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93-21/ WILD AND SCENIC RIVERS ACT AMENDMENTS
PT. 2 Part II

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HEARINGS
BEFORE THE
SUBCOMMITTEE ON
NATIONAL PARKS AND RECREATION
OF THE
COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS
HOUSE OF REPRESENTATIVES
NINETY-THIRD CONGRESS
FIRST SESSION
ON
H.R. 9492

TO DESIGNATE THE CHATTOOGA RIVER IN THE STATES
OF NORTH CAROLINA, SOUTH CAROLINA, AND GEORGIA
AS A COMPONENT OF THE NATIONAL WILD AND SCENIC
RIVERS SYSTEM, AND FOR OTHER PURPOSES

H.R. 8501 and Related Bills
TO AMEND THE WILD AND SCENIC RIVERS ACT

HEARINGS HELD IN WASHINGTON, D.C.
OCTOBER 29 AND 30, 1973

Serial No. 93-21

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WILD AND SCENIC RIVERS ACT AMENDMENTS

Part II

MONDAY, OCTOBER 29, 1973

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON NATIONAL PARKS AND RECREATION
OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:10 a.m., in room 1324, Longworth House Office Building, Hon. Ray A. Taylor (chairman of the subcommittee) presiding.

Mr. TAYLOR. The Subcommittee on National Parks and Recreation will come to order.

We are all saddened today by the death of our colleague and the ranking minority member of our committee, Congressman John Saylor. We have all lost a friend, and this committee has lost one of its most effective members. John was one of the most able, best informed, most articulate, most dedicated, most colorful, and hardest working members of the committee.

I didn't always agree with him, but I always knew where he stood.

Perhaps John Saylor's number one interest was the conservation of natural resources. We have all seen him in this room day after day fighting for national parks and wilderness areas, wild and scenic rivers, and so forth.

Some consideration was given earlier this morning to whether or not we should hold a meeting today; whether we should adjourn in memory of him; or whether he would be honored by our carrying on and doing the very type of work that he would want us to do.

I am sure that he would want us to carry on and continue the hearings on the wild and scenic rivers bills before us.

So those of us here this morning decided that it would be appropriate to proceed, especially considering the fact that we have several witnesses here from out of town who would probably be unable to testify if our meeting were cancelled.

I yield now to the ranking minority member of the subcommittee, Congressman Skubitz.

Mr. SKUBITZ. Thank you, Mr. Chairman.

In our lifetime we make many new acquaintances, but very few real friends.

Always I have considered John Saylor a real friend. I have been as close to him, I believe, as anyone in this committee.

Even though John Saylor may not be with us today in person, I feel that the spirit of John Saylor will be with us so long as we are members of this committee largely because there are not many pieces of legislation dealing with national parks or with conservation on which John Saylor has not left his marks.

Mr. CHAIRMAN. As you know, we considered not meeting this morning, but if John Saylor could speak to us, he would say meet, because this is the kind of legislation in which John Saylor was vitally interested.

Mr. TAYLOR. Thank you, Joe.

Mr. SKUBITZ. Thank you, Mr. Chairman.

Mr. TAYLOR. Any others wish to be heard?

Mr. SEIBERLING. Mr. Chairman.

Mr. TAYLOR. The gentleman from Ohio.

Mr. SEIBERLING. I was shocked and saddened by the word of John Saylor's sudden passing.

Of course, in the short time that I have been on this committee I have gotten to know and admire him for his dedication to the people of this country and in particular to preserving the land that they loved, that they may enjoy it and all future generations of Americans may do likewise.

I was particularly encouraged by his statement that he was going to sponsor legislation to make a very substantial increase, a two-fold increase in the amount of money dedicated to the Land and Water Conservation Fund.

I would hope, Mr. Chairman, that as one of our gestures to the memory of this great Member of Congress that we would give at the earliest opportunity serious consideration to that legislation as a fitting memorial to John Saylor.

Mr. TAYLOR. Thank you.

The gentleman from the Virgin Islands.

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

I was shocked this morning to pick up the newspaper and see that our good friend John Saylor died. I have known John Saylor since about 1957. He has played a very important role in the development of the Virgin Islands. He played a key role in the 1956 Organic Act, the elected Governors legislation, and even the legislation that brought me to Congress, the delegate bill which was passed in the last Congress.

But what impressed me most was the influence he had on national affairs, particularly in the field of conservation.

I might say that when I was elected to Congress and took my seat at the beginning of this session, he was a member who went out of his way to welcome me and advise me, and I will miss him, as will the people of the Virgin Islands. We owe him a great debt, and I am sure that all of his colleagues, both here on this committee and in the Congress, will miss John Saylor, for he was a national Member of Congress. His impact was felt by all of us.

Mr. TAYLOR. I thank the gentleman.

The first bill before us is H.R. 9492 which authorizes the inclusion of the Chattooga River in the National Wild and Scenic Rivers System. As everyone knows this is a measure which I co-sponsored

with my colleagues from Georgia (Mr. Landrum) and South Carolina (Mr. Dorn and Mr. Mann). All of us represent a portion of this beautiful area and all of us hope that the Congress will designate it as a wild and scenic river.

First, let me say that the Chattooga was included for study in the original act. The Forest Service, which has responsibility for several of the studies, has completed its work and has forwarded its recommendations to the speaker so that we are in position to consider this legislation today. While the form of the bill recommended differs from the language of H.R. 9492, there are no substantive differences and I am sure that the subcommittee will find it easy to determine which approach is the most suitable. I have not concluded in my own mind which approach I prefer, and I will certainly listen with interest to the explanation of the administration's proposal.

I have had the pleasure of floating portions of this river on two different occasions—once when the water was clear and beautiful and once when it was stormy, muddy, and wild. On each occasion I was impressed with the scenic and recreational values which this river possessed and, in fact, my feeling has been that I was seeing nature at its best.

If it is included in the system, I think it will remain a free-flowing stream which can satisfy a great recreational need and serve as a challenge to those who enjoy canoeing and rafting.

This need not be a dangerous river, but it is today. Obviously, people are going to use it, whether it is in the system or not. I believe that if we add it to the system, those who come will be forewarned of the dangers. They will have the benefit of information explaining what to do for their own safety and what areas to avoid. In addition, experienced professionals will be available, on a concession basis, to provide the safest and most pleasant possible experience.

I was pleased that some of the members of the subcommittee were with us last summer when we floated down this river, and I am anxious to hear, for the record, their reactions. I have heard them recall their experience several times, but not for the record.

Now, without objection, a copy of H.R. 9492, a copy of the report of the Department of Agriculture, dated October 23, 1973, the report of the Department of Interior, dated October 15, 1973, and the executive communication, dated October 10, 1973, along with the draft environmental impact statement on the proposal, will be made a part of the record.

[The documents referred to follow]

[H.R. 9492, 93d Cong., 1st sess.]

A BILL To designate the Chattooga River in the States of North Carolina, South Carolina, and Georgia as a component of the National Wild and Scenic Rivers System, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following river and lands adjacent thereto are hereby designated as a component of the National Wild and Scenic Rivers System:

"CHATTOOGA, NORTH CAROLINA, SOUTH CAROLINA, GEORGIA.—The segment from 0.8 mile below Cashiers Lake in North Carolina to Tugaloo Reservoir, and the West Fork Chattooga River from its junction with Chattooga upstream 7.3 miles."

SEC. 2. The Chattooga River component of the National Wild and Scenic Rivers System (hereafter referred to as the "scenic river unit") shall be administered by the Secretary of Agriculture as a part of the Chattahoochee, Nantahala, and Sumter National Forests in accordance with and subject to the applicable provisions of the Wild and Scenic Rivers Act (82 Stat. 906; 16 U.S.C. 1271-1287).

SEC. 3. The scenic river unit shall comprise the lands generally depicted on the boundary map entitled "Chattooga National Wild and Scenic River", numbered _____ and dated _____. Such map shall be on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture, and shall indicate the classification or classifications of the river or of its segments. Within one year after the date of enactment of this Act, the Secretary of Agriculture shall establish detailed boundaries and shall formulate detailed development plans for the river unit which shall be published in the Federal Register and which shall not become effective until ninety days after they have been forwarded to the Speaker of the House of Representatives and the President of the Senate. In formulating such development plans, the Secretary shall take into consideration the fundamental purposes of the river unit, which purposes are to conserve its natural and scenic values and to provide for their use and enjoyment by the public in perpetuity. Notwithstanding the provision of section 4(b) of the Wild and Scenic Rivers Act relating to sessions of involved State legislatures, the designation of this river unit shall be effective as of the date of enactment of this Act.

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary for the purposes of this Act, not to exceed, however, \$2,000,000 for the acquisition of lands and interests in lands and not to exceed \$528,000 for development.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., October 23, 1973.

HON. JAMES A. HALEY,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives.*

DEAR MR. CHAIRMAN: As you requested, here is our report on H.R. 9492, a bill "To designate the Chattooga River in the States of North Carolina, South Carolina, and Georgia as a component of the National Wild and Scenic Rivers System, and for other purposes."

The Department of Agriculture recommends that H.R. 9492 be enacted with the amendments suggested herein.

H.R. 9492 would designate the Chattooga River from 0.8 miles below Cashiers Lake in North Carolina to Tugaloo Reservoir, and the West Fork Chattooga River from its junction with the Chattooga River upstream 7.3 miles as a component of the National Wild and Scenic Rivers System to be administered by the Secretary of Agriculture. The river unit would comprise the lands shown on a map on file in the Department of Agriculture. The map would also indicate the classification or classifications of the river or its segments. The bill would authorize to be appropriated such funds as may be necessary not to exceed \$2 million for acquisition of lands and interests in lands and \$528,000 for development.

The entire Chattooga River was designated for study in the Wild and Scenic Rivers Act of 1968. We have completed our study of the River and our recommendations and proposed draft legislation have been transmitted to the Congress. H.R. 9492 encompasses these recommendations as they pertain to the segment of river to be designated for addition to the National Wild and Scenic Rivers System.

The Chattooga River is a clean, free-flowing mountain stream located in a relatively undeveloped mountain setting. It is readily accessible to several metropolitan areas and is considered one of the finest white-water streams in the Southeast. We believe this combination of unique natural values is an irreplaceable resource and the river should be designated as a component of the National Wild and Scenic Rivers System.

Our proposed draft legislation, a copy of which is enclosed, has been prepared in the form of an amendment to the Wild and Scenic Rivers Act. This format is consistent with Congressional action designating the Lower St. Croix River as a part of the National Wild and Scenic Rivers System. It would aid codification of this and similar Acts by listing all designated rivers in one

place. We suggest that the Committee adopt this form to designate the Chattooga River as a component of the National Wild and Scenic Rivers System in lieu of the present form of H.R. 9492.

The provision of H.R. 9492 which provides for a general designation of the river corridor and the designation of the river classification is not included in our proposed draft legislation. Section 3(b) of the Wild and Scenic Rivers Act provided that detailed boundaries, river classification, and development plans for the rivers it designated would be established within one year from the date of the Act. Our proposed draft legislation presupposed a similar procedure would be followed when additional rivers were added to the system. However, the general river corridor and river classification specified in H.R. 9492 are the same as those suggested in our study of the river. Therefore, should the Committee desire to eliminate the one year waiting period, we would have no objection to these designations as they are shown on the map entitled "Chattooga National Wild and Scenic River" dated October 1973. As provided in H.R. 9492, the detailed boundaries and detailed development plan for the river unit would be established during the one year period following enactment of the bill.

Estimated costs based on 1970 prices for a 5-year program are \$2,000,000 for land acquisition, \$528,000 for development, and \$520,000 for operation and maintenance. These estimated costs are shown by fiscal year in the attached Man Year and Cost Estimate Table. Land acquisition would be funded through the Land and Water Conservation Fund. A small increase in Federal employment is anticipated which would primarily consist of seasonal workers employed for maintenance and protection of the river area.

H.R. 9492 in section 4 contains a limitation of \$528,000 for development of the river unit. Although our study indicated an anticipated need of \$528,000 for development, existing authority provides for the development of the National Forest lands within the river unit and we would prefer that no ceiling be set on such expenditures. Section 2 of our draft bill would set a ceiling on acquisition costs only.

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

Sincerely,

J. PHIL CAMPBELL,
Under Secretary.

Enclosures :

A BILL To designate the Chattooga River in the States of North Carolina, South Carolina, and Georgia as a component of the National Wild and Scenic Rivers System, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(a) of the Wild and Scenic Rivers Act (82 Stat. 907, 16 U.S.C. 1274(a)), as amended, is further amended by adding the following new paragraph:

(10) CHATTOOGA, NORTH CAROLINA, SOUTH CAROLINA, GEORGIA.—The segment from 0.8 miles below Cashiers Lake in North Carolina to Tugaloo Reservoir, and the West Fork Chattooga River from its junction with Chattooga upstream 7.3 miles; to be administered by the Secretary of Agriculture: *Provided*, That the Secretary of Agriculture shall take such action as is provided for under section 3(b) of the Wild and Scenic Rivers Act within one year from the date of enactment of this Act.

SEC. 2. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not to exceed \$2,000,000 for the acquisition of lands and interests in lands.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., October 15, 1973.

Hon. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on H.R. 9492, a bill "To designate the Chattooga

River in the States of North Carolina, South Carolina, and Georgia as a component of the National Wild and Scenic Rivers System, and for other purposes."

We recommend in favor of enactment either of that bill, if amended as suggested in this report, or of the proposed bill forwarded to the Congress by the Department of Agriculture in October 1973, as an attachment to that Department's "Wild and Scenic River Study Report, Chattooga River".

H.R. 9492 would designate as a component of the National Wild and Scenic Rivers System a segment of the Chattooga River from 0.8 miles below Cashiers Lake in North Carolina to Tugaloo Reservoir, and the West Fork Chattooga River from its junction with Chattooga upstream 7.3 miles. The area would be administered by the Secretary of Agriculture as a part of the Chattahoochee, Nantahala, and Sumter National Forests, in accordance with and subject to the applicable provisions of the Wild and Scenic Rivers Act (82 Stat. 906). The bill refers to a boundary map, which is to show the general boundaries, as well as the designation of the river segments as wild, scenic, or recreational segments. Within 1 year of enactment, the Secretary of Agriculture is to establish detailed boundaries and formulate detailed development plans for the river unit. The designation of the river unit is to be effective as of the date of enactment, rather than in accordance with the provisions of section 4(b) of the Wild and Scenic Rivers Act. The bill authorizes \$2 million for land acquisition and \$528,000 for development.

We strongly support the purpose of H.R. 9492, of establishing a 57-mile segment of the Chattooga River as a component of the Wild and Scenic Rivers System. The Department of Agriculture has prepared a report recommending inclusion of this segment in the system and we have concurred in that report. We believe, however, that the bill could be simplified substantially if it were drafted as an amendment to the Wild and Scenic Rivers Act, rather than as a separate act. The 1972 legislation which added the Lower Saint Croix to the system (P.L. 92-560) took the approach of amending section 3(a) to add an additional river component, as does the Department of Agriculture's proposed bill on the Chattooga River. Adding all new system components as amendments to section 3(a) of the Wild and Scenic Rivers Act makes reference to them easy, and makes it unnecessary to repeat provisions concerning establishment of boundaries, completion of development plans, and other provisions dealing with establishment of a new component.

We would recommend amending section 1 of H.R. 9492 to read as follows, deleting sections 2 and 3, and renumbering section 4 as section 2.

"That section 3(a) of the Wild and Scenic Rivers Act (82 Stat. 907, 16 U.S.C. 1274(a)), as amended, is further amended by adding the following new paragraph:

(10) CHATTOOGA, NORTH CAROLINA, SOUTH CAROLINA, GEORGIA.—The segment from 0.8 miles below Cashiers Lake in North Carolina to Tugaloo Reservoir, and the West Fork Chattooga River from its junction with Chattooga upstream 7.3 miles; to be administered by the Secretary of Agriculture: *Provided*, That the Secretary of Agriculture shall take such action as is provided for under section 3(b) of the Wild and Scenic Rivers Act within one year from the date of enactment of this Act."

Reference made in H.R. 9492 to the 1-year waiting requirement contained in section 4(b) of the Act has been deleted as unnecessary, since we would construe congressional action in enacting the Chattooga River bill as superseding the provisions of that section.

We would also recommend deleting the ceiling on development costs contained in H.R. 9492, as there is no such ceiling for the "instant rivers".

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,

NATHANIEL P. REED,
Assistant Secretary of the Interior.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., October 10, 1973.

HON. CARL ALBERT,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: I am pleased to give you a report recommending the designation of the Chattooga River and its immediate environs as an addition to the National Wild and Scenic Rivers System.

The entire Chattooga River was designated for study in the Wild and Scenic Rivers Act of 1968. Our study of the Chattooga River indicates that the river and its immediate environs fully meet the criteria for a wild, scenic, and recreational river stated in section 2(b) of the Act (82 Stat. 906, 16 U.S.C. 1273). The study report recommends the entire river from Tugaloo Lake upstream 49.6 miles to the junction of three minor streams and 7.3 miles of the West Fork Chattooga River be included in the designation.

The Chattooga River report has been reviewed by the States involved and by concerned Federal Departments and Agencies. The comments of the Governors and General Assemblies of North Carolina, South Carolina, and Georgia, the Secretaries of the Interior, Army, Transportation, Housing and Urban Development, and Health, Education and Welfare, the Water Resources Council, the Federal Power Commission, and the Environmental Protection Agency are appended to the report. With the exception of the Federal Power Commission, reviewers support our recommendation that the Chattooga River should be added to the National Wild and Scenic Rivers System. The Federal Power Commission recommended that the river be given further study because of its substantial hydroelectric power potential and the possibility of developing power in part of the river and preserving the remainder in a free-flowing state. Although we recognize that the river has hydroelectric power potential, in our judgment, preservation of its free-flowing condition and associated wild and scenic values outweighs the value associated with development of its power potential. A dam or dams, whether located upstream or downstream on the river, would seriously detract from or destroy the natural values of the Chattooga River as a component of the Wild and Scenic Rivers System.

The hearing record from public meetings indicates nearly unanimous support for wild and scenic river designation from individuals and various organizations. Some concern was expressed by a few local landowners over the possibility that designation of the river would affect their property rights. These concerns were primarily a result of a lack of full understanding as to the provisions of the Wild and Scenic Rivers Act regarding land acquisition.

Section 4(b) of the Wild and Scenic Rivers Act provides in part . . . "No river or portion of any river shall be added to the national wild and scenic rivers system subsequent to enactment of this Act until the close of the next full session of the State legislature, or legislatures in case more than one State is involved, which begins following the submission of any recommendation to the President with respect to such addition as herein provided." (82 Stat. 906, 16 U.S.C. 1275). Since the legislatures of the three States affected by the proposal have already passed resolutions supporting the designation of the Chattooga River as a wild and scenic river, we feel that the intent of section 4(b) has been met. Consequently, we recommend that Congress proceed now with the consideration and enactment of legislation to designate the Chattooga River as a component of the National Wild and Scenic Rivers System.

The Chattooga River flows through a mixture of private and National Forest lands. The area encompassed within the proposed river corridor is approximately 15,000 acres of which some 84 percent is National Forest land. We are, therefore, recommending that the Secretary of Agriculture be assigned administrative responsibility for the river.

Estimated costs based on 1970 prices for a 5-year program are \$2 million for land acquisition, \$528,000 for development, and \$520,000 for operation and maintenance. These estimated costs are shown by fiscal year in the attached Man Year and Cost Estimate Table. Land acquisition would be funded through the Land and Water Conservation Fund. A small increase in Federal employment is anticipated which would primarily consist of seasonal workers employed for maintenance and protection of the river area.

The Chattooga River is a clean, free-flowing mountain stream located in a relatively undeveloped mountain setting. It is readily accessible to several metropolitan areas and is considered one of the finest white-water streams in the Southeast. I believe this combination of unique natural values is an irreplaceable resource and the best use of the river is as a component of the National Wild and Scenic Rivers System.

A draft of legislation which would implement this proposal is enclosed. This Department strongly recommends that this legislation be enacted. Also enclosed is an Environmental Statement for the proposal which has been prepared pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969 (83 Stat. 853).

A similar letter is being sent to the President of the Senate.

The Office of Management and Budget advises that there is no objection to the presentation of this proposed legislation from the standpoint of the Administration's program.

Sincerely,

J. PHIL CAMPBELL,
Under Secretary.

Enclosures :

A BILL To designate the Chattooga River in the States of North Carolina, South Carolina, and Georgia as a component of the National Wild and Scenic Rivers System, and for other purposes

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SEC. 2. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not to exceed \$2,000,000 for the acquisition of lands and interests in lands.

SUPPLEMENTAL STATEMENT ON CHATTOOGA RIVER, MAN-YEAR AND COST ESTIMATE TABLE

	Fiscal year				
	1st	2d	3d	4th	5th
Man-years.....	6	7	9	10	12
Costs (thousands of dollars):					
Personal services.....	64	69	88	98	121
Other items:					
Operation and maintenance (excluding personal services).....	10	10	17	19	24
Land acquisition.....		200	1,000	500	300
Development.....		132	132	132	132

USDA FOREST SERVICE, ENVIRONMENTAL STATEMENT—PROPOSED CHATTOOGA NATIONAL WILD AND SCENIC RIVER NORTH CAROLINA, SOUTH CAROLINA, AND GEORGIA, APRIL 3, 1973

Prepared in Accordance with Section 102(2)(C) of Public Law 91-190

Summary Sheet

I. Draft () Final (X)
 II. Administrative () Legislative (X)
 III. Proposal:

Sections totaling 56.9 miles of the Chattooga River are proposed for inclusion in the National Wild and Scenic Rivers System. The river flows through

Jackson and Macon Counties, North Carolina; Rabun County, Georgia; and Oconee County, South Carolina.

IV. *Summary of Environmental Impacts:*

The proposal provides the means for protecting the river and adjacent lands from adverse environmental effects. The impacts of increased recreation use will be controlled through regulations based on the carrying capacity of the river and land rather than on demand.

V. *List of Alternatives Considered:*

1. A no-action alternative, maintain the status quo.
2. An alternative of development of the river for hydropower.
3. Protection of the river through designation as a Federally administered river in the National Wild and Scenic Rivers System.

VI. Comments on the Draft Environmental Statement have been received from the following: U.S. Department of the Interior; U.S. Department of the Army; U.S. Department of Health, Education and Welfare; U.S. Department of Transportation; U.S. Department of Housing and Urban Development; U.S. Environmental Protection Agency; Federal Power Commission; Water Resources Council; Governor, State of North Carolina; Governor, State of South Carolina; Governor, State of Georgia; Regional Administrator, Environmental Protection Agency, Atlanta, Ga.

VII. The Final Statement was made available to the Council on Environmental Quality.

Type of Statement: Final.

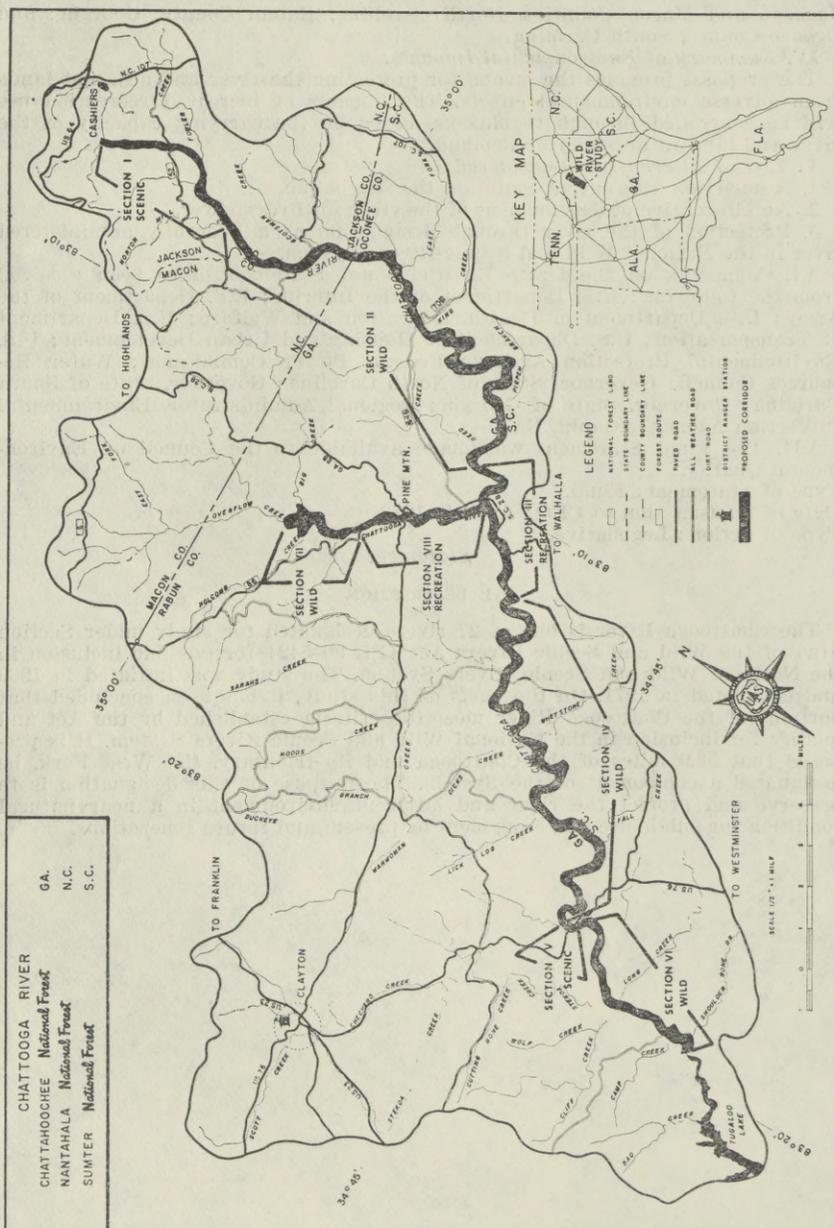
Date of transmission to CEQ: April 3, 1973.

Type of action: Legislative.

Statement

I. DESCRIPTION

The Chattooga River is one of 27 rivers designated for study under Section 5(a) of the Wild and Scenic Rivers Act (PL 90-542) for possible inclusion in the National Wild and Scenic Rivers System. The study was initiated in 1969 and completed in 1971. On the basis of this study, it has been concluded that portions of the Chattooga River meet the criteria established by the Act and qualify for inclusion in the National Wild and Scenic Rivers System. It is proposed that 56.9 miles of the Chattooga and its tributary, the West Fork, be designated a component of the System. The purpose of this designation is to preserve and protect the river and adjacent environment in a near natural condition for public use and enjoyment by present and future generations.



Because of the degree of existing development and access and the management criteria established for the river area, the river reach included in the proposal contains sections classified as Wild, Scenic or Recreational. Four sections totaling 40.3 miles are classified Wild; two portions with a total of 6.5 miles are classified Scenic; and the remaining 10.1 miles are in two sections classified Recreational.

The Chattooga River is one of the longest and largest freeflowing mountain streams in the Southeast remaining in a relatively primitive, undeveloped condition. The river, with its immediate environment, possesses outstanding scenic, recreational, geological, biological, historical, and related values.

The Chattooga River, with a drainage area of approximately 278 square miles, is a tributary of the Savannah River and begins in the Blue Ridge Mountains of the Southern Appalachians. It flows southward for 10 miles in North Carolina, continues for 40 miles as the boundary between Georgia and South Carolina, and ends in the waters of Tugaloo Reservoir. Seven miles of the West Fork of the Chattooga River flow entirely in Georgia.

The river lies within the boundaries of three National Forests. Over 47 percent of the land directly along the river is National Forest land. Georgia Power Company is the other major landowner, owning 37 percent within the proposed area. Sixteen percent of the land is in other private ownership. The total acreage within the proposed river boundary is 15,143 acres. Privately owned lands within the proposed boundary of the river area would be acquired by exchange or through fee acquisition. Where title in fee is not essential, necessary protection of the river would be achieved through acquisition of scenic or other easements. Lands acquired in fee would be on the basis of a willing buyer-willing seller. It is estimated that a 5-year program of acquisition would cost \$2,000,000.

Because of the fragile nature of much of the river environment, most development will occur as satellite sites outside the river corridor. Planned recreation improvements, including portages, trails, campsites, and launching sites are estimated to cost \$600,000. Based on estimates of use the river area can accommodate without undue environment deterioration and detracton from the potential recreation experience, the area would provide a total of 139,200 visitor-days of recreation use (a visitor-day consists of 12 visitor hours).

The fifth year of operation and administration cost, including cleanup and management of the river area, is estimated at \$145,000.

Use of the river area, at present, is increasing without a coordinated planning approach to assure maintaining a quality environment. Subdividing of private lands within the river corridor is occurring in some cases, and uncontrolled use of the river banks is leading to a problem of littering and site deterioration. Including the Chattooga River in the National Wild and Scenic Rivers System under Federal administration would protect an excellent white water canoeing stream, a rarity in the Southeastern United States. Classifying the river as a component of the System is the surest way of preserving the ecology, the natural beauty, and excellent water quality of this free-flowing mountain stream as it now exists.

II. ENVIRONMENTAL IMPACTS

The Chattooga River is entrenched by steep, rocky, forested slopes that plunge into deep, narrow gorges. For its first 20 miles, the river flows through the steepest and most pronounced portion of the Chattooga Gorge, averaging over 84 feet drop per mile. The remaining mileage flows through more gentle mountain country with an average drop of only 22 feet per mile. In general, soils along much of the river are shallow and rocky. The topography is very steep. There are areas where the flood plain is wide. Except for occasional flooding, these areas are suitable for primitive type camping and river access points. Within these flood plains are smaller areas of poorly drained soils which support unique flora.

The region around the Chattooga River contains a rich variety of plant life. Most timber stands are of a mixed composition, pine and hardwoods. Several species of oak and other hardwoods are present with a mixture of conifers. Dogwood, mountain laurel, rhododendron, and other small flowering plants are significant from the aesthetic viewpoint. Also, several rare plant species, such as species of wild orchid, fern, ground pine and lilies occur along the Chattooga.

In general, the immediate environment of the Chattooga is fragile, and over-use could result in deterioration and destruction of some of its unique plant life and aesthetic quality.

Implementation of the proposal would result in protection of natural and scenic features within a corridor of land immediately adjacent to the river

and curtail the utilization of certain resources. Thus, a built-in objective of the proposal is minimization of adverse environmental impacts commonly associated with use and development of timber, mineral, and hydropower resources.

There will be an impact from increased numbers of people using the river and vicinity for recreational pursuits as public awareness develops and outside opportunities for a comparable recreation experience diminish. Also, there will be some impact on private landowners in the river corridor. Uses on these lands which would be incompatible with wild and scenic river purposes will need to be controlled through scenic or other easement acquisition. Other resource management activities, such as timber harvest, will be modified or in some cases curtailed in order to preserve the river environment. Modifying or curtailing resource use will result in both environmental and economic change. In general, the environmental effects will be favorable, in that protection of rare and uncommon species of plants will be assured. Also, the proposal will have favorable environmental effects by preserving and protecting a river in a free-flowing condition without impoundment or diversion. The river contains sufficient volume and quality of water to allow full enjoyment of water-related recreation activities and is capable of supporting aquatic life normally adapted to a natural stream habitat.

Some economic effects will result from terminating uses on private lands in the river corridor such as subdivisions for summer homes and commercial establishments. One result of this curtailment will be a lowering of the potential tax base for the local government units involved. However, it is estimated that this loss will be largely offset by the increased use generated by the proposal and the need to provide goods and services to the user outside the river corridor. The economic effects of foregoing conventional timber harvest will be minor. Some manipulation of vegetative cover may be necessary at times to perpetuate the wildlife habitat and a vigorous stand of trees of all ages and species common to the area. However, commercial timber uses will not be compatible with river management objectives, and timber management will be designed to enhance recreation and other resource values.

To achieve the objectives of providing a high quality environment for the river user, a detailed management plan will be developed. Emphasis will be placed on protecting and enhancing the natural values while allowing controlled use of the area for public enjoyment.

Present and future generations will benefit from the opportunity to enjoy a rare, high-quality outdoor experience amid surroundings of unspoiled natural beauty.

III. ADVERSE ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED

There are some adverse environmental effects which can be expected from this proposal that are unavoidable. The development of facilities to accommodate the river user will undoubtedly alter the environment to some degree. Also, increased use of the river and adjacent lands will have some effect on plant and animal life. Increased use could also result in pollution from human waste and litter and loss of space and tranquility.

To forestall or minimize the buildup of these effects, recreation development activity will concentrate on making the river available to the public through hiking trails, canoe launch sites, and primitive campsites—thus influencing the type and location of use. A detailed plan will be prepared for management of all activities within the river boundary. Timber harvest will be limited to scenic or wildlife habitat improvement. Recreation management will take all possible steps to minimize the chance of water pollution from recreation activities. Where fee title to land is not acquired, a scenic easement will be obtained to protect river values. A program of public education and information regarding the proper use of the river area will be developed.

IV. ALTERNATIVES TO THE PROPOSED ACTION

The alternatives considered for the Chattooga River are—a no-action alternative; an alternative of use and development of the water resources for power production; or it could be protected as a Federally administered component of the National Wild and Scenic Rivers System.

A no-action alternative would probably result in uncoordinated land use and development and encroachment on the river environment. It would likely result

in maximum development of private lands for cottages and summer homes and increase the potential for environmental pollution. Although, at the present time, the Chattooga River with its immediate environs is relatively primitive and undeveloped, the trend is toward subdivisions and summer home sites. The competition for land for all uses is accelerating and for this reason this alternative was rejected.

The alternative of use and development of the water resources for power production would largely preclude inclusion of the river in the National Wild and Scenic Rivers System. There have been four separate proposals for power development of the river, none of which have reached the detailed plan stage. Three of these proposals are incompatible with Wild and Scenic Rivers objectives and would render the river and its environment unsuitable for the proposed course of action. These three proposals are basically the same, calling for a series of dams on the Chattooga each dependent on the other for operating efficiency. The series of dams would so seriously segment the river that the river characteristics would be eliminated.

A variation to the series of dams proposed was presented by the Federal Power Commission's staff. The proposal, the Cashiers Project, would be a pure pumped storage project with the afterbay covering 450 acres on the Chattooga River and the forebay of 330 acres on Little Whitewater Creek, a tributary of the Whitewater River in the Keowee River Basin. There have been no studies made of the possible environmental effects which could result from construction of the project. It is possible that interbasin transfer of water could affect the stream ecology in both the Chattooga and Whitewater Rivers. Although the Project would only inundate the upper 7 miles of the Chattooga included in the scenic river proposal, the impoundment would regulate the river's flow. Construction of the dam would result in high turbidity and silting in the downstream reaches during construction, followed by gradual clearing as conditions stabilized. However, overall water quality values would be poorer than for the free-flowing river. Changes in water temperature, dissolved oxygen, and other conditions associated with impoundments could seriously affect the species composition of fish indigenous to the Chattooga. A reservoir fishery would replace over 7 miles of a quality stream fishing habitat.

The Federal Power Commission staff has also presented an alternate proposal to the Cashiers Project. This alternate proposes a high dam (Opossum Creek) at river mile 4.9 and another dam at either mile 11.3 (Rogues Ford) or mile 17.7 (Sand Bottom). The power pool elevation of the Rogues Ford dam would be 1,600 feet msl while the elevation at Sand Bottom would be 1,640 feet msl. Either of these proposed dams would inundate approximately 5,800 acres and back water up the Chattooga so only the upstream reach of the main river would be left free-flowing. The project as proposed would effectively eliminate the white water canoeing opportunities offered by the river and would eliminate the river from consideration as a component of the national system. The upstream miles of river that would remain could not stand on their own and meet the criteria established for a wild, scenic, or recreational river.

With regard to the alternatives considered, it is concluded that the preservation of water quality, the white water boating opportunity, and the aesthetic and unique river environment can best be accomplished by protecting the river as a part of the National Wild and Scenic Rivers System.

V. RELATIONSHIP BETWEEN SHORT-TERM USES VS. LONG-TERM PRODUCTIVITY

At present, short-term uses in the river area include a range of resource management activities, summer homes and recreation tracts. Such uses are not entirely without benefit, but in general, uncoordinated control in the area would result in short-term gain at the expense of long-term environmental productivity.

The benefits of converting the free-flowing river system to use for power development should be weighed against the overall value to the public for future generations as a wild and scenic river. The proposal would allow the river with its immediate environs to evolve with minimal disturbance by man. However, the options would remain open in the event the best interests of the Nation would be served by development of the river for power and the yield of renewable resources was increased. As areas of the quality of the Chattooga

River become more scarce, we believe the preservation of the ecological values of such an area for the use and enjoyment of this and future generations will be of extreme importance.

VI. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Under the proposal, the resources would be protected and maintained essentially without impairment, and should future priorities change, retrieval would be possible. The irretrievable commitment of resources would be that increment of power production, timber harvest, and other resource use foregone during the period the river area is committed to the purposes of the Wild and Scenic Rivers Act. This commitment could be reversible through future Congressional action should the need for full use and development of the resources become apparent. However, in view of a body of public opinion supporting retention of a free-flowing river for public recreation purposes, and the need for special Congressional action to implement a proposal which would be contrary to the intent of the Wild and Scenic Rivers Act, it can be assumed that this proposal causes existing plans for the area to be irretrievable.

Overall, it is concluded that implementation of this proposal would provide greater environmental benefit than would be restricted or curtailed. The existing wild and scenic river qualities would be irretrievably lost if the full power development potential of the river is utilized.

VII. VIEWS OF OTHERS

The draft environmental statement along with the report "Wild and Scenic River Study Report—Chattooga River" was reviewed by the Governors of the States concerned and by all interested Federal Departments and Agencies. Two public meetings to present the river proposal provided an opportunity for many interested citizens to express their opinions concerning the future of the Chattooga River.

The river study report was furnished as a reference document to aid the reviewer in his evaluation of the draft Environmental Statement. In some instances, the reviewer had to refer to the study report to determine the magnitude of the environmental impacts of the proposal and the alternatives. Comments received from some reviewers indicated the Environmental Statement should be an independent document separating environmental matters from other items of project evaluation. Subsequently, the final Environmental Statement has been revised and expanded to conform with the suggestions received. Where appropriate, comments received have been incorporated in the text of the Statement.

ATLANTA, GA., December 7, 1971.

HON. EARL L. BUTZ,
Secretary,
U.S. Department of Agriculture,
Washington, D.C.

DEAR MR. BUTZ: At your agency's request, I have reviewed the Wild and Scenic River Study on the Chattooga River. I urge prompt Congressional action to include this river in the National Wild and Scenic Rivers System.

The Chattooga is Georgia's most outstanding cold water trout fishery and year-round white water canoeing river. As a hunting area, its watershed is well suited for bear, turkey and other important wildlife species which require large remote acreage. National Forest lands along the river should be further consolidated and its predominant classification should be as a wild river and wilderness area.

Goals and management plans must be compatible with the river's wilderness characteristics. Therefore, I make the following suggestions:

Section V.—This Scenic Section should have no major man-made developments or large parking lots immediately adjoining the river. The topography where U.S. Route 76 crosses the river is very steep and V-shaped. Only small parking lots for the temporary loading and unloading of small float craft and handicapped people should be permitted. Other larger developed areas should be set back at least one-fourth mile from the river.

Section III and VIII.—These Recreation Sections should be generally upgraded to scenic Class by purchasing the private inholdings with lifetime estates reserved if necessary. Only relatively small clustered and low-density recreational developments should be allowed to occur in these Sections.

Overnight accommodations and intensive development should occur in and near the trade centers in the region, such as Clayton and Dillard, Georgia. There, they are close enough to the river to provide overnight accommodations for users of the river, yet they are far enough away to avoid degradation of the river's wild character and excellent water quality.

As the Chattooga River is an important water supply for downriver urban centers, the controls of the 1899 Refuse Act should apply. Any mining or other activity which would degrade this river should be prohibited.

The plan should conserve 30,000 to 50,000 acres in a combined wild river and wilderness area rather than just 15,143 acres.

Sincerely,

JIMMY CARTER, *Governor.*

STATE OF NORTH CAROLINA,
Raleigh, N.C., January 24, 1972.

Mr. T. K. COWDEN,
*Assistant Secretary,
Department of Agriculture,
Washington, D.C.*

DEAR SECRETARY COWDEN: This is in response to your letter of July 28, 1971, concerning the Chattooga River and enclosing your proposed report on the proposal to include it in the National Wild and Scenic Rivers System. You asked for my comments on behalf of the State of North Carolina.

The State of North Carolina concurs in your recommendations, and urges that the Chattooga River be included in the System by law at the earliest possible date. As you know, the North Carolina General Assembly in 1971 passed a resolution endorsing the inclusion of the Chattooga River in the National Wild and Scenic Rivers System.

Section 4 (b) of the Wild and Scenic Rivers Act provides that a river may not be added to the System until after the next full session of the State legislatures which begin following the submission of a recommendation to the President. Since the North Carolina General Assembly has already endorsed the Chattooga River proposal, and since its next session will not end until mid 1973, I request that your recommendation include waiving this provision of the act, in order that Congress may act on the proposal during this session.

The opportunity to comment is appreciated.

Cordially,

ROBERT W. SCOTT, *Governor.*

STATE OF SOUTH CAROLINA,
Columbia, S.C., November 11, 1971.

Mr. EDWARD P. CLIFF,
*Chief, U.S. Forest Service,
Department of Agriculture,
Washington, D.C.*

DEAR MR. CLIFF: The study of the Chattooga River to determine its status for a Wild and Scenic River designation in accordance with Public Law 90-542 has been completed and is ready for submission to the Congress and the President. I understand that the recommendations which are being made as a result of this study are favorable and that this white river meets all the necessary qualifications for designation as a Wild and Scenic River.

The South Carolina legislature has endorsed a resolution recommending to Congress and the President that the report receive favorable consideration. I wish to add my recommendation, because I believe that the river should be permanently preserved in its natural state for the enjoyment of the people of South Carolina as well as from other areas throughout the country.

I urge you to exert every effort in order to obtain a wild and scenic status for the Chattooga River in accordance with the Wild and Scenic River Act enacted by Congress.

Sincerely,

JOHN C. WEST, *Governor.*

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
OFFICE OF THE SECRETARY,
Washington, D.C., October 15, 1971.

HON. T. K. COWDEN,
Assistant Secretary of Agriculture,
Washington, D.C.

DEAR MR. COWDEN: Secretary Richardson has asked me to reply to your letter of July 28 requesting comments concerning the report and accompanying draft environmental statement on the proposal to place a portion of the Chattooga River in the National Wild and Scenic Rivers System. The opportunity to review and comment upon the proposal is appreciated. Accordingly, we wish to offer the following comments for your consideration.

In reviewing the report and the environmental statement, we are pleased to note that serious thought has been given to the potential problem of overuse of the area, and that recreational use will be limited, if necessary, to the carrying capacity of the area. We also note that primitive campgrounds will be developed at strategic points along the trail system and will be accessible from the river. These campgrounds, with minimum sanitary facilities, should help alleviate the problem of indiscriminate camping along the river banks which can lead to a deterioration of the recreational environment and an increase in health hazards.

In providing sanitary facilities for these campgrounds, care must be exercised to provide a water supply fully protected from contamination and waste disposal facilities which will not contribute to environmental deterioration or lead to public health hazards. The guidelines contained in Public Health Service Publication No. 1195, "Environmental Health Practices in Recreational Areas," can be of assistance in this respect. We will be glad to provide technical assistance and consultation to your Department on the planning and development of these facilities if requested.

We appreciate the opportunity to present the views of our Department concerning this proposal.

Sincerely yours,

MERLIN K. DUVAL, M.D.,
Assistant Secretary for Health and Scientific Affairs.

FEDERAL POWER COMMISSION,
Washington, D.C., October 15, 1971.

HON. CLIFFORD M. HARDIN,
Secretary of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: This is in reply to Assistant Secretary Cowden's letter of July 28, 1971, transmitting for the Commission's comments, pursuant to provisions of the Wild and Scenic Rivers Act, PL 90-542, the proposed report of your Department on the Chattooga River. Enclosed with the letter was a draft environmental statement relating to the recommended action.

The proposed report recommends that the Chattooga River from Tugaloo Lake 49.6 miles upstream to a point near Cashiers, North Carolina, and 7.3 miles of the West Fork of the Chattooga River, be designated as a unit of the national wild and scenic rivers system. The river corridor would include 15,143 acres of land in Georgia, North Carolina, and South Carolina, of which nearly one-half are within national forests. The Chattooga River is one of the 27 rivers named for study by PL 90-542.

The Commission staff has cooperated with your Department in the studies of the Chattooga River and has furnished information on the hydroelectric power potential of the river reaches under consideration. This information is included and discussed in the report in accordance with the provisions of Section 4(a) of PL 90-542.

Several previous studies have been made of the hydroelectric power potential of the Chattooga River, including those of the Corps of Engineers and the U.S. Study Commission, Southeast River Basins. The 1963 report of the Study Commission proposed the installation of 366,000 kilowatts of conventional hydroelectric capacity at four sites on the river.

Studies by the Federal Power Commission staff show that, by constructing larger dams at two sites on the lower reaches of the river and by installing conventional and reversible capacity at these dams, installations totaling about 1,300,000 kilowatts would be possible. Included would be the Opossum Creek development at the head of the existing Tugaloo Lake, combined with an upstream development at either the Rogues Ford or Sand Bottom site. Preliminary studies by the staff indicate that development of this potential power would be economically justified with Federal financing but of marginal economic justification with private financing. In addition to power, the proposed projects could provide recreation and possibly other benefits. These projects would inundate approximately one-half of the river reach proposed for inclusion in the national wild and scenic rivers system, leaving the upstream portion of the river in its free-flowing state.

The staff studies also identified a potential pure pumped storage development at the Cashiers site in the upper reaches of the river. The possible installation would range from 550,000 to as much as 1,000,000 kilowatts. Although the upper pool of this development would be outside the Chattooga River basin, the lower pool would inundate a short section of the upper reach of the Chattooga River. This afterbay pool could be operated so that the regimen of natural river flows would not be changed.

The staff points out that the proposed report of your Department and the accompanying draft environmental statement considered only two alternatives to the wild and scenic river proposal—maintain the status quo or completely develop the river for hydroelectric power production. As indicated above, a further alternative would be the development of the lower half of the river reach for power and other purposes, and designation of the upper portion of the river as a unit of the national wild and scenic rivers system. Under such an alternative, the potential Cashiers pumped storage development could be eliminated.

The Commission recognizes the desirability of preserving certain river reaches in their free-flowing state. It is acutely aware, also, of the growing demands for electric power in the Southeast and the need to plan for the construction of various types of generating capacity, including hydroelectric capacity, to meet the future power demands. As contemplated in PL 90-542, the decision to include a river reach in the national wild and scenic rivers system should be made having regard for the potential uses of the land and water which would be enhanced, foreclosed, or curtailed by such inclusion.

Based on its consideration of the proposed report of your Department and the studies of its own staff, the Commission concludes that the Chattooga River has a substantial hydroelectric power potential that should be fully considered in deciding whether or not to include the river in the national wild and scenic rivers system. The possibility of developing power in part of the river and preserving the remainder in a free-flowing state should be given further consideration.

Other than the views expressed in the foregoing, the Commission has no comments on the draft environmental statement.

Sincerely,

JOHN N. NASSIKAS, *Chairman.*

ENVIRONMENTAL PROTECTION AGENCY,
Washington, D.C., November 4, 1971.

HON. CLIFFORD M. HARDIN,
Secretary of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: We have reviewed the Chattooga River Wild and Scenic River Study Report including the environmental impact statement and support fully the recommendation that 57 miles of the Chattooga be designated as a unit of the National Wild and Scenic River System. The study presents a strong case of supporting preservation while balancing those positive aspects with an adequate statement of the alternatives. Formal designation of the Chattooga and its administration by the Forest Service will help assure its continued existence as a prime example of an unspoiled and free-flowing mountain stream.

The assessment of the actions necessary to acquire and protect the area is thoughtful and carefully conceived and should result in a viable program of implementation. We can only add that protection of the area's high quality waters must be a paramount concern and should be accomplished during the early phases of the program. This Agency's expertise is, of course, available to the Forest Service in this regard. In addition, we urge that as much of the area outside the national forests as possible be secured to the stated purposes by outright purchase or perpetual easements so that the chance of detrimental development is minimized. The official comments of our Atlanta Regional Office have been transmitted to the Regional Forester in Atlanta. These comments support both official designation and the statements in the environmental impact statement.

Once again, we are most happy to support the study recommendations as well as the environmental impact statement and trust that you will not hesitate to call upon this Agency should any questions arise.

Sincerely yours,

WILLIAM D. RUCKELSHAUS,
Administrator.

ENVIRONMENTAL PROTECTION AGENCY,
Atlanta, Ga., October 4, 1971.

Mr. T. A. SCHLAPFER,
*Regional Forester,
Forest Service, Southern Region,
Atlanta, Ga.*

DEAR MR. SCHLAPFER: We are in agreement with the Forest Service Draft Environmental Impact Statement and their Wild and Scenic River Study Report that the best way to preserve the ecology and natural beauty of the Chattooga River is to classify and preserve it as a Scenic River. It is also the most practical way of maintaining and preserving its present excellent water quality and the natural free flowing trout streams found within its reaches.

The construction of the dams proposed in the development of the river for power would degrade water quality values throughout the river system.

With regard to water quality under section 102(2)(c) of PL 91-190, the Environmental Protection Agency recommends that the following be included.

1. *The Environmental Impact*—Classifying and preserving the Chattooga as a Scenic River is the only sure way of preserving the ecology, the natural beauty and excellent water quality of this free flowing stream as it now exists.

The construction of the dams for the development of power would raise water temperatures, change predominant fish species, inundate and destroy rare species of plants and generally degrade water quality values in the river system.

2. *Adverse Environmental Effects*—The adverse environmental effects would be those experienced by complete development of the river for hydroelectric power. If no action is taken to preserve the Chattooga as a Scenic River, there will be a gradual buildup of the watershed with hunting and fishing camps and summer homes with the accompanying pollution problems and a gradual degradation in water quality values.

The construction of the dams for power would be accompanied by high turbidity and silting during the construction period followed by a gradual clearing as conditions became stabilized. However, overall water quality values would be poorer than for the free flowing stream with higher water temperatures, a change in predominant fish species to those adapted to reservoir environment, anaerobic conditions and low D. O. in the hypolimnion of the reservoirs, and possibly scum and algae on the surface depending on the degree of development along the shores of the reservoirs and the controls placed on the recreational and camp development within the watershed.

3. *The Alternatives to the Proposed Action*—The alternatives are no-action, the development of the Chattooga for power and classifying it as a Scenic River.

With regard to these alternatives, the preservation of water quality in the Chattooga can best be accomplished by preserving the stream as a Scenic River.

4. *The Relationship Between Local Short-Term Uses of Man's Environment and the Maintenance and Enhancement of Long-Term Productivity*—The benefits of converting the river system to use for power development should be weighed against its overall value to the public for future generations as a Wild and Scenic River. As areas of this type become more scarce, we believe the preservation of the ecological and water quality values of such an area to be enjoyed by future generations is of extreme importance.

5. *Any Irreversible and Irrecoverable Commitments of Resources Which Would Be Involved in the Proposed Action Should It Be Implemented*—Water quality values in the Chattooga River system as they now exist would be lost for future generations along with the natural free flowing streams and the natural beauty and ecology of the area.

The proposal to include the Chattooga River in the National Wild and Scenic River System does not involve drinking water; however, it does involve human contact recreation. Development of a scenic river system is aimed at preserving high quality water, and the Chattooga River proposal should accomplish this goal. Several primary contact recreation water quality standards are listed on page 15 of the Study Report. It is our opinion that a standard similar to the N.T.A.C. Water Quality Criteria should be specified so as to fully protect the health of the recreationist. Whenever natural background conditions cause this standard to be exceeded, primary contact recreation may have to be restricted; however, in this type of river that should seldom occur.

If the Chattooga River is included in the Wild and Scenic River System, some consideration must be given to the disposal of solid waste that will be generated by project initiation, otherwise, an adverse environmental impact will probably exist for some time in the future.

We would appreciate receiving a copy of the final Environmental Impact Statement when it is completed.

If we can help you in any way, please call on us.

Sincerely,

JACK E. RAVAN,
Regional Administrator.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT,
COMMUNITY PLANNING AND MANAGEMENT,
Atlanta, Ga., October 18, 1971.

Mr. T. K. COWDEN,
Assistant Secretary,
Department of Agriculture,
Washington, D.C.

DEAR MR. COWDEN: We have reviewed the copy of your Department's proposed report on the Chattooga River and the draft environmental statement relative to the proposal to include a segment of the Chattooga River in the National Wild and Scenic Rivers System.

The Department of Housing and Urban Development heartily endorses this proposal as a positive step to preserve badly needed open-space areas to serve the recreation needs of the present and future population in the Southeast.

The DHUD has recently decentralized its operations. In view of this, would you please send future referrals of this nature to the appropriate HUD Regional office. We believe it would speed up the processing and review procedures.

Sincerely yours,

LEO J. ZUBER,
Acting Assistant Regional Administrator.

DEPARTMENT OF TRANSPORTATION,
U.S. COAST GUARD,
Washington, D.C., October 4, 1971.

Mr. T. K. COWDEN,
Assistant Secretary,
Department of Agriculture,
Washington, D.C.

DEAR MR. COWDEN: This is in response to your letter of 28 July 1971 addressed to Secretary Volpe concerning the Department of Agriculture's

proposed wild and scenic river study report and draft environmental impact statement on the Chattooga River.

Both the report and impact statement have been reviewed by the concerned operating administrations and staff of the Department of Transportation. No comment is offered concerning the draft environmental impact statement.

The following is noted from the Federal Highway Administration review of the study report.

"On Page 53, Paragraph 2, Chapter VII, the report states that the State highway agencies (the Georgia State Highway Department, the North Carolina State Highway Commission, and the South Carolina State Highway Department) have no plans to construct additional highways or expand existing highways across the Chattooga River. Inasmuch as State highway agencies generally plan proposed improvements only 5 years in advance, the statement is misleading and should not be construed to preclude the need to upgrade bridges and related approach roadways within the recommended river corridor at some future date. It is known, for instance, that the South Carolina State Highway Department plans to widen all bridges to 24 feet when funds are available. This would include the 22-foot bridge on State Route 28.

"On Page 169, Transportation Systems I, Appendix L, the report includes the following basic planning assumption: "Conflicting or nonstandard transportation facilities will be removed or brought to standard." We should like to know the specific intent of this guideline with regard to public highways. The North Carolina State Highway Commission indicates that the two bridges in that State should remain open to the public.

"We suggest that the above-noted inconsistencies be resolved."

It is requested that this Department be advised concerning the specific intent of this guideline with regard to public highways.

The Department of Transportation supports the proposal to preserve sections of the Chattooga River as a wild and scenic river and recommends that these sections be added to the system at as early a date as possible. We would be pleased to receive a copy of the final environmental impact statement when it is prepared.

The opportunity for the Department to review and comment upon the draft statement and study report on the Chattooga River is appreciated.

Sincerely,

H. D. MUTH,
*Captain, U.S. Coast Guard,
 Acting Chief, Office of Marine
 Environment and Systems.*

U.S. WATER RESOURCES COUNCIL,
 Washington, D.C., February 9, 1972.

HON. T. K. COWDEN,
*Assistant Secretary,
 Department of Agriculture,
 Washington, D.C.*

DEAR MR. COWDEN: Your letter of July 28, 1971, requested the Water Resources Council's comments on your Department's proposed wild and scenic river study report on the Chattooga River and on the accompanying draft environmental impact statement. The report proposes that 57 miles of the Chattooga River be included in the National Wild and Scenic Rivers System.

The Council's review has been undertaken from three aspects with the following findings:

1. Report Coordination—The proposed report has been fully coordinated with the completed and ongoing studies and plans of the agencies of the Council.

2. Effect of the Proposal on Potential Uses—The proposed report adequately presents the enhancement, foreclosure or curtailment of reasonable foreseeable potential uses of the land and water resources involved for three alternatives; (a) no action; (b) inclusion of the 57-mile segment in the National Wild and Scenic Rivers System; and (c) full development for hydroelectric power. However, alternatives involving combinations of preservation, recreation and development should have been more fully explored.

3. Relationship of the Proposal to Other Uses or Services—If adopted, the proposal would not preclude meeting the needs for other essential uses or services such as utility and transportation routes.

Even though the report does not clearly identify and evaluate the alternative of partial hydroelectric development, the Council concludes that, pursuant to the provisions of P.L. 90-542, the report presents a strong case for the inclusion of a 57-mile segment of the Chattooga River, Georgia, North Carolina and South Carolina in the National Wild and Scenic Rivers System.

Sincerely yours,

W. DON MAUGHAN, *Director.*

DEPARTMENT OF THE ARMY,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D.C., October 21, 1971.

HON. CLIFFORD M. HARDIN,
Secretary of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: Assistant Secretary Cowden's 28 July 1971 letter to Secretary Froehle requested the views of the Department of the Army concerning your proposed report and accompanying environmental statement on the Chattooga River; Georgia, North Carolina and South Carolina pursuant to requirements of Section 4(b) of Public Law 90-542. The Chief of Engineers has been requested by the Secretary to provide comments of the Department of the Army in this matter.

Since 1967 the Corps of Engineers and the Department of the Army have supported the concepts of a National System of Wild and Scenic Rivers which would retain outstanding stream reaches in their natural or near natural environment. We are pleased to support your conclusion that the Chattooga qualifies and your proposed recommendation that this stream, from its headwaters to Tugalo Lake, including its West Fork, be included in the National System. We do, however, have several concerns regarding your proposed report and environmental statement, and offer the following comments in hopes that they will assist in perfecting these documents:

1. Regulating public use of this fragile area to a maximum of 139 thousand annual visitors appears highly desirable but perhaps infeasible in view of recent experience at all types and administrative levels of public recreation areas. For example, our Lake Sidney Lanier, as mentioned in the report, accommodated over 11 million visitors in 1970. The resources and facilities of this project are sorely overtaxed, as are those of many other recreation areas administered by the Corps, the National Park Service, the several states and undoubtedly the Forest Service. Estimates of management costs which ignore demands for access to public resources are probably inadequate.

2. The increased costs of fish stocking necessary to realize the potential benefits should be reflected as a part of the annual cost of the proposal.

3. Analysis of Appendix C, prepared by the Resources Advisory Board, indicates a net benefit from river development for hydroelectric power of about one-half million dollars annually under 1960 conditions. Appendix D, an analysis of hydroelectric power needs and potentials under 1969 or 1970 conditions, is not identified as to source. We presume, however, that this is the 8 December 1969 report of the Federal Power Commission. At any rate, this document indicates that because of rapidly burgeoning needs for power in the Southeast, all hydro projects currently under construction, authorized or being considered, including those in the Chattooga Basin, could be utilized by 1990. The net annual value of power for the Chattooga Basin projects varies from \$8.7 to \$9.8 million, depending on the particular features of the plan. In order that the Congress may have a complete picture of the values involved before it takes any action on this proposal, we believe that this information should be clearly set forth in your report.

4. Our review of Appendix D reveals that partial development of the Chattooga may be compatible with designation of a significant portion of the river as a component of the Wild River System. Therefore, it would appear appropriate that both the report and environmental statement describe such an alternative, rather than speaking only to an all-or-nothing concept of development or preservation.

5. Your proposed report notes that the Secretary of the Interior, in his intervention in the Keowee-Toxaway case, supported development of the authorized Trotters Shoals project as the next step in the comprehensive development of the Savannah River Basin. The Secretary also recognized the Congressionally approved power projects on the Chattooga as the next step in the comprehensive plan after Trotters Shoals. While development of the Chattooga River may eventually become necessary, we believe that the highest and best use of the resources at this time is inclusion of the stream in the National Wild and Scenic Rivers System. Consequently, the Corps of Engineers would support legislation to accomplish this purpose and to modify the approved plan for development of the Savannah River Basin to delete the four projects on the Chattooga River.

Sincerely yours,

WILLIAM L. BARNES,
Colonel, Corps of Engineers,
Executive Director of Civil Works.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., December 22, 1971.

Hon. EARL L. BUTZ,
Secretary of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: This is in reply to Assistant Secretary T. K. Cowden's letter of July 28, 1971, requesting our review and comment on the proposed Chattooga Wild and Scenic River Study and a request from the Forest Service on August 6, 1971, that the environmental impact statement be similarly reviewed pursuant to the National Environmental Policy Act of 1969. Our comments have been timed to be included jointly in this response.

The study report concludes that a 57-mile segment of the Chattooga River, including a portion of the West Fork and the adjacent lands meets the criteria for inclusion in the National Wild and Scenic Rivers System and recommends that it be so designated by Act of Congress.

The proposal is structured to protect and enhance the free-flowing river and its immediate environment for the benefit and enjoyment of present and future generations as a unit of the National Wild and Scenic Rivers System. Administration of the unit would be by the U.S. Forest Service as part of the National Forest System. We are pleased to support that objective. The immediate and probable future environmental effects of the action were considered in reaching this judgment.

Our environmental review includes a number of comments and suggestions for the purpose of aiding the Forest Service in development of a final environmental impact statement. The excellence of their project report assisted substantially in review of the proposed action; however, the environmental impact statement itself was considerably less valuable. The comments which follow focus on this more technical aspect of review rather than upon any substantive concern for major environmental conflict.

THE OVERALL IMPACT STATEMENT

Time permitting, we believe the final environmental statement for Chattooga should be developed to stand on its own merits in assembly of all pertinent environmental factors related to the project decision. In any event, with future cases, it would assist this Department materially for such statements of environmental impact to be provided as complete and independent documents that separate environmental matters from other items of project justification. Attachment of the completed project proposal to amplify any other related matters is also essential.

AREA DESCRIPTION

In this section the Chattooga statement should provide a full and explicit understanding of the project nature, scope and net expected environmental results. This should be sufficient in detail to permit an overview assessment of

the action. Many elements of regional description and impact, character of the lands, ownership patterns, affected resources, anticipated use impacts, and similar items had to be searched out of the report individually to understand the environmental complex involved. A map, with the summary description and impacts related to it, would be very useful. The present report map does not agree with this report, incidentally, on the matter of road access points to the river.

Key major beneficial and adverse impacts should be summarized concisely in this section. One of the most significant environmental impacts of the proposal was omitted entirely from the statement; namely, adding to national inventory a permanently protected resource for white water canoeing, the only one of its kind in the southeastern United States under any serious consideration for Wild River status. The relatively insignificant impact expected on timber resources was not included, a key result sometimes publicly questioned in wilderness proposals. It should be mentioned also that this area is proposed for Federal administration.

PROBABLE ENVIRONMENTAL IMPACT

The impact of future facility development should be explicitly summarized. No feel is given the reader for the present and projected impact of visitation on the area itself, the wildlife resources, or on the surrounding region. The summarized net effect of the project on regional hydro-power output is relevant and omitted, as is the effect of Wild River designation on private land owners. The impact of taking over 8,000 acres out of current use is not assessed for net effects on resources or the economy. The favorable effects of protection for rare and uncommon plant and animal species should be brought out. The non-consumptive values of wildlife preserved and made accessible are another favorable effect omitted.

Some conflict exists between maintaining the existing forest cover in its present river environment and the intention to manage the forest for increased game habitat. Such effects need clarification and the conflict explained. The extent and nature of management plans to achieve an objective of maintaining the existing river environment need to be specified. How much cutting is to be involved? How much development? What else is involved? Discussion of the essential factors of the "benchmark system" proposed seems desirable also. This item is not even explained clearly in the basic report.

UNAVOIDABLE ADVERSE EFFECTS

The unavoidable adverse project effects are outlined in generalities. Needed is some dimension of their impact projected to anticipated levels of recreational visitation.

ALTERNATIVES

Alternatives considered in the statement are sketchy. In terms of their cost on the environment, no relative magnitudes of differences are provided. The report discusses the FPC alternative of partial designation but the impact statement is silent on the severe adverse effects anticipated for this alternative.

SHORT-TERM USES VS. LONG-TERM PRODUCTIVITY

No statement is made on this important subject, yet it is a required item under the Council on Environmental Quality's Guidelines.

In summary, we support the proposal, although we consider the impact statement itself to be weak. Evaluation was possible due only to the excellent character of the basic report. We appreciate the opportunity of commenting upon this statement and hope our suggestions will be helpful in preparing a complete final Environmental Impact Statement.

Sincerely yours,

N. N. LYONS,

Deputy Assistant Secretary of the Interior.

Mr. TAYLOR. Without objection, a copy of this Chattooga River study report will be placed in the file.

Hearing no objections, it is so ordered.

[The report referred to is in the files of the subcommittee.]

Mr. TAYLOR. A copy of the statement of Hon. William Jennings Bryan Dorn, Hon. Phil Landrum, Hon. James Mann, sponsors of the legislation, will be placed in the record at this point, and copies of statements of any other Congressmen will be made a part of the record.

[The statements of Representatives Dorn, Landrum, Mann, and Young of Georgia follow:]

STATEMENT OF HON. WILLIAM JENNINGS BRYAN DORN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF SOUTH CAROLINA

Mr. Chairman, the Chattooga River is a wild and free river that flows through some of the most beautiful countryside in North America. Beginning near Cashiers Lake, high in the mountains of North Carolina, it falls quickly and dramatically through a portion of South Carolina into Northern Georgia. In the course of its fall, the waters often "boil white"—and these waters become some of the most challenging and formidable for sportsmen in the several states.

The waters of the Chattooga are still mountain-pure, the flowers and animals on either side are still in an almost perfect and natural state—and the visitor to this realm still stands in awe of its splendor. I believe this area should be protected.

Mr. Chairman, our bill would do just that. It would place the Chattooga within the protection of the National Wild and Scenic Rivers system. Our bill would preserve for the lifetime of this Republic a section of nature just as our forebearers found it. It would assure that the Chattooga will still be running wild and free for the enjoyment of future generations.

This Committee's foresight over the years can be credited with preserving much of the natural environment that we still enjoy today. This is a precious legacy—and I respectfully commend for your consideration the extension of this protection to the Chattooga River.

STATEMENT OF HON. PHIL M. LANDRUM, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF GEORGIA

Mr. Chairman, I appreciate the opportunity of being able to express my support for H.R. 9492, the bill to include the Chattooga River in the Wild and Scenic Rivers System.

My statement will not be long, because I think the great number of supporters of this proposal have said about everything in its favor that can be said. The brevity of my statement does not reflect any weakening of my support, but only a desire not to be redundant.

Instead, let me just add a few observations that, even if they have already been stated, will bear repeating.

The first is that I have encountered very little opposition to this proposal among my constituents, I would recall to you the fact that, of the more than 1000 statements received from more than 1500 people during the public comment period back in 1970, only three individuals and one private hunt club opposed the creation of a wild river designation for the Chattooga.

Second, the alternative to inclusion of the river in the Wild and Scenic Rivers System is that, in a few years, the banks on both sides will probably be lined with summer cottages of the affluent. Logging will continue, pollution will increase, and by the end of two decades, the Chattooga will be about as wild as the Potomac.

Third, there is the further possibility of a dam being built across the Chattooga. It should be remembered, though, that there are already two major dams on the Tugalo-Savannah system of which the Chattooga is a tributary, and a third is proposed.

The Chattooga has probably had a better "press" than any other scenic attraction in a long time, thanks to the filming of the movie *Deliverance* on it. People are now interested in it, not only in my district, but all over the country. They want it preserved. And I agree with them.

