BRESETTE,
Secretary.

Attest:

PHILLIP C. GORDON,
Chairman.

RED CLIFF INDIAN RESERVATION,
Bayfield, Wis., March 11, 1969.

HENRY M. JACKSON,
Chairman, Senate Interior and Insular Affairs Committee,
Washington, D.C.

DEAR SIR: On July 5, 1967 a Referendum was held on the Red Cliff Reservation. This Referendum asked the members of the Red Cliff Reservation if they were in favor of a National Lakeshore Park. The members voted against any participation of the Red Cliff Reservation concerning a National Lakeshore or Park.

As members of the Red Cliff Tribal Council we would express our deep concern and object to Bill S. 621 which is being introduced to the Senate on March 17, 1969.

Thank you.
Sincerely,

PHILLIP C. GORDON, Chairman

ASHLAND, WIS., March 16, 1969.

JOHN BELINDO,
Chairman, National Congress of American Indians,
Washington, D.C.

Please request that hearing by the House of Representatives be held in Bad River Red Cliff area. Indians only unable to send delegate. Lack of funds.

Many phases in bill have to be discussed. Opportunity needed for all.

Bad River Tribal Council backs up the Red Cliff Band of Lake Superior Chippewa Indians.

BERNARD F. LEMIEUX,
Chairman, Bad River Band of Lake Superior
Band of Chippewa Indians.

ASHLAND, WIS., March 12, 1969.

JOHN BELINDO,
National Congress of American Indians,
Washington, D.C.:

I Philip Gordon, Chairman of the Redcliff Tribal Council representing the Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin at a senate hearing to be held at Washington D.C., on March 17 on proposed national Apostle Island National Lakeshore a bill S. 621. We the members of the Lake Superior Band of Chippewa Indians do hereby protest the passage of this bill S. 121.

Sincerely yours,

PHILLIP C. GORDON,
Chairman, of the Red Cliff Band of Chippewa
Indians of Lake Superior.

SMILES-PRENTICE MEDICAL GROUP,
Ashland, Wis., March 24, 1969.

Senator ALAN BIBLE,
Committee on Interior and Insular Affairs,
Subcommittee on Parks and Recreation,
Washington, D.C.

DEAR SENATOR BIBLE: I would like to speak for the record on the Senate hearings on the bill to create an Apostle Islands National Lakeshore authored by Senator Gaylord Nelson.

I speak both as an interested private citizen and as the chairman of Citizens Committee for An Apostle Islands National Lakeshore.

As always I am firmly in favor of this legislation as presented by Senator Nelson. I am aware that the Department of the Interior has recently revised its stand in some degree relative to this legislation. I would like to speak to two points in this regard. First of all, even assuming that some of the Indian holdings on the two reservations concerned had to be deleted from the proposal, the boundaries are so drawn that there is no need to discard the proposal on this account. A look at a map showing the holdings that would have to be excluded under these circumstances shows clearly that it is still a viable proposal.

Secondly, one must take issue with the attitude of the Department of the Interior that we should not consider legislation of this sort until adequate funding was at hand. Historically this has never been the attitude and certainly indicates a lack of vision relative to present and future conservation matters.

As you know this legislation has been passed by the Senate after remarkably favorable hearings. Further it had excellent hearings by the appropriate subcommittees in the House in 1968. It would seem to me entirely mistaken to discard this well-drawn and carefully considered bit of legislation for loss of acreage to the original proposal or lack of immediate funding. Let me say once again that privately and as the chairman of our committee, I strongly favor the proposal for an Apostle Islands National Lake Shore.

Thank you for allowing me to speak for the record.

Very truly yours,

B. C. PRENTICE, M.D.,
Chairman, Citizens Committee for
Apostle Islands National Lakeshore.

MARCH 21, 1969.

Hon. GAYLORD NELSON,
U.S. Senate, Washington, D.C.

