LAND AND WATER CONSERVATION FUND—HISTORIC PRESERVATION

HEARING

BEFORE THE

SUBCOMMITTEE ON PARKS AND RECREATION

OF THE

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS UNITED STATES SENATE

NINETY-FOURTH CONGRESS

FIRST SESSION

ON

S. 327

A BILL TO AMEND THE LAND AND WATER CONSERVATION FUND ACT OF 1965, AS AMENDED, TO ESTABLISH THE NATIONAL HISTORIC PRESERVATION FUND, AND FOR OTHER PURPOSES

FEBRUARY 11, 1975

PART 2

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LAND AND WATER CONSERVATION FUND—HISTORIC PRESERVATION

TUESDAY, FEBRUARY 11, 1975

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

The subcommittee met, pursuant to notice, at 10 a.m., in room 3110, Dirksen Office Building, Hon. J. Bennett Johnston, presiding.

Present: Senators Johnston and Haskell.

Also present: James P. Beirne, counsel; and W. O. Fred Craft, Jr., deputy minority counsel.

Senator JOHNSTON. The hearing will come to order.

OPENING STATEMENT OF HON. J. BENNETT JOHNSTON, A U.S. SENATOR FROM THE STATE OF LOUISIANA

This is an open hearing before the Subcommittee on Parks and Recreation to consider alternatives to meet the growing recreational needs of this Nation at both the State and Federal levels.

Recently I requested the land acquisition backlog for the National Park Service after fiscal year 1975, including deficiencies, inholdings, and areas for which new authorization is needed. The cost exceeds $700 million. The situation for other Federal agencies, such as the Forest Service, is not significantly different.

Of greater concern to this committee is the enormous need at the State and local level. Although relatively few Federal projects must be paid for out of the fund, with the demise of the open spaces program there is virtually no other source of revenues available to States.

The historic preservation program under the 1966 Historic Preservation Act, has similar funding problems. Over $160 million in available State moneys are being matched by only $25 million from the Federal Government.

This hearing has been scheduled to explore the Federal and State needs for recreation and historic preservation and to discuss alternatives to meet those needs.

S. 327, which I introduced with Senator Jackson, is virtually identical to legislation which passed the Senate last year and will form the basis for today's hearing and subsequent committee action.

At this point I would request that S. 327, together with statements of Senators Burdick, Moss, Williams and a letter to Senator Jackson be made a part of the record.

[The bill and statements referred to by Senator Johnston follows:]

94TH CONGRESS
1ST SESSION

S. 327

IN THE SENATE OF THE UNITED STATES

JANUARY 23, 1975

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

A BILL

To amend the Land and Water Conservation Fund Act of 1965, as amended, to establish the National Historic Preservation Fund, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 TITLE I—LAND AND WATER CONSERVATION
4 FUND
5 SEC. 101. The Land and Water Conservation Fund
6 Act of 1965 (78 Stat. 897), as amended (16 U.S.C. 460l-
7 4 et seq.), is further amended as follows:
8 (a) In clause (1) of section 2(c) strike out "and not
9 less than $300,000,000 for each fiscal year thereafter through
10 June 30, 1989" and insert in lieu thereof "not less than

1 $300,000,000 for each of the fiscal years 1971 through
2 1974, and not less than $1,000,000,000 for each of the
3 fiscal years thereafter through June 30, 1989". In clause
4 (2) of section 2 (c) strike out "or $300,000,000" and insert
5 in lieu thereof ", $300,000,000 or $1,000,000,000".
6 (b) In the third sentence of section 6 (b), delete "7"
7 and substitute "10", and at the end of the fifth sentence
8 of said section change the period to a comma and add "with-
9 out regard to the 10 per centum limitation to an individual
10 State specified in this subsection.".
11 (c) The first sentence of section 6 (c) of the Act is
12 amended to read as follows: "Payments to any State shall
13 not cover more than 50 per centum of the cost of planning
14 or development projects, and not more than 70 per centum
15 of the cost of acquisition projects, which are undertaken by
16 the State.".
17 (d) Subsection (d) of section 6 is amended by inserting
18 the following new language after the first sentence: "Each
19 State requesting assistance under this Act shall submit its
20 plan to all relevant areawide planning agencies designated
21 pursuant to section 204 of the Demonstration Cities and
22 Metropolitan Development Act of 1968 and for title IV of
23 the Intergovernmental Cooperation Act of 1968. The Sec-
24 retary is directed to consider any views or comments sub-
25 mitted to him by such agencies as well as by any subdivi-

1 sion of a State, which views have first been submitted to
2 the Governor of such State, in his evaluation of the statewide
3 plan and in his consideration of individual projects pursuant
4 to subsection (f) of this section.".

5 (e) In section 6(e) delete the paragraph numbered
6 (2) and substitute the following paragraph:

7 "(2) DEVELOPMENT.—For development of basic
8 outdoor recreation facilities to serve the general public,
9 including development of Federal lands under lease to
10 States for terms of twenty-five years or more: *Provided,*
11 *however,* That not more than 25 per centum of the total
12 amount allocated to a State in any one year under this
13 Act for recreation purposes may be approved by the
14 Secretary for the planning and development of sheltered
15 facilities for recreation activities normally pursued out-
16 doors within areas where the Secretary determines
17 that (1) the unavailability of land or climatic conditions
18 provide no feasible or prudent alternative to serve
19 identified unmet demands for recreation resources; and
20 (2) the increased public use thereby made possible
21 justifies the construction of such facilities.".

22 (f) The fourth paragraph of subsection (f) of section
23 6 is amended by deleting "and (2)" and inserting in lieu
24 thereof "(2) provide to the Secretary not later than 90 days
25 after the close of each fiscal year, a list of all projects funded

1 during that fiscal year, including, but not limited to, a de-
2 scription of each project, the amount of Federal funds em-
3 ployed in such project, the source of other funds, and the
4 estimated cost of completion of the project, and (3)".

5 (g) Section 7 (a) (1) of the Land and Water Conserva-
6 tion Fund Act of 1965 (16 U.S.C. 460l-9 (a) (1)) is
7 amended by striking out:

8 "ENDANGERED SPECIES AND THREATENED SPE-
9 CIES.—For lands, waters, or interests therein, the acqui-
10 sition of which is authorized under section 5 (a) of the
11 Endangered Species Act of 1973, needed for the purpose
12 of conserving endangered or threatened species of fish or
13 wildlife or plants.

14 "RECREATION AT REFUGES.—For the incidental
15 recreation purposes of section 2 of the Act of Septem-
16 ber 28, 1962 (76 Stat. 653; 16 U.S.C. 400k-1); and"
17 and inserting in lieu thereof the following:

18 "NATIONAL WILDLIFE REFUGE SYSTEM.—Acqui-
19 sition for (a) endangered species and threatened species
20 authorized under section 5 (a) of the Endangered Species
21 Act of 1973; (b) areas authorized by section 2 of the
22 Act of September 28, 1962, as amended (16 U.S.C.
23 460k-1); (c) national wildlife refuge areas under sec-
24 tion 7 (a) (5) of the Fish and Wildlife Act of 1956

1 (16 U.S.C. 742f(5)); (d) any areas authorized for the
2 National Wildlife Refuge System by specific acts; and".

3 TITLE II

4 National Historic Preservation Fund

5 SEC. 201. The Act of October 15, 1966 (80 Stat. 915),
6 as amended (16 U.S.C. 470), is amended as follows:
7 (a) Subsection (c) of section 102 is redesignated as
8 subsection (d), and the following new subsection (c) is
9 inserted before said subsection:
10 "(c) The Secretary may in his discretion waive the
11 requirements of paragraph (3) of subsection (a) of this
12 section for the purposes of making grants (i) for the prep-
13 aration of statewide historic preservation plans and surveys
14 and project plans, (ii) for projects to preserve historic prop-
15 erties of national significance, (iii) for projects to demon-
16 strate methods and techniques of historic preservation, and
17 (iv) for projects to restore certain historic properties with
18 a view to designating and preserving such properties for use
19 as meeting houses in connection with this Nation's bicenten-
20 nial. Any grant made pursuant to this subsection may not
21 exceed 70 per centum of the cost of a project, and the total
22 of such grants made pursuant to this subsection in any one
23 fiscal year may not exceed one-half of the funds appropriated
24 for that fiscal year pursuant to section 108 of this Act.".

1 (b) Amend section 103 (a) by deleting "*Provided*
2 *however,* That the amount granted to any one State shall not
3 exceed 50 per centum of the total cost of the comprehensive
4 statewide historic survey and plan for that State, as deter-
5 mined by the Secretary,".

6 (c) Amend section 108 to read as follows:

7 "SEC. 108. To carry out the provisions of this Act, there
8 is hereby established in the Treasury of the United States a
9 special fund to be known as the National Historic Preserva-
10 tion Fund (hereafter referred to as the 'Fund'). During the
11 period commencing July 1, 1974, and ending June 30, 1979,
12 there shall be covered into such Fund $150,000,000 annually
13 from revenues due and payable to the United States under
14 the Outer Continental Shelf Lands Act (67 Stat. 462, 469),
15 as amended (43 U.S.C. 1338), and/or under the Act of
16 June 4, 1920 (41 Stat. 813), as amended (30 U.S.C. 191),
17 which otherwise would be credited to miscellaneous receipts
18 of the Treasury. Such moneys shall be used only to carry
19 out the purposes of this Act. Moneys covered into the Fund
20 shall be available for expenditure only when appropriated
21 therefor. Any moneys not appropriated shall remain avail-
22 able in the Fund until appropriated for said purposes: *Pro-*
23 *vided,* That appropriations made pursuant to this paragraph
24 may be made without fiscal year limitation.".

1 TITLE III

2 SEC. 301. Notwithstanding any other provision of law,
3 any appointment to the following Federal offices after the
4 date of enactment of this Act shall be made by the President
5 by and with the advice and consent of the Senate—

6 (1) Director of the Bureau of Land Management;
7 (2) Director of the National Park Service;
8 (3) Director of the Bureau of Outdoor Recreation;
9 (4) Commissioner of Reclamation; and
10 (5) Governor of American (Eastern) Samoa.

11 TITLE IV—STATES OIL SHALE FUNDS

12 SEC. 401. Section 35 of the Act of February 25, 1920
13 (41 Stat. 450), as amended (30 U.S.C. 191), is further
14 amended by striking the period at the end of the proviso
15 and inserting in lieu thereof the language as follows: ": *And*
16 *provided further,* That all moneys paid to any State from
17 sales, bonuses, royalties, and rentals of oil shale in public
18 lands may be used by such State and its subdivisions for
19 planning, construction, and maintenance of public facilities,
20 and provision of public services, as the legislature of the
21 State may direct giving priority to those subdivisions of the
22 State socially or economically impacted by the development
23 of the resource.".

STATEMENT OF HON. QUENTIN N. BURDICK, A U.S. SENATOR FROM THE STATE OF NORTH DAKOTA

I would like to commend the Chairman of the Subcommittee, the Senator from Louisiana, for scheduling these early hearings on S. 327. The bill has a potentially far-reaching impact on historic preservation, recreation development and open space acquisition. I am in substantial agreement with the goals of S. 327 but will comment this morning on only one section—a small but important one because of the opportunities it offers project sponsors to get the maximum recreation impact for every Land and Water Conservation Fund dollar.

The language I am talking about adds to Section 6(e) of the Act of 1964 new authority for a state to use not more than 25 percent of its allocation from the Fund for the planning and development of shelters for recreation activities normally pursued outdoors. The language of S. 327 provides that this portion of a state's allocation may be used only where the Secretary of Interior determines that the unavailability of land or severity of climatic conditions provides no feasible alternative to serve identified, unmet demands for recreational resources and that the increased public use made possible thereby justifies the construction of such facilities.

The value of an adequate recreation program to a community is undisputed. To help meet their recreation needs, state and local governments rely upon the responsiveness of the Land and Water Conservation Fund. Unfortunately, citizens in many states can make only limited use of the facilities built under the program because of the requirement that Fund money be used solely for outdoor recreation activities.

For example, my own State of North Dakota has built 21 swimming pools with federal matching money from the Fund. Of these, only one is of an indoor-outdoor variety—built because local sponsors were fortunate enough to have sufficient funds to construct the pool shelter totally on their own. The remaining 20 pools can be used for about 55 days per year. The most recent information provided me indicates that 30–40 percent more money could enclose and heat a pool in such a fashion as to enable its use year-round. Also, there is some evidence that an indoor pool is more healthy and easier to keep clean.

Of course, the benefits of the proposal are not restricted to the northern tier of states. In many states having a warmer climate, outdoor ice-skating rinks rinks have a very limited use. With this legislation on the books, covered ice rinks could be provided—significantly augmenting public recreation resources in many areas. This may be one of the reasons why my idea has received support from outdoor recreation officials in states such as New Mexico and Arizona.

Too, the bill can be of benefit to urban and rural areas alike. In urban areas and central cities the Federal Government will be able to participate in more cost-effective recreational structures and, perhaps, safer ones than can now be built.

This is what the legislation can do. There are several things it won't do. First, I think it should be stressed that adoption of this language will not cost the Federal Government an additional dime. It merely authorizes a new use for money presently available to the states. It makes no change in present cost-sharing requirements.

Further, the bill will not force the states into deals they do not wish to make. Its provisions are discretionary on the part of the states. If a state decides to use its money for open space acquisition or for some other plan, this provision will not stand in their way. But it does permit those states that want to, to proceed with an indoor program in addition to the other projects now permitted.

I think that the record for enactment of this change is a good one. For the benefit of the Subcommittee, I will briefly outline its history. In 1967 I first introduced legislation to authorize the construction of sheltered recreation facilities. At that time, however, many felt that the Land and Water Conservaion program had not been in effect long enough to permit a complete evaluation of the impact of such a change. In the 92nd Congress, the Administration offered a bill which contained language similar to my earlier proposal. I revitalized my efforts and, in June of 1972, this Subcommittee held hearings on the Administration's bill and my own. The testimony was favorable but no further action was taken because of an apparent reluctance on the part of the House of Representatives to come forth with similar legislation. In May of 1974, during the 93rd Congress, further hearings were held before this body. This time, the way was cleared for Senate passage on May 30, 1974. The House Subcommittee on National Parks and Recreation conducted hearings shortly thereafter, and the

language of the Senate-passed bill was substantially included in an omnibus bill reported to the House of Representatives on October 11. In the meantime, encouraged by action taken in the House, this Subcommittee developed its own omnibus Land and Water Conservation Fund package. On the motion of Senator Hansen, my sheltered recreation program was included. This bill, S. 3839, passed the Senate on December 18. Unfortunately, the House did not act in time to meet the close of the 93rd Congress so S. 3839 has been reintroduced as S. 327 and is the subject of today's hearings.

During this legislative activity, my proposal has undergone the white light of committee deliberations, public hearings and has passed the Senate twice but it has been changed in only two minor respects. First, this Subcommittee wisely accepted language proposed by the Department of Interior which will avoid an overly broad interpretation of the bill's provisions. Bowling alleys, billiard rooms and the like were never intended to qualify for funding under the program this bill creates. The addition of the words "sheltered facilities for recreation activities normally pursued outdoors" clarifies the point in such a fashion as will enable smooth administration of the program. The House committee made one change which deletes the words "unavailability of land" as one of the criteria the Secretary may consider in determining whether a sheltered facility would better serve an area's needs.

Mr. Chairman, when I reintroduced my proposal this year I wanted this body to have before it a version of the bill as it was amended by both the House and Senate Committees. I have, therefore, included both the House and Senate amendments in S. 288, my bill this year. I recommend it to you for your consideration, especially if you feel that it would be more appropriate to act upon the sheltered recreation proposal as a separate measure.

Again, let me thank you for scheduling hearings on S. 327. I hope that your Subcommittee will again report a bill containing language to authorize the states to use some of their allotment from the Land and Water Conservation Fund for sheltered recreation facilities. Your early action will be appreciated by all of us who would like to see quality recreation opportunities extended to all citizens on a year-round basis.

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

Mr. Chairman, I am delighted that the subcommittee is holding these hearings early in the session on a bill to authorize additional funds for the Land and Water Conservation Act to allow the Federal government and the states to increase recreational land acquisitions, and also to provide additional funding to the states to be used for historic preservation activities. I was very much disappointed when bills to accomplish both of these purposes, and on which the House and Senate Interior Committees had spent many long hours, died in the closing hours of the 93rd Congress. Many of the people in my state of Utah were disappointed also, and I hope that the early start the subcommittee is giving the Senate bill in this session means that we will have final action within a very short time in this Congress.

I favor both titles of the bill (S. 327) before the subcommittee. The subcommittee knows well my great interest for many years in providing adequate funds for the acquisition of recreational lands in national parks, and for state recreational areas, and this bill attacks the land acquisitional backlog in a forceful way. I wish, however, to spend most of my time here today in support of Title II, which would make additional money available to the states for historic preservation activities, because it would allow the state of Utah to develop a special project in which there is great interest. The section of the Title in which I am particularly interested is the so-called "meeting house provision" Section 201, (c) (IV) which would authorize grants up to seventy percent of the cost to a state to restore and preserve a historic property as a meeting House to be used in the nation's bicentennial celebration.

The state of Utah has already chosen a structure to be designated and restored for this purpose, and its officials are most anxious to get on with the necessary restoration work so it will be ready for the bicentennial. They cannot proceed without the Federal assistance this bill would provide.

The structure chosen by the Utah American Revolutionary Bicentennial Commission, with the concurrence of the Utah Heritage Foundation, is the Devereaux House, located in an old section of Salt Lake City not far from the Union

Pacific Depot. I have visited the house and it is admirably suited for the role planned for it.

Built in 1857 for William Staines, it is the first mansion to be constructed in Utah. When one considers that the original large and spacious two-story section was built only 10 years after the Mormon pioneers entered what was then the wilderness of the Salt Lake Valley, the fact that it was erected at all is quite remarkable.

Furthermore, Mr. Staines deviated somewhat from the pattern established by city ordinance that all homes must be built in the center of a lot, and set back 20 feet from the frontage line. Mr. Staines set his house far back in the center of two lots, with his orchards in front.

In 1865, Joseph A. Young purchased the property and added a lot to it. In 1867 it was purchased by William Jennings, who enlarged the grounds to include more than half a city block. Thus the house early attained a commanding location in a city of one-lot houses, most of them set at the same distance from the street. Mr. Jennings enhanced the grandeur of the house by adding a large east wing to the original structure and gave the house its name, the Devereaux House, taken from the Devereaux Estates at Yardley, near Birmingham, England, where he was born.

The house is distinctly Victorian in style, with a cement plaster exterior scored to resemble stonework. The interior is elaborate with heavy carved pine woodwork in all major first floor rooms, grained in oak, mahogany, maple, and marble. There is a striking curved stairway with a magnificently carved newel post rising out of the front hall, and much of the original wall paper in the front stair hall and first floor rear corridor is still intact. The massive doorknobs, hinges and other interior detail is also in good condition.

For many years the Devereaux House was the center of Salt Lake City social life. On numerous occasions as many as 300 guests were entertained. Among the distinguished visitors who dined and danced in its palatial rooms were Second Territorial Governor Alfred Cummings, President and Mrs. Ulysses S. Grant, Secretary of State William Seward, and Generals Philip Sheridan and William Tecumseh Sherman.

After the death of Mr. Jennings, the house was used in various ways, including one period when it was a center for alcoholics. It is now an office for a distributor of mining equipment. It was placed on the Utah State Register of Historic Sites in January of 1970, and on the National Register of Historic Places in March 1971.

Many historic and civic organizations in Utah view restoration of the Devereaux House as a most worthy and essential project, and I am confident that with the 70% Federal matching financial assistance made available through enactment of S. 327, its restoration would be assured.

Its elegant first floor could be used as a reception center for both public and private functions; its second floor for offices as headquarters for civic and professional groups, and its third floor for resident caretakers. With its grounds restored as gardens and public park, it would add immeasurably to the beauty and interest of an old and historic section of downtown Salt Lake City.

Mr. Chairman, I feel that this bill represents a "last chance" for the restoration of the Devereaux House and other "meeting houses" which other states wish to restore, as well as for any other historic restorations which have been planned for the Bicentennial. If we do not pass this bill quickly, and follow the authorization up speedily with appropriations, it will be too late to do the work which must be done in time for the Bicentennial. The Bicentennial year—1976—is now only one short year away, as we all know. We cannot move too quickly on this legislation.

Thank you for giving me the time to be heard.

PREPARED STATEMENT OF HON. HARRISON A. WILLIAMS, JR., A U.S. SENATOR FROM THE STATE OF NEW JERSEY

Mr. Chairman, I am glad to have the opportunity to express my views on S. 327 which amends the Land and Water Conservation Fund Act.

I feel that in several respects this bill is moving in the right direction. I am pleased, for example, that S. 327 would raise the total yearly authorization for the Fund from $300 million to $1 billion. It is becoming increasingly costly to preserve our remaining open spaces, but it is also becoming increasingly impera-

tive. I am also pleased that this bill reduces the proportion of the funds a state would be required to contribute in order to receive its share of Federal dollars.

Nevertheless, I am most concerned that S. 327 makes no change in the formula for the distribution of Land and Water Conservation Fund monies among the various states.

Today, seven of every 10 Americans live in relatively few large metropolitan areas—on 1.5 percent of our Nation's land area, while only 3 percent of our public recreation lands are within 1 hour's driving time from the center of the major metropolitan areas. The resources for outdoor recreation are simply not available to our urban dwellers, but the overwhelming majority of recreation is sought close to home in the after-work, after-school hours or on short 1-day outings. It is interesting to note that only two of our 50 largest cities are within a 50-mile range of a national park and only six more major cities are within a 100-mile range of a national park. The magnitude of the popular support for the Gateway National Recreation Area in New York and New Jersey and similar projects elsewhere is due in large part to the fact that the parks will be accessible to residents of crowded urban areas.

In the face of these facts, we find that the Land and Water Conservation Fund, which has been the greatest Federal resource for the acquisition and development of parks and recreation areas is weighted heavily in favor of our less populous areas. Forty percent of the Fund is used by the various Federal agencies (such as the National Park Service) to acquire land for public recreation. The other sixty percent of the LWCF is made available to the various states for their park programs. This "states share" is apportioned under a statutory formula which requires that 40 percent of the annual appropriations be divided equally among the 50 states. The balance of the "states share" is to be distributed according to need.

The inequity of this formula is manifest. The State of Alaska receives $4.73 per capita while Texas gets only $.60, nearly 8 times less. Wyoming gets $4.32 per capita while my home state, New Jersey, receives only $.73.

This disparity exists at the local level as well. Analyses by the Bureau of Outdoor Recreation have demonstrated that densely populated counties received the least funds per capita from the LWCF and sparsely populated counties received the most funds. In an evaluation of all Federal outdoor recreation programs, the General Accounting Office states flatly that: "The LWCF formula for apportioning grant funds to the states does not meet the needs of the people living in urban areas."

The GAO study goes on to state that: "Greater benefits could have been achieved had more projects been located in densely populated, low-income areas having few outdoor recreation opportunities and whose residents were limited by low-income from traveling to areas having more abundant facilities and opportunities."

In recent years pollution, development, and suburbanization have taken a heavy toll on urban outdoor recreational sites. The days are gone when one could go for a swim in the city's river or take the trolley to the amusement park at the end of the line. The inequities that exist in the distribution of outdoor recreation resources are severe, and they are steadily becoming pressing. In the face of diminishing opportunities, Department of the Interior studies show that most Americans now participate in some form of outdoor recreation. Furthermore, participation is increasing at the rate of 10 percent per year, and conservation projections indicate that with rising income and more leisure time, participation will increase fourfold by the year 2000.

The inadequacy of urban recreational facilities is felt most keenly by those at the lower end of the income scale. These people are almost entirely dependent upon nearby public facilities. On the other hand, many more opportunities are available to affluent city dwellers because of their ability to take advantage of private recreational facilities and because of their increased mobility. Studies by the Department of the Interior, for example, have shown that those using the national parks are most likely to be better educated, white, young, well-off economically, and residents of suburban areas. Our major parks simply are out of reach for most Americans.

In 1969, Department of the Interior studies indicated that it would require at least $25 billion above existing expenditure levels to afford urban dwellers the same amount of nearby recreational opportunity by 1975 that was available on the average in 1965. Obviously, if we set out to perform that task today, in 1975, it would be much, much more costly.

Mr. Chairman, I urge you and the other members of this Committee to weigh the equities of the existing distribution formula for the "states share" of the Land and Water Conservation Fund. I am convinced that we have developed a policy which, in effect, puts people on our part of the continent, and recreational facilities on another part. I am both willing and anxious to assist you in devising a means of allocating funds which is more responsive to the needs of our citizens.

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
Washington, D.C., February 10, 1975.

Hon. HENRY JACKSON,
Chairman, Senate Interior Committee, U.S. Senate,
Washington, D.C.

DEAR SCOOP: Mayor Harry Kinney of Albuquerque has written to me recently concerning the Land and Water Conservation Fund which is the subject of your bill S 327 upon which hearings will be held tomorrow.

It appears to me as if you and the Mayor have similar views on this subject, and I ask that Mayor Kinney's letter be made a part of the hearing record.

Sincerely,

JOSEPH M. MONTOYA,
U.S. Senator.

CITY OF ALBUQUERQUE,
Albuquerque, N. Mex., January 24, 1975.

Subject: Legislation affecting land and conservation funds (Bureau of Outdoor Recreation).

Senator JOSEPH M. MONTOYA,
Dirksen Senate Building,
Washington, D.C.

DEAR JOE: During 1974, congress in the appropriate commitee was considering legislation to increase the appropriation for land conservation funds to nine million dollars per year. Also included in the legislation and recommended by the BOR was a provision which would enable 20% of the funds to be spent on indoor type facilities. Cities throughout the country and the National Recreation and Parks Association, representing some 25 to 30 thousand members, endorsed the proposed legislation.

In response to public interest and need, the City of Albuquerque and the Albuquerque Board of Education have, as a result of two successful bond issues in 1974, funds for the development of additional swimming pool facilities. To increase the service to the public, it would be most desirable to construct indoor-outdoor type of swimming pools rather than an outdoor swimming pool. Year round facilities would allow maximum use by the schools and the general public throughout the entire year.

Although the country is faced with economic problems today which are somewhat different than those facing the nation last year, we are still interested in support of legislation which would increase the funding level of the LWCF and allow for the development of indoor facilities. Thus I am requesting that you use your good offices to urge passage of such legislation. It is quite obvious that increasing the level of funding would not only provide more opportunities for jobs in the construction industry but also at the same time by providing facilities for wholesome activities in urban areas.

I would appreciate being informed of the status of the above mentioned legislation at an early date so that the Board of Education and the City may proceed wisely in the development of new recreation resources.

Sincerely,

HARRY KINNEY, *Mayor.*

Senator JOHNSTON. I might say I think it is time for this country to rethink its recreation priorities, and if we are really going to have recreation, if we are really going to do the things we say we are through our authorizations in Congress, we ought to get on with funding them, and that is what S. 327 is designed to do, to provide a significant amount of funding, $300 million.

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If we continue at the present rate, we are going to get further and further behind and we are just kidding ourselves and fooling the American people when we come on with passage of these bills authorizing great new parks and recreational opportunities without a chance in the world of ever being able to fund them.

So, it is on that note that I call on the distinguished Director of the Bureau of Recreation, Jim Watt, who will also call the people in his Department.

STATEMENT OF JAMES G. WATT, DIRECTOR, BUREAU OF OUTDOOR RECREATION, ACCOMPANIED BY CHARLES R. RINALDI, ACTING CHIEF, DIVISION OF LAND ACQUISITION; RUSSELL P. McROREY, ASSOCIATE DEPUTY CHIEF, DEPARTMENT OF AGRICULTURE, FOREST SERVICE; ROMAN KOENINGS, ASSOCIATE DIRECTOR, BUREAU OF LAND MANAGEMENT; WALTER McALLISTER, CHIEF, REALTY DIVISION, FISH AND WILDLIFE DIVISION; AND DR. ERNEST A. CONNALLY, ASSOCIATE DIRECTOR, PROFESSIONAL SERVICES, NATIONAL PARK SERVICE

Mr. WATT. I think we can respond to you to help build the record that you would like to have built here at this hearing.

Senator JOHNSTON. Let me say to this witness as well as all witnesses, we have a large number of witnesses, so, therefore, all statements will be put verbatim in the record and we, of course, would like to have a summary to go with the record.

I might also say that we are not trying to put the Department of the Interior or the administration on the line here for this bill, because we know your budgetary constraints, but what we would like to talk about today is the need for recreation, not the question of whether or not the administration wants to fund it in February of 1975, but what those needs are.

Mr. WATT. Thank you for outlining that spirit, and we appreciate that cooperative spirit that you have displayed.

We will proceed with a statement that I have, and which has been presented to you, as a formal prepared statement on behalf of this administration. My colleagues and I will then respond to questions that you might have for us.

It will be necessary to supplement and back up the formal statement, and we will then have just the one statement from the administration at this time.

I might, with your permission, Mr. Chairman, proceed, then, with that statement which expresses our gratitude for the enthusiasm you have demonstrated for this whole area of providing greater recreational opportunities for the people, and the fact that you would so early in the Congress put on your agenda this subject matter. All of us feel it is vitally important and appropriate.

We think the forum you are providing is appropriate to consider the kind and size of problems facing existing outdoor recreation and historic preservation programs, particularly in view of the serious economic situation in the Nation today.

The past 10-year record of the land and water conservation fund recreation program is particularly impressive and one in which all of us can take great pride. Briefly, this program has provided $1.2 billion in grants to the States which resulted in over 1 million acres being added to State and local park and recreation resources; and it has provided nearly $700 million to the Federal recreation agencies for the acquisition of more than 1.3 million acres.

After fiscal year 1975, the land acquisition authorizations for the National Park System will total $572,629,193. This figure includes $254,112,000 attributable to the authorizations for Cuyahoga Valley National Recreation Area, Big Thicket, and Big Cypress National Preserves, recently enacted in the 93d Congress. In the legislation authorizing these three areas, the Congress directed that the land acquisition program be substantially completed in 6 years. This figure also includes $76 million for privately owned areas within parks authorized prior to 1960.

Under the current appropriation level for the NPS from the land and water conservation fund the NPS obtains approximately $75 million per year. At this rate it will take 8 years to eliminate the current backlog in authorized land acquisition assuming no additional authorizations and no increase in land values. The legislative direction that the land acquisition program for the above three areas be substantially completed within 6 years necessarily will raise them to a priority level during that period.

The other Federal land managing agencies also have substantial specific land acquisition authorizations, which create demands on the fund.

The Forest Service has specially authorized areas requiring $124 million at present values. These are the recreation areas specifically authorized by Congress for acquisition. The wilderness and primitive areas acquisitions needed to round out those systems as presently authorized by Congress amount to $47 million.

Senator JOHNSTON. At that point, would you tell us the difference between the authorization and designation?

Mr. WATT. OK. I think it is appropriate, particularly in light of our hearing of last week.

Here we are presenting to you a total figure of $171 million needed by the Forest Service to round out their authorized areas. Those are the areas that Congress has acted upon specifically for improving the recreation estate managed by the Forest Service.

In addition to those authorized areas, the Forest Service manages the rest of its lands on a multiple use basis, including recreation, which is a growing use of the forest lands. They do recreation composite planning in concert with other governmental agencies and local interests and they submit plans for recreation land acquisition that are reviewed under a joint understanding that has been reached with the Chief of the Forest Service and myself.

Those plans identify the lands that have recreation potential that could and should be purchased with funds from the Land and Water Conservation Fund.

The amount of money to acquire those areas, as outlined in the composite plans, will be substantial. At this time we are prepared to come down specifically with a figure on that. I may need some help

on that, but I think it is probably in excess of $1 billion over the next 10 or 15 years.

Senator JOHNSTON. The designated areas are those designated by the Forest Service, is that correct?

Mr. WATT. That's correct, that is land use planning with cooperation by the Bureau of Outdoor Recreation and other Federal interests.

Senator JOHNSTON. How much thought and planning has gone into that designation? Has that ripened into a real considered judgment of the Forest Service that these are definitely places that ought to be acquired, or are these just sort of nice to have areas, or just how considered and mature is the judgment of the Forest Service in designating these areas?

Mr. MCROREY. Perhaps a little background, Mr. Chairman.

With the exception of the Land and Water Conservation Fund Act, insofar as the National Forest System was concerned, the specific designated areas, in the context of Mr. Watt's remarks are the National Recreation Areas, Wild and Scenic Rivers, National Scenic Trails, and the Wilderness System. At that particular point in time on a projected basis, in testifying to the initial Land and Water Conservation Act bill for Congress——

Mr. JOHNSTON. Would you move the microphone a little closer?

Mr. MCROREY. We identified on a long-range basis, a projected basis, something in the neighborhood of 4 million acres as desirable for acquisition. This was a long-range projection.

Since that time, as Mr. Watt has indicated, we have been working cooperatively with the local governmental agencies, with the other Federal agencies, specifically the Bureau of Outdoor Recreation, in developing extensive plans to evaluate these types of properties which have a very high recreation potential and which undoubtedly, on the basis of all the information available to us, are needed now and will be needed in the future to meet the recreation demands that are projected.

Senator JOHNSTON. So, it is safe to say these are definitely needed areas that should not be lost to the country?

Mr. MCROREY. This is correct.

Mr. WATT. Yes. We are very pleased—if I might underline the point—we are very pleased with the land use planning concepts——

Senator JOHNSTON. Excuse me, Mr. Watt, what is the objective called for the wilderness areas, is that about a little over $1 billion?

Mr. MCROREY. That would be in addition to the $171 million indicated in the statement by Mr. Watt.

Senator JOHNSTON. And a study is going on now to determine if those areas are what their cost might be?

Mr. MCROREY. That's right.

Mr. WATT. I wanted to add to that, Senator, we are well pleased with the land use plan concept that the Forest Service adopted in determining the use of their lands. I think it is important that this Nation require the land managing agencies of the Government to maximize the multiple use of their land, and certainly recreation is a growing interest that our agency has been very responsive to in the planning and budgeting processes. So I think this is a healthy program that the Forest Service is carrying on.

In addition to the Forest Service and Park Service demands that we discussed, Fish and Wildlife Service also has demands on the land and water conservation fund. They, too, have specifically authorized areas that Congress has identified and it is estimated that $22 million is required to acquire those acreages, as well as another $2 million of wilderness for a total of $24 million of acquisition by the Fish and Wildlife Service.

The Bureau of Land Management also has management responsibility for specifically authorized areas that Congress has identified, and to round out those recreation areas would call for an additional $12 million.

To continue with my prepared statement, in addition, there are many opportunities under existing general authorizations for each of the Federal land managing agencies to use the fund for land acquisition. For example, the Forest Service acquires specifically designated recreation areas at this time. The Fish and Wildlife Service acquires lands for recreation purposes within or adjacent to existing refuges and hatcheries. The Service is presently formulating a plan for acquiring land for endangered species.

On the State side, the State grant portion of the fund has served as more than a match—it has been a catalyst for a greatly expanded effort at State and local levels. State obligations have risen to over $200 million a year. The States estimated needs over the next 15 years are substantial. This is supported by our record of municipal and county recreation capital outlays. Both the Bureau of Census and National Recreation and Parts Association surveys showed their annual capital outlay expenditures using from $150 million in 1955 to over $800 million in 1973.

Since the 1966 Historic Preservation Act was passed, a total of more than $52 million has been appropriated for grants to States and the national trust for State, local, and private historic preservation projects and plans. Active projects to preserve historic districts, sites, and structures are now continuing in all 50 States, the District of Columbia, American Samoa, and Guam.

The 1966 Historic Preservation Act authorized matching grants to the States and the National Trust for Historic Preservation. Certified warrants submitted for grants in fiscal year 1975 amounted to $159 million. Certified warrants indicate the availability of State or other non-Federal dollars to match the Federal grants on a 50/50 basis.

The NPS has on hand estimates from the States and the National Trust indicating they will be able to match at least $186 million in fiscal year 1976. However, the authorized level of Federal funding is $20 million for the current 1975 fiscal year, and $24.4 million for fiscal year 1976. The fiscal year 1976 budget proposes $20 million. Fiscal year 1976 is the last year of the current authorization.

The States and the National Trust have responded to the need for preserving historic properties in admirable fashion, and the grants have spurred additional activity in preservation by the private sector, all in accordance with the intent and purpose of the 1966 Historic Preservation Act. We will shortly be transmitting a bill to the 94th Congress to extend the authorization for this program.

Both the outdoor recreation and historic preservation programs have received enthusiastic endorsement at all levels of government and in the private sector, as can readily be seen from the above data.

Senator JOHNSTON. The current figure is about $25 million, is that correct?

Mr. WATT. That's correct.

We are asking in 1976 for $20 million. Fiscal year 1976 is the last year of the current authorization.

Senator JOHNSTON. Now, Mr. Watt, that $186 million that the States are willing to match in fiscal year 1976, are you reasonably familiar with the kind of properties they would like to acquire?

Mr. WATT. Dr. Connally, here on my right, administers that program for the National Park Service, and I would like him to respond to that.

Dr. CONNALLY. That figure of $186 million is the estimate we have now of the portion of the need that the States and the National Trust will be requesting by warrants for fiscal year 1976. We ask for these warrants just before the beginning of the fiscal year to allow the time necessary for the State legislatures to take their action.

