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ASSATEAGUE ISLAND NATIONAL SEASHORE AMEND-
MENTS, ESTABLISHMENT OF THE KLONDIKE GOLD
RUSH NATIONAL HISTORICAL PARK, AND GUADA-
LUPE MOUNTAINS NATIONAL PARK AMENDMENTS

GOVERNMENT DOCUMENTS

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HEARING

THE LIBRARY
KANSAS STATE UNIVERSITY BEFORE THE

SUBCOMMITTEE ON PARKS AND RECREATION

OF THE

COMMITTEE ON

INTERIOR AND INSULAR AFFAIRS

UNITED STATES SENATE

NINETY-FOURTH CONGRESS

FIRST SESSION

ON

S. 82

A BILL TO REPEAL CERTAIN PROVISIONS OF THE ACT
ENTITLED "AN ACT TO PROVIDE FOR THE ESTABLISH-
MENT OF THE ASSATEAGUE ISLAND NATIONAL SEASHORE
IN THE STATES OF MARYLAND AND VIRGINIA, AND FOR
OTHER PURPOSES," APPROVED SEPTEMBER 21, 1965, AND
FOR OTHER PURPOSES

S. 98

A BILL TO ESTABLISH THE KLONDIKE GOLD RUSH PARK

S. 313

A BILL TO AUTHORIZE AN EXCHANGE OF LANDS FOR AN
ENTRANCE ROAD AT GUADALUPE MOUNTAINS NATIONAL
PARK, TEXAS, AND FOR OTHER PURPOSES

MAY 12, 1975

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

U.S. GOVERNMENT PRINTING OFFICE

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(II)

CONTENTS

	Page
S. 82-----	2
Department of the Interior report-----	4
S. 98-----	10
Department of the Interior report-----	15
S. 313-----	20
Department of the Interior report-----	22

STATEMENTS

Bauman, Hon. Robert E., a U.S. Representative from the State of Maryland-----	106, 109
Beall, Hon. J. Glenn Jr., a U.S. Senator from the State of Maryland-----	24
Bentsen, Hon. Lloyd, a U.S. Senator from the State of Texas-----	24
Collins, Robertson E., Member of the Board of Trustees of the National Trust for Historic Preservation-----	154
Dickenson, Hon. Russell E., Deputy Director, National Park Service, Department of the Interior; accompanied by Tom Norris, Superintendent, Assateague National Seashore; and Gerry Tays, Park Planner, Washington Office, National Park Service-----	110, 144
Gravel, Hon. Mike, a U.S. Senator from the State of Alaska-----	40, 42
Jarvis, T. Destry, Administrative Assistant, National Parks and Conservation Association-----	116, 118
Johnson, Judith, Chairman, Committee to Preserve Assateague-----	128, 131
Johnston, Hon. J. Bennett, a U.S. Senator from the State of Louisiana-----	1
Mathias, Hon. Charles McC., Jr., a U.S. Senator from the State of Maryland-----	25, 28
Stevens, Hon. Ted, a U.S. Senator from the State of Alaska-----	33, 34
Wright A. T., staff consultant, Wilderness Society-----	113

ADDITIONAL MATERIAL

Article: "Assateague—Jewel of the East Coast," by Judith Cold Johnson, from January 1975 issue of National Parks and Conservation Magazine-----	121
Coulter, James B., secretary, Department of Natural Resources, Annapolis, Md., letter to Senator Mathias, May 9, 1975-----	29
Norris, Thomas F., Jr., superintendent, National Park Service, Department of the Interior, Berlin, Md., letter to James B. Coulter, February 7, 1974-----	30
Report—Klondike Gold Rush, National Historical Park, Alaska-----	50
Rich, Warren K., State Law Department, Annapolis, Md., letter to Edward H. Hammond, Jr., February 26, 1974-----	29
Stevens, Hon. Ted, a U.S. Senator from the State of Alaska, letters received from:	
Governor Hammond, State of Alaska, May 6, 1975-----	36
Edward J. Kurtz, acting regional director, National Park Service Department of the Interior, Seattle, Wash., February 21, 1975-----	36
Lillian Litzenberger, secretary, Skagway Chamber of Commerce, Skagway, Alaska, January 23, 1975-----	37
Representative Mike Miller, May 9, 1975-----	38
Cyril A. Coyne, Chilkoot Agencies, Skagway, Alaska, May 6, 1975-----	39
Jack C. Lee, city manager, city of Skagway, Skagway, Alaska, February 18, 1975-----	40

IV

APPENDIX

Johnston, Hon. J. Bennett, a U.S. Senator from the State of Louisiana, letters received from:	Page
Governor Daniel J. Evans, State of Washington, May 12, 1975-----	160
Walter G. Wells, May 12, 1975-----	161
Martin, Guy R., Commissioner, Department of Natural Resources, State of Alaska, statement-----	159
Taylor, M. P., Skagway, Alaska, letter to Senator Stevens, May 1, 1975----	161

ASSATEAGUE ISLAND NATIONAL SEASHORE AMENDMENTS, ESTABLISHMENT OF THE KLONDIKE GOLD RUSH NATIONAL HISTORICAL PARK, AND GUADALUPE MOUNTAINS NATIONAL PARK AMENDMENTS

MONDAY, MAY 12, 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, Stone, and Hansen.

Also present: James P. Beirne, counsel.

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

Senator JOHNSTON. The hearing will come to order. This is the time which has been duly noticed for an open hearing before the Subcommittee on Parks and Recreation on S. 82, which will amend the act of the Assateague Island National Seashore by deleting certain road construction and development requirements in the original act; S. 98, which would establish the Klondike Gold Rush National Historical Park; and S. 313, legislation to amend the act establishing Guadalupe Mountains National Park to allow an exchange of lands for an entrance road.

Two additional measures which had been scheduled have been withdrawn. S. 150, legislation to establish an Indian Art and Cultural Center, was withdrawn at the request of the Senator from Wyoming to allow the Shoshone and Arapahoe tribes additional time to consider the legislation.

S. 466, legislation to authorize the Secretary of the Interior to accept a donation of land at the Franklin D. Roosevelt Home National Historic Site, has also been withdrawn.

In order to achieve the donation before a June 1 deadline, the committee was polled on a companion measure. The committee approved the House-passed measure which passed the Senate and was signed by the President in time to allow the donation.

Copies of the pending measures and the departmental reports will be made a part of the record at this point.

[Texts of the bills and departmental reports follow:]

94TH CONGRESS
1ST SESSION

S. 82

IN THE SENATE OF THE UNITED STATES

JANUARY 15, 1975

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

A BILL

To repeal certain provisions of the Act entitled "An Act to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes", approved September 21, 1965, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That sections 7 and 9 of the Act entitled "An Act to pro-
4 vide for the establishment of the Assateague Island Na-
5 tional Seashore in the States of Maryland and Virginia,
6 and for other purposes", approved September 21, 1965,
7 are hereby repealed.

8 SEC. 2. (a) The Secretary of the Interior is authorized

1 to receive, consider, hold public hearings, and act upon any
2 claim filed by the county of Worcester, Maryland, within the
3 twelve-month period following the date of the enactment
4 of this Act for compensation for damages or other losses
5 incurred by such county arising out of or in connection
6 with the repeal of section 7 of the Act of September 21,
7 1965, relating to the authority to establish suitable over-
8 night and other public accommodations within the Assa-
9 teague Island National Seashore.

10 (b) The Secretary of the Treasury is authorized and
11 directed to pay, out of any money in the Treasury not other-
12 wise appropriated, such sum as may be certified to him by
13 the Secretary of Interior on the basis of any claim filed pur-
14 suant to subsection (a).



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

MAY 9 - 1975

Dear Mr. Chairman:

Your Committee has requested the views of this Department on S. 82, a bill "To amend the Act of September 21, 1965 (79 Stat. 824), relating to the Assateague Island National Seashore, Maryland and Virginia."

We recommend the enactment of the enclosed substitute bill in lieu of S. 82.

S. 82 would amend the existing statutes relating to Assateague Island National Seashore in two ways: it would repeal two sections of the 1965 law relating to a road and overnight and other public accommodations on the island and it would authorize the Secretary of the Interior to hold hearings and make payments to the county of Worcester, Maryland, on claims for compensation for damages or other losses incurred by the county arising out of or in connection with the repeal of the section relating to overnight and other public accommodations.

We support the repeal of these two provisions. However, in lieu of the proposed plan to reimburse the county for taxes lost by the deletion of the proposed accommodations, our bill would provide for a comprehensive plan for the lands and waters adjacent to the seashore which would examine, among other considerations, the feasibility of developing visitor services on the mainland. In this way, we believe that well-planned development in Worcester County can take place which will offset the tax revenues foregone. In addition, our substitute bill contains a new section to authorize an increase in the authorization ceiling for land acquisition in the sum of \$1,350,000 in order to allow for the purchase of major inholdings on the Island.

When the national seashore was created in 1965, Congress recognized that the island is a fragile, but immensely popular resource worthy of maximum protection. It is significant to note that visitation at the seashore was approximately 1,720,000 in 1974, and that we have recommended 1,740 acres of the island

for wilderness designation and 4,760 acres for potential wilderness designation. Because of these competing pressures, we believe the 1965 Act should be re-examined and Section 7 and Subsection 9(b) should be repealed.

Section 7 authorizes the Secretary of the Interior to set aside up to 600 acres of the Maryland end of the island for construction of overnight and other public accommodations, taxable under Maryland laws. A number of events and changing attitudes toward the propriety of developing Assateague have combined to make this approach now seem unwise.

In March of 1972 the Joint Executive Legislative Committee on Assateague Island reported to the Governor of Maryland recommending that Section 7, providing for overnight and other public accommodations, be deleted from the Act. This recommendation was based on the judgment that the construction of overnight accommodations on the island, with attendant water, power, and sewage facilities, would destroy the natural environment of Assateague Island.

Subsection 9(b) of the 1965 Act authorizes the construction of a road on the island, from the Chincoteague-Assateague Island Bridge in Virginia to the Sandy Point-Assateague Bridge in Maryland. Since 1965, we have come to realize that construction of a roadway paralleling the shoreline on such a fragile, shifting island would be environmentally unsound. Since the road was never proposed as compensation to the local or State Government, its deletion would not in any way effect the compensation procedures provided in the bill.

As recently as 1973 the Office of the Chief Scientist of the National Park Service clearly enunciated its findings with regard to the management of barrier islands and similar "mobile" resources along this Nation's shorelines. Recent studies have shown that many of the actions man has taken in an effort to control the forces of nature such as the construction of groins and the like have not been the wisest choices in retrospect. While not advocating a program of total inaction, we have come to realize that our main trust must be an attempt to mitigate the adverse effects of certain necessary programs. The removal of sand and silt from shipping channels which must remain navigable will have serious consequences if that material is removed from the littoral system and deposited by man in the open ocean. Wherever possible our strategy must be designed to work in harmony with nature rather than in opposition to it.

Barrier islands such as Assateague Island are clearly mobile resources. Contrary to the belief of many, these islands are not being washed away but rather are moving landward by the very forces which were fundamental in their origin, namely wind and water. It would be folly to attempt to halt this migration. Consequently, the construction of permanent facilities which parallel the shoreline such as the road authorized in Subsection 9(b) of the 1965 Act which provided for the establishment of Assateague Island National Seashore or the accompanying overnight accommodations provided in Section 7 would not be in the interest of sound resource management for the national seashore. A transportation study is currently underway to investigate alternative methods of providing access to and from Assateague Island stressing day-use.

Finally, we propose an amendment in our substitute bill which would increase the acquisition ceiling for Assateague Island National Seashore from \$21,050,000 to \$22,400,000, an increase of \$1,350,000. This increase is needed because of a number of factors affecting the recreational land market generally, as well as factors relating to Assateague in particular due to condemnation of private inholdings. The 1965 legislation authorized the appropriation of \$16,250,000 for the acquisition of lands. The Act of April 11, 1972, Public Law 92-272, amended Public Law 89-195 by increasing the statutory ceiling by \$4,800,000. This increase was needed to acquire the remaining subdivided lots, which were then or to be shortly under condemnation, located in Ocean Beach and South Ocean Beach subdivisions. It also included funds to acquire the remaining private lands within the authorized seashore boundaries which included marginal marshlands, hunting clubs, and the Atlantic Beach Estates subdivision.

At that time, it was fully anticipated that the remaining marshlands and hunting clubs could be acquired from the funds authorized. However, additional adverse court awards and the higher cost to acquire the individual hunting clubs resulted in a cost that has almost depleted the total funds authorized for acquisition. Of the lands remaining to be acquired, the Pope's Island Gun Club is in highest priority, and we have obtained an option on this property. Purchase at the option price will cost \$486,000. This amount, and \$30,000 for related administrative cost and \$10,000 for deficiency judgments on two outlying islands total \$526,000.

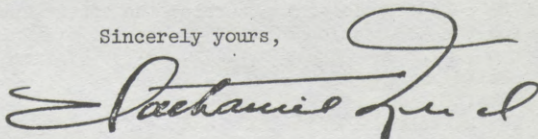
In addition, the owners of the Atlantic Ocean Estate subdivision have agreed to sell their property for a smaller amount than they had previously indicated, and we believe their offer should be accepted in order to eliminate this major remaining inholding

on the seashore. The corporate ownership of the proposed development owns 788.58 acres, of which 317.8 acres are fast land, and there are 90 tracts in private ownership consisting of 17.1 acres of fast land for a total of 334.9 acres. The purchase price for the corporate land is \$675,000, and the price of the 90 tracts is \$100,000. These amounts, plus \$49,000 for relocation and administrative costs, total \$824,000. This amount, plus the \$526,000 for acquisition of the Pope's Island Gun Club, combine to make the total recommended ceiling increase of \$1,350,000.

Timely approval of this bill will further the public interest in this vital seashore by avoiding greater costs at a later date due to the inflationary factors being experienced generally. Equally important, it will avoid costly environmental damage to the island and result in improved visitor access and enjoyment of the entire area.

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

Sincerely yours,



Assistant Secretary of the Interior

Honorable Henry M. Jackson
Chairman, Committee on Interior
and Insular Affairs
United States Senate
Washington, D. C. 20510

A B I L L

To amend the Act of September 21, 1965, as amended, providing for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of September 21, 1965 (79 Stat. 824), as amended, providing for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, is further amended-

(a) by deleting section 7 in its entirety and substituting in lieu thereof the following:

"Sec. 7. The Secretary is authorized to undertake, in consultation with other interested Federal, State, local, and private agencies and interests, the development of a comprehensive plan for the lands and waters adjacent or related to the seashore, the use of which could reasonably be expected to influence the administration, use, and environmental quality of the seashore. Such plan shall set forth the most feasible and prudent methods for providing solid waste disposal, wetlands management, development of visitor facilities, and other land uses all in a manner compatible with the preservation of the seashore. The Secretary may revise the plan from time to time, and he

shall encourage Federal, State, local, and private agencies and interests to be guided thereby. Notwithstanding any other provision of law, no Federal loan, grant, license, or other form of assistance for any project which, in the opinion of the Secretary, would significantly affect the administration, use, and environmental quality of the seashore shall be made, issued or approved by the head of any Federal agency without the concurrence of the Secretary unless such project is consistent with the plan developed pursuant to this section.";

(b) by deleting subsection 9(b) in its entirety and by changing "Sec. 9(a)" to "Sec. 9."; and

(c) by changing in section 10 the authorization for land acquisition from "\$21,050,000" to "\$22,400,000."

S. 98

IN THE SENATE OF THE UNITED STATES

JANUARY 15, 1975

MR. STEVENS (for himself, MR. GRAVEL, MR. JACKSON, and MR. MAGNUSON) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

A BILL

To establish the Klondike Gold Rush Park.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) in order to preserve in public ownership for the
4 benefit and inspiration of the people of the United States,
5 historic structures and trails associated with the Klondike
6 Gold Rush of 1898, the Secretary of the Interior (herein-
7 after referred to as the "Secretary") is authorized to estab-
8 lish the Klondike Gold Rush National Historical Park (here-
9 inafter referred to as the "park", consisting of a Seattle unit,
10 a Skagway unit, a Chilkoot Trail unit, and a White Pass
11 Trail unit. The boundaries of the Skagway unit, the Chilkoot

1 Trail unit, and the White Pass Trail unit shall be as generally
2 depicted on a drawing consisting of two sheets entitled
3 "Boundary Map, Klondike Gold Rush National Historical
4 Park", numbered 20,013-B and dated May 1973, which
5 shall be on file and available for public inspection in the of-
6 fices of the National Park Service, Department of the In-
7 terior. Within the Pioneer Square Historic District in Seattle
8 as depicted on a drawing entitled "Pioneer Square Historic
9 District", numbered 20,010-B and dated May 19, 1973,
10 which shall also be on file and available as aforesaid, the
11 Secretary may select a suitable site for the Seattle unit and
12 publish a description of the site in the Federal Register. So
13 long as the Federal Government has not acquired the fee,
14 the Secretary may relocate the site of the Seattle unit: *Pro-*
15 *vided*, That it shall be within the Pioneer Square Historic
16 District. The Secretary may revise the boundaries of the
17 park from time to time, by publication of a revised map or
18 other boundary description in the Federal Register, but the
19 total area of the park may not exceed thirteen thousand three
20 hundred acres.

21 (b) (1) The Secretary may acquire lands, waters, and
22 interests therein within the park by donation, purchase,
23 lease, exchange, or transfer from another Federal agency.
24 Lands or interests in lands owned by the State of Alaska
25 or any political subdivision thereof may be acquired only

1 by donation. Lands under the jurisdiction of any Federal
2 agency may, with the concurrence of the head thereof, be
3 transferred without consideration to the Secretary for the
4 purposes of the park.

5 (2) The Secretary is authorized to acquire, by any of
6 the above methods, not to exceed fifteen acres of land or
7 interests therein located in, or in the vicinity of, the city of
8 Skagway, Alaska, for an administrative site; and to acquire
9 by any of the above methods, up to ten historic structures or
10 interests in such structures located in the city of Skagway
11 but outside the Skagway unit for relocation within such
12 unit as the Secretary deems essential for adequate preserva-
13 tion and interpretation of the national historical park.

14 SEC. 2. (a) The Secretary shall establish the park by
15 publication of a notice to that effect in the Federal Register
16 at such time as he deems sufficient lands, waters, and interests
17 therein have been acquired for administration in accordance
18 with the purposes of this Act. Pending such establishment
19 and thereafter, the Secretary shall administer lands, waters,
20 and interests therein acquired for the park in accordance with
21 the provisions of the Act approved August 25, 1916 (39
22 Stat. 535), as amended and supplemented, and the Act ap-
23 proved August 21, 1935 (49 Stat. 666), as amended.

24 (b) The Secretary is authorized to cooperate and enter
25 into agreements with other Federal agencies, State and local

1 public bodies, and private interests, relating to planning,
2 development, use, acquisition, or disposal (including as pro-
3 vided in section 5 of the Act of July 15, 1968 (82 Stat.
4 356; (16 U.S.C. 460 1-22)) of lands, structures, and
5 waters in or adjacent to the park or otherwise affecting the
6 administration, use, and enjoyment thereof, in order to con-
7 tribute to the development and management of such lands in
8 a manner compatible with the purposes of the park. Such
9 agreements, acquisitions, dispositions, development, or use
10 and land-use plans shall provide for the preservation of his-
11 torical sites and scenic areas, recreation and visitor enjoy-
12 ment to the fullest extent that is compatible with the develop-
13 ment of the Yukon-Taiya power project and facilities neces-
14 sary to retain the area as a major port.

15 (c) Notwithstanding any other provision of this Act,
16 the Congress may authorize the construction of the Yukon-
17 Taiya power project and the use of such lands and waters
18 within the park as may be required for construction and op-
19 eration of the project, including the transmission of power.

20 (d) Notwithstanding any other provision of law, the
21 Secretary may restore and rehabilitate property within the
22 park pursuant to cooperative agreements without regard as
23 to whether title thereto is in the United States.

24 SEC. 3. (a) The Secretary, in cooperation with the

1 Secretary of State, is authorized to consult and cooperate
2 with appropriate officials of the Government of Canada and
3 provincial or territorial officials regarding planning and de-
4 velopment of the park, and an international historical park.
5 At such time as the Secretary shall advise the President of
6 the United States that planning, development, and protec-
7 tion of the adjacent or related historic and scenic resources
8 in Canada in a manner consistent with the purposes for
9 which the park was established, and upon enactment of a
10 provision similar to this section by the proper authority of
11 the Canadian Government, the President is authorized to issue
12 a proclamation designating and including the park as part of
13 an international historical park to be known as Klondike Gold
14 Rush International Historic Park.

15 (b) For purposes of administration, promotion, develop-
16 ment, and support by appropriations, that part of the
17 Klondike Gold Rush International Historic Park within the
18 territory of the United States shall continue to be designated
19 as the Klondike Gold Rush National Historical Park.

20 SEC. 4. There are hereby authorized to be appropriated
21 such sums as may be necessary to carry out the purposes of
22 this Act.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

MAY 9 - 1975

Dear Mr. Chairman:

Your Committee has requested the views of this Department on S. 98, a bill "To authorize the Secretary of the Interior to establish the Klondike Gold Rush National Historical Park in the States of Alaska and Washington, and for other purposes."

We recommend that this bill be enacted.

S. 98 would authorize the Secretary of the Interior to establish the Klondike Gold Rush National Historical Park, consisting of four units, the Seattle unit of Seattle, Washington, and the Skagway, Chilkoot Trail, and White Pass Trail units of Alaska. Total areas within all four units is limited to 13,300 acres. The Secretary would be authorized to acquire lands, waters, and interests therein within the park, and with respect to Skagway unit he is authorized to acquire up to 10 historic structures in the city of Skagway outside of the park for relocation within the Skagway unit. The bill further authorizes the Secretary to cooperate and enter into agreements with Federal, State, and local public bodies and private interests relating to property within, adjacent to or otherwise affecting the park, in order to contribute to the development and management of such property in a manner compatible with the purposes of the park. It also authorizes the President to proclaim the park as part of the Klondike Gold Rush International Historic Park at such time as planning, development, and protection of adjacent or related historic and scenic resources in Canada have been accomplished. The bill authorizes the appropriations of such sums as may be necessary to carry out its purposes.

S. 98 proposes an exciting and important theme of the Nation's history which is not now represented in the National Park System. With the cries of "Gold in the Klondike", there unfolded in the Yukon and Alaska an incredible historic adventure. This facet of our American folk memory, known as the Klondike Gold Rush of 1897-98, can still be traced in a ribbon of historic zones from

Seattle, Washington, to Skagway, Alaska, through Dawson, in the Yukon Territory of Canada, and beyond. Preservation of these historic resources which still remain, and their comprehensive and imaginative interpretation for future generations, can be assured through the establishment of the Klondike Gold Rush National Historical Park.

The four units of the proposed park are as follows:

Seattle unit. Seattle will be the beginning of the interpretative tour in the lower 48 States. Many structures from the gold-rush era remain intact in Seattle's Pioneer Square historic district. A city ordinance has zoned the approximately 15 square block area as a historic district, within which the historic character of the structures cannot be altered. The district is listed on the National Register of Historic Places.

Within the Pioneer Square Historic District, we propose to lease space in the historic Pioneer Building for Development of a central interpretive center.

The estimated cost of a lease appropriate for the National Park Service needs would be about \$6.00 per square foot per year or 3,400 square feet totalling \$20,400 per year.

As a major tourist center, Seattle is ideally situated for pointing tourists toward the Klondike.

Skagway. Skagway was a gateway to the fabulous Klondike, serving as the major departure for the Gold Fields. In the two years 1897-98, Skagway became a household word throughout much of the world. The National Park Service would acquire up to 3.602 acres in the city. The purchase and restoration of historic structures that are mostly vacant or used for storage will be required. We plan to emphasize keeping the historic district alive, and to encourage local citizens to keep actively involved in its preservation. No town in America offers a finer array of Gold Rush history.

Chilkoot Trail. The National Park Service would acquire 9,907.430 acres to restore, interpret, and protect the famous Chilkoot Trail, which epitomizes the hardships and high prices paid for reaching the Yukon. Interpretation along the Chilkoot will be in keeping with the remnant sites and artifact displays.

The town of Dyea was the funnel through which people poured on their way over the Chilkoot pass. It was abandoned when the railroad was completed across the White Pass. It is in essence the remnants of the ghost town and should remain so. The National Park Service would preserve, protect, and interpret the two historic cemeteries, the wharf, and the townsite. Dyea needs only a small interpretive structure and a few on site interpretive devices to be used during the visitor season.

White Pass. The White Pass Trail was lower and easier than the Chilkoot but was frequently impassable during the rainy season. It was advertised as a trail suitable for pack animals but thousands of these animals perished in a single season from inhumane treatment and the relentless drive for the Yukon. The trail only lasted a short time; it was followed by the Brackett Road and shortly thereafter by the railroad.

The National Park Service would acquire 3,360 acres to restore, interpret, and protect a portion of this famous trail. The restoration would consist of the upper portions, with access at points along the road. Interpretive devices will be installed along the trail. Because of good access from both Skagway and the railroad, and the relative ease of the trail, this could become a very popular attraction for families and individuals who have only a few days to spend in the area.

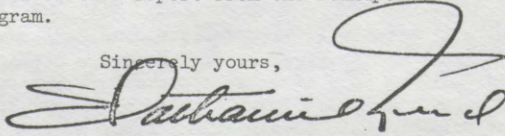
In total, some 13,271.032 acres are proposed for acquisition. The cost of land acquisition for the Klondike Gold Rush National Historical Park is about \$1,885,000. The cost of land acquisition includes the cost of acquiring 32 improvements, and costs attributable to the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 of \$129,500.

The acquisition and display of historic objects and documents of the Gold Rush era in Seattle will cost about \$40,000. Other development costs are: \$3,871,200 for achieving a more cohesive historical district in the city of Skagway by restoring selected buildings, both original and more recent structures which will be designed or remodeled to harmonize with the historic scene: \$366,000 to restore the Chilkoot Trail; \$359,000 to restore the White Pass

Trail; and \$1,249,000 to improve roads and trails, construct an interpretive structure and generally stabilize the Dyea area. Total development costs are expected to be about \$5,885,200. We estimate operating costs to be about \$787,700 by the fifth year after enactment of the legislation. A man-year and cost data statement is enclosed.

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

Sincerely yours,



Assistant Secretary of the Interior

Honorable Henry M. Jackson
Chairman, Committee on Interior
and Insular Affairs - United States Senate
Washington, D. C.

Enclosure

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

KLONDIKE GOLD RUSH NATIONAL HISTORICAL PARK

	<u>19CY</u>	<u>19CY+1</u>	<u>19CY+2</u>	<u>19CY+3</u>	<u>19CY+4</u>
<u>Estimated Additional Expenditures</u>					
Personnel Services	\$ 346,000	\$ 514,000	\$ 535,000	\$ 536,000	\$ 538,000
All Other	2,321,000	729,000	744,000	755,000	936,000
Total	<u>\$2,667,000</u>	<u>\$1,243,000</u>	<u>\$1,282,000</u>	<u>\$1,291,000</u>	<u>\$1,473,000</u>
<u>Estimated Additional Obligations</u>					
Land & Property					
Acquisition	\$1,885,000	\$	\$	\$	\$
Developments	229,000	474,000	492,000	505,000	685,000
Operations (Management, Protection & Maintenance, Planning, Dev. & Operation of Rec. Facilities)	553,000	769,000	790,000	786,000	788,000
Total	<u>\$2,667,000</u>	<u>\$1,243,000</u>	<u>\$1,282,000</u>	<u>\$1,291,000</u>	<u>\$1,473,000</u>
Total Estimated Additional Man-Years of Civilian Employment	<u>15.7</u>	<u>25.0</u>	<u>26.4</u>	<u>26.4</u>	<u>26.4</u>

94TH CONGRESS
1ST SESSION

S. 313

IN THE SENATE OF THE UNITED STATES

JANUARY 23, 1975

Mr. BENTSEN introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

A BILL

To authorize an exchange of lands for an entrance road at Guadalupe Mountains National Park, Texas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (b) of section 2 of the Act approved
4 October 15, 1966 (80 Stat. 920), providing for the estab-
5 lishment of the Guadalupe Mountains National Park in the
6 State of Texas, is amended by adding the following after
7 the third sentence: "In order to provide for an adequate
8 entrance road into the McKittrick Canyon area of the park,
9 the Secretary may accept title to and interests in lands
10 comprising a right-of-way for a road or roads outside of

1 the boundary of the park from United States highway num-
2 bered 62 and 180 to the park boundary, and in exchange
3 therefore he may convey title to and interests in lands com-
4 prising a right-of-way from said highway to the boundary
5 which have been donated to the United States. The Secre-
6 tary may accept cash from or pay cash to the grantor in
7 such exchange in order to equalize the values of the prop-
8 erties exchanged. Lands and interests in lands comprising
9 the right-of-way acquired pursuant to this subsection shall
10 be administered as part of the park.”.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

MAY 8 - 1975

Dear Mr. Chairman:

There is pending before your Committee S. 313, a bill
"To authorize an exchange of lands for an entrance road
at Guadalupe Mountains National Park, Texas, and for other
purposes."

We recommend enactment of the legislation.

S. 313 would provide for the acquisition of a private right-of-way outside the boundary of the park for the purpose of constructing an access road into the McKittrick Canyon section of the park. The 1966 law which established the park does not permit a revision of the boundary for acquisition of such right-of-way. Title to or an interest in the land is necessary to support the expenditure of appropriated funds on the road.

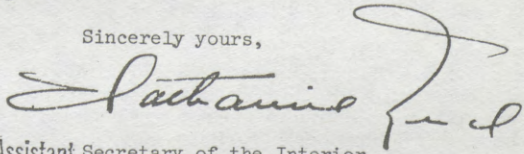
McKittrick Canyon is one of the most spectacular features of the Guadalupe Mountains. Unfortunately, public access to the Canyon, a distance of approximately five miles, is currently over a privately owned ranch road. Although the original Canyon area donation also included a 500 foot wide strip of land for an access route, engineering surveys have determined that the corridor is not a feasible route to construct an all-weather public use road. Rugged terrain and a wide wash subject to flash flooding would have to be crossed over the donated right-of-way.

Because of this problem, public and administrative vehicle travel is now conducted over a primitive, private ranch road, through verbal agreement. In addition, the ranger residence in this portion of the park is reached via this private road. The landowner presently restricts public travel to 4 cars per day on weekdays and 10 cars per day on weekends. Complete closures occur on some days because of interference with ranch operations and for other reasons. Thus, the present temporary arrangement is not satisfactory to the landowner, the National Park Service, or to the park visitor.

Enactment of S. 313 would alleviate this problem with minimal cost to the Government. The owner of an adjacent, more suitable tract has executed a formal agreement to exchange 102.75 acres for 208 acres of the present right-of-way. The properties are approximately equal in value, and the discrepancy in acreage to be exchanged lies in the rugged terrain of the present Federal land which makes it of less value than the proposed acquisition. Costs associated with this transaction amount to approximately \$3,750, for administrative, technical and incidental expenses. The proposal has no effect on staffing needs of the park. We estimate the cost of constructing an all-weather public use road on these lands to be approximately \$3,040,000. A study of the environmental impact of such construction has been completed.

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

Sincerely yours,



Assistant Secretary of the Interior

Honorable Henry M. Jackson
Chairman, Committee on Interior
and Insular Affairs
United States Senate
Washington, D. C. 20515

Senator JOHNSTON. I will insert at this point statements of Senators Bentsen and Beall.

[The statements follow:]

STATEMENT OF HON. LLOYD BENTSEN, A U.S. SENATOR FROM THE STATE OF TEXAS

Mr. Chairman, Guadalupe Mountains National Park, located in west Texas, was authorized in 1966 and formally established September 30, 1972. This new national park preserves protects, and provides for public enjoyment the most extensive exposed fossil reef complex on record. It also presents a unique ecological association of plant and animal life. It stands like an island in the desert.

The park idea was initiated with a generous donation of land from Mr. Wallace Pratt in 1958, which included the outstanding McKittrick Canyon. This canyon is exquisite in that the lush assemblage of plant and animal life, supported by a cold water mountain stream, contrasting sharply with the surrounding dry desert. A myriad of rare plant and animal associations have developed due to changes of elevation ranging thousands of feet: and substantially permanent water sources which permit an established and varied plant life. Due to the capricious and precarious water level, there is a unique and fragile balance between desert life and lush mountain life. The flora and fauna of both desert and the mountains, along with the desert starkness and the mountain tranquility are blended in natural harmony.

It presents the park visitor with a breathtaking wilderness hike between colorful steep-walled cliffs. It provides a spectacular setting for an outstanding interpretive story, telling of ancient reef geology, and remnant biotic communities which are a holdover from earlier geologic time.

A right-of-way for public access to the mouth of the canyon was included in the donation. However, subsequent surveys revealed that construction of a road along this route would be very costly and difficult because of adverse terrain.

At the present time visitor traffic is utilizing a private 5-mile road to gain access to the mouth of the canyon.

Restrictions were imposed by the landowner because of concern about the large number of visitors crossing the ranch. A daily limit has been imposed and consists of 4 cars on weekdays and 10 cars on the weekends.

Additionally, access to the Government residence near the canyon is now over private land. This is presenting a serious problem because visitor travel is increasing steadily, with approximately 40,000 to the park recorded in 1974 and travel for 1975 currently running 60 percent ahead of last year at mid-April. Studies indicate that approximately 500,000 visitors to the park can be expected each year after developments proposed in the park's Master Plan are initiated.

To meet this increasing burden, Mrs. Fletcher Pratt, present owner of the private land between McKittrick Canyon and U.S. Highway 62-180, has graciously consented to an exchange of land which would permit the public and administrative access road route to the canyon. This would provide a feasible route for a public access road to be constructed and be preferable from an environmental standpoint to routing it over undisturbed terrain.

I have introduced S. 313 to authorize this exchange and respectfully request that this committee approve the measure.

STATEMENT OF HON. J. GLENN BEALL, JR., A U.S. SENATOR FROM THE STATE OF MARYLAND

Mr. Chairman, I want to thank you for the opportunity to present testimony on legislation introduced by Senator Mathias and me, S. 82, to amend the Assateague Island National Seashore Act of 1975.

First, Mr. Chairman, let me congratulate you on scheduling hearings on S. 82 in an expeditious manner. I think the action of the Committee indicates the importance of this great natural resource and I hope the Committee will report this measure to the full Senate for its prompt consideration.

Assateague Island is a unique strip of land with great beauty, approximately 37 miles long, located immediately off the coast of Maryland and Virginia on the Atlantic Ocean. It serves not only as a recreational site for 1.7 million citizens who visit it annually, but also serves as a home for many migratory water fowl

and other fragile creatures. The Island acts as a barrier, sheltering Chincoteague and Sinepuxent Bays, thus providing an excellent place for the protection and breeding of many animals.

The National Seashore was created by the Congress in 1965. It was the purpose of this far-sighted Act to preserve this resource by protecting it from development. However, in the bill, the Congress provided authorization for the construction of a north-south road on the island and for the establishment of a zone where commercial activity would occur.

In the intervening 10 years, it has become apparent that the road and commercial zone are no longer feasible. Therefore, our legislation would repeal sections 7 and 9 of the act which authorized their construction and establishment.

The bill also authorizes the Secretary of the Interior to hold public hearings and act on claims filed by Worcester County, Maryland. Within a 12-month period following the day of enactment, for compensation of damages or other losses incurred by the county which arose in connection with the repeal of these two sections. Prior to the enactment of the 1965 legislation, Assateague Island was viewed by many as an excellent commercial site, which could be developed in a similar fashion as its neighbor to the north, Ocean City. This development, of course, would have provided significant tax revenues to Worcester County. However, the Congress wisely recognized that Assateague is a delicate and invaluable resource which all of us must protect, and thus enacted the provisions limiting commercial development to one section of the island. This compromise was reached after extended discussions with Worcester County officials and it recognized the need on the one hand to provide some tax benefit to the county, and on the other hand to protect the island.

By repealing sections 7 and 9, as our bill proposes, we would be breaking that compact with Worcester officials, and thus it is altogether appropriate that the Secretary of the Interior be authorized to consider claims by the county which arise out of this legislation.

I am also advised that Congressman Bauman will offer legislation providing for a comprehensive study for the future use and management of Assateague Island. I support such an action, and hope the committee will favorably consider his proposal as an amendment to S. 82. I am sure the demands on Assateague will increase over the coming years, and it is imperative that we have a full and complete study of the potential uses of Assateague, and also its limitations.

Mr. Chairman, we must preserve Assateague Island for ourselves and for future generations. I believe S. 82 is a constructive step in that direction and thus I hope the committee will give prompt and favorable consideration to this legislation.

Senator JOHNSTON. The first item is consideration of the Assateague Park and we are pleased to have our colleague, the Honorable Charles McC. Mathias, Jr.

STATEMENT OF HON. CHARLES McC. MATHIAS, JR., A U.S. SENATOR FROM THE STATE OF MARYLAND

Senator MATHIAS. Thank you, Mr. Chairman. I will submit my statement for the record and I would also, at this time, like to submit correspondence from the State of Maryland, the State law department, and the State department of natural resources.

I am further authorized by the Secretary of the Department of Natural Resources of Maryland to say, they fully support this bill and that a further letter evidencing their support will be submitted to the committee.

There will be a number of witnesses who will testify on this legislation, and I would say, very briefly, what it does is to modify the original act, which created the Assateague National Seashore by eliminating the public road which had been contemplated at that time, thereby eliminating the possibility of commercial development in the middle of the Assateague Island.

The public road had originally been thought of as appropriate, but as the development of a national seashore has gone on and as anyone who has been there will realize, I might suggest to the committee a visit to the site might be entirely appropriate and would be very interesting to the committee.

It is a wild, natural barrier between the sea and the mainland.

Senator JOHNSTON. Are you having any trouble with erosion of the sand there?

Senator MATHIAS. There is always an erosion problem, but it is under control. In my youth, that whole coastline was connected.

Some 30 or 40 years ago, an inlet was cut by erosion and by storms in the Ocean City area. That is how the Ocean City area came about, so there is always some shifting of the sands.

But, it is an unspoiled area. It is practically the only unspoiled area, remote area, between Norfolk and Boston. It is a unique place.

To put a major public highway down the middle of it, would totally change the character of the spot. Now, the Senator from Wyoming, who is used to these wild and unspoiled places can understand how we feel about this one, which is unique.

There is very little cost involved in a comparative sense. There is compensation which will be claimed by Worcester County for whatever development rights would have been generated by the original bill.

But, the bill suggests a method of assessing those rights and compensating them appropriately, whatever they may be.

Senator JOHNSTON. This would be to reimburse the county.

Senator MATHIAS. The county advances the position and I think it is a reasonable one, that the county tax base would have been enhanced had there been commercial development in this area.

Certain tax revenues would have been generated by this development. The difficulties, of course, assessing what the dollar value of those rights are—nobody knows the character of the commercial development that might have occurred, or if it had occurred, or when it might have occurred.

Senator JOHNSTON. Is this supported by the area around it?

Senator MATHIAS. There is considerable support for this. The county is concerned about loss of revenue, as everyone is, when property is removed from the tax rolls, so there is that aspect to be recognized and the bill does recognize it.

These submissions from the attorney general, from the State law department deal with this very question, which I think the committee's staff can study at length.

Senator JOHNSTON. Frankly, I am concerned about compensation to the county for loss of tax revenues. I do now know what the precedent for that has been.

There may be precedent for it, but I think that in any national park situation, where you take land that otherwise would go to developers and put it in recreational use or national use, or public use, the county is losing some probable tax revenue, but the theory is, of course, and the truth is, we are helping the county and helping the State and the national interest as well by preserving for public use an area like this and making it available for more people, which in turn will bring visitors, bring tourists, and generate revenues from their activities.

Senator MATHIAS. Mr. Chairman, I am very sympathetic with that point of view. That is the way it works out in practice in almost every instance.

The only basis on which this one is different—and I speak now from a personal recollection, because I was a Member of the House of Representatives at the time, as was Secretary Morton, and he in fact represented the Assateague area—there was concern that this property, which had been widely advertised as seashore frontage, an enormous seashore development having been contemplated there—advertisements in all of the metropolitan papers in the east coast for the sale of seashore lots.

There had been considerable expectation of commercial development and a very large tax roll, which obviously the passage of the 1965 act put an end to.

Now, at that time, there was sort of a compromise which was advanced and that compromise contemplated the public road down the center of Assateague and some commercial development in conjunction with that road.

We are now changing in effect an agreement that was made in 1965, and that is the basis on which it is suggested—the question of compensation suggested to the Secretary for consideration.

Senator JOHNSTON. Thank you. Senator Hansen.

Senator HANSEN. If I could, recalling some of the experiences I have had, provide an answer or two to questions you raised, Mr. Chairman.

In western Wyoming, at the time of the expansion of Grand Teton National Park in 1950, which I believe was first established in 1929—the park was extended to include a substantial acreage of Teton County. If I remember correctly, I believe about one-third of the privately owned land, then on the tax rolls in my home county of Teton, was included within the expanded interior boundary of the park.

