

Y 4  
. In 8/13  
886/

1040

9214  
In 8/13  
B 86/971

971 BUFFALO NATIONAL RIVER, ARKANSAS

GOVERNMENT  
Storage

DOCUMENT

JUN 21 1971

HEARING THE LIBRARY  
KANSAS STATE UNIVERSITY

BEFORE THE  
SUBCOMMITTEE ON PARKS AND RECREATION  
OF THE  
COMMITTEE ON

INTERIOR AND INSULAR AFFAIRS  
UNITED STATES SENATE

NINETY-SECOND CONGRESS

FIRST SESSION

ON

S. 7

BILL TO PROVIDE FOR THE ESTABLISHMENT OF THE BUFFALO  
NATIONAL RIVER IN THE STATE OF ARKANSAS, AND  
FOR OTHER PURPOSES

APRIL 22, 1971



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

U.S. GOVERNMENT PRINTING OFFICE  
WASHINGTON : 1971

CO-892

KSU LIBRARIES  
11900 825246  
006174

9  
1

8/18/41  
1082  
179

**COMMITTEE ON INTERIOR AND INSULAR AFFAIRS**

**HENRY M. JACKSON**, Washington, *Chairman*

CLINTON P. ANDERSON, New Mexico	GORDON ALLOTT, Colorado
ALAN BIBLE, Nevada	LEN B. JORDAN, Idaho
FRANK CHURCH, Idaho	PAUL J. FANNIN, Arizona
FRANK E. MOSS, Utah	CLIFFORD P. HANSEN, Wyoming
QUENTIN N. BURDICK, North Dakota	MARK O. HATFIELD, Oregon
GEORGE McGOVERN, South Dakota	TED STEVENS, Alaska
LEE METCALF, Montana	HENRY BELLMON, Oklahoma
MIKE GRAVEL, Alaska	

**JERRY T. VERKLER**, *Staff Director*

**WILLIAM J. VAN NESS**, *Chief Counsel*

**BERNARD C. HARTUNG**, *Professional Staff Member*

**CHARLES COOK**, *Minority Counsel*

---

**SUBCOMMITTEE ON PARKS AND RECREATION**

**ALAN BIBLE**, Nevada, *Chairman*

HENRY M. JACKSON, Washington	CLIFFORD P. HANSEN, Wyoming
CLINTON P. ANDERSON, New Mexico	PAUL J. FANNIN, Arizona
FRANK CHURCH, Idaho	MARK O. HATFIELD, Oregon
FRANK E. MOSS, Utah	HENRY BELLMON, Oklahoma

# CONTENTS

---

	Page
S. 7-----	2
Departmental reports:	
Budget-----	10
Defense-----	10
Federal Power Commission-----	11
Interior-----	8

## STATEMENTS

Apple, Robert E., executive director, Arkansas Wildlife Federation-----	40
Bellmon, Hon. Henry, a U.S. Senator from the State of Oklahoma-----	37
Brandborg, Stewart M., executive director, the Wilderness Society-----	42
Diggs, Jack F., Sierra Club, Fayetteville, Ark-----	29
Fulbright, Hon. J. W., a U.S. Senator from the State of Arkansas-----	14
Hartzog, George B., Jr., Director, National Park Service; accompanied by Bernard T. Campbell, Superintendent, Hot Springs National Park-----	18
Hulsey, Andrew, director, State Game and Fish Commission, Little Rock, Ark. (presented by Richard Broach)-----	40
Kimball, Thomas L., executive director, National Wildlife Federation, Washington, D.C.-----	38
McClellan, Hon. John L., a U.S. Senator from the State of Arkansas-----	13
Nix, Dr. Joe, Ozark Society, Arkadelphia, Ark-----	33
Smith, Dr. Spencer M., secretary, Citizens Committee on Natural Resources-----	43

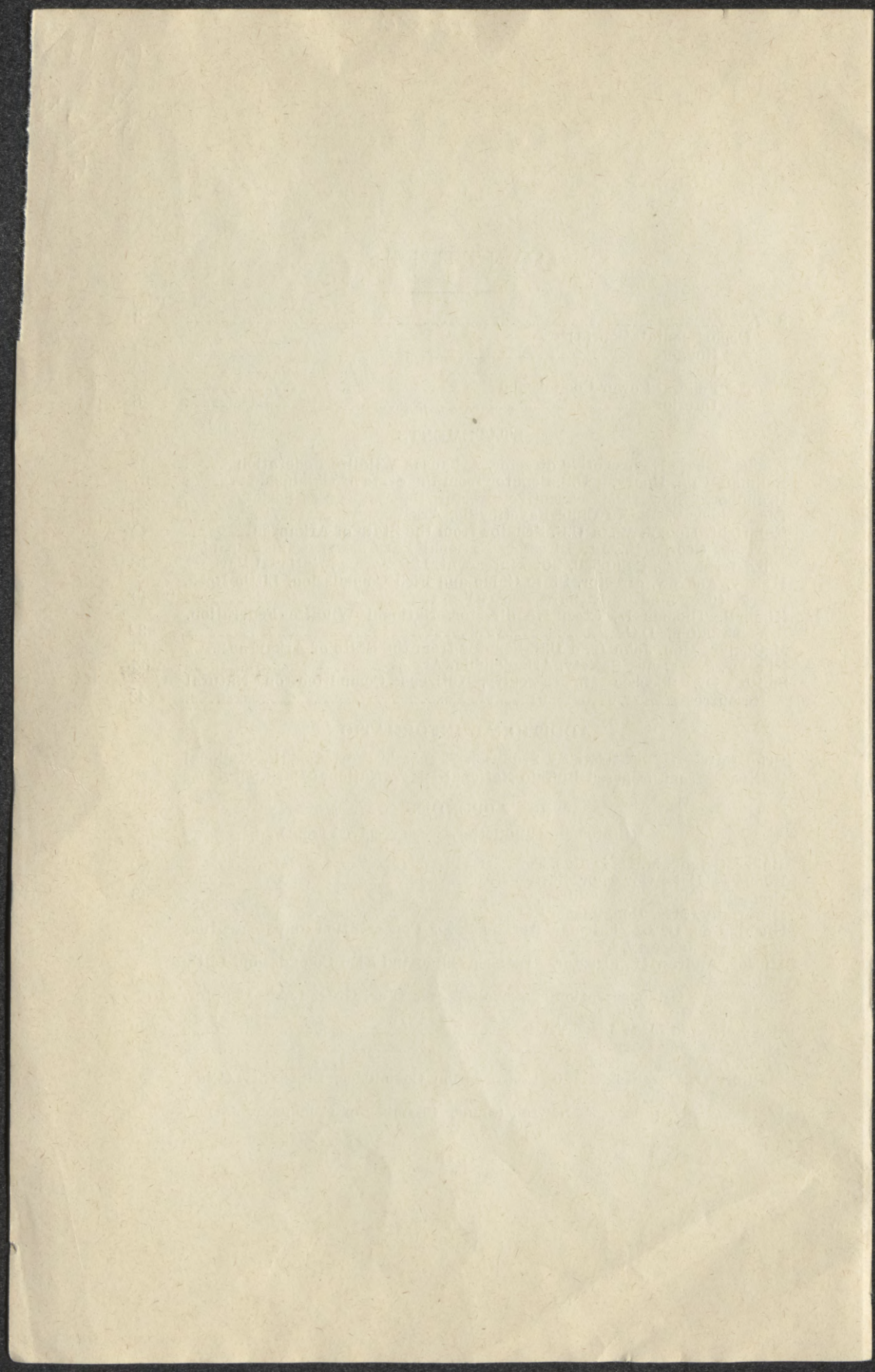
## ADDITIONAL INFORMATION

"The University of Arkansas Study on Economic Impact of the National River," from proposed Buffalo National River, National Park Service--	16
---	----

## APPENDIX

(Statements and letters were received from)

Baker, Orland, M. D., Dallas, Tex-----	50
Bumpers, Dale, Governor, State of Arkansas-----	45
Cremeen, Charles J., Waldron, Ark-----	48
Gronwaldt, Mrs. Don, Jasper, Ark-----	48
Huchingson, G. L., chairman Buffalo River Conservation and Recreation Council, Jasper, Ark-----	45
Hulsey, Andrew H., director, Arkansas Game and Fish Commission, Little Rock, Ark-----	46
Lovett, Eva G., conservation chairman, Sierra Club, Great Lakes Chapter, Missouri Group, St. Louis, Mo-----	47
Rose, Mr. and Mrs., Jasper, Ark-----	49
Tinsley, Arlin, Dogpatch, Ark-----	49
Villines, Waymon G., Jasper, Ark-----	50
Walling, O. U., co-chairman, Conservation Committee, Bluff City Canoe Club, Memphis, Tenn-----	47
Watkins, Ray, president, Newton County Chamber of Commerce, Jasper, Ark-----	49



# BUFFALO NATIONAL RIVER, ARKANSAS

THURSDAY, APRIL 22, 1971

UNITED STATES SENATE,  
SUBCOMMITTEE ON PARKS AND RECREATION OF THE  
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,  
*Washington, D.C.*

The Subcommittee met, pursuant to call, at 10 a.m., in room 3112, New Senate Office Building, Senator Alan Bible (chairman of the subcommittee) presiding.

Present: Senators Alan Bible, Nevada, and Clinton P. Anderson, New Mexico.

Also present: Jerry T. Verkler, staff director, Thomas Nelson, Assistant Minority Counsel, and Bernard C. Hartung, professional staff member.

Senator BIBLE. The subcommittee will come to order.

This is the time duly noticed and set for an open public hearing by the Subcommittee on Parks and Recreation of the Senate Interior and Insular Affairs Committee on S. 7, which authorizes the establishment of the Buffalo National River in the State of Arkansas.

I direct that the text of this bill and the departmental reports on it be made a part of the hearing record at this point in my remarks.

(The documents referred to follow:)

---

IN THE SENATE OF THE UNITED STATES

JANUARY 25, 1971

Mr. FULBRIGHT (for himself and Mr. McCLELLAN) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

---

**A BILL**

To provide for the establishment of the Buffalo National River in the State of Arkansas, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That for the purposes of conserving and interpreting an area  
4       containing unique scenic and scientific features, and preserv-  
5       ing as a free-flowing stream an important segment of the  
6       Buffalo River in Arkansas for the benefit and enjoyment of  
7       present and future generations, the Secretary of the Interior  
8       (hereinafter referred to as the "Secretary") may establish  
9       and administer the Buffalo National River. The boundaries  
10      of the national river shall be as generally depicted on the

1 drawing entitled, "Proposed Buffalo National River" num-  
2 bered NR-BUF-7103 and dated December 1967, which  
3 shall be on file and available for public inspection in the  
4 offices of the National Park Service, Department of the  
5 Interior. The Secretary may revise the boundaries of the  
6 national river from time to time, but the total acreage within  
7 such boundaries shall not exceed ninety-five thousand seven  
8 hundred and thirty acres.

9       SEC. 2. (a) Within the boundaries of the Buffalo Na-  
10 tional River, the Secretary may acquire lands and waters or  
11 interests therein by donation purchase with donated or ap-  
12 propriated funds, or exchange, except that lands owned by  
13 the State of Arkansas or a political subdivision thereof may  
14 be acquired only by donation. When an individual tract of  
15 land is only partly within the boundaries of the national  
16 river, the Secretary may acquire all of the tract by any of  
17 the above methods in order to avoid the payment of sever-  
18 ance costs. Land so acquired outside of the boundaries of  
19 the national river may be exchanged by the Secretary for  
20 non-Federal lands within the national river boundaries, and  
21 any portion of the land not utilized for such exchanges may  
22 be disposed of in accordance with the provisions of the  
23 Federal Property and Administrative Services Act of 1949  
24 (63 Stat. 377; 40 U.S.C. 471 et seq.), as amended. With  
25 the concurrence of the agency having custody thereof, any

1 Federal property within the boundaries of the national river  
2 may be transferred without consideration to the administra-  
3 tive jurisdiction of the Secretary for administration as part  
4 of the national river.

5 (b) With the exception of property that the Secretary  
6 determines is necessary for purposes of administration, preser-  
7 vation, or public use, any owner or owners (hereafter in  
8 this section referred to as "owner") of (1) improved prop-  
9 erty and used solely for noncommercial residential purposes  
10 on the date of its acquisition by the Secretary or of (2) lands  
11 used solely for agricultural purposes on such acquisition date  
12 may retain the right of use and occupancy of such property  
13 for such respective purposes for a term, as the owner may  
14 elect, ending either (a) upon the death of the owner or his  
15 spouse, whichever occurs later, or (b) not more than twenty-  
16 five years from the date of acquisition. The Secretary shall  
17 pay to the owner the fair market value of the property on  
18 the date of such acquisition, less the fair market value on such  
19 date of the term retained by the owner. Such right (1) shall  
20 be subject to such terms and conditions as the Secretary  
21 deems appropriate to assure that the property is used in  
22 accordance with the purposes of this Act, (2) may be trans-  
23 ferred or assigned, and (3) may be terminated with respect  
24 to the entire property by the Secretary upon his determi-  
25 nation that the property or any portion thereof has ceased to

1 be used for noncommercial residential or agricultural pur-  
2 poses, and upon tender to the holder of the right an amount  
3 equal to the fair market value, as of the date of the tender, of  
4 that portion of the right which remains unexpired on the date  
5 of termination.

6 (c) As used in this section the term "improved prop-  
7 erty" means a detached year-round one-family dwelling  
8 which serves as the owner's permanent place of abode at the  
9 time of acquisition, and construction of which was begun  
10 before January 1, 1967, together with so much of the land  
11 on which the dwelling is situated, the said land being in the  
12 same ownership as the dwelling, as the Secretary shall desig-  
13 nate to be reasonably necessary for the enjoyment of the  
14 dwelling for the sole purpose of noncommercial residential  
15 use: *Provided*, That the Secretary may exclude from any  
16 improved property any waters or land fronting thereon,  
17 together with so much of the land adjoining such waters or  
18 land as he deems necessary for public access thereto.

19 SEC. 3. The Secretary shall permit hunting and fishing  
20 on lands and waters under his jurisdiction within the bound-  
21 aries of the Buffalo National River in accordance with appli-  
22 cable Federal and State laws, except that he may designate  
23 zones where and establish periods when, no hunting or fish-  
24 ing shall be permitted for reasons of public safety, adminis-  
25 tration, fish or wildlife management, or public use and enjoy-

1 ment. Except in emergencies, any rules and regulations of  
2 the Secretary pursuant to this section shall be put into effect  
3 only after consultation with the Arkansas Fish and Game  
4 Commission.

5       SEC. 4. The Federal Power Commission shall not  
6 license the construction of any dam, water conduit, reservoir,  
7 powerhouse, transmission line, or other project works under  
8 the Federal Power Act (41 Stat. 1063), as amended (16  
9 U.S.C. 791a et seq.), on or directly affecting the Buffalo  
10 National River and no department or agency of the United  
11 States shall assist by loan, grant, license, or otherwise in  
12 the construction of any water resources project that would  
13 have a direct and adverse effect on the values for which such  
14 river was established, as determined by the Secretary.  
15 Nothing contained in the foregoing sentence, however, shall  
16 preclude licensing of, or assistance to, developments below  
17 or above the Buffalo National River or on any stream trib-  
18 utary thereto which will not invade the area or unreason-  
19 ably diminish the scenic, recreational, and fish and wildlife  
20 values present in the area on the date of approval of this  
21 Act. No department or agency of the United States shall  
22 recommend authorization of any water resources project  
23 that would have a direct and adverse effect on the values  
24 for which such river was established, as determined by the  
25 Secretary, or request appropriations to begin construction

1 of any such project, whether heretofore or hereafter author-  
2 ized, without advising the Secretary in writing of its inten-  
3 tion so to do at least sixty days in advance, and without  
4 specifically reporting to the Congress in writing at the time  
5 it makes its recommendation or request in what respect  
6 construction of such project would be in conflict with the  
7 purposes of this Act and would affect the national river and  
8 the values to be protected by it under this Act.

9       SEC. 5. The Secretary shall administer, protect, and  
10 develop the Buffalo National River in accordance with the  
11 provisions of the Act of August 25, 1916 (39 Stat. 535;  
12 16 U.S.C. 1 et seq.), as amended and supplemented; except  
13 that any other statutory authority available to the Secretary  
14 for the conservation and management of natural resources  
15 may be utilized to the extent he finds such authority will  
16 further the purposes of this Act.

17       SEC. 6. There are authorized to be appropriated not  
18 to exceed \$9,200,000 for acquisition of land and not to ex-  
19 ceed \$8,224,400 for the development of the area as pro-  
20 vided for in this Act.

UNITED STATES DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D. C., April 20, 1971.

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

DEAR MR. CHAIRMAN: Your Committee has requested a report on S. 7, a bill "To provide for the establishment of the Buffalo National River in the State of Arkansas, and for other purposes."

We recommend the enactment of the bill, with the amendment indicated below.

The bill authorizes the Secretary of the Interior to establish the Buffalo National River on not more than 95,730 acres in the Ozark Mountains of north-west Arkansas. The national river will include a segment of the Buffalo River, which will be preserved as a free-flowing stream, and adjacent land areas on both sides of the river containing unique scenic and scientific features.

