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JEAN LAFITTE NATIONAL PARK

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HEARINGS

BEFORE THE

SUBCOMMITTEE ON PARKS AND RECREATION

OF THE

COMMITTEE ON

ENERGY AND NATURAL RESOURCES

UNITED STATES SENATE

NINETY-FIFTH CONGRESS

SECOND SESSION

ON

S. 1829

A BILL TO PROVIDE FOR THE ESTABLISHMENT OF THE JEAN LAFITTE NATIONAL HISTORICAL PARK IN THE STATE OF LOUISIANA, AND FOR OTHER PURPOSES

GRETNA, LA., DECEMBER 17, 1977
WASHINGTON, D.C., FEBRUARY 3, 1978

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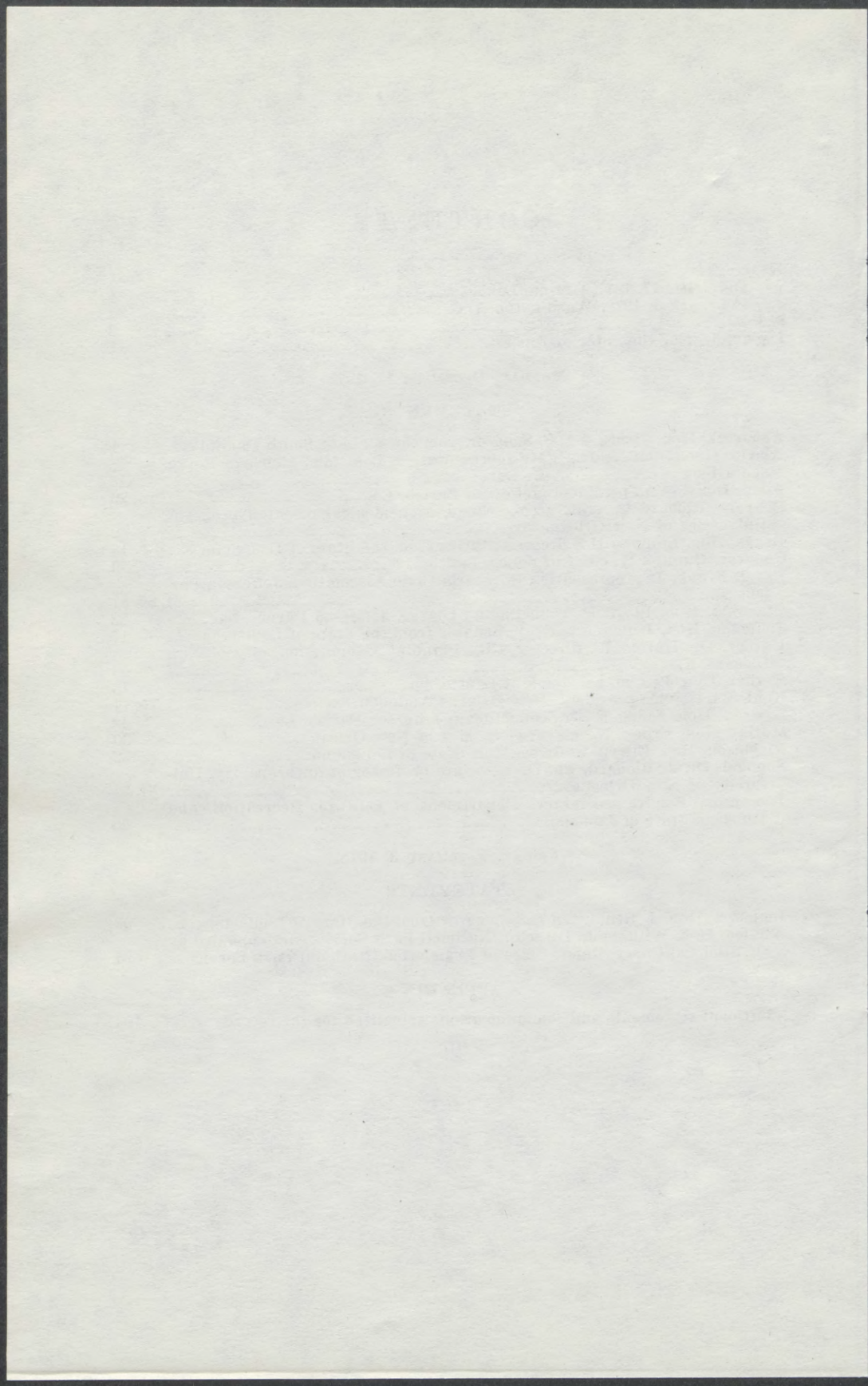
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(III)



JEAN LAFITTE NATIONAL PARK

MONDAY, DECEMBER 17, 1977

U.S. SENATE,
SUBCOMMITTEE ON PARKS AND RECREATION
OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Gretna, La.

The subcommittee met in the council chambers, Jefferson Parish Courthouse, Hon. James Abourezk presiding.

Present: Senators Abourezk and Johnston, and Congresswoman Lindy Boggs.

Also present: Thomas B. Williams, professional staff member; and Jeanne Delsener, secretary.

OPENING STATEMENT OF HON. JAMES ABOUREZK, A U.S. SENATOR FROM THE STATE OF SOUTH DAKOTA

Senator ABOUREZK. This hearing will come to order, please.

First of all, I would like to welcome you to the hearing of the Subcommittee on Parks and Recreation of the U.S. Senate. I am very happy to be here at Senator Johnston's invitation to hold hearings and to receive testimony on S. 1829, which is Senator Johnston's bill to establish the Jean Lafitte National Historic Park. There have been a number of studies, both local and Federal; there have been hearings here before, and there will be additional hearings conducted in Washington. I can see from the size of the crowd here this morning that there is a great deal of local interest in the park proposal itself. I am very happy to see that. We have people here who are for the park and people who are against the park. What I want to hear is testimony from both sides on an even time basis. I do want to say that we have a number of witnesses, and I would hope that all witnesses would keep their testimony short and that you would express your views on the park in a few minutes time so that the committee will have time to ask questions. I would hope that no one will be too long by reading their testimony. In fact I would prefer that if you have a written statement, that you just submit it for the record and in your own words express how you feel about this proposal. I find this always shortens the hearing and does not put the committee or the audience to sleep.

I want Senator Johnston to make some opening comments and also Congresswoman Lindy Boggs. Bennett Johnston and I serve together on the Energy Committee; and while we don't agree on all of the issues, I just would like to say that I have the greatest respect for him, mostly for the following reasons: When he believes that something is right for his constituents, he fights for it as hard as he can; whether or not I agree with him, I have to admire and respect him for that. Now, I have known Lindy Boggs for a number of years; I served with her husband in the House of Representatives. Hale Boggs and I were good friends and working allies, and I think that she's done an excellent job in representing her district.

At this point, I would like to insert in the record the bill S. 1829 and Departmental report.

[The bill and report follow:]

S. 1829

IN THE SENATE OF THE UNITED STATES

JULY 11 (legislative day, MAY 18), 1977

Mr. JOHNSON introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To provide for the establishment of the Jean Lafitte National Historical Park in the State of Louisiana, 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 in order to preserve for the education, inspiration, and
4 benefit of present and future generations significant exam-
5 ples of natural and historical resources of the Mississippi
6 Delta region and to provide for their interpretation in such
7 manner as to portray the development of cultural diversity
8 in the region, there is authorized to be established in the
9 State of Louisiana the Jean Lafitte National Historical Park
10 (hereinafter referred to as the "park"). The park shall con-

1 sist of (1) the area of approximately twenty-three thousand
2 seven hundred acres generally depicted on the map entitled
3 "Barataria Marsh Unit—Jean Lafitte National Historical
4 Park," numbered _____, and dated March 1977, which
5 shall be on file and available for public inspection in the
6 office of the National Park Service, Department of the In-
7 terior; (2) the area known as Big Oak Island; (3) an
8 area or areas within the French Quarter section of the city
9 of New Orleans as may be designated by the Secretary of
10 the Interior for an interpretative and administrative facility;
11 (4) the Chalmette National Historical Park; and (5) such
12 additional natural, cultural, and historical resources in the
13 French Quarter and Garden District of New Orleans, forts
14 in the delta region, plantations, and Acadian towns and
15 villages in the Saint Martinville area and such other areas
16 and sites as are subject to cooperative agreements in accord-
17 ance with the provisions of this Act.

18 SEC. 2. (a) The Secretary of the Interior (hereinafter
19 referred to as the "Secretary") is authorized to acquire lands,
20 waters, and interests therein within the Barataria Marsh
21 Unit, as depicted on the map referred to in the first section
22 of this Act, by donation, purchase with donated or appropri-
23 ated funds, or exchange. The Secretary may also acquire by
24 any of the foregoing methods such lands and interests therein,
25 including leasehold interests, as he may designate in the

1 French Quarter of New Orleans for development and opera-
2 tion as an interpretive and administrative facility. Lands,
3 waters, and interests therein owned by the State of Louisiana
4 or any political subdivision thereof may be acquired only by
5 donation.

6 (b) Within the Barataria Marsh Unit, the owner or
7 owners of improved property used for noncommercial resi-
8 dential purposes on a year-round basis may, as a condition
9 of the acquisition of such property by the Secretary, elect to
10 retain a right of use and occupancy of such property for non-
11 commercial residential purposes if, in the judgment of the
12 Secretary, the continued use of such property for a limited
13 period would not unduly interfere with the development or
14 management of the park. Such right of use and occupancy
15 may be for either a period ending on the death of the owner
16 or his spouse, whichever occurs first, or a term of not more
17 than twenty-five years, at the election of the owner. Unless
18 the property is donated, the Secretary shall pay to the owner
19 the fair market value of the property less the fair market
20 value of the right retained by the owner. Such right may be
21 transferred or assigned and may be terminated by the Secre-
22 tary, if he finds that the property is not used for noncom-
23 mercial residential purposes, upon tender to the holder of the
24 right an amount equal to the fair market value of the unex-
25 pired term. As used in this subsection the term "improved

1 property" means a single-family, year-round dwelling, the
2 construction of which was begun before January 1, 1977,
3 which serves as the owner's permanent place of abode at
4 the time of its acquisition by the United States, together with
5 not more than three acres of land on which the dwelling and
6 appurtenant buildings are located which the Secretary finds is
7 reasonably necessary for the owner's continued use and
8 occupancy of the dwelling.

9 SEC. 3. In furtherance of the purposes of this Act, and
10 after consultation with the Commission created by section 6
11 of this Act, the Secretary is authorized to enter into coopera-
12 tive agreements with the owners of properties of natural,
13 historical, or cultural significance, including but not limited
14 to the resources described in paragraph (4) of the first sec-
15 tion of this Act, pursuant to which the Secretary may mark,
16 interpret, restore, and/or provide technical assistance for the
17 preservation and interpretation of such properties. Such
18 agreements shall contain, but need not be limited to, pro-
19 visions that the Secretary, through the National Park Serv-
20 ice, shall have the right of access at all reasonable times to
21 all public portions of the property covered by such agreement
22 for the purpose of conducting visitors through such properties
23 and interpreting them to the public, and that no changes or
24 alterations shall be made in such properties except by mutual
25 agreement between the Secretary and the other parties to

1 such agreements. The agreements may contain specific pro-
2 visions which outline in detail the extent of the participation
3 by the Secretary in the restoration, preservation, interpreta-
4 tion, and maintenance of such properties.

5 SEC. 4. Within the Barataria Marsh Unit, the Secretary
6 shall permit hunting, fishing (including commercial fishing),
7 and trapping in accordance with applicable Federal and State
8 laws, except that he may designate zones where and estab-
9 lish periods when no hunting, fishing, or trapping shall be
10 permitted for reasons of public safety, administration, fish or
11 wildlife management, or public use and enjoyment. Except
12 in emergencies, any regulations of the Secretary promulgated
13 under this section shall be put into effect only after consulta-
14 tion with the appropriate fish and game agency of Louisiana.

15 SEC. 5. The Secretary shall establish the park by publi-
16 cation of a notice to that effect in the Federal Register at
17 such time as he finds that lands and interests therein sufficient
18 to constitute an administerable unit have been acquired.
19 Pending such establishment and thereafter the Secretary shall
20 administer the park in accordance with the provisions of this
21 Act, the Act of August 25, 1916 (39 Stat. 535), the Act
22 of August 21, 1935 (49 Stat. 666), and any other statutory
23 authorities available to him for the conservation and manage-
24 ment of natural, historical, and cultural resources.

25 SEC. 6. (a). There is established the Delta Region Pres-

1 ervation Commission (hereinafter referred to as the "Com-
2 mission"), which shall consist of the following:

3 (1) Two members appointed by the Governor of
4 the State of Louisiana;

5 (2) Two members appointed by the Secretary
6 from recommendations submitted by representatives of
7 industries having a substantial interest in the operation
8 of the park;

9 (3) Two members appointed by the Secretary
10 from recommendations submitted by representatives of
11 local chambers of commerce in the delta region;

12 (4) Three members appointed by the Secretary
13 from recommendations submitted by local citizen con-
14 servation organizations in the delta region; and

15 (5) One member appointed by the Chairman of
16 the National Endowment for the Arts;

17 (b) Members of the Commission shall serve without
18 compensation as such. The Secretary is authorized to pay
19 the expenses reasonably incurred by the non-Federal mem-
20 bers of the Commission in carrying out their duties.

21 (c) The function of the Commission shall be to assist
22 and advise the Secretary in the selection of sites for inclusion
23 in the park, in the development and implementation of a
24 general management plan, and in the development and im-
25 plementation of a comprehensive interpretive program of

1 the natural, historic, and cultural resources of the region.
2 The Commission shall inform interested members of the
3 public, the State of Louisiana and its political subdivisions,
4 and interested Federal agencies with respect to existing and
5 proposed actions and programs having a material effect on
6 the perpetuation of a high-quality natural and cultural en-
7 vironment in the delta region.

8 SEC. 7. (a). There are authorized to be appropriated
9 such sums as may be necessary to carry out the provisions
10 of this Act, not to exceed, however, \$500,000 for the de-
11 velopment of essential public facilities.

12 (b) Within three years from the date of approval of
13 this Act, the Secretary shall submit to the Committee on
14 Interior and Insular Affairs of the House of Representatives
15 and the Committee on Energy and Natural Resources of the
16 Senate a general management plan for the Barataria Marsh
17 Unit and such other units of the park as shall have been
18 the subject of cooperative agreements, acquired, or are pro-
19 posed for cooperative agreements or for acquisition by the
20 Secretary indicating—

21 (1) the number of visitors and types of public use
22 within the park which can be accommodated in ac-
23 cordance with the protection of its resources; and

24 (2) the location and estimated cost of facilities
25 deemed necessary to accomodate such visitors and uses.

- 1 SEC. 8. The Secretary is authorized and directed to study
- 2 and recommend within one year transportation alternatives
- 3 for public access to the park.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

FEB 3 - 1976

Honorable Henry M. Jackson
Chairman, Committee on
Energy and Natural Resources
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

This responds to your request for the views of this Department on S. 1829, a bill "To provide for the establishment of the Jean Lafitte National Historical Park in the State of Louisiana, and for other purposes."

We recommend the enactment of S. 1829, if it is amended as described herein.

S. 1829 would authorize the establishment of the Jean Lafitte National Historical Park consisting of the following:

1. Barataria Marsh Unit of 23,700 acres.
2. Big Oak Island Indian site.
3. An interpretive and administrative facility in the French Quarter.
4. Chalmette National Historical Park.
5. Additional natural, cultural and historical resources which will be subject to cooperative agreements.

The Secretary would be authorized to acquire lands, waters, and interests therein by donation, purchase or exchange.

In the bill, the Secretary is authorized to enter into cooperative agreements with owners of properties of natural, historical and cultural significance after consultation with the Delta Regional Preservation Commission established by Section 6. The bill provides for conditions of such cooperative agreements.



S. 1829 provides for a ten member Delta Regional Preservation Commission to be appointed by the Secretary, Governor and Chairman of the National Endowment for the Arts. The function of the commission will be to assist and advise the Secretary on sites to be included and on the interpretation and development and management of the park.

S. 1829 places a funding limitation of \$500,000 on development. A general management plan including public use limitations, and locations and cost of facilities is required for submission to the Congress within three years of enactment. A one-year study is required on transportation alternatives for public access to the park.

S. 1829 authorizes the National Park Service to acquire lands and interests therein within the 23,700-acre Barataria Marsh Unit and for its interpretive and administrative facility in the French Quarter. The bill contains open-ended appropriation authorizations for such acquisitions, and we presently estimate the cost of these acquisitions at \$53,000,000 based on 1977 State acquisition costs. The money for such acquisitions would come from the Federal side of the Land and Water Conservation Fund.

This Department supports the establishment of a "Jean Lafitte National Cultural Reserve" to consist of approximately 8,000 acres in the Barataria Marsh area and to include the other areas proposed in S. 1829. It is estimated that the total acquisition cost of our proposal is \$34,000,000. This land would be acquired by funds from the Federal side of the Land and Water Conservation Fund. Once acquired, the Barataria Marsh unit of the Reserve would be operated and managed by the State of Louisiana with the guidance and cooperative assistance of the National Park Service.

At its 76th Meeting on April 18-20, 1977, the Advisory Board on National Parks, Historic Sites, Buildings and Monuments reviewed the proposal for establishment of a national park. The Board recommended that the Secretary not support the establishment of the Jean Lafitte Park as a unit of the National Park System based on their findings that the area did not possess the national significance or integrity required to qualify for addition to the National Park System. However, we believe that the preservation and interpretation of the marsh area and related sites will provide future recreation and educational opportunities for the people of the New Orleans area and visitors to New Orleans. It was, however, the Board's judgment that acquisition and management of the area would properly be a function of State and local government.

We believe that a case can be made for a park honoring Cajun Culture in southern Louisiana. This group has been distinct since it was first uprooted from its celebrated French origins. New Orleans has maintained a special identity derived from its uniquely heterogeneous origins and cosmopolitan development during its first century of existence. It has maintained remnants of early French, Spanish, African, and Anglo-American culture. These remnants are manifested in the area's ethnic composition, and traditions. There are expressed in geographical and manmade features: delta, bayous, and marshes; forts, plantations, homes, churches, and historic public places.