That public law passed and provided for reimbursement of Teton County, but it limited that reimbursement to the taxes actually paid on the land, and improvements that were on the land at the time, as I remember, which did not start to compensate Teton County, for its loss of taxes.

Most of the land was inevitably marked for passage from private into public ownership and also was characterized with other privately taxable property, mostly livestock—I think we recovered about one-third of the actual tax loss, as I remember at that time—I mean about one-third of the total taxes paid was reflected by real estate taxes.

It seems to me we ought not to go beyond that concept in this bill. I gather—I have not read the letter from the Secretary—but when you talk about reimbursing a county for taxes lost by the depletion of proposed accommodations, then that becomes pretty speculative. I think very properly, the Secretary addresses an alternative he seems to have there, and that seems to include Interior's plans, sites for the establishment, and erection of other accommodations that would come on the tax rolls.

I would recall the situation in Teton County—the county was reimbursed the first 10 years. Mr. Dickenson, an old friend of mine, the Director of the Park Service is here, and if I am in error, I hope you will take occasion to correct me.

As I recall, the first 10 years, the Federal Government reimbursed the county for the full amount of the taxes last paid when the land was in private ownership and then in the next 20 years the original amount was decreased by 5 percent per year, so at the end of 30 years time it was phased out completely.

That did have the effect of making the transition a more orderly one to permit the county to cope with reduced revenues and, as a matter of fact, in our area the revenue coming to the county did not actually drop back at all. As people know who live there, other developments took place which more than compensated for that loss of revenue.

Senator JOHNSTON. Thank you, Senator Hansen. Senator Mathias, we appreciate very much your testimony. Senator Hansen and I are both concerned about this reimbursement.

Perhaps we can come up with a plan. It is suggested by Assistant Secretary Reed and perhaps compensate for some loss.

Senator MATHIAS. I think that there is a way to handle it. The bill authorizes the Secretary to consider the claim, but I am sure that the committee in its wisdom can find a way to correct the inequities which are really historical inequities.

They go back to the agreement, the compromise made in 1965, I hope they can be considered. Since I began testifying, Mr. Chairman, I received a letter from the department of natural resources, which fully supports the passage of this bill and I submit this along with other letters to the committee.

Senator JOHNSTON. Thank you very much.

[The prepared statement of Senator Mathias plus additional correspondence follow:]

STATEMENT OF HON. CHARLES MCC. MATHIAS, JR., A U.S. SENATOR FROM THE
STATE OF MARYLAND

Mr. Chairman, and members of the Committee, I want to thank you for holding hearings on S. 82, which I introduced for myself and Senator Beall on January 15, 1975. The quick response of this Subcommittee in considering modifications to the Assateague Island National Seashore Act of 1965 is most gratifying.

I hardly need to detail to this Subcommittee the importance of Assateague Island to Maryland and to the nation. Assateague Island is a barrier island of breathtaking beauty, great expanses of beach, dunes, and sheltered marshes. It provides needed sanctuary for many species of wildlife. The barrier island shelters Chincoteague and Sinepuxent Bays, which together support an irreplaceable seafood resource. Assateague is vital to migratory waterfowl, marsh birds, and shore birds which depend upon East Coast wetlands for food, rest, and protection at certain times of the year.

What is particularly important to emphasize in considering Assateague is that while Maryland possesses a great and bounteous estuary there is little land abutting the Atlantic. Some of that land has been devoted to the development of the Ocean City resort community. While Ocean City provides an unmatched recreational opportunity for people in the Middle Atlantic Region. We must be mindful, however, that not all the Atlantic seaboard is devoted to intense recreational use. Careful planning for Maryland's 32 miles of Atlantic shoreline should include significant, unspoiled areas.

The purpose of S. 82 is to amend sections 7 and 9 of the original enabling Act. Section 7 would provide for overnight and other public accommodations to be constructed on the Island. Since the creation of the Assateague National Seashore, much has occurred to cast doubt on the wisdom of taking this approach. Specifically, I would call the Subcommittee's attention to the thoughtful report of the Joint Executive-Legislative Committee on Assateague Island, which reported to the Governor of Maryland in March of 1972. Their recommendation was that section 7, providing for overnight and other public accommodations be deleted from the Act.

The Report discusses the question of compensation for Worcester County, Maryland, which is raised by Section 7. The original enabling legislation by virtue of this section was designed to provide Worcester County, Maryland, with tax revenues from development on Assateague Island. There is considerable doubt whether state law would actually allow this to occur. In fact, it is the opinion of the Attorney General of Maryland that it may be beyond the power of a county to exact this particular tax. Consequently, if the enabling legislation is not amended, environmentally destructive development could occur with no tax revenues raised to compensate. S. 82 is designed to eliminate section 7 and provide in its place an opportunity for Worcester County, Maryland, to advance any claim they might have for compensation.

Section 9 of the Assateague Island National Seashore act would provide for a road to run north and south along the length of the Island. Here again is an idea which has not stood the test of time. I have heard Assateague described as "a barren place, swept by wind and sun, its solitude broken only by the shrill cry of wheeling gulls and the metronome boom of the surf." This is hardly the sort of resource that can stand the intrusion of a public road. My proposal is not one which would drain the public treasury. The only possible cost relates to compensation to Worcester County, should they have a valid claim in the opinion of the Secretary of the Interior. The primary purpose of S. 82 is to ensure that Assateague Island will continue to provide a meaningful experience to those who desire to escape from urban life and to those who would like to visit a truly unique and magnificent natural resource.

STATE OF MARYLAND,
DEPARTMENT OF NATURAL RESOURCES,
Annapolis, Md., May 9, 1975.

HON. CHARLES MCC. MATHIAS,
U.S. Senate, Senate Office Building,
Washington, D.C.

DEAR SENATOR MATHIAS: Reference is made to S. 82, concerning Assateague Island National Seashore.

The Department of Natural Resources supports the repeal of Section 7, P.L. 89-195, which provided for the establishment of an area, not to exceed 600 acres, for the provision of suitable overnight and other public accommodations on Assateague Island for visitors to the seashore. These facilities can be provided on the mainland.

We also support the repeal of Section 9(b), P.L. 89-195, providing for the construction of a road from the Sandy Point-Assateague Bridge to the Chincoteague-Assateague Bridge.

We support the additional funding authorization necessary to complete the purchase of the National Seashore.

The planning of the Seashore and the involvement of other federal, state and local agencies, private agencies and individuals is a wise concept and the Department of Natural Resources is in favor of it.

With best personal regards, I am

Sincerely,

JAMES B. COULTER,
Secretary.

STATE OF MARYLAND,
STATE LAW DEPARTMENT,
Annapolis, Md., February 26, 1974.

MR. EDWARD H. HAMMOND, JR.,
County Attorney, Office of the County Commissioners for Worcester County, Md.,
Room 127, Courthouse, Snow Hill, Md.

DEAR MR. HAMMOND: Mr. Coulter has asked me to reply to your letter of February 13, 1974 referring to Article 81, taxation in connection with public park areas.

This appears to be a case where two lawyers have differing views of the construction of a given statute which I will admit is not drawn with complete precision. It is clear, however, that Article 81, Section 8(7)(e) does not authorize the State to tax a concession for occupancy of a public park.

This paragraph generally provides that the State may tax property of the Federal Government leased to any person for his use "in connection with a business conducted for profit, except where the use is by way of a concession for occupancy of a public airport, park, market, or fairground, which is available

to the use of the general public." Therefore, all profit-making enterprises are subject to property tax unless, as in our case, that occupancy is a public park. There is no reference in this section to a non-profit enterprise; this section deals only with profitable concessions.

Under the common rules of statutory interpretation, ordinary grammatical construction should be utilized in construing the provisions of the statute. The "except" clause, therefore, applies to all that appears before the comma; it excludes a specific portion (concessions for occupancy of parks) from the rule applicable to the general category provided for in the antecedent clause, i.e., property used in connection with a business conducted for profit. The exception, therefore, refers to the profitable uses provided for in the antecedent clause, not to a new category of non-profit businesses.

Additionally, the language in the paragraph refers to occupancy and not to the establishment or creation of a public park, harbor, etc. on Federal property.

I wish to further emphasize the point made in the letter of January 28, 1974 to Commissioner Redden; there is no basis for assessment of tax on concessions on Assateague Island and, therefore, any assessments would be speculative and arbitrary.

I thank you again for expressing your views with regard to the subject provisions.

Yours very truly,

WARREN K. RICH.

DEPARTMENT OF NATURAL RESOURCES,
Annapolis, Md., February 20, 1974.

Hon. RUSSELL O. HICKMAN,
H-22 State House,
Annapolis, Md.

DEAR RUSSELL: Attached is a copy of a letter from Tom Norris on the Assateague matter.

I don't want to see the County lose any of its tax base. If I'm right, commercial operations on the Island within the National Seashore would enjoy a substantial tax haven. The same operation on the mainland outside of park property would be fully taxable by the County.

Sincerely yours,

JAMES B. COULTER,
Secretary.

U.S. DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
ASSATEAGUE ISLAND NATIONAL SEASHORE,
Berlin, Md., February 7, 1974.

Mr. JAMES B. COULTER,
Secretary, Department of Natural Resources, State of Maryland, Tawes State
Office Building, Annapolis, Md.

DEAR Mr. COULTER: On January 31, I met with members of your staff to discuss several matters related to Interior Department programs affecting Assateague Island. At that time, I was given a copy of your January 28, 1974, letter to the Worcester County Commissioners and asked to comment on the section which relates to the compensation of the county for lost tax revenues as a result of establishing the seashore.

You are correct in your interpretation of that portion of section 7 with respect to Federal retention of ownership of all lands which might be developed for commercial uses under this provision of the act. I would, however, extend the effect of your remarks by pointing out that part (b) of section 7 also further restricts the nature of any such developments by enacting the phrase " * * * and in accordance with the laws relating to concessions within the national park system." A copy of Public Law 89-249 (79 Stat. 969), entitled "An Act Relating to the Establishment of Concession Policies in the Areas Administered by National Park Service * * *," is enclosed.

This act states that concession development shall be limited to those necessary and appropriate for public use and enjoyment of the park in which they are located. They must also be consistent with the preservation and conservation of the area. This would preclude the Ocean City-type development which most

people immediately think of when they consider the question of a taxable base for reimbursing Worcester County.

This second important portion of the concessions act deals with the matter of "possessory interest" which consists of " * * * all incidents of ownership except legal title * * *" as you have cited in your letter. The remainder of the section deals with the matter of the operator's rights and reimbursement upon termination or expiration of his contract.

All commercial operations within units of the National Park System function under either a concession permit or a contract. Permits are used for commercial operations which are relatively minor in nature. The operator is not expected to construct or otherwise acquire fixed assets that cannot be easily removed. The permit has no minimum term but may not exceed a term of 5 years. It may not grant a preferential right to provide additional facilities and services. The operator may not acquire a possessory interest in park property and he is barred from operating through subconcessioners. The permit is also revokable at the discretion of the National Park Service.

Concessions contract arrangements are obviously intended to cover complex operations in larger park areas in which the contractor would most likely be expected to invest private monies in the development of the facilities needed to provide the required services. Under these circumstances, he would acquire a possessory interest in such an installation which the Assateague act would make "mortgageable, taxable, etc." under State law.

Your specific comments on the exemption of concession occupancies in a public park from the property taxes under State law was enlightening. I was unaware of its effect and I will see that this information is conveyed to appropriate officials within my organization.

The types of visitor accommodations originally planned for the Maryland portion of the national seashore were specified in the "Joint Plan for Management and Development" of September 1967 commonly referred to as the "one sheet" master plan.

These were restricted to three developed areas comprising a total of 450 acres. Concession operations were called for only at the northernmost developed area identified as "North Beach" on the one-sheet development plan. Of that unit's 185 acres, only 100 acres were assigned to commercial operations, which consisted of a motel, restaurant, employee housing, gas station, marina, trailer village, and boater's campground. Thus you see that the frequent public reference to a "600-acre commercial zone" is a very loose translation of the intent of the language of section 7(a) which reads " * * * the Secretary shall select and set aside one or more parcels of land in Maryland * * * the total of which shall not exceed six hundred acres * * *" (italic supplied).

Sincerely yours,

THOMAS F. NORRIS, Jr.,
Superintendent.

Enclosure.

[Public Law 89-249, 89th Congress, H.R. 2091, October 9, 1965]

AN ACT Relating to the establishment of concession policies in the areas administered by National Park Service and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in furtherance of the Act of August 25, 1916 (39 Stat. 535), as amended (16 U.S.C. 1), which directs the Secretary of the Interior to administer national park system areas in accordance with the fundamental purpose of conserving their scenery, wildlife, natural and historic objects, and providing for their enjoyment in a manner that will leave them unimpaired for the enjoyment of future generations, the Congress hereby finds that the preservation of park values requires that such public accommodations, facilities, and services as have to be provided within those areas should be provided only under carefully controlled safeguards against unregulated and indiscriminate use, so that the heavy visitation will not unduly impair those values and so that development of such facilities can best be limited to locations where the least damage to park values will be caused. It is the policy of the Congress that such development shall be limited to those that are necessary and appropriate for public use and enjoyment of the national park area in which they are located and that are consistent to the highest practicable degree with the preservation and conservation of the areas.

SEC. 2. Subject to the findings and policy stated in section 1 of this Act, the Secretary of the Interior shall take such action as may be appropriate to encourage and enable private persons and corporations (hereinafter referred to as "concessioners") to provide and operate facilities and services which he deems desirable for the accommodation of visitors in areas administered by the National Park Service.

SEC. 3. (a) Without limitation of the foregoing, the Secretary may include in contracts for the providing of facilities and services such terms and conditions as, in his judgement, are required to assure the concessioner of adequate protection against loss of investment in structures, fixtures, improvements, equipment, supplies, and other tangible property provided by him for the purposes of the contract (but not against loss of anticipated profits) resulting from discretionary acts, policies, or decisions of the Secretary occurring after the contract has become effective under which acts, policies, or decisions the concessioner's authority to conduct some or all of his authorized operations under the contract ceases or his structures, fixtures, and improvements, or any of them, are required to be transferred to another party or to be abandoned, removed, or demolished. Such terms and conditions may include an obligation of the United States to compensate the concessioner for loss of investment, as aforesaid.

(b) The Secretary shall exercise his authority in a manner consistent with a reasonable opportunity for the concessioner to realize a profit on his operation as a whole commensurate with the capital invested and the obligations assumed.

(c) The reasonableness of a concessioner's rates and charges to the public shall, unless otherwise provided in the contract, be judged primarily by comparison with those current for facilities and services of comparable character under similar conditions, with due consideration for length of season, provision for peakloads, average percentage of occupancy, accessibility, availability and costs of labor and materials, type of patronage, and other factors deemed significant by the Secretary.

(d) Franchise fees, however stated, shall be determined upon consideration of the probable value to the concessioner of the privileges granted by the particular contract or permit involved. Such value is the opportunity for net profit in relation to both gross receipts and capital invested. Consideration of revenue to the United States shall be subordinate to the objectives of protecting and preserving the areas and of providing adequate and appropriate services for visitors at reasonable rates. Appropriate provisions shall be made for reconsideration of franchise fees at least every five years unless the contract is for a lesser period of time.

SEC. 4. The Secretary may authorize the operation of all accommodations facilities, and services for visitors, or of all such accommodations, facilities, and services of generally similar character, in each area, or portion thereof, administered by the National Park Service by one responsible concessioner and may grant to such concessioner a preferential right to provide such new or additional accommodations, facilities, or services as the Secretary may consider necessary or desirable for the accommodation and convenience of the public. The Secretary may in his discretion, grant extensions, renewals or new contracts to present concessioners, other than the concessioner holding a preferential right, for operations substantially similar in character and extent to those authorized by their current contracts or permits.

SEC. 5. The Secretary shall encourage continuity of operation and facilities and services by giving preference in the renewal of contracts or permits and in the negotiation of new contracts or permits to the concessioners who have performed their obligations under prior contracts or permits to the satisfaction of the Secretary. To this end, the Secretary, at any time in his discretion, may extend or renew a contract or permit, or may grant a new contract or permit to the same concessioner upon the termination or surrender before expiration of a prior contract or permit. Before doing so, however, and before granting extensions, renewals or new contracts pursuant to the last sentence of section 4 of this Act, the Secretary shall give reasonable public notice of his intention so to do and shall consider and evaluate all proposals received as a result thereof.

SEC. 6. A concessioner who has heretofore acquired or constructed or who hereafter acquires or constructs, pursuant to a contract and with the approval of the Secretary, any structure, fixture, or improvement upon land owned by the United States within an area administered by the National Park Service shall have a possessory interest therein, which shall consist of all incidents of

ownership except legal title, and except as hereinafter provided, which title shall be vested in the United States. Such possessory interest shall not be construed to include or imply any authority, privilege, or right to operate or engage in any business or other activity, and the use or enjoyment of any structure, fixture, or improvement in which the concessioner has a possessory interest shall be wholly subject to the applicable provisions of the contract and of laws and regulations relating to the area. The said possessory interest shall not be extinguished by the expiration or other termination of the contract and may not be taken for public use without just compensation. The said possessory interest may be assigned, transferred, encumbered, or relinquished. Unless otherwise provided by agreement of the parties, just compensation shall be an amount equal to the sound value of such structure, fixture, or improvement at the time of taking by the United States determined upon the basis of reconstruction cost less depreciation evidenced by its condition and prospective serviceability in comparison with a new unit of like kind, but not to exceed fair market value. The provisions of this section shall not apply to concessioners whose current contracts do not include recognition of a possessory interest, unless in a particular case the Secretary determines that equitable considerations warrant recognition of such interest.

SEC. 7. The provisions of section 321 of the Act of June 30, 1932 (47 Stat. 412; 40 U.S.C. 303 (b)), relating to the leasing of buildings and properties of the United States, shall not apply to privileges, leases, permits, and contracts granted by the Secretary of the Interior for the use of lands and improvements thereon, in areas administered by the National Park Service, for the purpose of providing accommodations, facilities, and services for visitors thereto, pursuant to the Act of August 25, 1916 (39 Stat. 535), as amended, or the Act of August 21, 1935, chapter 593 (49 Stat. 666; 16 U.S.C. 461-467), as amended.

SEC. 8. Subsection (h) of section 2 of the Act of August 21, 1935, the Historical Sites, Buildings, and Antiquities Act (49 Stat. 666; 16 U.S.C. 462 (h)), is amended by changing the proviso therein to read as follows: "*Provided*, That the Secretary may grant such concessions, leases, or permits and enter into contracts relating to the same with responsible persons, firms, or corporations without advertising and without securing competitive bids."

SEC. 9. Each concessioner shall keep such records as the Secretary may prescribe to enable the Secretary to determine that all terms of the concession contract have been and are being faithfully performed, and the Secretary and his duly authorized representatives shall, for the purpose of audit and examination, have access to said records and to other books, documents, and papers of the concessioner pertinent to the contract and all the terms and conditions thereof.

The Comptroller General of the United States or any of his duly authorized representatives shall, until the expiration of five (5) calendar years after the close of the business year of each concessioner or subconcessioner have access to and the right to examine any pertinent books, documents, papers, and records of the concessioner or subconcessioner related to the negotiated contract or contracts involved.

Approved October 9, 1965, 6:35 a.m.

Senator JOHNSTON. Next, we have the two distinguished Senators from Alaska, who will testify on the Klondike proposal.

STATEMENT OF HON. TED STEVENS, A U.S. SENATOR FROM THE STATE OF ALASKA

Senator STEVENS. Thank you very much, Mr. Chairman. We are here to testify on S. 98, which is a bill to establish the Klondike Gold Rush National Historic Park.

We chose that number advisably, since this will be known as the Trail of 98, basically. If I may, I would like to file my statement for the record and just highlight along with my colleague.

We both have a series of items to submit for the record. I assume, if it meets with the approval of the committee, I would like to file a statement and the items I have attached to the statement.

Senator JOHNSTON. Without objection.

Senator STEVENS. This is a very beautiful area of Alaska, and incidentally, it will touch into our sister State of Washington, and it will cover British Columbia and the Yukon Territory, in Canada.

It basically will consist of four units; one in Seattle, Wash., and the Skagway Trail, the White Pass Trail, and Chilkoot Trail in Alaska.

And the total units are about 12,000 acres. The cost will be slightly in excess of \$5,885,200. Mr. Chairman, we have a report from the Department on S. 1622, which we introduced last year, which I hope you will consider to be a report on this measure, if we have not heard from the Department this year.

I would urge you to favorably approve this bill. It has no opposition from any area that I know of in the State. We do have protection in this measure for future development of the great hydroelectric potential of the Yukon River, which would be brought about by dropping water over the mountains from the Canadian side into the Alaskan side, a tremendous power potential, and there is a reservation in this bill for that development, should it become feasible in the international sense.

As I say, I know of no opposition to the bill. We have support from the Governor of Alaska, from Governor Evans of Washington; our Canadian neighbors are moving ahead on their side of the border.

I think that it will be a truly significant thing if we can approve by our Bicentennial of next year.

[The prepared statement of Senator Stevens plus additional material follow:]

STATEMENT OF HON. TED STEVENS, A U.S. SENATOR FROM THE
STATE OF ALASKA

Mr. Chairman, it is my privilege to appear today to testify on S. 98, which would establish the Klondike Gold Rush National Historical Park. I appreciate the support this Committee has shown this legislation.

This is a unique concept. It would establish a National Park in two non-contiguous states, with a portion being in Washington State and the remainder in Alaska. It is a first step on our part to initiate the establishment of a possible international park with Canada. Canada has already made great strides in preserving and restoring the significant gold rush areas within her boundaries. We have much to do on our side, but passage of S. 98 would be an important step in the right direction.

Passage of this bill will mean a great deal to both states and ultimately to British Columbia and the Yukon Territory in Canada. The Skagway area in Alaska has much to offer the tourist interested in this important part of the Nation's past. It will provide on-the-spot education to people who are interested in the Klondike gold rush of 1898. Yet, to accommodate and attract these visitors, Skagway needs the facilities and management that this Park would provide.

A favorable report on this bill was submitted by the Interior Department shortly before the end of the 93rd Congress. Strong support has been expressed for this bill from all areas across Alaska and Washington State.

The Park includes a relatively small amount of land. It will include and be adjacent to areas that have tremendous potential for hydroelectric development. To accommodate this, the bill contains a proviso that insure the future development of the *Yukon-Taiya* hydroelectric project if its construction is authorized by the Congress in the future.

Many of the original facilities that were a part of this great gold rush are still remaining today. Most, however, are in a state of disrepair and each year depreciate further due to natural conditions and vandalism. Each year we delay in restoring these facilities, more of this important event in our history is lost to current and future generations. It is important that we act now to preserve this part of our history before it is gone forever.

Mr. Chairman, since reintroducing this bill this Congress, I have received numerous letters and telegrams from residents of Skagway and Southeast Alaska, the vast majority expressing strong support for the bill. At the conclusion of my remarks, I would appreciate the attached telegrams and letters being printed in the Record.

Governor Evans of Washington has notified me that he has sent the Committee a letter voicing the State's strong support for this bill, however this letter may be late in arriving. I therefore ask that Governor Evans' letter be included in the Record when it arrives. Also, I expect several other comments from Alaskans will be arriving after these hearings have concluded. I ask the Committee's indulgence in keeping the Record open for a short time so that these comments might be included.

Again, I appreciate the opportunity to appear before this Subcommittee in support of this bill. The bill would act to protect and preserve a period in our history rich in color and historic significance. I feel certain that Southeastern Alaska will benefit from the new Park and also that current and future generations who visit and use these facilities will remember the Park as an educational, rewarding, and memorable experience. I urge favorable consideration of this bill by the Committee.

Thank you.

STATE OF ALASKA,
OFFICE OF THE GOVERNOR,
Juneau, Alaska, May 9, 1975.

HON. HENRY M. JACKSON,
*Chairman, Senate Interior and Insular Affairs Committee, Suite 3106, Dirksen
Office Building, Washington, D.C.*

DEAR MR. CHAIRMAN: Enclosed is a copy of the following Joint Resolution which has passed the Alaska State Legislature: House Joint Resolution No. 16.
Sincerely,

JAY S. HAMMOND,
Governor.

Enclosure.

ALASKA STATE LEGISLATURE—HOUSE JOINT RESOLUTION NO. 16, SUPPORTING
S. 98 AND HR 1194

Be it resolved by the Legislature of the State of Alaska:

Whereas S. 98 and HR 1194, bills which would authorize the Secretary of the Interior to establish the Klondike Gold Rush National Historical Park in the states of Alaska and Washington, are pending before the United States Congress; and

Whereas the proposed park would consist of a Skagway unit, a Chilkoot Trail unit, a White Pass Trail unit, and a Seattle unit; and

Whereas the proposed legislation would also permit the Secretary of the Interior to consult and cooperate with appropriate officials of the Canadian Government as well as appropriate provincial and territorial officials in Canada in order to make the proposed park a truly international historic park; and

Whereas a main objective in forming the proposed park would be to protect and perpetuate the historical and natural values of the gold rush trails and historic buildings relating to the Klondike Gold Rush of 1897-98; and

Whereas this scenic-historic-cultural addition to the National Park System would provide immense economic value to Alaska in the form of expanded tourist revenues; and

Whereas the route of the park would traverse one of the most spectacularly beautiful, as well as historically and culturally important, areas in the nation; and

Whereas, to date, no area within the National Park System has been singled out to illustrate the gold rush phase of our national heritage; be it

Resolved by the Alaska State Legislature, That it strongly supports S. 98 and H.R. 1194 and urges the Congress of the United States to expedite passage of these proposals at the earliest possible time.

Copies of this resolution shall be sent to the Honorable Rogers C. B. Morton, Secretary, Department of the Interior; the Honorable Henry M. Jackson, Chairman, Senate Interior and Insular Affairs Committee; the Honorable James A. Haley, Chairman House Interior and Insular Affairs Committee; and to the

Honorable Ted Stevens and the Honorable Mike Gravel, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

AUTHENTICATION

The following officers of the Legislature certify that the attached enrolled resolution, House Joint Resolution No. 16, was passed in conformity with the requirements of the constitution and laws of the State of Alaska and the Uniform Rules of the Legislature.

Passed by the House April 26, 1975.

Attest:

IRENE CASHEN,

Chief Clerk of the House.

Passed by the Senate May 9, 1975.

Attest:

BEVERLY KEITHAHN,

Secretary of the Senate.

MIKE BRADNER,
Speaker of the House.

CHANCY CROFT,
President of the Senate.

JAY HAMMOND,
Governor of Alaska.

STATE OF ALASKA,
OFFICE OF THE GOVERNOR,
Juneau, Alaska, May 6, 1975.

HON. TED STEVENS,
*U.S. Senate, 411 Russell Building,
Washington, D.C.*

DEAR SENATOR TED STEVENS: I am writing in regard to the proposed Klondike Gold Rush National Historical Park to advise you that the State of Alaska fully supports it and urges speedy enactment of authorizing legislation.

Compared to the various proposals for new parks and refuges under section 17(d)(2) of the Settlement Act, the Klondike Park is a modest proposal, consisting of some 10,000 acres in all. But its significance is disproportionate to its size. The great gold rush was a singular event. Nothink like it ever happened before, and nothing like it can ever happen again. It marked the end of an era and the beginning of another. The Park Service proposal will preserve the relics of the rush and relate the incredible saga to a public that can, at best, but dimly perceive the cause that drove an earlier generation to endure suffering and privation in such high spirits.

The rag tag band of stampederers that trudged over the Chilkoot Passes in 1898 opened America's last frontier. It is fitting and appropriate that we honor and commemorate their derring-do on the eve of the nation's bicentennial. We urge passage of your bill.

Sincerely,

JAY S. HAMMOND,
Governor.

U.S. DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
PACIFIC NORTHWEST REGION,
Seattle, Wash., February 21, 1975.

HON. TED STEVENS,
*U.S. Senate,
Washington, D.C.*

DEAR SENATOR STEVENS: We sincerely appreciate your continued strong interest in the proposed Klondike Gold Rush National Historical Park. The reintroduction of the proposal as S. 98 early in this session and placing the Klondike bill at the top of the list is of great interest to us and we hope that hearings will soon be scheduled. The National Park Service and the Department of the Interior have completed all the necessary study reports and appraisals necessary to report on this bill at such time as hearings are held.

The concerns of the residents of Skagway on what the impacts of the park will be on the city have been raised previously and are now being raised again by

people not involved with earlier planning sessions and discussions. We attempted to fully assess all of the impacts in the final environmental impact statement which has recently been distributed in Skagway. We have tried to be as honest as possible in predicting the impacts on the city of Skagway as to land use, economic development, transportation, and utilization of lands in the cooperative management zones. We agree with your suggestion that we should meet with the Skagway Chamber of Commerce for a full discussion of these concerns and will make arrangements for a meeting. We feel that the meeting should include other concerned citizens of Skagway in addition to members of the Chamber of Commerce. We will have a representative from the Regional Office and Stan Albright, our State Director in Alaska, at the meeting and expect to successfully answer most of the questions that will be raised. A report will be provided to you immediately after the meeting.

Sincerely yours,

EDWARD J. KURTZ,
Acting Regional Director.

FEBRUARY 6, 1975.

MR. JOHN RUTTER,
Regional Director, Pacific Northwest Region, U.S. Park Service, Fourth and Pike Building, Seattle, Wash.

DEAR JOHN: A short time ago I received the enclosed letter from the Secretary of the Skagway Chamber of Commerce concerning the impact that the proposed Klondike Gold Rush National Park will have on future economic growth in the Skagway area. The Chamber of Commerce, in particular, is concerned about the future ability of the City of Skagway to expand its boundaries.

I feel this concern and the others mentioned by the Chamber are legitimate and should be addressed. In this regard, I would be most appreciative if you or some of your people knowledgeable about the proposed Park would meet with the Skagway Chamber of Commerce and address the several matters that they have voiced concern about in their January 23rd letter.

I believe that the people of Skagway strongly support the proposed Park but are interested in some assurance that the Park will not totally preclude any future expansion and development in the area.

As you probably heard, the Klondike proposal has been reintroduced as S. 98. Senator Jackson asked that I give him a priority list on bills that I have sponsored which are before his Committee and I have placed the Klondike bill at the top of the list. In this regard, I feel that action will be initiated on this proposal in the near future.

I know that you will do all that you can to address the concerns voiced by the Skagway Chamber of Commerce.

With best wishes,

Cordially,

TED STEVENS,
U.S. Senator.

SKAGWAY CHAMBER OF COMMERCE,
Skagway, Alaska, January 23, 1975.

HON. TED STEVENS,
U.S. Senate, 411 Old Senate Office Building, Washington, D.C.

DEAR SENATOR STEVENS: At the last regular meeting of the Skagway Chamber of Commerce it was unanimously agreed that we contact you for information and assistance on the pending Federal Legislation creating the "Klondike Gold Rush National Park, Alaska-Washington".

A public meeting was held in Skagway on December 11, 1974 by Mr. Alan G. Olson, Division of Lands, State of Alaska along with other State Representatives and Mr. Robert Howe of the Park Services.

The information furnished at this meeting was in considerable detail for the Haines, Alaska area but very limited for the Skagway Area. In fact, except for the area encompassed in the present Skagway City boundaries and the Proposed Park area the balance appears to be all withdrawn.

It should be noted that the Skagway Chamber is in favor of a park and it is not its desire to open up detail discussions on many details of the proposed park. However, apprehension is developing on how restricted the park corridor

and the other State withdrawals are going to effect the potential commerce of our area.

With the completion of the Skagway-Whitehorse, Yukon Highway and expanded deep water port facilities it appears we could be very effectively restricted to our already very limited area. For 75 years Skagway has existed on a stagnated economy with no opportunity for growth and we feel we are now on the threshold of some healthy economic growth and we do not want to find out after Legislation has been passed that we have been "Cut off at the Pass".

We want to be assured that the City of Skagway can effectively expand its boundaries. The City is presently in the process of asking the State for consideration in expanding its boundaries.

We would like to be assured that other routes or relocation of routes for transportation or power transmission between Skagway and the Canadian Border via the White Pass would not be permanently forbidden.

We would like to be assured that the Park Corridor thru White Pass will not at some future date interfere with the present operating railroad and the highway currently under construction.

We would like assurance that potential new industry will not be forced to seek land away from the Skagway district because of the present restrictions.

We would like assurances that establishing a Park District in the City of Skagway will not result in a loss of tax revenue for the City.

We would like to suggest that the Park Service complete their social and economic impact study at the earliest possible date.

We would suggest that more Alaskans be involved in the preliminary stages and that Skagway have top level representation and input.

If possible that hearings on the pending legislation be held in Skagway.

We all know that once legislation is passed we will be completely locked in for generations to come.

Would you be kind enough to forward us copies of the legislation as it now exists and keep informed as it progresses through the Congress.

Sincerely,

LILLIAN LITZENBERGER,
Secretary.

P.S. Since writing the above we have received a copy of the final environmental statement and it further confirms our apprehension regarding what is unnecessary restrictions and joint managements.

[Telegram]

MAY 9, 1975.

Hon. TED STEVENS,
411 Russell Building,
Capitol Hill, D.C.:

Happy to advise you that HJR 16 endorsing Klondike Gold Rush National Historical Park passed Senate on a unanimous vote this morning. This resolution had previously passed the House also on a unanimous vote. The official resolution is being forwarded by air. However, in the meantime we have forwarded a copy to Senator Gravels office via Telecopier. Please see that the resolution and this communication is placed in the record at Mondays hearing on the park. We deeply appreciate your efforts in behalf of the park resolution. Seldom have I seen such unanimity of feeling as I have on the desirability of this park. Business men, conservationists, government people, and local citizens all agree that the Klondike Gold Rush National Historical Park is in the best interest of the Nation, the State and community.

Representative MIKE MILLER.

[Telegram]

FEBRUARY 21, 1975.

Senator TED STEVENS,
Capitol Hill, D.C.:

We urge passage of Klondike Gold Rush Park Bill. Vitality important for all Skagway.

Mr. and Mrs. RICHARD E. TURNER.

[Telegram]

FEBRUARY 26, 1975.

Senator TED STEVENS,
Capitol Hill, D.C.:

I wish to extend to you my appreciation for your interest; also my hopes, for passage of SB98, the Klondike Gold Rush National Park.

RAND SNURE.

[Telegram]

FEBRUARY 25, 1975.

Senator TED STEVENS,
Capitol Hill, D.C.:

We need the interest of the National Park Service to help us preserve Skagway's Gold Rush history. Thank you for your efforts toward passage of U.S. SB98.

GEORGE AND EDNA RAPUZZI.

[Telegram]

FEBRUARY 25, 1975.

Senator TED STEVENS,
Capitol Hill, D.C.:

The city of Skagway needs the help of the National Park Service to preserve Skagway's famous gold rush history. We appreciate your efforts toward passage of U.S. SB98.

THE SKAGWAY INN,
Skagway, Alaska.

FEBRUARY 25, 1975.

Senator TED STEVENS,
Capitol Hill, D.C.:

We are proud to have national interest focused on Skagway's historical past especially at this time as we all prepare to celebrate our 200th anniversary please continue your efforts toward passage of U.S. SB98.

CHARLES L. HERMENS,
Postmaster, Skagway, Alaska.

FEBRUARY 25, 1975.

Senator TED STEVENS,
Capitol Hill, D.C.:

We welcome your support to help us in the restoration and preservation of Skagway's historical gold rush past thank you for your efforts to pass U.S. SB98.

KELLERS,
Skagway, Alaska.

CHILKOOT, AGENCIES,
Skagway, Alaska, May 6, 1975.

Subject: National Park Service hearing in Washington, May 12, regarding proposed Klondike Historical National Park.

Hon. TED STEVENS,
*U.S. Senate,
 Washington, D.C.*

DEAR SENATOR STEVENS: Unable to attend above meeting—just have to take things easy at moment.

However, discussed this possibility with Mr. Conrad Worth, then Director, National Park Service there in late 50's during one of my terms as mayor.

The Klondike Gold Rush of the late 1890's saw this area as, by far, the most important gateway to same; the hardships experienced by participants between here and Whitehorse alone have been handed down from generation to generation until we have hundreds of persons hiking over Chilkoot Pass in ever growing numbers every year. Canadian Mounties required 2,000 lbs. of supplies for every person entering that Country and most travellers couldn't afford packers to travel over Chilkoot and White Passes in this vicinity and presented exceptional problems such as unusual hazards, stealing supplies, running out of money, racketeers the like has never been equaled (One had a telegraph system and

charged for wires going no place, and, even developed a plausible reply, if possible). When 40+ miles to Bennett, British Columbia had been reached it was necessary to build a raft, or boat, and float down the headwaters of the Yukon River to Dawson City, Yukon, Canada, the heart of the Klondike, but, providing it was during summer months as hard winters were rough and home sickness was no stranger; never-the-less, before one reached Whitehorse, now 110 miles away, the Whitehorse Rapids was encountered and one was lucky to arrive at the other end alive and with most of their supplies.

I believe our great neighbor Canada would welcome this gesture on our part as they would like to permanently commemorate the Klondike Gold Rush by continuing from the Alaska-British Columbia Border a Parkway through Bennett, Whitehorse to Dawson City by hiking trails, highway, now being constructed to tie-up the Klondike International Highway from this point to the Alaska Highway, and Dawson City, where one would be able to continue on to the Arctic Ocean, or taking the 75 year old narrow gauge railway from here north which operates daily all year around, and which is planning an extension further north.

The business potentialities of the program should not be overlooked, nor should the Hydro significance be discounted.

Sincerely,

CYRIL A. COYNE.

GREATER JUNEAU CHAMBER OF COMMERCE,
Juneau, Alaska, May 5, 1975.

HON. TED STEVENS,
U.S. Senate,
411 Russell Building,
Washington, D.C.

DEAR SENATOR STEVENS: Relative to your letter of April 16, addressed to former Executive Vice President, Russ Gibson, concerning input on the Klondike Gold Rush National Historic Park (S. 98).

The Greater Juneau Chamber of Commerce is on record requesting withdrawal of sufficient acreage for an industrial park to accommodate the Yukon-Taiya Project and an aluminum plant in the Dyea Valley.

Thanks for permitting us this opportunity.

Sincerely,

R. A. DERR,
Executive Vice President.

CITY OF SKAGWAY
Skagway, Alaska, February 18, 1975.

HON. TED STEVENS,
U.S. Senate,
411 Russell Building,
Washington, D.C.

DEAR SENATOR STEVENS: I have read the study of the National Park Service for the area in and around Skagway and Dyea.

Frankly we in Skagway are quite concerned about the boundries of the park. It seems that it would restrict any future development of any kind in this area.

Perhaps you can persuade one of the Park Service officials to come to Skagway and answer some of our questions, which I am sure would be quite helpful.

The people of Skagway and myself would appreciate any assistance you can give us in regards to this matter.

Will you please advise.

Respectfully yours,

JACK C. LEE,
City Manager.

STATEMENT OF HON. MIKE GRAVEL, A U.S. SENATOR FROM THE STATE OF ALASKA

Senator GRAVEL. Could I also have my statement entered in the record and a resolution which passed unanimously by the State legislature.

If the record is not complete, I am prepared to insert in the record, maps and legends and a book describing in great detail—I think that it would be good to have this in the record, so people could find it in one locale.

I want to associate myself with the remarks of my colleague. If you do not have the Interior statement at this point in time, I would hope it not be held up on that account.

Since we have last year's statement, and I am sure that the views have not changed from that time until this time, I probably am the only Member —

Senator JOHNSTON. We have a statement from the Interior, and they recommend the bill.

Senator GRAVEL. I am the only Member of Congress who has walked the area, and I did it last summer with my family over a 2-day period.

We walked the area of Bennett, and we were thunderstruck by the degree the beauty, the aweness of it all, and the historical feat, you would call it, to see the amount of equipment that was brought up on men's backs.

And of course, the person before being allowed through the pass, had to carry so much tonnage on his own back. Otherwise, you were not permitted through the pass, to enshrine what is considered the most spectacular gold rush in our history, in this national park, is a small recognition. Alaska has its culture, with respect to the Russian influence, and it has its gold rush.

Those are the only two cultural pillars we have to look back upon. I would hope that the Government would see fit to enshrine this in a park.

We have a great deal of artifacts, a great deal of items that have been preserved, and now we can formalize this through this park.

I think people who get the opportunity to go to Skagway and see the museum we have there, find it rich in historical lore.

I hope your committee will report favorably on this legislation.

Senator JOHNSTON. The only thing that troubles me—has a formal proposal been submitted?

Senator STEVENS. Yes.

Senator GRAVEL. Yes. That is what I am turning in for the record, so you have the whole proposal, the legends. If it has not been actually ground surveyed, it certainly has been surveyed on paper as to what is required, not only for Alaska, but in Seattle, and the Canadians have approved their plan to go ahead with it, so we will just tie in with their development.

Senator JOHNSTON. Would it be an international park with the Canadians?

Senator GRAVEL. Yes; it would be.

Senator STEVENS. The President would declare both as a joint park when both sides of the park are complete.

Senator JOHNSTON. They have approved their park?

Senator GRAVEL. Yes. They have approved it, and it is proceeding.

Senator JOHNSTON. This will be all the authority we will need to have the international park—we will not have to come back for additional legislation?

Senator STEVENS. No.