But the reasons for its preservation should be based on the merits of the river itself, not any passing popular interest in it as the result of a movie. The river was there before *Deliverance* was filmed, and with our help, it will remain long after the film is forgotten.

STATEMENT OF HON. JAMES R. MANN, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF SOUTH CAROLINA

Mr. Chairman and Members of this Subcommittee, I welcome the opportunity to present to you my views on the necessity for preserving one of the few remaining natural and historic resources of this country which until now has largely been spared from the "civilizing" impact of man and his machines. I refer to the Chattooga River which flows through the mountains and foothills of northwestern South Carolina not many miles from my home.

When Congress enacted the "Wild and Scenic Rivers Act" of 1968, it was the intent of Congress that certain selected rivers in the nation which possessed outstanding scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, be preserved in free flowing condition, and that they and their immediate environs be protected for the benefit and enjoyment of present and future generations. That Act designated the Chattooga River in North Carolina, South Carolina, and Georgia for potential addition to the National Wild and Scenic Rivers System. In July of this year, I joined with the distinguished Chairman of this Subcommittee in introducing HR 9492 to include the Chattooga River as a component of the National Wild and Scenic Rivers System in furtherance of the 1968 Act. Prompt Congressional action on this legislation will insure that the natural wonders of the Chattooga, which have been enjoyed and taken for granted by past generations will be preserved for the continued enjoyment and appreciation of future generations.

Though the Chattooga has recently been popularized by the James Dickey novel, "Deliverance", and the movie of the same title, I have known the River since my earliest years as a South Carolina school boy. I have always been fascinated by this whitewater river, and the mystery and excitement which attracted me to the mighty Chattooga in the days of my youth continue to draw me back to its rushing waters and untamed natural beauty. I am sure the Chairman will recall the excitement and the breath-taking beauty we shared, along with several other members of the Committee, during our float down the Chattooga in early August. What we enjoyed on that memorable occasion should be protected from the destructive by-products of an increasingly industrialized society in order that our children and our children's children may also experience that same enjoyment.

The Chattooga River would be a significant addition to the Wild and Scenic Rivers System. The Chattooga is presently a clean, free-flowing, mountain stream in the deep forest of a relatively undeveloped area. In fact, it is one of the few remaining free-flowing streams in the southeast and is the only mountain river in the four-state area of North Carolina, South Carolina, Georgia, and Tennessee without substantial commercial, agricultural, and residential development along its shores. This river is a prime example of the whitewater rivers that once abounded along the east coast but which now have had their natural state substantially altered by the advances of civilization. Many such rivers which once offered some of the same wonders the Chattooga affords us today are either dammed, flow through farms, cities, or other areas of commercial activity, or are being used for industrial refuse and sewage disposal. We now have the opportunity to protect the wild Chattooga from this fate. I am very optimistic that his Subcommittee and the Congress will seize upon the opportunity to preserve the Chattooga as an example of what we used to have in profusion in the southeastern United States.

Even though the Chattooga River has a quality of remoteness, it is readily accessible to several metropolitan areas and provides many types of outdoor recreation for which there is now great demand. Not only is the Chattooga a superior scenic attraction, it is also one of the great canoeing and rafting rivers in the east and provides canoeing opportunities for every degree of skill. Excellent opportunities for hunting and fishing exist in the area as well as opportunities for many other types of outdoor recreation. And, the river is not

without historical significance. Prior to 1700, the Chattooga River was in the land of the Cherokee Indians and consequently is rich in Cherokee history, legend, and artifacts. The earliest record of white men in the area are hunter maps dated 1730 and 1751.

Mr. Chairman, I respectfully submit that the Chattooga River satisfies all the requirements for inclusion in the national Wild and Scenic Rivers System. My bill, HR 9492, would designate the Chattooga River from 0.8 miles below Cashiers Lake in North Carolina to Tugaloo Reservoir, and the West Fork Chattooga River from its junction with Chattooga upstream 7.3 miles as a component of the Wild and Scenic Rivers System, and authorize to be appropriated 2 million dollars for land acquisition and \$528,000 for development. I urge the Subcommittee to act favorably on this legislation and move in the most expeditious manner possible to bring HR 9492 to the Floor of the House for consideration.

Thank you.

STATEMENT OF HON. ANDREW YOUNG, A REPRESENTATIVE FROM
THE STATE OF GEORGIA

Mr. Chairman and Members of the Subcommittee on National Parks and Recreation, thank you for the opportunity to express my views on H.R. 9492, the bill to designate the Chattooga River in Georgia, North Carolina and South Carolina as a component of the national wild and scenic rivers system.

I strongly support this bill, and urge the Subcommittee to give it a favorable recommendation.

Rugged mountain terrain with high cliffs and scenic countryside makes the Chattooga a hiker's paradise. The river is also a mecca for white water enthusiasts, who come from as far away as the Midwest and New England. The Chattooga is unique in that its first canoeable section has no real hazards and is ideal for beginning canoeists; the next section is suitable for the intermediate and advanced; and the last section is ideal for advanced canoeing. There are waterfalls and other hazards on the intermediate and advanced courses. None is marked.

Camping areas along the river are primitive, with no sanitary facilities. But access points are becoming crowded and the integrity of the river is being destroyed.

The Chattooga flows through three southern states, Georgia, South Carolina and North Carolina. It offers a variety of recreational opportunities within a short driving distance from many major metropolitan areas.

Ownership of a great percentage of the land along the Chattooga is held by the Forest Service and public utilities. Both are anxious that the river be designated as wild and scenic. There is unanimity among the three states and government agencies in favor of the Forest Service's finding that the river is clean and meets the criteria for wild and scenic status.

Clearly there is a need for control and development of the proper facilities for the Chattooga as a wild and scenic river. Public hearings should be arranged so that citizens will have an opportunity to participate in a master plan for proper management.

Again, Mr. Chairman, I urge prompt and favorable action on this bill to preserve and protect an invaluable natural treasure, the Chattooga River.

Mr. TAYLOR. The first witness is Mr. Thomas C. Nelson, Deputy Chief, U.S. Forest Service.

STATEMENT OF THOMAS C. NELSON, DEPUTY CHIEF FOR THE NATIONAL FOREST SYSTEM, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE, ACCOMPANIED BY DOUGLAS SHENKYR, ASSISTANT DIRECTOR, DIVISION OF WATERSHED MANAGEMENT, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. NELSON. Mr. Chairman and members of the committee, before commencing our testimony, we would like to add our condolences to

those expressed by you and by members of the committee concerning the untimely death of Congressman Saylor. Many of our people in the Forest Service knew and worked with the Congressman very closely and admired him greatly.

His passing has indeed been a great loss to our Nation and our prayers are with his family and his friends.

Mr. TAYLOR. I don't believe any other Member of Congress has visited as many national forests as John Saylor.

Mr. NELSON. I think you are correct.

Mr. Chairman, it gives me a great deal of pleasure to testify today in support of legislation to designate the Chattooga River as a component of the National Wild and Scenic Rivers System. We recommend enactment of H.R. 9492 with the amendments outlined in our report on the bill.

The Chattooga River is one of the 27 rivers designated for study by the Wild and Scenic Rivers Act. In accord with that act, the Forest Service initiated a detailed study of the river to determine whether it should be included in the National System. The results of this study are contained in the "Chattooga River—Wild and Scenic River Study Report" which has been recently transmitted to the Congress, I will not go into all the details of that report, but I would like to summarize our recommendations and briefly describe the Chattooga River.

As a result of the study, we recommend that the Chattooga River from Tugaloo Lake upstream 59.6 miles to a point near Cashiers, N.C., and 7.3 miles of the west fork of the Chattooga be designated as a unit of the National Wild and Scenic Rivers System. This recommendation is encompassed in H.R. 9492.

As shown on the map before you, the river begins in North Carolina then flows along the Georgia-South Carolina State boundary to Tugaloo Lake with the west fork flowing east through Georgia to join the main river.

We believe the Chattooga River and adjacent lands fully meet the criteria for inclusion in the National Wild and Scenic Rivers System. It is one of the longest and largest free-flowing mountain streams in the Southeast, with major portions remaining in a relatively undeveloped condition. The river and adjacent lands possess outstanding scenic and recreational values.

The river begins as a sparkling mountain stream in a heavily forested Blue Ridge Mountains and continues through the deeply entrenched Chattooga River Gorge. The river then drops out of the Gorge and flows quietly by fields and farms. The west fork joins the river along this section. The river continues on with the lower 22 miles containing some of the most isolated and rugged sections of the river. These sections are characterized by beautiful rapids, broad stretches winding around islands, and narrow swift sections running over cascades and ledges.

The river flows through a mixture of private and National Forest lands. The area encompassed within the proposed river corridor is predominantly National Forest land and we recommend that the Secretary of Agriculture be assigned administrative responsibility for the river.

The Wild and Scenic Rivers Act provides that river segments are to be classified and administered as wild, scenic, or recreational depending on the amount and type of public access and the degree of development along the shorelines.

Our proposed recommendations for the classification of the river segments are included as part of the study report and are shown on the map referred to in H.R. 9492.

A task force with interagency and State representation reviewed the work of the Forest Service study team and early drafts of the study report. Two public meetings were held to allow interested citizens to express their views concerning the future of the Chattooga River. The study report and recommendations were reviewed by State and Federal agencies and their comments are appended to the report.

The hearing record from public meetings indicated nearly unanimous support for the wild and scenic river designation. The legislatures of the three States have passed resolutions endorsing the report recommendations, with the exception of the Federal Power Commission, reviewers support our recommendation that the Chattooga River should be added to the National Wild and Scenic Rivers System.

The Federal Power Commission recommended that the river be given further study because of its substantial hydroelectric power potential and the possibility of developing power in part of the river and preserving the remainder in a free-flowing state. Although we do recognize that the river has hydroelectric power potential, in our judgment preservation of its free-flowing condition and associated wild and scenic values outweighs the value associated with development of its power potentials. A dam or dams, whether located upstream or downstream on the river, would seriously detract from or destroy the natural values of the Chattooga River as a component of the Wild and Scenic Rivers System.

In conclusion, as a result of our detailed study of the river, we recommend that this beautiful, free-flowing river be designated as a component of the National Wild and Scenic Rivers System.

This concludes my formal testimony. I will be happy to answer questions you may have.

Mr. TAYLOR. Thank you, Mr. Nelson.

How much of the right of way needed is now in Federal ownership?

Mr. NELSON. 80 percent plus, sir, is in the National Forest System, Federal ownership.

Mr. TAYLOR. How wide is the right of way indicated on the map?

Mr. NELSON. A quarter of a mile on either side. That is the maximum. There are about 57 miles of river, and we have included about 15,000 acres of land within the corridor, which averages out to less than a quarter of a mile on either side.

Mr. TAYLOR. The Georgia Power Co. owns, I think, 37 percent of the land within the proposed corridor.

Mr. NELSON. At the time of the report, Mr. Congressman, this was true. Since that time we have exchanged out with the Georgia Power Co., so now the Georgia Power Co. lands are held in fee simple by

the U.S. Government, and the Georgia Power Co. lands are included in this 80 plus percent that I indicated is within Federal ownership.

Mr. TAYLOR. You have had splendid cooperation from the Georgia Power Co.?

Mr. NELSON. We have had splendid cooperation, indeed, from the Georgia Power Co. and their management of the lands prior to the exchange has been exemplary.

Mr. TAYLOR. How many homes will be taken? Tell us about the private lands.

Mr. NELSON. As I recall, sir, there are about 18 owners in the State of South Carolina that own about 63 acres along the river. There are eight owners in the State of Georgia that own about 657 acres, and in North Carolina we have 12 owners that own about 1,241 acres, a total of 1,961 acres of private land.

It is my understanding, sir, that a number of these are utilized for recreation purposes, as second homes and the like.

Mr. TAYLOR. Do you have information as to the number of homes that would be involved?

Mr. NELSON. I do, sir. I would have to provide that for the record.

Mr. TAYLOR. Without objection, the answer can be placed in the record when secured.

[The information follows:]

U.S. DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, D.C., November 23, 1973.

Hon. ROY A. TAYLOR,
Chairman, Subcommittee on National Parks and Recreation,
House of Representatives.

DEAR Mr. CHAIRMAN: In the recent hearing on H.R. 9492, relating to the Chattooga River, you asked that we supply for the record information on the number of homes in the proposed river corridor. The following is a tabulation of these homes: (Reference page 14 of hearing transcript).

You also inquired into the possible need for the State to convey the riverbed to the Federal Government in connection with this legislation (Reference page 16 of hearing transcript).

	Homes	
	Year long use	Seasonal use
South Carolina.....	1	15
Georgia.....	2	5
North Carolina.....	2	5
Total.....	5	20

The question would only apply at present to South Carolina which has declared the Chattooga River navigable with ownership of the riverbed held by the State. An overall determination of the navigability of the Chattooga River has not been made; however, in relation to the Chattooga River proposal we do not believe that it is necessary that the legislation deal with the question of title to the riverbed. It will be necessary for us to enter into cooperative arrangements with the States of North Carolina, Georgia, and South Carolina for management of the river, but we do not foresee any major problems in accomplishing this cooperative management. The States have been cooperative in all aspects of the river study and have endorsed designation of the river as a

component of the National Wild and Scenic River System. The States will also be involved in the preparation of the detailed management and development plan, which will provide the base for our cooperative management of the river.

Sincerely,

GENE S. BERGOFFEN
(For Philip L. Thornton, Deputy Chief).

Mr. TAYLOR. How many access points to the river are now available?

Mr. NELSON. There are a number of access points available along the river.

Mr. Shenkyr here could show you on the map, Mr. Congressman. I think I can point them out to you.

Mr. SHENKYR. At the southern end, sir, at the lower end of the map, is U.S. Highway 76 which provides an access point. In the mid-point of the river there is State Highway 28 coming from South Carolina, crossing over into Georgia and paralleling the river for a portion. It crosses the river and comes up the west fork of the Chattooga River for a short ways and then leaves the river and travels north.

At the upper reaches of the river near the North Carolina line there is a road which is called the Burrell's Ford Road, which provides access from the Georgia side and crosses into South Carolina.

At the upper reaches of the river there are several State highways that provide access in close proximity to the boundaries of the river.

Mr. NELSON. I apologize for not introducing Mr. Shenkyr formally.

Mr. Douglas Shenkyr, who is Assistant Director, Division of Watershed Management, here in the Washington Office.

Mr. TAYLOR. Is there any problem as to the ownership of the riverbed or minerals beneath the riverbed?

Mr. NELSON. Yes, there is some problem as to that, Mr. Congressman. I believe that there is a question in one of the States as to whether the river is navigable or not. It is a rather complex question here, and we do have it covered within our report in a great deal of detail. But there are some questions as to ownership of the riverbed.

Mr. TAYLOR. Is there a need that the State convey the riverbed to the Federal Government in connection with this legislation?

Mr. NELSON. I do not know the answer to that, Mr. Congressman, but I will be happy to try and find out. (See p. 29.)

Mr. TAYLOR. I know that in North Carolina that the river has been determined to be non-navigable, meaning that the property owners own, to the center of the stream, but the water belongs to the State. In South Carolina and Georgia, I think, the situation may be somewhat different.

Mr. NELSON. That is true.

Mr. TAYLOR. Do you have any information as to the number of people who were boating or canoeing on the river last year?

Mr. NELSON. We do not have it from the past year, but from years past. It is a relatively small number, but we are certain this will increase, especially with the publicity given the river. I would say the numbers are within a few thousand people a year who are traversing the river at this time.

Mr. TAYLOR. I think most of us know this is the river where the movie "Deliverance" was filmed and about which the book "Deliverance" was written. That act, itself, has created a great amount of interest in this particular stream and has increased the number of people using it.

I might state the raft concessioner who took our congressional group down the river last summer told me they had taken, I believe he said, 2,400 people down during the last 13 months. So the use of the river is increasing greatly.

The gentleman from Ohio, who floated down the river with us last August, seeks recognition.

Mr. SEIBERLING. Thank you, Mr. Chairman.

I might say that it was a most enjoyable experience. The only regret I have is that the water got so high that they made us get off the river before we really completed the course, but the chairman, an intrepid adventurer, went all the way.

Mr. TAYLOR. I might say they divided us in two groups and the river was up about 24 inches when our group got down to Highway 76. By the time the second group got there it was up 30 inches or more and they decided it was too dangerous to continue.

Mr. SEIBERLING. I have been reading the comic strip "Mark Trail" recently, and I notice they are going down a river with a Senator and the water got so high they had to climb a cliff. So the idea is really getting some publicity.

Mr. RUPPE. Did they suggest which Senator qualified for the arduous trip?

Mr. SEIBERLING. A fictional one.

Mr. NELSON, to what extent is the river quality degraded by lumbering or other activities in the watershed?

Mr. NELSON. The quality of the water on Chattooga is very, very high. That is very low coliform counts, and except for stormy periods, there is very little turbidity in the river, according to the information that we have.

Now, I would say, sir, that inasmuch as a great portion of this river is along the National Forest and that we do have some rather stringent regulations on harvesting streamside timber that there is not much loss in water quality due to lumbering along the river.

Mr. SEIBERLING. Well, do you feel that any supplemental regulation or controls over the use of land in the watershed will be required in addition to the legislation creating the river as a wild and scenic river?

Mr. NELSON. I would not think that that would be necessary, Congressman. I would point out, though, that within the proposed management plans, if this does in fact become a wild and scenic river, that we propose that no harvesting of timber for timber production be done in the corridor, that the only cutting of trees be for safety, for wildlife, or other considerations.

Mr. SEIBERLING. And you think that would give it adequate protection?

Mr. NELSON. I think it will, sir.

Mr. SEIBERLING. For what purpose does the Georgia Power Co. own the lands that they own in this river basin?

Mr. NELSON. Sir, the lands—you are talking about within the total basin?

Mr. SEIBERLING. Yes.

Mr. NELSON. The Georgia Power Co. has had holdings of lands for considerable years in north Georgia and this section of the State, this section of the country.

They have held sites, I believe, for potential hydroelectric development at some point in time, and they have also had a very aggressive land management program on the lands they have managed.

Mr. SEIBERLING. You mean they manage them as a resource rather than as a power generating source?

Mr. NELSON. That is true.

Mr. SEIBERLING. Are there any mines in this area, coal mines?

Mr. NELSON. To my knowledge, there are no mines within this area.

Mr. SEIBERLING. Well—

Mr. NELSON. Within the wild and scenic river. There is some mining in that section of the country, as Congressman Taylor knows. There has been some over in Macon and Jackson Counties, N.C., but within the confines of the Chattooga I am not aware of any mining activity.

Mr. SEIBERLING. Now, when we were down there we visited one of the upper reaches of the river before we went on a raft trip, and there was a waterfall there.

Could you locate that on the map? Does anyone know the area that I am referring to? There is a small road, county road or something that crosses the river, quite a wild area, very full of rapids, obviously not navigable at all?

Mr. TAYLOR. That was up in the North Carolina section?

Mr. SEIBERLING. Yes, but there was a road that crossed at that point. I am just wondering whether any of the gentlemen know the point. The Forest Service gave us a picnic lunch at that point, so I remember it better than I might otherwise.

Mr. SHENKYR. Would the name Grimshaws Bridge sound familiar?

Mr. SEIBERLING. There was a waterfall there.

Mr. SHENKYR. It could be—there is a whole series of falls coming in from these side creeks.

Mr. SEIBERLING. Well, there was a bridge crossing right at the falls.

Mr. SHENKYR. I am not familiar with the spot.

Mr. SEIBERLING. Don't take any time. I just thought maybe somebody recalled.

Well, one other question. To what extent do you feel it will be practical to regulate the amount of traffic on the river once it is designated so that it doesn't get overpopulated, so to speak?

Mr. NELSON. I think, Mr. Congressman, at this point in time that this is not a problem, but if such a problem does develop I am certain that we can devise some type of system that will manage the river so that the human influence on the river is not such that it deteriorates the quality.

Mr. SEIBERLING. Will the entire river be open to canoeing and rafting or will only certain stretches be open?

Mr. NELSON. It is my understanding that the entire river here within the wild and scenic river portion will be open.

Mr. SEIBERLING. I suppose with a river of this length it might be possible to set up areas of different lengths and provide for some sort of regulation so that you can carry more people by cutting the length of each of the trips that they would take.

Mr. NELSON. Either that, sir, or some type of permit system could be developed.

Mr. SEIBERLING. Mr. Chairman, there are a lot more questions I would like to ask, but I think I had better yield some time to the other members.

Mr. TAYLOR. The gentleman from Kansas.

Mr. SKUBITZ. The Chattooga River meets the requirements as a wild and scenic river?

Mr. NELSON. That is correct.

Mr. SKUBITZ. Mr. Taylor asked about the use of the river. Certainly now it has received national prominence and will receive more, there will be greater use of the river. Do you have a plan to put into effect if this should happen?

Mr. NELSON. Yes, sir, we do. Within our report to the Congress, sir, there are a number of principles and items that are covered in that report that I do think spell this out, plans for management of the river.

Mr. SKUBITZ. Would you discuss what your development plans are?

Mr. NELSON. Yes, sir.

We have a number of items that we think are necessary in the long run to develop this river. These include such items as canoe portages, launching sites. There are a couple of bridges that have been removed. It will be necessary to develop some parking lots. It will be necessary to replan one of the recreation areas that is now along the river, launch sites there, of necessity, be developed, and there will be some short access roads that will be necessary.

In addition, it will be necessary to remove some old buildings and clean up some sites that are on the river at present.

Mr. SKUBITZ. Mr. Taylor raised an interesting question regarding the streambed. Who owns the streambed?

Mr. NELSON. I think that Mr. Taylor pointed out the situation in North Carolina, and if I might discuss in further detail my answer relating to South Carolina and Georgia, the South Carolina constitution declares the Chattooga River to be navigable in fact and law, and as a boundary river the state has title to the riverbed and water from the mean high water mark to the middle of the river.

In Georgia, navigability, and therefore ownership, have not been legally established for the Chattooga River. If the river is in fact nonnavigable land ownership extends to the center of the main current. If it is determined to be navigable, ownership of the bed lies in the State.

Does that answer your question, sir?

Mr. SEIBERLING. Will the gentleman yield?

Mr. SKUBITZ. Yes.

Mr. SEIBERLING. Is it possible to be navigable in North Carolina and not navigable in Georgia?

Mr. SKUBITZ. It appears to be.

Mr. SEIBERLING. Sort of depending on which side of the river you are on?

Mr. TAYLOR. It could be in North Carolina because we have the headwaters, but as you go down it is the South Carolina-Georgia line.

Mr. SEIBERLING. Excuse me. I meant South Carolina.

Mr. SKUBITZ. Have you developed any plan for the timber harvest on lands owned by the Forest Service within and outside the river boundaries?

Mr. NELSON. Yes, sir. It is my understanding that there would not be timber harvest within the river corridor for timber production purposes. Any cutting of timber within the corridor would be for safety purposes, for wildlife purposes or the like, riverbank protection or something of that nature.

Mr. SKUBITZ. Mr. Seiberling raised 2 question regarding the effect of logging on the water quality of the stream. Do you anticipate any problems in the future?

Mr. NELSON. No, sir, I don't think that we would, inasmuch as we have quite some distance here from the river to the edge of the boundary. It would seem to me, sir, that normal timbering operations within the adjacent national forest could occur without detrimental effect to the water quality.

Mr. SKUBITZ. That is all, Mr. Chairman.

Mr. TAYLOR. The gentleman from Michigan.

Mr. RUPPE. Thank you, Mr. Chairman.

I believe in the legislation there is a provision for including and placing this river almost immediately in the wild and scenic category. Is there advantage in waiving the waiting period in this instance?

Mr. NELSON. I think, sir, that the waiting period here, sir, refers to the resolutions by the State legislatures, and inasmuch as the three State legislatures have already indicated by resolution that they favored this particular proposal, we think that the spirit of this has been met.

Mr. RUPPE. And therefore ready designation and inclusion?

Mr. NELSON. Yes, sir.

Mr. RUPPE. Will all of the private properties other than the Georgia Power Co. property which you have acquired through swap, be acquired in fee simple by the Forest Service?

Mr. NELSON. No, sir, the lands will not all be acquired. There are some lands, some fee acquisition that is needed to correct incompatible uses. There is some land that is needed for development. In some cases scenic easements or use easements are definitely desirable and this will be obtained in these cases.

Mr. TAYLOR. Will the gentleman yield?

The Wild and Scenic Rivers Act provides that not more than 50 percent of the property can be taken in fee simple, except for necessary public use. In this case you state you already have 80 percent.

Mr. NELSON. That is correct.

Mr. TAYLOR. So you would not have to take lands unless they are especially needed for public use?

Mr. NELSON. That is true, and we are expected to work on a willing-buyer, willing-seller basis.

Mr. RUPPE. In the case of an incompatible use does the property owner get a chance to make it a compatible use, or once you decide it is an incompatible use do you acquire the fee simple?

Mr. NELSON. That is always—that has always been our policy to work with the land user.

Mr. RUPPE. In other words, If it is a noncompatible use and there is a way of working it into such a situation where you could get scenic easement you would move in the direction of securing the scenic easement if the necessary arrangements could be worked out with the owner?

Mr. NELSON. That is correct.

Mr. RUPPE. I believe that it states in the legislation 320 miles of stream length will be included in the designated area.

Have you given any thought, or is there any particular reason to include from time to time some additional acreages from existing or adjacent Federal forest lands?

Mr. NELSON. I believe, sir, if I remember the act correctly, this is a maximum, is it not?

Mr. RUPPE. I don't know. I am only asking.

Mr. NELSON. It could be at some future time that it might be desirable to include some additional lands. I think, though, that we are at the 15,000 plus acres for about 57 or 58 miles of wild and scenic river, and this, in our judgment, at this point in time, places the boundaries as we have them.

Mr. RUPPE. I presume you have enough authority at the present time if you wish to manage some of your lands immediately adjacent to the wild and scenic lands, you would have such authority in your organization if it would augment the utilization of the land so designated under the bill?

Mr. NELSON. That is correct.

Mr. RUPPE. Thank you, Mr. Chairman.

Mr. TAYLOR. The gentleman from Kansas.

Mr. SEBELIUS. I have no questions.

Mr. SEIBERLING. Mr. Chairman, may I ask one more?

Mr. TAYLOR. The gentleman from Ohio.

Mr. SEIBERLING. I notice the Interior Department has recommended that instead of having a separate act designating it as a wild and scenic river that it be incorporated in the Wild and Scenic Rivers Act. I just wonder if you have any comments on that one way or the other?

Mr. NELSON. This is primarily a matter of form. We see no difficulty in whichever posture or position the committee takes on this with regard to the form.

Mr. SEIBERLING. Thank you.

Mr. TAYLOR. We requested reports from the Federal Power Commission, but have not received any communication. Has the Federal Power Commission agreed to this recommendation you presented?

Mr. NELSON. No, sir.

The Federal Power Commission recommended that the river be given further study. I believe that we have correspondence from the Federal Power Commission, our latest correspondence indicates that position.

Mr. TAYLOR. Indicates what?

Mr. NELSON. The position that they recommend that the river be given further study because of its hydro-electric power potential.

Mr. TAYLOR. We requested a report from them. They haven't replied. We are a little more inclined to listen to you than to them on the question of highest and best use of this area since they have not bothered to respond.

Do you feel the language is necessary in the bill to waive the requirements that a full session of the legislatures involved must pass before the river can be added to the system?

Mr. NELSON. Well, I think I responded to Mr. Ruppe on this particular question also, or a similar one.

It is our feeling that inasmuch as the three legislatures of the States concerned have passed resolutions favoring a wild and scenic river classification for Chattooga that this does in fact meet the spirit involved, and we do not think this would be out of line.

Mr. TAYLOR. Your position is that requirement has already been met?

Mr. NELSON. Yes, sir.

Mr. TAYLOR. Now, in the public hearings that were held would you summarize the general viewpoints expressed at the hearings?

Mr. NELSON. Yes, sir.

In the public hearings that were held I think I can say there was nearly unanimous support for the wild and scenic rivers designation. This has been a very well received proposal, Mr. Congressman.

Mr. TAYLOR. Now, there were several deaths on the river this year.

What steps could the Forest Service take if this legislation is enacted to make the river safe?

Mr. NELSON. I think that there are several steps that could be taken, that there could be warnings given to the people traveling the river as to the potential danger spots, that requirements could be made which could call for safe handling of watercraft and proper safety precautions, such as life preservers and the like where necessary. We think things of this type could be formulated, Mr. Congressman, that would have a salutary effect upon the safety of the river.

Mr. TAYLOR. Well, thank you very much, Mr. Nelson.

The gentlemen from Kansas has a question.

Mr. SKUBITZ. Mr. Nelson, the Wild and Scenic Rivers Act has been in effect for 5 years. Are there any changes or modifications that you would care to suggest in the law that this committee should consider?

Mr. NELSON. I think there are some modifications, Mr. Congressman, that have been the subject of hearings. As I recall, some of these were on the Senate side, and we think that some of the modifications that have been proposed are indeed timely and in good judgment.

Mr. TAYLOR. Will the gentleman yield?

Mr. SKUBITZ. Yes, sir.

Mr. TAYLOR. I might just state that hearings have been held, legislation has been passed both by the subcommittee and the full committee which would extend the moratorium to 5 years and increase the spending authorization.

Mr. SKUBITZ. I was under the impression that perhaps the Department itself may have other suggestions that they would like us to consider.

Thank you very much, Mr. Nelson.

Mr. A. Heaton Underhill, Assistant Director, Bureau of Outdoor Recreation.

**STATEMENT OF A. HEATON UNDERHILL, ASSISTANT DIRECTOR,
BUREAU OF OUTDOOR RECREATION**

Mr. UNDERHILL. I am A. Heaton Underhill.

Before testifying I would like to add our voice to yours and others, expressing sorrow over the death of Congressman John Saylor.

As you know, Secretary Morton was a colleague of his and yours on this committee, and I know I express his feelings and those of all in the Department. We are saddened and feel that the Department of Interior and Conservation has lost a real friend.

My testimony today, Mr. Chairman, is a little bit in the nature of "Me, too." The Department of Agriculture and the Forest Service had the lead on the study of the Chattooga. We worked with them, and heartily endorse this legislation.

I will not read my short statement. I would like to make it a part of the record.

Mr. TAYLOR. Without objection, the entire statement will be placed in the record at this point.

[The statement follows:]

**STATEMENT OF A. HEATON UNDERHILL, ASSISTANT DIRECTOR, BUREAU OF
OUTDOOR RECREATION**

Mr. Chairman and Members of the Subcommittee, I appear before you today to testify on H.R. 9492 which would designate a segment of the Chattooga River in North Carolina, South Carolina, and Georgia as a component of the National Wild and Scenic Rivers System.

The Chattooga River was one of the 27 study rivers designated for study as a potential addition to the system in section 5(a) of the 1968 Wild and Scenic Rivers Act. Under the agreement between the Department of Agriculture and our Department, the study of the Chattooga was under the leadership of the Department of Agriculture because of the National Forest lands involved. The study report recommended that the river segment described in H.R. 9492 be included in the system under the administration of the Secretary of Agriculture, and the Interior Department concurred in this recommendation.

The proposed Chattooga River segment is a clear, free-flowing stream in a relatively undeveloped mountain setting. It has outstanding recreational, natural and other values and is accessible to several metropolitan areas. The segment comprises some 15,000 acres of which about 84 percent is National Forest land. We therefore support the enactment of legislation to designate the segment as a component of the national wild and scenic rivers system for administration by the Secretary of Agriculture.

We believe, however, for the reasons given in the Department's report on H.R. 9492, that the bill should be an amendment to section 3(a) of the Wild and Scenic Rivers Act rather than a separate Act. This is the manner in which the 92d Congress added the Lower Saint Croix River in Minnesota and

Wisconsin to the national system (see Public Law 92-560). This is also the approach taken in the Department of Agriculture's proposed bill which would add the Chattooga River to the Wild and Scenic Rivers System.

This concludes my formal statement. I shall be happy to respond to any questions you wish to ask.

Mr. UNDERHILL. As pointed out in our report, we think it would be more appropriate to amend section 3(a) and add Chattooga to the list of "Instant Rivers."

Other than that, we have no objection to whichever route the committee decides to take. We do feel that the Chattooga should be a part of the National Wild and Scenic Rivers System.

Under our agreement with the Department of Agriculture we feel it should be managed by the Secretary of Agriculture through the Forest Service.

I should point out that there is some urgency. On the private lands along the river there has been, particularly since the movie "Deliverance" and recent publicity, an increase in summer homes and other developments along parts of the river; the sooner it can be placed in the system, the better.

That concludes my formal statement, Mr. Chairman.

I will be happy to try to answer any questions you may have.

Mr. TAYLOR. How do you limit the appropriations and the boundaries and so forth under the language which you propose?

Mr. UNDERHILL. Sir?

Mr. TAYLOR. How do you limit the appropriations and the boundaries under the language which you propose as an amendment to the parent act?

Mr. UNDERHILL. Well, the basic act limits the boundaries to 320 acres to the mile.

Mr. TAYLOR. Would we not need a reference to a specific map?

Mr. UNDERHILL. Well, I do not believe this was ever done on the "Instant Rivers" that were included initially in the act.

Mr. TAYLOR. Some questions have risen as to the ownership of the riverbed. Of course, if property owners own the property, right out to the center of the stream, then the riverbed is acquired when the property is acquired. If the State owns it you have a different situation.

Do you foresee any difficulty in a situation in which the State owns the riverbed and do you see any need for use agreement with the State?

Mr. UNDERHILL. Well, I am not a lawyer, Mr. Chairman, but since all three States have endorsed the wild and scenic river concept, I really cannot see any conflict. It might be necessary to provide that the State enter into an agreement with the Forest Service or even deed their right to the river to the Federal Government. But I cannot see any conflict.

Mr. TAYLOR. Any questions?

The gentleman from Ohio.

Mr. SEIBERLING. Yes, I have a question.

I notice that one of the provisions of H.R. 9492 is that notwithstanding section 4(b) of the Wild and Scenic Rivers Act relating to the session of the State legislature, the designation of this river shall

be effective as of the date of enactment. Now, I just wonder if the gentleman has any views as to how this would be handled if we simply incorporated this into the Wild and Scenic Rivers Act as an amendment.

Mr. UNDERHILL. The reason I am pausing, I am trying to remember the language that you used when you included the Lower Saint Croix in this System, and I do not really remember exactly whether you addressed yourselves to that point or not.

Certainly we agree with the Forest Service that the States have already indicated their approval of including it in the System so that the 1-year moratorium which is required in the basic act would not apply. We would construe congressional action in enacting the bill as superceding the provisions of section 4(b).

Mr. SEIBERLING. The proposed amendment as contained in the letter from the Assistant Secretary of the Interior doesn't deal with this at all. It simply says the Chattooga River between certain points shall be included in the System. It does seem to me there is this problem and possibly others that need to be addressed. But I assume it is possible to do this and do it as an amendment to the basic act.

Mr. UNDERHILL. If Congress adds it to the list of "Instant Rivers" as a component of the national System you have in effect negated that year moratorium which is provided in section 4(b) of the act.

Mr. SEIBERLING. But the Department has no objection to that, I assume?

Mr. UNDERHILL. No.

Mr. SEIBERLING. Let me say, in having been there, I certainly agree very strongly that this river is most suitable for inclusion in the System, and I am gratified that we have this kind of cooperation from the Interior Department, even though it would be administered by the National Forest Service.

Mr. Chairman, is it in order to ask some general questions?

Mr. TAYLOR. I think if the gentleman feels it would have a bearing on this bill—

Mr. SEIBERLING. I think it does, and since we have somebody here from the Interior Department, it would be advantageous to ask some general questions.

First of all, do you feel the protection given to the study rivers by this act is adequate?

Mr. UNDERHILL. Do we feel that the protection given to the study rivers by this act is adequate, was that your question, sir?

Mr. SEIBERLING. Yes, not by the Chattooga Act, but by the basic act.

Mr. UNDERHILL. Yes, sir. As you know, we requested an extension of the moratorium and your committee has reported out a bill which would do that. We feel that with that extension it provides adequate protection.

Mr. SEIBERLING. You mentioned here, for example, the Chattooga was not even studied.

Mr. UNDERHILL. Yes, sir, it was a study river.

Mr. SEIBERLING. I had forgotten that fact.

Yet, there is land development going on, second homes, recreation homes, and that sort of thing which I take it there is no way of stopping at present.

Mr. UNDERHILL. That is true, sir, and I am speaking more now personally than for the Department, because I do not think the Department has really addressed, at least not in my presence, this point. But I honestly do not see how we can put a moratorium on all normal activities or development until we are actually to the point where we feel the river should be included in the System.

I think the protection afforded by the 5(a) list, the study list, is really in sort of a halfway ground between stopping all development on possible additions to the System.

Mr. SEIBERLING. Well, as I understand it, there were 27 study rivers, as I recall, and it has been 5 years since they have been in that category.

How many studies have been completed, do you know?

Mr. UNDERHILL. Six have been actually completed. It is partly a question of when a study is completed. The field studies have been completed on a number of rivers. This then requires review; it must clear through the administration and the Office of Management and Budget, and this sometimes takes as long as the study.

As to the 18 rivers that Interior has the lead on in that list, we expect to complete the studies in fiscal year 1975.

Mr. SEIBERLING. Well, isn't one of the ways to meet the problem of development on private lands of these study rivers to expedite the completion of the study so we can act before too much time passes?

Mr. UNDERHILL. This is completely correct. Our problem, of course, is one of budget and manpower, and we are moving as rapidly as we can.

Mr. SEIBERLING. I was going to ask you what can be done to expedite it.

Mr. UNDERHILL. We are requesting an increase in funds and manpower for these studies, and as I say, we currently feel we can complete our studies in fiscal year 1975.

Mr. SEIBERLING. Do you feel that the boundaries permitted by the act are adequate to provide protection?

Mr. UNDERHILL. In most instances, yes.

Mr. SEIBERLING. Well, I have some other questions, Mr. Chairman, but I will yield to some of the other gentlemen.

Mr. TAYLOR. A question, Mr. Skubitz?

Mr. SKUBITZ. No questions.

Mr. RUPPE. No questions.

Mr. KETCHUM. No questions.

Mr. SEIBERLING. Would it be all right if I asked a couple more?

Mr. TAYLOR. The gentleman may proceed, and you may submit some for the record, if you wish, after the hearing.

Mr. SEIBERLING. Well, I understand that part of the problem is that the Land and Water Conservation money has a great deal of other demands on it, but yet it is very small in comparison, that is,

the amount of money for wild and scenic rivers is very small in comparison to the total Federal budget for dams and water construction, which as I understand it is presently on the order of about a billion dollars.

Can you tell me how much money has been spent per year on wild and scenic rivers to carry out the policy of the act?

Mr. UNDERHILL. I will have to supply that for the record, Mr. Seiberling. You want the dollars spent for acquisition of the eight "Instant Rivers" and also the dollars spent on study of the 27 study rivers?

Mr. SEIBERLING. And development, also, of the rivers.

Mr. UNDERHILL. Of course, you realize that the study does not come out of the Land and Water Conservation Fund. Only the acquisition by the Federal agencies comes from the fund; development comes from the regular budgets.

Mr. SEIBERLING. I am interested in the total. Perhaps you can give us a breakdown.

Mr. TAYLOR. Without objection, the answer will be placed in the record at this point when furnished.

[The information follows:]

TABLE 1.—RIVER MILEAGE CLASSIFICATIONS FOR COMPONENTS OF THE NATIONAL WILD AND SCENIC RIVERS SYSTEM, JUNE 19, 1973

River, present units in the national system	Administering agency	Miles by classification			Total miles
		Wild	Scenic	Recreational	
1. Middle Fork Clearwater, Idaho	USFS	54		131	185
2. Eleven Point, Mo.	USFS		44.4		44.4
3. Feather, Calif.	USFS	32.9	9.7	65.4	108
4. Rio Grande, N. Mex. (Rio Grande management by agency)	BLM/USFS	51.75		1	52.75
	(BLM)	(43.90)		(.25)	(44.15)
	(USFS)	(7.85)		(.75)	(8.60)
5. Rogue, Oreg. (Rogue management by agency)	BLM/USFS	33	7.5	44	84.5
	(BLM)	(20)		(27)	(47)
	(USFS)	(13)	(7.5)	(17)	(37.5)
6. St. Croix, Minn. and Wis.	NPS		181	19	200
7. Middle Fork Salmon, Idaho	USFS	103		1	104
8. Wolf, Wis.	NPS		25		25
9. Allagash Wilderness Waterway, Maine	State of Maine	95			95
10. Lower St. Croix, Minn. and Wis.	NPS		12	15	27
Total		369.65	279.60	276.40	925.65

SUMMARY

Administration	Classification			Total
	Wild	Scenic	Recreational	
BLM	63.90		27.25	91.15
USFS	210.75	61.60	215.15	487.50
NPS		218.0	34.0	252.0
State	95.0			95.0
Total	369.65	279.60	276.40	925.65

TABLE 2.—RIVER MILEAGE CLASSIFICATIONS KNOWN TO DATE FOR THE 28 POTENTIAL ADDITIONS TO THE NATIONAL WILD AND SCENIC RIVERS SYSTEM, JUNE 19, 1973

	Study lead responsibility	Proposed administering agency	Proposed classification by miles			Total miles
			Wild	Scenic	Recreational	
1. Allegheny, Pa.....	BOR					70.0
2. Bruneau, Idaho.....	BOR					124.0
3. Buffalo, Tenn.....	BOR					120.0
4. Chattooga, N.C., S.C., and Ga.....	USFS	USFS	41.3	6.5	10.1	57.9
5. Clarion, Pa.....	BOR					90.0
6. Delaware, N.Y. and Pa.....	BOR			47.6	25.1	72.7
7. Flathead, Mont.....	USFS	USFS	97.9	40.7	80.4	219.0
8. Gasconade, Mo.....	BOR					400.0
9. Illinois, Oreg.....	USFS					71.0
10. Little Beaver, Ohio.....	BOR					45.0
11. Little Miami, Ohio.....	BOR	State of Ohio.....		18.0	48.0	66.0
12. Maumee, Ohio and Ind.....	BOR					300.0
13. Missouri, Mont.....	BOR		72.0	39.0	59.0	170.0
14. Moyie, Idaho.....	USFS					35.0
15. Obed, Tenn.....	BOR					98.0
16. Penobscot, Maine.....	BOR					175.0
17. Pere Marquette, Mich.....	USFS					66.4
18. Pine Creek, Pa.....	BOR					45.0
19. Priest, Idaho.....	USFS					62.0
20. Rio Grande, Tex. and Mex.....	BOR					
21. St. Croix, Minn. and Wis. ¹	BOR	States of Minnesota and Wisconsin.....			25.0	25.0
22. St. Joe, Idaho.....	USFS					132.0
23. Salmon, Idaho.....	USFS					237.0
24. Skagit, Wash.....	USFS					157.0
25. Suwannee, Ga. and Fla.....	BOR					289.0
26. Upper Iowa, Iowa.....	BOR	State of Iowa.....		51.0	29.0	80.0
27. Youghiogheny, Md and Pa.....	BOR					49.0
Total.....						3,136.0

¹ 27 miles included in national system by Public Law 92-560, Oct. 25, 1972. See table 1 for classification information on NPS segment.

NATIONAL WILD AND SCENIC RIVERS FUNDING STATUS, LISTED IN SECTION 3(A) OF PUBLIC LAW 90-542

River	Administering agency	Allocated ceiling	Appropriation	Estimated additional ceiling needs
Eleven Point.....	FS.....	\$2,006,500	\$2,006,500	\$2,900,000
Middle Fork Clearwater.....	FS.....	749,800	749,800	2,160,000
Middle Fork Feather.....	FS.....	85,700	85,700	3,850,000
Middle Fork Salmon.....	FS.....	137,100	137,100	1,100,000
Rio Grande.....	BLM.....	153,000	153,000	1,100,000
Rogue.....	BLM/FS.....	3,407,200	3,407,200	9,040,000
	(BLM).....	(1,596,350)	(1,596,350)	(7,400,000)
	(FS).....	(1,810,850)	(1,810,850)	(1,640,000)
St. Croix.....	NPS.....	10,318,556	10,318,556	1,450,000
Wolf.....	NPS.....	142,144	142,144	(²)
Grand total.....		17,000,000	17,000,000	20,600,000

¹ This additional ceiling is needed if identified lands for acquisition cannot be acquired by exchange.

² The Menominee Indians are unwilling to sell their lands and these lands cannot be condemned. Until they express some willingness, the cost cannot be meaningfully determined.

Total estimated expenditures by Bureau of Outdoor Recreation Wild and Scenic River planning studies

Fiscal year:	
1969.....	\$100,000
1970.....	250,000
1971.....	230,000
1972.....	160,000
1973.....	150,000
Total.....	890,000

Mr. UNDERHILL. I will be happy to furnish it.

Mr. SEIBERLING. The act also provides a mechanism whereby a State can designate a wild and scenic river and get Land and Water Conservation Funds on a 50-50 matching basis.

I wonder if you could tell me whether that actually provides monies which were not previously available to the States or whether they simply have to take it out of their allocation of other Land and Water Conservation Fund money?

Mr. UNDERHILL. In most instances it would come out of their allocation under the fund.

As you know, the Secretary has been holding 5 percent of the appropriation out as a so-called contingency fund to meet unforeseen needs that cannot be met by a formula for apportioning the money to the States.

In some instances he has provided funds from that contingency fund for wild and scenic river acquisition; for instance, for the Allagash in Maine which has been included in the System.

The Land and Water Conservation Fund money which was given to Maine for the acquisition of the Allagash came from the contingency fund.

In your own State, on the Little Miami, I believe the funds that the State has used to acquire land there have come from their regular apportionment, because Ohio had a rather large backlog of unexpended money in their apportionment.

Mr. SEIBERLING. Do you feel it would be desirable to have a separate funding mechanism to provide a separate source of funding to the States so they would not have to rob Peter to pay Paul?

Mr. UNDERHILL. I think, Mr. Seiberling, that in general the intent of the Land and Water Conservation Fund was to provide matching grants to the States for acquisition and development of recreation lands, and to the extent that a wild and scenic river meets the recreation needs of the State, that it should take its chances along with other activities.

There is really never enough money, so that in a sense additional moneys would be helpful, but, in general, I think requiring States to use their regular apportionment makes sense.

Mr. SEIBERLING. Well, of the studies that have been completed to date, how many call for Federal administration and how many call upon the States to protect the resources; could you tell me?

Mr. UNDERHILL. The Chattooga calls for Federal administration.

The lower Saint Croix actually called for mixed administration between the Federal Government and the States. The Little Miami and the upper Iowa both called for State administration. On the Delaware the actual recommendations have not been made.

The field committee indicated about four options which included both Federal administration and joint State administration.

I do not know what the final recommendation will be. There has been some reluctance in the case of the Delaware of both Pennsylvania and New York to step forward and indicate their willingness to administer it.

The Suwannee report has been completed. The actual recommendation has not been made.

I would say it is running about 50-50 so far on the study rivers, as between Federal and/or State administration.

Mr. SEIBERLING. One last question.

Are there any general criteria the Department follows in deciding which rivers to recommend?

Mr. UNDERHILL. Each situation almost has to be judged on its merits, Mr. Seiberling.

Where there is a substantial amount of Federal land, it is fairly obvious that Federal administration should be recommended.

Where a considerable acquisition is required, there is a reluctance at the present time to propose Federal administration unless it can be covered more by easements and a nodular approach. But this has almost been on a case-by-case basis.

Mr. TAYLOR. The gentleman from the Virgin Islands, any questions?

Mr. DeLUGO. No questions.

Mr. TAYLOR. Counsel has two questions.

Mr. McELVAIN. Mr. Underhill, before you leave the stand, I have got a few questions concerning the language differences which are recommended in the executive communication and the language contained in Mr. Taylor's bill.

I don't think anyone is particularly wedded to any language. The only question is which would be the best approach to take.

The language of Mr. Taylor's bill, H.R. 9492 was drafted in a way which would authorize and designate the Chattooga River as a component of the national wild and scenic rivers system, establish boundaries for it, and authorize appropriations to do the job.

The legislation suggested by the administration would simply add the river to the Wild and Scenic Rivers Act and would have no boundary map designation and would not provide any authorization ceiling for the river.

My question is what is the basis for the administration's position? Are they locked into a position of it? What is the reason for their preference for that approach?

Mr. UNDERHILL. We feel that it is simpler, as rivers were added to the system, to add them to the 3(a) list rather than have a number of separate pieces of legislation designating the system. We have discussed this with the Department of Agriculture and the Office of Management and Budget, and we believe this is the best approach.

Mr. McELVAIN. Well, if your language or the administration's language were taken, would it be necessary to also change the parent act with respect to the authorization ceiling?

Mr. UNDERHILL. No, it would not. In our report, we recommended retaining the H.R. 9492 appropriation authorization provisions for land acquisition, but deleting the ceiling on development costs.

Mr. McELVAIN. Well, my understanding of the legislation which we just concluded not too long ago was that that covered the original eight rivers, and not the Lower Saint Croix or any future rivers. So it would seem logical that we would have to change that authorization ceiling again.

Since the studies provide for a lot of detailed background that was not available when the original authorization was approved back in

1968 for the whole program, it would seem to me that it would be logical for the committee to take into account some of the information that is developed as a result of those studies and, for example, to provide for a boundary map description, at least, of these rivers. At the time that the original authorizing legislation was considered and approved, the detailed information needed was not available with respect to the "Instant Rivers" or the study rivers, and that was the reason for setting a general limit, for example, on acreage per mile.

Is it conceivable that sometime down the road one of these proposed rivers might suggest a wider corridor or even a narrower corridor than is presently the plan under the original act?

MR. UNDERHILL. I think that is a very definite possibility. In fact, it is already occurring on some of the studies that are underway.

MR. McELVAIN. In that case wouldn't it be better to have a specific authorization? In each case you are going to have some exceptions to the rule as you take into consideration these study rivers. Would it not be more appropriate to have a specific authorization bill for each river rather than just putting it into the Scenic Rivers Acts as an amendment?

MR. UNDERHILL. I think the basic act should be amended to refer to the new system component. This does not preclude including additional provisions in the bill.

In the case of the Saint Croix, which was the Lower Saint Croix which did amend the basic act, the amendment contained language which authorized acquisition of additional lands, a wider corridor or wider modules than was called for in the basic act. So I think it could be done in this case, too.

MR. McELVAIN. Well, the Lower Saint Croix, to me, isn't a really good precedent for future action. It came late in the 92d Congress and was the subject of rather unusual legislative circumstances, to say the least.

MR. UNDERHILL. Again, I would say that we prefer the approach we recommended.

MR. McELVAIN. I have no other questions.

MR. TAYLOR. I have no objection to the bill being in the form of an amendment to the parent act so long as it shows the information needed, as to boundaries and spending limitations and other needed details.

The bill that is before us does contain more information than the proposed amendment.

MR. RUPPE. Will the chairman yield?

MR. TAYLOR. Mr. Ruppe.

MR. RUPPE. I would like to ask a question in regard to that.

The Department of Interior report says, and I quote: "Adding all new system components as amendments to section 3(a) of the Wild and Scenic Rivers Act makes reference to them easy, and makes it unnecessary to repeat provisions concerning establishment of boundaries, completion of development plans, and other provisions dealing with establishment of a new component."

Does that mean as an amendment we will not get provisions regarding the establishment of boundaries or details of development plans?

Mr. UNDERHILL. I think the intent is, sir, that the language of the basic act would prevail, and I believe that requires the managing secretary within a year to publish in the Federal Register the proposed boundaries, management boundaries, if I remember correctly.

Mr. RUPPE. We do have sort of a change over our normal practices to have a development plan description. In such an instance would it appear an amendment that would come out in the Federal Register later on and would not be a part of the legislation?

Mr. UNDERHILL. I think that is correct, sir.

Mr. TAYLOR. The gentleman from the Virgin Islands.

Mr. DE LUGO. I would like to take a minute to say for the record that I support the chairman's legislation on creating the Chattooga River as a Wild and Scenic River. I must say it was my great fortune to have accompanied the chairman and other members of this subcommittee to the chairman's district and down the Chattooga River, and it is not an overstatement to say this was one of the great experiences of my life.

My wife accompanied me and so did my oldest daughter. We were talking about this yesterday, and you know, I am not exaggerating when I say this was one of the most enjoyable trips we have ever made.

Coming from the area of the world where I come from, I am familiar with the beauty of nature. I see it every day in my District, but this was something I had never experienced, to go down this river, the wildness of it, the rawness of it, the real beauty is something that has to be preserved. I studied that river from the bottom up, as you know, having fallen in.

I think this is important legislation, and I would just like to say that it certainly has my support.

Mr. SEIBERLING. Will the gentleman yield?

Mr. DE LUGO. Certainly.

Mr. SEIBERLING. The gentleman's experience was so overwhelming, because he was baptised by total emergence.

Mr. Chairman, may I ask one additional question?

Mr. DE LUGO. I yield back the balance of my time.

Mr. SEIBERLING. In your experience have scenic easements been satisfactory? What has been your experience with them, so far, in the wild and scenic rivers program?

Mr. UNDERHILL. To date we have had very little experience with easements, Mr. Seiberling. The eight original rivers were largely on Federal land.

In most instances the additional acquisitions have been in fee rather than in easement. The Park Service has had some experience with easements on some of their parkways, and in many instances the cost of the easement has been very close to the fee.

Of course, under the basic act cost is not a consideration in that power of condemnation of fee stops once the Federal Government owns 50 percent of the land, so that if you cannot negotiate a fee acquisition you are almost forced to take an easement. But to date we have had relatively little experience in it. I believe it will work, and it certainly seems to be the intent of the act to protect the integrity of the stream with a minimum of disruption of private ownership.

I certainly subscribe to that concept, I think we will see much more of it on the additional rivers inasmuch as most of the 18 rivers that Interior has the lead on for study are on private land where we will be much more likely to be using the easement approach.

But we have not had a great deal of experience with it in the past.

Mr. SEIBERLING. Thank you, Mr. Chairman.

Mr. TAYLOR. Thank you very much. Mr. Underhill.

Mr. James B. Hallsey, Office of Recreation Resources, North Carolina Department of Natural and Economic Resources. I am glad to welcome you.

STATEMENT OF JAMES B. HALLSEY, OFFICE OF RECREATION RESOURCES, NORTH CAROLINA DEPARTMENT OF NATURAL AND ECONOMIC RESOURCES

Mr. HALLSEY. Mr. Chairman and members of the committee, I appreciate the opportunity to be here this morning representing Secretary James Harrington of the Department of Natural and Economic Resources. I am sure were he here he would like to add his condolences to the committee on the passing of Congressman Saylor.

At this point I would like to read into the record Mr. Harrington's statement.

My joint resolution of the two houses and dated June 1, 1971, the North Carolina General Assembly endorsed the proposal to designate portions of the Chattooga River in North Carolina as components of the National Wild, Scenic, and Recreational Rivers System. In addition, this proposal was endorsed by Former Governor Robert W. Scott in a letter dated January 24, 1972 to Mr. T. K. Cowden, Assistant Secretary, U.S. Department of Agriculture.

I herewith add to the above endorsements the assurance of general support from North Carolina Governor Holshouser's administration for the proposal to give National Wild, Scenic, and Recreational River status to portions of the Chattooga River in North Carolina. Such designation would contribute to the attainment of the goals of this administration and would complement the North Carolina Natural Rivers System established by the 1971 General Assembly.

That concludes the very brief written statement, and I stand ready to answer any questions the committee may have at this time.

Mr. TAYLOR. You do not see a need for any further action by the North Carolina legislature, considering that it has already approved the plan?

Mr. HALLSEY. Yes, sir.

Mr. TAYLOR. And that is the Governor's position?

Mr. HALLSEY. Yes.

Mr. TAYLOR. Any questions of this witness?

Thank you for your testimony, and I want you to thank Mr. Harrington for his statement.

I believe we should place the State resolutions in the record. This is probably a good time to mention that all three States favor the designation of the Chattooga as a wild and scenic river. In the absence of objection, the resolutions will be placed in the record at this point.

[The resolutions follow:]

STATE OF NORTH CAROLINA

DEPARTMENT OF STATE

I, THAD EURE, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached three (3) sheets to be a true copy of Resolution 75, 1971 Sessions Laws entitled

A JOINT RESOLUTION ENDORSING THE INCLUSION OF THE CHATTOOGA RIVER
IN THE NATIONAL WILD AND SCENIC RIVERS SYSTEM

ratified on the 1st day of June, 1971, by

The General Assembly of North Carolina the original of which is now on file and a matter of record in this office.

In witness whereof, I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh, this the 2d day of, June, 1971

THAD EURE,
Secretary of State
(By Deputy Secretary of State).

General Assembly of North Carolina, 1971 Session, Ratified Bill—Resolution 75; Senate Joint Resolution 419

A JOINT RESOLUTION ENDORSING THE INCLUSION OF THE CHATTOOGA RIVER
IN THE NATIONAL WILD AND SCENIC RIVERS SYSTEM

Whereas, the Wild and Scenic River Act (PL 90-542, October 2, 1968) instituted a system of national wild and scenic rivers) and

Whereas, this act designated certain rivers of the nation as initial components of the system, and designated the Chattooga River in North Carolina, South Carolina, and Georgia for potential addition to the National Wild and Scenic Rivers System; and

Whereas, the United States Department of Agriculture, Forest Service, was given the responsibility of conducting a study of the entire Chattooga River for possible inclusion in the National Wild Scenic Rivers System; and

Whereas, this study has been accomplished and printed in a report entitled *Wild and Scenic River Study Report, Chattooga River*; and

Whereas, this study concludes that, "The entire main stem from River mile 4.3 at the head of Tugaloo Reservoir to River mile 53.9 above Silver Slipper Falls in North Carolina qualifies for immediate inclusion in the National Wild and Scenic Rivers System. In addition, the West Fork of the Chattooga River from River mile 00 at its confluence with the Chattooga River to River mile 7.3 above Three Forks also qualifies for inclusion," and

Whereas, this study includes a "Recommended Plan of Action" including recreation, wildlife and fish, timber, minerals, water, land acquisition, and administration; and

Whereas, the Wild and Scenic Rivers Act specifies that "No river or portion of any river shall be added to the National Wild and Scenic Rivers System subsequent to enactment of this Act until the close of the next full session of the State legislature, or legislatures in case more than one State is involved, which begins following the submission of any recommendation to the President with respect to such addition as herein provided."; Now, therefore, be it

Resolved by the Senate, the House of Representatives concurring:

SECTION 1. The General Assembly of North Carolina endorses the proposal of the United States Department of Agriculture, Forest Service, and recommends to the President of the United States and the United States Congress that the Chattooga River be included in the National Wild and Scenic Rivers System.

SEC. 2. The Secretary of State shall cause certified copies of this resolution to be sent to the Secretary, United States Department of Agriculture, and Secretary, United States Department of the Interior.

SEC. 3. This resolution shall become effective upon its ratification.

In the General Assembly read three times and ratified, this the 1st day of June, 1971.

H. P. TAYLOR, JR.,
President of the Senate,
 PHILIP P. GODWIN,
Speaker of the House of Representatives.

S. 512—Concurrent Resolution

By MESSRS. SCHUMACHER, GARRISON, WADDELL
 ENDORSING THE PROPOSAL TO DESIGNATE THE CHATTOOGA RIVER AS A
 COMPONENT OF THE NATIONAL WILD AND SCENIC RIVERS SYSTEM

General Assembly of South Carolina

Certified: A True Copy:

L. O. THOMAS, *Clerk of the S.C. Senate.*

IN THE SENATE OF SOUTH CAROLINA

Introduced May 27, 1971: Ordered Adopted
 Sent to House *By Order of the Senate.*

L. O. THOMAS, *Clerk.*

IN THE HOUSE

Introduced: May 27, 1971: Ordered Adopted.
 Concurred in as amended and returned to Senate *By Order of the House.*

INEZ WATSON, *Clerk.*

In the Senate May 27, 1971. House Amendments agreed to and a message sent accordingly. Concurrence of House Received as Information.

L. O. THOMAS, *Clerk.*

Calendar No. S 512

Introduced by Senators SCHUMACHER, GARRISON and WADDELL.

Read the first time May 27, 1971.

A CONCURRENT RESOLUTION ENDORSING THE PROPOSAL TO DESIGNATE THE CHATTOOGA RIVER AS A COMPONENT OF THE NATIONAL WILD AND SCENIC RIVERS SYSTEM

Whereas, the Chattooga River of the Savannah drainage is a water supply source of major importance to Lakes Hartwell and Clark Hill and to the cities of Anderson, North Augusta, and Beaufort; and

Whereas, the Chattooga Riverway is largely composed of lands owned and managed by the United States National Forest Service; and

Whereas, the multiple use management purposes of this forest are to protect water supplies, conserve prime fish and wildlife habitat; provide compatibly related outdoor recreation activities in natural and primitive forms; manage timber supplies and conserve environmental aesthetics; and

Whereas, both the National Scenic Rivers Acts required that the Chattooga River be studied for possible inclusion in the National Scenic Rivers System; and

Whereas, there was excellent participation and general agreement in the findings and recommendations of the Chattooga River Report by planners of the States of Georgia, North Carolina and South Carolina; and

Whereas, the Chattooga River is recognized by many outdoor recreation resource planners; and by fisherman, white water canoeists, primitive campers and other outdoor recreation user groups as the single most significant cold water, white water river of its kind and wild river class in the ten Southeastern States; and

Whereas, public meetings were held at Highlands, North Carolina and Clayton, Georgia, at which the great majority of those present concurred with the

recommendations to include the Chattooga River in the National Wild and Scenic Rivers System; and

Whereas, management of the Chattooga River as a national wild and scenic river will generate economic benefits to the Appalachian Counties of South Carolina and to other communities in the Southern Highlands. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That the General Assembly strongly endorses the proposal to designate the Chattooga River as a component of the National Wild and Scenic Rivers System.

Be it further resolved that the General Assembly does hereby request members of the South Carolina delegation to the United States Congress and the President of the United States to take prompt action to protect this outstanding resource through enactment of legislation establishing the Chattooga National Wild and Scenic River.

Be it further resolved that the Clerk of the Senate transmit an appropriate copy of this Resolution to Honorable Richard M. Nixon, President of the United States, and each member of the South Carolina delegation to the United States Congress.

General Assembly

H. R. No. 289

By: MESSRS. GUNTER and MOORE of the 6th

A Resolution

Urging the designation of the Chattooga River as a national wild and scenic river; and for other purposes.

Whereas, the Chattooga River of the Savannah drainage is a water supply source of major importance to Lakes Hartwell and Clark Hill and to the Cities of Augusta and Savannah; and

Whereas, the Chattooga Riverway is largely composed of lands owned and managed by the U. S. National Forest Service; and

Whereas, the multiple use management purposes of this forest are to protect water supplies, conserve prime fish and wildlife habitat; provide compatibly related outdoor recreation activities in natural and primitive forms; manage timber supplies; and conserve environmental aesthetics; and

Whereas, both the National and State Scenic Rivers Acts required that the Chattooga River be studied for possible inclusion in the National Scenic Rivers System; and

Whereas, there was excellent participation and general agreement in the findings and recommendations of the Chattooga River Report by planners of the State of Georgia, North Carolina and South Carolina; and

Whereas, the Chattooga River is recognized by many outdoor recreation resource planers; and by fishermen, whitewater canoeists, primitive campers and other outdoor recreation user groups as the single most significant cold water, white water river of its kind and wild river class in the ten Southeastern States; and

Whereas, public meetings were held at Highlands, North Carolina and Clayton, Georgia, at which the great majority of those present concurred with the recommendation to include the Chattooga in the National Wild and Scenic Rivers System; and

Whereas, management of the Chattooga River as a national wild and scenic river will generate economic benefits to Dillard, Clayton, and Tallulah Falls, Georgia, and to other communities in the Southern Highlands. Now, therefore, be it

Resolved by the General Assembly of Georgia. That it strongly endorses the proposal to designate the Chattooga River as a component of the National Wild and Scenic Rivers System, Be it further

Resolved, That the General Assembly does hereby request members of the Georgia Congressional Delegation and the President of the United States to take prompt action to protect this outstanding resource through enactment of legislation establishing the Chattooga National Wild and Scenic River, Be it further

Resolved; That the Clerk of the House transmit a copy of this Resolution to each member of the Georgia Congressional Delegation and to the President of the United States.

In House: Read and Adopted March 5, 1971.

In Senate: Read and Adopted March 12, 1971.

GLENN W. ELLARD,
Clerk.

HAMILTON MCWHORTER, JR.,
Secretary.

Mr. Ervin Jackson, Jr., Charlotte, N.C.

I might state Mr. Jackson was the man who got me first interested in floating down this river. He told me about the several float trips that he had made on it, and I am glad he did not let me get by without trying it myself.

STATEMENT OF ERVIN JACKSON, JR., CHARLOTTE, N.C.

Mr. JACKSON. Representative Taylor and congressional representatives of the committee, I appreciate this opportunity to appear before you as a witness to the bill, H.R. 9492, to include the Chattooga River in the National Wild and Scenic Rivers System.

It is good to see three of the Congressmen who went down the river on that now famous wild weekend, and I must say I don't recognize them in coats and ties. They were a motley crew that day. It is nice to be back with them.

I am embarrassed somewhat that my report which was mailed to this committee last Wednesday did not get here, but the old saying, a picture is worth a thousand words, holds true, and I have at the moment a picture postcard of the Chattooga River which this young lady is passing out.

As introduced, my name is Ervin Jackson. I am a department store executive living in Charlotte, N.C. and my interest in this bill reflects no particular organization. It reflects my personal desire as a citizen to see Federal protection given to a stream of free flowing water which possesses white water rapids and dramatic scenery unsurpassed in Southeastern America.

I would like to focus attention on the unusual qualities of the Chattooga River. No. 1, the Chattooga River is a free flowing stream. It is nourished from a watershed of approximately 200 mi². The forests which surround the river experience approximately 100 inches of rainfall annually. This is the heaviest rainfall in the continental United States except that of the northern Pacific Coast.

Now, unlike other river basins where the rainfall runs off quickly, the Chattooga is provided with a more or less constant flow of water even in periods of drought. The deep vegetation which covers the mountains slows and holds the water, allows it to soak in the cracks and crevices and accumulates in underground pools and between strata of rock, thus an adequate flow of water can always be depended upon, and this is very important in a recreational area where people travel many miles to fish, to visit, to float in canoes and rafts and do not want to be disappointed by a dry river basin.

This week I was on section 4 of the Chattooga, yesterday, as a matter of fact. There hasn't been any real rainfall for over a month,

and yet the water level was about 1.2 on the watergate and a beautiful adequate flow of water for rafting.

No. 2, the family camper, the naturalist, the backpacker, and you might even say the photographer is awed by the Chattooga area because it provides some of the most adverse and dramatic scenery because of the tree life. There are actually some very exotic flowers that can be seen in this area. There are actually more varieties of trees that thrive here than in all of Europe. This is because of the different elevations.

You have the Chattooga Cliffs rising over 1,000 feet from the water. You have splashing waterfalls. You have geologic weatherings of rock which jut out at angles which adds to the variety and wonderment of the Chattooga area.