The significance of the Buffalo River is not due to any single attribute of the river which, taken alone, ranks above that for any other river in the United States. Rather, its significance is due to a splendid combination of favorable qualities. Massive bluffs and deeply entrenched valleys give the Buffalo the most spectacular setting of any stream in the Ozark region, and enable it to be classed among the most outstandingly scenic of the free-flowing streams in the eastern United States. With little residential or commercial development on its banks, and with no municipal or industrial pollution, the Buffalo River is unspoiled. It provides a unique opportunity for preservation since its headwaters lie within the Ozark National Forest, and the remaining 132 miles of the river can be preserved and administered as a single unit under the provisions of S. 7.

The geological features of the river provide an outstanding display—including the action of water in massive beds of cavernous limestone; the folding and faulting of sedimentary rocks; and limestone, dolomite, sandstone, and shale formations and their fossil remains of ancient life from the Ordovician to the Pennsylvania period of geologic time.

The flora along the river is richly diverse and noteworthy for the Ozark Mountains are the meeting place of America's flora. Hillsides and bluffs with their varying elevations and exposures provide a variety of conditions for some 1,500 species of plants. While not present in great numbers, a variety of animals exist in the area, and the Buffalo River and its tributaries are one of the richest waterways in the Nation in terms of the total number of fish species.

Within the proposed national river are two individual features which are especially noteworthy. One is a 200-foot waterfall in Hemmed-in-Hollow, the highest free-leaping waterfall between the southern Appalachians and the Rockies. The other is the collection of gypsum formations in Beauty Cave which are outstanding in size and variety, and which contain one or more types not known to exist elsewhere.

A large number of archeological sites also exist within the proposed national river. These sites can yield the story of Indian occupation from Archaic to late prehistoric times—a span of some 9,000 years. While no single event of national significance has taken place on the Buffalo River, the remaining artifacts of the pioneer era can be used in interpreting a much larger story—the settlement and eventual over-population of the Ozark hill country followed by the migration from the area which continues at the present time.

The proposed national river includes about 132 river miles and a total of some 95,730 acres in four counties as follows: Newton County (43,610 acres); Searcy County (24,530 acres); Marion County (26,000 acres); and Baxter County (1,590 acres). The Federal Government owns about 950 acres of land within the national river boundaries, and this acreage is administered by the Forest Service, Department of Agriculture. The State of Arkansas owns about 2,960 acres of land comprising the Buffalo River and Lost Valley State Parks and scattered parcels of public hunting areas. The remaining land acreage within the national river boundaries is in private ownership.

The bill authorizes the Secretary of the Interior to acquire by donation, purchase with donated or appropriated funds, or exchange lands and waters or interests therein within the national river boundaries, and outside of such boundaries in order to avoid the payment of severance costs. Lands owned by the State of Arkansas or its political subdivisions may be acquired only by donation.

The owners of "improved residential property" acquired for the national river, which the Secretary determines can be continued in such use without undue interference with the administration of the national river, may retain a right of use and occupancy for a term, ending either (1) upon the death of the owner or his spouse, which ever occurs later, or (2) not more than twenty-five years from the date of acquisition, subject to terms and conditions the Secretary deems appropriate to assure use of the property in accordance with the purposes of the national river. In the event of a breach of the terms and conditions of the retained life estate and a dispute as to matters of fact, the United States will be the moving party in any judicial proceeding to resolve such questions of fact.

The Advisory Board on National Parks, Historic Sites, Buildings, and Monuments has judged the Buffalo River in Arkansas to be a nationally significant free-flowing stream, and has recommended its preservation as a national river.

The proposed recreational uses within the Buffalo National River include boating, fishing, swimming, camping, photography, nature observation, and hunting. The old trails and wagon roads, which wind along the river, parallel the tributaries, and traverse the ridges, provide a good basis for developing a system of hiking and riding paths. Two rugged and virtually uninhabited expanses of country, one at each end of this area, will provide unusual primitive environments where a rider, canoeist, trail camper, and scientist may find enjoyment.

Under section 3 of the bill, hunting and fishing would generally be permitted within the boundaries of the national river in accordance with applicable Federal and state laws. Water resource projects having a direct and adverse effect on the proposed national river would be restricted under section 4 of the bill. This section is virtually identical to section 7(a) of the Wild and Scenic Rivers Act (82 Stat. 906, 913).

It should be pointed out that the free-flowing character of the river may well qualify it for consideration for inclusion in the national wild and scenic rivers system, but our overriding concern is the prompt protection of such values.

We estimate that costs for land acquisition will be approximately \$16,115,000. Development costs, based on April 1971 indices, will be approximately \$12,102,000. Annual operating costs are expected to be \$1,006,800 by the fifth year. Enclosed is a man-year and cost data statement.

We recommend the enactment of S. 7 with the following amendments:

1. Section 6 of the bill should be amended to relate the development cost ceiling to construction cost indices of April 1971. We, therefore, recommend on page 6, beginning at line 17, that section 6 be revised as follows:

"SEC. 6. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, not to exceed, however, \$12,102,000 (April 1971 prices) for development of the area plus or minus such amounts, if any, as may be justified by ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved herein."

2. As perfecting amendments, we recommend that on page 2, line 11, a comma be inserted after the word "donation" and on page 3, line 9, the word "and" be deleted.

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

Sincerely yours,

ROGERS C. B. MORTON,  
*Secretary of the Interior.*

DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE—BUFFALO NATIONAL RIVER (PROPOSED)  
ESTIMATED 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
<b>Executive direction:</b>					
Park manager (superintendent), GS-13.....	1	1.0	1.0	1	1
Administrative officer, GS-11.....			1.0	1	1
Secretary, GS-5.....	1	1.0	1.0	1	1
Clerk-stenographer, GS-4.....			1.0	1	1
Personnel clerk.....				1	1
Property management assistant, GS-9.....				1	1
<b>Total, executive direction.....</b>	<b>2</b>	<b>2.0</b>	<b>4.0</b>	<b>6</b>	<b>6</b>

DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE—BUFFALO NATIONAL RIVER (PROPOSED)  
ESTIMATED MAN-YEARS OF CIVILIAN EMPLOYMENT AND EXPENDITURES FOR THE FIRST 5 YEARS OF  
NEW OR EXPANDED PROGRAMS—Continued

	19CY	19CY+1	19CY+2	19CY+3	19CY+4
<b>Substantive:</b>					
Chief interpreter and resident management, GS-12		1.0	1.0	1	1
Park ranger, GS-7 and 9	1	2.0	3.0	4	10
Assistant chief interpreter and resident manage- ment, GS-11			1.0	1	1
Park naturalists and historians, GS-7 and 9		1.0	2.0	3	4
Clerk-stenographer, GS-4				1	3
Clerk-typist, seasonal, GS-3		1.0	1.0	1	2
Park technician, seasonal, GS-4		1.3	2.8	3	7
Park technician (naturalist), seasonal, GS-4		.3	1.0	1	3
Chief of maintenance, GS-11			1.0	1	1
Foreman II, ungraded				1	3
Laborer, ungraded	1	2.0	5.0	9	11
Laborer, seasonal, ungraded		4.0	8.0	12	16
Total, substantive	2	12.6	25.8	37	62
Total, executive direction and substantive	4	14.6	29.8	43	68
<b>Estimated expenditures:</b>					
Personnel services	\$46,000	\$117,800	\$263,900	\$371,900	\$578,100
All other	8,299,800	10,558,000	3,682,100	2,011,700	1,674,700
Total	8,345,800	10,675,800	3,946,000	2,383,600	2,252,800
<b>Estimated obligations:</b>					
Land and property acquisition	8,000,000	8,115,000			
Development	283,000	2,923,000	3,643,000	1,262,000	1,260,000
Operations (management, protection, and maintenance)	83,500	199,800	445,000	655,600	1,006,800
Total	8,366,500	11,237,800	4,088,000	1,917,600	2,266,800

EXECUTIVE OFFICE OF THE PRESIDENT,  
OFFICE OF MANAGEMENT AND BUDGET,  
Washington, D.C., April 23, 1971.

HON. HENRY M. JACKSON,  
Chairman, Committee on Interior and Insular Affairs, United States Senate,  
3106 New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Office of Management and Budget on S. 7, a bill "To provide for the establishment of the Buffalo National River in the State of Arkansas, and for other purposes."

The report which the Secretary of the Interior is submitting describes the scenic, scientific, and historic attributes of this area and recommends enactment of the bill with certain amendments.

The Office of Management and Budget would have no objection to enactment of S. 7, if amended as suggested by the Secretary of the Interior.

Sincerely,

WILFRED H. ROMMEL,  
Assistant Director for Legislative Reference.

DEPARTMENT OF THE ARMY,  
Washington, D.C., May 3, 1971.

HON. HENRY M. JACKSON,  
Chairman, Committee on Interior and Insular Affairs,  
United States Senate

DEAR MR. CHAIRMAN: This is in reply to your request for the views of the Department of the Army on S. 7, 92d Congress, a bill "To provide for the establishment of the Buffalo National River in the State of Arkansas, and for other purposes."

This bill would establish the Buffalo National River in Arkansas, in which 132 undisturbed miles of the Buffalo River would be conserved for scenic and recreational values. The bill includes the provisions of the Wild and Scenic River Act (P.L. 90-542, 82 Stat. 906), relating to land acquisition and administration by the Secretary of the Interior, and the limitations regarding Federal licensing or construction of projects that would affect the values for which the National River would be established.

In the reach of the Buffalo River proposed for inclusion in the Buffalo National River, the Department of the Army has had one project authorized for construction and has studied another with a view toward recommending authorization. The former, the Lone Rock Dam and Reservoir, was authorized for construction by the Flood Control Act of June 28, 1938. The latter, the Gilbert Dam and Reservoir, was the subject of a report of the Chief of Engineers transmitted to the Congress by the Secretary of the Army on 12 April 1967.

In this report, it was noted that the District and Division Engineers found that full development of the water resources of the Buffalo River would require a multiple-purpose dam and reservoir at each of the Lone Rock and Gilbert sites. However, in recognition of studies being undertaken by the National Park Service to preserve the stream as a National River, the District and Division Engineers considered that a multiple-purpose dam and reservoir at the Gilbert site would provide a more balanced development from the standpoint of tangible and intangible benefits.

The State of Arkansas, however, in reviewing the proposed report of the Chief of Engineers concurring in the above recommendations, stated that it preferred a Buffalo National River without the proposed project. Accordingly, the report of the Chief of Engineers recommended that the Lone Rock Dam and Reservoir be deauthorized and also that the Gilbert Dam and Reservoir not be authorized for construction.

The Congress now has a detailed report, prepared by the National Park Service, Department of the Interior, setting forth a strong case for the desirability of authorizing the Buffalo as a National River. The Buffalo is recognized as among the few sizable, free flowing streams remaining in mid-America. It is unpolluted, undeveloped, and looks today much as it did days past.

This Department's views, on preserving rivers from development were expressed in our report on the Wild and Scenic Rivers Act, where it was stated:

The basic position of the Department of the Army on the numerous bills which have been introduced with a view to setting aside certain streams as 'wild', or 'scenic', rivers may be stated briefly as follows:

First, that the Nation can well afford to forego the development of streams of unusual natural beauty.

Second, that since decisions to set aside such streams must be based largely upon intangible factors, and since the evaluation of such factors is primarily a matter of legislative judgment, the Congress should decide which of the Nation's streams should be preserved in their natural state.

Third, that if Congress is to reach a wise decision, it must have a full report and definite plan for each potential wild river, and that this plan should be developed by joint and coordinated action of all the agencies, both Federal and State, concerned with the development, utilization, and conservation of the Nation's rivers. Only in this way is it possible to insure that the withdrawal of a particular stream will be in consonance with an optimum comprehensive plan for the river basin in which it is located \* \* \*.

We believe that these conditions have been essentially fulfilled in the case of the Buffalo River; and in view of the considerations noted above, the Department of the Army supports enactment of S. 7.

The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this report for the consideration of the Committee.

Sincerely,

THADDEUS R. BEAL,  
*Acting Secretary of the Army.*

FEDERAL POWER COMMISSION,  
*Washington, D.C., April 22, 1971.*

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

DEAR MR. CHAIRMAN: This is in response to the Committee's request for the Commission's views on S. 7 (Fulbright and McClellan), "To provide for the establishment of the Buffalo National River in the State of Arkansas, and for other purposes."

The Federal Power Commission has no licensed hydroelectric projects in the Buffalo National River area described in the bill, and no applications for power development involving such area are pending in the Commission.

Our study of S. 7, further indicates that the proposed Buffalo National River area contains four sites for potential water resource developments, including two conventional and two pumped storage projects.

The most recent inventory of hydroelectric resources discloses the following data concerning these potential developments:

<i>Potential development</i>	<i>Capacity, Mw</i>	<i>Average annual generation, Million KWH</i>	<i>Gross head, feet</i>
Conventional			
Gilbert -----	87	117	176
Lone Rock -----	90	159	178
Pure pumped Storage			
Point Peter -----	600	750	1, 260
Compton -----	1, 000	1, 250	1, 435
Total -----	1, 777	2, 276	

As part of the Commission's continuing Water Resources Appraisal Program with respect to the major river basin areas of the country, our issued an Appraisal Report in 1966 on Upper White River Basin, including the Arkansas portion of the Buffalo River. A copy of this report is attached.

The Gilbert multiple-purpose project at river mile 59.5 has been investigated by the Army Corps of Engineers. In commenting to the Corps on the proposed Gilbert Project the Commission concluded that power development of at least 87,000 kilowatts installed capacity would be economically feasible. The Gilbert Project would be in lieu of the authorized Lone Rock flood control project at river mile 3.6. The Corps of Engineers has recommended deauthorization of Lone Rock in order to preserve the lower reaches of the river for recreational use. Further details pertaining to the Gilbert Project are set out at pages 52-55 of the Appraisal Report.

Our Appraisal Report (pages 60-63) also discusses two potential pumped storage projects located in the Buffalo River area affected by the bill. One of these, the Point Peter Pumped Storage Project, has an estimated capacity of 600,000 kw. This project would use the Gilbert reservoir for its lower pool. Thus the feasibility of pumped storage at Point Peter would be contingent on development of the Gilbert site.

The Compton Pumped Storage Project would be located upstream from the Gilbert reservoir and would have an estimated capacity of 1,000,000 kw. Development of this project, as well as the Point Peter Project, may be economically feasible.

S. 7 contemplates that the Secretary of the Interior shall develop and administer the Buffalo National River as part of the National Park System, and Section 4 of the bill which is adapted from an identical provision in Section 7(a) of the Wild and Scenic Rivers Act, 82 Stat. 913, would prohibit the Federal Power Commission from licensing the construction of any dam or other power facilities on or directly affecting the Buffalo National River, including the potential water resource developments described above.

On April 15, 1970, the Chairman of the Water Resources Council transmitted to Congress the report on a comprehensive Type II study of the White River Basin, Arkansas and Missouri, which includes the Buffalo River. That report sets forth a comprehensive basin plan which, among other features, includes the establishment of the Buffalo National River, Arkansas. A copy of the Water Resources Council report is attached.

The Commission recognizes that the designation of a river for preservation in its natural state usually involves a balancing of public policy objectives. Such goals ordinarily include multipurpose development of the water resources of the particular river for flood control, navigation, irrigation, power production, water quality control, protection of fish and wildlife, and enhancement of any recreational potential afforded by such multi-purpose development, as compared with the existing values which are to be realized by retaining the river in its free-flowing condition with the attendant public benefits such as conservation of fish resources and protection of scenic assets and historical features.

In conclusion, we do not object to enactment of the proposed legislation.

We are advised by the Office of Management and Budget that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

JOHN N. NASSIKAS, *Chairman.*

(The attachments referred to were retained in the committee files.)

Senator BIBLE. The significance of the Buffalo River is due to a splendid combination of favorable qualities. Massive bluffs and deeply entrenched valleys afford the most spectacular setting of any stream in the Ozark region.

Accordingly, it is classed among the most outstandingly scenic of the free-flowing streams in the eastern United States. With little residential or commercial development on its banks, and no municipal or industrial pollution, this river is unspoiled.

It provides a unique opportunity for preservation since its headwaters lie within the Ozark National Forest and the remaining 132 miles of the stream can be administered as a single unit under the provisions of S. 7.

There are 95,730 acres of land within the boundaries of the proposed project, of which 92,000 are privately owned. The estimated cost of acquisition of these properties—1971 prices—is \$16,115,000.

For development purposes, it is calculated that these will approximate \$12,102,000, based on April 1971 indices. Annual operating costs are to be \$1,006,800 by the fifth year.

At this time it is my pleasure to welcome the distinguished Senator from the State of Arkansas, and my colleague, Senator John McClellan.

**STATEMENT OF HON. JOHN L. McCLELLAN, A U.S. SENATOR FROM  
THE STATE OF ARKANSAS**

Senator McCLELLAN. Thank you, Mr. Chairman.

On other occasions in other years, I have been before this committee and inserted lengthy statements in the record setting forth the merits of establishing the Buffalo River as a national river.

I am sure that by now you have heard and read about this project to the point that you are convinced of its merits.

As I think all of you know, I am not one who would advocate preserving just any river or all rivers in their natural free-flowing state by force of law.