DEAR SENATOR NELSON: I want you to know that if the United States Congress approves of the Apostle Island National Lakeshore, it will be the first step in righting some wrongs to the Chippawa Nation. It will let the public enjoy the many rivers in the great wild rice area located on the Bad River Reservation. Being a trapper and guide for 47 years I should know the comments of the thousands of tourists I have guided and what they say about our beautiful country.

Your friend,

FRED CONNORS,
Former Chairman of Bad River Tribal Council.

MINNEAPOLIS, MINN., March 23, 1969.

Senator CLIFFORD P. HANSEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HANSEN: I wish to have my letter included in the hearing on Senate Bill S. 621.

I do not own land within the proposed park; however, I have become interested because of the way the proposal has falsely been presented to the public.

The proposal as presented suggests that land of great historical value will be preserved for future generations. If this were true I would support the bill as is 100%. But there is no truth to this claim.

Madeline Island, the only island with historical value—for reasons known only to Senator Nelson, the prime mover for the park—is not included. The remainder of the area, without Madeline Island as the focal point is of dubious historical value.

Another claim is that the area is of great recreational value. This is, at least, partially correct.

Having grown up in Bayfield, I feel it is a very beautiful part of the country. But the weather is a little unpredictable—2 to 4 weeks of excellent summer per year.

For the expenditures that will be involved if this proposal becomes law, many small parks could be constructed and maintained well within easy driving distance of the population centers which S. 621 would serve, and more importantly, be within the economic possibility of the majority of their citizens, which S. 621 would not be.

I wish to be counted among those who strongly oppose S. 621.

Thank you.

WALLIS W. DURHAM III.

BAYFIELD, WIS., March 24, 1969.

Senator CLIFFORD P. HANSEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HANSEN: Would you include this letter in the hearing on Senate Bill 621.

We are third generation land owners from Sand Island who have lived there most of our lives so our grass roots are deep. Both of us completed our first eight years of schooling on the island.

My husband and I have five children and seven grandchildren who along with us spend their vacations and every weekend they can on Sand Island.

We are against the Apostle Island National Park. One of our objections is that the only island with any historical background, Madeline Island, is excluded from the proposed park. Why?

Couldn't an amendment such as the so called "Cape Code Amendment" be added to this bill, whereby families could keep their property as long as they wish?

Sincerely,

Mr. and Mrs. CARL O. DAHL.

MINNEAPOLIS, MINN., March 23, 1969.

Senator CLIFFORD P. HANSEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HANSEN: My family and I are writing this letter in protest to the proposed Apostle Island Park Bill and want this letter included in the hearing on Bill S-621.

My great grandparents were among the first settlers on Sand Island. For three generations my ancestors lived and made their living on the island as commercial fishermen and farmers.

My parents attended school on the island through the eighth grade. At one time there were thirty children going to the school.

I am a fourth generation landowner and spend time on the island every summer along with my children who are of the fifth generation.

The only land in the area which has real historic significance is Madeline Island and the Chequamegon Bay area which is not included in the proposed park.

Sincerely,

CONSTANCE DURHAM.

MINNEAPOLIS, MINN., March 24, 1969.

Senator CLIFFORD P. HANSEN,
Senate Office Building,
Washington, D.C.

DEAR SIR: The enclosed clipping from the Sunday Minneapolis Star and Tribune of March 24, 1969, is a good statement that the Federal Government does not have enough money to maintain the parks and personnel necessary for good upkeep. How then do they have enough money to buy more park lands?

It seems as if any time anyone in Washington wants something they pass a bill and say tax the people. Everytime one buys something there is another tax and I for one am getting fed up with all these taxes. We are not only taxed for the luxuries of life but also for the necessities of life.

I am against Bill S 621 and would like this clipping and letter included in the hearing of Bill S 621.

Sincerely yours,

ADELLA E. DAHL.