The 49 plus miles of the Chattooga, as if by design, provides a variety of rapids to match the experience of the canoeist. For example, the river has been divided into sections. A young canoeist can go down section 2 where the streams flow evenly. There are no dangerous rapids. As he graduates he can enter section 3, which is a little bit more dangerous, and challenging, and as he gains more experience, he can select section 4, which is considered to be one of the most thrilling stretches of white water in America. This white water challenge makes the Chattooga quite unique, because of its geographical location, the Chattooga River is easily reached by population centers, by Atlanta, as well as many cities in the Piedmont Crescent.

Since the river lies close to the Smokey Mountains National Park it is easily accessible for recreational opportunities for tourists all over America who travel to this part, and thus the Chattooga, though it is in a remote setting, is within easy driving distance of large and growing population groups.

I have known this river for more than 15 years, and I have watched its attraction grow. As early as 5 years ago I can recall taking trips on the river and not seeing another person, except perhaps a native mountaineer fish along the bank for trout, certainly no canoeist, no backpacker or family camper in the remote sections of the river.

But, since the movie "Deliverance," which was filmed on the Chattooga, this scene has completely changed. "Deliverance" stirred the outdoor interests of countless young people who wanted to pit themselves against the same white water and mountain scaling challenges of John Voight and Burt Reynolds as in the movie.

As the box office popularity of this movie climbed so did the attraction of the people to the Chattooga, and so did the accidents and tragic deaths.

Now, an estimated 15,000 people traveled down the river this year. This estimate does not include the hundreds who camped on the bank, backpacked or fished in the stream.

Canoeing is one of the fastest growing sports in America today. The interest has been heightened by the love of the outdoors which is sweeping our country and by the 1972 Olympic canoe races, and indeed, canoeing is a splendid sport for the young to test their skills.

I recall a statement by Leopold, who was a forester who has been

quoted often. He made a statement describing two young canoeists who were making their first adjustment to a river experience. If you will permit me, I would like to quote:

"What time is it," they asked. "For two days," Ed wrote, "they lived by sun time and were getting a thrill out of it. No servant brought their meals. They got their meat out of the river or went without. No friendly roof kept them dry. No guide showed them which camping spots offered a night-long breeze and which offered a night-long misery of mosquitoes, which forest would make clean coals and which only smoke. The wilderness gave them their first tastes of those rewards and penalties for the wise and foolish acts which every woodsman faces daily but which civilization has built a thousand buffers."

"Perhaps," he said, "every youth needs an occasional outdoor adventure to learn the meaning of the freedom to make mistakes."

We owe it to these young people today and those unborn to hold in reserve and to properly manage a little piece of wilderness located near the high density population centers in the Southeast. Moreover, we owe a specific duty to protect a stream which possesses high standards of white water for canoeists to develop their skills. Unless we exercise some control of the river, the numbers of people, the building of homesites and developments will nullify the recreational opportunities of the river.

In closing may I give a second reason for the management of the Chattooga River, and I can sum it up in one word, safety. The 11 deaths in the last 2 years since the movie "Deliverance" and the countless accidents by the unprepared is reason enough to activate reasonable controls. The numbers of people can only increase each year with death for the foolhardy who venture on the river without life preservers and with inadequate equipment.

With a central authority controlling the river, compliance with safety standards could be enforced and adequate rescue provided for those in trouble.

Gentlemen, the Chattooga River must be included in the National Wild and Scenic River System to preserve its value for all.

Mr. TAYLOR. Thank you very much for a very fine, enthusiastic statement.

Now, you attribute in the main the 11 deaths on the river during the last year or year and a half to inexperience, inadequate equipment, and inadequate warnings in regard to danger?

Mr. JACKSON. Yes, there are people who have seen the movie and who have ventured down the river thinking it is very simple and have no knowledge of the rapids or the dangers. If there had been some way to enforce safety, for example, in our witnesses today are people who represent the Georgia Canoe Association and other groups, if they had the authority they would ask these people to leave the river because they know without a life preserver they are in danger.

There has been some effort by the so-called people who run the river to set up some sort of system to at least explain to people what they are up against. But, of course, these people have no authority to remove them from the river, and in many cases they go on, and of course we have had 11 deaths.

Mr. TAYLOR. There are two concessioners who now operate on the river. They take tourists down, using trained, experienced guides.

Mr. JACKSON. That is correct.

Mr. TAYLOR. It is my understanding they haven't lost any lives.

Mr. JACKSON. Their descent rate is perfect.

Mr. TAYLOR. And the Georgia Canoe Club, to which you referred, I understand that it has had hundreds of canoeists on the river—

Mr. JACKSON. That is true, as well as other canoe groups.

Mr. TAYLOR [continuing]. Without loss of life.

Mr. JACKSON. That is correct.

Mr. TAYLOR. That shows the need for establishing standards and warnings.

Mr. JACKSON. And I might add, sir, that there have been foresters who sense that some of these people are not prepared and who have done the same thing as the canoe organizations, they have tapped them on the shoulders and said: Don't you think you need this or that and don't you think it would be better if you ran this section than that, and of course these are individuals and they pay no attention. There is no authority to remove people from the river who are not properly prepared for it.

Mr. TAYLOR. You are a business executive in one of the largest cities. How many times have you floated down this river?

Mr. JACKSON. It would be difficult to say; a hundred times, perhaps.

Mr. TAYLOR. Your very enthusiastic daughter was with us on our trip. How many times has she floated down?

Mr. JACKSON. Perhaps 40 times.

Mr. TAYLOR. You are probably among the river's most enthusiastic supporters.

Mr. JACKSON. Yes.

Mr. TAYLOR. I was hoping you could be here to testify today.

Mr. JACKSON. I was hopeful you would give me the opportunity.

Mr. SKUBITZ. This should be the point where I should express my regrets for not having made the trip. I had promised I would make it, but something intervened. However, when I view this picture of the chairman and his wife floating down the river, I am happy I did not make the trip.

Mr. SEIBERLING. I would like to thank Mr. Jackson for his very fine statement.

Mr. TAYLOR. Our next witness is Mr. and Mrs. Frank Bell, representing the Western North Carolina Chapter, Sierra Club.

STATEMENT OF FRANK BELL, REPRESENTING THE WESTERN NORTH CAROLINA CHAPTER, SIERRA CLUB

Mr. BELL. Mr. Chairman, I do not look like Mr. and Mrs. Frank Bell. We planned to fly up today in a small plane and the weather intervened. I got a commercial at the last moment, and one of the few opportunities to do that.

Mr. TAYLOR. Please, state your name for the record.

Mr. BELL. Frank Bell, Tuxedo, N.C.

In addition to representing the Sierra Club, I would like to say that I represent Kansmondan and Green Co., who bring close to a

thousand people each year to this area, among those who qualify being taken down the Chattooga.

We were going down the Chattooga long before we ever heard of "Deliverance." We take children as young as 11 years old down the river and in all the years we have never had an accident. The river is dangerous to those people who do not know what they are doing. It is excellent for those people who are trained and experienced.

I want to meet Mr. Jackson. I have not yet. If he will forgive me, I will disagree with him on one point. Training is much more important than the life preserver. Knowledge of what you are doing—and we never—we carry them because the law down there requires it, but we have never used one and we have never had an accident, and I do not know how many hundreds of people we have taken down.

We have also one of the outfitters who take people down commercially in floats. We have done the river system, Mud Creek, French Broad, Tennessee, Ohio to the Mississippi River, before Mussel Shoals was dammed, before there was a single TVA dam. They have done the Green River to the Broad, to the Tennessee to the Atlantic Ocean by canoe. We started as far back as 1914. We think that we know something about rivers and canoes.

The only American ever to win a medal in Olympic canoeing was one of the boys who had his early training with us.

I would like to read my statement and Mrs. Bell's. I do not think it will take over 5 minutes. I am sorry she could not be here.

The Chattooga River, made even more famous by the infamous book and picture "Deliverance," deserved none of the blame for that infamy. In contrast to the book, it is beautiful, clear, indigenous, free-flowing, natural.

The Chattooga rises in North Carolina, just under Whitesides Mountain in a remote area of the Appalachians, shortly leaves that State to form the boundary between South Carolina and Georgia as it flows through the Sumter National Forest to join the Tugaloo and Savannah River system. The quality of its water and its surrounding forests, the ruggedness of its gorges, the beauty of the river and its total environment surely justify its preservation in its primitive state. It is both a challenge and a joy to fast water experts, though it is admittedly too much for some of the less skillful who have been lured there by its recent fame.

The huge number of people that today besiege our national parks and other wild areas attests the insatiable appetite of our urban society for the simple, unspoiled wilderness. Wild rivers in the East, if not in the whole Nation, have been tamed all too fast. Let us save the too few remaining ones, of which the Chattooga is an outstanding example. Let us pass on to our children and their children at least some of nature's heritage that our fathers left to us and that we threaten to destroy. Taming the Chattooga would be a catastrophe.

This is the statement Mrs. Bell would have made if she had been here.

A sound sense of values is probably man's highest goal. There are times when two important values—the material and the aesthetic—

collide. And there are times when precedence should be given to the material; other times when the aesthetic should prevail. There are few more beautiful things on earth, known to me, than a fast, free-flowing river surrounded by forests and flowers, unspoiled by dams, roads, and developments. I think at first there were dams and developments in there, but that has been deleted.

Too often man damages nature more than he improves it. Many of us believe rivers and forests are more beautiful—and more refreshing to the spirit of man—than the Louvre. God's art gallery surpasses our best efforts. There is no other designated wild river in the whole area, I believe. I urge you to help us preserve this magnificent stream which touches three States, and commands the admiration of citizens from all over.

If I remember correctly, at the hearing in Clayton, Ga., some time ago even the Army Corps of Engineers appeared and endorsed the inclusion of this river in the wild river system, and when the Army Corps does it, brother, it needs to be done.

Mr. TAYLOR. Thank you, Mr. Bell, for a very fine statement.

I am familiar with your work, and I want to commend you on the contribution which you have made, not only today, but down through the years to the conservation and preservation of nature.

I might add that you have helped many other people to develop appreciation of the beauties of nature.

Mr. BELL. Thank you. That is one of the things we try to do.

Mr. TAYLOR. Mr. E. Randolph Stone, chairman of the Chattooga Committee and Joseph LeConte Chapter, Sierra Club.

STATEMENT OF E. RANDOLPH STONE, CHAIRMAN, CHATTOOGA COMMITTEE, JOSEPH LeCONTE CHAPTER, SIERRA CLUB, AND THEODORE A. SNYDER, JR., CHAIRMAN, JOSEPH LeCONTE CHAPTER, SIERRA CLUB

Mr. SNYDER. Mr. Chairman, with the permission of the committee, we thought we would prefer to present our testimony in the form of a panel. I am Theodore Snyder. I will speak first in general terms about the river, followed by Mr. Stone, who will discuss some of the canoeing features of the river.

Mr. TAYLOR. We are glad to have you appear together. We remember the fine hospitality you presented while we were in Greenville following our trip down the river.

Mr. STONE. It is good to be here.

I am E. Randolph Stone from Greenville, S.C. I would like the staff to pass up pictures of your trip.

Mr. SNYDER. Mr. Chairman and members of your committee, we appreciate very much the opportunity to be here this morning to be in favor of adding the Chattooga River to the National Wild and Scenic Rivers System.

As you gentlemen know from your brief visit, and as we know from time and time again, we have a very beautiful area of the country. The river itself flows free, unimpeded for some 50 miles before it comes to the first dam. Through that area it flows generally through a forested setting.

A person in the river floating, fishing, walking or hiking, or whatnot has no view of civilization. There is no infringement on his senses of anything from the outside world. He is in fact at one with nature.

The forest in places is virgin forest due to the steepness of the terrain and its inaccessibility.

In addition to the wooded setting, which is still in its near original state, the river itself is exceptionally beautiful. It flows over and through boulders in its early parts and it flows through three different gorges before it comes to the lakes. These gorges are rock-bound with rock bottoms and rock sides ending, in many cases, sheering off for many hundreds of feet.

The upper gorges, which are not generally canoed because the volume of water is small, are equally beautiful. Particularly beautiful is the rock gorge where the river pours through sluices and races through a rock-bound gorge much like a mill race and plunges over Big Bend Falls and sheer drops across the entire river.

Equally beautiful is Halcomb Creek, just on the tip of the boundary, where the three streams come together, known as the Three Forks. There the west fork flows through the gorge which is locally known as the Potholes. It comes down in a series of steps. At the foot of each step is a huge pothole as big as an automobile which the river has carved out. The first one at the top can be seen because you can walk to the top and see these magnificent holes that have been ground out, including one in the shape of a figure eight.

In the middle of this chasm you can peer down several hundred feet away. It is also possible to come to it from the bottom. The best characterization that I can give to it is, it is a miniature of Glen Canyon. The walls are polished, convoluted, hanging over, and making a beautiful spectacular scene.

The Chattooga, unlike other rivers in the Southeast, is in a free-flowing state. Every river we have except the Chattooga that can be dammed has been dammed. Other rivers of similar quality in the Southeast which we once had are now all gone due to the resorts of development. There are factors along them, railroads along their banks, highways taking advantage of the easy grades in their power dams, from ancient ones to the modern ones, towering hundreds of feet high.

Dams can be built and they become permanent. A river like Chattooga can—one dam in a 2- or 3-year building span would destroy it forever. We think this river should be left as it now is as the best example of all the possible examples of what once we had in the Southeast, flowing away off the Atlantic mountain area to the sea-coast.

This is beautiful because it will not offend anyone if added to the Wild and Scenic Rivers System. The local counties through which it runs are recreational-oriented parts of the country. The recreation uses will assist in part of the country in promoting tourism, something which they have learned is profitable and good for the local economy.

Of course, not just to be good for the economy to have this, but the river belongs to all of the country, not just the local people and

not just to the Sierra Club. We think they all have a stake in having it added to the National Wild and Scenic Rivers System. If any river is to be added, we think this is certainly the most highly qualified that can be selected.

Now, Mr. Stone will discuss the canoeing features of the river.

Mr. STONE. If it please the chairman, I want to tell about a rather personal incident that tells what the river can do for people.

I have two young boys, both of whom are teenagers. About 6 years ago I carried my oldest boy, who is now 17, to a workshop sponsored by the Sierra Club for the purpose of teaching them canoeing. My older and larger boy, Rogers, was very successful and we negotiated the raft.

Then my younger boy the next year decided he wanted to go. This boy was 9 years old, a very small boy for his age, and yet he was anxious to go. He had heard many of the stories we had told, perhaps embellishing the incidents, and when he got over there he was extremely frightened. He was physically sick that night when we camped at the State Park. He wanted to go home. I insisted on him continuing down section 3, which is the more difficult section. We reached the Narrows. The crew got out to scout the Narrows to determine the direction we would go. My boy refused to look.

I came back and my boy was standing in the water shivering. I said, "Son, are you afraid?" and he said, "Yes, Dad." He was really pale and shaking.

At that point I would have turned and gone back. There was no way to get the boat back to the Narrows without going through. We went through and made a perfect run. I turned to my son and said, "Son, you have gone through all there is. There is nothing harder." From that point he started smiling. He said, "Daddy, we would have been doing all right already if you had been doing your part."

From that day forward he has been an avid canoeist, kayaker. I do not have to worry about him being home on weekends. He is on the river. It started from that moment. He went through all the shoals without even breaking his cadence, turned and rolled and came up.

That is an example what it will do to young people if this river is preserved so the young people for ages can use it.

I would like to change and tell of another incident that happened recently. The banks of the river are being misused to a great degree. They are becoming more and more misused because of the popularity. Motor vehicles are being seen where none could have been seen a short time ago. As a matter of fact, only 3 weeks ago on the trip down section 3 I sighted a flat-bottom boat going across from the Georgia side to the Carolina side. It had some large object that looked like a chimney coming out the back. At the distance I could not understand what it was. I got closer and closer and finally I determined that a kerosene heater was being transported from Georgia to South Carolina.

I asked the man what he was doing. He said, we are moving in. I do not know what they are doing, but at least I know there is commerce on the river.

This is, as has been stated, and no use to repeat it, this is a tremendous river. We love the river. We love it as it is and we are most thankful we are given an opportunity to voice our appreciation.

Mr. TAYLOR. Thank you, Mr. Stone and Mr. Snyder.

I know of your enthusiastic support of this project. I appreciated discussing it with you on different occasions.

Mr. Snyder, I will state we saw some Congressmen who were shivering just a little, but we were smiling at the bottom. In these pictures you can see some rather grim faces while we were going down.

For the sake of the record, I think we ought to point out this 50-mile drop from 3,360 feet to 891 feet. This is a descent of more than half a mile, 2,000, or an average of nearly 50 feet per mile. So when you get a body of water this large going downhill that fast, you are bound to have some rapids.

[Prepared statement follows:]

STATEMENT OF THE SIERRA CLUB PRESENTED BY E. RANDOLPH STONE AND
THEODORE A. SNYDER, JR.

The Chattooga River is unquestionably one of the most outstanding rivers in the United States. The Sierra Club wholeheartedly endorses H.R. 9492 and urges prompt action to add this great river to the National Wild and Scenic Rivers System.

The Chattooga is a wilderness river along most of its length. It has its origins on the forested slopes of Rabun Bald, second highest mountain in Georgia, and in Whitesides Cove, near Cashiers, North Carolina. Rabun Bald dominates the west side of the Chattooga Watershed. The scenery in the area of its North Carolina origins is different and even more spectacular. Here it runs as a small stream under the shadow of Whitesides Mountain, faced with a spectacular sheer rock wall rising over 2000 feet from the valley floor.

For the most part, the river runs through deep forest. The only exceptions are a few old fields in Whitesides Cove, and a few cottages near the Russell House in South Carolina. Some of these cottages have recently been acquired by the Forest Service. With the passage of this Act, appropriations will become available for further acquisitions, either outright, or in the form of scenic easements.

Road crossings are few. In fact there are now only five bridges in use over the river. Of these, the bridges on the Bull Pen Road and the Burrell's Ford Road are little used, and should eventually be removed. This would leave permanent crossings over the river at Grimshawes in North Carolina, and at Highway 28 and Highway 76 in South Carolina. The segments of river between these bridges are comparatively long, and add considerably to the high quality of experience afforded the visitor.

One of the structures near the river deserves special mention. The Russell House, at the Highway 28 crossing, was recently acquired by the Forest Service. From early times the road to Highlands, North Carolina, ran by here and it became an overnight stop on the stagecoach route. The Russell Spring is reputed to be the coolest in South Carolina. The Russell property is thus a site of considerable historical interest.

With the exception of the fields and few houses mentioned, this river flows through deep forest. In many instances this is virgin forest, the steep terrain having guarded the river against the incursions of loggers. Majestic trees lean out over the river and can be seen standing in an ever changing array up the mountainsides. The proposed boundaries have been drawn in such a way as to preserve this scenery. By placing the boundaries along ridge lines where possible, and at broader places far back from the river, the study team has insured that there are not likely to be any incursions of civilization to impinge on the natural scene.

Trees are not all. The river's rocks and gorges provide a different kind of beauty. In North Carolina it dashes around and over a jumble of giant boulders, gaining strength as it comes. Soon after entering South Carolina it enters

the area known as the Rock Gorge. Through most of the gorge sheer rock walls confine the river to a narrow chasm. The water pours across narrow gaps and races through long sluices. The culmination of this is Big Bend Falls, a sheer drop which extends the full width of the river. No less spectacular are the rock bound constrictions known as the Narrows, and the two canyons near the end of the river. High rock walls compress the water as it forces its way past. At the Narrows the river literally turns on its side; it is possible for one to leap across the whole river at one jump.

The most spectacular is the "Potholes" on Holcomb Creek in Georgia, immediately above the river junction known as Three Forks, where the river's West Fork begins. The "Potholes" is a lovely string of falls, at the foot of each there being a deep nearly symmetrical pothole. Each is big enough to hold an automobile. Holcomb Creek flings itself over these falls with a fury. The first of the potholes, including one in the shape of a figure 8, can be seen from above. The creek then races through a narrow cleft not over twenty feet wide. In order to see this spectacular beauty, the observer must crawl to the edge and peer down a hundred or more feet to the roaring branch. The last step can be approached from below. Here the side walls are smooth and convoluted. They tower and lean over the sides of the stream: a miniature Glen Canyon. We know of no duplicate of this wild beauty anywhere in the east.

The river as it now is, remains essentially in the same condition as when men first entered the area. In fact, an important Indian Trail crossed the river at what is now Earl's Ford. The trail led from the Fort Prince George and other trading posts further south up across the Chattooga, through Rabun Gap and on to the Indian cities on the Little Tennessee River. Today, after the scouring action of high water, it is possible to find fragments of pottery at Earl's Ford. The vista of the river today is not materially different from that view by these earlier visitors.

The unspoiled Chattooga is a prime example of the free-flowing rivers that once abounded up and down the east coast. But it is now the last one of these great rivers left in an unspoiled condition. The others have been dammed, farms and cities have sprung up along their banks, factories have sought them out for processing water, and as diluters of waste products, highways and railroads, taking advantage of the grade, parallel them in many places. Should this last, undeveloped river be allowed to suffer the same fate as all the others? We emphatically say no. The Chattooga should be saved as an example of what once was commonplace. It is a place where we can go and see what nature can do when she is left alone. Even if we could restore all these other rivers, we would be likely still to select the Chattooga as the best exemplar. Its uncommon length, its unparalleled beauty throughout would make it first choice in any such selection. We are fortunate that it has survived in its natural condition and can be selected to remain that way.

Scenery is not all that makes the Chattooga worthy of addition to the National Wild and Scenic Rivers System. It affords the finest whitewater canoeing in the east. The volume of water is great enough for enjoyable canoeing from the Highway 28 bridge to the end of the river at Tugaloo Lake. Contrary to normal expectations, the difficulty of canoeing increases the further downstream one goes. The increase is not abrupt, and good canoeing is afforded for all degrees of skill. The highways and access points break the canoeable reaches into logical segments.

The West Fork, and the segment from the Highway 28 bridge to Earl's Ford are easy waters. The beginner and novice can take to them with confidence. Annual training sessions in canoeing are conducted on these segments by the Sierra Club's local members.

The segment from Earl's Ford to the Highway 76 bridge is much more difficult. It requires all the canoeist's skills to negotiate these fifteen river miles. This segment is often referred to as the ultimate for the open canoe. The combination of demanding whitewater and unexcelled scenery have earned it this reputation.

The segment from Highway 76 to Tugaloo Lake holds a stretch of smashing whitewater that is continuous and challenging. Usually the craft on this segment are confined to large rafts and decked boats. The huge waves and steep drops are too much for an open boat, and only rarely does even an expert team attempt it. The river flows through two canyons, with awe inspiring rock sides which tower over it. The final set of rapids, long ago named Jaw Bone,

Sock-em-dog, and Shoulder Bone by the Cherokee, reveal their respect for this powerful river.

The sports of canoeing and rafting are popular uses of this river. On weekends throughout the year groups of whitewater enthusiasts can be seen at bridges and access points. The heavy demand at certain times is approaching the capacity of the river to hold them. Enactment of this legislation will give the managing agency the authority to control the usage in a manner that protects the river best. Some controls will soon be needed, and the enactment of this bill now will enable us to have them ready when needed.

The public interest will be served best by adding the Chattooga to the National Wild and Scenic Rivers System. Electric power can be produced by alternate means, but there is no way this river can be duplicated. Recreation is an important part of the local economy. The hills, lakes, and rivers of this region attract thousands of hikers, campers, boaters and picnickers to the area. The recreation resource is a major factor in attracting industry to neighboring counties. Recreation users contribute substantially to local spending. The foothills of the Blue Ridge are being rapidly developed for summer and recreation homes. It is features like the Chattooga which attract people and give them the desire to live in the area. If it were not protected, many of them would go elsewhere. Designation of the river as a Wild and Scenic one will insure its position in the local economy. And, since the river, unlike factories, will not wear out, it will become a permanent attraction of money to the area.

At the same time the local economic interests are served, a large segment of the nation's population will be served. There has over the past several years been a great surge in the popularity of outdoor activities such as hiking, camping, and canoeing. The Chattooga has been found by many of these people. They have an interest in its protection so that they may continue their outdoor activities. The Chattooga in fact belongs to all of the citizens of this country. Enactment of H.R. 9492 will ensure that it remains the property of all the people. This is the far-sighted type of action which must be taken now in order to provide for the future.

The Chattooga has derived a certain popularity during the past several years. The publicity attendant on the study process was partially responsible for this. Passage of this pending bill will increase the publicity more, and is certain to increase the usage of the river. Even now the marks of heavy usage are beginning to show. Up until now the Forest Service has had its hands tied in protecting the river. Funds have simply not been available for such things as closing old logging trails, or enforcing safety regulations. Passage of the bill will bring with it appropriations which can be used for the protection of this great resource. Any further delay will lead, we fear, to a deterioration of the outstanding qualities of the Chattooga. We urge upon the Congress the necessity for prompt action on this legislation.

We are informed that the great majority of the lands that will be included in the Wild and Scenic River boundaries lies on the Sumter, Chattahoochee and Nantahala National Forests. The Sierra Club has worked with the Forest Service closely during the study of this river, and with the local District Rangers. The Forest Service has been sensitive to the need for protecting it, and has been sympathetic to our requests for specific interim measures. We believe the U.S. Forest Service should be the managing agency for the Chattooga. We think it has the will and the ability to care for it in a way that will benefit not only us but future generations.

We thank you for this opportunity to submit our comments on H.R. 9492.

Mr. TAYLOR. Mr. Bill Painter, American Rivers Conservation Council.

STATEMENT OF BILL PAINTER, AMERICAN RIVERS CONSERVATION COUNCIL

Mr. PAINTER. I will make my statement real brief. I do not think there is much I can say to follow what the others have said.

I would like to say on behalf of our organization, which is a nationwide organization, individuals and groups who represent fishermen, canoeists and recreationists, preservationists, and conservationists, we are very much in favor of this river.

We urge rapid action on this particular bill that is before the committee. We would hope that some consideration might be given in the future extending some of the boundaries, if necessary, to give further protection to the river, if that need be.

We thank you for the opportunity of appearing here today before you.

Mr. TAYLOR. Thank you, Mr. Painter.

Any questions?

We welcome you again before our committee and thank you for your statement.

Mr. Harry Crandell, Wilderness Society.

STATEMENT OF HARRY CRANDELL, WILDERNESS SOCIETY

Mr. CRANDELL. Mr. Chairman, I am Harry Crandell of the Wilderness Society, stationed here in Washington, D.C.

I have a short statement in support of this measure which I would like to submit for the record.

Mr. TAYLOR. Without objection, the statement will be submitted to the record at this point.

[Prepared statement follows:]

STATEMENT OF HARRY B. CRANDELL, DIRECTOR OF WILDERNESS REVIEWS, THE WILDERNESS SOCIETY

Mr. Chairman, I am Harry Crandell, Director of Wilderness Reviews, The Wilderness Society, a national conservation organization with headquarters in Washington, D.C. It is with a great deal of pleasure that I appear before you today in full support of H.R. 9492 to designate the Chattooga River in North Carolina, South Carolina and Georgia as part of the National Wild and Scenic Rivers System.

The Wilderness Society joins with the American Rivers Conservation Council and other organizations and many private individuals in expressing its appreciation to this Committee for its positive action in moving this bill forward. We would also commend the U.S. Forest Service for its continuing effort to place the Chattooga River in the National Wild and Scenic Rivers System.

Thanks to the miracle that the Chattooga River today is still wild and free flowing, that it flows mostly through an area of unspoiled natural beauty, that the adjoining land is already largely owned by the Federal Government as part of three National Forests, we are in the fortunate position of having abundantly fulfilled all the basic arguments for placing the Chattooga in the National Wild and Scenic Rivers System.

Prompt action in securing such protection for the Chattooga is particularly urgent because the great amount of publicity given the river in the past few years has attracted large numbers of visitors to the area and has brought pressures for new roads and developments contrary to the character and standards for a national wild and scenic river. Passage of an Act placing the Chattooga in the Wild and Scenic Rivers System would enable the Forest Service to establish management practices needed to control usage and development in such a way as to preserve the important natural values of the river.

The Wilderness Society enthusiastically endorses H.R. 9492 and urges early passage of this legislation to designate the Chattooga River as part of the National Wild and Scenic Rivers System.

Thank you, Mr. Chairman.

Mr. CRANDELL. I do not think I can add anything in addition to the people who appeared in support of the legislation.

I would make one comment. The Wilderness Association appreciates very much your pressing forward with the hearing this morning in view of the untimely passing of Mr. John P. Saylor. I have

sat in this hearing room many times and listened to Mr. Saylor saying, press on. I have heard Mr. Saylor give several speeches where he admonished the group to press on, press on. So I think it is important you continue the hearings today, and we appreciate it very much.

Mr. TAYLOR. Thank you.

Margaret Tucker, president, Georgia Canoeing Association.

We welcome you before our subcommittee. We recall our visits with you when we were down there and floating on the river.

STATEMENTS OF MARGARET TUCKER, PRESIDENT, GEORGIA CANOEING ASSOCIATION, AND DR. CLAUDE E. TERRY, REPRESENTING GEORGIA CONSERVANCY, INC.

Ms. TUCKER. It is a joy to be here.

Mr. TAYLOR. I remember your enthusiasm.

Ms. TUCKER. Would not miss it.

I am going to invite Dr. Terry to join me.

I am sorry several members of the——

Mr. TERRY. I have a separate statement filed.

I am Claude Terry.

Ms. TUCKER. I wanted to issue an invitation to all the members of the committee, particularly those who might not have seen the river, to come and join us if they have a chance any time they are down in the Georgia area. We would be glad to set up a trip for them.

The Canoeing Association represents about 450 families, mostly in the Atlanta area but scattered all over the Southeast.

We completely endorse putting the Chattooga in this Wild and Scenic Rivers category.

We use the river rather extensively. We have a trip almost every month, a formal trip, and any time during the year you will find members of the Georgia Club on the river. We have a lot of white water enthusiasts, including members of the Explorer Post that the club sponsors who use the lower portion of the river, and many of these kids, as I call them, have cut their teeth on the type of challenge we were talking about a few minutes ago.

We hope to see the Chattooga saved and we think the corridor is an excellent suggestion, but there are some problems we have seen down in the lower section of the river particularly.

I have been canoeing the river in all sorts of weather, but particularly during rains I have noticed down in section 4 several of the tributary streams are beginning to have quite a siltation problem. I have canoed section 4 when Long Creek was running red and the main body of the river would be clear. There is a problem that has got to be addressed. It is not enough if they have this corridor if they have a degradation from these tributary streams.

I have noticed over the past year and along that long stream which enters the Chattooga, it is almost tropical, the bottom where this stream comes into the river is beginning to be silty. The rocks, which are ordinarily covered with healthy algae and moss, are beginning to be silty. There are some problems.

The Forest Service addressed—possibly through water quality estimates something could be arranged, something to correct this problem.

Mr. TAYLOR. To what do you attribute that change in the water quality and extra siltation?

Ms. TUCKER. I do not know whether it is second-home development or possibly orchards. I know on the southeast side it is an orchard area. It may be agricultural use. I think probably in the Clayton area it is development. I have not been up there to investigate just what is happening, but I know that it is a problem. I have seen it in the rain and it is a problem which seems to be—not the whole river—the major river will be fairly clean and these tributaries will be dumping in just a striking amount of silt.

Exactly what it is, I do not know, but I would like to see somebody take a look at it and see what could be done to acquire these upper watershed areas. They are possibly some agricultural practices which could be changed or maybe holding basins put in on the tributaries.

Some portions of these tributaries, I believe, would qualify for inclusion in the act. You could probably extend the boundary up a way. I do not know whether all the tributaries would qualify. Assuming the Forest Service looked at these tributaries when they were doing the study, they could possibly answer that.

If they do qualify, I would recommend they be included in the act. Otherwise, I think that the Forest Service could, possibly, under existing authority, protect them through easements.

Mr. TAYLOR. I realize the problem that we have; a man has a right to make any use he sees fit of his property and the farmer has a right to farm his land. The owner has a right to develop a shopping center. We almost have to acquire the land or let him go ahead. Of course, he is subject to local zoning laws. But here the zoning will permit farming and development.

Mr. TERRY. I wanted to make one point.

Many of these are land misuses, and steep slope flood areas are being developed, for instance, in Clayton. If proper land uses were going on, this would not lead to erosion.

Ms. TUCKER. We are concerned with management. I have seen some management problems in the 4 years I have been canoeing this stream. I believe Mr. Nelson said there are several thousand users on the river now. This has happened within the last two or three summers. Use has really gone up dramatically, and a lot of the access points are terribly degraded. There are some major erosion problems and sanitary problems.

Also, at the points on the river where there is four-wheel drive access, there are literally piles of rubbish, and camps, semipermanent camps set up.

At the base of these falls at Long Creek I was telling you about, we came down and somebody had cleared out a space on the edge of the creek, chopped trees down, and built a shelter with plastic on it, and cans and trash. The river is being loved to death by the people who are coming to use it.

The Forest Service has done an admirable job with what they have, but not very much. It will be terribly important to have this designation so there can be adequate facilities, set-back parking lots,

for instance, and maybe patrols down in the river to insure compatible use and also help answer the safety problem.

The Canoe Association has never had a major accident or serious fatality on the river. I am not sure any other organized club has. I have not heard of it. I think one of the significant safety factors is to have both public information and education and also give people an opportunity to join a group like this to get training before they go on the more hazardous sections of the river.

We have been working with the Forest Service, Atlanta Office, to try to answer some of the technical problems of access needs and management and possibly use limitations that are going to have to be addressed when this bill gets through, if they start to limit use. We will work with them.

Mr. TAYLOR. Does that finish your statement?

Ms. TUCKER. Yes.

I want to say one other thing, not particularly in reference to this bill, but the Wild and Scenic Rivers language has language in it which cites the Federal project such as dam building and other things which have been Federal policy for quite a while, and there has been suggestion that this system is to offset this somewhat. I do not believe this has been done and I do not believe it is being done.

I believe the efforts made so far have been slow and fragmented. I believe that we need to get these studies finished and get more action to accomplish this, to have a real system which will preserve more of this heritage that in the past has been rapidly disappearing.

Mr. TAYLOR. Mr. Terry.

Mr. TERRY. Yes, for your records and perhaps to stimulate some questions afterwards, I am chairman of Georgia's Rivers and Streams Commission. I am a member of the American Canoe Association Safety Committee. I say that so we can perhaps deal with some of the safety issues.

I am a kayaker and run many of the wild rivers in the country. I did accompany Mr. Taylor and Mr. Seiberling on their trip down. I am a partner in one of those concessions, taking people down the river.

Mr. Jackson referred to one of the most significant points, I think, that can be made about the Chattooga. I think anything I say will be vaguely redundant. But, at any rate, Mr. Jackson said that the Chattooga, because of a descent of topology and of rainfall, furnishes one of the best canoeing streams in the country, and because of its access to location is usable when other streams are not. They have a steeply tilted topology and therefore complement white water.

The Nantahala, the Keowee, the Toxaway, the Oconaloftee, the Coosawattee, the Whitewater, those are all gone. We still have the Chattooga. The Chattooga runs almost the entire year at levels that can be used for recreation. The western rivers, which we are all familiar with, do not because of a difference in watershed volume.

Also, in the Southwest we are in a subtropical climate. We use this river throughout the year. People come down, for instance, members of the Olympic team came down and used the Chattooga for their practice in getting ready for international competition. The

river doesn't freeze over any time during the year and can be used and has good volume.

From the standpoint of river safety, the recreational users have come down the river with inadequate gear and very little knowledge about the hazards on the river. I got involved as a concessionaire because of this. We worked in the movie "Deliverance" and started taking people down the river and found we had to charge for the service.

But we see each time we go down the river, for instance I saw one family, kamikaze raft, three children, a mother and father, Woodall Shoals, and they do go through that rapid. It is dangerous and there have been two fatalities in the past year. We have no problems with our personnel, but we set safety lines. Each time, by the time my trip has gone through there are people waiting to go through with Kamikaze rafts. They have no authority to prevent these people from going down in hoards. I stand with a rope and pull out these groups, usually three or four of them before I can get away to take over the rest of my trip. Inevitably two of them have drowned, one of them with his foot tied to the raft and went around in the hydraulic.

I would stress the Forest Service needs badly the legal operation to draft legislation which the Georgia Association have given them rules, but they don't have the right to do this. I am concerned about this so-called "Deliverance" syndrome and other people are concerned about it.

The Chattooga is one of those rivers which you can add to the Wild Rivers Act for a minimal amount of money. If you look at the Chattahoochee, 65 miles, so this is cheap. Administration also is low.

We have a wilderness experience here. I think you gentlemen saw it, two or three of you have been down it. You saw it perhaps in the flood. You did not perhaps get the full experience of a beaver or deer, the whole bit. So I would urge you to put the river into the Wild and Scenic Rivers bill.

On one point, the access areas, the Forest Service seems a little vague in their discussion. The access area for running below Woodall Shoals is now run by Georgia Power. They are letting this road go back. This is returning to a road where it cannot be used by anything except four-wheeled vehicles.

I also wonder, Representative, if Mr. Dodd—I don't know whether you people—I think Mr. Seiberling mentioned he had seen Dodd's trip, it is parallel with us, except you didn't have to have a "Deliverance" type rescue.

The section of the river below Burrell's Ford, which has been mentioned several times, I don't know how many people have actually gone down that section, but I would recommend some sort of severe limitations put on the use of that section of the river. Hiking is great. I ran it with the U.S. team and we found the turns are acute. There are waterfalls. We have asked Forest Service to clear that area out. But at any rate severe limitations need to be put on user rate. Expertise should be shown by anyone. There are a larger number of fatalities on that river.

I think that concludes my statement.

Mr. TAYLOR. You stated you have suggested rules?

Mr. TERRY. Yes, sir; the Forest Service has put up rules. They found some are wound up on the boundaries. I have an appendix with some of these recommendations attached to my statement and the Forest Administrator has these, too.

Mr. TAYLOR. Without objection, a copy of these recommendations will be made a part of the record following your statement.

What action does the Georgia Canoeing Association take to train new canoeists for their protection on the river?

Ms. TUCKER. They have two formal training sessions, one in the spring and one in the fall in which we offer training mostly to beginners, both in open boats and decked boats, and we get as much advertising as we can in the area. So far we have been filled to capacity, 125 to 150 people at spring and fall sessions the last few years.

Then during the year on our trips we try to offer informal training to anyone who cares to join the association and start on easy white water trips with us and progress as far as they want to in this challenge. So we do try to meet this training need as much as we can.

Mr. TAYLOR. Any other questions?

Mr. SKUBITZ. Mr. Chairman.

Mr. TAYLOR. The gentleman from Kansas.

Mr. SKUBITZ. When was the Georgia Canoeing Association organized?

Ms. TUCKER. 1967 with about a dozen people.

Mr. SKUBITZ. What is the total membership now?

Ms. TUCKER. There are about 400 family and individual members.

Mr. SKUBITZ. I want to commend the statements they have made and assure the chairman I will support this legislation.

Mr. SEIBERLING. Mr. Chairman, if the gentleman from Kansas had been with us he would have seen some spectacular canoeing by Dr. Terry and Ms. Tucker, including going over Bull Sluice, going under the water and flipping over. So I think they speak as professionals in the truest sense of the word.

Mr. SKUBITZ. Will the gentleman yield?

Mr. SEIBERLING. Yes.

Mr. SKUBITZ. I would very much like to go and observe and not participate.

Mr. SEIBERLING. Mr. Chairman, with your indulgence, and in memory of our colleague, John Saylor, I would like to quote a poem by Robert P. Tristram Coffin. It is about a pair of wild rivers up in New Hampshire, and it sort of epitomizes the wild river feeling. I will recite it. It is called Amonoosuc. It goes like this:

"There are two streams that bear the name,
One the wild and one the tame,

And on an afternoon we came to the wild Amonoosuc!

"We lay in stupor, sweating, prone,
Upon a ledge of sunwashed stone.

I would not rest for beauty shown beside the Amonoosuc.

"The small, pink flower on supple stalk,

The confidential watertalk, as you flowed down from Moosilauke,

O amber Amonoosuc!

"Where her crystal overran it,

I lay down in channeled granite, braced against the thrusting planet,
Bathed in Amonoosuc.

"And I, who had escaped from men,

From How and Why and Where and When, said,

"Take me, make me whole again, O gentle Ammonoosuc!"

"The open way has symbols three,

The fire, the stream, the growing tree, If I grow morbid, say to me,

'Remember Amonoosuc.'"

I have written that out for the benefit of our stenographer so she can put it in the proper form.

Thank you, Mr. Chairman, for your indulgence.

Ms. TUCKER. Mr. Chairman, I want to say I have been impressed by the quality of questions asked by the subcommittee. I think you fellows are doing a very competent job.

Mr. TAYLOR. Dr. Terry, I believe you were a stuntman substituting for Burt Reynolds in the movie.

Mr. TERRY. Jon Voight, yes sir.

I mentioned being a concessionaire. If the concessionaires are allowed after it becomes a wild and scenic river, I would like to see them pretty severely limited because of the number of persons that can be taken down the river today. I think it is one of the strongest threats. I think it one of the quality concessions, but it should be limited.

Mr. TAYLOR. By concessions you mean businesses that operate float trips down the river?

Mr. TERRY. Yes, sir. There are now three operating on the river. One from North Carolina and South Carolina and myself, from the Department of Georgia. I think the number of persons we can take per day, there should be a limit imposed on it. I think all of us are amenable to it, but we would be happy to work that out. But there should be limits put on it.

There is one of the limits to the esthetics and it is a necessary part. So there has to be a balance between commercial and club-type operations. With eight deaths this year it must be the highest fatality death rate of any river in the country.

You mentioned I was involved in "Deliverance," I have a feeling having this movie shot on this river, that may have produced this macho type of enthusiasm, and I would like to see restraints put on it.

[The statements of Dr. Terry and Ms. Tucker follow:]

STATEMENT BY CLAUDE TERRY, FOR THE GEORGIA CONSERVANCY

The Southern Highlands are old, well-watered mountains, with relatively gentle, heavily vegetated slopes. They lie in a region that is temperate to subtropical. The coincidence of 80 inches of rainfall per year and the terrain has produced some of the most beautiful rivers (and river names) in the world.

The Nantahala, Oconaluftee, Coosawattee, Whitewater, Keowee and Toxaway come to mind. I mention all of these names, and yet, really, all of these rivers are gone, buried in impoundments and silt for the future. Of the magnificent southern highland rivers, only a vestige remains. By far the best of these remaining rivers is the Chattooga, which has been called "the crown jewel of southern rivers". Entrapped in granite, the Chattooga engraved a torturous, foamy path down out of the mountains toward the Atlantic. Along its course are the best whitewater trails in the East.

There are consumptive uses of rivers: for power production, for building industries or homes, for diverting water for irrigation; these are all consumptive

uses which damage or destroy the stream itself. Also, these uses cannot continue forever, since dams silt up, etc. The Chattooga fortunately has not been used consumptively in the past. Canoeing, rafting, kayaking, and hiking and camping are not consumptive uses, and fishing and hunting are non-consumptive of the prime resource. These uses have prevailed in the past, and most recommendations seem to be that these uses be primary ones in the future.

The high rain fall ensures recreational use in the summer and fall when northeastern and western rivers are dry. The mild southern climate allows the area to be used the year around, when northern rivers are frozen over or too cold for use.

The Chattooga corridor is one of the few true wilderness river experiences left in this area. Wilderness is rare in the entire east, and yet most of the population demand is here. The great demand, coupled with vanishing resources, will soon create and in fact are now creating pressures which threaten these wilderness values. Second home developments swarm toward Whitesides Mountain at the headwaters, endangering the clarity and purity of the water itself. Recreational users crowd to the available access sites and leave site damage and litter. This is due to inadequate management. The inadequate management is due to the total lack of funds for river management purposes. The Area Forest Service personnel is competent and cares about the resource, but they need funds and a legal basis to permit their management.

The recreational users often go down the river in high water with inadequate gear and with little knowledge of the hazards ahead. The consequences are often tragic and predictable. A series of deaths this year point to the need for control which the Forest Service cannot now legally exert. I am a member of the American Canoe Association Safety Committee, and I have been repeatedly contacted about means to prevent the "Deliverance syndrome" from claiming more lives.

To bring the Chattooga under the Wild and Scenic Rivers Act protection will not be expensive. The Forest Service has estimated that two million dollars will be needed to acquire the inholdings of about 5% of the corridor. The Service already administers 95% of the area. Administration costs and improvements would drop to about \$150,000 by the fifth year.

We have a wilderness experience here; ospreys sit and watch for fish atop Raven Rock, a 400 foot cliff. Beaver slap their tails when you round a bend, trout feed in eddies in the current, and deer swim the shoals ahead of your canoe. All of the elements of the wilderness experience are here. But only here, only on this river out of the total highlands rivers. The impending alterations are also clear and the choice cannot be long delayed. We ask you to implement the Chattooga as a wild river, with all possible haste.

Appendix A

We wish to make recommendations as to changes or additions to those proposed by the Forest Service. In particular, we wish to suggest some actions which are needed immediately to prevent serious resource damage:

- a. The Forest Service should *immediately* institute and enforce safety regulations. These could be drawn up with the cooperation of the ACA and the AWA.
- b. The Earl's Ford area should be closed immediately, with camping, etc. provided several hundred yards back from the river. The road should be reduced to an improved path to the river.
- c. The U.S. 76 bridge area parallel road should be closed, and all but a stringently limited amount of primitive camping moved to a site back from the river. No extensive recreational development should be done at this site.
- d. The Woodall Shoals road should be closed immediately, with an improved path leading in for limited primitive camping.
- e. Jeep and motorcycle roads should be closed immediately well back from the corridor, and maintained as foot trails.
- f. Most important of all, all possible steps should be taken to urge North Carolina to do a land use plan for the Chattooga watershed, and particular concern should be given to erosion-siltation and to changes in runoff patterns.

LONG RANGE RECOMMENDATIONS

- a. The corridor should be wider than the minimum one-fourth mile, particularly at scenic or vulnerable sites. The land is already federally owned, so it does not entail any additional expense.

b. The tributary streams should be extended the same corridor protection where they lie on Forest Service land.

c. The West fork watershed above Three Forks is a significant natural area, and should be managed as a wild area and for watershed protection.

d. Trails *beside* the river should be avoided, with any parallel trails back on the ridges, or even better would be to have day use trails approach the river along the old roads.

e. The section from Russell bridge to Tugalo Lake is extensively used. Use should be permitted to develop only within bounds which prevent resource damage.

f. If commercial rafting is permitted, it should be strictly regulated as to number of persons per day rafting, and as to safety precautions.

g. Tugalo Lake should be managed in cooperation with Georgia Power Company since much of the currently hazardous traffic on the lake road is boaters of a type not originally planned for by Georgia Power. The road access at Tugalo definitely needs improvement, as it is currently hazardous and impassable with a small rain. The lake should be managed as a trolling motor (electric) and hand powered craft-only lake.

STATEMENT OF MARGARET TUCKER, PRESIDENT, GEORGIA CANOEING
ASSOCIATION

The Georgia Canoeing Association wholeheartedly supports H.R. 9492 to include the Chattooga River in North Carolina, South Carolina, and Georgia in the National Wild and Scenic River System. We agree with the Forest Service study that the river meets the criteria of the Act and should be preserved for the enjoyment of the public.

The river is unique to our area. It is the wildest river remaining which is suitable for whitewater sports year-round. It is the only river which offers the advanced paddler a challenge which changes with every fluctuation in water level. It is the only place where we can still see the osprey, fish in its claws, rise from the water to the top of a 400 foot cliff.

We hope to see the Chattooga saved from development, whether in the corridor, or in the headwaters and tributary streams which reach out in a net to lands outside the wild and scenic river boundary. Currently there are intense pressures for second-home development in the Southern Appalachian Mountains. If the watershed of the Chattooga is not protected, then many of the values for which the wild and scenic river is cherished will vanish even though the stream bed and banks are preserved.

For these reasons, we believe this bill should encourage the Forest Service to place a very high priority on acquiring inholdings in the Chattooga River watershed within the proclamation boundaries, particularly along major tributary streams.

We are concerned, not only with the acquisition of the river corridor, which must remain the #1 priority, but also with the need for adequate funds for management. In the past few years we have seen the Forest Service strapped to maintain its existing facilities. We have seen some lovely and popular river access and camping areas gated and chained for lack of management funds. This must not happen on the Chattooga.

The Chattooga has in the last few years become one of the most eagerly sought out areas in the entire Southeast for canoeing, rafting, and tubing. Much of the interest can be attributed to the "Deliverance syndrome," that usually destructive man-versus-nature myth which leads many people to their first encounter with the outdoors, and has led many to their deaths on the Chattooga.

Whatever their motives, people from all over the Southeast are discovering this wild river. Most of those who encounter it come away a little wiser, about nature and about themselves. They should continue to have their chance to explore the river and themselves.

They can continue to have this experience without damaging the river if adequate manpower, effort, and money are at hand for management. It is not necessary to "lock up" the river to preserve it. It is possible also to enjoy it if management is done according to protective principles.

1. Encourage non-consumptive use.

Canoeing, rafting, tubing, etc. do not use up the resource and do not leave many traces on the corridor as long as access points are carefully designed

and managed and overnight stops are not necessary. Therefore, currently popular day-use access at highway 28, Earls Ford, highway 76, Woodall Shoals, and Tugaloo Lake should be retained. Ease of day use will reduce the impact of river campsites with their increased, fire, litter, and sanitary problems.

All access, picnicking, parking, sanitary facilities should be removed from the river bank far enough for a buffer of trees to screen them from view. Trails only should lead to the water. Major facilities such as campgrounds should be further removed.

A potential access problem exists at the end of the river corridor at Tugaloo Lake. Currently access is possible at only two points on the reservoir—one in South Carolina several miles down the lake from the river and the other in Georgia at the Georgia Power Company dam. At present much of the use of the South Carolina access site is by people who have come to the area solely for the experience of the wild river. It is not in keeping with this experience for them to be required to cross a substantial portion of a reservoir in order to have access or egress from the wild river. Nor is it reasonable to expect the Power Company alone to provide facilities for a recreation public attracted by a resource entirely different in character from the reservoir. Arrangements should be made between the Forest Service and the Georgia Power Company to share the responsibilities for maintaining this currently used river egress point or to provide another at the end of the river corridor, possibly by acquiring a small portion of the upper arm of the reservoir and adding it to the river proposal in the recreational classification.

2. Do not weaken the experiences offered by the character of the resource itself.

The river is divided by its own character into segments suited for various purposes, family canoeing, whitewater rafting, kayaking, bank fishing, float fishing, nature walks, and rough hiking. No provisions should be made to make it easier. No launching ramps should be built, nor are they necessary for hand craft. No rapids should be altered nor artificial portages built.

Mr. TAYLOR. Thank you very much. I have a statement from Daniel A. Poole, President of the Wildlife Management Institute. It will be included in the record at this place along with a letter from Bert A. Winterbottom of the Greenville County Planning Commission and a letter from H. M. Klausman, CPA, Atlanta, Ga.

[The statement and letters follow:]

STATEMENT OF DANIEL A. POOLE, PRESIDENT, WILDLIFE MANAGEMENT
INSTITUTE

Mr. Chairman, I am Daniel A. Poole, president of the Wildlife Management Institute, one of the older private national conservation organizations. The Institute has promoted wise use of this continent's renewable natural resources since our founding in 1911.

It is a pleasure for us to support H.R. 9492 to add the Chattooga River to the National Wild and Scenic Rivers Systems. The Institute strongly supported original legislation to establish this system and we are gratified to see this proposal to include the Chattooga in it because this wild river is undoubtedly the best representative of Southern Appalachian mountain streams. More than any other river in this great physiographic province, the Chattooga has retained its natural qualities, and, for most of its reach, has not been degraded by the works of man.

Those who have had the opportunity, as Congressman Taylor has, to raft or canoe the Chattooga, know that this is an exciting experience in a beautiful setting. It can also be dangerous. The Georgia Board of Natural Resources has reported at least eight drownings on the river during the past year, a sharp upswing brought about by the great increase in recreational use of the river since its inclusion in the study category of Wild and Scenic Rivers Act.

The Institute believes H.R. 9492 contains sufficient language authorizing the Forest Service to proceed with a plan of management which will continue to preserve the natural and scenic values of the Chattooga yet permit public use and enjoyment in comparative safety. Some stretches of the Chattooga, particularly some of the upper reaches, are suitable for beginning canoeists, while its lowermost reaches, above Tugaloo Reservoir, are challenges to the most experienced whitewater fan. All of its riffles and rapids have been catalogued

and classified, using the American Canoeing Society's system, and the character of the river is well understood by local Forest Service personnel charged with its administration.

The parent Wild and Scenic Rivers Act retains the states prerogatives and precedents in regard to management of the fish and wildlife resources of the river corridor. Because of the long-standing record of cooperative fish and wildlife management between the state game and fish agencies and the Forest Service, the Institute is confident that appropriate management programs for these resources can be developed during the forthcoming year. We believe the elements of the program for fish and wildlife management should be included as part of the Forest Service's detailed plans of development and published in the Federal Register as required by this proposal.

The Institute believes the Chattooga should receive the benefits of Forest Service management under this proposal as soon as possible. Notoriety received in the film, "Deliverance," has so increased the recreational use of the Chattooga that its wild and primitive qualities presently are being degraded by uncontrolled use.

Thank you for the opportunity to present this statement.

GREENVILLE COUNTY PLANNING COMMISSION,
Greenville, S.C., October 15, 1973.

HOUSE INTERIOR COMMITTEE,
Subcommittee on National Parks and Recreation,
House of Representatives,
Washington, D.C.

GENTLEMEN: This letter is in support of House Bill #9492 calling for the addition of the Chattooga River to the National Wild and Scenic Rivers System. As a professional planner I know full well the future demand for wilderness areas in rapidly urbanizing regions. As an outdoorsman and white water canoeist I know the Chattooga River well and personally feel very strongly that its wild and beautiful character must be preserved by its addition to the National Wild and Scenic Rivers System. I strongly urge affirmative action by your committee and by the House on this urgent matter.

Please make this letter a part of the official hearing record.

Sincerely,

BERT A. WINTERBOTTOM.

ATLANTA, GA., November 3, 1973.

HON. ROY A. TAYLOR,
Subcommittee on National Parks and Recreation,
House of Representatives, Washington, D.C.

DEAR REPRESENTATIVE TAYLOR: I am writing to encourage your efforts to have the Chattooga River protected by the National Wild and Scenic Rivers Act. During the past two years I have made frequent canoe and raft trips down the last three sections of this beautiful river. After canoeing most white water rivers in the southeast, both I and most active canoeists I know have concluded that the Chattooga is the most beautiful and challenging white water river east of the Mississippi.

Enclosed for your information is part of the material I have collected on the river, as follows:

1. Copy of article on the Chattooga in *Mountain Living* magazine by Ervin Jackson, Jr. This is most complete and accurate description of the river I have seen.

2. Copy of canoe trip map I prepared from my trips on the river.

The Chattooga is a scenic delight and a canoeing paradise for all levels of experience, but especially for the advanced canoeist. The great popularity of the river is causing two problems which adoption of HR 9492 could help alleviate.

1. Destruction of plant life and ecology along the river and banks due to large crowds visiting the river in summer need constant supervision and clean up effort to preserve beauty and ecology. We constantly have to remind people to take trash with them and we are amazed at how thoughtless people are.

2. Unnecessary loss of life caused by (A) ignorance of power of rapids and (B) failure to use life preservers. We have literally begged inexperienced peo-

ple in inner tubes or without preservers or helmets to avoid dangerous sections but still they go on. The most dangerous areas in my experience are:

(A) Bull Sluice in Section 3—Always have to stand at bottom of falls to rescue luckless floaters.

(B) The Narrows in Section 3—Last year we rescued two teenagers who had lost their canoe there. It went under and never came up. The other canoeists in their party left them there alone.

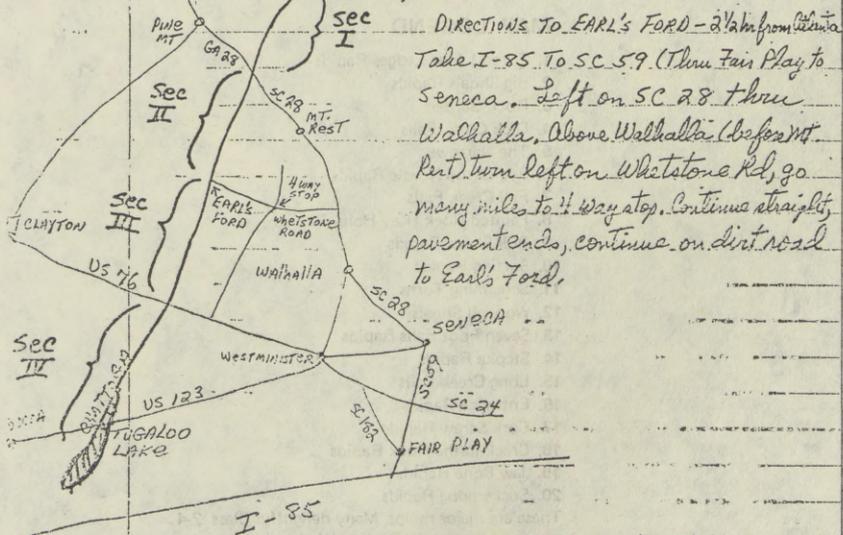
(C) Woodall Shoals in Section 4—The hydraulic looks innocent, but catches and drowns more than one unwary person every year.

Please do all you can to protect our beautiful Chattooga. My family and future generations of Americans will thank you.

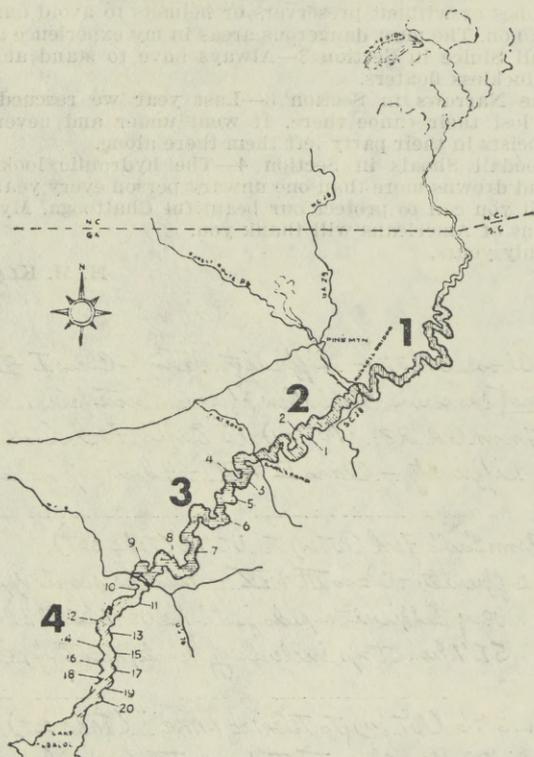
Very truly yours,

H. M. KLAUSMAN, CPA.

- SECTION I Above GA 28 - Difficulty Rating - Class I-II but generally not canoeable - too shallow & frequent waterfalls.
- SECTION II From GA 28 - (PUT IN) To Earls Ford (TAKE OUT)
Difficulty - Class II & III - 4 hour trip, including lunch stop.
- SECTION III From Earls Ford (PUT IN) To US 76 (Take out)
Difficulty - Class III & IV - must be scouted, possible portage very difficult rapids just before US 76 (called Bull Sluice) many falls
5 to 7 hour trip including lunch, scouting, etc.
- SECTION IV U.S 76 (PUT IN) To TUGALOO LAKE (TAKE OUT) 5 to 7 hours
Difficulty - Class III, IV & some VI (very dangerous)
must have covered canoes or kayacks - 2 mile paddle on lake to take out (45 minutes in rafts)



I-85
CHATTOOGA RIVER CANOE MAP



MAP LEGEND

1. Three 1 foot Ledges Rapids
2. Big Shoals Rapids
3. Rock Garden
4. Dick Creek Falls
5. The Narrows
6. Eye-of-the-Needle Rapids
7. Fall Creek Falls
8. Painted Rock (Key Hole) Rapids
9. Bull Sluice Rapids
10. Surfing Rapids
11. Screaming Turns
12. Woodall Shoals
13. Seven Foot Falls Rapids
14. Steoka Rapids
15. Long Creek Falls
16. Entrance Rapids
17. Cork Screw Rapids
18. Crack-in-the-Rock Rapids
19. Jaw Bone Rapids
20. Sockemdog Rapids

These are major rapids. Many delightful Class 2-4 rapids on Section II, Section III too numerous to indicate.

THE CHATTOOGA—BY LAND—BY WATER

(By Ervin Jackson, Jr.)

The Chattooga River offers more for family outdoor recreation and wild water sport than any river in Western North Carolina, Georgia, or South Carolina. Thanks to fortress mountains and impenetrable barriers of rhododendron and laurel, much of the river is still unspoiled and primitive.

Whiteside Mountain, near Cashiers, North Carolina overlooks two small, but spectacular waterfalls—the over-flow of Silver Slip and Cashiers lakes. Here the Chattooga river begins, nourished along the way with other springs and tributaries. Traveling through South Carolina, the Chattooga ends its fifty-odd mile journey in Georgia at Lake Tugaloo.

Many parts of the river can only be explored from the river itself. Its inaccessibility makes the river attractive to nature enthusiasts, backpackers, and white water seekers. Indeed, the Chattooga offers an attraction for everyone, but you need to know the river, its access points, its hidden dangers.

This area, approximately 15 miles, includes the headwaters and provides some of the most dramatic scenery. Here the Chattooga Cliffs rise 400 to 600 feet above the river, continuing for two and one-half miles. Little use is made of this scenic section, except for hiking, exploring, and nature study. Dense vegetation and sheer rock outcrops makes access difficult, and the river does not flow evenly to accommodate floating craft.

If you decide to hike in and explore, be certain to "file a flight plan" with a friend, letting him know where you are going. Carry a map and compass, for the local rescue squad is weary of searching for lost hikers who ventured in unprepared.

Look for wild life. There is evidence of deer, beaver, and raccoon, for tracks are easily spotted. Some mink roam this area, as well as wildcats, grouse, red fox, red squirrel, coons and wild hogs.

Do not be alarmed if you see snakes. Reasonable alertness will prevent close encounters, as most snakes, rattlers in particular, make every effort to avoid humans unless surprised or attacked.

Beginning at Burrells Ford road, the river continues to be impractical for the canoeist, and even the hiker who must wade pools 10-20 feet deep. Toward the end of Section I, about two and one-half miles above Highway 28, the river opens into fields and farms, begins to flow quietly. Access is easy and floating down to the bridge at Highway 28 is popular.

A great family outing is to take the 2.5 mile hike from the Walhalla Fish Hatchery to the river. The trail is easy, scenic, and affords an excellent view of the river. Round trip travel time is less than two hours, three if you want to stop on the way or enjoy a picnic. Take Highway 107 from Walhalla to Cashiers, mid-way is the fish hatchery with the Highway 107 turn off well marked.

Many backpackers enter at Burrells Ford since established trails are evident. For the naturalist, the greatest delight is the plant and tree life. More varieties of trees thrive in the Chattooga sylvan than in all of Europe. Wide difference in elevation, from 4800 feet at Whiteside Mountain to 891 feet above sea level at Lake Tugaloo, creates the environment for many kinds of plant communities.

Look up, easily spotted are the majestic eastern white pine and hemlock. In the hardwood forest are yellow buckeye, white ash, sugar maple, red oak. If you look even closer, you can find black cherry, basswood, cucumber trees, ash and gum.

The annual 100-inch rainfall produces lush foliage in which dogwood, flowering mountain laurel, sourwood, and rhododendron abound. These plants are most typically identified with the Chattooga River area.

Depending on the season, Section I is a splendid area to photograph wild flowers, countless varieties of fern, ground pine, trillium and violets.

This is the most popular section on the river and the slowest flowing. Shallow and easy, this is ideal for the beginning canoeist, the family rafter, or those who enjoy floating in inner tubes. Access can be made at Highway 28 bridge or any one of several points along this seven mile section which concludes at Earles Ford.

Near Highway 28 bridge, the United States Forest Service maintains a station providing useful information about the river, maps and daily water level measurement.

Along the banks of Section II, there are many sites for family camping. Logging roads make it relatively easy to reach the camping areas long the river bank. Week-ends are popular, and you should "strike your claim" early.

Because of the easy access, trout fishing is popular. Over 50,000 brown and rainbow trout are given freedom annually to the white water and quiet deep pools of the Chattooga. This game fish thrives well in the secluded environment with the well aerated water flow.

Be certain to check with the Forest or State Game Service officials as to proper licensing. Depending on where you fish in the river, you may require a North Carolina, South Carolina, or Georgia license.

Recommended is a float trip for the family in inner tubes in Section II. For tubing, figure on 2½ hours for the trip from Highway 28 bridge to Earles Ford pick-up point.

Extending from Earles Ford Road to Highway 76 bridge, this section provides the most beautiful white water in the southeast, unexcelled in scenery and variety of rapids.

In Section III, you pass through Rock Gardens, a series of spectacular rock formations where scenes in *Deliverance* were filmed. Geologic weathering left large slabs of rock sticking up 25 feet out of the river at sharp angles. Dick Creek is another scenic surprise, seen only from the river. This is a sluice-type falls, dropping 50 feet over a steep ledge into the river.

The rafter with moderate experience can easily transport this section, but the open-deck canoeist should be experienced with extra flotation added to the canoe. The slalom canoeist will have no difficulty, but the foldboater should stay away. Due to the eventuality of accident or upset, single craft should not travel alone. Good sense dictates that a minimum of three craft travel together.

Those interested in seeing the river from the river and who are inexperienced in white water should consider one of the day-long rubber raft trips operated commercially from Long Creek, South Carolina. The guides on these trips are well trained and you can travel in complete safety.

Bull Sluice is a dramatic rapid, not only because of its 14-foot drop, but the 4-foot drop, followed by two 5-foot drops in rapid succession.

Demanding precision and personal fortitude are required to be successful on this rapid. Most elect to portage. You can walk up to Bull Sluice and watch the boats tumble down. Drive to Highway 76 bridge, park your car, walk up the river about 8 minutes to Bull Sluice. This is a sight well-worth your time.

Canoe experts rate this section from Highway 76 bridge to Tugaloo Lake as one of the most thrilling stretches of white water in America. This wild section should only be attempted by experienced white water experts. The foolhardy and the inner tube floaters often try Section IV, but the accident rate should be a warning to all.

Woodall Shoals, where much of *Deliverance* was filmed, is visually exciting and innocently dangerous. The hydraulic under the falls has locked in many a victim. If you wish to see canoeists, rafters spill over Woodall Shoals, a mountain back-road takes you to this spot. Any service station near Long Creek, South Carolina can direct you. The fifteen minute drive from Long Creek to Woodall Shoals should be made only in fair weather.

On water, do not enter the run from Woodall Shoals to Tugaloo Lake unless you are experienced and prepared to go all the way. Steep canyons and lack of access roads prevents rescue, other than by water. Not only life jackets should be worn, but crash helmets too. The ultimate in scenery and turbulent white water is provided on this run.

Raven Cliff, 60 foot Long Creek Falls, and other scenic attractions can only be viewed from the river.

Among the rapids you encounter is a terrifying 7-foot drop where you and the water are caught up in a storming twister of current, funneled into a narrow flue and dropped 7 feet in a rushing pool that is bubbling like a volcano.