Senator JOHNSTON. Senator Hansen.

Senator HANSEN. You spoke about the Alaska Power Administration's proposal—did I understand you to say, to divert water from the Columbia?

Senator STEVENS. From the Yukon, on the Canadian side, and drop the water over the mountains. It is known as the Yukon-Taiya project, and negotiations are still underway, and this bill contains a provision which in effect preserves a right-of-way across some of these lands for penstocks and developments associated with that potential.

That is the largest single undeveloped hydro potential in the country. It requires international agreement, and it has been very slow in coming to fruition.

Senator HANSEN. Would some of that development necessarily work in order to convert this enormous flow of water into electric power?

Would it cross some of the park area?

Senator STEVENS. It would just be some of the excess features. As I understand it, no portion of the project itself would be within the boundaries.

There might have to be a right-of-way for penstocks or the construction period. But it would not be inconsistent with this park.

I merely mention this, so the record will be complete. This is protected. This is the only question that has been raised by the State and by the people in the area.

I am satisfied that this bill does protect the future of that park. It would be up to Congress, of course, as to the means of access and facilities that might be allowed to pass through.

Senator HANSEN. Suppose the Park Service would be prepared to illustrate specifically for the committee, just what would be required there—

Senator GRAVEL. I think so. I recall seeing some layouts of where the penstocks would be. There is no denigration. What you need is access to do the necessary work.

So, there would be no denigration with respect to the actual park, as we have it laid out in this proposal.

Incidentally, Mr. Chairman, the Canadian negotiations are not going at all well. We have had occasion to check on them recently.

The Canadians are not reacting very favorably to that hydro project because it is using their water for our benefit.

Senator JOHNSTON. What percentage of Canadian water?

Senator GRAVEL. It would be all Canadian water. We would build the dam and the penstocks on that, and they look upon it quite in those terms.

It is their water and our power.

Senator JOHNSTON. Gentlemen, thank you very much.

[The prepared statement of Senator Gravel plus additional material follows:]

STATEMENT OF HON. MIKE GRAVEL, A U.S. SENATOR FROM THE STATE OF ALASKA

Thank you Mr. Chairman for this opportunity to testify in support of S. 98 which would establish the Klondike gold rush park.

S. 98 would add to our national park system a new theme in our Nation's history, that of the Yukon gold rush. This facet of our American folklore, known as the Klondike gold rush of 1897-98, can still be traced in a ribbon of historic zone from Seattle, Washington to Skagway, Alaska through Dawson, in the Yukon Territory of Canada. We must preserve these national historic resources for

future generations. This can be assured through the establishment of the Klondike gold rush national historic park.

The bill proposes to establish four major units of the park. I would like to comment on the three areas in Alaska: Those in Skagway, Chilkoot Trail and White Pass.

Skagway was the departure point for those making their way to the rich gold fields in the Klondike. Skagway, during the years 1897-1898, became a city of prospectors from around the world, trying to make their fortunes mining gold. The Skagway of today is a town where history comes alive. The proposed park would encourage the local citizens to keep this historic district intact, as well as provide necessary employment to its inhabitants who depend so heavily on the tourist trade. In my opinion, no other town in America reflects the gold rush era better than Skagway.

The park would also include the Chilkoot Trail which I had the opportunity to climb last year. Believe me, from that experience, the pass graphically illustrates the hardships and hazardous conditions that those fortune hunters endured to reach the Yukon. The Chilkoot Trail epitomizes, in my mind, the hardships of the gold rush era. The historic importance of the pass is obvious.

The White Pass Trail was lower and easier than the Chilkoot Trail but was frequently impassable during the rainy season. The trail was suitable for pack animals, such as mules and horses, but with the unpredictable weather, thousands of these animals perished in a single season. The White Pass and Yukon Railroad now traces this route to the Klondike.

Skagway at the tip of the inside passage, is served by the Alaska State Ferry System, is accessible from the Alaska side by water and by air with small aircraft, and by foot or train over the Chilkoot Pass. A road is now under construction which would provide a link between Skagway and Carcross.

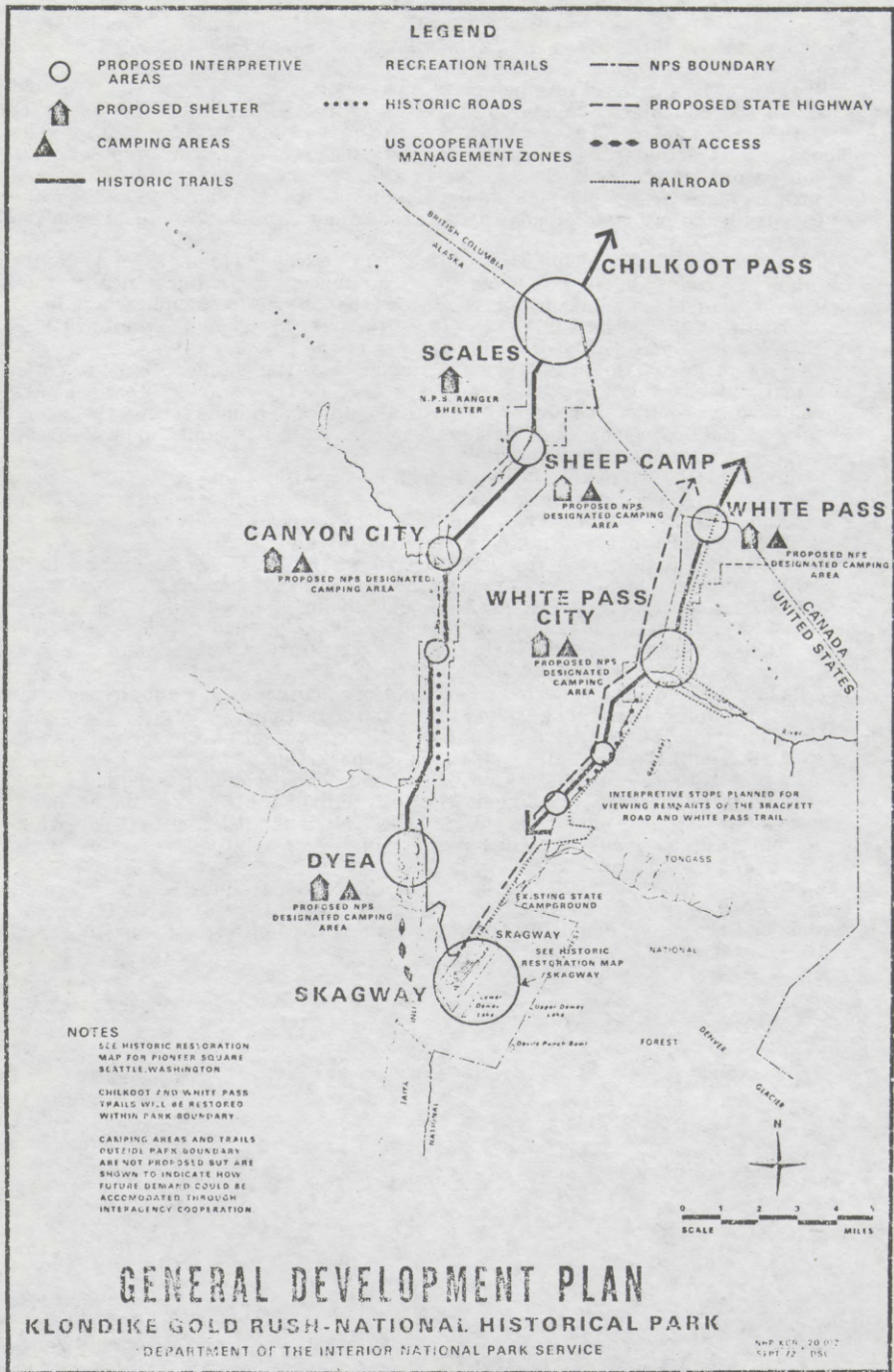
Annually hundreds of hikers from all parts of the Nation and many areas of the world, descend on Skagway to make the trek over the famous Chilkoot Trail.

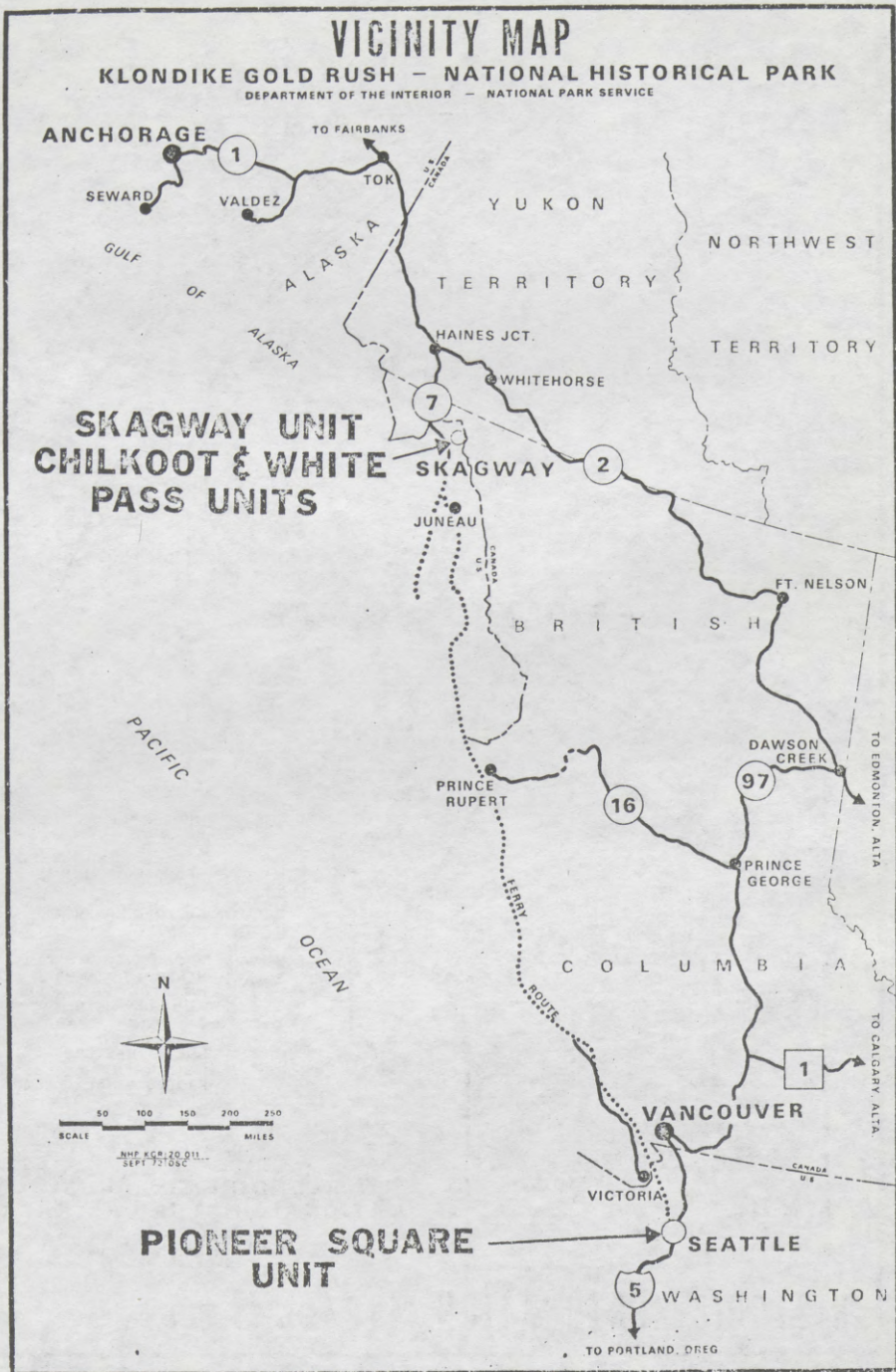
The Alaska State Legislature last week unanimously passed House Joint Resolution 6 urging the establishment of this Klondike gold rush national historical park. In considering this legislation, the House State Affairs Committee conducted a hearing in Skagway which drew approximately 50 of the townspeople. The Skagway residents supported the resolution unanimously. I am advised that S. 98 has the full endorsement of the State Administration.

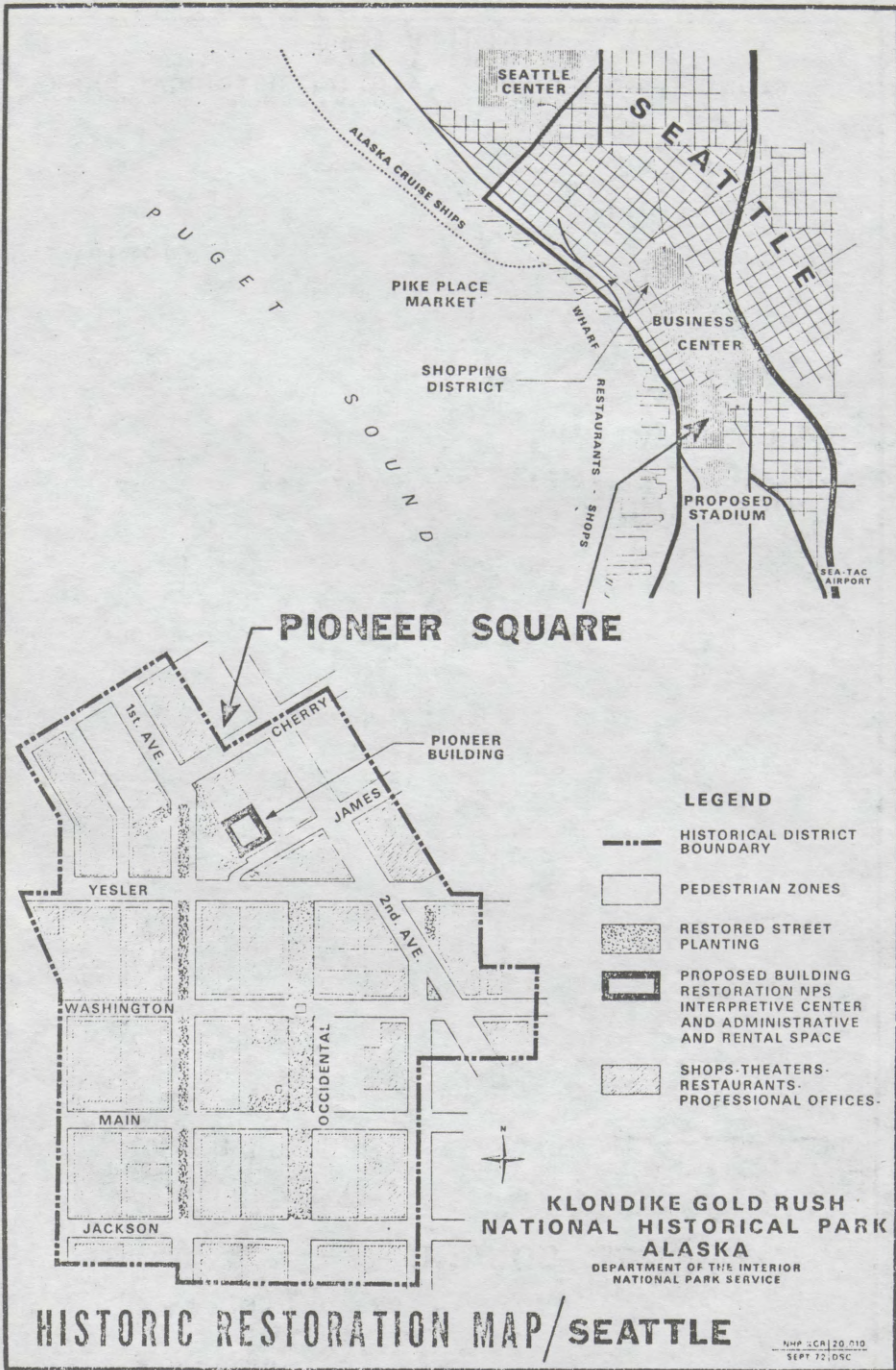
Mr. Chairman, I would like to submit with my statement the telegram from State Representative Mike Miller advising of the Action of the State Legislature in enacting House Joint Resolution 6. He said that "seldom has he seen such unanimity of feeling" in Alaska about the desirability of this park. "Businessmen, conservationists, government people, and local citizens all agree that the Klondike gold rush National historical park is in the best interest of the Nation, the State and the community."

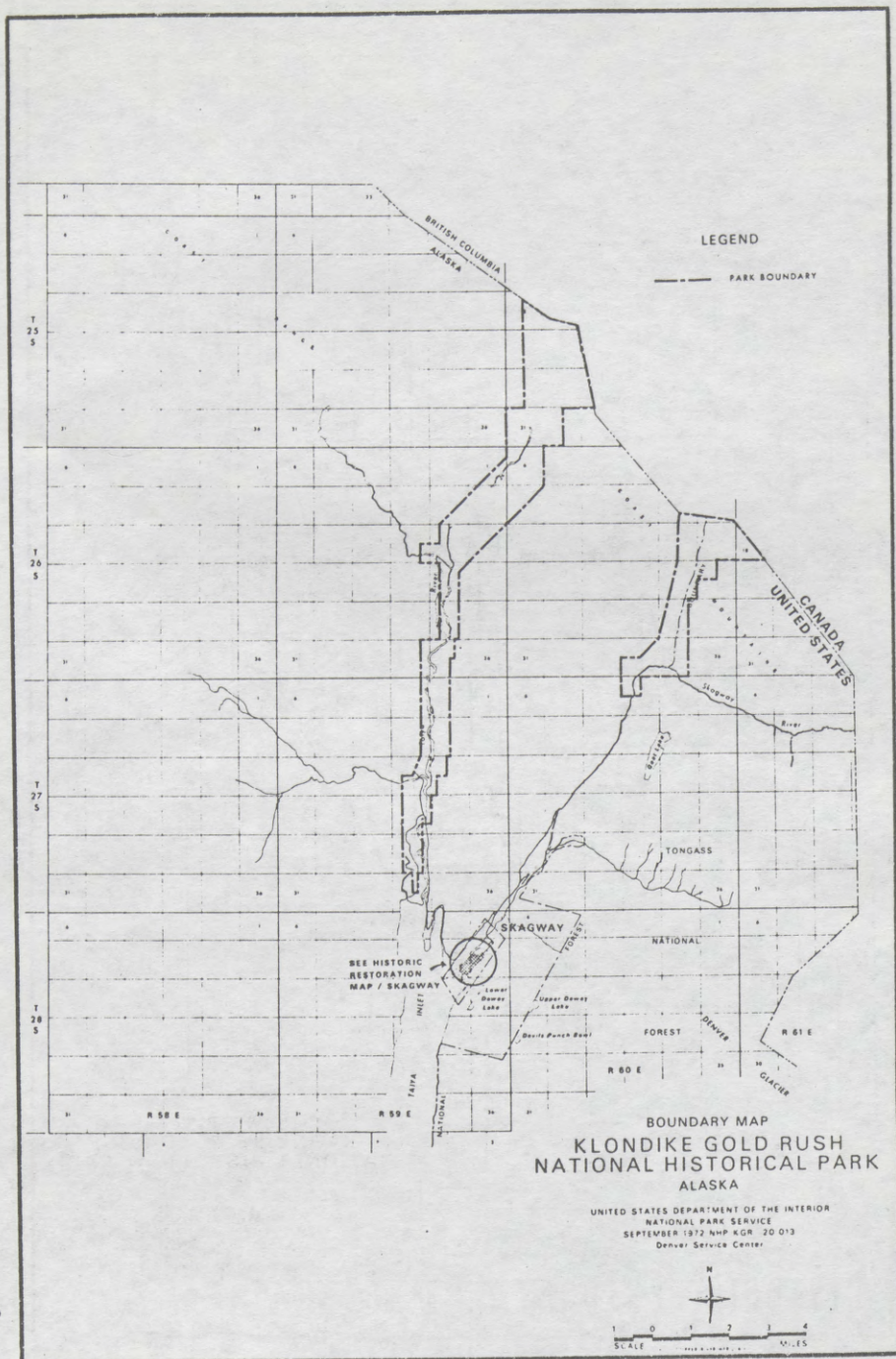
I heartily agree that both Alaskans and the National Interest would benefit from the establishment of the Klondike gold rush historical park. I strongly recommend that this committee favorably report this bill to the Senate floor.

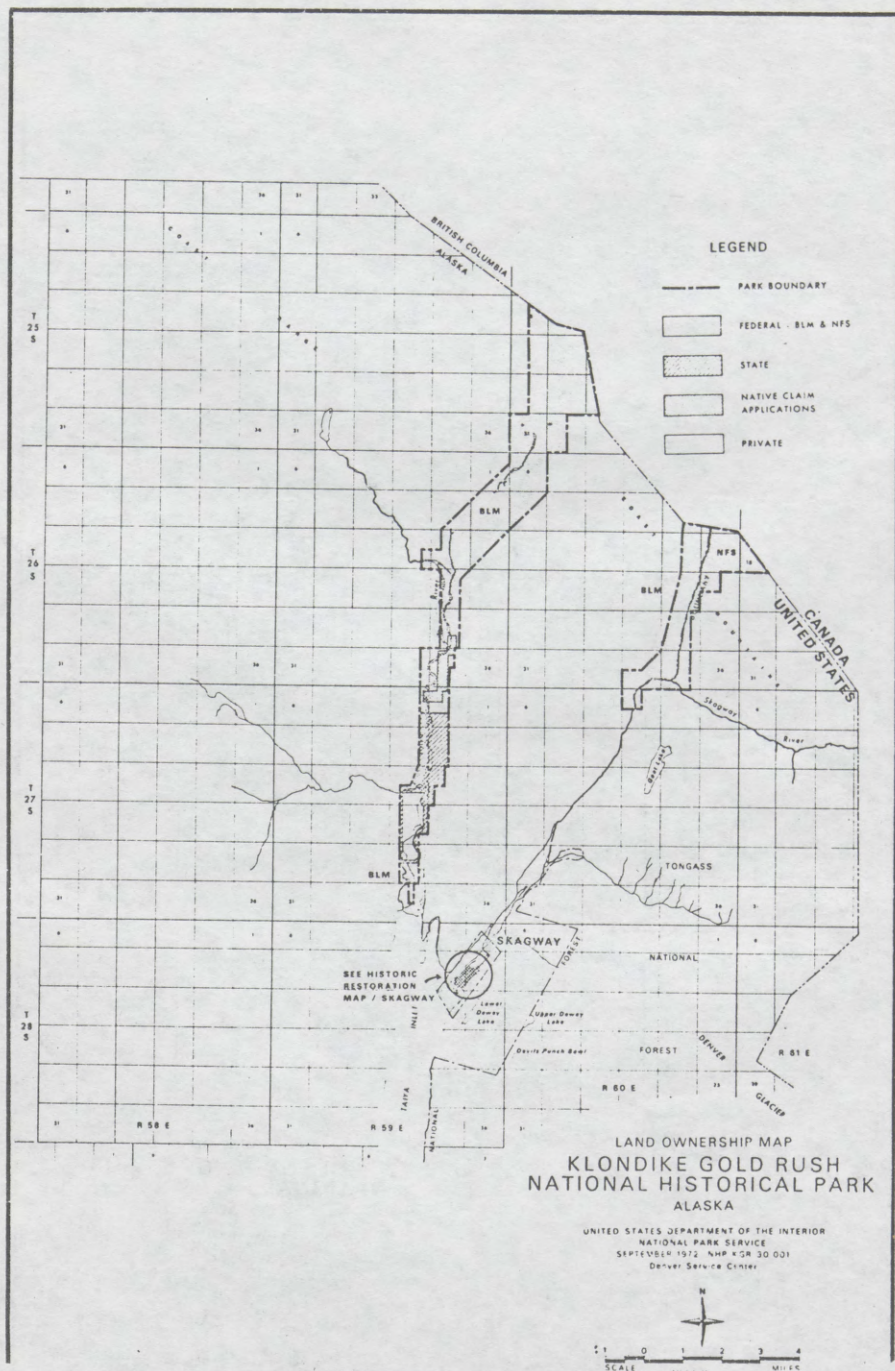
Thank you.

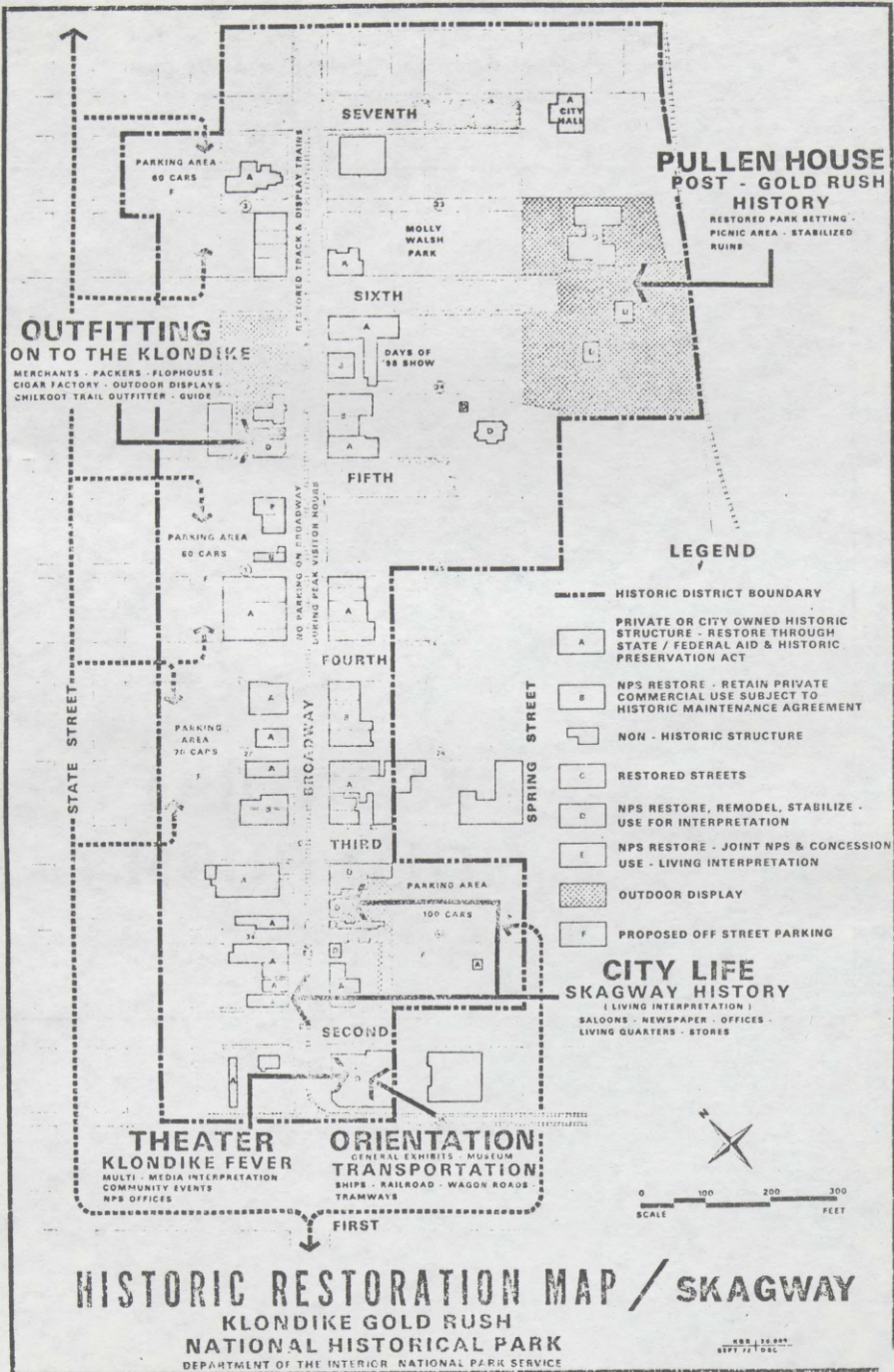












This **master plan** has neither been approved nor disapproved administratively or congressionally, and has been prepared as a planning document of the National Park Service to put forth new area proposals for information and discussion, and may be changed or revised.

KLONDIKE GOLD RUSH

NATIONAL HISTORICAL PARK ● ALASKA

PRELIMINARY
WORKING DRAFT

MARCH 1971

CONTENTS

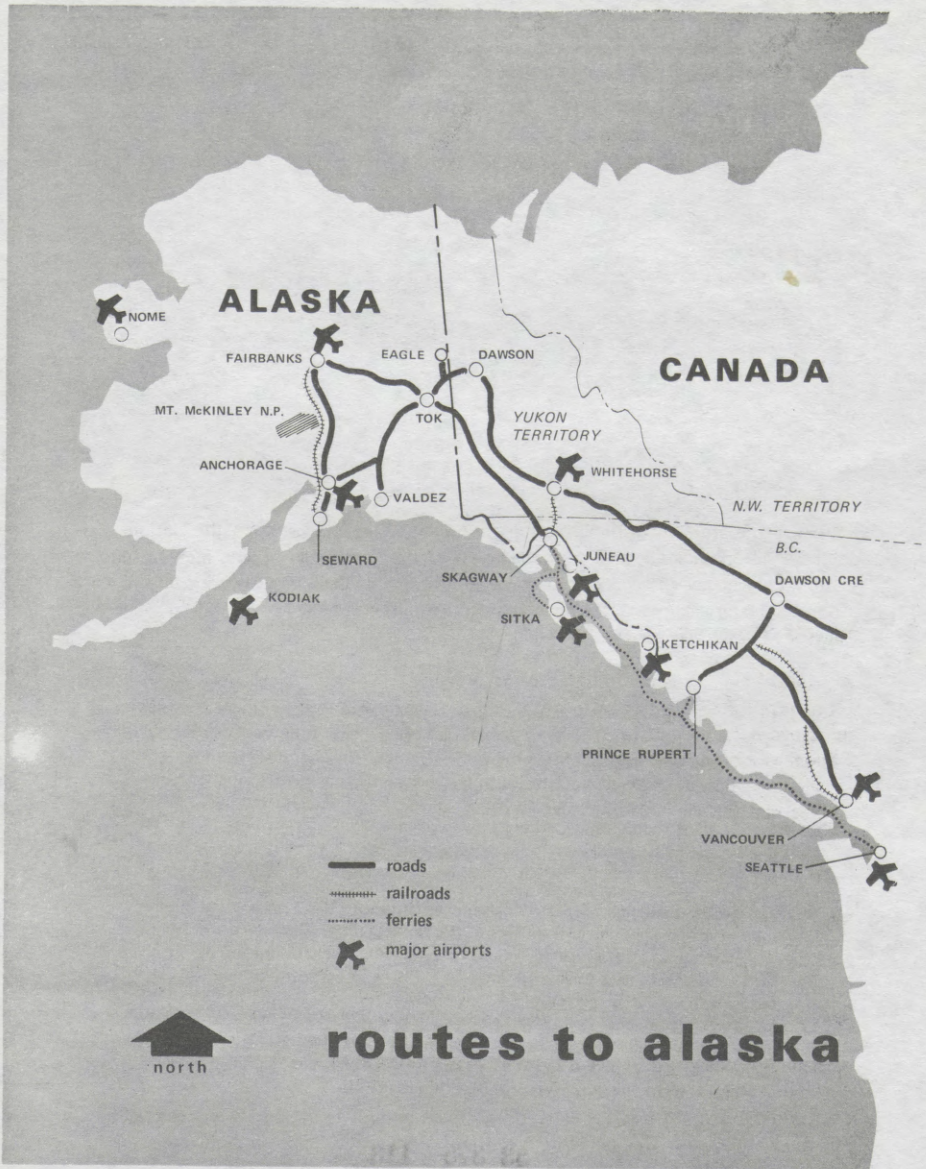
INTRODUCTION	1
REGION	2
RESOURCE	4
THE PLAN: KLONDIKE GOLD RUSH NATIONAL HISTORICAL PARK	8
THE PLAN: AN INTERNATIONAL PARK	15
SUMMARY	18
BIBLIOGRAPHY	20
APPENDIXES	
A: REGION	21
B: RESOURCE	27

introduction

With appropriate Congressional authorization, this Plan suggests that the National Park Service participate in a park management program which would include the State and local governments of Alaska, together with the Canadian Government, in a ribbon of historical and recreational zones stretching from Skagway, Alaska, through Dawson, Yukon Territory, and beyond.

Alaska, the Union's largest State, and the last genuine "frontier," has an exciting and turbulent past. The historical significance of this past was recognized by the Service in a special study, entitled "*Alaska History — 1741-1910*," prepared as part of the National Survey of Historic Sites and Buildings. This study specifically and individually identified Skagway, the White Pass area, Chilkoot Pass, and the Dyea area as being of "exceptional value in commemorating the history of the United States." Unfortunately, the area's historic values are being destroyed by time and neglect. Each additional year takes its toll in old buildings and obliterated trails. The unplanned and unchecked use of these exceptional relics will result in a great loss to our American folk memory — that of the Klondike Gold Rush of 1897-98.

The proposed Klondike Gold Rush National Historical Park Plan is based upon a joint effort between the governments of the United States, Alaska, and the City of Skagway, for the preservation, interpretation, and beneficial use of the area's historic structures and trails. In addition, the Plan is designed to include Canadian participation, so as to achieve a truly international historical park. This Plan offers maximum preservation and interpretation to Skagway and areas outside of Skagway which are intimately tied to the epic, and historically inseparable. The strength of the concept lies in its enlistment of citizen participation, and the relatively small amount of land under direct National Park Service control.



region

Skagway is a distribution point and the seaport for the Yukon Territory and northern British Columbia. Oil, gas, drygoods, and other commodities pass through Skagway to the interior via White Pass & Yukon Railroad, while ore, lumber, and raw products associated with the newly developed interior are exported through Skagway. At present, all of this material passes by ship and rail, but a road is planned which would connect with the Alaskan Highway and could make Skagway one of the most important distribution points in southeast Alaska. Six miles of this road have been constructed out of Skagway; the balance of the route, which passes into Canada, has not yet been scheduled.

Tourism is a major source of income for the region. Haines, a few miles south of Skagway (but not connected by a road), is the beginning of the Haines Highway, and the terminus of the Marine Highway Ferry System. This ferry system began in 1963 with three 352-foot, high-speed ferries which travel from Prince Rupert, British Columbia, to Skagway, with five stops along the way. The system is geared to allow the passengers to disembark and board later ferries. It has been expanded to include a fourth superferry, the *Wickersham*, and to add stops at Seattle and Vancouver, B.C. There are also two other ferries offering service at Seward, Homer, Kodiak, Valdez, Whittier, and Cordova. The impact of tourism caused by the Marine Highway Ferry System throughout all of southeast Alaska has been tremendous. Tourism has reached the status of one of the major industries of the southeast, and towns and cities vie for the economic benefits. Skagway is the northernmost stop in the ferry system, and a port of call for tour ships that ply the inside passage in ever-increasing numbers.

Air travel to Alaska has been increasing about 3000 to 4000 people per year. The forecast for 1970 indicates that over 30,000 people will arrive in the State by air. There are regularly scheduled flights to Skagway from Juneau, with an intermediate stop at Haines/Port Chilkoot. An air taxi service is also available at Skagway, Haines, Juneau, and Whitehorse.

In addition to freight, the White Pass & Yukon Railroad carries tourists and other passengers from Skagway to Whitehorse, Yukon Territory — a distance of 110 miles — in about eight hours. Tourists may transport their vehicles on flatcars. This is a very scenic route, which crosses mountainous terrain to White Pass, and then runs through lake and forest country to elongated Lake Bennett, where there is a family-style lunch stop, before continuing on to Carcross and Whitehorse. The railroad company has also improved the harbor for new docks and loading facilities, and is studying other improvements in anticipation of increased ore hauls from the Yukon.

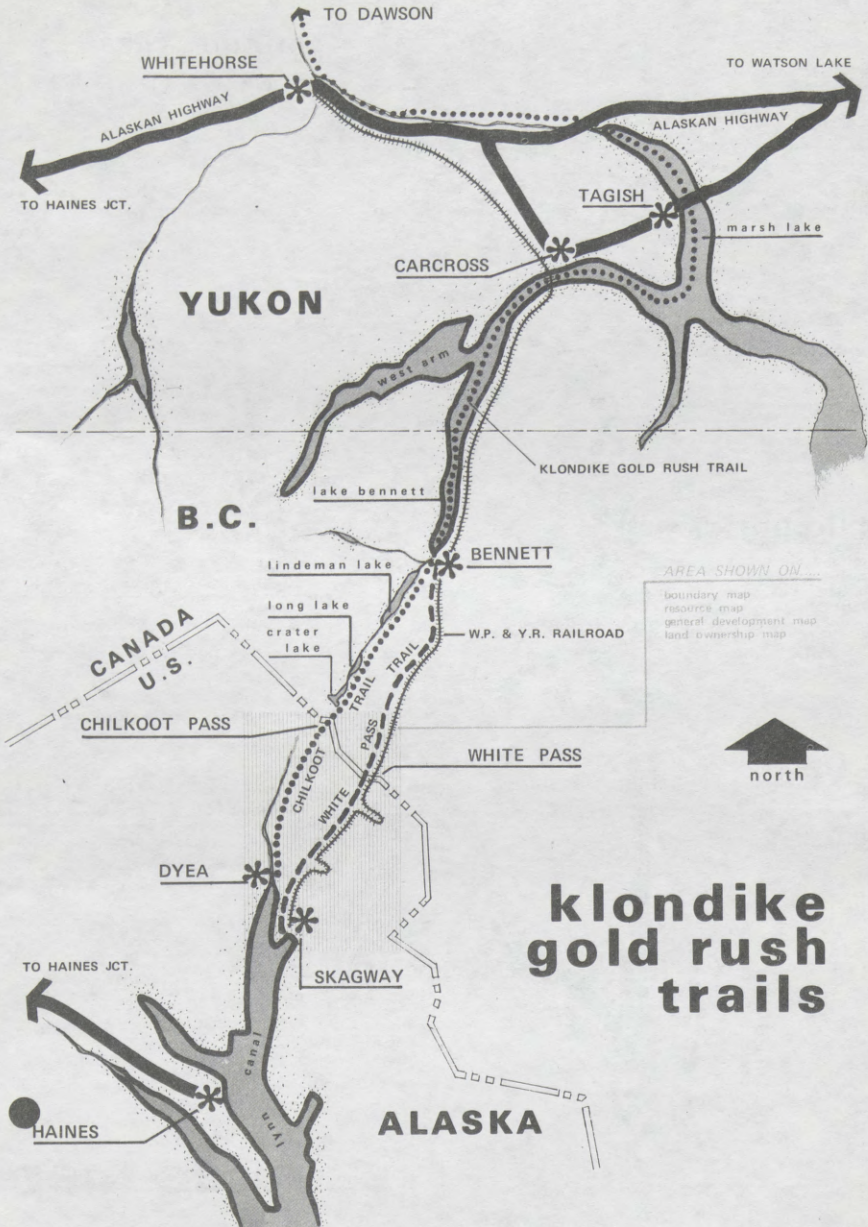
Factors besides transportation which are significant to the region are: a proposed international hydroelectric Yukon-Taiya Project; the accelerated development of mines in Yukon Territory; and the need for Skagway and the region to broaden their economic bases and diversify their investments.

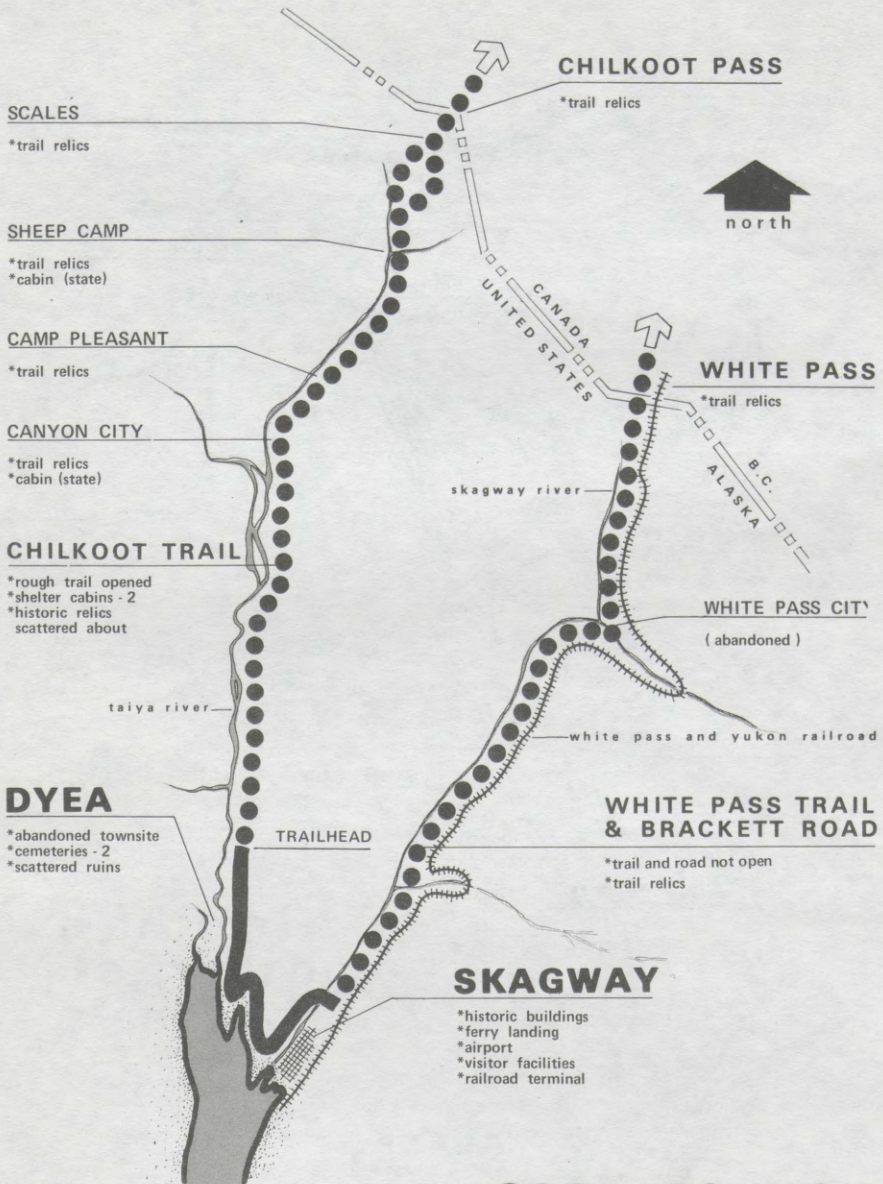
Surrounding Skagway on three sides is the Tongass National Forest, the largest national forest in the 50 States. The North Tongass Headquarters administers the forest from Juneau. Campsites have not yet been developed along the Lynn Canal. The State of Alaska maintains a campground and picnic area at "Liarsville," located across the Skagway River and a mile north of the steel bridge. The State also maintains two shelters on the Chilkoot Trail for public use. The City of Skagway has berthing space for cruising boats up to 50 feet.