[From the Minneapolis (Minn.) Star and Tribune, Mar. 24, 1969]

PARK SERVICES MAY RETURN TO NORMAL

WASHINGTON, D.C.—Services and operating hours at all national parks should be back to normal sometime this year—possibly by summer, according to the American Automobile Association (AAA).

AAA quotes Washington-based officials of the National Park Service as saying that President Nixon has virtually assured their agency that present budgetary restrictions on the national park system will be lifted during 1969.

Restrictions imposed during last year's federal economy drive by the former administration resulted in severe personnel losses within the park service. Three out of 10 park positions were eliminated as the government tightened its purse strings.

The park service had to abandon long-established operational procedures while placing many park facilities on part-time schedules for the first time in history. For example, most visitor and information centers at national parks trimmed long-hour, seven-day openings to five 8-hour weekly shifts.

Overnight campers have been considerably affected by the closing of still other public facilities and all park visitors have experienced some sort of inconvenience because of cutbacks, AAA reports.

The park service had planned to try to ignore its acute personnel shortage and return "almost to full schedule" during the peak summer months of national park visitations. It now believes it won't have to face the task of endeavoring to provide standard service with limited manpower resources.

"We know we'll get budget help sometime this year, and we feel reasonably certain it will come before the summer crush when hundreds of thousands of American families will converge on their national parks once more," a spokesman told AAA.

MINNEAPOLIS, MINN., March 23, 1969.

Senator CLIFFORD T. HANSEN,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HANSEN: The Apostle Islands have been under discussion for considerable time. I understand that you are presently sponsoring a new bill, S. 621 to exclude the Indian Reservation along with Madeline Island in the proposal that the Apostle Islands should be set aside as a National park.

I strongly urge that Sand Island and Sand Bay should also be considered in bill S. 621 for this some exclusion. Members of my wife's family have been residents on Sand Island for nearly 70-80 years and a number of other families have been residents there for over 40 years. I feel that it is only fair and just that these families be able to retain their property and be able to pass it along to their children which they have for years been planning to do.

When the hearing comes up I would appreciate it very much if you will favorably propose that Sand Island and Sand Bay be included in the bill S. 621.

Very truly yours,

KENT C. VAN WYCK.

MINNEAPOLIS, MINN., March 23, 1969.

Senator CLIFFORD P. HANSEN,
U.S. Senate, Washington, D.C.

DEAR SIR: My wife and I have been more or less regular visitors to the south shore area of Lake Superior, vis: Sand Island and Little Sand Bay region, for over 40 years. We are greatly distressed to hear that the proposal to make a national recreation type park area is being seriously considered.

We believe that inasmuch as Sand Island and Little Sand Bay have been occupied for many generations by many of the present inhabitants that this project is an inexcusable takeover by some vested interests in the guise of the old cliché, "For the Public benefit."

Specifically, during the hearing on bill S. 621, will you include this letter requesting the exclusion of Sand Island and Little Sand Bay from the Apostle Islands National Lakeshore Project?

Sincerely yours,

J. C. PEHANSHEK.
Mrs. J. C. PEHANSHEK.

MINNEAPOLIS MINN., March 23, 1969.

Senator CLIFFORD P. HANSEN,
Senate Office Building,
Washington, D.C.

DEAR SIR: Regards to the Apostle Island National Lakeshore Project Bill S 621. I believe the bill should be turned down. The people who live in the area are not getting a fair deal.

Further more I believe we should not burden the tax payer with higher taxes to pay for this park. Nor should new parks be created.

We should spend the money to clean up and repair the parks we now have.

They talk about preserving the area and keeping it in a wild state. The people who live in the area have done a fine job with no cost to the government so how does the Federal Government feel they can do better and then collect taxes from these same people to do it?

The Apostle Island area which includes twenty-two islands is located off shore from Bayfield, Wisconsin.

The town of Bayfield has a large fleet of trolling boats which operates in the summer. Many sport fishermen come with their own boats and camping equipment.