The economic benefits which our State—my State—has derived from flood control, hydroelectric power and recreational attributes of river projects have been simply too beneficial for Arkansas for me to ignore.

We need those benefits in most instances. However, the Buffalo River is a unique river in Arkansas and in many respects, in the Nation. Its primary economic benefits lie in its well established use as a tourist attraction which brings thousands of people into our State each year.

However, I do not mean to imply that in a project of this sort I look solely to the economic factors. The esthetic values of preserving the Buffalo River are immense. The geological features of the land surrounding the river include massive and spectacular river bluffs, exposed fault patterns and symmetrical rock structure. The sensational beauty of the Buffalo River has remained unchanged since before the time of the Indian.

The flora and fauna of the land surrounding the river in this age of conservation of the environment make this river a most appropriate area for preservation of these natural resource assets.

Support for the establishment of this river as a national river, as you know, has been widespread. A sampling of the organizational support in the State of Arkansas is included in my statement, and I ask, Mr. Chairman, that this list of organizations supporting this river be printed in the record at this point.

Senator BIBLE. Senator McClellan, I will be happy to do that.

(The data referred to follows:)

Arkansas Game and Fish Commission  
 Ozark Society  
 Delta Chapter, Ozark Society  
 Pulaski Chapter, Ozark Society  
 Jefferson Audubon Society  
 The National Audubon Society  
 The Arkansas Valley Audubon Society  
 Arkansas State Association of National Campers and Hikers Association  
 Corning Wildlife Association  
 Arkansas Section of the Sierra Club  
 Council for Youth Groups for Natural Beauty and Conservation  
 Mountain Home Chamber of Commerce  
 Ozark Wilderness Waterways Club  
 Arkansas Stream Preservation Committee  
 National Wildlife Federation  
 National Recreation and Parks Association  
 Sport Fishing Institute  
 Arkansas Federation of Womens Clubs  
 Clark County Wildlife Association  
 Arkansas State Committee on Stream Preservation

Senator McCLELLAN. In the past there have been different opinions concerning the future of the Buffalo River. However, it is my considered judgment that this legislation is in the best interest of the State of Arkansas and the Nation and that the people directly affected by it—a great majority of them—support the preservation of this river.

Preservation of the river is fully justifiable for ecological, environmental, economic, and esthetic reasons. The Buffalo River is located in the area of magnificent natural beauty. This kind of wilderness is rapidly disappearing as our Nation grows in population, and this particular river is probably the most beautiful in Arkansas.

I realize that we cannot preserve all of our rivers in their natural state. However, this river can be preserved and I believe that we should save it. I urge the favorable reporting of S. 7 sponsored by Senator Fulbright, and myself as co-sponsor, at the earliest practical date.

Mr. Chairman, Senator Fulbright is going to follow me, and I am going to yield to him to introduce our witnesses today.

Senator BIBLE. Thank you very much, Senator McClellan. I can reassure you that we will try to move this as quickly as possible.

Senator BIBLE. Senator Fulbright, I am happy to recognize you.

#### STATEMENT OF HON. J. W. FULBRIGHT, A U.S. SENATOR FROM THE STATE OF ARKANSAS

Senator FULBRIGHT. Mr. Chairman, I want to begin by expressing my appreciation to you and the other members of the committee for the thorough and favorable consideration you gave in the 91st Congress to legislation which would establish the Buffalo River in Arkansas as a national river.

Regrettably, although the Senate approved this legislation on September 3, 1969, it was not acted upon by the House of Representatives.

Therefore, together with my colleague from Arkansas, Senator McClellan, I have once again introduced legislation—S. 7—for this purpose.

I appreciate the fact that the Subcommittee on Parks and Recreation is giving prompt consideration to this bill once more. I hope that it will once again receive Senate approval and subsequently will be acted upon by the House.

I have reason to believe that the House will be more favorably disposed to act on it this year than in the past.

Mr. Chairman, because you and other members of the subcommittee are already quite familiar with the unique qualities of the Buffalo and the compelling reasons for making it a national river, I do not intend to make a detailed presentation as I have done on previous occasions, because the records of this committee already contain that.

As the editor of the Arkansas Democrat in Little Rock wrote on April 12:

There is no point in repeating all the arguments for making the Buffalo a national river. They all boil down to the fact that it is an irreplaceable treasure that should be preserved.

As you know, Mr. Chairman, S. 7 would enable the Secretary of the Interior to establish the national river area to include not more than 95,730 acres along 132 river miles of what the National Park Service has called "one of this country's last significant natural rivers."

The bill which is before you is in the exact form in which it was passed by the Senate, as amended by your committee. It provides that with the exception of the property that the Secretary of the Interior determines is essential for the establishment of the park, owners of improved non-commercial property or lands used solely for agricultural purposes on the date of acquisition could retain the right of use and occupancy until the death of the owner or his spouse, whichever occurs later, or not more than 25 years from the date of acquisition.

It is my understanding that a very small number of dwellings would need to be removed in the early years of development, and I want to emphasize that the establishment of the Buffalo as a national river will be done with the minimum possible disruption to the residents of the area.

The Buffalo is the only major stream left undammed in the Arkansas Ozarks, and public sentiment in the State has favored preserving it as a national river. Our new Governor, Governor Dale Bumpers, has endorsed this proposal, as did his two predecessors.

The river is nationally recognized for its scenic value and, as was pointed out at the hearing in 1969, is centrally located with respect to large population centers. It is within an easy day's drive of nearly 15 million people and attracts many visitors from such cities as Memphis, St. Louis, Kansas City, Dallas and Tulsa.

An estimated 1.7 million persons would visit the river annually during its first years in the National Park System.

The establishment of the national river would result in considerable economic impact on the area. I believe last year we submitted the data which was prepared by a University of Arkansas study giving the economic aspects, and I would ask that this be included in my statement.

Senator BIBLE. Without objection, it will be included in the record. (The data referred to follows:)

THE UNIVERSITY OF ARKANSAS STUDY ON ECONOMIC IMPACT OF THE NATIONAL RIVER

(From Proposed Buffalo National River National Park Service)

How would the five counties benefit from the establishment of a major national recreational facility? To answer that question the Park Service asked specialists at the University of Arkansas to study the probable economic impact of the National River.

During the first 5 years that it would take for the National River to be established and brought into full operation, they estimate that :

About 1.7 million persons would visit the river yearly, most of them over a season of 7 to 8 months ;

The Park Service would spend \$9 million for land acquisition and about \$9 million in construction, maintenance, and personnel costs ;

Private businessmen are likely to spend at least another \$5 million to build and improve nearby tourist accommodations ;

Tourist spending over this period would amount to over \$92 million and reach an eventual annual level of nearly \$34 million ;

The spending and respending of this new money would add nearly \$17 million to personal income in the area ;

Increased business activity brought about by existence of the National River would generate some 3,500 new job opportunities ;

Local retail and service trade should rise in volume by some 23 percent ;

Business activity in other nearby counties would expand because of the tourist traffic through the region.

Senator FULBRIGHT. The Buffalo area offers great recreational potential of the sort that is becoming all too rare in our highly urbanized country. In addition to fishing, boating and swimming, the area is highly attractive and suitable for camping, picknicking and hiking.

The scientific, geological and archeological features, along with the flora and wildlife, add considerably to the region's attractiveness.

Appreciation of the Buffalo is by no means confined to Arkansas and the surrounding States. I have received communications of support for this legislation from many parts of the country and the Buffalo has been the subject of articles and editorials in a number of the Nation's leading publications.

The New York Times, in an editorial supporting this legislation, said :

The Buffalo should be spared the fate of dam construction that has destroyed so many southern rivers. As a national river, it would offer both recreational variety to the Ozarks region and scenic and scientific variety to the Nation.

A major article on the Buffalo by Robert F. Jones was published in Sports Illustrated, August 10, 1970, and the Buffalo was featured in an article on the Ozarks in National Geographic, November 1970.

The Sports Illustrated article told of a float trip on the Buffalo made by artist Thomas Hart Benton and some friends. Mr. Benton is quoted as saying :

If every American could run the Buffalo just once, the way we did today, then I think our rivers would be beyond the reach of trouble.

The Buffalo is a natural prize. It is the best example of an Ozark free-flowing river of some size not already under some form of protection from exploiters, and in a State already well equipped with dammed lakes, this one mountain stream merits protection.

It also deserves the attention of Congress because of its regional interest. There are few rivers like the Buffalo between the Appalachians and the Rockies.

In a strong editorial of support, the Kansas City Star said :

By general consensus, the Buffalo River \* \* \* is one the finest free-flowing streams remaining in North America. Not only does that basin possess exceptional beauty, but it lies within easy driving distance of 15 million Americans, which enhances its values as a recreational resources for the Nation.

Today time is running out on the Buffalo as population and industry slowly build in Northern Arkansas \* \* \* We believe the time for review and debate has come to an end and final action by Congress \* \* \* is in order. The Buffalo River is one of nature's masterpieces that has been relatively untouched by man. It is a part of the Nation's outdoor heritage and should be preserved for the enjoyment of future generations.

Mr. Chairman, indeed the time for review and debate has come to an end and final action by the Congress is in order.

The Arkansas Gazette, Little Rock, sums up the need for speedy action:

Priority consideration \* \* \* is rapidly becoming compelling as each day exposes the natural treasures of this unique mountain waterway to further despoliation.

Already frequent reports are heard of extensive timber cutting within the proposed boundaries of the national river that could mar the pristine beauty of the Buffalo's banks for the next generation.

Passage of the Buffalo National River in 1971 ought to be a prime project of conservationists from all over the country.

It has now been 10 years since I asked the National Park Service to look into the possibility of establishing a national recreation area along the Buffalo. It has been 8 years since the first Park Service report recommending the creation of the Buffalo National River.

The case for making a national river of the Buffalo is, I believe, clear and strong, and the Senate has already concurred in this judgment in passing the bill in 1969. I do hope that 1971 will be the year when the Buffalo National River becomes a reality.

Senator BIBLE. That is an unusually fine statement. I appreciate it a great deal, Senator Fulbright. I might simply say, speaking personally, that I had no problem on this last year. I don't see why I will have a problem this year.

I think the committee did improve the bill as introduced, and if I understand you correctly, I am sure you do say that the bill, as introduced, is identical to the bill that was amended and passed the Senate last year. There are no changes in it?

Senator FULBRIGHT. Yes, Mr. Chairman, and I again appreciate your sympathetic attitude. I realize you and the committee have done everything possible.

Senator BIBLE. We will continue to do that.

Senator FULBRIGHT. Mr. Chairman, is it in order now for me to introduce the other witnesses from Arkansas?

Senator BIBLE. I would be happy to have you introduce them. I think in the order of the development of this record, it would be best to hear from the Director of the National Park Service, just to update what he said before, and probably add emphasis, if that is necessary, to your very fine statement.

I would like to have you introduce them now, and as soon as I have heard briefly from Director Hartzog, I will hear from them.

Senator FULBRIGHT. Dr. Joe F. Nix—I just wish to say that Dr. Nix is the President of the Ozark Society, and as such, has been a most active and ardent proponent in favor of the Buffalo River.

Mr. Richard Broach is the administrative assistant to Andrew Hulse, director of the State game and fish commission in Little Rock, Ark. The benefits that have derived from the State game and fish commission are widely recognized in the State, and I think our State has one of the finest game and fish programs in the country.

These gentlemen will be glad to testify after Mr. Hartzog.

Senator BIBLE. Yes; we will hear Mr. Hartzog, and hear them immediately after that, and we have a number of other witnesses here from Arkansas, as well, who we will hear.

I realize that you have other commitments. You are welcome to stay as long as you can.

Senator FULBRIGHT. I am going to have to leave in a few minutes.

Senator BIBLE. Thank you very much.

We will now hear from Director Hartzog.

**STATEMENT OF GEORGE B. HARTZOG, JR., DIRECTOR, NATIONAL PARK SERVICE; ACCOMPANIED BY BERNARD T. CAMPBELL, SUPERINTENDENT, HOT SPRINGS NATIONAL PARK**

Mr. HARTZOG. Thank you very much, Mr. Chairman, and members of the committee.

I would like to have Mr. Bernard T. Campbell, who is superintendent of the Hot Springs National Park, join me at the witness table.

Senator BIBLE. Yes, indeed; the record will so show.

Mr. HARTZOG. Mr. Chairman, it is a great pleasure to appear in favor of S. 7, a bill to provide for the establishment of the Buffalo National River in the State of Arkansas, and for other purposes.

I have a prepared statement, which with your permission, I would ask be included in the record.

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

Mr. HARTZOG. Mr. Chairman, in highlighting it, I thought I would give perhaps a quick review of the vicinity of the Buffalo National River.

This is the Ozark National Scenic Riverway, the first scenic riverway preserved by the Congress in 1964.

Senator BIBLE. That is located entirely within the State of Missouri?

Mr. HARTZOG. Yes; it is.

Senator BIBLE. I handled that. I think it was one of the very first national rivers created by the Park System.

Mr. HARTZOG. Yes, sir; it is the first.

Senator BIBLE. I understand it has worked out very well.

Mr. HARTZOG. It has, indeed.

Senator BIBLE. I am glad to hear that.

Mr. HARTZOG. The Buffalo National River would involve 132 miles from the spot where the river leaves the Ozark National Forest to its junction with the White River, which is right here. For orientation here is Springfield, Mo., Joplin, Little Rock, Fort Smith.

Senator FULBRIGHT. Don't leave off Fayetteville.

Mr. HARTZOG. My apologies; Fayetteville, of course.

Mr. Chairman, nothing has really changed in our development proposals here except for the addition of some group campsites and a significant increase in the land acquisition cost, as well as development cost.

A significant element of increase in land acquisition cost arises from the provision of S. 1 relating to the relocation of property owners and tenants as a part of the land acquisition cost. We estimate that in this bill it would amount to \$1.5 million. An updating of the land acquisition costs would increase these from \$9.2 million to \$16,115,000.

In that connection, Mr. Chairman, I would like to call your atten-

tion to the fact when this legislation was first introduced by the distinguished gentleman from Arkansas, the land acquisition cost was estimated at \$5 million, and this gives you an idea of how rapidly the land prices are escalating along the scenic waterways.

Senator BIBLE. Put me clear on updating the acquisition costs. What was the figure you testified to when we reported the bill out last year?

Mr. HARTZOG. \$9.2 million.

Senator BIBLE. \$9.2 million, and now you say it is \$16 million-plus?

Mr. HARTZOG. \$16,115,000.

Senator BIBLE. Why would that go up? I don't understand it and I think the record should be clarified as to why that would go up almost \$8 million in the period of 1 year, or 2 years at the most.

Mr. HARTZOG. Approximately \$1.5 million of that is the relocation costs entailed in S. 1.

Senator BIBLE. What are those costs? I mean, tell me about S. 1. What are those relocation costs? Is that a Federal statute now?

Mr. HARTZOG. Yes, sir, it is Public Law 91-646, 91st Congress, S. 1, January 2, 1971.

Senator BIBLE. This was not a law when you testified before?

Mr. HARTZOG. It was not, and it had the impact, Mr. Chairman—we haven't made a final analysis yet, but it looks like about a 20-percent increase in the land acquisition costs of the National Park System generally.

It provides for benefits for businesses that have to be relocated; for homeowners as well as for tenant occupancy, up to some \$5,000 for a one-family unit.

Senator BIBLE. Extend that to its application in the Buffalo River. You say it increased the cost a little over a million dollars. How do you arrive at that figure?

Mr. HARTZOG. It is over \$1.5 million.

Senator BIBLE. How do you arrive at that figure of \$1.5 million?

Mr. HARTZOG. It is based on an analysis of the ownership of the property in relationship to the application of this bill; in other words, what they are entitled to.

Senator BIBLE. Will you spell it out a little more clearly?

Mr. HARTZOG. For example, you have 120 family units. Now, then, this is very involved—

Senator BIBLE. Well, it is so involved, I don't understand it.

Mr. HARTZOG. You pay for the actual reasonable expenses in moving his family, business, farm operation, and other personal property.

Senator BIBLE. Formerly, you did not?

Mr. HARTZOG. That is right. You pay for actual expenses of moving or discontinuing a business or farm operation, but not to exceed an amount equal to the reasonable expenses that would have been required to relocate such property as determined by the head of the agency; actual reasonable expenses in searching for replacement businesses or farms.

Any person displaced is eligible for payment under subsection (a) of this section who is displaced from a dwelling and elects to accept the payments authorized by this subsection. In lieu of payments authorized by subsection (a) such person may receive a moving expense allowance determined according to the schedule established by the head of the agency, not to exceed \$300, and dislocation allowance of \$200.

Senator BIBLE. Yes; I don't recall all of the details of that law, but I think it was primarily brought about because of the great disruption of businesses and of homes in areas through which highways were running.

Mr. HARTZOG. That is precisely what it was intended for, and as it was developed in the legislative process, it was broadened to make it applicable to all land acquisition programs in the Executive Branch.

Senator BIBLE. I would have to refer to legal counsel concerning this, but I suppose since the businessman who has been dislocated by highways is entitled to certain benefits, and a jury would probably give it to him—I suppose one who is disrupted, required to move because you are building a national park is likewise entitled to the benefits.

What was the effective date of the order?