There are campground waysides near Haines and along the Haines cutoff. The nearest Canadian campgrounds are on the Alaska Highway near Whitehorse and Jakes Corner; it is traditional in the North, however, to camp wherever you pitch your tent. The Canadian Government has cleared a trail from the border at the Chilkoot Pass to Lake Bennett.

For the last two years, Skagway has been in the throes of economic expansion. The White Pass & Yukon Railroad has constructed an ore-loading terminal on Skagway's waterfront. This, coupled with the development of a new boat basin, the reconstruction of rail lines, and the construction of associated structures for ore-handling, has turned the abandoned waterfront into a modern port facility. At the same time, an increased number of tour boats, cruise ships, and ferry arrivals require improved and expanded tourist facilities.

Any or all of the factors concerned with economic development could adversely affect the historic preservation of the City of Skagway, if precautions are not taken. And yet, historic preservation is entwined with the tourist industry, for the tourist comes to see and feel the character of this historic town and its region. It is fair to prophesy that if the historic resources in Skagway and its region eventually disappear, the tourist industry in Skagway will be severely crippled. In a State replete with magnificent scenery, the Skagway scenery alone is not a prime attraction: here, the fragile historic values are primary.





resource map

resource

PROPOSAL HISTORY

Following its moment of greatness during the turn-of-the-century Gold Rush, Skagway became primarily a transportation center, where ships from Seattle and Vancouver met incoming trains of the little White Pass & Yukon Route Railroad, serving Yukon Territory. Since the 1920's, however, it has also been of keen interest to the visitor to Alaska. The cruise ship heyday following World War I made Skagway and its gold rush aura a significant part of the Alaska tourist scene. In recent decades, however, economic recessions and natural deterioration have resulted in the abandonment and destruction of an increasing number of buildings.

In 1961, the National Survey of Historic Sites and Buildings identified Skagway as one of the sites in Alaska possessing exceptional historical significance, and as thus being eligible for the Registry of National Historic Landmarks. Specific structures in Skagway were singled out as being notable: the former Federal Courthouse, the White Pass & Yukon Route Railroad Depot, the Alaska Brotherhood Building, "Soapy" Smith's Parlor, the Pullen House, the former Episcopal Church, the Presbyterian Church, Captain Moore's Cabin, Fire House No. 1, and the Golden North Hotel. In addition, a remarkable number of other period structures were also noted.

The Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, at its 46th meeting, April 30-May 3, 1962, recommended that sites in the Skagway Historic District be considered as possible additions to the National Park System. Skagway was reconnoitered during the summer of 1967 by members of the Service's Office of Resource Planning, San Francisco Service Center. In October 1967, a Park Service briefing book prepared for the then-Governor, Walter J. Hickel, identified Skagway as an area the Service wished to study in depth.

An intensive field reconnaissance of the historic community and its environs, leading to a possible alternatives study, was conducted for ten days in April and May of 1968 by a National Park Service team, accompanied by representatives of the Alaska Department of Natural Resources. During this study, the team conferred with the mayor, the city council, and various informed citizens of Skagway who evinced keen interest in preservation efforts. Neighboring Dyea was explored, and the team made an aerial reconnaissance of the Chilkoot and White Pass gold routes. The team left Skagway via the White Pass & Yukon Railway for Whitehorse, Canada, where they conferred with the Honorable James Smith, Commissioner of Yukon Territory, about the international aspects of the Gold Rush. Alaska State officials at Juneau and Anchorage were also consulted. The alternatives report was completed in early 1969, and Alternative Three, the full-scale development and international trail concept, was approved in November of 1969 by the Director of the Park Service's Pacific Northwest Region.

On December 30, 1969, the Secretary of the Interior announced that the National Park Service was interested in developing a national historical park in Skagway and its environs to commemorate the great Gold Rush era. Accordingly, the Office of Environmental Planning and Design, Western Service Center, was asked to prepare a master plan report. This conceptual master plan meets this requirement for a guide for the preservation and interpretation of Skagway and related areas.

On April 2 and 3, 1970, the Director of the Pacific Northwest Region met with various officials of the State of Alaska, briefing them on the basic plan to commemorate the Klondike Gold Rush. At these meetings, the Yukon-Taiya Project was discussed.

The planning areas of the Yukon-Taiya Project and the Klondike Gold Rush National Historical Park proposal overlap. Because of mutual interests, the Associate Director, PNWR, met with Mr. Gus Norwood, Administrator, Alaska Power Administration, on December 10 and 11, 1970, to discuss the concept of the historical park and the degree of compatibility between the two projects. It was decided that with proper planning and management, the two proposals can be reasonably compatible.

VISITORS TO SKAGWAY

Tourism is blossoming in Alaska; tours by land, sea, and air are increasing. Statewide tourism is expanding 10-14 percent each year, with a greater percentage increase expected in the future.

Skagway is claiming ever-increasing numbers of visitors because of its easy access, and appeal. However, various limits are placed upon the visitor to Skagway — namely, the lack of accommodations; the limitation on the number of passengers who can use the railroad; and the lack of a road to the interior, which would encourage visitors with cars to disembark at Skagway. Cruise ships are capitalizing on the lack of accommodations by furnishing meals and lodging to their passengers as the ships lie in port. The number of cruise ships is also increasing, because the major steamship lines are using their large liners to capture the lion's share of the cruise ship business.

At the present time, the visitor to Skagway walks through the historic district, rides the train to Lake Bennett, visits the local museum, shops, and sees the talented local production of the "Days of '98" show. What is needed is visitor interpretation, in levels varying from entertainment to in-depth interpretation — all based on the Gold Rush of 1897-98. Trail use is almost nonexistent; very few visitors ever see Dyea or the trails.

AREA MANAGEMENT AND ZONING

The City of Skagway is considering zoning and has a proposed ordinance prepared. Almost half (48 percent) of the total area of the city is vacant, with the largest land use designated as industrial.

Dyea and the two trails are unprotected by any kind of zoning, and the management of these areas is divided among the State of Alaska, the U.S. Forest Service, and a few private owners.

A single native land claim includes the entire area related to the Chilkoot Trail and Pass.

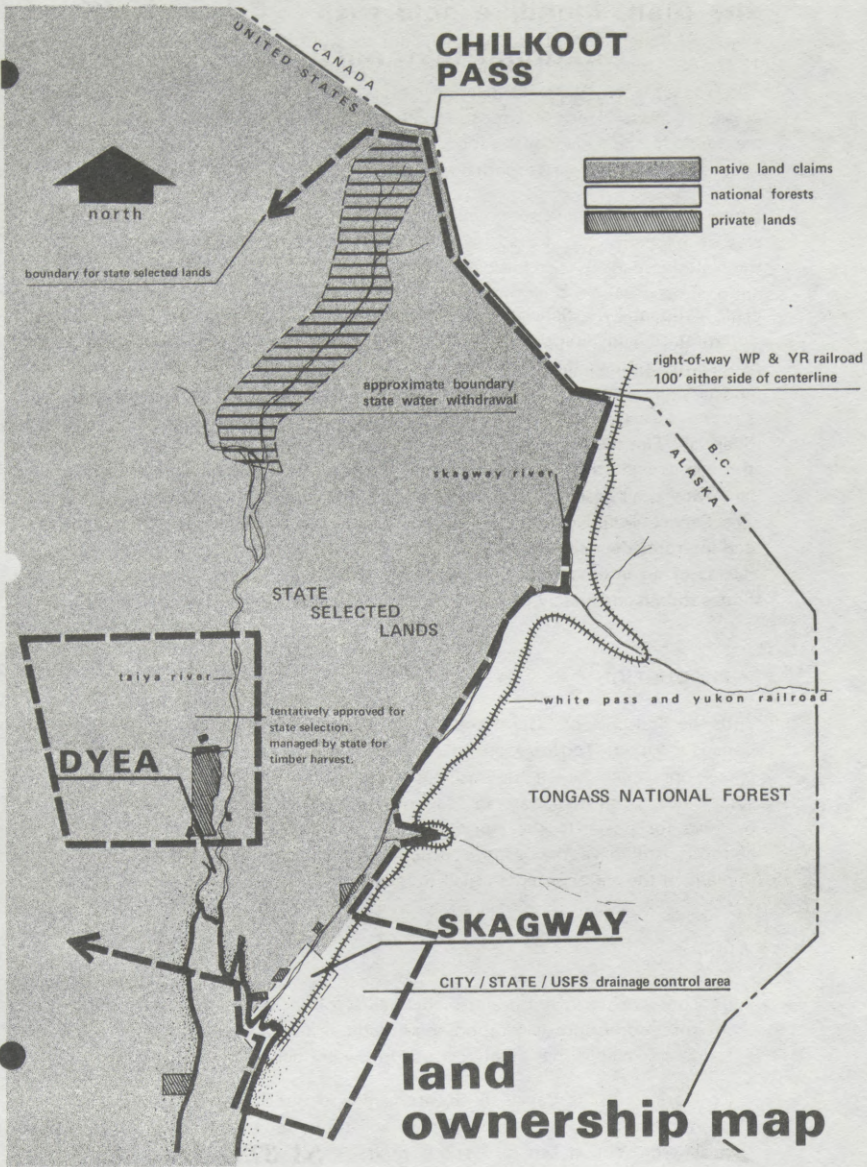
6

RESOURCE EVALUATION

The Klondike Gold Rush has not faded from memory. The visitor to Skagway and Alaska is constantly reminded of the "good old days" which meant money and excitement. Throughout the region today are tangible elements of that excitement: old saloons and hotels, deserted cabins, utensils, hardware, and wagon and sled parts are scattered from Skagway to Dawson. These remnants and artifacts, often valued by collectors, are the legacy of an age when man believed in the "El Dorado."

Many of the old buildings in Skagway can be saved if action is taken in the next few years. Although few of the buildings are specifically related to the climax years 1897-1899, many date from the early 1900's, and so represent the historic period. The Golden North Hotel has been well-preserved and to some extent restored by its present owners. However, most structures are in need of drastic preservation measures. In some cases restoration may not be feasible, but studies could be made which would lead toward eventual reconstruction.

Although several mining communities in the Rocky Mountain West and Great Basin area of mainland United States are recognized as national landmarks, no area within the National Park System has been singled out to illustrate a gold rush as part of our national heritage. No town in America offers a finer array of historic resources than Skagway for interpreting the story of a historic gold rush. The Klondike Stampede has all the dramatic ingredients necessary to create a magnificent historical and recreational park which transcends international boundaries.



the plan: klondike gold rush national historical park

The National Park Service would be involved in a program of preservation and interpretation in Skagway, Dyea, and the related trails. The National Park Service would function as the historic preservation coordinator among the Federal, State, and city governments, and private owners. The Service would acquire only those structures needed for preservation, orientation, information, and interpretation in Skagway. The two trails and the site of Dyea would be administered by the Service through cooperative agreements with the State, U.S. Forest Service, and private landowners, all designed to preserve the historic and scenic values of the landscape. The Service would cooperate with the Canadian Government to preserve, protect, and interpret the relics and story of the '98 Gold Rush from Skagway to Dawson, by means of an international trail. Approximately 22,000 acres of land in the United States should adequately protect the park for preservation and interpretation.

INTRODUCTION

With the first cries of "Gold! Gold in the Klondike!" there unfolded in Alaska and Canada's Yukon Territory an adventure of historic interest to people the world over — one which caught the imagination of young and old alike. The route of the stampede from Skagway to Dawson presents an unequalled opportunity to preserve for posterity the story of the Klondike Gold Rush. Fortunately, both countries still have the historic structures, artifacts, and landscapes necessary to implement the park concepts which follow.

PURPOSES

To conserve the historic and scenic values of the Klondike Gold Rush, and to interpret for future generations one of the last of a series of human adventures known as "gold rushes" that occurred in the last half of the 19th century; and

To work with the Canadian Government and the State of Alaska to achieve a coordinated and complementary park and trail stretching from Skagway, Alaska, to Dawson, Yukon Territory, and beyond.

SKAGWAY

Objective ■

To create, through municipal ordinance and Federal cooperation, a historic district along Broadway, to preserve and interpret the character of the Gold Rush days of '97 and '98.

Skagway was a major entrance to the fabulous Klondike. In two short years, 1897-98, Skagway became a household word the world over. This boomtown, forgotten and neglected after the rush, still contains a remarkable number of historic structures which today combine with the character of the Klondike Gold Rush to create a living legend.

In order to retain the character of the Gold Rush days, the historic district will have to be a combination of original buildings and modern structures with false fronts. The first view of the city would most likely be from the ferry terminal, where one can see up Broadway to the historic structures. As the visitor gets closer to the heart of the district, interesting structural details, as well as streets and boardwalks, arrest the eye.

Until the 1940's, the railroad line ran down Broadway. If this line could be reconstructed and rolling stock placed on the rails, it would heighten the visitor's interest and create an authentic historical picture. Engine 52, now stored in the rail yard, is an early type of locomotive used on the railroad which could be placed on the rails near the Golden North Hotel with an 80-Class locomotive of a later period a few blocks to the north. Each locomotive could also have a few cars of the period attached.

Automobile traffic on Broadway could be diverted from First to Seventh Avenues during the visitor season. After the visitor season, the railroad displays could be towed down the rails to a storage area located in the proposed overnight area; this would allow for visual storage of the rolling stock during the off-season.

The National Park Service visitor center would be located within the historic district and consist of several of the now-vacant historic structures, suitably restored and furnished for interpretive as well as administrative use. Visitor center staff could be attired in period costume as appropriate.

9

To accomplish and support the creation of this historic district, the National Park Service would:

- Preserve selected historic structures and restore their exterior facades.

- Encourage the removal of nonhistoric structures and relocate within the historic district those of historic value which are available.

- Retain Broadway and adjacent streets within the historic district in their present character (dirt and gravel surface, board sidewalks, and so forth), in cooperation with the City of Skagway.

Reinstall the railroad track down Broadway, and exhibit period railroad equipment.

Utilize the historic railroad depot and offices for visitor services and administrative purposes.

Acquire and display historic objects of Skagway provenience or related to the Klondike Gold Rush.

Acquire up to 10 acres of land outside the historic district for administrative and maintenance purposes.

To these ends, it will be necessary for:

The City of Skagway to establish by ordinance the historic district, extending from the railroad depot to Seventh Avenue, and to a depth of two city lots on either side of Broadway.

The City of Skagway to adopt local zoning laws which would help to preserve the historic integrity of the privately owned remaining historic buildings within the historic district, and throughout the city.

The Federal Government to acquire certain historical buildings, all or almost all of which are now vacant, which the Service would preserve, restore, and possibly relocate, and in some cases sell or lease back to private individuals, subject to historical maintenance agreements.

The National Park Service to provide advisory service to private owners and the city, in compliance with district zoning restrictions.

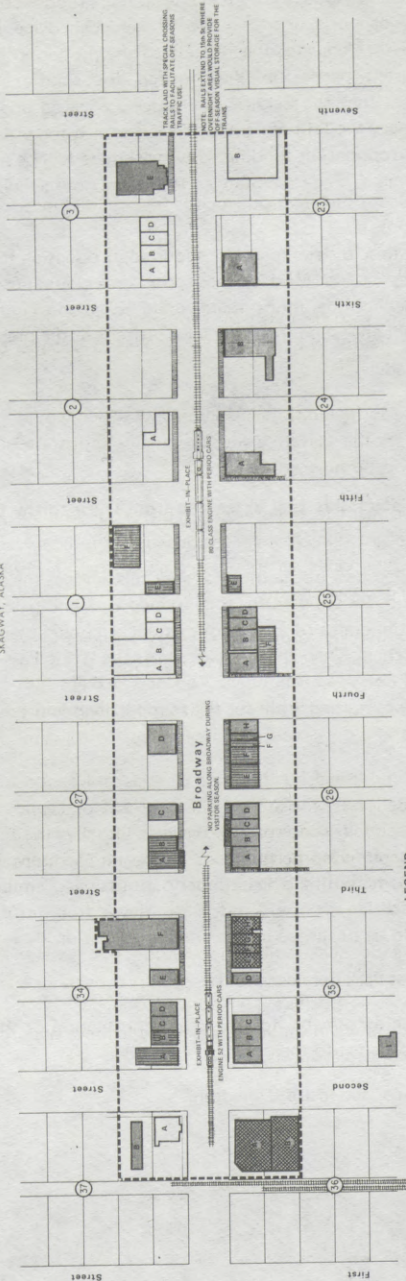
The City of Skagway to establish tax benefits for landowners who are willing to participate in a historic preservation program, both within and outside the historic district.

10

Without affirmative action by the City of Skagway, any preservation program will be impossible. Assurance by the State of Alaska that Skagway would have a very high priority in any State funding program, or in the implementation of the historic preservation program within the State, while not a necessity, would be of significant benefit to the proposal.

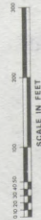
Under this Plan, Park Service participation within the defined historic district of Skagway, would concentrate only on the preservation and interpretation of the central features. However, by its leadership, the Service could stimulate a greater interest on the part of others in similarly preserving historic features elsewhere in the city, as well as outside the city limits.

SKAGWAY HISTORIC DISTRICT SKAGWAY, ALASKA



LEGEND

- historic structure
- non-historic structure
- historic structure proposed for NPS ownership
- vacant or deteriorated historic structure



UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE

PROPOSED GENERAL DEVELOPMENT KLONDIKE GOLD RUSH NATIONAL HISTORICAL PARK ALASKA

DATE: 6/24/2004
BY: J. T. P. S.

The Service would provide a clearinghouse for any preservation activities in Skagway. If the city, a group, or a private citizen needed technical advice, funds, or guidance, the Service could either channel the request to the proper authority or actively support the interested parties in their search for solutions to the preservation problem. The fact that the Service was actively engaged in a historic preservation program in Skagway would help greatly in the search for preservation funds through government or foundation funding. However, there will be no simple solution to the funding dilemma. Federal, State, and private sources will all be needed.

Some properties within the historic district might be acquired, if essential, to protect and preserve historic structures on site. Most of these structures would not actually be needed for National Park Service operations; these would be leased to individuals, thus keeping the historic district alive, and involving local citizens in the preservation program.

CHILKOOT TRAIL

Objective ■

To develop, interpret, and protect this trail extending from Dyea to the Chilkoot Pass.

Early in the dim and legend-filled past of the Indians, the Chilkoot was the pass into the interior. During the '97 and '98 Gold Rush, this 40-mile trail and pass became even more famous because of the drama of a chain of men lockstepping their way to the top, and to the hope of riches. When the railroad across the White Pass to Lake Bennett was opened, the Chilkoot was abandoned. And now, except for occasional hikers and parties, it is left alone, waiting again for the tramp of feet and the puffing of the climbers.

A trail guide has already been published by the State of Alaska, but the trail itself has no interpretive devices. Because of distance and the lack of electric power, signing would probably be the simplest interpretive device. Actually, the relics and artifacts lining the trail are themselves interpretive devices, and themselves set the mood. A small structure should be built at the boundary, on the pass, similar to the Northwest Mounted Police's office in the Gold Rush days; trail information, interpretation, and shelter could be furnished in this unmanned station.

11

To accomplish this, the National Park Service would:

Provide, through cooperative agreement, for the scenic protection of the Taiya Valley from one topographical crest to the other.

Relocate the present trail to its true historic location.

Provide additional camping sites, a shelter at the summit, and standardized signs and interpretive markers, in cooperation with Canada.

Stabilize historic remains at Canyon City, Sheep Camp, and The Scales, in addition to the salvage and preservation of thousands of artifacts abandoned along the trail.

Furthermore, it will be necessary to:

Provide reasonable control over land use in parts of the Taiya Valley. The State has already selected most of the involved lands. The most effective means of providing control is to obtain Federal ownership of these lands; however, if this is not done, a cooperative agreement with the State for trail relocation and scenic easement should suffice as a reasonable alternative.

Seek a cancellation of the water withdrawal for an impoundment near Canyon City, because such an impoundment would be incompatible with the historic trail.

During the course of the meetings with the Alaska Power Administration (APA), various alternatives were discussed as how best to preserve and manage the Chilkoot Trail area. The Yukon-Taiya Project would not drastically affect the historical park concept and with the exchange of planning and programming data, the APA and the NPS can assure that the Taiya Valley can be utilized for historic preservation, and its recreational potential and its benefit as a power project realized. It is understood that during the construction of the Yukon-Taiya Project, there will be disturbance of the scene. However, restoration of the scene can be accomplished as part of the power project. The need for channelizing the lower Taiya River and the establishment of transmission facilities is recognized and would not drastically affect the historic or recreational resources.

WHITE PASS TRAIL AND BRACKETT ROAD

Objective ■

To develop, interpret, and protect a portion of this trail and wagon road from Skagway to White Pass as a trail for both day use and overnight use.

The White Pass Trail and Brackett Road were lower and easier than their famous neighbor, but were frequently impassable during the rainy season. It was the construction of the railroad across the pass that sealed the fate of the Chilkoot and made the White Pass route quicker, safer, and more profitable. Since the turn of the century, tourists have thrilled to the sights, sounds, and remembrances of the train which took the stampedeers on their way to the Klondike. The trail today lies abandoned and unused.

The trail and wagon road would be restored, and interpretive devices would be installed along the trail and road, and at the site of White Pass City. Because of the access from both Skagway and the railroad, and the relative ease of the trail and availability of overnight shelters, this trail could become a very popular attraction for families and those people who have only a few days to spend in the area.

Numerous problems may occur in the process of trying to preserve the trail's integrity and the artifacts associated with the Gold Rush. Appropriate management solutions will be necessary to prevent the illegal removal of artifacts.

With the construction of a road to Carcross, White Pass City would furnish an ideal area for a campground, serving both the trail and road.

To accomplish this objective, the National Park Service would:

Provide, through cooperative agreement, for the scenic protection of the Skagway River Valley from the topographic crest on the east to the topographic crest associated with Mount Carmack and Mount Cleveland on the west.

Restore the trail, with access at points strategic to the railroad, as well as along the road when it is completed.

Provide campsites, standard signs, and interpretive markers in cooperation with the Canadians.

Stabilize ruins at White Pass City, and collect and preserve artifacts.

Furthermore, it will be necessary to:

Provide reasonable control over land use in the upper Skagway River Valley adjacent to Tongass National Forest. Under the provision which gave Alaska statehood, the State was allowed to select certain Federal lands and transfer them to State administration. Alaska has already selected most of the involved lands. Federal ownership is desirable; however, if this is accomplished, a cooperative agreement with the State for trail development and scenic easement will be necessary. Incorporation of a small piece of national forest land is considered desirable, although a cooperative agreement may suffice.

Seek cooperation with the Bureau of Public Roads and the Alaska Department of Highways regarding future plans for a highway into the Yukon, so that construction will not intrude upon the historic scene and destroy the integrity of the White Pass Trail.

Seek the cooperation of officials of the White Pass & Yukon Route in preserving the historic qualities of their railroad properties.

DYEA

Objective ■

To stabilize, restore, protect, and interpret the few fragile historic remains of this Klondike Gold Rush boomtown.

Dyea, located at the end of the Lynn Canal, was the funnel through which poured all of the stampeders headed over the Chilkoot Pass. It was abandoned upon completion of the railroad across the White Pass, and today, only a handful of visitors from Skagway see or appreciate the significance of this once-booming town.

Dyea needs only a few onsite interpretive devices, plus a small interpretive structure to be used during the visitor season. This station should be manned, for it would also function as a trailhead ranger station for the Chilkoot Trail. The cemeteries, waterfront pilings, and old house ruins are almost self-interpretable, and are of considerable interest.

To accomplish this objective, the National Park Service would:

Stabilize, protect, and interpret three of the surviving remains of former structures.

Maintain a manned interpretive station during the visitor season, to be constructed at the trailhead.

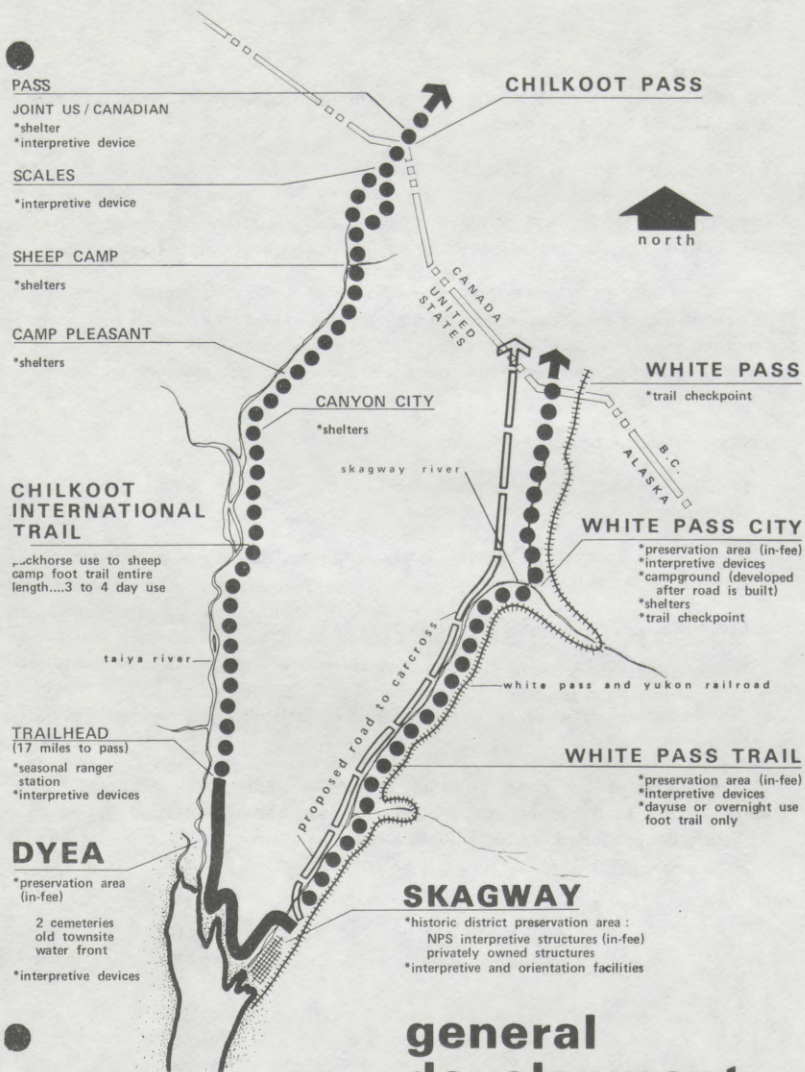
Construct a pedestrian bridge at the old Kinney Bridge site.

Protect and preserve two historic cemeteries.

Provide for the protection of the waterfront and tidelands in cooperation with the State.

14

In furtherance of the above objective, it will be desirable to secure title by purchasing the south half of Section 22 and the west half of Section 27, Township 27 South, Range 59 East — a total of 640 acres.



KLONDIKE GOLD RUSH NATIONAL HISTORICAL PARK.....PROPOSED

the plan: an international park

A unique opportunity exists for development by Canada and the United States of an international historical park. The incredible Gold Rush story of human endeavor and hardship is a theme which appeals as much to Canadians as it does to Americans. Along the stampede route in British Columbia and the Yukon there also remain many important historic structures and valuable artifacts, in a beautiful natural setting which at the moment is almost completely unspoiled.

INTRODUCTION

15

The following tentative proposals, the result of a field inspection of the areas concerned conducted between August 30 and September 4, 1969, as well as subsequent discussions, suggest the immense potential of, and the best ways of developing an international park.

PURPOSES

To conserve the historic and scenic values of the Klondike Gold Rush, and to interpret for future generations one of the last of a series of human adventures known as "gold rushes" that occurred in the last half of the 19th century; and

To work with the Canadian Government and the State of Alaska to achieve a coordinated and complementary park and trail stretching from Skagway, Alaska, to Dawson, Yukon Territory, and beyond.

AN INTERNATIONAL TRAIL

Objective■

Develop the Chilkoot Pass Trail from Skagway to Bennett Station as a truly international historic trail.

To accomplish this objective, the following actions are indicated:

The planning of overnight campsites based upon walking considerations and without regard to the location of the international boundary;

The developing of a unified interpretive and marker program for historic areas along the entire trail;

The erection of a shelter (interpretive station) at the summit of the pass;

The production of one map and one brochure or guide for the entire trail;

Standard method of signing the entire trail for route-finding purposes;

The acquisition by the Canadian Government of the entire valley from the skyline on either side of the entire length of the trail, preferably to include the whole of the Lake Bennett area down to the outskirts of Carcross;

The development of the remarkable and varied natural features of the entire length of the trail, e.g., access paths to viewpoints or mountain tops, the possible stocking with fish of lakes such as Crater Lake on the upper portions of the trail, with the understanding that natural values should be subordinate to historic values where conflicts arise; and

The renaming of the present trail to "Chilkoot Pass International Historic Trail," or a similar designation.

Develop the White Pass Trail from Skagway to Bennett as an additional and easier route to the Chilkoot Trail. Provide access points at intervals, and a campground at White Pass City. Work with the Canadian Government to protect the historic route and artifacts through cooperative management programs.

16

Plan for the integrated interpretation and promotion of the entire Skagway-Dawson route. This can be accomplished by such measures as joint planning, common signs, coordinated audiovisual and other interpretive techniques, and a standard series of brochures.

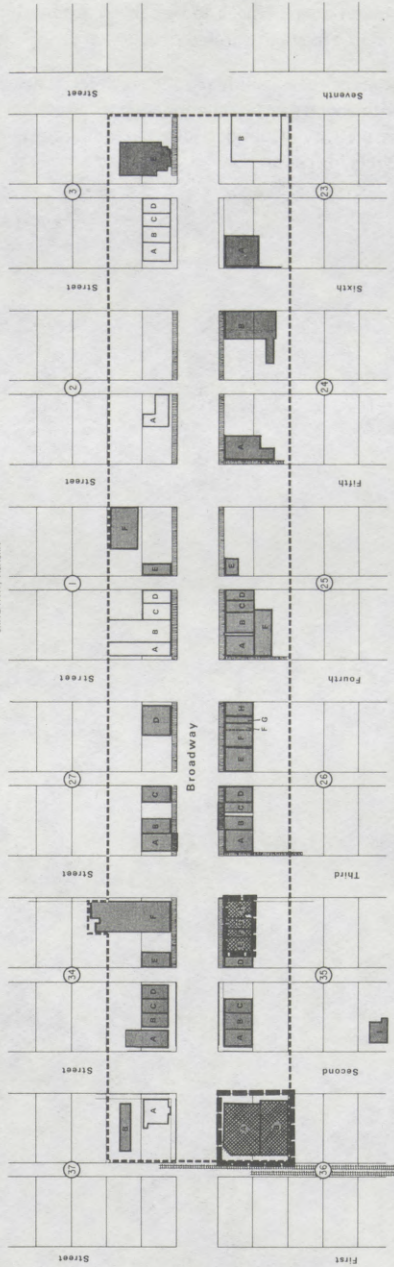
Establish a "Yukon Historic Waterway" between Bennett and Dawson as part of the above, and if possible also downriver, beyond, to some appropriate United States point. Riverbank sites will be developed at suitable intervals, with proper marking of historic sites, and if possible, an environmental buffer zone of appropriate depth on either bank throughout as much of its length as possible.

Provide for the historical development and operation of the Skagway/Dyea, Bennett, Whitehorse, and Dawson areas. This is to be carried out by the respective countries, but in the context of an overall, integrated plan.

Encourage concessioners to establish passenger water transportation facilities, by leasing riverboats with engines or by operating bigger cruisers between such points as Carmacks and Dawson City. Consider also extending this from Dawson City to Fortymile, Eagle, Circle, or beyond.

SKAGWAY HISTORIC DISTRICT

SKAGWAY, ALASKA



LEGEND

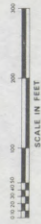
historic structure

non-historic structure

historic structure proposed for NPS ownership

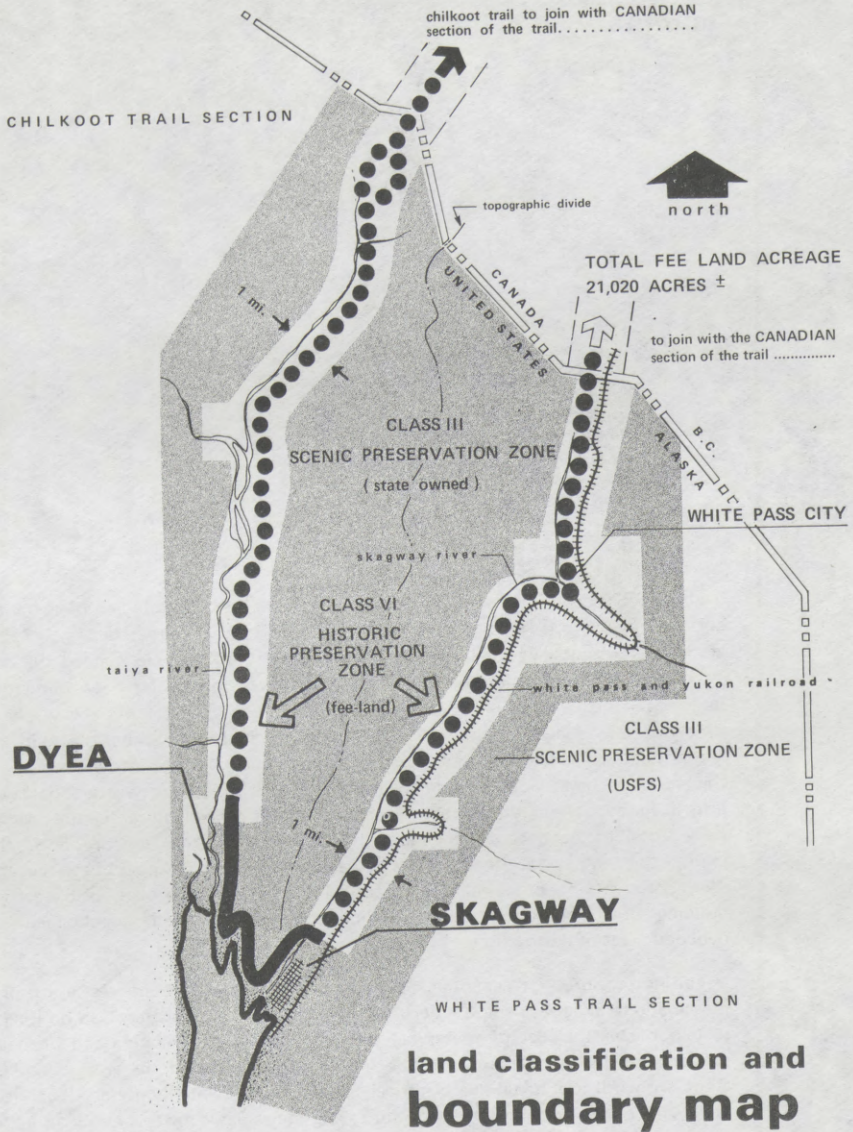
proposed NPS boundary

PROPOSED
LAND OWNERSHIP
KLONDIKE GOLD RUSH NATIONAL HISTORICAL PARK
ALASKA



UNITED STATES DEPARTMENT OF THE INTERIOR...NATIONAL PARK SERVICE

NPS-402 10002 A
MAY 75 JAD



summary

18

Today in Skagway, in various stages of decay, are visible reminders of a frantic episode in American History — the Klondike Gold Rush. Here, where a single cabin stood in 1896, and where three years later some 10,000 people roamed the dirt streets, evidence of this memorable epoch survives in the form of numerous buildings which date back to 1899. Along one street — Broadway — is a concentration of historic structures which is duplicated in few other places in the United States. The saloons, hotels, turreted houses, and wooden boardwalks recreate the era of the great Gold Rush in the imaginations of the summer visitors that pour into Skagway. Within the radius of a few miles are other historic features whose names recall the northward stampede to the Klondike in Yukon Territory: Dyea, the extinct town which was once Skagway's rival; the Chilkoot Trail and Pass; and the White Pass. While some kind of a miracle has thus far spared many of Skagway's buildings, their numbers are now dwindling rapidly from neglect, abandonment, or deliberate acts of destruction.

Mounting pressures for economic development have sharpened interest in historic preservation: Skagway is at a crucial stage of its growth. Its citizens can no longer sustain the entire cost of preserving the past, and unless planning and financial support are shortly forthcoming, this community remnant of the great Klondike Gold Rush will lose its unique historical character, providentially preserved up until now. This report presents a solution for saving the valuable historic resources — the last legacy of the days of '97 and '98 — which will benefit the community, the State of Alaska, and the Nation.

Any effective action taken at Skagway would have to be attempted jointly — combining the efforts of local, State, and Federal agencies, and marshalling all legislative and financial resources together to form a unique historic preservation program. One object of the Plan would be to keep as much land ownership as possible in the hands of those people most closely associated with the property and its use: Shopkeepers, hotelmen, and restaurant owners should continue to operate within the Skagway Historic District, retaining a living community within the locally controlled environment of a municipal preservation zone. The National Park Service would provide interpretive, informational, and professional preservation services within the community; the community would provide accommodations and other visitor services.

The component parts of the Klondike Gold Rush National Historical Park would be: (1) the Skagway Historic District, in mixed public and private ownership; (2) the Chilkoot Pass and Trail; (3) the White Pass and Trail; (4) portions of the abandoned townsite of Dyea; and (5) an International Klondike Gold Rush Trail in conjunction with the Canadian Government, utilizing the Chilkoot and White Pass Trails, and preserving the historic route from Skagway and Dyea to Dawson and beyond. Federal ownership would encompass four units — (1), (2), (3) and (4) of the above — with approximately 22,000 acres in-fee. The Service would also function as the historical preservation coordinator for the City of Skagway.

This concept offers new challenges in the fields of area management and preservation: it would combine the efforts of the city, State, the U.S. Government, the Canadian Government, and the White Pass & Yukon Railroad, to form a unique historical park, as well as an international trail from Skagway, Alaska, to Dawson, Yukon Territory — the full route of the epic Klondike Gold Rush.

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appendix a: region

HISTORY

Prospectors began their assault upon the Yukon Valley as early as the 1870's. Along the banks of this great river, which stretches over 2000 miles from its source in the Canadian Rockies east of Skagway to its broad delta on the Bering Sea, men carefully picked their way, checking for signs of gold. In 1873, Arthur Harper used the Peace and Mackenzie Rivers to reach the Yukon Valley, while George Hart crossed directly into the valley in 1878 via the Chilkoot Pass. The long Bering Sea/Yukon River route was used by Ed Schieffelin in 1882.

21

In twos and threes, the miners trickled into the Yukon, exploring each tributary. By 1886, some 200 miners had crossed over the Chilkoot Pass and reached the mouth of the Stewart River, where in a single year \$100,000 of fine placer gold was panned from the sandbars. Other men, however, were aware that their future lay not in panning but in supplying the prospectors. John Jerome Healy — hunter, trapper, soldier, scout, and sheriff — first had a post on the Fortymile River in 1893, but moved to a new and better location on the broad flats below the Chilkoot Pass a short time later.

"Where is the gold? Which creek? How deep?" Robert Henderson must have wondered these and many other things in 1896, as he climbed a peculiarly rounded mountain in the Yukon and looked towards a river called by the Indians "Thron-Diuck," meaning "Hammer-Water," where the Indians hammered stakes in the stream to build salmon traps. The "Klondike," as the miners pronounced it, had six tributaries which later proved to be among the richest creeks in the world. It was along these streams that Henderson worked his way. In one he found gold — eight cents' worth per pan — with the promise of more. It was mid-summer as more miners filtered into the Klondike, finding more gold. Henderson mentioned his find to George Washington Carmack ("Siwash George"), a Californian, who had reached the Yukon in the 1880's and married the daughter of a Tagish chief. Carmack, with his two brothers-in-law, Skookum Jim and Tagish Charlie, searched for colors along the waterways of the Yukon. On August 16th, the three were working on Rabbit Creek, which name would soon be changed to the "Bonanza" by those who followed. Here on the Rabbit they found gold lying between the flaky slabs of rock, "like cheese in a sandwich." The next morning, August 17, 1896, the trio staked their claim on history.