From Raven Cliff to the backwaters of Lake Tugaloo, one can experience the wildest series of rapids on the Chattooga. In Five Falls rapids with no quiet

pools in between to catch your breath, you pass through a rock canyon, dropping some 147 feet during the run of less than a mile.

First is Entrance Rapids, followed by Cork Screw, then Crack-in-the-rock (entire river volume flows through three cracks, widest being 5 feet), Jaw Bone, and finally Sockemdog.

So you see, the Chattooga has something for everybody, including those who seek adventure.

This ends the list of witnesses, and we thank each of you.

The subcommittee has adjourned.

[Whereupon, at 12:25 p.m., the subcommittee adjourned, subject to call of the Chair.]

WILD AND SCENIC RIVERS ACT AMENDMENTS—PART II

TUESDAY, OCTOBER 30, 1973

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON NATIONAL PARKS AND RECREATION
OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:05 a.m. in room 1324, Longworth House Office Building, Hon. Ray A. Taylor (chairman of the subcommittee) presiding.

Mr. TAYLOR. The subcommittee on National Parks and Recreation will come to order.

The business to come before the subcommittee today involves various proposals dealing with specific rivers. This is, in effect, a continuation of the hearings which we held on June 11 and 12. At that time, the members will recall, we heard testimony in regard to adding certain segments of certain rivers, eight in this case, to the Wild and Scenic Rivers Act for study.

Today we will hear witnesses on several proposals that were introduced about the time that those hearings were held or after they were held. This hearing is designed to determine which river proposals are controversial. To that extent, this is a preliminary hearing. Undoubtedly, some will require further study.

Most of the measures before us would add certain rivers to the study section of the act, but two bills provide for the immediate inclusion of certain rivers into the system.

I noticed the Department of Interior strongly objects to this and recommends that they go through the study procedure first. Since they have not been studied under the provisions of the act, it seems logical that they should first be considered in this context.

At this point, unless there is an objection, the following bills will be included in the record:

H.R. 8501, Clark's Fork, Wyo.; H.R. 8502, Green, Wyo.; H.R. 8577, Sweetwater, Wyo., and H.R. 8578, Snake, Wyo., by Representative Roncalio;

H.R. 8549, Kettle, Minn., by Representative Blatnik;

H.R. 8609, Smith, San Joaquin, Klamath, Trinity, and Eel Calif., by Representative Waldie;

H.R. 8643, Sipsey Fork, Ala., by Representatives Jones of Alabama, and Bevill;

H.R. 8735, Gila, San Francisco, and Chama, New Mexico, by Representatives Runnels and Lujan;

H.R. 10771, Nolichuckey, Tenn., and North Carolina, by Representative Quillen;

H.R. 11120, New, North Carolina, Virginia, and West Virginia, by Representative Mizell; and

H.R. 11148, Delaware, Pennsylvania, and New Jersey, by Representative McDade.

Hearing no objection, these bills plus the report dated Oct. 29, 1973, the Department of Agriculture report dated Nov. 7, 1973, and the report of the Federal Power Commission will all be made a part of the record at this point.

[Bills and reports referred to follow:]

[H.R. 8501, 93d Cong., 1st sess.]

A BILL To amend the Wild and Scenic Rivers Act of 1968 by designating a portion of the Clark's Fork River, Wyoming, for potential addition to the National Wild and Scenic Rivers System, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 5 of the Wild and Scenic Rivers Act (16 U.S.C. 1276) is amended by adding at the end thereof the following: "Clark's Fork, Wyoming: The segment from the Clark's Fork Canyon to the Crandall Creek Bridge."

That the study shall be completed and reports made thereon to the President and the Congress, as provided in section 1275 of title 16, United States Code, within two years from the enactment date of this amendment.

That there is hereby authorized to be appropriated not more than \$50,000 for the above said study.

[H.R. 8502, 93d Cong., 1st sess.]

A BILL To amend the Wild and Scenic Rivers Act of 1968 by designating a portion of the Green River, Wyoming, and its tributaries, for potential addition to the National Wild and Scenic Rivers System, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 5 of the Wild and Scenic Rivers Act (16 U.S.C. 1276) is amended by adding at the end thereof the following:

"Green, Wyoming: The segment from its source in the Bridger National Forest downstream to the Fontenelle Reservoir, and its tributaries."

That the study shall be completed and reports made thereon to the President and the Congress, as provided in section 1275 of title 16, United States Code, within two years from the enactment date of this amendment.

That there is hereby authorized to be appropriated not more than \$50,000 for the above said study.

[H.R. 8577, 93d Cong., 1st sess.]

A BILL To amend the Wild and Scenic Rivers Act of 1968 by designating a section of the Sweetwater River in the State of Wyoming for potential addition to the National Wild and Scenic Rivers System

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 5 of the Wild and Scenic Rivers Act (16 U.S.C. 1276) is amended by adding at the end thereof the following:

"Sweetwater, Wyoming: The segment between Wilson Bar downstream to Spring Creek."

[H.R. 8578, 93d Cong., 1st sess.]

A BILL To amend the Wild and Scenic Rivers Act of 1968 by designating a section of the Snake River in the State of Wyoming for potential addition to the National Wild and Scenic Rivers System, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 5 of

the Wild and Scenic Rivers Act (16 U.S.C. 1276) is amended by adding at the end thereof the following:

"Snake, Wyoming: Beginning at the southern boundaries of Teton National Park to the entrance to Palisades Reservoir."

That the study shall be completed and reports made thereon to the President and the Congress, as provided in section 1275 of title 16, United States Code, within two years from the enactment date of this amendment.

[H.R. 8549, 93d Cong., 1st sess.]

A BILL To Designate the Kettle River, in the State of Minnesota, as a component of the National Wild and Scenic Rivers System

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274) is amended by adding at the end thereof the following:

"(9) KETTLE RIVER, MINNESOTA.—The entire segment within the State of Minnesota; to be administered by the Secretary of the Interior."

SEC. 2. The provisions of section 3(b) of the Wild and Scenic Rivers Act shall be applicable to Kettle River designated a component of the national wild and scenic rivers system by the amendment made by the first section of this Act and the actions required in such section 3(b) shall be taken within one year following the date of the enactment of this Act.

[H.R. 8609, 93d Cong., 1st sess.]

A BILL To amend the National Wild and Scenic Rivers Act of 1968 (Public Law 90-542), to include the Smith River, the Middle Fork and North Fork of the San Joaquin River, the Eel Klamath, and Trinity Rivers as components of the National Wild and Scenic Rivers System

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(a) of the National Wild and Scenic Rivers Act of 1968 is amended to include:

"(1) The Smith River, California, in its entirety, to be administered by the Secretary of the Interior.

"(2) The Middle Fork and North Fork of the San Joaquin River, California, from their origins to Mammoth Pool Reservoir, to be administered by the Secretary of Agriculture.

"(3) KLAMATH RIVER, CALIFORNIA.—The main stem from one hundred yards below Iron Gate Dam to the Pacific Ocean; the Scott River from the mouth of Mill Creek west of Fort Jones to the river mouth near Hamburg; the Salmon River from Cecilville Bridge to the river mouth near Somesbar; the North Fork of the Salmon River from the intersection of the river with the south boundary of the Marble Mountain Wilderness Area to the river mouth; to be administered by the Secretary of Agriculture.

"(4) TRINITY RIVER, CALIFORNIA.—The main stem from one hundred yards below Lewiston Dam to the river mouth at Weitchpec; the North Fork of the Trinity from the intersection of the river with the southern boundary of the Salmon-Trinity Primitive Area downstream to the river mouth at Helena; New River from the intersection of the river with the southern boundary of the Salmon-Trinity Primitive Area downstream to the river mouth near Burnt Ranch; South Fork of the Trinity from the junction of the river with Highway 36 to the river mouth near Salyer; to be administered by the Secretary of Agriculture.

"(5) EEL RIVER, CALIFORNIA.—Main stem from one hundred yards below Van Arsdale Dam to the Pacific Ocean; the South Fork of the Eel from the mouth of Section Four Creek near Branscomb to the river mouth below Weott; Middle Fork of the Eel from the intersection of the river with the southern boundary of the Middle Eel-Yolla Bolly Wilderness Area to the river mouth at Dos Rios; North Fork of the Eel from the Old Gilman Ranch downstream to the river mouth near Ramsey; Van Duzen River from Dinsmores Bridge downstream to the river mouth near Fortuna; to be administered by the Department of the Interior."

[H.R. 8643, 93d Cong., 1st sess.]

A BILL To amend the Wild and Scenic Rivers Act by designating the West Fork of the Sipsey Fork in the State of Alabama for potential addition to the National Wild and Scenic Rivers System

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 5 of the Wild and Scenic Rivers Act (16 U.S.C. 1276) is amended by adding at the end thereof the following:

"(28) West Fork of the Sipsey Fork, Alabama: the segment from the impoundment in Winston County formed by the Lewis M. Smith Dam upstream to the point of origin in the William B. Bankhead National Forest in Lawrence County; and the tributaries to the segment.

[H.R. 8735, 93d Cong., 1st sess.]

A BILL To amend the Wild and Scenic Rivers Act by designating portions of the Chama River, New Mexico, the Gila River, New Mexico, and the San Francisco River, New Mexico, for study as potential additions to the National Wild and Scenic Rivers System

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 5 of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)) is amended by adding at the end thereof the following:

"(28) Gila River, New Mexico: The segment upstream from the Arizona-New Mexico boundary line to the river's source and including its principal tributaries.

"(29) San Francisco River, New Mexico: The segment located within New Mexico.

"(30) Chama River, New Mexico: The Segment downstream from the New Mexico-Colorado boundary line to the confluence with the Rio Grande River and excluding the reservoirs created by the El Vado and Abiquiu Dams."

[H.R. 10771, 93d Cong., 1st sess.]

A BILL To amend the Wild and Scenic Rivers Act by designating the Nolichucky River in Tennessee and North Carolina for study as a potential addition to the National Wild and scenic Rivers System

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)) is amended by adding at the end thereof the following new paragraph:

"(28) Nolichucky River, Tennessee and North Carolina: The entire main stem."

[H.R. 11120, 93d Cong., 1st sess.]

A BILL To amend the Wild and Scenic Rivers Act of 1968 by designating a segment of the New River as a potential component of the National Wild and Scenic Rivers System

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 5 of the Wild and Scenic Rivers Act (16 U.S.C. 1276(A)) is amended by adding at the end thereof the following:

"(28) New, North Carolina and Virginia: From the headwaters of the North Fork of the New at latitude 36 degrees 22 minutes north, longitude 81 degrees 41 minutes west near Tamatuck, Watauga County, North Carolina, and the headwaters of the South Fork of the New at latitude 36 degrees 12 minutes north, longitude 81 degrees 41 minutes west near Boone, Watauga County, North Carolina, through the counties of Ashe and Alleghany of North Carolina and into Grayson County, Virginia, to a point on the main New River near Galax, Virginia, at latitude 36 degrees 40 minutes north, longitude 80 degrees 58 minutes west."

SEC. 2. The provisions of section 7 of the Wild and Scenic Rivers Act shall be applicable to that segment of the New River designated in section 1 of this Act, except that the time period of such provisions shall be deemed to relate to the date of enactment of this Act insofar as such provisions are applicable to the designated segment.

[H.R. 1114S, 93d Cong., 1st sess.]

A BILL To designate a segment of the Delaware River flowing between the State of New York and the State of Pennsylvania as a component of the National Wild and Scenic Rivers System, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subparagraph (6) of section 5(a) of the Act of October 2, 1968, is amended by striking out "Pennsylvania," and inserting "Pennsylvania: *Provided*, That in addition to the provisions of section 6(c) of this Act, and at such time as this segment is designated pursuant to this Act as a component of the National Wild and Scenic Rivers System, the Secretary shall not acquire lands by condemnation, for the purpose of including such lands within the detailed boundaries of such river, if such lands are located within any township or county which has in force and applicable to such lands a duly adopted, valid zoning ordinance that conforms with the purposes of this Act: *Provide further*, That concurrent with the establishment of the detailed boundaries for this segment of the river, the Secretary shall issue the guidelines pursuant to section 6(c).".

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., October 29, 1973.

Hon. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on H.R. 8501, H.R. 8502, H.R. 8549, H.R. 8577, H.R. 8578, H.R. 8609, H.R. 8643, H.R. 8735, and H.R. 10771, nine bills to amend the Wild and Scenic Rivers Act by designating certain rivers for addition to or potential addition to the national wild and scenic rivers system.

We recommend enactment of H.R. 8502 (Green River, Wyoming), H.R. 8577 (Sweetwater, Wyoming), and H.R. 8578 (Snake River, Wyoming), if amended as suggested in this report.

We recommend deferral of action by Congress on the remaining 6 bills, for the reasons outlined below. Specifically, we recommended deferral of action on; H.R. 8501 (Clark's Fork, Wyoming), H.R. 8549 (Kettle River, Minnesota), H.R. 8609 (Smith, San Joaquin, Klamath, Trinity and Eel Rivers, California), H.R. 8643 (Sipsey Fork, Alabama), H.R. 8735 (Chama, Gila, San Francisco Rivers, New Mexico), and H.R. 10771 (Nolichucky River, Tennessee and North Carolina).

As you may know, an interagency committee, consisting of members from this Department and the Department of Agriculture, is in the process of setting study priorities among rivers which we believe could be studied for addition to the wild and scenic rivers system. We believe that it is necessary to establish such priorities because studies to determine if rivers should be added to the system are relatively costly and manpower is limited for conducting such studies. We expect to be able to report early in the second session of this Congress on the rivers which we believe should have priority in being added to the section 5(a) study list of the Wild and Scenic Rivers Act.

We already have sufficient information on three of the rivers discussed in this report to recommend their inclusion as section 5(a) study rivers. We recommend deferral of action on the remainder until our study of priorities has been completed.

We would note that we would not recommend in any event the approach taken by H.R. 8549 (Kettle River) and H.R. 8609 (Smith, San Joaquin, Klamath, Trinity and Eel Rivers) of adding rivers directly to the system as "instant" components, without preliminary study of their suitability.

The Department believes that it is not consistent with the purpose of the Wild and Scenic Rivers Act to add new components directly to section 3 of the Act, creating "instant rivers." The Act states explicitly, in section 1(c), that one of its purposes is to prescribe the methods by which additional components may be added to the system from time to time. It then provides such procedures in sections 4 and 5. As the Senate Report, No. 491, 90th Congress, 1st session, on S. 119 stated:

"(T)he committee is cognizant that there are many other rivers throughout the United States which may qualify for the system. The bill establishes procedures by which these may be added." At page 6.

We have the following specific comments on the three bills with respect to which we are recommending enactment:

1. H.R. 8502 would add to section 5(a) the segment of the Green River, Wyoming, from its source in the Bridger National Forest downstream to the Fontenelle Reservoir, and its tributaries.

Leadership of the study of this section of the Green River would be by this Department, and the study would be carried out in cooperation with the Department of Agriculture. The river has already been administratively designated under section 5(d) of the Wild and Scenic Rivers Act as a river whose potential as a wild and scenic river area must be evaluated in planning reports by all Federal agencies.

The Bureau of Reclamation has recently begun a 3-year feasibility study of the Sublette Project, involving the Green River. The study under section 5(a) would be coordinated with the Bureau of Reclamation study so that both studies would take into account recreational values and both would be completed at approximately the same time.

We recommend two amendments to H.R. 8502. First, we recommend deletion of the specific time limit for the study. As already stated, the study would be completed at approximately the same time as the Sublette Project study. Limiting the study period to 2 years would require rescheduling other studies of equal or greater priority. Second, we recommend deleting the appropriation authorization of not to exceed \$50,000. Based on our experience to date, we find that this figure is inadequate to complete the detailed study report required by the Wild and Scenic Rivers Act. Study costs vary significantly from one river area to another, depending upon the complexity of the resources to be evaluated.

2. H.R. 8577 amends section 5(a) to add the segment of the Sweetwater River, Wyoming, between Wilson Bar and Spring Creek.

The Department has preliminary studies concerning the Sweetwater which lead us to conclude that it should be studied under section 5(a) for addition to the system. The segment of the Sweetwater described in H.R. 8577 is, however, only 10 miles long. Because there is some question whether such a short segment could properly be included in the national system, we recommend that H.R. 8577 be amended to provide for a study of the river from its headwaters downstream to its junction with Chimney Creek. This segment would be approximately 56 miles long. We would favor enactment of H.R. 8577, if it were so amended.

3. H.R. 8578 amends section 5(a) to add as a study river the segment of the Snake River, Wyoming, beginning at the southern boundaries of Teton National Park to the entrance to Palisades Reservoir.

This river has been administratively designated under section 5(d) of the Wild and Scenic Rivers Act as a river whose potential as a wild and scenic river area must be evaluated in planning reports of all Federal agencies. We would favor enactment of the bill, if it were amended to delete the requirement for completion of the study in a specified period of time. Such a requirement would necessitate rescheduling already authorized studies, and we do not know of any reason for such rescheduling. The Department of Agriculture would probably have leadership responsibility for the study.

Development of the national system of wild and scenic rivers is a Secretary of the Interior objective under our current management program, so we have a keen interest in these bills.

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,

JOHN KYL,
Assistant Secretary of the Interior.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., November 7, 1973.

Hon. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives.

DEAR MR. CHAIRMAN: As you requested, here is our report on H.R. 8501, H.R. 8502, H.R. 8549, H.R. 8577, H.R. 8578, H.R. 8609, H.R. 8643, H.R. 8735, and H.R. 10771, bills to designate certain rivers as components of the National Wild and Scenic Rivers System or for potential addition to the National System.

The Department of Agriculture recommends that H.R. 8502, H.R. 8577, and H.R. 8578 pertaining to the Green, Sweetwater, and Snake Rivers in Wyoming be enacted, if amended as suggested in this report. We recommend that H.R. 8501, H.R. 8549, H.R. 8609, H.R. 8643, H.R. 8735, and H.R. 10771 not be enacted at this time.

H.R. 8549 and H.R. 8609 would designate, respectively, the Kettle River of Minnesota and the Smith, San Joaquin, Klamath, Trinity, and Eel Rivers of California as components of the National Wild and Scenic Rivers System. H.R. 8501, H.R. 8502, H.R. 8577, and H.R. 8578 would designate, respectively, the Clark's Fork, Green, Sweetwater, and Snake Rivers of Wyoming for potential addition to the National Wild and Scenic Rivers System. H.R. 8643 would designate the West Fork of Sipsey Fork in Alabama, H.R. 8735, the Gila, San Francisco, and Chama Rivers in New Mexico, and H.R. 10771, the Nolichucky River in Tennessee and North Carolina for potential addition to the National System.

Prior to the enactment of the Wild and Scenic Rivers Act, the Departments of Agriculture and the Interior were involved in the screening of over 700 rivers which appeared to have unique recreational and scenic qualities. The Wild and Scenic Rivers Act provided for designation of the eight initial components of the National System and directed study of an additional 27 rivers. The Department of Agriculture has the leadership responsibility on nine of these study rivers. We expect to complete these studies within the 10-year period specified in the Act. In addition to study of these potential additions to the National System, the Secretaries of Agriculture and the Interior pursuant to section 5(d) of the Act (16 U.S.C. 1276(d)) identified 47 rivers for which Federal agencies must evaluate wild, scenic, or recreational potential as an alternative use in river basin and project plan reports.

Throughout the National Forest System the uses of lands adjacent to rivers are being planned as part of a comprehensive multiple use planning process. Alternative land uses are being evaluated and special resource values and uses on Federal lands are being managed and protected. As part of this ongoing planning process and associated public involvement, we are aware that certain rivers not listed in the original Act have potential for addition to the National System and may merit designation for detailed study under the Act.

We are now working with the Department of the Interior to consolidate inventory information and develop specific recommendations on possible additional study rivers, in a suggested order of priority, with time requirements, and with an estimate of the cost of such studies.

Based on existing information, we feel that comprehensive study of the Green, Sweetwater, and Snake Rivers of Wyoming is needed now to provide a basis for the determination and allocation of resource uses of these rivers. Consequently, we recommend enactment of H.R. 8502, H.R. 8577, and H.R. 8578. The details of this recommendation including suggested amendments are contained in our supplemental statement.

On the designation of study rivers proposed by H.R. 8501, H.R. 8643, H.R. 8735, and H.R. 10771, we recommend that action be deferred until we complete our interagency review of potential study rivers. Wild and scenic river studies involve substantial investments of time and financial resources, both on the part of the Federal agencies conducting the study, and on the part of those citizens concerned with river proposals. We conclude that the overall study program should be undertaken in an orderly, systematic way, with full consideration of the scope and long-term requirements of the program.

In regard to H.R. 8549 and H.R. 8609 which would immediately designate certain rivers as components of the National Wild and Scenic Rivers System, we recommend that these bills not be enacted because studies of their suitability for inclusion in the National System have not been conducted. Sections 4 and 5 of the Wild and Scenic Rivers Act (16 U.S.C. 1275-1276) designated certain rivers for potential addition to the National Wild and Scenic Rivers System and established study procedures to determine whether a river should be included in the National System. We view the detailed study and subsequent report on proposed additions to the National System as an important part of national resource planning. During the study the potential uses of the land and water which would be enhanced, foreclosed, or curtailed if the area were included in the National System can be analyzed. The study procedures also provide for full interagency, State and public review of proposals. We recommend that any river not listed in the original Act as a component of the National System be studied prior to its addition. The rivers listed in H.R. 8549 and H.R. 8609 will be considered in developing our recommendations for possible designation as additional study rivers.

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

Sincerely,

ROBERT W. LONG,
Assistant Secretary for Conservation,
Research and Education.

Enclosure.

USDA SUPPLEMENTAL STATEMENT, NATIONAL WILD AND SCENIC RIVERS
SYSTEM

H.R. 8502—Green River, Wyoming.—The upper portions of the Green River are within the Bridger-Teton National Forest. The lower portions of the river pass through Federal lands administered by the Bureau of Land Management, and through State and privately-owned lands. Since the majority of the river is outside the National Forest, we would expect the Department of the Interior to be the lead agency in conducting the study. The Department of Agriculture would be a participant in the study.

We support the Department of the Interior's recommended amendment to delete the requirement that the study be completed in two years and to delete a \$50,000 ceiling on expenditures for the study.

H.R. 8577—Sweetwater River, Wyoming.—Only a small portion at the headwaters of the Sweetwater River would involve National Forest lands; consequently, we defer to the Department of the Interior for detailed recommendation on this river.

We support the Department of the Interior's recommended amendment which would designate for study the river segment from its headwaters downstream to its junction with Chimney Creek.

H.R. 8578—Snake River, Wyoming.—The proposed study reach from Grand Teton National Park to Palisades Reservoir is approximately 49 miles in length, involving National Forest, Bureau of Land Management, and privately-owned lands. The river is rated as a "blue-ribbon" trout stream. Although roads parallel the river, they do not detract from the spectacular scenic setting through which the river flows. The entire length is used for recreational river float trips. The proposed Alpine Narrows Dam would, if constructed, inundate most of the lower 29 miles of the river.

Because of the relationship of the river to National Forest lands and management, we would expect the Department of Agriculture to be the lead agency in study of the river. We estimate that the cost of the study would be \$80,000.

We recommend that the requirement contained in H.R. 8578 that the river study be completed within two years be deleted. We believe that a two-year time limit would be too restrictive to complete the necessary resource inventory and evaluation including public and agency review. We would expect to move ahead with the study as expeditiously as possible and would expect to complete the study along with other river studies by 1978.

FEDERAL POWER COMMISSION REPORT ON BILLS TO AMEND WILD AND
SCENIC RIVERS ACT—93D CONGRESS

- H.R. 1401 (Shavers Fork of the Cheat River, West Virginia)
 H.R. 8501 (Clark's Fork River, Wyoming)
 H.R. 8502 (Green River Wyoming, and its tributaries)
 H.R. 8549 (Kettle River, Minnesota)
 H.R. 8577 (Sweetwater River, Wyoming)
 H.R. 8578 (Snake River, Wyoming)
 H.R. 8609 (Smith River, the Middle Fork and North Fork of the San Joaquin
 River, the Eel, Klamath, and Trinity Rivers)
 H.R. 8643 (West Fork of the Sipsey Fork, Alabama)
 H.R. 8735 (Chama River, Gila River, and San Francisco River, New Mexico)
 H.R. 10771 (Nolichucky River, Tennessee and North Carolina)

The above bills seek to make certain regions additions to the National Wild and Scenic River System or to provide for a study to determine possible future additions. Each bill will be examined with the potential energy resource noted.

1. *H.R. 1401*—This bill would designate a portion of the Shavers Fork of the Cheat River, West Virginia, for two-year study as a potential addition to the national wild and scenic rivers system. In this region, there is one potential combined conventional and pumped storage hydroelectric project, Laurel-Glady Fork with a potential of 60,000 kilowatts. Five jurisdictional natural gas pipelines owned by Columbia Gas Transmission Corporation cross the proposed area of Shavers Fork. There is one 69-kilovolt transmission line in the area.

2. *H.R. 8501*—This bill would designate a portion of the Clark's Fork River, Wyoming for two-year study as a potential addition to the national wild and scenic rivers system. In this region, there are two potential hydroelectric projects, Bald Ridge and Thief Creek, with potentials of 23,000 and 125,200 kilowatts respectively. Although there are no natural gas pipelines, proven fields or known natural gas reserves within the study area, a portion of the river lies within the Big Horn Basin, a type of region with possible natural gas resources.

3. *H.R. 8502*—This bill would designate a portion of the Green River, Wyoming, for two-year study as a potential addition to the national wild and scenic rivers system. There is currently a 60-kilowatt hydroelectric project, Pinedale, owned and operated by Pinedale Power and Light, as Project No. 662 under FPC license, on the Green River. In addition, there is a potential pumped-storage hydroelectric project on Boulder Creek, one of the tributaries covered by the legislation. One jurisdictional pipeline, owned by El Paso Natural Gas Company, crosses the Green River. The river also flows through the East LaBarge, Pinedale and Green River Bend gas fields. While there are no known natural gas reserves within the study area, the river does lie within the Green River Basin, a region with possible natural gas resources.

4. *H.R. 8549*—This bill would designate the Kettle River, Minnesota, as a component of the national wild and scenic rivers system. There are no existing or potential hydroelectric projects within the region. Two jurisdictional natural gas pipelines, owned by Northern Natural Gas Company, cross the Kettle River, as does one non-jurisdictional pipeline owned by People's Natural Gas Company. There are no proven fields or known natural gas reserves within the region. In addition, the river is not part of any large basin containing possible natural gas resources. There are also three transmission lines in the area, one at 230 kilovolts, one at 115 kilovolts, and one at 46 kilovolts.

5. *H.R. 8577*—This bill would designate a portion of the Sweetwater River, Wyoming, for study for potential addition to the national wild and scenic rivers system. There is one potential hydroelectric project, Lewiston, with a potential 5,000-kilowatt capacity, within this region. There are no transmission lines, gas fields, or known or potential natural gas reserves within the region.

6. *H.R. 8578*—This bill would designate a portion of the Snake River, Wyoming, for two-year study for potential addition to the national wild and scenic rivers system. There is one potential hydroelectric project, Alpine, with a potential 230,000 kilowatts capacity in the region. There is one 69-kilovolt transmission line running through the region. There are no natural gas pipelines, fields, or known possible natural gas resources within the Snake River region in Wyoming.

7. *H.R. 8609*

(1) This bill would designate the Smith River, California as a component of the national wild and scenic rivers system. There are no known or potential hydroelectric projects nor known or potential natural gas resources within the region, although the river is crossed by three transmission lines, one at 115 kilovolts and two at 69 kilovolts.

(2) This bill would designate the Middle Fork and North Fork of the San Joaquin River, California, as components of the national wild and scenic rivers system. There are three potential hydroelectric projects, Hell's Half Acre, Miller Bridge, and Granite Creek, within the proposed region. These three projects have a potential capacity of 75,000, 60,000, and 240,000 kilowatts respectively. There is also one potential pumped-storage site. There are no proven or potential natural gas resources within this area.

(3) This bill would designate a portion of the Klamath River, California, as a component of the national wild and scenic rivers system. There are six potential hydroelectric projects within this region. They are Happy Camp (potential kilowatt capacity 135,400), Hamburg (66,000), Scott Valley (50,000), Morehouse (90,000), Matthews (13,000), and Russianville (7,500). There are no known or potential natural gas resources within this region. There is a 69-kilovolt transmission line and a 40-kilovolt transmission line in the area. Also some existing facilities of FPC licensed Project No. 2082 are located within the designated area.

(4) This bill would designate a portion of the Trinity River, California as a component of the national wild and scenic rivers system. There are two potential hydro-electric projects, Helena and Anderson Ford, within the proposed region. These projects have a potential capacity of 43,000 and 208,000 kilowatts respectively. There are no known or potential natural gas resources within this region. There are two 115-kilovolt transmission lines and two 60-kilovolt transmission lines in the area. One of the 60-kilovolt lines is licensed by the FPC as part of Project No. 1295.

(5) This bill would designate a portion of the Eel River, California, as a component of the national wild and scenic rivers system. There are seven potential hydro-electric projects within this region. They are Dyerville (potential kilowatt capacity 12,000), Sequoia (228,000), Brancomb (8,000), Jarbow (6,000), Spencer (48,000), Henthorne Lake (15,000) and Mina (40,000). Three non-jurisdictional natural gas pipelines, owned by Pacific Gas and Electric Company, cross the Eel River. Although there are no fields or known natural gas reserves in the region, the western segment is part of the Eel River basin, and therefore, there is a possibility of natural gas resources. There are two 60-kilovolt and one 115-kilovolt transmission lines in the area.

8. *H.R. 8643*—This bill would designate the West Fork of the Sipsey Fork, Alabama for study as a potential addition to the national wild and scenic rivers system. There are no potential hydroelectric projects within the region. Although there are no natural gas pipelines, fields or proven reserves, the proposed area for study is part of the Black Warrior Basin, and it has possible natural gas resources.

9. *H.R. 8735*—This bill would designate portions of the Gila, Chama and San Francisco Rivers, New Mexico, for study as potential additions to the national wild and scenic river system. There are three potential hydroelectric projects each with a 15,000-kilowatt capacity within the Chama River segment. This segment also runs close to the San Juan Basin and several productive gas fields. There are no potential hydroelectric projects or known or potential natural gas resources within the other regions. There are two 69-kilovolt transmission lines in the area.

10. *H.R. 10771*—This bill would designate the Nolichucky River, Tennessee and North Carolina for study as a potential addition to the national wild and scenic rivers system. There are two potential hydroelectric projects, Nolichucky and Erwin, within this region. These projects have a potential capacity of 40,000 and 65,000 kilowatts respectively. There is one non-jurisdictional natural gas pipeline, owned by United Cities Gas Company, within the region. There are no fields or known or potential natural gas resources within the region. There is one 161-kilovolt and one 138-kilovolt transmission line in the area.

Under the Wild and Scenic Rivers Act (16 U.S.C. §1278(a)), once a river is made a component of the system, the Federal Power Commission may not license the construction of any dam, water conduit, reservoir, powerhouse or

transmission line. Since H.R. 1401, 8501, 8502, 8577, 8578, 8643, 8735 and H.R. 10771 seek to initiate studies of the river areas designated by amending §5(a) of the Wild and Scenic Rivers Act (16 U.S.C. §1276(a)), production, development and transportation of natural gas and construction of hydroelectric facilities would be restricted pending completion of the studies.

Within the areas designated by each of the ten bills, it is important to note that there is at least some possibility of energy resources. It is for the Congress to balance the nation's energy needs with those of the environment.

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

JOHN N. NASSIKAS, *Chairman.*

Mr. TAYLOR. After we have completed these hearings and after we have had an opportunity to study the record and discuss these matters further, I would hope that we could develop an omnibus bill including for study those rivers which are noncontroversial. In some specific cases the Department has recommended a little more time so that they can study the matter and determine whether they recommend that the river should be added to the study section of the bill.

Our first witness this morning was to be Congressman Roncalio. He has yielded his time to Hon. Joseph McDade and Hon. Howard Robison.

STATEMENT OF HON. JOSEPH M. McDADE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA, AND HON. HOWARD W. ROBISON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. McDADE. Thank you very much, Mr. Chairman and Mr. Skubitz.

I just have to say, by way of opening, that I feel a curious sense of loss testifying here today on a matter involving this great committee, since for the first time in 25 years my colleague John Saylor, is not sharing the dais with you. I find it sad as a Pennsylvanian at this particular time I should be discussing a matter in his absence.

I know that sadness is shared deeply, especially by the members of this committee who knew him.

Mr. TAYLOR. We considered seriously whether our committee should meet at all yesterday, whether it would be better to call off our meeting on account of his death or proceed, but there was nothing he was more interested in than conservation and he was a strong proponent of the Wild and Scenic Rivers. We thought he would want us to proceed.

We decided we would honor him more by going ahead than by stopping the machinery.

Mr. ROBISON. Mr. Chairman, I would like to join in Congressman McDade's words of regret about the loss of a great gentleman, who made great contributions to this committee and to this country, John Saylor.

Mr. McDADE. Mr. Chairman, I cannot proceed further without expressing my deep appreciation to the gentleman from Wyoming for permitting us to intrude upon his time.

Congressman Robison and I are here to discuss the Upper Delaware River which was one of the 27 study rivers in the Organic Act.

Our purpose is not to seek to include the Upper Delaware in the National Wild and Scenic Rivers System at this point, because the study of the Delaware is not yet complete. But my purpose is to gain legislative approval for the dimensions of the study that is now underway.

Let me explain. The Upper Delaware River divides the Catskills of New York and the Poconos of Pennsylvania. We are talking about a beautiful 72-mile stretch of the river that has virtually no commercial development along its banks.

The residents along the Upper Delaware have protected that river for 200 years, and they want to keep on protecting it. One of the earlier protectors of the Delaware River was Gifford Pinchot, an historical name that I am sure the members of this committee are familiar with. Gifford Pinchot was one of America's first conservationists. He and Teddy Roosevelt hunted and hiked the wilderness together. Pinchot was the first supporter of planned conservation of the U.S. forests.

MR. TAYLOR. Let me add that he established the first field school of the forest in America and it was established in the district that I represent. We have a national forest museum located down there and George Vanderbilt, of the famous Vanderbilt family, built his home in our area.

MR. McDADE. As you know, he was twice Governor of Pennsylvania. His family home, which the family has donated to the Forest Service, is at Milford, Pa., on the banks of this river. Situated around this are State forests and State game land.

The point I want to make, Gifford Pinchot was the first Chief of the Forest Service, author of the classic environmental book, "The Fight for Conservation," as well as twice Governor of Pennsylvania; and believe me, his conservationist heritage is very much alive in this area of Pennsylvania today.

Protecting the Delaware River is what the local citizens want and it is what the members of this committee had the foresight to want also when they established the Wild and Scenic Rivers System 5 years ago.

The citizens along the river are interested in establishing, and indeed have been working to establish, protection of their river through a cooperation of the local and Federal governments. I think the members of this committee would join me in saying that there is no better way of protecting a river than having it done through local and Federal cooperation. There is a real opportunity to do this with the Delaware and the people who live there.

But there has been one stumbling block. Presently, there is no incentive for the majority of the local citizens to use the one tool they have to work with the Department of the Interior; that is their local zoning ordinances.

The local citizens and the local landowners are eager to work with the Bureau of Outdoor Recreation and share their respective expertise. But presently there is no incentive for this cooperation because the majority of the citizens along the Upper Delaware and 91 percent of the land is not in an "incorporated city, village, or borough"—and this language is from section 6(e) of the statute. As you know, in section 6(c) of the act, if you live in one of those boroughs

then the broad right to use that ultimate police power we call condemnation is abated so long as you are in conformance with the purposes of the act.

But the statute does not confer that right on people who live in townships, a governmental unit that we have used to the extreme in Pennsylvania, or in counties. So a majority of the citizens who live in this river valley on 91 percent of the land have inferior rights to a minority of the people on only 9 percent of the land fronting on the river who live in one of those designated governmental units, "incorporated city, villages, or boroughs."

I really want to stress that point with the members of the committee.

On this Upper Delaware, most of the land, most of the people, are in local governmental units that in Pennsylvania we designate "townships." They are not in boroughs or incorporated villages. Because of this, all of that land can be condemned today even if those local governmental units adopted zoning ordinances that completely complied with the statutes and the purposes of the act through local zoning.

This bill simply makes an effort to correct that by adding to the general statute the words "townships and counties" thereby conferring upon those local citizens the same rights of people who happen to live in a borough or incorporated village.

The thrust of this bill is to give the landowners along the Upper Delaware the opportunity to zone in accordance with the purposes of this act. And if they do so, and only if they do, then condemnation would be prohibited. But equally importantly, condemnation would then be unnecessary.

This amendment simply allows "townships and countries" to zone in accordance with the Secretary's guidelines, and avoid condemnation, as incorporated "cities, villages, and boroughs" presently can. With that small change, instead of having 91 percent of the lands liable to condemnation, 100 percent of the lands could zone in conformance with the Secretary of the Interior's guidelines.

This amendment would, in my judgment, let the Upper Delaware River serve as a model of how local control can protect a river. If the propertyowners are willing to keep their lands as they now are, and demonstrate that commitment by placing zoning restrictions on themselves, then the river will be preserved, and preserved without the potentially tremendous cost involved in large-scale condemnations.

The Department of the Interior can still acquire scenic or user easements, or even title to certain lands through negotiations with propertyowners if it wants to build a small canoe dock, or enhance recreation values.

Ultimately, of course, the Government's right of condemnation, the ultimate police power, must remain, as this committee has provided in section 6(b), and this bill retains that right.

But importantly, this bill supports the goal of saving a beautiful river by providing the incentive for great local-Federal cooperation with the consequent benefits in terms of monetary costs to the Treasury, and I think I can tell you all of us know about the tremendous backlog that exists.

The goals of the local propertyowners and the BOR are the same, to protect the river. The local propertyowners simply want the chance to do this. This amendment gives them that opportunity.

Thank you, Mr. Chairman.

Mr. TAYLOR. Mr. Robison, do you have something to add?

Mr. ROBISON. Mr. Chairman, my colleague and my neighbor on the Pennsylvania side of this beautiful river has stated the case so completely, and so well and so forcefully, that my own statement would be repetitive, so I ask consent that it be included in the record.

I would add further, though, that we see this amendment—and we so argue that we see it—as being an amendment of clarification and one wholly within the intent and purposes of the Organic Act of 1968, and we see it further as one that would reduce that atmosphere of hostility now existing among certain of the farm, home, and business owners whose properties are situated along the banks of the Upper Delaware who argue that their own past interest and restraint have so served the area involved that it does meet the guidelines for inclusion in the Wild and Scenic Rivers.

We think the incentives this amendment would provide would allow this project to proceed in a better spirit of cooperation and accommodation between the Federal Government, the local communities, and the propertyowners that would be affected. So we urge your favorable consideration of it.

Mr. TAYLOR. In many States the counties and townships do not have the power to zone. Congressman McDade says in Pennsylvania they do. What is the situation in New York?

Mr. ROBISON. In New York the normal local entity for municipal zoning purposes would be the township.

Further, Mr. Chairman. New York does not recognize the municipal term "boroughs." We have no boroughs other than in New York City. We have townships galore, all situated within counties.

Mr. TAYLOR. And zoning power is in townships and counties?

Mr. ROBISON. I can attest to the fact it is in townships because I was a former town attorney and got several town ordinances through.

I must confess I do not know whether or not there can be zoning on a county level in New York.

Mr. McDade understands it can be done on a county level in Pennsylvania. I do not think it matters much, particularly. I think the important part in Pennsylvania would be to allow townships to be brought within the meaning of the act.

Mr. SKUBITZ. Would the gentleman yield?

Do I understand that under New York law, townships are permitted to zone?

Mr. ROBISON. Yes, sir, they do.

Mr. SKUBITZ. But in Pennsylvania they cannot?

Mr. McDADE. They can, but under the terms of the act that now exists, they do not have the opportunity. That is the reason we are adding townships and zoning to the law.

Mr. ROBISON. A township is a larger geographic unit. Zoning is not an easy thing to get through. It takes time, and from the standpoint of meeting the needs of this river and this project, I think it

would be more expeditious—from the New York standpoint anyhow—to try to proceed to zoning on a township basis merely because the effort involved in doing so, which involves a lot of planning work and cooperation on the part of the citizens and legal niceties and so forth, could proceed a lot faster along the river if it were not necessary to include the whole county in that effort.

Mr. TAYLOR. The members who were here back in 1969 will recall that when the Wild and Scenic Rivers legislation was passed, the Delaware River was one of the rivers authorized to be studied, and the study has been going on. This parent act provided that land could not be acquired by condemnation in cities, villages, and boroughs if a valid zoning ordinance satisfactory to the Department of Interior is in effect.

Now, the purpose was to not make it necessary to condemn so much urban type property. Property in towns and cities, and even in villages, is apt to be developed and it would be rather expensive to condemn and not generally suitable for a scenic river.

Admittedly, in many States, counties, and townships are not units of government that do zoning, but you indicate that in these States that counties and townships do have the power to zone.

As I see it, this bill that you introduced and it was introduced only a few days ago so we do not have copies, applies only to the Delaware River. It does not apply to the other rivers.

Mr. McDADE. Correct.

Mr. REGULA. Do you recall historically why townships and counties were not included in this authority originally, since many of them do zone?

Mr. TAYLOR. The basic purpose, as I recall, was to give this zoning power to urban type property to prevent the necessity of acquiring by condemnation property in towns and in cities in case a scenic river goes through a town or a city.

Now, the effect of the amendment, which applies only to the Delaware river, would be that all property along the river could not be taken by condemnation if zoning ordinances were in effect, because all of the property, whether it is urban or rural, would be in a county. Similarly, all the property would be in a township. So if appropriate zoning ordinances are in effect, then none of the property on this river could be taken by condemnation.

Mr. ROBISON. Mr. Chairman, if you would permit the interruption, the zoning in any such case, applying here to the Delaware, of course, would have to be a duly adopted valid zoning ordinance that conforms with the purpose of this act.

Now, that is the essential thrust of the amendment, of course.

Mr. TAYLOR. That is right.

Mr. CAMP. Would the gentleman yield?

Mr. TAYLOR. Be glad to yield.

Mr. CAMP. Do we have any other areas that are in the program of study in the Scenic Rivers that have the same kind of problem you have?

Mr. McDADE. I cannot respond to all of the rivers under study, but all of the original rivers were surrounded by public lands. There was one river, I believe the Saint Croix, which was surrounded by

townships. I cannot respond to all the rivers that are under study. We do know one. We both service it. We both travel it. We both live there, and it is only to that river that we are making an effort to apply this statute which permits them to try to zone in conformance with the act.

Mr. TAYLOR. Mr. McElvain, could you add any information to what I said in regard to the philosophy or purposes in the original act for permitting zoning in cities, villages, and boroughs and not including other units of government?

Mr. CAMP. And also, is there any other case similar to this? In regard to this problem, do we have any other scenic river studies that involve the same problem?

Mr. McELVAIN. Well, with respect to the first part of the question, I think Mr. Taylor pretty accurately summarized the legislative history of this provision.

Concerning the second part of your question, I am not aware of any other rivers that are in the same boat, so to speak, as the Delaware seems to be, although there very well might be in some of the Eastern States. We are just not aware of any at the present time.

The studies would normally bring this matter to attention prior to authorization.

Mr. CAMP. My only point was, if there are others in the same condition, perhaps they should be included in the same amendment.

Mr. McELVAIN. I should say that the zoning provisions normally do not apply to study rivers per se. Naturally, a study river is not authorized for any land acquisition. That comes later, if at all, and the zoning provisions apply to those rivers which are authorized for inclusion within the system and not to study rivers.

Mr. McDADE. Let me address myself to that.

Right now, today, and for the past 2 weeks, for the first time the people at the Bureau of Outdoor Recreation have been consulting with people who live along the Delaware River, both on the Pennsylvania and New York side, on the question of zoning.

We want this statute amended now because we want to permit them to cooperate. If the BOR goes up to someone who lives in a township—and as I pointed out, on the Pennsylvania side the majority of the people as well as the majority of the land are in townships, and they do not even have opportunity now to zone consistent with the act and ward off the ultimate police power which is the taking of private property, the same on the New York side.

We wish to give it to them and we want to do it now because that encourages the local townships to feel securely by statute enacted by the Congress that if they go through the painful, difficult, hard work of establishing a zoning ordinance that my friend from New York talked about in that township, and it is consistent with the purposes of the act, then somebody cannot pull the rug out later and say, we have decided to come in, we are going to take everything anyway.

My. TAYLOR. Suppose all the counties or all the townships adopt approved zoning ordinances. Then that would mean no land anywhere could be taken by condemnation. Can we have a Wild and Scenic River without any Federal ownership of the land?

Mr. McDADE. I would disagree with the conclusion reached. I think it is clear what we seek to do, what we intend to do here is to encourage those local governments to work with the Federal Government, under guidelines issued by the Secretary, to the maximum extent to fulfill the purposes of the act. If they do that, we take away this general right to go in and condemn willy-nilly everywhere, but we do not remove the right to acquire, if necessary, for public use, access to the river.

Mr. TAYLOR. Would it not be well to have a proviso to your bill providing that, unless the Secretary determines that a specific parcel of land is needed for public use facilities such lands cannot be acquired by condemnation? I can see that certain spots are needed for camping areas, for boat access areas, and the like so some land base will be required. You can't always count on finding willing sellers.

Mr. McDADE. There are some 20 accesses right now provided by the State of Pennsylvania.

Mr. TAYLOR. Are those accesses State-owned and State-controlled?

Mr. McDADE. They are public, yes.

Mr. Chairman, we do not intend to say, if you zone never can the Government use its ultimate right, one that ought to be used sparingly, to take private property.

We do say if we can encourage the local and Federal Government to work together, we might find it unnecessary to engage in large scale condemnation. That is desirable.

We think, however, there may very well be down the line the necessity—they may find it necessary for reasonable access to acquire sites or whatever. They might even take over the Pennsylvania sites or the New York sites that exist now.

Of course, we do not want to see a scenic river without public access.

Mr. ROBISON. In a further attempt to be responsive to your question, Mr. Chairman, section (c) already says, and I quote:

In order to carry out the provisions of this subsection, the appropriate Secretary shall issue guidelines specifying standards for local ordinances which are consistent with the purposes of this act.

It would seem to me, although I suppose the matter ought to be researched in the event this bill comes before Congress, that the Secretary could specify the guidelines in such a way for this river, or for any other river for which similar consideration was given, as to permit him to continue to apply the right of condemnation to certain portions of that river.

Mr. TAYLOR. You have answered this question to some extent, but let me ask it again.

Would it not be sound procedure to withhold judgement on this procedure until the study is completed and the report is filed with Congress and we have legislation which would add this river to the system. Then, at that time, let the bill contain language concerning the authority to zone?

Mr. McDADE. Mr. Chairman, I am so deeply grateful to you for asking that question.

My response is, as emphatically as I can make it, "No."

We need this now if we are to provide the encouragement and inducement to the local governments to cooperate with the Federal Government and seek to enact these zoning ordinances.

I might point out the BOR, up there right now, has the first time provided to the local government rough guidance.

One fellow owns a horse farm and he says, I have to keep my fence 6 feet high to keep stallions in. The BOR says that fence can only be 5 feet. Of course, we ought to permit that man to raise his fence to 6 feet and concur with the guidelines.

They want to know now, Mr. Chairman, if they make that agreement and restrict their land, do they have some protection against the total condemnation? The point is to encourage that negotiation to take place now while the study is progressing, while the guidelines are taking place, while there is a dialog between the parties.

I might say selfishly for all of us, if we can encourage them to do this and they do it, we will save an awful lot of Federal money.

Mr. TAYLOR. We cannot bind a future Congress and if we place the language in the bill now that is recommended, still—if this legislation comes back before Congress to include the Delaware into the Wild and Scenic Rivers System—Congress at that time could authorize condemnation if it saw fit. In other words, anything we do now is not necessarily a final answer.

Mr. McDADE. Well, I suppose not, Mr. Chairman, but I think it is a matter of good faith and effort on the part of everyone to do this in a constructive way, and I think if we give them the opportunity and they can zone consistent with the guidelines offered by the Bureau and the BOR, it seems to me at some later day they can go back and at that juncture say, let's start all over with condemnation. I cannot visualize that. It is a possibility, but I cannot visualize that happening.

Mr. TAYLOR. Your position is, the people there would like to know how that matter is going to be handled, and right now. Then you will get better cooperation or not concerning the whole proposal.

Mr. ROBISON. Besides which, I think Mr. McDade characterized the zoning process as a rather painful one, as you know, if you have been through it. It requires initiative and local governmental costs in that it has to be done on the basis of hiring professional planners to work with the governmental units, and so forth.

To get it moving, the local people need to have the incentive and to know there is some point in it, and I think that is why, as Mr. McDade said, the amendment ought to be considered new, rather than at a later date.

Mr. TAYLOR. Do any other members of the committee have questions?

Mr. REGULA. Yes, Mr. Chairman.

Do you think this should be applicable to all areas and not just this one? The logic of the bill, as the chairman points out, is to give the Government access.

Mr. McDADE. I do not have the necessary expertise, Ralph, concerning all the rivers currently under study, the 27. I think the members of this committee know that we are in a new process here. I can only advocate it for the Delaware because Howard and I together and Mr. Gilman are familiar with what the picture is on the

Upper Delaware. I am not familiar with all the rivers under study, so I would hesitate to make it a blanket arrangement at this point.

But it can very well serve—the beauty of it, it can serve as a model to encourage local cooperation perhaps with other rivers. If it works here, as we certainly hope it does, then it may work in other instances, too.

Mr. TAYLOR. Mr. Skubitz?

Mr. SKUBITZ. If I understood the testimony, incorporated cities and villages in the area can escape condemnation acquisition if they properly meet zoning requirements; is that correct?

Mr. McDADE. I have a few boroughs, he has some villages. There are some governmental units now that can escape condemnation. There are boroughs, the population might be 1,000 people.

Mr. SKUBITZ. They can escape it by zoning?

Mr. McDADE. That is right.

Mr. SKUBITZ. What you are asking this committee is to extend to the townships and counties the same rights these other areas have?

Mr. McDADE. Yes, put all local citizens on an equal footing and give them an opportunity to zone.

Mr. SKUBITZ. You would be willing in those instances where the Secretary deems it necessary to take land for the public interest in order to develop this area properly, you would have no objection to that sort of thing?

Mr. McDADE. We are not trying to say we put it in the system and restrict it to nonpublic use. We realize there ought to be public use.

The BOR is discussing this now in their study period, and we assume that there will certainly be perhaps the usage of the State accesses that now exist. I do not know exactly what else.

Mr. SKUBITZ. Suppose the Secretary determined that here is one spot he has to have. The State does not own it; it is privately owned. What then?

Mr. McDADE. He, of course, should have that right.

Mr. SKUBITZ. You feel he should have that authority?

Mr. McDADE. Yes.

Mr. SKUBITZ. That is the point I wanted answered.

Mr. TAYLOR. Any other questions?

You present your case very effectively.

Personally, I doubt the wisdom of applying this statute to all the rivers in the Nation, because we would put the Government out of business in case zoning ordinances are set up.

Thank you very much.

Mr. McDADE. We thank you.

Mr. ROBISON. Thank you.

[Prepared statement follows:]

STATEMENT OF HON. HOWARD W. ROBINSON, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF NEW YORK

Mr. Chairman, Thank you for affording me the opportunity to appear before the Parks and Recreation Subcommittee to speak to H.R. 11148, an amendment to the Wild and Scenic Rivers Act introduced by Congressman Joseph McDade, of which I am a co-sponsor.

It is an amendment of clarification, wholly within the intent and purposes of the organic Act of 1968. Section 6(c) of the Wild and Scenic Rivers Act states that, "Neither the Secretary of the Interior nor the Secretary of Agriculture may acquire lands by condemnation, for the purpose of including such lands in any national wild, scenic, or recreation river area. . . ." But here's where the rub comes in. The Act goes on to say, ". . . if such lands are located within any *incorporated city, village, or borough* which has in force applicable to such lands a duly adopted, valid zoning ordinance that conforms with the purposes of this Act?"

The amendment would add *townships and Counties* to the local units of government already specifically included in the 1968 legislation. This would serve to equalize the "ground rules" for both the New York and Pennsylvania sections of the Upper Delaware River, and for all communities on its banks. At present, as Mr. McDade states, 91% of the land in Pennsylvania does not fall into the three categories of "incorporated city, village, or borough," but would be covered by the added units of "townships and Counties." I have not attempted to compute the comparable percentage on the New York side, but it must be very similar. As a glance at the map will show, there are no "cities" on the New York side, only a handful of small villages, and New York does not recognize the municipal term "borough."

Presently, the spectre of condemnation has, in some areas, created an atmosphere of resistance—and even hostility—among home, farm and business owners whose properties are situated on the banks of the Upper Delaware. They argue that their past interest and restraint *have* preserved the river so well that it meets the guidelines for inclusion in the Wild and Scenic Rivers System.

In order that further consideration of the Study, and of forthcoming recommendations by the Secretary of the Interior, proceed in a better spirit of cooperation and accommodation between the Federal government, local communities, and property owners who would be affected, the favorable consideration of H.R. 11148, is urged.

Mr. TAYLOR. Mr. Roncalio has also yielded to Hon. James Quillen.

**STATEMENT OF HON. JAMES H. QUILLEN, A REPRESENTATIVE
IN CONGRESS FROM THE FIRST CONGRESSIONAL DISTRICT OF
THE STATE OF TENNESSEE**

Mr. QUILLEN. Thank you, Mr. Chairman.

It is a pleasure to appear in support of my bill, H.R. 10771, which would designate the Nolichucky River for study as a potential addition to the National Wild and Scenic Rivers System.

Mr. TAYLOR. Without objection, a copy of your entire statement will be placed in the record at this point. You may read it all or summarize it.

[The statement referred to follows:]

**STATEMENT OF HON. JAMES H. QUILLEN, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF TENNESSEE**

Mr. Chairman, it is a pleasure to appear before this distinguished Subcommittee in support of my bill, H.R. 10771, which would designate the Nolichucky River for study as a potential addition to the National Wild and Scenic Rivers System. This river originates in North Carolina, and flows through my District in Tennessee. The portion of the river in North Carolina is in the District of my good friend, the Chairman of this Subcommittee, Congressman Roy A. Taylor, and I leave the judgment as to its inclusion for study in his capable hands. I feel this river deserves consideration as a possible wild and scenic river.

The Nolichucky is important in terms of scenic, recreational and historic value. It is a free-flowing stream, with primitive and undeveloped shorelines, which rises high in the Blue Ridge Mountains at the North Toe River in

Yancy County, North Carolina, and flows northwest through the First District of Tennessee into the French Broad River at Douglas Dam near Dandridge, Tennessee.

In its 150-mile course, the Nolichucky passes through some of the most rustic and beautiful scenery found anywhere in the Country. There are numerous, spectacular bends and rapids in the river, with one side embanked with high cliffs and dense woodland.

The recreational value of the Nolichucky is unquestionable. The river passes through the Cherokee National Forest and also through the Unicoi County Wildlife Management area and offers excellent hunting grounds, especially for deer. In fact, one of the largest deer ever killed in Tennessee was brought down about three miles from the Nolichucky River.

The Nolichucky has a distinctive historic value. The western movement into the State of Tennessee was through two river valleys, the Nolichucky and the Watauga. Thus, this river played a major role in the settlement of Tennessee and the western territories. John Seiver, the first Governor of Tennessee and a great influence in the development of the State, built two plantations bordering on the Nolichucky so he could view this magnificent river. The first iron forges in Tennessee are also located on the Nolichucky. From these furnaces came the bullets used in the Revolutionary battle at Kings Mountain. They were also a major source of lead for bullets used by the Confederate Army and again furnished lead for World War I and World War II.

Because of the vast values which I have outlined, the Nolichucky has a great deal to offer as a wild and scenic river, and I urge this Committee to act favorably on my bill.

Thank you.

Mr. QUILLEN. To conserve time, I will submit my statement for the record.

Mr. TAYLOR. You may comment further as you see fit.

Mr. QUILLEN. I would like to have favorable action taken on my bill by this committee because of the importance in terms of scenic, recreational and historic values of the Nolichucky River. It is a free-flowing stream with primitive and underdeveloped shorelines which rises high in the Blue Ridge Mountains at the North Toe River in Yancy County, N.C., and flows northwest through the First District of Tennessee into the French Broad River at Douglas Dam near Dandridge, Tenn. I would like to point out that John Sever, the first Governor of Tennessee, owned a couple of farms along the river. It is a very beautiful river and I urge the committee to give H.R. 10771 serious consideration so that the Nolichucky may be studied for inclusion in the system.

Mr. TAYLOR. I would like to state, Mr. Quillen, we have received a report from the Department of the Interior, dated October 29, 1973. This report says that the Department already has sufficient information on three of the rivers discussed in this report and it recommends inclusion in the act of those three rivers. It recommends deferral of action on the remainder until the studies of priorities has been completed, and it states the study will be completed early next year.

Of course it is the responsibility of the Congress to ultimately determine those priorities, but would you have any objection to deferring action until the Department can complete this study and come back with specific recommendations?

Mr. QUILLEN. Not at all, Mr. Chairman. As a matter of fact, my bill was introduced late, and I think that would be the proper course of action to take at this time.

Mr. TAYLOR. Yes, sir.

Any questions?

Thank you, Mr. Quillen.

I am interested in your bill, too. Yesterday we were listening to hearings on the Chattooga River, which originates in the congressional district that I represent, and so does the river that you are interested in.

Mr. QUILLEN. It does, Mr. Chairman.

Mr. TAYLOR. Thank you.

The next witness is the Honorable Teno Roncalio.

**STATEMENT OF HON. TENO RONCALIO, REPRESENTATIVE AT
LARGE IN CONGRESS FROM THE STATE OF WYOMING**

Mr. RONCALIO. Thank you, Mr. Chairman.

Mr. TAYLOR. I believe my colleague wants to look at the entire State of Wyoming to see which of the beautiful rivers in his State should be in the Wild and Scenic Rivers System.

Mr. RONCALIO. Thank you, Mr. Chairman. I am sure the two members of the Wyoming Stock Growers who are here and oppose all of the inclusions will welcome your remarks.

We have thousands of miles that are not included. We are providing water for the coal plants that will send coal to your State and nearly all others in the Nation. We are trying to save a few miles of the few rivers for the people of the State and the Nation, and that is the reason for these bills, Mr. Chairman. I appreciate a chance to testify.

I have been pressed to work with my colleagues under the act of 1968, although I had a little interruption in my career when that went into effect. Nevertheless, there is an overlapping of the functions at all levels to try to get either a plank for the preservation of rivers, or the land use arrangement, with local government, State government, Federal Government cooperating for the preservation of wildlife around scenic rivers.

I am not here before you, Mr. Chairman and my colleagues, to ask for any instant creation of the wild and scenic rivers as in the McNey case. I am here to ask merely that each of these rivers be put in a study category, and in that category professionals at every level can make a scholastic, common sense evaluation objectively and can report before us, according to the bill itself, whether or not these sections of the rivers that I have before us now should or should not be made into scenic rivers.

I thank the committee for this chance to speak with you on them. I want these four bills proposed.

I will condense from my statement and ask that it be put in whole in the record and that it be followed, if you will, by the statement of Mr. Frank Craighead, that his statement may be allowed to follow mine. He is a wildlife biologist of national repute in the State of Wyoming whose statement will be in support of these four bills, if that may be done.

Mr. TAYLOR. Without objection, the material will be turned over to counsel and placed in the record or file as appropriate.

[The statements referred to follow:]

STATEMENT OF HON. TENO RONCALIO, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF WYOMING

I thank the Subcommittee for this opportunity to speak in support of four bills which I have introduced in the 93rd Congress to study Wyoming rivers for possible inclusion in the Wild and Scenic Rivers system. I wish to thank the Chairman for considering these proposals and scheduling these hearings.

The portions of the four Wyoming rivers proposed for study are applicable to the policy set forth in the Wild and Scenic Rivers Act. No Wyoming streams were designated by the original Act, and yet each of these rivers, the Green, the Sweetwater, the Snake, and the Clarks Fork of the Yellowstone have unique qualities which deserve recognition and protection under the provisions of the Wild and Scenic Rivers System.

The portion of the Sweetwater proposed for study is that segment from Wilson Bar downstream to Spring Creek. This section of the river may not be as long as some would prefer, about 10 miles, and if additional sections were added, I would see little objection. However, it is this portion of the river in particular which remains in an untouched state and which has a unique historical value.

The old Oregon Trail passed along this stretch of the Sweetwater first on the North Bank, and later on the South. The river remains as it was during the great westward migration. This segment is entirely on public land and other agencies have considered moves to protect the river. It would be only fitting for the Bureau of Outdoor Recreation to join in efforts to preserve the quality and aspects of this stream.

Although above Wilson Bar there are the remains of old gold mining dredgings, below that point and through the Sweetwater Canyon, the river is undisturbed and wild horses, antelope, deer and other wildlife water at its edge. This river, prominent in the move west on the edge of one of the West's great deserts, remains in a natural and wild state and should be preserved.

Inclusion of the Clarks Fork of the Yellowstone River in feasibility studies is vital at this time. With impending resource and power developments elsewhere in northern Wyoming, the free flowing waters of the Clarks Fork are becoming inviting for industrial and development use. The segment proposed for consideration, from Crandall Creek Bridge downstream through the Clarks Fork Canyon, passes through rugged mountain country. It is only recently that the upper and lower portions of this stretch of the river have been accessible on pavement; most of it yet today can only be reached by foot or horseback. Only in the last few months a plan to build a paved highway up the side of the Clarks Fork Canyon along the river was put aside.

The Canyon itself offers a brilliant display of geological formations, easily visible to even the untrained eye in sharp contrast to one another.

At the upper end of this portion of the river, there are limited diversions for agricultural purposes which should not preclude designation or study or be endangered in themselves.

With elaborate planning for possible water storage and diversion for coal and power developments it is necessary to include this river in studies now, before action is taken that could forever change the free flowing nature and quality of this great Wyoming river.

The Upper Green River has been recommended for study and inclusion in the past. Time is becoming of essence on the Green due to related development along its lower reaches. The State of Wyoming is just completing a 60,000 acre foot purchase of water storage capacity in Fontenelle Reservoir. Tremendous water demands are coming on the Green for trona, oil shale, coal, power, and municipal water demands. The portion of the Green in my bill is from its source in the Bridger National Forest downstream to Fontenelle Reservoir and its tributaries.

While I realize that there are great demands for resource development and power to meet our energy needs, we must also protect from degradation those scenic and recreational portions of the river for future generations. The quality of the water in the segment proposed is generally within established standards and flood damage by the river is not a major problem. Irrigated and irrigable lands are adjacent to the river, mostly grazing, hay, and feed grain ranching operations.

The May 1973 Wyoming Water Planning Program classifies this portion of the river as Class One, considered to be of national importance with reference to sport fishing and on the basis of present conditions of aesthetics, availability, and productivity. The Upper Green has also been suggested in the State Recreation Plan for possible designation as a State scenic river.

Industrial use of the Green's water is expected to increase 11 fold in the next 50 years. Three potential reservoir sites have been determined on the Upper Green, each far upstream from Fontenelle. With the impending dramatic water related developments downstream, and the possibility of connected water storage and development upstream in this regard, it is important to begin studies for possible designation to maintain the river's high quality as a fishery, and its unique scenic and recreational attributes.

The Wyoming Water Planning Program has also classified the Snake River as Class One. The portion of this river proposed for study is from the south boundary of Grand Teton National Park downstream to Palisades Reservoir. The stream is generally free flowing with quality with established standards.

The river passes through ranch lands, by the towns of Alpine, Wilson, Teton Village, and Moose, none of which has a population exceeding 200, and through the Snake River Canyon. Some local flood protection structures have been constructed in the bottomlands as well as diversions for irrigation purposes. None of these structures adversely affect the aesthetic quality of the river.

Little industrial or agricultural growth in water demand is anticipated, however, municipal water increases are forecast. The area is famous for the Grand Tetons, fishing, hiking, hunting, an abundance of wildlife, a variety of winter sports, and numerous scenic and white water float trips on the Snake itself.

Recreation and tourism are the major industries along the Upper Snake and inclusion of the river would preserve its present attraction. Quite possibly that white water portion of the river in the Snake River Canyon would qualify for wild river designation.

There has been a good deal of publicity locally concerning the development of gold deposits along the Snake. There would indeed be a serious loss of value geologically with inclusion of the Snake in the Wild and Scenic Rivers System. It is estimated that \$100 billion in gold in conglomerate in Teton County is exposed in an upthrust. A high percentage of these deposits are of free state gold.

After serving in the 89th Congress, I became associated with others in filing 100 claims on 23 miles of the river. There has never been any question in my mind in development of these cities. Dredging is unacceptable along this beautiful Wyoming river.

The designation of the Snake River would preclude mining of these claims and once and for all put to rest the anxiety and controversy these gold deposits have brought to bear on the people of Teton County.

As Wyoming and the Nation face increased resource development, it is only prudent to set aside certain streams such as these for preservation. We simply cannot sacrifice all of our water resources and rivers to developments.

[The statement of Mr. Craighead referred to will be found at p. 144.]

Mr. RONCALIO. I will read a summary of my statement and submit it in full in the record at this point in the interest of brevity.

No Wyoming streams were designated in the original act, that is why you need four now. There has been about 7 or 8 years where the philosophy was not one with scenic and wild rivers.

The Snake would include about 90 miles; from its origin as it leaves Yellowstone National Park where it originates until it leaves the State of Wyoming at Alpine and crosses over into the Palisades of Idaho. That includes some of the most beautiful white river canoeing left in America * * * at the closure of the valley of the Tetons on down through in a U-shaped canyon virtually to the Idaho line.

The next of the most beautiful rivers I suppose the Sweetwater in the central portion of the State.

Mr. TAYLOR. Some of us have floated down sections of the Snake River.

Mr. RONCALIO. Fine.

The portion of the Sweetwater historically, the passage of the Oregon shortline, the Brigham Young caravans from Nauvoo and Carthage, Mo., after the persecution of the Mormons in the early days of that religion. The establishment of a beautiful area in the South Pass down to where the area would no longer be eligible, in my opinion, for scenic and wild consideration.

And the Clarks Fork, possibly the most scenic of the four. The inclusion of the Clarks Fork is vital, in my opinion, and this is based upon the fact that in the 89th Congress I sent R. R. Kelso, at my own expense, to go to the Clarks Fork and report to me regarding a road location that was very controversial at the time to the people of that area. I believe that Clarks Fork should be put in a study for scenic and wild designation. It runs through Clarks Fork Canyon, passes through rugged mountain country. Most of it can only be reached by foot or by horseback. Only in the last few months a plan to build a paved highway up the side of the canyon was finally put aside after it was 5 years in controversial consideration.

The canyon offers a brilliant display of geological formations, easily visible to even the untrained eye in sharp contrast to one another.

At the upper end of this portion of the river, there are limited diversions for agricultural purposes which should not preclude designation or study or be endangered in themselves.