The national significance of many individual properties in and around New Orleans has been established through their designation as national historic landmarks. Although most of them are in good hands and accessible to the public to varying degrees, their preservation and public appreciation could be significantly enhanced by National Park Service coordination and assistance. The Boston National Historical Park provides a model: there a variety of dispersed nationally significant historic properties in Federal, State, municipal, and private ownership are given preservation aid, unified interpretation, and a degree of administrative coordination under National Park Service auspices.

With the national recognition afforded by this designation, orientation and interpretation for the public in a central Park Service operated facility, possibly Park Service acquisition and administration of facility, and financial, technical, and interpretive assistance to individual components properties, the outstanding cultural resources of greater New Orleans and the visiting public could benefit greatly.

We recommend that S. 1829 be enacted with the following amendments:

1. In the title and wherever it appears in the body of the bill, change "National Historical Park" to "National Cultural Reserve."

Cultural diversity, including existing cultures, is the focus we believe the Federal Government should recognize in the resources enumerated in the bill. History itself is important, but not the sole reason for Federal involvement. The term "Reserve" is recommended in lieu of "park" to prevent confusion of the approach in S. 1829 with a traditional Federal park.

2. On page 4, line 14, change "paragraph (4)" to "paragraphs (1) through (5)." This is a perfecting amendment.
3. On page 4, line 17, change the period to a comma and insert the following:

"and pursuant to which the Secretary may provide assistance, including management services, program implementation, and incremental financial assistance in furtherance of the standards for administration of the reserve pursuant to section 5 of this Act."

This amendment authorizes financial assistance for operation and maintenance to the owners of properties who enter into cooperative agreements with the Secretary for preservation and interpretation of their areas. We believe some assistance may be necessary in order to assure adherence by the owner to the high standards we would expect to require in consummating such agreements.

4. On page 5, after the period in line 4, insert the following:

"Notwithstanding any other provision of law the Secretary may convey, without monetary consideration but subject to such terms, conditions, reverts and cessions of jurisdiction as he deems appropriate in furtherance of the purposes of this Act, to the State of Louisiana or any political subdivision thereof all or any part of the property acquired within the 8,000 acre Barataria Marsh Unit at such time as the Secretary determines that adequate State or local land use controls are, or immediately upon such conveyance will be, of continuing applicability to the property conveyed and to the lands and waters adjacent or related thereto: Provided, That if the Secretary conveys all of the property acquired within the Barataria Marsh Unit such controls shall apply to the area generally depicted on the map referred to in the first section of this Act as 'Reserved Protection Zone.' The authority to enter into cooperative agreements under this section shall be available to the Secretary with respect to any property conveyed pursuant to this section."

This amendment authorizes conveyance of land acquired in the Barataria Marsh Unit, from the Federal Government to the State or a local unit of government for operation by the grantee in accordance with a cooperative agreement. As a condition precedent to such conveyance the Secretary must be satisfied that adequate land use controls will be made applicable to the land conveyed as well as adjacent lands which, if not sensitively managed, would adversely affect the area originally acquired for the reserve.

5. On page 5, lines 15 through 18, revise the first sentence of section 5 to read as follows:

"Sec. 5. The Secretary shall establish the reserve by publication of a notice to that effect in the Federal Register at such time as he finds that, consistent with the general management plan referred to in section 7, sufficient lands and interests therein (i) have been acquired for interpretive and administrative facilities, (ii) are being protected in the Barataria Marsh Unit, and (iii) have been made the subject of cooperative agreements pursuant to section 3."

This amendment requires that before the reserve is established, sufficient lands and resources must be assured of protection in accordance with a general management plan.

6. On page 7, after line 7, insert the following new subsection:

"(d) The Directors of the Heritage Conservation and Recreation Service and the National Park Service shall serve as exofficio members of the Commission and provide such staff support and technical services as may be necessary to carry out the functions of the Commission."

This amendment assures an appropriate role, both policy and supportive, for the Heritage Conservation and Recreation Service and the National Park Service in the work of the Commission.

7. On page 7, revise subsection 7(b) to read as follows:

"(b) Within three years from the date of approval of this Act, the Secretary, after consultation with the Commission, shall submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a general management plan for the reserve indicating--

- (1) transportation alternatives for public access to the reserve;
 - (2) the number of visitors and types of public use within the reserve which can be accommodated in accordance with the protection of its resources;
- and

(3) the location and estimated cost of facilities deemed necessary to accommodate such visitors and uses."

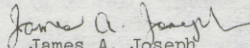
This amendment incorporates the language on transportation alternatives in Section 8, makes the plan applicable to the entire reserve, and requires consultation with the Commission.

8. On page 8, delete Section 8. This is a conforming amendment.

9. The 8,000 acre Barataria Unit would be administered as a core area within the larger 24,000 acre Reserve Protection Zone. Any further acquisition within the Reserve Protection Zone would be left to the State of Louisiana under the Land and Water Conservation Fund.

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

Sincerely,



James A. Joseph

James A. Joseph

UNDER SECRETARY

Senator ABOUREZK. Now, I'm going to turn it over to Senator Johnston and ask for opening remarks.

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

Senator JOHNSTON. Thank you very much. First of all, I would like to thank Senator Jim Abourezk, from South Dakota, who is the chairman of the Parks and Recreation Subcommittee of the Energy Committee. Really, what Jim Abourezk says pretty much goes as far as parks are concerned. For him to personally come down here and take an interest in this park, I greatly appreciate. He wants to do, I think, what we want to do with respect to this park.

Now, what do we want to do? Well, the thing we do not want to do, and I want to make this very clear, we do not want to require the Jefferson-Orleans Parish area to accept several million or several hundred million dollars worth of Federal park if you don't want it. That is the furthest thing from my mind and from Lindy Boggs' mind, believe me. It happens though, in my view, that I think the majority of the people from this area want this park. That's No. 1, and No. 2, I think that this park is one of the finest things that we can do for the Jefferson-Orleans Parish area. Now, why is that? First of all, it will preserve the area. Those of you who like to hunt and fish, those of you who have have camps out there, we can take care of those interests, and I believe satisfy you. Now, some people will never be satisfied even if we tell you that we will do everything you want. But, those of you who will listen and give us directions as to what you want, I believe we can accommodate you. If you have a camp there and we tell you that you can keep your camp there, that ought to be sufficient. Your greater interest, if you have a camp there, should be to preserve the area. Because if somebody gets back in that area and does a lot of dredging and builds high rise apartments and just inundates you with a lot of civilization, then you've lost what you've had. This is one of the greatest places to hunt and fish and get away from it all in the world.

So I believe that we can accommodate all the legitimate interests in this area, such as hunting, fishing, and oil exploration. I hope that we can find some oil back in there. If we can, and if we can allow that to happen, with only the most reasonable rules about nonpollution and other things that you would want, if you were putting the rules together, then this would be great. Now, there is nothing sacred about the borders of the park or the land to be acquired here. We want to acquire the land that you think is important and we want to leave out the land that you don't want to acquire. In other words, this session this morning is a working session to hear from the people in this area as to what you want to do with respect to this park; how you want to structure it and who you want on that Commission. Do you want a representative from Jefferson Parish and from the fishing industry, you tell us how you want to do it. If this bill, S. 1829, does not do it right and does not properly represent you or doesn't give you the right input, then you tell us how you want to do it, because that's what we are here for. We are your elected representatives. Lindy and I want to

represent you in this thing, the majority of you. We want to do everything that is reasonable, and I want to try to emphasize that.

Now, there will be some of you who will oppose the park no matter what we do, and I am sorry for that. I guess part of that is because of the experience of people in general with the Federal Government. You know, sometimes no matter how reasonable laws may sound, when they're executed, somehow the Federal bureaucrats seem insensitive, unresponsive to the needs of the people, and I am very familiar with that. But, let me say that the Park Service of the Department of the Interior is one of the better Federal bureaus in the entire Government, because they deal with the public every day and they are reasonable. I can tell you also that they respond to our committee, the Parks and Recreation Subcommittee. The Park Bureau is not going to go off in left field in opposition to our subcommittee. I want you to understand that whichever way we structure this law, it will be carried out in that way.

Finally, let me just say one word about this concept, and it goes beyond the park, and how we intend to run the area out there in the marsh. We had in mind one of the most exciting ideas for the Jefferson-Orleans area that I can imagine, and that is to have more or less a historical center down in the French Quarter, which would probably be put in the Old Mint or some other suitable place. This would be so people could come in from South Dakota or wherever, and they could walk into this center, which would be run by the Park Service, and have this entire area, and not only Jean Lafitte Park, but this entire area described to them. Then, there would be buses from there to the Chalmette Park. You could go out to the old homes along the Mississippi River or go to Jean Lafitte Park. In other words, it would all be tied in in what you might call a historical park; they have one in Boston. Now, that's going to mean a great deal to this whole area as a tourist attraction. I don't know if you have looked at the figures lately on the importance of tourism to this area. You might say, "Well, tourism doesn't mean much to us here in Jefferson Parish." Yes; it does, because as Orleans Parish goes, so does Jefferson Parish. This entire area is tied together economically. It would be a great thing for tourism and for the economy of this area.

Let me just close by saying that this is a working session for input by you to tell us how you want to structure this park. I think that we can accommodate every legitimate objection you might have. So please be forthcoming with us, as I know you will, and tell us what you want and we will try to respond and satisfy any objections you might have.

Now, I would like to turn it over to the lady who has been working on this project longer than I have, our great lady, Congresswoman Lindy Boggs.

**STATEMENT OF HON. LINDY BOGGS, A U.S. REPRESENTATIVE FROM
THE STATE OF LOUISIANA**

Mrs. Boggs. Thank you. First of all, I would like to thank Senator Abourezk and Senator Johnston for coming down here today for this hearing.

I would like to point out to the members of the audience that Senator Abourezk has on a very appropriate tie today. This is the beginning of the duck season and he has on a beautiful tie with ducks on it. I was wondering why he and my son were down here and now I know. We are pleased to have him come and take this interest in the input that all of you will have in this legislative process. Of course, this is what we would always like to do. To bring the legislative process out into the field so that you can have a direct input upon the legislation.

I did join with Senator Johnston this last summer in introducing legislation to authorize the Jean Lafitte National Park in Louisiana. The park we have proposed would preserve for present and future generations a magnificent bayou and marsh area in Southern Jefferson Parish.

As most of you well know, my husband, Hale, introduced legislation some years ago to authorize a study of the feasibility and desirability of establishing a unit of the National Park System to commemorate the unique values of the bayous of the Barataria region of Louisiana, to be known as the Jean Lafitte National Park. As a result of this legislation, not only did the Park Service undertake a study which considered the full range of possible conservation and recreational uses of this rich area, but Jefferson Parish and the State of Louisiana cooperated fully in waiting for this study to be completed and for the very height of suggestions and recommendations that this park could have to offer. The national and local response to the idea of creating a national park has continued to be good, even though the original study team felt that it was not feasible to the National Park Service to accept our original ideas. We are here today to receive specific recommendations from the citizens who would be affected by the proposal. Of course, I am grateful to the Senate Subcommittee on Parks and Recreation for traveling to Louisiana for this hearing today, and I share both Senators' hope that we will have a local consensus about the appropriate boundaries and activities of the park. The Jean Lafitte Park represents a tremendous opportunity for Louisiana. Properly implemented the park would serve many local and national functions in the areas of preservation and recreation to benefit all citizens.

The Jean Lafitte Park concept has excited the imagination of many Louisianians who are devoted to our State's history and our unique environment. The prospect of the preserving of a large piece of our marshland while at the same time making its beauties and educational aspects available to the public is a very exciting concept. One of the reasons of having the accessibility of this resource so close to our metropolitan area is that it would benefit the children of our local schools, since field trips would be much easier than they are now. And of course, as Bennett said, the increased tourism, which the park would draw, would contribute to the economic health of this entire metropolitan area.

And here we are at today's hearing, which offers us a chance to be heard; an opportunity to have a positive impact on the Federal legislative process. I hope you will all avail yourselves of this opportunity, and remember throughout the entire hearing that we are here to listen and to learn. I would like all of you to know, who testify here today,

that I will make your oral and written testimony available to the appropriate House committee, which is the House Interior Committee, in considering any legislation in this regard.

Thank you all again for participating and thank you again Senator Abourezk for coming here today.

Senator ABOUREZK. Thank you, Representative Boggs. Lindy Boggs and Bennett Johnston have been the leaders in the House and Senate on the Lafitte National Park concept.

Also, I want to express thanks to the people on the subcommittee staff and Senator Johnston's staff who have worked to set up this hearing. Jeanne Delsener, Susan Sherk, Laura Stevens and Kirk Melancon, from Senator Johnston's office, and they have all been a great help in setting up this hearing.

Now, the first witness to testify will be Sandra Thompson, the secretary of culture, recreation and tourism, State of Louisiana. Sandra, if you are ready you may begin.

STATEMENT OF SANDRA THOMPSON, SECRETARY, DEPARTMENT OF CULTURE, RECREATION, AND TOURISM, STATE OF LOUISIANA

Ms. THOMPSON. Thank you. It is indeed a pleasure to have the opportunity to speak today on behalf of the State of Louisiana, for the Department of Culture, Recreation, and Tourism. I would like to say that we appreciate very much the work that Senator Johnston is doing in Washington, not only on the very important energy legislation, but also in the field of outdoor recreation and his work with the Department of the Interior. Also, I would like to thank Congresswoman Lindy Boggs for her work in the field of historic preservation.

Senator Johnston, members of the Subcommittee on Parks and Recreation of the Committee on Energy and Natural Resources, the Department of Culture, Recreation, and Tourism, Office of State Parks, is grateful for the privilege to speak in support of Senate bill 1829. There can be no question but that the Barataria region of Jefferson Parish possesses sufficient historical, ecological, and cultural value to be of national significance.

The position of the Office of State Parks concerning the development of a national park was established at the previous hearing conducted in December of 1976. Statements by both Governor Edwards and Gilbert Lagasse, former director of the Office of State Parks, clearly support the concept of establishing a national historic park in this area. It would serve little purpose to repeat the reasons for such support; however, one point should be made concerning the position and the action of the Office of State Parks during this 1-year interim since the hearing. The position of State Parks at that time was to maintain the momentum for the development of a major park in the Lafitte area and to assure that further delays not hamper the eventual creation of such development. The Office of State Parks further pledged to "collaborate its efforts to make available to the National Park Service any information and/or real properties which may be legally transferred and which may be useful to the eventual establishment of a national park in the area." It further committed that "If the Lafitte National Park concept gains favorable approval by the Congress, the State Parks and Recreation Commission Office of State Parks would, with

proper legislative and legal sanction, abandon the State park concept in favor of a national area which could serve both a broader segment of use and provide an important supplement to the plans for outdoor recreation development in the State."

In furtherance of this commitment and these efforts, the Department of Culture, Recreation, and Tourism has since last December acquired approximately 511 acres of property which we feel to be extremely crucial to the development of any proposed park area. This property bordering Baratavia Boulevard in the vicinity of Bayou Couquilles was purchased by the State of Louisiana at a cost of approximately \$2.2 million. This should clearly establish for members of this subcommittee as well as the congressional body who will review this matter the importance which we place on this park development. The State of Louisiana has made a commitment, a very substantial commitment, to this effort, and we feel this should be a message to the Congress and to the National Park Service that the State of Louisiana is willing to do its part in establishing and preserving this significant portion of our State.

Senate bill 1829 specifies that "lands, waters, and interest therein owned by the State of Louisiana or any political subdivision thereof may be acquired only by donation." While it would be our intention that a donation or other form of agreement be established for the use of property acquired by the State of Louisiana, we have requested that the Attorney General review the bill and determine its applicability to State law.

In addition to the acquisition process, we have continued to review and evaluate the ecological aspect of that portion of the area identified as the proposed State park. An environmental study is now underway which we hope will provide further information on factors which may influence the existing ecology on the proposed 7,300-acre State park area.

Additionally and very importantly, we feel that adequate consideration should be given to the impact of the park on the fishing industry in the area. An important part of the fishing community in Lafitte is hard and soft crab fishing. The Lafitte fishermen crab on the east side of Lake Cataouatche, Lake Salvador, and in an area near the Lafitte community called the Pen.

The State of Louisiana is interested in seeing that the livelihood of these fishermen is protected as it has a direct bearing on the balanced economic growth of the State. If the plans for the national park do not include these protective provisions, the State will request further negotiations to clarify the goals and purposes of the park and the long-range impact of its implementation. It is our belief that these two goals can and must be compatible, and I am confident, with Senator Johnston's help, the proper language can, if necessary, be included in the pending legislation.

In essence, we at the State level feel that we have honored our earlier commitment to continue efforts for the establishment of a significant park in the Baratavia region, an effort which can be considerably enhanced by favorable support and enactment of Senate bill 1829 and the eventual establishment of the Jean Lafitte National Historical Park.

Once again, we appreciate very much the opportunity to submit a statement on this subject, and we appreciate the interest of this committee and, particularly, Senator Johnston and his efforts for the establishment of the proposed park.

Senator ABOUREZK. Thank you, Sandra, for your very thorough statement. Bennett, do you have any questions?

Senator JOHNSTON. Thank you, Sandra, for a good statement. Aren't there some transfer restrictions in the Louisiana constitution on the 511 acres that you've got? If we establish this park, how could you get that to us?

Ms. THOMPSON. We met with the Attorney General on one occasion and we have further meetings scheduled with him, and the answer is, yes, that it would be legal because this is a governmental transfer. He is having his people research it further, but we do not anticipate any problems or we would not have bought the property.

Senator JOHNSTON. That's a very fine area. Do you have any plans for any future acquisition?

Ms. THOMPSON. Yes; we have a total of \$6 million, which we can spend on actual land acquisition. If the committee would prefer that we delay any further acquisition at this time, then we will. We don't have any plans for that for the next 6 or 8 months, but following that, more money will be available to us.

Senator JOHNSTON. We are hopeful that we can put together a package, based on today's hearing, that will be suitable and get the acquisition started. We don't want to discourage you from making any further acquisition, and you already have this fine area and we want to keep that from further developing. Let me ask you this: Are you familiar with any development pressure in that area?

Ms. THOMPSON. The landowners tell us that this one particular site that we bought, we understood that the landowners were considering selling it for development if we didn't purchase it at that time, so we were under some pressure to purchase that piece. But, the national park concept, if it moves quickly, could save us additional funds.