Up and down the Yukon, the news spread! By the end of August, all of Bonanza Creek had been staked. Claims changed hands rapidly: one man sold his claim for \$800, to find in three years that it was worth a million dollars. Gold-crazed men poured into the diggings as winter set in. The traders realized their food supplies would not last until the spring thaw, and in desperation, a steamboat man, George Williams, with an Indian companion, trudged 500 miles across the Chilkoot through blizzards to bring the first word to the outside world of the plight of the miners, and of gold on the Klondike.

The ice on the Yukon broke on May 14, 1897; two days later, boats began arriving at the site of Joe Ladue's trading post, which later became a town called Dawson. The miners who had spent the winter farther west at Circle City reached the diggings en masse and staked more claims. In June, two small trading boats left Dawson to bring proof of the great strike to the world. At the Yukon Delta, the gold-laden miners transferred to seagoing vessels, the *Portland* bound for Seattle, and the *Excelsior* bound for San Francisco.

Never has a cargo created such excitement as those two ships did when they reached their ports carrying their rag-tag prospectors and their gold. Within 10 days after the arrival of the *Portland* the cities of Seattle, Tacoma, Portland, San Francisco, and Victoria were besieged by gold-hungry hordes headed north. The San Francisco ship *Excelsior* headed north on her return voyage with a full load. Her ticket agent could have sold ten times the space. One man who bought a ticket sold it for \$1500 — ten times its value. Anything that could float was pressed into service.

In 1887-88, when Captain William Moore built a small cabin near the mouth of the Skagway River, his only neighbor was Healy, who maintained the trading post on Dyea flats. On July 26, 1897, the first of the Gold Rush flotilla arrived in his front yard. Men, equipment, and animals poured ashore. A shack and tent city grew overnight. In the words of John Muir, newborn Skagway resembled "a nest of ants taken into a strange country and stirred up by a stick." A similar phenomenon took place on the delta near Healy and Wilson's trading post, which later became the town of Dyea. The White and Chilkoot Passes above Skagway and Dyea, respectively, became the magic entrances to the interior and the hope of fabulous wealth. The rush gained momentum, and the cities of the Northwest geared themselves to capitalize on the hordes who sought passage north: money was to be made from the stampedeers. The Chilkoot Indians, whose ancestral rights to the trail had been infringed upon, got some redress by working as packers, charging 12 cents per pound to carry goods 27 miles to the upper end of Lake Lindeman. A trailside meal of beans, bacon, and tea could be obtained for \$2.50. Up the 30-degree final slope of the Chilkoot Pass, the horde trudged in a single line. Three died on the Chilkoot Pass when a glacier dumped tons of water onto the trail near the Stone House. The packing and handling of freight on the Chilkoot Trail was simplified when Archie Burns installed a tramway in December of 1897; this was followed by a more sophisticated installation in the spring. The consolidated tram could handle 200 tons a day, and could carry 400 pounds per car — but the poorer men still trudged up the slopes carrying as much as their hearts would bear.

Canadian authorities, fearing the stampedeers would overtax the Yukon's meager food supplies, ruled that each man had to bring enough of his own to last a year. The required supplies and equipment totaled nearly a ton per man. Each man had to trudge repeatedly to the top of the passes to cache his goods, and return, until all his supplies were safely over. The trails, passes, Dyea, and Skagway became clogged with men, animals, and supplies. Still the stampedeers poured up the Inside Passage. Canadian officials checked 22,000 men across the Chilkoot Pass during the winter of 1897-1898. There was much suffering and loss of life from cold, exhaustion, and illness. Too, there were the inevitable fights and killings. But on the whole, the crowd was remarkably well-behaved.

23

Again in the spring of 1898, up the White Pass and across the Chilkoot to the head of Lake Bennett came more '98-ers. Here at the lake they camped, waiting for the ice to break. On April 3, there was disaster: tons of snow slid into the Chilkoot Pass, smothering more than 60 persons. But the ant-like procession began again. The head of Lake Bennett became an enormous tent city. All day, men cut lumber to fashion boats, scows, or anything that would float, so they would be ready for the breakup.

On May 29th, with a heave, the ice broke, and an amazing armada of 7124 vessels with 30 million pounds of supplies moved forward. The water route ran down the mountain lakes through Miles Canyon and the Whitehorse Rapids, to Lake Laberge,

Five Finger Rapids, and down the Yukon River to the Klondike and Dawson. On June 8th, the flotilla from Lake Bennett arrived at Dawson, measuring six boats across and nearly two miles long. By mid-summer, there were 18,000 people at Dawson, with 5000 and more working the diggings. By August, many of the stampedeers had started home, most of them broke, but with some satisfaction at having merely made it against great odds. It was a source of pride to have seen the Klondike!

The Gold Rush was slowing, but it was not over. Throughout the year, new stampedeers came up the Yukon from the Bering Sea, across the glaciers of Alaska from Valdez and Yakutat, down the Mackenzie River, and from Edmonton through the rough and jagged mountains. However, the Chilkoot and White Pass Trails continued to offer the shortest and least difficult route to the Yukon. Most of the problems with these routes were encountered at the beginning, with the ascent of the mountain range. Despite its last steep incline and the threat of snowslides, the Chilkoot route was considered by many to be less difficult than the White Pass route. Although the last stage of the ascent to White Pass was not so steep, the entire White Pass climb was narrow, rocky, and frequently impassable in winter. Literally thousands of horses and mules perished on this trail. (White Pass City was the euphonious name of a restcamp of tents and crude shacks at the beginning of the steep climb.)

LOCATION

Skagway is located in southeastern Alaska, on the Taiya Inlet at the head of the Lynn Canal, the northernmost point of the famed Inland Passage. The city lies about 90 air-miles north of Juneau. The Skagway River Valley, running between the bases of high mountains reaching over 7000 feet, provides a spectacular setting for this small community. The White Pass Trail leads directly from the City of Skagway up the Skagway River and across White Pass to Lake Bennett, British Columbia. Ten miles by winding gravel road to the northwest lies the desolate site of Dyea, on the tidal flats of the Taiya River. The Chilkoot Trail starts at Dyea and progresses up the Taiya River to the Chilkoot Pass, on to Lake Bennett, and by way of the Yukon River to the Klondike gold fields in Yukon Territory.

CLIMATE

Skagway is the climatic northern limit of the moist Maritime Climatic Zone, noted for mild winters, warm summers, very heavy precipitation, and a lack of permafrost. The climate is generally mild, with an overcast sky during two-thirds of the year. The precipitation at Skagway is low — approximately 26 inches per year, compared to 83 inches at Juneau.

The temperature variations, both daily and seasonal, are usually confined to relatively narrow limits. The difference between daily maximum and minimum temperature readings averages about 14 degrees during all months of the year. The coldest month is January, with a mean temperature of 21 degrees F. July is the warmest month, with a mean temperature of 58 degrees F. The absolute minimum recorded at Skagway was -24 in February 1947. An absolute maximum of 92 degrees F. was recorded in July 1899 and August 1923.

The average length of the frost-free season is approximately 180 days, extending generally from about the first of May to the middle of October. Strong winds may occur in any season, but they are common in winter. The wind direction is from the north from November to March, and from the south from March to November.

The mountains behind Skagway and Dyea are covered by deep snow in the winter, but they shed their snow coat during June, July, and August. Perennial icefields remain above the 7000-foot level. Avalanches occur mostly during the middle and late spring, and affect only the mountain passes.

POPULATION

The Alaska State Housing Authority's "701" Comprehensive Plan discussed population factors as follows:

"Through the decade 1950 to 1960, the City of Skagway showed a net loss in population of 99 or 13.1 percent. Between 1960 and 1962 a gain of 5.5 percent was noted. This was based on information derived from field survey and number of electric meter connections. Based on employment considerations and the implications resulting from the operation of the ferry system, a population for the year 1980 of 1,560 was developed; an increase of 900 persons or 13 percent over the twenty year period."

SKAGWAY'S POPULATION FORECAST TO 1980

YEAR	POPULATION	INCREASE/DECREASE	PERCENT INCREASE/DECREASE
1950	758	---	---
1960	659	- 99	- 13.1
1962	695*	+ 36	+ 5.5
1965	785	+ 90	+ 12.9
1970	950 Predicted	+165	+ 21.0
1975	1,190 Predicted	+240	+ 25.3
1980	1,560 Predicted	+370	+ 31.1

() = U.S. Bureau of Census

* = Field Survey 1962, Electric Meter Connections

appendix b: resource

HISTORY OF SKAGWAY AND DYEA

In the early summer of 1897, Skagway had but one family, Captain William Moore's. After a life of adventure, he had headed for Alaska in 1887, surveyed the White Pass Trail, and settled on the broad flats of the Skagway River to wait for the Yukon Gold Rush that he suspected might develop. His closest neighbors were three miles around the point at Dyea, where the Taiya River reaches tidewater. Here, at the base of the Chilkoot Pass, traders Healy and Wilson established a trading post in a village of 250 Chilkoot Indians. These two remote names — Skagway and Dyea — were soon to be world-famous as gateways to the wealth of the Yukon.

On July 26, 1897, Captain Moore's prediction came true: the first Gold Rush steamer anchored in the bay, and the first hordes of Klondikers piled ashore. Moore was shoved aside, and by August 12, there were enough newcomers in Skagway to set up a local government and lay out the town with a proper survey. Frank Reid was appointed town surveyor and set out lots 100' x 50' with 60' streets. Moore protested about his rights to the local government but he was ignored and ordered to move his home, for it lay in the middle of a newly surveyed street. Inevitably, the main street was named Broadway, and overnight four saloons sprang up — the Nugget, Grotto, Bonanza, and one which still carries on, The Pack Trail Inn.

Dyea (Chilkoot for "to pack" or "to load") was enduring the same frenzy. Here, men also poured ashore, seeking their way across the mountains to the goldfields. John J. Healy's trading post was overwhelmed in a sea of tents, rough board saloons, homes, and stores. By fall, the green meadows and forest disappeared beneath the crush of the stampedeers heading towards the Chilkoot Pass, and enterprising merchants busily erecting a town.

Winter begins early in Alaska, and by October, snow covered the mountains and passes, creeping farther down the slopes each day. The winds began their numbing howl. Still the stampedeers came to crowd the streets, saloons, and warehouses of Skagway and Dyea. Skagway grew the larger, for the stampedeers stayed there for awhile when the weather compelled the closing of the White Pass Trail. Dyea's growth was more static, for it was at the base of a more useable, all-weather route to Lake Bennett. By mid-winter, 5000 people crowded Skagway, which by then had its first newspaper, *The Skagway News*, and its first murder, when George Buchanan killed a lady restaurant-keeper who spurned his advances. The acute shortage of women in Skagway was further aggravated when another churlish character murdered Mollie Walsh, described as an "Angel of Mercy." Other famous and infamous Skagway names began their legends. Joe Brooks, from Vancouver, arrived with a string of 17 mules and soon owned 335 pack animals. Keeler, "The Money King," had a prosperous pawnshop filled with valuables from the lonely men. The widowed Mrs. Harriet Pullen arrived in the fall with her children to drive four-horse freight teams up the pass by day, and at night to bake pies for men longing for home cooking. Jefferson Randolph Smith — called "Soapy" because of his slippery, phony soap racket — arrived with the boast that he would be the boss of Skagway, and shortly was.

The breweries, bars, and brothels did a roaring business, causing Superintendent Samuel B. Steele of the Northwest Mounted Police to snort that Skagway was "a little better than a hell on earth," and "about the roughest place in the world." There was no law enforcement save a quick gun. The issue of law enforcement soon became critical in Skagway, for the town was in the firm grip of a cabal headed by "Soapy" Smith and his gang of 200 to 300 con-men and cutthroats. After numerous outrages, on January 21, 1898, the decent citizens of Skagway asked for Federal troops and martial law. In response to this request, the U.S. Infantry arrived from Vancouver Barracks on February 25 and, with a vigilante group, tried unsuccessfully to establish law and order in Skagway. On February 15, for example, eight bludgeoned bodies were found on the White Pass; on March 6, a man was sandbagged outside his home on Broadway; March 7 brought 12 robberies and a murder on the White Pass. With events out of hand, the Army in Skagway asked for two companies of infantry from Dyea, and upon their arrival closed all the gaming rooms.

The news that the United States was at war with Spain reached Skagway in late April, and "Soapy" Smith reacted as an old-fashioned patriot. With no authorization whatever he formed Company A, 1st Regiment of the National Guard of Alaska, with himself as captain. On Sunday, May 1st, Smith arranged a parade to present the Skagway military company. It was the greatest demonstration Skagway had ever seen: over 2000 people crowded the streets to cheer Smith and his troops (forgetting, for the moment, about his criminal record).

July 4, 1898, was a glorious day for Skagway. The Governor of Alaska was in town for the occasion, and he and the mighty "Soapy" shared the rostrum. The town was full of holiday spirit, but four days later Skagway was a town filled with outrage. Smith's gang highjacked a returning miner. The crime was routine, but contrary to custom, this particular miner made a big issue of it and spread his woeful story all over town. Frank Reid, the town surveyor, and Major J. M. "Si" Tanner and Captain J. L. Sperry, both former police officers, formed the core of the vigilante movement. At noon, a vigilante meeting was called, and by 4:00 p.m., the entire town demanded that Smith return the stolen money. Another vigilante meeting was held at 9:00 p.m. that evening on Sylvester's wharf, to accommodate an overflow crowd. Smith, taut and angry, headed for the meeting to teach them a lesson. Reid stopped Smith on the entrance to the wharf, three shots were fired, and Smith fell dead on the planks of the dock with a bullet in his heart and left knee. Reid, too, sagged to the planks, with a mortal bullet wound in the groin. The regime of Jefferson R. Smith was over; the next day his gang was rounded up and deported from Skagway. Two days later, Frank Reid was vainly operated on; he died a few days later, a hero, and was given a state funeral.

Meanwhile, a steady stream of humanity inched toward Lake Bennett over the Chilkoot and White Passes, after being transferred from vessels sailing from Seattle, Portland, San Francisco, Vancouver, and Victoria. The Kondike Rush interested not only the Americans and Canadians, but Europeans, too. Sir Thomas Tancrede, representing an English group wanting to invest in a railroad, reached Skagway. Here he met Michael J. Heney, a railroad contractor, and their meeting resulted in Alaska's first railroad, the White Pass & Yukon Route, which would run from Skagway to Lake Bennett, and eventually on to Whitehorse. The death knell for Dyea sounded on May 27, 1898, when construction began on the White Pass route. Within the year, everyone would flock to Skagway to use the railroad, leaving the Chilkoot Trail and Dyea to history. The railroad achieved an immediate construction coup when at midnight on the 27th of May, 1898, track was laid down on Broadway by a crew of 500 men. When the sleepy citizens awoke the next morning they were amazed to find a railroad down their main street. By July 21, four miles of track had been laid — the longest, and only, railroad in Alaska up to that moment. Over 3500 men were at work on the railroad as it pushed across the granite mountains, bogs, and along Lake Bennett to Whitehorse and the Yukon River. By July 6, 1899, the railroad reached Bennett at the head of Lake Bennett; and on July 29, 1900, the railroad was complete from Skagway to Whitehorse — a total of 110 miles.

Dyea's population, which had once climbed to over 3500, rapidly declined; hotels, stores, and banks were vacated. Within a few short years it was a true ghost town. And today, one has to search diligently for even vestiges of it.

In contrast, by 1899, Skagway had grown into the largest town in Alaska, with a population of about 10,000. With the new respectability it had achieved through the elimination of the gangs, it sought civic improvements, and soon acquired a water supply and electric lights. In 1900, Skagway became Alaska's first incorporated city.

By 1900, however, the Gold Rush had subsided. In fact, in the summer of 1899, a new gold rush had begun to the golden beach sands of Nome, bringing about the decline of Dawson. By 1910, Skagway's population had dwindled to 600, and it settled down to being the port city for the slowly developing Yukon Territory.

After World War I, the large cruise ships steamed up the Lynn Canal to Skagway to see the remnants of this famous Gold Rush town. Enterprising businessmen stayed on in Skagway to make money from a new rush: the sightseers. Martin Itjen promoted Skagway and captured the hearts of his countrymen as he toured the major cities of the United States lecturing about his unique town and its Gold Rush days.

World War II woke Alaska from its reverie with a start. The Alcan Highway was built; pipelines from Skagway and Haines fed oil and fuel to interior bases; and the railroad was improved. 2500 people again flooded Skagway. Thousands of military personnel helped congest the dirt streets and boardwalks of the city, but as before, most of them left soon after the boom was over. Skagway returned to its pre-war level of about 600 people.

The Alaska ferry system, new mines in the Yukon Territory, the Alaska Centennial, and an ever-increasing tourist interest in Alaska in recent years all bring new hope for Skagway as it begins its third boom in less than 75 years. The White Pass & Yukon Route has just constructed a giant port facility to handle ore from the Yukon. Large ocean-going vessels and cruise ships designed for the Inland Passage are now reaching Skagway, and discharging passengers who explore the old town to relive the exciting atmosphere of sourdoughs and the Klondike Gold Rush. As long as its historic buildings survive, Skagway will be a vivid reminder of the Klondikers — '98-ers, who first opened the Far North, and made the world conscious of Alaska and its many treasures.

SKAGWAY

Whether arriving by boat or plane, from the moment the visitor first sees Skagway, he is aware of the predestined character of the location. Here, the Lynn Canal's 90-mile channel ends, and rugged mountains close their ranks to form a phalanx of

jagged peaks. The city's unpaved streets and old buildings, many of them abandoned, seem like a stage set for a play which is about to begin — but actually it is the last act for most and the final curtain for some of the structures. Their wooden foundations rotting, they sit warped and bent, awaiting their doom.

Broadway, now the business and social center of Skagway, would form the backbone of any designated historic district. Board sidewalks, stores, saloons, hotels, and vacant buildings line the dusty street. On Broadway, between First and Sixth Avenues, are the major remnants of the early city. Following is a checklist of structures, correlated with the map of the Skagway Historic District.

No study has been made by a professional architect of the 42 historic structures identified within the confines of the historic district area, but it appears that 27 are in good-to-fair condition. These 27 buildings are occupied, while 11 of the 15 unoccupied structures are considered in fair condition. Structures 27-A and B, 1-F, and 25-F are considered in poor condition.

The White Pass & Yukon Railroad Company has constructed a new railroad depot to replace the two original historic Gold Rush structures (A and B of lot 36). Methods of preserving these valuable structures are currently being explored, but at the present time, the future of these historic buildings is unknown.

Outside the historic district, with its axis lying along Broadway, are many other buildings and sites related to the early 1900's period. Among the most significant are:

City Hall

This well-preserved granite building was built in 1899-1900 to be used as a school; however, the building was used as a Federal courthouse for years. Today, it houses the city offices, jail, and a community museum which occupies the entire second floor.

31

Pullen House

Mrs. Harriet Pullen's famous hotel sheltered many famous people, including President Harding shortly before his death in San Francisco. For years, the Pullen House was Alaska's finest hotel. After Mrs. Pullen's death, the structure was left unused, and, as is the case with so many old buildings, fire, weathering, and vandalism have taken their toll. Today, the big, proud old hotel is almost beyond redemption, and lies warped and sunken on its crumbling foundations. The neighboring structures on the estate are in a similar state of disrepair.

Captain Moore's Log Cabin

This log structure which belonged to Captain William Moore sits well-preserved on private land near its original location.

Alaska Cable Office

This small white structure on Main Street and First Avenue still stands. Most likely, this was the original office for the WOMCATS telegraph system of the early 20th century.

Others

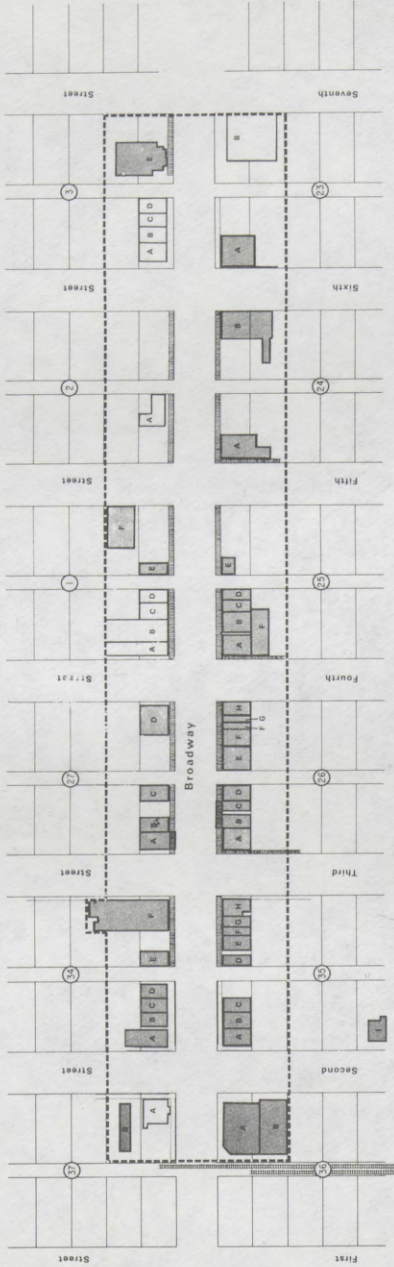
There are various halls, stores, churches, and houses throughout town dating back to 1899-1910. In some cases, these historical relics are reasonably well-maintained, although many are being altered according to the needs of the owner. Others are hollow skeletons. In May 1968, the team also observed the remarkable Fire Hall No. 1, a three-story wooden frame structure located on Fourth Avenue between Main and State Streets. It was still used to house fire equipment, though its condition was poor, and with no stabilization or reconstruction in prospect. The building appeared to have outlived its usefulness. Superintendent Robert Howe of Glacier Bay National Monument reported on February 12, 1969, that this historic structure was demolished and its rubble burned by the city because of its deteriorating condition.

Dick Alman, planner for Alaska State Parks and Recreation, reports in connection with his Skagway trip:

"During the past year (1967) two houses which once made up part of the 'line,' as the red light district was locally called, were burned to the ground as training for the local fire department.

"Unless some agency can quickly come into Skagway with financial assistance to the building owners, in from ten to fifteen years less than five buildings will remain."

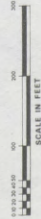
SKAGWAY HISTORIC DISTRICT
SKAGWAY, ALASKA



LEGEND
 [shaded box] historic structure
 [unshaded box] non-historic structure

* see narrative resource description and evaluation for key to structures

HISTORIC RESOURCE MAP
KLONDIKE GOLD RUSH NATIONAL HISTORICAL PARK
ALASKA



UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE

DATE 4-22-00
BY 7-23-00

BLOCK	BUILDING	PERIOD AND NAME	PRESENT USE
37	A	(?) Teamsters Union Hall	Meeting Hall
	B	(1898) Soapy Smith's Parlor	Museum
34	A	(1900's) Red Onion Saloon	Vacant
	B	(1900's) Washington Market	Vacant
	C	(1900's) Canadian Pacific R.R. Ticket Office	Trail Bench Gift Shop
	D	(1899) Arctic Brotherhood Lodge No. 1	Visitor Center
	E	(1900's) Alaska Steamship Office	Shamrock Music & Gift Shop
	F	(1900's) Golden North Hotel	Hotel
27	A	(1900's) Idaho Saloon	Vacant
	B	(1900's) Store and Office	Vacant
	C	(1899) Hegg's Photo Shop	Photo Shop
	D	(1900's) Pantheon Saloon	Bakery
1	A	(1930's) Riewe's Supermarket	Store
	B	(1930's) Movie Theater	Vacant
	C	(1930's) Office	Vacant
	D	(1960's) Mue's Snack Shop	Restaurant
	E	(1900's) Unknown	Residence
	F	(1900's) Meat Packing Plant (later American Legion Hall)	Vacant
2	A	(1940's) Unknown	Vacant
3	A	(1940's) National Bank of Alaska	Bank
	B	(1940's) Coyne General Insurance Agency	Office
	C	(1940's) Unknown	Store
	D	(1940's) U.S. Post Office	Post Office
	E	(1900's) Old Skagway Inn	Hotel
36	A	(1899) White Pass & Yukon Railroad Building	Ticket Office
	B	(1900) White Pass & Yukon Railroad Building	Administration Building
35	A	(1900's) Pacific Coast Building	Chilkoot Gift and Curio Shop
	B	(1900's) Grand Trunk Steamship Ticket Office	Richter's Jewelry and Curios
	C	(1930's) Richter's Jewelry and Curios	Richter's Jewelry and Curios
	D	(1900's) Gun Smith and Express Office	Liquor Store
	E	(1900's) Salvation Army Building (Moved Here)	Bing's Cafe
	F	(1900's) Unknown Office	Vacant
	G	(1900's) Admiral Steamship Ticket Office	Vacant
	H	(1900's) The Mascot Saloon	Vacant
	I	(1900) U.S. Customs Office	Office
26	A	(1900's) Unknown	Keller's Drug and Curio Inn
	B	(1900's) Unknown (Movies in 1920's)	Sourdough Inn
	C	(1900's) Unknown	Igloo Liquor Store and Bar
	D	(1900's) Laundry	Vacant
	E	(1900's) Lynch & Kennedy's Dry Goods	Vacant
	F	(1900's) Unknown (Moved from 6th St., prob. a hotel)	Vacant
	G	(1900's) Unknown (Moved from 6th St., prob. a hotel)	Vacant
	H	(1899) Pack Train Inn (Moved from 6th St. and Broadway)	Pack Train Inn
25	A	(1900's) (Moved here 1906) Unknown (Photo Shop?)	Skagway Hardware
	B	(1900's) Unknown (Bookstore)	Harbor Cache
	C	(1900's) Unknown (Jewelry Store)	Frontier Bar
	D	(1900's) Unknown (Barbershop)	Frontier Bar
	E	(1900's) Ganety and Francin Grocery Store	Saddle Shop-Vacant
	F	(1900's) St. James Hotel (Moved from SE corner of 4th and State Streets)	Vacant
24	A	(1900's) Kirmse's Jewelry Store	Kirmse's Curio Store
	B	(1900's) Eagles Hall (Relocated)	Eagles Hall
23	A	(1900's) Unknown	Apartment
	B	(1960's) American Legion Hall	Legion Hall

DYEA

The delta of the Taiya River fills a valley area of about $\frac{3}{4}$ of a mile by 2 miles between sharply rising mountains. A gravel road extending from Skagway about 7.7 miles is the only access unless one arrives by water or hikes in from Canada via the Chilkoot Trail. Second-growth forest covers the upper part of the flat delta, while the remainder is barren or covered with grass and low bushes. No structure from the Gold Rush period in any restorable condition stands. At least four structures were observed which could be described as remnant ruins, while traces of a pier could be seen. Other structural materials, house pits, metal roofing, and assorted materials and debris were also noted. The historic integrity of the site itself is high because of the lack of disturbance of the features since the Klondike Rush.

There are two cemeteries here, the Dyea Town Cemetery and the Slide Cemetery, where victims of a snow avalanche are buried. The State has provided signs and markers at the latter. Most of the surviving wooden head markers at the town cemetery are, of course, illegible.

CHILKOOT TRAIL AND PASS

From October to June, the Chilkoot Trail is snow-clad. From June through September, however, it is still visible and passable, with ruins and artifacts scattered along its full length, and with certain shelters and other improvements provided by the State by agreement with the Bureau of Land Management. It enjoys limited use by the more durable breed of overnight hikers.

For years, an Indian trail over the mountains was the strict monopoly of the Chilkoot branch of the Tlingit Nation. U.S. Army Lieutenant Schwatka crossed the 3502-foot pass on June 11, 1883 — the first officially sanctioned American to do so. Fifteen years later, thousands of goldseekers stampeded along the trail and across the pass. After the White Pass & Yukon Route Railroad was completed in July of 1899, traffic on the Chilkoot dropped sharply. When one speaks of the Klondike stampede, the Chilkoot Trail is as much a symbol of it as is Skagway or Dawson City. Mr. J. R. Lotz of the Canadian Government, who hiked the Chilkoot Trail, describes it as follows:

"...a good nine mile long gravel road connects Skagway with Dyea... The road from Skagway crosses a steel bridge over the Taiya River; the original trail took off on the right of this bridge. Just across the bridge is an intersection. The left hand fork goes to Dyea and the Slide Cemetery, and the right follows the river. About a mile further on it crosses the West Creek, and a short distance beyond this the trail begins at the cable crossing.

"A hand operated cable car takes the traveller across the Taiya River. For the first three miles the trail follows an old bulldozer trail that makes easy walking. Several streams have been bridged on this stretch, and the trail passes through an old sawmill area, where two cabins are standing.

"Just beyond this the bulldozer road ends, and the narrow trail begins. It winds up the side of a hill, through close forest with mossy ground cover, until it drops down to a flat on the east bank of the river. Here, at the Canyon City shelter area, the trees have been cleared, and an excellent log cabin and pit privy built. The cabin contains eight simple bunks, and a stove, as well as an outdoor table and fireplace.

"From the Canyon City shelter, the trail leads through the woods for about half a mile. Here the trail forks, one branch going over to the site of Canyon City, and the other continuing up the east bank of the river to Pleasant Camp. For about a mile the trail climbs up the side of the Dyea Canyon, then levels out and drops down. As elsewhere on the U.S. side, the trail is clear and well marked; at one place a telegraph pole is still standing. In places the corduroy of logs put down in the early days has rotted, and should be traversed with care. The trail drops down from the canyon side to Pleasant Camp. Here the river has to be crossed twice on logs thrown across the stream. The trail then leads on and slightly upwards for over a mile to Sheep Camp.

"Here another log cabin, with stove and bunks has been built. From Sheep Camp the trail leads through the bush, and then breaks out on the gravel bed of the river. It is possible to climb up this to just beyond the point where a waterfall comes down on the right. Then it is necessary to cut left along a cleared trail. This leads to a large area of boulders over which it is necessary to clamber. The two prominent markers here — Stone House (about a mile from Sheep Camp) and the Scales (just below the summit) have been swept away by slides. The trail breaks out into the open just near the point where the snow slide of 1898 occurred. This is near where the two 'ravines' are located. From this point it is advisable to keep down in the stream bed and follow the trail to the base of the Chilkoot. From the base of the pass there are two alternative routes over the summit. The left hand one is a steep slope, covered with loose scree. It was on the snow that covered this slope that steps were cut in 1898. To the right is a longer, less steep slope, the so-called Pettersen Trail used by dogs and pack horses in the early days. The right hand trail is less dangerous in summer; the scree on the left hand trail can become loose and dangerous."

WHITE PASS TRAIL

The White Pass Trail followed the Skagway River and its White Pass Fork to the British Columbia border. Part of the trail from Skagway to White Pass is still visible from the railroad, with a jeep trail available at the lower end of the valley. Old White Pass City is today devoid of ruins. The White Pass Trail was used as a foot trail, pack trail, and wagon road until the new White Pass & Yukon Railroad made it simpler to travel to the interior by rail. Along the trail is Dead Horse Gulch, where over 3000 pack animals perished; there is a monument to these sacrificial beasts along the railroad where the train usually stops to permit photography. Little or no public hiking of the White Pass Trail occurs at this time.

White Pass itself is 2900 feet high, and approximately 11½ air miles north/northeast of Skagway. The White Pass & Yukon Route Railroad figures that there are 20 miles of roadbed from Skagway to the summit of the White Pass.

NATIONAL SCENIC TRAILS

The trails leading across the mountains can be improved for the increasing numbers of Americans who love the outdoors, to hike, and to seek history where it was made. The Chilkoot is already being used by a few, but only a small section of the White Pass Trail is now available to those wishing to hike. On October 2, 1968, Congress passed Public Law 90-543, the National Trails System Act, which states:

“Section 3, (b), National Scenic Trails, established as provided in Section 5 of this Act, which will be extended trails so located as to provide for maximum outdoor recreation potential and for the conservation, historic, natural, or cultural qualities of the areas through which such trails may pass.”

36

Under the Act, one of the scenic trails specified to be studied was simply lumped under a heading “Gold Rush Trails in Alaska.” Of all the Alaskan Gold Rush Trails, the Chilkoot Pass and Trail is the most famous, the most adaptable to a joint Canadian/United States venture, and best meets the requirements of the National Trails System Act.

SKAGWAY VISITATION

Visitor Statistics

Tourism is blossoming in Alaska: tours by land, sea, and air of the “Last Frontier State” are accelerating in popularity. No dependable figures are available on the numbers of individual or family travelers — mainly campers — who arrive by auto via Canada. There is ample evidence that campers do comprise a substantial proportion

of the total tourist picture; however, undoubtedly a majority of Alaska tourists are members of organized air and sea tours. The State has recorded a modest 10 to 14 percent annual increase in statewide tourism for the past few years.

Data on Skagway visitors is available through the Alaska Tourist Bureau, Department of Economic Development. For the year 1967, we find the Alaska Maritime Highway traffic to Skagway as follows:

By State ferry, 13,060 passengers embarking; 13,985 disembarking. (The excess of 925 getting off would be either Skagway residents or one-way train travelers to Whitehorse.)

By State ferry, 1819 vehicles embarked; 1776 vehicles disembarked. (43 more on than off would be primarily cars transported from Whitehorse by rail.)

By State ferry, 225 stops in Skagway, averaging 57 passengers per stop. (Mid-season passenger loads are much heavier, of course, while off-season stops may have negligible loads.)

As to privately owned and operated cruise ships, there is a record of 76 stops in Skagway in 1968, with a total of 13,200 passengers. From these figures it can be seen that Skagway's annual visitation during the past two years has been in excess of 25,000.

There was a brand new factor which entered the visitor pattern in 1969: a sharp increase in the number of cruise ships up the Inside Passage, including some coming for the first time from San Francisco and Los Angeles. Notices in San Francisco papers relating to new sailings to Alaska suggested a total of over 100 Skagway landings, in contrast to the 76 in 1968. For this and other reasons, it seems not unreasonable to predict that the Skagway visitor count will double from 1967 to 1973, and possibly quadruple by 1980.

Duration of Visits

Because most visitors pass through Skagway on tours, the majority spend just one day or fraction of a day in the town. If there is a side trip to Dyce, a full day must be devoted to this effort. In the evening, people return to their cruise ship or their hotel, with the option of an early train ride next morning (round trip to Lake Bennett). With the introduction of a proposal such as this study presents, it is possible that many visitors would spend two days. This doubling of the visit duration would have a great effect on local economy, and might interest more capital investment in tourist services.

Visitor Patterns

At present, the visitor to Skagway checks into his hotel (the Golden North, Sourdough, or Klondike Inn) upon arrival, or arranges his shore leave from his cruise ship. The main attraction is Broadway, with its old wooden boardwalks. The curio stores, restaurants, and bars do a fine business and serve the visitor well.

Happily, citizens of the town are visitor-oriented and hospitable. This friendly spirit is most evident in the "Days of '98" show held every evening that a cruise ship or tour is in town. This is a magnificently staged production by citizens at the local Eagles Hall, Aerie No. 25. Here dancehall girls and old sourdoughs in costume mingle with the crowd around gambling tables (which use non-negotiable money), dance to a local band, hear stories and songs of Alaska, and witness, in mock horror, the re-enactment of "The Shooting of Dan McGrew." Other tangible evidence of the townspeople's awareness of historic values is the recent reconstruction of the boardwalk, and the creative treatment of certain privately owned buildings.

Two bus tours are offered, one through the town of Skagway, and one that also takes in Dyea. The local "Trail of '98 Museum," located on the City Hall second floor, is a fine example of a local museum, containing many fine objects and pictures of the Gold Rush days.

Two other attractions should also be mentioned: the Golden North Hotel has its halls and lobby lined with photographs of the old days, and each room is dedicated to a pioneer family of Skagway, complete with a history, period furniture, and photographs of the family; and "Soapy" Smith's Parlor, containing a good collection of Gold Rush material, is open as a private museum.

A visit to the White Pass & Yukon Route Railroad shops, with their collection of obsolete equipment, is interesting and a must for visitors who plan to ride the railroad. The shops are on the bus tour, as are the cemetery and Reid Falls. The cemetery contains the remains of the notorious "Soapy" Smith and his vigilante nemesis, Frank Reid. Nearby is Reid Falls, whose water streams from the glaciers high above Skagway.

A monument to Molly Walsh, a murder victim of '98, has been vandalized, but visitors still photograph the stone and bronze bust of this early pioneer. To get a view of the entire community, the State has provided an overlook across the Skagway River. If the visitors reach all the sites discussed, they are "sightseeing," but the extent of their comprehension is debatable.

Visitor-Use Potential

During the day, the typical visitor-use pattern is on a random, do-it-yourself basis, mainly involving strolls through the town. At night, most of the visitors see the "Days of '98" show. The major question is how to more effectively present the story of the Gold Rush, in general, and the role of Skagway, in particular. The city planned to use the Arctic Brotherhood Lodge as a visitor center during the 1968 season, which would be a step forward. However, the town takes a step backward every time it loses a historic building, and this process of destruction is accelerating. Certain factors are at work which will affect the visitor-use potential:

The physical character of Skagway itself contributes to the major visitor experience at Skagway. The old buildings, boardwalks, and graveled streets project the atmosphere of the Gold Rush days. To permit these unique characteristics to deteriorate and disappear would be a terrible loss for Skagway.

The attitude of the townspeople contributes to the visitor experience. Up to the present, the local attitude towards visitors has been very good. The pride of the local people in their hometown is evident, and the visitor feels this pride if he converses with them.

Equally important to a full visitor experience is a third factor, harder to define than the effect of the character of the town, the attitude of the local people, the meals and lodging, and the memories and souvenirs the visitor takes with him. Simply: what does the visitor take away with him?

The potential exists for a greatly improved and truly significant opportunity to present a historical period in a living community. If the historic district can be preserved, more meaningful tours of the town and nearby points of interest worked out, and the interpretive experience sharpened, then Skagway will regain a greater measure of its former glory, and play a much greater role in the Alaska tourist adventure.

PRESENT MANAGEMENT AND ZONING

Historic Features

The City of Skagway has changed substantially from the turn of the century, but enough old structures remain, together with wooden sidewalks and unpaved streets, to betoken the character of the Gold Rush days. Its present career, however, is that of a functioning modern community. Skagway contains 930 acres, 438 of which are vacant (47% of the total area). The city has electric power provided by a private corporation. The water system is city owned, utilizing a series of natural reservoirs above the town. A central sewer system collects waste from most of the developed area, and the telephone system is owned and operated by the power company. The following land-use figures appear in the Skagway Comprehensive Plan:

LAND USE	ACRES	PERCENT OF TOTAL AREA
Vacant		
Platted	74.2	8.00
Unplatted	363.9	39.00
Water	261.4	28.00
Residential	21.5	3.10
Commercial	2.9	0.20
Industrial	82.0	8.70
Public & Semi-Public	51.7	5.00
Streets	73.2	8.00
TOTAL	930.8	100.00

40

The largest use of land is industrial. The airport, oil tank farm, and railroad utilize the largest parcels of this industrial land. The residential land use is centered in the south end of the city and becomes more scattered over the flats to the north. There is no well-defined residential zone. The commercial land use is focused on Broadway between Second and Sixth Avenues, the suggested historic district.

The city's present limited interpretation of the Gold Rush era and the part that Skagway played in it is presented in various publications, in the municipal museum (2nd floor, City Hall) and in the highly original amateur production entitled the "Days of '98."

However, the city is in dire straits when its progress in historic preservation is measured. The "701" plan, and the resultant, companion zoning plan are of great interest to the local government — yet there has been no implementation of these plans. Deterioration has reached an advanced stage in the vacant buildings, and in some cases in those buildings already in use. There is no tax assistance for historic preservation, and there is no source of public money at present to assist private enterprise to accomplish any preservation.

The Site of Dyea for the most part remains as public domain, with at least two homesteads. Open grazing is the main land use. There are a couple of residences owned by small lumber companies who cut on State lands further up the valley. Visitors to Dyea are scarce. There is of course no public transportation from Skagway, but the connecting gravel road is used by local citizens and disembarked campers. A small tour bus is used exclusively by one tour company.

There is very little interpretive material available about Dyea. There are no interpretive signs, and under present conditions, almost no visitors.

The State has attempted to preserve the Slide Cemetery, but no firm program has been made for historic preservation of the area.

The land over which the 17-mile Chilkoot Trail passes to the Canadian border is public land administered by the Bureau of Land Management, which has been selected by Alaska under the terms of the Statehood Act. The Alaska Department of Resources has voluntarily cleared and marked the Chilkoot Trail to the border, and two shelters have been constructed at Canyon City and Sheep Camp. The trail evidence from the border to Lake Bennett, British Columbia, is only fragmentary. The Canadians envision a marked historic route to Dawson, with an interpretive station at the abandoned old church at Lake Bennett.