Mr. HARTZOG. It was conceived, Mr. Chairman, that the people were going to move. What has actually happened, is in practically all of this new legislation the Congress has been writing in this last decade, including the bill before you for consideration, that there is the reserved tenancy provision at the option of the owner.

So you have created a right in the owner to reserve occupancy for 25 years. At the end of 25 years, he is entitled to the relocation benefits of S.1. Some of our land acquisitions are going to be in progress for 25 years.

Senator BIBLE. This is something we will have to study.

Mr. HARTZOG. It has tremendous impact.

Senator BIBLE. I see that. When was this law passed?

Mr. HARTZOG. It was signed in January of 1971.

Senator BIBLE. It has only been in effect 2 months?

Mr. HARTZOG. Yes, sir; we haven't even finished the cost analysis yet, but it looks like it is going to run 20 percent in the gross overall of the land acquisition.

Senator BIBLE. We will make a very detailed study of this and ask legal counsel to look into it.

It seems to me that just as a matter of principle, just what I previously said, that if these types of compensation are fair for the man who is disrupted and displaced by highways, probably the same reasoning applies to a park, except as you point out, you are giving them 25-year tenancy here. So that might make the difference.

I think we will have to go into that very carefully.

Mr. HARTZOG. This is the point we were trying to make earlier on this legislation, that the situation is not analogous. What it was really aimed at are these highways going through impacted urban areas with no suitable housing being available and creating this tremendous disruption.

Senator BIBLE. Was the Park Service represented, or did you have witnesses or did you appear? Did Interior appear at the hearing? This came up in Government Operations, as I understand it.

Mr. HARTZOG. Public Works.

Senator BIBLE. I mean Public Works. Park Service made no appearance at that time?

Mr. HARTZOG. We made no appearance.

I have an analysis on a theoretical basis of this bill for owner-occupied premises and tenant-occupied premises and commercial-occupied premises, which I would share with you.

Senator BIBLE. Share it with our lawyers, and we will let them do the first study and examination of it. I think this is something we are going to have to go into rather carefully, Senator Anderson.

I don't know what the overall impact of this is. We will study it.

Anyway, that accounts for \$1.5 million of it. How about the balance of that money?

Mr. HARTZOG. Let me give the idea of dollars involved. If it were a farm unit, and the farmer wanted to move off as a result of this, the total benefits to which he is entitled under S. 1 are \$3,300.

If it is an owner-occupied dwelling, he is entitled to \$6,800, made up of all these items that are spelled out in the act.

If it is a seasonable occupancy, he is entitled to \$800.

If it is a commercial establishment, service station or this kind of thing, he is entitled to \$300.

If it is an occupied store, he is entitled to \$2,800. If it is a replacement store, meaning he decided not to go out of business, but instead transfer to new business, it is \$11,300.

Then they also provide for certain structures, such as churches.

Senator BIBLE. Are these additional costs imposed by that act on the Government in addition to the fair market value the jury would determine?

Mr. HARTZOG. In addition to the fair market value of the property; yes, sir.

Senator BIBLE. That was my understanding of what you were saying. We will analyze this carefully.

How about the additional costs?

Mr. HARTZOG. That takes you to \$10,700,000. You have \$16,115,000, and \$5.5 million is just pure land escalation.

Senator BIBLE. The value of land has increased in that area that much?

Mr. HARTZOG. \$5.5 million.

Senator BIBLE. What was the date of the earlier appraisal?

Mr. HARTZOG. 1968. This is 3 years later, because these figures are updated to July of this year, or projected.

Senator BIBLE. I am amazed. I realize Arkansas is a growing, vital State. I didn't realize the land values had gone up that much.

Did you underestimate the first time?

Mr. HARTZOG. I don't think so. We used the same people.

Senator BIBLE. They came up with that much of an increase in land values in the period of 3 years?

Mr. HARTZOG. Yes, sir; we have situations in which the land is escalating at the rate of 33 $\frac{1}{3}$  percent a year. It happens wherever you have attractive, scenic water-oriented property. A man came in just this week in connection with one project. When we first started negotiating on the property, it was in the vicinity of \$350,000. He is now willing to compromise at \$1 million, over a 3-year period.

Senator BIBLE. We recognize the terrific burden this places on you, and I think the Congress has to share a great deal of the blame. It takes us so long to get geared up, and after the act is passed, it takes so long to get the dollars, by the time we get it all put together, 3 or 4 years have gone by and it has escalated in cost.

I want you to be completely honest with the committee, and I think you have made great progress for the last few years since our experience with Cape Hatteras. Senator Anderson is particularly familiar with that project and Point Reyes, as well.

You are getting your land values now more in line with what a jury will probably award if you were going to court, and that is, of course, what we have to figure on.

So we have to share a great deal of that blame in not providing the dollars fast enough to pick up the property at the outset. I would like that opportunity program you have—

Mr. HARTZOG. Opportunity purchase program?

Senator BIBLE. Yes; I think that is very helpful in picking up property quickly when the opportunity develops.

Mr. HARTZOG. We are very grateful for what the Congress has done for us in the last few years in providing professional appraisers to come up with realistic values, and also at the rate of increase in the innovative programs you have provided.

Senator BIBLE. It is always embarrassing for the chairman to sell Point Reyes to his colleagues with a \$15 million price tag, and find out later that it has escalated to \$57 million. There is quite a little difference in the two figures, and a lot of people look at it and say, "Why didn't you tell us that in the first place?"

Mr. HARTZOG. It is a source of considerable embarrassment to me, too.

Senator BIBLE. I understand now about the escalation costs plus this new add-on cost imposed by this bill which was just passed in January of this year.

Will you supply for the record the number of homes that you will buy, or maybe you can testify to it rather quickly—homes and businesses?

Mr. HARTZOG. The number of family units occupied within the total project is 120.

Senator BIBLE. Do they have the right to stay on there that 25 years?

Mr. HARTZOG. Those, Mr. Chairman, who are in the private use zone. This project, you know, is the one we brought to you that involves three use zones, a public development zone, a preservation zone, and a private use zone.

In the private use zone, what we really want are scenic controls. They are needed there. But we need also to have the authority to maintain the environment in that area to keep it from destroying the total area outside of that environment along the river.

Those people who own property within the private use zone who we are able to negotiate with on a reasonable price, for adequate scenic control, we would do so, and if we can't, then we would acquire the property in fee.

Now, then, the people who live in this, which is the public development zone, with the public use facilities access and so forth, the option of continued occupancy would be at the discretion of the Secretary. In other words, they could stay there until the development of public use facilities required their removal.

Senator BIBLE. Ultimately, though, you are looking for complete condemnation of the public use zone?

Mr. HARTZOG. That is right. Those in the preservation zone, they have the option in the legislation which we support of selecting either life tenancy of the owner and spouse, or tenancy for 25 years, and the option is the landowner's and not ours.

Senator BIBLE. I see. How many are in that category? Give me the number in each of those categories.

Mr. HARTZOG. All right, sir. In the private use zone, there are 25. In the public development zone, there are 27. In the preservation zone there are 68.

Senator BIBLE. The preservation zone is tenancy for 25 years?

Mr. HARTZOG. They have the option. In the public development zone, the Secretary has the option. In other words, you have got to have the option of removing those incompatible private uses so you can proceed with the public development program.

Now, we would expect to phase these terminations to coincide with the development schedule. In other words, some of them may stay there for 2 or 3 years, some for 5 years. But the period of their continued occupancy in the public development zone will be at the discretion of the Secretary.

In the private use zone, we wouldn't acquire that property if we could negotiate at a reasonable price adequate scenic control to maintain the environment. If we can't, then we would acquire the property in fee, and we would lease back or sell back compatible use rights in accordance with the authority you have given us.

Senator BIBLE. These occupied dwellings, are they summer homes or are they year-round homes? What is the nature of the dwellings?

Mr. HARTZOG. They are a combination, Mr. Chairman, and I believe we have that information here, too, some place.

Mr. Chairman, there are 120 residences. There are 29 residences related to farming operations, 47 year-round not related to farming operations, and 44 seasonal cottages.

Senator BIBLE. How many business properties do you have there, going business, seasonal business?

Mr. HARTZOG. You have nine stores in Newton County, and three in Searcy County, for a total of 12.

Senator BIBLE. Are they year-round or seasonal?

Mr. HARTZOG. Year-round.

Senator BIBLE. Year-round; all right.

Mr. HARTZOG. Then you have two processing plants in Marion County, so that is a total of 14.

Senator BIBLE. What kind of processing plants?

Mr. HARTZOG. Ore processing; zinc ore processing.

Senator BIBLE. Are there mines within this area?

Mr. CAMPBELL. They are not active at all, sir.

Senator BIBLE. What does that mean? Do they employ five men in the mines? Are there mills or smelters or what?

Mr. CAMPBELL. They were just digging on top of the ground, strip mining.

Senator BIBLE. How many men would be employed in these mining operations?

Mr. CAMPBELL. I am not sure, sir.

Senator BIBLE. Do we have anyone in the room that does know that answer? It would be a little embarrassing if we were to create Buffalo National River and find out a going mine was in the middle of it.

Mr. CAMPBELL. The ones we have reference to are inactive.

Senator BIBLE. Nobody working there?

Senator FULBRIGHT. I don't know the exact figure, but I am vaguely familiar with this. During the first World War, with the high price of zinc, they were working these marginable mines and these were mostly cut down when the war was over. They were very minor,

very small. They have not been serious, large-scale mining at any time, but they did mine some of it during the war.

Senator BIBLE. Do I also understand right now there is no mining?

Mr. HARTZOG. My appraiser advises me that these properties are closed and there are no employees involved.

Senator BIBLE. That was the answer I was looking for.

Senator Anderson and I are a little worried about the mining problem.

Senator FULBRIGHT. They have never been comparable to the mines in your States.

Senator BIBLE. The answer is there are no active mining operations and no one employed at the present time?

Mr. HARTZOG. Right; there are two lumber mills involving maybe five or six employees together. There are two churches and six motel-cabin operations.

Senator BIBLE. Those would be seasonable, I assume. Are there many people there in the winter time?

Mr. CAMPBELL. They are basically seasonal.

Senator BIBLE. That is the property in the proposed private zone and preservation zone and the public development zone?

Mr. HARTZOG. Yes, sir, that is the works.

Senator BIBLE. That is the total?

Mr. HARTZOG. Yes, sir.

Senator BIBLE. You may proceed.

Mr. HARTZOG. Development costs, Mr. Chairman, have been updated from \$8,224,400 to \$12,102,000, and except for the perfecting amendment which we suggest, and also an amendment to include the escalation clause based on the fluctuation in construction industry, that would conclude my statement, Mr. Chairman.

Senator BIBLE. I don't think you told us yet about the proposed operating costs. In the first year of operation how many men will you have and how much will it cost?

Mr. HARTZOG. In the first year of operation we propose four permanent employees and four man-years of seasonal employees, with an operating cost of \$83,500, and that would increase in 5 years to 40 permanent employees, 28 man-years of seasonal employees, a total of 68 man-years, with operating cost estimate of \$1,600,800.

Senator BIBLE. At the end of 5 years?

Mr. HARTZOG. Yes, sir.

Senator BIBLE. Do you have a head count on the number of visitors there in 1970, for example?

Mr. HARTZOG. There are two State parks involved, Mr. Chairman. One is Lost Valley State Park at the upper end of the river, and these are figures as of 1967 in both instances, the most recent figure we have. There were 35,000 at Lost Valley State Park, and at the Buffalo River State Park, 770,092.

Senator BIBLE. How many?

Mr. HARTZOG. 770,092; our estimate is that if this project were approved that in 1972 there would be 875,000, increasing to, in 1977, the extent of our projection, 2,670,400.

Senator BIBLE. Well, now, tell me this: What happens to the State parks if this legislation is enacted?

Mr. HARTZOG. It includes the normal language authorizing the transfer by donation from the State.

Senator BIBLE. Is there any indication that the State of Arkansas will donate the State parks to the Federal park system?

Mr. HARTZOG. As you heard the gentleman from Arkansas advise you, the Governor has endorsed this proposal.

Senator BIBLE. He has endorsed it, but that isn't saying that you can produce a written statement.

Mr. HARTZOG. I have no written commitment from this Governor with respect to the donation of the State parks.

Senator BIBLE. Did you have a written statement from the former Governor?

Mr. HARTZOG. We had an oral commitment out of his cabinet officer.

Senator BIBLE. I always inquire on this point, Senator Fulbright. It does seem to me it is to the advantage of the State of Arkansas to make a donation to the Federal park system.

Senator FULBRIGHT. It is, and I think that has been the assumption all along.

Perhaps the representative of the Fish and Game Commission can be more specific on it, but both of the preceding Governors were strongly in favor of this proposal, Governor Faubus and Governor Rockefeller.

I spoke to the new Governor last night and we spoke about this at the dinner, and he is very much for it.

Senator BIBLE. You then have three Governors.

Senator FULBRIGHT. He is the new Governor. He just came in, in January.

Senator BIBLE. I knew you were doing homework. I saw you last night. That is very fine.

Senator FULBRIGHT. I spoke to him about it, but I had also spoken to him before about it.

Senator BIBLE. They should have a representative speak to the point.

There are no changes in the legislation before us that make it different from the bill that was passed by the Senate last year, is that true, other than the dollar amounts?

Mr. HARTZOG. Other than the dollar amounts, and then our recommendation for some perfecting amendments, which are simply typographical, and the engineering cost indices provision which we have been including in the past year.

Senator BIBLE. I think that is wise, because that takes into consideration the rising prices.

There is no change other than that?

Mr. HARTZOG. No changes in our proposal, except to include three more group camps in here in the development program over what we had when we came to you the last time.

Senator BIBLE. Is that spelled out within the legislation?

Mr. HARTZOG. No, that is part of the development cost.

Senator BIBLE. That doesn't change the legislation?

Mr. HARTZOG. We haven't changed our proposal otherwise.

Senator BIBLE. All right. I have no further questions.

Senator Anderson?

Senator FULBRIGHT. Mr. Chairman, I have to leave, and with Senator Anderson's permission, I would like to make one comment because of the rather substantial increase.

I only want to call attention to the fact that if the Senate action had been followed in the House of Representatives, you would not

have this problem. If the House had acted when it passed the Senate, we wouldn't have this problem. I think it only fair to call attention to that fact. It wasn't delay on the part of this committee in the Senate.

Senator BIBLE. We moved very quickly, and there isn't any way you can stay ahead of the rising costs. We find that all the time.

Senator FULBRIGHT. I thank you, Mr. Chairman.

Senator BIBLE. Thank you, Senator Fulbright. I know of your long-time and vigorous interest in this. I hope we move it forward this year.

Senator Anderson?

Senator ANDERSON. We talk here about \$5 million and then \$9 million and now \$16 million. Can you break those figures down?

Mr. HARTZOG. I beg your pardon?

Senator ANDERSON. You mention here a cost of \$5 million and \$9 million and now \$16 million.

Mr. HARTZOG. Yes, sir; as a matter of fact, it has been a steady escalation, Senator Anderson. The 1963 estimate was \$5 million. In 1967 it was \$6.6 million. In 1969 we reported it at \$9.2 million and in 1971, \$16.1 million.

Senator ANDERSON. Do you have a breakdown of those figures?

Mr. HARTZOG. Yes, sir, I do.

Senator ANDERSON. Concerning the zinc mining, there is no mine down there now?

Mr. HARTZOG. No, sir.

Senator ANDERSON. Is there any money included to pay off the zinc people?

Mr. HARTZOG. There is money in there to buy the physical improvements that are on the property, yes, sir.

Senator ANDERSON. How much would this be?

Mr. HARTZOG. Well, Senator Anderson, I hope we might supply the appraisal for the committee files. I would prefer not to testify on the individual valuation we placed on these properties, because it will prejudice our negotiations.

I will be happy to supply the appraisal report for the committee files.

Senator ANDERSON. I think you ought to, with a jump in land costs like that.

Mr. HARTZOG. We will be pleased to do it. I do hope it will be kept confidential, because I wouldn't want to telegraph my cost estimate to all these people.

Senator BIBLE. I think Senator Anderson understands that and I understand it. I think if this is furnished to us on a confidential basis, it will be so held. We don't want you to telegraph your costs in any of these instances, but I think you can easily respond as to whether this great increase in cost is in any part due to increase value that was placed on the zinc property.

Mr. HARTZOG. No, they were abandoned at the time of the initial appraisal. They have been abandoned for some time.

Mr. CAMPBELL. They have been abandoned for many years. I was misled, Senator Bible, in this.

Senator ANDERSON. You were misled?

Senator BIBLE. He was misled by my question.

Mr. CAMPBELL. That is correct, sir. There are no operating zinc mines at all there, sir. The reason for this increase, particularly striking this year, I believe, is due to the various magazine articles that have been hitting the press for the last 2 years, such as Senator Ful-

bright mentioned, about Thomas Hart Benton being up on the river.

This has brought national attention to the Buffalo River proposal. Consequently, the realtors in this section have been sending out many brochures throughout the United States, taking advantage, I presume, of the opportunity to sell land within the Ozark Mountains and particularly within the Buffalo River confines.

I do know that many people who are, I presume, wealthy, from Texas and California, have been interested in acquiring land along the Buffalo River, and because of this, you see, there has been an upward trend of price increase, compared to what it was about 7 years ago when I first came to Arkansas. Then most of the land was being traded or brought by people from Arkansas or Missouri.