Senator JOHNSTON. And you say that you are making studies now as to where the boundaries ought to be?

Ms. THOMPSON. We have determined that the 7,300-acre configuration would be the most crucial area for a State park. I understand that the national park would be significantly larger.

Senator JOHNSTON. We could make it whatever size we want; 7,300 acres is a little small for a national park. The main thing that we have to do, if we have a smaller area, is to be assured that the whole ecosystem is protected. In other words, we don't want a 7,000-acre park right in the middle of high rise apartments and all other kinds of developments that would come in and destroy the ecosystem. I don't think that anybody else wants that either, so one of the things that we may have to explore is that if we do have a smaller park, then what kind of assurances can we get from local government and State government, that we would preserve the entire ecosystem; like keeping the edge of the doughnut from burning the hole, so to speak? Will your study have an impact on that?

Ms. THOMPSON. Yes, the ecological system impact will have recommendations. For example, we feel that the fishing industry is a very important part of the entire ecosystem and that it be necessary

that this be allowed to continue on the shorelines of this proposed park. I think there were some initial plans for development of marines along the shorelines of the park, and our architects have done preliminary plans which would permit the development of this on the interior of the park and leave the shoreline of the lakes available to the fishermen. But, this is more of a wilderness type of area and the less commercial development that we would have would be better for the entire area.

Senator JOHNSTON. Lindy and I have constantly said that we want to have fishing in the area. How could you best provide for that fishing allowance? Should there be no rules on it or should it be controlled by the Wildlife and Fisheries or the National Park Service or what?

Ms. THOMPSON. Well, the State has laws for Wildlife and Fisheries, which are very stringent and it could be that you would want to adopt those guidelines for the national park or it could be that the Secretary of the Interior, in cooperation with the State's wildlife and fisheries department, could adopt these regulations.

Senator JOHNSTON. That's essentially what the bill says right now.

Ms. THOMPSON. That would be agreeable to the fishermen, I'm sure. I haven't heard any opposition to that as of now, but I may. If I do, I would be happy to pass that on to you.

Mrs. BOGGS. In your own land acquisition, were you able to talk to the fishermen to make certain that if the State did have a park that this area would be preserved for them and they would continue to have the privilege of using their traditional waters?

Ms. THOMPSON. Yes. We have made a commitment to the fishermen that if there is a State park that their livelihood would be protected and they are agreeable to the guidelines of a State park. In other words, we don't have any intention of basically changing the way they operate right now.

Mrs. BOGGS. Also in your land acquisition, under the State concept, were you able to protect the mineral rights of the owners?

Ms. THOMPSON. Yes; we have.

Mrs. BOGGS. Would that be transferable if we were able to have a national park?

Senator JOHNSTON. We can put that together, with Senator Abourezk's approval. There is nothing sacred in the U.S. Constitution about the limitation on how we treat mineral rights. My view on the subject is that we ought to allow exploration for oil and gas, subject only to the fact that when you go in there to explore, you don't tear up the land. That you don't go in with any more destructive equipment than you need to.

Mrs. BOGGS. In addition to our fishing industry, we also have our trapping industry. In the State's acquisition of the land, were the rights of the trappers considered?

Ms. THOMPSON. We have not approached that one yet, but we will certainly meet with these people and try to work something out. Again, we feel that their participation should be protected because it would have an impact on the entire ecosystem.

Mrs. BOGGS. Yes; because these are great matters of concern. I mentioned previously that today is the opening of the duck season and

I assume that in your land acquisition the rights of sportsmen, both hunters and fishermen have been considered.

Ms. THOMPSON. Yes; that's true. In fact, we had the same type of demand in the Atchafalya area and we work very closely with those people who earn their livelihood in the Atchafalya area in that way, and we intend to work very closely with the people in this area.

Mrs. BOGGS. My concept is that we should preserve all recreational rights that are already there, such as fishing, hunting and also the rights of the people that are in the industries down there.

Thank you very much for your statement.

Senator ABOUREZK. I would like to thank you Sandra, for testifying today.

The next witness is the Honorable Douglas Allen, president of Jefferson Parish. I would like to welcome you to the subcommittee hearings. Do we call you Mr. President?

Mr. ALLEN. Well, I've been called a lot of things, but that's one of the better ones.

STATEMENT OF DOUGLAS A. ALLEN, PRESIDENT, JEFFERSON PARISH, LA.

Mr. ALLEN. Thank you, Senator Abourezk, and it is my pleasure to address you this morning on behalf of the proposed Jean Lafitte National Historical Park. I want to thank you especially, Senator for sharing your Christmas holiday with us. I know what an imposition it must be on your time and your busy schedule, especially in view of the fact that the House and the Senate are still in session; it looks like you folks up there may finally get a full-time job.

Senator ABOUREZK. Well, we deserve one. But, I would like to say that I am very happy to be down here at Senator Johnston's request in order to help you folks out.

Mr. ALLEN. Thank you Lindy Boggs for being down here today, we appreciate it, and that includes Senator Johnston, of course.

Let me say that I regard the proposed park as a very beneficial and magnificent opportunity for this entire area, and especially for the west bank of Jefferson Parish, where most of the proposed park is to be located. We know that in addition to the preservation forever of that particular acreage, we will derive many collateral benefits from the presence of the park in this area. I think that it is especially important to notice that it would increase our tourism prospects, and it would bring new industry to our area in that way, and it would be of many other advantages in the way of collateral improvements that we might hope to get financed through the Federal Government. Obviously, there are a lot of people here that would like to be heard, and what I would like to talk about particularly is the way that we might amend this bill to make it even more desirable and accessible to the local residents in this particular area, whom I represent.

First of all, I think it is particularly important to protect the property interest of the people who have facilities in the area where the park is proposed to be located and I am talking about whether or not these property interests are leased, owned, or homesites, or whatever. There are a number of ways that that can be done. One way is to have the boundaries of the park to include them and allow them to remain

there on certain conditions that would be acceptable to the park commission and to the people who own the property in there. Another way to solve the problem would be to exclude those areas where camps and homes may be located, but to develop a property right purchase and a peripheral zone around the park, which would prevent any kind of commercial development in that area or any kind of activity which would preclude proper management of the park area. In other words, a zoning that would be restricted in its use.

Senator JOHNSTON. Let me interrupt you at that point if I may. Doug, the core area that you would consider to be essential would be the 7,300 acres?

Mr. ALLEN. Well, I think that as many as 50,000 acres could be included, but the core acreage I think would be the 7,300 that we were originally talking about. Now, I realize, after having talked with you and members of the Park Service, that the Park Service would like to have more area so that they can protect the nature of that core area. That could be done several ways, I'm sure, and one of them would be action by this council, or the council in Jefferson Parish, to zone or otherwise restrict development that would be inconsistent. What's happening there now, the recreational, boating, fishing facilities, the use that is now being made of those areas is by citizens who live there. Obviously, we can't have industrial development on the edges of the park in such a way that it would defeat the very purpose of the park. That would not be consistent with the objectives of a national park, I think the council in Jefferson Parish and other parishes that would be affected would go along with a zoning type of peripheral restrictions so that the park could remain in its present state. Now, it is also important to protect the industrial activities. And when I say industrial, I am talking about our fishing industry and our trapping industry. We have trappers and fishermen who make a living in that area, and it would be unfortunate, in my opinion, to anyway deprive them of that livelihood. I think their interest and the interest of the National Park Service can be adjusted so that they do not conflict, and I believe that it can be done to the principal satisfaction of everyone. It is important also to be able to continue mineral exploration in that area under appropriate conditions, so that we don't sustain any kind of loss of revenue that we might otherwise derive for this parish and this State from any mineral activity that could be legitimately carried on in that area. Now, Senator Johnston, we have discussed this before in your office and that could be done easily enough by a provision in the bill that the mineral rights will be retained by the owners of the land. The Park Service does not need or does it care to buy the mineral rights.

Senator JOHNSTON. That's right.

Mr. ALLEN. And that they would still be available for the exploration and development of the mineral rights. That, in my opinion, is an important concept and it should be included in this bill.

Another element that I would like to suggest be included in the bill is a provision for at least primary representation of this area in the commission, which will advise the Park Service on the conduct of the affairs of the park. The reason for that is obviously the principal land area that will be included in the park, although there will be four or five satellite areas, the principal area will be in Jefferson Parish. For instance, I would think that it would be appropriate for the west

bank chamber of commerce to name a representative to the commission. Now, the details of that representation and the specific organizations to be called on for nominees, can be hammered out in subsequent meetings and discussions on this. But, that is one of the things I think would be critical about this bill.

Senator JOHNSTON. Do you think it ought to be the chamber of commerce, instead of, let's say, the parish council?

Mr. ALLEN. Well, I think the parish council ought to name one and the chamber of commerce ought to name one. I would suggest, Senator, that the majority of the representatives on the commission come from Jefferson Parish. Now, the reason, as I said, is that the principal land area is located in Jefferson Parish.

Senator JOHNSTON. Let me interrupt you there and tell you what the present commission will be as we have it outlined here. Two members to be appointed by the Governor of the State; two members appointed by the Secretary of the Interior, on recommendations submitted by representatives of the industries having a substantial interest in the operation of the park; two members appointed by the Secretary from recommendations submitted by representatives of local chambers of commerce in the delta region; three members appointed by the Secretary from recommendations submitted by local citizen conservation organizations in the delta region; one member appointed by the Chairman of the National Endowment for the Arts. Now, do you think that will do it?

Mr. ALLEN. Yes; I do. Let me say that I look forward to the concept of that, but it's a little vague. I would like to have it specific that these people who will serve as Commissioners will come from this area. Again, I reiterate the reason for that is because the principal area of the park is in Jefferson Parish on the west bank. There has been some concern among our people that the headquarters of this park will be located in the Old Mint down in the French Quarter. That's fine, but under no circumstances would we ever want to get into a situation where one of our people would have to go to the French Quarter to get a pass to get into the park. Now, I know that's not planned, but there is some concern about that.

Senator JOHNSTON. Let me assure everybody that no matter what happens with this park, you're not going to have to go down there to the French Quarter to get a permit to come to the park.

Mr. ALLEN. I understand that is not what the plan would be, but nevertheless, representation is the principal means by which this type of thing can be avoided if the issue should ever come up in the future. As you know, representation is critical in any kind of governmental affair. If you're not properly represented, then your interest may be diverted or subverted in favor of some other area. Now, we are not selfish in Jefferson Parish, but we would like to be represented and we need to be represented. So, I am asking and suggesting that we adjust that in specific terms so there is no doubt that we are appropriately represented. By the way, we can be assured that if our fishermen have any problem, then it can be hammered out in such a way that at least they are going to be heard by people who are here and live with them and understand their problems.

Having said those things, I would reiterate that we need to protect the mineral right, the property rights, and the industrial rights of the

people who now utilize this area, both for recreation, livelihood, and for the campsites, some of which have been down there for generations, and which these people are very strongly and legitimately attached to. Together with or representation on that Commission, I think there would be very little difficulty among the local residents, and they would suffer an absolute minimum and gain an absolute maximum with respect to the establishment of this park. Under those circumstances, I think that we would all be wholeheartedly for it. I do want to go on record as being completely in favor of this park, for the many reasons that I don't have the time to mention here, but they all have to do with the preservation of our land and the ecosystem here in such a way that we have all come to enjoy it and the many collateral and financial benefits that we could derive from it.

Gentlemen, I thank you again for coming down here for this hearing, and I will close my statement now, because I know you have a lot of people who would like to testify who weren't scheduled, and I know you want to hear what they have to say. Thank you again for coming; and Senator Abourezk, it's a pleasure to have you with us.

Senator ABOUREZK. Thank you very much, Doug.

Senator JOHNSTON. Doug, do you have any ideas or choice at this point on how to protect those property interests? As far as I'm concerned, we could go either way. For example, we just passed some Redwood legislation and it has to do with protecting the central core area of the big trees, and in effect what we say is there shall be no Federal involvement as long as local laws and existing law adequately protect the ecosystem from the outside. Now, that is one way to do it, and another way is to allow you to submit a plan to be approved for zoning or whatever, and another way it to acquire the land. At this point, do you have a choice on that?

Mr. ALLEN. I believe that there are three definite ways that need to be examined in a little more detail. The first is the development rights by the Park Service, that people who are restricted by our zoning regulations could be compensated for the loss that they may endure as a result of having development restricted in their area. I think that would be a good possibility. Second, I think that we could have a peripheral zoning of the park in certain areas, not all of them, where the Park Service rules would apply up to a point, but would not affect the present activities that occur there.

Senator JOHNSTON. We would certainly want to do that.

Mr. ALLEN. And the third way, of course, would be to include them in the park, but with the restriction that they could continue what they have been doing, which would be the grandfather clause. I think that all of these require more study before we will be prepared to make recommendations. I am not in a position at this time to give you the will of our council, but I will take the position that it will be necessary and appropriate for me and our council to sit down together and see what we can come to a concensus on, with the input of our citizens who live in that area.

Senator JOHNSTON. One thing I want to ask you is with respect to development. How much of this area can be developed, in your opinion? For instance, you've got section 404 on the Corps of Engineers on dredging. With all of the existing laws, how much of that area can be developed?

Mr. ALLEN. Not much. There are some high spots in that area we're talking about that would not be affected by the 404 permits, but there are very few. We are suggesting in the boundary coming off of Highway 45, perhaps 1,000 feet or so, in order to encompass that ridge, to leave that out of the park. But, as far as development is concerned in that area, if the Park Service would buy the land from the people in that area, it would be a godsend to them, because as I see the law at the present time, there is nothing whatsoever they can do with it but hunt and fish and trap on it. Now, if you let them continue to do that, they have lost absolutely nothing.

Senator JOHNSTON. If I were a trapper or a fisherman or a hunter in that area, or if I was using it just for recreation, I would be up here sitting in the front row trying to get this park passed. Because, what we are going to do is preserve it so that you will be able to do those things in the future. If you've got a camp back there, we are going to let you keep it. Now, that sounds to me like a pretty square deal.

Mr. ALLEN. I don't see how you can beat it. We're going to have our cake and eat it, too.

Senator JOHNSTON. There's one other thing I want to bring out. We've got this levee problem back there, and this will help you solve that levee problem.

Mr. ALLEN. Yes, sir, it will. I hadn't mentioned that but we do have a tremendous problem for hurricane protection on the west bank. As you know, we do not now enjoy a levee system, an integral levee protection system, to protect West Jefferson. There is a substantial argument between developers, environmentalists, the Corps of Engineers, and the environmental protection agencies with respect to a lot of land that we are talking about in this park. If you put that land in the park, pay the people that own it, we would then be in a better position to draw a line where a hurricane protection levee can be built that would be acceptable to the Corps of Engineers, the environmentalists, the environmental protection agencies, the landowners, the developers, and also the governing body of this parish. I think this would be one of the manifested desirable collateral benefits that could be derived from having much of this land put into the national park, in addition to the fact that it's going to preserve it. As you know, and I'm sure you're well aware of it because we've talked about it on a number of occasions and I've also discussed it with Mrs. Boggs, the holdup on our hurricane protection levee is that we can't agree among all of these interests as to where the line ought to be drawn and the Corps of Engineers is in the middle. They are not going to get into a lawsuit with other Federal agencies as to where the line should be drawn, and we are at an impasse. So, we are sitting here without a levee protection system on the west bank. Now, this would be one way to help solve that problem, and this is one of the reasons I say there would be many collateral benefits to this national park.

Mrs. Boggs. Thank you very much, Doug. Of course, the levee situation is one that still remains with us, and it is frustrating that we haven't been able to come up with a line after all of these years and we still have no protection. I'm also very interested in listening to your testimony about the local jurisdiction and the type of zoning and so forth that could be done with the peripheral zone around the core area.

Ms. Thompson testified today as far as the core area is concerned, concerning the State's acquisition, that they are already doing studies on the environmental impact of the surrounding area on the core. Would it be possible for you to have some input into that study, the local government?

Mr. ALLEN. Yes; I'm sure we can, and they have always been extremely cooperative with us and always take into account anything we have to say. The short of it is that it is a problem that can be worked out. I don't doubt in my mind that we can hammer that out and establish those zones with restrictions so that there is a minimum amount of interference with the residents. It is important, and I know you know it is, to point out that that levee protection system has been one of our priorities, at least since I've been in office. I've been to your office so many times and bothered you about it and also the Corps of Engineers and to Senator Johnston's office, that we simply have to do something about that. It affects our flood elevation level and it affects everything we do. Now, we are taking a chance, not a deliberate chance, but we do have a chance of a hurricane coming in from Lake Cataouatche, which may happen once every 50 to 100 years, and if this does happen before we get the levee up, there will be a lot of people in West Jefferson under water. And that means possible loss of life, not to mention billions of dollars in property damage. So, it is important and critical in my mind that the first priority of anything on the west bank would be the hurricane protection levee. We have been at an impasse on solving this problem, and this will help it. If for no other reason, I think that that would make this park a desirable project.

Mrs. Boggs. I know it's not a new problem, and Hale initiated the funding for the study many years ago. The corps study is due in June of fiscal 1979, and fiscal 1979 starts next October, and certainly we have to decide on some line that is agreeable to everybody concerned by that time. I think it's very important and urgent that we do have some consideration as to the boundaries of the park when they are considering the hurricane protection levee. I would thank you again for your enlightened interest.

Mr. ALLEN. Thank you.

Senator ABOUREZK. Doug, thank you again for an excellent representation.

[The prepared statement of Mr. Allen follows:]

STATEMENT OF DOUGLAS A. ALLEN, PRESIDENT, JEFFERSON PARISH, LOUISIANA

My name is Douglas Allen, the Parish President of Jefferson Parish, Louisiana. I would like to welcome the sub-committee on parks and recreation to this area of Louisiana and convey our sincere appreciation to you for having scheduled a field hearing on Senate Bill No. 1829 to establish the Jean Lafitte National Historical Park in Louisiana.

The area under consideration consists of ridgelands, bayous, marsh, swamp and lakes, rich in history and culture. It is part of the Mississippi River Delta system and contains fish and wild life habitats that are among the world's most productive. Its natural beauty and productivity is well known and appreciated by local residents. In fact, hundreds of sportsmen have constructed camps in the area to take advantage of the excellent hunting, fishing, boating, swimming and just the pleasure of being next to nature. We in Jefferson Parish and I am sure the entire region, desire to protect this beautiful area in its natural state as much as possible. However, if Congress does not choose to create a National Park in this vicinity, we may lose most of it to development or pollution.