There is plenty to do there in the winter months, especially since the snowmobile came along. They have fine ski area, many snowmobile races and also ice fishing contests.

Another reason I am against the park bill is the summer season is very short for park use and Lake Superior is very large and gets very rough and is no place for small overloaded boats which I have seen on many occasions. I would like this letter included in the hearing on bill S 621.

Sincerely yours,

PHILIP B. DAHL.

MINNEAPOLIS, MINN., March 23, 1969.

Senator CLIFFORD P. HANSEN,
Senate Office Building,
Washington, D.C.

DEAR SIR: My father owns land on Sand Island and I along with my four brothers hope to inherit that land in the distant future but this will not be so if Bill S 621 is passed and therefore I am against Bill S. 621.

There are many reasons I am against this bill but I think Money is the most important one. The people with money can buy anything they want regardless of the little guys feelings. This is so with Senator Nelson and Mr. Gary on Madeline Island. They are going to get what they want no matter how they do it. Money seems to be no obstacle in Washington these days. We spend money like crazy in Viet Nam. I know for I have been there while in the army. My younger brother was in Korea while in the army and my older brother spent his army duty in the states and my second younger brother is draft age and my other brother is only a junior in high school but it won't be long before he will be draft age too. We serve in the army to protect our country and other countries from having our freedoms taken away. What makes Senator Nelson think he has the right to say you have to give us your land for a national park? What is he giving for a national park? If he wants a national park so bad why doesn't he have a bill passed so that everyone would have to include a certain percentage of their income for "park tax" on their federal income tax. In this way everyone would be taxed according to their means and that means rich and poor alike.

I would like this protest included in the hearing of Bill S 621.

Sincerely yours,

DAVID M. DAHL.

RICHFIELD, MINN., March 23, 1969.

Senator CLIFFORD P. HANSEN,
Senate Office Building,
Washington, D.C.

DEAR SIR: My folks have been property owners on Sand Island for some thirty years. Also my father was born and raised on the island. He is now fifty-eight years old. Also many of my aunts and uncles, also cousins were born and raised on the island.

Sand Island supported several commercial fishing boats until the decline of fish. In 1950 Little Sand Bay had several families living there who did commercial fishing.

The people who own land on Sand Island and Little Sand Bay has been handed down from father to son. So you can see the people who own these lands are not outsiders. They are people born and raised in the area.

Little Sand Bay and Sand Island have been populated about one hundred years. The only island which has been excluded is Madeline Island. It was excluded because it was substantially developed and has a road system.

Sand Island has a road system and substantially developed. Little Sand Bay also is developed and has a road system. Both Little Sand Bay and Sand Island have year round dwellings.

So for the same reason Madeline Island is excluded I believe Sand Island and Little Sand Bay area should also be excluded.

Madeline Island is the only island with any real historical background. Of all the islands it should have been included in the park.

The Little Sand Bay area and Sand Island has been kept in its wild state by the people who settled there and have handed the property down to their survivors.

Therefore I see no need for the Federal Government to come in and take what they want.

When the people living in the area have done a far better job of preserving the area than the government could or would.

I want this letter included in the hearing of Bill S. 621.

Sincerely yours,

HAROLD M. DAHL.

MINNEAPOLIS, MINN., March 23, 1969.

Senator CLIFFORD P. HANSEN,
Senate Office Building,
Washington, D.C.

DEAR SIR: I am a property owner on Sand Island and have been since 1940. My father and mother lived there for many years and I was born and raised on Sand Island and also attended school there.

Senator Gaylord Nelson has been trying to establish this as a national park for the past five years. He is trying to give the impression that Sand Island and Little Sand Bay of Wisconsin are not and have not been residential areas. They have had year round homes, families and businesses such as, commercial fishing, trolling, motel and camping facilities. Farming and commercial fishing have been going on for some eighty years or more.