Senator JOHNSTON. I understand that.

Dr. CONNALLY. The kind of properties, Mr. Chairman, vary. Part of the money will be requested for continuation of the State plans and surveys. There will be a special part for the National Trust for Historic Preservation, which represents the private sector at the national level. Then, the great bulk of it will be for acquisition and development projects in the States. The properties have to be on the National Register of Historic Places; that is the first requisite.

Senator JOHNSTON. What I am asking for is an evaluation of the policy of the sites to be acquired. In general—I know it is hard to generalize—but in general are these in force——

Dr. CONNALLY. Generally, they are of State and local significance, Mr. Chairman. Some of them are of national significance, although a lot of the large nationally significant properties will not appear in the request. The reason for that is because their acquisition or restoration is very expensive, and the States aren't able to raise the 50 percent match very often.

Senator JOHNSTON. If States want to spend some $370 million, $186 million in Federal and $186 million in State funds, and we are going to make available $20 million in Federal funds which would be a total of about $40 million, what is going to happen to those sites which are not acquired? Will they be available next year or in the next decade at comparable prices?

Dr. CONNALLY. We can't be sure of that at all. We are talking about the building environment and buildings start to deteriorate before they are finished. Some, of course, will be lost. We don't have statistics to amply demonstrate what the future loss will be. But, certainly, about one-third to one-half of the properties would be lost.

The work that will be done at the current funding levels will be applied to less than half of the properties for which assistance is requested, and for each of them much less than is needed. The average asking for a grant is about $85,000, the average grant for that half of the properties that are assisted is about $14,000, so, the effective rate is about one sixth of one half, or about 8 percent, in taking care of demonstrated need.

Mr. WATT. I think in the historic preservation program as in the land and water conservation program, we see that the Federal funds

are a catalyst and seed money whereby we put in "X" thousand dollars and local and private funds also come in and help to a substantial degree, and if not for that we would be much further behind than we could conceive at this time.

Senator JOHNSTON. With how much impunity can we afford to wait? At present funding levels we are not making much of an effort on historic preservation, and can I tell my colleagues in Congress not to worry, if we don't get the $20 million this year, when the economy turns up we will still be able to acquire these places at comparable prices?

Dr. CONNALLY. With the national conference of State historic conservation officers we have estimated what the need is and we are able to put a very soundly estimated figure on it which is $400 million a year at present prices.

Senator JOHNSTON. $400 million a year?

Dr. CONNALLY. Yes, for 10 years to overcome the bulk of longterm neglect of our historic resources. At $20 million a year you can see we are cutting into it very slowly; it would take 200 years to take care of the need, and anyone who has looked at old buildings can see that there will not be many left if we go at that pace. I think that is the answer to your question.

Senator JOHNSTON. All right. Now, Mr. Watt, on Federal acquisitions to be made, when you include—would you include the designations in there as well as the authorizations, the designations for the Park Service?

Mr. WATT. Yes, I think realistically we have to look at the total Federal state.

Senator JOHNSTON. What are the total Federal needs?

Mr. WATT. The figure that the Secretary of Interior has been using is roughly about $2.5 billion, Federal needs, including authorized and designated areas in the Federal system.

The breakdown on that as presented to Congress in a letter signed by Assistant Secretary Reed, puts forth the National Park Service needs at roughly $800 million. Forest Service at $1.5 billion, Fish and Wildlife Service, $232 million, Bureau of Land Management, $10 million, for a total of $2.5 billion. This correspondence sent to the Congress is dated August 27, 1974.

We have amended some of those figures as evidenced by the testimony you received today, but for broad classifications those are the figures Secretary Reed sent to the Congress last fall.

Senator JOHNSTON. That would take us 20 years at present levels of funding and without any inflation?

Mr. WATT. That's correct.

Senator JOHNSTON. And we are adding to that $2.5 million each year, are we not?

Mr. WATT. This last year Congress added to the National Park System more acres at a larger cost than has ever been added in any one year to the system.

Senator JOHNSTON. Would you expect that will continue?

Mr. WATT. That would be a value judgment for Congress to make.

Senator JOHNSTON. Judging by past history, the trend has continued over a long period of time, hasn't it?

Mr. WATT. Yes, and costs have continued to go up rapidly plus the inflationary factor which is a growing burden.

Senator JOHNSTON. What is the inflation rate on this land as compared to the general consumer price index?

Mr. WATT. Very significant.

Senator JOHNSTON. From a dollar standpoint won't we be better off to borrow the money through bonds and pay it out on an inflationary basis some years later?

Mr. WATT. Yes, I would love to see that happen. Some States are moving that way with their bond programs to aggressively pursue a program.

Those of us sitting before you are advocates for a recreation program and are not charged with seeing the bigger picture, such as you and other Members of Congress are. The President, as we know, said in the State of the Union Message that no new spending programs can be initiated this year except for energy and he has reiterated that several times. If we were just speaking from the recreational point of view, we would like to see Congress take $1 billion from Outer Continental Shelf revenues and plug it into these needs.

Senator JOHNSTON. We can certainly understand that pressure for money. But it is quite clear that the plan that we have now doesn't make any sense at all. To have $300 million to acquire—well, $120 million a year to acquire $2.5 billion on a steadily inflating amount and with areas and sites that are added to it each year just doesn't make any sense at all. We either have to stop kidding ourselves and say we are not going to increase our funding for land acquisition, or we are, and set some priorities.

Do you have any other alternatives other than S. 327, any other options?

Mr. WATT. The question you ask is the one that ought to be asked in that the demands for recreational opportunities and the resources necessary to support them are going to continue to expand whether we have a slowdown or not. In fact, there is substantial argument to show people need an alternative to their idle time in the economic recession. I think the path we have been following for the last 10 years is not adequate to meeting the demands. I am encouraged with the conversations you and I had; with your willingness to look at new concepts and approaches. The Federal Government cannot meet the demands for providing all recreational facilities even in the best of circumstances. So it is going to require tremendous effort by the Federal Government, tremendous output by the State and local governments, plus the private sector. So we have to see to it that the right environment is created to encourage the private sector to move into it.

The point you are driving at, though, no matter what concept we approach, still takes dollars. We are going to have to come up with new concepts to establish a joint venture using some Federal dollars, some State and local government dollars, and private dollars to meet the demands. The old system just won't do the job.

Senator JOHNSTON. Do you have existing in either BOR or Interior a listing of acquisitions and designations and authorizations with an evaluation of each of their values, whether they be recreational, environmental, scenic, or whatever, where you can evaluate those?

Mr. WATT. Yes, we are working on those inventories in several dimensions. The Forest Service now has underway a program of evaluating their lands and classifying them for the different uses,

the Corps of Engineers has theirs, those are done with congressional direction.

We are pursuing an inventory process with the National Association of Soil and Conservation Districts to understand what we now have in the private sector. That will be completed within the next 2 or 3 months.

In the preparation of the nationwide plan sent to Congress in December of 1973, we worked with State governments and pulled together a good inventory of public recreational facilities. We are also working with the Bureau of Census as they identify some of these areas, particularly the private areas—we are really deficient in understanding the contribution made by the private sector.

Senator JOHNSTON. Will this plan designate the number of recreation days that each area will be able to support if fully developed?

Mr. WATT. We are hoping to get to that point. From a national point of view we don't have that data base.

Senator JOHNSTON. I would appreciate it if you would work up one master sheet for comparative purposes, and if you could, designate for each area the amount of money it will take to operate the kinds of structures that need to be constructed, whether it be roads or whatever; the number of recreation days that each area would support, or other environmental values; a projection on Santa Monica Seashore National Park, a proposed park, how many recreation days can that support; what are the other environmental values involved. The same information, for example, in Chatahoochee, and all of these parts that are yet to be acquired.

In that way we can have it there to evaluate, because someone has got to set some priorities somewhere, because obviously at the present level of funding it is going to take a long, long time before you can get it all.

Mr. Watt. I would like to ask that we present what we have to you on this now.

We have approached it this way on the Santa Monica and the Chattahoochie. As you just mentioned, we would like to sit down with you to see if what we are doing would meet your needs, because I think it is an appropriate analysis to pursue, and, if not, we will tailor the situation to produce a meaningful product.

If we can show you what we now have, we can tailor it before we go to a massive effort and come up with a dead horse. We look forward to meeting with you on this.

Senator JOHNSTON. I think we ought to do this as an ongoing thing each year.

Is there anything else you would like to add?

Mr. WATT. I think not, unless there are questions that we need to respond to collectively here to meet your interests.

Senator JOHNSTON. All right, gentlemen, we thank you very much for your testimony.

Our next witness is Mr. James Biddle, president of the National Trust for Historic Preservation, and I am wondering if Mr. Biddle would like to appear with Mrs. Carl Shipley, vice president of the Advisory Council on Historic Preservation since they are both on the same subject matter. It may make a very good panel.

Mr. BIDDLE. Thank you, Mr. Chairman.

STATEMENT OF JAMES BIDDLE, PRESIDENT, NATIONAL TRUST FOR HISTORIC PRESERVATION, ACCOMPANIED BY JOSEPH MOODY, DIRECTOR OF LEGAL AND LEGISLATIVE SERVICES OF THE NATIONAL TRUST; AND NANCY SHIPLEY, VICE CHAIRMAN OF THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, ACCOMPANIED BY ROBERT R. GARVEY, JR., EXECUTIVE DIRECTOR OF THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

Senator JOHNSTON. I am delighted to have you, Mr. Biddle and Mrs. Shipley, and your full statements, of course, will be put into the record, and I am prepared to hear a good, strong advocacy of historic preservation.

Mr. BIDDLE. Thank you, Mr. Chairman. Who would you prefer to lead off on this, Mrs. Shipley or myself?

Senator JOHNSTON. Why don't you go ahead, since you are first on the list.

Mr. BIDDLE. Fine. I have with me Mr. Joseph Moody, Director of legal and legislative services of the national trust.

We have submitted a statement in full on our position supporting S. 327, but I would like to make a brief summation of what we have submitted.

Senator JOHNSTON. Yes.

Mr. BIDDLE. Amendments of the Historic Preservation Act of 1966 which would be made by title II of S. 327 would increase the federally funded share of historic preservation costs, but also that the order of magnitude of the historic preservation problem confronting the Nation, disclosed by statewide surveys, is commensurate with the funding this legislation would provide.

While the order of magnitude of the task has been determined, the goal of saving our historic properties before it is too late simply cannot be met unless a greater share of its costs is federally financed. Otherwise, we will be unable, on a timely basis, to fully define the cost of the historic preservation job or to move forward with preservation of many historic properties of national significance, needed demonstration projects, and worthy Bicentennial meetinghouse projects.

The $150 million annual authorization which would be provided by the amendment of section 108 of the 1966 act would establish a reasonably secure base on which to make plans for the future. Although the national trust has fared well in the allocation of grant funds available under existing law, the total amount of such funds allocated to us over that 5-year period, about $5.5 million, fell 60 percent below programed need.

As the nation's citizens are becoming more aware of the crucial role of historic preservation in social progress, a clear commitment by the Federal Government to the historic preservation policies enunciated in the 1966 act is needed. Such a commitment would be provided through the establishment of a National Historic Preservation Fund, thereby assuring realization of those policies.

Such a statutory assure that a reasonable share of the proceeds of the disposal of the Nation's natural resources would be reinvested in our manmade historic and cultural resources will be cherished by future generations of Americans who, otherwise, might never achieve

a true understanding, founded upon its historic past, of the spirit and direction of the Nation.

Mr. Chairman, the national trust fully supports title II of S. 327. We are most gratified that your subcommittee has moved so promptly with these hearings and we urge early and favorable action on the bill.

Thank you very much, Mr. Chairman.

Senator JOHNSTON. Thank you, Mr. Biddle.

[The prepared statement of Mr. Biddle follows:]

PREPARED STATEMENT OF JAMES BIDDLE, PRESIDENT, NATIONAL TRUST FOR HISTORIC PRESERVATION

Mr. Chairman, members of the committee, I am James Biddle, President of the National Trust for Historic Preservation, which as you know, was chartered by the Congress in 1949 as a charitable, educational and non-profit organization to, among other things, facilitate public participation in the preservation of sites, buildings, and objects of national significance or interest. On behalf of the Boards of Trustees and Advisors as well as more than 70,000 members of the National Trust, I am pleased to have this opportunity to support the objectives of S. 327.

The addition of new subsection (c), Section 102 and the amendment of Section 103(a) of the Historic Preservation Act of 1966, which would be made by Title II, Section 101 (a) and (b) of S. 327, would enable the Secretary of the Interior to recognize that the costs of all facets of historic preservation programs and projects are increasing at rates disproportionate with the slower increase in the income stream from non-Federal sources available for matching Federal grants. An increase in the proportionate share of Federal financing would, I believe, significantly stimulate increased public participation in and support for historic preservation and would facilitate the work of the states in the preparation of comprehensive statewide surveys and plans.

The National Trust applauds the splendid work and the increasing level of accomplishments of the State Historic Preservation Officers as they move forward with the preparation of state plans and with their implementation. It is my understanding that since the preparation of comprehensive statewide historic surveys and plans was authorized by the 1966 Act and their cost funded to a limited extent in later years by Federal grants, a great wealth of information has been compiled that projects an order of magnitude of the historic preservation problem that confronts the Nation commensurate with the funding this legislation would provide. These amendments to Sections 102 and 103 of the 1966 Act should materially assist the states in determining the full scope and costs of the historic preservation job.

In addition to authorizing greater financial assistance to states in meeting the costs of statewide historic plans and surveys and project plans, enactment of subsections (a) and (b), Section 201, Title II, would authorize the Secretary of the Interior to fund a greater share of the cost of programs and projects of the National Trust as well as the states in carrying out projects for the preservation of historic properties of national significance, demonstration projects, and projects to restore certain historic properties for use as meetinghouses in connection with the Nation's Bicentennial. The National Trust has developed considerable expertise in demonstrating methods and techniques of historic preservation and is continuing to expand its capabilities through workshops and other training techniques in furtherance of its charter obligation "to facilitate public participation in the preservation of sites, buildings and objects of national significance or interest." As in the case of statewide surveys and plans, the costs of the services we render are continuing to escalate.

The amendment of Section 108 of the 1966 Act, which would be made by Section 201(c), Title II, of S. 327, would authorize the appropriation of not to exceed $150,000,000 for each of the fiscal years 1975 through 1979. The historic preservation movement is rapidly coming of age and the authorization which would be provided by this amendment would establish a reasonably secure base on which to make plans for the future. While the National Trust has fared well in the allocation of grant funds by the Secretary of the Interior within the limits of authorizations and appropriations available under existing law, which has made it possible to undertake and carry out projects and programs we could

not otherwise have undertaken, the amounts of grant funds available to us annually have been far below the need. At the request of the National Park Service, the Trust, in 1969, submitted a projected five year program for carrying out the National Trust's historic preservation responsibilities anticipating a total expenditure over the period of approximately $26.9 million, one-half of which, or $13.45 million, to be derived from Federal grants and an equal amount provided by matching private funds. The actual Federal grants during the five years totalled $5.45 million or 60% below the programmed total.

We believe that the proposed amendment of Section 108 would go far toward eliminating or substantially reducing the peaks and valleys in programming and program execution and that this constructive action will greatly advance the cause of historic preservation in accordance with the basic policies and purposes of the Historic Preservation Act of 1966.

Enactment of this amendment would meaningfully demonstrate to the Nation's citizens, who are becoming increasingly aware of the crucial role of historic preservation in social progress, the clear commitment of the Federal government to the policies enunciated in the 1966 Act for the preservation of our historical and cultural foundations so vital to the shaping of the environment in which we live. An indication of this growing public awareness is the growth in National Trust membership within the past year from 37,000 to more than 70,000 members throughout the Nation.

In our view, the statutory assurance, which would be provided by the creation of the National Historic Preservation Fund, that a reasonable share of the proceeds of the disposal of the Nation's natural resources be reinvested in our man-made historical and cultural resources will be viewed as a wise and judicious investment by future generations of Americans who, otherwise, might never realize the sense of orientation which flows from an understanding of the spirit and direction of the Nation founded upon its historic past and enshrined in its historic sites, buildings, objects, and antiquities of national significance.

Mr. Chairman, we of the National Trust fully support Title II of S. 327. We are most gratified that your subcommittee has moved so promptly with hearings on the bill. We urge early and favorable action on the bill which is so important to the preservation of the Nation's heritage.

Senator JOHNSTON. Mrs. Shipley, we would like to hear from you, and I will then ask a few questions.

Mrs. SHIPLEY. We have a full statement that we would like to introduce for the record, and also a resolution of the Council at their meeting last August in which we supported the provisions presently in S. 327.

STATEMENT OF NANCY SHIPLEY, VICE CHAIRMAN, ADVISORY COUNCIL ON HISTORIC PRESERVATION

I am Nancy Shipley, Vice Chairman of the Advisory Council on Historic Preservation, and with me today is Mr. Robert A. Garvey, Jr., Executive Director of the Advisory Council.

I would like to take a few moments to tell you about the work of the Advisory Council on Historic Preservation, and to explain why, from its unique perspective within the Federal Government, the Advisory Council strongly supports passage of title II of S. 327.

The Advisory Council on Historic Preservation is an independent 20-member body established by title II of the National Historic Preservation Act of 1966. Ten of the Council's members are ex-officio representatives of various Federal agencies, seven at Cabinet level. There are also 10 private citizen members, appointed by the President, who are drawn from all areas of the United States.

The broad mandate of the Advisory Council is to advise the President and Congress on matters relating to historic preservation and to recommend measures to coordinate activities of Federal, State, and

local agencies in the field. In fulfilling this mandate, the Advisory Council has developed a unique expertise and perspective on the national historic preservation program. Based on this experience, the Advisory Council considered the historic preservation provisions of S. 327 at its August 3, 1974, meeting. After noting the administration's objections based on economic considerations, the Council voted to endorse the legislation conceptually and voted to endorse the legislation. As you recall, these provisions were included in S. 3806 during the 93d Congress. I would like to submit a copy of that resolution for the record.

Senator JOHNSTON. Fine, it will be inserted at this point.

[The resolution referred to follows:]

RESOLUTION OF THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

Whereas the Advisory Council on Historic Preservation is charged by the National Historic Preservation Act with advising the President and Congress on matters involving historic preservation; and

Whereas the Advisory Council on Historic Preservation, at its meeting of August 8, 1974, considered proposed amendments to the Land and Water Conservation Fund Act which would establish a National Historic Preservation Fund, now, therefore, be it hereby

Resolved, That the Advisory Council on Historic Preservation endorses the concept of using funds derived from nonrenewable energy resources to preserve nonrenewable historic and cultural resources as proposed in H.R. 15357 and S. 3806; and further

Resolved, That the Advisory Council on Historic Preservation finds that the proposal to expand the National Register funding program by increasing appropriations to match the States' capability is a viable concept, to be undertaken at such time as the economic situation of the country will permit.

Adopted August 8, 1974.

Mrs. SHIPLEY. The Advisory Council believes that the underlying policy of the National Historic Preservation Trust Fund and the manner in which it would be implemented are sound. Allocating the proceeds from the depletion of one nonrenewable resource to the conservation of another is logical in terms of resource conservation philosophy.

The need for the increased funding authorized by S. 327 and the capability of the States to effectively use that funding have been or will be demonstrated by other witnesses appearing before this committee. To these basic justifications for the National Historic Preservation Trust Fund the Advisory Council would like to add another benefit would flow from this legislation. Most important to us is the use of funds under S. 327 for the identification of historic resources and for the development of preservation planning.

As you know, pursuant to the 1966 act, the Advisory Council is responsible for assuring thorough consideration of historic preservation factors in the planning of Federal projects—whether federally funded, federally licensed, or federally assisted in some other manner.

The Council's major tool for exercising this responsibility is section 106 of the act which requires that Federal agencies obtain the Council's comments on their proposed undertakings affecting properties listed on the National Register of Historic Places. Almost every agency request for the Council's comments pursuant to section 106 results in consideration of historic preservation in a consultation process involving the Council, the Federal agency and the appropriate State Historic Preservation Officer. We call such consultations "Compliance Cases."

A number of these cases have received Nationwide publicity, such as the successful efforts to preserve the San Francisco Mint, the relocation of an atomic powerplant to preserve the view of Saratoga National Military Park in New York, and the abandonment of a Federal-aid highway that would have traversed the French Quarter of New Orleans.

Since 1966 the number of cases has grown every year. In fiscal year 1974, we handled nearly 700 compliance cases, in every State of the Union, involving virtually every Federal agency, and putting us in contact with every conceivable type of local entity, State, county, and municipal governments; nonprofit community organizations; businessmen's councils; property owners; neighborhood cooperatives; and creative citizens dedicated to the integration of historic resources into the contemporary environment.

Because of the need for these groups to work together, advance planning and the lack of it has always been of special concern to the Advisory Council. In earlier years, when Federal agencies were less accustomed to integrating Council review procedures into their planning, historic preservation was given consideration only at the last minute. We were faced with the spectacle of multimillion dollar Federal projects, such as a highway or dam, being brought to a standstill while conflicting parties decided what to do about an antebellum mansion or an Indian burial ground that stood in the way. While construction was halted, expenses soared.

The position of the parties were already fixed and compromise solutions were achieved with minimal satisfaction. In recent years, however, through the section 106 process Federal agencies have begun to consider preservation factors while a project is still on the drawing board. This gives all parties more time to solve conflicts by reasoned discussion, and the cost to the taxpayer per compliance case is lessened.

The key element in this process is to identify the resources as early as possible in the planning process, and we believe that S. 327 will greatly assist this goal.

State agencies need additional funding to provide more thorough surveys of historic resources and more comprehensive plans for relating historic resources to broader needs such as housing, economic development, and, of course, recreation. Only then can resource identification and preservation planning provide Government and private entities with a sufficient information base on which to plan and conduct all their activities.

In addition to its compliance responsibilities, the Advisory Council is also charged with recommending measures to coordinate Federal, State, and local agency activities concerning historic preservation. In this role, the Advisory Council has developed expertise in a variety of preservation activities. Examples of Council activities pursued in line with its general advisory responsibility are sponsorship of a national conference on reuse of old railway stations; participation in exchanges of preservation expertise with Poland and Russia; legislative analysis of the Environmental Protection Tax Act; preparation of guidelines for State legislation; and an analysis of proposals for revenue sharing and their effects upon historic preservation.

In all these activities the Council comes into contact with people throughout the nation who are actively concerned with preservation.

Just last week, here in Washington, the eighth annual meeting of State historic preservation officers took place and attracted over 400 distinguished representatives of State and local organizations and Federal agencies.

Mr. Chairman, the mood across the country, and reflected at this meeting is clear. The States and localities are eager to get on with the task of preserving our past, but they need help. Increases in Federal assistance are essential for the protection and enhancement of this stepchild of both the natural and cultural resource movements. It is rather amazing to see what has been done already with even limited financial resources. I think of small towns like Rayville, La. Senator Johnston, where the Advisory Council has been in correspondence with you and with Mayor Kalil, in efforts to turn the city's old railway station into a cultural center. Or I think of large cities, such as Seattle, where the use of Federal revenue sharing funds for the restoration of historic Pioneer Square has been a force for economic revival of the downtown area, and has provided Seattle with a marvelous recreation and tourism resource.

Mr. Chairman, these are just a few examples of the many challenges in historic preservation that must be met. In our compliance work, we have found so many groups and individuals who are committed to preserving historic sites and structures, but are told that it is too late to do anything or, if not too late, then they don't know how to go about it or lack funding. If you think for a moment of the status of the Willard Hotel here as a typical, symbolic blind spot in our national vision, the need for an increased commitment becomes clear.

With the additional assistance provided by S. 327, we believe that Americans can become more aware of their culture and their past. This is an especially important role that recreation—through historic preservation—can perform as our Nation's Bicentennial approaches. We feel, Mr. Chairman, that the creation of the National Historic Preservation Trust Fund would allow the dreams of so many citizens to become a reality of bricks and mortar—of fine old buildings saved—of frontier cottages and prospectors' palaces turned into living reminders of our history.

Increased funding for preservation also offers the promise of jobs, jobs not only for skilled restorationists, but also jobs for the semi-skilled and skilled who make up our building trades industry. Restored historic structures in urban areas could provide housing, sorely needed in many of the Nation's cities and towns. They could provide the nucleus around which dynamic urban development could take place, development which would not require massive expenditures for new services, but which would make it possible to use to a maximum advantage those facilities which are already present. Preservation means more than nostalgia; preservation can also mean urban vitality, pride of place, commitment to the traditions which the remnants of our physical past represent.

In closing, Mr. Chairman, we thank you for providing the Advisory Council with an opportunity to present its views today.

Senator JOHNSTON. Thank you very much, Mrs. Shipley.

These questions are really for both of you, so whichever one would like to respond first, please speak up.

Do you concur with the figure Mr. Watt brought in as $400 million annually as being the historic preservation minimum?

Mr. BIDDLE. Yes, we do. I don't think either Mrs. Shipley or I have the exact figures on it, but certainly we know from our own personal experience at the trust, as I pointed out, that many of our programs have not been able to get underway because of a lack of funds. But we can speak up for our side of it.

Senator JOHNSTON. Can you tell me about the inflation factor and the loss factor? Are the cost of these proposed sites going up and what is the danger of losing these sites if not acquired timely?

Mr. BIDDLE. I think a lot depends on where the sites are. In urban areas we have a tremendous problem in preservation, as Mrs. Shipley pointed out, the Willard Hotel. The trust, along with the National Park Service funds, put up the money to enable a study to be done on the future of the Willard Hotel, and that study was done, but the future of the hotel is still, I am sorry to say, uncertain.

In another urban area, such as St. Louis, the national trust took an option on the famous Wainwright Building to buy time. We were fortunate on that one, we were able to transfer our option over to the State of Missouri, and that building is now being saved. That building would have been a parking lot unless that action had been taken. That happens in every town all across America. Letters pour into us from people asking for help, assistance, advice, money. If we had a million times more we could dispense with it very rapidly.

Senator JOHNSTON. You concur with the statement that the Federal money is sort of a catalyst for State and local funds?

Mr. BIDDLE. Very much so. Since the passage of the act we have seen an enormous increase throughout the country. Both in the private and public sector. Our own membership has soared from a few thousand to currently 40,000. Last year at this time we were 37,000 members. So the interest is there and the need is desperately apparent.

Dr. Connally reminded me that one-third of our buildings which are being surveyed as being important to the country, since the historic site and building survey first began, are gone. A third. This will continue on at an increasing rate until a more positive direction is taken by the Federal Government and the private sector.

Mrs. SHIPLEY. Also, in the West we have the question of vandalism. The vastness of the West has saved many of the Indian ruins that exist but as vacationers and everyone is mobile, this becomes an immediate threat, almost an emergency threat to our Western sites, not buildings as such, except in ghost towns, this can be a real problem, too. This is really an immediate problem.

I think of Alaska, too, where there are thousands of sites that can shed so much light on the land bridge between Asia and our country and there is one archeologist employed by the State of Alaska who has to cover those vast distances as well as the number of sites and there is no way this one man can do the job that he is supposed to be doing without more funding.

Senator JOHNSTON. I would like more information about this third of the sites which have been identified and lost. I think that is the kind of information the Congress needs to have when we consider our

level of funding. It is one thing to keep deferring to another year the acquisition of a site if it is going to be there, it is quite another to lose our historical heritage as we decide what to do.

What is the proper percentage, is the 50/50 formula now in use the best formula, should it be a larger Federal share or smaller number of shares?

Mr. BIDDLE. We would support a 30–70 formula—30 local, 70 Federal. As I said before, the job is so enormous and the private sector must and always has really taken the leading role. But it was not until the 1966 act was passed and the Federal funds were made available at the local level for the surveys, and they for bricks and mortar, that the preservation program was galvanized into the movement it has become.

Senator JOHNSTON. Considering that the States were putting up $186 million in matching funds and I am assuming that the Federal share will be less than that, would you rather stretch your Federal funds over a narrower gage and put up 70 percent Federal funds to match fewer of these $186 million or would you rather have it at 50–50?

Mr. BIDDLE. I don't think I understand the question.

Senator JOHNSTON. Mr. Watt testified there was $186 million available from the States for matching. That is an estimate for this year. So, if the Federal Government matched it 50–50, the Federal Government would also have to come up with $186 million, on a 50–50 basis, or a 70–30 basis, the Federal Government would have to come up with $400 million.

Considering that fact, should we have it at 70–30 or should we have it at 50–50?

Mr. BIDDLE. I am afraid I would have to speak from the private sector aspect and not from the State approach. One of the problems we face at the National Trust is that on the 50–50 matching basis as it now exists, we have to spend our dollars and then request reimbursement. It is not as if we can say, here is our 50 cents, would you please give us 50, we have to spend our dollar and ask for 50 cents back. This obviously causes some problems in the cash flow in any business, as you can well imagine.

If we could spend our dollar and ask for 70 cents back, that obviously would be a help to us because we could expand our private money. We are constantly seeking private funds to match the Federal money and with the availability of Federal funds, we find this opens many cash drawers to us. It is appealing to foundations to be told, if they put up $1 that the Federal Government can match it.

Senator JOHNSTON. Very good.

Mr. Biddle and Mrs. Shipley, we appreciate very much your testimony and we hope we can aid the cause of historic preservation in this next Congress.

Senator JOHNSTON. Our next witness is the very distinguished Mr. William T. McGehee, chairman of the board of commissioners of the East Baton Rouge Parrish Recreation and Park Commission in Baton Rouge, La. He is famed as a tennis player, raconteur, expert in crawfish, and numerous other things, and I look forward to hearing from him.

Mr. MCGEHEE. If you don't mind, Mr. Chairman, I would like to have Mr. Rettie lead off, and I will be second.

Senator JOHNSTON. Fine.

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STATEMENT OF DWIGHT RETTIE, EXECUTIVE DIRECTOR OF THE NATIONAL RECREATION AND PARK ASSOCIATION, AND WILLIAM R. McGEHEE, CHAIRMAN OF THE BOARD OF COMMISSIONERS, EAST BATON ROUGE PARRISH RECREATION AND PARK COMMISSION, BATON ROUGE, LA.

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

I have one or two points that I would like to amplify in my remarks.

First, about the enormous size of backlog in the park and recreation and open space field that needs to be met with the help of the Federal assistance available through the land and water conservation fund, and the historical backlog as it now exists.

This backlog grows year by year with the population increases and we have not been able to catch up with the kind of deficits that have occurred in the 1930's, World War II, through the early years of the 1950's, until we began this catchup process in the mid-1960's.

There is one fact about 1975 that seems to be, maybe, something of a blessing in disguise. This is going to be an extremely difficult economic year, a difficult year on the employment side, a difficult year on the Federal budget side as well as for many local governments, in part because the housing industry is flat on its back and because there is a great deal of pressure that is off of the development process at this time.

That may in fact be the time when local governments and when the Federal agencies who were acquiring lands as part of the National Park and Refuge systems ought to in fact accelerate their acquisition programs to the greatest extent that might be possible.

There will be less pressure on price in 1975 than probably in any recent period of history as there is not the competition for buying land today that we have experienced over much of the last decade.

A couple of other observations about buying land today. We are very sensitive to the fact that the administration and the Congress are deeply concerned about the effects of both recession and inflation. I submit that land acquisition is not inherently a severely inflationary kind of activity. Money which people acquire as a consequence of the land acquisition does not typically put that money right back into circulation. It likely goes into some form of savings. On the other hand, certain kinds of recreation and park development activities might in fact have something of an inflationary effect but they can also provide much needed jobs.

We have a valuable record in this country back in the 1930's of providing not only some of this Nation's most important legacies in the park and recreation field through the Civilian Conservation Corps, but other publically supported activities in both the Federal and local governments and probably there is an opportunity for us to renew those kind of programs in the future.

The land and water conservation fund can in fact contribute jobs to the national economy.

Finally, I want to speak candidly to you about what is going to be the most controversial aspect of this, about increasing the budget, with a massive Federal deficit and with the pressures of inflation facing us.

I would like to convince you, Mr. Chairman, and the committee, that this authorization should pass even if the appropriations to finance it do not.

One of the advantages that would flow from such action is, first of

all, to achieve the legislative objectives that are contained in the legislation you have before you which do not involve money. Such as the changes in the distribution of the funds, particularly the eligibility of certain kinds of covered facilities in colder climates. These much needed changes in the fund could in fact happen with this legislation in the year 1975.

In addition to that, because receipts from the Outer Continental Shelf oil and gas leasing are the source of financing for this fund, if the authorization passes, those receipts will flow into the fund even if they are not appropriated. Hence, when the economy is in better shape or when the national priorities could again perhaps be balanced out and permit more accelerated funding, the money will be there for such appropriations to be made.

I would, therefore, urge that even if there is some case that can be made, although I think a contrary case can also be made very persuasively, that the authorization must pass. It is needed, there is a good case for it, even if we don't have the funds in the short term to make it work.

Senator JOHNSTON. I very much agree with you and with your point that it is not really inflationary to in effect transfer money from one part of the Federal ledger to another. To transfer it from the cash column to the land column. It is really not an expenditure in the classic sense, and it is certainly not inflationary in the sense that you are consuming this expenditure. You are simply acquiring another kind of asset, and as you point out, the money paid out of the private sector for that isn't usually consumed adversely but rather invested in other assets by individuals.

I very much agree with that and I would hope that this committee will take the same kind of attitude to it. I don't think it makes any sense, even at the time of recession, to postpone these purchases when the market is probably better today than it will ever be.

Mr. RETTIE. We certainly agree with you, Mr. Chairman.

Senator JOHNSTON. Let me ask you this, Mr. Rettie: Does your group have much to do with urban recreation, or when you talk about parks, is that parks in the National Park Service kind of concept?

Mr. RETTIE. It is both. We are an urban oriented organization, but our membership includes people in the National Park system and lay people who support parks at all levels of our Government. We are a Nation that has not just a park system but many kinds that run all the way from the city, to the county, special districts, regional agencies, to the States and National level. We are happy to be able to represent all of those interests before you.

Senator JOHNSTON. Would you care to make a comparative assessment on the need for urban parks as opposed to rural parks?

Mr. RETTIE. It is a matter of history that we have historically shortchanged the urban community. Despite the open space land program, that program was historically oversubscribed, it no longer exists in any concrete form, and much of the interest that existed there has been shifted to the Land and Water Conservation Fund. Our development process in this country neglected our cities in the Land and Open Space Acts. We build cities even today with houses on end of houses but no parks. We have a long catchup process, we are playing catchup ball even yet today and even under the most ambitious programs being proposed to the Congress. It is going to take a long time to catch up.

Senator JOHNSTON. Thank you very much, Mr. Rettie.

[The prepared statement of Mr. Rettie follows:]

STATEMENT OF

NATIONAL RECREATION AND PARK ASSOCIATION

ON

PROPOSED AMENDMENTS TO THE LAND AND WATER CONSERVATION FUND ACT

BEFORE THE

SUBCOMMITTEE ON PARKS AND RECREATION

SENATE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

FEBRUARY 11, 1975

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Mr. Chairman, the National Recreation and Park Association appreciates this opportunity to express our support for S.327, to amend the Land and Water Conservation Fund Act of 1965 and to establish the National Historic Preservation Fund. Our comments will be on titles I and II, though we would like to express our general support for Titles III and IV.

The National Recreation and Park Association is a private, non-profit organization devoted to the improvement and expansion of park, recreation and leisure systems and services for all people. Policy is determined by a Board of Trustees representing lay persons responsible for public policy for parks, recreation and leisure, and professional and technical staff who directly plan and manage a diverse range of park and recreation facilities and services. Our membership exceeds 18,000 individuals, agencies and organizations. Those Association members professionally employed in this field are primarily from the public sector, particularly state and local governments. There is also within NRPA considerable representation from the private sector.

The Land and Water Conservation Fund Act must be considered one of the most important programs dealing with parks and recreation in the history of the United States. Without it we would not be thinking of expanding and upgrading our great National Park System, nor would we have experienced the tremendous growth in state and local park systems throughout the country over the last decade.

The record of this program, including the manner in which it has been administered, clearly sets it above many other Federal efforts which started with high goals and good intentions but somehow fell short.

Over the last 10 years, $982.8 million have been made available for over 13,500 state and local acquisition, development and planning projects. Some 1.053 million acres of parks and open space have been acquired for a wide range of park and recreation uses. The states and

local governments have matched this Federal commitment and have expended additional billions for maintaining and programming parks, recreation and leisure. This program has been exceedingly popular with the states because of its relatively streamlined operation.

Our comments will deal principally with those aspects of the Land and Water Conservation Fund affecting state and local activities.

The Historic Preservation grant program has similarly assisted efforts to enhance and protect our historic and architectural resources at the state and local level. Many of the Nation's historic resources are owned and managed by park and recreation agencies, and the National Recreation and Park Association has long recognized the cultural importance and recreational potentials of these special, frequently endangered, properties.

While again emphasizing our strong general support for this legislation, we would like to make some comments and what we hope are constructive suggestions on the various titles of S.327.

TITLE I

As an authorizing committee for additions to and modifications of the national park system, you are well aware of the huge backlog in the acquisition program funded through the Land and Water Conservation Fund. State and local efforts are under similar pressures. We believe it is time for changes in the Land and Water Conservation Fund to make it more responsive to current needs. We do not propose major changes in the concept or operation of the Fund, but offer our full support for amendments which will give the Land and Water Conservation Fund flexibility, responsiveness, and realistic fiscal levels.