A park in this site has many advantages to the residents of this region from the standpoint of improved recreation and the economic advantage of increased tourism and local employment. The Federal Government could utilize its vast resources to promote these interests and at the same time provide the people of the State of Louisiana a national historical park that will preserve this land in its natural state for future generations.

I would like to suggest certain changes to the bill as presently written to permit the camp owners that are leasing land to remain in the park area with proper access. If this sub-committee feels that they cannot or the National Park Service cannot support this amendment, I suggest that the park boundaries be altered to exclude the majority of the camp sites and that the Federal Government acquire an appropriate buffer area that would permit the camps to remain, at the same time protect the park from encroachment and development. If necessary. I feel sure that the local government would agree to create a new zoning classification that would serve as a buffer zone in certain areas around the park that would permit camps, hunting, fishing, swimming, trapping, but nothing that would permit urban development as we know it. There exists in Jefferson and St. Charles Parishes enough area to consolidate as much as 50,000 acres without displacing the majority of camp owners.

I also suggest that the bill be amended to protect the interest of those local people who are presently engaged in the trapping and fishing industries in the area being considered as a park site.

In closing, I would like to reiterate my support of Senate Bill No. 1829 with appropriate amendments to protect local recreational, property and industrial interests.

I appreciate the opportunity to speak before this committee and offer my assistance to the National Park Service to establish a "Jean Lafitte National Historical Park."

Thank you.

Senator ABOUREZK. The next witness will be the Honorable Ernest Morial, mayor-elect of the city of New Orleans.

Mayor, I would like to welcome you to this hearing and thank you for showing up to present your testimony.

Mayor MORIAL. Thank you very much, Senator.

STATEMENT OF HON. ERNEST N. MORIAL, MAYOR-ELECT, CITY OF NEW ORLEANS

Mayor MORIAL. Mr. Chairman it is an honor and a pleasure to be invited to present a statement to your Subcommittee on Parks and Recreation about the proposed establishment of the Jean Lafitte National Historical Park System.

Being a strong advocate for increasing recreational opportunities for all people and preserving unique natural values, I would like to take this opportunity to congratulate you and your subcommittee for your past and current efforts to improve our national park system. You have made an invaluable contribution to preserving for all time the many, diverse elements of our national heritage.

Let me begin by stating that I strongly endorse the concept of a Jean Lafitte National Historical Park System, composed of numerous satellite units situated throughout the Mississippi Delta Region. This proposal is long overdue.

This area of the country has made substantial contributions to the economic and cultural well-being of our Nation, but our assets and resources have often gone unnoticed and undervalued. For instance, in all of Louisiana there is no national park. Yet, New Orleans and the Mississippi Delta are world renowned for the richness of our history and the beauty of our natural and man-made environment.

The proposed Jean Lafitte Park System would help preserve for the Nation unique elements of America's history and prehistory, as well as prime examples of our highly productive wetland ecosystems. By integrating both natural features, such as the Barataria Marsh unit, and artifacts of human settlements, such as historic structures and places, the Lafitte Park System would also provide opportunity for visitors and people from our area to better understand how the dynamic natural processes of the Mississippi Delta have guided and constrained the growth of the Crescent City.

I am very enthusiastic at the possibility of preserving for posterity one of the few remaining examples of pre-historic civilization on the Mississippi Delta; I'm referring to the remarkable Native American shell midden at Big Oak Island in eastern New Orleans. I also endorse the idea of establishing an interpretative and administrative facility for the Lafitte Park System in the heart of our city, the French Quarter. This facility would make all elements of the park system accessible to not only visitors from around the world and across the Nation but also to all the citizens of our region.

In addition, the transportation study you propose is, in my mind, critical to the functioning of the park system and to making its unique resources available to everyone.

Mr. Chairman, I congratulate you and your fellow subcommittee members for your creative approach to improving our national park system. Thank you for the opportunity to speak in favor of the Jean Lafitte National Historical Park System. If I can be of assistance to you or your subcommittee, please do not hesitate to call upon me.

Senator JOHNSTON. Thank you very much, Mr. Mayor. I think the future of the Jefferson-Orleans Parish area is very, very exciting, not only because of its leadership, but because of what I see happening down here. I am staying at one of the new hotels that has been opened only a very few weeks.

Mayor MORIAL. In Jefferson or Orleans?

Senator JOHNSTON. Well, let's just say that it's on the east bank. But, when I see new hotels and other buildings going up down here, I believe that things are looking up, and particularly for the tourist industry. It has always struck me that somebody will land at the airport in Jefferson Parish and come into town and he has heard all of his life about the pirates of Barataria and the moss-covered trees and the bayous, but he can't get to them. If we can put this thing together with the satellites down in the French Quarter, I think it would be real exciting. There are three cities in this country that are magnets for tourist from around the world, and a recent poll shows that people want to come to three cities in the United States: San Francisco, New York, and New Orleans; not necessarily in that order. But, those are the three most exciting cities in this whole country. We have an almost limitless potential for tourism and yet, one of our historical and ecological assets, is not accessible. We plan on making that accessible as well as all of the other areas and regions, such as Chalmette Park, so that tourists can see this. I think this is going to be a great and exciting thing for Jefferson Parish and Orleans Parish. I am looking forward to working with you as we have in the past 14 years we have been together in the State legislature, et cetera. Thank you very much.

Mrs. BOGGS. Dutch, the Old Mint has been mentioned as one of the places where perhaps the administrative offices of the Park Service could be located. There has naturally been some concern by residents on the west bank, and particularly the people who make their living down in this area, that they would have to go across the river to get a permit to enter the park. I am sure that you don't contemplate taking on such a chore for the city of New Orleans.

Mayor MORIAL. Certainly not. I sincerely believe that working with Jefferson Parish, we can resolve that problem and I don't think it's one that is insurmountable. The city of New Orleans certainly doesn't want to do anything that would diminish the opportunities of those who engage in fishing for a livelihood. We want to encourage that and we think that this is vital and important to our area and we would want to do whatever would be necessary to make the kind of adjustments for those persons so that it would be unnecessary for them to travel long distances to obtain whatever they need to engage in fishing or hunting or trapping.

Mrs. BOGGS. The use of the old mint is something that the State and Federal governments, along with the city, have been concerned about and of course it has been a bouncing ball in an effort to preserve it. And to have this kind of use with another Federal, State, and local program, to me fits in very well in using the money that was spent to preserve the mint. It would be money well spent in this regard, and I would like to assure the people of the west bank that the Park Service will be able to use buildings that are already designated as historic sites and that was the reason for perhaps suggesting that a building within the French Quarter be used because it is available.

Mayor MORIAL. Well, perhaps with the assistance of Jefferson Parish we can resolve that problem.

Mrs. BOGGS. Thank you very much.

Senator JOHNSTON. Thank you.

Senator ABOUREZK. Thank you for your testimony here today.

Mayor MORIAL. It was my pleasure and thank you for allowing me to be here.

Senator ABOUREZK. The next witness will be State Senator Elwyn Nicholson, who says that he has to get back to his office today, and I am going to put him on out of order.

STATEMENT OF HON. ELWYN NICHOLSON, STATE SENATOR, STATE OF LOUISIANA

Mr. NICHOLSON. All right, I'm not good at this protocol so I'll get right into it. I am for the Jean Lafitte Park concept, but without any influence from the city of New Orleans. It has been my experience that Jefferson Parish practices cooperation with the city of New Orleans, but Orleans Parish practices statesmanship; in other words, we always wind up with the hind end. If the park is to be located in Jefferson Parish, then it should be controlled by Jefferson Parish and preferably by West Jefferson people. We have no mountains in this area and no waterfalls and no scenery and no large parks, and if it wasn't for the Mississippi River and our waterways, we would have nothing to relieve the monotony of our surroundings. It won't be long before all that will be visible will be home after home and bore-

dom. We have no Disneyland, we have no large amusement parks and we have no bridge to get to parks that belong to New Orleans.

We have an area that is declining in industry and nothing to encourage new industry to come in. If you are wealthy or have a modest income, you can seek out these pleasures by traveling to other States and other lands, but you condemn the less fortunate to a great unending vacuum. We don't have these esthetics and people don't have the hope of looking for them. Unprocessed sewerage is being dumped into this area right now, and perhaps the Federal Government could help us to remedy this situation. The roads in this area are obsolete, and perhaps the Federal Government would help us remedy this situation. There are a few camps in this area, and perhaps the Federal Government would help by compensating them for their loss. There's a fuel shortage and it's getting worse, and perhaps our people would be satisfied with an area closer to home. The comparisons go on and on. It has been said that you cannot appreciate the sunshine unless you have rain. If that is so, then let us create the proper climate in Jefferson for business, family, and industry. Thank you very much.

Senator ABOUREZK. Thank you very much, Senator Nicholson. Your statement was very brief, and I hope the other witnesses take notice of that.

Senator JOHNSTON. Thank you, Senator Nicholson, and we will try to accomplish just what you said.

Senator ABOUREZK. The next witness is the Honorable Lloyd Giardina, councilman at large, Jefferson Parish.

**STATEMENT OF HON. LLOYD F. GIARDINA, COUNCILMAN AT LARGE,
JEFFERSON PARISH, LA.**

Mr. GIARDINA. Senator Abourezk, Senator Johnston, Mrs. Boggs, and staff, let me tell you that I'm up here to voice opposition to the Senate bill. Now, I've heard a lot of rhetoric how you can remedy some of our objections to the park area, but the only thing I have to go on is what is in written form, and that is what is in the bill. I have to be very strongly opposed to the adoption of the bill in its draft form in the Senate, because—

Senator ABOUREZK. Lloyd, can I interrupt you just for a minute? The process of getting a bill passed is no different on the Federal level than it is on the council level. A concept is introduced and you have to put some sort of language down, and if you're totally opposed to any modification of it, then of course, we would accept that as your view. The only thing I want to ask you is, are you totally opposed to the bill, the concept, or do you think it ought to be changed a little bit?

Mr. GIARDINA. I'll get to that later. As I go through my statement, I will address that particular question.

One of the things that West Jeffersonians, and I represent those people, is that we have become skeptical of Federal legislation. It looks like we have been neglected. Jefferson Parish has entered into more or less an agreement to finance the Superdome, and our hotel and motel taxes contribute very significantly to paying off the bonds that finance the Superdome, and as part of that particular participation we were assured that we would get a bridge. Well, we still don't

have a bridge and it's still in the Federal bureaucracy. We are lacking, as President Allen noted, of a hurricane protection system, which has gone long unattended; again, mired in the Federal bureaucracy. So, our citizens are especially skeptical of Federal projects in which way they affect their lives.

Now, I will go through the objections I have with the bill. Far too many of the people whom I represent are apprehensive about how nationalization of this area will affect their livelihoods and recreational activities. Now, let me go on the record as saying that one of the things I would like to advocate is the preservation of that area. I think that that area has much wildlife in as much abundance as any place in the world. If I had to be isolated or to live off of the wild, that is the area in this whole world that I would select. The only thing I would have to worry about would be not too allow the insects to carry me off. But, as far as the abundance of food and resources, it is exceptional. And that acreage can produce more than any other place in the world, in my estimation. Therefore, our people are skeptical of a Federal project. The bill itself, to me, seems to be a pork barrel bill, because it is not specific and leaves too many things to the discretion of the Secretary. For instance, the Secretary, in the bill as presented has discretion about what camps can stay in the area, who can fish and where they can fish, and what they can do in the area. I think that before I could support this bill, there would have to be some concrete proposals to provide for the activities that are presently being conducted in that area.

Senator JOHNSTON. Can you help us write some language in that area?

Mr. GIARDINA. I would love to, Senator. We could write the language that would positively guarantee the rights and privileges of the citizens that are enjoying it now. The Senate bill, as presently written, makes no provisions for the hundreds of Jefferson citizens who have and maintain recreational facilities in the proposed Jean Lafitte National Historic Park area. We have hundreds of camp owners in that area who have recreational facilities. We also have trappers who have cabins, whereby they spend their wintertime making their livelihood.

Senator JOHNSTON. Is all of this on leased land?

Mr. GIARDINA. I have not found one camper who owns his own property; they lease from the landowner, and they erect their facilities on that leased property.

Senator JOHNSTON. They are not just squatters, they have leases?

Mr. GIARDINA. No; I don't feel as though there are any squatters. Most of them have valid leases. The bill provides for those people who make their domicile in the area to retain their facilities. I would say that 99 percent of the people who have facilities in this area don't own the land, nor is that their permanent domicile.

The U.S. Department of the Interior has made no assurance that will insure the continued use of said area by our commercial fishermen, crabbers, trappers, and hunters, which is so vital to this area's economy. Especially during the wintertime when the trapping season is open. And of course the other livelihoods, such as the processors—not only the trappers who take the game from the area, but also the people who buy the game, such as the meat processors, and it's just a big industry

that would be hard for us to overcome, even with the additional tourist industry. It would be hard for us to replace the amount of industry that we derive from trapping, fishing, hunting, et cetera.

There is no provision for continued mineral exploration and extraction within the park area, which is so vital to our local economy. The whole west bank in particular is oil industry orientated. This is where most of our people rely for their basic livelihood. So, we would certainly not like to exclude the mineral extraction and exploration industries. We would like to, and one thing I would like to compliment is that the Government certainly has addressed the problem of having the oil companies retain the land in its natural state. If you look up at that map [indicating], you can see what the oil companies have done and you can see all of those little lines and canals. Well, that is one of the problems that we had in our area. Those canals and the ship channel has promoted saltwater intrusion into our area, and we are losing, both in this area and south of the area, a lot of our marshland to saltwater intrusion. Especially south of the area, towards Grand Isle, you can visibly see yearly how we are losing our land to saltwater intrusion. The Federal project, the ship channel, and the canals dug by the oil companies and not properly filling them back in, and not addressing themselves to the ecology system properly, we have already lost a lot of our natural resources.

Proper local representation on the Delta Region Preservation Commission has not been addressed in the bill. I think that is very vague and if adopted as written, could possibly leave out these people of West Jefferson where the major portion, the major investment, of Jean Lafitte National Park is going to come from. You asked President Allen about who he thought should be on the Commission, well I think that the governing authorities of Jefferson Parish and the city of Westwego and the city of Lafitte should have representation on that particular body.

Senator JOHNSTON. In other words, you think that the Jefferson Parish Council should appoint someone and the city of Westwego should appoint someone and also the city of Lafitte?

Mr. GIARDINA. That's right. And also the Westbank Chamber of Commerce.

Senator JOHNSTON. Do you think that they should appoint or recommend someone to be appointed?

Mr. GIARDINA. I think that they should be allowed to appoint a representative on that Commission. I also think that local industries, which is vague in the bill, should specify the local fishing, trapping or whatever, so the bill will specify the people that it directly affects.

Consideration has not been given to the overall adverse effect to the local economy by taking out of commerce such a vast amount of revenue producing and taxable property. Now, the 23,000 acres would take in a lot of land that could possibly be developed and I am talking about urban development. There is some acreage in that land that does not relate to the 404 permit, that could possibly be salvaged.

Senator JOHNSTON. Would you like to see that land developed back there for homes or industries or high rise apartments or whatever?

Mr. GIARDINA. Which land? You have to be specific Senator; 23,000 acres is not very specific. There is about 5 to 10 percent of that area that lends itself to development.

Senator JOHNSTON. Well, you said by taking out of commerce such a vast amount of revenue-producing and taxable property.

Mr. GIARDINA. If you take the land and put it into the public sector, it removes that property from the local tax rolls.

Senator ABOUREZK. How much of that property is being taxed right now?

Mr. GIARDINA. All of it.

Senator ABOUREZK. Every bit of it?

Mr. GIARDINA. Yes, sir, all of it.

Senator ABOUREZK. Do you have any idea of how much the revenue is?

Mr. GIARDINA. That is part of the things that I think the committee should look into. I think one of the considerations that your committee, one of the studies that your committee should make, would be to analyze what local taxing revenues this particular area is producing.

Senator JOHNSTON. One thing I don't really have clear in my mind is that it is our feeling that this area ought to be preserved and you want to keep it where it will be the most productive wildlife and fishery preserve in the world, and that it ought to be preserved in the way it is for the people who fish and trap and hunt. Now, I think that kind of feeling is inconsistent with development for homes and high rises and what have you. When you say that we would be taking it out of commerce, are you saying that you want to develop it for homes and high rises and so forth?

Mr. GIARDINA. The portions that lend itself suitable for development; yes.

Senator ABOUREZK. Are you saying that you want to allow development there?

Mr. GIARDINA. In those areas that are suitable, yes.

Senator ABOUREZK. In those areas that are suitable, you support development of homes and high rises?

Mr. GIARDINA. Not high rises. I mean planned development. You know, I could relate to subdivisions or high rises, but high rises seem to be very obvious. I'm certainly not an advocate of high rise apartment dwellings, but there are areas in there that could lend themselves to very nice residential development on large sites, where taking advantage of the high ground and the trees that prevail, there could be some very highly desirable residential development.

Senator ABOUREZK. If there is a desire on the part of the people here, as well as the Park Service and as well as Congress, to try to preserve a historical area, one of the key things is not to allow development to upset, not only the scenic beauty but the ecological system itself. I don't know how your government setup is down here, but you obviously have a treasurer that collects taxes; is that right?

Mr. GIARDINA. Yes, sir.

Senator ABOUREZK. Is your treasurer here today?

Mr. GIARDINA. No; he's not here today.

Senator ABOUREZK. Well, you would have to provide us—

Mr. GIARDINA. I appreciate that, Senator, and we could provide you with that information, but I would like you to consider that information in considering this bill.

Senator ABOUREZK. Well, we would like to have that information and the total revenue derived from this area.

Mr. GIARDINA. Like I say—and I would like to find a way of preserving this area. Rather than allowing it to go into the public domain, keeping it in the private sector and protecting it.

Senator JOHNSTON. Well, we can't have it both ways; we can't have development of homes and preserve it. You've just got to make a choice somewhere along the way. I thought that Senator Nicholson made a very strong speech when he was talking about house after house after house. Is that what you want back there?