41

There is an excellent guide published by the State of Alaska which includes some interpretation. As popular as the trail is in literature and people's minds, very few are sturdy enough or motivated enough to make the strenuous journey. Because of deep snow in the pass until June, the hike is feasible only in mid-summer or early autumn, except for those who might want to emulate the courageous Klondikers!

At present, there is no protection of the historic features and relics which are still observable along the trail.

The White Pass Trail is not marked, although some portions are visible from the railroad. Prominent landmarks along the trail are marked by the railroad: Deadhorse Gulch, the White Pass City site, and the summit of White Pass.

There is some information about the pass and trail provided by the railroad, and a few monuments to the Rush of '98 along the railroad. The train stops at these

monuments to allow the visitors to take pictures of each site along the tracks. There is no active program to provide preservation or protection for the White Pass and Trail.

Present Land Use and Zoning

The Alaska State Housing Authority (ASHA) prepared a "701" comprehensive plan for the City of Skagway in 1964. In this report, the need for a historic preservation zone was clearly delineated as falling under the classification of "BH," or "Historic Commercial." This area runs from Second Avenue to the alley between Seventh and Eighth Avenues. The ASHA general plan stated the objectives, "To preserve and enhance the special [historic] features of Skagway as an attractive tourist community," and "To protect and conserve outstanding features, both natural and man-made."

The narrative section of the plan also contained the following statements regarding the historic preservation zone:

"The Historic Commercial area is primarily for the conduct of business associated with the tourist industry. There would be hotels, gift shops, restaurants and bars, and other tourist-oriented trades, as well as commercial uses of a general nature.

"This could be Skagway of 1900 recreated! All buildings could be required to have false fronts and be typical of those built at the turn of the century. Old buildings around town could be moved to this location and rehabilitated, thus serving several ends — removal of these structures from unsuitable locations, preservation of the structures, and the creation of an interesting historical center. The proposed location is along Broadway between Second and Seventh Avenues. The existing wood sidewalks could be rebuilt (with decay-resistant lumber) to retain the 'old-time' character. The street is scheduled to be paved and a bond issue has been passed for this purpose."

42

According to the ASHA report, many methods of financing this type of development are available. The Urban Renewal Administration might provide financial and planning assistance. The State of Alaska has a program of one-to-one matching funds for tourist attractions by nonprofit organizations and cities (Alaska Statutes 1963, 41.25.010, et seq.). The Area Redevelopment Administration or Small Business Administration might be able to help individuals with loans or grants. Private corporations also might be willing to provide materials and technical advice at a reduced rate, or as a public relations gesture. Organizations such as the Ford and Carnegie Foundations are very interested in the preservation of historical sites.

It is clear that ASHA recognizes the need for historic preservation, and the need for preserving the character of Skagway. ASHA has also suggested zoning which was concerned with the basic problem of preservation but was not oriented towards the problems of interpretation and protection.

Based on ASHA's approach, the City Zoning Commission is considering implementing a local zoning ordinance. The zoning map included in this report expands slightly the preservation aspect of the ASHA plan, and supports the proposed city zoning ordinances.

Senator JOHNSTON. Congressman Bauman is next.

**STATEMENT OF HON. ROBERT E. BAUMAN, A U.S. REPRESENTATIVE
FROM THE STATE OF MARYLAND**

Representative BAUMAN. I have copies of my statement here, which I will change in some respects as I deliver it, if I may have permission to enter it into the record.

I appreciate this chance to appear here this morning on the general topic of the future of Assateague Island National Seashore, and specifically on S. 82, introduced by my colleague Senator Mathias and also Senator Beall.

I believe you have already heard from Senator Mathias, in testimony on that bill. As you know, S. 82 would repeal existing provisions of law which required the construction of a north-south road the length of Assateague and permitted commercial development on the northern part of the Island.

I appear today as a Member of Congress, representing most of the Assateague Island Seashore, as well as a member of the Subcommittee on Parks of the House Interior Committee.

I believe that there is a general consensus that these provisions of the original law should be eliminated. Last year, I introduced similar legislation comparable to that before you today which would have repealed these two sections, 7 and 9, and I will be introducing a somewhat different version of legislation in the House this year, which also takes into account the fact that the President and the Department of the Interior have recommended approximately 1,740 acres of Assateague be designated as a wilderness area.

That is before you in an omnibus wilderness bill, which you will probably consider later. While I am not opposed to the future designation of a wilderness area on Assateague, I do strongly believe such designation should be deferred until the completion of a comprehensive plan for the use and management of the island.

In conversations with Interior Department officials, I have been informed that until now two factors have precluded the commencement of such a comprehensive study.

I think they can see that is badly needed. First, the continued inclusion of sections 7 and 9 of the original act precluded the Department from formulating a comprehensive plan due to uncertainty as to the extent of development on the island and second, the Department was mandated by the wilderness law to complete a study of the area and they have recommended a part of the island be included in the wilderness area.

I raise this today, because this vehicle may be the vehicle we are looking for. I will leave with the committee a draft of legislation I am introducing in the House to accomplish this.

What my bill would do—and I think it could be amended into the Senator's bill—would require the Secretary of the Interior, notwithstanding any previous review or recommendations, made under the Wilderness Act, to undertake in cooperation with other interested Federal, State and local agencies, a comprehensive study of the present and proposed uses of the national seashore and the lands and waters adjacent to that area.

Pending completion of the study, which ought to take approximately 2 years, no part of the seashore could be designated as wilderness.

This is only logical—quite frankly—because I think part of that comprehensive plan would have to be the consideration of part of the island as wilderness but it should not preclude other uses and the comprehensive plan would take into consideration all of those facts.

The administration, of course, the officials you have here today, will have to speak for themselves, but I would suggest you might want to ask them a question on their position on this comprehensive plan.

As I say, they have been most cooperative in dealing with this question and helping my office draft legislation toward this end.

I believe this approach would have the support of most of the residents of Maryland and Virginia. Quite frankly, the original plans for Assateague were drawn up 10 years ago, at a time that the island was thought of as a total recreation area. Since that time, a number of questions about the use of sports, fishermen, vehicles, overland vehicles, the very existence of development of the north-south road—all of these things have changed the concept of Assateague considerably. Yet, during that time, no full plan has been written up by Interior to deal with all of these many changed aspects, including the extent of development on the island.

This calls for comprehensive study of the future of this seashore. I will be introducing legislation in the House to repeal sections 7 and 9, and I would hope the Senators would include such an authorization.

I might also mention, since the Senator's bill has a provision for compensation for Worcester County your committee might want to consider the language which they have included, or a deferral of compensation until the end of the comprehensive planning period should you decide to go ahead with that 2-year plan that I suggest.

But I would underline the feeling of the local officials is that the commitment was made at the time the seashore was authorized the people in that area thought of Assateague as a possible Ocean City with all of the desirable and undesirable aspects.

Such a resort would have the Federal takeover of Assateague which many people still refer to as a Federal takeover, precludes this kind of development.

There is a strong feeling some compensation should be had. There is, of course, precedent for this in Grand Teton, but I understand in that case an entire county was taken by the Federal Government.

But compensation is an issue that has to be faced. I would hope your committee would adopt similar language or a deferent of the end of a comprehensive plan, and I thank you very much for permitting me to appear here today.

I want to invite you down to see Assateague, and my office will be glad to make this arrangement.

Senator JOHNSTON. Thank you Congressman Bauman. Your bill is essentially the same. You are waiting for the completion of the study?

Representative BAUMAN. Yes.

Senator JOHNSTON. This would dramatically change the concept of Assateague. Perhaps a 2-year study would convince Senator Hansen and me and our colleagues we ought to make an exception from what has been a fairly known move on the subcommittees that we do not recompense the counties for providing for a Federal park. But again,

this is the kind of thing that ought to be studied and reenforces the wisdom of your concept of having this comprehensive study.

My feeling is that it will add a great deal to the bill, Senator Hansen.

Senator HANSEN. I do not have any questions. I am not certain if you were present when I commented on the situation in Grand Teton National Park in Wyoming.

Representative BAUMAN. I was not here Senator.

Senator HANSEN. Well, the situation very briefly, which resulted in a Federal reimbursement provision being included in the act of expanding the park addressed the situation that arose from privately owned taxpaying lands being included in the park with this understanding that as they passed from private into public ownership, and as a consequence were taken from the tax role that the Federal Government would reimburse the county for loss of taxes over a 30-year period of time.

The first 10 years of which would be at the full rate of taxes paid on the land only in improvements and the succeeding 20 years at a declining rate of 5 percent of the original amount.

There was no reimbursement—Teton County lost roughly two-thirds of its taxes as land passed from private into public ownership because of the livestock and personal property was taxable.

That left the tax rolls at the same time, too. I think that situation is a little different, as I understand it, than the one that is addressed in this legislative proposal here. As I understand this, at least one of the bills would provide for reimbursement of loss of anticipated taxes. Am I correct about that?

Representative BAUMAN. That is correct.

Senator HANSEN. There is no provision in the Grand Teton law for loss of anticipated taxes, it was only for a partial loss of the taxes actually being earned and payments being stopped as the property passed from private into public ownership.

Representative BAUMAN. So you can understand the feeling of the local citizens and the county government in Worcester County, at the time Assateague was originally authorized and a bill sponsored by my predecessor, Congressman Morton, there was a great deal of opposition to the park.

As a compromised position, the Congressman suggested, after many compromises were discussed and rejected, the permission to build and develop the northern end of the island by private development, and a north-south road which would have brought it more visitors and money to the county.

Now, the issue has been raised repeatedly, in my discussions with local people and the local government, that if we are to repeal sections 7 and 9, which authorize development which even now they can see should not be done, there should be some quid pro quo as far as keeping faith with the original compromise. That is why the Senators have suggested this language.

Senator HANSEN. I was not trying to argue the merits of this particular case; I just make the observation and was just trying to clarify the situation.

Senator JOHNSTON. Are you going to introduce your bill in the House?

Representative BAUMAN. Probably, this week.

Senator JOHNSTON. You would not want us to consider that in our markup, by this committee?

Representative BAUMAN. I will provide you with a copy of the language of my bill, should you want to consider it as an amendment to the Senator's bill.

Senator JOHNSTON. I personally think that it makes a great deal of sense. Unless there is strong feeling to the contrary, we will be glad to do that.

Representative BAUMAN. We will have that in your hands this afternoon, sir.

[The prepared statement of Representative Bauman follows:]

STATEMENT OF HON. ROBERT E. BAUMAN, A U.S. REPRESENTATIVE FROM THE
STATE OF MARYLAND

Mr. Chairman, I appreciate the opportunity to appear before your subcommittee this morning to discuss the future of Assateague Island National Seashore, which was created by the Congress 10 years ago; and more specifically, legislation S. 82, introduced by Senator Mathias and Senator Beall which would repeal existing provisions of law which required the construction of a north-south road the length of Assateague and permitted commercial development on the northern part of the island.

I believe that there is a general agreement among all concerned parties that these provisions of the law should be eliminated and last session, I introduced legislation similar to that introduced by Senators Beall and Mathias which would repeal sections 7 and 9 of the original Assateague Act. I intend to introduce this legislation again today in an amended form to take into account the President's recommendation that approximately seventeen hundred and forty acres be designated as wilderness pursuant to the provisions of the Wilderness Act of 1964.

While I am not opposed to the future designation of a wilderness area on Assateague, I am firmly of the opinion that such designation must be deferred until the completion of a comprehensive plan of the use and management of the Island. In conversations with Interior Department Officials I have been informed that until now two factors have precluded the commencement of such a comprehensive study. First, the continued inclusion of sections 7 and 9 of the original act precluded the Department of Interior from formulating a comprehensive plan due to uncertainty as to the extent of development on the Island and second, the Department was mandated by law to complete a study of the area as a possible segment of the nations wilderness system.

It appears to me that logically the Congress must act on legislation to repeal sections 7 and 9 of Public Law 89-195 prior to serious consideration of any wilderness proposal. Once this is done fundamental good planning practices requires the initiation and completion of an overall comprehensive plan prior to establishment of any wilderness area.

To accomplish this the legislation which I will introduce later today requires the Secretary of Interior, notwithstanding any previous review or recommendations made under the provisions of the Wilderness Act to undertake in cooperation with other interested Federal, State, local and private agencies and interests a comprehensive study of the present and proposed uses of the national seashore and of the lands and waters adjacent or related to the seashore. Pending the completion of this study, the Congress would be precluded from designating all, or any part of the seashore as wilderness. Part of the study could concern the establishment of a wilderness area and it is possible that the final plan would recommend the designation of a specific wilderness site on the Island.

In my opinion this approach should have the support of the Administration as it does not permanently defer any consideration of wilderness status for a portion of the Island but merely postpones such a designation by the Congress until the completion of the comprehensive plan required under my legislation. This approach I believe would also have the support of many of the residents of Maryland and Virginia as well as other states who utilize the area for fishing and other recreational interests.

The need for a comprehensive study has also been recognized by individuals interested, as I am, in the preservation of Assateague Island. While we may differ on the designation of a specific wilderness site, we are in agreement that there is a need for a comprehensive study of the Island in the development of a master plan for the use and management of the seashore. This need is best expressed, I believe, in a letter which I received from an organization interested in the preservation of Assateague stating "I am delighted that you are pushing for a comprehensive study of how and what development should take place on the Island. . . ."

Mr. Chairman in summary the legislation which I am introducing today is similar to the bill before your subcommittee and the inclusion of the section calling for a comprehensive study is a logical extension of the provision which provides for the repeal of section 7 and 9 of the original Act. I would hope that Senators Mathias and Beall and the members of this subcommittee will be able to support this proposal which will assist in preserving the area as we know it today for the many individuals who wish to preserve the natural beauty which exists on the Island.

Senator JOHNSTON. We have a number of witnesses and a very limited amount of time, so please keep that in mind as the next witnesses testify.

Next, we will have Mr. Russell E. Dickenson, Deputy Director of the National Park Service.

**STATEMENT OF HON. RUSSELL E. DICKENSON, DEPUTY DIRECTOR,
NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR;
ACCOMPANIED BY TOM NORRIS, SUPERINTENDENT, ASSATEAGUE
NATIONAL SEASHORE; AND GERRY TAYS, PARK PLANNER,
WASHINGTON OFFICE, NATIONAL PARK SERVICE**

Mr. DICKENSON. It is a pleasure to appear before you today, Mr. Chairman, to testify in support of S. 82. We support the legislation, if amended as set forth in this Department's report to this committee.

The act of September 31, 1965, 79 Stat. 824, which provided for the establishment of Assateague Island National Seashore in the States of Maryland and Virginia was a farsighted measure on the part of the 89th Congress. Members of this committee may well remember that various parties to those deliberations voiced sincere concerns relative to certain provisions of that act. Environmentally, this Nation has come a long way since 1965.

The substitute bill which this Department offers for your consideration is designed to address among other things two key environmental issues. First, it incorporates section 1 of S. 82 by deleting the requirement to set aside areas within the seashore boundaries for the construction by private persons of suitable overnight and other public accommodations which would necessitate the construction of vastly enlarged sewage treatment facilities on the mainland in addition to those which already exist. Further, in 1965, the Congress recognized the potential hazard of constructing such accommodations as is evidenced in the provision contained in section 7 which relieves the Federal Government of any liability in connection with the possibly unsound nature of the ground upon which such accommodations might be constructed.

Recent events at Cape Hatteras National Seashore in North Carolina would seem to lend credence to this recognition. By deleting section 9(B) of the act, as does S. 82 and our proposed substitute, a second environmental disaster would be avoided.

The construction of a road to connect the two bridges to Assateague might well provide for a greater and easier flow of visitors between the two States and thereby increase tourism in the area. However, the shifting nature of the island would in time invite possibly disastrous consequences. Attempts to stabilize such a mobile resource as Assateague Island have in the past proven futile—Cape Hatteras being but one excellent example.

S. 82 contains a provision which would authorize the Secretary to hold hearings and make payments to the county of Worcester, Md., on claims for compensation or other losses incurred by the county arising out of or in connection with the repeal of section 7 concerning overnight and other public accommodations. We recommend in lieu of that provision that a comprehensive plan be undertaken for the lands and waters adjacent to the seashore which would examine, among other considerations, the feasibility of developing visitor services on the mainland.

In this way we believe that well planned development in Worcester County can take place which will offset the anticipated tax revenues which might have accrued from island accommodations. Even now, the National Park Service has contracted for planning assistance from a private firm which is studying among other things the transportation needs at the southern end of the seashore.

During fiscal 1976 that study will be expanded to include the Maryland portion of the seashore. The gathering of the resources basic inventory of the area is scheduled to begin in fiscal 1977. So we are already well into the comprehensive planning at this time. We ask now that firm development decisions be delayed until such time as we have the information necessary for us to make sound planning decisions.

Finally, our substitute bill contains a new section to authorize an increase in the authorization ceiling for land acquisition in the amount of \$1,350,000 in order to allow for the purchase of major in-holdings on the island. The recreational area development boom which has taken place immediately north of Assateague Island at Ocean City, Md., coupled with recent adverse court awards on the island, have had an impact on our ability to acquire property at Assateague under the current acquisition ceiling.

Mr. Chairman, this concludes my prepared statement. I would be pleased to respond to any questions you or other members of the committee may have.

Senator JOHNSTON. You have mentioned in-holdings. What are these in-holdings?

Mr. DICKENSON. At the north end of the island, there is Atlantic Ocean Estates and then there are the Pope's Island Gun Club and two outlying islands. Superintendent Norris here can give you any additional details you require.

Senator JOHNSTON. Is it essential to carry out the plan to acquire these inland holdings?

Mr. NORRIS. The one he mentions near Pope Island is already under option for purchase.

Senator JOHNSTON. You talk about recent adverse court awards. The amount has been too high?

Mr. DICKENSON. The land values have been escalating as they have been throughout the United States.

Senator JOHNSTON. Are there jury awards that have surprised you?
Mr. DICKENSON. Yes.

Senator JOHNSTON. This is a general comment, but in the national parks, we ought to consider going to a judge award instead of a jury award.

We worship the shrine of juries in this country and I do not know why. There is nothing magical about a jury's right to fix compensation.

In my State of Louisiana, we, in effect, had judge awards in personal injury cases. We do it on expropriation cases, and I think we get faster justice and better justice. The idea of letting people all living in the same area, serve on a jury to determine how much Uncle Sugar is going to pay you for land in that same area from your neighbors is just asinine.

I do not know why the Department should expect not to get tremendous awards. When you ask your friends and neighbors to determine how much they are going to pay you, I do not know why the Department should expect not to get them.

Because the same thing may happen to them. I think we ought to put that provision in this bill. I do not know how the committee feels about it, but that is not a right guaranteed under the seventh amendment, to have it fixed in jury awards, I do not believe.

Now, you heard Congressman Bauman's testimony. Is that the kind of comprehensive planning schedule that you would like to proceed with?

Mr. DICKENSON. Yes. We visualize that the type of planning that should occur here is what we call regional planning, which would involve various governments, subdivisions, States and counties, and other interested and affected Federal agencies, and private interests.

So, therefore, it has to be an entirely comprehensive type of planning, in order to deal with the future of Assateague. We visualize a study would probably take 2 to 3 years. The first step of this, as I mentioned here, is a collection of resources, of basic inventory.

We have only dealt with the island itself, in our own studies, and in order to do a proper comprehensive plan, you must broaden that area of concern, as to the available resources, facilities, and services.

Senator JOHNSTON. How many people use Assateague in a given period of time?

Mr. DICKENSON. Our 1974 visitation was 1.7 million per year at the national seashore. Visitation to the State park was approximately 200,000.

Senator JOHNSTON. Where do they come from, these visitors? Are they mainly from the Maryland, Virginia area, or from all over the country?

Mr. DICKENSON. We drew heavily from the metropolitan areas of Washington and Baltimore. Probably a 250- to 300-mile radius accounts for most of the visitation, although it is in the best sense a national type of visitation; but the largest proportion comes in from the metropolitan areas of Washington and Baltimore.

Senator JOHNSTON. Thank you very much, gentlemen.

The next witness is Mr. Wright of the Wilderness Society.

STATEMENT OF A. T. WRIGHT, STAFF CONSULTANT, WILDERNESS SOCIETY

Mr. WRIGHT. My name is A. T. Wright, staff consultant to the Wilderness Society of 1901 Pennsylvania Avenue, NW., Washington, D.C., 20006.

The society strongly supports S. 82 and urges a favorable report by the subcommittee with respect to the repeal of sections 7 and 9 of Public Law 89-195 which established Assateague Island National Seashore in 1965.

Sections 7 and 9, as now constituted, authorize the construction of a highway the length of the island and 600 acres of development.

These would prove disastrous to the fragile ecology of the island, including the wildlife refuge in Virginia. Moreover, the oceanic storms and hurricanes which sometimes vent their full fury on this island could make a shambles of such developments and seriously endanger people.

To proceed with such developments would be unworthy of the American public and the conservation ethic it has laboriously hammered out in recent years.

We have no doubt that the vast majority of Americans now well understand that they cannot destroy by mass automobile access what they mean to save by the legislative response of the Congress to their conservation and recreational needs.

The repeal of sections 7 and 9 of Public Law 89-145 would simply place Assateague Island national seashore in the same position on other units of the National Park System.

This means that the Secretary of the Interior would be free to undertake access and developmental studies and act accordingly without having to conform to a legislative mandate.

The developmental mandate contained in Public Law 89-145 was not based on studies of any kind, certainly none based on carrying capacity.

Further, we recommend that the deletion of section 2 of S. 82. In our opinion, this section would set a thoroughly undesirable precedent by giving legal respectability to the idea that a public body or private person may file claim against the Federal Government for loss of potential benefits which it envisions might accrue to it in consequence of certain plans which the Government may have had at one time.

This is the situation with respect to Worcester County. A well-meaning government had an idea that a highway and 600 acres of development on a narrow, fragile, storm prone island might be a good thing.

It turns out that it is not. Because of this, the county thinks it merits compensation. It does not. In any event it seems clear that the county will lose nothing by the elimination of island developments.

Mainland development will make available to the county a full rang of revenues from property taxes, sales taxes, and income taxes.

This favorable tax situation would not prevail with developments situated on Federal ownership. Thank you for the opportunity to make this statement.

Senator JOHNSTON. You heard Congressman Bauman as to the kind of study he wants. Do you agree with that?

— Mr. WRIGHT. I think that the Secretary has the necessary authority to undertake any studies he wants for Assateague National Seashore.

Senator JOHNSTON. In effect, he mandates legislatively that it be done within a certain time reference, that they hold up on any wilderness designations pending that study, and of a comprehensive inventory of all the resources and so forth.

Isn't that a good provision in this bill?

Mr. WRIGHT. I do not think that it need be in there, but I do agree on the need for studies.

Senator JOHNSTON. Senator Hansen mentioned to me and I agree with him, we agree with the conclusions you have here. Let me ask you this.

How can they have any development on that island under the new flood insurance bill, that prevents you from building below the 100-year flood level?

The whole thing must be under the 100-year flood level.

Mr. WRIGHT. I do not know if it is or not, Senator. I really do not have an informed opinion.

Senator JOHNSTON. Mr. Dickenson, do you know anything about that?

Mr. DICKENSON. The island overwashes periodically and is essentially at sea level. There is no way the island can meet any of the zoning requirements or the sewage disposal requirements, any of those types of ordinarily accepted rights.

Senator JOHNSTON. If we take away development rights, we are not really taking away a thing that has not already been taken away.

Mr. WRIGHT. This is correct, Senator, and the overwash of this kind is very important to maintain the stability of the island.

I think, as Mr. Dickenson pointed out, in Cape Hatteras the development of manmade accommodations and the loss of the capability of the ocean to overwash which has resulted in the disappearance of the beaches—if this is thwarted by acts of man.

Senator JOHNSTON. Thank you very much, Mr. Wright. We rarely agree with a witness.

Mr. WRIGHT. May I add one further brief comment in connection with Teton County, Wyo., and I would appreciate Senator Hansen correcting me if I appear to be wrong—it is further buttressed—the Senator's position is further buttressed by the fact that Teton County is largely federally owned.

Otherwise, a situation which you do not have here in Worcester County, Md., and I think that this has a bearing on the overall problem. The lands lost in Teton County were particularly acute because of the prevalence of Federal ownership in the county, a situation which does not pertain here.

Senator HANSEN. I just might observe, Mr. Wright, that although I am not familiar with the extent of Federal ownership in this particular Maryland county, it is certainly true in Teton County that there was very extensive Federal ownership.

I think that can best be understood by my observing that presently more than 97 percent of the total acreage of Teton County is in Federal ownership.

Of course, that much was not in Federal ownership prior to the extension of Grand Teton National Park, as you very accurately point

out, and the anticipated tax loss there was of real consequence to county government.

It was not just a trifling immaterial amount, but a very important amount. I am certain that that was persuasive, among other things, in inclining the Federal Government to recompense for some taxes.

Senator JOHNSTON. Mr. Wright, on this question of paying back the county, I think it is important, as a precedent, we are trying to stretch the park's budget as much as we can to acquire the needed areas.

What do you think the idea of having expropriation eminent domain exercised before a judge instead of a jury? Do you have any feeling about this?

Mr. WRIGHT. It sounds good to me, Senator. What you said previously in that regard makes considerable sense. I think that otherwise the Federal Government and the taxpayer are in deep trouble.

With respect to those determinations being made by juries of friends and neighbors.

Senator HANSEN. On that point, Mr. Chairman, I am not a lawyer, and I hope that you will fill in some of the gaps in my knowledge, but presently when the right of eminent domain is exercised, is it not a fact that the Park Service, or whatever unit of Federal Government might be making the acquisition, would call in appraisers and the award would be made upon the basis of a determination of appraisers?

Senator JOHNSTON. That is right, but the jury does not have to accept such appraisals.

Senator HANSEN. But, I ask, is it not a fact, in many cases, the landowner or property owner may be willing to accept the award of the appraisers and you are talking about the case of the person whose property is being expropriated could be appealed—

Senator JOHNSTON. No, they can settle—in effect—out of court, and by agreement, transfer title. We are talking about the trial in the first instance, whether the landowner has the right—in the first instance—to seek a trial by jury, or whether he is relegated to a trial before a judge.

For example, in the Federal Court of Claims Act, if a mail truck runs over you, the widow would have a right to sue—not before a jury, but before a judge.

And, I do not see why there should not be that right of trial by judge, in an expropriation case, when we are trying to stretch these park funds as far as we can.

Senator HANSEN. Your peers may have a built-in interest in having a higher price built in and have it fortified before a judge—is that what you are saying?

Senator JOHNSTON. Yes. In fixing awards, you have to be careful about juries everywhere. I read this morning where malpractice insurance runs as much as \$22,000 a doctor in some professions that cannot be based on any kind of rational award.

There has to be awards made by juries out of passion and, in effect, prejudice. I think that we get that sometimes. I am a former plaintiff's lawyer, by the way.

Senator HANSEN. Where the State government has been active in my county—as it has been in most areas of the United States—I think a great majority of these acquisitions of private property by governmental agencies and Federal agencies has resulted in no trial at all.

The award has been made and the highway department is engaged right at the moment in widening a right-of-way. They had appraisers go in, and my question basically is this: Isn't it oftentimes true that many awards which have been made within this general framework have been found to be acceptable by private property owners?

Senator JOHNSTON. Certainly. But, the reason for the comment came up with respect to Mr. Dickenson's testimony about the unfavorable court decisions which, in turn, were undoubtedly based on these big jury awards.

Thank you very much indeed, Mr. Wright.

Mr. Jarvis.

**STATEMENT OF T. DESTRY JARVIS, ADMINISTRATIVE ASSISTANT,
NATIONAL PARKS AND CONSERVATION ASSOCIATION**

Mr. JARVIS. Thank you, Mr. Chairman. Before I begin my own statement, this past weekend, I attended the annual meeting of the Conservation Council of Virginia, in Skyland in Shenandoah National Park.

We adopted a resolution very strongly in support of S. 82. I would like to offer that for the committee files. The Conservation Council of Virginia is a council of 40 State organizations, made up of a membership of 2,000 individual Virginians.

I would also like to offer for the record the lead article in the January 1975 magazine of the National Parks and Conservation Association and the cover is entitled, "Assateague—Jewel of the East Coast."

It is a fine article by Mrs. Judith Johnson, who I believe is the next witness.

Senator JOHNSON. We will add that to the record.

Mr. JARVIS. We appreciate the opportunity to testify on S. 82. We are in support of the provisions of S. 82 which would repeal sections 7 and 9.

We think the island, over the last 10 years, since its establishment as a national seashore, has attracted tourists because it is natural, because it is undeveloped.

Many of the people who go there now would not go if it was another Ocean City, Md., which was overdeveloped.

Senator JOHNSTON. How do they get there?

Mr. JARVIS. From Washington, take Route 50 across the Bay Bridge, as you would go to Ocean City.

Senator JOHNSTON. Is it an island?

Mr. JARVIS. There are two bridges, a bridge at the north, the Sandy Point Bridge, which goes to the Seashore Headquarters on the mainland.

On the island, passing through the Maryland State park, about 600 to 900 acres, and the central north section of the island, and then traveling further down the mainland to the southern Maryland Route 13, and then into Virginia, you cross over onto the island through the town of Chincoteague by another bridge, which goes onto the island at the refuge end of the island.

Senator JOHNSTON. Is that about 30 miles?

Mr. JARVIS. The island is 37 miles long.

Senator JOHNSTON. There is no road to traverse the length of it individually?

Mr. JARVIS. No. At one time, when the north end was privately owned, there was somewhat of a road. That served the individual lots that had been sold there for private development.

Most of that road was washed out in a hurricane in 1962. That devastated the properties on the island and was one of the first times that they realized that island could not support commercial developments or residential developments.

Senator JOHNSTON. How would you get down to the middle of the island, walk?

Mr. JARVIS. From the Maryland State park, there is a sand packed that travels 1 or 2 miles from the bridge abutment, as you come onto the island from there, either on foot or on the beach.

There is access permitted by four-wheel drive off-road vehicles on the beach. They can go as far at the Maryland-Virginia State line, where wildlife refuge starts, which is inaccessible or unauthorized entry for vehicles except management officials of the refuge section—the beach, the whole refuge section, is closed to private vehicles.

It is a wild beach, whereas the beach in the seashore is open for about 17 miles.

Senator JOHNSTON. You have 1.7 million people a year. How do they go in?

Mr. JARVIS. At the north end or the south end, they are able to cross the bridge onto the island. There are campgrounds at both ends of the island, on the island, as well as private campgrounds on the mainland, where they stay.

Many people walk along the beach up and down the island, although I believe the majority of the people on the island are concentrated very close to where the roads end, on the wildlife refuge—

Senator JOHNSTON. Is camping permitted up and down the island?

Mr. JARVIS. At the designated campsites, at both ends of the island, there is quite intensive camping. There are several hike-in back country campgrounds, where you have to actually walk to get to.

Senator JOHNSTON. You cannot just roll your sleeping bag out on the beach?

Mr. JARVIS. No. There are designated sites where they provide a chemical toilet. They do that for the protection of the individual, as well as the wildlife and for sanitary reasons.

Senator JOHNSTON. And, probably a lot of people come in by boat, as well.

Mr. JARVIS. Most of the boat access is by local residents. There are no local establishments that provide boat access to the island.

They do not permit that, except at the very north tip of the island—boats come over from Ocean City, but the northern tip of the island is quite natural and shifts quite a lot due to the inlet between Ocean City and the end of the island.

People come around and picnic at the north end of the island. That is the only way to get to that end of the island.

I would like to add with regard to section 2 of S. 82, which would provide compensation for Worcester County, we would strongly oppose this.

I believe we have a good reason for that, not only for the precedent, which you would set, which you have mentioned, but at the present time, there are no commercial developments on the island and if they

were put there as park concessions, these concessions would provide income tax and sales tax to the State and/or local area.

If they were eliminated, they would not provide that tax revenue to the county or State. They would not provide any property tax, because that is Federal property.

These developments have not been in there—they would be going in as park concessions. However, we think that if they are eliminated from the island, if there is no development, if section 7 is repealed, that these developments would occur under the normal free enterprise system of local entrepreneurs who would build motels, would build the type of tourist facilities needed on the mainland, and these facilities would provide taxes to the county.

Senator JOHNSTON. I do not know how you would build on that island under the New Flood Insurance Act.

Mr. JARVIS. Not on the island. These developments would occur on the mainland. At the present time, there is absolutely nothing at the north end of the mainland until you get up to Ocean City.

Maybe one campground, but there are no motels. You have to travel 12 or 15 miles back to Ocean City. These have not developed close to the island on the mainland, because there has always been this question, will they ever be built on the island, and if so, they would undoubtedly out-compete those on the mainland.

However, the island won't support them and if section 7 is repealed, there would be an incentive to put these closer to the island on the mainland.

And, motels and restaurants would pay sales and income tax, and that would be increased revenue, which they do not now have.

Senator JOHNSTON. Thank you very much, Mr. Jarvis. I can see we agree with you as well.

[The prepared statement and additional material of Mr. Jarvis follows:]

STATEMENT OF T. DESTRY JARVIS, ADMINISTRATIVE ASSISTANT, NATIONAL PARKS AND CONSERVATION ASSOCIATION

Mr. Chairman and other distinguished members, I am T. Destry Jarvis, Administrative Assistant, National Parks and Conservation Association, 1701 18th Street, NW., Washington, D.C. 20009. We appreciate the invitation to present our views on S. 82, to repeal Secs. 7 and 9 of the Act entitled "An Act to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia."

NPCA has for a number of years advocated the policy that Assateague should remain in as natural a condition as possible. As a barrier island resource, Assateague is virtually unique as the only large island remaining in a natural state between Fire Island and Cape Hatteras which has federal protection.

We are appearing here today in strong support of the provisions of S. 82 which would repeal Section 7, for the development of overnight accommodations on the island; and section 9, to authorize construction of a road on the island connecting the bridges at the north and south ends of Assateague.

At the time the Assateague National Seashore was established, these sections were included as the price for the bill. At that time many local citizens and officials felt both the road and the development were essential to their economic survival. Since that time, attitudes have changed: Assateague Island has attracted annually increasing tourism *because* it is natural and undeveloped. Local opinion has been running increasingly in favor of the thrust of S. 82 in recent years.

That the provisions for the road and commercial developments on Assateague have not been carried out, for whatever reason, be it lack of money, lack of commitment, intense opposition, or whatever, has been a blessing. Certainly, a

realization that there are several extensive wash-over areas along the length of Assateague which would at a minimum require excessive road maintenance has helped to dispel enthusiasm for the island-long road.

In December, 1968, the NPCA published, after extensive on-site investigation, a recreation plan for Assateague Island National Seashore. With regard to the road that study stated:

"There are substantial potential hazards in building the usual national recreation-area road, which has a hard surface and total width of 32 feet. Such a road would encourage people to tour the island and north-south through-drivers to seek a change from existing mainland routes. The road along with the proposed availability of 14,000 parking spaces on the island, most probably would result in considerable automobile congestion and would visually mar the natural aspect of the wild island. A road the length of this very narrow island would mean that no part would be remote from the automobile.

Moreover, a high concentration of automobiles would bring noise and air pollution to the area upsetting the peaceful and healthful environment which visitors today experience. The deer, ponies and the many varieties of birds would have their habitat jeopardized by the invasion of any well-traveled road."

Today, six and one half years later, the road, wisely, has not been built. With enactment of S. 82, it will never be built. Instead, the Park Service should be authorized to study the feasibility of developing a mass transit system to provide public access to Assateague from the mainland, utilizing only existing roads. "Park Road Standards" manual, published by the National Park Service states that "When the Service is faced with a choice of creating a severe road scar in order to bring visitors to a destination point, or requiring visitors to walk a considerable distance—or, considering an alternative transportation system—the decision should be against the road scar. It is quite possible that, at this point in history . . . new roads should be considered the last resort in seeking solutions to park access . . ."

NPCA concurs. A new road on Assateague would cause serious disruption of both the wildlife habitat and the beauty and tranquility experience by the human visitor, who leaves the crowded city not for more congestion, but for the relaxation which is and could continue to be offered on Assateague Island.

NPCA disagrees with the need for, and therefore opposes, Section 2 of S. 82. If there is assurance that no commercial development of overnight accommodations on Assateague will occur, as will be provided by the repeal of Section 7 of the Public Law 89-195 (the Assateague Island National Seashore Act), such facilities will surely be provided on the mainland in the north, and either in the Town of Chincoteague or on the mainland in the south. The Good old Free Enterprise system will undoubtedly move into high gear once the controversy over on-island or off-island facilities is laid to rest. Local entrepreneurs can be expected to seize the opportunity to provide needed motels, restaurants and other visitor facilities, as indeed they already have in the town of Chincoteague.

As to compensation to Worcester County, Maryland, for losses in connection with repeal of Section 7, NPCA believes that this would not only set a bad precedent for future similar situations in other parks, but also is totally unnecessary. While it is true that park concessions operating on Assateague would pay state and local sales tax and income tax, they would not, as we understand it, pay property tax to either state or local governments, since the facilities would be on federal property. If on-island concessions are eliminated by S. 82, and not supplanted by the development of equivalent accommodations outside the park, then Worcester County may indeed lose revenue. However, we are convinced that repeal of Section 7 will stimulate the early construction of visitor facilities by private enterprise on private lands adjacent to the Seashore. These private, off-island visitor accommodations would pay state and local sales, income, and property taxes—thus increasing total revenues accruing to Worcester County over what would be realized with concessions in the National Seashore. Doubtless these off-island developments have not come about in the nearly 10 years since the establishment of the seashore because of the likelihood of concession development on the island, admittedly a location which could out-compete mainland facilities if both were available to the public.

Again, Mr. Chairman, NPCA strongly urges the repeal of Sections 7 and 9 of Public Law 89-195, the act establishing the Assateague Island National Seashore. Assateague should remain as nearly as possible in its enchantingly beautiful, natural state for the benefit and enjoyment of this and future generations.

Thank you again for the invitation to present our views.

RESOLUTION OF THE CONSERVATION COUNCIL OF VIRGINIA ON ASSATEAGUE ISLAND
NATIONAL SEASHORE, MAY 10, 1975

WHEREAS, Assateague Island National Seashore, established by Act of Congress on September 21, 1965, as Public Law 89-195, lies partially in the Commonwealth of Virginia, and

WHEREAS, Assateague Island, a low, narrow, fragile barrier island, is virtually the only undeveloped barrier beach accessible to $\frac{1}{2}$ of the nation's population living within a 250-mile radius, and

WHEREAS, construction of a road along the length of Assateague and development of commercial visitor accommodations on the island would have a very adverse impact on both the stability of the island and its wildlife habitat, and

WHEREAS, S. 82, introduced by Senator Charles McC. Mathias, Jr., would repeal Section 7, to provide for the road along the island, and Section 9, to provide for 600 acres of development on the island, and

WHEREAS, the repeal of these Sections of Public Law 89-195 would help to assure that Assateague will be preserved in a natural state for this and future generations, and now therefore,

BE IT RESOLVED, that the Conservation Council of Virginia strongly supports the repeal of Sections 7 and 9 of the Act establishing Assateague Island National Seashore, as contemplated in S. 82.

Adopted unanimously, May 10, 1975.

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weathered american chestnut trunk
 jack jeffers photograph

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2 NPCA

4 Assateague: Jewel of the East Coast by Judith Colt Johnson

10 Of Moon Rockets and Mud Hens by Gary Soucie

13 At Last—A Brighter Outlook for Endangered Plants by Dale W. Jenkins

18 Young Thoreau's Tree by Tom Browne

19 Fusion—Power to the People by Joseph L. Cecchi

23 Closing the Door on the National Parks Staff Report

25 NPCA at Work

31 News Notes

33 Reader Comment

34 Conservation Docket

COVER Assateague in the fall, by Judith Colt Johnson

The wild beach of Assateague Island in Virginia is undisturbed by the tracks and noise of vehicles. A twelve-mile area of the wildest section of the island has been proposed for inclusion in the Wilderness Preservation System. (See page 4.)

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National Parks & Conservation Association, established in 1919 by Stephen Mather, the first Director of the National Park Service, is an independent, private, nonprofit, public service organization, educational and scientific in character. Its responsibilities relate primarily to protecting the national parks and monuments of America, in which it endeavors to cooperate with the National Park Service while functioning as a constructive critic, and to protecting and restoring the whole environment. Life memberships are \$750. Annual membership dues, including subscription to National Parks & Conservation Magazine, are \$150 sustaining, \$75 supporting, and \$12 associate. Student memberships are \$8. Single copies are \$150. Contributions and bequests are needed to carry on our work. Dues in excess of \$12 and contributions are deductible from federal taxable income, and gifts and bequests are deductible for federal gift and estate tax purposes. Mail membership dues, correspondence concerning subscriptions or changes of address, and postmaster notices or undeliverable copies to Association headquarters in Washington. When changing address, allow six weeks' advance notice and send address label from latest issue along with new address. Advertising rates are available on request from headquarters in Washington.