Money seems to sway many issues. Madeline Island falls in that category for being excluded as one of the park islands. One man controls just about everything there. He has spent millions of dollars there in the past few years so that it would be excluded from the park project. If Madeline can be excluded because it has been developed why can't Sand Island and Little Sand Bay be excluded because we have kept it the way our fathers and forefathers developed it and that was to keep it in the way they found it. But of course, this is why the government wants it because it is in such a beautiful natural state and they don't care anything about the individuals who own it. As we inherited from our fathers and forefathers so would our children like to inherit it from us. The many families that live in these areas have worked long and hard to keep it in the natural state.

We are burdened enough now with taxes and why add more for new parks when the parks we have are so run down and not enough personnel to do the required work necessary to keep them in shape. For these reasons I am against Little Sand Bay and Sand Island being included in the National Lakeshore Project Bill S 621.

Now Senator Nelson sees defeat so he wants a new bill S 621 passed excluding the Red Cliff Indian Reservation. He could have very well included Little Sand Bay and Sand Island as there are 22 Apostle Islands and of the 22 only about four are privately owned or inhabited so that would leave about 18 for his park project which is a goodly number I think. But the more one gets the more one wants and so with us the more privacy we get the more we want and value it so the more we are keeping our property in its natural state.

I am against Bill S 621 and would like to go on record as such so I would like this letter to be included in the hearing on Bill S 621.

Sincerely yours,

MELVIN B. DAHL.

WHITE BEAR LAKE, MINN., March 24, 1969.

Senator CLIFFORD P. HANSEN,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HANSEN: This has reference to Bill S. 621 which proposes that the government confiscate 21 of the 22 Apostle Islands and certain other areas on the mainland and convert such areas into a public national lakeshore.

The purpose of this letter is to document the fact that Sand Island is a highly developed and populated island and has been so for a great many years extending back before the turn of the century. For that reason, and other reasons outlined herein, it is strongly urged that Sand Island and Little Sand Bay (the nearest point on the mainland) be excluded from Bill S. 621.

You will note in the first paragraph of this letter that one island has already been excluded from Bill S. 621. Madeline Island was excluded because, like Sand Island, it is also highly developed and populated. There are more people residing on Madeline Island for the sole reason that Madeline Island is much larger than Sand Island.

Sand Island, which I urge to be excluded from Bill S. 621, is the second most populated island in the Apostle Islands. If San Island were as large as Madeline Island, there is no doubt in my mind that the population of Sand Island would equal or even exceed the population of Madeline Island. There simply is no more suitable lakeshore property available on Sand Island unless one of the present residents decided to sell his property. The lakeshore property on Sand Island was divided and sub-divided into lots many, many years ago.

At one time there was a thriving community on Sand Island comprised of lumbermen, farmers and fishermen who resided there the year around. At that time a schoolhouse was built and a teacher hired to educate up to 20 children who resided on the island. A few years ago the fishing industry had serious setbacks due to the invasion of Lake Superior by the lamprey. As a result the remaining fishermen and farmers on the island were forced to leave for other employment. However, their homes and cleared land for farming still remain, and the people who were forced to leave continue to maintain their homes for summer use for themselves, their children and grandchildren. Other residents have acquired and developed separate lakeshore lots.

As to the logging industry, as recent as 5 to 8 years ago a lumber company acquired a large tract of land on Sand Island and conducted extensive logging operations over an extended period of time. In addition, one of the farms is currently being developed by a resident of Sand Island.

Sand Island is included in Bill S. 621 only at the whim and caprice of the proponents of the Bill. Excluding Sand Island and Little Sand Bay on the mainland will have absolutely no adverse effect on the economic and recreational goals hoped to be achieved by the creation of the so-called Lakeshore. There are 22 islands in the Apostles. Madeline Island has already been excluded. Obviously it was decided at the very outset that the Lakeshore would be just as effective by including 21 islands instead of 22. By the same line of reasoning, the proposed Lakeshore would be just as effective by including 20 islands instead of 21.