Mr. GIARDINA. No, sir. I am not advocating house after house after house. That particular area, the majority of it, does not lend itself to development, but 5 to 10 percent of it is very desirable.

Senator JOHNSTON. Well, your statement says a vast amount.

Mr. GIARDINA. Well, that is taken out of the tax base. The whole area is revenue producing property for the parish.

Senator JOHNSTON. Now, the central core area has some high ground on it. Would you want to develop that also?

Mr. GIARDINA. No, sir.

Mrs. BOGGS. Bennett, I think that what Lloyd is saying is not do anything to the core area. He is suggesting that within the 23,000 acres there is some high ground and perhaps that could be developed into homesites and a very nice residential area. He is not recommending urban sprawl and what I think he is more or less thinking about is something like a peripheral corridor and we could perhaps have limited development in there. I don't think that he's advocating doing away with the central core area.

Mr. GIARDINA. That's correct. You see, originally when the committee had its hearing here, the first hearing, they were presented with a proposal that would include the area of the State park, about 7,300 acres, and that to me was a fine idea. Let me tell you this, when you establish a park area, the peripheral area is also affected by the request of the Park Service and what effect the peripheral area has on the park. We certainly want to protect the park, but when you put 23,000 acres in the public sector, the peripheral area is a vast area that is also affected by the activities that go on within that 23,000 acres.

Senator JOHNSTON. Well, you heard Doug Allen's testimony about ways in which we could provide for that. We can take the 7,300-acre core area and have some kind of local requirements on the outside, or you could require a greater area, but grandfather in certain rights; there are different ways to do it. However, do you have any advice as to how we ought to do it? How can we make this park suit you and suit your people? First of all, you are talking about the commercial fishermen and the crabbers and the trappers and the hunters, and we have already agreed to do that.

Mr. GIARDINA. I would have to see that language in the bill, Senator.

Senator JOHNSTON. What kind of language would you like?

Mr. GIARDINA. Guaranteeing that our commercial fishermen, hunters, and trappers can continue their activities within the area.

Senator JOHNSTON. Well, how do you want to make that guarantee?

Mr. GIARDINA. Not at the discretion of the Secretary, as is in this bill. You know, this bill leaves a lot to the discretion of the Secretary.

Senator JOHNSTON. Well, let me read this to you: "Within the Barataria Marsh unit, the Secretary shall permit—," and "shall permit" is not discretionary, "—shall permit hunting, fishing—"

Mr. GIARDINA. Where are you reading, Senator?

Senator JOHNSTON. On page 5.

* * * the Secretary shall permit hunting, fishing, including commercial fishing, and trapping, in accordance with applicable Federal and State laws, except that he may designate zones where and establish periods when no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment.

Mr. GIARDINA. It's very vague, Senator.

Senator ABOUREZK. Let me say, Lloyd, that it's not as vague as it seems. When it's stated in the law like that, if the Secretary wants to close off a portion, he's got to do it through public hearings and justify what he's doing. It is not as discretionary as you might think. With this kind of language, every movement that the Secretary makes must be justified and if he can't show any justification, it can be enforced by any hunter or trapper in a court of law.

Senator JOHNSTON. Lloyd, let me read further: "Except in emergencies, any regulations of the Secretary promulgated under this section shall be put into effect only after consultation with the appropriate fish and game agency of Louisiana." Now, this language in here was approved by the Louisiana Wildlife and Fisheries Department. Now, when we say, "—for reasons of public safety," we don't want somebody shooting a deer rifle toward the boat launching ramp, and that's all that means.

Mr. GIARDINA. Well, I don't think they would permit rifles in the area anyway.

Senator JOHNSTON. Well, all we wanted was some kind of reasonable regulation. What we're telling you is that if this language won't do it, give us some other language.

Mr. GIARDINA. In my opinion, the language allows the Secretary a lot of discretion, especially in the area of permitting our people to hunt, fish, or trap in the area.

Mrs. BOGGS. That's why in legislative language we say shall; and when we say shall, that doesn't mean that he may do it. He has no discretion, and he shall do it and he will do it.

Mr. GIARDINA. Well, he could do it in such a fashion that he could legally—you know, he could take away the privilege that these people are enjoying now.

Mrs. BOGGS. As Senator Abourezk said, he cannot do that without a public hearing and justification, and the bill does provide in conjunction with the appropriate fish and game agency.

Senator JOHNSTON. We put in the language that said he shall permit hunting, fishing, and trapping; and if someone was to come up there with a deer rifle and shoot it over the camps or the boat launching ramp, we wouldn't want to permit that at all. All I can say is that if you are not satisfied with this language, you can give us some language to put in here; that's what we're here for.

Mr. GIARDINA. Let me also comment that I think this bill gives too much discretion to the Secretary in the area of providing improvements. My interpretation of the bill is that the Secretary has \$500,000 in the original bill, to carry out the improvements, which means that

we may be last on the totem pole for the necessary improvements to generate tourism to our area. The Mint may get the first attention and an antebellum home in the Garden District may get priority before priority is given to the improvements of what this is all about, the Jean Lafitte Park. It gives him complete discretion in spending those funds. You know what that's going to be Senator; that's going to become political. And that's why I relate the whole bill seems to be a pork barrel bill, and it's going to be a political thing about whose going to get what and where. So, you're going to take and buy the acreage over here and then it becomes discretionary with the Secretary and the Secretary's political appointment as to where the funds are going to be spent for the improvements. So, if West Jefferson is going to contribute the vast majority of the assets that constitute the park and yet we are not guaranteed that the vast majority of the money will be spent on the improvements for the development of the park or that it's going to be spent in West Jefferson.

Senator ABOUREZK. What improvements do you have in mind?

Mr. GIARDINA. Well, if you're going to have a tourist attraction, you would have to provide boat tours, canals, walking paths, attractions—you know, so that you just can't fly over the area. I'm sure that in the true sense of tourism that you would have to develop some sort of improvements to the assets in the area so that the tourists can enjoy themselves.

Senator ABOUREZK. And are you saying that there are no assets there now?

Mr. GIARDINA. Yes, sir, there are, but they have to be developed. When I say development, I mean development of the recreational facilities, the tourist attractions. Yellowstone National Park, it certainly is developed with access roads and walking paths, campsites and areas where people can hookup trailers so that they may enjoy the area. That's the type of development I am referring to. And there is no guarantee in this bill that the development of the Jean Lafitte Park, that those funds will be spent to develop that area rather than revive the Old Mint or renovate downtown or to buy two or three places in the Garden District in the name of the Jean Lafitte National Park.

Mrs. BOGGS. Lloyd, if may interrupt for a moment. The Old Mint is already paid for.

Mr. GIARDINA. But, there will be funds to renovate it.

Mrs. BOGGS. The funds are already there.

Mr. GIARDINA. The bill leaves that completely to the discretion of the Secretary.

Mrs. BOGGS. There is nothing in here about acquiring any antebellum homes. It is just a linkup and what is already man built is already there.

Mr. GIARDINA. I fully appreciate that, Lindy, but just as I would try to take advantage of any legislation in the interest of my constituents, the rest of those folks out there who might be in the park area will do the same thing, and it comes down to who has the most votes, which means that my people might be eliminated or get a lesser benefit from this thing as proposed.

Mrs. BOGGS. I agree with you that you should have strong representation on the Commission, West Jefferson.

Senator JOHNSTON. I think you have made four points here. First of all, you want commercial fishermen, hunters, and trappers to be protected.

Mr. GIARDINA. Positively protected in the language of the bill.

Senator JOHNSTON. Well, this language may not be perfect, and if you will give us some other language we would be happy to consider it. Second, you are concerned about mineral exploration, and I think that I can say without question that we would allow that subject only to reasonable rules about not destroying the area any more than you have to. Then, you want local representation on the Preservation Commission, and we said that we want to do that, too. You gave us some good ideas about the governing authorities of Jefferson Parish. It's a little bit different from Doug Allen's advice, but if you would get together and tell us how you want to do it, we would be happy to try and accommodate you. Mainly, Lloyd, what this bill will do is to preserve the area back there. That's what you want to do and that's what we want to do.

Mr. GIARDINA. Yes, sir, that's true. In closing, I have a small closing statement.

In closing, let me say that I sincerely believe the proposed area, as well as much of the surrounding area, should be protected and allowed to remain in its natural state. If you are as familiar with the area as I am—I was born and raised in that area. I've hunted and fished in the area and I've enjoyed the activities that are conducive to the area, and I would like for my children and their children to be able to do so. However, I am very skeptical about its ownership. I feel it should remain in the private sector in terms of landownership. What I'm saying is that we can legislate and impose regulations to curtail development that would ruin the land or ruin the natural land—we can impose regulations.

Senator JOHNSTON. Where were these regulations when they went in there and cut all those canals you were talking about?

Mr. GIARDINA. That was many years ago and that was before all of this awareness that we have now. You know, this country is very aware now of the ecological problems and the environmental problems. As a matter of fact, it's created a whole new industry of environmental consultants. I think that if I were a young man in college I would take up the field of environmental consultant, because I guarantee that's a lucrative field at this time, because of this Nation's awareness of the environmental concern. It's hard to find a qualified environmental consultant. But, I don't think that the answer is in the public sector of such an area. Especially an area that is used daily by many people who make their livelihood down there. You know, Bayou Segnette, and Bayou Segnette runs from Westwego—if I might walk over to the map and show you. This is Bayou Segnette [indicating] and it is an access to all of the areas from Westwego.

Senator ABOUREZK. Would you point out where you believe the 5- to 10-percent area that is suitable for development is?

Mr. GIARDINA. That area would be approximately here [indicating], Senator. It's indicated by a wooded area along Highway 45, and it's a natural ridge, and it's high ground. You know, in the Delta Region here you don't have any real high ground, so we do have some ground above sea level. Across the river over there, and you can look out and

see them, most of those buildings over there are built on ground below sea level. In this area [indicating], we have a lot of ground above sea level. Of course that area over there is protected by hurricane protection levees and has been drained for hundreds of years. But, there are some areas in this proposed park area that are higher above sea level than where those buildings are across the river.

Senator ABOUREZK. Lloyd, I want to express my thanks for an excellent presentation and we appreciate the questions you have raised. I would expect that you will work with Senator Johnston and Representative Lindy Boggs in giving them the recommendations that you are interested in.

Mr. GIARDINA. We would like an opportunity to do so.

Senator ABOUREZK. Well, I would say that if your interest is in preserving this area, I don't know how you would do it except by acquisition by the Park Service. If you try to keep it just as private land, then you will preserve it for just a few people. Now, if you want to preserve it for the public so that everyone can enjoy it, you've only got the other way to go, and this is to make the park a combination park and historic area. Of course, that is to a large extent up to the folks that live around here, whether they want to preserve the area, and we would like to have their support in it. As I say, if it becomes a national park it has to do with people around the country and that's why we call it the National Park Service. We have vast areas in my state of South Dakota that private landowners would like to have kept, and yet the general public out there said, "We don't want just a few people seeing this beautiful scenery, we want the entire public to do it." So therefore, that very narrow private interest has been overridden in favor of the public interest. I would hope that this same thing would apply here.

Mr. GIARDINA. Let me make one comment about that. If the area went into the public sector I would like to see an assurance of local control.

Senator ABOUREZK. That I will negotiate with Senator Johnston and Lindy Boggs exactly how the controls would be. What I would like to see myself is absolute local consultation, but not local control. If you are going to run a national park or some semblance of it then I think you have to have park service control or some semblance of it.

Mr. GIARDINA. But like I said, the bill is very skeptical as presented, because of all the other area that it incorporates. If the National Park Service ran that area, as they do exclusively, then I think they could relate to it. But, if it gets over the river, into the French Quarter and in the Garden District, we may have problems and we may have cause to be skeptical of Federal intervention.

Senator ABOUREZK. I am very strong for local people telling the Park Service what they think ought to be done. But, I think also that the Park Service ought to have some voice in it themselves. I would also say that by and large, with a few exceptions, the Park Service has generally run the system all over the country very well. You can go anywhere in this country and you can see areas of scenic beauty and they are disappearing fast. You know as well as I do that the practical reality of it is that where someone can get his hands on some land and make some money out of it, he's going to do it.

Mr. GIARDINA. I have a very easy solution for delineating the park area. That would be to establish a levee line, because the major objection we have from landowners in establishing a levee line is that those landowners whose property falls outside of the levee will feel as though their rights have been taken away to the use of that property. If we establish a levee system, then I'm sure there would be less objections to the public acquisition of land outside of the levee system, and those people within the levee system would be able to continue in their endeavors to develop—and also be protected by the levee system. Some of the major objections to establishing this park system would be overcome, because the landowners outside of the levee system would certainly be happy, I'm sure, to turn over their property to the National Government and retain their mineral rights. But, we don't know about the levee system yet.

Mrs. BOGGS. Lloyd, I think you made two very significant contributions. One is about the levee system and the other one is that there may be considerable loss of tax revenues to the local government. We would really appreciate your getting this information to the committee.

Mr. GIARDINA. I'm going to attempt to come up with a figure.

Mrs. BOGGS. It would be very significant.

Mr. GIARDINA. Talking about tax revenues, one of the largest sources of revenue that we have for local government is sales tax. And I am sure that if someone is going to take a tour on a bus, that this service is not going to be free; and as far as which community would get the sales tax. I'm sure that would be a big hassle.

Senator ABOUREZK. Thank you very much, Lloyd. The next witness will be the Honorable James E. Lawson, Jr., councilman of Jefferson Parish. Councilman Lawson, we would like to welcome you to the hearing; and if you are prepared to testify, you may proceed.

**STATEMENT OF HON. JAMES E. LAWSON, JR., COUNCILMAN,
JEFFERSON PARISH, LA.**

Mr. LAWSON. Thank you very much. I don't have a prepared statement, but I intend to submit one along with recommendations to the committee.

Mr. Giardina and I both agree on many of his recommendations. We've spoken about them many times before today. I will probably reiterate most of those, and I would appreciate if you would bear with me. As a councilman from the area in which the Barataria Marsh Unit lies, I feel also that I represent those people and know what their views are and how they feel about the park. We have many problems in the Second District, in which the park is located. I can understand Mr. Giardina's skepticism of Federal intervention. We have attempted to secure permits for the relocation of pumping stations in the area; we have not been successful. Each and every time they require an environmental impact statement, and the same thing is true of levees. As the local representatives of the people in parish government, the people look to Jimmy Lawson to provide them with these services and with protection and security for their homes and their families, and it seems like we're always running into a roadblock. I must admit that this is one time where the Federal Government is coming to us and

saying, "Look, we have a project for you," and I certainly appreciate that.

I am here today to testify once again in favor of the park; however, I am not in favor of the bill that is up before us today. There is no doubt that the park will benefit present and future generations here in Jefferson Parish and in the Delta region. The park will preserve the cultural diversity and natural historical resources significant to this region. I realize that the purpose of this hearing is to receive feedback from the local residents as to their feelings with regards to the park. I would like to make a couple of those known, and one is the size of the park. A 23,000-acre park would incorporate that area of Bayou Segnette, Lake Salvador, and Lake Cataouatche, which would affect the shellfish and fishing industry along with those people who have enjoyed this area as a recreational area for many years. I am speaking of those people who have camps along Bayou Segnette. I think it would be necessary to reduce the size of the park so that the shellfish and fishing industry would be allowed to continue with their present activities, without restrictions, so that this cultural diversity and the fact that we had fishermen in the area could continue with their livelihood. There is skepticism that if this were a Federal park, that they would no longer be allowed to do so. And I think Lloyd mentioned in the bill the fact that zones can be created, and I understand the fact that when Federal hearings are held, the Federal bureaucrats in Washington tend to overlook the feelings of Mr. Thibodeaux who lives in Westwego or Mr. Jones who lives in Marrero and the few people who seem to not have any influence when it gets right down to it. You have to rely on your Congressmen and your Senators to represent you.

Second, I think the area of the concentration of camps should come under the local control of the Government authority and/or the Wildlife and Fisheries. I think you need an area, a buffer zone, around the park, so that we can preserve it and no development will take place. As a user of our national parks, and I have had quite some hair raising experience in them, I certainly enjoyed them and I see their benefits. I love them, as a matter of fact; there are no telephones. When I am there it's me and the wilderness and I enjoy that. I am certain that the people in this area will realize the benefits of a national park once the facilities are built.

My third recommendation would be representation on the Delta Region Commission from the West Bank Chamber of Commerce and from the fishing industry. In the bill it states simply that there would be representation from industry that is located within the park. It doesn't specifically say what industry, whether it would be oil industry or fishing industry, and I think we need specific wording on that.

As far as the tax base argument that was brought out, I just don't have any figures as to what the effect would be economically to the parish in the loss of tax revenues. But, I do believe that we would get this back tenfold by the benefits derived from the park itself. In order to run a park you need people, which would mean income, jobs. I don't have any idea of how many people would be employed by the Park Service, but along with the park is all of the other things, such as the hotels, the motels that would be built here on the west bank; this is good, and it would be a good economic benefit.

I'm going to make this short, because I understand you have many other people to testify. As Mr. Giardina pointed out, we have many problems in the area. We do need hurricane protection levees, and with the creation of the park and the establishment of the boundaries of the park we would then be able to bring in hurricane protection, which is so drastically needed in that area. I can't understand why we never had this in the past; apparently someone didn't worry about it, but I have to worry about it. I have seen the effects of it recently, in September, and I have spoken to Congresswoman Boggs and also to you, Senator, and we have to understand the feelings of the people and we've got to get on with our business and make certain that the people are secure and safe in their homes.

With that, I would certainly like to thank you for giving me the opportunity of addressing you today and to make the three brief recommendations, and I am going to follow this with written suggestions to the committee.

Senator ABOUREZK. The record will remain open for 2 weeks for anyone that wants to submit a written statement. We thank you very much and appreciate your appearing at this hearing today.

Senator JOHNSTON. I want to thank you for your excellent testimony and for joining our meeting in Washington last week when we discussed some of these things. We will be glad to try and accommodate you with your suggestions and we would be glad to get your written suggestions. We agree on the principal concept of the park. The only thing we've got to do is solve questions like the camps: We would let the present camps stay, but can any new camps be built? This is the sort of thing we have to deal with and I look forward to your written suggestions. I think we will be able to accommodate you on every suggestion. As you pointed out, this park will preserve this area better than any other device we could think of. Thank you very much.