ASSATEAGUE *Jewel of the East Coast*

Ever beset by crises, Assateague Island needs citizens' eternal vigilance to ensure its protection

article & photographs by JUDITH COLT JOHNSON

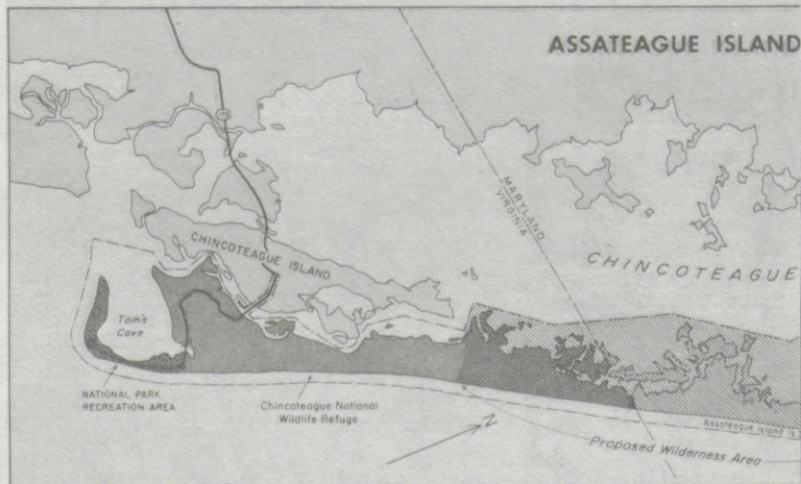


ASSATEAGUE ISLAND is considered by an ever-increasing number of people to be the Crown Jewel of the East Coast. Lying astride the Maryland and Virginia coastlines, Assateague is a low, fragile barrier island thirty-seven miles long and varying from one-half to three and one-half miles wide. Although a few dunes rise as high as forty feet, the average altitude is a mere three to five feet above mean sea level. By act of Congress in 1965 Assateague be-

came the sixth national seashore, and its popularity has been increasing ever since. In visitor usage, Assateague Island National Seashore is second only to Cape Cod National Seashore, with 1,704,788 visitors in 1974. Bridges at either end of the island join the mainland, but no road connects the ends of the island, which makes Assateague the only undeveloped barrier beach accessible within a few hours' drive to the 35 million people living within a 250-mile ra-

dius—about one-fifth of the nation's population.

The national seashore boundary includes not only Assateague Island but the waters within several hundred yards of the island and more than fifty other islands of varying sizes in the bordering bay—19,096 acres of land and 20,534 acres of water, totaling 39,630 acres. The area is operated under combined management because the boundary encompasses three separate administrative units. The





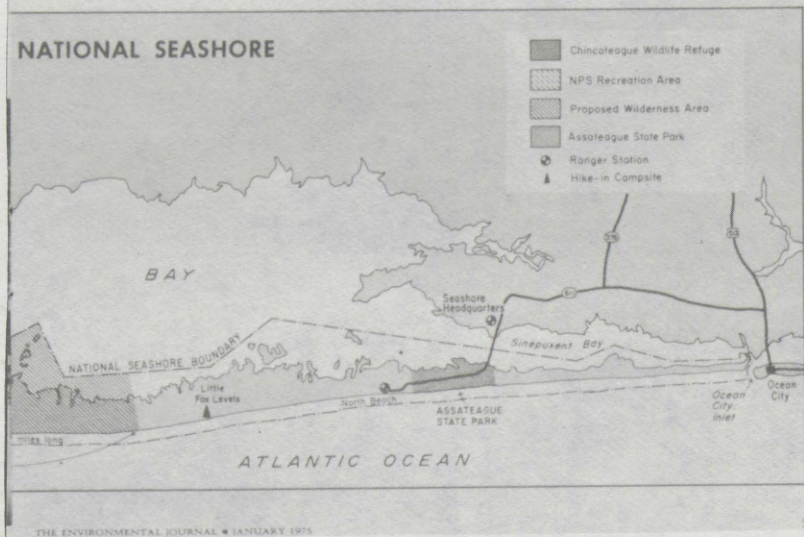
central and northern sections of the island in Maryland are managed as a national seashore by the National Park Service, except for 688-acre Assateague State Park, which the state of Maryland administers. The Fish and Wildlife Service, U.S. Department of the Interior, manages the Chincoteague National Wildlife Refuge in Virginia except for a five-mile stretch at the southern tip of the island called Tom's Cove Hook, which the National Park Service

maintains as a recreation area in conjunction with the national seashore.

ONE MUST SEE Assateague Island from the air to fully appreciate its topography. There one gains the full perspective of wide beaches and intermittent dunes behind which is a low trough zone that is frequently patterned with washover fans and sometimes with pools of water. American beach grass is the predominant

growth on the dunes. There are occasional secondary dunes or small dunal mounds. Where higher ground occurs, bayberry and beach plum thrive, the latter a mass of fragrant blooms in May. Wildflowers bloom throughout the growing months, and beach goldenrod may still be in full bloom as late as the first of December.

A primitive, unspoiled charm characterizes the entire island, whether it be the relative calm of the landward marsh and bay, the





Snow geese

brackish ponds one discovers with surprise, the sand flats, the woods, or the restless ocean. The forces of nature are constantly changing the contour and atmosphere of the beach and dunes. Winter storms can be bleak and cold, the seas wild and grey, the wind penetrating the warmest clothing. At other times, from the dead of winter to mid-summer, the weather can be mild, with soft breezes, dabbling waves, the sea quiet and peaceful.

THE NORTH END of the island is particularly fascinating, for it is wild, with ever-changing sand dunes and washover areas, marsh grasses, pools, nesting terns and skimmers, as well as shore birds. A family of foxes even had a den in the dunes in 1973.

At one time Assateague was joined to the land mass extending from Ocean City, Maryland, to Fenwick Island, Delaware. In 1933 a storm with high winds and heavy seas came from the south, causing the water in the bays between the barrier island and the mainland to rise higher and higher. Finally, the pressure became so great that with a mighty thrust the water forced its way out of the bay, creating the Ocean City Inlet that now separates Assateague from Ocean City.

Directly across the northern



Great blue heron



Black-crowned night heron



Willet



Raccoon



Short-billed dowitchers



Snowy egret



Pony



Originally established as a winter haven for snow geese, Chincoteague wildlife refuge now provides habitat for a great diversity and number of birds and other wild creatures.

bridge to the island is Assateague State Park. This park extends for two miles south and consists of protected beach, bathhouses, water, food services, a parking area, 350 campsites, and a group campground.

North Beach, the only area on the island in Maryland that has been developed by the National Park Service, adjoins the state park to the south. Here lifeguard protection for swimmers is provided as well as sanitary facilities and a campground. Two hike-in campsites are located three and fourteen miles south, but no water is available there. South of the swimming area, mobile surf fishing and four-wheel drive over-sand vehicles are permitted as far south as the Virginia line. Recognizing the damage caused by over-sand vehicles, the Park Service has imposed more stringent restrictions on use, but damage is still likely to occur.

SOUTH OF North Beach the land in Maryland is desolate and bleak, but it has a haunting beauty that is broken only by car tracks and electric poles that must remain so long as twelve previous owners maintain occupancy rights. These rights will be in effect until 1998.

Marshes, little islands, and

channels of water mark the bayside except where the ground is higher and woody shrubs and loblolly pines provide contrast to salt meadows and marsh grasses. In the pine woods you may see or hear one of many varieties of warblers or an owl. If you look down instead of up in spring, you may even find a carpet of pink lady's slippers.

Pounding surf and the plaintive cry of a bird may be the only sounds you hear on the beach on the central part of the island. Terns and skimmers nest at the northern and southern tips but are seen all over the island. As they dart past, it is a challenge to determine which species has swept by—least, Forster's, common, roseate, black, gull-billed, royal, Caspian, all can be seen on Assateague at one time or another. As you walk along the marshes on the bayside, a sudden glimpse of wings that disappear almost as quickly as they come to view may be that unexpected rarity—a parasitic jaeger.

Merlin are listed as rare, but many people have seen them in the fall, and, if you are lucky, you might even glimpse a peregrine falcon. This threatened species is not often seen in the spring, but on its autumn migration from the Arctic en route to South and Central America, Assateague is an important resting and feeding stop.

TO FULLY ENJOY shore birds, one must tramp the wild beach from the parking area at the island's southern end in Virginia north through Chincoteague National Wildlife Refuge. Here is true wilderness beach undisturbed by vehicles; absent are tire tracks scarring the pale sand. Whimbrels—with their long curved beaks—colorful ruddy turnstones, knots, dunlin, sanderlings, and various sandpipers abound. The wild beach in Virginia contrasts sharply to that in Maryland, where the number of vehicles and deep ruts from tires discourage both birds and hikers.

Management of land for the Chincoteague National Wildlife Refuge and the building of fresh-

water impoundments for waterfowl have altered much of the natural terrain at the Virginia end of Assateague, but in such a way as to soften it and give it great appeal because of the fascinating variety of waterfowl that flock to the various pools. Here lies the highest ground on Assateague, and probably the oldest portion of the island. Here are extensive pine and oak forests as well as salt meadows. Freshwater ponds and salt marshes provide abundant food for waterfowl. During migration periods in autumn and early spring the Chincoteague refuge is a paradise both for waterfowl and for those who love birdlife. The refuge was first developed in 1943 to provide a wintering ground for the then dwindling numbers of greater snow geese, which have made a remarkable comeback, with some 16,000 or more now wintering there each year.

The refuge's bird list records approximately 260 species, but the list for the entire island would include more than 300 species. As many as eighteen rare or threatened breeding birds of Maryland depend on Assateague and the little islands in the bay for their nesting habitat.

Several of the island's many varieties of plants find their northern limits at the Virginia end, whereas others reach their southern range in the Maryland portion of the island. Sundews and mosses are among the island's unusual flora.

Thirteen species of reptiles and amphibians have been recorded, including the threatened loggerhead and other sea turtles. Some years ago, Boy Scouts released some Japanese Sika deer (miniature elk) on the island, and now the herd contains four hundred head. Whitetailed deer also live on the island, as well as fox, raccoon, rabbit, muskrat, otter, the endangered Delmarva fox squirrel—which has been introduced—and the famed Chincoteague ponies. About 40 ponies are in the Maryland herd, and 150 roam the wildlife refuge in Virginia.

Professional watermen as well as visitors enjoy clamming in Tom's Cove (below left) and the Atlantic Ocean off Assateague Island provides good surf fishing for bluefish (below).



The National Park Service operates a five-mile-long day-use recreation area at the southern tip of Assateague Island. This area offers a snack bar, bathhouse, beaches protected by lifeguards, surf fishing, and a campground for youth groups. During the summer both the Park Service and the wildlife refuge offer interpretive nature walks and lectures, and the wildlife refuge offers also an open bus ride into the refuge and a boat ride into the bay.

Clamming in the shallow bay waters is enjoyed by visitors and by commercial watermen, who also harvest oysters, crabs, and scallops. Black drum, whiting, bluefish, rockfish, and channel bass are among the favorites caught by surf fishermen, white flounder, perch, rockfish, and weakfish are caught in the bay.

AS PEACEFUL as Assateague seems, it has often been beset by crises. Storms and high tides destroyed the plans of developers in Maryland, but local politicians seem never to cease dreaming of gathering rich tax revenues from development. Due to their pressure, when the original Assateague Island National Seashore Act was passed by Congress in 1965, two clauses were included calling for development of overnight accommodations at North Beach and at

the recreation area in the wildlife refuge, and a public road down the length of the island connecting the bridge at the Maryland end with the Chincoteague-Assateague Bridge in Virginia. The Master Plan called for two 100-room motels, parking for 14,000 cars, fishing piers, innumerable bathhouses, carryout food stores, campgrounds, and other development on the island. Citizen groups and conservation organizations have been working for years to have this law amended, and finally park management specialists have realized the folly of intensive development on barrier islands.

Nowadays we know more about the nature of barrier islands than we did in 1965. After thirty years of attempting to stabilize the Outer Banks at Cape Hatteras National Seashore, the National Park Service has adopted a philosophy of adapting to nature that precludes construction of facilities and roadways that parallel the shoreline. Studies by Paul Godfrey and Robert Dolan have shown that barrier islands are transient, constantly shifting and changing, that man cannot ultimately resist the relentless forces of nature, that natural changes are essential to the geologic and ecologic health of our coastal systems, and that construction of roads and facilities on such islands accelerates certain

changes that imperil these structures themselves. [See Robert Dolan and Bruce Hayden, *National Parks & Conservation Magazine*, June 1974.] Like Cape Hatteras, Assateague is constantly shifting its shape, the sea cuts away the land in one place and builds it up elsewhere. The northern end of the island has migrated westward, consuming marshland and bay islands in its course. The hook at the southernmost tip of the island has formed only within the past 125 years. Various inlets across the island have filled in, and others have been cut through from time to time. The impracticality of building a road down the length of such an island is now widely recognized.

An outcry by conservationists in 1972 convinced the U.S. Army Corps of Engineers that it would ruin Assateague's pristine quality if its proposed coastal engineering research pier and laboratory were built on the island. The Corps abandoned this location and chose another site in North Carolina that already had intrusions of development.

Now the Army Corps of Engineers wants to build a new and bigger intracoastal waterway between the barrier islands and the mainland to shorten the north-south route for pleasure boats by circumventing Chesapeake Bay and the Chesapeake and Delaware



Canal. This intracoastal waterway would run from Cape Charles, Virginia, to Delaware Bay and could have devastating effects on aquatic vegetation, shell and fin fish, and waterfowl habitat. In addition to this threat, the possibility of drilling for oil on the mid-Atlantic outer continental shelf brings the potential threat of pipelines, oil refineries, and barge traffic on the intracoastal waterway between the mainland and the barrier islands. In fact, Chincoteague Bay has even been mentioned in a report by the Council on Environmental Quality as a possible site for a refinery.

CONSERVATIONISTS have long urged that plans for the road down the length of Assateague and for overnight accommodations and other facilities on the island be abandoned. Maryland and Virginia congressional leaders have introduced bills that would delete the clauses in the original act that called for such development.

In addition, a twelve-mile area in the center of the island has been proposed for inclusion in the Wilderness Preservation System. Scientists value Assateague as a laboratory for research into the barrier island system, the various types of life in the marsh and bay, migratory birds, and the geology, plants, and animals of the island and their interaction. This area is being con-

sidered for wilderness designation because it encompasses different types of land, from overwash areas and marsh to shrub thickets and pine forest. This area would include the lower seven miles in Maryland and the northern five miles in Virginia, excluding the Old Fields Impoundment. To be meaningful, the wilderness area should cover the island from ocean to bay in order to preserve the entire ecosystem.

Inasmuch as Chincoteague and Sinepuxent bays together are one of the most productive nursery grounds for fish along the east coast, there are moves to have the ocean and bays off Assateague Island declared a marine sanctuary under the Marine Research Protection and Sanctuaries Act of 1972, and an estuarine sanctuary under the Coastal Zone Management Act of 1972. These measures would provide added protection against the proposals that threaten the area.

The mobile fishermen have organized to thwart the wilderness proposal. They want no more protective regulations, and they even oppose marine sanctuary designation for the waters surrounding Assateague. They feel they should be given preference above all other users, that nothing should deprive them from driving the beach for the southern fifteen miles in

Maryland, and that they should have a right of way behind the dunes. This would leave no place for people in the North Beach area to enjoy a peaceful walk along the ocean where they can escape from cars and car tracks. Fishing is one of the great sports to be enjoyed on Assateague, but ORV vehicles should not be given preferential treatment over other users.

IN AN AGE when more and more people in urban areas feel an urgent need to get away from crowds, cars, noise, and bad air, Assateague Island National Seashore offers asylum. At the same time it provides refuge to myriad forms of wildlife and productive breeding grounds for the world's oceans. Yet the rich heritage of Assateague cannot be taken for granted. It is clear that constant vigilance must be the watchword to ensure that Assateague in all its natural glory will be here for our children's children and future generations.

Judy Johnson, Chairman of the Committee to Preserve Assateague, is one of Maryland's leading conservationists and winner of several conservation awards, including one of the 1974 American Motors Conservation Awards for her crusade to protect Assateague Island.



The northern end of Assateague Island is being eroded away on the ocean side and silted in on the bay side, so that it is "migrating" westward. In the course of this migration tiny islands that once stood in mid-bay have become enveloped (far left), and evidences of bayside marshland and remnants of old bayside docks can be found along the ocean at low tide. Washover fans (center and below) occur all along the island, and several times a year at very high tides the entire width of the island is awash at a couple of places. Studies have shown that ecological health of barrier islands depends on these natural changes and that building permanent structures on them is foolish.



Senator JOHNSTON. Mrs. Johnson.

STATEMENT OF JUDITH JOHNSON, CHAIRMAN, COMMITTEE TO PRESERVE ASSATEAGUE

Mrs. JOHNSON. Thank you, Mr. Chairman and members of the committee. I come from Towson, Md., and I am chairman of the committee to protect Assateague.

Our committee is made up of people from all over the State, including Worcester County in Maryland and Acomack County in Virginia, so we feel that we are very representative.

One of our first tasks when we were formed in 1970—our first task was to instigate an investigation by the State of Maryland into the plans for its 680-acre park.

Acting on a resolution by president of the State senate, William S. James, Governor Marvin Mandel appointed a joint executive-legislative committee to study the whole situation on Assateague, State and Federal.

Hearings were held in Annapolis and Ocean City, and I should like to quote part of our testimony at that time. The Governor's executive-legislative committee agreed that the State campgrounds should not be expanded beyond the present 350 and that the other development plans should be abandoned.

It recognized the need for the island to be treated as one unit with a joint management plan between the State and the Department of the Interior.

It recommended amendments to the Federal law to remove the stipulations for a road and development, and, further, that public transportation should be provided during peak visitation periods as is now being done in Yosemite.

The Maryland Legislature overwhelmingly voted in support of the recommendations and specified that the State should work actively to have the Seashore Act amended.

The soundness of having development off the island is demonstrated at the Virginia end where Chincoteague has derived great economic benefit from the popularity of the national seashore and the wildlife refuge and through the building of overnight accommodations there, and on the mainland.

Considerable development is also taking place in Worcester County. Assateague is so low that when the seas and winds are high, water rises to the surface from the underground water table in many areas.

Likewise, there are many sections where, during periods of high tides, the water washes across the island, which is nature's way of protecting the mainland from flooding.

It is an historic fact that man's attempts at building communities on the island in the past have vanished from the scene due to the severe storms which periodically strike Assateague.

Senator JOHNSTON. I think under the new flood insurance bill, it would prohibit that. Under the new flood insurance law, you cannot build below the 100-year flood level, and I would guess that 100-year flood level would be up at least 10 feet above the island, and the island is 1 to 3 feet, above the tide.

Mrs. JOHNSON. There is a letter sent by Jim Coleter, the Secretary of the Department of Natural Resources, to Senator Beall in which he went into the business of possibly providing compensation to Worcester County, and in this he said, it seems to us there would be no tax losses that could be ascribed to the complete deletion of section 7.

In the first place, rather than a loss, there will be a tax gain, if private development is prohibited during the boundaries of the national seashore thereby encouraging private investments in the mainland.

In the second place, as section 7 is now drafted, it is doubtful the State will allow taxes to be collected on parkland, to which the Federal Government retains title.

So, I think there would be no justification for the county to be reimbursed.

Senator JOHNSTON. Mrs. Johnson, do you agree with the thought that was advanced by Congressman Bauman, that we ought to have this study?

Mrs. JOHNSON. Absolutely. He wrote me and I said that I did not think anybody would argue with that, whatsoever. Before anything is done, we need a comprehensive management plan. We also need an environmental impact statement to see what the island can stand. We are in favor of having as many people on the island who can safely be on there, but there may have to be some limitations because of the fragility of the area and we need public transportation.

There is a limit to the number of cars that can go on.

Senator JOHNSTON. I would think with 1.4 million going on last year, and as word gets out on this beautiful island, I would expect that to increase dramatically.

We better have some kind of ecological study and some kind of management plan as to how to deal with it. We want to congratulate you, Mrs. Johnson, on the leadership you have given on this issue.

I know you began the movement when you did not have so many people supporting you and I think you are to be commended. Senator Hansen.

Senator HANSEN. I have no question. Thank you for your presentation today and for your leadership and in doing what has been accomplished so far in seeing that this very unique place is preserved.

Senator JOHNSTON. Senator Stone.

Senator STONE. Mrs. Johnson, do you and your associates have a figure in mind as to the maximum number of visitors at a time that the island can tolerate?

Mrs. JOHNSON. It has 1.7 million and that is not taxing it at the present time, but a comprehensive study would point it out better. You cannot have roads going from the Big Fox level south.

That is continually washed over area. You cannot have a road down there that is going to last for any length of time.

Senator STONE. I would suggest to you that your group and all conservation groups would do well to have your own input and that the input spend a lot of time and concentrate on the maximum number of visitors at any one time and the types of visitors that the environment can tolerate.

In the place where I grew up in south Florida, we have a wonderful park called Bradon Park out in Key Biscayne and having figured

out how many people it could take at any one time, it was announced that the park would be closed after that number of people showed up.

And, that—for a few days—after that number showed up, the park was closed and it was announced on the radio and it was almost miraculous that thereafter that many people showed up and they never had to turn anyone away again.

The point I am making is, people are very responsive to a limited access situation. They can be alerted to it and they will respond to it.

As a result of getting a reasonable maximum number that does not tax the environment for the next day's use, you can make a great contribution to the environment, but have to figure out what the environment of a seashore will take. This park I refer to is in many ways similar to Assateague.

But, unless the private organizations make that point, then you are going to leave it up to professional planners and that is not good enough, I would think.

Mrs. JOHNSON. That is a very good point. Thank you for suggesting. Senator JOHNSTON. Thank you.

[The prepared statement of Mrs. Johnson follows:]

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Committee to Preserve Assateague Island

TESTIMONY BEFORE THE SUB-COMMITTEE ON PARKS AND RECREATION OF THE
SENATE INTERIOR COMMITTEE -- May 12, 1975
Re: ASSATEAGUE ISLAND NATIONAL SEASHORE

Mr. Chairman, members of the Committee, my name is Judith Johnson, I live in Towson, Maryland, and I am Chairman of the Committee to Preserve Assateague. By request, we have approximately 1,300 people on our mailing list, but when you take into consideration the number of Maryland, Virginia and other state organizations, as well as national conservation organizations, who count themselves as members of our organization or as backing it, our supporters would run far into the millions. We have members from practically every state in the union.

When the Assateague Island National Seashore Act, P.L. 89-195, was enacted in 1965, many people despaired and considered the cause lost; others did not realize at first what was called for and thought it was saved because it became a national seashore. We are a successor to the original Committee for the Preservation of Assateague Island, with some of the original members and many new members. We were organized in 1970 because the people in Maryland became aware with horror of what was involved with the Master Plan for the Seashore, and because of the development taking place and planned for the Maryland State Park on the Island. Our first task was to instigate an investigation by the State of Maryland into the plans for its 680-acre Park. Acting on a resolution by President of the State Senate, William S. James, Governor Marvin Mandel appointed a joint Executive-Legislative Committee to study the whole situation on Assateague, state and federal. Hearings were held in Annapolis and Ocean City, and I should like to quote part of our testimony at that time:

"So that hunting, fishing, camping, beach-combing and the natural wonders of Assateague Island may be enjoyed by

not just our generation but those of the future, the Committee to Preserve Assateague makes the following points:

"Further on-island development and unlimited auto access can only mean one thing, island degradation. We recommend development be limited to present 'improvements,' that no cars be allowed on the island during the peak season and that a public jitney service be established.

"We want camping, hunting, fishing and nature lore, too, but we want our grandchildren to have them too."

Scientists agree that Assateague is a particularly fragile barrier reef island. At the Maryland hearings, Dr. L. Eugene Cronin, who did the "Assateague Ecological Studies", very bluntly stated that if development were continued he predicted that the Island would not survive 50 years. The Governor's Executive-Legislative Committee agreed that the state campgrounds should not be expanded beyond the present 350 and that the other development plans should be abandoned. It recognized the need for the Island to be treated as one unit with a joint management plan between the state and the Department of the Interior. It recommended amendments to the federal law to remove the stipulations for a road and development, and, further, that public transportation should be provided during peak visitation periods as is now being done in Yosemite. The Maryland Legislature overwhelmingly voted in support of the recommendations and specified that the state should work actively to have the Seashore Act amended.

The soundness of having development off the Island is demonstrated at the Virginia end where Chincoteague has derived great economic benefit from the popularity of the National Seashore and the Wildlife Refuge and through the building of overnight accommoda-

tions there, and on the mainland. Considerable development is also taking place in Worcester County.

Assateague is so low that when the seas and winds are high, water rises to the surface from the underground water table in many areas. Likewise, there are many sections where, during periods of high tides, the water washes across the island, which is nature's way of protecting the mainland from flooding. It is an historic fact that man's attempts at building communities on the Island in the past have vanished from the scene due to the severe storms which periodically strike Assateague. (See appendices.) It is unlikely that the development called for in the present law could withstand wind and wave action any better than that attempted in the past. The expense of filling low areas and building and maintaining dunes would not only be a severe burden on taxpayers but such work would destroy the character of the Island. This is not what the people in Maryland or the rest of the U. S. want!

Nature is an invincible force; man cannot work against it and win, but he can work with it. Assateague, in its unspoiled, natural state is a fascinating, hauntingly beautiful area at all seasons of the year. We feel we owe it to future generations to preserve this one, remaining, undeveloped, accessible barrier beach island as it is. Millions of people can easily reach and enjoy its beaches, topography, flora and fauna. However, if present day greed demands roads, parking lots and development, which prevent natural replenishment of sand throughout the Island, it will not be here for our children's children, nor will it provide a haven for waterfowl and a nursery ground for fish.

Having S. 82 considered by your committee and about to become a reality makes this a momentous day. The valiant group who worked for passage of the original Assateague Island National Seashore Act in 1965 had to agree to compromises which they knew were not in the best interests of the Island. This group included former Secretary of the Interior Stewart Udall and Rogers C. B. Morton. It is significant that Representative Thomas N. Downing, who insisted upon the road in the original act, has introduced amendments in the House to have the road and development deleted.

We are most grateful to Senator Beall and Senator Mathias for introducing S. 82 and we give it our most hearty endorsement and hope for its quick enactment.

We would also like to make several suggestions of points which could be included in the amendments which have the endorsement of our Committee and the Governor's Executive-Legislative Committee:

While many types of recreation are compatible with the delicate ecology of a barrier island, certain restraints and limitations are needed. We have found that the management of the Seashore, during the years that we have been in close touch with all activities and planning, have quite frequently had the attitude that "after all this is a recreation area, not a national park, so you can't think about the natural environment or aesthetics; recreational use has to come ahead of everything else." We believe the emphasis should be placed differently.

1. The initial sentence of the Assateague Act, P.L. 89-195, reads: "That for the purpose of protecting and developing Assateague Island in the States of Maryland and Virginia and certain adjacent waters and small marsh islands for public outdoor recreation

use and enjoyment, the Assateague Island National Seashore....shall be established...."

We would prefer that the wording be similar to P.L. 87-657 and read: "That in order to save and preserve, for purposes of public recreation, benefit and inspiration, a portion of the diminishing seashore of the United States that remains undeveloped, the Assateague Island National Seashore shall be established."

2. Section 6 (a) states "the Secretary shall administer the Assateague Island National Seashore for general purposes of public outdoor recreation, including conservation of natural features contributing to public enjoyment."

We would prefer that this read, "the Secretary shall administer the Assateague Island National Seashore as a natural area for public enjoyment, including such recreation as is compatible with protection of its natural features and resources."

Senator Mathias' and Senator Beall's amendments, S. 82, delete sections 7 and 9 from the law and these are the most important changes. While Section 7 should be omitted, our committee has stated that limited primitive camping is suitable for the Island. The group campgrounds at the Virginia and Maryland ends offer an important experience for the young people using them. Public camping facilities at the North Beach area should remain simple and be as unobtrusive and uncrowded as possible. We think showers and such sophisticated amenities are unnecessary in a campground in a national park, and we are in favor of charging a fee for camping. The majority of camping should be on the mainland, developed by private enterprise.

Section 9, calling for the Secretary of the Interior to construct and maintain a road between the Maryland and Virginia bridges, should not only be omitted but it would be best if the law prohibited a public road the length of the island. Plans should be made for a satisfactory public transportation system, one for the Virginia end and another for the Maryland section of the Island. It should be quiet and done in a way that will not damage the fragile ecology or unduly disturb the wildlife or be visually distracting.

For the protection of wildlife, nesting and migrating birds and so that the natural features of the Island can be fully appreciated, we recommend no development from the big Fox Levels to the upper end of the present dike road of the Chincoteague National Wildlife Refuge.

Assateague is the last remaining, ~~accessible~~, large East Coast barrier island which is accessible to the millions of people in the large cities stretching from Washington to New York, 1/5th of the nation's population. People in these urban settings need and crave a place like Assateague where they can get away from noise, vehicles and development and can enjoy clean air and nature in all its glory.

The fish nursery grounds in Chincoteague and Sinepuxent Bays are among the most productive in the world, and they need protection for they are important for commercial and recreational uses. We consider Assateague, the Bays and the surrounding marshes as one ecosystem, and the whole coastal area needs protection against overdevelopment and the wrong type of development. People enjoy Assateague for what it is and presents in its natural state; they do not want it marred by man-made intrusions.

ASSATEAGUE ISLAND -- MAN VERSUS NATURE

Exhibit 1



Damage after the famous 1962 storm



1972 - One of the few remaining portions of a developer's former boulevard



1973 - Barrier islands are dynamic, ever shifting. Beaches narrow where dunes are rigid and eventually nature knocks them down.

EXHIBIT 2

ASSATEAGUE ISLAND

Aerial Views, January 1974



Big Fox Levels - pools of water
and wash-over fans



Wash-over fans and former inlets
which have opened and closed through-
out history



March Storm
1974

High tides
brought ocean
waters washing
over Assateague
to Chincoteague
Bay at various
locations



ASSATEAGUE ISLAND -- Northern Tip

Bay-side marsh a few years back; -- now edge of ocean
Westward recession of Island



Left - evidence of recent marsh on west side of island by bay, now by ocean's edge

Right - a spade full of sand by water's edge at low tide uncovers old marsh turned into peat



Intermittent dunes which change from storm to storm

Ghost crabs

ASSATEAGUE ISLANDMaryland

Big Fox Levels in May

Dunlin flying



Mid-island in Fall:

Fingers of water come
across from
Chincoteague Bay

Ideal spot for mosquito breeding in summer, migrating birds at various
seasons and duck hunters in late fall.

Chincoteague National Wildlife Refuge, Virginia

Louisiana Heron

Dowitchers in brackish
pond

ASSATEAGUE ISLAND -- Man with Nature
The Beach in Virginia

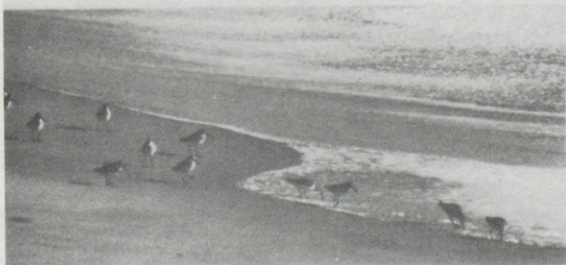
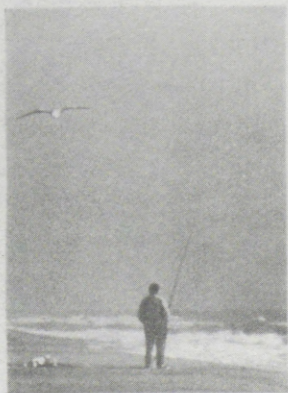


Left

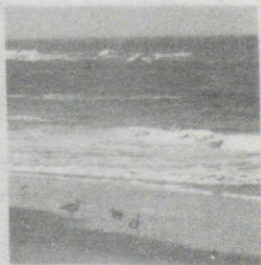
Horse Shoe Crab
 Ghost Crab holes

Right

A lonely Her-
 ring Gull and
 a Fisherman



Dunlin



Hudsonian Curlews
 (Whimbrels) and Ruddy
 Turnstone



ASSATEAGUE ISLAND

1. Ocean City Inlet: Created by 1933 hurricane, and maintained permanently since then by stone jetties built by U. S. Army Corps of Engineers.
2. Inlet Shallows: 3/4 mile south of Ocean City Inlet. These shallows are regularly exposed to high water inundation and have stood at mean tide or below mean since the 1962 storm.
3. Sandy Point Inlet: In 1920 and 1962 three inlets were cut through Assateague at this site. The 1920 inlet was navigable by light-draught boats for 3-4 years and persisted for 9 years. The 1962 inlets lasted briefly, one for only weeks, and the other for some months.
4. North Beach Inlet: Navigable in the Revolutionary period and in existence in 1841 and 1870. At one time it was a commercially used body of water.
5. Sinepuxent Inlet: Most frequently created and recreated inlet and of the greatest use to the local economy. It existed in 1757, 1794, 1795, 1813, 1819, 1830, 1832 and may have been open continuously from 1794-1832.
6. Fox Hill and Winter Quarter Inlets: Four inlets existed here in the late 1800's. Fox Hill Point is a flat beach over which waters have run repeatedly during storms, probably for centuries.
7. Slough Inlet: Appeared on maps in 1766. Located near the lower end of Fox Hill Levels, its course to Chincoteague Bay still exists, a very shallow body, probably indicating a short-lived inlet.
8. Green Run Inlet: Assateague may have existed as two islands, separated Green Run Inlet, possibly 2,700 year ago to the closing of the Inlet in 1900. The water course leading to the Inlet has remained navigable for light draught vessels as far as the one-time dock. Evidence of the Inlet is still visible, with a water-filled crack extending more than half way across the Island from the bay-side, and a wash-over area from the ocean-side.
9. Pope Island Inlet: This Inlet was recorded in the late 19th century and was shown in surveys in the 1850's and 1870's. There is some confusion in the old records between Green Run and Pope Island Inlets.

This list in no way covers all the cut-throughs or areas that are frequently washed over during storms - either by ocean waters washing over from the east or Bay waters flushing out to the ocean during periods of high waters. According to Thomas A. Norris, Superintendent of Assateague Island National Seashore, in many areas daily wash-overs are common.

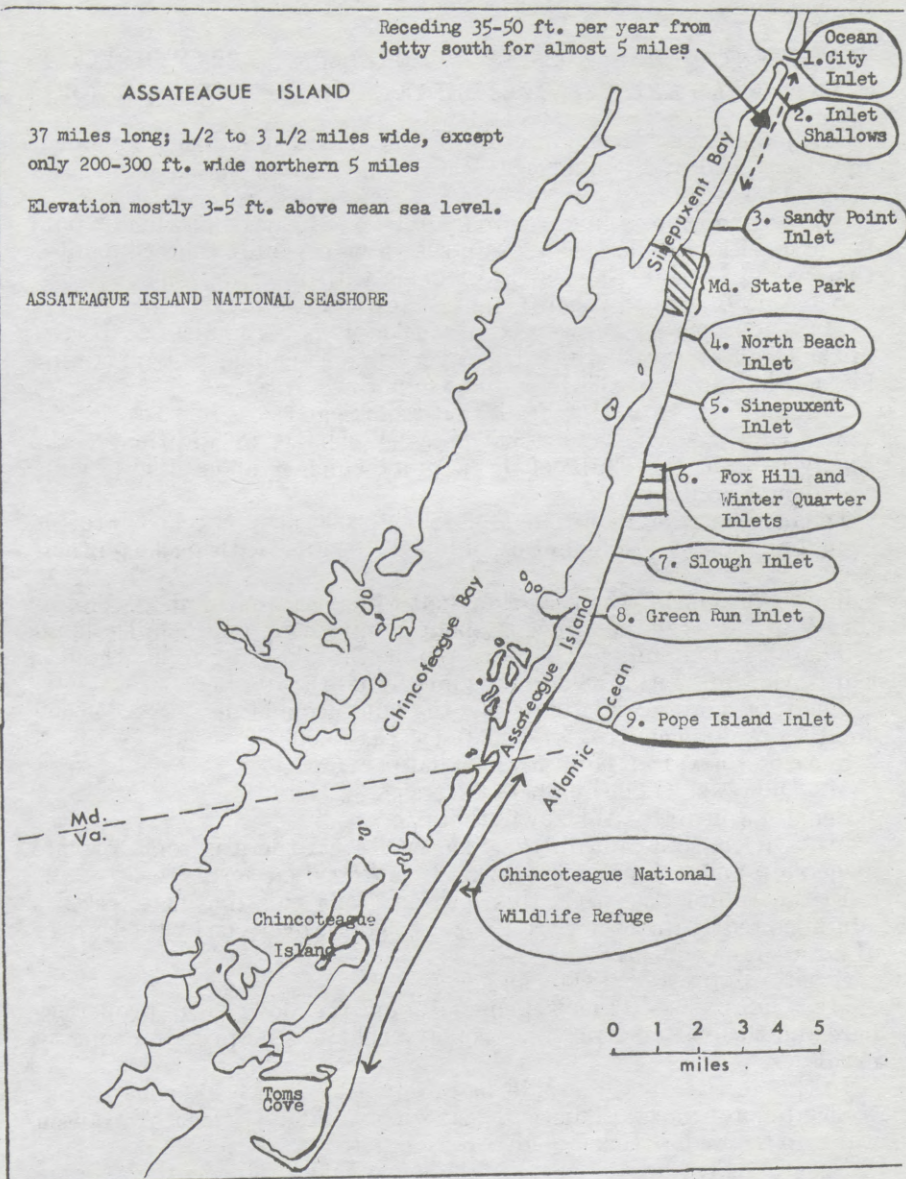
(Most of above information and map taken from "High Winds, High Tides," by Reginald V. Truitt, University of Maryland press.)

ASSATEAGUE ISLAND

37 miles long; 1/2 to 3 1/2 miles wide, except only 200-300 ft. wide northern 5 miles

Elevation mostly 3-5 ft. above mean sea level.

ASSATEAGUE ISLAND NATIONAL SEASHORE



Senator JOHNSTON. I want to recall Russ Dickenson, who will tell us some more about Klondike.

**STATEMENT OF HON. RUSSELL E. DICKENSON, DEPUTY DIRECTOR,
NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR**

Mr. DICKENSON. In the interest of time, I will submit my statement for the record and summarize. We strongly favor the enactment of S. 98.

The basic proposal involves four units, one in Seattle, which would be in the Pioneer Square area and is to be a visitor contact point—that would be right in Seattle. It deals with interpretation.

Senator JOHNSTON. Where is that Skagway?

Mr. DICKENSON. Skagway is in Alaska. This is the historic district in the Skagway area, which has a very fine assemblage of remaining historic buildings of the Klondike Gold Rush area.

Senator JOHNSTON. How far is that from Seattle?

Mr. DICKENSON. About 1,600 miles. We have, in addition to the Skagway unit, the Chilkoot Trail unit, which is about 1 mile wide and about 17 miles long.

During the winter of 1897 and 1898, 22,000 men, checked into the Canadian side by the mounties, climbed this area with packs on their backs.

The requirement was that they had to have a ton of food. This is the White Pass here, which is about 1 mile wide and 5 miles long.

There are four units—the Seattle unit, the Skagway unit, which is a historic unit within Skagway and the two trails here.

The total trail acquisition cost—the land acquisition—is \$2,655,000 and the development cost is estimated at \$5,885,000.

Senator JOHNSTON. How much is that per acre?

Mr. DICKENSON. The number of acres is 13,271 and 2.6.

Senator JOHNSTON. Who owns that property?

Mr. DICKENSON. Within the Skagway area, there is some private ownership and some city property. It is \$2,000 an acre.

In the White Pass area, this portion along this line here, east, is administered by the U.S. Forest Service. This is overseen by the Bureau of Land Management.

Senator JOHNSTON. \$2,000 an acre?

Mr. DICKENSON. This is primarily for the downtown properties here and the scattered private property. There is no private property in this.

In the Seattle area, it would be purely a lease of 3,400 square feet.

Senator JOHNSTON. This will make it available if Senator Hansen wants to put on his pack and go through there?

Senator HANSEN. It will not take me as many trips as the average man, Mr. Chairman. That land is not too high priced. It is rumored that there is gold up there, you know.

Senator JOHNSTON. You are also on the schedule to talk about the Guadalupe Mountains—if you would like to do that?

And, as a general proposition, would you like to see that provision with respect to trials before a judge and not before a jury put into this legislation.

Mr. DICKENSON. I was just discussing it with Mr. Stewart, our Chief of Land Acquisition. He informs me that each landowner has the privilege of opting for a judge or jury trial.

Senator JOHNSTON. I am talking about a change in the law.

Mr. DICKENSON. I understand that. I would hesitate to give you an answer. We would like to look into that.

Senator JOHNSTON. Your Chief of Acquisition is here?

Mr. DICKENSON. Yes, he is. Mr. Phil Stewart.

Senator JOHNSTON. I wish you would respond to that, Mr. Stewart.

Mr. STEWART. In the Court of Claims you would be before a judge. In the U.S. District Court, you would be subject to the rules of procedure under which the landowner can, of course, request a jury trial.

Senator JOHNSTON. Unless we change the law.

Mr. STEWART. There is something to be said on both sides. At Assateague, for instance, actually our jury trials turned out better than the trials before the judge, and the reason they did was that the jury was taken out on one of those days when the island was overflowing and got stuck six times during their visit.