Without present economic troubles, there is no excuse for not making this program as relevant and beneficial as possible. This, we believe, requires going even a few steps beyond the very enlightened changes represented by S.237. Accordingly, we would like to offer the following comments on the changes proposed in Title I:

Increase the Authorization to $1 Billion Per Year

There are a number of reasons for significant increase in the authorization level.

We are far behind in land acquisition and development programs, and time exacerbates the problems. The unpublished first version of the Nationwide Outdoor Recreation Plan, prepared under Interior Secretaries Udall and Hickel, indicated that $25 billion would be required over a five year period simply to give urban residents the same general access to outdoor recreation experiences that non-urban residents enjoy. The Plan would have recommended appropriation of $6.3 billion during the Fiscal Year 1971-Fiscal Year 1975 period "to meet the urban recreation problem..."

As already noted, the Land and Water Conservation Fund has, over the last 10 years, assisted state and local acquisition of 1.053 million acres with a federal share of $982.8 million. But this statistic must be put in context. For instance, during the twenty-year 1960-1980 period, a recent study done for the Commission on Population Growth and the American Future estimated that land in urban areas of the U.S. will increase from 196,958 square miles (1960) to 395,138 square miles (1980). This is an average of over 9,900 square miles or over 1.5 million acres of new urban area annually. The pressure on areas that should be retained for public park and recreation use is obvious.

A survey of State Outdoor Recreation Liaison Officers early last year indicated that approximately $250 million in approvable projects could be funded in Fiscal Year 1975. A BOR survey, which asked state liaison officers to project their needs based on a slightly expanded program over 15 years, resulted in estimate of $45 billion. The record over the years shows that the money can be effectively spent.

The question of whether a major increase in the Land and Water Conservation Fund is appropriate now has been raised. The Administration would argue that because of inflationary and budgetary pressures, little or no money should be added to the authorization level of the Land and Water Conservation Fund. We strongly disagree with this proposition. The existence of strong inflationary pressures in our economy are well documented, but overall the Congress has largely maintained Administration budget levels. The Congress' assessment of priorities has differed on numerous occasions, but its annual budget outlay has usually matched the total request of the Administration. So the Committee should not view this legislation solely for its possible effect on the economy, but should balance that factor against the demonstrated public need for a large expansion of park and recreation facilities.

In fact, this may be a particularly GOOD time to purchase land for open space use. Because of difficulty in financing large-scale commercial development, pressures on land prices are somewhat slack. Potential buyers who would need to immediately begin construction of high-rises or other commercial properties in order to generate a return on investment are wary; and accordingly, there is some slack in the pressure on prices and in the competition for purchase. This provides an excellent opportunity for state and local agencies to act. Time, for a change, is on their side.

Land transactions as a whole are not as inflationary as many other transactions. The large sum of money involved is not likely to immediately re-enter the spending stream; a goodly proportion of it can be counted on to be invested, or otherwise held in reserve.

The cost of labor, equipment, material and virtually everything connected with the operation of state and local park and recreation systems have increased. The general effects of inflation, unemployment and economic stagnation in some areas have put added pressure on

park and recreation resources close to where people live. The need for more assistance from the Land and Water Conservation Fund becomes more apparent each day to those concerned with this vital part of our lives. As more and more emphasis is put on improving the physical and spiritual quality of our lives, the creation and development of parks and open space becomes a crucial factor in that quest. It is eminently reasonable and logical to put the return realized from the depletion of one natural, non-renewable resource -- oil -- into the acquisition, protection and development of a renewable natural resource -- park and recreation areas.

In addition, the money expended under LWCF for parkland development has a significant job creation potential which should not be ignored in times of 8% national unemployment.

We strongly support increasing the Land and Water Conservation Fund authorization to $1 billion per year.

Raise State Apportionment Maximum from 7 to 10 Percent

With an increase in its authorization, corresponding increase in appropriations, and some BOR ordering of the factors used to assess needs in determining state apportionments, this change will be helpful in more equitably distributing funds among the states. But, in our opinion, it falls short of correcting the basic inequity of the distribution formula, which will be even more greatly exaggerated by a Fund increase.

We, therefore, recommend that the state maximum be eliminated and the formula revised in a way which more nearly meets this country's needs for park and recreation opportunities. A fair formula would eliminate the need for a maximum level. We would, however, recommend a minimum -- a "hold harmless" provision assuring that no state would get less than its current apportionment.

As you know, the funds appropriated to the Land and Water Conservation Fund are split up so that 40% is used by the Federal government for the acquisition of parks, forests, wildernesses, etc., and 60% is available to the states for planning, acquisition and development. The money available to the states is then allocated on a formula basis -- 2/5 is distributed equally (40% divided evenly), and 3/5 is distributed on the basis of need (5% is placed in a contingency fund for special uses and the remaining 55% is allocated on population and land resource considerations). This formula has resulted in a per capita distribution of over $3 per person to four states, while 28 states receive less than $1 per person. The states getting short shrift are those with the most pressures on their land; the most people who need outdoor recreation opportunities.

In order to accomplish this, we suggest a slight modification in the present act: "2/5" be changed to "1/5" divided equally; and "3/5" be changed to "4/5" distributed on the basis of need. In addition, we recommend that the secretary's contingency fund be taken from the "4/5" and vary between 5% and 10% to meet some of the high priority,

special purposes identified by this committee. Such priorities might include:

- Areas identified as eligible for the National Natural Landmarks program administered by the National Park Service.
- Coastal zone areas, especially those providing water access.
- Facilities serving predominantly low-income residents.
- Less-than-fee acquisition projects which expand limited resources and leave lands on the tax rolls.
- Projects to develop special facilities to meet the recreation needs of the handicapped.
- Demonstration projects which will test ideas having potentially broad applicability.

In addition to the obvious merit of making this program more relevant, flexible and equitable, this is a particularly opportune time to change the distribution formula for the state portion. First, with the increase in authorization and some corresponding increase in appropriations, at least the long-term prospects for no state receiving less than their present allocation are good. Second, with an increase in the amount of money which could be expended for park and recreation resources, it is important to put the funds where they can be most easily matched and best utilized. Some of the smaller states that are getting disproportionately large shares of LWCF funds may be unable to raise matching funds when the appropriations and their state allocation doubles or triples.

We strongly support an apportionment formula that will more equitably distribute the Land and Water Conservation Fund resources.

Increase the Federal Grant Percentage

We believe that an overall 70% Federal/30% state matching formula would more nearly meet state and local fiscal needs, make park and recreation acquisition and development a competitive priority with other programs, and remove the inequities implicit in varying percentages for eligible activities. Though we feel that an increase in the Federal share would be highly desirable, we do not believe that assigning specific matching ratios based on the type of project is desirable. While some "bargain" acquisition opportunities will undoubtedly come about in the next several years, and some of the development pressures will have been relieved, development could be very important in meeting the increased leisure time needs of the unemployed. Youth unemployment this summer is expected to be as high as 70% in some cities. Development of facilities and money for programs will be needed to help relieve the tension of unoccupied summer months.

Individual states and localities are in the best position to determine planning, development or acquisition priorities. The variable grant percentages of 50 and 70 percent are initially attractive, but they represent assumptions which, upon closer examination, we find questionable. For example, they imply that acquisition is the most important eligible activity. But in other areas, development of park space may be the crucial local need. In all states, planning is essential to coherent growth. For these and other reasons, we have concluded that assigning specific matching ratios based on the type of project is not desirable, and would greatly complicate program administration.

However, we do feel that an increase in the level of Federal support is essential for the following reasons:

1. There is no local financial "bonanza" comparable to the soaring revenues generated by Outer Continental Shelf oil leases and royalties. For the states to generate necessary matching revenues in the absence of "new" money may be difficult, particularly in the first years of an expanded program. Though some states have already passed large bond issues, voters may not continue such generous support under present economic conditions.

2. Many less affluent communities are already excluded from program participation because even the 50% matching grant is difficult or impossible for them to raise. This particularly applies to densely populated urban areas where demands for services are great and the tax base is low.

3. Different matching ratios in the numerous Federal programs tend to skew local priorities, and lead local dollars into whatever programs provide the highest match, thus working against rational planning and allocation of funds. The Land and Water Conservation Fund must be competitive with other grant programs.

Areawide Review

Though this is an important process, it is, we believe, a participation in the planning process at the wrong end of the spectrum. It is a check to see if the plan and projects conform to other plans after everything has been done.

The most effective time for planning coordination is at the front end of the process. Therefore, while we feel that paragraph (d) of Section 101 is important and should be included, another amendment is also needed.

Much of the money apportioned to the states is passed through to and matched by local units of government for acquisition and development projects. However, their participation in the preparation of the statewide outdoor recreation plan, which sets state priorities, and the approval of which is mandatory in order to receive grant funds, is optional.

Require an Opportunity for Local Participation in Preparation of State Comprehensive Plans

The present law states that "The plan...shall be correlated so far as practicable with other State, regional or local plans." This is interpreted in the Outdoor Recreation Grants-in-Aid Manual as "...a State outdoor recreation plan may be prepared by an agency of the State government, either independently or jointly with assistance of its political subdivisions or other public agencies;" (emphasis added) (Part 630.2.1).

We suggest that the creation of realistic Statewide Comprehensive Outdoor Recreation Plans and their successful implementation must reflect meaningful involvement by all levels of government.

We strongly recommend, therefore, that Sec. 6(d) of the Land and Water Conservation Fund Act of 1965 be amended to require that the Comprehensive State Planning process include an opportunity for full participation by local units of government, including special districts.

Indoor Facilities

NRPA generally supports the provisions of S.327 which would make money from the Land and Water Conservation Fund available for the development of sheltered facilities for recreation activities normally pursued outdoors, though again we would wish for more flexibility. It makes eminently good sense to assist the development of year-round facilities which improve the cost effectiveness of both Federal and local money spent to develop these facilities. We recommend that there be no 25% state maximum, and that the definition of "what kinds of recreation facilities may be assisted," be broadened to include recreation centers and other essential recreation facilities.

The climatic conditions in many states make this change in the law not only justified, but also essential. While the present use of outdoor recreation facilities in many of our southern and southwestern states exceeds 300 days a year, the same kinds of facilities in many northern tier states are used only one-third of that time. The provisions of many of these bills would enable states and localities to expand the use of their facilities, thus greatly expanding recreational opportunities. Access to all-weather, year-round facilities will also permit park and recreation departments and agencies to meet the needs of many groups in our society who, because of physical handicaps, age, or other reasons, cannot use, or can use only to a limited extent, traditional outdoor facilities.

If we have any objection to the proposals on this question, it is that none goes far enough. We believe the long-standing arbitrary definitions that artifically distinguish between indoor and outdoor facilities should be abolished, and recreation and leisure programs should deal with recreation and leisure needs for people in a comprehensive and systematic way. We should focus on meeting the needs of the whole person and the whole community.

As we noted in our testimony before this Subcommittee in 1972, and again in 1974, "In general the people living in the northern half of the United States have been rather consistently shortchanged because weather would not permit the use of outdoor recreation facilities beyond an average of...80 to 100 days a year. Communities in the South, however, might be fortunate enough to be able to use their facilities for 300 or more days a year. The very logical step of making it possible to build facilities for year-round use will greatly improve the cost effectiveness of both Federal and local money spent to develop these facilities.

Access to all-weather facilities will also permit park and recreation departments and agencies to meet the needs of many groups in our society who, because of physical handicaps, age, or other reasons, cannot use or can only use to an extremely limited extent traditional outdoor facilities, including swimming pools, tennis courts, play areas, and specialized facilities for the physically or mentally handicapped.

This amendment will make it possible to begin to meet a wide variety of such needs with Federal assistance where none was available in the past."

Some who oppose a provision of this nature fear the dissolution of a state's allotment and the loss of funds which might otherwise aid in the acquisition of land needed for recreational purposes. BOR has never denied a state application for a rural natural land acquisition project. Indeed, the increased funding level for LWCF has enabled the agency to begin to meet the greatly increased demand for recreational outlets in high-density population areas, and at the same time honor all applications for non-urban land. This program history argues well that BOR would continue to maintain balance in the administration of the Fund and continue to work closely with the states to assure that the greatest possible number of people will benefit from the Federal, state and local expenditures.

This amendment should allow construction of indoor facilities at the discretion of the state, and simply add another option enabling a state to meet the overall recreational needs of its citizens.

At the very least, states should be permitted to use their own funds to cover any BOR-assisted facilities. This is not now permitted under present BOR guidelines.

List of Projects

While the information from states on each project may be somewhat interesting, it is largely already available and does not really represent any kind of qualitative look at what taxpayers are getting for their Federal investment. We recommend that this section be broadened to require a thorough evaluation of the Land and Water Conservation Fund.

In this connection, BOR should also be authorized to perform research and demonstrations to answer questions which could have a significant impact across the country, such as: How can multi-jurisdictional recreation needs and multi-jurisdictional resources be best handled? Should large multi-jurisdictional areas with high recreation potential, such as river systems, valleys and mountains, be acquired by Federal agencies, or could some state, regional or local mechanism and funding process be developed to handle these very important, large resource areas? What are the potential uses of less-than-fee acquisition techniques and in what situations are they most suitable? How can lands and facilities in public ownership for other than recreation purposes be used in an auxiliary way for recreation (municipal water district lands, school facilities)? What are the potential recreation uses of abandoned railroad rights-of-way?

As we stated at the outset, the Land and Water Conservation Fund has been a significant catalyst for meaningful actions. It is not the total answer to this nation's park, recreation and leisure service needs. We need more broadly defined legislation if we are going to make progress in this multi-faceted field. Yet we believe expansion and modification of the Fund, generally as suggested, will greatly increase its significance. We commend the Subcommittee for holding these hearings and are delighted to see your consideration of these matters early in the session.

TITLE II

Recently, there has been a great surge of appreciation for our cultural heritage. Communities are anxious to have a sense of identity, tradition, and place. As the sameness in our environment is increased by the construction of each new building, we appreciate even more the richness that the diverse and interesting buildings of the past add to our lives. Increasingly, businessmen are finding that old sections of cities can be profitably rehabilitated; homeowners are finding that old houses are pleasant places in which to live; local governments are finding that it makes good civic sense to restore old courthouses and convert abandoned railroad stations into cultural centers. However, the dynamic process of rebuilding, and our traditional bias toward "new is better," not to mention demolition tax incentives and other factors, have overweighted the scales in favor of new construction. We feel that both options must have an equal opportunity to prove their viability; the historic preservation grant program has shown that here is a chance and a choice. But as with nearly every worthwhile endeavor, there never seems to be enough money to go around.

It is common knowledge that the historic preservation grant program is already grossly oversubscribed. The $165 million in requests for Fiscal Year 1975 on which the estimate of need is made, merely scratches the surface. Who knows how many other potential applicants have been discouraged by the knowledge that adequate Federal funds are not available.

The National Recreation and Park Association feels that historic preservation is an important national priority. It is the visual manifestation of what gives roots to our governmental processes and our way of life. House museums are not an adequate answer to the need to make historic properties integral parts of our communities. The Federal government can encourage vital local involvement by taking some initiative, assuming some share of the responsibility and providing some incentives.

- First, the authorization should be increased to $250 million. This would provide enough money for states and communities to take a more comprehensive approach to their historic resources, and would enable states and communities to take a more comprehensive approach to their historic resources. Additional funds would permit the type of comprehensive study and planning which allows for meaningful use of historic properties in their rightful place in the community. The necessity for integrated planning and development is crucial if we are to make our historic resources living parts of the present, and dispense with isolated, fire-fighting approaches designed to save buildings only when they are before the bulldozer.

- Second, the law should be changed to allow Federal funding beyond 50% for certain categories of projects of particular significance. Appropriate restoration work is always expensive, and it is important that it be done right.

- Third, we wish to encourage the National Park Service in their effort to help states move from the traditional grant mechanisms into the use of revolving funds, in areas where this is appropriate. This approach has been highly successful at the local level and is used by the most progressive and effective preservation groups. It stretches available funds while protecting the preservation interest through covenants in the deed; it allows properties to remain on the tax rolls, and it taps the private market for restored houses and commercial properties.

We strongly support these efforts to strengthen the historic preservation program. This program has proven its worth and has generated many millions of dollars in state and local capital beyond the Federal investment. It deserves a chance to have an even more significant impact on American life.

Thank you.

Senator JOHNSTON. Mr. McGehee.

STATEMENT OF WILLIAM R. McGEHEE, CHAIRMAN, BOARD OF COMMISSIONERS, EAST BATON ROUGE PARISH RECREATION AND PARK COMMISSION, BATON ROUGE, LA.

Mr. McGEHEE. Mr. Chairman, I am a little nervous, I am out of my bailiwick up here. When the gentlemen from the Park Service asked me if Mr. Rettie could lead off, I said yes, and I wish I would lite-out.

I am William R. McGehee, owner of a furniture business and the appointed chairman of the East Baton Rouge Parish, or county, Recreation and Park Commission, known as BREC. I am an active tennis player and have been involved in recreation since my youth. I have been a recreation and park commission member for 22 years, and have been chairman of the commission for the past 15 years. I am also a member of the Board Members Branch of the National Recreation and Park Association.

Gentlemen, there is no question in my mind that a bill which would increase the Land and Water Conservation Fund should be passed by the present Congress. As you know, the categorical HUD grants have been phased out. These were Federal funds set aside for development of open space which were used directly for the acquisition and development of parks. This was the source of matching Federal funds for recreation land and facilities for most of us in larger cities during the past several years because assistance for public recreation funds through the Land and Water Conservation Fund Act of 1965 has been so scarce.

Although HUD funds have been available through community development grants, recreation and park officials have had to battle with other municipal agencies such as public works, welfare, police, health and fire departments for a share of the funds. Now, in 1975, as the need for recreation and park funds have increased tremendously, the HUD funds available for recreation and park use have dropped drastically for us in East Baton Rouge Parish.

If we and other municipal recreation and park departments can't go to HUD's open space program for badly needed matching funds as in the past, the only source we have is money from the Land and Water Conservation Fund. If these funds are not forthcoming from the Land and Water Conservation Fund, we are at the end of our rope. There is no other means of obtaining matching funds for local recreation projects.

More specifically, in my city, which is the State capital and which has seen an enormous increase in population within the past 10 years, our recreation and park commission has depended heavily on funds from the Land and Water Conservation Act in addition to those funds available through HUD.

During the past 22 years since I have been on the Baton Rouge Recreation and Park Commission, I have seen an enormous change in the attitude of the public concerning the importance of recreation and parks. Also, the understanding of the public on the important use of matching Federal funds.

There is so much enthusiasm at home over the recent increased development of our parish-wide park and recreation system that our residents last year passed a millage tax which will provide some $3 million in recreation facilities during the next 10 years. This tax was OK'd by our citizens with the understanding that Federal matching funds would be available to help complete our long-range recreation plan during the next 10 years.

Senator JOHNSTON. Let me interrupt you. To what do you attribute the change in attitude of the public toward the need for recreation and parks?

Mr. MCGEHEE. You are sort of leading me into what I am going to say.

Prior to 1965, the public defeated a number of badly needed tax millage elections which would have provided funds for recreation, but during the past decade, with the increasing interest in recreation through more leisuretime, through education, television sports programs, an a higher standard of living for most families, the public has approved two local tax elections for recreation, including the one passed overwhelmingly last year.

I would like to make a point here, gentlemen, that the people of East Baton Rouge Parish—a county of some 321,000 residents—approved the 2 mill recretation and park tax by a 3-to-1 margin last February despite tight money, inflation, and an energy crisis. And, at the same time, a millage tax for increased education expenditures was defeated, as were many similar measures in tax elections in other urban areas of the country.

I cannot speak with authority on other areas of Louisiana, but State park officials told me last week that requests for both Federal and State funds to develop new recreation facilities and to expand current ones have increased tremendously from small- and medium-size towns within the past few years. Recreation is now receiving top priority in many of the smaller communities and, in many cases, full-time recreation professionals are being hired. Both the public and municipal officials have become aware of the importance of recreation to both adults and young people, and are applying pressure to their representatives on the local, State, and Federal levels for Federal assistance.

In Louisiana, we have matched virtually every cent of the $23 million in land and water conservation funds offered to us since the program began in 1965, and there is a backlog of more than $8 million in requests right now for a variety of recreation and park projects from throughout the State.

Since 1966, our local recreation commission has received and matched $850,000 in funds from the land and water conservation fund and $1,342,000 from HUD's open space program. With the sites bought through these matching funds, combined with 29 parks existing before 1966, we now have a total of 80 parks.

Being Chairman of the Commission I was fortunate enough to be able to dedicate and make speeches at these dedications. I never failed to let the people know this facility was made possible because of matching funds from Washington. This was from various sources, land and water matching, funds from HUD. We built tennis courts——

Senator JOHNSTON. How many did you build?

Mr. MCGEHEE. We have 18 now; we have promised 100 in the next 10 years.

Senator JOHNSTON. What is the need nationwide on the need and usage of tennis courts?

Mr. MCGEHEE. Well, like my club, we have just added 6 courts, which is 18 courts, and on Saturday and Sunday afternoons, we allow practically nothing but doubles, that is, 36 people playing all the time; you can't even get on the courts. In East Baton Rouge, the trend is tremendous. I think nationwide we have 28 million people playing tennis.

Senator JOHNSTON. Is there a shortage nationwide of tennis courts?

Mr. MCGEHEE. Very much so. I understand at Grand Central Station they have a program 24 hours a day, 7 days a week, and you have to wait in line to get on the court.

Senator JOHNSTON. How does tennis rank as a use of dollar per recreation area?

Mr. MCGEHEE. I would say it is one of the best investments made, because it takes a very small space, very little upkeep, and it is one of the best investments of tax money.

Mr. JOHNSTON. You put meters on them?

Mr. MCGEHEE. Yes, in many cities, otherwise we will have somebody collecting funds at night.

Mr. JOHNSTON. You think the land and water conservation fund is the appropriate way to fund urban recreation?

Mr. MCGEHEE. As I said, we don't know where to turn to about that. We think it is the only way now. On the HUD, it is just about dried up. We have to know where to turn, but the land and water conservation, I think that is the way it is to be done. That is why I came here.

Mr. JOHNSTON. Do you prefer a program like the land and water conservation fund or the HUD program?

Mr. MCGEHEE. I think HUD accelerated the program, Mr. Chairman. I would say that from my knowledge. We got money faster and built faster and I think the money did come to the municipalities, then it was continued under the Land and Water Conservation Act.

Senator JOHNSTON. What would you say to the argument that revenue sharing is supposed to take place and you ought to be able to go to your cities and your parishes and get the money for recreational needs?

Mr. MCGEHEE. Well, there is no way that I believe the cities and the States can afford the recreation programs that the people are demanding and asking for today. We have to come to the Federal Government to get the types of money that it takes just to try to keep up, not get ahead.

Senator JOHNSTON. In other words, they are expending those revenue funds for employees' salaries and day-to-day living expenses and not for the kind of expenses that a recreational program requires?

Mr. MCGEHEE. I would say we are probably doing both of them. I think our cities are using our own money for maintenance.

Senator JOHNSTON. Zeroing in on Baton Rouge, because you have to take these towns as individuals and relate them to the big picture, but is your experience in Baton Rouge fairly typical to other towns as far as their need?

Mr. McGehee. Yes, I have been going to national association meetings for the past 22 years and listening to the needs in other parts of the country. I think our situation is typical throughout the Nation.

Senator Johnston. What kind of needs do you have in your cities? Is it for relatively small neighborhood parks or is it to acquire a big area adjacent to the town? What is the typical need of the city?

Mr. McGehee. Just to take a couple of examples of what can happen to you. Not only the needs that the usual cities have but there are continuous funds that should be put in and people won't let you have continuous funds for recreation. When I was with the planning commission we would pass a bond issue and put funds into things that would come up. You can't, we have to spend it as fast as wet get it. Therefore, no contingency funds. I would like to take and show you three or four examples of what happens to you when it is so vital to the community that you can't put it in a budget or a continuous fund and yet it is so important.

Examples of vitally needed facilities which our recreation and park commission has developed in the past few years through Federal matching moneys include a unique park using some 40 acres of open space on an interstate highway right-of-way which cuts through a low-income area near the city's old downtown area. The facility was one of seven such parks developed in 1970 and 1971 in seven different U.S. cities, and now includes a wading pool, tennis and basketball courts, game areas, senior citizens areas, a picnic area, a fully equipped playground, restrooms and other facilities which provide the only recreation spot for thousands of residents within a large low-income area of the city.

Due to the success of this downtown expressway park, which was funded through the Land and Water Conservation Act, our recreation commission, along with State and Federal highway officials, is planning to develop recreation facilities along a 2-mile segment of the new interstate highway which is being constructed in a low-income heavily populated black area in the northern part of Baton Rouge. If we don't receive Federal matching funds, this important project can't be completed.

In 1969, a widow wanted to donate a beautiful, heavily wooded, 16-acre tract for development as an arboretum to provide a tranquil spot for garden lovers. Because of Land and Water Conservation Act matching funds we were able to obtain and develop this interesting and popular facility.

A small, poor, rural, black community within the parish had been neglected for years, but with land and water conservation funds, a 10-acre parksite was purchased last year. Additional matching funds are needed to complete its development.

For preservationists and history buffs, a historic, late-18th-century plantation house, surrounded by some 10 acres of beautifully wooded land, was saved from destruction by the use of Federal matching funds. The old house is being restored and will be used by the recreation and park commission as a museum and park.

To give you a little history on this, gentlemen, this is a nephew of Napoleon Bonaparte, Prince Murack, who came up the Mississippi River in the late 1700's and by a grant of land from France he settled in a plantation there and in the middle of the plantation there was an Indian mound. This was used as a burial ground up above the water

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level. He built a beautiful French home, imported marble and mantles and what-have-you, from France. This went on for generations and about 1940 the house began to run down and as the house began to run down the historical society began to worry about the house. They tried to raise money to have it restored. They never could get it off the ground, but lo and behold, some developers got this beautiful piece of property. It came out in the newspapers that they were going to bulldoze that house and these beautiful trees. They went to the city fathers and they turned them down. They went to the Governor and they were turned down.

Finally, one of the members of the historical society who had been our legal adviser, he came to us and told us in our bylaws we had the right to expropriate property and preserve it for time immemorial. We asked them where is the money coming from. They said maybe under HUD or the Land and Water Conservation Act we can get some matching funds and maybe we can swing it.

We get in touch with HUD up here and they said, yes, we can. We proceeded to expropriate this property and while we were sitting around the table passing the resolution, the developers were tearing the house down, taking the marble out and just destroying it. We got an injunction and stopped them. We wouldn't let them tear this house down any further or remove articles from it.

Again they came back to us and said they needed their money right away. We got frantic and we came up to Senator Long and they told us they would expedite this and get this. The only way we could have saved this was because of coming to Washington.

We went into a contract with the State historical society. They are going to build the home, restore it, and we are going to maintain the grounds. They went to the city parish government, got Federal revenue sharing from them, $100,000, they raised $80,000, and Magnolia Mound is now listed in the National Register of Historical Places in the United States. They will use that in the Bicentennial celebration. This is in walking distance from the courthouse. But we were only able to maintain it and hold it because of matching funds from Washington.

Senator JOHNSTON. Mr. Rettie, how would you assess the need for urban recreation as between the small parks and the large outlying parks available for urban use?

Mr. RETTIE. It isn't either/or, it is both. It would involve filling in at home, recreational funds, buying smaller pieces of land near where people live and work and at the same time preserving for the future those particular historic areas of somewhat larger size.

Sometimes the very difficult choice is that local government officials have to make is that you can't do all of it all the time. So you have to sort it out. My judgment would be, particularly in view of increased fuel cost and the energy crisis, the priorities are going to hang toward the somewhat smaller sites closer to where people live and work.

Senator JOHNSTON. Gentlemen, thank you very much for your testimony. I appreciate it very much.

Senator Haskell.

Senator HASKELL. Gentlemen, I did not hear your testimony. I have prejudices that I would like to try out on you for size. The first prejudice is that by and large we would be well advised, from the Federal

Government, through the Land and Water Conservation Act, to encourage in some manner the acquisition of raw land.

Now, you Mr. McGehee, on your plantation, I am delighted you were able to do it, and probably the Trust for Historic Preservation is probably where the major money came from. But my prejudice is in trying to acquire raw land, is the historic dimension of raw land and unless we get it now, assuming the trend continues, and I think it will, land is going to go up.

I would like your reaction to that first prejudice of mine. It is all very well for the Federal Government to build tennis courts and I play tennis and I sympathize with that immensely. It is all very well to build swimming pools and there are some people here who would like that money to go into indoor recreation, but my fear is unless we devote our limited resources in this country to the acquisition of land, it is going to come to a situation where we are not going to have as many parks and recreational facilities as are needed and once a parish in your case, a county in my case, reacts it requires them to do something about it.

I wonder if you would comment on this prejudice of mine and see if you share it, and see if it is a valid prejudice. I would like to have both of your comments.

Mr. McGehee. I think as far as East Baton Rouge Parish is concerned, the No. 1 priority is the acquisition of land. We had only 29 parks in 1966 until we started getting HUD grants. Now we have over 80 parks. That is how fast we have come. We try to get land any and every way we can. We try to get it donated, if we can. So I think if we don't get the parks now, in some areas of our city and our parish, you cannot get any parks at all. Now it is too late.

Senator Haskell. This is my fear, too. Unless we get the land—as Will Rogers said, I think he said, land is something they don't make no more of. Unless we get the land we are foreclosed forever from any type of park, and for that reason I would put my priority, if I had anything to say about it, in the acquisition of land, be it the 10 acres or be it much larger. And I put it over and above putting Federal money into matching funds for swimming pools and tennis courts.

Mr. McGehee. Let me give you an example of what you are talking about. Because of my being on the Planning and Zoning Commission of East Baton Rouge Parish for 12 years, I could see the way the city was growing and I knew what was going to happen to the city. So I went out and pushed through 110 acres of land away from the city and the members of the realty board called it McGehee's folly. They criticized me because they said it would be 25 years before any people would be out there. They don't call it McGehee's folly any more because there are six subdivisions around this park. This land only cost $1,000 an acre 9 years ago. I don't believe you could buy it for $9,000 or $10,000 an acre now, and you couldn't buy it at all.

Senator Haskell. Well, I guess you and I share the same prejudice, then.

How about you, Mr. Rettie?

Mr. Rettie. I share the same prejudice, but I want to put a "but" at the end of it. Because I think in a general way there is a great deal of agreement about the need for accelerating land acquisition to prevent deterioration of historic properties and to prevent incompatible

development or usage of open land. But over the long haul an intelligent program involves development and some acquisition in some kind of perceived balance depending on what it is that makes the thing work particularly at the local level.

Lots and lots of times the success of the next park you want to buy depends on whether people think you have been making intelligent use of the last land that you bought. Lots of times bond issues have serious trouble because it looks like you are building a land bank. They say, why do you want to go out and buy a lot of vacant land?

Sometimes the political viability of the acquisition process is jeopardized by not having some kind of a past development following along in some intelligent pattern behind the acquisition process.

But in a general sort of way I agree with your prejudice, as you call it, that the accent should be on acquisition.

If I may, I would like to take an opportunity to spell out a couple of things that I think we ought to do a great deal more experimentation with in this field in the United States. I wish, in fact, there were some kind of Federal incentive that would make it possible.

We need to do things to tie up land for a long time in the future without necessarily buying them at all. We need to experiment with the large scale use of less than fee acquisition or some kind of life estate arrangements where we don't need the land for the next 30 years. We haven't done very much on that.

Senator HASKELL. Development easements, that sort of thing?

Mr. RETTIE. Yes; that sort of thing.

Senator HASKELL. All right, that is a point well taken.

Let me ask you one other thing. We have large national parks. We are all familiar with Yellowstone National Park. We also have wilderness areas in my State, but I find, and this prejudice goes back 10 years when I was in the State legislature, what I find in many cities is a nice park, nicely developed, has tennis courts, sometimes it has a zoo, sometimes it has a kiddie train, this kind of thing. But what I find a great absence of is readily available parkland kept in its natural state for walking, bicycling, camping out, if you want to camp out.

We are lucky in Colorado, we have reasonable access to national parks and forests, but in certain parts of the State you have to go quite aways. A lot of people just can't go all of that distance if they want to go out and walk in what I would call a large scale urban park.

This goes back 10 years in which I introduced a bill in the legislature, and two areas have gone into the hands of the subdividers. By large scale, I mean 2,000, or 3,000, or 4,000 acres, which I think is very important because it is accessible to people, and now that we have a fuel problem this is important, this is an area that I think in some ways we have neglected.

Mr. MCGEHEE. Bearing in mind what Mr. Rettie says, and, gentlemen, along your line, we in the past 10 years in East Baton Rouge Parish, we just passed that by one box.

By doing the things that you say, we have bicycle trials, we have camps, we don't have that large acreage in a Parish, but we do have 200 or 300 acres. Because this program bounced out we went back in 1973 and asked the people to continue this program for us and let us continue to build and they went to the polls and because of what we had done, we didn't win it by one box this time, we won it 3 to 1,

whereas the school board a few months later lost theirs, and the municipal government got beat 2 months later, but the people voted on the large majority of my tax proposals as we had given them to them.

Senator HASKELL. That is very convincing testimony.

Mr. RETTIE. I think I do share your prejudice. It is difficult, obviously, for cities to be able to buy tracts that are that large close to the city. I think probably our county governments and State governments should be doing more to buy relatively large parks that are relatively close to the metropolitan areas.

Senator HASKELL. I agree with you, it should be at the State level, yes.

Mr. RETTIE. And it is going to take those kinds of resources to be able to do it because when you are buying a park of 2 or 3 or 4,000 acres it is probably a lot of money.

Senator HASKELL. Yes; 10 years ago it wouldn't have been so bad, and 10 years hence it will be worse.

Thank you.

Senator JOHNSTON. Thank you.

This Congress is going to have to give some real thought to urban recreational needs, particularly in view of the fact that the HUD program is no longer with us and there is just not enough money to fund the urban open space needs. We need some kind of a special fund, perhaps, in addition to the Land and Water Conservation Fund. So we are going to have to consider that need and give attention to the kind of situation Senator Haskell described. If you lose that parkland now you may have lost it forever.

Thank you very much for your testimony. I appreciate it very much.

[The prepared statement of Mr. McGehee follows:]

STATEMENT OF

NATIONAL RECREATION AND PARK ASSOCIATION

ON

THE LAND AND WATER CONSERVATION FUND ACT

BEFORE THE

SUBCOMMITTEE ON PARKS AND RECREATION

SENATE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

FEBRUARY 11, 1975

****

I am William R. McGehee, owner of a furniture business and the appointed chairman of the East Baton Rouge Parish, or county, Recreation and Park Commission, known as BREC. I am an active tennis player and have been involved in recreation since my youth. I have been a recreation and park commission member for 22 years, and have been chairman of the commission for the past 15 years. I am also a member of the Board Members Branch of the National Recreation and Park Association.

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Although HUD funds have been available through community development grants, recreation and park officials have had to battle with other municipal agencies such as public works, welfare, police, health and fire departments for a share of the funds.

Now, in 1975, as the need for recreation and park funds have increased tremendously, the HUD funds available for recreation and park use have dropped drastically for us in East Baton Rouge Parish.

If we and other municipal recreation and park departments can't go to HUD's open space program for badly needed matching funds as in the past, the only source we have is money from the Land and Water Conservation Fund. If these funds are not forthcoming from the Land and Water Conservation Fund, we are at the end of our rope. There is no other means of obtaining matching funds for local recreation projects.

More specifically, in my city, which is the state capital and which has seen an enormous increase in population within the past 10 years, our recreation and park commission has depended heavily on funds from the Land and Water Conservation Act in addition to those funds available through HUD.

During the past 22 years since I've been on the Baton Rouge Recreation and Park Commission, I have seen an enormous change in the attitude of the public concerning the importance of recreation and parks. Also, the understanding of the public on the important use of matching federal funds.

There is so much enthusiasm at home over the recent increased development of our parish-wide park and recreation system that our residents last year passed a millage tax which will provide some $8 million in recreation facilities during the next 10 years. This tax was okayed by our citizens with the understanding that federal matching funds would be available to help complete our long-range recreation plan during the next 10 years.

Prior to 1965 the public defeated a number of badly needed tax millage elections which would have provided funds for recreation, but during the past decade, with the increasing interest in recreation through more leisure time, through education, television sports programs, and a higher standard of living for most families, the public has approved two local tax elections for recreation, including the one passed overwhelmingly last year.

I would like to make a point here, gentlemen, that the people of East Baton Rouge Parish, a county of some 321,000 residents, approved the two-mill recreation and park tax by a three-to-one margin last February despite tight money, inflation and an energy crisis. And, at the same time, a millage tax for increased education expenditures was defeated, as were many similar measures in tax elections in other urban areas of the country.

I cannot speak with authority on other areas of Louisiana, but state park officials told me last week that requests for both federal and state funds to develop new recreation facilities and to expand current ones have increased tremendously from small and medium size towns within the past few years. Recreation is now receiving top priority in many of the smaller communities and in many cases fulltime recreation professionals are being hired. Both the public and municipal

officials have become aware of the importance of recreation to both adults and young people, and are applying pressure to their representatives on the local, state and federal levels for federal assistance.