Mr. LAWSON. I would like to say one thing about the people that own the camps. They recognize that this area must be preserved. They have used this area for the past 40 or 50 years and they recognize that it must be preserved. I am certain that they don't want to see any development in this area. I am certain that we would have to incorporate different wording in the bill to prohibit any additional camps in this area. That's one possibility. I understand that if we continue to allow camps to be built back there that maybe one day we will have as many as 5,000 camps and that would take away from the park and we certainly don't want to do that. You will be receiving my recommendation shortly.

Mrs. Boggs, Jimmy, we would like, when you give us your recommendations, for you to point out the type of facilities that you think West Jefferson would need to make certain that there was an interpretive area here and that there was a place where people could purchase tickets for the park or for the buses or if just people came from other directions on their own. Most of the people do come on their own to national parks, as you and I have done in other national parks all over the country. But, in order to have people able to come in this area and actually see the park and bring the economic benefits to the west bank, would you please suggest what type of facilities you think there should be for receiving guests and all of the park users. What type of services could be available to the general public, within the

Park Service, and how actually we can allow people from the rest of the country to be able to go out to this area to see it. I think that is one of the concerns that people in West Jefferson have, that is, whether or not we are going to have a center on this side of the river to take care of the parkland, the larger area, and indeed how we are going to interpret it physically for the benefit of all. But, would you get those recommendations for us?

Mr. LAWSON. I sure will. I understand that the facility to be located in the French Quarter is a facility that will strictly direct them to the park and provide them with information as to where the park is located. Once they arrive at the park, it will have its own visitors' information center which will then provide them with additional information.

Mrs. BOGGS. Yes; and other types of facilities.

Mr. LAWSON. Yes; I will prepare it and submit it.

Mrs. BOGGS. Thank you.

Senator ABOUREZK. Thank you very much, Councilman Lawson.

I am going to take the next witness out of turn because he has to appear at a meeting, and I will ask him to be as brief as possible. The next witness will be Hon. John A. Alario, Jr., State Representative, District 83, Louisiana House of Representatives. Mr. Alario, I would ask you to just submit your written statement for the record and give us the highlights of your comments.

STATEMENT OF HON. JOHN A. ALARIO, JR., STATE REPRESENTATIVE, LOUISIANA HOUSE OF REPRESENTATIVES

Mr. ALARIO. Thank you, Senator, but I don't have a written statement to submit, so there won't be any problem there.

I do have a copy of the legislation as Senator Johnston introduced it and I have some suggestions and possibly some amendments that I would like the committee to consider.

I have been a supporter of the Jean Lafitte Park, whether it be on a national level or a State level. The State has already gone ahead in that direction and has provided some \$6.6 million. However, we have had some problems which have arisen since the park was conceived. Initially there were some 7,300 acres and I don't think that we had one or two people objecting to the park at the time. Now, you are suggesting 23,700, therein you are going to meddling and therein is where you're going to hear from people in our area. I personally have mixed emotions about the 23,700 acres. I understand by the testimony given today that the purpose for the larger acreage is for ecological balance and to protect the 7,300 acre area. I applaud that and I think that is a step in the right direction. I think if you might consider some of the changes I would suggest then we might alleviate some of the problems. I will try to go right down the bill in its order so you will have some idea of where we stand.

One of the questions I have is about the administrative facility in New Orleans. If the purpose of that is to restore the old U.S. Mint, then again I applaud that, because I believe that's a step in the right direction. You said that our people would not have to go down to New Orleans to get a permit to fish or to camp, that this facility would be provided at the park site, then there should be no objection in that

area. Now, there was interest raised before about the wording in the bill where the Federal Government would buy the land around that area, including the interest. Well, I take that to mean the mineral interest. You have agreed in the subcommittee that you would allow the mineral interest to remain in the hands of the landowners, and again, we have alleviated that problem. In the next section of the bill, section B on page three, you say that a person who has a home now in that particular area, living in it now, would be able to remain and stay in his home with the exception that if he or his spouse dies then they have to move out. I don't know why you have to provide that if one of them dies then the other has to move out. If that's the family home and they have children that they are providing for there, then they ought to be able to remain there as long as that home is not sold. And also you say for a term of not more than 25 years. You ought to take that out also. If a man is 40 years old now and living in his home, then 25 years from now he's at age 65 and you want to take him out of his home that he's been living in most of his life and displace him and do away with his home.

Senator JOHNSTON. What you're saying is that a man or his wife, whichever occurs last, and then strike out the 25 years?

Mr. ALARIO. Senator, I would rewrite that whole section to say that as long as the home was not put in commerce, to be sold somewhere else—if it was put in commerce, then it is to be sold to the National Park Service. If it remains the home of the wife or the husband or the children, then it ought to be maintained as their home.

On page 4 that whole section deals with the area of single family dwellings. We have heard some testimony today that some of the people who have camps in that area would be displaced because they don't live there year round. I think you ought to write some language in here to provide that if a man has a camp that he ought to be able to continue to use it and his children ought to be able to continue to use it. If the camp or home is put into commerce then it should be sold to the National Park Service. You should put a moratorium on new camps. There shouldn't be any new camps built in that area. But, if a man has put a great deal of time in his camp and he has spent a lot of time down there with his family hunting and fishing, then he ought to be able to remain in his camp.

Mrs. BOGGS. Would you also include the people who have leased camps?

Mr. ALARIO. Yes, ma'am. In south Louisiana a camp is a man's castle and they treasure that very highly.

On page 5, you go into probably one of the principal objections that we have heard today, and that concerns the fishing industry. While you do say that there should be public hearings held by the Secretary, after consultation with the Louisiana Wildlife and Fisheries, I would like to suggest to you that on page 5, line 14, that after the word, "with" that you insert, "and approval of the appropriate fish and game agency of Louisiana." With that language in it nothing changes for the fishermen of Louisiana and especially the ones that fish that particular area. If we allow the rules of the Louisiana Fish and Game Agency, the same as is being done now, we haven't changed a thing and I don't think you will have any objections from the fishermen of Louisiana.

Now, on page 6, you talk about how the commission shall oversee the site and the area for the park and it shall consist of a 10 member commission. I don't see any language in there that gives a length of term for those members of the commission. I don't know if that is a procedure that is normally left out or if we ought to include it for whatever term of office they ought to serve. I also believe that it should be added in that local governing bodies have some representation, if not a great deal of representation and include the areas that Councilman Giardina suggested, the parish Council, the city of Westwego, and the city of Jean Lafitte. This would assure that the local people would have a local person to call and complain or give suggestions to in order to keep them apprised of just what is going on.

Page 7 is probably the most surprising thing of this act where it says you have appropriated \$500,000 for this great undertaking. Now, if that is just to get a foot in the door then I can understand it, because I am guilty of doing that in the State legislature myself. That \$500,000 for the number of acres that you are suggesting would provide only \$21.09, if my arithmetic is right, per acre.

Senator ABOUREZK. No, you are misreading the intent. It is an open-ended authorization, but no more than \$500,000 for the facilities. In other words, if it cost \$10 million to buy the land that would have to be authorized separately.

Mr. ALARIO. I'm sorry, I didn't understand that language. All I could read was, "Not to exceed 500,000," and to me, that meant not to more then we are open for suggestions.

Senator ABOUREZK. Not even a good lawyer drafted that.

Senator JOHNSTON. John, the idea was to hold down the amount for the public facilities. The last time we had a hearing someone said, "Don't make it a Disneyland back there," but you're going to need some type of public facilities. We don't want a lot of buildings, and that's why we put that language in there holding it down to \$500,000 for the development of the public facilities. Now, if you think we need more then we are open for suggestions.

Mr. ALARIO. Senator, I think you do. I heard the discussion with Councilman Giardina about high-rise buildings in that area. You are in the high-rise building on the west bank and there is one other and that is the Petroleum Club on the Harvey Canal. A high-rise building in that particular area would be a duckblind built above mean high tide.

The State has undertaken some good plans for the development of this area if it was going to be turned into a State park. I don't have those plans with me now; I wish I did. These plans provided for some nice facilities there with some nice camps being built in that particular area. If a man from Colorado wanted to visit the park or come and visit Jefferson Parish, he could come and rent a camp in that area for 1 or 2 days, provided that we had enough mosquito control for him in that area. The plans provided for some fishing piers, boat launches, and a natural beach for the people in that area. I just don't think you are going to be able to accomplish some of those things for \$500,000. I don't think you're going to be able to accomplish for a certain area being set aside for campers to be able to hookup and with proper sanitation facilities. If you're just going to buy the land and leave it as a

marsh, then I don't think we have a park as we understand it. All you would have then would be a wildlife and refuge area. If that's what you want to do then that's what you ought to call it and then let us proceed to address ourselves to the problem. If you're going to call it a national park then you should develop it to where people can use it.

The only other thing, Senator, and I passed it on page 3. You say, "Lands, waters, and interests therein owned by the State of Louisiana or any political subdivision thereof may be acquired only by donation." You've already heard testimony today that we have already spent some \$2.2 million in that area for purchasing 511 acres. Maybe you ought to have some language in here to say that as of a certain date any land that the State has bought that you could reimburse us for that. If the State does not acquire the land then it may go by the wayside. If you all don't pass this piece of legislation to buy it, then we don't know where we stand. We are kind of in a pickle to know where to spend the other \$4.4 million. If we are going to spend \$6.6 million and then turn it over to the National Government, we could probably use those funds better in Jefferson Parish to provide other recreational facilities for our people. Please look at that too.

Senator ABOUREZK. Mr. Alario, we want to thank you for a fine presentation.

Senator JOHNSTON. John, first of all we have a policy on the Park Committee not to buy land from the State when they are going to put it in. In other words, we don't put a park in a State area where the majority of the people don't want it. And we feel like we are doing a great service and benefit to this area, so we have a policy where we don't pay the State. What I am saying is that it would be impossible to reimburse the State the \$2.2 million. Now, for future reference on the \$4.4 million, I agree that you ought to spend that money in Jefferson Parish unless there is a piece of property that is getting ready to get away from you, that you want to acquire.

Mr. ALARIO. Senator, what I'm trying to tell you is that if you all are sure that this matter will pass Congress, then we could hold back on the \$4.4 million. I am sure some of this land is going to go by the wayside in the next couple of years, and the landowners are not going to hold on with a promise from the State or a promise from the Federal Government. They may go in and try to develop it, and I think you should move quickly.

Senator JOHNSTON. Well, I would say that on the Senate side that Senator Abourezk will pretty well determine the outcome, and I think that he will smile favorably on it. And I would think that Lindy Boggs over in the House would get it passed over there. I am confident that it will pass. Now, I know you have some quarrel with some of the language in the bill and that does not mean that we can't improve on it, and I believe that you have been very helpful, John, to us and I appreciate it very much.

Mrs. BOGGS. John, thank you so much, and we don't want to present any type of legislation if the people don't want it.

Mr. ALARIO. Thank you for letting me address the committee.

Senator ABOUREZK. Thank you, Mr. Alario. The next witness will be Dr. Harold R. Katner, director of the City Planning Commission, the city of New Orleans. Dr. Katner, welcome to the hearing.

**STATEMENT OF DR. HAROLD R. KATNER, DIRECTOR, CITY
PLANNING COMMISSION, CITY OF NEW ORLEANS, LA.**

Dr. KATNER. Thank you very much.

Mr. Chairman, Senator Johnston, I have already submitted a prepared statement. We have reviewed the bill, and we very much support it with a few comments: If we are to obtain any property in the French Quarter to be used as a visitors center, we suggest that either the old U.S. Mint, the Wildlife and Fisheries Building, or the old First District Police Station. I think that if the Park Service would define their needs and requirements, we would be happy to work with them on that.

Relative to the acquisition of Big and Little Oak Islands as part of the Jean Lafitte National Park, we have already obtained a verbal commitment from the property owners in this area for donations of specific Indian Middens. These lands are in a subdivision surrounding these islands.

I think we are trying to say that we are very supportive of this concept and we think it is an excellent concept and we would be willing to work closely with Mr. Allen and the Jefferson Parish Council, even though we recognize that the bulk of the park will be in Jefferson Parish.

In addition to that, the city of New Orleans has under construction at the present time a nature center in the Joe Brown Park. This is an effort by the city to be an interpretive center, and it could be supportive of the national park concept. I believe that these things could be taken over by the National Park Service and could be made available to the National Park Service on any supportive plan deemed necessary.

Senators, I would like to make a comment based on the funds in the bill. I think it was \$500,000 that would be appropriated for the development of the area. I think you are going to find this figure very, very low, and probably you will have to raise that figure.

Let me close by saying that even though we appreciate the fact that a major portion of the development is going to be in Jefferson Parish, the city of New Orleans is very supportive of the concept of the satellite park, and we believe that it is imperative that the implementation of it should move forward in a very expeditious manner, and we will do our best to work closely with the Jefferson Parish officials in accomplishing that. Thank you very much.

[The prepared statement of Mr. Katner follows:]

**STATEMENT OF DR. HAROLD R. KATNER, DIRECTOR, CITY PLANNING COMMISSION,
CITY OF NEW ORLEANS, LA.**

Senator Johnston, members of the subcommittee, ladies and gentlemen: Thank you for this opportunity to publicly express the views of the city of New Orleans with respect to the proposed Jean Lafitte National Park.

The city of New Orleans since 1970 has supported the concept of the Jean Lafitte National Park. The establishment of such a facility will fill a strategic recreational and cultural need, not only for south Louisiana, but for the entire nation.

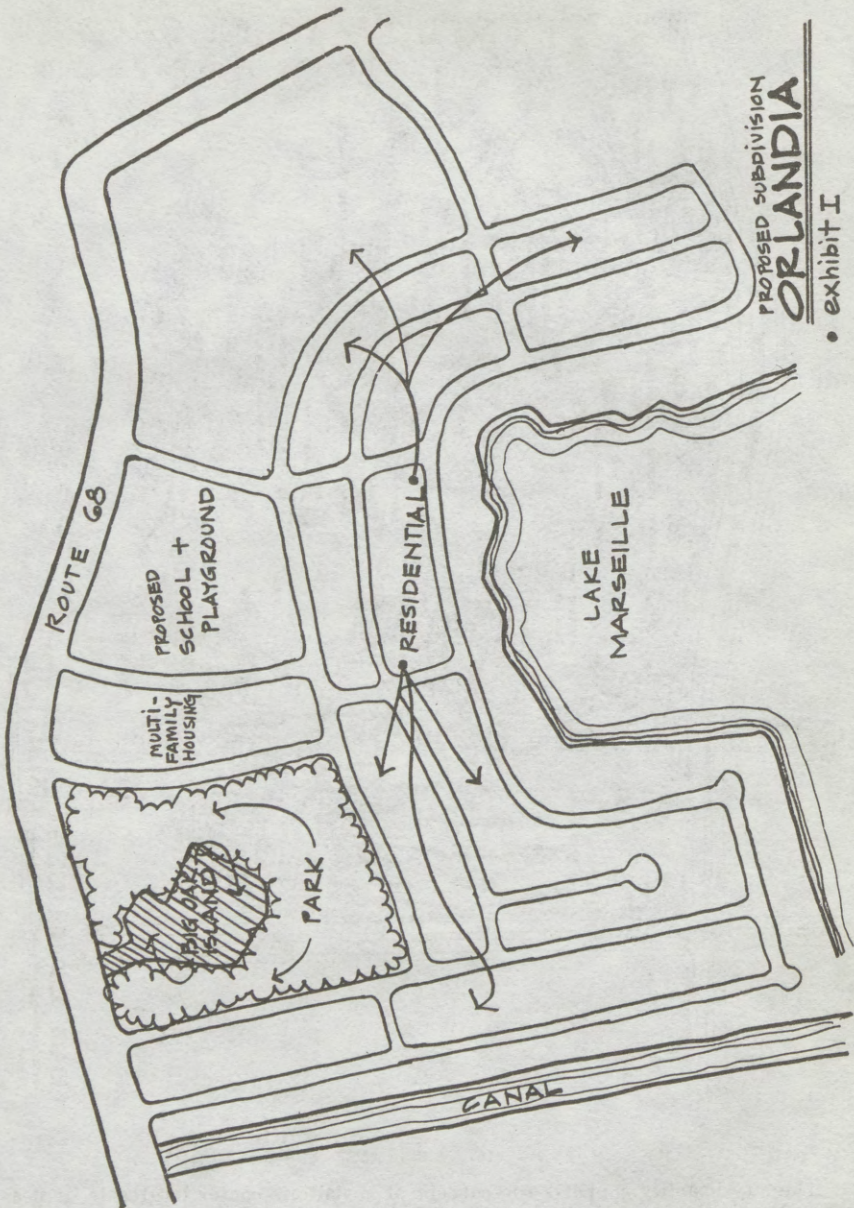
Additionally, we believe that the satellite concept is a sound one, and that it well serves the interest of the New Orleans area. The aspects of the satellite concept that the city is especially interested in are: The acquisition of Big

and Little Oak Island (archaeological sites) ; the visitor center in the French Quarter ; certain transportation aspects, and the expansion of the park concept at some future time to include natural wetland areas and forts in the eastern section of the city.