So, they got a rather objective view of what the problem was there and the validity of the landowners' claims. Actually, I more or less agree with what you are saying in principle, but Assateague happened to be a bad example of it.

Senator JOHNSTON. It may have been proper. They should have gotten more. That would be an indication to me that a jury is not an efficient way of determining land values.

Mr. STEWART. That is true and they are subject to these variables. In many instances, the court will not permit them to make an actual view of the land.

If they had not viewed the land and were sitting high and dry in the courtroom, they would have come up with a much higher value.

Senator JOHNSTON. There is always evidence of comparable land sales and all those sort of things which call for pretty artful considerations and leave no place for emotion as jurors sometimes do.

Don't you have problems with these emotional awards?

Mr. STEWART. Definitely. You never know where you are going to be. It also varies with the opinion of individual judges.

Senator JOHNSTON. You are always going to get that, but we have so few Federal dollars to spend on parks to acquire lands.

And, for my part—and I think the committee as well—wants to stretch those dollars as far as we can while we have time to acquire these areas.

If we spend it all on inflated jury awards, we do not have the money to acquire the land.

Mr. STEWART. I think the point, Senator, that Senator Hansen was making, should be stressed a little bit. Actually, the Park Service only goes to court on about 5 percent of the overall cases, for contesting value.

Senator JOHNSTON. You would not have to go to court just because you had a judge trial, either.

Mr. STEWART. The point is, most of the landowners and Park Service agree voluntarily and never see the courtroom. It is only on those we go to court on where you have the problem of jury awards and the many variables that come into play.

Senator JOHNSTON. But, the value you put on it is determined also by jury awards, is it not?

Mr. STEWART. It is determined by appraisal. If we can agree with the landowner on a voluntary basis, we do not have to go to court.

The appraisals are based on the sale of property in the general area.

Senator JOHNSTON. What did you mean about court awards?

Mr. STEWART. We had some court awards at Assateague. Basically, they were far over our estimate, but your question was, what were the last group of awards?

And, the last trials were the jury awards, and that is when the jury got stuck on the island.

Senator JOHNSTON. Are you telling me you have no problem with jury awards?

Mr. STEWART. I cannot categorically say that we do not have a problem with jury awards. One day we will have a terrible result and the next day, a jury award will be quite favorable to the Government.

You cannot estimate.

Senator STONE. What is the spread in your experience between judge awards, one to the other—is the spread less or what?

Mr. STEWART. The judge awards are more consistent, ranging on our figures of 40 to 45 percent over the Government's estimates.

The jury award will vary to more or less than 400 or 500 percent over the Government estimate, but the average will be about the same.

Senator STONE. The point is, when there is a wide fluctuation, somebody is getting jobbed and it is probably the property owner.

Mr. STEWART. It is the Government, most of the time.

Senator STONE. If you are correct, and if it is the Government getting short-changed most of the time, that is not fair, either.

There are two equal parties to this and what we are looking for is fairness and consistency. If you get the most fairness and the most consistency in a judge type of award, that is obviously a better way to go than if you have widely fluctuating or greatly fluctuating inconsistencies in jury awards.

Particularly in terms of planning your future expenditure dollars.

Mr. STEWART. I think that the Department of Justice might object to legislation which would, in effect, take away the privilege of a jury award, if the landowner insisted on it.

Senator JOHNSTON. Why would they object?

Mr. STEWART. History or precedent.

Senator JOHNSTON. Court of Claims is not in the district court.

Mr. STEWART. That is true, but condemnation is something that has been looked upon for years as entailing the right to request the jury hearing if the landowner so requests. The Government seldom insists on a jury trial unless they feel a view by jury would be beneficial to the Government's case.

Senator JOHNSTON. You say judges usually fix an award about 40 to 50 percent?

Mr. STEWART. That is right. Their range is not as great.

Senator JOHNSTON. Your appraisers are fairly conservative?

Mr. STEWART. I do not think so.

Senator JOHNSTON. The judges are liberal?

Mr. STEWART. I just think the judges are liberal.

Senator JOHNSTON. How about the speed you are able to get decisions in jury cases?

Mr. STEWART. In scheduling the cases for trial whether before a judge or a jury, there is very little difference in the time element.

When you go before a judge, only, he is inclined to consider something over the Government's estimate for purposes of covering attorney's fees, whereas jurors do not look upon that in that respect.

Senator HANSEN. You are saying then—I think if I understand what you are implying that a judge would include in his award enough to recompense the plaintiff for expenses of his lawyer and a jury would likely not contemplate that.

Mr. STEWART. Yes.

Senator HANSEN. This would come down on the side of leaving it in the hands of a jury or at least to the discretion of the person whose property was taken?

Mr. STEWART. Yes.

Senator JOHNSTON. Go ahead, Mr. Dickenson.

Mr. DICKENSON. We will submit our statement for the record and summarize the basic proposal. On my right is Don Daton, who is superintendent of Carlsbad Caverns, who also coordinates the Guadalupe Mountains National Park.

We strongly favor the enactment of S. 313, which is concerned with the Guadalupe Mountains National Park. This is El Paso Carlsbad Caverns and Guadalupe.

The legislation would provide for exchange of right-of-way into the McKittrick Canyon area and in essence, this is the situation.

In 1966, when legislation was enacted to establish this park, it provided for a right-of-way from the main highway going into McKittrick Canyon, which crosses this private land through this area.

After the legislation was enacted and it was discovered it was a flawed route and that it would take a very expensive bridge to construct this particular route.

The landowner here, Mrs. Pratt, has been very interested in restricting the amount of public travel which would come into this particular area because of the fragile nature of McKittrick Canyon.

It is a remnant oasis with many rare plants, very rare for the southwestern part of the United States. If you get too many people back into that area, it will do irreparable damage.

What we are proposing to do here is exchange the old unusable right-of-way for the existing right-of-way with the concurrence of Mrs. Pratt. There would be no additional funds, per se, involved in this, and it will enable in the years ahead a much less expensive access into McKittrick Canyon.

Senator JOHNSTON. Where is this? Is this down by the Guadalupe River?

Mr. DICKENSON. No. Guadalupe Mountains National Park—the high feature is El Capitan. If you come from Carlsbad Caverns, you pass right underneath El Capitan, which is extremely scenic high country.

Senator JOHNSTON. Do you have anything further to add?

Mr. DICKENSON. No, that is all.

Senator JOHNSTON. Do you have anything, Senator Hansen?

Senator HANSEN. I have no questions.

[The Department of the Interior's statements on S. 98 and S. 313 follow:]

STATEMENT BY THE DEPARTMENT OF THE INTERIOR BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS AND RECREATION, SENATE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, ON S. 98, TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO ESTABLISH THE KLONDIKE GOLD RUSH NATIONAL HISTORICAL PARK IN THE STATES OF ALASKA AND WASHINGTON, AND FOR OTHER PURPOSES."

MAY 1975

MR. CHAIRMAN, IT IS A PLEASURE TO APPEAR BEFORE YOU TODAY TO TESTIFY IN FAVOR OF S. 98. WE RECOMMEND THE ENACTMENT OF THE LEGISLATION, AMENDED AS SET FORTH IN THE DEPARTMENT'S REPORT TO YOUR COMMITTEE.

THE PROPOSED KLONDIKE GOLD RUSH NATIONAL HISTORICAL PARK IS BASED ON A JOINT PLANNING EFFORT BETWEEN THE GOVERNMENTS OF THE UNITED STATES, ALASKA AND THE CITY OF SKAGWAY FOR THE PRESERVATION, INTERPRETATION AND BENEFICIAL USE OF THE AREA'S HISTORIC STRUCTURES AND TRAILS. IN ADDITION, THE MASTER PLAN IS DESIGNED TO INCLUDE CANADIAN PARTICIPATION, SO AS TO ACHIEVE A TRULY INTERNATIONAL HISTORICAL PARK. THE STRENGTH OF THE CONCEPT LIES IN ITS ENLISTMENT OF CITIZEN PARTICIPATION AND THE RELATIVELY SMALL AMOUNT OF LAND UNDER DIRECT NATIONAL PARK SERVICE CONTROL.

THE PROPOSAL FOR THE KLONDIKE GOLD RUSH NATIONAL HISTORICAL PARK IN THE UNITED STATES CONSISTS OF FOUR DETACHED UNITS THAT CAPTURE THE ESSENCE OF THOSE REMAINING HISTORIC FEATURES FOR THE PUBLIC'S STUDY AND ENJOYMENT. THE KLONDIKE GOLD RUSH WAS ONE OF THE MOST

PHOTOGRAPHED EVENTS AFTER THE INVENTION OF THE CAMERA, AND THESE HISTORIC PHOTOGRAPHIC RECORDS, ALONG WITH EXISTING STRUCTURES, LANDS AND ARTIFACTS, PRESENT AN UNPARALLELED POTENTIAL FOR INTERPRETATION.

THE SEATTLE UNIT CONSISTS OF 3,400 SQUARE FEET OF LEASED SPACE IN THE PIONEER SQUARE DISTRICT FOR ADMINISTRATIVE AND INTERPRETIVE PURPOSES. A PROGRAM INTERPRETING SEATTLE'S ROLE IN THE KLONDIKE GOLD RUSH WILL BE PROVIDED. DURING THE GOLD RUSH, STRUCTURES SUCH AS THE PIONEER BUILDING WERE THE PRESTIGIOUS ADDRESSES OF MANY SHIPPING, MINING AND OUTFITTING COMPANIES THAT SERVED THOSE GOING NORTH. THE CITY OF SEATTLE HAS ZONED THE 15 SQUARE BLOCK AREA AS AN HISTORIC DISTRICT, WHICH IS LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES.

THE SKAGWAY UNIT CONSISTS OF 55 BUILDINGS LOCATED WITHIN THE BROADWAY HISTORIC DISTRICT OF SKAGWAY, ALASKA. NATIONAL PARK SERVICE INVOLVEMENT WOULD REQUIRE THE PURCHASE OF UP TO 3.602 ACRES IN THE CITY AND THE RESTORATION OF A SIGNIFICANT NUMBER OF THESE HISTORIC STRUCTURES THAT ARE NOW VACANT OR USED FOR STORAGE. THE PLAN FOR ACQUISITION, RESTORATION AND USE WILL REMAIN FLEXIBLE, WITH LEASE-BACK OR SELL-BACK ARRANGEMENTS BEING MADE WITH LOCAL CITIZENS WHEREVER FEASIBLE AND PRACTICAL.

INCLUDED IN THE 55 BUILDINGS OF THE SKAGWAY UNIT ARE THE HISTORIC RAILROAD DEPOT, CONSISTING OF TWO BUILDINGS, AND THREE INDIVIDUAL HISTORIC BUILDINGS BEING HELD BY THE NATIONAL PARK FOUNDATION. THE HISTORIC RAILROAD DEPOT WAS DONATED TO THE NATIONAL PARK FOUNDATION BY THE WHITE PASS AND YUKON RAILROAD. THE DEPOT WILL BE TURNED OVER TO THE NATIONAL PARK SERVICE UPON ESTABLISHMENT OF THE HISTORIC PARK. THE THREE ADDITIONAL BUILDINGS WERE PURCHASED BY THE NATIONAL PARK FOUNDATION AND WILL ALSO BE TRANSFERRED TO THE NATIONAL PARK SERVICE.

THE CHILKOOT UNIT CONSISTS OF A CORRIDOR PARK AND OUTDOOR MUSEUM APPROXIMATELY 1 MILE WIDE AND 17 MILES LONG, OR APPROXIMATELY 9,907.430 ACRES. THIS UNIT GIVES PROTECTION TO THE DYEA TOWNSITE, WHARF, CEMETERY, THE ENTIRE UNITED STATES PORTION OF THE CHILKOOT TRAIL AND THE REMNANT STRUCTURES AND ARTIFACTS FOUND ALONG THIS FAMOUS TRAIL. THE CHILKOOT TRAIL WAS THE MOST DIFFICULT PART OF THE JOURNEY TO THE KLONDIKE, AND THE SYMBOL OF THE STEADY STREAM OF MINERS CLIMBING THE FINAL ASCENT OF THE CHILKOOT PASS IS THE MOST VIVID REMINDER OF THE STRUGGLE AND DETERMINATION OF THESE MEN. IN THE WINTER OF 1897-98, THE CANADIAN MOUNTIES CHECKED 22,000 MEN ACROSS THE SNOW-LAYERED PASS.

THE WHITE PASS UNIT CONSISTS OF A CORRIDOR PARK OF APPROXIMATELY 1 MILE IN WIDTH AND 5 MILES IN LENGTH (3,360 ACRES), LOCATED PARALLEL TO AND EAST OF THE CHILKOOT TRAIL. LIKE THE CHILKOOT, THE WHITE PASS

UNIT WILL PROTECT AND PRESERVE THE ENVIRONMENT AND ARTIFACTS OF THE WHITE PASS TRAIL, A PORTION OF THE BRACKET ROAD AND WHITE PASS CITY. THE WHITE PASS TRAIL WAS CONSIDERED EASIER THAN THE CHILKOOT AS A ROUTE TO THE KLONDIKE, BUT THE GOING HERE WAS ALSO BRUTAL NOT ONLY FOR MEN BUT ESPECIALLY FOR STOCK. IN THEIR QUEST FOR GOLD, THE MINERS WORKED OVER 3,000 ANIMALS TO THEIR DEATHS IN JUST ONE SEASON ON THE TREACHEROUS TALUS SLOPES OF DEAD HORSE GULCH.

DEVELOPMENT COSTS FOR THE PROPOSED NATIONAL HISTORICAL PARK ARE EXPECTED TO RUN APPROXIMATELY \$5,885,000, THE MAJOR PORTION OF WHICH WILL BE SPENT IN SKAGWAY FOR THE PURCHASE AND RESTORATION OF HISTORIC BUILDINGS FOR INTERPRETIVE PURPOSES AND THE CONSTRUCTION OF PARKING FACILITIES. OPERATIONAL COSTS ARE EXPECTED TO AVERAGE APPROXIMATELY \$780,000 PER YEAR. ACQUISITION ESTIMATES FOR THE TOTAL OF 13,271.032 ACRES AND THE BUILDINGS ARE EXPECTED TO RUN ABOUT \$2,655,000.

THAT CONCLUDES MY PREPARED STATEMENT, MR. CHAIRMAN. I WOULD BE PLEASED TO ANSWER ANY QUESTIONS YOU OR MEMBERS OF THE COMMITTEE MAY HAVE.

THANK YOU.

STATEMENT OF WITNESS FOR THE DEPARTMENT OF THE INTERIOR BEFORE THE SUBCOMMITTEE ON PARKS AND RECREATION, SENATE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, ON S. 313, "TO AUTHORIZE AN EXCHANGE OF LANDS FOR AN ENTRANCE ROAD AT GUADALUPE MOUNTAINS NATIONAL PARK, TEXAS, AND FOR OTHER PURPOSES."

MAY 1975

MR. CHAIRMAN, IT IS A PLEASURE TO APPEAR BEFORE YOU TODAY TO TESTIFY IN FAVOR OF S. 313. WE RECOMMEND THE ENACTMENT OF THE LEGISLATION.

S. 313 WOULD PROVIDE FOR THE ACQUISITION OF A PRIVATE RIGHT-OF-WAY OUTSIDE THE BOUNDARY OF GUADALUPE MOUNTAINS NATIONAL PARK FOR THE PURPOSE OF CONSTRUCTING AN ACCESS ROAD TO THE MCKITTRICK CANYON SECTION OF THE PARK. THE 1966 LAW WHICH ESTABLISHED THE PARK DOES NOT PERMIT A REVISION OF THE BOUNDARY FOR ACQUISITION OF SUCH RIGHT-OF-WAY.

MCKITTRICK CANYON IS ONE OF THE MOST SPECTACULAR FEATURES OF THE GUADALUPE MOUNTAINS. THE CANYON AND A 5 MILE RIGHT-OF-WAY TO THE CANYON WERE DONATED TO THE GOVERNMENT BY MR. WALLACE PRATT IN 1958. SINCE THAT TIME, ENGINEERING SURVEYS HAVE DETERMINED THAT THE 500 FOOT WIDE DONATED STRIP OF LAND IS NOT A FEASIBLE ROUTE TO CONSTRUCT AN ALL WEATHER PUBLIC USE ROAD. RUGGED TERRAIN AND A WIDE WASH SUBJECT TO FLASH FLOODING WOULD HAVE TO BE CROSSED OVER THE DONATED RIGHT-OF-WAY.

AT THE PRESENT TIME PUBLIC AND ADMINISTRATIVE VEHICLE TRAVEL IS UTILIZING A PRIVATE 5-MILE ROAD TO GAIN ACCESS TO THE CANYON. MRS. FLETCHER PRATT, THE LANDOWNER, HAS AGREED TO THE PUBLIC USE OF THE ROAD

AND HAS PLACED RESTRICTIONS ON THE NUMBER OF VEHICLES PERMITTED TO USE THE ROAD. IN THE PAST, THIS HAS CONSISTED OF 4 CARS PER DAY ON WEEKDAYS AND 10 CARS PER DAY ON WEEKENDS. THUS, THE PRESENT TEMPORARY ARRANGEMENT IS NOT SATISFACTORY TO THE LANDOWNER BECAUSE OF THE PUBLIC USE OF THE ROAD, TO THE NATIONAL PARK SERVICE SINCE WE CANNOT IMPROVE THE ROAD, OR TO THE PARK VISITOR, WHO IS LIMITED IN HIS ACCESS TO THE CANYON AREA OF THE PARK.

MRS. PRATT OWNS A MORE SUITABLE TRACT OF LAND BETWEEN MCKITTRICK CANYON AND U.S. HIGHWAY 62-180. SHE HAS AGREED TO ACCEPT THE STRIP OF PARK LAND IN EXCHANGE FOR A NEW CORRIDOR GENERALLY ALONG THE ALIGNMENT OF THE PRESENT RANCH ROAD TO MCKITTRICK CANYON WHICH WE ARE NOW USING UNDER PERMIT FROM HER. THIS WOULD PROVIDE A FEASIBLE ROUTE FOR AN ALL-WEATHER VISITOR USE ROAD AND WOULD ELIMINATE THE NEED FOR TWO PARALLEL ROADS TO THE SAME DESTINATION. SUCH A LAND EXCHANGE WOULD ENVISION PROVIDING THE LANDOWNER WITH FULL RIGHT OF EGRESS TO HER PROPERTY VIA THE NATIONAL PARK SERVICE ROAD AND PROVISION FOR CATTLE CROSSINGS UNDER THE ROAD CORRIDOR WHICH WOULD NECESSARILY SPLIT THE RANCH. THE LANDOWNER HAS SIGNED AN EXCHANGE AGREEMENT SUBJECT TO ENACTMENT OF LEGISLATION AUTHORIZING SUCH AN EXCHANGE.

THIS LEGISLATION WOULD RESULT IN ONLY MINIMAL COSTS TO THE GOVERNMENT. THE TWO TRACTS ARE APPROXIMATELY EQUAL IN VALUE, AND THE ONLY COSTS FOR THE EXCHANGE WOULD BE \$3,750 FOR ADMINISTRATIVE, TECHNICAL AND INCIDENTAL EXPENSES. THE PROPOSAL WILL NOT AFFECT STAFFING NEEDS OF THE PARK.

MR. CHAIRMAN, I WOULD BE PLEASED TO ANSWER ANY QUESTIONS YOU OR MEMBERS OF THE COMMITTEE MAY HAVE.

THANK YOU.

Senator JOHNSTON. Our final witness will be Robertson Collins, board of trustees of the National Trust for Historic Preservation.

STATEMENT OF ROBERTSON E. COLLINS, MEMBER OF THE BOARD OF TRUSTEES OF THE NATIONAL TRUST FOR HISTORIC PRESERVATION

Mr. COLLINS. I have entered my statement. I will not try to amplify it other than a few personal remarks. I am a member of the board of trustees of the National Trust for Historic Preservation.

I am a businessman in Oregon. I have been involved in the preservation of gold rush down in Oregon, and I have been to Alaska on several occasions, visited Skagway, and I am very familiar with the area.

I have been to Seattle. The National Trust is enthusiastic and supports this proposal. I am very excited about it. I have been taken with the town of Skagway.

I have visited there many times. We have worked with the National Parks Foundation, the National Parks people, the city council, the planning commission and citizens of Skagway.

We found considerable support. It is a unique preservation opportunity and as a preservation organization, we are happy to support it fully.

I will not amplify my remarks any further, but I do have a statement for you.

Senator JOHNSTON. Your statement will be entered in the record, and we certainly appreciate your testimony, and we appreciate the interest of the National Trust.

Senator STONE. I love that work. It is the best work we do.

Senator JOHNSTON. We are trying to get more money for the historic preservation. We are trying to get a bill passed this year.

Mr. COLLINS. Thank you.

[The prepared statement of Mr. Collins follows:]

STATEMENT OF ROBERTSON E. COLLINS, MEMBER OF THE BOARD OF TRUSTEES OF THE NATIONAL TRUST FOR HISTORIC PRESERVATION

Mr. Chairman and Members of the Subcommittee, I appreciate the opportunity to appear before you in behalf of the National Trust and testify in full support of S. 98. We recommend that the measure be enacted.

The proposal to establish the Klondike Gold Rush National Historical Park is a result of the cooperative planning efforts of the Federal Government, the State of Alaska and the city of Skagway to provide for the preservation for public use and enjoyment of the historic structures and trails encompassed in the areas of the proposed park. The provisions of the bill providing for cooperation with the Government of Canada looking toward the inclusion of adjacent areas so that the park will be international in character is an important aspect of the plan.

The four separate sections which would comprise the proposed Klondike Gold Rush National Historical Park in the United States encompass the remaining historic resources in the stretch of land from Seattle to Skagway, through Dawson and on beyond into the Yukon Territory of Canada. The resources which still remain can and should be preserved for the benefit of future generations and their preservation would be assured through enactment of the bill now pending before you.

The many available photographs of the Klondike Gold Rush, the lands, artifacts, and remaining structures provide an unprecedented opportunity to make this historic gold rush area exceptionally meaningful to the people.

The proposed Seattle section would be in the 15 square block area in Seattle zoned as an historic district, listed on the National Register of historic places, including structures of commercial enterprises which outfitted, equipped and transported the prospectors and others going north.

The proposed Skagway section of the park would include some buildings within the Broadway historic district and would involve National Park Service purchase of 3 or 4 more acres and restoration of a number of the buildings, many of which are now vacant. Participation in this restoration by local citizens for contemporary use of the restored structures under purchase or lease arrangements is anticipated.

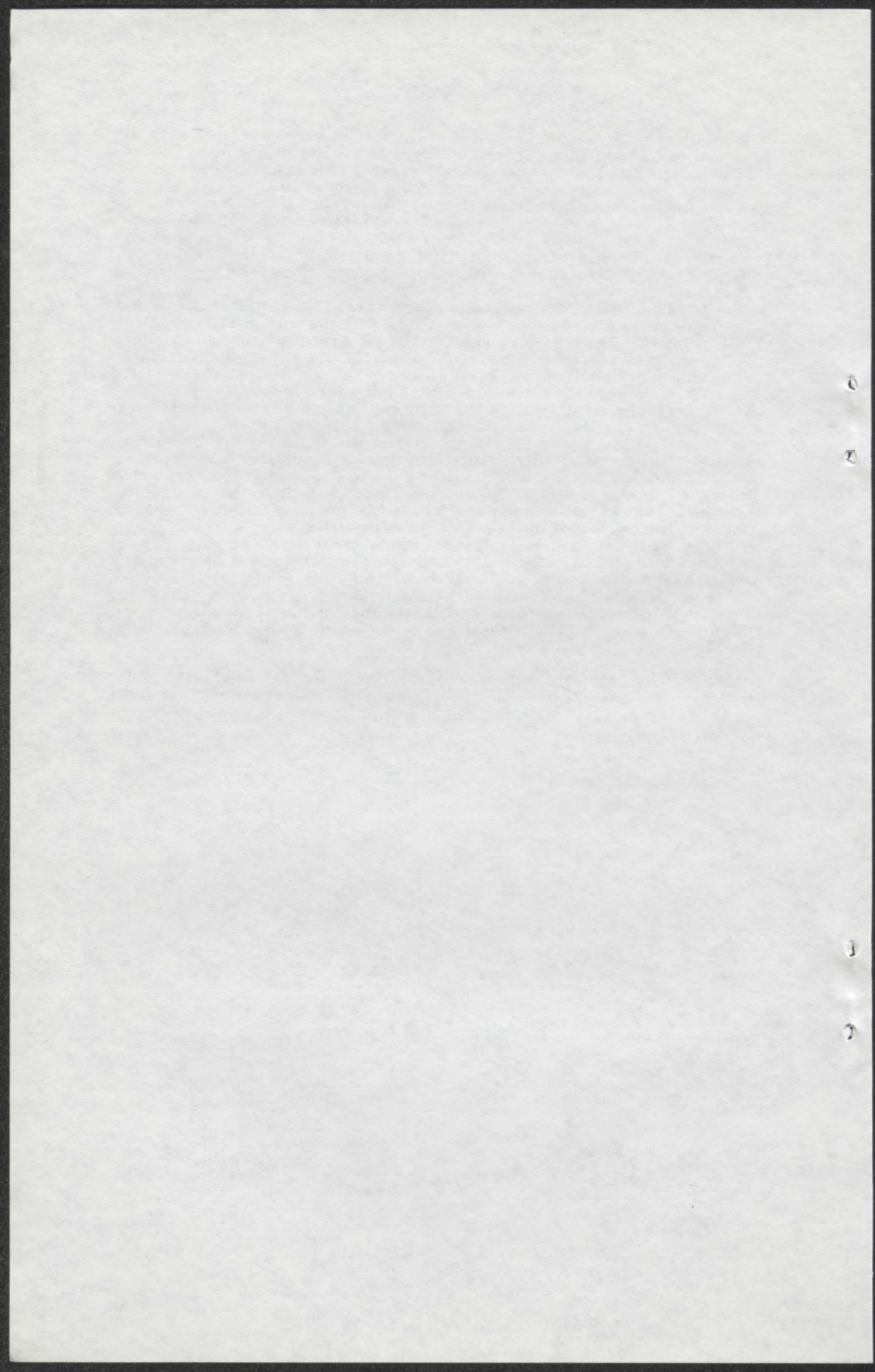
The proposed Chilkoot section of the park would be a corridor about 1 mile wide and almost 20 miles long that would protect the portion of the Chilkoot Trail within the United States and other historic structures, sites and artifacts along this trail, probably the most arduous part of the trip to the Klondike.

The proposed White Pass section is another mile-wide corridor about 5 miles long which runs parallel to the east of the Chilkoot Trail. The White Pass section, in a manner similar to the Chilkoot, will protect many important areas and artifacts along White Pass Trail, as well as the trail itself.

I understand that the National Park Service has estimated the development costs for the proposed National Historical Park at approximately \$5 million, most of which will be spent in Skagway for the purchase and restoration of historic buildings, and for the construction of parking facilities and that annual operational costs have been estimated to average just under \$800,000 per year. As a long-time resident of the neighboring State of Oregon and a strong believer that preservation of the remaining roots of our heritage rates high among our national priorities, I can assure this committee that the establishment of this area steeped in our historic past, will be exceptionally well received by those of us who reside in the region as well as our citizens from other regions of the country who have an opportunity to visit the park and see and experience the evidences of the colorful era which will be preserved through passage of this bill.

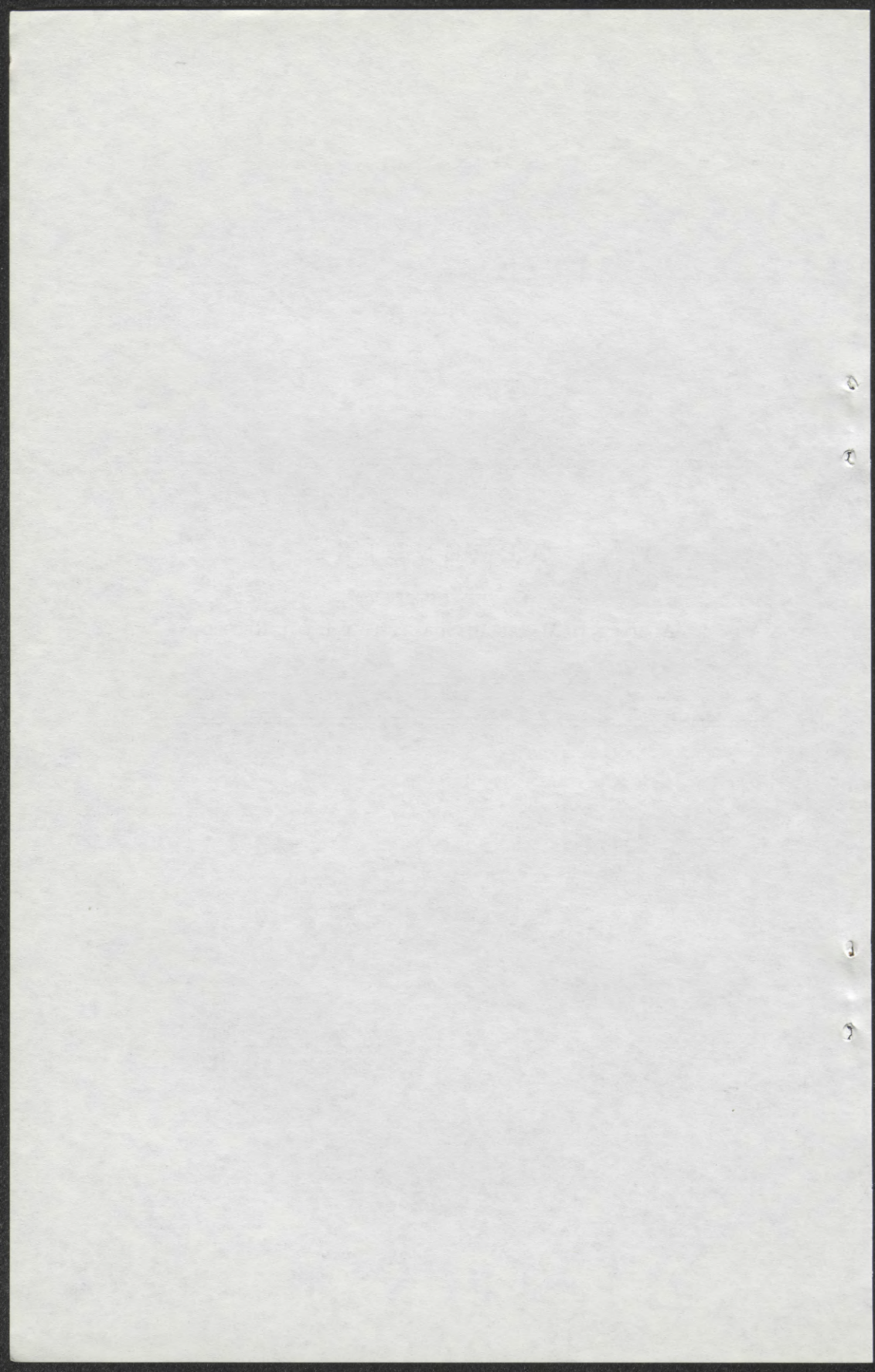
Senator JOHNSTON. That concludes our hearing for today. The subcommittee will stand in adjournment subject to the call of the Chair.

[Whereupon, at 11:47 a.m., the subcommittee adjourned, subject to the call of the Chair.]



APPENDIX

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD



STATE OF ALASKA, PRESENTED BY COMMISSIONER GUY R. MARTIN, DEPARTMENT OF
NATURAL RESOURCES, STATE OF ALASKA

The State of Alaska welcomes the opportunity to express its support of a bill authorizing the Secretary of the Interior to establish the Klondike Gold Rush National Historical Park and further enabling the President of the United States, in cooperation with the Government of Canada, to proclaim the park as part of an international historical park.

The State's strong interest in the conservation and enjoyment of the natural, scenic, and historical values of the Alaskan portion of the proposed park was physically manifested nearly fifteen years ago. In 1961, the Alaska Department of Natural Resources, working in cooperation with the State Division of Corrections, began work to reopen the Chilkoot Trail. By 1964, the trail had been brushed, stream crossings had been constructed, and two log shelter cabins had been erected. In 1966, the Department of Natural Resources published a *Plan for the Development of the Skagway-Dyea Natural, Historical, Recreational Complex*. Two years later the Department published a guide to the Chilkoot Trail, and the Alaska Division of Parks continues to provide seasonal maintenance on the 16.8 miles of the trail crossing lands which the State has selected and to which tentative approval has been given.

During these years, the State of Alaska has also cooperated with the community of Skagway, with the National Park Service, and with other Federal agencies in taking and planning measures which would not only protect and enhance the uniquely outstanding qualities of this historic area but would also provide sufficient latitude for the cultivation of other opportunities—specifically those involving hydroelectric, deep-water port, and transportation potential. The State of Alaska agrees that the National Park Service's master plan for this proposed park speaks accurately when it says that the "plan reflects the results, to date, of the joint planning study, the various public meetings, and the consultations with State and local officials."

To many Alaskans, it seems ironic to observe, on the one hand, that State lands are in preciously short supply, that certain State lands—those adjacent to the boundaries of Naval Petroleum Reserve No. 4—are being assaulted by the Navy's legal staff, that the opportunities for additional State selections have been so strictly curtailed by the provisions of certain Federal legislation and, in other cases, frustrated by the administrative interpretations of the Forest Service, that some 80 to a 100 million acres are likely to be excluded completely from State selection and now, on the other hand, necessary conditions for the establishment of the Klondike Gold Rush National Historical Park will be that the State of Alaska not only donate back to the Federal Government some 12,000 acres of long-awaited land but also manage a much greater acreage in a fashion that will be compatible with the goals of a national park. Given this ironic observation, it bespeaks the determined good faith, good will, and good hope of Alaskans to realize that for the past two years the State has sponsored a multi-agency regional land-use planning team, whose mission has been to define management goals for State lands in the Upper Lynn Canal district of southeastern Alaska and that this team's recommendations for the Skagway area have been attuned to the potential establishment and the consequent management requirements for lands adjacent to a national park.

In short, the State of Alaska supports the Gold Rush Park concept and looks forward to participating in the formulation and implementation of agreements which will work to the benefit of all Americans. If Congress will take timely action on this proposed legislation, then perhaps the lessons which have been and are yet to be learned about cooperation at Skagway may come in time to contribute to the decisions which remain to be made about the future of other lands in the Great Country.

Thank you again for the opportunity to comment.

STATE OF WASHINGTON,
Olympia, May 12, 1975.

HON. J. BENNETT JOHNSTON,
Chairman, Subcommittee on Parks and Recreation, U.S. Senate Interior Committee Senate Office Building, Washington, D.C.

DEAR SENATOR JOHNSTON: I am delighted to hear that you are holding hearings on May 12 regarding the proposed Gold Rush National Park. For a number of years, I have supported the proposed park and do hope to see it become a reality in the near future. A member of my staff, Mr. Ralph Munro, has been serving on the International Advisory Committee for the Development of a Gold Rush National Park and we are both pleased to understand that the United States Congress is moving ahead with plans for implementation of the Interior Department's proposals. As you may know, the Canadian portion of this proposed international park has been developing at a faster pace than the United States portion and I am pleased to see that we are now progressing.

I am, of course, especially interested in the part of the proposed Gold Rush National Park that centers in Seattle. Our Pioneer Square District would benefit a great deal from a major interpretive center and first leg of the park. As you know, Seattle was truly born during the gold rush days and remains today as a jumping off point for those people traveling to Alaska and the Yukon Territory as well as other areas of the Pacific rim. It was in Seattle that word of gold in the Klondike first reached the outside world and through Seattle thousands of stampedeers made their way to the Yukon. Most of them eventually returned to Seattle.

Although it is not outlined specifically in the Interior Department's proposal, I feel that the Seattle portion of the Gold Rush National Park should not be limited to an interpretive center alone. Four other things should definitely be included along with the major interpretive center explaining the gold rush to the young people of today.

First, the gold was discovered on Bonanza Creek in the Yukon by a man named George Carmack. Carmack was a Californian who had reached the Yukon in the 1880's and married the daughter of a Tagish Indian chief. Carmack with his two brothers-in-law "Skookum Jim" and "Taggish Charlie" staked their famous claim on August 17, 1896 along Rabbit Creek, later to be called Bonanza Creek.

Following years of fame and fortune, Carmack returned to the United States and settled in Seattle.

In 1889, he purchased the Maude Building on First Avenue South in Seattle, then known as the Seal Rock Hotel. He refurbished the building and sold it in 1909 for a profit. The Maude Building still stands in the heart of Pioneer Square District and has currently been partially rehabilitated. Very few people know about the close link between George Carmack and the Pioneer Square District. I strongly feel that the Maude Building, or perhaps another building nearby would be a most appropriate site for the major interpretive center.

Second, Carmack's original home that he constructed following the gold rush still stands in Seattle's central area. Perhaps this home should be designated and preserved in an appropriate fashion as a tribute to Carmack and the gold rush. I have suggested on a number of occasions that a youth hostel should be connected with the Gold Rush National Park and maybe the former Carmack home would be an appropriate place for such a youth hostel.

Third, both Carmack and his wife, Marguerite, also a Klondike pioneer, have been buried in an unmarked grave in Washelli Cemetery in Seattle for a number of years. Currently, the Alaska Yukon Pioneers Organization of Seattle is undertaking a fundraising drive to mark the grave of this most famous of the Yukon Klondikers. If that fundraising drive is not a total success, I would hope that Congress would consider an appropriate marker for the graves of George and Marguerite Carmack at Washelli Cemetery in Seattle.

Fourth, I would suggest that a major sculpture be commissioned in the Pioneer Square District in Seattle of George Carmack, Skookum Jim, and Taggish Charlie, discovering the gold in the Klondike. The sculpture should be a realistic one to show the outside world what it was like that day along Rabbit Creek when this trio staked their claim on history. I am sure that such a sculpture could be commissioned and completed by Seattle artists, perhaps in the same style as the famous Klondike Bill statue in Skagway, Alaska.

Finally, I would like to voice my support for the proposed sections of the Gold Rush National Park in Skagway and along the Chilkoot and White Pass Trails.

Although I have not personally visited this area of the proposed park, members of my staff have walked and canoed the entire route from Skagway to Dawson City in the Yukon Territory. I only wish that we could testify personally at your hearings regarding our strong feelings in favor of this park, but a current legislative session prevents me from being there at this most important time.

The Gold Rush National Park proposal has received the enthusiastic endorsement of practically every major group of interest here in Washington State. It would be a true tribute to our state's history, the history of Alaska and the Yukon Territory.

If I can be of assistance in assuring the implementation of the proposed international Gold Rush National Park plan, please feel free to call on me or Mr. Ralph Munro of my staff. Again, thank you for this opportunity to present our views.

Sincerely,

DANIEL J. EVANS,
Governor.

WASHINGTON, D.C., May 12, 1975.

HON. J. BENNETT JOHNSON,
Dirksen Office Building,
Washington, D.C.

DEAR SENATOR JOHNSTON: I urge your support of the provisions in S. 82 that would deauthorize the development of a 600-acre intensive recreation facility in and a road along the length of Assateague Island National Seashore.

These provisions were included, I believe, in Sections 7 and 9 of Public Law 89-195, which created Assateague Island National Seashore.

Please include this letter in the hearing record for S. 82.

Respectfully,

WALTER G. WELLS.

SKAGWAY, ALASKA, May 1, 1975.

HON. TED STEVENS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR STEVENS: Thank you for your letter of April 16, 1975.

Unfortunately the time and expense would not permit my appearance at the hearing on the Klondike Gold Rush National Historic Park Bill (S-98).

Facts that should be considered before final consideration is given to this bill are:

1. The Skagway, Alaska Whitehorse, Canada highway is now a reality. No study has been made on how this will effect Skagway. What new requirements this will make upon Skagway and our very, very limited usable land area.

2. The Parks economic impact study has not been completed.

3. The Parks Social impact study has not been completed.

(to the best of my knowledge no Alaskan is working with the team putting these studies together.)

4. This bill as written effectively ties up all adjacent water front property leaving only that in the Skagway City proper which is already controlled by very limited numbers. We need new and competitive facilities.

5. At the moment this is an emotional issue in Skagway with much feeling that any suggestions for change could be interpreted as opposition to the park. This is not the case.

6. At the present time we cannot acquire one square foot of land in our area for a summer cabin or home site. You are familiar with the size of Skagway and the usable land. How can we possibly expand. You know the terrain surrounding Skagway.

7. I am very concerned at the present economic conditions of our Nation and State as well as our national prestige. Yet we go on day after day creating new tax burdens.

8. I want to reemphasize my position that I am not opposed to the original park acreage of approximately 13,000 acres. It is the cooperative management plan for an additional 164,000 acres, that is alarming. Why can't this grey area be left completely in the States Control. Surely we have enough of Alaska's land and resources already locked up.

9. Senator, the parks final environmental statement contains numerous remarks about our already inadequate facilities. We need relief to provide for the increase predicted by the parks personnel. We need relief on our already controlled water front or additional water front that can be economically developed.

I am taking the liberty of forwarding a copy of this to Messrs. Gravel, Young and J. Bennett Johnston.

Sincerely,

○

M. P. TAYLOR.