Wyoming is plagued with elaborate planning for possible water storage and diversion for coal and power development. And my point this morning in being here is to stress to you, Mr. Chairman and colleagues, that my State is being made into one massive power plant for the Nation. We have vast uranium caves the like of which you have never seen. We have 95 rigs drilling for oil and gas. We have strippable coal and billions and billions of tons that will leave large chasms. Soon we will have "black popcorn" acres of it from oil shale retorting, that you can't do a thing with for hundreds of years to come. Somebody must do something to preserve some parts of the State, or indeed move 300,000 people out and make the whole thing one big vessel and resource pit for the rest of the Nation. Such is the concern and expression of many people in Wyoming today.

Mr. TAYLOR. This is in response to my original statement.

Mr. RONCALIO. Yes, sir.

Mr. STEPHENS. You don't advocate what you said about the popcorn?

Mr. RONCALIO. I got the point loud and clear.

The Upper Green River has been recommended for study and inclusion in the past. Time is becoming of essence on the Green due to related development along its lower reaches. The State of Wyoming is just completing a 60,000 acre foot purchase of water storage capacity in Fontenelle Reservoir. Tremendous water demands are coming on the Green for trona, oil shale, coal, power, and other industrial water demands. So we have taken about 30,000 feet of water allocation from a questionable irrigation project, Fontenelle, that

will go for the benefit of Kansas and for the benefit of the other States represented on this committee, power for their State, of course.

Mr. SKUBITZ. I have no objection to it serving Kansas.

Mr. RONCALIO. No, sir, we are proud to send you water, coal, and everything else if you will let us preserve a little bit of our own State, undestroyed, for ourselves.

A study of this bill would give us a chance to see which portions of that river may not be included or should be included in the best interests of everyone concerned.

I won't stress on the great demands for energy again, but I want to go into the 1973 Wyoming water planning program which classified this portion as class 1, considered to be of national importance with reference to sport fishing and on the basis of present conditions of aesthetics, availability, and productivity. The Upper Green has also been suggested in the State recreation plan for possible designation as a State scenic river. So I don't think we are out of bounds when we propose it be studied as a national scenic and wild river. We will be happy to work with the State of Wyoming, with the cattlemen of that area, with statewide stock association.

There is concern among the ranchers that this would prohibit their operations, a designation of the river as a scenic and wild river.

There is concern among the ranchers along the Green that inclusion of the Upper Green would prohibit their operations. To the contrary, designation as a scenic or recreational river should have no adverse effect on these ranch lands and if anything, enhance and help preserve that great western way of life. We would like a chance to prove that because a few backpackers may have disproved that in years gone by.

The Snake is the fourth of these. It is in many ways the least controversial because the only man who could possibly be hurt is me, Teno Roncalio, because I happen to own 20 miles of gold claims, filed in 1967, following a court decision which declared the river to be vacant, unappropriated public domain.

Bill Bagley, a former administrative assistant on my staff, being familiar with that river, concurred with me that large mining interests out not come in and file from one end to the other, so eight of us went up and filed the Snake River. USGS publications cite billions of gold conglomerate there, and President Herbert Hoover wrote a paper on it when he was a youth.

If this bill passes it would tend to greatly reduce any value those gold claims might have for mining purposes. I will hang onto these until the preservation of that river can be secured by scenic and wild river legislation.

I would like to show you a pamphlet which most of you have used as you go up and down it in the rubber boats.

Mr. TAYLOR. Mr. Roncalio, have you had an opportunity to read the departmental report which is dated October 29, 1973?

Mr. RONCALIO. I have not except the conclusion that it doesn't object to this.

Mr. TAYLOR. The report states we recommend enactment of H.R. 8502, the Green River, H.R. 8477, the Sweetwater in Wyoming, H.R.

8578, the Snake River, if amended as suggested, and then recommends deferral of action on all the other bills until the Department has an opportunity to make more study.

On the Green River the Department recommends deletion of the 2-year time limit. They say it may take more than 2 years for the study. They recommend deletion of the appropriation ceiling of \$50,000, saying it may cost more than \$50,000 to make a study.

On the Sweetwater they would amend it. Your bill provides that a 10-mile section be placed in the study section. They say that is too short a segment. They recommend a total of 56 miles.

Mr. RONCALIO. That sounds like a Department report.

Mr. TAYLOR. On the Snake River they recommend a time limit of 2 years be removed, stating again that that is too short a time.

What is your reaction to these recommendations?

Mr. RONCALIO. My recommendation is that the excellent men who made them don't have to live with the ranchers. I do. So when they say take 60 instead of 10 it is burdensome. It does little good to keep studying for 8 or 9 years for a 60-mile stretch when we think we can sit down and get 10 or 12 dedicated now.

Mr. TAYLOR. You are a member of the subcommittee and you will be here when we mark them up.

Mr. RONCALIO. I do appreciate your calling to my attention the suggestions in the departmental reports.

Mr. TAYLOR. But they are favorable on three of your four rivers.

Mr. RONCALIO. Yes, and extend the time.

Well, gentlemen, in conclusion, and I don't wish to elaborate any further on the Snake, these streams have qualities and attributes which in my opinion will make them worthy additions to the wild and scenic rivers system. I hope the three discussed will warrant inclusion in the omnibus bill. I think the Clarks Fork should also. I don't think it is as controversial, but we can do that accordingly.

As Wyoming and the Nation face increased resource development, it is only prudent to set aside certain streams such as these for preservation. We simply cannot sacrifice all of our water resources and rivers to development, and that is a very real and present danger in the State of Wyoming today.

Mr. TAYLOR. Any other questions?

The gentleman from California.

Mr. KETCHUM. Thank you, Mr. Chairman.

Mr. Roncalio, you have heard the suggested amendments by the Department to your bills, two of which had to do with limiting the time. Do you concur in that recommendation?

Mr. RONCALIO. I wouldn't want to make an Italian opera out of objecting to them.

Mr. KETCHUM. I would be delighted to listen.

Mr. RONCALIO. If the Department feels that 4 years is an appropriate time and it wants to set back on the rear burners the program on the study there I would like to listen to it. I believe a bill of this kind has behind it industrial opponents that want to grab the water for plants soon to be built in Wyoming, some of which are already off the drawing boards and soon will be a reality.

Mr. KETCHUM. The reason I ask that question, I have a news release from the Department of the Interior dated September 1970. Its

title is "Interior and Agriculture Select 47 Rivers as Potential Wild or Scenic Streams." That is 1970. I turn back to Wyoming, and included on that study are the Green, Snake, Wind River and another one, the name of which I can't pronounce. That is 3 years ago.

Mr. RONCALIO. Is that P-o-p-o-g-a-i-e?

Mr. KETCHUM. Yes, something like that. I will address myself to that when the Department testifies.

Mr. RONCALIO. I thank my astute colleague for that observation. There have been three gone and they want five or six to go.

My feeling is this bill ought to call for two and let it be 2 years.

Mr. TAYLOR. We thank our colleague for this testimony, and I state you will be with us when we mark up the legislation.

The Honorable Tom Bevill.

STATEMENT OF HON. TOM BEVILL, REPRESENTATIVE IN CONGRESS FROM THE STATE OF ALABAMA

Mr. BEVILL. Thank you, Mr. Chairman. I am delighted to have the opportunity to appear before this distinguished committee, and I will just make a few comments on this. I have my prepared statement.

Mr. TAYLOR. Without objection, a copy of your statement will be placed in the record at this point.

[The statement referred to follows:]

STATEMENT OF HON. TOM BEVILL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ALABAMA

Mr. Chairman, distinguished Members of the Committee, I appreciate this opportunity to appear before you today in support of H.R. 8643. This bill, which I have introduced with Congressman Bob Jones, would amend the Wild and Scenic Rivers Act by designating the West Fork of the Sipsey Fork in the State of Alabama for potential addition to the National Wild and Scenic Rivers System.

Addition of the West Fork Sipsey to the Wild and Scenic Rivers System would assure its preservation in a free-flowing condition and a natural setting. As you know, Mr. Chairman, upon designation to the System, federally owned land within a quarter-mile of the river would be devoted to the recreational and scenic purposes of the Wild and Scenic Rivers Act.

The Warrior River is formed from three principal tributaries called forks—Locust Fork, Mulberry Fork and Sipsey Fork—plus many smaller streams. The Sipsey Fork has a main stream and a feeder stream that is named the West Fork of the Sipsey Fork but commonly referred to as the West Fork Sipsey.

The proposed area includes the West Fork Sipsey from the impoundment of Lewis M. Smith Lake in Winston County upstream to its origin in Lawrence County as well as the tributaries to that segment. This includes the Bee Branch area which has been protected by the U.S. Forest Service since the creation of the Bankhead National Forest. The area proposed for the Wild and Scenic Rivers System is about 16 miles long plus the tributaries.

The headwaters and much of the main stream of the West Fork Sipsey are typical mountain streams, beautiful but rugged. There are waterfalls and deep gorges, some more than 100 feet deep.

This area has some geological features, plants and birds that are reported to be rare in the United States.

Mr. Chairman, although the West Fork Sipsey is not a large river, it has unusual features which I believe merit consideration for addition to the Wild and Scenic Rivers System and I respectfully urge the committee to approve this bill.

Thank you.

Mr. BEVILL. I would like to mention there are two very distinguished citizens of Alabama here who will testify, so I will be very brief, as we have Dr. Earl Bailey, who is a professor at the University of Alabama, and he will be speaking on behalf of the National Sierra Club, and there is Mrs. Mary Burks, who is the executive secretary of the Alabama Conservancy. These two have put many years of study into this project.

Mr. Chairman, this is something which means a great deal to the people of Alabama. This project is located in Congressman Bob Jones' district and my district, but he had to be out of town on committee business, and I know he has submitted a statement.

So Congressman Bob Jones introduced this bill and I am cosponsoring it, and we are most anxious to get this scenic area added to the national Wild and Scenic Rivers System. This is the west fork of the Sipsey Fork. I might say this is in an unusual area. It is just north of what we call the Lewis Smith Lake, which is, I suppose, one of the most beautiful and cleanest lakes in the country. It is 42 miles long. The water is over 200 feet deep and the water is as pure as the city water in Birmingham, and that is something I think we can brag about. This is part of the headquarters we are wanting to protect.

We hope we are on safe ground, but we want to take every precaution we can to preserve this beautiful area just north of the Lewis Smith Lake, and the West Fork Sipsey is a part of the headwaters of the Lewis Smith Lake. There are three main forks there and this is the main part of one of the forks. I have learned since I came in here, the Department of the Interior has suggested postponing this bill until next year. We would like to urge the committee, if we could, to go on and let this proposal go through and let them make the study next year. I understand the U.S. Forest Service has made a study, and this is included in the Sipsey Wilderness Study of 1970 to 1972. The Alabama Conservancy, a very active group that Mrs. Mary Burks will testify about, has made a 4 $\frac{1}{4}$ -year study on it. So there has been a lot of study put in this. This is unique geographically and topographically with wildlife and ferns that grow there that we are most anxious to preserve. We are fearful that if legislation is delayed, the West Fork Sipsey may be endangered. Any consideration this committee will give will be appreciated. We just want something definitely done even if the study is delayed til next year.

Mr. TAYLOR. Let me state to the gentleman it was in 1968, 5 years ago, that the Wild and Scenic Rivers Act was passed. It designated a group of rivers to be placed in the study section. There have been four in the Southeast. That has been 4 years. Recommendations are now coming back to Congress for specific action.

The Department is asking for a few months in which to make a general study of priorities. We have got many, many rivers in the Nation and they want to make a study of priorities and come back with specific recommendations as to the ones that they think should be added to the study section of the bill. Then detailed studies will be made.

It was my thought perhaps that we should give the Department time to recommend priorities before we try to push ahead.

Mr. BEVILL. Certainly I respect the chairman and the committee's wishes on this. I would like to put it this way: I would urge this be expedited as soon as possible. It is something that has been studied for a long time. I don't know the status of these others. I think the Department of the Interior has recommended that you proceed with two and postpone six of them.

Mr. TAYLOR. Is a substantial amount of the land we have to take now in a national forest?

Mr. BEVILL. Oh, yes; it is right in here. If you take the so-called Heading Mill property and the Bankhead Forest, that is practically all there is. The only danger we have are those two things I mentioned, a potential danger of stripping and also a potential danger of the timber being cut. So this is what we are anxious to preserve, this quarter mile along this scenic area.

Thank you very much.

Mr. TAYLOR. Thank you for your testimony.

Our next witness is Hon. Wilmer Mizell.

Without objection, a copy of Congressman Mizell's statement will be made a part of the record at this point.

[The statement referred to follows:]

STATEMENT OF HON. WILMER D. MIZELL, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF NORTH CAROLINA

Mr. Chairman, and members of this distinguished committee, I would first like to express my appreciation to you for allowing me to appear before you this morning, and to recommend for inclusion in the Wild and Scenic Rivers System an ancient and beautiful and quite unique treasure of water.

I am speaking of the New River, which is believed to be the second oldest river in the world, second only to Egypt's Nile. Geologists tell us the New has been flowing for more than one hundred million years.

From its source near Blowing Rock, North Carolina, the South Fork of the New River joins the North Fork, which tumbles down from the Tennessee state line, near Sparta, North Carolina.

The river flows north into Virginia, where it twists and turns through six southwestern counties before heading northwest into West Virginia. The south-to-north course of the river is most unusual, giving the river the appearance of flowing upstream. And perhaps even more miraculous, the reach of the river I am proposing for inclusion in the Wild and Scenic Rivers System is almost pollution-free, the only such major river in the eastern half of the United States.

Well inside West Virginia, the New and the Gauley River merge to form the Kanawha, which continues in a northwesterly direction to the Ohio River and finally to the Mississippi.

PREHISTORIC BEGINNINGS

The New is the only remaining segment of the much greater prehistoric Teays River, which originated in the ancestral Appalachian mountains of North Carolina and travelled 1,000 miles through Virginia, West Virginia, Ohio, Indiana and Illinois. It then turned south to empty into an arm of the Gulf of Mexico, which in ancient times extended as far north as Illinois.

During the last ice age, the glaciers moved south, covering the lower half of the Teays—from Ohio down river. The rest of the river was stopped short, backing up to form a long narrow lake in Ohio and West Virginia.

When the glaciers receded, the lake gradually drained, but the Teays never resumed its course. The glaciers had forever altered the flow of the Teays when its streaming meltwaters met with the overflow from other streams and forged a new path through the land.

The downstream portion of the Kanawha was lowered to flow into a brand new river system—the Ohio, and a previously minor tributary became the mighty Mississippi River. Only the New River portion of the Teays survived intact.

A LAND OF RARE BEAUTY

Those same glaciers that changed the course of the Teays, but stopped before reaching the New, are also credited with the extra-ordinary combination of northern and southern vegetation in the area.

The geological theory is that the area was close enough to the glaciers to maintain the northern evergreens and pines, yet far enough away to retain the flowing bushes and trees of the south.

Botanists have described the area as the most unique—in terms of variety—of any in the world.

In addition to several rare plants that grow on the banks of the New River, the names of which I would not attempt to pronounce, there is a considerable number of fish and wildlife species that are considered to be endangered and quite rare.

And in addition, much of the land in this area is extremely fertile and remarkably scenic, with lush forests, rolling meadows and handsome and ancient mountains nearby.

Mr. Chairman, I am not a geologist, and I am not a botanist, and the technical information I have just provided to the Committee was prepared to a large extent by the Izaak Walton Leage of America and by the North Carolina Department of Natural and Economic Resources.

But anyone whose eyes have seen the stretch of the river and its environs which I am proposing for inclusion in the Wild and Scenic Rivers System would agree with me that this area provides a classic definition of nature's beauty.

A TREASURE OF HUMANITY

In addition to these rare and beautiful species of plants and wildlife which inhabit the area, there is another rare and quite endangered group for whom the New River banks have been "home" for generations.

It is a group called "people—people who live, and whose ancestors have lived, close to the land, people who have deep roots in the land, people who live in the same houses their ancestors built generations ago, people who see the neon and concrete jungle which we call 'civilization' as something they would just as soon live without, people I am privileged to represent in the Congress of the United States."

These peoples ancestors were among the earliest settlers of the original American frontier. The names found on ancient gravestones in the cemeteries, there are the same names in the telephone books today. These people have worked and fought for a way of life that is close to ideal, and they want to keep it so.

Mr. Chairman, I have carefully studied the requirements for inclusion of rivers in the Wild and Scenic Rivers System.

Among the three categories of inclusion—wild rivers, scenic rivers and recreational rivers—the New fits best, in fact, it fits perfectly, in the "recreational" category.

The Act states that recreational rivers: Are "readily accessible by road or railroad;" "may have some development along their shoreline;" may have "undergone some impoundment or diversion in the past."

The classification criteria provided by the Departments of Interior and Agriculture in February, 1970, clearly would admit the New River to the protective province of the Wild and Scenic Rivers System.

The Wild and Scenic River Act declares that "certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural or other similar values, shall be preserved in free-flowing conditions, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations."

Mr. Chairman, those words might have easily been written exclusively with the New River in mind. Doubtless there are other rivers in the nation that deserve the protection of this Act by virtue of one or more of the criteria set

forth here, but none can match the New for its surpassing quality in all of these categories.

There can be no controversy and no doubt that the upper reaches of the New River belongs not only to the nation but to the ages.

I have introduced legislation, H. R. 11120, to have that reach of the river included in the Wild and Scenic Rivers System. I urge this committee to act favorably and promptly on this proposal, and to take the necessary steps toward the permanent preservation and protection of the New River.

STATEMENT OF WILMER D. MIZELL, A REPRESENTATIVE IN CONGRESS FROM THE FIFTH CONGRESSIONAL DISTRICT OF THE STATE OF NORTH CAROLINA

Mr. MIZELL. Thank you, Mr. Chairman, and I certainly appreciate the opportunity to come before this distinguished committee this morning and to recommend for inclusion in the Wild and Scenic Rivers System an ancient and beautiful and quite unique treasure of water.

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A treasure of humanity—in addition to these rare and beautiful species of plants and wildlife which inhabit the area, there is another rare and quite endangered group for whom the New River banks have been "home" for generations.

It is a group called "people"—people who live, and whose ancestors have lived close to the land, people who have deep roots in the land, people who live in the same houses their ancestors built generations ago, people who see the neon and concrete jungle which we call "civilization" as something they would just as soon live without, people I am privileged to represent in the Congress of the United States.

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Mr. Chairman, those words might have easily been written exclusively with the New River in mind. Doubtless there are other rivers in the Nation that deserve the protection of this act by virtue of one or more of the criteria set forth here, but none can match the New for its surpassing quality in all of these categories.

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I have introduced legislation, H.R. 11120, to have that reach of the river included in the Wild and Scenic Rivers System. I urge this committee to act favorably and promptly on this proposal, and to take the necessary steps toward the permanent preservation and protection of the New River.

Mr. Chairman, I would just add one further comment, that the Governor of North Carolina is on record for the protection of the New River. Our senior Senator, Senator Ervin and our junior Senator, Senator Helms, are also on record for the protection of the New River, as are the State legislature of North Carolina, the local governing bodies, the Ashe and Alleghany County governments in North Carolina as well as Grayson County in Virginia are all on record in support of the New River.

Mr. TAYLOR. I might state to the gentleman that the Wild and Scenic Rivers Act provides a method by which the State can add rivers to the system if it sees fit.

Mr. MIZELL. Yes, and I understand the action taken by the State legislature was for the purpose of including it in the State Scenic Rivers Act, but of course this would only include portions of the north and south fork and a portion of the New River, whereas many of us believe it should include some areas downstream in Virginia.

Mr. TAYLOR. I commend the gentleman on a very excellent, persuasive statement.

Can you tell me—considering that this river has been flowing for 100 million years—how did it get its name?

Mr. MIZELL. Well, of course that is a very good question. I am sure that when the folks who found it stood atop those mountains and looked down on that valley, the beauty would prompt them to say this is new territory, this must be the New River.

Mr. TAYLOR. That is a pretty good answer. I had a girl write me once saying send me some literature on the Washington Monument and tell me how it got its name.

I yield to the gentleman from Georgia.

Mr. STEPHENS. Maybe it got its name as the New River because the Nile was the old one.

Mr. MIZELL. That is a very good suggestion, and I wish I had thought of it when the chairman asked that question.

Mr. TAYLOR. Now, the river is old but your bill is new, and consequently we have no statement of position from the administration. They recommend deferral of action on these newer bills until they have had maybe 2 or 3 months in order to look at all of them and

work out a list of their priorities and come in with recommendations.

Do you have any objection of complying with their request, considering this river has been flowing for 100 million years?

Mr. MIZELL. Mr. Chairman, I would hope it would not take the Department that long to file a report to the committee on this segment of the river. I certainly wouldn't think so. We would not want to rush the study itself, but we would like to have it included in the Wild and Scenic Rivers Act that I feel confident the committee would like to report out this year.

Mr. TAYLOR. If we see fit to hold temporarily the ones they recommend deferral on until they complete their study, supposing this were done with dispatch, you would have no objection?

Mr. MIZELL. If I understand the chairman correctly, including them in the act as to get them included in the Wild and Scenic Rivers. Is this the—

Mr. TAYLOR. The purpose, as I understand it, is to take a look at all of them and develop priorities which they could recommend for inclusion in the act. They say it costs \$50,000 to make the detailed study that is required and we have many bills, many proposals, and many rivers, and the Department would like to have an opportunity to take a look at the whole picture and suggest priorities with regard to these bills before us.

Mr. MIZELL. Certainly I would respect the wisdom of the chairman and the committee. But I think the longer we delay, it would permit—

Mr. TAYLOR. You may be able to use your influence with the Department in getting it to move with some speed.

Mr. MIZELL. Mr. Chairman, I think a little about the last couple of years that I pitched baseball in some of these things. In those last 2 years every time I looked up I had the bases loaded and nobody out. I know you can appreciate this position. Sometimes that is the position I am in with the Department, but I can assure you that I would certainly urge them to act as expediently as possible and with good judgment in this area.

Mr. TAYLOR. If we defer action on your bill it doesn't mean that is two strikes against it.

Mr. MIZELL. I appreciate that, Mr. Chairman.

Mr. TAYLOR. Of course, I might add this: We welcome the suggestion of the Department witness, but we are not bound by it. They are in a position to give us information and we usually wait to get the benefit of their recommendation, but we must ultimately decide the priorities as a matter of policy.

Mr. MIZELL. I can appreciate the wisdom of the Chair.

Mr. TAYLOR. Any other questions?

The gentleman from Kansas.

Mr. SKUBITZ. I would like to commend my colleague on his very excellent statement. On page 3 you point out that the names found on the ancient gravestones are the same found in the phonebooks today. Are those names also on today's poll books?

Mr. MIZELL. I couldn't verify this, but sometimes the relatives become greatly concerned that the relatives didn't come visit when they voted that year.

Mr. TAYLOR. The gentleman from Georgia.

Mr. STEPHENS. I think the answer to Mr. Skubitz's question is going to be fixed when we start registering by postcards. They will be voting in mail boxes instead of tombstones.

Mr. TAYLOR. We hear a lot of people having the right to vote—down in the States where Mr. Mizell and I represent we have too many people voting.

Two men on Saturday night were out getting names on tombstones and the election was the following Tuesday. One had a flashlight and one had a notebook. Finally one name was blurred and they couldn't make it out. The man with the flashlight says, "Let's go."

The other one said, "No, we'll wait until we get his name. He has just as much right to vote as the rest of them."

Thank you, Mr. Mizell.

The gentleman from Kansas.

Mr. SKUBITZ. I was very pleased with the statement the chairman just made that we are not necessarily bound by departmental reports. I emphasize this because I have a deep feeling that this committee should consider sometimes in the near future the bill that was very close to Mr. Saylor's heart, namely, H.R. 4861. John was deeply interested in the Piscataway area and had done more than any one person on this committee or in the Department to see that project through.

I think this committee would do well to honor his memory and he would be pleased if he knew that this committee passed this legislation.

Mr. TAYLOR. If the gentleman would yield, I would state that some 21½ weeks ago he stated he had to go to the hospital for this operation and he would be out of operation for a while. He asked us to conduct hearings on the bill that the gentleman from Kansas referred to. We did conduct hearings on it and that was the last hearing that he was permitted to participate in.

Mr. MIZELL. Mr. Chairman, there is no doubt but what we were all shocked when we learned about the death of our colleague. I recall that just the week before last when the water resources bill was on the floor that John spoke on the floor in behalf of protecting a wild and scenic area down in Kentucky from some bulldozers and from some construction that was proposed in that area.

So certainly his love for his committee and his love for the natural resources of our area and protecting our natural beauty is known by all, and certainly it is with a little bit of a cloud that we appear here today in his absence.

Mr. TAYLOR. Before we proceed to Assistant Director of Outdoor Recreation, Mr. Underhill, I have statements for the record from Senators Ervin and Helms, and from Representatives Blatnick, Jones of Alabama, Thomson of Wisconsin, Edwards, and Gilman. In the absence of objection, these statements will be placed in the record at this place.

[The statements follow:]

U.S. SENATE,
Washington, D.C., October 29, 1973.

HON. ROY TAYLOR,
Chairman, Subcommittee on National Parks and Recreation,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: I am writing to express my concern for the protection of the natural resources of our country and the state of North Carolina in particular.

Because the boundaries of our nation confine a finite quantity of land, water, and other resources, it is essential that we preserve these precious and irreplaceable natural riches. The Wild and Scenic Rivers Act was enacted in 1968 in an effort to preserve special areas of our countryside in their natural state. North Carolina's New River is one of the most unique rivers in America and flows through some of the most beautiful countryside in our land. As such, it merits designation as a potential addition to the national wild and scenic rivers system, pursuant to the 1968 Act. North Carolina's New River and its environs certainly qualify for inclusion as a "recreational river area" under the terms of the Act.

I have cosponsored a Senate bill which proposes the designation of the New River as a potential component of the wild and scenic rivers system. There is an identical bill now pending before National Parks and Recreation Subcommittee. I strongly support this legislation which would preserve the New River. I believe that the Congress would be remiss in neglecting to conserve this treasure of our natural legacy.

I would appreciate your incorporation of this letter in the record of the Subcommittee's hearings on these matters.

With kindest regards, I am

Sincerely yours,

SAM J. ERVIN, JR.

STATEMENT OF HON. JESSE HELMS, A U.S. SENATOR FROM THE STATE OF
NORTH CAROLINA

Mr. Chairman, I appreciate the opportunity that you have given me to state my position on H.R. 11120, and to support the work that Congressman Mizell has done to preserve the natural beauty of the New River and the area which surrounds it in Ashe and Alleghany Counties.

As you know, I am a sponsor of a bill in the Senate, S. 2439, which is identical to Congressman Mizell's bill.

Mr. Chairman, I know that the subcommittee has seen the evidence in support of this bill and has received valuable testimony urging its adoption. Let me just go over a few points which I feel are important.

The New River represents one of the last unspoiled and unpolluted rivers of its kind in the eastern United States. I believe it is of great scenic and recreational value in its natural state, not only to the citizens of Ashe and Alleghany Counties, but to all Americans who visit the area.

As you know, this legislation is of the utmost urgency because there is a proposal now pending before the Federal Power Commission which would allow dams to be constructed along the river for hydro-electric generation.

The elected representatives of the people of North Carolina at the local, state, and Federal level, have all voiced their opposition to this project. Earlier this year, the General Assembly of North Carolina adopted a resolution (Resolution Number 79) vigorously opposing the construction of the Blue Ridge Project which would dam the New River. The distinguished senior Senator from North Carolina, Senator Ervin, has joined with me in sponsoring S. 2439, the companion to the bill which you are now considering here in committee.

I feel there is an underlying consideration which should be expressed in connection with this issue as to whether the New River should be preserved in its natural state or dammed up and used for electric power generation. Many Americans—and I am one of them—feel that the influence of our Federal government has become so pervasive that citizens of a locality or a State are no

longer able to control their destiny. Decisions which vitally affect their lives and which have profound local consequences are being made at the national level by some agency of the Federal government with little or no sensitivity to the consequences that these decisions produce on a local scale.

I think we have an opportunity here through this legislation which is pending to express the will and the good judgment of the people of North Carolina and preserve the New River in its natural state.

I hope the Committee will see fit to report this bill favorably to the Floor.

STATEMENT OF HON. JOHN A. BLATNIK, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF MINNESOTA

Mr. Chairman and Members of this distinguished Committee, I respectfully urge this Subcommittee to authorize the National Park Service to study the 53-mile-long Kettle River, in Northeastern Minnesota, for possible inclusion in the National Wild and Scenic Rivers System. This study is a vital first step toward preserving one of the most beautiful rivers in the United States, for this and future generations of Americans.

The Kettle rises in Carlton County, courses south-southeast through Pine County, and flows into the St. Croix River on the border with Wisconsin.

Its clear pools, strung on a chain of white-water rapids, support a large fish population, particularly walleye pike, sturgeon and small-mouth bass. Deer, beaver, muskrat, heron and hawks are part of the river corridor's wildlife.

Most of the Kettle basin is forested, the heavy aspen and birch forests giving way to pine and hardwood as it makes its way south. While some of the banks are farmland, only a few man-made buildings are visible from the river itself.

Most of its course is moderate to very swift rapids between the still pools. But at Banning State Park near Sandstone the Kettle suddenly breaks free through a breathtaking, mile-long gorge about 130 feet deep, called Hell's Gate Rapids.

The Kettle is rich in signposts from the past. Scattered among the moraines, kettle holes and river bank caves, witnesses to the brutal hand of the Ice Age, are evidences of lumbering activity and quarrying which provided the first permanent life supports for the early settlers of the mid-19th century.

Situated between the Twin Cities and Duluth, the Kettle is within an hour's drive for canoeists, hikers, and fishermen from both areas—roughly half the State's population, or 2 million Minnesotans.

The State of Minnesota wholly supports this study. Further, the Department of Natural Resources has already authorized the Kettle as a canoe route.

The river flows through Banning State Park, St. Croix State Park, and the Chengwatana State Forest, where it joins the Upper St. Croix River, already designated as part of the National Wild and Scenic Rivers system.

Mr. Chairman, there can be no greater complement to this network of State and Federally protected areas than to add to it the Kettle River, a primitive, unspoiled and uniquely beautiful river which I am sure will be found to meet the criteria for wild river classification.

It deserves the wise protection from development and despoliation that only such designation, under the aegis of the National Park Service, can provide. I urge this Committee to authorize the study this year, so that it may be included in the System as soon as possible.

Thank you for your courtesy in considering this request.

STATEMENT OF HON. BOB JONES, A REPRESENTATIVE IN CONGRESS FROM THE
STATE OF ALABAMA

Mr. Chairman, I am grateful to you for the opportunity to present testimony on H.R. 8643, introduced by Rep. Bevill (D., Ala.) and me, to study the West Fork Sipsey in William B. Bankhead National Forest for possible addition to the National Wild and Scenic Rivers System.

The Sipsey Fork is one of the three principal tributaries of the Warrior River in Alabama. The Sipsey has a main stem and a feeder stream that is

named the West Fork of the Sipsey Fork but commonly referred to as the West Fork Sipsey. Our proposal is confined to the West Fork Sipsey.

The segment of the West Fork Sipsey that is of concern is located in Lawrence and Winston counties. The names Sipsey River, Sipsey Fork, and West Fork Sipsey all occur on different maps of these two counties. Also, these names are used interchangeably by different people when referring to the same stream. For identification purposes it is important that a distinction be made between the Sipsey Fork and the West Fork of the Sipsey Fork (West Fork Sipsey).

In addition, there is a larger and somewhat better known Sipsey River in Alabama—located in Marion, Fayette, Tuscaloosa, and Pickens counties. Most Alabama road maps use the names West Fork Sipsey for the stream in Lawrence and Winston counties and Sipsey River for the stream in the Tuscaloosa-Pickens county area.

The headwaters of the West Fork Sipsey form in the southwest corner of Lawrence County. It flows southeast out of Lawrence and across Winston and into the northeast corner of Walker County where it has its junction with Sipsey Fork. A large part of its flow across Winston County is through the Lewis M. Smith Lake owned by Alabama Power Company. The headwaters and much of the flow through Winston County is within the William B. Bankhead National Forest boundaries.

The Alabama Water Improvement Commission (AWIC) classifies the waters of the West Fork Sipsey from the junction of Mulberry and Sipsey Forks to the Lewis Smith Dam as public water supply. The entire Lake Lewis Smith on the West Fork Sipsey is classed as swimming and fish and wildlife. From Smith Lake upstream to its source, the segment involved in the proposal, the West Fork Sipsey is classed as fish and wildlife.

Lewis M. Smith Lake was created primarily for power generation and flood control. In addition to being an outstanding recreational area it augments low flows in the Warrior River system. This flow augmentation is regulated largely by power requirements, resulting in fluctuations in the daily water release from Smith Lake. These release fluctuations affect some other water uses downstream. The impoundment on West Fork Sipsey and the alteration of stream flow below Smith Dam remove these segments of the watercourse from consideration as a free-flowing wild and scenic river.

Left for consideration as a wild and scenic river is the segment from Lewis Smith Lake upstream to its source and possibly some of the feeder streams. The river flow distance amounts to approximately 16 miles. The feeder streams vary in size and distance of flow, and some are wet weather streams. The entire segment of West Fork Sipsey studied is within the Bankhead National Forest, with both Federal and private ownership of the stream and related land.

The headwaters and much of the main stream of the West Fork Sipsey are typical mountain streams, beautiful but rugged. There are waterfalls and deep gorges, some more than 100 feet deep. Almost half of the study region is within the 12,000-acre area proposed by the Alabama Conservancy as the Sipsey Wilderness area. The environment of this area was reported in a joint study between the Alabama Conservancy and the Forest Service in Alabama. This area has some geological features, plants, and birds that are reported to be rare in the United States. The West Fork Sipsey, like most Alabama streams, has periods of floods and of low water flow. It often floods during the winter and spring months. Likewise, its water flow volume is often quite small during the late summer and early fall months.

While the segment of the West Fork Sipsey proposed for study does not meet the desired minimum of at least 25 miles in length for a national wild and scenic river, other features of this stream add significantly to its value.

Those who have canoed or floated on this stream point out it provides a delightful passage among towering trees with glimpses of hiking trails, great cliffs, small caves and a myriad of flowering shrubs and herbaceous plants. At high water periods this is a very challenging stretch.

As warm weather draws on, and the stream lowers, the rapids become gentle and offer good boating for the amateur, amid unsurpassed scenery. A rare native fern has been discovered which grows only along the lower reaches of the Sipsey Fork and nowhere else in the world.

In May, mountain laurel blossoms shower on the boaters, small waterfalls cascade into circular pools just off the main waterway, and great cliffs rear against the sky, their bases plunging below the waterline and enclosing the stream. This is one of the most scenically beautiful areas in Alabama. It deserves to be included in the National Wild and Scenic Rivers System.

STATEMENT OF HON. VERNON W. THOMSON, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF WISCONSIN

The Lower Wisconsin is a unique river running from Prairie du Sac to its confluence with the Mississippi River, at Prairie du Chien, Wisconsin. It is the last section of water traveled by Louis Joliet and Father Marquette over three hundred years ago before they discovered the "Father of Waters" and opened the Midwest for exploration. More recently the bluffs along the south bank provided the eastern home and workshop for America's greatest architect, Frank Lloyd Wright.

This stretch of water is comparatively undeveloped and many of the bluffs along the edge are still virgin. Occasionally, one can find a summer cottage on or near the banks. Permanent dwellings other than those located in communities bordering the river are virtually non-existent.

The bluffs along the river are in the same condition. While the Lower Wisconsin meanders through a relatively broad plain, the bluff areas above the river are prime territory for development. Already one large recreation complex is in the implementation stage across the river from Spring Green, Wisconsin. Several new homes along the bluffs house long distance commuters to Madison, or serve as week-end retreats.

The fact is the Lower Wisconsin is currently a prime target for development and the next few years will be critical for its future. That it is scenic, there can be no doubt. I, therefore, would urge passage of H.R. 5419.

H.R. 5419 simply amends to the Wild and Scenic Rivers Act to designate the Lower Wisconsin for potential addition to the wild and scenic rivers system. This bill only requires that the Lower Wisconsin be considered for inclusion, not that it be included. The factors I have mentioned certainly give the river sufficient qualities to receive consideration.

STATEMENT OF HON. JACK EDWARDS, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF ALABAMA

Mr. Chairman, members of the committee, I am appearing before you today to speak in favor of my bill, H.R. 6897. This legislation provides for the establishment of a wild areas system in our country, to specifically include the Sipsey Wild Area in the Bankhead National Forest in Alabama.

The preservation of the Sipsey Wilderness in Alabama is a vital project and worthy of the full consideration of this committee. This area, if preserved, will mean many things to many people. To some, it will represent endless opportunities for outdoor recreation, from hiking and hunting to nature photography and camping. To some, it will provide the poetry of solitude and stillness, the chance, as Thoreau put it, "to live deliberately, to front only the essential facts of life." To some, it will mean the unexcelled scenic beauty of the thirty miles of gorges, the streams, the canyons, and the forests populated by deer and wild turkey. To some, it will mean botanical findings, to others an investment for the future, a natural legacy for Americans yet unborn.

Mr. Chairman, we have learned the hard way that our natural resources are not unlimited. We have seen that unless steps are taken to conserve and protect our resources, our high standard of living becomes threatened. We will find ourselves without ample wild areas to preserve our natural heritage unless we take steps *now* to set aside acreage like the Sipsey Wild Area.

The preservation of wild areas can serve as a symbol of hope for an improved environment in our country. As Thoreau said about the wild area around Walden Pond, "In wilderness is the preservation of the world." I urge this committee to enact legislation to preserve the Sipsey wild Area in Alabama.

STATEMENT OF HON. BENJAMIN A. GILMAN, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF NEW YORK

Mr. Chairman, I add my support to the proposal being introduced today jointly by Congressmen McDade, Robinson and myself insuring the protection of the Upper Delaware River.

Legislation has been previously introduced including some 72 miles of the Delaware under the Wild and Scenic River Act. Protection of this beautiful, free-flowing river is important to the residents of my Congressional district who benefit from the exceptionally fine recreational opportunities provided by this river. By including the Delaware within the Wild and Scenic River Act we will be preserving this river for future generations.

However, under the original act, zoning affecting the river is restricted to incorporated cities, to villages and to boroughs. Most of the banks of that 72 mile stretch of river are in townships and counties which under the existing law are not allowed to zone. Accordingly, those lands could conceivably be condemned by the Department of Interior pursuant to this proposal.

Residents along the Delaware are even more enthusiastic about preserving their river than the Federal government. The amendment we are offering today allows townships and counties to zone in accordance with the Secretary's guidelines thereby avoiding the necessity of any condemnation.

This measure is a real opportunity for local control in a proposed federal project. I strongly support this amendment and respectfully invite the Subcommittee's favorable consideration of our proposal.

Mr. TAYLOR. Now, Mr. Underhill, we are glad to welcome you back.

STATEMENT OF A. HEATON UNDERHILL, ASSISTANT DIRECTOR,
BUREAU OF OUTDOOR RECREATION, DEPARTMENT OF THE
INTERIOR

Mr. UNDERHILL. Thank you, Mr. Chairman.

It is always a pleasure to appear before your committee.

Before starting my testimony, Mr. Chairman, I would like to try to answer some of the questions which were left over from yesterday, at least to supply some of the information which you requested.

No. 1, the committee counsel asked in connection with the Department's proposed amendment to your bill on the Chattooga, if the Chattooga were added as an amendment to the 3(a) section as the Department suggested, did we intend that the ceiling on expenditures which you were considering a short time ago be increased to include the amount of cost of acquisition for the Chattooga. We would recommend that a bill adding the river to the system contain a ceiling on acquisition costs for the stream.

You also requested some information on costs on the rivers that had been acquired to date, and I can give the counsel a breakdown of the original cost estimates of the original or "instant" rivers, the allocation ceiling, the appropriations to date, the current estimated cost, and the additional ceilings requested in the legislation which you have been considering.

We were also asked to indicate the states of study rivers. Studies have been completed on the Upper Iowa, the Saint Croix, the Chattooga, the Clairon, and before the year is over we will submit the reports on the Allegheny and the Suwannee.

Mr. Chairman and members of the subcommittee, I appear before you to testify on nine bills which would amend the Wild and Scenic Rivers Act of 1968.

Seven of the bills would add the following rivers and certain tributaries thereof to the list of "study rivers" in section 5(a) of the act: H.R. 8501, Clark's Fork, Wyoming; H.R. 8502, Green, Wyoming; H.R. 8577, Sweetwater, Wyoming; H.R. 8578, Snake in Wyoming; H.R. 8643, Sipsey Fork, Alabama; H.R. 8753, the Gila, San Francisco, and Chama in New Mexico; and H.R. 10771, the Nolichucky in Tennessee and North Carolina.

The two remaining bills would amend section 3(a) of the Wild and Scenic Rivers Act by designating the following rivers and certain tributaries thereof as components or "instant rivers" of the National Wild and Scenic Rivers System: H.R. 8549, Kettle, Minnesota; and H.R. 8609, Smith, San Joaquin, Klamath, Trinity, and Eel, California.

As indicated in the Department's report on these bills, we recommend enactment of H.R. 8502, H.R. 8577, and H.R. 8578 if amended as suggested, and recommend deferral on the other measures.

H.R. 8502 would make the Green River from its headwaters in the Bridger National Forest to Fontenelle Reservoir a "section 5(a)" or study river. We have a considerable amount of information on this fine stream; it has already been recognized by the Secretary of Agriculture and the Secretary of Interior by designation as a 5(d) river—one that appears physically to qualify for inclusion in the national System. That conclusion must be substantiated by evaluation of alternative uses and values foregone. As is also pointed out in the Department's report, The Bureau of Reclamation is studying the Green as part of its feasibility study of the sublette project. We would coordinate the Green study with the 3-year study of the Bureau of Reclamation. The cost of such studies varies but almost always amounts to more than \$50,000. We therefore recommend deleting from H.R. 8502 the \$50,000 appropriation authorization. We also recommend deleting the 2-year time limit on the study in this bill and also in H.R. 8578.

We would like to complete our study within the 3-year period so it is coordinated within the Bureau of Reclamations study.

H.R. 8577 would make the Sweetwater a study river. This stream is involved in possible diversions from the Green and should be studied in conjunction with that river. As indicated in the Department's report, the stretch from Wilson Bar and Spring Creek included in H.R. 8577 is only 10 miles. We believe the 56 miles from the headwaters to Chimney Creek should be included. I might note that the Oregon Trail followed this stream in crossing the Continental Divide and we are currently studying the Oregon Trail as directed by Public Law 90-543, the National Trails System Act.

I might add as an aside that designation of the 56 miles as a study river and its inclusion in the study would not necessarily mean that all 56 miles would be recommended for inclusion as Mr. Roncalio mentioned in his statement. This might not be feasible or practical under the situation.

H.R. 8578 would make the Upper Snake from the southern boundary of Teton National Park to Palisades Reservoir a section 5(a) or study river. The Snake is one of the great rivers of western America. It has already been harnessed for much of its length. The section under consideration is now designated as a 5(d) river. Like the

Green it qualified physically for inclusion in the National System. Details are needed and alternatives and costs must be explored.

If these three rivers are included on the 5(a) list, our current arrangements with the Department of Agriculture would give the Forest Service the lead on the study of the Snake and the Bureau of Outdoor Recreation would have the lead on the Green and Sweetwater Rivers.

We respectfully recommend deferral on the other six bills. However, there are literally hundreds of fine, free-flowing rivers in this country. Undoubtedly these are fine streams and many of them will be on the list we forward to you. I know the Clarks Fork in Wyoming, for example, is a spectacular river.

Since the passage of the Wild and Scenic Rivers Act an inter-agency coordinating committee, in cooperation with the States, has been investigating and screening these streams to determine which warrant further study, and to establish priorities for such study.

As has been indicated, studies complete enough to furnish the Congress information on which to make final determinations for or against inclusion in the National System are costly. We believe it is important to screen out the less significant rivers and to recommend priorities among the rivers which could be studied. Early in the 2d session of this Congress, we plan to propose additions to the 5(a) list.

I might digress there for just a moment and elaborate. These studies are costly. There are a great number of fine rivers in the country. We have contacted all 50 States. We contact our people in the field and seek to develop an up-to-date list of those that appear worthy of inclusion. Once they are put on the 5(a) list we have a mandate from the Congress to make the detailed studies. Therefore, we think it is important that we select those streams carefully and provide you with the maximum information we can before streams are added to that list.

Mr. Ketchum mentioned a press release of 3 years ago which listed 47 streams. In your original legislation, Mr. Chairman, you set up the instant rivers in section 3(a), and you listed 27 study rivers in section 5(a), which you directed the respective secretaries to study and to report back, and then in section 5(d) you established a provision whereby the two Secretaries could nominate streams which they had studied enough to know that they physically qualified for inclusion in the National System. All section 5(d) does is say the Secretaries of Interior and Agriculture feel that these particular rivers meet the physical qualifications for inclusion in the System. We don't know enough about them to know whether they should be included or not because of the values that might be forgone or because of local problems in including them in the System.

It gives them no protection, Mr. Ketchum, since this is done under the 5(a) list. All it says is that any agency studying those 5(d) rivers for water development, for possible ditching, damming, diversion, and so on, must study the wild and scenic river potentials. With the 27 rivers listed in 5(a) taking all our time and study money, we have made no effort to further study the list that was mentioned in that press release, although early in the next session of Congress, many of those 47 rivers that are on the 5(d) list would be recommended by us for moving up to the 5(a) list for a more detailed study.

Mr. KETCHUM. Mr. Chairman, if I might—

Mr. TAYLOR. The gentleman from California.

Mr. KETCHUM. Yes.

In response to the gentleman, and quoting directly from your press release of September 1970:

Section 5(d) of the Act says that the two Secretaries shall "make specific studies to determine which additional wild and scenic rivers in the United States shall be evaluated in planning reports by all federal agencies as potential alternative uses of the water and related land resources involved."

I jump over a little bit, and it says:

Following is a State-by-State listing of the 47 rivers announced by the two Secretaries.

Again, I state in September of 1970. All I am saying is that those are the rivers. I am not saying it. The two Secretaries said it 3 years ago that some of the rivers Mr. Roncalio has mentioned in his bills are on here.

Mr. UNDERHILL. Respectfully, sir, what the release says is that the Secretaries have studied those 47 rivers sufficiently to know that they physically qualify for inclusion in the Wild and Scenic Rivers System, and then it lists them by State. Section 5(d) now provides that if the Corps of Engineers, the Bureau of Reclamation or if the State of Wyoming studies those rivers they have to study the wild and scenic potential as well as the diversion potential or the damming potential. Neither Secretary made any statement in that release that they were planning to further study those 47 rivers.

Mr. KETCHUM. That is quite correct.

The point I am attempting to make is you have suggested or the Department has suggested amendments as to Mr. Roncalio's bill as to timing of the study. I am simply saying somebody must have done some study of these rivers at sometimes in order to put them on the list, and I am wondering how much more study you have to do before you come to a conclusion.

Mr. UNDERHILL. All right.

The reason for not wanting a 2-year time limit on the Green is because Reclamation is embarked on a 3-year study and we would like to complete ours at the time they complete theirs so the two can be coordinated.

Mr. CAMP. Would the gentleman yield?

Do you mean to tell me you are making a study and Reclamation is making a study and at the end of a 3-year period you are going to put them together to see how they correspond?

Why are they overlapping? Why not let one agency do it and save the \$50,000 or whatever?

Mr. UNDERHILL. I guess, sir, it would amount to both agencies hesitating to invite the fox to count the chickens.

Mr. CAMP. I didn't catch that. What?

Mr. UNDERHILL. I don't think most of the proponents of wild and scenic rivers would really like to have the Bureau of Reclamation, which is basically a development agency, make the study of wild and scenic rivers' potential, and I am sure the Bureau of Reclamation would not be happy if the Bureau of Outdoor Recreation studied the development potential of the streams.

On the other hand, the studies should both be based on the same physical data. They should be coordinated.

I think I am quite certain that the Bureau of Reclamation and the agencies studying the wild and scenic potential will have some differences of opinion as to what course should be taken on the Green.

As Mr. Roncalio knows, for a number of years there has been a potential dam known as the Kendall Dam, which would be used to impound water and divert that water across the Divide into the Sweetwater and down into the Platt where it would probably now be used for support of the coal modification or other types of industrial development, on the Upper Great Plains.

This project has never been considered feasible in the past on the basis of cost benefit ratio. With the increased need for energy, with the increased need for development resources in the Upper Great Plains, there is increased interest in this kind of a project.

On the other hand, anyone that has been on the Upper Green knows that it is a very beautiful stream with a very high recreational potential—with excellent fishing, excellent floating potential. It is currently flowing through ranch country which has a high population of moose and other wildlife and some of the most fertile ranch land in northern Wyoming. It is used to irrigate alfalfa fields along that section. Some judgments will have to be made as to which way we go, as to whether the Upper Green is saved as an Upper Green Wild River or whether the water potential of the Upper Green is more important to society.

Hopefully, by running these studies in conjunction, with Reclamation obviously being the proponent of development and with the Bureau of Outdoor Recreation and some of the other agencies probably leaning more toward saving it, hopefully we can provide you with all the facts to make a decision 3 years from now.

Mr. RONCALIO. Will the gentleman yield?

Mr. KETCHUM. Yes.

Mr. RONCALIO. I have heard it asked over the decades, and I don't think I have ever heard a better, more calm, accurate explanation, of the distinctions in my experience. I want you to know that.

Mr. UNDERHILL. Thank you, sir.

Mr. TAYLOR. In the absence of objection, a copy of the news release dated September 1970, will be made a part of the record at this point.

[News release follows:]

[Department of the Interior News Release]

INTERIOR AND AGRICULTURE SELECT 47 RIVERS AS POTENTIAL WILD OR SCENIC STREAMS

Secretary of the Interior Walter J. Hickel and Secretary of Agriculture Clifford M. Hardin today announced the joint identification of all or portions of 47 rivers in 24 States as potential additions to the National Wild and Scenic Rivers System.

The selections are based on statutory requirements of the Wild and Scenic Rivers Act of 1968 (Public Law 90-542), which directs the two Secretaries either singly or jointly to identify rivers that have potential for inclusion in the national system.

Section 5(d) of the Act states that the two Secretaries "shall make specific studies and investigations to determine which additional wild, scenic and recreational river areas within the United States shall be evaluated in planning

reports by all Federal agencies as potential alternative uses of the water and related land resources involved."

"Selection of these rivers in no way prohibits planning, and construction, or programs to change existing uses in the river areas," the two Secretaries said. "However, such programs must proceed on the basis of a complete understanding of how existing values in the river areas would be altered."

The two Secretaries also pointed out that the free-flowing potential of the river areas will be evaluated as part of any Federal planning involving the use of water and related land resources in the river areas.

The rivers announced today are in addition to the eight rivers Congress designated as original components of the National Wild and Scenic Rivers System, the Allagash Wilderness Waterway, Maine, added to the System by the Secretary of the Interior, and the 27 rivers listed for study in the Act.

Following is a State-by-State listing of the 47 rivers announced by the two Secretaries:

RIVERS SELECTED FOR 5(D) STATUS UNDER THE SCENIC RIVERS
ACT, PUBLIC LAW 90-542

Alaska

Birch Creek—Segment from North Fork bridge at milepost 94 of the Steese Highway to highway bridge at milepost 147 of the Steese Highway.

Chatanika—Segment from the head of McManus Creek to the bridge at milepost 11 of the Elliott Highway.

Chitina—The entire river.

Delta—Segment from Round Tangle Lake at milepost 21 of the Denali Highway to the Delta's confluence with Phelan Creek at milepost 212.5 of the Richardson Highway.

Fortymile—Entire river with major tributaries within Alaska.

Gulkana—Entire main stem and its Middle and West Forks between the lower end of Paxson Lake and the town of Gulkana.

California

Kern—Segment from source to Kernville at Lake Isabella.

Klamath—Segment from Iron Gate Dam to mouth.

Russian—Segment from Ukiah to mouth.

Sacramento—Segments from source to Shasta Lake and from Keswick Reservoir to Sacramento.

Smith—Entire main stem, North Fork to Diamond Creek, Middle Fork to Griffen Creek, entire South Fork.

Tuolumne—Segment from Hetch-Hetchy Dam to New Don Pedro Reservoir.

Florida

Wacissa—The entire river.

Idaho

Henry's Fork—Segment from Big Springs to confluence with Warm River.

Snake (Middle)—Segment from Hells Canyon Dam to Lewiston, Idaho, including tributary Imnaha. (Also in Oregon and Washington)

Iowa

Wapsipinicon—Segment within Linn, Bremer, Black Hawk, Buchanan, Jones and Clinton Counties.

Louisiana

Tangipahoa—The entire river. (Also in Mississippi)

Maryland

Pocomoke—The entire river.

Michigan

Ausable—Segment from Mio Pond to Alcona Hydro Plant.

Manistee—Segment from Hinton Creek to Hodenpyl Dam, and from Tippy Dam Pond to Manistee Lake, including tributary, Pine River from Stronach Dam at Tippy Dam Pond to Edgette's Bridge.

Minnesota

Big Fork—Segment from confluence with Popple River to confluence with Rainy River.

Mississippi

Tangipahoa—The entire river. (Also in Louisiana)

Missouri

North Fork White River—Segment from State Highway 76 to Lake Norfolk.

Montana

Blackfoot—Segment from Landers Fork to Milltown Dam.

Madison—Segment from Earthquake Lake to Ennis Lake.

Yellowstone—Segment from Yellowstone National Park boundary to Pompey's Pillar.

Nebraska

Niobrara—Segment from Antelope Creek to vicinity of Sparks.

New Jersey

Mullica—Entire river including tributaries, Wading River and Bass River.

New York

Beaverkill—The entire river.

Hudson—Segment from source to Luzerne, including tributaries.

North Dakota

Little Missouri—Segment from Marmarth, N.D., to Lake Sakakawea.

Oregon

Deschutes—Segment from Pelton Reregulating Dam to confluence with Columbia.

Grand Ronde—Segment from Rondowa to confluence with Snake River, with its tributaries, the Wenaha to Milk Creek on the South Fork of the Wenaha; the Wallowa to the Minam River; and the Minam in its entirety. (Also in Washington)

John Day—Segment from mouth to confluence with North Fork, North Fork from John Day at Kimberly to junction with Baldy Creek; Granite Creek to its junction with Clear Creek.

Snake (Middle)—Segment from Hells Canyon Dam to Lewiston, Idaho, including tributary Imnaha. (Also in Idaho and Washington)

Texas

Guadalupe—From source to Canyon Reservoir.

Utah

Escalante—Source to Lake Powell.

Virginia

Rappahannock—Segment from tidewater to Remington, including tributary Rapidan to community of Rapidan.

Shenandoah—The entire river. (Also in West Virginia)

Washington

Columbia—Segment from Priest River Dam to McNary Pool.

Grand Ronde—Segment from Rondowa to confluence with Snake River with its tributaries, the Wenaha to Milk Creek on the South Fork of the Wenaha; the Wallowa to the Minam River; and the Minam in its entirety. (Also in Oregon)

Snake (Middle)—Segment from Hells Canyon Dam to Lewiston, Idaho, including tributary Imnaha. (Also in Idaho and Oregon)

Wenatchee—Entire river, including Lake Wenatchee and its tributaries, the Chiwawa and White Rivers.

West Virginia

Cacapon—The entire river.

Shenandoah—The entire river. (Also in Virginia)

Wisconsin

Flambeau (South Fork)—Segment from Round Lake to confluence with main stem.

Pine—Segment from source to confluence with Menominee River, including tributary, Popple River.

Wolf (Upper)—Segment which flows through Langlade County.

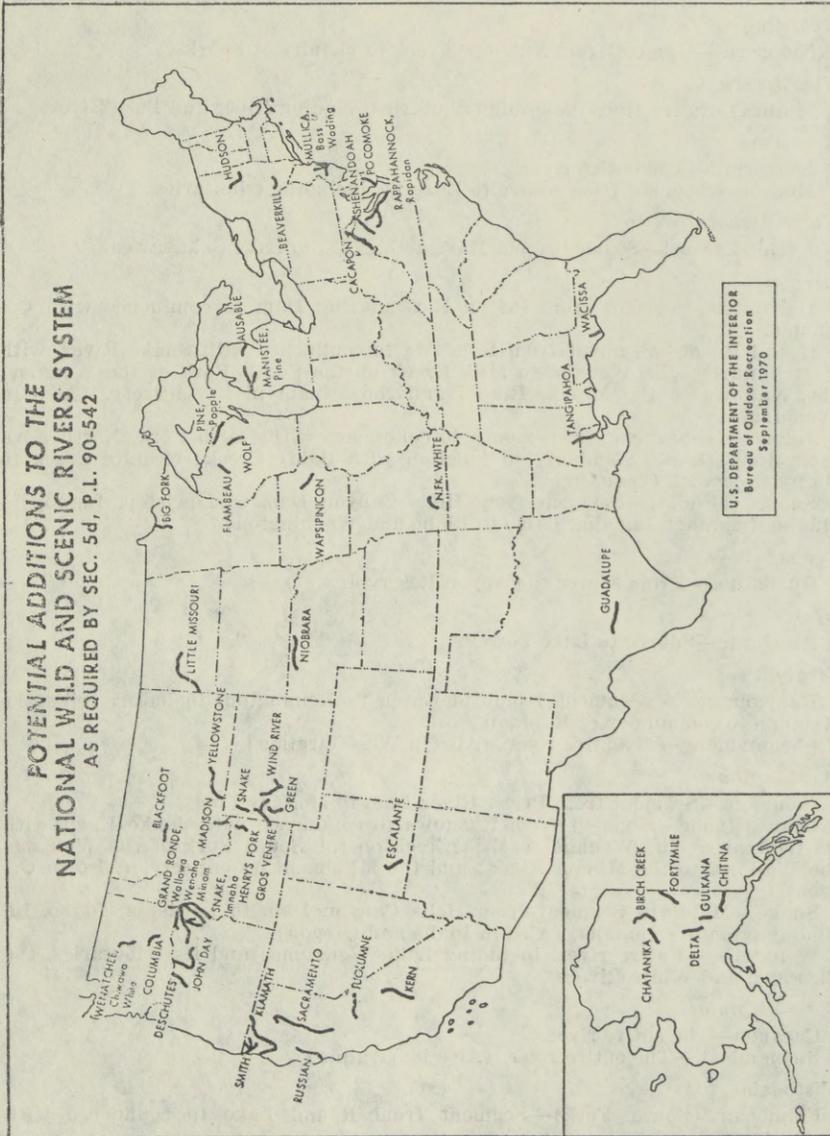
Wyoming

Green (Upper)—Source to Horse Creek

Gros Ventre—Entire river.

Snake—Segments from source in Yellowstone National Park to Jackson Lake, and from Jackson Lake to Palisades Reservoir.

Wind River—Segment from source to Boysen Reservoir.



Mr. TAYLOR. You recommend specific amendments, the same as those recommended in the departmental report?

Mr. UNDERHILL. There is one more paragraph to my statement, and I ask it be included in the record.

Mr. TAYLOR. Without objection, it will be made a part of the record at this point.

[Full statement follows:]

STATEMENT OF A. HEATON UNDERHILL, ASSISTANT DIRECTOR, BUREAU OF
OUTDOOR RECREATION, DEPARTMENT OF THE INTERIOR

Mr. Chairman and Members of the Subcommittee, I appear before you to testify on nine bills which would amend the 1968 Wild and Scenic Rivers Act. Seven of the bills would add the following rivers and certain tributaries thereof to the list of "study rivers" in section 5(a) of the Act:

1. H.R. 8501—Clark's Fork, Wyoming.
2. H.R. 8502—Green, Wyoming.
3. H.R. 8577—Sweetwater, Wyoming.
4. H.R. 8578—Snake, Wyoming.
5. H.R. 8643—Sipsey Fork, Alabama.
6. H.R. 8735—Gila, San Francisco, and Chama, New Mexico.
7. H.R. 10771—Nolichucky, Tennessee and North Carolina.

The two remaining bills would amend section 3(a) of the Wild and Scenic Rivers Act by designating the following rivers and certain tributaries thereof as components or "instant rivers" of the National Wild and Scenic Rivers System:

1. H.R. 8549—Kettle, Minnesota.
2. H.R. 8609—Smith, San Joaquin, Klamath, Trinity, and Eel, California.

As indicated in the Department's report on these bills, we recommend enactment of H.R. 8502, H.R. 8577 and H.R. 8578 if amended as suggested, and recommend deferral on the other measures.

H.R. 8502 would make the Green River from its headwaters in the Birdger National Forest to Fontenelle Reservoir a "section 5(a)" or study river. We have a considerable amount of information on this fine stream; it has already been recognized by the Secretary of Agriculture and the Secretary Interior by designation as a 5(d) river—one that appears physically to qualify for inclusion in the National System. That conclusion must be substantiated by evaluation of alternative uses and values foregone. As is also pointed out in the Department's report, the Bureau of Reclamation is studying the Green as part of its feasibility study of the Sublette Project.

We would coordinate the Green study with the three-year study of the Bureau of Reclamation. The cost of such studies varies but almost always amounts to more than \$50,000. We therefore recommend deleting from H.R. 8502 the \$50,000 appropriation authorization. We also recommend deleting the 2-year time limit on the study in this bill and also in H.R. 8578.

H.R. 8577 would make the Sweetwater a study river. This stream is involved in possible diversions from the Green and should be studied in conjunction with that river. As indicated in the Department's report, the stretch from Wilson Bar and Spring Creek included in H.R. 8577 is only 10 miles. We believe the 56 miles from the headwaters to Chimney Creek should be included. I might note that the Oregon Trail followed this stream in crossing the Continental Divide and we are currently studying the Oregon Trail as directed by P.L. 90-543, the National Trails System Act.

H.R. 8578 would make the Upper Snake from the southern boundary of Teton National Park to Palisades Reservoir a section 5(a) or study river. The Snake is one of the great rivers of western America. It has already been harnessed for much of its length. The section under consideration is now designated as a 5(d) river. Like the Green it qualifies physically for inclusion in the National System. Details are needed and alternatives and costs must be explored.

If these three rivers are included on the 5(a) list, our current arrangements with the Department of Agriculture would give the Forest Service the lead on the study of the Snake and the Bureau of Outdoor Recreation would have the lead on the Green and Sweetwater Rivers.

We respectfully recommend deferral on the other six bills. There are literally hundreds of fine, free-flowing rivers in this country. Since the passage of the Wild and Scenic Rivers Act an interagency coordinating committee in cooperation with the States has been investigating and screening these streams to determine which warrant further study, and to establish priorities for such study.

As has been indicated, studies complete enough to furnish the Congress information on which to make final determinations for or against inclusion in the National System are costly. We believe it is important to screen out the less significant rivers and to recommend priorities among the rivers which could be studied. Early in the 2d Session of this Congress, we plan to propose additions to the 5(a) list.

We would oppose the approach taken by H.R. 8549 and H.R. 8609, in any event, because these bills bypass the study procedure. We currently do not have sufficient information to provide the Congress for the decisionmaking process. The Kettle is largely within the Kettle River State Forest. It might well qualify for inclusion in the National System but under section 2(a) (ii) as a State-administered river. We have quite a bit of information on some of the California streams mentioned in H.R. 8609. Some, perhaps all, are in the State system; two are administratively listed under 5(d); all are involved in long-range State water development plans. Much more information is needed. We believe they should await the screening and priority listing I mentioned.

This concludes my formal statement. I shall be glad to respond to any questions you wish to ask.

MR. TAYLOR. You recommend that these other bills be deferred. How long a period of deferral do you request?

In other words, when will you have specific recommendations back to us on these other bills?

MR. UNDERHILL. I hate to be pinned down to a date, Mr. Chairman, but we plan to submit to this Congress and this committee the list of rivers that we feel should be added to the 5(a) list early in the second session of this Congress, I would think before April and hopefully possibly before the first of March.

MR. TAYLOR. Now, the only requests of these bills is that they be studied or placed in the study section. Why defer a study?

MR. UNDERHILL. Well, as I indicated in my testimony, Mr. Chairman, these studies are costly. The Bureau of Outdoor Recreation is a small agency with rather limited funds. The Forest Service is larger, but they have many demands on their funds and their time. Of course, we include Park Service, the Bureau of Sport Fisheries and Wildlife, representatives of the States and others in these studies, and as I indicated, the cost varies anywhere from \$50,000 to \$150,000 before we are through.

You have in front of you the report that the Forest Service prepared on the Chattooga in cooperation with us and others, and I think if you go over the details in that report on landownerships, on costs, on other uses and all the other information which you need to make a decision you can understand that such a study is expensive. This being the case, it might well be that a number of the rivers under consideration today would be on our list of recommendations.

On the other hand, there are a number of other fine rivers in the United States, and we might propose some of those as having priority over some of these streams. This is our main reason for asking—

MR. TAYLOR. You have given consideration to the fact that these rivers do have congressional support?

MR. UNDERHILL. Yes, sir.

Mr. TAYLOR. Of course, you realize we welcome the suggestions of the Department, we listen to the suggestions, but it is the prerogative and responsibility of the Congress ultimately to determine priority.

Mr. UNDERHILL. And we hope only to suggest to you what we think are the priorities, sir.

Mr. TAYLOR. Since these hearings were scheduled, two bills have been introduced, H.R. 11120 by Congressman Mizell, dealing with the New River; and H.R. 11148, by Congressman McDade, dealing with the Delaware River. Now, would you please study these bills and give us a supplemental report in the form of recommendations in regard to these two?

[This information will be placed in the committee files when received.]

Mr. UNDERHILL. I would be very happy to, sir.

Mr. TAYLOR. Would you at this time desire to comment on Mr. McDade's bill? You were here during the discussion earlier this morning concerning the Delaware, were you?

Mr. UNDERHILL. Yes, sir.

Mr. TAYLOR. It is a different kind of bill from the others.

Mr. UNDERHILL. Yes, sir.

We received a copy of Mr. McDade's bill yesterday. The Department has not had an opportunity to take a position. I think the chairman pointed out some of the obvious concerns that we have in this legislation. One of the immediate was that perhaps this could better be considered when the Congress was considering moving the Delaware into the System as a 3(a) river. Mr. McDade indicated that in order to calm public feeling along the Delaware and to provide some assurance of protection for landowners that he felt it would be important to do it at this point in time.

I think the Department has no real problem with the basic thrust of the legislation to provide for zoning in areas which are not now covered by the basic legislation. We do have some concern, however, since a quick reading of that legislation would seem to deny the Secretary any condemnation powers if there were zoning along the whole river, and as you and also the gentleman from Kansas pointed out, we think this would be unfortunate, because it may be necessary to acquire access points or certain types of development to assure adequate public use of the river.

But we have no basic objection to the principal thrust of the legislation. I think I am safe in saying that.

Mr. TAYLOR. What is the present status of the Delaware report?

Mr. UNDERHILL. The field group has just finished public hearings on, I believe it is six alternative plans, for development of the Upper Delaware. The field group will be briefing the Secretary next week on their recommendation of which of those alternatives appears to them to be the most feasible. Following that we will put the report in final form. I hesitate to say how long it would take to get administration clearance, but hopefully it will be, if not by the end of the year, certainly in the next session of the Congress.

Mr. TAYLOR. Has any decision been reached as to whether or not this river will be administered by a Federal agency or by the States?

Mr. UNDERHILL. No, sir. That has not been determined.

Mr. TAYLOR. The gentleman from Wyoming, Mr. Roncalio, any questions?

Mr. RONCALIO. No questions.