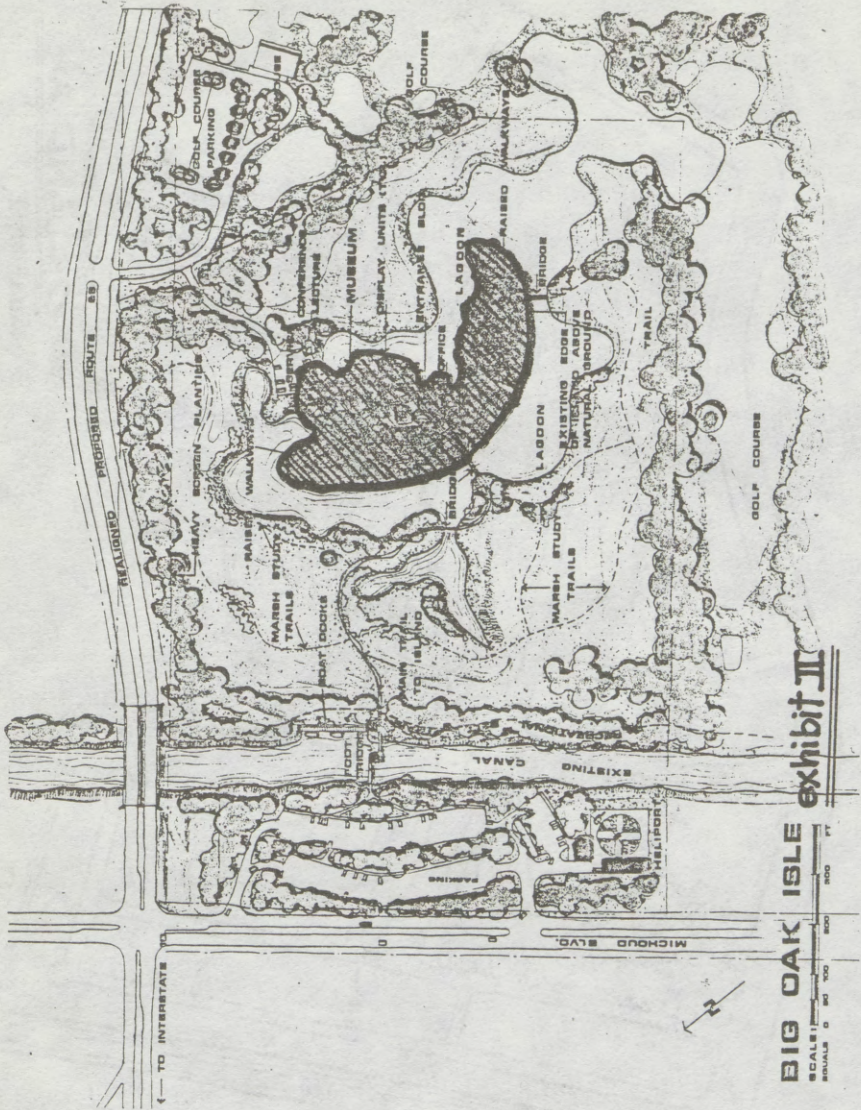
BIG AND LITTLE OAK ISLANDS

The city supports the idea of acquiring Big and Little Oak Islands for the Jean Lafitte National Park. The acreage needed to protect the sites are outlined in the National Register of Historic Places. This Register lists the needed acreage of Big Oak Island as 44.5 and for Little Oak Island as 50.4 acres.

The City Planning Commission concurs with the need to acquire these sites although it would suggest that the amount of land necessary to protect and develop the islands could be modified. The Planning Commission has already adopted a land use plan for this area which recognizes the importance of these islands and is currently processing a subdivision surrounding all of the islands. It is requiring that a reservation be placed on the site in an effort to permit its subsequent acquisition (see Exhibit I).



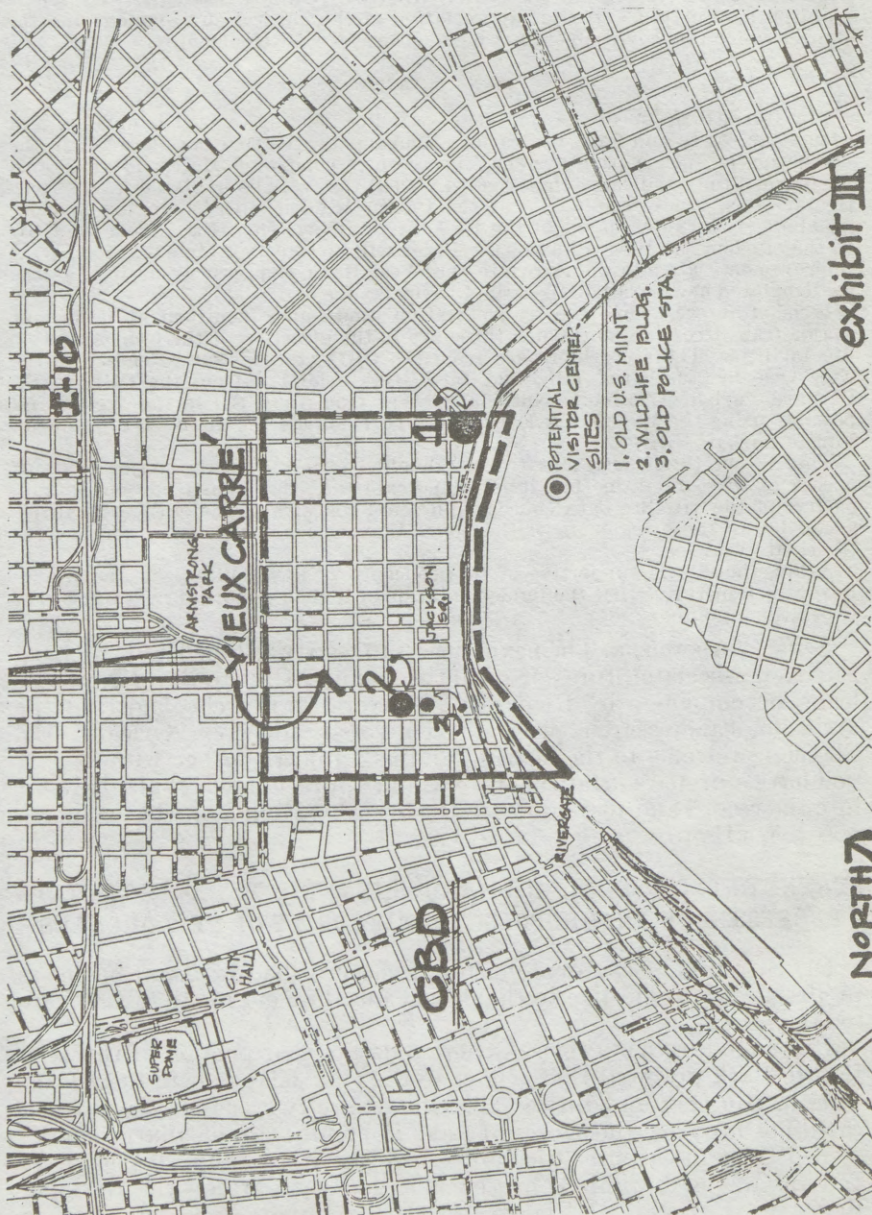
The owners of Orlandia have already expressed a willingness to consider donation of the specific Indian Middens (the archaeological sites themselves). However, for proper development of the sites in question it will be necessary to acquire additional acreage. We strongly recommend that this be included in the cost of the park. An illustration of the possible type of development of the park is contained in Exhibit II, prepared by Mr. David Plater, on behalf of the Friends of the Cabildo.



VISITOR'S CENTER

The city heartily supports the concept of a visitor's center located in or near the French Quarter. Its location in this international famous historic district would maximize the exposure of the park to thousands of visitors annually and would conceivably encourage the park's utilization by visitors who are interested in the natural environment which has and is playing such a fundamental role in the type of life identified with southern Louisiana. Its impact has affected our total life style ranging from foods to construction types. In the absence of any specific criteria for visitors centers we have identified at least three structures which could conceivably accommodate the visitor center and are prepared to assist the Federal Government or any of its agencies in a more detailed examination of these or other location possibilities once the decision

is made to proceed. The three sites isolated to date consist of the Old U.S. Mint Building, at Esplanade Avenue and North Peters; the Wildlife and Fisheries Building located on Royal Street and the Old First District Police Station on Chartres Street, all identified on Exhibit III, at the present time the police station is not being utilized except for limited storage facilities but does possess historic qualities; it has two stories which should provide ample space for various exhibits and a small exterior patio area.



In addition to the above sites, the city has under construction a Nature Center in Joe Brown Park. The center is an illustration of the city's efforts to display and interpret nature in the coastal area. The Center could be supportive of the National Park by also serving as a media center for aspects of the National Park.

This center is an effort on behalf of the city to retain as much of the natural environment as possible within an existing park and interior to such an area the provision of an interpretative center wherein visitors, residents, and school children may obtain a greater appreciation of the natural environment and the impact which this environment has had on the area's development.

TRANSPORTATION

For full utilization of the concept of satellite park systems it is obvious that ease of access to and from the various components will be a major factor in the utilization of such a park system. The recently completed Metropolitan Transportation Study indicates that roadway facilities will be available to the particular sites. For example, one of the Indian Midden sites is already in close proximity to an interchange of the I-10 Interstate system. Access from the CBD to the sites on the West Bank of the River will be considerably enhanced by the improvements already underway to the West Bank Expressway as well as the contemplated new parallel Mississippi River Bridge.

It is of interest that the transportation study also identified at least four major transit corridors of which three are in the direction of the proposed satellite facilities. These corridors are from the CBD (the Visitor's Center) to the New Orleans East area (Big and Little Oak Island); from the CBD to St. Bernard Parish (Chalmette National park); from the CBD to the West Bank presently using the West Bank Expressway corridor (in the direction of the Jean Lafitte Park).

This is not to suggest that transit should be viewed as the major mode of access to these facilities but it is to indicate that the transit concept is supportive of the satellite park concept and could conceivably make these facilities accessible to those segments of the population who may not have ready access to private vehicles.

Again, the city is supportive of this concept of the satellite park and we believe it is imperative that the implementation of it should move forward in a very expeditious manner.

Senator ABOUREZK. The next witness to testify will be Dr. J. Richard Shenkel, associate professor of anthropology, University of New Orleans, accompanied by Richard C. Beavers, staff archeologist, of the archeological research program, University of New Orleans. Dr. Shenkel, welcome to the hearing and as I told the other witnesses, if you have a prepared statement we would appreciate your submitting it into the record and just giving us the brief highlights of what you propose to testify to.

STATEMENT OF DR. J. RICHARD SHENKEL, PH. D., ASSOCIATE PROFESSOR OF ANTHROPOLOGY, UNIVERSITY OF NEW ORLEANS

Dr. SHENKEL. Senator Johnston, Senator Abourezk, and members in absentia, I would like to thank you for allowing me to testify here today.

I want to direct my remarks here today to that portion of the Jean Lafitte Park proposal that relates to the Oak Islands here in Orleans Parish. Big Oak and Little Oak Islands are two islands that are located not far from the shores of Lake Pontchartrain on a large single-owned tract in eastern Orleans Parish. The importance of islands as Indian sites is recognized by the fact that they are on the National Register of Historical Places and they are the second site here in Louisiana to be placed on the registry. So, their importance is long

recognized and we have done archeological work there since the early seventies and archeological work has been done since the thirties, and reports on those expeditions have been published.

Now, the story of the site goes back some 5,000 years where the Ice Age had ended and the waves of the Gulf of Mexico beat on the shores north of Lake Pontchartrain, and that area in which we are now sitting, such as New Orleans, Jefferson Parish, that did not exist; we were still on the bottom of the gulf. When the gulf was beating north of Lake Pontchartrain it built a barrier island, a sand island, very similiar to Ship Island off of the Mississippi coast. This barrier island formed very closely to the shore of Lake Pontchartrain and it formed and dictated the shape of the lake and the shape of the coastal zone for east of the eastern part of southeast Louisiana. Now, this occurred about 5,000 years ago to 4,000 years ago. At this time, the Mississippi River began its levee building activity and growth from the vicinity of Baton Rouge toward New Orleans and built in vast amounts of silt and created a land mass. The river shifted its course westward and then after awhile the river again shifted its course to the east in a channel that starts about Kenner and traverses the mid-section of the east bank through New Orleans and out into what is now Lake Borne. The levee system of this channel still exists and some of the high ground in Orleans and Jefferson Parish exists on it. Some of the earlier roads were built on it, such as Gentilly Road, Metairie Road and Highway 90 is now sitting on the early levees of the Mississippi River channel.

About this time Indians began to move into the area and inhabited beaches that had been deposited several thousand years before. They utilized the resources from Lake Pontchartrain and they utilized the resources from the marshes between the beaches and the levees.

Now, the park area that I have suggested is 2,400 acres which would form a transect, covering this old river channel, the levee beside that old river channel, a large lagoon, marsh system, and the Indian mounds that are located on the sand beach trend. I envision it therefore not only as a cultural segment but it is an encapsulation of the entire Delta area process. In the adaptation to that process it will be in a relatively small area and very close and convenient to the metropolitan centers of New Orleans and Jefferson. We would be able to study zoology, geomorphology, geology, archeology, anthropology, and a whole lot of other ologies.

I am going to leave the microphone and go over to the New Orleans base map. The grit system of the Mississippi channel goes back to about 1,000 B.C. and runs in this general direction [indicating], and then goes down U.S. Highway 90. The park that I suggest includes two Indian sites here and here [indicating]. It would go from U.S. I-10 all the way to U.S. Highway 90, which is this artery here [indicating]. It would include the old channel of the Mississippi River, besides this lagoon, which is now full of fish, the remains of the Indian sites and the buried beach trend, and the Indian sites are built on it. This area is now behind the hurricane protection levee system, so that the threat of inundation by periodic hurricanes would not occur in the park. Only a 300-acre section of it is drained and the bulk of the 2,000 acres are not drained or not under forced drainage and there can be, with minimal direction, recreated any sort of natural history that we want.

We could create a freshwater marsh, which is already there, and we could introduce a cypress back swamp, which just recently has been cut away. The levee regions contain vegetation, such as oak, hackberry, and numerous wild flowers. The area currently serves as a major feeding and nesting ground and protection for the migratory waterfowl. There is no hunting allowed in the area. What we could develop in this area is fishing and possibly camping and possibly picnicking, but in general it would be a close natural history laboratory and exhibition space.

Right now, public transit goes to within 3 miles of the boundaries that I suggest and it would take one small move by the New Orleans City Council to put transit to the park doors within 30 days. This section is small and could be looked at briefly. If one wanted to look at a transect cross section of wetland environment, they could do so by going here. This area would also be available to a massive amount of public schoolchildren who wouldn't have to fight the restricted bridge traffic flow. It would also be available to that vast amount of the population who can afford 35 cents, who don't have their automobiles, and who could just hop on a city transit bus and zip on over to the park to spend an afternoon.

Senator JOHNSTON. Dr. Shenkel, I want to thank you for your interesting testimony. We had in this draft only 40 acres of land included, but you say that we ought to have 2,400 acres?

Dr. SHENKEL. 2,406.3.

Senator JOHNSTON. Well, that would be pretty expensive—it might double the cost of the park. Can you give me any relative cost for the acreage on that side as opposed to the main body of the park?

Dr. SHENKEL. I heard \$10,000 an acre, but since it is all under a single ownership, a single corporate ownership, and since there are no major street improvements, I think we could get it for less.

Senator JOHNSTON. It is developable land?

Dr. SHENKEL. The person that owns it would like to think so. I think that the many problems we have had with coastal subsidence and organic soil and drainage of the land leaves a lot of questions as to whether or not this land is developable, but there are plans to develop it by 1980.

Senator JOHNSTON. Well, if it is developable land, it is probably worth at least \$10,000 an acre and that would be pretty expensive land. Twenty-five million bucks' worth of land is a lot of dough.

Dr. SHENKEL. Well, I don't think there would be any objections to it except for the single property owner. There are no camps, no roads or buildings or structures and it is clean and clear and the only non-natural thing existing in it at the present time are three drill holes and pipeline canals that were cut through there in the past.

Senator JOHNSTON. Well, we will certainly consider that, but it's just a question of resources. I know that it would be a plus to have it, will give it serious consideration and we appreciate your statement very much.

Dr. SHENKEL. I believe it was in December when we sent out an outline of the property description and so forth to Mr. Rair of the Park Service so that he could have all of this information.

Senator JOHNSTON. We will have the Park Service personnel check that out. Thank you very much, Dr. Shenkel.

Senator ABOUREZK. Thank you, we appreciate it.

Dr. SHENKEL. Senator, Dr. Beavers also has a statement about the current prehistoric findings in the park area.

Senator ABOUREZK. Well, we would like to have that for the record. It will be made a part of the record.

[The prepared statements of Dr. Shenkel and Dr. Beavers follow:]

STATEMENT OF DR. J. RICHARD SHENKEL, PH. D., ASSOCIATE PROFESSOR OF ANTHROPOLOGY, UNIVERSITY OF NEW ORLEANS

Senator Johnston, Senator Abourezk, Congresswoman Boggs, Members of the Panel, Ladies and Gentlemen, I am J. Richard Shenkel, Associate Professor of Anthropology and Supervisor of the Archeological Research Program of the University of New Orleans. In that capacity, I have been involved with the investigation of the archeological resource base of the Greater New Orleans area for the past eight years. This includes work both in the area of the Barataria estuary and on Big Oak and Little Oak Islands in eastern Orleans Parish. I have also been associated with the Parks and Museums Committee of the Friends of the Cabildo, which is a citizens' support group of the Louisiana State Museum. That committee was created for the expressed purpose of preserving for investigation and exhibit those two Oak Island Indian sites in eastern New Orleans.

I should like today to restrict my remarks to that portion of the Lafitte Park proposal that involves the Oak Islands. The story of the Islands begins over 5,000 years ago. Sea level increased to its present elevation following the last ice age and the Louisiana coastline was located north of Lake Pontchartrain extending west to the vicinity of Baton Rouge and beyond. All of the land of the coastal zone as we know it today had yet to be formed. Between 5,000 and 4,000 years ago, as the waves of the Gulf of Mexico beat on the shores near Slidell and Mandeville, an offshore barrier island chain was created that stretched from present day Jefferson Parish all the way to Mississippi. This island trend has been named the Pine Island Beach Trend after one of the few remaining exposed portions of it.

After the formation of this barrier island, the Mississippi River began building a delta through the New Orleans Area, partially enclosing the barrier islands and building new land surfaces primarily to the south and east. This delta, which was active until 3,500 years ago and the already formed beach trend defined the size and shape of Lake Pontchartrain. The river left this channel and the delta it had formed began to subside and again the waters of the Gulf came close. New beaches were deposited on top of older ones, particularly along Pontchartrain's south shore.

About 800 B.C. the Mississippi River again shifted its course and created a new channel through the middle of what is now east bank Jefferson and Orleans Parishes or about half way between the present river and the south shore of the Lake. The remains of this channel are notable features of the present landscape in that the natural levees form the Metairie, Gentilly, Bayou Sauvage Ridge System on which is currently built Metairie Road, Gentilly Road and U.S. Hwy. 90.