In Louisiana, we have matched virtually every cent of the $23 million in Land and Water Conservation funds offered to us since the program began in 1965, and there is a backlog of more than $8 million in requests right now for a variety of recreation and park projects from throughout the state.

Since 1966, our local recreation commission has received and matched $850,000 in funds from the Land and Water Conservation Fund and $1,342,000 from HUD's open space program. With the sites bought through these matching funds, combined with 29 parks existing before 1966, we now have a total of 80 parks.

We have presently submitted 23 applications requesting $1,026,000 more in federal matching funds to acquire land for 16 more parks and to develop seven sites as parks. In addition, other projects are in the planning stage and requests for matching funds will be made as soon as it appears that federal funds will be available from some source in the future. Funds which we hope will be earmarked for recreation use.

Examples of vitally needed facilities which our recreation and park commission has developed in the past few years through federal matching monies include a unique park using some 40 acres of open space on an interstate highway right-of-way which cuts through a low-income area near the city's old downtown area. The facility was one of seven such parks developed in 1970 and 1971 in seven different U. S. cities, and now includes a wading pool, tennis and basketball

courts, game areas, senior citizens areas, a picnic area, a fully equipped playground, restrooms and other facilities which provide the only recreation spot for thousands of residents within a large low-income area of the city.

Due to the success of this downtown expressway park, which was funded through the Land and Water Conservation Act, our recreation commission, along with state and federal highway officials, is planning to develop recreation facilities along a two-mile segment of the new interstate highway which is being constructed in a low-income heavily populated black area in the northern part of Baton Rouge. If we don't receive federal matching funds, this important project can't be completed.

In 1969, a widow wanted to donate a beautiful, heavily wooded, 16-acre tract for development as an arboretum to provide a tranquil spot for garden lovers. Because of Land and Water Conservation matching funds, we were able to obtain and develop this interesting and popular facility.

A small, poor, rural, black community within the parish had been neglected for years, but with Land and Water Conservation Funds, a 10-acre park site was purchased last year. Additional matching funds are needed to complete its development.

For preservationists and history buffs, a historic, late 18th century plantation house surrounded by some 10 acres of beautifully wooded land was saved from destruction by the use of federal matching funds. The old house is being restored and will be used by the Recreation and Park Commission as a museum and park.

Federal matching funds have helped purchase and develop eight badly needed parks and recreation facilities in a number of low-income, inner-city areas within the past three or four years, and matching federal funds have been used to provide neighborhood parks in the new subdivisions developing in the outlying areas of the city. Matching funds were obtained through Land and Water Conservation, and the park is being used.

It appears that some type of fuel conservation effort will go into effect in the United States soon, which will increase the need for recreation facilities closer to the cities. These funds are needed to help provide recreation facilities specifically for our senior citizens whose population is steadily increasing through early retirements and longer lives. And, unfortunately, matching funds are vitally needed for more recreation areas in our city, as in most other cities in the country, as a method of attempting to curb frightening crime rates among the young. Once predominately limited to the urban areas, crime and illegal drug activity is spreading to the suburban areas. In our city recently two 11-year-old boys successfully robbed a service station attendant with a pistol. No one was injured, and the boys were caught, but the community is shocked at the armed robbery committed on a busy street in daylight by youngsters this age.

Probably the most important reason that an increase in the Land and Water Conservation funds is urgently needed now is the immediate necessity to purchase land for future use as parks. I am certain that real estate values in most cities are like ours in Louisiana. In 1965, the Baton Rouge Recreation and Park Commission bought land in some areas of our parish for $950 an acre.

The land today is valued at more than $2,000 an acre. We are now paying $10,000 and $20,000 an acre for property to be used as parks in certain areas of the city and we recently paid $43,000 an acre for an eight-acre tract for a badly needed park in an inner-city area.

We now have 2,200 acres of park land within our parish, but despite our attempts to provide facilities for the rapidly increasing community we are still 1,640 acres below the per capita figure as stated by U. S. park officials.

In several more years land in certain areas of our parish will not be available at any price. So, the purchase of additional property for future park development through federal matching funds tops our priority list in the long-range park plans in Baton Rouge.

Gentlemen, I believe that the Land and Water Conservation Fund is probably one of the best programs the federal government has going. It's not a giveaway program; it follows one of the basic tenets of good relations between the federal and local government in that it motivates the local citizens to participate by providing 50 percent of the funds for a particular project in their community.

By continuing to provide these matching funds you are fulfilling a vital need for parks and recreational facilities for future generations of Americans. The current investment in park land fills a real and tangible need, and increases enormously in value as each year passes.

I speak for my community and I'm sure for countless other cities and counties throughout this country when I urge you to consider carefully the extreme importance of this bill to all of us who are interested in improving the quality of life in America.

I urge you to use your efforts to pass this bill, hopefully with an increase in the amount available to local government.

I thank you for your attention.

Senator JOHNSTON. The next witness will be Mr. Tersh Boasberg, general counsel of the Preservation Action of Washington, D.C.

STATEMENT OF TERSH BOASBERG, GENERAL COUNSEL, PRESERVATION ACTION, WASHINGTON, D.C., ACCOMPANIED BY HON. HARVEY I. SLOANE, M.D., MAYOR OF LOUISVILLE, KY., AND MRS. J. M. P. WRIGHT, CHAIRMAN, PRESERVATION ACTION, ANNAPOLIS, MD.

Mr. BOASBERG. I am Tersh Boasberg, and I want to thank you very much for giving us this opportunity to appear. On my left is Mayor Sloane from Louisville, Ky., and on my right is Mrs. Wright from Annapolis, Md.

We have submitted our testimony, and there is no need in going over that. I would like to have just a few seconds to summarize some remarks.

First of all, I would like to thank Jim Beirne and your staff. Sometimes Senators aren't aware of all the work their staffs do. We appreciated Jim coming down to our annual meeting and talking with us about pending legislation. We are a lobby and we do intend to get some bills on preservation, in a broad sense. Also, members of your staff and members of the House staff came down to Annapolis where we hosted a seminar last November. So your staff has been very helpful to us and we appreciate it very much.

Second, I want to thank Dr. Connally and Jerry Rogers, from the Interior Department. We worked closely with them. They get a lot of abuse because there is a hell of a lot more demand than money and they are caught in a squeeze and we are grateful to them.

We would like to say one thing before I turn it over to Mayor Sloane, and that is, in this day of 8.2 percent unemployment we think historic preservation is great, too, in the cities not only for saving buildings, but economic development, job creation.

Land values have jumped 2½ times in the last 4 years. Mrs. Wright will tell you it has gone up over 112 percent. There is more construction activity than ever before, and we are really talking about economic development, large areas of towns, residential neighborhoods, stabilizing those neighborhoods, poor people as well as rich people, not grandiose mansions, beginning to stabilize neighborhoods so you don't have that absentee ownership come in.

We would like to see a higher percentage of money than heretofore has gone to local projects. As you know programs are administered by the States and they are caught between pressure from their own State capital, and historic fort, and so forth. We would like to get the money down to the local communities where the battles are really being fought, and I would like to turn this over to a couple of people who really have been fighting the battles.

Perhaps Mayor Sloane would like to talk about Louisville and what this bill means in terms of helping Louisville.

Senator JOHNSTON. Mayor Sloane, we are pleased to have you with us.

STATEMENT OF HON. HARVEY I. SLOANE, M.D., MAYOR OF LOUISVILLE, KY.

Mayor SLOANE. Thank you, Mr. Chairman. It is a pleasure to be here.

I spent some time with Mayor Landry in the city of New Orleans and he had a reception for the Bicentennial preparations going on there and we were very impressed. I think the things they are doing we are starting to do in Louisville.

I have a personal interest in preservation. My family and I live in an historic designated district, a neighborhood. We lived in an 80-year-old house and there are many houses in that area that have been rehabilitated privately, providing an economic base for the city and we are talking about the economic viability in an urban community.

There are many areas in Louisville coming back that have an historic nature. We have a Butcher Town area where the old German butchers used to ply their trade and now the rowhouses are being rehabilitated there. Commercial centers are developing.

This all speaks again to the adaptive use and reuse of the valuable structures that we have. I think in the day and age of inflation we can't have a throwaway city.

I would like to talk about urban conservation and to use the resources that we have effectively. One of the most exciting things that is going on in Louisville is on our Main Street, which is right next to the river where Louisville started; there is an uninterrupted number of blocks in 19th century commercial buildings, cast iron facades, for the finest architecture in the country. These old houses are being redeveloped, repainted, reused as offices, restaurants, shops and community centers.

This is providing a stable economic base for the downtown. There is a lot of private input. Banks are making major financial commitments to the restoration of this area. It is being tied in with the Bicentennial activities we plan to celebrate in 1976.

In reviewing the needs of Louisville we have some nine urban neighborhoods and it is estimated that 2,000 structures will require rehabilitation. When you combine that with public works needs and sidewalks, we estimate it to be some $50 million in the next 3 years. Of course, this bill doesn't speak to that magnitude of money, but what we are interested in is to have a small amount of Federal money leverage, a large amount of private money, local money and State money.

One of the problems with the existing act is that although Kentucky received $300,000 or $400,000 of private money none of it has been matched. It has been used for restoration of Government-owned buildings and we feel there should be some earmarking for historic communities in your fund so that areas such as Louisville could participate effectively.

Senator JOHNSTON. Earmarking by the Federal or the State Government?

Dr. SLOANE. By the Federal Government.

Senator JOHNSTON. Would this be particular projects or sites within a city or would it be simply to set aside a certain portion for cities of a certain size?

Dr. SLOANE. It would be for areas historically designated and placed on the Register. Those areas that qualify for those funds.

Again, I would like to stress our interest for Louisville and urban areas across the country. It is not only the preservation of our yesteryears and its importance, but the maintenance of what we have today and what we hope to have tomorrow. This talks to a tax base that very many people living in it and it talks to maintaining the only thing the city has, its history, its structures and its rich heritage.

Thank you so much.

Senator JOHNSTON. Thank you so much, Mr. Mayor, I had the good fortune to be in Louisville this last Kentucky Derby.

Before we have any questions, I thought we might go ahead and hear from Mrs. Wright, who is with the Preservation Action in Annapolis.

Mrs. WRIGHT. Thank you.

STATEMENT OF MRS. J. M. P. WRIGHT, CHAIRMAN, PRESERVATION ACTION, ANNAPOLIS, MD.

In Annapolis we have found that historic preservation has brought prosperity to the town. Of course, New Orleans paved the way for us, which started out in 1952, and much of what we put in practice we learned from New Orleans.

We have not been quite as fortunate in some ways as New Orleans, however. The town is a great deal smaller. The Continental Congress called Annapolis the ancient city. We find that trying to save that little central part of the town that has been there for—it is having its 325th anniversary this year—has presented many problems to the city, but it has brought many rewards.

The tax base has gone up 112 percent since historic preservation started. We find that the city fathers, when they went to New York to sell their bonds, got a better bond rating than they anticipated with the bond merchants—historic full credit.

There were 20 vacant stores on our Main Street and they are filled up now and people waiting in line to get in. We have found preservation activities have meant more jobs, a higher tax base, new construction activities; and the prosperity of Annapolis depends on the tourist business attracted by these buildings. There are museum-type buildings in Annapolis, but what is attracting the most attention is the appearance of the town. It is not just the wealthy who are living in mansions, but all the small houses on side streets that low-income people as well as others live in.

Senator JOHNSTON. What part has Federal money played in the rehabilitation of the town?

Mrs. WRIGHT. The public funds with Federal and State together was $2,046,000. Foundation grants, $1,300,000 and private donations, $1,634,000. Those grants triggered off an expenditure of $15 million by the private citizens.

So the Federal funds that we get act as a catalyst for private people to come in and do much of the work.

However, we face now a different proposition due to the fact that private money is not available and very little Federal money is coming

down to us. The grants that we got were HUD, which we get no more, one open space grant and the various HUD grants.

Now, none of these are available to us any more and the revenue sharing grants with a city that is hard pressed to provide its fire department with equipment and the police department with equipment and all the other things like a new sewerage plant, and this and that——

Senator JOHNSTON. What I am getting at is, the Federal money was used for what, largely?

Mrs. WRIGHT. It was used actually for—one was to buy small buildings, Bicentennial exhibits. Now, these had another purpose besides the exhibit because they were in low income areas and it was hoped to raise the quality of life in these areas, which it has in fact done, and one was to provide an open space grant. So, we have many applications for actual rehabilitation of buildings in historic areas and we found at the time it first started for $6,000 we could bring a building up to code standards, we never have been able to get that kind of money. It has not trickled down to us. As a matter of fact, private organizations are not eligible for the Federal grants that would help us in that field.

Senator JOHNSTON. Thank you very much.

Senator Haskell.

Senator HASKELL. Just one question.

If my arithmetic is correct, the Federal share of what you have done in Annapolis is about one-ninth?

Mrs. WRIGHT. Yes.

Senator HASKELL. And that served as a catalyst for a great many other sources, including foundations, private contributions, States, et cetera?

Mrs. WRIGHT. Yes. We matched the Federal grant with private money or State money. In many cases it was the fact that we had the Federal grant that inspired the State to give us the grant.

Senator JOHNSTON. Your needs in Louisville, are they for acquisition of sites or rehabilitation of privately owned sites, or what?

Dr. SLOANE. Both acquisition and rehabilitation and also getting professional designers and architects to help in the evaluation in terms of rehabilitation construction.

Under the community development funds that the communities are now receiving, we hope to set aside a revolving fund, $100,000, to serve as a start to have a much larger fund that could participate in many of these activities. But the large costs are going to be in rehabilitation.

Mr. BOASBERG. We have got to use whatever money we get from the Federal Government to leverage 10 to 1. As these resources are gone they are gone forever. We have to create revolving funds with the Federal money, try to match that with State and local money, and go into private investment markets and try to leverage it still further with private investments.

One of the ideas we hope the committee will consider is a national bank for historic preservation. We have loan funds for a lot of diferent purposes; we should have a national bank for historic preservation, just making loans. Not grants. Loans and guarantees to communi-

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ties who are willing to make the kind of investment that the community of Louisville is.

I think there are a lot of exciting prospects that could be done in this field. But we need much more than just the 50 percent.

Mrs. WRIGHT. Could I talk of the revolving fund in Annapolis? It is a $68,000 revolving fund and with that $68,000, using leverage, bank loans and so forth, we saved over $2 million worth of real estate. It revolves all the time from house to house. It is a fine way to make a little money go a long way.

Senator HASKELL. Is the type of thing you are talking about in Louisville, the type of thing that is going on on Capitol Hill here in Washington? I don't know if you have been around here long enough to observe that a great deal of restoration is going on in old houses. Is that the kind of thing you are talking about?

Dr. SLOANE. Yes; it is. It is not necessarily the Georgetown approach where you have a more affluent neighborhood; I think, as I mentioned some of our areas is Butcher Town, which is really made up of very moderate income families and they have gotten together and organized in an effective way and have been able to attract private merchants to develop a commercial center. They have developed some private moneys to rehabilitate some of the shotgun houses. I don't know if you are familiar with that term. If you opened the front door and had a shotgun you could blow it all the way through.

Senator JOHNSTON. We are familiar with that in Louisiana.

Mr. BOASBERG. It is not only middle- or high-income area, a lot of these areas are often minority areas or poor areas. The problem there, you are all too familar with, kick the blacks out and you have urban renewal and so forth. The idea is to keep that neighborhood there so that the people who live there can remain there and stay there. They generally own houses and try to prevent if from becoming an absentee type situation where there is no interest in the neighborhood.

By the way, we have two members of our organization from your State.

Senator HASKELL. Good.

Senator JOHNSTON. Gentlemen and Mrs. Wright, thank you very much for your excellent testimony. We are going to be pursuing the idea of the loan funds. That may have some real possibility.

[The prepared statement of Mr. Boasberg and additional material submitted by Mrs. Wright follows:]

JOINT STATEMENT OF

TERSH BOASBERG, GENERAL COUNSEL OF PRESERVATION ACTION

MRS. J. M. P. WRIGHT, CHAIRMAN OF PRESERVATION ACTION

MR. LEOPOLD ADLER, II, TREASURER OF PRESERVATION ACTION

and

HONORABLE HARVEY I. SLOANE, M.D., MAYOR OF THE CITY OF LOUISVILLE, KENTUCKY, AND MEMBER OF PRESERVATION ACTION BOARD

BEFORE THE

SUBCOMMITTEE ON NATIONAL PARKS AND RECREATION
OF THE U.S. SENATE

IN SUPPORT OF S. 327

FEBRUARY 11, 1975

My name is Tersh Boasberg. I am a partner of the law firm of Boasberg, Hewes, Klores & Kass, 1225 19th Street, N.W., Washington, D.C., 20036. I appear before you in my capacity as General Counsel for a newly organized national citizens' lobby for historic preservation called Preservation Action. Our membership is composed of non-profit community groups, local historic preservation organizations, city mayors, state legislators and others which seek to protect and enhance our Nation's rich heritage and its man-made environment. Preservation Action was organized by the leaders of local preservation efforts in Annapolis, Seattle, New York City, San Antonio, Savannah, Pittsburgh, North Adams, Massachusetts, Chicago, New Orleans, Indianapolis, Denver and numerous other groups representing large and small communities throughout America.

With me is Mrs. J. M. P. Wright, Chairman of Preservation Action, who is also President of Historic Annapolis, Inc. Her organization is one of the founding members of Preservation Action, and I can honestly say that few in America have done more for preservation than Mrs. Wright. Under her energetic and imaginative leadership, Annapolis has saved and enhanced its rich architectural, historic and cultural heritage. The City has successfully blended preservation with progress to become a bustling, economically viable and attractive community which represents a model for others

to follow. As Mrs. Wright's organization has so ably demonstrated, historic preservation means expanding upon the best in our past for the material and spiritual benefit of the present, and for the guidance of countless future generations.

With me also is Leopold Adler, II, a member of the Investment Banking Firm of Robbinson-Humphrey Co. in Savannah, Georgia. Mr. Adler is also a Trustee of the National Trust for Historic Preservation and has long been one of the most energetic and imaginative spark plugs of preservation in the United States. Without undue modesty, I can say that Mr. Adler, perhaps more than any other single individual, has been responsible for the tremendous transformation of Savannah's most treasured residential areas.

With me also is Mayor Harvey I. Sloane, M.D., of Louisville, Kentucky. Louisville, like most American cities, is confronted by complex urban problems of rising unemployment, downtown decay, housing blight, over-extended city services and a receeding tax base. Mayor Sloane has taken a strong interest in historic preservation as a viable tool available to city leaders for revitalizing city neighborhoods, renewing older commercial buildings in the downtown sector, creating jobs and linking economic development with preservation of the city's character and heritage.

Today, the cause of preservation stands at the crossroads. As Senator Jackson stated when he introduced the Landmark legislation dealing with land use policy, "Between now and the year 2000, we must build again all that we have built before. We must build as many homes, schools and hospitals in the next three decades as we built in the previous three centuries."

Over 50 percent of the 12,000 buildings listed in the Historic America Building Survey since 1933 have been destroyed. That is not a very comforting thought as our Nation approaches its Bicentennial. It is of great significance, therefore, to the preservation of our American way of life that this Committee has proposed S.327 to help bridge the gap between public funding and the great unmet need to preserve our historic and cultural heritage.

There must be a sense of urgency to these proceedings. Parts of our National heritage are being bulldozed and gobbled-up by speculators on a daily, even hourly, basis. Once our historic buildings, areas and districts have been destroyed in our precipiate rush toward modernity, they are lost forever. Never can they be replaced.

The growing historic preservation movement in America is currently undergoing a significant change in direction. Once the province of wealthy matrons and staid historical societies, preservation is fast becoming a major nation-wide cause involving mayors, businessmen, lawyers, architects, bankers, environmentalists, volunteers of all kinds, and diverse community groups. Fed by the national concern for environmental quality, the upsurge of Bicentennial interest and the staggering cost of new construction, the preservation movement offers a real hope that our cities yet can stave off economic and social catastrophy.

Nothing has been more satisfying to us than to watch the membership of the National Trust for Historic Preservation pass the 65,000 mark. The Trust's vigorous leadership and imaginative programs and publications have spearheaded the historic preservation cause in America.

Over 80 percent of our Nation now lives in urban areas. Our interest in historic preservation is no more or no less than a concern for the quality of life in Twentieth Century urban America. For historic preservation means not only recognition of the values and landmarks of our past; but it means community renewal, economic development, and local progress for our future.

A few examples from the membership of Preservation Action will illustrate how the historic preservation movement has gone beyond simply preserving the house museum or old fort to embrace the notion of large-scale community and economic development. Cities such as Seattle, Savannah, Denver, Louisville, San Francisco, Providence, Pittsburgh, Annapolis and San Antonio are all currently engaged in broad projects of urban rejuvenation and community development based on the expanded concepts of historic preservation. These activities include downtown commercial development, creation of multi-family housing units, and saving attractive residential neighborhoods.

All across our Country, local, non-profit historic preservation groups such as Historic Annapolis, the San Antonio Conservation Society, the South Street Seaport Museum, Historic Denver and the Pittsburgh History and Landmarks Foundation are seeking to protect

and enhance historic districts and convert their handsome buildings to new adaptive uses, such as stores, restaurants, condominiums, office space, cultural and performing arts centers, educational institutions and a host of other Twentieth Century uses.

Property values in Pioneer Square in Seattle have jumped 2 1/2 times in the past four years. In Annapolis, between 1961 and 1971 they jumped 112% in the historic area and Annapolis' bond rating has gone up a full notch.

Preservation, in this expanded sense, means progress. It means economically viable and attractive new uses. It means new tax dollars, tourist income, increased property values and an influx of new businesses and job creation and development.

However, in order to succeed, there is an urgent need for these local groups to receive adequate funding to develop and implement their imaginative plans. While we vigorously support S. 327 and its $150 million authorization, we would like to offer a few additional ideas for this Committee's consideration so that this important legislation might better achieve its primary purpose: To assist local communities in improving the quality of their environment and the lives of their citizens.

First, the Interior Department's historic preservation grant program has been traditionally administered as a state discretionary program. Decisions as to where funds go within a state have been left wholly to the discretion of each state. As a result, the majority of these monies have not gone to local projects.

We believe that the states should be required to distribute the great majority of these new federal funds to local communities, especially for the development projects of local non-profit groups. We would recommend that at least 75 percent of the new monies go for state-approved local preservation efforts, under an approved state plan.

As an alternative, you may wish to consider language which would enable the Department of Interior to reward those state historic preservation plans which provide that the majority of their federal funds will go to local community preservation efforts. For example, states which strongly encourage local developmental efforts could be awarded more funds under an appropriate formula.

Currently, funds are distributed to states on two bases: (1) an equal distribution to all states of 30% of the appropriation; (2) 45% of the appropriation is distributed on the basis of state demand. But this demand can be for state projects or for local projects. Nothing in the present legislation encourages a state to assist local communities in the development, funding and implementation of their own projects.

One note of caution. We do not mean to imply by these suggestions that state preservation efforts and state historic sites are not worthy of funding. They are, indeed. Many SPHOs have performed Herculean tasks with virtually no money at all. We merely point out that in the past the majority of preservation funds has not found its way into local non-profit or public projects.

Often, this may have been because there was so little money for anyone. Now, with the greatly increased funding proposed by this Committee, we hope this pattern could change. We strongly believe that the battle to save our cities can best be fought by local forces who are familiar with local problems and who are the direct beneficiaries of local action.

Second, we would encourage greater flexibility in the use of historic preservation funds. States should be permitted to allow local communities to use grant funds not only for the acquisition and development of historic properties, but also for the planning and development stages of local projects.

Without such "front-end" money, large-scale local development realistically cannot be launched; expert legal, financial, and architectural help cannot be secured; project staffs cannot be initially hired; economic feasibility studies and market research cannot be done; and communities cannot be alerted to the dangers of inaction and destruction. Also, such grants should be flexible enough to cover costs for historic preservation exhibits and studies. We hope this Committee will broaden the current Bill so that states are permitted to make 70% flexible planning and development grants for local community projects.

Third, we would ask this Committee to increase the possible federal matching share for local projects from 50 percent to at least 70 percent. Otherwise, only states and the more wealthy communities will be able to participate in this vital program. The greatest need for historic preservation is often in the poorest communities. In many inner-city areas, minority groups are especially hard-pressed to raise the necessary match for their vital preservation projects.

There is no way most of our financially-strapped communities can raise $50,000 or $100,000 to match a proposed federal grant of the same amount. For example, in North Adams, Massachusetts, the City Council was able to raise only $20,000 toward the local preservation group's $3 million project. In Galveston, Texas, $200,000 was needed to start a revolving fund. Under no circumstances could the City of Galveston provide these funds. Luckily, the money was secured from a private foundation; but most communities are not as fortunate as Galveston to have a well-financed local foundation situated in its midst.

Many federal programs for health, manpower, education, housing and economic development provide for 75-90 percent federal funding. Our need is just as urgent. The demand for local development is just as heavy. We strongly urge that this Committee not discriminate against poorer communities and consider raising the federal portion of all matching grants from 50% to at least 70%.

Fourth, we would ask this Committee and the Federal and State program administrators to experiment with new methods and techniques for historic preservation. For example, we are particularly impressed with the outstanding efforts of The National Endowment for the Art's "City Options" program, which seeks to encourage local community public and non-profit organizations to explore a wide spectrum of historic preservation options. These range from finding new uses for abandoned railroad stations to funding large-scale adaptive use demonstration programs in commercial downtown areas and transitional residential neighborhoods.

In exploring new historic preservation ideas, we should examine the possibility of creating a revolving loan fund for financing local projects which could be administered either nationally or through state agencies. Revolving funds have been highly successful in Savannah, Georgia, Galveston, Texas, Pittsburgh, Pennsylvania and many other communities. Loan funds are used to acquire buildings, restore them and then when they are resold, the proceeds are plowed back into the revolving fund for other purchases, restoration and resale. We are very pleased that the National Park Service is making SHPOs aware of the possibilities of creating revolving funds under currently approved legislation.

If federal seed funds were matched by state appropriations, twice as much money could be returned into local revolving funds. We should consider the use of both grant and low-interest loans as seed money to launch such local revolving funds. We know that in numerous communities - "preservation pays"; that monies used to buy and restore properties can be returned many times over.

The Government already has developed examples of similar types of revolving loan funds. The Small Business Administration, the Farmer's Home Administration, HUD and others have successfully used a type of revolving fund at the national level to leverage federal dollars with private commercial funds. The National Trust for Historic Preservation also has had success in seeding revolving funds in local communities. There is no wiser investment we can make than an investment in America's future.

In addition, the Federal Government or states can use their funds to guarantee local commercial loans to preservation groups. Public funds can be greatly stretched by private dollars. We need to experiment much more with such new methods of leveraging public monies with private commercial, individual and foundation funding sources.

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Another innovative idea we need to examine, is the creation of a National Historic Preservation Legal Center. Critical decisions now are being made by the judiciary -- on the validity of landmark ordinances, the constitutionality of historic district commissions, the use of environmental impact statements and the legal limitations of facade easements -- which vitally concern the future of preservation. We need a national law center to collect and analyze legal data, to file amicae briefs; to assist local groups batteling forces inimical to healthy community development and to coordinate the legal struggle to salvage our Nation's heritage.

Fifth, we submit that $150 million for preservation is not an exorbitant sum. Some will characterize this expenditure as inflationary; but is it inflationary to preserve our way of life? Is it inflationary to protect and enhance our urban environment and to provide jobs for our citizens? We submit that to raise our ideals, to aspire to preserve national values, is not inflationary -- it is uplifting.

A few examples will suffice:

1. HUD's Open Space Program had an FY 73 Congressional Appropriation of $100 million. You all know, this program was frozen from January 5, 1973 to 1975. In the past 24 months -- this freeze, alone, already has saved the entire cost of this Committee's proposal.

2. FY 72 estimates of the Federal Highway Administration show that three years ago, one mile of urban interstate highway construction cost an average of $5.182 million. Are we so shortsighted as to be unwilling to sacrifice less than 30 miles of highway construction for the preservation of our Country's heritage?

3. We are now in the process of ordering 240 new B-1 bombers. Each plane costs $15 million. If we ordered ten fewer planes (in the name of our Bicentennial) we could more than finance this Committee's full authorization. These new bombers are being purchased in order to better defend America. Let us spend under 5% of our B-1 bomber money to enhance the quality of the life we so earnestly seek to defend.

Historic Annapolis, Inc.

ACHIEVEMENT

Annapolis, sited on the circles and radiating streets of a 1696 city plan is no museum village. Maryland's capital thrives again as it did 300 years ago as a maritime, residential and commercial center, thanks to the efforts of Historic Annapolis, Inc., a private, tax-exempt preservation organization.

Not long ago many people thought Annapolis an ugly, obsolete, outmoded town. They had reason - there was a visible degradation of environmental values. Large ugly buildings hid the water in Market Space; a forest of signs disfigured business districts; the fine architecture of historic structures was marred by tasteless additions.

Businessmen and residents alike fled the old city. Only dreamers imagined a bright future for Annapolis. But, HA, translating dreams into action with a plan of creative preservation and innovation, wrought an incredible change.

Today views of sparkling water have been regained. The Old Town is a Registered National Historic Landmark District. Historic buildings and sites, restored and protected by environmental easements, are preserved as a part of America's architectural heritage.

Life in Annapolis has recovered a quality that heightens the sense of place that is crucial to a well-ordered society.

Designed to meet the problems of a small, nationally important city, without adequate financial resources for its own salvation, the plan combined public, philanthropic and private funds to regain the quality of the Annapolis environment and to improve the economic stability of the city. The success of the plan established a social, moral and economic basis for preservation in Annapolis. Once adequate funding is available, the plan's potential to regenerate the urban future of a small American city will be fully realized.

PURPOSE

HA's purpose from the beginning was to preserve the historic quality of the Annapolis environment without impairment of the city's contemporary functions. First priority was given to a study of the qualities contributing to the special character of the Annapolis townscape. Preservation techniques were developed after evaluation of programs in use by national and local preservation groups. Foundation and private donations were obtained to fund historic and environmental studies, for a Revolving Fund, for purchase of two historic structures and for important environmental easements.

AN ANNAPOLIS PROSPECTUS

For the Next 200 Years...

Historic Annapolis, Inc.

ANNAPOLIS 1776-1976

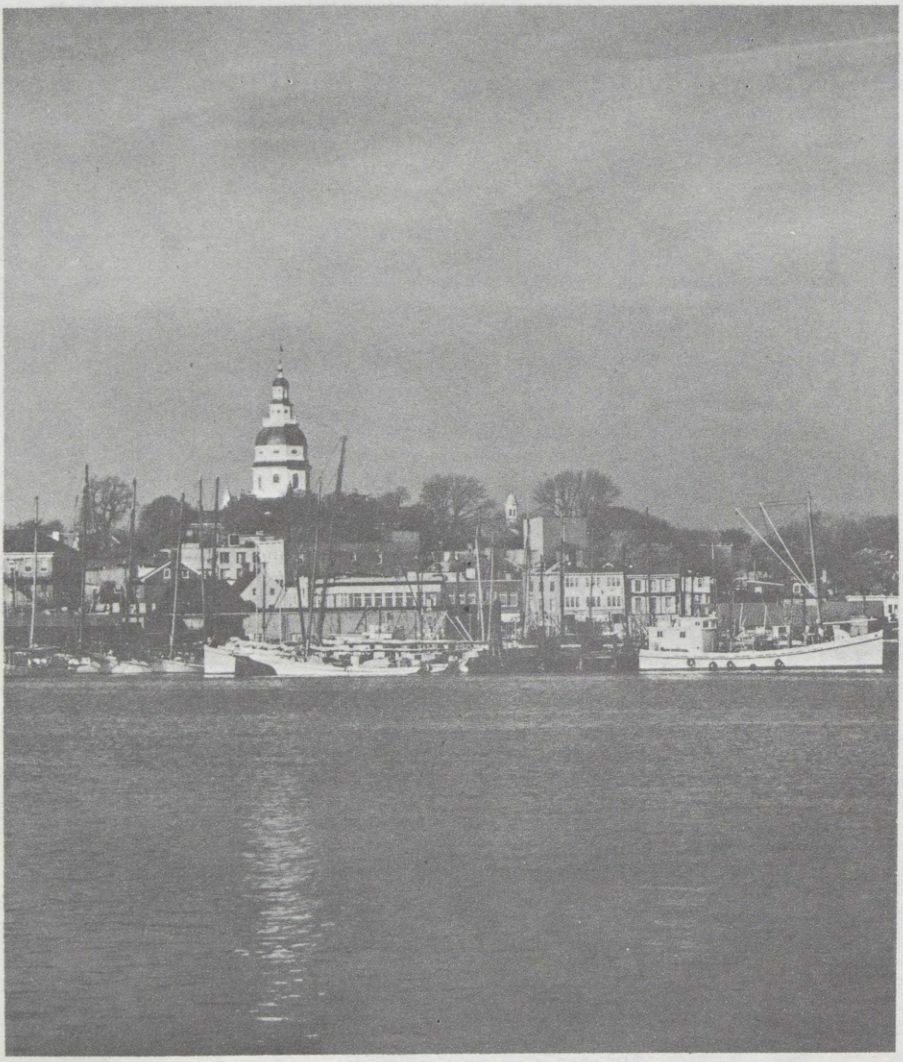
Five Priority Projects to Commemorate the American Bicentennial

Annapolis, with exceptional resources for commemoration of the Bicentennial Anniversary, began in 1968 to prepare for that event. Historical Research soon revealed the functions and owners of buildings and sites used for Revolutionary period activities. These include buildings housing members of the Continental Congress or serving as barracks for the soldiers of Generals Green and Smallwood; taverns and inns that once provided entertainment for the troops of Generals Lafayette and Rochambeau; the City Dock, where supplies were shipped to the Continental Armies; State-supported manufactories for such items as hats, shoes, stockings and foodstuffs; great houses owned by the Maryland Signers of the Declaration of Independence; the splendid State House where the Continental Congress met, and, in the Old Senate Chamber, ratified the Treaty of Paris, which ended the Revolution.

In 1968, a Bicentennial plan, Annapolis 1776-1976, inspired by Historic Annapolis, Inc., came into being—its purpose, to restore extant buildings of the Revolutionary period and to develop, through research, interpretative facilities and programs designed to illuminate the role of Maryland's citizens in winning the Revolution.

Annapolis, the Ancient City, is no museum village. Maryland's Capital thrives as it has for 300 years as a maritime, educational, residential and commercial center. This continuity of purpose inspired Historic Annapolis to develop unique and innovative preservation programs which use museum techniques to interpret the history of Annapolis without disruption of its contemporary functions.

Historic Annapolis has brought an *Incredible Change* to Annapolis. Federal, State and private funds have helped finance the purchase and restoration of properties. As a result, projects we never believed possible are all but complete. Now, to climax the task, we turn again to the private sector for funds. All funds raised will be used to implement Five Priority Projects to commemorate the American Bicentennial. All projects are planned as lasting contributions to the quality of the Annapolis environment.



BICENTENNIAL PROJECTS AND FUND ESTIMATES

I. National Landmarks Restored to enhance the quality of living. $600,000

A. Governor William Paca House—completion of interior restoration and furnishings $450,000

B. To assist in the restoration of other landmark buildings $150,000

II. Environmental Concourse $500,000

This building will be used as a center for historic and cultural exhibits illuminating the past events and people who settled Maryland's Capital City.

III. Easement Program $250,000

Protective easements are a major Historic Preservation tool.

Historic Annapolis, Inc. purchases Deeds of Easement:

A. Restricting development and changes to properties within the Historic District, or

B. Requiring the restoration of important historic properties.

IV. The Revolving Fund $100,000

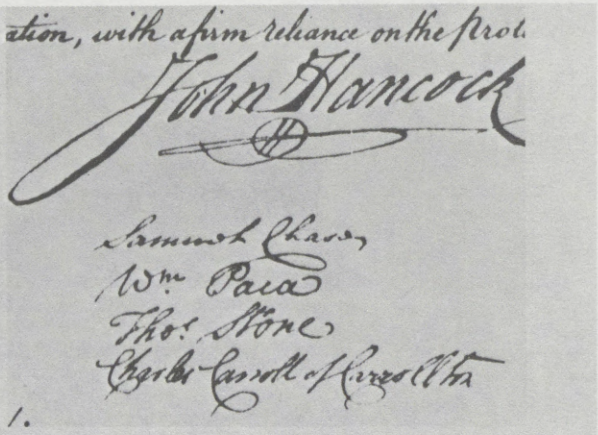
This fund enables Historic Annapolis, Inc. to purchase significant buildings and sites within the National Historic District and thus assure their preservation. These properties are resold with easements protecting architectural features, thus giving legal protection to both the building and the environment. Historic Annapolis can also itself restore the structure if the building is of major significance and monies are in the fund. In either case the sale price is returned to the Revolving Fund.