Senator ANDERSON. If you don't know anymore about it than you do now, you can't tell about this \$5 million, \$9 million and \$16 million. How do you know somebody won't get too much money? Have you checked into this?

Mr. HARTZOG. Senator, these prices have been prepared by professional appraisers on our staff. I am not a real estate appraiser, but I will furnish that appraisal for the committee's files.

Senator ANDERSON. They jump from \$5 million to \$9 million to \$16 million. Doesn't somebody say there is something wrong with it, or do they say it is all right?

Mr. HARTZOG. Senator, I think it is all right. I think the price of waterfront property has escalated fantastically. In the case of the Everglades, for example, we had an authorization in 1958 of \$2 million. We practically made no dent with \$2 million, and the current estimate is \$20 million.

Senator ANDERSON. Has it stopped, now?

Mr. HARTZOG. No, it hasn't stopped, Senator. They are speculating in it every day, and because we don't have the money to enter the market, the speculation continues. That is what you are up against here.

Senator ANDERSON. There is no lead or zinc mining?

Mr. HARTZOG. No, sir; it is just digging, and has been for some time.

Senator ANDERSON. How about the waterways?

Mr. HARTZOG. We are acquiring—except for this private use zone, I think we are acquiring the title to all of this waterway, all of the property along here. It is 132 miles from its headwaters to its junction with the White River.

Senator ANDERSON. You are acquiring it on what sort of a financial basis. What are you paying for it?

Mr. HARTZOG. Cash.

Senator BIBLE. He is paying for it, all right.

I think what he is asking is the total amount you are paying for it?

Mr. HARTZOG. That is the estimate I gave you of \$16,115,000.

Senator ANDERSON. Are you satisfied that is the best possible figure?

Mr. HARTZOG. Well, Senator, I think it is. We have had remarkably good experience with the work of these appraisers which we have gotten in the last 5 years.

Senator ANDERSON. Are they the same appraisers you had in California?

Mr. HARTZOG. No, Senator, as I have explained to you, we didn't have those appraisers when Point Reyes came up, and this was one of the reasons you got into Point Reyes. But 5 years ago, the Appropriations Subcommittee gave me five professional appraisers to make land

estimates, and since I have had those professional land appraisers, I haven't exceeded a single solitary authorization.

Senator ANDERSON. When was the bill passed previously?

Mr. HARTZOG. Public Law 91-646.

Senator ANDERSON. How much does that cost you, since it was passed?

Mr. HARTZOG. We estimate, Senator, and this is a rough gross estimate, that it has about a 20-percent impact on all of these land acquisition programs overall. In some instances it is less and in some instances it is more.

Senator ANDERSON. It starts at \$5 million. How did it get to \$16 million? Is that 20 percent?

Mr. HARTZOG. No, there is about \$1.5 million attributable to S. 1 in this land estimate. The other \$5.5 million is attributable to escalation in land value.

Senator BIBLE. Thank you very much, gentlemen. I appreciate your testimony.

Would you have some of your people stay here, Dr. Director? I realize you have other commitments, but if you have some of your experts who would stay, and the Arkansas superintendent stay, there may be other questions which will occur which we would like to inquire on.

Mr. HARTZOG. Thank you very much.

Senator BIBLE. I would appreciate it.

(Mr. Hartzog's prepared statement follows:)

STATEMENT OF GEORGE B. HARTZOG, JR., DIRECTOR NATIONAL PARK SERVICE

Mr. Chairman and members of the committee, we are happy to appear before you today in support of S. 7, a bill "To provide for the establishment of the Buffalo National River in the State of Arkansas, and for other purposes."

The proposed Buffalo National River is located in Newton, Searcy, Marion, and Baxter Counties in northern Arkansas, approximately 120 miles north of Little Rock, 200 miles east of Tulsa, 280 miles southeast of Kansas City, 300 miles southwest of St. Louis, and 200 miles west of Memphis.

The Buffalo River is considered one of this country's finest remaining significant natural rivers. This is not due to any single aspect of the river, but rather to a remarkable combination of favorable attributes. The base of the river's appeal lies in its clean flowing waters, which support a notable sports fishery and provide an opportunity for pleasure boating and swimming. Massive bluffs and deeply entrenched valleys give the Buffalo the most spectacular setting of any stream in the region and enable it to be classed among the most outstandingly scenic of the free-flowing streams in the eastern United States. With little residential or commercial development on its banks, and without municipal or industrial development, the Buffalo River is unspoiled and free of pollution. It offers a unique opportunity for preservation since its headwaters lie within the Ozark National Forest, and the remaining 132 miles of the river can be preserved and administered as a single unit under the provisions of S. 7.

The Buffalo River, within an easy day's drive of nearly 15 million people, is a great outdoor museum whose geology, botany, wildlife, archeology, and history record the evolution of man and nature over thousands of years.

S. 7 authorizes the Secretary of the Interior to acquire by donation, purchase with donated or appropriated funds, or exchange, lands and water or interests therein within the national river boundaries, and outside of such boundaries in order to avoid the payment of severance costs. Lands owned by the State of Arkansas or its political subdivisions may be acquired only by donation.

The total acreage of 95,730 acres is comprised of 950 acres of Federal land under the jurisdiction of the Forest Service, Department of Agriculture, 2,960 acres of State land, which is in two State parks and scattered parcels of public hunting areas, and 91,820 acres of privately owned land.

On the private land there are 201 improvements, consisting of 86 farm units, 47 year-round residences, 44 seasonal cottages, 12 stores, 2 ore processing plants, 2 lumber mills, 2 churches, and 2 motel-type units, with 4 associated structures.

Real property taxes levied on the properties within the boundary totaled \$21,570 in 1970.

It should be pointed out, in this connection, that under section 2(b) of S. 7 most owners of property used for agricultural or residential purposes can continue to remain within the area for their lifetimes or for a fixed term of years, whichever they may choose.

The estimated cost of acquiring the private lands within the proposed national river is \$16,115,000, with total development costs of approximately \$12,102,000. The estimated annual cost of operation will be \$1,006,800 after the first five years.

Mr. Chairman, as the Committee is aware, the Senate passed a bill identical to S. 7 in the 91st Congress to authorize the Buffalo National River. At this point I believe it would be appropriate to emphasize certain elements of this proposal that relate to your Committee's earlier action on the bill, such as:

1. *Wild and Scenic Rivers Act.* The Buffalo National River is recommended as a separate unit of the National Park System, rather than a part of the Wild and Scenic River System. Our recommendation is based chiefly on the fact that the Buffalo National River should include not only the river itself but significant natural areas and areas for recreation development which are necessary to preserve and interpret this outdoor recreation resource. Under the Wild and Scenic Rivers Act, only 100 acres per mile could be acquired in fee, whereas we believe the protection of the Buffalo River and provision for public enjoyment of its resources requires authority to acquire an average of 725 acres per mile. In other words, the Wild and Scenic Rivers Act provisions would not permit the degree of protection and public use that we believe is necessary.

2. *Updated costs.* In our presentation to your Committee in 1969 we furnished cost estimates as being \$9,200,000 for land acquisition, and \$8,224,400 for development. Since that time acquisition costs have risen to \$16,115,000, and development costs have risen to \$12,102,000. A significant item of increase (\$1.5 million) in the land acquisition estimate is due to the passage by the Congress of the Uniform Relocation Assistance and Land Acquisition Policies Act of 1970, wherein owners of land acquired by the Federal Government are entitled to certain benefits which were not contemplated in the cost estimates we furnished in 1969.

The development cost estimate has been increased over that of 1969 to reflect increased sewage and sanitation facilities as well as the ordinary rise in costs of labor and materials indicated by engineering cost indices applicable to the types of construction involved in this project. You will note the Department's report on the bill recommends an amendment which would relate the appropriation limitation on development costs to engineering cost indices in order to assure that when construction work is begun we will have the authority to request funds in an amount necessary to cover actual costs at that time.

This concludes my prepared testimony, and I would be pleased to answer any questions you or the Committee may have.

Thank you.

Senator BIBLE. Our next witness is Col. Jack F. Diggs of the Sierra Club, Fayetteville, Ark.

#### STATEMENT OF COLONEL JACK F. DIGGS, SIERRA CLUB, FAYETTEVILLE, ARK.

Colonel Diggs. Senator Bible, gentlemen, my name is Jack Diggs. I am a native and resident of Fayetteville, Ark. I represent the Arkansas members of the Sierra Club, an organization dedicated to the conservation of natural resources of scenic beauty and the protection of the natural environment.

We support Senate Bill 7—Senators Fulbright and McClellan—which would provide for the establishment of the Buffalo National River in the State of Arkansas.

Arkansas is a State still well supplied with the basic natural resources of flora and fauna, soil and water. Most of the population dwells in rural areas and in small cities and towns.

Because of this fact, Arkansas has not yet encountered the problems of environmental pollution and urban congestion to the severe degree that is being experienced by some sections of the Nation.

However, the terrain of the State is being substantially altered by the economic endeavors of mankind. Most of the major streams have been dammed. The levelling of large areas of land for agricultural production is proceeding rapidly.

Hardwood forests are being cut faster than the natural rate of growth. Small watershed projects, the dredging of streams, and similar activities are affecting the topography of the State.

Most of Arkansans are in favor of economic progress, but it has become apparent to many that stronger action must be taken to protect the environment. The Buffalo River, because of its unspoiled beauty and the high quality of its natural values, deserves protection.

The benefits of National River status for the Buffalo will extend beyond the boundaries of the State to the citizens of adjacent States, and we believe that the project will also be of great assistance to the economic well-being of residents of the area.

A number of studies have been made of the existing economic and sociologic status of the five counties in which land would be acquired for the proposed national river. Of the 95,000 acres to be included within the protected zone over two-thirds lie in only two counties—Newton and Searcy Counties—and a brief consideration of a few statistics about those two counties will give a reasonably accurate impression of conditions existing all along the river.

Preliminary 1970 population estimates showed Newton County to have about 5,800 inhabitants, a decline of 2 percent since 1960, when the county had only seven inhabitants per square mile.

From the point of view of the general public it is clear that no great number of persons would be displaced by the establishment of a national river.

As might be expected, the income of residents in the area is relatively low. In 1969, the average annual per capita income for the State of Arkansas was estimated at \$2,642, considerably below the national average.

The Newton County per capita income was estimated at only \$1,294, while the Searcy County figure was only \$1,550—each far below the State average. This disparity is also reflected in the figures for public welfare assistance.

About 6.6 percent of Arkansans are on the public welfare rolls in 1971. In Newton County, 12.2 percent are on welfare rolls while in Searcy County, 9.2 percent draw welfare.

It is obvious that the economy has not been highly developed in the rugged terrain contiguous to the Buffalo River because resources are not there. The value of agricultural production is relatively low, and much of the timberland area is second-growth hardwood which is not producing enough timber to sustain a long-range industry.

Light manufacturing activity has made some progress elsewhere in the counties concerned but it seems insufficient to generate sustained economic growth.

The region does, however, have an excellent natural resource: the Ozark Mountains with their handsome rural scenery fine climate, and natural attractions for tourists. The wise conservation and development of this scenic resource—including such features as the Buffalo

River—will provide a more prosperous economy for the Ozarks area.

There are no national parks of large size in the central part of the Nation. The Ozark-Ouachita mountainous uplift will be needed by the growing populations of the cities and towns of the midwest and upper south for outdoor recreation and appreciation of semiwild areas.

The preservation of the few remaining free-flowing streams in the region—among which the Buffalo River is exceptional—appears to be a feasible means of providing these areas for the needs of our people before it is too late.

The Buffalo River, endowed with clear, free-flowing water, many miles of handsome bluffs, and a forested and secluded atmosphere, is unusual. A visit to the river is distinctly different from a visit to the artificial environment of a man-made reservoir.

The Buffalo River deserves protection so that future generations may enjoy and appreciate what a beautiful thing a natural river is.

To summarize, the establishment of the Buffalo National River will: One, provide a national park of high quality at relatively modest cost.

Two, serve an area of the Nation where more national parks will be needed in the future.

Three, displace relatively few persons, or significant economic interests.

Four, provide a substantial addition to the economy of an area where additional support is needed.

Finally and most importantly, preserve for future generations a handsome and unique natural scenic resource of a type which has almost been obliterated from this Nation.

The Sierra Club members of Arkansas thank you for your approval of this measure in the previous session of Congress and we urge your early favorable consideration on Senate Bill 7. We thank you for the privilege of appearing here today.

Senator BIBLE. Thank you very much, Mr. Diggs. I think that is a very fine statement and summarizes it very well. I have no questions.

Senator ANDERSON?

Senator ANDERSON. Is this a booming area, Mr. Diggs?

Colonel DIGGS. From the standpoint of economics, no, sir, it is not.

Senator ANDERSON. Why did they raise the price?

Colonel DIGGS. Sir, I don't know.

Senator ANDERSON. Ordinarily, there has to be a demand for it in order to raise the price. There has been a reduction right along during the last 10 years?

Colonel DIGGS. The population in the area, sir, is declining slightly. Basically, I think it is because the younger people in the labor force move out to go to cities or other areas where they can earn a better living.

Because of this, there hasn't been an influx of the people of the labor force age, because there hasn't been any place to put them to work. Now if the Buffalo National River is established, and if it does bring about the benefits of tourism, which a study done for the Department of the Interior predicted, we should be able to keep more young people home, and we hope our economy will boom.

Senator ANDERSON. Your testimony here was that preliminary 1970 population estimates show the population is down some 2 percent. Why

then is this property of more value than it was when it was estimated at \$5 million? We have \$5 million, \$9 million and now \$16 million. Something raised the prices. Do you know what happened?

Colonel DIGGS. Sir, I am not a party to these estimates. I do not work for the National Park Service, nor am I an appraiser. I am a member of the Sierra Club.

It is beautiful country. It should be preserved, and I think anyone who goes down there and sees it, recognizes its value. It may be that people going in there from elsewhere or other areas in the State realize that someday this is going to be developed, whether under private resources or whether under the public interest, and because of this, they may be buying that land. I don't know. I don't own any land there.

Senator ANDERSON. The 1969 average annual per capita income for the State of Arkansas you said was \$2,642. Isn't that much below the national average?

Colonel DIGGS. It is considerably below the national average. I believe the national average is \$3,400. I don't have that late figure.

Senator ANDERSON. I am trying to figure out why this property has an increased value with the population dropping off. How can you justify that difference in price?

Colonel DIGGS. Well, sir, I am not trying to justify the price.

Senator ANDERSON. But we have to sometime. It has to be paid for.

Colonel DIGGS. We do feel that assuming that the study of the potential benefits of tourism which have been made come out and prove out, that this will bring a great influx of tourists into the area, people who enjoy the river and other associated features with the national river, and that will bring about economic benefits to our area.

At the present time, though, sir, the economic level of the area, as I have mentioned, is quite low. The population is declining slightly. The agricultural production of the area is considerably below the State average. For example, in Newton County, from the last Department of Agriculture census, if I recall correctly, the average production of the farm in Newton County, Ark., was only about \$850 per annum, whereas the average farm in Arkansas has a product value of about \$10,000 per annum. This is because the soil is poor there.

There is not much timbering. The basic resource is scenery. I think perhaps some of these people who we mentioned earlier may be buying scenery, because they realize it has value and will have greater value as these natural resources decline across the country as our population grows.

Senator ANDERSON. Are there any other areas increasing this way by river development?

Colonel DIGGS. I am sorry, I didn't understand the question.

Senator ANDERSON. You are trying to show here that there was development in the area, zinc plants, lead plants, but it has dropped off. The farmers' income is dropping off. Isn't all of the economy of that area dropping off?

Colonel DIGGS. Basically speaking, sir, there is very little industry in most of these counties. The one exception is Baxter County. There has been considerable growth there, but that area of the county isn't on the river.

Basically along this area, its principal value is scenery, and there is a certain amount of farming, particularly along the middle stretch of the Buffalo. There is a certain amount of cattle raising there, but

these are mostly rather small-scale operations, and not large-scale at all, from the economic sense.

From the testimony given by Mr. Hartzog here, you saw that there were only about, I believe, 11 or 12 motels in the area, so it is obvious that the tourist business in that particular area has not yet progressed, and we hope with the establishment of the Buffalo National River that we will bring in tourists to enjoy this wonderful scenery and atmosphere, and it will help our economy.

Senator ANDERSON. Are you a representative of the Sierra Club?

Colonel DIGGS. The Arkansas members of the Sierra Club.

Senator ANDERSON. Do they endorse this?

Colonel DIGGS. Yes, sir.

Senator BIBLE. Thank you very much, Colonel Diggs. I appreciate your appearance here this morning.

Our next witness is Dr. Joe Nix of the Ozark Society, Arkadelphia, Ark.

Dr. Nix.

**STATEMENT OF DR. JOE NIX, OZARK SOCIETY, ARKADELPHIA, ARK.**

Dr. NIX. The last time I sat here and testified before you, I was here from Ouachita University. I remember you had trouble pronouncing Ouachita. Do you remember that?

Senator BIBLE. Yes; some of those names get me.

Dr. NIX. I have a statement which I would like to have included in the record.