Mr. KETCHUM. On page 2 of your testimony, last paragraph, you have indicated another of the amendments, recommendations deleting the \$50,000 appropriation authorization, indicating as you have that these studies sometimes cost more than \$50,000. Are you suggesting to the committee, then, that the authorization be left open or are you indicating that a figure of some kind should be put there?

Mr. UNDERHILL. Mr. Ketchum, under the basic legislation establishing the Bureau of Outdoor Recreation, we have the authority to conduct studies and really all we are suggesting is that the appropriation process govern the amount appropriated for a study and that we not be tied to a specific amount in this bill.

Mr. KETCHUM. Thank you.

Mr. TAYLOR. Any other questions?

Well, thank you.

Does counsel have any questions?

Mr. McELVAIN. No, sir, Mr. Chairman.

Mr. TAYLOR. Thank you, Mr. Underhill.

Mr. Thomas C. Nelson, Deputy Chief, U.S. Forest Service.

STATEMENT OF THOMAS C. NELSON, DEPUTY CHIEF, NATIONAL FOREST SYSTEM, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. NELSON. Thank you.

Mr. Chairman and members of the committee, we welcome this opportunity to participate in your consideration of a number of bills to designate rivers as components or as potential additions to the National Wild and Scenic Rivers System.

We are responsible for the administration of a number of the components of the National System, and have study responsibility for nine of the 27 study rivers. Pursuant to section 5(d) of the Wild and Scenic Rivers Act, we cooperated with the Department of the Interior in identifying 47 additional rivers for which Federal agencies must evaluate wild, scenic, or recreation river potential as an alternative use in river basin and project plan reports.

Throughout the National Forest System the uses of lands adjacent to rivers are being planned as part of a comprehensive multiple use planning process. Alternative land uses are being evaluated and special resource values and uses on Federal lands are being managed and protected. As part of this ongoing planning process and associated public involvement, we are aware that certain rivers not listed in the original act have potential for addition to the National System and may merit designation for detailed study under the act.

We are now working with the Department of the Interior to consolidate inventory information and develop specific recommendations

on possible additional study rivers, in a suggested order of priority, with time requirements, and with an estimate of the cost of such studies.

Based on existing information that we have we feel that comprehensive study of the Green, Sweetwater, and Snake Rivers of Wyoming is needed now to provide a basis for the determination and allocation of resource uses of these three rivers. Consequently, we recommend enactment of H.R. 8502, H.R. 8577, and H.R. 8578. I would, sir, like to comment briefly on each of these rivers.

SNAKE RIVER

The Snake River of Wyoming includes a study reach of approximately 49 miles involving a mixed ownership of National Forest, private lands, and other Federal lands. The Snake is rated as a "blue ribbon" trout stream and although roads parallel the river, they do not detract from the spectacular scenic setting through which the river flows. The entire length of the river is used for recreation river float trips. The proposed Alpine Narrows Dam would, if constructed, inundate most of the lower 29 miles of the river.

Because of the relationship of the river to National Forest lands and management, we would expect the Department of Agriculture to be the lead agency in study of the river.

We recommend that the requirement contained in H.R. 8578 that the river study be completed within 2 years be deleted. We believe that a 2-year time limit would be too restrictive to complete the necessary resource inventory and evaluation, including public and agency review. We would plan to move ahead rapidly with the study and we would expect to complete the study along with our other river studies by 1978.

GREEN RIVER

The upper portions of the Green River are within the Bridger-Teton National Forest. The lower portions of the River pass through Bureau of Land Management, State, and private lands. Since the majority of the river is outside the National Forest, we would expect the Department of the Interior to be the lead agency in conducting this study. The Department of Agriculture would be a participant in the study. We support the Department of the Interior's recommended amendment to delete the requirement contained in H.R. 8502 that the study be completed in 2 years and to delete a \$50,000 ceiling on expenditures for the study.

SWEETWATER RIVER

Only a small portion at the headwaters of the Sweetwater River would involve National Forest lands; consequently, we defer to the Department of the Interior for detailed recommendations on this river. We support the Department of the Interior's recommended amendment which would designate for study the river segment from its headquarters downstream to its junction with Chimney Creek.

On the designation of study rivers proposed by H.R. 8501, H.R. 8643, H.R. 8735, and H.R. 10771, we recommend that action be deferred until we complete our interagency review of potential study rivers. Wild and scenic river studies involve substantial investments of time and financial resources, as Mr. Underhill has already pointed out, both on the part of the Federal agencies conducting the study, and of those citizens concerned with river proposals. We conclude that the overall study program should be undertaken in an orderly, systematic way, with full consideration of the scope and long-term requirements of the program.

Now, in regard to H.R. 8549, the Kettle River, and H.R. 8609, which includes five rivers in California—both bills would immediately designate certain rivers as components of the National Wild and Scenic Rivers System, we recommend that these bills not be enacted because studies of their suitability for inclusion in the National System have not been conducted.

Sections 4 and 5 of the Wild and Scenic Rivers Act designated certain rivers for potential addition to the National Wild and Scenic Rivers System and established study procedures to determine whether a river should be included in the National System. We view the detailed study and subsequent report on proposed additions to the National System as an important part of national resource planning. During the study the alternative uses of the land and water which would be enhanced, foreclosed, or curtailed if the area were included in the National System can be analyzed. The study procedures also provide for full interagency, State, and public review of proposals. We recommend that any river not listed in the original act as a component of the National System be studied prior to its addition. The rivers listed in H.R. 8549 and H.R. 8609 will be considered in developing our recommendations for possible designation as additional study rivers.

Mr. Chairman, this concludes my formal testimony. I will be happy to answer questions.

Mr. TAYLOR. Is there any difference between the recommendations of the Department of Agriculture and the recommendations of the Department of Interior in regard to these bills?

Mr. NELSON. No, sir.

Mr. TAYLOR. It seems to me you were agreeing pretty thoroughly with one another.

Mr. NELSON. That is correct.

Mr. TAYLOR. Any questions?

Mr. Nelson, you heard the testimony of Mr. Bevill in regard to the Sipsey River and the Bankhead National Forest. What is the Forest Service doing with regard to this river?

Mr. NELSON. It is my understanding the area is being managed under multiple-use principles at this time, Mr. Congressman. It has not received a study as a wild and scenic river. There are some areas, and I don't have the exact information as to their relationship with the area included in this bill, but some areas in that vicinity are being considered for wild areas or wilderness designation.

Mr. TAYLOR. If there are no other questions, we thank you for your testimony.

Now, we are going to adjourn in just a few minutes and take up again at 2 p.m. this afternoon. We have five additional witnesses.

Are there any witnesses on the list who cannot come back this afternoon?

We will recess until 2 p.m. this afternoon.

[Whereupon, at 12 o'clock the subcommittee was recessed, to reconvene at 2 p.m. on the same day.]

AFTERNOON SESSION

MR. TAYLOR. The Subcommittee on National Parks and Recreation will reconvene.

The first witnesses are to be introduced by our colleague from Wyoming.

MR. RONCALIO. This is Mr. Dan Budd, and this is Mr. Walter Reynolds, both Wyoming Stock Growers Association. They both have statements for the committee.

MR. TAYLOR. Thank you, Teno.

STATEMENT OF DAN S. BUDD, PRESIDENT, WYOMING ASSOCIATION OF CONSERVATION DISTRICTS

MR. BUDD. Mr. Chairman, in listening to the preponderance of the evidence this morning in favor of the conclusion of this study area, I feel somewhat inadequate in representing the small but real group of ranchers and business people, recreationists, that live within the Green River Valley that are deeply involved in this problem.

MR. TAYLOR. We all find ourselves in the minority sometime.

MR. BUDD. To the chairman of the House Subcommittee on Interior and Insular Affairs:

Mr. Chairman and—

MR. TAYLOR. Let me state without objection you can read as much of your statement as you desire, all or part of it, or you can comment as you please. You may proceed.

MR. BUDD. Thank you.

I am Dan S. Budd, local rancher in the Green River Valley representing the Green River cattlemen. I am also president of Wyoming Association of Conservation Districts whose membership is 7,500.

I live on a small ranch on one of the tributaries of the Green River which will be under study and under the shadow of the Wind River Wilderness. My family is five generations living within a few miles of the home that my children's great, great grandfather built in the 1870's to protect his family. For those of you have not visited the Green River Valley, it is relatively small when compared to other major drainages, with long and harsh winters lasting up to 6 months. The summers are short and cool with the possibility of zero frost-free days being very often.

Ranch homes and a few other residents live along the banks of the Green and its tributaries. Many of the families have strong ties to the pioneering times when the doors were never locked and when a passer-by could stop and the first question he was asked, was, "Have you had dinner?"

The sheriff's department has experienced a 15-percent increase in its workload above normal increases because of the public pressure in the Wind River Wilderness—from 50,000 in its first conception to 151,000—an increase of people in the other three proposed study areas in the Bridger Forest. The Bridger Forest officials report a decrease in use of the forest. But there was a marked increase because of being subjected to national recognition.

Now doors are locked, saddles are stolen, cars are pilfered, guns taken from parked trucks, camps destroyed, and local families feel insecure when a stranger approaches the house after dark.

Sublette County was one of the counties selected by the Public Land Law Review Committee to participate in countywide planning. The implementation of that plan was adopted May 12, 1970, and recorded in book No. 1, page 37, Sublette County Courthouse. We were told by its adoption that Sublette County would insure its own destiny.

The drafting of this plan was long and frustrating to residents with many feeling that it was infringing on their inherent rights. But the plan was adopted after being assured by Congress that by its implementation the citizens of Sublette County would dictate their own destiny.

Through the process of planning, Sublette County has adopted a land use plan setting forth their wishes for the future. This plan was participated in by all the citizens of Sublette County. One of the goals of this plan was to protect the pastoral tranquility of Sublette County and to protect the agricultural and recreational base, which is a quote from the Sublette County plan.

Has Sublette County been hoodwinked by elected officials in Washington, who say on the one hand, "Plan and set your own future," or is what they are really saying, "If the plan does not suit the congressional committee, we will institute legislation to supersede your authority."

I'm sure you Congressmen would not further erode the faith of the people of Sublette County by legislating their destiny from Washington when they have diligently applied the concept of local planning.

Why destroy a free and beautiful river and prostitute it by making it wild? I would at this time like to quote from the experiences of other areas pertaining to the problems of wild, scenic, and recreational rivers.

Date line, Denver Post, 1973: Permit system to control use on 88 miles along Rogue River. Governor Tom McCall, of Oregon, has announced that because of litter, filth, and the sanitation problems on the river and the trails adjacent to the river have gone beyond the capacity of the area to absorb them.

Can we afford to take a free and beautiful river like the Green and destroy it? If we study all or 15 inches of the Green River, we shall have focused national attention on this fragile watershed with no provisions to handle the effects of thousands of people who have gathered to observe why we are studying the area. Then we shall have perpetrated a fearful act and destroyed the balance between

man and nature. And Congress, through its very study, will have violated a free and beautiful creature. The mother moose and her calf will leave the shores. You will not see a family of geese teaching the young to swim in the river. We will have then created another wild, scenic, or recreational river and driven further man's crime against its natural resources.

The garbage removal and the policing of the campgrounds in the Pinedale District of the Bridger National Forest was stopped September 1 because of the lack of funds with the fall hunting season coming on. Litter and human sanitation refuse will build up all winter and, yet, you are considering the appropriation of \$50,000 plus, for a 2-year study of the Green River. Is this a sample of the financial responsibility of the U.S. House of Representatives?

The Wyoming State Legislature in 1973 enacted a statute providing for a stream preservation study. And a report to the Governor will be made on or before October 1 of 1974 and they have been directed to prepare and submit to the legislature any and all recommendations for a stream preservation system on or before January 1, 1975.

To quote from the act:

Enrolled Act 19, House of Representatives of the 42nd Session of the Wyoming State Legislature is an Act creating a stream preservation feasibility study. Under this Act the Committee shall, "make preliminary surveys to determine the character, quality, recreational, scenic, historical, aesthetic, fish and wildlife potential, and any other values to be considered in preserving streams for public use and benefits. Plan a State scenic and recreational stream preservation system to meet the needs of the people of Wyoming. Evaluate and describe the potential of any stream which might be identified as meeting the criteria of a preservation system. Prepare a report on the proposed preservation system for presentation to the Governor on or before October 1974. And also make the report available to the public. To prepare and submit to the legislature any recommendations for a stream preservation system on or before January 1, 1975."

Further, the Supreme Court has ruled that you can float any stream that you can get a float on. This leaves open most of the waters in the State of Wyoming without focusing national attention.

The people of Wyoming further expressed their desires through the 42d legislature by the adoption of a joint senate-house resolution requesting the cooperation of the Congress of the United States and in refraining from the creation of additional wilderness areas within the National Forests within the boundaries of the State of Wyoming.

Because of national legislation disrupting the local life pattern of many of Congressman Roncalio's sheep friends from Rock Springs, they have sold their businesses.

In finality, I urge you to consider the other alternatives which are open, and they are: local planning through the zoning and planning resolutions adopted by Sublette County; through the Enrolled Act 19, House of Representatives of the 42d legislature of the State of Wyoming.

And in conclusion, I would like to quote to you from the Wyoming Recreation Commission report:

An outdoor recreation plan for Wyoming, October 1970. The State of Wyoming has taken the position that it is the State's responsibility to administer

the rivers within its boundaries, and that development of a scenic rivers program and other similar programs affecting the waters of Wyoming should be under jurisdiction of the State.

I ask you to consider the prayer of my petition.

Thank you.

Mr. TAYLOR. Mr. Reynolds, would you make your statement?

STATEMENT OF WALTER J. REYNOLDS, PRESIDENT, WYOMING STOCK GROWERS ASSOCIATION

Mr. REYNOLDS. Mr. Chairman, members of the committee, I am Walter Reynolds, a livestock raiser or rancher, if you will, from Douglas, Wyo. I appear before you as the president of the Wyoming Stock Growers Association, an association over a hundred years old with 2,800 dues paying members throughout the State. The interests of our members are not confined to livestock alone. Many of our 120-member executive committee are also prominently active as business, professional, and political people in the State and region.

The Wyoming Stock Growers Association is opposed to the enactment of bills H.R. 8501, 8502, 8577, and 8578 that authorize the potential addition of sections of the Green, Snake, Sweetwater, and Clarks Fork Rivers into the Wild and Scenic Rivers classification.

Our organization did not oppose the concept and establishment of the wilderness systems but have consistently opposed any addition or expansion of the systems. As our experience with the day to day, on the spot contact with the Wilderness System grows we become more firmly convinced that its expansion will not serve the best interests of the State and Nation.

Designation of Wilderness or Wild and Scenic Rivers has been responsible for immediate overuse by the people apparently least able to appreciate and protect the very qualities the concept sought to preserve.

I would like to call your attention to a cover photo on a conservation magazine, and this is the way we look at it, the overuse.

We need look no further than Yellowstone and Grand Teton National Parks for evidence of problems of people management in the very type of area you would be creating by Wild and Scenic classification of segments of the rivers in H.R. 8501, 8502, 8577, and 8578.

Inclusion in the Wild and Scenic River classification locks up an undetermined amount of natural resources, some of no particular interest or value today, but perhaps vitally important at some time in the future. At the present time we are nationally experiencing an energy crisis. The Powder River Basin of Wyoming where I live has a vast and important reserve of coal, oil, and uranium that are needed to ease this crisis. Development of these reserves needs water resources far beyond that arid basin's ability to supply. One solution to this water need is transmountain diversion of water from the Green down the Sweetwater to the areas of natural resource development.

We must point out to you that roughly 48 percent of the State of Wyoming is already under the ownership and direction of the Federal Government. We see no valid reason to increase this Federal

jurisdiction. A very large portion of this land is managed under the multiple-use concept and we strongly object to any classification limiting land and water to a special and specific use.

Land and water is very important to the economy of the State but cannot produce if harassed by hordes of people tramping through the area.

At this point I would like to state that I have been a member and past president of Wyoming's Game and Fish Commission, so I do have some experience in conservation.

The last few months has raised the question of how much fuel this Nation can afford to allocate for recreational purposes. We may have all of the recreational areas we need if outdoor recreation is limited by fuel allocation to the population of the immediate area.

Federal control indicates a need for increased expenditures for acquisition and management. Additional expenditures by the Federal Government will only add to the already disastrous inflationary trend fueled by tax money.

Congress in all sincerity may pass legislation that appears to be fair and necessary, but experience shows us that field application is quite another thing.

Inclusion of segments of the Green, Sweetwater, Snake, and Clark's Fork Rivers by Congress will deny the State of Wyoming the right and privilege of managing its own territory. The 1973 Wyoming Legislature passed a bill creating a stream preservation study committee. The committee has scheduled a public hearing for Monday, November 19, 1973, at Ramada Inn in Casper, Wyo., 2 to 4 and 7 to 9 p.m.

Extensive hearings were held by the U.S. Senate Committee on Interior and Insular Affairs both in the field and in Washington, D.C. Although these hearings were held in 1965, we believe the testimony that resulted in the exclusion of these river sections from the Wild and Scenic River System then are valid today.

Gentlemen, I wish to thank you for the privilege and honor of appearing before you today.

Mr. TAYLOR. Thank you for your statement.

Let me ask a question.

How much of the Green River corridor is now in Federal ownership? Does the Federal Government own most of the land involved or is it privately or individually owned?

Mr. BUDD. 23,000 acres is under irrigation and we are considering a vast amount of land from the Pinedale, or from the Daniel area clear to the Fontenelle Reservoir, which is agricultural land.

The other thing that disturbs us tremendously is included in this one, and this one, along all the tributaries of the river, which includes pretty nearly all the agricultural land in Sublette County, which vastly distresses us when we are considering the tributaries.

Mr. TAYLOR. So most of it is privately owned?

Mr. BUDD. Yes, sir.

Mr. TAYLOR. I call your attention to this because the act provides that if the Federal Government or other governments combined own as much as 50 percent of the land, then the Federal Government cannot take any more by condemnation. It cannot take any more

land in fee simple title unless it is deemed necessary for public facilities or access.

The act also provides that an owner of a home may retain—that is an owner of an improved property in the corridor to be taken—may retain it and so much land as the Secretary agrees should go along with it for a period for 25 years, or for a lifetime, whichever he elects to take. Those are put in there to protect property owners living in the area.

In most cases we have almost no property owners living in the area because for the most part they are wild areas which have not been developed.

Mr. BUDD. The Green River is a highly developed area, and I would say from talking to my people that that country has not changed appreciably than when it did when Jim Bridger first viewed it. Twenty-five years is not very long in the light of five generations living in the same home with deep ties to that area.

Mr. TAYLOR. Mr. Budd, you say destroying a beautiful river by making it wild—of course, my thought would be that man can't make a river wild; either nature has made it wild, or it is not going to be wild. In most cases our purpose in enacting legislation is to protect and preserve a river which is already wild in nature.

You mentioned that the problem of overcrowding—we are creating more and more recreation areas of various types, National Parks, wild and scenic rivers, and so forth in order to disperse tourists in more and more areas so as to prevent crowding. That is one of our purposes.

I yield to the gentleman from Wyoming.

Mr. RONCALIO. Thank you, Mr. Chairman.

Mr. Budd, thank you very much for an excellent statement that you have prepared.

I know you have put a lot of feeling and depth into it.

Let me ask a few questions so we can get to something we can live with, because in Wyoming we have these direct feelings.

If the language on page 1 of the bill, “. . . and its tributaries,” were just stricken from the bill in the markup, would it be a lot less objectionable to you? It wouldn't be near as bad, would it?

Mr. BUDD. I agree that it wouldn't be near as bad.

The thing of the Green, it is not really a wild river when we consider the white waters of the other rivers. If you have never been on the Green and never lived there, the Green is a very broad and peaceful river that flows down through the valley this way. It is not in the basic concept wild river in the true sense that we think of some of the rivers, and some of the studies that have been done by the men at the University of Wyoming that have written doctorate thesis on this Green and said the same thing, that no portion of the Green River really complies with the true meaning of what we consider a wild river a number of years ago in 1956.

Mr. TAYLOR. If the gentleman would yield, I might point out that the act deals with wild rivers, and scenic rivers, and recreational rivers. There are three separate categories.

Mr. RONCALIO. You would certainly agree the lakes—the Green River Lakes are some of the most scenic country in the world?

Mr. BUDD. Most of this is in the scenic areas. We don't object to this on the Federal land. The only thing we object to is to the private land on the rivers and the disruption of the way of life of some 120 families who make their livelihood by way of agriculture. I am sure you must understand it would be impossible to confine those people to the river, and you try to run cattle and run a livestock operation with those people infiltrating a half a mile wide, and in most cases this is as wide as the valley bottom, you wouldn't have to condemn the land, Mr. Chairman. I am sure they would be glad to give it to you in a couple of years, to get out.

Mr. RONCALIO. I appreciate your concern. We live in an area in which you speak. I know the problems you are touching on.

But there are about 120 families involved. Isn't the distance also about 60 miles of river?

Mr. BUDD. Yes.

Mr. RONCALIO. So if there is a hope that we can work out in that area some way, some designation of this river as a scenic and wild river and take out the tributaries, wouldn't it be less objectionable, maybe?

Mr. BUDD. Congressman, would I be out of place to suggest to you that we just limit the study to the public lands?

Mr. RONCALIO. No, you would not, and that may well be a good suggestion, Mr. Chairman. I don't know. This is not checkerboarded. We may have 10 or 15 miles of public land, and I will ask Mr. McElvain to keep that in mind as we proceed on the markup.

Mr. Reynolds, I read from your statement:

Inclusion of segments of the Green, Sweetwater, Snake, and Clark's Fork Rivers and privilege of managing its own territory.

Well, on the Snake, isn't it a fact that virtually every bit of it except one—section 16 up there by the airport, is all BLM land, or park or forest?

Mr. REYNOLDS. I think you are probably right.

Mr. RONCALIO. So that might not apply there.

And isn't the Sweetwater— isn't that all BLM land except some grazing things?

Mr. REYNOLDS. As I understand, the Enabling Act and its application, that the State would have the privilege of making these designations even on that land.

Mr. RONCALIO. And the State would have the right of overseeing the operation of the scenic and wild rivers?

Mr. REYNOLDS. So I think it is pertinent to the statement.

Mr. RONCALIO. I wanted to touch those two to show the last thing we want is, we have too much to do to get along with the States on, and a host of other things which the full committee is concerned, for me to raise a new source of irritation—dominion over anybody is the last thing we seek.

You wouldn't have that as an objection? Mr. Budd, do you have—

Mr. BUDD. Congressman, when the proposed area for study 75 on the Bridger Forest, I think you got a copy of the feelings in the Sublette County about the creation, and I don't know what your

mail ran, but I would daresay it ran 99 percent to a proposed study area in that area to 1 percent, and that included all the people, not just the livestock people.

Mr. RONCALIO. Mr. Reynolds, is that a question that you would probably have no trouble getting what—near unanimous approval of the Stock Growers Association of Wyoming?

Mr. REYNOLDS. I am making my statement on the premise of past resolutions and past reports of our various subcommittees, and as I have indicated to you privately, that we will be meeting on the 8th or 9th of December and I will again ask for an expression from that executive committee on this particular subject.

Mr. RONCALIO. If you could be nice enough to maybe separate the resolutions it might be a little more acceptable.

Which would you have less objection to of the four? Are there specific reasons for objections that wouldn't be applicable to the Green or the Snake?

Mr. REYNOLDS. The one specific objection is Dan Fraker that lives up there.

Mr. RONCALIO. I see. Yes. Well, he has his statement.

Mr. REYNOLDS. Yes, sir. If it will be helpful to you, I could ask our committee to consider each of these bills separately.

Mr. RONCALIO. All right.

I want to thank you both very, very much for having taken the time and trouble to come to Washington and appear before us and help us try to make a proper job of this very important problem.

I hope I can appreciate the inclusion, Mr. Chairman, that there are thousands of Wyoming people that have asked their Congressmen to do this. I am not concerned that the Los Angeles Audubon or the Los Angeles Sierra Club wants this done. This reflects several opinions within Wyoming, and the spokesmen want this within Wyoming. I am not trying to tell you folks what to do.

Mr. REYNOLDS. May I respond to that by saying I appreciate that, because these people have made their statements in the Senate investigation, and you are certainly correct that there is a difference of opinion, and there are quite a number of them.

Mr. SEIBERLING. Do I understand that there is any problem about access to the rivers for purposes of watering of cattle or is that not part of the problem?

Mr. BUDD. Mr. Chairman, there is no problem of access. It is because there are parcels of State land and Federal land going down into the rivers. The Game and Fish Commission from Wyoming has bought a number of vistas along the river to allow people to use the river to fish and to float and the Supreme Court of Wyoming has ruled that a man may float any piece of water that he can get a float on. So this opens it up to the public and to anybody that wants to use it.

Our main concern is that we are taking from Wyoming the priority to manage its own affairs and we are focusing national attention on river that is a State affair. And we saw what happened in the Wind River area where we went from 50,000 visitors to 151,000 visitors in a very short time and they are only using 1 percent by the way of this area and it has created tremendous problems.

We asked for a zoning resolution in our county so that we can handle this and we think that we don't need the national recreation this brings to this area.

Mr. SEIBERLING. My question is a very narrow one though. Is it your position that the creation of this wild river will prevent people who have been using it for getting water for their cattle from using it in the future?

Mr. BUDD. Yes, Most emphatically.

Mr. SEIBERLING. In what way?

Mr. BUDD. Because of the numbers of people and the difference between the people that don't understand livestock and livestock themselves.

Mr. SEIBERLING. And how is that going to stop the livestock from getting water out of the river?

Mr. BUDD. If you saw the results of 100,000 people which have floated in the Snake River and if you saw a cow coming down to water with that many people and kids and dogs and everything else you would see.

Mr. SEIBERLING. Frankly, I am not a cattleman and that is why I am asking you the question.

Mr. BUDD. You see, it is impossible. It would be impossible. Those cattle in many instances don't see a man for 6 or 8 or 10 months at a time when they are back on that high range country and those cattle get very jittery.

Mr. SEIBERLING. Well, if they get thirsty enough, isn't that going to overcome their jitters?

Mr. BUDD. Yes, but it is making ranching unfeasible.

You won't have to condemn us; we probably would be happy to give it to you then.

Mr. SEIBERLING. Won't they get used to people coming down the river?

Mr. BUDD. I don't think so.

Mr. REYNOLDS. The problem here is I think the cattle will be driven to other areas where they can get the water but they will soon eat up all the feed. It interrupts the operation. They won't stay along the river where denser growth and more productive land is. I think that is part of the problem, not all of it.

Mr. SEIBERLING. Is it possible to set aside stretches in some way so that problem won't be encountered?

Mr. BUDD. I suggested that we limit this study and I hope this is included, Mr. Seiberling, to just the public lands. And we have no qualms really against the Government studying its own lands, but 23,000 acres of this are privately owned on both sides and those people are trying to make a livelihood and it would be impossible to keep those people in the confines of the river unless you completely policed it because those people are going to get on the banks.

Now those people own title to it and they are trying to make a living and—

Mr. SEIBERLING. Excuse me, but of course if it actually deprives the private owner of rights which go beyond the mere value of the property which is taken then I suppose under existing laws regarding the use of the power of eminent domain, that they would be entitled to compensation for the value of the rights that they are losing that go beyond the value of the actual acreage acquired by the

public. Now that is something that the lawyers would have to advise you on but I have been involved in such transactions and damages to the residue of the land are one of the measures of compensation that a landowner is entitled to.

Now I would just like to ask one other thing. Of course we hear this same sort of reaction from people in every area when we propose a park or a scenic river and yet I think that it is important that people recognize that there are plusses to these projects too. If, as you say, anyone that can get on the river is entitled to float down you are not going to stop them from floating down anyway but, if it is a wild river under the control of the Government with an obligation to regulate the traffic on the river, than you would find a much better opportunity to police the thing to prevent the dumping of rubbish and people going on land where they are not supposed to, et cetera. Now much, well, at least half of the land would have to be only acquired to the extent of scenic easements which leaves the land ownership title in the original owner and gives the public no right of entry. So it seems to me that there are some advantages because you have much better control when it is designated an official scenic river or wild river than you do when it is just used by the public at random. I have a situation like that in my own district where we have a river that people are using recreationally and it is not officially a scenic or recreational river and the property owners along the banks are tearing their hair out because there is no official status and therefore no policing of the thing whatsoever. Other rivers in the State, which are wild or scenic rivers, are under such controls and everybody seems to be reasonably satisfied.

So I ask you to consider the fact that there are some plusses to this as well as minuses.

Mr. BUDD. May I respond just a short response to this?

This thing about the combination that you mentioned comes to mind. How do I tell my daughters, that are five generations, who ask me why this happened and I say—well, they say: "Why do we have to sell? Why are we leaving?" And I say "We have to sell because we have been condemned by the Government when we have five generations of these girls."

Mr. SEIBERLING. Sir, I don't know whether your land or your house is part of the property that would be acquired by the Government or not, but it is the policy—

Mr. BUDD. The tributaries are very close.

Mr. SEIBERLING. Well, it is the policy of the Park Service or the Forest Service not to acquire improved property except where it is absolutely unavoidable. So I would be surprised if they actually acquired your homesite.

Mr. BUDD. The other point I would like to make is that Sublette County through the direction of the Congress through the PLLRC, which was created by this committee, that Sublette County was picked as one of the seven counties because of its unique situation. And I think the counties were picked with the most populous county in the Nation, the least populous, the most wealthy, and so on for several reasons, but Sublette County was one of them designated and we did enact, as I pointed out, a countywide plan for the county accompanied by zoning to accomplish that in our county.

So that we would insure and we thought that Congress then told Sublette County they would back us, in setting our own destiny and we feel that we have been very sincere in this. I am on the zoning and planning board, by the way and I find it a heavy responsibility when a man comes and asks for a change from agriculture to rural or from recreation to something else or any of the others, I find that a heavy responsibility. So that we can control that river and the use on that river through our zoning and planning resolution. That would be my response.

Thank you.

Mr. SEIBERLING. Would you also be prepared to hire whatever kinds of staff or enforcement personnel that are necessary to see that the river is properly used?

Mr. BUDD. I am sure that the county commissioners would accept the responsibility of policing. We have always policed our county, our people and I am sure that the commissioners of Sublette County would respond to this need. I am positive of this.

Isn't that right, Congressman Roncalio? We have never shrugged off our duty in the State of Wyoming.

Mr. SEIBERLING. Well, I don't want to prolong this. I would just like to say I come from Summit County, Ohio, and it is very different from Summit County, Wyo., but human nature is probably the same in both places.

Mr. BUDD. My wife also comes from that area, from Athens.

Mr. SEIBERLING. Your wife?

Mr. BUDD. My wife is from Athens, Ohio.

Mr. SEIBERLING. Oh, is that so? Well, Summit County is up at the other end of the State. I remember many years ago now when my family gave some 500 acres which was part of our property to the Akron Metropolitan Park District and we were fearful at the time about the potential hordes of people that were going to be going by our doors and invading the rest of our property. And there were some adjustments, but on the whole we found that it was something that we could live with. Sure, kids occasionally trespassed on our remaining property and that sort of thing but I think on the whole that the benefit that accrued to us because we had the pleasure of seeing that land enjoyed by many more people than would ever be possible if it was in private hands, far outweighed the small problems. I just think there are some things that you have to adjust to as our country becomes more crowded and as land becomes more scarce, particularly recreational land. And I am not saying this particular river or that river has to be given some protective status but I think you do have to take a little longer view and a little larger view of this and I think there are ways of doing it without really seriously infringing on the rights of private landowners which I certainly respect since I want my rights respected too.

Mr. KAZEN. Would the gentleman yield?

Mr. SEIBERLING. Yes.

Mr. KAZEN. I would agree with the gentleman in practically everything he said except for the fact this is a very unique situation in Wyoming where over half of the State is already owned by the Federal Government and this is prime land.

Mr. SEIBERLING. Well, I see that.

Mr. BUDD. Eighty-four percent of Sublette County is either federally owned or State owned.

Mr. KAZEN. Eighty-four percent?

Mr. SEIBERLING. But there are possibilities of making swaps and maybe a lot of other people are benefiting, you know, private businesses are benefiting from Federal lands. I understand a lot of them are getting grants for grazing and so forth.

But our biggest problem in this area it seems to me is the Federal Government in many places has given away too much land. If our people 100 years ago had been able to see what the country was going to be like today and had knowledge of all of the areas that would be valuable from a recreational standpoint, a lot of that land that we are now trying to buy back in some form or another for the public use would never have been put into private hands at all.

Mr. TAYLOR. Can the gentleman finish in 1 more minute?

Mr. SEIBERLING. I yield back the balance of my time which has expired already.

Mr. TAYLOR. Well, thank you, Mr. Budd and Mr. Reynolds.

I might say, for your comfort, as you leave, that acquisition is a long way off. This is just a bill to study the feasibility of adding this river to the system. The last study rivers have been going on for 4½ or 5 years. It would be simply a study before any action would be taken by Congress.

Mr. REYNOLDS. Mr. Chairman, may I point out the reason the designation of a study area contributes to the overuse of the area, that once it is designated as a study area, then you get all of these people in that we feel are overusing it so that even by that you are creating a problem for us.

Mr. TAYLOR. Fine. Thank you. Now we'll place Mr. Craighead's letter in the record.

(The statement of Frank C. Craighead in letter, follows:)

Moose, Wyo., October 22, 1973.

Hon. ROY A. TAYLOR,

Subcommittee on National Parks and Recreation, Committee on Interior and Insular Affairs, U.S. House of Representatives, Washington, D.C.

MR. CHAIRMAN: I am Frank C. Craighead, Jr., a resident of Wyoming, president of the Environmental Research Institute located at Moose, Wyoming, and also Senior Research Scientist, the Atmospheric Sciences Research Center, State University of New York at Albany. I appreciate this opportunity to make a statement concerning Congressman Teno Roncalio's bills to study the feasibility of including portions of the Sweetwater, Green, Clark's Fork, and Snake Rivers in the Wild and Scenic Rivers System.

Three continental river systems originate within the State of Wyoming. They are the Green-Colorado, the Yellowstone-Missouri, and the Snake-Columbia System. The headwaters of these are currently of high quality and furnish unique and unusual outdoor recreation. With increasing nationwide water pollution and general deterioration of high quality water-oriented recreation, it would seem that Wyoming is ideally endowed and situated to capitalize on the State's land and water recreation resources. Now, and even more so in the future, Wyoming could continue to develop as a major high quality outdoor recreation center for the nation. One of the best approaches to doing this is to preserve the upstream sections of our rivers.

Under the Wild and Scenic Rivers law, 90-542, no Wyoming rivers were set aside for preservation, although a number were proposed. In a 1963 report to Secretary Udall entitled, "A Program To Classify, Inventory and Evaluate the Recreational Resources of Our River Systems", the Upper Snake River, the

Upper Green, the Clark's Fork of the Yellowstone and the upper North Platte River were recommended by the writer for study. This report initiated the development of the Wild and Scenic Rivers Bills.

In a 1964 draft Study Report on the Upper Green, Wyoming, prepared by the Bureau of Outdoor Recreation, the 63 miles of the Green River from its origin in the Bridger Wilderness area to the confluence of Horse Creek near Daniel, Wyoming was judged by the Task Group, "to warrant further consideration for National wild river status." Congressman Roncalio's bill, H.R. 8502, also recommends study of an additional downstream portion of the Green to Fontenelle Reservoir. I am in full agreement with this.

The Snake River is a prime candidate for Wild and Scenic river status. It is unquestionably unique and outstanding in many ways. Already the impact of heavy recreational use in the upper stretches and competing claims for use of this resource make it desirable to give it further protection. I would suggest including the Snake River from the southern border of Yellowstone National Park to the Palisades Reservoir. National Park Service protection is in itself insufficient to adequately preserve the river within Grand Teton National Park from overuse, roading and development. This section should also be studied.

I have surveyed, evaluated and photographed the Clark's Fork from Crandall Creek to the mouth of Clark's Fork Canyon. I feel it superbly meets the criteria of a National Wild River and should be preserved and managed as such. In a letter of October 28, 1971 to the U.S. Forest Service I stated, "In my opinion this (Clark's Fork Canyon) is the dominant and most unique single resource of the area. The canyon is outstanding in its scenic beauty, turbulent white water, geological formations, historic, fish and wildlife values. It rates high with any canyon that I have seen and studied throughout the country. Such a canyon with its narrow gorge carved slowly by natural forces through eons of time, is now a rare and unusual resource." After several trips into parts of the canyon I stated, "I am more convinced than ever that the Clark's Fork of the Yellowstone should definitely be considered for Wild River status."

I strongly advocate that the Wild and Scenic Rivers Act be utilized to set aside and preserve Wyoming's unique and outstanding rivers. These as I have indicated include portions of the Sweetwater, Green, Clark's Fork, and Snake rivers. I have personally surveyed and evaluated all of these, except the Sweetwater, and I have from time to time publicly urged their inclusion in the Wild and Scenic Rivers System. I first became involved in what is now the Wild and Scenic Rivers Program in 1957 and 1959 when my brother, Dr. John Craighead and I presented testimony before the Senate's Select Committee on National Water Resources in Missoula, Montana. It was there that we defined the wild and scenic river, and urged that segments of such rivers be set aside and preserved. I was later instrumental in helping to draft portions of the Wild and Scenic Rivers Act. This bill provides for the addition of other rivers from time to time to the Wild and Scenic Rivers System. I think the time is overdue for studies to be conducted and evaluations made as to which and how many of Wyoming's rivers should be included within the System.

I am delighted to learn of the hearings scheduled on Congressman Teno Roncalio's bills, H.R. 8501, 8502, 8577 and 8578. On the basis of my experience in this Rocky Mountain area, I believe that the best use of many of the high altitude Wyoming streams is to include them in the Wild and Scenic Rivers System, thus assuring their unique scenic, recreational and other values for the rapidly expanding number of Americans seeking quality outdoor recreation. High quality water is probably the greatest single resource in the Rocky Mountain area. Industry should not be encouraged in the upper reaches of any of these river systems, but should be established where feasible down river where water quality will still be unimpaired if upstream sources are properly protected and managed.

Sincerely,

FRANK C. CRAIGHEAD, JR., PH. D.,
President, Environmental Research Institute.

MR. TAYLOR. Ms. Mary I. Burks, Jr., executive secretary, Alabama Conservancy?

Also, Dr. Earl Bailey, from Alabama, you are both speaking on the same river. I judge that you have agreed very well in your statements?

Would you mind just coming up the two of you together? We could ask questions of both of you.

STATEMENT OF MARY I. BURKS, JR., EXECUTIVE SECRETARY, ALABAMA CONSERVANCY AND DR. EARL BAILEY, ASSOCIATE PROFESSOR, THE UNIVERSITY OF ALABAMA AND CHAIRMAN, TUSCALOOSA GROUP, SIERRA CLUB

Ms. BURKS. Thank you. May I put these maps up here?

Mr. TAYLOR. All right.

Ms. Burks, your entire statement will be placed in the record at this point and then you can comment on it.

Ms. BURKS. I am sorry?

Mr. TAYLOR. I said your entire statement will be placed in the record. It is rather long.

Ms. BURKS. Yes, please. I will not read it. In fact, I would like to depart from it a little bit.

[The statement of Ms. Mary I. Burks in full follows:]

STATEMENT OF MARY I. BURKS, EXECUTIVE SECRETARY OF THE ALABAMA CONSERVANCY

Congressman Taylor and Members of the Committee, it is both a privilege and a pleasure to appear before this committee for the first time to advocate the study of one of Alabama's finest free-flowing rivers for eventual inclusion in the National Wild and Scenic Rivers System.

SIPSEY WILDERNESS STUDY

The Alabama Conservancy first became aware of the extraordinary recreational potential and scientific value of the West Fork Sipsey in 1969 when we undertook a feasibility study of 12,000 acres in the Bankhead National Forest leading toward designation of the Sipsey Wilderness as a part of the National Wilderness Preservation System. I would like to place in today's hearing record the statement on the proposed wilderness presented by the Alabama Conservancy on February 21, 1973, at the hearing on S.316, the Eastern Wilderness Bill. I will use portions of this testimony, but the complete summary of the feasibility study is available in the attached testimony.

My appearance today is a continuation of four and a quarter years of unstinting effort to preserve the watershed of the upper gorges of the West Fork Sipsey because the canyons of this river and its tributaries are the heart of the proposed Sipsey Wilderness where the only significant remnant of Alabama's natural heritage still remains.

WILDERNESS VALUES

Walking into the deep recesses of these undisturbed canyons is like taking a trip into the dim, dark past, into the majestic virgin hardwood forest of the Southern Appalachians that was known to the American Indian and the earliest of our explorers. It is hard to believe that such a retreat, a haven with such feelings of isolation and wildness, can still be found within two hundred miles of major cities with a combined population of six millions.

Before 1816 the Chickasaw and Cherokee roamed here among the towering trees along the ancient paths of their ancestors. Their work still persists today, deep in the canyons of the Sipsey and its tributaries. Here, abundant water and sheltering walls enclose an island of the past. Sheer sandstone cliffs, crowned with mountain laurel and filled with rare ferns and wildflowers

rear 100 feet or more above the steep valley slopes. Hundreds of waterfalls cascade down the rock walls or plunge to the valley floor. Numerous rock shelters occur throughout the approximately 30 miles of gorges, and monstrous boulders lie shattered at the bases of the great cliffs.

ORIGIN AND DESCRIPTION OF RIVER

The West Fork of the Sipsey Fork of the Black Warrior River arises in the southwest corner of Lawrence County where Quillan and Hubbard Creeks join to form it. The river flows out of Lawrence County across Winston County into the Northeast corner of Walker county where it joins the Sipsey Fork. Much of the flow through Winston County is within the William B. Bankhead National Forest. The dam creating Lake Lewis Smith has impounded the main stream and only the West Fork remains free flowing. To avoid confusion with the much larger Sipsey River located in Marion, Fayette, Tuscaloosa and Pickens Counties, I will use the designations West Fork Sipsey, West Fork, or Sipsey Fork.

The West Fork has long been a favorite float stream for fishermen, and canoeists have recognized it as a scenic stream of national importance. Water quality studies have shown that the West Fork has water of exceptional purity suitable for swimming and, in some of the tributaries, drinking without treatment.

FIRST SEGMENT FOR STUDY

The West Fork divides naturally into three study areas. The first is that segment flowing through the proposed Sipsey Wilderness and comprising about eight miles of the river itself plus 15 to 20 miles of tributaries worthy of consideration during the study. It is here that the Alabama Conservancy, in cooperation with other state conservation groups, the Alabama Department of Conservation and Natural Resources, and the U.S. Forest Service, has already conducted an intensive one-year study on the upper reaches of the Sipsey Fork. Many of these studies have been continued during the past three years.

We feel sure that the citizens of Alabama will again conduct and support study of this area and especially of the feeder streams of the Sipsey Fork which are exceptionally wild and beautiful, and harbor rare the even unique species of plants and animals. These streams help provide the pure water supply of Smith Lake, the finest recreational lake in Alabama and an important source of drinking water for the 700,000 people in the metropolitan area of Birmingham, largest city in the state.

TRIBUTARIES SUGGESTED FOR PROTECTION

The Conservancy would like to recommend for investigation portions or all of: Quillan Creek, Hubbard Creek, Bee Branch, Parker Branch, Borden Creek, Braziel Creek and several unnamed side branches and canyons. Members of the Conservancy Wilderness Committee have undertaken to explore the Sipsey's waters by wading, swimming, paddling or floating. We have slid down sliding rocks, scrambled around falls, tumbled over our heads in potholes and found that each creek has special features worthy of protection. The West Fork runs within a magnificent canyon entered by smaller side canyons which in turn are sculptured by their own feeder canyons. The result is a network of clean streams running over sandstone or limestone and constituting unusually fine "white water hiking."

SECOND SEGMENT

The second segment begins where Cranal Road (Lawrence County 60) crosses on a high bridge. The Sipsey Recreation Area was developed here and it is the access point for canoes. The river flows in a deep gorge for approximately eight miles below this bridge without roads or other access. I can testify personally that this stretch is a delightful passage between banks filled with cove hardwoods and hemlocks, with glimpses of hiking trails, great cliffs, small caves, and a myriad of flowering shrubs and herbaceous plants. At high water periods in the winter and spring this is a very challenging stretch. As warm weather draws on, and the stream lowers, the rapids become gentle and offer good boating for the amateur, amid unsurpassed scenery. Summers

in North Alabama are usually hot and humid corresponding to low water periods, when stretches of the river are often too shallow to canoe.

The Alabama Conservancy is requesting Wild River status for the first two segments.

LOWER PORTION

The third segment of the West Fork lies below the crossing of State Highway 33 on another high bridge. Here the current begins to slow, and for the last three miles the Sepsy widens. In May mountain laurel blossoms shower on the boater; small waterfalls cascade into circular pools just off the main waterway; great cliffs rear against the sky, their bases plunging below the waterline and enclosing the stream. This stretch of about eight miles to Highway 278 is one of the most scenically beautiful areas in Alabama. The Alabama Conservancy hopes that it can be studied for possible designation as a recreation river with protection of the cliff tops. More than half the land adjoining the river here is privately owned.

OFFICIAL RECOGNITION

The Department of the Interior is concluding its study of the Sipsey River, its tributaries, and their watersheds in the proposed Sipsey Wilderness, preparatory to registration of the area as a National Natural Landmark. The Alabama Conservancy has urged that this designation extend down the Sipsey gorge to Highway 278.

Inclusion of the Sipsey Fork within the national Wild and Scenic Rivers System is in accord with the Alabama Statewide Comprehensive Outdoor Recreation Plan. Volume II of this study, *Potential Wild and Scenic Rivers Program for Alabama*, suggests protection of the Sipsey Fork down to Smith Lake.

Recreation for the Future, Southern Region, the published plan of the U.S. Forest Service, calls for "dispersed recreation" for the whole Black Warrior Management Area, which is roughly the northern half of the Bankhead Forest. This is the area through which the West Fork Sipsey flows. Designation of a wild river would provide a desirable "special interest area" under the Forest Service management plan.

BOTANY OF THE SIPSEY GORGES

In 1970 a team of Forest Service specialists made a soil study in the proposed wilderness and found the cliff slopes and stream bottoms of the Sipsey Fork and its tributaries "represent the ultimate in hardwood sites to be found in Alabama, and in fact there are few areas in the country where the potential productivity of quality hardwoods match this management unit."

In April 1972 the Chairman of the Botanical Survey rediscovered a station of the lost endemic fern *Leptogramma pilosa* var. *Alabamensis* along the lower stretches of the West Fork. This new station was found on the lower reaches of the Sipsey Fork growing close to the water in moist, nearly vertical cliffs accessible by boat but very protected from encroachment by land. The original colony of *Leptogramma*, found in 1949 and identified as a hitherto unknown and unnamed variety, was destroyed by the abutments of the Highway 33 bridge. A second new station was found in May 1973 by Wilderness Committee members, and it would appear that more may be discovered. For this reason alone it is very important that the lower stretches of the West Fork be given protection as soon as possible.

GEOLOGY AND SPELEOLOGY

The late Paleozoic era is revealed in the limestone and sandstone strata of the Bankhead. The proposed wilderness will protect many sandstone gorges within its acreage but there are no important limestone outcrops in this area. Borden, Hubbard and Braziel Creeks should be studied because they flow through limestone country with its distinctive flora, fauna, and geology. Braziel Creek disappears within a cavern shortly before joining Hagood, reappearing from a cave mouth about an eighth of a mile farther on. There are a number of large pit caves in the Bankhead limestone area which has been mapped

and explored by the National Speleological Society. The complete Wilderness Feasibility Study has these maps and descriptions.

The canyons of the proposed Wild River are not self-sufficient. They obtain their water from slope wash and subsurface seepage from the divides above. Any destructive alteration of the uplands would flood the gorges in wet seasons and desiccate them during drought. Therefore the protection of a quarter mile of land along the stream, which is afforded by the Wild Rivers System, is vital to the survival of the West Fork Sipsey.

RICH IN AQUATIC LIFE

There are around 250 species of fish living in Alabama's freshwater streams, more than in any other area of comparable size in the United States. Many of these fish have been driven out of our major rivers by pollution, siltation, damming, and ditching. Now they are found only in such rivers as the West Fork Sipsey and its tributaries, which serve as a refuge. The Survey found 51 different species, including bass and sunfish. In addition, two darters—previously unknown and as yet unnamed—endemic only to a tributary of Hubbard Creek, have been discovered.

POPULAR SUPPORT

The movement to preserve the Sipsey Fork and its canyons has been a grass roots effort from the beginning. When *Southern Living Magazine* ran an article about the Sipsey Fork in December 1970 it was deluged with 1500 letters. One young man wrote: "my father and I have about a 1000 miles logged in our canoe down all the 'wild rivers' in the Southeast. The Sipsey by far offers the greatest rewards and is the true 'wild one.' In one afternoon we saw turkey, deer, bobcat, beaver, coon and other animals and birds too numerous to list. I could hardly believe it; within an hour and a half of Birmingham lies a wilderness some people go thousands of miles to see!"

Governor Wallace, The Alabama Legislature, and our congressional delegation support the protection of the Sipsey Fork. Senators John Sparkman and James Allen have introduced S.2216, the companion to H.R. 8643. Twenty-three thousand Alabamians have signed petitions requesting the protection of the upper gorges of the West Fork Sipsey. The Alabama Conservancy respectfully urges this Subcommittee to give a speedy and favorable report to authorize study of this much beloved and uniquely important little river.

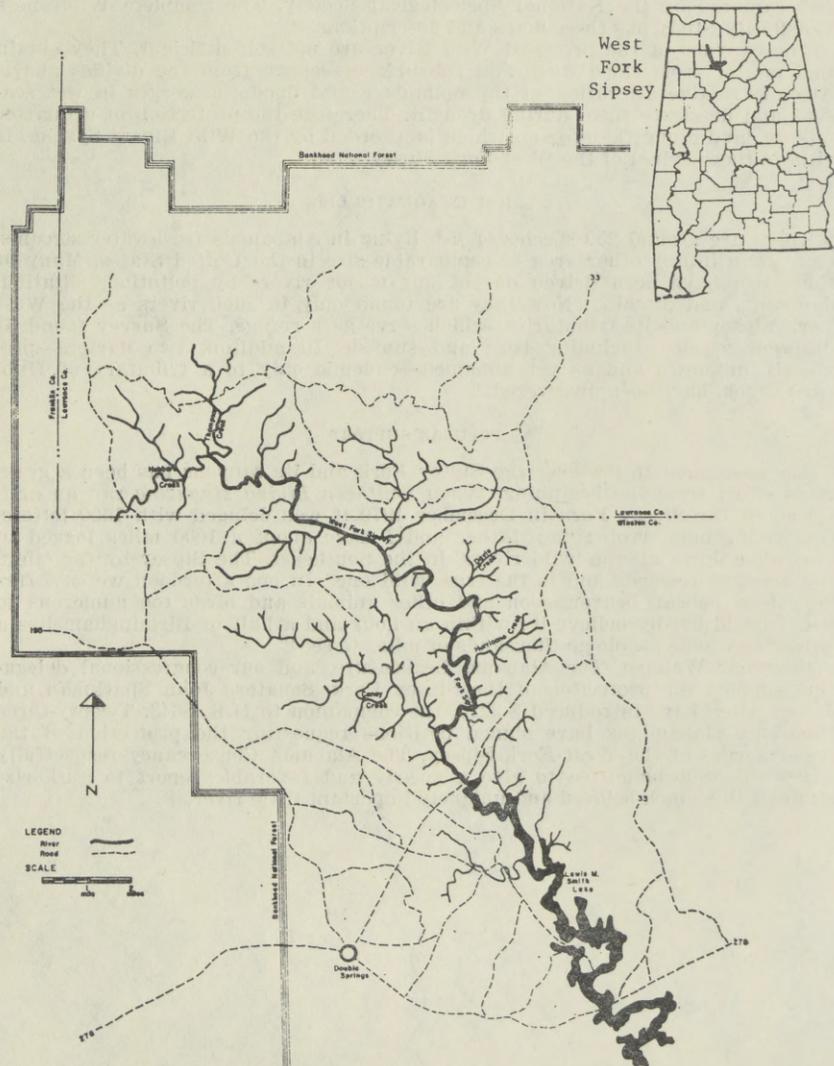


Fig. 9

West Fork Sipsey and its main tributary streams, Alabama

STATEMENT OF MARY I. BURKS, VICE PRESIDENT AND WILDERNESS CHAIRMAN OF THE ALABAMA CONSERVANCY, PRESENTED AT THE HEARING ON S. 316, EASTERN WILDERNESS BILL, FEBRUARY 21, 1973

Senator Jackson and Members of the committee, it is a real privilege and pleasure to appear before this committee, which originally recognized the desire of Americans for wilderness, and to urge the designation of additional wilderness areas in the Eastern United States where they are so desperately needed and sadly lacking.

The Alabama Conservancy wishes to endorse those wilderness areas in S-316 which were studied and proposed by citizen groups. We suggest that similar studies be made on all the areas included in this bill.

My testimony today is the culmination of three and one half years of unstinting effort to obtain a Wilderness in the Bankhead National Forest in Northwest Alabama. This area is the watershed of the upper gorges of the West Sipsey Fork of the Warrior River.

Walking into the deep recesses of these undisturbed canyons is like taking a trip into the dim, dark past, into the majestic virgin hardwood forest of the Southern Appalachians that was known to the American Indian and the earliest of our explorers. It is hard to believe that such a retreat, a haven with such feelings of isolation and wilderness can still be found within two hundred miles of major cities with a combined population of six millions.

WILDERNESS VALUES

In 1969 the Alabama Conservancy began a search for any remaining natural areas in Alabama which might contain virgin forest. Our hunt inevitably ended in the Bankhead National Forest where the only significant remnant of Alabama's natural heritage still remains.

Before 1816 the Chickasaws and Cherokees roamed here among the towering trees along the ancient paths of their ancestors. Their world still persists today, deep in the canyons of the Sipsey and its tributaries. Here, abundant water and sheltering walls enclose an island of the past. Sheer sandstone cliffs, crowned with mountain laurel and filled with rare ferns and wildflowers rear 100 feet above the steep valley slopes. Hundreds of waterfalls cascade down the rock walls or plunge to the valley floor. Numerous rock shelters occur throughout the approximately 30 miles of gorges, and monstrous boulders lie shattered at the bases of the great cliffs. Here indeed we found "outstanding opportunities for solitude and the primitive, unconfined type of recreation" required by the Wilderness Act of 1964.

THE WILDERNESS PROPOSAL

In November 1969 the Conservancy officially began its effort to have around 12,000 acres of the Bankhead placed under the protection of the National Wilderness Preservation System after the Forest Service revealed its plans to clear cut and convert this hardwood forest to pine, except in the inaccessible gorges and the 1240 acres set aside as the Bee Branch Scenic Area. Since 1969 we have unswervingly sought statutory protection as the only means to save this rare and fragile area from death by clear cutting.

The canyons of the proposed wilderness are not self-sufficient. They obtain their water from slope wash and subsurface seepage from the divides above. Clear cutting the uplands would flood the gorges in wet seasons and desiccate them during drought. Plants and animals dependent on moisture would perish.

FOREST SERVICE SOIL STUDY

The Forest Service is aware of these facts. In 1970 a team of Forest Service specialists made a soil study in the proposed wilderness and found the cliff slopes and stream bottoms of the Sipsey Fork and its tributaries "represent the ultimate in hardwood sites to be found in Alabama, and in fact there are few areas in the country where the potential productivity of quality hardwoods match this management unity." Their soil study found that 65 percent of the wilderness study area, or 7800 acres, was "poorly suited" to "hazardous" for intensive forestry management, that is, clear cutting and the road building it requires. That left only 4200 acres which might be withdrawn from pine conversion, yet the Conservancy has encountered opposition to the Wilderness because of its "great size" and potential economic impact.

PUBLIC DOMAIN LAND

In 1913, when the area which became the proposed wilderness was purchased by the United States Forest Service, its steepness, ruggedness and inaccessibility combined to give it little monetary value. In fact, it was so unsuited to man's intensive use, that 2,930 acres of the 12,000 or so acres of the proposed wilderness tract had never been withdrawn from the public domain. But

priorities have changed. The very factors that made the Sipsey almost "worthless" in the early days of America now give it immeasurable value. In fact, in terms of man hours of work and expenditure of personal funds by the Alabama Conservancy membership, the American people may already have spent more to protect the Sipsey area than the Forest Service paid for the land in the first place. This graphically illustrates the changing attitudes of the public towards preservation of choice natural areas.

ECONOMIC IMPACT

Actually the economic impact of the proposed Sipsey Wilderness is so slight as to be nonexistent. Slight because the Bankhead Forest has 178,895 acres of which the Wilderness is only 6½%. It is only a minute portion of the 630,000 acres of national forest land in Alabama and only 1/2000 of the 22 million acres of forested land in the state. The total paid in 1971 from all sources of revenue to the three counties having land in the Bankhead Forest was \$91,449. This includes collections at recreation areas, special uses such as rights-of-way for power lines and gas lines, mineral leases, and gas and oil leases, in addition to timber sales. The proportional amount of revenue that might be expected if the proposed wilderness were fully exploited would be only \$6,135.28. Since the United States Forest Service found in its soil study that 65% of the land in the proposed wilderness was unsuited to intensive forestry management, logging in the wilderness could not provide the three counties as much as \$2,147.35, as this is 35% of their proportional share of all sources of revenue. Therefore this economic bugaboo has no basis.

THE WILDERNESS FEASIBILITY STUDY

To support its request for wilderness with scientific findings, the Wilderness Committee of the Alabama Conservancy conducted a feasibility study during 1970 to which data is still being added. Nine field reports covering animals, plants, geology and history were made by specialists in their fields. All the researchers found the Sipsey gorges harbored a wealth of unusual plants and animals because the proposed wilderness is a meeting ground for rare flora and fauna typically found in such widely separated regions as the Appalachian Mountains, the Coastal Plain and areas to the west beyond the Mississippi.

BOTANY OF THE BANKHEAD

Botanically, Alabama is one of the richest states in the nation with approximately 2500 recognized forms of trees, shrubs, wildflowers and other vascular plants. The Bankhead is a microcosm of Alabama plant diversity because three major land divisions meet within it. The forest is located at the southern terminus of the Cumberland Plateau where it meets the Coastal Plains. The cool summer temperatures, deep shade and constant supply of moisture in the Sipsey gorges provide a southern refuge for a relic Pleistocene flora.

The botanical survey found that the proposed Sipsey Wilderness abounds in rare plants of unusual size, diversity, distribution or rarity. Alabama's largest tulip poplar tree, nearly 22 feet in circumference, is found in the Bee Branch box canyon. The Sipsey gorges are unusually rich in ferns providing suitable situations for 36 different members of the fern family, some very rare and demanding in habitat.

The Survey found that 24 plants reached their southern limits, including the Canada Hemlock and the Sweet Birch. Twelve wildflowers on the rare and endangered species list of the Forest Service grow in the proposal area. In short, like the Great Smokies National Park and the Florida Everglades, the Sipsey is most valuable for its unique plant community of remarkable abundance and beauty. The planned destruction of this forest to create pine plantations would constitute a national tragedy.

FISH, REPTILES AND AMPHIBIANS

Alabama's animal life is outstanding. There are around 250 species of fish living in Alabama's freshwater streams, more than in any other area of comparable size in the United States. Many of these fish have been driven out of our major rivers by pollution, siltation, damming and ditching. Now they are

found only in such rivers as the Sipsey and its tributaries, which serve as a refuge. The survey found 51 different species including bass and sunfish. In addition, two darters—as yet unnamed—have been discovered.

The proposed wilderness is very rich in reptiles and amphibians. The study disclosed several species not previously known to occur in Northwest Alabama. These range extensions are typical of both plants and animal life in this unique area. The Barking Treefrog, associated with Coastal Plains fauna, the Seal Salamander which occurs in the Appalachian Highlands, and the Red Milk Snake, heretofore known only in the Interior Plains, have all been found in the Sipsey Wilderness.

GAME, NONGAME MAMMALS AND BIRDS

The vast area which became Lawrence and Winston Counties was once an animal paradise. By 1913, when the Alabama National Forest was established, the wildlife of the settled areas was sadly depleted. Deer, grouse, bear and passenger pigeon were gone. The inaccessible gorges of the Sipsey became a natural refuge and part of the land remained in the public domain. In 1924 the State Department of Conservation established a 17,000 acre wildlife refuge in the forest. The proposed wilderness of 12,000 acres is located within the former boundaries of this refuge. The forest was restocked with game animals and fish, and all wildlife proliferated. The refuge was discontinued in 1962. Today the Sipsey has a full range of mammals—not only game, such as the abundant deer and squirrel, but otter, mink, beaver, raccoon, opossum, small rodents, shrews, bats and perhaps even a mountain lion or two. We hope two, preferably of different sexes.

Because birds are so mobile, the ecological health of the Sipsey watershed may affect populations of birds several thousands of miles away. The Sipsey Wilderness provides a winter haven for many northern birds, shelters many additional species during migration, and attracts an unusual breeding population reaching its northern and southern nesting limits—such as the northern Whip-poor-will and the southern Chuck-will's-widow, the Scarlet Tanager and the Summer Tanager. The proposed Wilderness supports a very pure strain of wild turkey. The gorges and uplands provide habitat for 80 species of woodland birds, of which 48 must have hardwoods to survive.

GENE POOLS

One of the most important reasons for establishing wilderness or unmanaged forest is to save the gene pools of plants and animals which are often unrecognized or ignored by the commercial exploiters. Wilderness saves the flora and fauna which we do not yet have the knowledge to understand or the wisdom to appreciate. These gene pools may carry the inheritance which we must have in the future to breed survival values back into our soils, plants and animals. To destroy this area would be like burning a library before any of its books were read or even catalogued.

GEOLOGY AND SPELEOLOGY

The late Paleozoic Era is revealed in the limestone and sandstone strata of the wilderness. Fossils of mollusks, crinoids and other sea animals were deposited during the Mississippian Period. In the Pennsylvanian, coal was deposited in huge swamps. Many sandstone casts of the great fern trees of that period protrude from the sandstone beds of the canyon walls.

Massive, flat-lying sandstone beds cap the divides, and the streams have sliced through these layers forming a network of deep, shadowy canyons bordered by precipitous cliffs, some well over 100 feet high. A few of the tremendous shelters along the gorges are deep enough to be called caves and provide homes for bats.

ARCHAEOLOGICAL SITES

Relics of Alabama's early people are scattered throughout the Bankhead Forest and the surrounding country side. Some Indian mounds occur along the northern boundary of the forest. Arrow heads and spear points once were numerous. Along the miles of bluffs within the wilderness proposal are innumerable overhangs which probably provided shelter for primitive hunters over a period of thousands of years. Little archaeological research by qualified scientists has been attempted.

HISTORICAL AREAS

The Wilderness is rich in historical significance. It is bounded for a short distance on the northwest by one of the first roads in Alabama, the old Byler Road, completed in 1820 and connecting the Tennessee Valley with Tuscaloosa. After Alabama's secession from the Union a turbulent period came to the hill people of Winston and Lawrence Counties. Many Union sympathizers hid in the wilderness area to escape death or service for either side. One of the largest cavalry raids ever staged, General Wilson's raid through central Alabama with 13,500 troops, passed through the wilderness area.

POPULAR SUPPORT

The Conservancy has been supported in its quest for preservation of the Sipsey by Senators John Sparkman and Jim Allen. They introduced S. 1608 in April, 1971, to designate a Sipsey Wilderness of 12,000 acres. They were joined by nine other Senators, several of whom are members of this committee, including the distinguished Chairman, Senator Jackson, and Senators Metcalf, Church and Hatfield. Alabama's Senators have continued to press for statutory protection during the past two years.

Governor George Wallace endorsed the wilderness and so did the Alabama legislature in a joint resolution. Support also came from the Department of Conservation, State Attorney General, and State Auditor. More than 2,500 supporting letters and cards have been received from people all over Alabama and states as far away as California. Alabama's largest newspapers, "Southern Living Magazine," and the major national conservation organizations all have supported our quest. More than a hundred (100) organizations have passed resolutions supporting the wilderness. In July 1972, wilderness endorsements were sent to a Forest Service "listening session" from organizations representing more than 106,000 citizens. Finally more than 23,000 Alabamians signed petitions requesting establishment of the proposed wilderness. Despite this tremendous outpouring of popular demand, the Forest Service has officially recommended against wilderness for the Sipsey during the past two years.

USE OF THE PROPOSED WILDERNESS

Because the Sipsey is unique, Alabamians have flocked to its support and to enjoyment of its beauty and peace. The deepest penetration of existing jeep trails is 2½ miles, which reaches the heart of the proposed wilderness. These short dirt roads will become leaf strewn paths in a wilderness. Old and young now enjoy them—young parents with babies on their backs, little Brownie Scouts, middle-aged hunters, even the proverbial little old ladies in tennis shoes, in fact all the people who feel the need to regain physical, mental and spiritual health in the beautiful outdoors.

One Boy Scout has said it for all of us:

"Of all the trails I have ever been on, the one near the Sipsey River was the most beautiful and exciting one ever. The historical trails with their marble monuments and elaborate statutes cannot compare with the natural beauty of this area. I could hike this trail thousands of times and I know I would discover something new everytime."

We must preserve the Sipsey, its gorges and uplands, for all Americans now and forever.

We ask that the Congress of the United States give statutory protection to approximately 12,000 acres in the Bankhead National Forest as shown on the map included with this testimony.

Ms. BURKS. It is really a privilege and pleasure to appear before this committee for the first time to advocate the study of one of Alabama's finest free-flowing rivers for eventual inclusion in the National Wilderness and Scenic Rivers System. And I would like to depart just a little bit from this testimony due to some of the things that were said here today by the U.S. Forest Service and the—

Mr. TAYLOR. Talk a little louder please.

Ms. BURKS. I would like to comment on what was said this morning by the U.S. Department of the Interior and the U.S. Forest Service about the study of these rivers.

We would like to see this river, which has been studied for 4½ for the past 4¼ years for possible inclusion in the wilderness system well, we would like to say it has already been studied enough and we see no reason to put out any further official study of this for status as a wild river.

The reason it has been studied for so long is because the upper 8 miles of the 24 miles we are concerned with has already been studied for the past 4¼ years for possible inclusion in the Wilderness System and S. 316 and that is what I base my testimony on, incidentally, so that the vast pages of this testimony is testimony I gave in February in testifying on S. 316, the Eastern Wilderness bill. And it records at least the feasibility study made by the Conservancy and by the U.S. Forest Service on the upper 8 miles of this river. And since the lower portions of the river are very similar, I feel that we have done an intensive study over a period of a number of years on this river.

Perhaps the Interior is not aware of the great deal of work that has gone into this river. Interior has made a study of this river for possible designation as a National Natural Landmark. The Forest Service as I said worked with us on the upper 8 miles and then it has been studied for the master recreation plan for the State of Alabama which recommends that it be preserved.

The Forest Service has designated that the upper half of the Black Warrior River management area should have dispersed recreation throughout and this would fit in with their recreation plan.

In other words, it has already been studied and it is largely within the Bankhead National Forest and I think that the Interior's point is not well taken on this one river.

What you have here is largely the result of that study that has already taken place and I know that much time has already been spent on that and I will not go into all of it and all of the many, many ramifications of this study, which you have, but I would like to discuss the river and how it is set up.