V. Research Programs $50,000

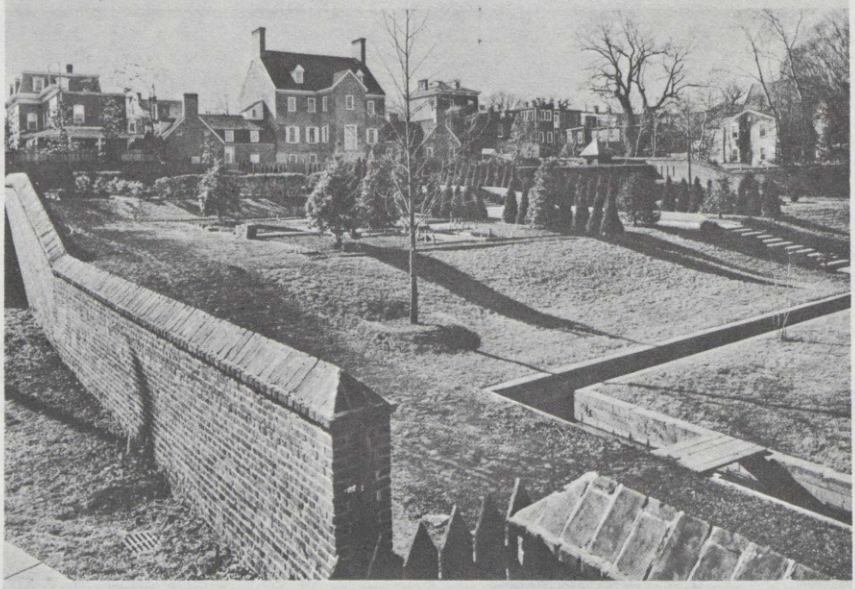
Careful Research is a basic tool of the Historic Annapolis Bicentennial Program.

In order to insure the above five projects for the future, Historic Annapolis intends to set up an endowment fund: $500,000

Total Funds to be Raised in Capital Fund Drive $2,000,000



William Paca by Charles Willson Peale.



William Paca House and Gardens.

PROJECT I

National Landmarks Restored to Enhance the Quality of Living

A. GOVERNOR WILLIAM PACA HOUSE: Completion of interior restoration and furnishings.

The veracity and scope of William Paca House restoration, Historic Annapolis' most ambitious project, is nationally acclaimed. In 1965 this great house was threatened with demolition and replacement by a high-rise structure. Today its majestic exterior is restored and work on the interior is proceeding.

Governor Paca was one of Maryland's signers of the Declaration of Independence. His home was designated a Registered National Landmark by the United States Department of the Interior in 1972. It must be ready for a major Bicentennial role. The restoration of William Paca House is designed to increase public enjoyment and cultural knowledge by reclaiming the architectural integrity of a great house, which will be appropriately furnished in the 18th century period. The building and the restored William Paca Garden will be used to further the educational and museum programs of the Environmental Center.

B. To assist in the restoration of other landmark buildings.

Landmarks used as a part of the community's functioning present strengthen the quality of contemporary living. The form and design of great period architecture gives identity to the cityscape. Visits to the homes of those associated with significant events in the Nation's development illuminate the role of the individual in history. The solid presence of the past wakens today's people to the essence and style of other eras.

Despite the advantages of landmarks to the community and their importance to the tourist industry, their preservation is a challenging task. Historic Annapolis, in accepting the challenge, has developed imaginative and innovative programs stressing, when appropriate, adaptive use of the landmarks to be assisted by Priority Project 1.

THOMAS HEWITT.

PERUKE-MAKER & BARBER, *from* WILLIAMSBURG, *at his Shop, adjoining the Sheriff's Office in* ANNAPOLIS,

MAKES after the most fashionable Manner, and Sells at the most reasonable Rates, Councillors Tye-Wigs, Parsons and Lawyers Bob Wigs, Cut and Scratch Bob Wigs, Dress Bag Wigs, Scratch, Pomatumed, and Cut Cue Wigs. Fillets for Hair, &c. &c. Gentlemen who shall please to favour him with their Custom in the Wig-making, Shaving, and Hair Cutting Way, may depend on being well served, and regularly attended, by *Their humble Servant*,

£0 10/2. 1 THOMAS HEWITT.

JOSEPH FURIE.

(6f)

THE Subscriber takes this Method to inform the Public, that he keeps the Ferry between Annapolis to *Gen-Island*, and *Rock-Hall*, and intends to carry on the following Rates:

TO KENT-ISLAND.

For a Single Man,	£ 0	7	6
If more than one, each,	0	1	
A Single Man and Horse,	0	10	0
If more, going in the same Boat, each,	0	7	6
For an open Chair,	0	7	6
A Chaise, with a Top,	0	18	0
A Four-Wheel Chaise,	0	15	0
A Chariot, or Coach,	0	17	6

TO ROCK-HALL.

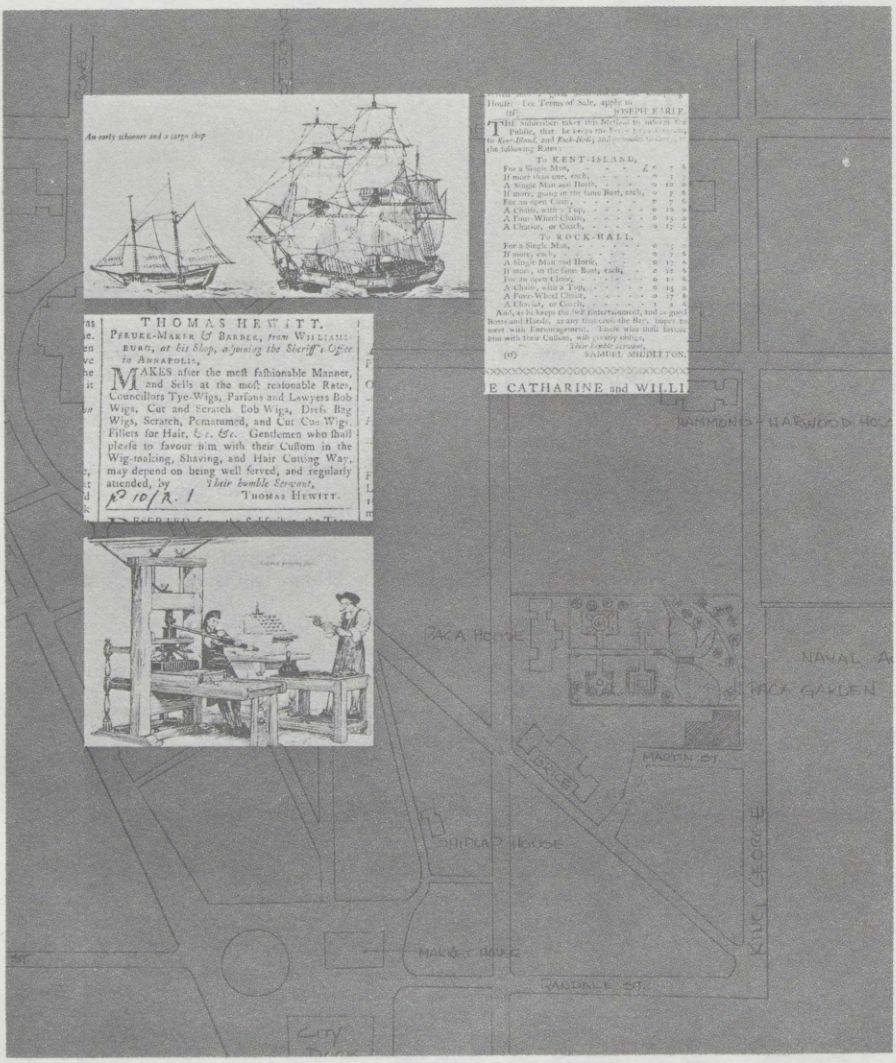
For a Single Man,	0	7	6
If more, each,	0	7	6
A Single Man and Horse,	0	17	6
If more, in the same Boat, each,	0	12	6
For an open Chair,	0	12	6
A Chaise, with a Top,	0	15	0
A Four-Wheel Chaise,	0	17	6
A Chariot, or Coach,	1	5	0

And, as he keeps the best Entertainment, and as good Boats and Hands, as any Ferry over the Bay, hopes to meet with Encouragement. Those who shall favour him with their Custom, will gratefully oblige,

Their humble servant,

(6f) SAMUEL MIDDLETON.

E CATHARINE and WILLI



PROJECT II

The Environmental Concourse

This is a project to construct a Center for historic and cultural exhibits illuminating the past events and people who settled Maryland's Capital City.

Twenty years experience with people in search of cultural knowledge has convinced Historic Annapolis of the urgent need for a center where educational exhibits will interpret the Annapolis Environment. The Center will be a new 2½ story building with a small auditorium and exhibit rooms. Annapolis' historical resources are plentiful, and visual presentations in the Center will enable visitors and residents to relate the past to the present, thereby achieving a firm understanding of the sources of the Maryland cultural pattern.

The focus of the Environmental Concourse is the harmonious association between people and the places in which they live and work. The nearby William Paca Gardens and House will assist in carrying out this purpose.

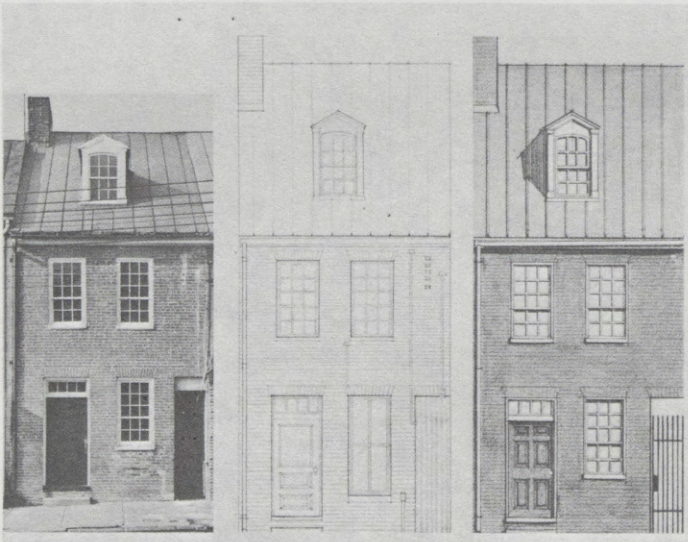
The techniques to be used in the Center are based on museum technology. Exhibits, dioramas, and other visual aids within the Center will be keyed to adjacent historical sites and to botanical displays in the William Paca Garden.

In this Center, meeting and exhibit rooms will be planned to interpret both cultural and natural resources. The Ethnic Hall will encompass museum displays of art objects and visual materials pertaining to the various ethnic groups involved in cultural development in this region during the early years of the Republic.

Identification of these groups is possible because of the research findings of a 1970 National Endowment for the Humanities Grant to Historic Annapolis, Inc. and the Historic Annapolis community indices.

Cultural lectures and associated musical and theatrical performances can be held in the small auditorium. Historic Annapolis, Inc. is seeking a grant to plan the interpretation and museum programs.

There is presently no community auditorium or museum available for cultural activities in Annapolis. This is an urgently needed facility.



Restoration drawing of a Federal shop, Church Street.

Residence, Maryland Avenue.

Fleet Street.

PROJECT III

Easement Program

Renewal of Blighted Urban Areas To Maintain Diversity of Residential Use

Historic Annapolis, Inc. purchases Deeds of Easement:

A. Restricting development and changes to properties within the Historic District, or

B. Requiring the restoration of important historic properties.

In support of the public's right to pleasant city living, Historic Annapolis, Inc. is using scenic or environmental easements to protect and upgrade properties and to encourage the architectural richness and diversity that serve and nourish the urban heritage.

This unique application of the easement principle offers a workable solution to environmental decay and is a recognized preservation technique allowing properties to remain on the tax rolls. Furthermore, the easement does not impair the owner's use of the property for residential or business use. We hope to expand the program throughout the National Historic District, an area of approximately one-third of a square mile, comprising low and middle income residential areas, retail business and commercial zones.

Negative Easements. The use of easements is a legal step customary in subdivision and other real estate regulations. Recently *negative* easements have been used for conservation purposes. They limit property development and thus protect the public's interest in scenic surroundings and historic localities. Since an easement runs with the deed and can bind all future owners in perpetuity, the protection it affords exceeds that of zoning ordinances.

Positive Easements. A new development in Annapolis, the Environmental Easement, is a *positive* easement purchased directly from residential or commercial property owners. The owner, in exchange for a monetary consideration, agrees to use plans acceptable to the holder of the easement for developing and enhancing the architectural quality of his building. Funds for this purpose are included in the easement purchase price. This positive easement is beneficial to the public in that it improves the environment, encouraging residents and business enterprises to remain in the inner city.

Additionally, nearby historic structures profit, and visitors, attracted

by scenic surroundings, bring prosperity to the community. Properties remain on the tax rolls.

When Historic Annapolis, Inc. is the holder of an Environmental Easement, architectural plans submitted by property owners must be accepted by the Architectural Committee before changes to the property are undertaken. As it is desirable, particularly in low income areas, to provide architectural consultation and renovation plans, funds for this purpose are included as a part of the project costs.

This program has been adapted to the needs of property owners in low income areas and assists in upgrading the uses to meet building code standards in an integrated section of the Historic District.

Men belonging to *London*, were sent into that Island.

The AMERICAN MAGAZINE *for June, are now at the* PRINTING-OFFICE, *ready to be delivered to the Subscribers.*

The private Ship of War,
Oliver Cromwell,
JOHN NICOLL, *Commander,*
Mounting 16 Six Pounders, and carries 120 Men,

IS just arrived at *Annapolis*, and proposes to sail in seven or eight Days, on a CRUIZE against his Majesty's Enemies.

ALL GENTLEMEN SEAMEN and OTHERS, willing to proceed the said Cruize, are desired to repair to Mr. *Samuel Middleton's* at *Annapolis*, where they may see the Articles, or on Board the said Ship, where they may depend on the best of Usage from the Captain and Officers. The said Ship is esteem'd a prime Sailer, and has great Conveniencies for Men, *&c.* *f p.*

ALL Persons indebted to *John Raitt*, my late Husband, deceased, whether on Book-Account, Note, Bond, or other Specialty, are desired forthwith to come and settle, and pay off the same, to prevent Trouble. And any Persons having any Demands or Claims against the said Estate, are hereby required to bring in their respective Accounts, that they may be discharged, by

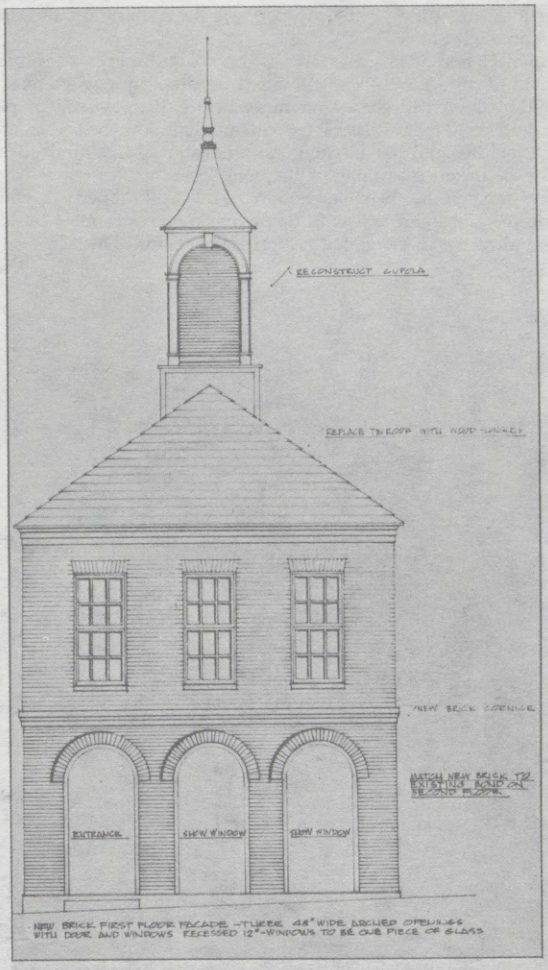
ANNE RAITT, *Administratrix.*

N. B. The STORE-GOODS belonging to the said Estate, which are saleable, and very fit-able to the Season, will be sold extremely cheap, until the Whole is disposed of.

Maryland Gazette, July 27, 1758.

Residence, Maryland Avenue.

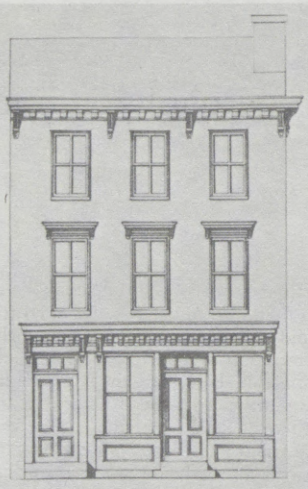
49-928 O - 75 -- 7



Restoration drawing.

Old City Hall and Engine House, 211-213 Main Street. (Photograph ca. 1875 from the collection of M. E. Warren.)

Old City Hall and Engine House, 1972.



133 Main Street and proposed restoration.

David Garrison

Before and after restoration of 206 Main Street.

PROJECT IV

Historic Annapolis' Revolving Fund

This fund enables Historic Annapolis to purchase significant buildings and sites within the National Historic District. These properties are resold with easements protecting architectural features thus giving legal protection to both the building and the environment. Historic Annapolis can also restore the structure if the building is of major significance and monies are in the fund. In either case the sale price is returned to the Revolving Fund.

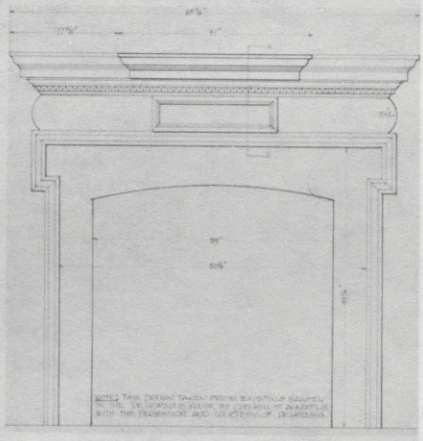
The Historic Annapolis, Inc. Revolving Fund was originally established with a foundation grant and private contributions. It has been used to purchase, rehabilitate or restore buildings or sites within the National Historic District. These buildings or sites are *resold* with easements or covenants giving legal protection to the architecture and environment of the property. The funds from the sale of the property are returned to the Revolving Fund and re-used.

In another approach a *long term lease* is acquired on a property, a desirable tenant is found, and the necessary capital improvements financed with revolving fund money and a long term mortgage, both to be amortized by rent from the building.

PROCEDURES: The system adopted when the Revolving Fund was established in 1963 was recommended by the National Trust for Historic Preservation. The aim was a system capable of (1) the fast action required in saving endangered buildings, (2) responding to Historic Annapolis, Inc.'s preservation criteria and economic status, (3) managing the purchase, resale and stabilization of buildings bought with Revolving Funds.

Restoration and design of Church Street.

Charles Carroll Mansion.



Mantel design for William Paca House.

PROJECT V

Research and Design Assistance

Careful research is a basic tool of the Historic Annapolis Bicentennial Program.

Research Programs are essential to accurate restoration, historical interpretation and architectural design.

Historic Annapolis, Inc. maintains comprehensive research programs that are fundamental to project planning and interpretation of the historic events and places of 1776-86, the Revolutionary period. Maryland records are a bountiful and rewarding source of hitherto unknown data on the activites of the State and its citizens during and after the Revolution.

A. Chronology of Annapolis, 1776-1786. Historic Annapolis, Inc.'s first research program for the Bicentennial plan was *Annapolis 1782-1783, The City and the Continental Congress,* funded by the $35,000 grant from the National Endowment for the Humanities, completed in 1971.

B. Other efforts now underway which will be completed as funds are secured:

1. A continuing project of architectural and archival research to identify all good period architecture in Annapolis and Anne Arundel County.

2. Preparation of restoration drawings of all Annapolis architecture in need of preservation and identified as outstanding and excellent on Historic Annapolis, Inc. Architectural Survey.

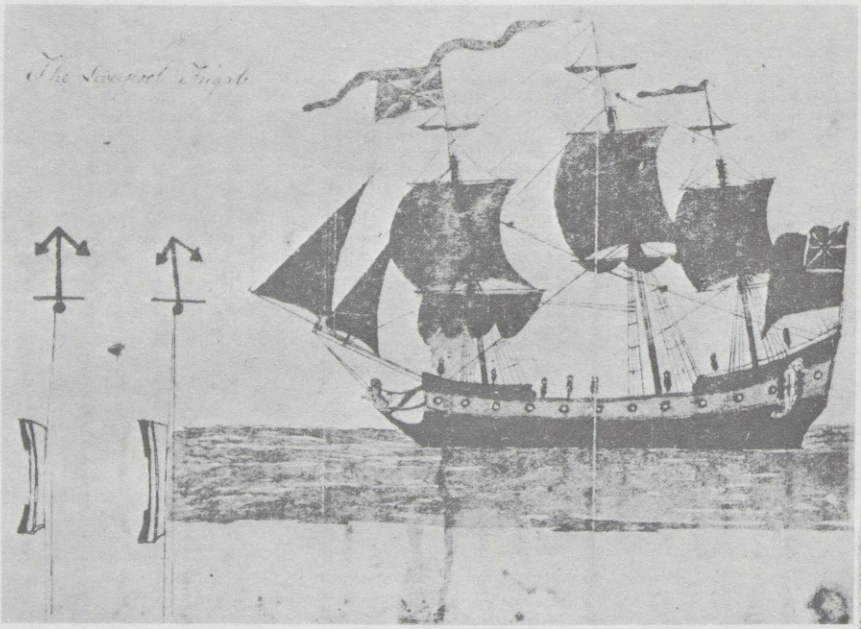
3. Architectural drawings of street scapes. This program, providing drawings of block-long street facades into which a scale drawing of a proposed new building can be inserted, is the most successful technique to awaken owners to their building's relationship to the scale of the total environment.

4. A scale model depicting all buildings extant in the Historic District.

5. Archaeological research necessary for accurate restoration and interpretation.

6. Cultural research designed to identify domestic and occupational trends and memorabilia.

The project is directed toward the Bicentennial celebration, but its findings will be of lasting value to restoration and interpretation of all periods of history.



Maryland Hall of Records

Plan to burn a British Frigate in Annapolis Harbor, February 18, 1776.

Historic Annapolis, Inc.

18 Pinkney Street, Annapolis, Maryland 21401

Designed by EditaGraphics, Inc., Annapolis.

Unless otherwise credited, all photographs by M. E. Warren.

Historic Annapolis, Inc.

18 Pinkney Street, Annapolis, Maryland 21401 (301) 263-8603 (Balto.) 269-0432

There Are Several Ways of Giving to Historic Annapolis, Inc.

There are many ways in which interested individuals, families, businesses and foundations can participate in the progress of preservation in Annapolis.

Memberships

Historic Annapolis, Inc. conducts periodic membership campaigns to broaden the support and interest in the local preservation-restoration movement. Membership categories are as follows:

Benefactor	$500.00
Patron	$250.00
Sponsor	$100.00
Sustaining	$25.00
Family	$10.00
Individual	$7.50
Retired	$5.00
Clubs, Businesses & Civic Organizations	$25.00

Capital Fund Gifts

Contributions can be made in cash or securities for Historic Annapolis' Preservation and Environmental Development Fund for purposes of historic property acquisition, historic covenants and easements, and property restoration and management.

Property Gifts

Historic Annapolis encourages the donation of properties and antiquities with no restrictions as to their use.

Memorials

Gifts to Historic Annapolis offer the opportunity of perpetuating the memory of a relative or friend. Memorial gifts for the general restoration effort in the National District of Annapolis will be appropriately acknowledged. Also, those interested in the continued restoration and refurnishing of the William Paca House can be recognized with an appropriate inscription in the House. Gifts of period furniture and appointments, especially portraits, are greatly needed for Historic Annapolis properties.

Bequests

A gift from this generation to succeeding ones. Inclusion in your will of a bequest to Historic Annapolis, Inc. will assure that your interest in preservation will continue into the future. Your attorney can advise you on the legal methods best suited to your desires.

Tax Advantages

Federal and State tax laws are written so as to encourage charitable giving to support institutions dedicated to the public good, such as Historic Annapolis, Inc.

Your personal contribution to Historic Annapolis, Inc. qualifies as a deductible contribution in computing both your Federal and State income contributions up to a total of 20% of your adjusted gross income in any one year, the maximum limit for Maryland tax purposes.

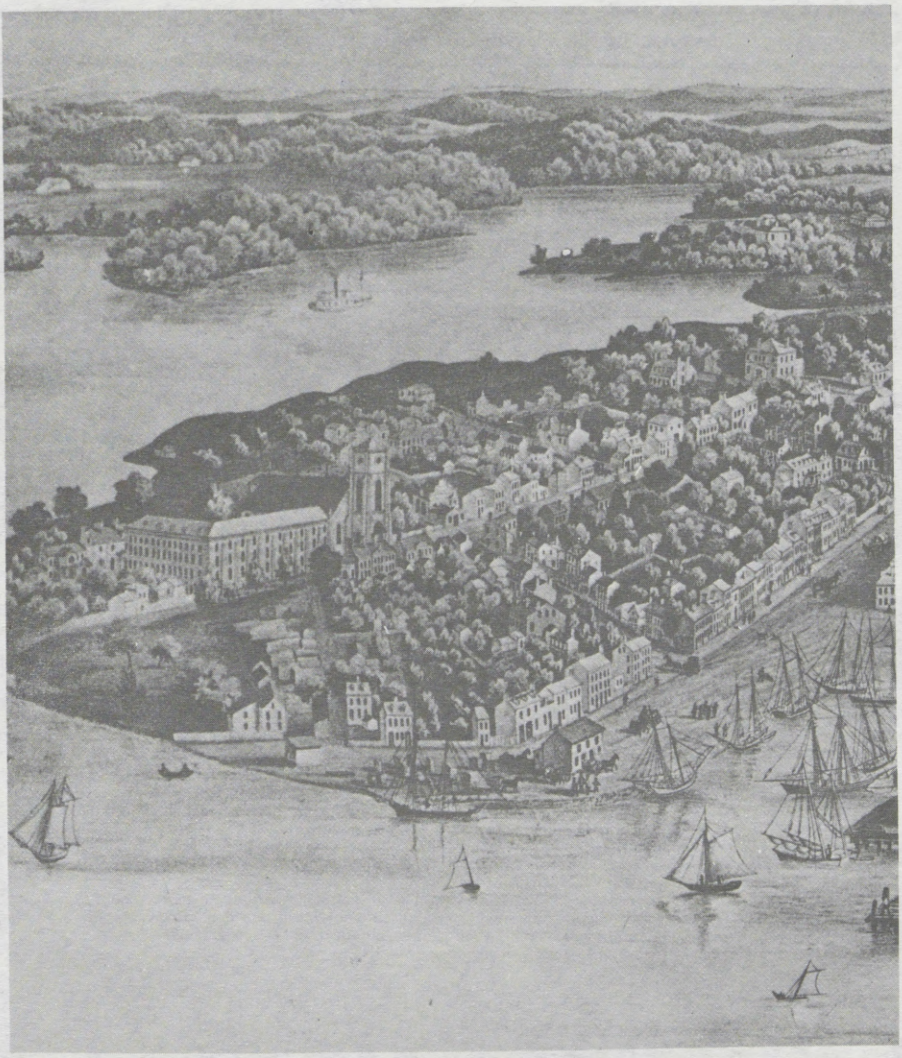
A corporate contribution to Historic Annapolis, Inc. entitles the firm to a deduction of up to 5% of its taxable income.

Under a recent change in the law, both individuals and corporations are given a five-year "carry-over" on their Federal Income Tax for charitable contributions which exceed the applicable limitation in any one year. Here's how it works.

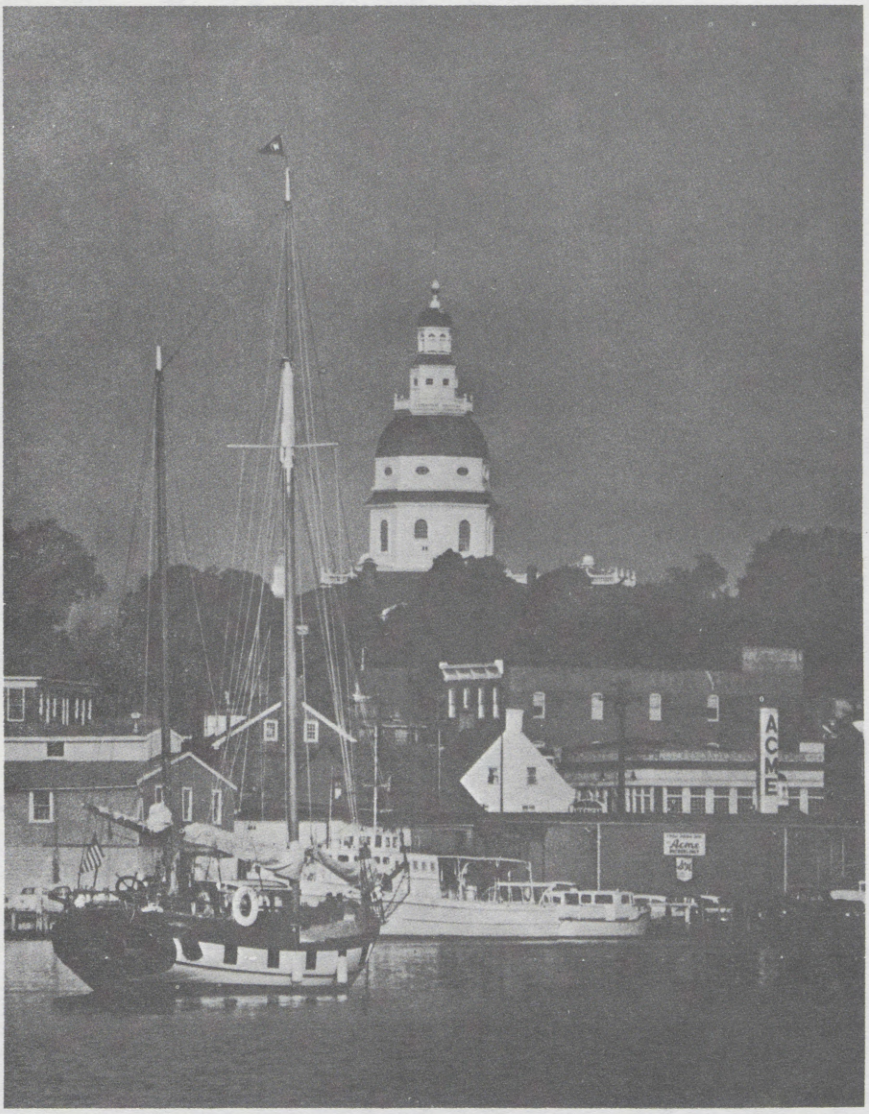
For individuals: Suppose your adjusted gross income is $20,000 and you make a contribution of $7,500 to Historic Annapolis, Inc. You may deduct $4,000 (20% of $20,000) as a contribution in computing your Federal Income Tax for this year and the amount in excess of 20% can be "carried over" and deducted in the five succeeding years until the excess amount is used.

For corporations: If a corporation's contributions exceed 5% of its taxable income in one year, the amount in excess of 5% can be carried over and deducted in the five years succeeding until the excess amount is used.

The foregoing illustrations are general and may not apply to specific individuals. For detailed information, consult your own attorney, banker, or accountant.



THE INCREDIBLE CHANGE


ACME
Acme

BEAUTIFUL ANNAPOLIS

Do you remember when many people thought Annapolis an ugly, obsolete, outmoded town? Perhaps they had reason – there was once a visible degradation of environmental values. Two large ugly buildings hid the water in Market Space; a forest of signs disfigured business districts; the fine architecture of historic structures was often obscured by tasteless additions.

Businessmen and residents alike fled the old city. Only dreamers imagined a bright future for Annapolis. Now that goal is almost won. What was once a vision is a "happening."

The Old Town is recognized as a unique place for pleasant living – a Registered National Historic Landmark District. Views of sparkling waters have been regained. Historic buildings and sites, restored and protected by easements, are preserved as a part of America's architectural heritage. Suddenly, life in Annapolis has recovered a quality that heightens the sense of community and fosters a relationship to environment that is crucial to a well-ordered society.

This Incredible Change began with an inspired plan of action, designed to meet the problems of a small, nationally important city without adequate financial resources for its own salvation. This plan combines public and private effort and funds in a joint action to: A. retain the quality of the Annapolis environment, and B. foster economic stability.

THE INCREDIBLE CHANGE

The Incredible Change began when Historic Annapolis, Inc. was founded by preservationists, community business and professional leaders, architects, artists, historians, and citizens from throughout the state. This non-profit group was chartered in 1952 under the laws of Maryland as the historical and preservation organization of Annapolis and Anne Arundel County. In a ten year period, Historic Annapolis promoted $2,052,000 in public and private funds to support their forward-looking plans. Private individuals and organizations have already invested nine million dollars for a grand total of $11,052,000.

Adopting special techniques and methods to solve unique local problems, Historic Annapolis funds three preservation projects:

1. A CAPITAL FUND to purchase properties of State and national importance. These houses will be used for the educational purpose of interpreting the history of Annapolis and Anne Arundel County. Such properties are tax-exempt.

2. A REVOLVING FUND to purchase or restore historic buildings for contemporary use. Resold, with protective covenents, these valuable structures remain on city tax rolls and contribute to the culture and economy of Annapolis.

3. AN ENVIRONMENTAL EASEMENT FUND used to purchase easements on Old Town buildings, protecting historic and scenic values therein. Used for business or residential purposes, these buildings remain on the tax rolls. At present, this fund is used only in the National Historic District on properties important to environmental quality. Such easements protect both the property of record and its neighbors and are a means of assisting people to restore their homes and bring them up to building code standards.

CURRENT PROJECTS OF HISTORIC ANNAPOLIS CAPITAL FUND

A. Restoration of the home of Governor William Paca, a 1765 home of a signer of the Declaration of Independence, purchased by Historic Annapolis, Inc., and thus saved from demolition. $275,000 was raised for purchase and preliminary restoration costs. Additional funds are now being raised to complete restoration and equip the building for use as a Presidential Visitors Reception Center.

B. Exterior restoration of Slicer-Shiplap House (headquarters of Historic Annapolis). Once condemned by the city, this 1720 structure is historically associated with shipping, shipbuilding, and other waterfront activities. Funds are required to complete interior restoration.

CURRENT 1968–1970 PROJECTS OF HISTORIC ANNAPOLIS REVOLVING FUND

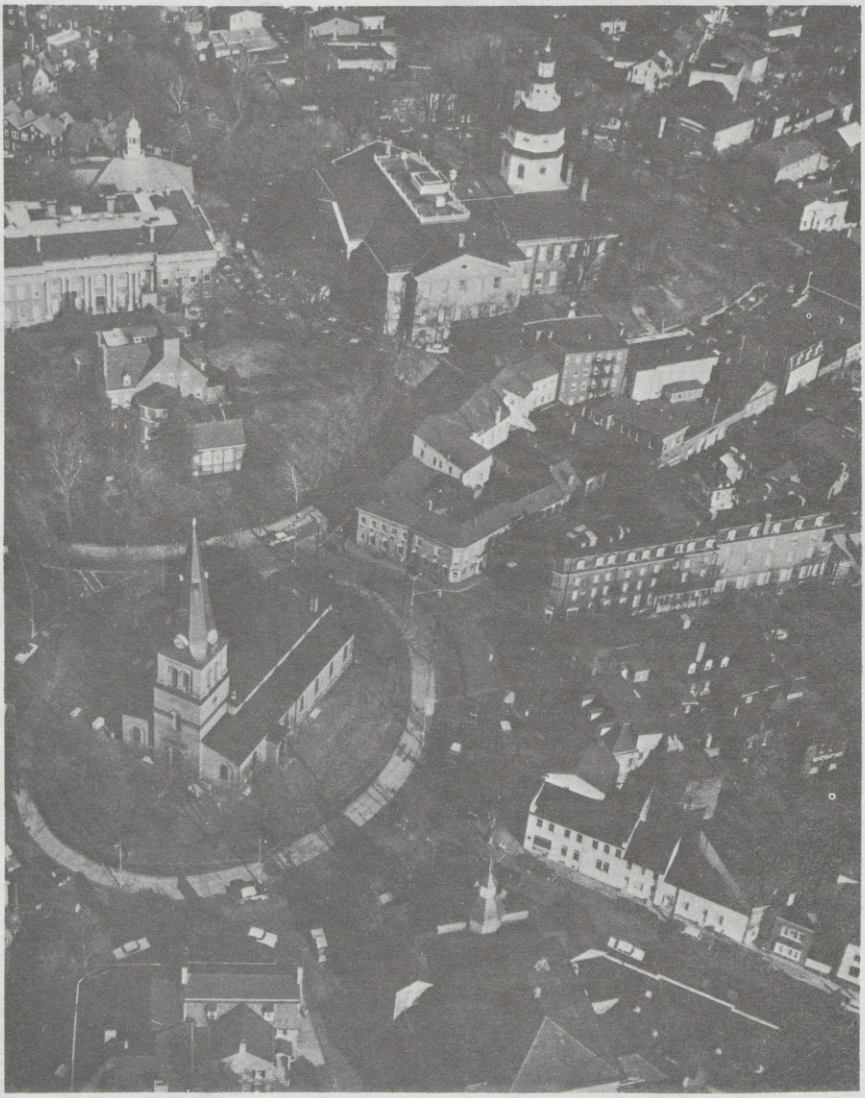
A. A once vacant building adjacent to historic Market Space, now a prosperous retail business establishment.