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

Dr. NIX. I will highlight it.

I am representing the Ozark Society. It is a conservation organization and has supported national river status for the Buffalo River since the organization began in the early 1960's.

Certainly in the haste to cross the continent and settle the Nation, most of our outdoor recreation facilities have been located in the West due to the existence of such stupendous features as the Grand Canyon, Yosemite and other areas there.

Later some attention was given to the Appalachian and Blue Ridge Mountains and some other areas in the east.

Early efforts to locate national park facilities in the Ozark-Ouachita highlands were unsuccessful and for many years were forgotten. The fact remains that this region is a natural area for outdoor recreation for all of the great cities of the central part of the Nation, including such urban areas as Chicago, St. Louis, Kansas City, Memphis, Tulsa, Oklahoma City, Dallas, Shreveport and New Orleans.

It is within a day's ride of all of these large and growing cities. According to President Nixon's recently stated policy, the present administration hopes to see the establishment of national park areas near the center of population and in this respect, the proposed Buffalo National River is admirably situated.

The Buffalo River area at the present time is not densely populated. I think we have established that already by talking to members of the National Park Service, and other people.

It has been a center of out-migration for almost 70 years. Only during the last 2 or 3 years has there been stabilization of the population

and even then the population remains relatively low in respect to the rest of the State of Arkansas and to the Nation.

In the event that this migration pattern becomes reversed, a golden opportunity will be lost to establish a national park area along the Buffalo.

A definite policy of preservation needs to be established now before the area is overcome by a tide of resettlement villages, land speculators and commercialism. The integrity of the Buffalo River is definitely threatened by a number of factors. Unless legislation can be enacted to save it, any or all of these destructive programs will be carried out, rendering it unrecognizable and unsuitable for its best possible use which is that of recreation and rejuvenation of our population, which is increasingly subjected to urban fatigue.

The threat of high dams proposed by the Army Corps of Engineers still exists in reference to the Buffalo River in spite of statements to the contrary.

At least one of the high dams proposed for the Buffalo River has never been deauthorized and the moment that protective legislation should fail, plans may be again brought forth and consummated without question.

A review of the history of policy and activities of the Corps of Army Engineers leaves one without any other conclusion in reference to this fact.

Extensive bulldozing in the watershed area of the Buffalo River and within the river itself is currently underway in an ever increasing scale. Wide areas are being denuded of timber on steep slopes with resulting severe erosion and filling of the stream.

Dredging in the stream also has been done in several sections of the river and within a few years it will not be recognizable in its natural state due to this practice.

Heavy construction by State agencies also is contributing heavily to deterioration of this high quality stream. Even though the population along the river is quite low, recently a modern highspeed highway has been constructed through the upper end of the Buffalo River Valley where the total population is only about 200 persons.

Logging operations have been carried out with increasing intensity all along the river. I only mention this to give you some idea of what is happening on the general scale in the river basin, but certainly within the scope of trying to protect the scenic area, they do have some significance.

By the use of bulldozers all of the once inaccessible canyons and ravines are now open to logging operations and as a result, no significant area of the original forest will be left undisturbed within a few years.

Just to summarize, the Ozark Society does support Senate Bill 7. We believe that the proposed Buffalo National River would be an asset to all of America. We also believe that Senate Bill No. 7 will give adequate protection to the river and surrounding areas to insure that this resource will be used properly for the benefit of the people who will be seeking this unique form of outdoor recreation.

The Ozark Society wishes to support some possible amendments that might be considered, should they come up. We would like to be on record in favor of these.

One, to go on record in support of amendments to Senate Bill No. 7 which would require the National Park Service to carry out a study

of the proposed park area to determine the feasibility of establishing wilderness areas.

Two, to provide for the establishment of a citizens advisory board, composed of local leaders, conservationists, and so forth, who would meet regularly to advise the national river superintendent on matters pertaining to development and administration of the area.

I would like to thank you gentlemen for hearing my statement.

Senator BIBLE. Thank you very much, Mr. Nix. I have no questions of you.

Senator Anderson?

Senator ANDERSON. On the bottom of page 3 where you talk about the threat of high dams. Are there any dams there now?

Mr. Nix. No, sir; on the Buffalo River, there are no dams. There are some on other rivers in this area of Arkansas. The White River, which is not too many miles removed from the Buffalo, does have some rather large dams on it.

We find that there are plenty of reservoirs in the area to take care of most types of recreation. For people who want reservoir type of recreation, there is plenty of that around for them.

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

(Mr. Nix's prepared statement follows:)

STATEMENT OF DR. JOE NIX, OZARK SOCIETY, ARKADELPHIA, ARK.

Mr. Chairman and Members of the Committee :

My name is Joe F. Nix. I have been asked to present the following statement in support of Senate Bill 7 by the Ozark Society. The Ozark Society is a conservation organization and has supported national river status for the Buffalo River since the organization began in the early nineteen sixties.

The Ozark Highlands of Central North America extend north and south for a distance of almost 600 miles and east and west about 300 miles. Within this region of hills and low mountains there did exist and still does to some extent some of America's most charming natural scenic areas. In the haste to cross the continent and settle the nation most of our outdoor recreational facilities have been located in the west due to the existence there of such stupendous features as the Grand Canyon, Yosemite, Yellowstone and the great coastal ranges. Later some attention was given the Appalachian and Blue Ridge Mountains in the east with the establishment of the Great Smokey Mountain National Park and the Shenandoah National Park.

Early efforts to locate national park facilities in the Ozark-Ouachita Highlands were unsuccessful and for many years were forgotten. The fact remains that this region is a natural area for outdoor recreation for all of the great cities of the central part of the nation including such urban areas as Chicago, St. Louis, Kansas City, Memphis, Tulsa, Oklahoma City, Dallas, Shreveport, and New Orleans. It is within a one day's drive of all of these large and growing cities. According to President Nixon's recently stated policy, the present administration hopes to see the establishment of national park areas near the center of population and in this respect the proposed Buffalo National River is admirably situated.

Of all the scenic areas in the Ozark-Ouachita uplands the basin of the Buffalo River is perhaps the most outstanding. This is because it was the most beautiful river in the Ozarks, being bordered along its entire length by high bluffs, some of them up to 600 feet high. Many of its tributaries enter through gorges and canyons of unusual scenic value. Along these tributaries are to be found the highest waterfalls in the middle west, enormous caverns, natural bridges and precipitous over-hanging limestone bluffs. The preservation of such features before man's increasingly destructive technology can alter or obliterate them is now extremely urgent.

The Buffalo River area at the present time is not densely populated. It has been a center of out-migration for almost 70 years. Only during the last 2 or 3 years has there been stabilization of the population and even then the population remains relatively low in respect to the rest of the State of Arkansas and to the Nation. In the event that this migration pattern becomes reversed, a golden

opportunity will be lost to establish a National Park Area along the Buffalo. As of the present time there are only about 130 or 140 inhabited dwellings in the area specified by the current legislation for the Buffalo National River. The acquisition of land in the proposed area will become more difficult each succeeding year since very little of the proposed area is within the national domain at the present time. A definite policy of preservation needs to be established now before the area is overcome by a tide of resettlement villages, land speculators and commercialism. The integrity of the Buffalo River is definitely threatened by a number of factors. Unless legislation can be enacted to save it, any or all of these destructive programs will be carried out rendering it unrecognizable and unsuitable for its best possible use which is that of recreation and rejuvenation of our population which is increasingly subject to urban fatigue.

The threat of high dams proposed by the Army Corps of Engineers still exists in reference to the Buffalo River in spite of statements to the contrary. At least one of the high dams proposed for the Buffalo River has never been deauthorized and the moment that protective legislation should fail, plans may be again brought forth and consummated without question. A review of the history of policy and activities of the Corps of Army Engineers leaves one without any other conclusion in reference to this fact. We do not have time to consider here today the ruinous effect that a series of high deep draw down reservoirs would have on a stream such as this. It is sufficient to say that such reservoirs as already exist in this area now are in definite over supply.

Extensive bulldozing in the watershed area of the Buffalo River and within the river itself is currently underway in an ever increasing scale. Wide areas are being denuded of timber on steep slopes with resulting severe erosion and filling of the stream. Dredging in the stream also has been done in several sections of the river and within a few years it will not be recognizable in its natural state due to this practice. The chief reason for this is an effort to establish cattle ranches in most instances by wealthy individuals whose source of income lies in other endeavors and who have found that by this method an income tax shelter may be obtained. Enactment of Senate Bill No. 7 would terminate this economically undesirable activity at least along the immediate environs of the river.

The use of tree killing sprays have recently also become extensive in the Buffalo River Valley. This also is directed toward the establishment of grazing areas for cattle for the same reasons as already mentioned under the subject of bulldozing. We have heard the great outcry against the use of such sprays in Vietnam during the present military conflict there but nothing has been said of the widespread distribution of these sprays in the Buffalo River area and also throughout the entire Ozark upland area where efforts are being made to remove the forest placed there by nature for the sake of a questionable agricultural need.

Heavy construction by state agencies also is contributing heavily to deterioration of this high quality stream. Even though the population along the river is quite low, recently a modern highspeed highway has been constructed through the upper end of the Buffalo River Valley where the total population is only about 200 persons. In this operation extensive and deep stripping activities were carried out along the banks of the upper Buffalo and in the bed of the river itself to obtain materials for surfacing. Deep cuts were necessary on the mountains on either side of the valley and in many instances the earth fill was not maintained and slipped into the valleys below. This resulted in heavy contamination of the river with mud and silt from these extensive construction areas with the result that the river was muddied for a distance of 75 or more miles below the site of the landslides this created. As a result of the instability of the road bed still deeper cuts were needed to be made into the mountainsides to ultimately insure the passage of traffic. Legislation contained in Senate Bill No. 7 would help to ameliorate and restore damage done by these excessively massive highway construction projects.

Logging operations have been carried out with increasing intensity all along the river. By the use of bulldozers all of the once inaccessible canyons and ravines are now open to logging operations and as a result no significant area of the original forest will be left undisturbed within a few years. Little if any of the proposed Buffalo National River lies within the jurisdiction and protection of the National Forest Service. The early passage of legislation to place at least a marginal area of woodland along the stream under the protection of an experienced government agency such as the National Park Service is needed without delay.

In addition to marginal logging operations above described, mining activities of extremely questionable economic justification are underway. Sporadic efforts to recover zinc ore have been made up and down the river for many years and

are still attempted from time to time. Also efforts to mine or quarry limestone have been carried out in places causing significant defacement of the hills along the river. Due to the fact that these operations are not economically sound, permanent protection is needed to stop further exploitation of this type.

One of the most serious threats to the degradation of the scenic integrity of the Buffalo River Valley is the current increase in commercialization of the tourist trade. All sorts of often shoddy, sometimes poorly financed establishments are arising throughout the area. The passage of Senate Bill No. 7 would terminate such speculation in the immediate vicinity of the river.

Pollution of the Buffalo River remains at a relatively low level but is increasing and will increase rapidly unless significant steps are taken to correct it. This applies especially at this time to the contamination of the river by barn lots and heavy cattle population along the banks of the stream. Also such small communities as exist are at the present time dumping raw sewage into the Buffalo River or its tributaries. With an increase in population it is obvious that unsupervised disposal of waste materials of many types will contaminate the streams and make it unsuitable for recreation and rejuvenation of those seeking to escape the stresses of our modern technological society.

We believe that the proposed Buffalo National River would be an asset to all of America. We also believe that Senate Bill No. 7 will give adequate protection to the river and surrounding areas to insure that this resource will be used properly for the benefit of the people who will be seeking this unique form of outdoor recreation.

The Ozark Society wishes (1) to go on record in support of amendments to Senate Bill No. 7 which would require the National Park Service to carry out a study of the proposed park area to determine the feasibility of establishing wilderness areas and (2) to provide for the establishment of a citizens advisory board, composed of local leaders, conservationists, etc. who would meet regularly to advise the National River Superintendent on matters pertaining to development and administration of the area.

I would like to express my thanks to the committee for hearing this statement.

Senator BIBLE. Senator Hansen, before he was called away to another committee meeting, asked me if I would insert in the record a statement which Senator Bellmon of this committee handed to him in full support of the Buffalo National River, the bill that we are now considering this morning, and without objection, this will be made a part of the record at this point.

(The document referred to follows:)

STATEMENT OF HON. HENRY BELLMON, A U.S. SENATOR FROM  
THE STATE OF OKLAHOMA

Mr. Chairman, at the time this Committee conducted hearings on the Buffalo National River two years ago, I said large numbers of Oklahomans use the Buffalo River for floating, fishing, camping and other purposes. \* \* \* and that I shared their sentiments for the preservation of this beautiful stream. I further urged Congress to enact the legislation as quickly as possible.

My sentiments have not changed in the two years since we first held hearings. The Buffalo River is still the most important and the most magnificent free-flowing river in all of the three states of the Ozarks Region. It has a unique charm and natural beauty unmatched anywhere in the United States.

Many witnesses have previously appeared before this Committee to eloquently express the remarkable beauty and outstanding recreational potential of the proposed Buffalo National River. Little can be said about these aspects that has not been adequately stated. I do wish to emphasize, however, the rapidly expanding use and interest in the Buffalo.

The Buffalo is in close proximity to Oklahoma. \* \* \* close enough that most residents of the state can reach it within three or four hours driving. Growing numbers of Oklahomans use the river each year. \* \* \* and it is growing increasingly popular as a weekend retreat for families seeking the quality recreational opportunities and the wilderness experience offered by the Buffalo.

There is also increasing interest and support in creation of the Buffalo National River from outside the immediate area of the river. Just yesterday, I received a telegram from the Scenic Rivers Association of Oklahoma—an organization of several hundred canoeing and camping enthusiasts from through-

out the state—expressing full support for the purposes and provisions of this bill and urging early passage by the Senate.

I, too, believe it is important that we act with all possible speed in approving the bill. Use of the river and its immediate surroundings is increasing at a rapid rate with no regulations or control procedures in effect. Without protection, many of the river's aesthetic values could be destroyed by over-use. \* \* \* or by careless and indiscriminate developments.

Immediate action on Senate Bill 7 will speed us on the way toward creation of the Buffalo National River and the protection needed to preserve the values which make the Buffalo River one of the truly outstanding natural areas of the United States.

Senator BIBLE. Our next witness is Thomas L. Kimball, executive director, National Wildlife Federation, Washington, D.C.

**STATEMENT OF THOMAS L. KIMBALL, EXECUTIVE DIRECTOR, NATIONAL WILDLIFE FEDERATION, WASHINGTON, D.C.**

Mr. KIMBALL. In order to save time, Mr. Chairman and Senator Anderson, may I have my report submitted as if read, and I will summarize it?

Senator BIBLE. Without objection, the full statement will be incorporated in the record.

Mr. KIMBALL. Mr. Chairman, the Senate passed this bill 2 years ago, and I think the discussion held this morning on the rising cost has emphasized the point that it doesn't pay to delay the preservation of some of our unique scenic wonders.

It is my understanding that there are only five rivers left in Arkansas that are undeveloped. All of the other river systems are rather intensively developed. They are dammed. They have transportation dredging done, and are used in many other ways.

In the view of our affiliate in Arkansas, the Arkansas Wildlife Federation, this is the best and most unique of the rivers left in Arkansas.

We certainly support this bill and hope that the Senate will do the same as 2 years ago and enact it. During this Session of Congress, we hope it will be enacted into law.

Senator BIBLE. Thank you, Mr. Kimball. I have no questions of you. Senator Anderson?

Senator ANDERSON. I have no questions.

Senator BIBLE. Thank you very much.

(Mr. Kimball's prepared statement follows:)

**STATEMENT OF THOMAS L. KIMBALL, ON BEHALF OF THE NATIONAL WILDLIFE FEDERATION**

Mr. Chairman, I am Thomas L. Kimball, Executive Director of the National Wildlife Federation, which has its national headquarters at 1412 Sixteenth Street, N.W., here in Washington, D.C.

Ours is a private organization which seeks to attain conservation goals through educational means. The National Wildlife Federation has Affiliates in 50 States and the Virgin Islands. These Affiliates, in turn, are made up of local groups and individuals who, when combined with associate members and other supporters of the National Wildlife Federation, number an estimated three million persons.

We welcome the invitation to comment upon S. 7.

Mr. Chairman, we are coming back here today after nearly two full years to again ask that the Subcommittee, and the full Committee, provide for the establishment of the Buffalo National River in Arkansas. According to our records we made a similar appeal on May 27, 1969, and our gratitude certainly goes to all of those who were instrumental in subsequent approval of the bill in the Sen-

ate on Sept. 3, 1969. Of course, we were disappointed when the House failed to follow with similar action.

As pointed out in our previous testimony, the National Wildlife Federation long has favored establishment of the Buffalo National River. People in our organization and in our Affiliate in Arkansas, the Arkansas Wildlife Federation, had a hand in initiating the original studies on suitability of the Buffalo River proposal which resulted in the survey completed by the University of Arkansas and published in April, 1963. We have supported the establishment of this area in articles published in the NATIONAL WILDLIFE Magazine and others of our publications. We urged the establishment of this area when testifying in previous years on wild or scenic rivers proposals. The wild or scenic river bill, of course, subsequently was cleared by this Committee and became law as one of the outstanding accomplishments of the 90th Congress.