The red portion of this map back here is that area which we and the Sierra Club are asking wild river status for. The yellow portions you see here, the last 8 miles, have been somewhat affected by the impoundment of Smith Lake and therefore we are asking for recreation status for whatever portion of that the study concludes should be within the System.

In addition the Sipsy has a great many tributaries and these are an integral part of the whole system because the Sipsey runs in a canyon and it is the canyons of the Sipsey, the upper gorges, that are the heart of the wilderness we have asked in S. 316. And therefore we ask that these tributaries also be included in the study.

It is just one big canyon system. The Sipsey itself runs in a large canyon. It is joined by smaller canyons which in turn are cut by even smaller canyons. And the whole canyon country we feel should be included within the study. You really can't cut one canyon off from another when they run together.

The whole area is very small compared to these monstrous western rivers that we have been hearing about and there is no opposition such as apparently you have to other rivers. During the 4¼ years we have been studying the Sipsey wilderness, 23,000 Alabamians have requested that the Sipsey wilderness be granted. We have signatures on petitions of that many citizens. The local citizens are very much for this. We already had field hearings on the Sipsey Wilderness where 100 citizens participated and there were only 5 who had any objections.

So we have already gone through so much of what you heard today and there aren't that many objections. There is very little land objection. The portion we have asked for for wilderness is practically all in Government ownership.

There is about a 50-50 ownership of that portion we have requested for a recreation river and I think that the owners are largely one large lumber company. I think that the Forest Service would very much like to have some of this property and has actually attempted to acquire this property in the past. It is within the purchase area.

And so in view of all of these things, we would like to ask you distinguished gentlemen to consider not putting off the study any longer. We feel this request is an integral part of the request we made in S. 316 and of course Congressman Saylor was the one who put up the companion bill to this in the House which would have designated the Sipsey wilderness as one of the instant wildernesses as S. 316 will do.

We feel that he too was interested in this and would have wanted this to go through.

Now, it is a very lovely river. It is a small river. It is not one of these monstrous ones with the great falls and wildness that you see in some of the western rivers. It is somewhat like the Chattooga but it doesn't have as great a fall. It is a much gentler river but it is fine for recreation. It is very important scientifically also. And it is in this area that we have made so many studies such as: the botanical, wildlife studies, archaeological, historical studies, we have studied the caves and just for almost any wilderness parameter you want to measure this by this river is very rich.

I won't talk any longer about the river because I feel that you all have had a long hard day and you have it all written down here anyway but now I would like to answer any questions instead, if you have any.

Mr. TAYLOR. Well, we appreciate your enthusiasm and the fine statement that you have submitted.

Dr. Earl Bailey?

Dr. BAILEY. Yes, sir, I would like to make a couple of comments in addition to the ones that Mrs. Burks has made.

I have the pleasure today of giving a statement for the National Sierra Club and we have used this river a lot.

I won't read my statement directly. There are about three or four comments however I would like to make.

Mr. TAYLOR. Your entire statement will be placed in the record.

[The statement of Dr. J. Earl Bailey in full follows:]

STATEMENT OF J. EARL BAILEY, ASSOCIATE PROFESSOR, THE UNIVERSITY OF ALABAMA AND CHAIRMAN, TUSCALOOSA GROUP, SIERRA CLUB, FOR THE NATIONAL SIERRA CLUB

The Sierra Club urges protection of approximately 25 miles of the Sipsey Fork, Warrior River and its tributaries within the Bankhead National Forest under Public Law 90-542, the Wild and Scenic Rivers Act. We support the study proposed by Representatives Jones and Bevill in H.R. 8643.

Sierra Club members, both in planned outings and individually, have canoed, tubed, and hiked the proposed river.

All of the Tuscaloosa Group of the Sierra Club canoe outings for the past two years have been on this river in the proposed study area. We feel that this study area contains some of the most spectacular and beautiful recreational river in the State of Alabama.

The Sierra Club proposes two categories of protection for this river and a few of its tributaries which are as follows:

Wild River—The Sipsey Fork, Warrior River, north of State Highway 33, and its major tributaries as marked on the map in Figure 1. Approximately half of this area of river lies within the proposed Sipsey Wilderness area. Also, several tributaries north of the proposed Sipsey Wilderness area, which either possess unique properties or are an important part of the proposed wilderness watershed area, are proposed for inclusion in the study area.

Recreational River—The Sipsey Fork, Warrior River, north of Smith Lake and south of Highway 33, as shown in Figure 1.

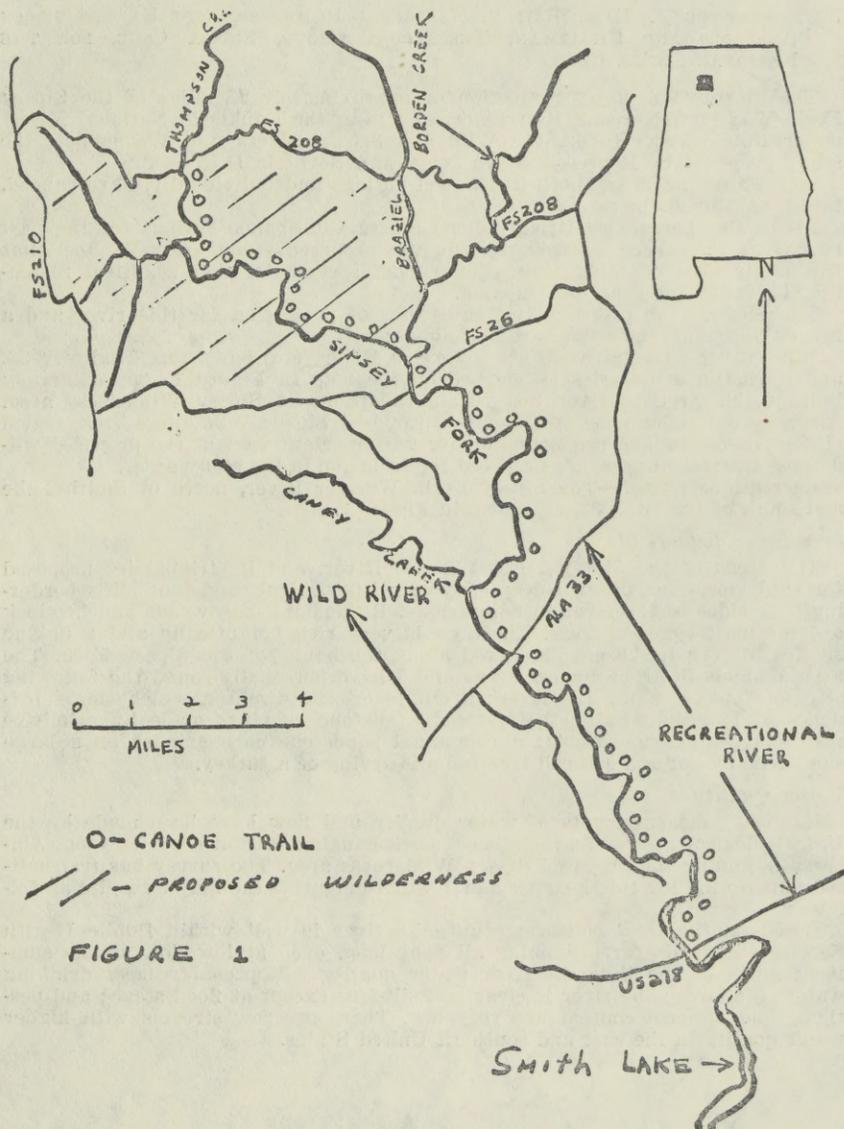
Scenic and Historical

The areas of the Sipsey Fork, Warrior River, and its tributaries proposed for study meander through deep canyons with vertical sandstone cliffs bordering both sides of the river in many cases. Bottomland hardwoods and hemlock are the most common trees. The area is very rich botanically and a unique species of fern has been discovered along the banks of the Sipsey Fork. The area abounds in archeological areas and I have personally found the following sites of interest along the river: a cliff overhang dwelling which shows evidence of long-time Indian habitation; sandstone carvings made by primitive man sharpening stone tools; a communal sandstone corn grinder on a large sandstone block; and a beech tree Indian carving of a turkey.

Water Quality

Extensive measurements of water quality and flow have been made by the U.S. Geological Survey at their benchmark gauging station near Grayson, Alabama adjoining the proposed Sipsey Wilderness area. The survey has transmitted data to me for this hearing and I will summarize the major results as follows:

Based on the fecal coliform count, the river is well within Public Health Service standards for swimming all year long, even at low flow in the summer; much of the time the river water quality will probably meet drinking water standards; the river is clear and silt-free except at flood stage; and pesticide and mineral content are very low. There are few streams with higher water quality in the east and southern United States.



Recreational Potential

Based on Sierra Club canoeing experience and U.S. Geological Survey river-flow data, we estimate that the river is canoeable, with only 2 or 3 short portages, from Thompson Creek at Northwest Road (FS208) to the Highway 33 bridge for approximately 5 to 6 months during the year, a canoe trip which we make in 2 or 3 days. In this stretch of river there are several shoals which offer a beginning canoeist a safe but exciting white water experience. December through May is the best canoe period, although the river can be floated on a tube during other months. The December-May period coincides with the most enjoyable time for backpacking and canoeing in Alabama. Insects, snakes, and heat are a problem during the summer and early fall, particularly for our Group outings.

Fishing in the study area is good. The primary game fish are black bass and spotted bass. The world-record spotted bass was taken in Smith Lake joining the study area. Fly and spin-fishing for bass in the study area is productive year round. The streams are easily waded. The area is famous among the local residents for *trotline* fishing for catfish at night. A favorite family weekend for nearby residents is to hike into the river for catfishing during the spring and summer.

In summary, the area has an extremely high recreational potential and is a unique niche in Alabama and the Southeastern United States.

Problem Areas and Extent of Study Areas

Recreational River between Highway 33 and U.S. 278—This section of river is partly in National Forest, with less than 50% government ownership. This section of river should definitely be included in the study area and is an important part of the scenic canoe trail. Although the effects of the Smith Lake impoundment are visible, the river is still within its original banks except for the extreme lower part near Highway 278. There is still a slow but free-flowing current in this section of river. The numerous overhanging cliffs and grottos covered with mountain laurel contribute to the scenic beauty of this area.

Tributaries Not Floatable Most of Year

The Sierra Club feels that the tributaries of Thompson Creek, Braziel Creek, Borden Creek, etc., which drain into the proposed wilderness area should be included in the study area even though they are not floatable most of the year. These tributaries do, however, offer good swimming, fishing, and hiking opportunities. Also, Borden Creek and tributaries flow through the limestone area of the National Forest and offer unique caving and related recreation as well as the different vegetation. Protection of these creeks is highly desirable as a means of maintaining the watershed in its present condition.

In conclusion, the Sierra Club endorses the study provided by H.R. 8643 for consideration of the Sipsey Fork of the Warrior River (also known as West Fork Sipsey) and its tributaries for inclusion in the Wild and Scenic Rivers systems. The outstanding scenic, recreational, and wilderness properties possessed by this Alabama river uniquely qualify it for inclusion in the system.

I appreciate this opportunity to speak for the National Sierra Club on Wild River status for the West Fork Sipsey.

Dr. BAILEY. Fine. Thank you.

We have had all of our canoe outings the last I think 21½ years on this river and we have gained quite a bit of knowledge of it and I think it is interesting to contrast it to the Chattooga River mentioned yesterday. It is a beginning canoe stream. It is one that we can take our family on, all of our members really, with really hardly any canoeing experience. I think you can see from the pictures I have up there that it is just a real good place you could enjoy yourself with relative safety.

Last night I made a tentative, just a real crude estimate of the number of people that use various parts of this stream and really not the lower part but the upper part that would be in that wilderness area. I came out with a number between 5,000 and 10,000 man days of recreation right now on this short stretch of river. What I call a man day of recreation was probably at least 3 or 4 hours on the river. This would be by backpackers, hikers, and canoeists. It is a very heavily used area.

The residents have used it there. There are hardly any young men in that area who have grown up around that area whose dads haven't taken them fishing or catfishing on the Sipsey.

Now you might be interested that the record spot bass came out of the upper end of Smith Lake that would be included here as a recreational river. It is a real interesting place in Alabama.

I would like to make one comment that is kind of humorous though. In the first part of the statement I have mentioned that we have found much evidence of local Indians and some of the things I have listed are where people have sharpened stone tools on the wall and so on and there is one here at the end mentioned about a beech tree Indian carving. I have a friend, Mr. Charles Summer, who is a wildlife biologist at Jackson State and he collects pictures of what are claimed to be Indian carvings the Cherokee Indians made in Georgia and Alabama back in the 1800's. They made carvings on beech trees where they just barely skimmed off the upper layer of the bark. And the one we found was a carving of a turkey and another stylized picture of a bird.

Now either this is a cruel hoax on us or it is the real thing and I won't say for sure.

Mr. SEIBERLING. Would you yield for a minute?

Mr. TAYLOR. You may proceed.

Mr. SEIBERLING. You would be interested to know that along the Cuyahoga River in Ohio there is a tree that is called the signal tree. It is right near a very deep gorge where the river comes down over some falls. It is such a large tree—a Sycamore—it had to be there before the white man came. It is called the signal tree because the Indians somehow shaped the branches to come out in a very peculiar way, to come out this way [indicating] and then go up sort of like a three pronged candelabra. Anyway, in going back through various annals of settlers of that area, historians identified this as a signal tree which the Indians used to show that you had to stop there to begin a portage. I don't know whether this is the kind of thing you are referring to but such things are authentic.

Dr. BAILEY. Actually there are people in Alabama and Georgia that are looking for gold from maps that were drawn on beech trees so there are some people who are serious about this. But we think we found an authentic tree that has Indian carvings on it anyway.

I wrote the U.S. Geological Survey and obtained water quality information on the river just to point out its main characteristic and, well, I have the data documented and I would be glad to have them transmitted directly for the record but in summary the water will meet quite often drinking water standards for most cities.

It is able to have swimming all year long even during the low flow time. It is a very clean river and it is one that we can be proud of. There are a few like it in Alabama. It is mainly because the watershed is protected. It is a benchmark station for the U.S. Geological Survey.

There is one area that I do want to comment on. The Forest Service some years ago apparently turned down scenic river classification for this stream with some canoe club I think and the official reason given according to verbal conversations I had with some people in Montgomery, they turned down the classification on the basis that the flow was too low during a part of the summer. And I obtained some flow data from the U.S. Geological Survey to substantiate our position on this. And we think the original decision was unjustified. And I think they do understand that now by the conversations we have had with the local people but basically this river is canoeable

safely between 5 and 6 months a year. There is enough water in it. There are about, well, I would say from June through November the water levels are low enough that you may have to tube it with an inner tube. It is a little low for a canoe. We don't feel that this lowers the quality of the stream at all. There are streams all over the country because of high water or because of ice in the river that are floatable for only 3 or 4 months a year. And I think we have pretty good documentation to show that it is canoeable somewhere between 5 to 6 months of the year. And I think this is probably adequate. Of course you have fishing in it all year long. I do wish to comment that Mrs. Burks mentioned the Alabama outdoor recreation study of the river and they have had to have specific comments on it as to its quality. Now we feel, and in fact there is no question, that we feel that the river has been studied sufficiently to warrant it for study classification at least and the upper two-thirds of the sections that we are talking about are all in national forests essentially, almost 100 percent.

Mr. TAYLOR. I was going to ask about the land pattern, and whether most of it is owned by the Federal Government or whether it is privately owned?

Dr. BAILEY. We propose two classifications for the river; the lower part, recreational, is only about half owned by the Forest Service, the upper part, proposed as wilderness, I would say is probably over 90 percent ownership by the Federal Government and the big percent of the land is Government land therefore.

Mr. TAYLOR. Does that end your statement?

Dr. BAILEY. Let's see. I think I have one more comment. One last comment is that the low flow in the summertime, well, and quite a few of the tributaries that are not floatable part of the year, but they are really an important part of the system I think and should also definitely be in the study area. Some of these flow through a unique part of the national forests, that is, a section that is all limestone and it is one of the favorite caving areas in north Alabama. They have some interesting picks up there that people go down in and I think it is important that these tributaries be included in the study area even though they are very low flow part of the time.

I appreciate the opportunity to come before you.

Mr. TAYLOR. Well, thank you. We appreciate your testimony. Any questions?

The gentleman from Kansas.

Mr. SKUBITZ. I have no questions, but I would like to say to Ms. Burks I am sure we understand your feelings about this river. I think we expressed our interest when we asked the Department for its recommendations on nine different rivers. We received those views on October 29 and in the Department's letter recommended that we enact three bills pertaining to three different rivers, but they recommended a deferral on this particular river. I think you should know that they did say this: "We expect to be able to report early in the second session of this Congress on the rivers which we believe should have priority in being added to section 5(A) cited in the Wild River Bill" and so on. So it is still under consideration and I don't think you should ask us to take a position at this moment

while the park people ask us to hold off until the next session. So I hope you will bear with us.

Ms. BURKS. Could I bring up the matter of money right here because that seems to be the only reason that Mr. Underhill had and of course the citizens are the ones who did the study in Alabama on the upper 8 miles. And we are perfectly willing to do it on the rest. It didn't cost anybody a thing except us and we figured the amount of money that the Alabama Conservancy and its organizations spent is probably more than the Forest cost in the first place and we are glad to go ahead with this. And the Forest Service also did a part of the study which they will not have to redo. Their part was rather thoroughly done so there won't be this \$53,000 I feel quite sure. The remainder of it that has to be studied surely could not possibly cost that much.

We are just really saying that so much study has been done that we don't need so much more study on this particular river.

Mr. TAYLOR. Well, thank you very much.

We will take your recommendations and the other recommendations given and the Department's recommendations and do the best we can.

Dr. BAILEY. Mr. Chairman, I would like to leave one of the sets of pictures for the record. You can have the posters or the pictures—

Mr. TAYLOR. Can you leave the pictures? They will be placed in the files.

[The pictures referred to will be found in the files of the subcommittee.]

Mr. SEIBERLING. Mr. Chairman?

Mr. TAYLOR. The gentleman is recognized.

Mr. SEIBERLING. Could I just add a comment?

Mr. TAYLOR. Yes. The gentleman from Ohio.

Mr. SEIBERLING. I think, as you gathered, we are up against a problem in that the administration has imposed very severe constraints on the amount of money that they will allocate to this type of thing in this particular fiscal year. I know the chairman and a lot of the other members including myself, feel that this is false economy in that if it is an area that should be acquired for the future, the price is only going to be higher and higher as the years go by. I would hope that the people who are concerned about preserving America for future generations will do all they can to put the pressure on the administration, the Office of Management and Budget and the Interior Department to get the priorities changed a little bit because that is our big problem around here. And I know that the members of this committee would all like to see the rate of acquisition of parks and recreational areas drastically speeded up and the amount of land acquired increased but only when the public begins to realize the effect of these constraints are we going to be able to make a lot of headway over at the other end of Pennsylvania Avenue.

Ms. BURKS. Thank you. We will do our best but we will also be glad to do a lot of the work which we have scientific people assembled to do.

Mr. SEIBERLING. And we appreciate that.

Mr. TAYLOR. Thank you. The next witness is Mr. Bill Painter, American Rivers Conservation Council.

**STATEMENT OF BILL PAINTER, AMERICAN RIVERS
CONSERVATION COUNCIL**

Mr. PAINTER. Thank you, Mr. Chairman.

Mr. TAYLOR. Without objection, a copy of Mr. Painter's statement will be placed in the record at this point.

[The statement of Bill Painter in full follows:]

STATEMENT OF BILL PAINTER, AMERICAN RIVERS CONSERVATION COUNCIL

Mr. Chairman and members of the Committee, I would like to thank you for scheduling hearings on these nine bills and for the opportunity to appear before you today. The American Rivers Conservation Council is grateful for the interest this Committee has shown in the Wild and Scenic Rivers System. We hope that as the result of your efforts and ours, as well as those of groups and individuals throughout our great land, that the System will grow in quantity and quality over the next few years.

The first bill under consideration today is H.R. 9492, introduced by the Honorable Chairman of this Committee, which would add the Chattooga River to the National Wild and Scenic System. As I have yet to have been fortunate enough to see the magnificent Chattooga, except in the film "Deliverance," I will keep my comments brief and defer to those of Mr. Ted Snyder, who is intimately familiar with the river. I would like to say that from what I saw in the movie, and from what I read in the Forest Service Study Report, this is a river of the highest quality, certainly deserving of the status of a National Wild and Scenic River.

The Nolichucky River of Tennessee and North Carolina is located in the same region as the Chattooga and shares some of its qualities. Both rivers, unlike most in this part of the country, have sufficient flows of water throughout the summer months to allow canoeing. The river also allows a variety of recreational opportunities. In some stretches, there are rapids which would challenge the experienced canoeist, while in others one can go for miles without encountering anything that would endanger a novice. Swimming and fishing are already popular past times on the river. In some parts of the river, the surrounding land is heavily forested, providing various possibilities to the hiker and camper. I am told this is a beautiful stream which flows through rugged gorges in some reaches and through pastoral areas in others. We heartily endorse H.R. 10771 which would place the Nolichucky under study for future inclusion in the Wild and Scenic Rivers System.

H.R. 8501, 8502, 8577 and 8578 would add 4 rivers in Wyoming to the study category. These are all outstanding rivers. The Sweetwater, which I have seen, is a beautiful river on the northern edge of Wyoming's Red Desert. For several miles, it flows through a beautiful canyon. The waters are pure. Wildlife abounds—including wild horses. The area is also of interest to rockhounds. There is much of historic note, as the Oregon Trail roughly parallels this section of the river. The area also is used for fishing and boating. Beautiful vistas reward the hiker who climbs to the top of the canyon.

Wyoming's Snake River is one of the most famous streams in this country, especially the segment flowing through Teton Park. Fishing, boating and hunting are all top notch. There is a large canyon above Palisades Reservoir. This river should definitely be studied. We would, however, suggest that the study extend to the southern border of Yellowstone Park, not just to the southern border of Teton Park, as provided in H.R. 8578. There is considerable concern that the section of the river in Teton Park is suffering from overuse. This study would provide an opportunity to examine this problem, and perhaps, to arrive at some recommendations for mitigation of the problems.

The Green River in Wyoming is exceptionally beautiful. It has been cited by the Secretary of Interior and Secretary of Agriculture as a river that should be given priority for potential addition to the Wild and Scenic Rivers System. In fact, at one point it was hoped that the Green would be one of the "instant" rivers in the original Act. This did not occur because landowners raised strong objection to the idea. This was unfortunate, as I believe most of the concern resulted from misinformation about what scenic river designation would mean. It would not mean that all ranching and grazing in the boundaries of the scenic river area would have to cease. In fact, the Scenic Rivers Act specifically encourages large scale use of scenic easements which would

provide financial rewards for landowners who sold to the government future development rights. The easement "shall not affect, without the owner's consent, any regular use exercised prior to the acquisition of the easement." A landowner, therefore can sign an agreement with the government, which would allow him to continue his ranching operations, and would prevent encroachment from more intense development. Since agricultural operations are most compatible with a scenic river, most of the land along it would be controlled by easements, rather than purchase of the land and eviction of the landowner. The government would actually need to own a average of just a few acres per mile (with no government ownership along most miles of the river) to provide facilities for access, rest stops, picnicing and camping. Such designated sites for these purposes would help minimize intrusions by the public on private lands. Scenic river designation also can provide a means of limiting the total number of people using the river.

The Green is a wonderful river, one that can be enjoyed by young and old. Fishing is superb, and boating is excellent. The scenery is outstanding. This river should be preserved as it is.

The Clark's Fork section being considered for study is a spectacular canyon area. This is a very rugged, beautiful area some 25 miles in length. It is a very good fishing stream and hiking opportunities abound. ARCC is strongly in favor of a study of this portion of the river.

H.R. 8735 would add portions of the Chama, Gila and San Francisco rivers to the study category. We fully support the bill. The Chama is an outstanding recreational resource providing hiking, boating, fishing, hunting, outstanding scenery and several historic and archaeological sites. There are spectacular canyons reaching depths of over 1040 feet. There are sections of the river which are rated as excellent for white water boating and rafting. The fishery includes large and smallmouth bass, perch, catfish, and three species of trout. Wildlife includes deer, bear, elk, mountain lions, mink and rabbit.

The San Francisco and Gila system is most outstanding as a biological resource. The biota is of the Sonoran province, and is tremendously diverse. For example, in the Gila Valley some 115 species of birds breed. Habitats for birds, mammals, reptiles and amphibians range from stands of broadleaf trees and marshes to grassland and desert areas. This is an area of valleys and canyons, rich in beauty. The rivers also are popular with white water boaters. Certain sections of the Chama are rated as excellent whitewater. The Gila has runs varying in difficulty from moderate to high. In general, the San Francisco is usually not runnable, but when the water is high enough, boating is excellent.

These rivers most definitely deserve to be studied for inclusion in the Wild and Scenic Rivers System.

The Sipsey Fork of the Warrior River is considered one of the most beautiful streams in the Southeast. It rises in a roadless area of the Bankhead National Forest. A section of this area is under consideration as a National Wilderness Area. The proposed study river flows out of the potential Wilderness Area and into the backwaters of the Lewis Smith Dam. Above Route 33, this river is in a wild state. South of the bridge, the river begins to be affected by the impoundment, but still has the character of a river, and is very scenic. This lower section should definitely be included in the study. The uppermost tributaries of the Sipsey Fork, lying outside the proposed Wilderness, should also be carefully studied. In general, the river is very scenic, flowing in places through beautiful sandstone canyons. The area is rich botanically, and there are several archaeological sites. There are some rapids which provide excitement, but not danger, for the beginning canoeist—this is a family river. Wading and fly-fishing for largemouth bass is very popular, as are hiking and camping along the river. The water quality of the river is excellent—appropriate for swimming, and often of drinking water quality. We support H.R. 8643 and urge this committee to act favorably on the bill.

The five California rivers proposed in H.R. 8609 are all worthy of inclusion in the Wild and Scenic Rivers System, and most certainly should be added to the study category. The Smith, Klamath and Trinity are superb sport fishing rivers. The Smith is world renowned for its salmon and steelhead fishing. The Klamath-Trinity system sports the largest runs of steelhead trout in the world! The San Joaquin has an excellent fishery for rainbow and brown trout. The Eel has a substantial population of steelhead which could be increased if

the water quality of the river were improved somewhat. All the rivers, except the upper section of the San Joaquin, are popular with boaters. Some sections are a challenge even for the most advanced whitewater boaters, while others can be enjoyed by rank beginners. All the rivers are of great scenic value, and are enjoyed by hikers and campers as well as fishermen and boaters.

H.R. 11120 would add the New River of North Carolina and Virginia to the study category. This is a river of high scenic quality. It is also unique in that it is the oldest river in this country, and perhaps the second oldest on the world—some 100 million years of age. It flows through a rugged mountainous region that is heavily forested and also passes through lovely pastoral areas. Trout fishing in some of the tributaries and in parts of the upper sections of the main stream is excellent. The river is popular with canoeists, offering good beginning whitewater and long stretches of placid water. It is floatable most of the year. We recommend inclusion of this section of the New in the study category.

Finally, I would like to comment on a matter related to all these study bills. It has been 5 years since the passage of the Wild and Scenic Rivers Act. Yet, at this time, I believe that only 3 studies have been reported to Congress. It does seem that several of the remaining of the original 27 study rivers are expected to be completed in the next year or two. Our organization is very concerned that it is taking so long to have these studies finished. With the development of recreation and retirement homes along rivers proceeding at the current rate, much can happen within a year or two that would significantly degrade the wild and scenic character of a river. Furthermore, any delay in the process of including a river in the System will mean that the price of inclusion will be greater, in light of the rapid inflation of land prices we now see. We also think that it is in the best interest of landowners along the river to have the issue of inclusion resolved as early as possible on a given river, minimizing the period in which these people are in a state of limbo, being unsure about their future.

It is understandable that the first round of studies might take an unusual amount of time, as the agencies establish procedures, work out the bugs in these procedures, and so forth. However, after the first round, they should be able to move much faster.

In fact, the Director of the Bureau of Outdoor Recreation, Mr. James Watt, has testified to this effect before this committee. On June 11, 1973, at hearings held by this committee, Mr. Watt stated that having arrived at a "new approach" to the studies, that they would "be much faster than in recent years." He went on to say that he thought that 18 months would be the average time for these more recent studies. (See Hearing Record, p. 37, lines 14-15, and p. 40, lines 17-18)

Last month the Senate passed S. 921, which contained several amendments to the Wild and Scenic Rivers Act. One of these limits each new study that is authorized to 3 full fiscal years. I urge this committee to act in favor of such an amendment when the conference on H.R. 4864 and S. 921 meets, or to pass such an amendment at a later date, perhaps as part of the legislation now under consideration.

Thank you again for the opportunity to testify before you.

Mr. PAINTER. I will try to be as brief as I can but I do have a number of things I would like to comment on.

Thank you for the opportunity to speak here on these nine bills. Our organization, the American Rivers Conservation Council, is very grateful for the interest this committee has shown in the Wild and Scenic Rivers System. We hope that as the results of your efforts and as well as those groups and individuals throughout this great country, that this Wild and Scenic Rivers System will grow in quantity and quality over the next few years.

I will try to restrict my comments on rivers such as the previous one which has had lengthy testimony.

First I would like to talk briefly about the Delaware River which was discussed earlier today, and express a few thoughts on the concepts brought before the committee. The idea that was expressed was

that it would be a good idea to allow not only towns and little cities in the area, the scenic river area, to be zoned to protect the river, but also to allow counties and townships if they already have a zoning mechanism established to do so as well.

That was referred to as a minor amendment as I understand it or a clarification at one point by one of the speakers, as a minor amendment in the Wild and Scenic Rivers Act, and the impression I have from what the chairman of this committee has said in this hearing and others is that this is not quite a minor change in the concept of the act and that if all of our rivers were placed under this kind of operation it would be a change from a concept mostly of scenic easements to mostly a zoning concept.

Our organization is just concerned, although we think it is a very good idea, with the zoning approach because we think it needs some very careful study and I would like to briefly mention a couple of reasons.

First we think the idea of zoning is good because it results in minimal displacement but we would point out easements can also provide that too.

We also like the idea of zoning because it provides hopefully a way of protecting a resource without spending very much Federal taxpayer's money.

We also feel that this kind of an approach can allow for a river such as this one which is very near the major metropolitan areas, to have minimal recreational development, that is, that area is already used and it is not going to be wise to expand very much the use of it.

Now I am certain of the sincerity of the people who live along the river and their interest in protecting it and I agree with their idea that zoning sounds like something that should be done but I would like to point out a few things that are I think lacking in the current form of the legislation.

First of all, local zoning has been tried again and again as a way of protecting areas from development and I think if we examine the history of this kind of situation, we will find that local government bodies have had little success with holding back the development especially in areas like this which are very close to urbanized situations.

I will cite some examples. There was a book recently—and I can't think of the name of it—about Martha's Vineyard. There was a case where the landowners were very wealthy and had banded together and thought they were going to protect the area. They protected it up to that point but, even this group of very unusual people, with great concern about conservation have not been able to predict the degradation of certain areas or stop it.

Mr. SEIBERLING. If the gentleman would yield? The title of the book is "No Island is an Island."

Mr. PAINTER. Thank you. I couldn't find it last night.

I was reading last night another book by Mr. William White and it is called *The Last Landscape*. And he refers to an area in Pennsylvania that he grew up in the Brandywine Valley and he told a similar situation. The landowners there very much wanted to protect

the area. They set up local zoning, but bit by bit the area was lost to development. I understand that there are problems in the New York area with the Gateway National Recreation Area and in particular Fire Island, a section of that which is a good example of an attempt to use zoning to protect the area. There have been problems there with variances and other exceptions to the zoning ordinance.

Therefore, I think we have to look very carefully at how we can shore up the efforts of these local zoning bodies and not assume that they can resist pressure of development as they move in.

Now the way that the legislation is suggested before you, if a local zoning body cannot succeed in holding down development—and I would point out development pressures would increase after designation of a river and they are going to increase with time in any case—but then Federal condemnation power is put into effect. And I ask two questions about this: will the Federal Government, even if it has money available, be able to move fast enough to stop development—because as you know all governments move very slow at times—and can they move fast enough to prevent a developer from making irreparable impact on an area? And secondly, where will the money for these condemnation procedures come from?

I know of no pot of money if you will, associated with the Wild and Scenic Rivers System that the Federal Government could draw upon to move in rapidly to stop development. I think there may be a possibility that developers will discover that they can call the Government's hand and then finding out the Government is short on funds, they will move forward with development figuring that they would be able to get their land cleared and some of the development done faster than the Government could gather together the funds to condemn this.

I would suggest and I will submit for the record as something that the committee might consider in markup sessions of the scenic river bill from Oregon and the scenic rivers bill from Minnesota (see p. 171) that the Oregon legislation is very similar to what has been suggested by the Congressman from Pennsylvania and the Congressman from Ohio in that local zoning is backed up, well, State zoning is backed up by State condemnation power. In that law there is a very clearly laid out system of hearings, time, and moratoriums, over a period of months which allow both the persons who wish to change land use to negotiate with the government and vice versa.

And we think that this proposed amendment to the Wild and Scenic Rivers Act could then be much strengthened by taking this kind of approach.

The Minnesota legislation also has a number of provisions for trying to deal with the problem of variances. I think we all know that zoning bodies, with all good intentions, have lots and lots of zoning and then as the realities of the situation begin to come into effect, variances are given and so before you know it in effect the zoning of an area has been changed. And we would recommend that we defer action on this concept until the river is ready to be added to the system. I think that is a much better approach.

Now with regard to the various rivers before us today I would like to talk about very briefly about the Nolichuckey River, which

hasn't been discussed in much detail. This river I would point out I have been told is very much like the Chattooga in one regard, that is, that it has very ample flows of water throughout the year so it is very unusual in that regard. It can be used all year long for floating as well as other recreational opportunities.

It is also like the Chattooga in that there are very wild areas which would challenge an experienced canoeist while in others you can for miles go without encountering any kind of rapids that would endanger even a rank novice.

Hunting and fishing are very popular pastimes on the river. In some parts of the river the surrounding river is heavily forested providing various possibilities to the hunter and camper.

I am told this is a beautiful stream which flows through rugged gorges in some areas and through pastoral areas in others. Therefore, we highly endorse H.R. 10771, which would place the Noli-chuckey under study for future inclusion in the Wild and Scenic Rivers System.

Mr. TAYLOR. This originates at what I call the backside of Mount Mitchell. The South Toe River and the Cane River come together. It is comparable in many ways to the Chattooga. It does have a heavy summer runoff though. It is polluted also, to some extent from mica mining and some other mining activities, not necessarily an unhealthy kind of pollution but dirt is in the river somewhere.

Mr. PAINTER. It is called the Chuckey, isn't it, is that the name for it?

Mr. TAYLOR. Well, sometimes it is called that.

Mr. PAINTER. I will defer comment on all of the winding rivers except for one because that is the one I have been to and that is the Sweetwater River. It is a beautiful river, I think. It lies almost 100 percent in BLM lands. It is very historic and the Oregon Trail parallels this.

The gentleman whom I was with pointed out a series of tracks that may have been made by the County Express although he was not sure.

The waters are clear. It flows through a beautiful canyon. Wildlife abounds.

I will point out that among the wildlife are the famous wild horses of Wyoming. I was not fortunate enough to see them.

The area is of much interest to geologists also. Beautiful vistas reward the hiker who climbs to the top of the canyon.

With regard to the rest of the rivers, they are exceptional rivers and I will refer you to the testimony of Dr. Frank Creg who is one of the leading experts on the rivers in the United States.

I would like to mention with reference to some of the discussion of previous witnesses something in regard to the problems with grazing in the area. A colleague of mine has recently floated the Yellowstone River north of Yellowstone Park. There are a lot of people who use that river for floating even though there were a great number of cattle grazing in the area. So it does seem possible that cattle can get over their discomfort with having people there.

Mr. TAYLOR. Let me ask you a question. You heard the testimony today. You heard the Departmental witness. You heard other witnesses, pleading for action on some of these bills. If you were a member of this committee what would you do? Would you go ahead and try to push the bills through Congress without giving the Department this extra time that they want or would you give them until next April or however long they say it takes, some period of months, to complete their recommendations and give us a listing of priorities of rivers as they see it?

Mr. PAINTER. Well, let's get back to some notes I made along that line. I personally am dismayed at the position of the administration. First of all, I point out that the Wild and Scenic Rivers bill itself was years in the making. It is not a thing they never heard of; it is not like they never heard of categorizing rivers and drawing up priorities. It has been 5 years since the law itself was passed.

I should back up a minute here. I do have with me—let's see if I brought it up here—here is a list of some 650 rivers. This is from the Congressional Record back at the time of the passage of the act. These are rivers that have already been screened by the Agriculture Department and the Interior Department and I checked it today. Now every single one of the rivers that is before the committee today is in this list so they have looked at these rivers. It is not as though they have never heard of them.

In their own listing they came up with each of the rivers that we have before us.

I think also I don't understand why, if they were in this position, they were about to come out with some sort of a report that is, why they did not notify this committee of their concern and let the committee postpone these hearings instead of coming in a day before you hold the hearings, after you had gone to the trouble of scheduling the hearings and after these people have come from various parts of the country to testify, and then just 2 days before the hearings they notify you they want you to wait for action for these things. Now this committee will have to take its valuable time and go back and schedule another set of hearings and witnesses will have to again travel to Washington to testify.

I think basically as was said a minute ago, that what is going on here is that they, that is, is that this administration is reluctant to spend money on this kind of a program. These are a very few number of studies though. I wanted to point out some figures for you for instance that show—

Mr. TAYLOR. Can you finish your testimony in another minute or two?

Mr. PAINTER. I will try. These studies only cost somewhere around \$75,000 to \$100,000 as was said in the previous testimony of the administration back in June.

I would point out that last year \$50 million was spent by the Corps of Engineers for studies of rivers. These were studies of projects that had not yet been authorized. We are talking here about just a few rivers that would not total maybe between \$1 million and \$2

million for the studies. Therefore, I think the committee should go ahead and mark up these bills and there should be a lot more rivers. I would remind you that in the legislative history of this act this committee pointed out that one principle of the Wild and Scenic Rivers Act was that the beginning list of rivers was relatively modest but it was pointed out that this was not an intention to limit the number of rivers over the years that would be studied.

It said: "It is desirable to gain operating experience before embarking on a more extensive list."

And I think that the administration has had time to gain that experience and that we should proceed with doing studies, not just these before us but many others. These agencies are doing dozens and dozens of studies on wilderness areas in this country and are capable of doing this sort of thing.

Let me just mention a couple of other rivers that weren't covered.

The Gila and San Francisco Rivers are very outstanding rivers. In particular the Gila and San Francisco should be noted because of their biological values. This is part of the Sonoran and desert province and it is one of the northernmost areas, well, that is basically a Medican biota in this country. This is a habitat for birds, reptiles, et cetera, it is extremely varied.

I pointed out it has been noted some 115 species of birds are in one area of the Gila Valley. So this is a very, very unusual river.

I think all of the rest of the things have been mentioned. Just one last thing in relation to not only the issue of whether or not to defer passage of these particular bills but I think that this committee should look at the issue of putting limits on the time spent by the agencies to perform these studies. It has taken 5 years to get just the first of this present round of 27. If we go at this pace, we might as well forget about wild and scenic rivers in the next 10 or 15 years because there won't be any left. Pressure for development, and other uses are intense. We have to move now.

I think that any delay in the process of including a river in the system will mean that the price in dollars will be greater in light of rapid inflation of the land value as we now see. It also is in the best interest of the landowner along the river to minimize the amount of time that is spent studying it. These people would like to know exactly what their situation is going to be as soon as possible and whether they can take out an easement or whether they are going to have to be moved off the land.

It is understandable that the first round of studies might have taken an unusual amount of time but as the agencies have established the procedures and worked out the bugs in these processes, I think they can move faster. And I have quoted in my testimony a statement that was made before this committee in June of this year at which time the chairman or rather the Director of the Bureau of Outdoor Recreation said that they had arrived at a new approach for studies and could perform them on an average of one in 18 months. So they have a much greater capacity for moving rapidly on these bills than they have indicated so far in spending these 5 years.

And I will point out that the Senate has passed a resolution that would limit the period of study for these to 3 full fiscal years so that we would be in the fiscal year and so it won't be any problem with budget of money for this purpose.

That, I believe, concludes my testimony.

[The information supplied follows:]

MINNESOTA REGULATIONS

NR 81 General Administration

(A) IMPLEMENTING THE PROPOSED MANAGEMENT PLAN

(1) Adoption of the management plan, and adoption or amendment of local ordinances to comply with the management plan, shall be carried out pursuant to the procedures described in Laws of Minnesota 1973, Chapter 271, sections 5 and 6.

(2) When the Commissioner deems it necessary to expedite the preservation and protection of the designated river, he may request the local authority to initially implement the land use controls described in the adopted management plan by passing an interim zoning resolution, providing such a resolution would be otherwise lawful.

(B) CERTIFYING CERTAIN ACTIONS

(1) In order to ensure consistent uniform application of these statewide standards and criteria to all designated units of the Minnesota Wild and Scenic Rivers System and to ensure the consistent uniform application of the management plan by the several counties which may control land use along the stretches of a single unit of the system, the Commissioner hereby provides a review and certification procedure for certain local actions. These certain local actions consist of any actions which (1) directly affect the use of land within a Wild, Scenic or Recreational land use district, and (2) are one of the following types of action:

(aa) Adopting or amending an ordinance regulating the use of land.

(bb) Granting a variance.

(cc) Issuing a conditional use permit.

(dd) Approving a proposed subdivision, cluster development, planned unit development, or the like.

(2) No such action shall be effective unless and until the Commissioner has certified that the action (1) complies with the Minnesota Wild and Scenic Rivers Act, the statewide standards and criteria, and the management plan; and (2) conforms to the following decision guides:

(aa) A land use ordinance or amendment must comply with the Act, the statewide standards and criteria, and the management plan.

(bb) The grant of a variance requires the presence of these conditions:

(i) The strict enforcement of the land use controls will result in unnecessary hardship. "Hardship" as used in connection with the granting of a variance means the property in question cannot yield an equitable return if used under the conditions allowed by the zoning provisions. Economic considerations alone shall not constitute a hardship if an economic use for the property exists under the terms of the ordinance.

(ii) Granting of the variance is not contrary to the purpose and intent of the zoning provisions herein established by these standards and criteria, and is consistent with the comprehensive management plan adopted by the Commissioner.

(iii) There are exceptional circumstances unique to the subject property which were not created by the landowner.

(iv) Granting of the variance will not allow any use which is neither a Permitted or Conditional use in the land use district in which the subject property is located.

(v) Granting of the variance will not alter the essential character of the locality as established by the management plan.

(cc) The issuance of a conditional use permit is permissible if the use is listed as a Conditional Use in the local ordinance, and will comply with the conditions required by the ordinance.

(dd) The approval of a subdivision, cluster development planned unit development, or the like, is permissible if the requirements of NR 79(g) are satisfied.

(3) Procedures for the certification process.

(aa) At least 10 days before the public hearing called by the local authority to consider the proposed action, the local authority shall notify the Commissioner of the time and place of the hearing. The notice shall include a copy of the proposed ordinance or amendment, or a copy of the proposed subdivision, or a description of the requested variance or conditional use.

(bb) The local authority shall notify the Commissioner of its final decision on the proposed action, within 10 days of the decision.

(cc) The Commissioner shall, no later than 30 days from the time he receives notice of the final decision, communicate to the local authority either:

(i) Certification of approval; or

(ii) Notice of non-approval.

(dd) The action becomes effective when and only when either:

(i) The final decision taken by the local authority has previously received certification of approval from the Commissioner; or

(ii) The local authority receives certification of approval after its final decision; or

(iii) Thirty days have elapsed from the day the Commissioner received notice of the final decision, and the local authority has received from the Commissioner neither certification of approval nor notice of non-approval; or

(iv) The Commissioner certifies his approval after conducting a public hearing.

(ee) In the case of notice of non-approval of an ordinance or a variance of a conditional use permit or a subdivision, either the applicant, or the chief executive officer of the county or municipality, may, within 30 days of said notice, file with the Commissioner a demand for hearing. If the demand for hearing is not made within the 30 days, the notice of non-approval becomes final. Also:

(i) The hearing shall be held in an appropriate local community within 60 days of the demand for it but not before 2 weeks published notice. Notice and the conduct of the hearing and the allocation of costs of the hearing shall be accomplished in the same manner as provided in Minn. Stats. 105.44, subdivisions 5 and 6 (1971) as amended.

(ii) Within 30 days after the hearing, the Commissioner shall either certify his approval of the proposed action, or deny it. His decision shall be based upon findings of fact made on substantial evidence found in the hearing record. If the Commissioner concludes that the proposed action satisfies the standards and criteria of NR 81(b)(2), then he shall certify his approval; otherwise, he shall deny it.

OREGON SCENIC RIVERS LAW

(3) No person shall put related adjacent land to uses that violate ORS 390.805 to 390.925 or the rules or regulations of the commission adopted under ORS 390.805 to 390.925 or to uses to which the land was not being put before December 3, 1970, or engage in the cutting of trees, or mining, or prospecting on such lands or construct roads, railroads, utilities, buildings or other structures on such lands, unless the owner of the land has given to the commission written notice of such proposed use at least one year prior thereto and has submitted to the commission with the notice a specific and detailed description of such proposed use or has entered into agreement for such use with the commission under subsection (5) of this section. The owner may, however, act in emergencies without the notice required by ORS 390.805 to 390.925 when necessary in the interests of public safety.

(4) Upon receipt of the written notice provided in subsection (3) of this section, the commission shall first determine whether in its judgment the proposed use would impair substantially the natural beauty of a scenic waterway. If the commission determines that the proposal, if put into effect, would not impair substantially the natural beauty of the scenic waterway, the commis-

sion shall notify in writing the owner of the related adjacent land that he may immediately proceed with the proposed use as described to the commission. If the commission determines that the proposal, if put into effect, would impair substantially the natural beauty of the scenic waterway, the commission shall notify in writing owner of the related adjacent land of such determination and no steps shall be taken to carry out such proposal until at least one year after the original notice to the commission. During such period:

(a) The commission and the owner of the land involved may agree upon modifications or alternations of the proposal so that implementation thereof would not in the judgment of the commission impair substantially the natural beauty of the scenic waterway; or

(b) The commission may acquire by purchase, gift or exchange, the land involved or interests therein, including scenic easements, for the purpose of preserving the natural beauty of the scenic waterway.

(5) The commission, upon written request from an owner of related adjacent land, shall enter into negotiations and endeavor to reach agreement with such owner establishing for the use of such land a plan that would not impair substantially the natural beauty of the scenic waterway. At the time of such request for negotiations, the owner may submit a plan in writing setting forth in detail his proposed uses. Three months after the owner makes such a request for negotiations with respect to use of land, either the commission or the owner may give written notice that the negotiations are terminated without agreement. Nine months after the notice of termination of negotiations the owner may use his land in conformity with any specific written plan submitted by the owner prior to or during negotiations. In the event the commission and the owner reach agreement establishing a plan for land use, such agreement is terminable upon at least one year's written notice by either the commission or the owner.

(6) With the concurrence of the State Water Resources Board, the commission may institute condemnation proceedings and by condemnation acquire related adjacent land:

(a) At any time subsequent to nine months after the receipt of notice of a proposal for the use of such land that the commission determines would, if carried out, impair substantially the natural beauty of a scenic waterway unless the commission and the owner of such land have entered into an agreement as contemplated by subsection (4) or (5) of this section or the owner shall have notified the commission of the abandonment of such proposal; or

(b) At any time related adjacent land is used in a manner violating ORS 390.805 to 390.925, the rules and regulations of the commission or any agreement entered into by the commission pursuant to subsection (4) or (5) of this section; or

(c) At any time related adjacent land is used in a manner which, in the judgment of the commission, impairs substantially the natural beauty of a scenic waterway, if the commission has not been given at least one year's advance written notice of such use and if there is not in effect commission approval of such use pursuant to subsection (4) or (5) of this section.

(7) In such condemnation the owner of the land shall not receive any award for the value of any structure, utility, road or other improvement constructed or erected upon the land after December 3, 1970, unless the commission has received written notice of such proposed structure utility road or other improvement at least one year prior to commencement of construction or erection of such structure, utility, road or other improvement or unless the commission has given approval for such improvement under subsection (4) or (5) of this section. If the person owned the land on December 3, 1970, and for a continuous period of not less than two years immediately prior thereto, he shall receive no less for the land than its value on December 3, 1970. *The commission shall not acquire by condemnation a scenic easement in land.*

Mr. TAYLOR. Thank you, Mr. Painter.

The next witness is Harry Crandell, the Wilderness Society.

STATEMENT OF HARRY CRANDELL, WILDERNESS SOCIETY

Mr. CRANDELL. Mr. Chairman, the hour is late. I hope that being witness No. 13 doesn't mean that the hearing is going to be continued until tomorrow in the next 10 minutes.

I have a very brief statement to make.

Mr. TAYLOR. Without objection, a copy of your statement will be placed in the record at this point and you can comment on it.

[The statement of Harry Crandell in full follows:]

STATEMENT OF HARRY B. CRANDELL, DIRECTOR OF WILDERNESS REVIEWS,
THE WILDERNESS SOCIETY

Mr. Chairman, I am Harry Crandell, Director of Wilderness Reviews, The Wilderness Society, a national conservation organization with headquarters here in Washington, D.C. It is with a great deal of pleasure that I appear before you today in full support of legislation to designate a number of rivers as potential additions to the National Wild and Scenic Rivers System.

The Wilderness Society wishes to commend this Committee for taking action on this legislation. We are greatly heartened by such positive steps to extend the reach of the Wild and Scenic Rivers System and we see this as further evidence that the nation is overcoming its part blindness and has begun to realize what a precious resource these wild free-flowing rivers are. In the past rivers were looked on primarily as something to be used—dammed, drained polluted, and channelized. This Subcommittee and Committee played a key role in the reversal of this attitude when the Wild and Scenic Rivers Act was passed in 1968. You wrote into this Act "That the established national policy of dam and other construction at appropriate sections of the rivers of the United States needs to be complemented by a policy that would preserve other selected rivers or sections thereof in their free-flowing condition to protect the water quality of such rivers and to fulfill other vital national conservation purposes."

Many rivers are fully eligible for consideration as Wild and Scenic Rivers and are in need of the interim protection provided under the study category of the National Wild and Scenic Rivers Act. Therefore, we are delighted today to express our full support for these bills which would add a number of rivers in Wyoming, California, Alabama, New Mexico, and Tennessee and North Carolina to the study category under the Wild and Scenic Rivers Act.

During the course of these hearings the American Rivers Conservation Council and other conservation organizations and private individuals will be testifying on specific rivers. We support the American Rivers Conservation Council in their position—having seen the care of their research—and the local citizens who are here to testify on the rivers with which they are familiar. We would like to comment briefly on one specific area, the Sipsey River in Alabama.

The Wilderness Society joins with the Alabama Conservancy and other Alabama citizen organizations in fully endorsing the proposal contained in H.R. 8643 to place the West Fork of the Sipsey Fork of the Black Warrior River and its tributaries in the study category of the National Wild and Scenic Rivers Act. We are familiar with the Sipsey River in consequence of our own examinations of the proposed Sipsey Wilderness thru which it flows in part. This free-flowing stream wanders through its own steep-walled canyons and through hilly, wooded countryside. For the most part its main tem and the tributaries are located on land already owned by the Federal government as part of the Bankhead National Forest, thus substantially eliminating land acquisition as a problem. In our view, beyond question the West Fork of the Sipsey River should be given the protection of the Wild and Scenic Rivers Act while its qualities and potential boundaries are more particularly determined—with the confident expectation that in due course the Congress will give it full wild and scenic river status under the law.

Again, we commend the Committee for holding these hearings and we affirm our enthusiastic support for this legislation to designate a number of rivers as potential additions to the National Wild and Scenic Rivers System.

Thank you, Mr. Chairman.

Mr. TAYLOR. I agree with you that most everything that can be said has been said.

Mr. CRANDELL. I think so. I would like to state that the Wilderness Society fully supports these bills which would add a number of

ivers to the study category under the Wild and Scenic Rivers Act and we particularly support the position of the American Rivers Conservation Council, which has gone to a considerable amount of research in this area.

As a former resident of the state of Wyoming, I consider myself a Washington, D.C. constituent of Mr. Roncalio. I would like to make a very brief comment on the four Wyoming rivers.

I am pretty familiar with them and I feel that they should all be at least studied and a decision made on whether or not they should be included in the Wild and Scenic Rivers System later on after this study has been completed.

I have this little statement to make, sir, that I scribbled at the back of the room a few minutes ago. It says that the Wilderness Society is deeply concerned about recent events in the Western part of the country; events which we feel will bring about rapid and profound change not only in the landscape but in the lifestyle of the people who live there as well.

We all recognize that we live in an era of rapid change and that it is difficult to cope with that change or influence it individually. I am referring specifically to the proposed oil shale development and its influence on the middle and lower reaches of the Green River in Wyoming and Colorado and Utah. That part of the river isn't under discussion today. And we are all aware of the north central power study, a vast coal development project in which Wyoming and Montana, which Mr. Roncalio made mention to, will be involved and also its influence on the Yellowstone River.

Now the Clarks Fork River, which was discussed earlier, is a tributary to the Yellowstone. Both of these projects, according to the Department of the Interior reports, will require tremendous amounts of water. The potential exists to utilize virtually all available water supplies in the streams in the event that these projects should become fully developed and operational. Yet our principal concern has to do with the effect that these projects will have on the lifestyle of these people in these areas, particularly those that earn their livelihood from the land.

Population increases and the following pressures by such increases on the land and water resources are bound to change the lifestyles of the people residing in the local areas. Thus the wilderness society believes that the best path open to us is to protect not only the natural values of the land and water of the States involved, particularly in Wyoming as was discussed today, but the lifestyles of the people residing there so we do recommend placing qualified units into the Wild and Scenic Rivers System and the National Wilderness Preservation System. At the very least, such qualified areas should be studied and a decision made on the basis of detailed studies and fully published participation in the development of recreation areas—and that was kind of in response to Mr. Budd and Mr. Reynolds' fears that the creation of a wild and scenic river or a wilderness area is going to bring tremendous numbers of people into this valley, the Green River Valley in particular, and change their lifestyle.

We feel that it behooves the Federal agencies that control the land or control the program, the operational part of the wild and scenic

rivers or of the wilderness area to exercise the controls necessary so that the very reason that we are designating a wild and scenic river as a wild and scenic river, that the river isn't just loved to death by overuse.

Thank you very much, Mr. Chairman.

Mr. TAYLOR. Thank you. My thinking has always been that we are trying to prevent the wrong kinds of development and the wrong kinds of use. We want to preserve rather than destroy.

Mr. CRANDELL. That is right.

Mr. TAYLOR. And I was a little surprised at the statement that we were destroying a river by making it wild.

Mr. CRANDELL. Yes, sir.

Mr. TAYLOR. Well, thank you for your testimony.

This ends the hearings on the group of bills before us.

[Whereupon, at 4 p.m., the hearing was closed and the subcommittee proceeded to other business.]

[Additional material for the record follows:]

STATE OF NEW MEXICO,
OFFICE OF THE GOVERNOR,
Santa Fe, October 26, 1973,

HON. ROY TAYLOR,
Chairman, National Park and Recreation Subcommittee Longworth House
Office Building, Washington, D.C.

DEAR CONGRESSMAN TAYLOR: According to my information, H.R. 8735, an amendment to the Wild and Scenic Rivers Act, is scheduled for hearing on October 29th and 30th. In addition, I understand that statements concerning this bill will be accepted three days following the hearings. In this regard, I am submitting the following comments.

Please be advised that I fully support the intent of this bill designating portions of the Chama River, the Gilá River and the San Francisco River in New Mexico for study as potential additions to the National Wild and Scenic Rivers System. Each of the rivers possess a high quality environment of unique biota. The special nature of the rivers characterize those conditions which can only adequately be protected by careful study and review for appropriate classification, designation and administration within the National Wild and Scenic Rivers System.

I have discussed this matter with State Planning Officer, David W. King. It is his firm conviction that many of the unique natural water areas within our country lack a program of thoughtful management. In order to assess the optimum values inherent within each river for our society, research and analysis are essential; otherwise, these prime water areas become a regret of the past. I agree with his views on this matter.

Further, my endorsement of this bill hinges on the need to preserve these areas for the future enjoyment and use of the people of our State and Nation. With introspective foresight among your committee members, we can join together to preserve the scenic wonders and outdoor values remaining within our country.

Please accept this letter as my sincere request for favorable approval of H.R. 8735.

Sincerely,

BRUCE KING,
Governor.

SOUTHWEST RIVER STUDY COMMITTEE,
Glenwood, N. Mex., Nov. 24, 1973.

HON. ROY A. TAYLOR,
Chairman, Subcommittee on National Parks and Recreation, House Committee
on Interior and Insular Affairs, Washington, D.C.

DEAR REPRESENTATIVE TAYLOR: I had hoped to be able to attend your hearings on HR 8735 and other river study bills on Oct. 30, but was unable. Enclosed are 3 copies of my testimony on HR 8735 for the Southwest River Study Committee.

I understand that the Department of Interior Recommended against HR 8735. However, it is my understanding that the Forest Service (who is the principal land administering agency for the Chama Gila, and San Francisco Rivers in New Mexico) favors the bill. In addition, the Gila National Forest has already begun wild/scenic river studies of the Gila and San Francisco Rivers, and the Santa Fe National Forest has made some studies of the Chama.

An Interagency group (including 6 Federal and state agencies) has been making detailed studies of the Gila River. So, it can be seen, much preliminary work has been done.

We also urge approval of the following bills: HR 8502, 8577, 8578, 8501, 8643, 10771, 11120, and 8609. It is time that the Departments of Interior and Agriculture be given a Congressional mandate to get expansion of the Wild & Scenic Rivers System underway.

The Southwest River Study Committee appreciates this opportunity to comment to your committee and especially they appreciate the hearings you have held.

Please make this letter and the enclosed testimony part of the official hearing record.

Sincerely

DAVE FOREMAN,
Chairman.

STATEMENT OF DAVE FOREMAN, CHAIRMAN OF THE SOUTHWEST RIVER STUDY COMMITTEE

I am Dave Foreman. I live in Glenwood, New Mexico, in the valley of the San Francisco River. I am a backpacker and river guide and outfitter by profession, owning and operating Live! Wilderness Expeditions. I make my living in the Wilderness and on the Wild Rivers of the Southwest and in Mexico.

I am also the Chairman of the Southwest River Study Committee and am representing that group today. The Southwest River Study Committee is a group of boaters, scientists, fishermen, hikers, photographers, and others interested in free flowing rivers in the Southwest United States. We are involved in making field studies of, and proposing, rivers for addition to the National and state Wild & Scenic River Systems.

The Southwest River Study Committee strongly endorses H.R. 8735, a bill introduced by Congressmen Runnels and Lujan of New Mexico that would add the Gila, San Francisco, and portions of the Chama Rivers in New Mexico to the study category (Sec. 5a) of the Wild & Scenic Rivers Act of 1968. New Mexico is proud and indeed fortunate that the first component of the National Wild & Scenic Rivers System, the Rio Grande Gorge, is within her borders. This is fitting since the first unit of the National Wilderness Preservation System, the Gila Wilderness, is also in New Mexico. We feel that the three rivers contained in H.R. 8735 are, like the Rio Grande Gorge, nationally significant and eminently qualified for study for inclusion in the National Wild & Scenic Rivers System by reason of their remarkably outstanding scenic, recreational, geologic, fish and wildlife, historic, cultural, and similar values.

I would like to briefly discuss these values as the Southwest River Study Committee sees them for the Gila, San Francisco, and Chama Rivers. I will stress those values I am most familiar with. Other members of our Committee will elaborate on the values they are familiar with in their testimony.

GILA RIVER

I. Scenic

The entire Gila River and its principal tributaries in New Mexico are included in H.R. 8735. The sources for the West, Middle, and East Forks of the Gila are in the 10,000+ foot peaks of the Mogollon Mountains and the Black Range in the Gila Wilderness and Black Range Primitive Area of southwestern New Mexico. Beginning in virgin spruce-fir forest, the Forks of the Gila quickly begin to cut down through the soft Gila Conglomerate rock covering this area, forming the spectacular canyons with their fantastically eroded spires, knobs, cliffs, and other rock formations for which the Gila Wilderness is so famous. Meeting near Gila Cliff Dwellings National Monument, the Forks form the main Gila River. Continuing another forty five miles through the

Gila Wilderness, the Gila River cuts a canyon of the same cloth as did its forks, only on a grander scale. This sublime canyon of the Gila River, with its awesome rock formations and magnificent dark green forests crowding down to the river, is truly one of the most breathtakingly beautiful wilderness canyons in the United States.

Leaving the Wilderness, the Gila enters a 17 mile long valley, where the awesome majesty of Gila Canyon is replaced by the enchanted beauty of hushed groves of great sycamores and cottonwoods. To many of us in southwest New Mexico, the sycamore with its massive white-barked limbs often running parallel to the ground for many feet is the most beautiful tree of all. In New Mexico we call these river bottom woods 'bosques'.

The Gila soon enters the Gila Middle Box where a placid meander is replaced by boiling, churning whitewater; and the peaceful Cliff Valley is replaced by another version of Gila Canyon—but this one even more rugged. At one point the 70 foot high spiral waterfall of Slate Creek drops into the river from a canyon wall.

Still alternating spectacular canyon with gentle valley, the Gila now enters the Redrock Valley, like the Cliff Valley in that it is wooded with the sycamore and cottonwood, but different in that the twisted rock formation of the canyons step back only a few hundred yards—Creating a marriage of the canyon and the riparian valley.

The last canyon of the Gila in New Mexico is the Gila Lower Box. Like the others in its soaring rock formations and canyon walls, whitewater and peaceful pools; the Lower Box, however, being at a lower elevation, has a drier, more arid character—a desert canyon, instead of a mountain canyon. After the Lower Box, the Gila enters its last valley before Arizona, again with cottonwood and sycamore.

II. Recreational

Although the Gila River is justly famous for its superb biotic resource, its recreational values are also outstanding. While many river-runners in New Mexico are aware only of the fine white-water challenges offered by the Rio Grande and the Rio Chama in Northern New Mexico, the Gila in some respects excels even these nationally known rivers for boating.

The little-known and even less-used river trips on the Gila combine wild and undeveloped country; exciting, and in some cases spine-tingling, rapids; and magnificent mountain and desert canyon scenery.

There are three basic canyon runs on the Gila River in New Mexico as well as leisurely float trips through the bosques separating them. The best known trip on the Gila is through its main canyon in the Gila Wilderness. It begins where State Highway 522 crosses the Gila below Gila Hot Springs and ends where the river exits the Wilderness above Cliff. Some 45 miles in length, this trip is unquestionably one of the most beautiful and awesome river trips in the United States, passing through some of the wildest and most scenic parts of the great Gila Wilderness. Elk, deer, and turkey are commonly seen along the river. This trip is popular with canoeists as well as kayakers and rafters since it is rated only II to III (on a grade VI scale) in difficulty. Depending on type of craft and the hurry of the boaters, the Gila Wilderness trip takes 2 to 5 days of pristine luxury.

The Middle Box of the Gila through the Burro Mountains division of the Gila National Forest between Cliff and Redrock is a trip for experts only. Scarcely ever run and through a virtually untouched magnificent alternately forested and rocky canyon, the Middle Box is the whitewater kingdom of Southwest New Mexico. As the box canyon deepens, the rapids slowly increase in ferocity from exciting grade III's to challenging IV's, finally culminating in the frothing 'Gila Narrows', a continuous, churning jumble of chutes, falls, and rocks for 2 miles. The 'Narrows' are graded V and allow no rest or docking for their length. Known to stand an 18 foot whitewater raft on end, the Gila Narrows are probably the most demanding single stretch of water of their length in New Mexico. But running the rapids is not the only attraction of this 12 mile, one day trip. The complete sense of isolation from civilization and superb scenery (lunch at the 70 foot high Slate Creek Waterfall is a high-point of every trip) give the whitewater a run for its money.

The Gila Lower Box between Redrock and Virden is another short (12 miles) one day trip with plenty of whitewater excitement and spectacular scenery for anyone. Receiving even less use than the Middle Box, the Lower Box has grade III (IV in high water) rapids vying with strange rock formations as the calling card. Gila Monster Rapid provides this run a fitting finish.

Between these more difficult canyon trips are easy stretches of river through tranquil valleys crowded with cottonwood-sycamore riparian woodland, providing one of the outstanding bird habitats in the country. Where the canyon trips are stunning and hair-raising, the valley float trips are quiet and charming and afford an excellent canoe trail for recreationists.

But canoeing and white-water boating are not the only, nor even the heaviest participated in, recreational pursuits along the Gila. Hiking, camping, and backpacking are all popular along the Gila, especially in the wilderness portion. By being relatively low, backpacking is possible in this area even in the winter when most other backpacking areas are snowed in.

Because of the unusual biota—both flora and fauna—associated with the Gila River, bird watching and other types of nature study are quite important recreational activities. The unique and sublime scenery of the Gila River lends itself readily to nature photography and sketching. Family groups enjoy pick-nicking in the wooded glades and children, especially, love frolicking, splashing, swimming, and sliding in the pools and sculpted rock chutes and slides of the river.

The unspoiled naturalness of the Gila River could draw recreationists from far and wide, proving an economic boon to southwestern New Mexico.

III. *Geologic*

Although we have not consulted with any professional geologists about outstanding geological aspects of the Gila River, it would seem safe to surmise that because of the deep canyons (2000/ feet) that the Gila has cut, there are remarkable geologic values associated with the river.

IV. *Fish and Wildlife*

The biological importance of the Gila River is its outstanding value and the principal argument in favor of its study for inclusion in the National Wild & Scenic Rivers System. Others are sending detailed and expert material on this aspect of the Gila, so I may be brief. The Gila River and its riparian lands form a principal pathway for the flora and fauna of the Sonoran biota to enter New Mexico. The good stands of sycamore, cottonwood, and other trees and shrubs in the river bottom create one of the outstanding bird habitats in the United States. Preservation of this scientifically important eco-system should receive prime consideration in any discussion or plan for the Gila.

The Gila is also an exceptional fishery—cold water in its upper reaches, and warm water downstream. Some truly enormous trout lurk in these waters for the angler desiring something beyond the everyday fishing experience. Our fishing experts will provide additional information.

Because of their generally snow-free conditions, the lands in the bottom of Gila Canyon within the Gila Wilderness provide prime winter habitat for big game.

V. *Historic, Cultural, and Other*

The cliffs and valleys beside the Gila River are a major archaeological zone, containing many sites, cliff dwellings, ruins, and other evidences of the Mogolton culture (the southern branch of the early Pueblo Indians) and other pre-Columbian Indians. The most outstanding ruins have been preserved in Gila Cliff Dwellings National Monument near the joining of the forks of the Gila River. Many other major and minor sites, most unexcavated, are known on the low benches and terraces running nearly the entire length of the river in New Mexico.

SAN FRANCISCO RIVER

Much of what I have said about the Gila River also applies to its nearby and slightly smaller tributary, the San Francisco (or Frisco) River, so my comments will be much briefer.