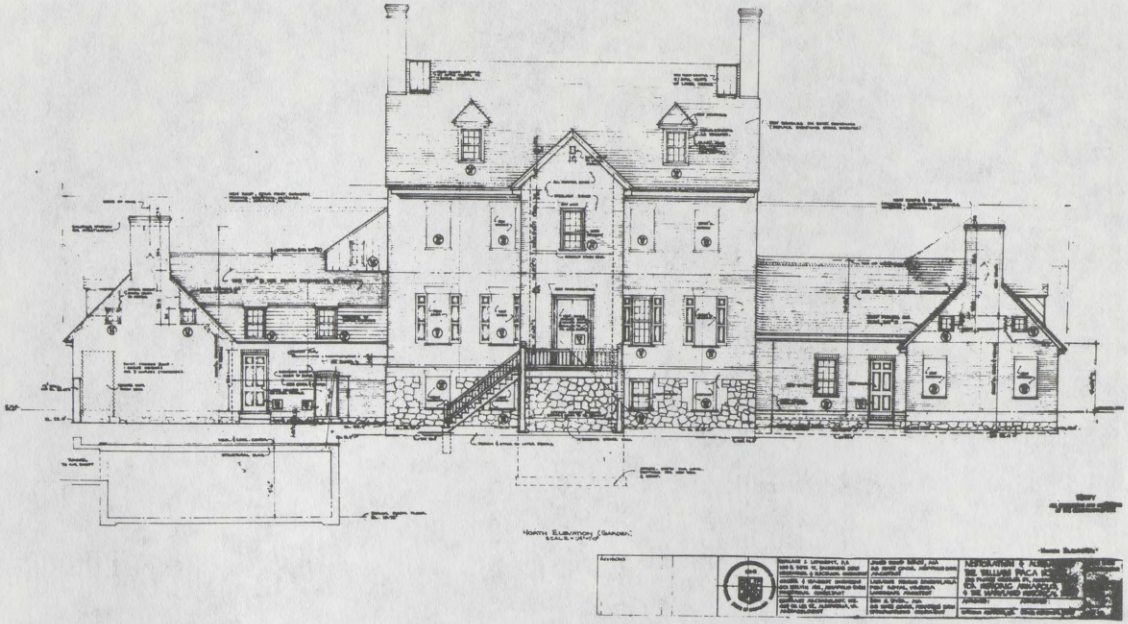
B. A 19th century general store. Architectural period: Greek Revival. High restoration costs underwritten by the Historic Annapolis, Inc. Revolving Fund are to be repaid by rentals from: 1. a specialty dress shop; 2. the art gallery of the Maryland Federation of Arts; 3. a children's museum, directed by the Junior League of Annapolis. Historic Annapolis does not own this building but contributed to city economy by turning an ugly vacant building into a magnet bringing business to downtown. Without Historic Annapolis' ingenious plan, the building would have remained a derelict eyesore.

C. Two Federal period brick commercial structures purchased in 1969 and held for resale with historic covenents.

CURRENT PROJECTS OF THE ENVIRONMENTAL EASEMENT FUND

Easements were obtained in 1969 on a fine turn-of-the-century building adjacent to two of the great mansions; on a Greek Revival structure in an important location; on buildings on Cornhill and East Street.




North Elevation (Garden)
Scale = 1/4"=1'-0"
Revisions

THE GREAT HOUSE of WILLIAM PACA

The monumental task of restoring a severely damaged, thirty-five-room, five-part mansion built in 1765 by a signer of the American Declaration of Independence, was accepted by Historic Annapolis, Inc. as an obligation to the community, state and nation. It is an extraordinary responsibility for a self-supporting private organization. The exceptional importance of the building's owner and its architecture make excellence imperative in the research and construction techniques required for historic restoration.

This compelling task is being accomplished with fidelity. The assurance of a task well done is of the greatest benefit to the city, State and nation, and will enhance the environmental value of William Paca's Great House.

The solid achievement inherent in its restoration and the remarkable fact that it was not demolished to be replaced by an environmentally devastating high-rise apartment-office complex, is proof enough of an Incredible Change.

Historic Annapolis, Inc. is deeply grateful to the Department of Housing and Urban Development for their grant of $100,000, to the Richardson Foundation, to Avalon Foundation, to the late Mrs. Ailsa Mellon Bruce for generous gifts, and to the thousands of loyal friends who contributed to the purchase and first phase of the restoration of Paca House.

49-928 O - 75 -- 8

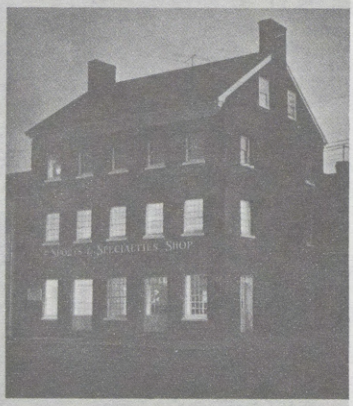
THINK OF ANNAPOLIS WITHOUT

—Paca House, the Market House, Brooksby-Shaw House, the Claude Quynn House, the Opera House, the Sands House, the three blocks bounded by Hanover Street and King George Street that are the site of the Peggy Stewart House, the Lockerman-Tilton House and 21 other significant structures, and without the many other buildings. They survive because of the activities of Historic Annapolis, Inc., and its friends.

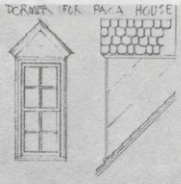
Look about — without these landmark buildings would it be the same scenic town? Each contributes to the quality of life in this community. Each contributes to the distinctive character of Annapolis. Had they been lost, neighborhoods would be bereft, stripped of identity and the pleasing diversity of other architectural eras. Once landmarks are gone, the neighborhood character is lost and its inhabitants alienated from their surroundings.

These buildings are a part of the whole, each strengthening and also enriched by the total environment. They bring beauty to everyone. Thus, beauty is an everyday happening in Annapolis, not just a remote and occasional pleasure.

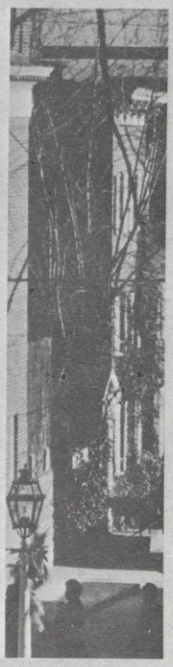
But ancient cities contribute more than beauty. They give solid evidence of past achievement, hold a key for present identity and are the basis for future planning. These are abiding qualities.....retained in Annapolis by the most courageous efforts.

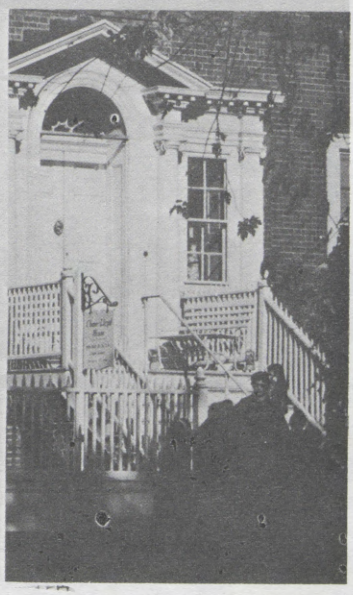

Shoes & Specialties Shop

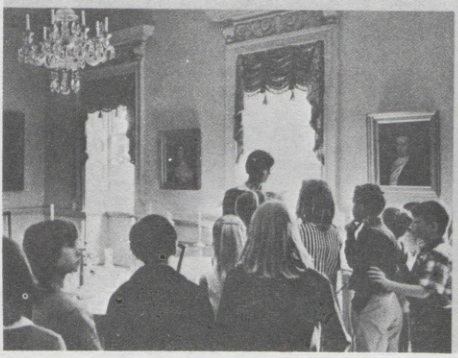

HOTEL


CORNER FOR PAGA HOUSE


MARYLAND GAZETTE







WHAT makes a GOOD

—Preservation program and how does it operate? To find out, Historic Annapolis, Inc.

Explored — and discovered that information on every facet of historic preservation was available from .....the National Trust for Historic Preservation, chartered by Congress and.....from other national architectural and historical societies.

Learned — from other communities with successful programs for keeping environmental qualities.

Learned — from those whose professional knowledge in human affairs, history, architecture, urban design planning and urban economics could guide us in establishing standards of excellence.

Learned — by contrasting the economic and cultural results of environmental preservation with environmental degradation.....by comparing bad restoration and planning with good planning and restoration.

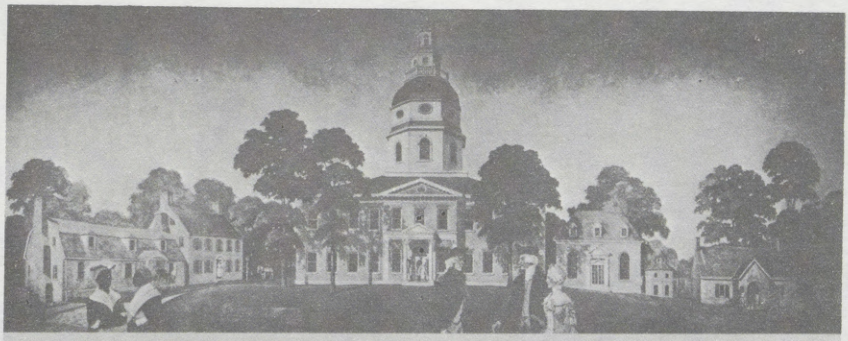
Now, programs based on knowledge gained are in use serving the Annapolis and Anne Arundel County community. On the basis of the two-to-one vote in every Annapolis ward favoring the Historic District Ordinance, it is evident that this community supports environmental preservation in Old Annapolis.

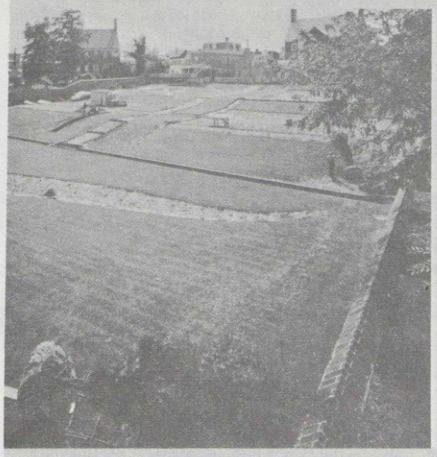
Providing the finest of programs requires the most exacting historical and architectural research. Proof of outstanding achievement is the unprecedented research grant received by Historic Annapolis from the National Endowment for the Humanities.

Sharing knowledge with the community entails slide talks, discussions, seminars and tours.

Boosting the economy of the area means increased property values and taking care of visitors attracted by the scenic and historic environment of Annapolis. Tourists leave countless dollars in businessmen's tills. The American Automobile Association estimates that each visiting couple spends $35 daily. Historic Annapolis tours are big business. Watch as they pass.....their numbers will surprise you. Listen.....as the guide extols Annapolis. You will find the town has found a voice.

Financing Historic Annapolis' operations is hard work. Historic Annapolis, a non-profit organization, receives no public funds for its operating expenses so must support itself by dues, tours, contributions and by special activities such as Heritage Weekend in October. Preservation projects are financed by fund-raising drives.





PROPOSED REDEVELOPMENT OF MARKET HOUSE SITE, ANNAPOLIS, MARYLAND

NOW IS THE TIME

The City of Annapolis, helped by garden and women's clubs, is planning a beautiful waterfront..... The Mayor and Aldermen have voted to restore the old Market House.....The State is planning a beautiful entrance to Annapolis, a Legislative Parkway to Maryland's Capital City, and has restored the magnificent art treasures in the State House.....The Maryland Historical Trust, a State agency, is bringing the city the joys of terraced gardens, trees and flowers and reflecting pools in the Once and Future Garden of Governor William Paca, an unprecedented and lovely restoration of an 18th century pleasure garden.

In preparation for the bicentennial celebration of the American Revolution and the Signing of the Declaration of Independence, the Maryland Historical Trust is sponsoring an imaginative plan to purchase, restore and use for public enlightenment forgotten buildings of the period when the Continental Congress met in Annapolis. These structures, degraded now by unsightly additions, have an exciting potential as environmental assets. Once restored, they will serve the community and interpret the Revolutionary role of Annapolis.

Annapolis is one of the very few old towns retaining the public buildings, mansions, dwelling houses, shops, inns and taverns known to the Continental Congress. Today, almost all of these notable buildings are much visited and well-cared-for. Among them, the State House, the great houses - Hammond-Harwood, Chase-Lloyd, Brice, Ridout and Scott Houses; the Maryland Inn and Reynolds Tavern. Soon visitors will have even more to see when the Trust's American Bicentennial project brings back to useful life the Victualling House, the Tobacco Warehouse and the Artisan's House.

The quality of the Annapolis environment is constantly enriched by all those citizens who with thought and care enhance their own properties.

What was once only a dream is now reality, and the Incredible Change is shown by the solid evidence of brick, mortar and stone and supported by the actions of a community that cares.

EXPENDITURES OF PUBLIC AND PRIVATE FUNDS COMPILED THROUGH HISTORIC ANNAPOLIS' RECORDS – 1958–69

A record of preservation accomplishment in Annapolis 1958–69

SECTION I

Philanthropic and public funds raised for preservation.

Historic Annapolis, Inc.: A non-profit educational corporation chartered under the laws of the State of Maryland to maintain an active living community as an abiding American Heritage.

1959–69	Funds for educational preservation activities and office maintenance	$187,000
1958–69	Preservation research, architectural studies and Old Town planning project	67,000
1955	Slicer-Shiplap purchase and restoration (exterior) . . .	40,000
1964–69	Revolving Fund	66,000
1965–68	Paca House purchase and restoration	275,000
1966	Scale model of Annapolis .	3,000
1968	Paca House restoration: pledged private donation . .	100,000
1969	Paca House restoration: private donation	100,000
1969	National Endowment for the Humanities Research Grant .	30,000
	TOTAL, SECTION I	$868,000

SECTION II

The State of Maryland and its agency the Maryland Historical Trust

1959	Purchase of John Shaw House and two fine Greek Revival buildings on same site . . .	$88,000
1961–69	Research, Annapolis community index	40,000
1965	Purchase and development of Governor Paca Garden site .	340,000
1966	Appropriation for MHT project development of Governor Paca Garden site	115,000
1967	Architectural Survey of Annapolis	5,000
1968–69	Fund for purchase of Revolutionary Bi-Centennial buildings	225,000
1968	Planning study of Paca Gardens	10,000
1969	Paca Gardens	41,000
	TOTAL, SECTION II	$864,000

Note: This does not include restoration and maintenance of State House and Old Treasury Building, fine arts, or period architecture office buildings.

SECTION III

The Bureau of Outdoor Recreation of the U. S. Department of Interior

1966	To MHT for Development of Paca Gardens	$105,000

The Department of Housing and Urban Development

	Beautification Fund to MHT for development of Paca Gardens	15,000
	Restoration Grant to MHT for Paca House	100,000
	Grant to MHT for purchase and restoration of Revolutionary Period buildings for use at time of Bi-centennial celebration of the American Revolution in Maryland	100,000
	TOTAL, SECTION III	$320,000

TOTAL, SECTIONS I, II, III $2,052,000

SECTION IV

Funds expended by other organizations and institutions for preservation and restoration.

Buildings purchased, restored and preserved and maintained by these organizations and institutions are Hammond-Harwood House, Chase-Lloyd House, Ogle Hall, Reynold's Tavern, McDowell Hall and four other buildings on St. John's Campus, the Traditional Customs House, Carroll's Kitchen and the Claude Quinn building. $1,850,000

Funds expended by private investors in residential and business properties.

The buildings included in this estimate are all listed on the MHT architectural field survey of Annapolis. Many of the remaining structures appear in the MHT list, all being in good useful condition, are not included in this estimate as purchase and restoration expenditures were made prior to 1958. 6,000,000

Landmarks of the future. 20th century architecture designed in harmony with the Annapolis environment.

This section includes Harbor House, the 1969 Donner building, St. Mary's Convent, the Yacht Club. 1,150,000

TOTAL, SECTION IV $9,000,000

GRAND TOTAL, SECTIONS I, II, III & IV $11,052,000

BUYING POWER

To evaluate the contribution to the economy of Annapolis made by the $11,052,000 spent on preservation of historic properties, consideration should also be given to:

1. BUYING POWER. The $11,052,000 has increased personal income and buying power. Additionally it has been of great importance to the stabilization of the downtown shopping district.

2. TAX REVENUE. The millions invested in the historic development of downtown property has added thousands of dollars in increased tax revenues to both the city and county.

3. CONSTRUCTION ACTIVITY. Restoration and renewal of Historic District properties has generated millions in construction and related business enterprises.

4. TOURIST INDUSTRY. Each old building restored or architecturally stabilized, each new building designed to maintain the special quality of Annapolis contributes to the atmosphere that brings tourists and shoppers in search of specialty items to Annapolis. The Maryland Department of Economic Development has stated that the visitor's dollar presently represents a substantial contribution to the economy of Annapolis. However the potential of the tourist industry will increase when the scenic and historic recreational qualities of the town are fully realized and when visitor accommodations planned in harmony with the Annapolis townscape are provided.

5. MORE JOBS. Increased construction and increased sales mean increased job opportunities for Annapolis Area residents.

Photo credits to:
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Annapolis, Maryland 21401
(301) 267-7619

Senator JOHNSTON. Our next witness is Spencer Smith, of the Citizens Committee on Natural Resources.

STATEMENT OF DR. SPENCER M. SMITH, JR., SECRETARY OF THE CITIZENS COMMITTEE ON NATURAL RESOURCES, WASHINGTON, D.C.

Dr. SMITH. I am Spencer Smith, Jr., and I have a statement. I am sure if the chairman of the full committee was here he could give my testimony as well as I could because he gave it so many times.

I am the secretary of the Citizens Committee on Natural Resources, a national conservation organization with offices in Washington, D.C.

We have had a significant and sustaining interest in outdoor recreation programs throughout the existence of our organization. We were present at the borning of the Bureau of Outdoor Recreation which, as the committee remembers, was first created by an Executive order 13 years ago, followed by the enactment of its Organic Act 1 year later. The land and water conservation fund was created over 11 years ago and, though a number of amendments have been enacted since that time, it has grown to be a significant and almost dominating force in the consideration of outdoor recreation programs at the local, State, and National level.

Within the past several years the debate has not been concerned only with the level of funding, though this has been a crucial factor from the inception, but also as to what should be the purpose of the land and water conservation fund. The Outdoor Recreation Resources Review Commission, which proceeded the establishment of the Bureau of Outdoor Recreation and any of its programs, was concerned with outdoor recreation resources. It did not indicate any approval or disapproval of indoor recreation, since it was not within the scope of the committee.

Also, the legislative history strongly supports the use of the land and water conservation fund for acquisition rather than development. The Federal Government could use its allocation from the land and water conservation fund only for acquisition and while the States were permitted some use of their allocation for development, they were admonished again and again to use ever-increasing percentages for land acquisition.

More recently an emphasis upon urban recreation, indoor recreation, State, local, and Federal relationships have brought into question what the function of the land and water conservation fund is, but we are hopeful that in so doing we define accurately what the goals of such reconsideration should be in order to determine the value of particular policies in achieving such objectives.

For example, we hope no one would succumb to the blandishments of those advocating a $1 billion fund with the following amendments:

One, increase Federal matching grants to 75 percent;

Two, allow the Federal Government to use the fund for development;

Three, permit the States to utilize any portion of its funds for indoor recreation;

Four, make no distinction at the Senate and National levels between urban and nonurban activities;

Five, increase the share of the State of the fund to 75 percent;

Six, make the corps, TVA, BIM, and the International Boundary Water Commission eligible for Federal acquisition funds. In considering such amendments, it should be remembered that $200 million in the HUD budget was eliminated completely several years ago.

In short, if all those amendments were approved while simultaneously increasing the fund to $1 billion, the total recreation expenditures may well be diminished—in fact, diminished significantly from those funds utilized at present. The watchword has been "consolidation." The charm of consolidation calls forth the perfect visual imagery of efficiency by eliminating overlapping functions and bureaucracy with the taxpayer emerging triumphantly as the recipient of greater recreation resource availability at a lower cost. One can hardly denigrate such ambition but one can ask whether consolidation is wanted only for these much sought after purposes, or whether consolidation offers a single target which is larger and easier to hit.

If it is the desire of Congress to redraft the land and water conservation fund and to give the Bureau of Outdoor Recreation new responsibilities and a new mandate, then the statute must be as precise as possible in the following areas:

One, define carefully recreation with such distinctions as urban recreation, nonurban recreation, and indoor recreation;

Two, specify for State and Federal guidelines the amount that can be allocated for the types of recreation desired;

Three, specify with no limits for the States as to the amount to be spent upon acquisition and development;

Four, make sure the formula for distribution to the States encompasses the above elements.

If it is the desire of Congress to do in this all encompassing program of recreation and vest the control thereof in the land and water conservation fund with the minimal constraits suggested here, then we must be talking of $1.5 billion to $1,750 million with the uncertainty that the backlog at the State or Federal levels will be reduced significantly.

The basic problem of making the land and water conservation fund the total funding apparatus for all recreation is that outdoor recreation in areas other than urban, which constitute the prime areas, will not be acquired and/or developed. Rather, the urban areas will attract most of the funding to the detriment of all other.

Secondly, if funding authorization were increased to the level of caring for indoor, outdoor, urban, and no urban recreation, it would be almost impossible to enact such legislation at this time. The result would be a lessening of the total recreational effort.

While the above is eclectic and summarily only, we hope it may provide the barest outline for deliberation by the commitee. We, as always, are available to offer any help the committee deems appropriate.

We think the committee for this opportunity to submit our views.

In light of some of the testimony that we have heard here this morning, I would like to state what the purpose of that fund was.

All during the hearings, which were extensive, and during the colloquy on the floor in the House and Senate which was also extensive, in the passage of that act, was that this was a land acquisition act pri-

marily. The act originally covered three sources of revenue into an earmarked fund.

I was privileged to discuss this with President Kennedy and I said earmarking is a very poor way to do this. His comment was that is very true, but do you want the money or don't you? So we went for the fund.

Basically we were covering three types of observations. One which turned out to be pretty illusionary. We thought the fees were going to be good; we also got surplus property which was real and some allied property which was in the form of land and buildings and installations. Thirdly, we got the rebate on the gasoline tax. Then we were to have the Federal Government ply their trade in acquisition of land only.

There were four amendments in the House and five in the Senate and this was debated bitterly as to whether we were going to allow the Federal Government to use their share of funds for development, or was it just going to be land acquisition. Both the Senate and the House felt that over a period of years they were to try to loan less heavily for the purposes of development than for purposes of acquisition. The idea being that the States could accelerate their activity in terms of development more profitably and perhaps in political viability than they could at the Federal level. This was the thrust of it.

What is upsetting me at the present time, I really believe, having dealt with the Bureau of Budget and now the OMB, which I still think is the fourth arm of Government, there is the judicial, the legislative, the executive, and the Bureau of the Budget. I think they are somewhere apart. I also sometimes wonder if there isn't a sign up there on the wall that says you get a prize if every day you figure out how to circumvent the will of Congress. It seems this is essentially what happens.

For example, what has happened in this instance is that the Congress has tried very hard to increase land and water conservation funds and now there are all kinds of amendments floating around on this fund. I tried to summarize them. First of all, we knocked out the $200 million which, by the way, was working very effectively. I happen to know something about that program because we worked very closely with Senator Williams in New Jersey to effectuate the $30 million contract authority for open spaces in urban areas.

It wasn't any devious politician that got this knocked out, it was the people in the Budget Bureau. They wanted these things to come up in the normal course of events, through normal appropriations. This is what they want, and they don't like this allocated fund for a specific item.

The reason it is allocated is because you can't get it in the budget. So we knocked out $200 million from the HUD budget, and then we wanted to do some of the things that have been suggested in last year's hearings, and are being discussed now, if we had $1 billion.

I hope we are not going to succumb to the blandishments of those who are advocating $1 billion if we have to take what goes with it, because that means a total reduction in what we are spending now, if we allow the Federal Government to use the fund for developments on national forests and parks, if we permit the States to utilize any portion of its funds for indoor recreation, if we make no distinction

at the State and national levels between urban and nonurban activities—I refuse to use the word "rural" because if you say urban and rural there is a big area that falls in between the definition.

Senator JOHNSTON. What distinction should we make, and what should we do for urban areas?

Dr. SMITH. If we were to take out the $200 million, adding all of these amendments, inclusive of indoor recreation, not worrying about whether we have urban or nonurban recreation, changing the amount to the States, I figure it comes to where the $1,000,120,000 is now. So if you load all of these things in, I think you have cut the budget by $100 million. I am not impressed if we take all of these amendments because this is just some more of the shell game that the budget boys are playing and I know what they want to do.

I hope the Congress doesn't let them get away with it.

Senator JOHNSTON. The budget boys are not proposing $1 billion, I will tell you that.

Dr. SMITH. But they are proposing all of the amendments and they are going to assume that the Congress is going to come up with $750 million and hopefully maybe they can get it compromised a little lower but this is going to mean a significant reduction.

Now, you are asking for priorities. In order for us to make that judgment we have to find out what values do we want to meet. I don't think they are meeting the objectives at the present time. I don't think the administration is using the funds at the present time or allowing the State programs and the matching grants to go for use at the State level that is intended in the Land and Water Conservation Fund.

Now, the will of Congress has changed and I think it ought to come in and recommend a statute. But I don't think it is a statute where you put a dance pavillion on top of New York.

Now, I know some of these things are borderline and difficult to judge, but I think the judgments at the present time are pretty clear and I think the arguments are in them for some of the indoor type of recreational activities, or maybe outdoors, I don't think there is any sense, for example in a particular community, and there has to be some review of these plans to see if they are in accord.

Senator JOHNSTON. I have been on a number of hearings on sort of unique areas. The first example that comes to mind is the Santa Monica Mountain and Seashore National Park. We had land acquisition there up to $1 billion. The area would not support heavy recreation. It was valuable in many ways because it is close to an urban area. The seashore is very valuable and should not be lost. But it concerns me that we don't have a device that we can tailor specifically to that need. We either have to go Land and Water Conservation Fund or we have to make a Federal park out of it. We certainly can't afford to spend $1 billion on land acquisition there.

My idea is to evaluate that kind of area with a view to establishing a finite number of Federal dollars to put into such an area.

Using this as an example, let's say we will give you a million dollars, Santa Monica, provided you come up with a plan for land use identifying certain stated values, which will be, let's say, recreation to some extent, air shed to some extent, scenic preservation to some extent, designate the values, state the number of Federal dollars available to you, if you fashion a plan with total assurance that that plan can be

implemented, for example, if it took the concerted effort of various local jurisdictions, then each would show its ability to implement the plan——

Dr. SMITH. Do you contemplate that part of that might be zoning?

Senator JOHNSTON. Absolutely.

Dr. SMITH. That is going to introduce an awfully interesting situation. I think Senator McGee raised a question here the other day when the defendant was up for a general briefing and as far as I understand, the three court cases now have been decided that if you zone in perpetuity, that this requires a declaration of taking. That this is in fact taking when it is of this type and magnitude. I guess all three cases are still in appeal, but the appellate courts have ruled on two and they say it is taking.

Senator JOHNSTON. Well, this will be a new frontier in the law. You can't say it is taking or not taking. There are a lot of cases already on the subject and they have gone in all different directions. When you say a man can't dredge in a swamp area, is this taking or is this an exercise of police power? There is no way to tell; you have to look at each individual situation. But when you talk about taking, the taking need not be of complete value. If you tell a person he can't build but one house on every 100 acres, that may be a taking, but clearly it is not a total taking.

What is your reaction to that kind of approach?

Dr. SMITH. We have had the Land and Water Conservation Fund of 1964. It was operative for the first part of the year in 1965. We have had four administrations and two different political parties. We never had the funds. We never had it funded at the full level that it should be.

Interestingly enough, we have in 1976 $20 million at the Federal level deferred. It can't be impounded, of course, but it is going to be deferred. So we are going to have a carryover in fiscal 1976 of $34 million. So we haven't the money. We haven't come close to it.

It just seems to me we are not going to have the money to buy Santa Monica. I don't know what program is going to work out, but it occurs to me that we have had some experience now with scenic easements. State and local could do more in this instance. Wisconsin has been a pioneer in this instance. I think scenic easement is a judicious use of zoning. Whether you can extend that to the State level, I don't know, but there has to be some series of tools to operate on these areas, because, in summation, I am trying to say, let's keep the 50–50 matching grant. I think it has been proven that this is effective. You have a unique situation there in Santa Monica. It is undefinable. You can't even quantify it in terms of recreational use. It is very hard, despite the beauty in the area, to come down and say this is in the same class as Yellowstone National Park. You just can't do it. Yet, it is worth saving.

Some of these got dangerously close and we started out with what we called extra additions to the National Park System. There was Cape Cod on the East Coast, and Padre Island in the gulf coast, and all of these recreational areas. Presumably they were to serve dense population centers and they were not to be met at the same level of care and lack of intense recreation use as we would in our national parks.

I think you can go too far with that when you get to Chattahoochee and Santa Monica and some of these other places; you really begin to scratch your head. You say, are we going to take the Federal moneys and go down there and make this a total Federal operation? I think this is what you are talking about here.

So when you get your pencil out and start figuring it has to be some sort of State and local Federal operation, I suspect we have to do something about it.

Senator JOHNSTON. My idea is to start out with a finite number of dollars on the front end, say, we will give you $75 milion and you design your plan to fit within that $75 million and we tell you what you have to do is preserve the seashore, make it available for public use, we have to provide for the air shed, you can't pollute the air beyond a certain number of particulates, and you have to preserve the natural scenic beauty of the area, and within that, you design your own plan. And then let them determine their costs and what they are going to do, whether it is by straight scenic or scenic easement or whatever. It seems to us that would make more sense than what we are doing now, authorizing the park and finding out later it didn't cost $100 million, it cost $250 million, and there is no way to acquire either $100 million or $250 million.

Dr. SMITH. Yes; I suppose the most classic is where the amount was increased 100 times or 110 times—Senator Bible used to know the figures right down to the cent because he authorized the money—because inflation and the Federal price caused the inflation to take place.

I think the one thing that the plan would have in its favor is that if you put the money up in the front end—despite the Appropriations Committee's unhappiness—this will only be achieved if you make it contract authority, so you just have this perhaps between the time the Federal Government goes in and the time the moneys are appropriated.

If you get the Federal Government to go with the State on some sort of a program I think you can make some progress in this area. I think we are on pretty thin ice when we have East Gate, the New York Metropolitan Park, which we did with Federal money, that we are going to come under criticism for many years to come. There were some uses that were marginal, I admit, and I know the difficulty between urban and nonurban. How do you determine C. & O. Canal, is that an urban park? Some people said it was. So, it is hard to make a real determination.

But I think we are probably going to have to have some sort of touchstone or guidelines. Usewise, I think everybody knows what is going to happen, land and water conservation funds are going into urban acquisition and land development.

Senator JOHNSTON. Let me say this as a final comment, and I would like to invite your further advice to us because I think we are at a crossroads in recreation in this country. I am sure we have to reconsider this whole thing. It is ridiculous once you look at the billions of dollars of needs and the billions it takes to acquire it, so we are at the crossroads as far as I am concerned. We need some new legslation, too.

I would appreciate it very much if you would give some additional thought to that in addition to what you said and that goes for other members of the audience.

Dr. SMITH. I have one recommendation. It has been mentioned that we have this backlog of $2.5 million which was published in August of 1974 and you probably can accelerate that from 15 to 20 percent, and next year will be even worse, it is probably well over $3.5 million now or pretty close to it. These aren't really very meaningful unless we know what we are talking about. When you say we have $800 million in the National Park backlog, that is true, I am sure it is. We have a whole program of resource management right now that is in serious jeopardy, and I think I am talking about just the maintenance of the parks that we have, is in serious jeopardy. Here next year we have a reduction, if you please, from fiscal year 1974 of about $160,000 for the administration of BOR. You know what that means, it means the State programs aren't going to be revised as much, personnel are going to be laid off, talking about closing some parks this summer. These are serious matters.

It occurs to me that this committee and companion branch of the House may actually come up and say, should we be authorizing some of these programs. Because it is going to have to go one way or the other and maybe the debate might get pretty significant and serious. If we are going to have 3 or 4 million dollars' worth of backlog, let the debating go forward. If the debate is significant enough, maybe we ought to fund it up to that level. We are going to have to do one or the other. It is not fair to take a lot like this with the——

Senator JOHNSTON. With the priorities being determined by politics.

Dr. SMITH. And at the executive level, not the level of Congress. I presume Congress disposes legislatively how these things should be done, but if you get a backlog of $2 or $3 billion and *x* million dollars are appropriated, what can you do. The OMB would like it to be that way, I don't think it should be. That what we have effectively done, we have deauthorized some of these areas. I think the Congress ought to make a determination, if you are going to deauthorize, what are they. At least the people here have an input. We can come before you and say if you are going to deauthorize—but you don't have that downtown.

Senator JOHNSTON. I think you are pretty right that this needs to be brought to the attention of Congress because frankly most Members of Congress are not aware that they are not going to be funded. I think when they create the park they think the machinery moves to get the funds.

Dr. SMITH. Yes; we have constituencies, too, who think that. I get letters of congratulations all the time and I wince when I get them. Thank you for Big Cypress. Well, Big Cypress is on paper but that is all. But people are lulled to sleep by this. When we go before the Appropriations Committees on Interior and Related Agencies, there aren't many people there. I think the authorizing committee ought to at least cause a bill of particulars to become a public document so that the recreation and conservation and environmental community as a whole can find out what we are talking about. What are the areas, where are they, how much do they cost, et cetera.

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Senator JOHNSTON. Well, we are going to get that as quickly as possible and then we will try to get them to do a more considered study on it to make a public document, but I want to get something here in the next few weeks.

Let me say, Mr. Smith, I would like really to talk to you for many, many minutes, but I must catch a quick bite and be at a TV studio at 1 p.m., so I am going to have to run, but I would invite your conversation with us during this week and next as we formulate these plans.

We would like to recess now and continue the hearing at 2 p.m.

[Whereupon, at 12:30 p.m. the hearing was recessed, to reconvene at 2 p.m.]

AFTERNOON SESSION

Senator JOHNSTON. Our final witnesses this afternoon would like to appear as a panel. Mr. Neil Chase, Chief of Land Resources Branch of the Department of Resources and Development of Trust Territory of Pacific Islands, Mr. William G. Painter, Director, American Rivers Conservation Council, Mr. Toby Cooper, Administrative Assistant for Parks, National Parks and Conservation Association, and Mr. G. Jon Roush, Executive Director, The Nature Conservancy, and also, Linda Billings of the Sierra Club is here, and we would like Miss Billings to join in as well.

Mr. Chase, you might lead off since you are with the Trust Territory, and that is a little different problem. Then we will have the others as a panel.

STATEMENT OF NEIL CHASE, CHIEF OF LAND RESOURCES BRANCH, DEPARTMENT OF RESOURCES AND DEVELOPMENT OF TRUST TERRITORY OF PACIFIC ISLANDS, ACCOMPANIED BY JERRY ROGERS; WILLIAM G. PAINTER; TOBY COOPER; G. JON ROUSH; MISS LINDA BILLINGS; AND JOHN W. HUMKE

Mr. CHASE. Thank you, Mr. Chairman.

My name is Neil K. Chase. I am the historic preservation officer for the Trust Territory of the Pacific Islands, headquarters in Saipan. Although my labors are conducted far from the shores of the mainland United States, I want to speak of the historic preservation problem on a national scale. The president of the National Conference of State Historic Preservation Officers, Mr. Truett Latimer of Texas, was unable to be here today and has asked me to speak on behalf of the National Conference.

The National Conference of State Historic Preservation Officers has estimated that the amount of Federal funds required to overcome the outstanding deficit of historic preservation need in America is $400 million per annum for a period of 10 years. That amount would allow us to handle the backlog of preservation work that has accumulated over past decades when little or no financial assistance has been available.

Recognizing that such a substantial increase in the funding level is not likely to come under present economic conditions, the State historic preservation officers last year advocated legislation that would authorize a historic preservation fund of $200 million per

annum, drawn from offshore oil revenues and from mineral leasing on public lands.

Senator JOHNSTON. You are speaking on behalf of the National Conference of States as the Historic Preservation Officer?

Mr. CHASE. Yes.

Senator JOHNSTON. I see, all right.

Mr. CHASE. The National Conference of Historic Preservation advocates raising the Federal ratio of grant assistance to 70 percent for survey and planning activities and preparation of project plans, and 90 percent for meetinghouses, endangered historic properties of national significance, and for projects that would advance and disseminate knowledge on the technical aspects of historic preservation. S. 327 contains these basic provisions, although with differences in funding levels and funding ratios.

Senator JOHNSTON. Let me stop you right there and say that the entire statement will go in the record. You are advocating increasing the share of Federal funding?

Mr. CHASE. Yes.

Senator JOHNSTON. Did you hear the last witness who spoke?

Mr. CHASE. Yes.

Senator JOHNSTON. And you heard his statement that to increase the level of Federal funding would actually be reducing the share for parks and recreation for historic preservation. That is a compelling argument to me. Would you answer that?