One of the goals of the proposed Lakeshore is "to stimulate the local economy as a result of tourism expenditures and Federal investments." The residents of Sand Island contribute materially to the local economy. I suggest that the most effective way to "stimulate the local economy" of any area is to retain the economic stimulus which already exists and then build the economy higher by whatever means are available.

To clarify my personal background, my grandfather, Peter Nelson, settled in Bayfield in 1890. My mother has been visiting and residing on Sand Island since 1897. I have visited and resided on Sand Island since 1923. My children are the fourth generation to reside on Sand Island. Our roots are deep.

For the foregoing reasons, I strongly urge the Parks and Recreation Subcommittee of the Senate Interior Committee to amend the proposed Bill S. 621 by excluding Sand Island and Little Sand Bay on the mainland from the proposed Lakeshore.

It would be most appreciated if you would include this letter in the record of the hearing on Bill S. 621 which I understand will be held in the very near future.

Yours very truly,

HOWARD L. PALM.

ASHLAND HIGH SCHOOL,
Ashland, Wis., March 24, 1969.

Senator GAYLORD NELSON,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR: I wish to indicate my support of Senate Bill 621. I have given my statement of support to Senate Bill 778 of the 90th Congress. I wish to have the same statement submitted in support of Senate Bill 621.

Sincerely,

RICHARD W. MIHALEK.

ASHLAND HIGH SCHOOL,
Ashland, Wis., March 26, 1969.

Senator GAYLORD NELSON,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: I would like to go on record as in favor of Senate Bill 621. I did support Bill 778; we should create the "Apostle Island" park.

Thank you for your interest in conservation matters, we are fortunate to have a Senator of your calibre who makes every effort to keep America clean.

Sincerely,

LYLE P. HARTWIG, *Principal.*

BLOOMINGTON, MINN., March 24, 1969.

Hon. CLIFFORD P. HANSEN,
Subcommittee on Parks and Recreation,
U.S. Senate, Washington, D.C.

DEAR SENATOR HANSEN: As visitors of a semi-regular nature to Sand Island, Wisconsin for approximately 30 years, I feel compelled to ask your attention to the following. Many of the people now living in the immediate Sand Island and Little Sand Bay area occupy land which has been in their families for 75 to 100 or more years. The proposal before you appears to me to be a proposal under the guise of public interest but in reality will deprive some family ties at the expense of personal gain for interest.

In the hearing on the bill S. 621, will you please include this request for the exclusion of Sand Island and Little Sand Bay from the Apostle Island National Lakeshore project. We thank you for your interest.

Sincerely,

Mr. and Mrs. JAMES SWECKER and family.

ASHLAND, Wis., March 11, 1969.

Hon. HENRY M. JACKSON,
U.S. Senate, Washington, D.C.

DEAR SENATOR JACKSON: As a hunter and fisherman of the area proposed for an Apostle Islands National Lakeshore Area, I would like to take this opportunity to say that I am opposed to this idea. This is not an area to bring one million people to a large body of water with very unpredictable winds. The islands are at least three miles from shore, which creates a hazard for small boats and also leads the uninformed to take dangerous risks.

This proposal will take taxable property off the tax roll which is already 40% government owned.

I would appreciate your concern in this matter.

Yours truly,

DAVID A. WATSON.

SOUTH SHORE PROPERTY OWNERS' ASSOCIATION,
OF THE APOSTLE ISLANDS AND LAKE SHORE, WISCONSIN,
Bayfield, Wis., March 11, 1969.

Hon. HENRY M. JACKSON,
U.S. Senate, Washington, D.C.

DEAR SENATOR JACKSON: I'm opposed to the Apostle Islands National Park; I think it is very unconstitutional. I have lived here 55 years and to see so many of these beautiful old landmarks be taken away for a park just doesn't make sense. Also to take the lands, homes and cottages from those who have planned to have them for their own enjoyment for summer and year around homes, and are ex-

pected to give up everything for the tourist who is here today and gone tomorrow. They are only here for 2½ months at the most. The weather here is so unpredictable especially after August and we have so much wind and rain and cold it is not a good place for a park. The land is too cold for swimming and is so rough much of the time it is dangerous to go out in small boats and canoes. Sometimes larger boats can't even go out.