In view of the foregoing, it is obvious that we support the principle of the establishment of the Buffalo National River in Arkansas. We do think that it will serve the purpose as outlined in Section 1, of S. 7: "for the purpose of conserving and interpreting an area containing unique scenic and scientific features, and preserving as a free-flowing stream an important segment of the Buffalo River in Arkansas for the benefit and enjoyment of present and future generations." In addition, we generally are in accord with the proposed boundaries as outlined by the National Park Service in a Drawing Number NR-BUF-7103, dated December 1967, and containing not more than 95,730 acres. Witnesses appearing earlier in these hearings have outlined the outstanding qualities of this stream and we agree, considering it of at least equal calibre to those which are already set aside in the Ozark National Rivers in Missouri. Winding through the Ozark Mountains through northeastern Arkansas, this outstanding stream traverses a region of exceptional and varied beauty, and the Buffalo National River can provide many types of outdoor recreational and educational opportunities.

To comment about specifics in S. 7, we believe that Section 2 outlines proper and adequate authority for the Secretary of the Interior to acquire lands needed for this facility. We think that the land exchange provision in this section can help implement acquisition of needed properties and we are in agreement with the established procedure whereby property owners within the National River can retain occupancy for up to 25 years.

Again, we are pleased that Section 3 sets out that "The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the Buffalo National River in accordance with applicable Federal and State laws, except that he may designate zones where, and establish periods when, no hunting or fishing shall be permitted except for reasons of public safety, administration, or public use and enjoyment." We do not feel the Secretary should be involved in resident fish and wildlife management.

We also agree that Section 4 has much merit in protecting the area from licensing of the construction of any dam, water conduit, powerhouse, reservoir, transmission line, or other project work. Unless this protection is provided for, outside influences well might be able to diminish or spoil the outstanding scenic, recreational and fish and wildlife values which are present in the National River.

Section 5 specifies that the Buffalo National River would be administered in accord with the basic, organic Act establishing the National Park Service. This Act, and others, gives the Secretary of the Interior sufficient authority, in our opinion, to adequately and properly enforce laws and regulations in the area.

Section 6 would authorize the appropriation of up to \$9,200,000 for land acquisition and \$8,224,400 for development. These figures were applicable in 1969, when the bill was previously approved, but we would expect that costs in both categories will have risen since that time and we hope the Subcommittee will add whatever is necessary to reflect the necessary changes.

Mr. Chairman, we are pleased that important new amounts of money have been authorized for addition to the Land and Water Conservation Fund. We are equally pleased that the Administration is seeking major appropriations from this Fund. We certainly hope and trust that as much as possible of the acquisition backlog will be taken care of in this manner and that monies for additional areas, such as the Buffalo National River, can be funded nearly as soon as they are authorized. This, we understand, was a major problem in House consideration in the 91st Congress.

To conclude, we recommend approval of S. 7 and again thank the Subcommittee for the opportunity of making these remarks.

Senator BIBLE. Our next witness is Robert E. Apple, Arkansas Wildlife Federation, Inc., of Dardanelle, Ark.

Mr. KIMBALL. He was to be here, but the plane he came on was delayed and I will submit his statement for the record.

Senator BIBLE. Without objection, his full statement will be incorporated into the record.

(Mr. Apple's prepared statement follows:)

STATEMENT OF ROBERT E. APPLE, EXECUTIVE DIRECTOR, ARKANSAS  
WILDLIFE FEDERATION

The Buffalo River in north Arkansas is nationally recognized as one of the most beautiful rivers in the country. It is one of the major streams draining the watersheds of the Ozark Mountain region and both the Ozark country and the swift clear Buffalo River has unique and outstanding recreational potential for many kinds and types of sports and outdoor recreation.

Most of the major streams in Arkansas and in the Ozark country have been covered up by the waters of large, fluctuating impoundments. It is essential that some of the remaining free flowing streams be preserved for their scenic, recreational, historic and other values. As the outstanding stream in this part of the United States, it is of the utmost importance that the Buffalo River be preserved in its natural state and made available to the public for recreational use. To accomplish this, it will be necessary to designate the River and its watershed as a national river or a national park. Already various types of private developments are destroying some of the beauty and character of the Buffalo River country.

Therefore, the Arkansas Wildlife Federation wishes to declare its full support of SB 7, providing for the establishment of the Buffalo National River in Arkansas. It is imperative that this River be set aside and protected in the immediate future if its beauty and recreational potentials are to be preserved. As the largest statewide conservation organization, we give this bill full support and request that the Senate pass and implement the provisions of the Buffalo River bill during this current session of the Senate.

We appreciate the opportunity to appear before this Committee and give our support to this important legislation.

Senator BIBLE. Our next witness is Dr. Neil Compton, president, Ozark Society, Bentonville, Ark.

Dr. NIX. Senator, my statement was in lieu of Dr. Neil Compton, who isn't here. I am vice president of the Ozark Society, and the statement I submitted was the Ozark Society's statement.

Senator BIBLE. Then his statement would be the same as yours?

Dr. NIX. That is right.

Senator BIBLE. All right, there will be no Dr. Neil Compton.

The next witness is Mr. Andrew Hulsey, director, State Game and Fish Commission, Little Rock, Ark.

STATEMENT OF ANDREW HULSEY, DIRECTOR, STATE GAME AND  
FISH COMMISSION, LITTLE ROCK, ARK. (PRESENTED BY  
RICHARD BROACH)

Mr. BROACH. Senator Bible, my name is Richard Broach, and I will represent Mr. Hulsey, Director of the State Game and Fish Commission.

Senator BIBLE. Let me get these names correct. My witness list doesn't seem to accurately reflect them.

Will you give me your name, again?

Mr. BROACH. Richard Broach.

Senator BIBLE. You are representing whom?

Mr. BROACH. I am representing Mr. Andrew Hulsey, Director of the State Game and Fish Commission of Arkansas.

Senator BIBLE. You are representing Mr. Hulsey. Okay, you may proceed. Do you have a prepared statement?

Mr. BROACH. Yes, sir; I do. I forwarded 25 copies to the subcommittee this week. Possibly they haven't been received.

Senator BIBLE. Among our other many problems, we have mail problems. But I guess the mail came through here. I have been handed a copy of your statement, and Senator Anderson has been handed a copy of your statement. We have it before us, and you may proceed.

Mr. BROACH. If there are no objections, I will read the testimony exactly as it was approved by the Arkansas Game and Fish Commission.

Senator BIBLE. Very well, you may proceed.

Mr. BROACH. This testimony is submitted for inclusion in the record of a public hearing to be held April 22, 1971, in Washington, D.C., before the Senate Subcommittee on Parks and Recreation.

While the constitutional responsibility of the Arkansas Game and Fish Commission is basically delineated to the protection and the management of the State's wildlife and fisheries resources for maximum public benefit in related recreational and economic opportunities, the commission is highly cognizant of the need to retain diversity in all forms of recreational opportunities.

Although the types of recreation associated with large reservoirs and other more highly developed installations is considered to be ample to overabundant on a statewide basis, recreational opportunities provided by unaltered streams such as the Buffalo are relatively rare and are consequently becoming increasingly valuable to the net fish and wildlife resources of the State.

In an age of rapid and consumptive land use trends, it is highly appropriate that certain unique land and water areas of exceptional value to the environmental, esthetic and recreational well-being of the people be designated for public ownership and be administered and managed at a level of expertise which will assure optimum public utilization of the available resources.

In contemporary America, an abundance of leisure time and an unsurpassed mobility in travel has placed an ever-increasing burden on resources which provide recreation such as fishing hunting, camping, hiking, nature study, bird watching and other associated uses of natural areas.

Regions such as the Buffalo River which do not exhibit the effects of past or present exploitation and intrusions by man, and which are truly pleasing to the esthetic senses, are rare indeed.

The proposed Buffalo National River would indemnify from exploitation and place in the public trust some 132 miles of free-flowing stream and some 96,000 acres of concomitant land areas.

The Arkansas Game and Fish Commission expressed initial support of the Buffalo River legislation in 1969 and reaffirmed its position by official resolution in 1970 and again in 1971. By this testimony, the commission pledges its continued vigorous support for the Buffalo National River.

The efforts of the Congress to make the Buffalo National River a reality for the State of Arkansas and for the United States are greatly appreciated by the Arkansas Game and Fish Commission.

This concludes my testimony. Do you have any questions?

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

Who has charge of the State parks in the State of Arkansas? What department does that break out in?

Mr. BROACH. That is the Parks and Recreation Commission. I cannot make any commitment for Parks and Recreation.

Senator BIBLE. I wouldn't expect you to.

Do we have a representative from that agency before us today?

Mr. BROACH. No.

Senator BIBLE. We will ask either the Arkansas Senators or our staff, probably working through the headman of that agency to solicit expressions from the Governor as to his willingness to place the State parks, if this becomes a reality, within the Federal Rivers system.

Mr. BROACH. Yes, sir; I feel that would be the appropriate action to take.

Senator BIBLE. If I don't have anyone here to speak to the point, I don't want to ask somebody who doesn't have the authority. This isn't your department, so you, obviously, are not the correct witness for that purpose.

I have no further questions of you.

Senator Anderson?

Senator ANDERSON. I have no questions.

Senator BIBLE. Thank you for your statement.

Senator BIBLE. Are there any other witnesses?

I have a statement here from the Wilderness Society by Stewart M. Brandborg.

Mr. WRIGHT. Mr. Chairman, I am Arthur T. Wright, conservation consultant, the Wilderness Society. Stewart M. Brandborg is unable to be here, and I would like to submit his statement for the record, with your permission, as though read.

Senator BIBLE. We are happy to have it submitted. I have looked it over somewhat carefully, and without objection the statement from the Wilderness Society will be made a part of the record.

(The document referred to follows:)

STATEMENT OF STEWART M. BRANDBORG, EXECUTIVE DIRECTOR,  
THE WILDERNESS SOCIETY

Mr. Chairman, my name is Stewart M. Brandborg. I am Executive Director of the Wilderness Society, a national conservation organization of some 70,000 members, concerned primarily with encouraging the protection and appropriate use of our nation's wilderness resource.

The Wilderness Society is familiar with the National Park Service's proposal for a Buffalo National River. In May 1969 we testified before your Subcommittee in favor of its enactment as provided for in Senate Bill 855 of the 91st Congress.

Today we are pleased to have this opportunity to reaffirm our support for the National River which would be established under the provisions of Senate Bill 7. This bill would save for the benefit of the American people a river having scenic values unsurpassed in the entire middle United States.

Further, we support Senator Fulbright's initiative toward further improving Senate Bill 7 by two amendments:

—one, to add standard language requiring a review and recommendation to the Congress on the suitability of designating a portion or portions of the National River for special additional protection as statutory wilderness areas;

—the other, to provide for establishment of a Buffalo National River Advisory Commission, on the pattern of those already set up under national park legislation enacted in recent years.

The provision for a wilderness study was included in the acts for the North Cascades National Park (1968), the Sleeping Bear Dunes National Lakeshore

(1970), the Gulf Islands National Seashore (1970), and the Voyageurs National Park (1970).

The addition of similar language to Senate Bill 7 is not intended to automatically cause any portion of the Buffalo National River to be designated as wilderness; such designation would of course have to be reviewed by Congress as separate legislation.

The intent of the study provision is merely to require a timely review of the National River lands on their merits, to consider the suitability of portions of the area for statutory protection as wilderness. Such consideration, before any adverse and irreversible development takes place, could reveal that the highest and best use of some portion of the National River would be for back-country recreation uses which only designated wilderness can assure in the long run.

The other provision, for a citizens advisory commission, can hardly be faulted. Such commissions are already provided for, and are already functioning for, Ozark National Scenic Riverways, Cape Cod National Seashore, and Sleeping Bear Dunes National Lakeshore. The advisory commission is a means for citizen participation in the development and administration of a park area. Normally these commissions have been composed of from seven to ten members having local and regional interests. The life of the commission has usually been set at ten years, to carry through the development period for the new park.

With these two amendments, Senate Bill 7 should serve well toward protecting the Buffalo's superlative recreational resources for our generation and those to come.

It is none too soon to do this, for unwise developments—channel bulldozing, land clearing, subdivisions—are already encroaching on some portions of this unique combination of resources.

We greatly appreciate the efforts, Senator Bible, which you and the members of your committee have been and are making to save the Buffalo River now! Thank you for this opportunity to present our comments.

Senator BIBLE. I also have a statement by Dr. Spencer M. Smith, secretary of the Citizens Committee on Natural Resources, and I am happy to incorporate that statement in the record at this point.

(The statement referred to follows:)

STATEMENT OF DR. SPENCER M. SMITH, SECRETARY, CITIZENS  
COMMITTEE ON NATURAL RESOURCES

Mr. Chairman, Members of the Committee:

I am Dr. Spencer M. Smith, Jr., Secretary of the Citizens Committee on Natural Resources, a national conservation organization with offices in Washington, D.C.

Interest in the Buffalo River in Arkansas has been manifested by the Citizens Committee on Natural Resources since the mid-1950's. In the early planning and discussions, which were forerunner to the passage of the Wild Rivers legislation, the Buffalo River had always been uppermost in our minds as an example of the kind of river that should be preserved in a free flowing state. This Committee is aware that few rivers within the United States are in a free flowing state, have contiguous land areas not yet developed, and possess a high quality water without pollution.

In the last Congress, the Committee acted favorably upon S. 855 (S. Rept. 91-35, August 13, 1969). Senators Fulbright and McClellan of Arkansas were the authors of the measure, and Congressman Hammerschmidt introduced HR 10246 in the House of Representatives. This support suggests that the Congressman in whose district the Buffalo River is primarily contained and the Senators of the State have supported strongly the establishment of the Buffalo National River. In addition thereto, the Ozark Society, which has been a reknown conservation organization under the most able leadership of its President, Dr. Neil Compton, has supported a protection of the Buffalo River for many years. Dr. Compton made his first trip to the Buffalo River in 1932 and was in the forefront of protecting the Buffalo River as a national park in the late 1940's.

This Senate Committee considered with great care in the 91st Congress this proposal, holding extensive hearings and producing a report complete as to physical detail as well as an explanation of specific sections of the bill—especially those that the Committee's deliberations indicated some question of interruption or conflict.

We reiterate our commentary on S. 855 and make it now relevant to S. 7 by attesting to the fact that conflicts continue as to the uses which can be made of

the river. We have never contended that programs such as this come to the attention of the Congress with perfect unanimity. We are equally aware that the land base of the United States is shrinking relative to the people who inhabit it and the competition among the uses for our resources will increase accordingly. In the instant case, the Buffalo River has been under serious investigation and analysis by a variety of state and federal agencies. Proposals for dams, parks, and roads have all been a part of better than 25 years of consideration. It appears quite evident that the people of the State of Arkansas have made a decision in favor of establishing the Buffalo River as a national one. Conservation organizations throughout the U.S. have supported the preservation of this river from the outset.

While conflicts are never resolved to a certainty, it would appear that a decision must be made reasonably soon. We commented upon S. 855 two years ago to the effect that a decision will be made irrespective as to whether the Congress acts positively or does not act. A failure to act in this Congress will certainly strengthen the position of those who support a variety of developments not compatible with S. 7. To preserve effectively this river, the Congress must take positive action.

We are often in a quandary, especially in recent years, when the debate regarding a particular area begins to turn on the point of economic benefit. The issue in this case is whether the best use of the area is recreation or agricultural, forestry, and similar activities. While we are sure that recreation, from most of the evidence available, would be the most economic use of these resources, we are reluctant to ask the Committee to render a judgment on this criteria alone. The most compelling arguments in behalf of the Buffalo National River are the natural wonders of the river basin—the 1500 species of plants, the wide range of variety of animal and fish species, the large number of archeological sites, and perhaps the most majestic of all, the scenic wonder of the magnificent bluffs and the great variety of topography that occurs throughout the river basin.

We are acutely aware that parks are for people and establishing wild rivers and other areas have, as the end result, the benefit of man. We do suggest, however, that the benefit of man is not always measured in the precision of numbers. We do feel that in the case of the Ozarks there is a plethora of reservoir recreation opportunities, while the qualities of the Buffalo do not exist in great abundance elsewhere in the area.

We would not hazard a guess as to whether the funds recommended two years ago of \$9,200,000 for land acquisition, \$8,200,000 for development, and annual estimated operating costs of \$685,800 are germane to present day requirements. This would have to be determined during the consideration of the measure, but we would offer testimony that even though prices have accelerated to some extent, we should give the Buffalo National River a very high national priority. Such a priority is warranted in our judgment in terms of the long and careful analysis that S. 7 represents. The Congressional consideration, as well as other groups and other agencies, further substantiate the present proposal. Also, the political effort has been a strong bipartisan one, not only at the legislative branch nationally but supported by Governors of both parties in the State of Arkansas and two different administrations in Washington. We hope that the Committee will agree with this evaluation and will report the measure out at an early date.

We thank the Committee again for allowing us to present this testimony.

Senator BIBLE. Do we have any other witnesses on this particular legislation?

If not, the hearing stands in recess.

(Whereupon, at 11:30 a.m., the subcommittee adjourned, to reconvene at the call of the chair.)