Mr. CHASE. I have with me Mr. Jerry Rogers who is Chief of grants who administers the funds for historic preservation, and I would rather have him answer that, if I may, since he is closer to the State needs.

STATEMENT OF JERRY ROGERS, CHIEF OF GRANTS, DEPARTMENT OF RESOURCES AND DEVELOPMENT

Mr. ROGERS. Mr. Chairman, I had only expected to listen but I can tell you the position of the conference since I work closely with them.

The State historic preservation officers had advocated an increase in the funding level for, I believe, three different basic purposes which are consonant with S. 327. The purpose is to increase the Federal share for the planning element and the preparation of project plans, the principal reason for that being the tremendous burden placed on the State preservation officers by their performing the functions in review of environmental impact statements, assisting in reviewing section 106 cases under the protective aspect of the Advisory Council's work, helping to implement Executive Order 11593 in which Federal agencies are required to consult with State preservation officers closely before they do anything that might adversely affect their own historic properties and so forth.

The historic preservation officers met just last week in Washington and they were extremely concerned about the tremendous burden of work that is falling upon the States, that, in their mind, is a result of Federal responsibilities.

Senator JOHNSTON. Why would that be Federal responsibility?

Mr. ROGERS. Because it is action taken by Federal agencies in

response to Federal laws and Executive orders such as the Environmental Policy Act of 1969. In order for the Federal agencies to comply with these laws they have to consult closely with the SHPO's this means the preservation officers have to be prepared to respond.

Right now they are strained to their limit to respond adequately.

Senator JOHNSTON. What about 90 percent for meetinghouses?

Mr. ROGERS. This was in the bill, the SHPO's were advocating during the last Congress. As you recall that program came from a separate bill entitled "Meeting Houses U.S.A." and I believe it was the will of the Senate during the last Congress that such a program could better be administered as an extension of historic preservation program. I think the original Meetinghouse bill called for 100 percent Federal funding and that really is what the SHPO's were advocating then, with the proviso that the regular historic preservation grants program first be funded at $100 million per annum or more.

The other aspect of higher than 50-percent Federal funding that is of interest to the preservation officers involves the need for an ability to assist in the protection of great buildings of major national importance, buildings such as the Wainwright Building, which Mr. Biddle discussed earlier, buildings which are often considered as possible new National Park Service areas when the National Park Service finds it is sorely pressed to take care of the ones it has. The idea being, of course, that a higher level of funding for those great nationally significant buildings might serve as a substitute for Federal ownership and management.

Senator JOHNSTON. You say you are very pressed to do the job that Federal law requires you to do. Are States failing properly to fund the historic preservation aspect of your job?

Mr. ROGERS. No, sir, the States are funding the preservation programs quite well, I would say. In fiscal year 1976 the States expect to spend about $4.6 million for the survey and planning activity out of that $186 million that they expect to ask for. That is a fairly small percentage, but it is enough to maintain a basic professional staff. But the State preservation officers feel that during the current economic constraint their own State legislatures are not very likely to allow them the increases they need to meet the increasing number of environmental impact statements and other aspects of the Federal workload that they see coming their way. They feel they are right at the breaking point.

Senator JOHNSTON. Thank you very much.

[Subsequent to the hearing the following information was received:]

ESTIMATES OF LOSS FOR UNFUNDED HISTORIC PROPERTIES, NATIONAL PARK SERVICE, FEBRUARY 21, 1975

The rate of loss of historic resources in concentrated urban areas appears to be higher than in other areas. Between 1951 and 1957 the Municipal Arts Society of New York conducted an architectual survey in which over 300 buildings were designated as worthy of preservation. By the time the survey was completed, more than 1/5 of the designated buildings had been destroyed.[1] This would indicate a loss rate of 20%in six years, or 33% in ten years.

It was estimated in 1966 that 1/2 of the 12,000 buildings recorded by the Historic American Buildings Survey since the program's inception in 1934 had

[1] Robert L. Montague, III, and Tony P. Wrenn, *Planning for Preservation* (Nov. 1964, Chicago) 1.

been destroyed.[2] This would indicate a loss rate of about 17% in ten years. Because the Historic American Buildings Survey represents a diversity of resources throughout the Nation, this figure is likely to be a more reliable indication of nationwide loss than the New York City figure.

The Society for American Archeology has estimated that, at the current rate of destruction, the entire American archeological resource will be lost by the year 2000 For purposes of comparison, this would represent a 40% loss in a ten year period.

It has been estimated that the National Register might include something over 50,000 properties by 1980 (the comparable registry for the Soviet Union includes over 100,000 properties) If we apply the most conservative of the above estimates of loss, we could predict that 9,500 significant properties are in danger of being destroyed during the next ten years.

The average grant request under the National Park Service grants program has been about $85,000 but allowing for inflation and for the fact that endangered buildings are more costly than the average, we believe that a cost of $100,000 each would be quite conservative. This would allow us to project that $850,000,000 over a ten-year period would be required in order to handle the citical emergency needs.[3]

The National Conference of State Historic Preservation Officers has estimated that $400,000,000 per annum is needed for a period of ten years in order to overcome the backlog of need that has accumulated over the decades when there was no funding. Of that amount, $85,000,000 would be required just to prevent conservatively predictable losses, at the 50% matching ratio. The rest of the $400,000,000 would go for the protection of nationally significant properties, for projects to demonstrate methods and techniques of historic preservation, and for the preservation and enhancement of properties that need assistance but are not yet critically endangered.

While the cost of preserving critically endangered buildings is here estimated to be $85,000,000 per annum at a 50% matching ratio, it should be understood that a total program of that size could not be expected to halt all loss of significant buildings. Priorities would require major amounts of the money to go for the protection of the integrity of districts, even at the sacrifice of other important buildings in isolated settings.

At least two categories of historic properties now are paradoxically caught without adequate financial assistance even in States with high matching capabilities. One is comprised of properties which have preservation problems for which the technical solutions are unknown, such as adobe erosion, stone decomposition, and spalling caused by freeze-thaw cycles or oxidization of interval components. The other category is comprised of major buildings, often of national significance, which have particularly expensive preservation problems, such as those set forth below.

Marquette Building, Chicago—Land is worth $2 million more without the building than with it. Needs $2 million plus renovation costs.

Willard Hotel, Washington, D.C.—American Indian Council needs $2 million to rehabilitate interior into office space and hotel.

Union Station, Tacoma, Washington—Needs $3 million for repair, restoration, and new mechanical systems.

Exchagne Building, Charleston, S.C.—Needs $3 million for complete restoration.

Guaranty Building, Buffalo, N.Y.—Needs $1.5 million for restoration and repair of recent fire damage.

Old Post Office, St. Louis, Mo.—Needs $11 million for conversion into hotel, shops, restuarants, etc.

Pennsylvania Academy of Fine Arts, Philadelphia, Pa.—Needs over $6 million for restoration and updating of electrical and mechanical systems.

Union Terminal, Cincinnati, Ohio—Needs $13 million to rehabilitate as a central transportation facility.

Fort Mifflin, Philadelphia, Pa.—Needs $3 million for restoration.

Fraunces Tavern Block, N.Y., N.Y.—Needs $2.5 million for adaption for contemporary use.

Drayton Hall, Charleston, S.C.—Needs $6 million for restoration and preparation for public use.

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[2] Constance Greiff, *Lost America* (Princeton, 1971) I, viii.

[3] Nationwide application of the loss figure derived from the Municipal Arts Society of New York would have rendered a figure of $1,650,000,000 over a ten year period.

Senator JOHNSTON. Did you have anything you wanted to add, Mr. Chase?

Mr. CHASE. I think Mr. Rogers has pretty well covered it, except that I could go a little further here, this matter of 70 percent has not been brought up.

Mr. ROGERS. That is really what I was attempting to cover.

Senator JOHNSTON. I think our problem is going to be to increase acquisition funds. That is where the real crunch is coming. If we can give you additional planning money that does come out of acquisition funds, that is going to be one thing. But to take money out of acquisition funds, and put it over in planning, at this point I am not convinced that we ought to do that. Because we are just terribly short on acquisition funds right now, in historic preservation, as well as in parks.

I would rather see the States come up with money for running the program, even though it is a federally imposed burden, so that we can use that previous money for acquisition.

Thank you very much indeed, Mr. Chase. We appreciate your coming all the way from Saipan. It is curious that someone from Saipan would represent the 50 States, and we are very glad to have you here.

Mr. CHASE. Thank you, sir.

Senator JOHNSTON. Thank you very much.

[The prepared statement of Mr. Chase follows:]

STATEMENT OF NEIL K. CHASE, HISTORIC PRESERVATION OFFICER, TRUST TERRITORY OF THE PACIFIC ISLANDS

My name is Neil K. Chase. I am the Historic Preservation Officer for the Trust Territory of the Pacific Islands, headquarters in Saipan. Although my labors are conducted far from the shores of the mainland United States, I want to speak of the historic preservation problem on a national scale. The President of the National Conference of State Historic Preservation Officers, Mr. Truett Latimer of Texas, was unable to be here today and has asked me to speak on behalf of the National Conference.

The National Conference of State Historic Preservation Officers has estimated that the amount of Federal funds required to overcome the outstanding deficit of historic preservation need in America is $400 million per annum for a period of 10 years. That amount would allow us to handle the backlog of preservation work that has accumulated over past decades when little or no financial assistance has been available.

Recognizing that such a substantial increase in the funding level is not likely to come under present economic conditions, the State Historic Preservation Officers last year advocated legislation that would authorize a Historic Preservation Fund of $200 million per annum, drawn from offshore oil revenues and from mineral leasing on public lands. We also advocated raising the Federal ratio of grant assistance to 70 percent for survey and planning activities and preparation of project plans, and 90 percent for meetinghouses, endangered historic properties of national significance, and for projects that would advance and disseminate knowledge on the technical aspects of historic preservation. S. 327 contains these basic provisions, although with differences in funding levels and funding ratios.

The enactment of S. 327 would be the Federal Government's greatest step yet toward meeting the nation's financial need to protect its cultural ecology. We commend the authors of the bill for applying the sound concept that as non-renewable should be used to protect other non-renewable resources of importance to the people of the United States. Historic resources are non-renewable, and they form the bedrock of culture in the Trust Territory and in each of the mainland States.

I have just attended the three-day annual meeting of the National Conference of State Historic Preservation Officers here in Washington. It was an excellent meeting and I learned a great deal that will help me do my job better, but I noticed an attitude on the part of my fellow Preservation Officers that almost borders upon despair.

The delegates from State after State spoke to me of the difficulties they are having in keeping up with their survey and planning work. The "New Federalism" approach to government, which allows more decisions to be made at the State and local levels, is good—especially in the field of historic preservation. But unfortunately we have found that this approach requires the State Historic Preservation Officer to take on an ever-increasing workload in order to help the Federal Government to meet its environmental protection responsibilities. We are called upon daily to review environmental impact statements, to assist in the implementation of Executive Order 11593, to cooperate with the Advisory Council on Historic Preservation in protecting historic properties against adverse effect caused by Federal undertakings, to deal with local officials in implementing Community Development Block Grants in historic areas, and soon we must learn to assist the Department of Housing and Urban Development in implementing a system of guaranteed loans for residential properties listed in the National Register. This is as it should be, for we are in a far better position to identify and protect historical elements of the environment than anyone else, but we need help in order to bear this Federal Government burden. That section of S. 327 that would provide 70 percent Federal funding for survey and planning and project planning is of particular importance. Mr. Chairman, the 55 other State Historic Preservation Officers and I stand ready to cooperate with the Federal Government in the protection of our historical heritage. We are grateful to this Committee and to the Senate for passing a similar measure during the 93rd Congress, and we hope that S. 427 will be reported favorably and passed as soon as possible.

Senator JOHNSTON. Now, the remaining members of the panel. Let me let you choose your own moderator and proceed at your own pace, in your own way.

STATEMENT OF LINDA BILLINGS, WASHINGTON REPRESENTATIVE, SIERRA CLUB

Miss BILLINGS. Linda Billings, Washington representative for the Sierra Club. I would like to just go through my statement and summarize.

We enthusiastically support the increases in the land and water conservation fund to at least $1 billion. We think that the backlog in Federal acquisitions is more than accounting for the need for this increase.

I talked recently with the National Park Service office and this was before some additions occurred in the past Congress that there was a backlog in the National Park Service acquisition of $100 million alone. This is not going to serve our future needs in the park system which are substantial and we could identify as much as 50 areas that would warrant addition to the Nationl Park and Monument System.

When you add to that some 56 study areas for the river system, I think we begin to get a picture of what the future needs just for the Federal Government.

In addition, the States need to participate, too. So I think in that respect $1 billion is a very modest increase and certainly an important hedge against inflation in terms of what these lands will inflate in cost as it goes along.

In some cases in the shorline area in particular, the inflation rates have gone as much as 300 or 400 percent in terms of increase.

If the committee does voice some concern that the legislation would be vetoed at a flat building increase, then we would ask that the committee consider a graduated approach to gradually increase the fund over, you know, 3 or 4 years, up to the $1 billion. I think that possibly would be a good compromise approach and I feel that administration is friendly to the concept of land and water conservation funds, considering the fact that they are going for full funding this year.

Senator JOHNSTON. I see in your statement you applaud the 70–30 formula matching grant for State acquisitions of land.

Miss BILLINGS. With reservations.

Senator JOHNSTON. I am beginning to have reservations myself, particularly in view of Dr. Smith's testimony this morning.

Tell me what your reservations are, first.

Miss BILLINGS. The reservations are that States may take what they say in terms of having to put up less State dollars and get more Federal funds, they may take what they say and plow that right into development as you know the majority of the funds over the years have been used for development, not land acquisition. I support the objective of the 70–30 ratio, that is to encourage the States to participate more in land acquisition. I support that fully. We don't have an answer at this moment, but I would encourage some further thought as to some further incentive to get the States to go into acquisition. We may want to think of something in addition to the 1973 change.

Senator JOHNSTON. Would the readiness or hesitation, as the case may be, to put up the 50-percent share be an adequate indication of the need to acquire a particular park or piece of property?

Miss BILLINGS. I suppose so.

Senator JOHNSTON. In other words, if the State won't put up its 50-percent share, would that be a fairly good indication that the land really isn't that badly needed? In other words, if there is real pressure for development or for acquisition, shouldn't the State be willing to put up its 50-percent share?

Miss BILLINGS. I think we would have to, you know, consider the circumstances in the State. I think the rationale behind, and I think it is a valid rationale behind changing the ratio from 70 to 30, is to make these land acquisition programs competitive with other Federal matching grant programs. I think that is a good argument in favor of changing the ratio. I don't think that because a locality refuses to put up 50 percent or can't see its way to putting up 50 percent is necessarily an indication that they don't value participation in the program or don't value the land. Maybe it is because of other Federal programs offering better matching ratios, they decide that for that particular year or over the next 3 years or so they are to use their short funds in this other Federal program which gives them a more attractive matching ratio.

I think the success of park bond issues across the country, the gentleman from Baton Rouge gave us a good example of that, indicates there is an increasing willingness on the part of citizens to participate in recreational land acquisition programs.

Senator JOHNSTON. Did you hear the colloquy this morning between myself and a couple of witnesses on the need for some kind of new tool for areas like Santa Monica National Park where you can put up a limited number of Federal dollars and give it to the State

to plan within the framework of those dollars as to how best to meet these particular values which we will specify in the bill?

Miss BILLINGS. Yes.

Senator JOHNSTON. What is your reaction to that kind of legislation?

Miss BILLINGS. I think it is an interesting concept and, as you said it is in its formative stages now and there are a lot of questions that we would want answered.

The reason we have enthusiastically supported urban national parklands is primarily because of our concern over management of these lands. The people we talked to who support creation of these parks support them because of their outstanding national values as well as their proximity to urban areas and the opportunities for urban recreation. There is a real concern for the natural beauty and value of these areas. The advantage of having this administered as the National Park System is because of those management concepts which favors the protection of natural value versus an emphasis that might go toward facilities oriented recreational development that might infringe on those natural values. That is our primary concern.

I think the concept you are beginning to consider, where would the police power be, where would the powers be to make sure that these areas are managed in such a way as to protect natural values?

Senator JOHNSTON. That is the advantages of the kind of legislation I am talking about. You identify your values in advance. What is it you want to achieve? Is it recerational use or scenic beauty or watershed, just what is it? You identify those and leave it up to the State to best determine how to implement that, and before the Secretary would approve the plan he would receive assurance, by whatever legal means, that the plan would be carried out before the Federal funds are released. There are various devices you could use for that. Zoning or covenants in effect that would run with the land or a number of different devices that you could use to insure that these values would be preserved. But I think we have to wake up to the fact that there is no way we are going to acquire the fee of these billions of dollars worth of parks and recreational areas, et cetera, unless we very drastically change the priorities of money spending in the Congress and I frankly don't look for that. I don't think we can acquire everything we have got in fee. Everything we have on the books now. Even at the funding levels we have in this, it takes years and years to do it all. I just think we have to face up to setting some priorities and defining what we want to accomplish and using our resources as best we can to accomplish those purposes.

Miss BILLINGS. An additional comment that I have that is not in my statement is to respond to something else that you mentioned in your comments this morning and that had to do with needs of urban recreation and the possibility you raised of a separate fund to take care of these urban recreational needs. I think that would be something worth exploring. We are very concerned that the land and water conservation fund and the important activities that it has to undertake not be diluted, and by the same token we recognize that there are some urban recreation needs that are continually surfacing and I gather since the HUD open space program and revenue sharing there is a lack of participation in the program under the revenue-sharing ap-

proach and increasingly localities are turning to the land and water conservation fund.

Unless the fund is substantially increased into a multibillion-dollar fund, I don't see that it is going to be taken care of under this billion-dollar increase. Furthermore, I think that because the whole concept of urban recreation is many times quite different but complementary to land acquisitions, we believe it is a primary focus of the land and water conservation fund and that a separate recreation fund would be worthwhile exploring.

Senator JOHNSTON. Thank you very much, Miss Billings.

[The prepared statement of Miss Billings follows:]

STATEMENT OF LINDA M. BILLINGS, WASHINGTON REPRESENTATIVE, SIERRA CLUB

Mr. Chairman, I am Linda M. Billings, a Washington Representative for the Sierra Club, an international conservation organization. Since its beginning in 1892, Sierra Club members have been dedicated to the exploration, enjoyment, and preservation of this country's magnificent scenic resources—forests, waters, wildlife, wilderness, and environmental quality. We very much appreciate the opportunity to testify in support of legislation to increase the authorization ceiling for the Land and Water Conservation Fund and create a National Historic Preservation Fund. The Sierra Club enthusiastically supports substantial increase in the Land and Water Conservation Fund to at least one billion dollars as proposed in S. 327, Sec. 101 (a). The current authorization in the Fund in not adequate to meet present commitments and certainly can not take care of future needs.

At present the yearly authorization ceiling for the Fund is $300,000,000, of which approximately 60 per cent is for allocation to the States and 40 per cent is for Federal obligations. In recent years the Federal share was reduced to 25 per cent (and the full $300 million authorized not spent in 1974), yet there has been and continues to be a substantial backlog of Federal land purchase obligations for the Department of the Interior and the U.S. Forest Service.

The total backlog of authorized acquisitions for the Federal Government is now well over two billion dollars (approximately four million acres). Of this, the National Park service alone has an estimated backlog of acquisitions amounting to an estimated $800 million, to take care of the purchase of new parks authorized by Congress and the purchase of inholdings in older parks. The remainder of the Federal backlog of land purchases comes from the needs of the Forest Service (to acquire lands in national recreation areas and inholdings), the Fish and Wildlife Service (habitat for endangered species), and the Bureau of Land Management.

There may be a reluctance on the part of some to consider an increase to one billion dollars for the Fund in times when many people who are concerned about inflation see a need for decreased federal spending. However, one of the primary justifications for increasing the Fund is that land prices have been escalating rapidly and in order to avoid spending more money in future years, it makes good sense to take care of our land acquisition needs as soon as possible. Inflation of land prices for parks has been occurring at an average rate of 10 per cent over the past few years and is expected to continue at that rate. The inflation problem is especially acute in shoreline areas, where there have been phenomenal increases (as much as 3 to 4 hundred per cent). Therefore, providing adequate funding to take care of past, current, and future parkland acquisition needs will be a hedge against inflation in future years.

There has been a concern expressed that increasing the Fund to one billion dollars would "kill it with kindness" by inviting a Presidential veto. If it is decided that some reduction in the amount is warranted, the Committee might consider using a graduated increase approach. That is, start with a more modest increase and bring the total amount up to one billion in stages, over about three years. The Administration's budget for 1975 and 1976 does call for full expenditures of the Fund at current authorization levels, and I believe that this is an indicator that they support the purposes of the Fund and would be amenable to an increase in the total authorization.

S. 326, Sec. 101(c) proposes to change the Federal share of matching funds for State acquisition of lands from the present 50 per cent to 70 per cent (the matching Federal share for planning and development would remain at the current level of 50 per cent). The purpose of this change is to encourage more activity on the part of the States in land acquisition; and this goal is desirable not only as a hedge against inflation of land prices in the future but also to prevent land from being lost to development, mining and the like. Changing the Federal share to 70 per cent also has the additional advantage of making recreational and parks land acquisition programs more attractive and competitive with other Federal-State programs, such as highway construction, where matching rations are usually at least 70 per cent and in some cases as high as 90 per cent.

However, some more thought might be given to additional incentives for State participation in land acquisition programs. Simply decreasing the matching share for the State may not achieve the end result desired. Over the years we have seen a large portion of their Fund allocations for development ($573 million) than for acquisition ($398 million). Much of this development money is spent on the construction of ball parks, tennis courts, swimming pools, and the like. A problem could emerge if States are requried to spend less of their money on acquisition to get more Federal dollars. They may be tempted to spend the money they "saved" on development. That is, under the proposed change a state that in the past might have spent 50 per cent of its money on acquisition and 50 per cent on development could now spend 30 per cent on acquisition (to get the same amount of Federal money) and 70 per cent on development, with the result being that more money would be spent on development. We might want to think about creating further incentives that would make raising State money for acquisition more attractive.

Turning to another provision in the bill where there is a concern about excessive use of funds for development, Sec. 101(e) of S. 327 proposes to allow up to 25 per cent of a state's allocation to be used for the construction of "sheltered facilities." My understanding of the original intent of the language is that it was meant to take care of problems occurring in states in the North having severe and long winters. However, I have learned that the BOR interprets the language to allow construction of year-round indoor recreational facilities for activities not normally pursued out of doors in the area (for example, indoor ice skating rinks in the Southwest). Therefore, I urge this Committee to amend Sec. 101(e)(2) as follows:

After the word "facilities," line 15, page 3 of Sec. 101, Title I, delete everything to the end of line 21 and insert in lieu thereof: "to increase the season for summer recreational activities normally pursued outdoors in those areas where the shortness of the summer makes the construction of summer outdoor recreational facilities financially marginal, or to shelter facilities for winter recreational activities normally pursued outdoors in those areas where the severity of the winter climate jeopardizes the health or safety of the users."

A very positive change proposed by S. 327 is the amendment in Sec. 101(g) to allow more Federal monies from the Fund to be spent for land additions to the National Wildlife Refuge System. The major reason for the depletion and loss of so many wildlife species is loss of habitat. Allowing more of Land and Water Conservation Funds to be spent on land acquisitions for wildlife refuges will greatly assist in the preservation and conservation of wildlife, and we support this proposed amendment.

Finally, we advocate the addition of language which would make it clear that funds which have to be allocated for State use but not spent should be returned to the Fund for redistribution to other States and/or Federal programs, not to the general fund of the Treasury.

In closing let me also add some words of support for Title II of S. 327 to establish the National Historic Preservation Fund. Although this is largely out of the purview of our organization, we do recognize the pressing need for such a Fund. In many instances, the preservation of old farms, estates, battlefields, and the like make a direct contribution to the preservation of natural resource and scenic values.

To conclude my statement, let me just emphasize again the critical need for a substantial increase in the Land and Water Conservation Fund to at least one billion dollars annually. At the beginning of my statement, I emphasized the needs for funds to take care of the backlog of Federal land acquisitions. There is also a need for funds to take care of future acquisitions. It would be

possible to identify over 50 areas as potential national parks and monuments. In addition, Congress has authorized 56 rivers for study and possible inclusion in the Wild and Scenic Rivers System. And, in addition to these, there would be numerous proposals for new recreation areas, wildlife refuges, wilderness areas, national seashores, etc. This committee will also receive testimony from BOR and state officials of the billions of dollars needed for state programs. So, as the total picture emerges of current and future needs, the billion dollar annual authorization appears reasonable to say the very least as a wise investment in our country's future.

Senator JOHNSTON. Mr. Painter.

STATEMENT OF WILLIAM G. PAINTER, DIRECTOR, AMERICAN RIVERS CONSERVATION COUNCIL

Mr. PAINTER. Thank you, Senator.

Just briefly, we do support the increase in the funds and would echo what Miss Billings said. If there is concern that this kind of increase up to $1 billion would target this bill for Presidential veto, that something, somewhat of what the House did last year, be explored; that is, take it in increments so it won't have such an immediate impact on those concerns about inflation. I agree with you I am not sure it would have very much of an inflationary impact even if you did put it in all at once.

We support the concept of the 70/30 match, but we also have reservations about whether it would work. Suppose the State right now is putting up $100 million, or let's say $1 million and the Federal Government is matching that with $1 million, if you switch it to the 70/30 rato, what the State may do is simply say, well, we are spending $2 million total on the ground and acquisition and whatever, now we can put up less of our own money and still spend $2 million because the Federal Government is giving us more. If that is the result you are not increasing the amount of money going into this program, but you are spreading the Federal dollar out more.

Senator JOHNSTON. I am coming around to the view that your fears are well placed there.

Mr. PAINTER. It is a difficult thing to predict how that is going to happen. Some of the States might do this and some of the others will say, great, we can take the same amount of money we spent last year and get more Federal dollars. If that is the way it is going to work, then it is exactly what we all are looking for here.

Senator JOHNSTON. We really haven't had any problem getting those funds matched.

Mr. PAINTER. That is the opinion I had. A number of States came in last year and said they were willing to match more than the Federal Government was able to match. If that is the general condition they are in, why not give them more money and let them match it on a 50/50 rather than give them an opportunity to take another ride on the Federal Government with a 70/30 match.

The other matter I would like to point to is this business of indoor facilities. The bill as now written would allow the building of certain so-called sheltered facilities. It is our understanding that this language was intended to solve a problem existing in some of the northernmost States where the building of swimming pools is of marginal utility. We can see it makes sense to allow States and localities in those areas to use money for pools that would be sheltered to the

degree needed to extend the season so that the building of such pools would be a sounder investment. But we are concerned that the language as now written could be interpreted to allow much wider use of the funds.

The Interior Department indicated that it interprets the existing language to permit the funding of completely indoor swimming facilities that could at no time be construed as an outdoor recreational facility. The Department also stated they thought the language would allow the building of an indoor skating rink. We don't believe this is the proper use of the land and water fund and we doubt that the committee would disagree with us in this regard.

We fear that if the existing language is to be interpreted as the Interior Department has done, then the possibility of land and water conservation moneys being used to build ice skating facilities in areas where ice skating is not and has never been a form of naturally occurring outdoor recreation, becomes very real.

In addition, areas such as the Washington region, which have a perfectly adequate summer swimming season, would be allowed to build year-round indoor swimming facilities with land and water conservation funds. Is this what this committee and the Congress intended the land and water conservation fund to be used for?

Senator JOHNSTON. I think the answer to that is that the first order of priority is to get the land. When we have limited funds I am inclined to agree with you. It is not that we don't want to build indoor skating rinks and covered facilities, but when we have limited funds I am coming around to the view that we better use those funds solely for acquisition.

Mr. PAINTER. Another problem with the language is you have an indoor swimming pool and ice skating rink and right now the Department has drawn the line at that and said you couldn't use these for indoor tennis courts or horse riding rings, but somewhere down the line there would be another interpretation that would go even further.

Therefore, we submitted some language here that we suggest might be one way to keep the spread of this thing fairly controlled.

But is seems to me the better solution is the one you suggested, that is, let's just go and set up an urban fund that is designed to handle some of these programs that have gotten lost in the shell game when some of the open space programs and indoor recreation programs were placed under revenue sharing, and then sort of disappeared.

Otherwise, if we keep cutting into the land and water fund for other purposes we are going to end up with both programs being served inadequately.

Since we have an increase in offshore leasing moneys it would seem appropriate to establish this urban fund that would handle the strictly urban needs that are not open space in character.

Senator JOHNSTON. I would like to hear your testimony on this wild and scenic rivers.

Mr. PAINTER. This is a rather complicated situation, Mr. Chairman. It is especially complicated in this body because the land and water fund is handled by this subcommittee and the wild and scenic rivers is handled by another subcommittee.

The situation we have at present, there are two routes by which a river can become part of the National Wild and Scenic Rivers System.

A river can be added to the system by act of Congress, following the completion of a wild and scenic river study by a Federal agency; or a river can become part of the system upon approval by the Secretary of the Interior of an application by a Governor requesting national wild and scenic river designation of a river which his State is working to preserve.

It is this second route, as provided in section 2(a)(ii) of the Wild and Scenic Rivers Act, that I would like to draw the committee's attention.To qualify for inclusion in this manner, a river must be designated by the State legislature as wild, scenic, or recreational, with the adjacent lands administered in a fashion consistent with the Wild and Scenic Rivers Act. The river must be operated and maintained without expense to the Federal Government. Finally, the river must be determined to be a nationally significant resource by the Secretary of the Interior.

This is a most desirable feature of the Wild and Scenic Rivers Act, as it provides an avenue whereby the States can participate in a program of protecting rivers of value to the Nation as a whole. However, at present there are no real incentives for the States to pursue this course. All that a State can get from the Federal Government is the title, "national wild and scenic river," and the assurance that there will be no Federal or federally assisted water resource projects on the designated river. I might add that the protection from Federal water projects, although providing some added measure of safety for the river, is not all that significant, as it would be politically very difficult for the Federal Government to force such a project upon a river that has been designated Wild and Scenic by a State government.

Some would say that the States do indeed get something else from going this route, as they can use land and water conservation fund moneys for acquisition of lands or easements along the river. However, this ignores the fact that this is no new source of funding specifically for assistance to State efforts to protect nationally significant rivers. Each State gets a certain allocation from the fund, depending in part on the State's population and degree of urbanization The State must then match the Federal share, and then can decide how to divide the money among various outdoor recreation programs.

Preservation of nationally significant rivers is on an equal footing with all other recreation projects, be they of local, regional, or statewide significance. Directing money toward a State-administered national wild and scenic river means that some other program will have to be set aside. States could spend land and water conservation moneys on river preservation before the enactment of the Wild and Scenic Rivers Act, and that act has, in fact, changed nothing about how States can get assistance for such projects.

The American Rivers Conservation Council feels that if States are to aggressively pursue programs involving rivers of national significance, they must be given more by the Federal Government than a mere title—as a matter of fact, some State administrators look upon the title "national wild and scenic river" as a liability, since this will draw nationwide attention to the river, resulting in greatly increased visitorship and the attendant management problems. Some form of financial incentive must be provided if the States are to undertake the task of managing these national resources.

We would like to suggest one possible mechanism for creating such incentives. The matching ratio for funds to be used on State-administered national wild and scenic rivers could be set higher than that for programs that are of local or State significance. For instance, if the base ratio were upped to 70 Federal/30 State, then the formula for these national rivers might be 80/20 or 90/10.

Now, one might ask, "Why do rivers get this special treatment, while playgrounds or other types of open space programs do not? Why shouldn't my favorite form of outdoor recreation receive the same treatment?" The key here is the fact that this would apply only to those few rivers that would be identified by the Secretary of Interior as having national, rather than State or local significance. Each State would probably only have one or two such rivers. If a State wanted more of its rivers protected, it could apply land and water conservation funds to them, but they would receive the same treatment, and the same funding ratio as any other State-significant program.

It is possible that a similar approach could be applied to other programs, such as the National Trails System, which, I understand, has a similar mechanism for designating a State project as part of the National Trails System.

One might ask if this wouldn't result in significantly decreased investment by States in other types of outdoor recreation facilities. This is not probable for a number of reasons. First, as mentioned above, each State would probably have only one or two rivers which would meet the national significance criterion. Also, since the State could get more value for each dollar it raises for such an effort, due to the higher Federal share of funding, other State-raised funds can be applied to other outdoor recreation programs.

Finally, nationally significant rivers are almost always located in a rural or wild setting, where land values are relatively low, so on a per-acre-of-open-space basis, these are not expensive projects. Even considering that large acreages can be involved in a wild or scenic river unit, the use of easements and other devices help to keep the cost of these projects down.

Now, the suggestion that we have is our old friend of increasing the Federal part of the matching ratio and it has some of the same drawbacks that the others would have.

Senator JOHNSON. Other State share of the land and water conservation plan?

Mr. PAINTER. Yes. In this case what we were suggesting is, if we leave the ratio at 50/50 for these few rivers, and I emphasize this wouldn't apply, I know for instance your State has several rivers in a State program, you wouldn't be able to use the special acquisition program for all those rivers, it would be just the rivers the Secretary of Interior singled out, and on those perhaps a higher ratio of Federal dollars would be appropriate since these are nationally significant areas.

Senator JOHNSTON. Again you get to the same old problem of spreading the Federal dollars over fewer projects.

Mr. PAINTER. Yes. As you notice in my testimony, I say I would like to suggest one possible mechanism. That is the only idea we have run across so far. It is interesting because we are trying to address here a similar thing that you were talking about earlier in

some of the problems where you wanted the States to help out in one way or another in the purchase and administration of units of a national program.

Here we have the sample where the Congress has tried to get the ball rolling on this and the States don't see any point in getting involved because they get no new money and they get the additional headaches of having a nationally recognized area under their management problems.

Senator JOHNSTON. Are you familiar with the Chattahoochee in Atlanta?

Mr. PAINTER. Yes.

Senator JOHNSTON. The kind of plan I was talking about would be well adapted to something like the Chatahoochie where you have at least four jurisdictions involved, three counties in the city or two counties in the city. You don't need a great deal of fee acquisition in the Chatahoochie. It is not a question of drawing off a huge area and acquiring a fee. What you need is a land-use plan up and down the river to the end that if you don't have first pollution of the water through the wrong kinds of development in the wrong place in the watershed and, second, a line of site easements so that if you float down the river you don't have an apartment building overhanging that.

Now, there ought to be some Federal participation, some Federal dollars, but from my view of it that is mostly a State and local responsibility. It seems to me the appropriate thing to do is specify a number of Federal dollars and say we will put this up provided the various jurisdictions get together and pass a plan that will insure you will maintain the quality of the water and the scenic beauty of the river.

What is wrong with that kind of approach?

Mr. PAINTER. What you described there is basically our concept of how all wild and scenic rivers should be approached. The nice thing about a wild and scenic river, which is not true with other kinds of specially land-based parks, is here what you have is a corridor and the main vehicle of travel is going to be boats floating down the river. The river is defined as a public resource and you are on public property when you are on a boat on waters in a river, and all you need out of the landscape is those kinds of land management that would preserve the scenic quality of what you see from the river. So you don't need to buy that land, really, as you were saying, because you don't need to get people walking on this.

One problem with something like Santa Monica, using scenic easements, a scenic easement should not give the public access to the property under that easement. This would be much more difficult than with the river. You would have to work out a program where you would have linear corridors under public ownerships.

Senator JOHNSTON. Of course not, but Santa Monica would not take a large amount of public use. The kind of plan I would envision for Santa Monica would contain designated areas with publicly owned parks. Beyond that you would have some kind of easements or zoning.

Mr. PAINTER. Coming to the zoning concept, this is being proposed in a number of up and coming wild and scenic river bills, the question we have about that is zoning has traditionally been very hard to uphold. A local government passes a good stiff zoning ordinance and everyone in the area is all for it, but what happens if 10 years down

the line you get a new county board and somebody there decides they would like to develop a part of the scenic area. The Federal Government can't stop them from doing that because they don't have zoning authority.

So the question is what kind of a stick do you hold over them to make sure they not only enter into an agreement with the Federal Government but that they honor that agreement in perpetuity?

Senator JOHNSTON. I would guess the State ought to be able to effect a contract with the Federal Government in the same way that a developer can put a covenant which runs with the land.

I would think the State ought to be able to give the same kind of assurance to the Federal Government enforceable by citizens and have it legal. I would want to check that out.

Mr. PAINTER. Something like that would be very intriguing; if it would work it would solve some problems that we have.

In the case of the scenic rivers we don't want the Federal Government to go out and buy up a lot of land. All we are interested in is preserving that river corridor. But the problem is how to make these zoning regulations stick. So far what has been proposed by the Interior Department is that they suspend their power of eminent domain over the land as long as it is being zoned but they retain the right of using eminent domain if they determine that the local government has not adequately upheld the ordinances that have been passed, and the Federal Government could come in and condemn land, either for easement or for outright acquisition in order to head off incompatible development.

The problem you have there, you come right back to your money situation again and where you end up buying up the land in the long run.

Senator JOHNSTON. We simply don't have the money to buy all the land that we would like.

Mr. PAINTER. That is the problem.

I would add, in this thing I am proposing for State-administered wild and scenic rivers, is a little different than the overall 70/30 match, because each State would probably only get involved in something like this once or twice. After that there just aren't that many nationally significant rivers in each State. Probably some States no longer have any nationally significant rivers and couldn't participate in this kind of a program at all.