It will cost so much money for roads and so on that the money certainly could be of more use to feed the hungry, that we have plenty of all over the United States, and the flood stricken and old folks and all the war spending we have and so forth.

Also we were told that if the Indians didn't want this park it wouldn't go through. It has been made clear that by referendum vote that they do not want it. Still Gaylord Nelson ignores the opposition and introduced the bill again.

Also as for people needing this park because they are poverty stricken here it is not going to help even if they were, as putting a park in here will prove a hardship on everyone living all around the area as the taxes will be so high and so many will be off the tax roll. We need this money from taxes for schools, to maintain roads and so on. Nelson has drawn up plans to put roads through some of the most beautiful land spots of white birch and other timber. Many who have come here including Governor Knowels said this is no place for a park.

Sincerely,

Mr. and Mrs. LE ROY OLSON.

BAYFIELD, WIS.

Senator HENRY M. JACKSON,
Chairman, Senate Interior and Insular Affairs Committee,
Washington, D.C.

SIR: It is our understanding that bill S. 621 is to be heard in committee. May we take this opportunity to voice our objections to the bill?

We purchased our property in October of 1962 with no knowledge of any proposed plan of its being taken over by the federal government. We planned to operate the motel and tavern which were on the property. This income to be supplemented by commercial fishing. The fishing right has already been taken and the other means of livelihood will be taken should the bill be passed.

Our property is one of the key areas, the Red Cliff Creek area. The proposal of the purchase of the property by the Federal government at the appraised price is a farce. The appraised value of this property is one third (1/3) of the price one piece of property and we have two. To be allowed to live on the property after the government has bought it, one must pay the taxes and rent. At the end of the twenty-five years one would be owing the government money.

Our objections in other areas concern the propaganda of the lake as an ideal place for family fun, such as canoeing. A canoe can be used in the bays and lagoons but not out in the lake among the islands. Even the small boat owner does not seem to know the danger of an open lake and regards it as an inland lake with all the disregard for danger. Lake Superior has ore carriers and car carriers with smaller boats on the bottom. These are lying on the bottom of the lake because of wind and turbulence of the water.

The bill, S. 621, states that this should be passed to keep this area in its natural state. Even though we have property owners the larger percentage of the land is still in its natural state. With beautiful maple, oak, birch, and evergreen trees.

This area will not be in its natural state for very long after the passing of this bill as there will have to be bulldozers making roads, clearing sites for roadside areas, camp and trailer grounds. Then more beautiful trees will be destroyed for hotels, motels, restaurants, and concessions.

The tourist or the public will come and one of the first things that they do will be to peel the bark off the birches. This they will do to see how large a piece can be peeled before breaking off—or to write a letter on it. They may want to make something of it say perhaps a birch bark canoe. This is done now on our land. As you know this kills the trees.

Another thing to do is to chop small trees down for fire wood or just for the fun of chopping or at least make a few slashes to see if the hatchet is sharp.

Last but not least there will be the rubbish. There will be beer cans, pop cans and a few cans from food. Along with these some paper—paper plates, cups—napkins and some old newspapers. We know that there are receptacles for trash and possibly fireplaces. We also know that for some reason one doesn't seem to be able to hit them. We have litter now it will be much worse. I am speaking of litter or rubbish on the land but it also holds for on the water.

Perhaps 70% of the land in the area to which bill S. 621 pertains is privately owned but within this area are many public access roads to the lake and public parks on the lake from which one can launch a boat or go out into the water.

Those of us who live on the lake shore live here because of its beauty and a love for the water. We are not desecrating it. We are keeping it in its natural state. Can it be left that way?