I. Scenic

The headwaters of the San Francisco River rise from the slopes of Escudilla Mountain (10,877 feet) in southeastern Arizona, just a few miles from the old Mormon farming settlement of Luna, New Mexico. From its source the Frisco immediately flows into New Mexico and forms a great bow through the Apache and Gila National Forests in New Mexico before flowing back into Arizona near the town of Clifton. Just below Clifton the Frisco flows into the Gila River and the two continue on to the Colorado River and the Gulf of California. The New Mexico portion of the San Francisco is included in H.R. 8735.

The Luna Valley is a high, open mountain valley with the picturesque farming and ranching village of Luna nestled in it.

The river soon enters the Frisco New Wilderness Study Area as selected by the Chief of the Forest Service. The Frisco, still a stream here, meanders through verdant meadows and bubbles through rocky sluices as a mountain canyon grows about it. The canyon is gentle until suddenly the stream enters the Frisco Box, one of the most beautiful small canyons in the United States. Sheer, convoluted rocks form the canyon walls and nearly meet overhead. The river gurgles and drops and gushes through a labyrinth of giant boulders in the bottom, forming countless small waterfalls and deep pools. The only pathway through the box is in the water—jumping from the big rocks 10 feet down into a crystal-clear, ice-cold, green pool; then swimming and wading to another rocky drop into another ethereal pool.

Below the Box, the Frisco flows through Reserve Valley, with its small farms and many riparian hardwoods.

Narrow, remote San Francisco Canyon dominates the river for over 25 miles after the Reserve Valley. This is a seldom visited, beautiful mountain canyon with extensive areas of hardwoods along the river. Two Forest Service Roadless Areas (Saliz and Kelly) flank the sides of this magnificent canyon.

Below the canyon, the Frisco forms several wide alluvial valleys separated by short rugged canyons. These valleys, Alma, Glenwood, and Pleasanton, have some irrigated farming but the general character is dominated by many large areas of riparian hardwoods, including the biologically important cottonwood-sycamore association.

The Frisco Hot Springs just south of Pleasanton mark the end of the valleys and the beginning of the most impressive of the canyons of the San Francisco—Lower San Francisco River Canyon. This is also the point where the Frisco swings back towards Arizona and this outstanding canyon runs some 55 miles to Clifton, Arizona. This magnificent canyon is one of the wildest river gorges left in this country and is movingly beautiful in its rock formations, isolated bosques, and sense of absolute remoteness and solitude. This is the quintessential small river canyon of the Southwest.

II. Recreational

Although the San Francisco River does not receive heavy recreational use at the present time, recreation associated with the river could soon prove to be of major economic importance to the small towns—Luna, Reserve, and Glenwood—along it. The Frisco has been little explored from a river running standpoint at present, but offers several good runs in high water years for both kayak and raft. (Inner-tubing is done in low water years.) The finest run is from Frisco Hot Springs through the Lower Canyon, but the entire river from Reserve down is boatable under the right conditions.

The Frisco Box between Luna and Reserve is a unique wading, swimming, and hiking area. The Forest Service leads a hike/swim through it every year. More conventional hiking, backpacking, camping, and picnicking is possible along the rest of the river. The several hot springs by the river are popular for bathing—as are those along the Gila River.

Because the canyons and valleys of the Frisco harbor such an unusual biota, nature study, bird-watching, and nature photography are among the more important recreational pursuits.

III. Geologic

As with the Gila River, the deep canyons and unusual rock formations formed by the Frisco should be of interest geologically.

IV. Fish and Wildlife

Again like the Gila, the principal importance of the San Francisco River is for the unique and relatively unspoiled ecological values associated with it. All that has been said for the Gila in this regard also holds for the Frisco.

Congress, in deciding the fates of the Gila and San Francisco Rivers, should give close and serious consideration to scientific studies done by Drs. John P. Hubbard, Dale Zimmerman, Bruce Hayward, and others. This is the strongest evidence for wild/scenic river study of these two rivers.

The Frisco and its tributaries are also a fine fishery, again with cold-water and warm-water portions. The ridges and mesas beside the Frisco offer some of the best hunting in the state—the Glenwood area is considered by many to be the finest deer hunting area in the southwest quarter of New Mexico.

V. *Historic, Cultural and Other*

Although not of the same importance as the Gila, there are several archaeological sites beside the Frisco that need further study. The Frisco has also had a long and interesting European history and there are a number of sites in the Glenwood, Reserve, Luna, and other areas that have historical value. History is interwoven along all reaches of the San Francisco—Billy the Kid killed his first man near Glenwood, Butch Cassidy and the Sundance Kid worked as ranch hands on the WS Ranch near Alma, and Reserve is the site of the famous Elfego Baca shootout.

Because of their ecological uniqueness, mild weather, and variety, both the Gila and Frisco could prove important for educational purposes at all levels.

CHAMA RIVER

The attached description of the Chama River in Northern New Mexico does a good job in briefly detailing the many scenic, recreational, geologic, fish & wildlife, historic, cultural, and other values associated with it. Others with the Southwest River Study Committee will submit additional material concerning these values of the Chama.

Though these three New Mexico rivers—the Gila, San Francisco, and Chama—are nationally significant and thoroughly qualified for study for possible inclusion in the National Wild & Scenic Rivers System, they are especially valuable and significant in the river-poor state of New Mexico. Free-flowing rivers are especially valuable to us merely because they are flowing water in this arid part of the country.

The Southwest River Study Committee strongly supports H.R. 8735 and urges its speedy enactment. We will be happy to provide additional information or to arrange on-the-ground inspection of these rivers by members of this Committee or its staff.

Thank you very much for this opportunity to comment on H.R. 8735.

ALBUQUERQUE, N. MEX., November 21, 1973.

HON. ROY A. TAYLOR,

Chairman, Subcommittee on National Parks and Recreation, House Committee on Interior and Insular Affairs, Washington, D.C.

DEAR SIR: This letter is to state my knowledge of the outstanding ecological and historical values of the San Francisco and Gila Rivers within New Mexico, along with an idea of what their inclusion within the National Wild and Scenic Rivers System would mean to the local economy. First, I would like to note that qualification of these rivers for some sort of wilderness or sanctuary status has long been recognized by the New Mexico State Government. To quote from a letter to me from Gary Easton of the State Planning Office (May 14, 1971), "One of the five main areas we hope to include in our system is the San Francisco drainage to which you made reference. We are very much aware of the unique qualities of the area . . .". Mr. Easton had replied to my request for information about a state wild and scenic river system that almost passed the Thirtieth Legislature, First Session, of 1971. Support for such a state system has continued, but since the introduction of H.R. 8735, many New Mexico citizens have put their support behind that measure instead and it would now seem that the best chance for the preservation of these well qualified rivers is under federal protection.

I am a landowner in Glenwood, New Mexico, located in the San Francisco Valley. I feel that my views are reflected by many of my neighbors up and down the valley.

Ecological Values.—According to Dr. John Hubbard, Curator at the Delaware Museum of Natural History, both the Gila and San Francisco are impor-

tant for the biota of their valleys which are unique within New Mexico. Speaking of the two rivers, Hubbard states: "Riparian woodland differs strikingly from both adjacent habitats and Southwestern habitats in general in that it is completely dominated by trees that are broadleaved and winter-deciduous. The only other widespread habitat that shares this distinction is a montane woodland dominated by aspen. Other broadleaved winter-deciduous trees in the Southwest either share habitats with conifers or are entirely dominated both numerically and structurally by them." Hubbard continues: "This relatively rich assemblage of angiosperm trees and shrubs represents more than an important avian habitat type; it is also a legacy of the past vegetation, a remnant of the once widespread angiosperm element of the Arctotertiary flora of North America. Nowhere else in the Southwest is it better represented than along streams, and nowhere in that region does it manifest a greater dominance in habitat than in these riparian woodlands." The most prominent of these trees are the Fremont Cottonwood and the Arizona Sycamore, found in New Mexico only in the drainage of the Gila and San Francisco Rivers and a few other isolated locations within the southwestern part of the state.

Besides the riparian woodland itself, other habitats along the Gila and San Francisco include marshland, microphyll shrubland, evergreen woodland, grassland, evergreen shrubland and riparian shrubland. This diversity of habitats results in a rich bird breeding population of approximately 115 species. Some of the birds are rare or seldom seen, such as the Mexican Duck and Mexican Blackhawk.

The two rivers also provide a major stronghold of the Arizona Gray Squirrel in New Mexico. This animal depends on the Arizona Walnut tree for survival, which grows here and there along both rivers. The Gila and San Francisco are refuges for perhaps several species of endemic fish.

The ecology of the areas of the Gila and San Francisco within New Mexico represent essentially the ecology of the Mogollon Plateau, which is very special because within it, "many biogeographic areas meet and merge". These biogeographic areas can be said to include the Rocky Mountain, the Sonoran, the Chihuahuan, the Great Plains, and the Sierra Madrean.

Historical Values.—The general history of the Gila River is fairly well documented, although much work remains to be done within the New Mexico portion of the river. Indian sites are numerous and the existing Gila Cliff Dwellings National Monument is well known further upstream within the Gila Wilderness Area. One recent excavation is the Kwilleylekia ruin near the town of Gila. The Spanish were through the entire Gila drainage at an early date and several expeditions from Sonora or Chihuahua trekked the Gila Valley within New Mexico on different occasions during the 17th and 18th centuries. Anglo intrusion into the area began with the Mountain Men and trappers of the 1840's and 50's, followed by U.S. Army installations and then cattlemen and farmers after the civil war. The population has never been large along the New Mexico portion of the Gila, with only a few towns and villages such as Gila, Cliff and Virden. Many portions of the river are very wild and scenic, an example being along the Big Burro Mountains portion of the Gila, where the Forest Service has established a "Gila River Bird Habitat".

The San Francisco was officially charted and named by the Spanish in 1747, the Rio de San Francisco. This was Padre Mencheros expedition which passed through the valley from south to north, noting that Indians occupied farming sites along the river, with irrigation ditches and corn fields. There are many much older Indian signs along the San Francisco dating back to pre-columbian times. On many sites along the river are pottery sherds, pictographs and minor fortifications or lookouts. On the Arizona side of the river is a cliffdwelling on the north side of the river which has been recorded but not excavated. There are accounts of a cliffdwelling on the New Mexico side, although no real evidence of it has come to light. The Anglo history of the river is much the same as that of the Gila. Both Glenwood and Alma were first settled in the late 1870s. The Mogollon Mountains which form a continuous backdrop to the San Francisco for many miles, were named after the Spanish Governor, Don Juan Francis de Mogollon, who led expeditions against the Apaches in this area about 1713 or 1714. It is possible that the valley was penetrated by the Spanish prior to 1700, although as mentioned above, it was not officially named until 1747. The San Francisco has remained less touched by agriculture and

other man-made changes than the Gila. It is, in general, wilder and more scenic for greater distances than the Gila. It is also more protected by adjoining National Forest land in many areas. It is more characterized by rugged cliffs, box canyons and adjoining mesas, although the areas near Pleasanton and Glenwood are very pastoral in nature with more gradual banks and thick stands of Cottonwood trees.

There is no question but that the Gila and San Francisco are the two rivers in the state that have been less frequented and less damaged by man than any of the others, and that they retain unique natural values that are unsurpassed by any other river in the state.

A Benefit to the local economy.—The American public has expressed its interest in river-running and exploration within the last few years via a skyrocketing attendance rate on float trips and hikes. Where only a few years ago only a few hundred people had ever floated the Grand Canyon, today approximately ten thousand a year run the rapids under the guidance of professional outfitters. Commercial river-running trips are available on nearly all the major rivers in the West. Others are buying their own canoes, rafts or kayaks as never before.

If the Gila and San Francisco are included within the National Wild and Scenic Rivers System, they will receive new popularity as a result of the new status. Many will come to run the feisty rapids of the San Francisco or laze along its wooded stretches. Others may want to hike or fish. The unique boita will draw those from academic camps, there will no doubt be interest in bird-watching (as now exists in Glenwood and Gila areas), and the San Francisco Valley has always been attractive to artists and photographers. These people will stay in motels in local communities, purchase supplies and buy gasoline. The Gila and San Francisco Rivers can be real attractions to Catron and Grant Counties and merchants who supply the needs of the recreationists will give our local economy a much needed boost.

Already two New Mexico-based river outfitters (One is headquartered in Glenwood) offer commercial float trips on the Gila and San Francisco and backpack trips along them. A resort ranch near Silver City specializes in bird-observation trips along the rivers. There are also plans for a wilderness survival school in Catron County that will use the rivers as part of its program. Protection of the two rivers can result in more dollars to the local economy and happily, this can be done without pollution. The people of Southwestern New Mexico in the regions of the Gila and San Francisco Rivers want to make as good a living as possible, without damaging their own best asset; the natural environment along the Gila and San Francisco.

I have included a few slides or photos of the valley for your files. (Location noted on back of photos or on side of slide.)

Sincerely,

JOE TIBBETS.

SILVER CITY-GRANT COUNTY CHAMBER OF COMMERCE,
Silver City, N. Mex., December 12, 1973.

HON. MANUEL LUJAN, JR.,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN LUJAN: The Silver City-Grant County Chamber of Commerce Board of Directors on December 11, 1973, in regular session expressed unanimous opposition to adoption of H.R. 8735, which calls for studies of the Gila, San Francisco and Chama Rivers for possible addition to the National Wild & Scenic Rivers System.

We are well aware of the impetus toward complete return to the so-called "pristine beauty" of the rugged terrain which characterizes the Rocky Mountain West, and feel that such impetus was responsible for the introduction of the resolution in question. However, no conscientious historian of this area can dispute the fact that it has been the taming of the country, rather than the coddling of hardy flora and fauna, which has made it a safe and healthful place to live, and provided gainful employment for thousands of Americans who would otherwise crowd the already-overcrowded metropolitan areas.

Americans have traditionally met their major challenges head-on, whether they were posed by nature, economic pressure or the avarice of international brigands.

One such challenge is that one which is all to frequently mounted by the torrential floodwaters from the Upper Gila mountain watershed. Engineers and settlers first envisioned the taming of the Gila in the 1890's, and the proposal, like the periodic renewal of the challenge, has continued to this day. As you are doubtless aware, the plan to harness the Upper Gila at the point where it spews its floodwaters onto the verdant farmland has had organizational backing since the late 1920's, and finally, in the late 1960's, the Central Arizona Project, of which Hooker Dam is a part, was authorized by the House of Representatives after having been approved by the Senate. At the time of its passage, New Mexico and Arizona Members of Congress agreed to delay a request for appropriations until after the war in Southeast Asia had ended. This stipulation was readily agreed to by their respective constituencies.

Meanwhile, nature's depredations upon an unprotected land have continued. Lives have been lost. Property damage, including washed-out bridges, flooded farmsteads and inundated towns have been the price paid for the continued delay.

We submit that to set the Upper Gila aside as a "Wild River" can do nothing but assure a continuation of devastation by floods, at a continued cost in lives, crops, livestock and homes.

We therefore urge you to come to the southwest quadrant of New Mexico in person, allowing yourself more than "meeting and briefing" time, to make a thorough inspection of the sites in question, before allowing any hearings to be scheduled.

Thank you for your past endeavors on behalf of this area.

Yours sincerely,

JIM ELLIOTT, *Manager*,
(For President and Directors).

THE RIO GRANDE CHAPTER OF THE SIERRA CLUB,
Albuquerque, N. Mex., October 24, 1973.

HON. ROY A. TAYLOR,
Chairman, Subcommittee on National Parks and Recreation, Committee on Interior and Insular Affairs, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN TAYLOR: We understand that H.R. 8735, which proposes the study of the Gila, Chama, and San Francisco Rivers in New Mexico for inclusion in the National Wild and Scenic Rivers System, will be considered by your subcommittee next week. In our opinion portions of these three rivers are highly qualified for inclusion in the National System, and we urge the committee to give a favorable report to this bill.

The Gila and San Francisco Rivers are of great biological value because of the unusual flora and fauna which are associated with them. In addition, portions of these rivers are favorite recreation areas for many New Mexico citizens. The Chama is an unusually wild and beautiful river and would be a valuable addition to the National System.

Most of the rivers and streams in New Mexico have already been highly developed or only run intermittently. New Mexicans are grateful for the protection afforded the only wild portion of the Rio Grande—the Rio Grande Gorge—by the Wild and Scenic Rivers Act. The only other rivers we have been able to identify at this time as ideally suited for study are these rivers included in H.R. 8735. Please assure that the suitability of these rivers will at least be studied.

Respectfully,

PHILLENORE D. HOWARD,
Conservation Coordinator.

JEMEZ SPRINGS, N. Mex.

HON. ROY A. TAYLOR,
Chairman, Subcommittee on National Parks and Recreation, House Committee on Interior and Insular Affairs, Washington, D.C.

DEAR MR. TAYLOR: Please register my full support for House Rule 8735, the bill calling for study of the Chama, Gila, and San Francisco Rivers for possible inclusion in the National Wild and Scenic Rivers System.

The Chama is a beautiful river. Many farmers along it, particularly in the Espanola valley, rely upon it for agricultural water. It supports many trout, particularly above the Abiquiu dam, and cuts through much spectacular scenery, most notably the Chama Canyon, also prime habitat for deer. There are many ruins along the Chama, most of them from the ancient tewa who inhabited the area. At one time the Spanish in New Mexico attempted to settle the Utes some 20 miles west of Abiquiu along the Chama, and ruins of stone houses and teepee rings can still be seen there.

The Gila originates in the famed Gila Wilderness, designated as America's first wilderness area in 1924. I am especially familiar with the upper portions of the Gila, particularly the West Fork. Here is an excellent rainbow, brook, and Gila trout fishery. Lower portions of the Gila have been inhabited by catfish and suckers. Wildlife along the Gila is plentiful and includes several active beaver colonies. The lower portion of the Gila includes the spectacular Lower Box, reputedly some of the best whitewater rafting in the Southwest. The Gila is truly a beautiful waterway, and much of any study of it would include portions within the Gila Wilderness.

The San Francisco River is a real gem. It flows from the San Francisco Mountains through no less than 4 de facto wilderness areas—Kelly, Saliz, Frisco Box, and Lower Frisco, cutting through some of the most rugged and wild terrain in the Southwest. The Frisco Box contains a hot spring, and other springs may be found along the West, Middle, and East Forks of the Gila. The San Francisco is the main corridor by which Sonoran fauna may enter New Mexico, so keeping it in natural condition would be a benefit to the entire biotic community.

In closing let me say that I have camped extensively along all of these rivers, including all 3 forks of the Gila and all 4 de facto wilderness areas along the Frisco. All are important as a source of water to the wildlife of the area and all are worthy of Wild River status.

Yours truly,

TONY WOLFE.

SIERRA CLUB SOUTHWEST OFFICE,
Tucson, Ariz., November 13, 1973.

Hon. ROY A. TAYLOR,
Subcommittee on National Parks and Recreation, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. TAYLOR: I would like to add my support to the legislation, House Rule 8735, which would designate portions of the Chama, Gila, and San Francisco Rivers in New Mexico for study as potential wild or scenic rivers. Living, free-flowing streams are increasingly rare in the arid Southwest, and a strong positive program is needed to insure that at least a few portions of these streams remain essentially as the earliest settlers found them. Because of the importance of water in the desert, those few streams we have are of particular significance to wildlife, recreation, scientific research, and for their scenic values.

One segment of the San Francisco River which is particularly noteworthy is that portion downstream from Glenwood, New Mexico near the Arizona-New Mexico State line. For a distance of about 40 miles this river flows through a deeply-incised canyon in the surrounding mountains. Since nearly one-half of this canyon is in the State of Arizona, I would like to urge that the bill be amended to provide for the study of the entire canyon down to the town of Clifton, Arizona.

Please make this letter a part of the official hearing record.

Sincerely,

JOHN A. McCOMB,
Southwest Representative.

SILVER CITY—GRANT COUNTY CHAMBER OF COMMERCE,
Silver City, N. Mex., December 12, 1973.

Hon. HAROLD RUNNELS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN RUNNELS: The Silver City-Grant County Chamber of Commerce Board of Directors on December 11, 1973, in regular session ex-

pressed unanimous opposition to adoption of H.R. 8735, which calls for studies of the Gila, San Francisco and Chama Rivers for possible addition to the National Wild & Scenic Rivers System.

We are well aware of the impetus toward complete return to the so-called "pristine beauty" of the rugged terrain which characterizes the Rocky Mountain West, and feel that such impetus was responsible for the introduction of the resolution in question. However, no conscientious historian of this area can dispute the fact that it has been the taming of the country, rather than the coddling of hardy flora and fauna, which has made it a safe and healthful place to live, and provided gainful employment for thousands of Americans who would otherwise crowd the already-overcrowded metropolitan areas.

Americans have traditionally met their major challenges head-on, whether they were posed by nature, economic pressure or the avarice of international brigands.

One such challenge is that one which is all too frequently mounted by the torrential floodwaters from the Upper Gila mountain watershed. Engineers and settlers first envisioned the taming of the Gila in the 1890's, and the proposal, like the periodic renewal of the challenge, has continued to this day. As you are doubtless aware, the plan to harness the Upper Gila at the point where it spews its floodwaters onto the verdant farmland has had organizational backing since the late 1920's, and finally, in the late 1960's, the Central Arizona Project, of which Hooker Dam is a part, was authorized by the House of Representatives after having been approved by the Senate. At the time of its passage, New Mexico and Arizona Members of Congress agreed to delay a request for appropriations until after the war in Southeast Asia had ended. This stipulation was readily agreed to by their respective constituencies. Meanwhile, nature's depredations upon an unprotected land have continued. Lives have been lost. Property damage, including washed-out bridges, flooded farmsteads and inundated towns have been the price paid for the continued delay.

We submit that to set the Upper Gila aside as a "Wild River" can do nothing but assure a continuation of devastation by floods, at a continued cost in lives, crops, livestock and homes.

We therefore urge you to come to the southwest Quadrant of New Mexico in person, allowing yourself more than "meeting and briefing" time, to make a thorough inspection of the sites in question, before allowing any hearings to be scheduled.

Thank you for your past endeavors on behalf of this area.

Yours sincerely,

JIM ELLIOTT, *Manager*,
(For President and Directors).

MEARNS WILDLIFE SOCIETY,
Santa Fe, N. Mex., October 23, 1973.

HON. ROY A. TAYLOR,

Chairman, Subcommittee on National Parks and Recreation, Committee on Interior and Insular Affairs, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN TAYLOR: I understand that the House Subcommittee on National Parks and Recreation is holding a hearing on 29 October 1973 on a number of bills affecting rivers of the United States. Among these bills is HR 8735, which was introduced by Congressmen Runnels and Lujan of New Mexico, and which proposes the addition of portions of the Chama, Gila, and San Francisco Rivers in New Mexico to the Study Category established by Section 5 of the Wild and Scenic Rivers Act, PL 90-542.

It is requested that this letter be considered as a written statement to be included in the record of the hearing. For this purpose I enclose two additional copies of this statement, making a total of three as desired by the Subcommittee.

The Mearns Wildlife Society lends its full support to HR 8735, the subject bill, and recommends it to the Subcommittee. All three rivers concerned have qualities making them fully worthy, in our opinion, of actual addition to the

National Wild and Scenic Rivers System. For Congressional action in this respect, however, it is necessary that study reports be prepared by the responsible Federal Agencies as required by the law. The subject bill would accomplish this purpose by adding them to the Study Category.

Above the junction of Turkey Creek, the Gila River and its upstream forks are located in the Gila National Forest and partly in the Gila Wilderness. The country is generally forested, and is either mountainous or very rugged, being highly scenic. The various forks flow in many places through narrow canyons and gorges. The riverine and riparian biota are generally similar to those to be found in corresponding terrain further north, although more study is needed to determine precisely the identity and the affinities of the various species.

What might be considered an exception to the above statement concerning the biota is in the case of the native fish, of which at least seven species remain. Quoting from a recent paper by LaBounty and Minckley, "The upper Gila River basin in New Mexico supports one of the least altered of the unique fish faunas of any tributary to the Colorado River system." These remarks about the fishes also apply below Turkey Creek.

Downstream of Turkey Creek, the Gila River enters country at lower altitudes and the biota becomes increasingly interesting, for the river valley is a corridor for the deep penetration into the United States of the flora and fauna of the Sonoran biogeographic region to the south and west. For this reason the biota is unique in this country and is growing increasingly more so because of promiscuous habitat removal further downstream in Arizona, where in places the Gila has become nothing but a dry ditch. The biota is of scientific interest through the entire spectrum of plant and animal species including all component elements. We know this for sure, yet much more scientific study is needed for complete information.

The entire Gila River system in New Mexico is suited for the more quiet forms of outdoor recreation which require at least relatively undisturbed nature as the basis for their enjoyment. Perhaps more importantly, the entire system is of interest to several scientific disciplines, including geology, biology, ecology, and archeology. The archeological values of the river and its tributaries deserve considerable emphasis, since there are very many sites pertaining to several prehistoric periods and cultures to be found everywhere along their courses.

The above generalities are true of the San Francisco, which as a major tributary of the Gila has similar characteristics. Its qualities for recreation and for scientific interest and investigation are very similar and in some ways identical. It, too, is a corridor for the migration of species, and was hospitable to many human settlements over a long period of prehistoric time.

The Chama River is noted for its deep gorge and its canyons. It is superbly scenic and is a prime recreation river. It is especially good for whitewater boating, but it also invites hunters and fishermen, hikers and photographers, etc. Like the Gila and San Francisco, it is a magnificent natural asset of the State of New Mexico.

In conclusion, we urge the Subcommittee to give favorable consideration to HR 8735 in view of the qualities of the three rivers with which it is concerned.

Sincerely yours

HENRY M. ZELLER,
Field Representative.

STATEMENT OF ERNEST H. WILLIAMS OF CODY, WYOMING, REPRESENTING
THE NORTH ABSAROKA GROUP OF THE WYOMING SIERRA CLUB

Mr. Chairman, I am Ernest H. Williams of Cody, Wyoming, a seventeen year resident of Wyoming and a predoctoral student in ecology doing limnological research in an area adjacent to the Clark's Fork River valley. I am representing the North Absaroka Group of the Wyoming Sierra Club.

As the pressures of an expanding society on its environment increase, careful planning for future uses of that environment becomes a necessary responsibility. Part of that necessary planning, as recognized in the Wild and

Scenic Rivers Act, includes the protection of certain primitive river systems in their natural wild state. The Clark's Fork, Yellowstone River, conforms to the requirements of a wild river area as specified in the Wild and Scenic Rivers Act and later issued guidelines, from the Crandall Creek bridge down through the canyon. This segment is indeed a "vestige of primitive America."

Without question, the Clark's Fork possesses outstanding aesthetic and recreational values, with scenic canyon walls and possible white water rafting for example, yet these and other special attributes must be examined in light of future public needs and desires. The intrusion of man's activities on such a primitive setting can cause serious impairment, perhaps beyond recovery, of environmental values: wildlife habitat, water quality, recreational opportunities, possible scientific investigation, and primitive beauty. Not every environmental situation can be studied due to limitations in time and money; however, care should be given a river with the attributes of the Clark's Fork. The managerial alternatives and their affects on the river ecosystem should be understood before committing the river to any future direction. We feel that it would be a mistake to do otherwise. Thus, possible inclusion of the Clark's Fork, Yellowstone River, in the National Wild and Scenic Rivers System should be studied, for it would be unfortunate for future generations to lose through lack of planning such an unspoiled resource.

I appreciate the opportunity to comment on this issue in behalf of the North Absaroka Group, Sierra Club. Thank you very much, Mr. Chairman.

WYOMING FARM BUREAU FEDERATION,
Laramie, Wyo., November 6, 1973.

HOB. ROY A. TAYLOR,
*Chairman, Subcommittee on National Parks and Recreation,
House Interior Committee,
Washington, D.C.*

DEAR CHAIRMAN: On behalf of the Wyoming Farm Bureau Federation, I want to express concern about four bills introduced by Wyoming Congressman Teno Roncalio. These would bring under study parts of four Wyoming rivers for possible inclusion under the National Wild and Scenic Rivers Act.

Farm Bureau policy concerning Wild and Scenic Rivers States:

"Any lands designated for wild rivers should be subject to local zoning ordinances.

"We are opposed to any proposal which would prevent the economic development of a stretch of river which has potential resource value for water supply, flood control agriculture, forestry, recreation, tax income, or other economic use; or which would necessitate the taking of fee title to privately owned land; or which would unnecessarily involve federal responsibility for a river which is being adequately managed by a state."

Opposition is very strong from Farm Bureau members in Sublette County against the Green River study bill. There are concerns in other areas, but perhaps not as intense as the Sublette County feelings.

One general concern to many members is the fact that several Wyoming rivers are already managed in a wild state as a result of wilderness area designations through which these waters flow. We wonder if its really necessary to study and classify additional Wyoming waters as wild or scenic.

The 1973 Wyoming Legislature enacted a law creating the Wyoming Stream Preservation Study Committee. It is investigating what type of stream classification system Wyoming should have. Public hearings are planned to receive input. At completion of its two-year study the Committee will report to the 1975 Legislature with recommendations as to what type of system is desired for the various streams in the state.

According to Roy Peck, committee vice chairman, the Bureau of Outdoor Recreation recently asked the Study Committee to submit a list of Wyoming rivers the BOR might study for possible inclusion under the National Wild and Scenic Rivers Act.

The Committee declined to make such recommendations. First, the Committee reportedly felt such recommendations were not within its responsibilities. Secondly, the Committee members expressed a concern about initiating any federal study of such streams until the State Committee completes its work. In

effect, the State Committee suggested that the Federal Government delay any action on further study of Wyoming rivers until the Committee completes its task.

We think the Stream Preservation Study Committee acted correctly in its refusal to draft the requested list. We hope both the Executive Branch and Congress will withhold any study or classification plans until Wyoming's Legislature can act on its Study Committee's recommendations.

Thank you for the opportunity to express our concerns about this important matter.

Sincerely,

JAMES WHALEY,
Chairman, Natural Resources Committee.

STATEMENT OF BERN S. HINCKLEY AND JOHN G. JENKINS, WYOMING
CITIZENS

Mr. Hinckley has lived 21 years in Powell, Wyoming approximately 20 miles from the section of the Clarksfork under consideration. He is currently working towards a degree in geology at Princeton University and has devoted many days to backpacking, climbing, hunting, fishing, and studying the geology in the drainage of the Clarksfork. He has also made several complete traverses of the stretch between Crandall Creek and the Canyon mouth.

Mr. Jenkins is the son of a Buffalo, Wyoming rancher. He is now writing a thesis for the Center for Environmental Studies at Princeton analyzing the impact coal development will have on the Wyoming environment. He has done 6 months of field study in the state conducting a poll of residents' attitudes towards environmental protection. He has also spent considerable time on the Sweetwater River as an instructor for the National Outdoor Leadership School.

From where Crandell Creek empties into the Clarksfork of the Yellowstone River to the river's emergence onto the Clark outwash plain, it is a truly stunning example of fluvial and glacial erosion and of the dynamic forces of mountain building. Along the major portion of this stretch the river has cut down nearly 1000 ft. between sheer rock walls of the granite block which has been uplifted to form the Beartooth Mountains. The canyon walls are even higher in the lower reaches of the river where the channel has been reshaped to a deep "U" by the glacier which also formed the flats now being farmed near Clark.

A proposal to put a scenic highway through the canyon was handily defeated last October. As residents of the area we opted to preserve the spectacular beauty of this unspoiled river rather than try to bring in the additional tourist revenues the highway would have provided. The people most immediately concerned with the future of the river have so demonstrated their support for its preservation. The Congress would not only be doing the residents of the state of Wyoming a great disservice, but would be denying the entire nation one of its few remaining truly wild rivers if it does not move to consider the inclusion of the Clarksfork in the National Wild and Scenic Rivers System.

We feel one of the most important reasons for studying the Sweetwater for inclusion in the system is its unique value as a plains-desert river. Flowing through the Sonoran life zone, it represents much of the kind of land and supporting rivers that Wyomingites actually live in and on. It would be a terrible mistake not to protect, or at the very least consider protecting, the unique values of the Sweetwater. Old homestead sites along the river, an incredible wild-life community including mountain lion, eagle and moose in a prairie environment, and a beautiful solitude make the Sweetwater one of the last remnants of what our grandparents and great-grandparents must have encountered when they first began farming and grazing the western part of Wyoming. To risk losing its value to the state and the nation by confining our concern to more sensational areas would be an unforgivable oversight.

Both the Sweetwater and the Clarksfork seem to fit to the letter the declaration of the Wild and Scenic Rivers Act that "rivers which possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, and cultural values shall be preserved in a free-flowing condition." The charge is clear. We congratulate Congressman Roncalio on the introduction of these bills and strongly urge the Committee to adopt H.R. 8501 and H.R. 8577.

CODY, WYO., November 2, 1973.

*Subcommittee on National Parks
and Recreation,
House Interior Committee,
House of Representatives,
Washington, D.C.*

Last week I became aware of your committee's hearings on H.R. 8501, a bill which would authorize study on the possibility of including the Clark's Fork River in Wyoming into the National Wild and Scenic River System.

Last year I supported Congressman Roncalio when he introduced a similar bill, but this year I would like to express an even more enthusiastic endorsement as I have had an opportunity to observe a starting growth pattern in Park County, through which the Clark's Fork flows. This growth is especially evident when the number of second-home subdivisions which are proliferating in the area are considered. At present, as many as twenty-two plats are before the Park County Zoning Commission.

Concomitant with subdivision and pressures of growth, there is, more than ever, a need to preserve land areas for recreation and scenic values. Certainly, there is a regional need for the study.

I would hope that members of Congress will not pass the Clark's Fork by, because not only is it one of the most majestic river canyons in the United States but also near the fringe of Yellowstone Park. Wild and Scenic designation for the Clark's Fork River and Canyon would supplement Yellowstone Park as well as the Yellowstone Master Plan and serve a *NATIONAL* need.

I feel that if our news media were not at present dominated by Watergate, there would be much more vigorous support for HR 8501.

Last year, when hearings were held by the State Highway Department in Cody on alternatives for building a highway through the Clark's Fork Canyon, there was overwhelming opposition to any highway which would destroy the canyon and repeated suggestion that there be a study made of the possibility of including the river into the Wild and Scenic River System. The nationwide interest in the river was so great that the hearing record filled a book the size of the Manhattan telephone directory.

I hope that the Committee will consider these remarks and ensure that the Clark's Fork be branded a study. I feel certain that many thousands of Americans would be apprehensive that this bill will fail to pass if they were able to know of it.

Thank you very much.

Sincerely,

MRS. ROBERT MODEL.

LARAMIE, WYO., November 7, 1973.

HON. ROY TAYLOR,
*Chairman, Subcommittee on National Parks
and Recreation,
House of Representatives,
Washington, D.C.*

DEAR MR. TAYLOR: It has just come to our attention that a hearing was held by your Subcommittee on four bills introduced by Representative Teno Roncalio, HR. 8501, HR. 8502, HR. 8577, and HR. 8578. Therefore, please include this letter in the official hearing record.

We are definitely in favor of including the Green, Snake, Clark's Fork, and Sweetwater Rivers in the 5(a) Section of the National Wild and Scenic Rivers System. This will be the *first* positive start in Wyoming to begin a thorough study of river preservation.

We do question the length of some of the rivers to be studied. The Snake River study, HR. 8578, starts at the southern boundary of Teton National Park and extends to Palisades Reservoir. The Snake, segments from source in Yellowstone National Park to Jackson Lake and from Jackson Lake to Palisades Reservoir, has already been added to the 5(d) Section of the National Act. Therefore, these additional segments should be included in 5(a). We hope that HR. 8501, when it says, "Clark's Fork, Wyoming: the segment from the Clark's Fork Canyon to the Crandall Creek Bridge," means that the *entire* Canyon is included in the study. This should be made clearer in the Bill. We

also question the reason for the study of the Sweetwater River, HR. 8577, to include just the segment between Wilson Bar downstream to Spring Creek. The U.S. Bureau of Outdoor Recreation, at one time, recommended that the Sweetwater River from its origin to Chimney Creek be included under the 5(d) Section of the National Act. We would be in favor of extending these studies on these rivers to make a more meaningful unit.

In view of the predicted development of Wyoming's mineral resources (coal, oil shale, and uranium) and the associated impact to the land, it becomes all the more imperative that some of our rivers be preserved. The increase in Wyoming's population will also demand the type of recreation that only a stream can provide. We believe that stream preservation studies should be undertaken at the same time as water development studies. This will give the citizen of Wyoming more alternatives to choose from when the final decisions have to be made.

Wyoming requires no minimum stream flows in its rivers. There has been serious stream channel alterations in the State: the Snake River alone, from 1955-1972 has had 13.1 miles of natural channel altered by flood control, levee construction, stream bottom disturbance etc. which would cause the elimination of spawning and nursery areas (Wyoming Game and Fish Commission, Administrative Report, Project 0772-07-6301).

The 1973 State Legislature authorized a stream preservation feasibility study and set up a committee to plan a State scenic and recreational stream preservation system. The minimal amount of funds available to them precludes any thorough study of a specific river. Hopefully, they will be able to recommend to the next Legislature the legal entity to administer a State system. The proposed Federal studies of the four rivers in Wyoming would be a tremendous help to such a Committee, not only because of the Federal expertise available, but because the concept of stream preservation will be brought to the attention of more Wyoming citizens.

The Snake and Green Rivers have received tremendous national attention, providing recreation for the whole Nation. Everyone has heard of the famous scenic float trips down the Snake River! Everyone can exclaim about the esthetic view from and the fabulous fishing in the Snake and Green Rivers. Nationally, the Green River has to be assessed according to its relationship to the whole Colorado River Basin. Salinity has been recognized as a problem in the Basin and a study team is active to lessen the impact. Isn't it in the best public interest to preserve this river and thus its water quality?

The Sweetwater and Clark's Fork Rivers are of more local importance but just as significant to Wyoming as the rivers given national attention. These are, for the most part, undisturbed natural areas important for maintenance of our wildlife population, as well as, escape areas for citizens to seek solitude.

We hope favorable attention will be given the four rivers by your Committee in order to start the study procedure to preserve some of the most important assets of the State of Wyoming.

Sincerely yours,

KENNETH AND LENORE DIEM.

WYOMING STATE LEGISLATURE,
Cheyenne, Wyo., October 29, 1973.

Hon. ROY TAYLOR,
*Chairman, Subcommittee on National Parks and Recreation,
Committee on Interior and Insular Affairs,
U.S. House of Representatives,
Washington, D.C.*

DEAR CONGRESSMAN TAYLOR: I should like to thank Congressman Roncalio for introducing bills now before your committee proposing that segments of four Wyoming rivers be included to the official study category of the Wild and Scenic Rivers Act.

As the state legislator who originally wrote and introduced the concept of a Wyoming state scenic and recreational stream preservation study which passed the last session of our legislature, and as a member of the current Wyoming feasibility river study team, I strongly support addition of those portions of

the Clark's Fork, Green, Sweetwater and Snake Rivers to study classification under the federal system.

Wyoming is privileged to be a headwater state for some of the nation's major river systems and thus many of these primary courses of a special and undisturbed nature. However changing times in the arenas of recreational impact, population growth, second home development, and the demands of industrial growth are putting unprecedented pressures on these streams. Time is critical for joint federal and state efforts to give every consideration to protecting these few remaining blue ribbon streams before lasting and irreparable damage occurs. The rivers under consideration in H.R. 8501, 8502, 8577, and 8578 are among some of the country's most pristine and unique river systems. I am personally aware of these river segments and can confidently state that America possesses few that are as favorably characterized with such historic, scenic, recreational and natural qualities.

Favorable consideration of these four proposals of Mr. Roncalio by the Congress of the United States would compliment our current efforts within the state to preserve the existing values of some of our truly unique and unmatched natural water resources.

Thank you for this opportunity to express my support of these matters important to Wyoming and people across the nation.

Sincerely,

JOHN F. TURNER,
State Representative, Teton County.

JACKSON, WYO., *October 28, 1973.*

HON. TENO RONCALIO,
The State of Wyoming
House of Representatives,
Washington, D.C.

DEAR TENO: Please accept and convey to appropriate committee members our support for HR 8501, HR 8502, HR 8577 and HR 8578. The consideration of the Clarks' Fork, upper Green, Sweetwater, and upper Snake Rivers for possible Wild, Scenic, or Recreational River designation seems a most reasonable and desirable move at this time. Undeniably the aesthetic and recreational values of these rivers merit their inclusion in such a study group.

The most important aspect of this legislation would be interim protection of these rivers with a provision of time for careful consideration of some far reaching alternatives facing our state. Shall we allow the permanent degradation of economically important aesthetic and recreational values and the almost certain destruction of a significant portion of our self-renewing agricultural base in the form of trans-basin water diversions for the simple economic expedient of developing Wyoming's strippable coal deposits. No one can realistically deny the inadequacy of our present national energy supply but that is insufficient reason to barter the precious recreational and agricultural resources of our state for an interim energy source which saves a few dollars today at immeasurable cost to our children tomorrow.

Indeed when all the strippable coal of the nation constitutes only 3% of its recoverable reserves, and under Wyoming's deep mine deposits exceed its strippable deposits by a factor of nearly eight, and when the preponderance of deep mine coal is desirably low in sulfur, the utilization of Wyoming's strippable coal at the cost of hundreds of square miles of surface land destruction, and the impoundment and diversion of its loveliest free flowing rivers including the Clarks' Fork, upper Green and Sweetwater seems ill advised at best.

These briefly are just a few of the issues out of balance. Wyoming's rivers need protection from the irreversible consequences of short-sighted, dollar conscious development which doesn't even solve the problems it purports to consider.

Sincerely,

FRANK S. EWING.

JACKSON HOLE ENVIRONMENTAL ACTION SOCIETY,
Jackson, Wyo., October 28, 1973.

HON. TENO RONCALIO

DEAR TENO: We wish to express our emphatic endorsement of bills HR 8578, HR 8502, HR 8577 and HR 8501 to include the Snake, Green, Sweetwater and

Clarks Fork rivers in the study for possible inclusion into Wild and Scenic Rivers designation. These rivers certainly merit study and we commend you for your interest and foresight.

Yours truly,

STEPHANIE WOOD,
(For ENACT Board of Directors).

[Telegram]

PINEDALE, WYO., *October 30, 1973.*

Hon. GALE MCGEE,
Capitol Hill, D.C.

The Green River Valley Cowbells an organization composed of about 150 ranchers wives are unalterably opposed to the inclusion of the Green River in Sublette County in the Scenic and Wild Rivers Bill.

Respectively Submitted,

Mrs. VERNON MRAK,
President.
Mrs. JAMES M. THOMAS,
Chairman, Legislative Committee.

[Telegram]

PINEDALE, WYO., *October 29, 1973.*

Hon. TENO RONCALIO,
U.S. House of Representatives,
Capitol Hill, D.C.

DEAR MR. RONCALIO: The Sublette County Farm Bureau representing 298 members wishes most earnestly and sincerely to oppose your HB to include the Green River and its tributaries into a National Wild and Scenic River System.

Although we have not had adequate notice of the pending Hearings to prepare a formal statement to you we will attempt to briefly outline some of the reasons for our opposition to your proposed legislation.

1. The State of Wyoming can best take care of Wyoming water and at the present time is conducting a detailed water planning study which will provide guidelines for the most beneficial use of our streams and water.

2. The adverse affects of Wild and Scenic Rivers designation to the Green River and resulting increase in people use would seriously jeopardize or may even destroy the Green River as it is known today. For example the Rogue River has experienced a 500 percent increase in use since being designated as a Wild and Scenic River. A large increase of people on the Green River would cause serious economic loss to ranches trying to graze and breed livestock adjacent to the River, and continuous interruption by people would tend to destroy the habitat for both water fowl and big game animals.

3. At the present time people and people pollution is a real and critical problem in that portion of Sublette Country designated as a bridger wilderness area. The latest figure shows that 151,000 people visited the bridger wilderness in 1971. Reports indicate that the wilderness atmosphere has almost completely vanished. As a result the forest is contemplating a quota system for visitations to the bridger wilderness. Do we want and need this situation to prevail on the Green River. Finally we are opposed to any legislation which would prevent the economic development of any portion of the Green River which has potential resource value for water supply, flood control, agriculture, forestry, recreation, tax income or other economic use, or which would necessitate the taking of fee title to privately owned land, or which would unnecessarily involve Federal responsibility for a River which is being adequately managed by the State of Wyoming.

This is respectfully submitted.

BUD BOUSMAN,
President Sublette County Farm Bureau,
NORMAN PAPE,
Chairman, National Legislative Affairs Committee.

LARAMIE, WYO., October 30, 1973.

Hon. ROY TAYLOR,
*Chairman, Subcommittee on National Parks and Recreation of the Committee
 on the Interior,*
 Washington, D.C.

DEAR SIR: The League of Women Voters of Wyoming has been studying water for several years, and specifically Wild, Scenic, and Recreational Rivers for about three years. The State League sponsored a seminar in April, 1972—Wild, Scenic, and Recreational Rivers, a Seminar for Initiating Citizen Awareness. I was the Chairman of the Seminar. We felt there was a great need for some statewide legislation on Wild and Scenic Rivers after hearing comments from participants at the Seminar and helped write a bill for a Stream Preservation Study Committee. The bill passed the 1973 Legislature and the League is now busy observing the committee and presenting testimony at public hearings.

I understand that your Committee is considering taking the Wyoming Rivers out of the 5(d) category of the National Act, and putting them into the 5(a) category. Many Wyomingites resent "interference" by the Federal Government, which your proposed action would seem to be to many people. The League of Women Voters has not studied specific rivers for inclusion in a system so my comments are strictly my own. I would really like to see the Federal Government do some studies of our Wyoming rivers. Federal studies could certainly compliment any state studies which may be started some time in the future. Perhaps having the Federal Government make a start at studying our rivers would generate some positive statewide action to adopt a state system of stream preservation which would be acceptable to the people of Wyoming.

Sincerely,

MARY JO ATHERTON.

HIGH COUNTRY NEWS,
Lander, Wyoming. October 13, 1973.

Hon. ROY TAYLOR,
Chairman,
Subcommittee on National Parks and Recreation,
Committee on Interior and Insular Affairs,
House of Representatives,
 Washington, D.C.

DEAR SIR: I wish to comment on the four Wyoming rivers considered in HR 8501, HR 8502, HR 8577 and HR 8578, all introduced by Mr. Teno Roncalio. Mr. Roncalio is to be commended for his sponsorship of the four rivers to be studied for possible inclusion in the National Wild and Scenic Rivers System.

Wyoming does not now have any river in the national system. The situation is rather ironic in view of the fact that a number of Wyoming rivers would certainly qualify. Three of the rivers proposed are located in superlative natural settings, two of them, the Snake and the Green, already nationally known. The Sweetwater River is unique not only for its setting in a relatively undisturbed landscape, but for its historic distinction. The landscape is virtually unchanged since two branches of the Oregon Trail paralleled the river on both sides for some distance during the great emigration of over a century ago.

I have personally been on or around all four of the proposed rivers a number of times. As a young fishery biologist for the Wyoming Game & Fish Commission, I participated in a survey of Clarks Fork River. And my interest in the fisheries and high quality characteristics of rivers extended to the other three.

It can be noted that in all of the Wyoming rivers proposed, much of the land through which they course is public land. In a sense, these rivers are already of national interest.

I wish to go on record as heartily endorsing the intent of all four bills proposed by Mr. Roncalio.

Sincerely,

THOMAS A. BELL, *Editor.*

CLEAR LAKE WATER QUALITY COUNCIL, INC.,
Lakeport, Calif., February 22, 1974.

Hon. ROY A. TAYLOR,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN TAYLOR: The Clear Lake Water Quality Council, a citizens group of 2,311 members, wishes to protest the inclusion of the Eel River in H.R. 8609, the Federal Wild Rivers Bill, which was introduced by Congressman Jerome Waldie on June 12, 1973.

Attached hereto is documentation that will support our objection to this legislation from the standpoint of flood control, the energy crisis and our expanding water needs.

The Council feels that the decision on what to do with the Eel River should properly remain in the hands of the people whose lives it will directly effect, the State of California, and we request that you take immediate action to delete the Eel River from H.R. 8609 amending Section 3 (a) of the National Wild and Scenic Rivers Act of 1968.

Sincerely,

TERESA RIFESI, *President.*

[From the Humboldt Beacon Fortuna, Calif., Jan. 24, 1974]

THREE FLOOD DEATHS

California's North Coast is periodically subject to severe storms and heavy rainfall and is particularly susceptible to flood damage because of the lack of flood control works in this area. In 1955, 1964 and 1974 record floods resulted in an appalling loss of lives and property. Statistics for 1974 have not yet been compiled, but 1964 shows a loss of 3,400 head of cattle valued at \$1,190,000 in the Bel River Delta alone. The communities of Pepperwood and Myers Flat were completely destroyed. Nineteen deaths were reported in the Eel River Basin. Flood waters were so devastating 30 miles of railroad track were twisted and uprooted. Total flood and storm damages for the Eel region were estimated at \$18,600,000. Total evaluated damages for the North Coast area amounted to \$193,400,000.

[Dept. of Water Resources Bulletin No. 69-65 pp. 49-58.]

THE EEL RIVER, A WILD QUESTION—A REPORT TO THE CLEAR LAKE WATER QUALITY COUNCIL, INC.

(By Jams G. Barrett,¹ Chairman, Clear Lake Water Quality Council Technical Committee)

For more than 100 years man has unknowingly, but continually, been causing the detrimental alteration of the Eel River Watershed.

The history of the area² shows how mans methods of management for timber and livestock, have not been suited to the fragile natural resources. Mans influence on the Eel has caused a progressive deterioration of the watershed to a point beyond natural rehabilitation. The Eel River has become one of the dirtiest rivers in the world. It has an average annual sediment discharge of 12,360 acre feet³ (20 million tons, or enough silt and sediment, if placed on a city block, to reach an elevation 5 times as high as the Empire State Building). During the flood of 1964, some 64,000 acre feet (100 million tons) of silt and sediment went down the Eel.

This repetitious flooding and production of silt and sediment pollutes water, damages recreation and esthetic values, destroys fish and wildlife habitat, endangers personal property and lives, and has an adverse impact on the entire area.

¹ James G. Barrett, District Conservation, USDA, Soil Conservation Service, Lake County. Served on the River Basins Planning Staff and took part in the investigations of the North Coastal Area of California, and helped formulate recommendations for treatment of their watershed.

² "California Range Land" by L.T. Burcham, published by California Division of Forestry, 1957

³ North Coastal River Basins, Appendix No. 1, Eel and Mad River Basins, USDA, River Basin Planning Staff, 1970

This situation on the Eel River can not, and will not correct itself. Man must exert the corrective influence to heal and rehabilitate the watershed. To place the Eel River in a wild river category would prevent the corrective actions that need to be taken by men, and would instead continue his past mistakes into perpetuity.

EXPANDING WATER NEEDS

County	Population trends		
	1960	1990	2020
Del Norte	17,800	32,000	56,000
Humboldt	104,900	200,000	390,000
Trinity	9,700	16,000	29,000
Mendocino	51,000	80,000	170,000
Lake	13,800	50,000	101,000
Sonoma	147,800	420,000	740,000
Marin	146,800	440,000	680,000
Napa	65,900	215,000	470,000
Yolo	65,700	209,000	614,000
Solano	134,600	458,000	1,050,000
Contra Costa ¹	409,000	1,100,000	1,500,000
	Water requirements		
Del Norte	7,700	15,200	21,700
Humboldt	54,400	210,000	250,000
Trinity	10,300	16,900	23,800
Mendocino	59,600	115,000	129,200
Lake	47,600	88,500	121,900
Sonoma	102,400	193,800	312,300
Marin	24,100	79,900	138,500
Napa	33,000	85,000	157,000
Yolo	777,400	947,000	1,113,200
Solano	368,500	516,600	730,400
Contra Costa ¹	500,000	800,000	1,000,000

¹ Figures courtesy of Contra Costa County Water Agency; all other figures have been obtained from the California Department of Water Resources.

"If water were available an additional 60,000 acres of prime agricultural land could be opened up." Lake County Overall-Economic-Development-Progress Report 1970.

In original planning of dams upon the North Coast streams, power generation was considered, but was not included in later planning because of the low return from power generated. However, now that the energy crisis is upon us these projects are being re-evaluated through-out the entire State. The Dept. of Water Resources will publish a report on the evaluation of either (1) expanding existing facilities or (2) construction of additional facilities, including the North Coast streams. This report will be available in the middle of March. Certainly with the energy crunch, it appears that these would be much more feasible now.

[California State Department of Water Resources.]

FRIENDS OF THE EARTH,
Washington, D.C., November 8, 1973.

Hon. ROY A. TAYLOR,
Chairman, Subcommittee on National Parks and Recreation,
Washington, D.C.

DEAR MR. CHAIRMAN: Since I was unable to testify at the hearings on October 29 and 30 on wild and scenic rivers, I would appreciate your including this letter in the hearing record.

Friends of the Earth urges that all 15 rivers that are the subject of these bills be added immediately to the study category of the Wild and Scenic Rivers Act. The rivers are all known to be excellent candidates for permanent placement in the National Wild and Scenic Rivers System. What we seek is prompt and adequate study, and the interim protection that goes with study status under the parent Act.

The Administration is to be deplored for the obviously dilatory tactic of requesting delay on all but three of the 15 rivers. They have had several years to prepare recommendations, yet they say they cannot even make up their minds on which rivers should be put on the study list. To an Administration that has frittered away years, another three months is not going to be much help.

We urge the committee to proceed with dispatch on all 15 rivers, which are listed below: First, the three which the Administration favored:

H.R. 8502—Green River, Wyoming.

H.R. 8577—Sweetwater River, Wyoming.

H.R. 8578—Snake River, Wyoming.

Next, seven rivers for which study bills are pending:

H.R. 8501—Clark's Fork, Wyoming.

H.R. 8643—Sipsey Fork, Alabama.

H.R. 8735—Chama, Gila and San Francisco Rivers, New Mexico.

H.R. 11120—New River, North Carolina and Virginia.

Finally, we favor immediate study status for the rivers listed in H.R. 8609, recognizing that they are not going to be considered at this time for actual placement in the Wild and Scenic Rivers System: the Smith, Eel, San Joaquin, Klamath and Trinity Rivers. These rivers clearly need and deserve study status at this time.

We applaud the Subcommittee's decision to consider these important bills in this busy fall season, and we appreciate the opportunity to present our views.

Sincerely,

GEORGE ALDERSON,
Legislative Director

WARRENSBURG, Mo., November 26, 1973.

Hon. ROY A. TAYLOR,
*Chairman, Subcommittee on National Parks and Recreation,
House Committee on Interior and Insular Affairs
Washington, D.C.*

DEAR REPRESENTATIVE TAYLOR: I would like to comment on the various scenic river study bills which were the subject of hearings before your subcommittee on October 29 and 30 and ask that you include my letter as part of the record of said hearings.

For many years I have been involved in the exploration and study of scenic rivers in the U.S., have served as a guide and have written a guidebook and many articles on rivers. I can vouch for the quality of all 15 of the rivers currently under consideration for the study category.

All of the rivers under consideration have already been screened by Interior or Agriculture agencies and have been recommended highly by river people who know the rivers intimately. I am therefore very disturbed by the fact that Administration witnesses asked for delays on all but the Green, Sweetwater and Snake (H.R. 8502, 8577 and 8578 respectively) in Wyoming. Some of the rivers which would be thus delayed are of much higher quality than many of those included in the study category in the original Wild and Scenic Rivers Act. Thus, it seems senseless and wasteful for studies to be made to see whether these rivers should be studied. We *know* that the rivers are of high quality and deserving of consideration from data already gathered. In fact, one, the Sipsey Fork (H. R. 8643) has already been the subject of *three* studies.

The Chama in New Mexico (H. R. 8735) is a river with scenic qualities (on a smaller scale) similar to those of the Yampa in Dinosaur National Monument except that it can be navigated even in open canoes.

The Clark's Fork (H.R. 8501) is a fine river in a state of many fine rivers. If possible, however, the Clark's Fork Canyon should also be studied. It is one of the most spectacular, deep, narrow canyons which I have seen in the west.

The New River (H.R. 11120) is one of the finest whitewater runs in the east for experienced paddlers. However, its popularity, especially with hordes of rafters, means that it must be studied as soon as possible so that if it is declared a scenic river, management can begin and prevent degradation.

I urge quick action on all the scenic river study bills which are under consideration. We have already stalled too long in taking action to preserve the finer rivers in this country.

Sincerely,

OSCAR HAWKSLEY.

DESCRIPTION OF THE CHAMA RIVER, NEW MEXICO, FROM MILE 119 $\frac{1}{4}$ AT THE COLORADO BORDER TO MILE 0 AT ITS CONFLUENCE WITH THE RIO GRANDE

[NOTE—This description, by Doug Murphy, river study co-ordinator for the Southwest Study Committee and professional river guide, is written primarily from the standpoint of the white-water boater; *but*, it serves very well to point out the exceptional qualities of the Rio Chama and why this nationally significant river should be studied further for possible addition to the National Wild & Scenic Rivers System—The Southwest River Study Committee]

Mile 119 $\frac{1}{4}$ New Mexico-Colorado State Line. As the Chama crosses into New Mexico at approximately 8450 feet, it flows through a grassy valley. Cottonwoods and some aspen border the river. The principal use of the river here is trout fishing; scenic beauty for hikers is also present. There is private land on both banks—should qualify for recreational status here. Mile 118 $\frac{1}{4}$ Road crossing. Still in private land (private land continues until mile 67—Tierra Amarilla Land Grant.) This road crossing is the "set-in" for whitewater boaters running the Lobato Gorge of the Chama River.

LOBATO GORGE

Lobato Gorge runs from the dirt road access at mile 118 $\frac{1}{4}$ to Chama River Park at Mile 112 $\frac{3}{4}$, just north of the town of Chama. This run is a challenge to even the most expert and skilled boatman—it is graded V and VI in difficulty on a VI scale. The average boating season is April, May, and June. Fishing, hiking, picnicking, and rock climbing are other recreational activities possible in Lobato Gorge. It should qualify as "scenic."

Mile 117 $\frac{3}{4}$ Chama River enters Lobato Gorge. Mixed conifer fills the gorge.

Mile 116 $\frac{1}{2}$ Beginning of the "Chama Cascades" rapids. Grade V and VI. The gorge walls are steep and range from 200 to 600 feet high.

Mile 116 $\frac{1}{4}$ Confluence of Wolf Creek from the northeast. Boating is possible on this stream in high water.

Mile 115 $\frac{1}{2}$ End of "Chama Cascades." The walls of the gorge are still 200 to 500 feet high with extremely steep sides. Cottonwoods begin to replace the mixed conifer forest along the river.

Mile 113 The Chama River flows out of Lobato Gorge.

CHAMA VALLEY

The Chama Valley runs from Chama River Park to La Puente. It should qualify as "recreational". Values are trout fishing, scenic beauty for hiking and horseback riding, picnicking, camping, and whitewater boating. River grade is I and II, but boaters should be on the watch for fallen trees, some fences, and a few diversion dams. Average boating season is April, May, and June.

Mile 112 $\frac{3}{4}$ Access road on east bank at Chama River Park. This is a beautiful park filled with hardwoods, small bushes, and grass.

Mile 112 $\frac{1}{4}$ Highway Bridge.

Mile 112 Scenic narrow gauge train bridge.

Mile 111 $\frac{1}{2}$ Chama, New Mexico.

Mile 110 $\frac{2}{3}$ Confluence of Little Creek from the east.

Mile 109 $\frac{2}{3}$ Highway 84 Bridge.

Mile 108 Dirt road crosses river just above confluence of Chamita Creek from northwest.

Mile 106 $\frac{1}{2}$ Confluence of Los Angeles Creek from northeast. Dos Lomas Cliffs tower 300 to 400 feet above the Chama to the west.

Mile 103 Confluence of Canones Creek.

Mile 101 $\frac{1}{2}$ Irrigation diversion.

Mile 98 $\frac{1}{2}$ Confluence of Rio Brazos. The Brazos is about half the size of the Chama at this point and contains possibly the largest and most beautiful canyon in New Mexico, the Brazos Box. The Brazos has very scenic whitewater boating even below the box, however, it is all on private land.

Mile 98 Heron Lake road bridge. Very good access for "takeout" on Chama Valley or Lower Brazos run and for "set-in" for Upper Chama Canyon run.

Mile 94 $\frac{7}{8}$ La Puente and Plaza Blanca on each side of Chama River. Last "take-out" for Chama Valley run and last "set-in" for Upper Chama Canyon run.

UPPER CHAMA CANYON

The Upper Chama Canyon runs from La Puente to the upper end of El Vado Reservoir and qualifies as "scenic". There is occasional road access and a few other developments in the canyon. The roads are primitive, however, and the other developments do not distract from the natural appearance of the canyon, except for Heron Dam which is visible up Willow Creek. Excellent trout fishing prevails in the entire canyon. Hiking and picnics in the small scenic parks along the canyon are also possible. The whitewater boating season is April, May, and June. The grade of difficulty is III+. This canyon has already been used by a commercial outfitter and holds possibilities for other boaters. Deer, beaver, small mammals, and birds are all easily observed in the canyon.

Mile 94 $\frac{1}{2}$ Park View ditch pours back into Chama from the south east. Canyon wall begins on southeast side only, 225 feet high. Begin "scenic" qualification.

Mile 93 $\frac{1}{4}$ Canyon wall on both banks of the river.

Mile 92 Confluence of Rito de Tierra Amarilla. Canyon walls very sheer, 100 feet high.

Mile 91 $\frac{1}{4}$ La Puente Gauging Station. A ford crosses the river just below the gauge. At higher water levels this causes a 3 foot high recirculating wave across the entire river.

Mile 89 Upper Chama Canyon gets steeper and deeper with thick ponderosa pine forest filling the canyon.

Mile 87 $\frac{1}{2}$ Lunch Rock Rapids. Enormous boulders choke the river channel, causing a short low grade III rapid.

Mile 87 $\frac{1}{8}$ Big Mama Chama Rapids. Has an "S" turn entry. Massive boulders again constrict the channel forming a long grade III+ rapid. Boaters should get out above the rapid on their right and check the course, as it is an expert's slalom course through boulders too large to see over or around. It is filled with very tight bends and boiling eddies.

Mile 86 $\frac{7}{8}$ Double amphitheater on outside of bend to the right. The Canyon is now 300 feet deep; rock climbing is possible all along the canyon.

Mile 86 Heron Hole. Giant boulders constrict the channel forming a short III+ rapid. In high water at the very top-middle of the rapid, there is a hole that can engulf and swallow a boat. Stop and check your route.

Mile 85 $\frac{3}{4}$ Willow Creek confluence. Road access to Chama from Heron Dam. The dam can be seen closing off Willow Creek Canyon to the north.

Mile 84 $\frac{1}{4}$ When El Vado is filled to capacity, the Chama reaches still water here.

Mile 82 $\frac{1}{4}$ Take-out for the Upper Chama run. The road comes into the upper end of El Vado from the Heron Reservoir road. Sometimes the Chama is still flowing here.

EL VADO RESERVOIR

Doesn't qualify for the National Wild Life & Scenic Rivers System.

CHAMA CANYON

This is the largest and grandest canyon of the Chama River, with canyon depths of over 2000 feet. It runs from El Vado Dam to the upper reaches of Abiquiu Reservoir. Chama Canyon qualifies as "scenic" with occasional road access. However, between roads it is very much a wilderness in which deer, bear, and elk have been seen. A pair of bald eagles also make their home in this canyon along with innumerable other birds, reptiles, beavers, and small mammals. Recreational use in Chama Canyon is fishing for trout, catfish, and several other warm and cold water species; hiking; camping; mountaineering; horse packing; and whitewater boating. It is an excellent canoe run, being rated grade III. The average boating season is April, May, June, and July. Chama Canyon also seems commercial boating use. Very weird and spectacular rock formations, good for climbing, fill the canyon from mile 66 $\frac{1}{2}$ to 46.

Mile 76 $\frac{1}{2}$ Cooper's Ranch "put-in". Camping and overnight cabins are available.

Mile 73½ Confluence of Rio Nutrias. Chama Canyon is 500 feet deep and partially forested.

Mile 72¾ Old abandoned Ward Ranch with hot spring. Interesting stop—please leave things for others to discover and enjoy

Mile 70½ Arroyo del Puerco enters from the west. Chama Canyon opens out temporarily. Sagebrush and grass is the main vegetation.

Mile 68¾ First grade II rapid. This is a short straight-on run with a sleeper in the middle at the bottom. The Canyon enters a thick forest of ponderosa pine. Canyon depth is 700 feet.

Mile 67⅞ Santa Fe National Forest begins on west bank. There has been some BLM administered land between here and El Vado.

Mile 66½ Aragon Rapid, grade II+. Right turn at the top, stay away from sheer wall. Beautiful side hike to Aragon Spring and falls which are ⅔ of a mile up Aragon Canyon to the west. The canyon is 800 feet deep, very heavy forest.

Mile 63⅓ Dark Canyon Rapids, grade II+. This rapid is a long rock field with a gradual right hand bend.

Mile 63⅞ Dark Canyon enters from west.

Mile 62⅞ End of Dark Canyon Rapids, beginning of National Forest on east bank. There are a few cabins and road access on the west bank.

Mile 62⅞ Rio Cebolla confluence from the east. Chama Canyon 1000 feet deep.

Mile 60¼ Chama Rock on east bank. This is a sheer, single piece of stone coming straight out of the water, 850 feet high. A miraculous sight.

Mile 58¾ Huckbay Canyon enters from east. Chama Canyon 1500 feet deep and heavily forested.

Mile 55¾ Christ of the Desert Monastery on east bank. Chama Canyon opens out. Cottonwoods replace ponderosa pine. There are some abandoned ruins on the west bank. Possible take out here.

Mile 55½ Rio Gallina enters from west.

Mile 54⅞ Gallina Ranch "take-out" or "set-in". Road access from west.

Mile 54⅞ Ruins on east bank of river.

Mile 53½ Grade II+ rapid with a tight turn to the right.

Mile 53⅞ Meandering Rapids begin. This grade II rapid is long and full of bends and islands.

Mile 51½ Meandering rapid ends.

Mile 51⅞ Pump station on right bank.

Mile 49⅞ Ojitos Canyon enters from right. Little Bridge Rapid—Grade III. *Warning.*—in very high water boats cannot fit under bridge. Check it out!

Mile 47¾ Upper Flat Rock Rapids—Grade III. Stay away from sheer wall on the left.

Mile 47¼ Lower Rock Rapids—Grade III. 90° left turn (very tight) at bottom of rapid. Chama Monument appears to the southeast. It looks like a giant sand stone throne with an amphitheater to the east of it.

Mile 46¼ Overhang Rapids—Grade III. Stay away from the overhang on the right.

Mile 46 Take-out access road on the east bank of the Chama near some adobe ruins. When full, the upper part of Abiquiu Reservoir reaches this point. Although the next section of the Chama doesn't qualify for the National Wild & Scenic Rivers System, it is boatable because Abiquiu Reservoir is seldom full.

Mile 44¾ Chama River leaves National Forest.

ABIQUITU RESERVOIR

Doesn't qualify for the National Wild & Scenic Rivers System.

LOWER CHAMA VALLEY

Although the Chama Valley from Abiquiu Dam to the Chama's confluence with the Rio Grande is fairly developed with farms, buildings, road access, fences, and some diversion dams, it may qualify for recreational status and should be studied for this possibility. It is a popular whitewater boating run, being rated grade III, and also offers trout fishing.