However, this situation with the Wild and Scenic Rivers Act shows that you have to do more to get States involved than just telling them, hey, you can join in and become a part of the national program. They want to see how they can be given some additional assistance than what they usually receive if they are going to participate in this kind of responsibility.

I think that is about all that I have to say. The written statement goes in a little more about the problem of the Wild and Scenic Rivers Act.

I appreciate your interest in this question of how you do protect landscapes without having to buy up all the land. In some cases it is going to be possible to do that to avoid having to buy up all the land. I think in other cases we may just have to bite the bullet to do it.

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Senator JOHNSTON. That is why I said it has to be looked at on a case-by-case basis. I think if you created a commission made up of local people and involving the local power structure to look at their particular part and, let's say, in Chatahoochie they are are given *x* amount of Federal dollars and they are told to come up with a plan to preserve the scenic view from the river and the quality of the water—let's say those are the only two values, perhaps a third would be launching areas for boats, and you give them the mission of accomplishing that—then you let the local people get together and determining whether they want to do it by zoning or easements of fee acquisition and in what proportion and mix they want to do that, that would then be their responsibility to come up with a plan to submit to the Secretary for approval. They could tailor their own plan then to the particular local needs and the number of dollars available to them.

Mr. PAINTER. One thing I would suggest in a situation like that, it is what they suggested in the wild and scenic rivers, if the States are going to take that responsibility on for the general control of the land, to make sure nothing incompatible happens on the land, the Federal Government, one thing it can do is accept the management responsibility for the area.

Senator JOHNSTON. Well, we are overstrained on management responsibility in the National Park Service.

Mr. PAINTER. We are overstrained simply because they aren't being given enough money. I just looked at the Federal budget and discovered that the Army Corp of Engineers which, in my mind, is a textbook example of wasteful Federal spending, got their budget increased this year.

There is an example. Mr. Cooper was saying his organization sat down and looked at three or four of the biggest projects that the corps has and those three or four projects matched the entire budget of the National Park Service. So I think we could solve that overstrained management problem by simply giving the agency the funds they need to do the job they need to do.

Mr. JOHNSTON. Well, I wish we could set the budget for the Department of the Interior and the National Park Service here in this room. We would set it considerably higher for acquisition and operation and all of those purposes. Unfortunately, we have to work within the constraints of very parochial thinking officials in the executive department that don't see the needs of recreation the same way as we do.

Did you have anything more to add, Mr. Painter?

Miss BILLINGS. I would like to add something just before Mr. Cooper gets into his statement. How to give an incentive for land acquisition. We might consider something like a bonus system of having a separate bonus fund that the Federal Government would have and be able to administer to give to States who qualify in terms of showing outstanding participation in the acquisition programs, so that they would have this special bonus fund and they would be eligible to acquire additional funds from——

Senator JOHNSTON. We do have discretionary funds now, I am sure you are aware, and you are also aware of the fact that a higher proportion could be given to one State than to another within the limits.

Miss BILLINGS. Right.

Senator JOHNSTON. How would you structure the bonus fund?

Miss BILLINGS. That is a good question. I will be happy to give it some more thought and get in touch with you.

Senator JOHNSTON. All right.

[The prepared statement of Mr. Painter follows:]

PREPARED STATEMENT OF WILLIAM PAINTER, DIRECTOR, AMERICAN RIVERS CONSERVATION COUNCIL

Mr. Chairman and distinguished members of the Committee, my name is Bill Painter. I am the director of the American Rivers Conservation Council, a national organization dedicated to the preservation of America's remaining wild and scenic rivers. I appear before you today in support of S. 327, which would amend the Land and Water Conservation Fund Act of 1965.

First, we wholly endorse the need to significantly increase the level of funding authorized in the act. The current level of $300 million is inadequate to even keep us ahead of the inflation rate in land values. The current backlog of acreage in federal parks, forests, refuges, recreation areas and riverways is some 4 million acres that are estimated to cost over $2 billion. Furthermore, the states have indicated that they are willing and able to match federal funds at a much higher level than in the past. Therefore, we support the language in Sec. 101(a) that would increase the annual level of funding to not less than $1 billion. We would suggest that if there is concern that an increase of this magnitude would target this bill for a veto, that the increase be stages, as was done in the bill reported by the House Interior and Insular Affairs Committee, rather than lowering the final total of $1 billion.

I must say that our organization has mixed feelings about changing the matching ratio for state programs from the current 50% federal/50% state to 70% federal/30% state for acquisition of land. We certainly agree that any such increase in the federal share should apply only to land acquisition and not to land development. It is most important that we acquire the needed acreage before all the remaining prime areas have been engulfed by development. (The committee might be interested in knowing that according to the Bureau of Outdoor Recreation, the states are already spending considerably more money on development than acquisition. As of June 30, 1974 the states have spent $398 million for acquisition and $573 million for development since the Fund was established.)

Our concern with the switch to 70/30 is that it may not accomplish the desired end of putting more emphasis on land acquisition. It might be possible for a state to continue to spend the same amount of money in matching federal funds as they have in the past, but to use a smaller fraction of this in matching for acquisition funds and divert the remainder of their funds to match federal dollars for development. This could result in an even greater disparity in funds spent for acquisition and for development. Still another possibility is that the state would decide to spend less of their money in matching federal funds for acquisition while spending the same amount on matching for development. This would mean that the ratio of dollars spent on acquisition to dollars spent on development (this is state + federal share) would stay unchanged, but that the federal dollar would be spread thinner on acquisition.

On the other hand, the 70/30 match might make this federal matching program more attractive to state planners and legislators than the current 50/50 match, as they could get more "action" for their dollar than at present. If there were a resulting increased emphasis by states on acquisition programs, then the change to a 70/30 match would be most desirable.

I now turn to a matter that is of great concern to our organization. This is the language in Section 101(e)(2) regarding sheltered facilities that could be built by states with the help of LAWCON monies. It is our understanding that this language was intended to solve a problem existing in our northernmost states, where the building of swimming pools is of marginal utility as the summer season is rather brief in these areas. We agree that it makes sense to allow states and localities in these areas to use LAWCON monies for pools that would be sheltered to a degree to extend the season for use of the pools so that it would be long enough to make building the pools a sound investment of taxpayers' money.

We are concerned that the language as now written could be interpreted to allow a much wider use of the fund than just described. In response to questions submitted by the House Interior Committee, the Department of Interior

has indicated that it interprets the language to permit the funding of *completely indoor* swimming facilities that could at no time or under no conditions be used as an outdoor facility. The Department also stated that they thought the language would allow the building of indoor ice skating rinks.

Our organization does not feel that the building of totally indoor facilities is a proper use of the Land and Water Conservation Fund, and we doubt that this committee would disagree. We fear that if the existing language is to be interpreted as the Interior Department has done, then the possibility of LAWCON monies being used to build ice skating facilities in areas where ice skating is not and has never been a form of *naturally occuring* outdoor recreation becomes very real. In addition, areas such as the Washington region, which have a perfectly adequate summer swimming season, would be allowed to build year-round indoor swimming facilities with LAWCON funds. Is this what this committee and the Congress intended the Land and Water Conservation Fund to be used for?

Although the Interior Department has at this time drawn the line at indoor pools and skating rinks, how long will it be before there will be funding of indoor tennis courts, indoor horse riding rings and indoor basketball courts?

We believe that making LAWCON monies available for the enclosure of swimming facilities where the short summer season makes outdoor swimming pools financially questionable and for enclosing ice skating rinks in conditions such as high winds and extreme cold jeopardize the health and safety of users are perfectly reasonable. Therefore, we propose that Sec. 101(e)(2) be amended as follows: After the word facilities", line 15, page 3 of Sec. 101, Title I, delete everything to the end of line 21 and insert in lieu thereof: "to increase the season for summer recreational activities normally pursued outdoors in those areas where the shortness of the summer makes the construction of summer outdoor recreational facilities financially marginal, or to shelter facilities for winter recreational activities normally pursued outdoors in those areas where the severity of the winter climate jeopardizes the health or safety of the users."

I would like to offer one suggestion that relates to my organization's primary interest—wild and scenic rivers. At present, there are two routes by which a river can become part of the National Wild and Scenic Rivers System. A river can be added to the system by act of Congress, following the completion of a wild and scenic rivers study by a federal agency; or a river can become part of the System upon approval by the Secretary of Interior of an application by a governor requesting National Wild and Scenic River designation of a river which his state is working to preserve.

It is this second route, as provided in Sec. 2(a)(ii) of the Wild and Scenic Rivers Act, that I would like to draw the Committee's attention. To qualify for inclusion in this manner, a river must be designated by the State Legislature as wild, scenic or recreational, with the adjacent lands administered in a fashion consistent with the Wild and Scenic Rivers Act. The river must be operated and maintained without expense to to the Federal Government. Finally, the river must be determined to be a *nationally significant* resource by the Secretary of Interior.

This is a most desirable feature of the Wild and Scenic Rivers Act, as it provides an avenue whereby the states can participate in a program of protecting rivers of value to the nation as a whole. However, at present there are no real incentives for the states to pursue this course. All that a state can get from the Federal Government is the title "National Wild and Scenic River", and the assurance that there will be no federal or federally assisted water resource projects on the designated river. (I might add that the protection from federal water projects, although providing some added measure of safety for the river, is not all that significant, as it would be politically very difficult for the federal government to force such a project upon a river that has been designated Wild and Scenic by a state government.)

Some would say that the states do indeed get something else from going this route, as they can use Land and Water Conservation Fund monies for acquisition of lands or easements along the river. However, this ignores the fact that this is no new source of funding specifically for assistance to state efforts to protect nationally significant rivers. Each state gets a certain allocation from the fund, depending in part on the state's population and degree of urbanization. The state must then match the federal shares, and then can decide how to divide the money among various outdoor recreation programs. Preservation of nationally significant rivers is on an equal footing with all other recreation projects, be they of local, regional or statewide significance. Directing money toward a state-ad-

ministered National Wild and Scenic River means that some other program will have to be set aside. States could spend LAWCON monies on river preservation before the enactment of the Wild and Scenic Rivers Act, and that Act has, in fact, changed nothing about how states can get assistance for such projects.

The American Rivers Conservation Council feels that if states are to aggressively pursue programs involving rivers of national significance, they must be given more by the Federal Government than a mere title. (As a matter of fact, some state administrators look upon the title "National Wild and Scenic River" as a liability, since this will draw nationwide attention to the river, resulting in greatly increased visitorship and the attendant management problems.) Some form of financial incentive must be provided if the states are to undertake the task of managing these national resources.

We would like to suggest one possible mechanism for creating such incentives. The matching ratio for funds to be used on state-administered National Wild and Scenic Rivers could be set higher than that for programs that are of local or state significance. For instance, if the base ratio were upped to 70 federal/30 state, then the formula for these National Rivers might be 80/20 or 90/10.

Now, one might ask "Why do rivers get this special treatmnet, while playgrounds or other types of open space programs do not? Why shouldn't my favorite form of outdoor recreation receive the same treatment?" The key here is the fact that this would apply only to those few rivers that would be identified by the Secretary of Interior as having national, rather than state or local significance. Each state would probably only have one or two such rivers. If a state wanted more of its rivers protected, it could apply LAWCON funds to them, but they would receive the same treamtent, and the same funding ratio, as any other state-significance program.

It is possible that a similar approach could be applied to other programs, such as the National Trails System, which I understand has a similar mechanism for designating a state project as part of the National Trails System.

One might ask if this wouldn't result in significantly decreased investment by states in other types of outdoor recreation facilities. This is not probable for a number of reasons. First, as mentioned above, each state would probably have only one or two rivers which would meet the national significance criterion. Also, since the state could get more value for each dollar it raises for such an effort, due to the higher federal share of funding, other state-raised funds can be applied to other outdoor recreation programs. Finally, nationally significant rivers are almost always located in a rural or wild setting, where land values are relatively low, so on a per-acre-of-open-space basis, these are not expensive projects. Even considering that large acreages can be involved in a wild or scenic river unit, the use of easements and other devices help to keep the cost of these projects down.

Some might wonder why we should consider this a state effort if the Federal Government is providing 80 to 90 percent of the acquisition funds. However, one must remember that the Wild and Scenic Rivers Act specifies that for a river to be designated by the Secretary of Interior, rather than an act of Congress, that the full cost of administering the river must be borne by the state.

Perhaps the above proposal is not the best method of providing incentive for states to play a more active role in the National Wild and Scenic Rivers System, or the National Trails System. I do hope that it will serve as the basis for the discussion of how this need can be met.

This concludes my written statement. I will be happy to respond to any questions you might have.

Senator JOHNSON. Mr. Cooper.

STATEMENT OF TOBY COOPER, ADMINISTRATIVE ASSISTANT FOR PARKS, NATIONAL PARKS AND CONSERVATION ASSOCIATION

Mr. COOPER. First of all I would like to apologize for the incorrect bill number and date on the statement. This is a statement written last session and it has been recycled.

The issues are generally the same, so I thought I would just use the same statement and bounce off from that and go into the special new answers of the proposal that we have before us today.

First of all, we are, of course, in favor of the increases to the funds and the billion dollars, of course, will go a long way toward meeting the needs. To use your words, we find Spencer Smith's arguments compelling when he talks about the need to carefully construe the use of the fund because if it is going to be used for development of Federal recreational facilities inside national park service, it is going to be used for operation and maintenance money, $1 billion won't do the job. So there have to be come careful guidelines constructed and if the fund is going to be opened up, it is going to have to be bigger.

Senator JOHNSTON. You would like for it to be strictly for acquisition?

Mr. COOPER. That's correct.

The statement that I have written here is in favor of a 70–30 split, but I guess we are all watching on this issue and there are arguments on both sides. I guess the greatest argument in favor of the 50–50 is that it is working at this point, the States are using it. They have the capacity and the funds are being obligated, so why not stick with the 50–50. It doesn't seem like the 70–30 is going to be that much more of an incentive.

The argument on the other side of that, of course, is that the 70–30 ratio, as Linda Billings pointed out, would make this program more on a par with other Federal programs that are also in the neighborhood of a 70–30 ratio.

But as long as they are picking up on it now, let's go with it on a 50–50 basis.

Concerning the indoor-outdoor facility controversy, I wish we could be more of a totally united front on this. I am against even putting roofs over swimming pools and things. The fund was construed to provide outdoor recreation opportunities and as a program designed on those principles, well, I feel that we should recognize the inherent environmental limitations in what we do as recreation. We simply don't expect to play golf in the snow, for example, although maybe some golf enthusiasts would if they could see the ball in the snow. But it comes down to a recognition that for all our technology we as human beings are still subjected to environmental constraints, and nothing brings this home more than to see one of these immense Canadian weather fronts move across the country and immobilize vast areas of the country with a snow storm. We can put men on the Moon but we can't control the inherent climatic limitations on what we do.

And in recognition of that why continue to fight an endless battle to assume that we have to provide swimming pools year round in the North, and skating rinks year round in the South, and skiing where skiing is not possible, and so forth.

Senator JOHNSTON. My own view is that these values are very good. To build the swimming pools and all the rest of it, but it is not good at the expense of taking money away from acquisition money when we need the acquisition in such a high priority.

Mr. COOPER. I agree with that. There are plenty of indoor swimming pools around the entire Nation, every YMCA has an indoor swimming pool, one of the biggest indoor pools is in Long Beach, Calif. So I really think it is fair to limit this fund to its principle as established by the original legislation, which is to provide outdoor recreational

opportunities and not to expect that we should continually work against nature instead of with her.

On title 2, the historic preservation fund, I think that is an excellent proposal and it will go a long way, if that is carried out, to better preserve the historic legacies of our country. There is a danger here, though, of getting a dual relationship with the Park Service. The Park Service has an extensive historic preservation fund and part of it will be applied to the Park Service, part of it won't, and again you will get into the same kind of controversy. But I think it is a good proposal.

On title 3, the Senate confirmations of the various positions cited in the bill, including the National Park Service Director, is a high priority. I am glad to see that in there. I think that should have been done long ago.

Title 4 of that bill is also, I feel, questionable simply because I don't see a lot of future in oil shale. Without having a whole lot of facts and figures to back that up here today I don't want to say any more on that, necessarily.

The last exchange that you had with Bill Painter concerning manpower and funding on the Park Service, I think, are very relevant here. The Park Service is faced with a reduction in their force this year and this is not necessarily inevitable. In other words, the reductions are part of an overall administration plan for reduced Federal involvement and employment and so forth, and I think it is going to hurt the Park Service, which is going to have a strong adverse effect on the resources that we are trying to protect.

So I don't think that a reduction in force is necessary at all, and we are not talking about increased manpower levels necessarily for the Park Service, we could just stay the same as the congressionally authorized levels last year and we would be in much better shape than we are at this point.

I guess that concludes my statement, unless you have any other questions.

Senator JOHNSTON. Do you have any response to the plan we have been talking about to tailormake bills for particular areas?

Mr. COOPER. My objectives in being here today are to help to see conservation objectives achieved. If we can construct a way to protect the Santa Monica Mountains, for example, in a way that is strong and consistent and effective, the way the National Park System is today, then I would be all in favor of it.

There is a need to tailor a given proposal to a given area and to try to find a way to meet the specific needs. In the case of Santa Monica, we are faced with an expensive proposition. So anything else that can be constructed to do the same job that a national recreation, national seashore, natural urban park, whatever label you want to stick on it——

Senator JOHNSTON. Some of the testimony in Santa Monica indicated that fee acquisition would be as much as $1 billion. If you take $1 billion and put 10 percent inflation in it every year, I am sure that land is going to inflate by 10 percent a year. You take the entire budget on land and water conservation for what—20 years would it be?

So, at least something has to be worked out to perhaps acquire the essential areas, the coastline or acquire threatened areas and work

out easements elsewhere, on the mountaintops, and so forth. You don't have to acquire every acre. But if we can come up with something that promises to be as strong as a naturally designated unit of the park system.

Mr. COOPER. That is something we have to determine.

Senator JOHNSTON. But we are just kidding ourselves in relating a backlog of billions of dollars and have $300 million and expect that to do the whole job. Even to increase it to $1 billion, it is still going to take a long time to acquire these areas. It seems there is a different level of Federal responsibilities in each one of these different areas. There ought to be some difference in Santa Monica and Chatahoochie and Big Cypress—you name them. They shouldn't all have to be any formula; they ought to be tailor made.

Mr. COOPER. There is an area next to Everglades National Park known as Taylor Slope. This was developed by a road, and light industry, and housing, and so forth, that would have cut off the water supply for the Everglades—that section of it. The developments were fought on the local level with legal action and publicity, and so forth, and it has come down today to situations where there is a State proposal for what they call environmentally critical land or environmentally threatened land and they would acquire this land. It is 33,000 acres adjacent to the park. The bill on that one is going to be about $30 million. It would seem that a program like that is one where the land and water conservation fund money could be well used. But $30 million is 10 times what most States get out of the fund for a given year. So that if the fund is going to be applicable to areas like this where there is a serious need for sharing the load, maybe we can look for an increased fund with a tailor-making loophole of some kind to allow flexibility in determining how the money is to be used.

Senator JOHNSTON. Well, I would appreciate it if each of you would give this matter some more thought because we are at somewhat of a crossroads in our park and recreation thinking. We have got to do something better than we have been doing. We either have to radically increase our funding, and you know what the problems on that are, or we have to give some priority to those areas already authorized and those already designated. We can't get them at the present levels or even double the present level of funding. We have to come up with some new concept. So we would appreciate very much your thinking on that and we appreciate your testimony here today.

Thank you very much.

[The prepared statements of Mr. Cooper and Mr. Rousch follow:]

STATEMENT OF TOBY COOPER, ADMINISTRATIVE ASSISTANT FOR PARKS, NATIONAL PARKS AND CONSERVATION ASSOCIATION

Mr. Chairman, I am Toby Cooper, Administration Assistant for Parks at the National Parks and Conservation Association. Our building is located at 1701 18th Street, NW, Washington, D.C.

The National Parks and Conservation Association (NPCA) is a private, nonprofit educational and scientific organization devoted to the preservation of the environment, and, particularly, to the protection of the national parks and monuments of the United States. The organization is supported by a membership of about 45,000 citizens, each of whom receives our monthly publication, "National Parks and Conservation Magazine, the Environmental Journal."

NPCA is opposed to the proposed change in the Land and Water Conservation Fund, providing for the use of the LWCF for indoor recreation facilities. If en-

acted, the indoor provision would weaken an excellent measure which serves the public interest in outdoor recreation. We urge the Committee to reject this amendment and adhere fully to the existing guidelines for use of the LWCF.

The proposed amendment is particularly inappropriate in light of the improving record on state-level use of the fund. For example, the carry-over from the states for 1974 was $135 million, but of the projected $202 million available for 1975, all but $20 to $25 million are already subject to planned obligations. Thus, the states are gearing their efforts to the existing guidelines and the results are favorable.

The original concept behind the LWCF was to preserve open space for recreational use by all generations of Americans. Underlying this, of course, is the vital need to conserve wild habitats for ecological reasons, and to protect the natural values inherent in places untouched by man. We support this concept, because it is an essential safeguard to environmental quality in or growing, industrialized nation. Likewise, the Congress should continue its support of the LWCF by retaining the focus on outdoor facilities.

Fortunately, there are alternatives which can be developed to fill the needs to be potentially, and perhaps hastily met by S. 2661. For example, the Bureau of Outdoor Recreation has recently published a detailed report, *Outdoor Recreation: A Legacy for America.* This study, although not supported by funding requests at this time, provides the basis for greatly expanded and diversified recreation programs in America. Another more viable plan, *Urban Recreation*, published by the Department of Housing and Urban Development, contains a far-reaching analysis of urban recreation needs and provides recommendations, including possible revisions for apportionment of the LWCF to accommodate urban recreation.

There is a viable and very commendable proposal in the House, H.R. 13639, to amend the LWCF to increase the authorization of appropriation from $300 million to $900 million. We wholeheartedly support this bill and we look forward to identical legislation in the Senate, although commendable legislation in this respect has been introduced. Many valuable programs would benefit from an increased fund; land acquisition of inholdings in national parks and monuments; recreation plans such as the BOR and HUD studies; and strengthening of the position of the Federal Government in advancing proposals for new national parks and recreation areas.

In conclusion, NPCA does not support the proposed amendment. Not even in the context of a much larger—perhaps tripled—LWCF authorization should "indoor" recreation facilities be given priority in this program. Instead, the BOR and HUD recreation plans should receive the attention they deserve, and should be funded by sources of federal revenue independent from the LWCF.

We thank the Committee for this opportunity to testify and your questions will be welcome.

Statement of G. Jon Roush, Executive Vice President, the Nature Conservancy

My name is Jon Roush, and I am Executive Vice President of The Nature Conservancy. I appreciate this Committee's invitation to present The Conservancy's views on the bill under your consideration regarding the Land and Water Conservation Fund.

I. INTRODUCTION

For those of you who are not already acquainted with The Nature Conservancy, I would like to briefly summarize our activities, so as to put our position into perspective. Hopefully this will demonstrate why we feel our views should be afforded substantial consideration in the Senate's deliberations.

The Nature Conservancy is the only national conservation organization, receiving its support from public donations, whose resources are devoted solely to the preservation of ecologically significant land. Within the last twenty years, we have saved over 750,000 acres of forests, marshes, prairies, mountains, beaches and islands in over 1,350 projects throughout the United States. We achieve these accomplishments in several ways: by outright purchase which is then repaid through contribtuions; by accepting gifts of land; by acquiring conservation easements; and by assisting other organizations in acquiring or protecting natural lands.

This last category should be of special interest to your Committee because a growing number of our projects are on behalf of government agencies. If a property that is on an agency's acquisition list becomes available, we can secure and hold it until the agency has the funds to buy us out at cost (which is almost

always cheaper than it would be if the agency had made the purchase itself). To date, we have participated in 129 government "co-op" projects, placing 201,387 acres in the public trust, worth an appraised value of $80,664,933.

As the private leaders in land conservation, and as experts in the public utilization of Bureau of Outdoor Recreation (BOR) monies, we have a number of comments to make about the Land & Water Conservation Fund (LWCF). They center primarily around the need for a funding level of one billion dollars, and the need for an increased Federal matching ratio. We conclude with remarks about the importance of preserving natural areas and maintaining biotic diversity.

II. THE NEED FOR AN ANNUAL FUNDING LEVEL OF ONE BILLION DOLLARS

We are extremely pleased that this Committee, in its wisdom, approved in the last Congress and is again considering a measure to increase the Land and Water Conservation Fund to one billion dollars. This Fund is the principal source of funding for *all* government acquisition of land for parks, recreation and natural areas, yet it barely begins to meet the true need.

As you are all aware, we are in an era of escalating land prices and inflation. Government at all levels is not adequately coping with the nation's need for ecological and historic land preservation. Rapidly increasing demands are being placed upon recreational areas; there is increasing concern for the quality of life. The Nature Conservancy is all too familiar with pressures upon the land and the difficulties and costs involved in preserving it. We urge the Federal government to enable its agencies and state and local governments and other groups to do much more.

Land is a finite, irretrievable resource. What we do not preserve today, we have to pay much more for in the future—if it is still available. We also lose the option of preserving it, and the further option of then deciding at some later time what purpose to use it for. We believe it is uneconomic as well to pass up the opportunity to preserve natural areas, because they comprise a renewable resource pumping life into the rest of our ecosystem.

A major reason why we support a funding level of one billion dollars is because—in addition to enabling the states to do more—we believe it is imperative that the Federal sector be allowed to fulfill its mandate of land stewardship as well.

The Federal government has a backlog of desired acquisitions amounting to billions of dollars. Federal agencies tend to do a good job of inventorying prime natural areas, and the sites on their priority acquisition lists are threatened daily until they are purchased. Inholdings also present a tremendous problem as you know, and should be purchased as soon as possible—at today's price.

I wish to speak here especially about the Endangered Species Program under the Fish and Wildlife Service. It is of keen interest to us because it promotes something we strongly believe in: the preservation of habitats of endangered species. Its sole source of funding is the Land and Water Conservation Fund, yet the budget request for FY '76 is only $6,900,000—a fraction of what is needed in the State of Hawaii alone.

There is a definite need for a fully-funded, stable, longterm source of funding for land acquisition, so as to give more security and flexibility to those groups planning and negotiating acquisition projects. Virtually every such government project encounters difficulty because of red tape, time lag and uncertainty of funding. This is why organizations like The Nature Conservancy can play a key role, but the less certain a project is of receiving Federal funds, the harder it is for us to operate too.

The fact that the bulk of the monies from the Land & Water Conservation Fund comes from revenues derived from offshore mineral leases offers another compelling reason why the Fund should be increased. It is only equitable that monies gained from exploiting America's resources under the sea be plowed back into preserving her natural resources on land.

In the context of the great demands placed upon this Fund, the crucial needs it is attempting to meet, its relatively small percentage of the Federal budget and its ease of funding, to call for any less than one billion dollars annually would be a national disgrace.

III. THE NEED FOR INCREASED FEDERAL MATCHING RATIO TO THE STATES

We believe that state governments, in attempting to set their fiscal and substantive priorities, should receive more incentive for land preservation from the

Federal government. Because the LWCF is a good, simple and flexible vehicle for this purpose, we heartily endorse S. 327's provision increasing the ratio of matching grants for acquisitions from 50–50 to 70–30.

Demand for monies from LWCF is high and we expect it to grow higher as states develop their capacity to plan and acquire parklands. Going into fiscal year 1975, many states had "zeroed out" or did not have any carryover allocations, and many others were at the end of their allotment. As a result, there has been considerable demand for monies in the Secretary's discretionary fund (the top 5% of the total Fund plus monies that revert if a state fails to use its distributed amount). Leftover monies in the Fund may be explained by the fact that the current matching ratio of 50–50 is a disincentive. It is the lowest of any major Federal programs, and states generally prefer to stretch their dollars farther in directions that offer more Federal assistance.

As an indication of increasing interest in land preservation, most states have initiated some form of land use study or program, and many states and local municipalities are beginning to pass bonds for land acquisition. This kind of local initiative is both dependent upon and deserving of Federal assistance.

The Nature Conservancy is taking an active role in helping states to upgrade their land preservation activities. We have created "Heritage Programs" that inventory and catalogue a state's significant natural areas in conjunction with local advisory groups. We then assist in preacquiring these areas on behalf of the state. Another part of our package is a study, with recommendations, of natural areas legislation, regulations, financing mechanism or whatever seems appropriate for that particular state. We hope to create a viable system that can be applied to every state and will mesh with Federal natural areas preservation efforts. And once a Heritage Program is underway, we hope and expect that that state will make good use of the LWCF.

Another valuable tool for enabling states to plan their recreational needs is, of course, the Statewide Comprehensive Outdoor Recreation Plan (SCORP) which states must submit to qualify for assistance under this Fund. The SCORPS themselves can be financed with grants from the LWCF, as can inventories such as those made under our Heritage Program. I would like to add one word of caution here with respect to the provision of S. 327 amending section 6(d) of the Act: whereas it has the good intention of allowing for more local input in the formation of recreation-related plans, we hope that it does not prove to be unwieldy and impose an undue amount of red tape.

We have found that monies from this Fund, channeled through BOB, can make a real difference to the states in many ways:

Approximately twice as much land can be purchased.

States have difficulty appropriating enough money for parklands, and they have the same problems acquiring inholdings that the Federal government has. More money for states would mean they will look less to the National Park Service, for instance, to purchase land, thereby obviating controversies over the relative criteria of national versus state parks.

States profit from the fact that BOR matches park acquisitions at their appraised fair market value, regardless of whether the land was donated or bought at a bargain price. As a result, The Nature Conservancy can arrange some very advantageous transactions for states (as described in the Appendix of our testimony we presented before this Committee last year).

IV. THE CASE FOR PRESERVING NATURAL AREAS

We at The Nature Conservancy have become increasingly convinced of the vital necessity of preserving natural areas, and we earnestly hope that government will give the highest priority to utilizing money from the Land & Water Conservation Fund for this purpose. By natural areas, we mean:

"An area of land or water which either retains or has reestablished its natural character, although it need not be completely undisturbed, or which retains unusual flora, fauna, geological or similar features of scientific or educational interest."

Let me try to cite some reasons why we feel maintaining biotic diversity is so important:

Every species has a purpose and a role to play. Each species is unique and impacts upon other species in some way that has a bearing upon the total ecosystem.

The more diverse an ecosystem, the less subject it is to great fluctuations in any of its parts, and the better it is buffered against external disruption.

Diversity itself ensures that overall adaptive and restorative mechanisms will perform in a healthy way despite occasional ecological abuses. Consider the plight of regions ravaged by abusive agricultural practices: when the farmer moves on, what elements of the web of life are going to naturally rejuvenate the land if too large an area has been depleted of its original biota?

Species we may not currently think are important nevertheless form genetic pools or reservoirs we may wish to turn to when we have exhausted other natural resources. (Certainly the energy crisis has made us aware of this problem.) We have lost our potential for doing this, however, if we have caused the selection-out of species diversity. For example, a good deal of effort is spent on controlling pests, which in turn are often created by an ecosystem disruption that frees a species from existing biotic control forces such as a predator. As long as the predator species exists somewhere, re-establishment of its control is a possibility, but if it should become extinct, then what? And what about the disturbing trend towards monoculture of agricultural products such as wheat, whose genetic base is being constantly narrowed to the point where we may no longer be able to generate new recombinations when necessary?

Each species is a unique biochemical factory, whose value to us changes rapidly depending upon its perceived usefulness. The bacteria that landed in Dr. Fleming's laboratory and resulted in penicillin was an evolutionary product of the natural world. Penicillin has saved more lives than all the lives that were lost in all the world's wars.

There is a need to preserve areas of biotic diversity in as pristine a state as possible, to serve as "environmental baselines" vis-a-vis man's activities elsewhere. Certain species act as barometers foretelling the effects of various conditions before the ecosystem as a whole is contaminated. All of our landscape manipulations represent ecological experiments and no experiment is complete without a control. By comparing variables on natural areas and manipulated ones, we have a mechanism which can be used to detect differences between trivial changes and diverging trends indicative of serious environmental decay.

Last but not least, we think it is important for the human psyche to experience biotic diversity. Practically any human endeavor that we characterize as enjoyable either directly depends upon, or is improved by, the factor of diversity.

The Nature Conservancy's credo is Aldo Leopold's observation that "the first rule of intelligent tinkering is to save all of the pieces." Although scientists have only just begun comprehensive species cataloguing, they are already alarmed at the rapid rate at which mankind is extinguishing species. We believe that the larger a species' habitat is, the better; indeed, in the long run, it may be that only the largest preserves will insure species survival.

What we can do here and now is identify the species and natural areas that still exist, lay appropriate plans to preserve them, and then take the necessary action. The advantage of such studies is that they provide data with which to make sound land use decisions. We are not against limited, rational growth. Probably only 5–10% of the land of a given state is true natural areas deserving of protection, but until we know where that land is, it will continue to be destroyed.

Towards this end, The Nature Conservancy has just submitted a report to the U.S. Department of the Interior recommending the creation of a national system of natural areas. Hopefully you will be hearing more about it in the months ahead. Such a system would epitomize our rational for maintaining biotic diversity; it would also provide, in our opinion, the "highest and best use" for monies from the Land & Water Conservation Fund.

Because one of our recommendations in this report involves changes in the LWCF, I am herewith reprinting the appropriate text as an Appendix to this testimony. We are not necessarily recommending that your Committee consider them at this time, but we do want you to be aware of them in the event that they are submitted as a legislative proposal.

V. SUMMARY

Land is our nation's natural heritage. You—as representatives of both the people and the land—can help ensure its preservation by authorizing the expansion of the Land & Water Conservation Fund to a minimum of one billion dollars a year, and by providing an increased Federal grant matching ratio to the states. Enlightened and creative use of the Fund can then help ensure the maintenance of biotic diversity upon which our life support systems depend.

Land is a finite, fragile resource. What we have saved and what we will save in the next few years will be all that remain to pass on to future generations. Let me remind you of the case of Baldhead Island in North Carolina, which the National Park Service described in 1955 as one of the five most outstanding areas for recreational, biological and historic purposes on the Atlantic Coast. When this Island was first proposed as a state park in 1937, it could have been bought for a dollar an acre. As it happened, it has been purchased by a developer and is lost for all intents and purposes.

In sum, there will never be another chance.

[Appendix]

FROM THE PRESERVATION OF NATURAL DIVERSITY: A SURVEY AND RECOMMENDATIONS PREPARED BY THE NATURE CONSERVANCY FOR THE U.S. DEPARTMENT OF THE INTERIOR, FEBRUARY, 1975

RECOMMENDATION 13

To accomplish other recommendations in this report the Congress should amend the Land and Water Conservation Fund Act as follows:

(a) Increase the authorized annual limit of the Fund to at least $1 billion and appropriate this amount;

(b) Change the Federal/state ration from 50/50 to 75/25 for (1) the planning and inventorying of state natural resources potentially eligible for inclusion in state or nationwide ecological reserve systems and (2) acquisition of state and locally significant natural areas;

(c) Authorize a Federal/state ratio of 90/10 when states agree to acquire and manage nationally significant ecological reserves;

(d) Authorize use of the Land and Water Conservation Fund for acquisition of ecological reserves, regardless of an area's availability or nonavailability for on-site public recreation uses;

(e) Stipulate that a portion of Land and Water Conservation Fund apportionments to the states be based on state ecological reserve plans and acquisition programs and needs; and

(f) Authorize use of the Land and Water Conservation Fund by approved non-profit conservation organizations for the accomplishment of ecological reserve-related activities.

As documented during hearings before the 93rd Congress, the Land and Water Conservation Fund does not currently have sufficient funds to meet existing recreation and natural land needs. An authorized level of $1,000,000 has been recommended by several national organizations, including The Nature Conservancy. An appropriation of this amount appears essential if the LWCF Act is to attain its objectives. Changing the Federal/state matching ratio to 75/25 recognizes the need to place a priority on protecting an essential, irreplaceable and increasingly scarce resource. A 90/10 ratio for areas of national significance acquired and managed by a state recognizes, that in these cases, the states are undertaking a responsibility that would have been accomplished totally with Federal funds except for the inefficiency of Federal management for the specific area or other prevailing circumstances.

At present Land and Water Conservation Fund grant regulations stipulate that areas eligible for Federal grants-in-aid under that Act be available for some form of public recreation use. While certain types of areas and sites identified and eligible for the proposed national and state ecological reserve systems could sustain some form and degree of recreation use, others could not without serious immediate or incremental long term damage. Both types of areas are important in the total spectrum of natural resource protection and use for direct and indirect human service, and thus both should be eligible for appropriate grants-in-aid.

A number of non-profit conservation organizations have developed the experience and capability to successfully accomplish many of the tasks necessary to develop and maintain an ecological reserve system. Experience has shown that these organizations often accomplish these tasks more efficiently than government and will do so in cases where government has refused to meet an obvious public need. To insure that this capability is fully utilized, nonprofit conservation organizations should be eligible for Federal funding and assistance when certified by the National Ecological Reserve Board.

Senator JOHNSTON. The committee is adjourned, subject to the call of the Chair.

[Whereupon at 3:10 p.m., the hearing was adjourned, subject to the call of the Chair.]

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