We would hope that you would consider the property owners side and what I have written you. We would appreciate your considering the negative side of the question before consenting to the passing of bill S. 621.

Sincerely

ARTHUR and EDITH KRONE.

ASHLAND, WIS.

Senator H. M. JACKSON,
Chairman, Interior Insular Affairs,
Washington, D.C.

DEAR SENATOR: I am taking this opportunity to again protest against the establishment of a National Park in the Apostle Island region embracing portions of Ashland and Bayfield, Wisconsin as proposed by the former Secretary of Interior and Senator Nelson. For brevity and not to be repetitive I again list a summarization of my negative contentions.

1. The greater areas of each county are already under Federal or State ownership.

(a) Bayfield County nearly 60%.

(b) Ashland County nearly 54%.

Both counties are within a few miles or adjacent to already established State, Federal parks or forests.

3. In last 1½ years over 75,000 acres have been put under a Fed. Park system only a few miles from these counties.

4. Senator Nelson has persistently ignored the fact that there has and still is a very strong opposition to this Park.

(a) Over 2000 signatures were lawfully and legally obtained and copies made thereof.

(b) Said petitions along with other documents were duly sent to former Secretary Udall and Senator Nelson with return receipts requested and which are on file.

(c) Senator Nelson constantly states that "only a handful of objections have been encountered."

5. The public hearing held in June about 2 years ago in Ashland, Wisconsin with Senator Nelson presiding was a 'controlled propaganda meet' indicated by

(a) The obvious lobbying by the Sierra Club which used the organization in favor of the proposal and then again listing each name. (For purposes of identity, it should be remembered that the club's tax free status was taken away by the Department of Taxation because of its political type of identification as a lobby group)

(b) The arrangement of the meeting was handled exclusively by only proponents of the Park including a Martin Hanson and brother who don't mind the Federal Government taking over long-established homes and land through condemnation; but they themselves are owners of about 1800 acres adjacent to the National Forest.

c. Each speaker was supposed to have 3 minutes presentation, yet there were 4 more slated to speak their views but meeting was rather suddenly stopped—in spite of the fact that a member of the Sierra Club and an ardent supporter for the Park—and from Minnesota, a Mr. S. Olson was allowed to speak for almost 35 minutes.

6. Proponents have virtuously extolled the merits of maintaining virginal pristine glories of said area on one fork of the tongue and then vigorously extoll the influx of tourists that will overflow the same area. Example: Senator Nelson constantly quotes a Wisconsin University professor as stating gospel truth that over 900,000 tourists would come into the area during the season and that season according to the Park plan would be for about 4 months. What a paradox.

7. The Governor of State Wisconsin, Warren Knowles is aware of the above facetious and paradoxical situation in which he refers to such a position in a speech to the state natural resource agency December 1968 a copy of these comments is attached.

8. The financial and fiscal aspects as to establishing the park and consequent maintenance is a miracle of misdirection, misappropriation and a prime example of departmental boondoggling. Imagine if you can, a Department attempting to coerce a land owner by offering \$3-6-9 a foot for lakeshore property currently selling between \$30 and 40 and if not forthcoming then condemn it or else give the owner a 25-year lease with no power to pass on to heirs!! What kind of a mandate is this?

9. In conclusion, the writer respectfully requests that this proposal be held in abeyance at least until a more intelligent approach and review is made with emphasis on a joint endeavor between Federal State County and private enterprise—after all is it not taxes levied on the State and County units and thusly to the private taxpayer that keeps this great County going? Although I must confess the rate of expenditures on Federal level makes one wonder how long it can keep up!!

Very truly yours,

FRANK KEENA.

P.S.—For the record: I own, nor have an interest in the proposed area but I am a taxpayer in Ashland and Bayfield County where taxes have increased from 20% to 47% in one year! & so I don't go for projects which will take more property off the tax roll—This Park project is definitely one I cannot subscribe to.

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