## APPENDIX

---

(Under authority previously granted, the following statements and communications were ordered printed :)

STATE OF ARKANSAS,  
OFFICE OF THE GOVERNOR,  
Little Rock, April 20, 1971.

TO THE CHAIRMAN,  
*Committee on Interior and Insular Affairs,*  
*United States Senate,*  
*Washington, D.C.*

DEAR MR. CHAIRMAN: I wish to recommend that the Congress take favorable action this year to designate the Buffalo River in Arkansas as a National River under the jurisdiction of the National Park Service. I, as governor, pledge my support to this project.

The Buffalo River is among the most beautiful free-flowing streams in the United States. It should be preserved for the future generations of Americans to enjoy.

We must recognize that recreational opportunities are important in our society. If we do not act to protect the Buffalo River, the opportunity to preserve this tremendous natural recreational resource will be lost.

I respectfully solicit the support of the members of your committee for the Buffalo National River project.

Sincerely,

DALE BUMPERS, *Governor.*

---

THE BUFFALO RIVER CONSERVATION AND RECREATION COUNCIL,  
*Jasper, Ark., April 14, 1971.*

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

DEAR SENATOR JACKSON: It appears that within the next few days the question of the Buffalo River National Park will again become a hot issue. In view of this, we would like to take a few minutes of your time to express some views of the landowners along the river who, unfortunately, will not be able to attend the public hearings.

Senator Fulbright has often made the statement that the majority of the people are in favor of the park. We wish first to refute that statement. It simply is not true that the landowners along the Buffalo River are willing to accept a National Park. Illustrative of this statement, we would like to note that the Jasper, PTA, the American Legion, the Chamber of Commerce, the Deer PTO, the Newton County Farm Bureau, the City Council and virtually every business in the Jasper area has gone on record in opposition to the Park. We would also like to note that the Arkansas Farm Bureau opposes any legislation which employs the power of eminent domain for recreational purposes. In addition to these, we have more than 400 petitions signed by individuals in this country who oppose the Park.

Please let us make one thing clear right now. We do not oppose good conservation on the Buffalo. We do not oppose keeping the Buffalo a free-flowing scenic river. We do not oppose the idea of some restrictions being made on certain land uses in certain areas. However, we do oppose preservationism. We do oppose the idea that you can take several thousand acres of land, spend 8½ billion dollars on it, and expect it to come out preserved in its original state. We do oppose the idea that maintaining the scenic beauty of the Buffalo River requires that the government take thousands of acres as much as a mile from the river.

Landowners in Newton County are not so callous that they cannot recognize scenic beauty; that they cannot realize the dangers of solid waste, chemical, and industrial pollution; that they cannot see the need for practices to preserve what they know very well they have. So what's the gripe? Senator Jackson, the complaint is this. Why not give us a chance to work with you, instead of pushing us out and trying to do it all yourself. We are rather proud of our county and want what is best economically, environmentally, and socially for its citizens. Let us briefly discuss our thinking on these areas.

First, from an economic standpoint, we do not feel that the park would be beneficial to Newton County. It would take an enormous number of tourists to make up in tourist dollars the tax revenue lost to the county by the Park, and, we are sure that you realize that many tourists would create more problems than those of us now along the river could ever create.

Environmentally? Well, we won't guarantee our Buffalo River to test out for drinking water, but it is still far cleaner than most streams, and air pollution is practically nil. Our biggest problem is land pollution, solid-waste disposal, and we have made some small, but positive, steps in the right direction on that. We have no intention of closing our eyes to pollution problems on the Buffalo, but we cannot suddenly clean up years of poor practice. How about some credit for making a good start? Here too, remember that an increase in tourists will only mean an increase in problems.

Let's not forget to mention the social well-being of Newton County. Recent statistics show that national parks are facing a 125% increase in crime rates compared with a national average of slightly over 50%. We don't want this for the Buffalo River country, and we don't believe that you do either.

So far this letter has been pretty much negative. Let us make a few positive statements before we close.

We would support a plan to conserve the Buffalo River through the use of scenic easements and/or voluntary land sales. We feel that the interest locally in conservation of the scenic beauty of the river area can contribute greatly to a government-regulated program designed to enhance the rustic beauty of our area. We do not visualize the Buffalo as a "wild" river, but rather as a pastoral river, where the wild land and the farming areas blend together to create a harmonious whole. We feel that it is in the best interest of the tourist to maintain the present person-to-person relationship between them and the landowner, rather than de-personalizing the area.

Senator Jackson, we believe that national parks are antiquated, obsolete and should be extinct. In our rapidly changing world, they are simply not the best solution. Our population growth, pollution problems, and the yearly increase in leisure time and tourism, have made it economically, socially, and environmentally impossible to administer vast acres of wild land. It is far, far better to educate existing landowners to cope with the problems of preserving our naturally scenic areas, than for the Federal Government to depose the landowners and try to carry the headaches themselves.

In view of the above, we would like to ask that no hearings be held on the National Park this year, or at least not until the House Bill has also been introduced and we have had a chance to review it. If, in your opinion, it is necessary, and if it is at all possible, we will arrange to send someone to discuss our thinking on the Park bill with your committee. If the hearings are held as scheduled, we ask that this letter be made a part of the official record of the hearings.

Sincerely,

G. L. HUCHINGSON, *Chairman.*

---

ARKANSAS GAME AND FISH COMMISSION,  
*Little Rock, April 16, 1971.*

Senator ALAN BIBLE,  
*Chairman, Senate Subcommittee on Parks and Recreation, Room 3106, Senate Office Bldg., Washington, D.C.*

DEAR SENATOR BIBLE: While the constitutional responsibility of the Arkansas Game and Fish Commission is basically delineated to the protection and the management of the state's wildlife and fisheries resources for maximum public benefit in related recreational and economic opportunities, the Commission is highly cognizant of the need to retain diversity in all forms of recreational opportunities. Although the types of recreation associated with large reservoirs and other more highly developed installations is considered to be ample to over-abundant on a state-wide basis, recreational opportunities provided by unaltered streams such as the Buffalo are relatively rare and are consequently becoming increasingly valuable to the net fish and wildlife resources of the state.

In an age of rapid and consumptive land use trends, it is highly appropriate that certain unique land and water areas of exceptional value to the environment, esthetic and recreational well-being of the people be designated for public ownership and be administered and managed at a level of expertise which will assure optimum public utilization of the available resources. In contemporary America, an abundance of leisure time and an unsurpassed mobility in travel has placed an ever-increasing burden on resources which provide recreation such as fishing, hunting, camping, hiking, nature study, bird watching and other associated uses of natural areas. Regions such as the Buffalo River which do not exhibit the effects of past or present exploitation and intrusions by man, and which are truly pleasing to the esthetic senses, are rare indeed.

The proposed Buffalo National River would indemnify from exploitation and place in the public trust some 132 miles of free-flowing stream and some 96,000 acres of concomitant land areas.

The Arkansas Game & Fish Commission expressed initial support of the Buffalo River legislation in 1969 and reaffirmed its position by official resolution in 1970 and again in 1971. By this testimony, the Commission pledges its continued vigorous support for the Buffalo National River.

The efforts of the Congress to make the Buffalo National River a reality for the State of Arkansas and for the United States are greatly appreciated by the Arkansas Game and Fish Commission.

Yours very truly,

ANDREW H. HULSEY, *Director.*

---

SIERRA CLUB, GREAT LAKES CHAPTER, MISSOURI GROUP,  
*St. Louis, Mo., April 15, 1971.*

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

DEAR SENATOR BIRLE: At our April 14th meeting the following resolution was passed unanimously;

The Missouri Group of the Sierra Club, with over four hundred members in Missouri and Arkansas, recognizing the natural scenic beauty of the Buffalo River in Arkansas, resolves that this area merits preservation for all future generations and therefore strongly supports Senate Bill 7 to create the Buffalo National River.

We request that this letter be included in the record of the hearing before your Subcommittee on Parks and Recreation.

Sincerely,

EVA G. LOVETT,  
*Conservation Chairman.*

---

BLUFF CITY CANOE CLUB,  
*MEMPHIS, TENN., April 21, 1971.*

SENATOR ALAN BIBLE,  
*Chairman, Subcommittee on Parks and Recreation, Senate Interior and Insular Affairs Committee, U.S. Senate, Washington, D.C.*

DEAR SENATOR BIBLE: Please accept this statement from the Bluff City Canoe Club of Memphis, Tennessee as full endorsement of Senate Bill 7 for the creation of the Buffalo National River in Arkansas. We hope that your subcommittee and the full Interior Committee will give this measure your full endorsement also.

The issue of the status of the Arkansas Buffalo has remained unsettled too long. The National Park Service made recommendation for its preservation as early as 1963, and again shows the desirability in a more recent report. Bills were introduced in both Houses of Congress in the 90th and 91st Congress to establish a national river, but final action was not taken in the House. In fairness to all concerned, definite action should now be taken.

The Arkansas Buffalo is one of dwindling number of desirable free-flowing streams remaining, but its desecration has begun. The passage of S. 7 can guarantee its preservation.

We request that our statement in support of S. 7 be made a permanent part of the record of the hearings to be conducted tomorrow by your subcommittee. May we have a copy of the hearings when printed. Thank you very much.

Sincerely,

O. U. WALLING,  
*Co-Chairman Conservation Committee.*

NEWTON COUNTY CHAMBER OF COMMERCE,  
*Jasper, Ark., April 21, 1971.*

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

DEAR SENATOR JACKSON: In view of the upcoming hearings on the proposed Buffalo River National Park, we would like to reaffirm the stand of the members of this Chamber of Commerce in opposition to the park.

It is our feeling that the proposed park is not in the best interests of the people of Newton County, and therefore we continue to oppose this method of preserving the Buffalo.

We would like to have this letter made a part of the official record of the hearing, so that our opposition may be known.

Thank you,  
 Sincerely,

RAY WATKINS, *President.*

---

WALDRON, ARK., *April 25, 1971.*

Senator ALAN BIBLE,  
*Chairman, Subcommittee on Parks and Recreation, Senate Office Building,*  
*Washington, D.C.*

DEAR SENATOR BIBLE: The purpose of this letter is to express my support for the establishment of the Buffalo National River in Arkansas as proposed by Senate Bill S. 7. I request, therefore, that you allow this letter to become a part of the record of the hearing on S. 7 to be held by your subcommittee on Parks and Recreation.

I own no property in the Buffalo River area nor in any other way do I stand to gain financially from passage of this bill. My interest is that of a private citizen who has beheld the beauty of this river and wishes it to be preserved and enhanced as a unique part of national treasury of natural beauty.

Sincerely,

CHARLES J. CREMEEN.

---

JASPER, ARK.

HON. HENRY M. JACKSON,  
*Chairman, U.S. Senate Interior & Insular Affairs Committee, Senate Office*  
*Building, Washington, D.C.*

DEAR SENATOR JACKSON: Regretfully, my husband and I are unable to attend the above captioned public hearing. Therefore, please enter this letter as a part of the Public Hearing Official Record.

We are landowners whose home and farm is situated within the proposed boundaries of the National Park as described in the proposed bill called S. 7, introduced by Sen. Fulbright & Sen. McClellan. We are very interested in a concentrated effort to employ the best conservation for the Buffalo River and the Buffalo River countryside. A National Park is not in the best interest of the Buffalo River, the surrounding country, the people who reside in the surrounding area, nor the taxpayers of the United States.

Please understand that we are not opposed to legislation for keeping the Buffalo River flowing in its natural free flowing state. Nor are we opposed to legislation to prohibit industry from building on the banks of the Buffalo. Legislation to prohibit the building of housing developments and other buildings not in keeping with the aesthetic value of this area may very well be beneficial to all concerned. The need for the ownership of the land to be taken away from private landowners and into Federal Government ownership is something we cannot see. The farms dotted along the river are a part of the pastoral picture folks come to see as they drive along our country roads. There are actually very few farm operations which can be viewed from the river itself. This just illustrates how unnecessary it is to spend the taxpayer's money, which is so vitally needed for other things, on purchasing such a vast amount of land unnecessary for the purpose of "Saving the Buffalo".

We take great pride in the land we own and are very happy to share our beautiful scenery and Buffalo River with all of America. However, we do not want to give up our home and farm to a plan which will, in a few short years, be the destruction of our presently unpolluted river and unspoiled countryside. The National Parks throughout our Nation are now in trouble . . . natural beauty is being destroyed, too much litter, too such access, Not enough finances to main-

tain the parks and the crime rate in the parks is overwhelming. There must be a better way. We think there is. Please investigate a plan for the Buffalo River which will really protect it. Allow the people who live here to join in an overall plan which will effectively accomplish the goal to protect our natural beauty rather than to destroy it.

From a practical standpoint, the amount of money proposed to be set aside for the purchase of this vast amount of acreage will no where near purchase the land at a fair market value. When there is a better, more feasible way to protect the Buffalo River, why should the taxpayer's money be spent for a Buffalo National Park? We urge you to oppose S. 7.

Sincerely,

MRS. DON GRONWALDT.

JASPER, ARK., April 12, 1971.

SENATOR JACKSON,  
Chairman, Senate Committee,  
Washington, D.C.

DEAR SIR: I am writing this letter to you to plead for our beautiful Buffalo River. We wholeheartedly oppose the National Park Plan for it.

We firmly believe in preserving this beautiful river, as it *is*, but feel this plan is *not* the answer. Cutting roads through the lovely forests for at least *thousands* of tourists to reach it, and the resulting pollution, would certainly not *preserve* the river. In a very short time, there will be beer cans, and other refuse floating in it and it will no longer be clean and beautiful as it is now.

Other states are finding their tourist attractions ruined by the hordes of tourists increasing yearly. They too, in the beginning probably envisioned all the money the tourists would bring into the area.

We are also opposed to the *amount* of land the proposal asks for. It hardly seems necessary to take 95,000 acres. Some places along the river will never be accessible. Neither is it fair to use the power of eminent domain to acquire land for recreational purposes.

None of the landowners along the river want factories or shacks erected along its banks. Possibly they might sign agreements not to sell land for these purposes. I'm sure they would not object to the appointment of some governing body, (such as the U.S. Forest Service) to see that the river *is* preserved in its *natural* state.

Will you please see that this letter is entered in the "Official Record" for the hearing on the National Park Proposal, which I understand has been set for Thursday, April 22nd in Washington?

Sincerely,

MR. AND MRS. GLEN ROSE.

DOGPATCH, ARK., April 14, 1971.

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

DEAR SENATOR JACKSON: I would like this letter to be on the official record, that we are against Fulbright's bill on the Buffalo River National Park.

We would like to see the Buffalo River protected and preserved too, but we believe this can be done without taking everyone's home away from them who live along the river. This bill takes land *3 miles* from the river.

We voted on this bill in Newton County and it was defeated by 90%. But of course this will have no effect on the outcome of your hearings. We have wrote, called, begged and prayed, but no one hears the little man, what the government wants, it gets, and you guys listen to no one unless he has money and power.

You will have some people at your hearings who are pushing this bill, they don't live along the Buffalo and their lives will not be affected by making the Buffalo River and surrounding country into a park. Why should we, who love our homes: have worked so hard for what we have, give them up to please these people? What have they ever done for us? Why not make the Buffalo National River and leave the farms and homes alone? Why do we have to give up our homes so you can have a park? We have state National Parks all over the State.

Senator Fulbright has led you to believe that only a few families will be affected by his bill. He is lying or doesn't know what he is talking about. I hang my head in shame when I think of the times I have voted for this man, and now he is taking our home.

You want to preserve the Buffalo River? Make a park here? What will it look like after the first million people have been here?

I want it on record that I am self-supporting, I don't ask the Government for handouts. When you buy my place you're going to pay and pay dearly for it, and this is what my neighbors along the river say. Can you afford it?

Yours truly,

ARLIN TINSLEY.

DALLAS, TEX., April 29, 1971.

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

DEAR SENATOR JACKSON: I, for one, am not in favor of Bill S-7 which would spend 8 1/4 million dollars for "improvement" of the Buffalo River in Arkansas. I think that this program as outlined would overdevelop the area in question and thereby PREVENT its preservation as a natural scenic waterway which it now is. I would encourage you to oppose this legislation.

Thank you,

ORLAND BAKER, M.D.

JASPER, ARK., April 20, 1971.

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

DEAR SENATOR JACKSON: Reference is had to Senate Bill 7, "A Bill to Provide for the Establishment of the Buffalo National River in the State of Arkansas."

I am a native and resident landowner on the Buffalo River. I would like to see the Buffalo River preserved in its present pastoral state. However, I do not believe you can preserve a river by spending \$8,224,400 for development and expect 1.7 million visitors annually to roam the river banks and pollute the water with their litter. The river and river banks will become congested with people and the ecology of the area will be destroyed.

The area along the Buffalo is such that it cannot be developed to accommodate enough people to make it an economic advantage to the counties included without destroying the ecology of the river and surrounding area.

Too much land is being taken that is not necessary for the protection of the river. Also, the proposed price of land is much too low.

I believe the use of the power of Eminent Domain to take peoples land for recreational purposes is unconstitutional. The twenty-five year limitation on occupancy is unfair to the present landowners, and the elimination of the right of inheritance is unfair to our children; therefore, I oppose Senate Bill 7.

I respectfully request this letter be entered into the official record.

Sincerely,

WAYMON G. VILLINES.