Indians began moving into the area shortly after—between 500 and 600 B.C. These were hunters, fishers and gatherers that chose to live near the lake so that they could exploit the many kinds of resources available to them—lake, river levee, bank swamp and marsh.

These Indians belonged to what archeologists have called the Tchefuncte Culture, after one of the rivers that flows into Lake Pontchartrain. The things that they did, the artifacts that they manufactured, their life style and ideas profoundly influenced the Indian cultures of the rest of the southeast for the remainder of the prehistoric period.

Of what were once many sites located along the south shore of the lake, the Big Oak and Little Oak Islands are the last remaining large intact sites of this period. The Big Oak site, the larger of the two, had several functions throughout its occupation. It began over 500 B.C. as a village built on a natural levee near the beach. It was abandoned for a while and reoccupied about 300 B.C. This time, it was used as a hunting and collecting station where men came to gather and process food stuffs. These were later transported to their homes elsewhere. Two thousand meters east of the Big Oak site, a village was built on an exposed sand dune and shell beach of the Pine Island Beach Trend. This village of Little Oak Island and people lived here from 300 B.C. to 200 B.C. In

our excavation there, we uncovered the remains of houses and thousands of artifacts reflecting many of their activities. Somewhat later the Tchefuncte Culture transformed into what archeologists refer to as the Marksville Culture and about 100 B.C. a small Marksville camp was built on Big Oak Island. Later still, Big Oak was used as a burial ground.

The importance of these sites as archeological resources cannot be understated. In three field seasons we excavated less than 3 percent of the total surface area. That means that 97 percent of the information remains intact, awaiting future researchers with better techniques approaching new problems.

Over the past year I developed a proposal as to how these archeological resources could be best utilized as a part of a park system. I recommended that a tract of about 2,400 acres be set aside that would extend from U.S. Hwy. 90 almost to Interstate 10. Big Oak Island lies in a 305 acre portion of that tract that has been drained and has direct access to I-10 via the Michoud Boulevard Interchange. The remaining 2,100 acres are behind the hurricane protection levees but are not under forced drainage so much of their marsh character remains.

I envision this tract as a large outdoor natural history classroom and recreation area. It contains, moving from south to north, Bayou Sauvage, an abandoned channel of the Mississippi River. The Bayou Sauvage Ridge, a high natural levee containing a broad mixture of hardwood tree types including oak and hackberry, is bounded by fresh water marsh and Blind Lagoon, both full of fish and feed areas for waterfowl. Alligators and furbearers are plentiful in these areas. Rising six feet above the surrounding marsh are the tops of the Pine Island dunes and Little Oak Island. Nearby, Big Oak Island reaches ten feet above the drained marsh that surrounds it and cultural remains reach down an additional five feet below that land surface.

The area contains then, Indian sites in an excellent state of preservation, lakes, lagoons, an abandoned channel of the Mississippi and its natural levee and the exposed remains of off-shore barrier islands. The area is large enough to duplicate the environmental setting of aboriginal times plus recreate a series of environments depicting the evolution of the geomorphic processes that formed this section of southeastern Louisiana in particular and demonstrate deltaic processes in general. The appeal would be to students of culture history, geology, natural history, geomorphology, ecology and many more. Further, the ridges, lakes and lagoons could be developed for picnicking, perhaps camping and fishing.

Another factor that I feel plays an important part in this proposal is the proximity of the NASA Michoud Assembly Center. Clearly visible from the Indian sites is the building where today they are constructing the fuel tanks for the Space Shuttle and only a few years ago they built the Saturn V booster which propelled our people to the moon. Standing in one spot, one can transcend 2,500 years of human experience from primitive Indians gleaning an existence beside lake and river, to the current epitome of 20th century science and technology.

The last point that I would like to touch upon is more mundane, but also important and should be emphasized. This 2,400-acre tract lies between U.S. Highway 90 and Interstate 10, and is accessible from both. Further, it is only 15 miles from the intersection of Canal and Royal Streets. Suburbs have almost reached the boundaries. Urban sprawl has also leapfrogged beyond, and thousands of commuters pass the proposed park area daily from the east. In effect, what I am saying is that this park would be virtually "in town" and easily accessible to everyone. It's closer to the heart of the city than the airport and many of the suburbs. Yet, this acreage is intact. There are no houses, camps, or streets. A few artificial canals have been dug, but they could be, should be, incorporated into the general development plans.

Thank you for this opportunity to testify.

THE ARCHAEOLOGICAL POTENTIAL
OF THE
JEAN LAFITTE NATIONAL HISTORIC PARK

A Statement Prepared for
The Parks and Recreation Subcommittee
Field Hearings, December 17, 1977
Gretna Courthouse
Gretna, Louisiana

Submitted by:
Richard C. Beavers, Staff Archaeologist
Archaeological Research Program
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THE ARCHAEOLOGICAL POTENTIAL
OF THE
JEAN LAFITTE NATIONAL HISTORIC PARK

INTRODUCTION

The core area of the proposed Jean Lafitte National Historic Park, consisting of approximately 23,700 acres and cited in the park description as the "Barataria Marsh Unit", contains highly significant archaeological resources. Resources which can make valuable contributions to the various aims envisioned in the creation of this park. The archaeological sites present within the area provide an immediate attraction for the general public as a focus for an educational and interpretive center located there. Protection granted the archaeological resources as a result of the creation of this park, bringing them fully into the public trust, will preserve their physical integrity and research potential for present and future generations of prehistorians.

Attention in this report will be focused on the data recovered from a single site locality within the limits of the park, but this must at the outset be placed in proper perspective. This information, as important as it is, reflects only a small percentage of the potential present in the Barataria Basin for our understanding of prehistoric man's life in the deltaic plain. The relative importance of every archaeological site in the research area can not be overstated. Each of these sites is an element of a complex whole, a part of a specific settlement system which is unique to the delta. Damage to any one of these sites results in a reduction in the total information potential of the area, destruction of a number of even the smallest sites can obscure whole portions of our understanding of man's adaptation to this environment. The preservation of all parts of the system is fundamental to the creation of a unified reconstruction of the prehistory of the area. To the end of the preservation of these nonrenewable resources this paper is directed, alerting all agencies, public and private, to the vast quantity of information which remains in the ground and to our obligation to protect, recover, and access this data before it is lost.

During the spring and summer of 1977 this author, with the support of the Archaeological Research Program and the Department of Anthropology and Geography of the University of New Orleans, undertook a long-term, problem-oriented research investigation of this area. The initial interest of the field work centered on the proposed focus of the Jean Lafitte National Historic Park at the confluence of Bayous des Familles and Coquilles along Highway 45. This first phase of the project had two major objectives: to define the nature and extent of the Coquilles site (Je-37) and to provide a sound data base for the development of the archaeological potential, as an educational resource for the public, within the boundaries of the proposed park site.

INITIAL INVESTIGATIONS OF COQUILLES, JE-37

Site Survey

During the winter and spring of 1977 archaeological site survey along the banks of Bayou des Familles, up and downstream from its confluence with Bayou Coquilles, recorded the presence of 11 previously unknown sites. This site cluster, distributed linearly over 8000 feet of bankline, is located on the natural levee of Bayou des Familles on the east or left descending bank. The commonality which made these sites distinctive was striking. They are small midden deposits composed largely of shell from the brackish water clam Rangia cuneata and range in size from 20 to 40 meters in diameter. Intermixed with the shell deposits are ceramic remains from the Troyville/Coles Creek Period (600-1100 AD), bone tools, fragments of daub (fired clay resulting from wattle and daub house construction), a variety of animal bones reflecting diet, and at some of the sites scattered fragments of human bone. The spatial distribution of these sites conformed to a regular pattern, occurring at 200 meter intervals along the natural levee.

Site survey during the fall of 1977, conducted by Betty Loumiet of the Archaeological Research Program, recorded an additional thirty prehistoric sites located on or near the natural levee ridge of Bayou des Familles. These sites are small shell midden deposits which conform to the general time frame of the eleven sites recorded during the earlier survey. Represented within this linear distribution are a variety of human activity loci: shellfish collecting stations, earth burial mounds, residence middens, fishing and hunting camps, and others as yet unknown. In cultural terms these 41 sites represent a full range of prehistoric activities from residence locations and subsistence stations, to cemeteries and sites of ritual context.

At the center of this distribution is located the Coquilles site (Je-37), a large residential and civic center, which surface collections indicate dated from the Marksville Period (100 BC to 600 AD) and continued through the Troyville/Coles Creek and Plaquemine-Mississippian times, a cultural time span of 1700 years (Figure 1). While considerable damage has been done to the Coquilles site in recent times, a significant portion of the residential center remains intact. There were present here a series of large shell mounds, at least four of which can be identified from the remnants present at the base of several 100-300 year old oak trees along Highway 45. These mounds signal the ritual and political nature of the Coquilles site and identify it as a "Center" of the interaction sphere represented in part by the 41 smaller sites arrayed along the natural levee ridge of Bayou des Familles. It is very apparent that at this locality we have present a relatively undisturbed record of human adaptations in the Deltaic Plain over much of the prehistoric period -- a record which must be studied and appreciated not as an isolated series of sites but as a systemic whole, articulating at a variety of levels.

A series of test excavations were conducted during the summer of 1977 by the Department of Anthropology and Geography of the University of New Orleans at the Coquilles Site under the direction of this author. The research objectives for this work were two-fold: first, to expand the data base for the site and its role in the proposed park, and to provide hard-data in-put for a

PREHISTORIC INDIAN CULTURES
OF
SOUTHEASTERN LOUISIANA

<u>Culture Period</u>	<u>Duration, Years</u>	<u>Carbon 14 Dates</u>
Paleo Indian Small band hunters of Pleistocene Megafauna	32,000	40,000 BC - 8000 BC
Archaic Small game hunter-gatherer subsistence, seasonal scheduling	6,000	8000 BC - 2000 BC
Poverty Point Chiefdom centered in Northeastern Louisiana, small settlements and camps in the coastal plain, developed trade networks.	1,300	2000 BC - 700 BC
Tchefuncte Seasonal occupation of the coastal plain for specific subsistence strategies, introduction of ceramic usage	600	700 BC - 100 BC
Marksville Beginnings of mound building tradition and central place habitation system	400	100 BC - 300 AD
Issequeia Continuation and refinement of the central place pattern and mound building in the coastal plain	300	300 AD - 600 AD
Troyville/Coles Creek Developed linear settlement system, evidence of population increase in the coastal plain, introduction of corn	500	600 AD - 1100 AD
Plaquemine Village agriculturalists in northern coastal plain, beginnings of population decrease in deep delta	200	1100 AD - 1300 AD
Mississippian Continuation of Plaquemine patterns, European contact and influence of foreign trade goods, disruption of aboriginal systems	300	1300 AD - 1600 AD
Historic Indians Period of continual readjustment to early settlers and later modern industrial development	400	1600 AD - present

Figure 1. This table is provided as a chronological and cultural framework for the reader. It is by no means meant to represent the details or specifics of the highly complex development and growth of the aboriginal populations in Southeastern Louisiana. The carbon 14 dates given represent an assessment of the available information at this time; it is hoped that future work will require adjustments to be made for these ranges and that the periods will be more precisely defined.

research model in the Barataria Basin of "Linear Settlement Systems," as a man-land adaptation in the deltaic plain. Test pits located on the right descending bank of des Familles at its confluence with Bayou Coquilles produced a corpus of data with important implications for our understanding of prehistoric man's occupation of this area.

SUMMARY OF TEST RESULTS

The following brief summary of the summer's excavations and some of the questions posed by the results of that work will amply demonstrate both the research significance of the Coquilles Site and its potential as an interesting public attraction for the proposed National Historic Park.

Center-Residential and Mound Area

A series of test pits were excavated east of Highway 45 on the levee ridge and back slope of Bayou des Familles in the area of mound and residence concentration at the Coquilles site. From these excavations a ceramic sequence was recovered which spans the full period of pottery use by man in the delta. Beginning with evidence of a Tchefoncté occupation at the lowest level excavated, there is a continuity of ceramic use through the Marksville, Troyville/Coles Creek, and Plaquemine-Mississippian cultural periods (Figure 1). This information recovered from controlled excavation provides additional dimension to the time frame which could be generated from surface collections alone. We now have evidence of a Tchefoncté period occupation at Je-37 which could expand the period of human activity back to between 700-500 BC. No other site in the southeastern deltaic plain is presently known where this complete ceramic sequence exists in-situ. Thus, for the first time, we have a site in the deltaic plain to which other work can be compared. This ceramic sequence translates to a possible period of 2300 years of human activity centered at the Coquilles site.

Present evidence does not allow us to state with certainty what the duration of these occupations were. It is doubtful that there was continuous, 12 month, activity centered around this location during its earliest occupation. A more tenable interpretation is that these early activity periods represent a scheduled, periodic return to this location for a seasonal exploitation of certain economic items. This seasonal occupation might have been dictated by the annual flooding of Bayou des Familles during its active life as a distributary stream in the St. Bernard Delta Complex (4000 to 2000 years ago).

Given the data at hand it is reasonable to assume that it would not have been until the Marksville period, at the close of the Metairie Lobe of the St. Bernard Delta Complex, that year round occupation of this location would have been a practical human response to the dynamics of the surrounding environment. By this time the flooding of Bayou des Familles might have been reduced from several annual floods to what we, in modern terms, might categorize as 10, 20, or 50 year floods. The answer to this complex of questions lay in an intensive study of the geomorphology of the Barataria Basin, an example of the required

interdisciplinary approach to the development of the cultural resources within this study area.

A study of the natural stratigraphy as revealed on the deepest test pit walls indicates that men occupied this locality during periods of overbank deposition or flooding from an active distributary stream. Levels of black midden (occupational debris) are interspersed with levels of light brown flood born silts and clays, devoid of cultural materials. These flood deposited layers serve to cap or seal the underlying activity levels, protecting them from disturbance during later episodes of occupation, and preserving an intact record of the ceramics, tools, diet, and other aspects of the daily life of the people. It has been generally accepted by most archaeologists working in the delta that during the active life of a distributary stream no human occupation took place along its banks. Evidence from the Coquilles site casts doubts on this position and opens new areas of research potential.

In addition to the ceramic record from this portion of the Coquilles site, the 1977 summer excavations recovered information relative to the subsistence base of these peoples. Analysis of faunal remains indicate that prehistoric man was extensively exploiting the surrounding environment for his basic needs. Among the important economic animals were deer, bear, fox, a variety of small mammal forms, wild fowl, fish, alligator, and shellfish. The deltaic plain presents a rich and varied biomass which native American populations were exploiting to the limits of their needs throughout this period of occupation at Coquilles.

Tools recovered during this investigation were limited in number; this most likely results from sample error. Present were bone and antler tools of various sorts from socketed bone points, gouges, and antler flakers, to polish bone pins and needle points. A very small percentage of flaked stone tools (projectile points, drills, and scrapers) were found. This tool kit compares favorably to other site assemblages for these time periods. The deltaic plain was and is "stone poor". Lacking the necessary raw materials, the Indians of this region focused their technology on bone and antler.

Dry Marsh Area

In addition to the test excavations along the natural levee of Bayou des Familles, a portion of the summer's work focused on the areas of dry marsh 300 meters west of the Bayous des Familles/Coquilles confluence. At this location the evidence for human activity centered on a series of small finger-ridges of shell (*Rangia cuneata*) measuring 2-4 meters in width and between 10 and 30 meters in length. Interspersed over the area were several small ovals of midden deposit measuring between 2 and 4 meters.

Comparing the materials recovered from excavation of several examples of each type deposit indicates some interesting contrasts. The finger-ridge forms showed a very minor percentage occurrence of Troyville/Coles Creek ceramics and small amounts of animal bone. The bulk of the matrix being made up of the shell fish remains. In contrast, the oval middens had a significantly lower percentage of shellfish remains, and a significantly higher percentage of ceramics from the same time period, with decorated types well represented. The

faunal remains recovered from the oval middens represent a broad range of economic types--deer, a variety of small mammals, fish, bird, and reptiles; while those recovered from the finger-ridges are very restricted both in absolute number and in the animal forms which they represent. Both types of activity area showed the presence of hearths or firepits, but only those from the oval middens indicated any pattern or clustering of artifacts (ceramics and bone tools) and faunal remains around these features, indicating a possible difference in function between the two activity foci. At this stage of analysis these activity areas are interpreted as specialized food procurement and processing stations. Where at the finger-ridge type locations shellfish (*Rangia cuneata*) were harvested from Bayou Coquilles and the small streams and sloughs flowing into the bayou, the oval midden sites might possibly have functioned as processing stations to smoke or dry the shellfish for delayed consumption at another location.

The ceramic data recovered indicate that the functional life of this activity area began during the Troyville/Coles Creek Period, possibly as much as 1000 years after the Tchefuncte occupation along the bankline Bayou des Familles. Explanatory models for this time lag must be generated. Certain preliminary suggestions can be made which address this problem. It may reflect an over exploitation of the shellfish population closer to the confluence of the bayous in the areas of concentrated residence, forcing the people to move farther afield to obtain this item. An increase in resident population during this time would require a greater supply of shellfish to meet the needs of the group and these special function areas may reflect this response. A local environmental or climatic shift might have occurred which altered the source location of this important economic item. These possibilities represent single factor cause and effect relationships. The increase in site size may well be the result of complex interactions of these and other factors, as yet undetermined. An understanding of these and many other questions, which can be drawn from this single element of the data set, indicate the nature of the potential and the significance of this site.

Environmental Reconstruction .

Moving beyond the more traditional approaches of archaeology, the project was fortunate to secure the association of Dr. Mary Dunn, a specialist in Paleo-ethnobotany. Dr. Dunn's interest in the Coquilles site centered on the possible reconstruction of the paleo-environment and man's adaptive response, and a baseline study to assess the role of plant and plant related items in the diet and economic life of the resident population.

A definition of the basic environment, plus an understanding study of the various environment shifts through time, is absolutely key to the study of pre-historic man's life in the delta. This author cannot imagine a more dynamic environmental period than was experienced by the residents of this site, nor, a more taxing one from the standpoint of human adaptation. Although the analysis of the data collected is far from complete, certain facts stand out even at this stage.

Of the total plant community which ethnographic accounts cite as having been utilized by the Indians of this area at or shortly after the time of

European contact, either in their diet, as part of a craft industry, as medicine, or in ritual, at least 75 percent are presently growing at Coquilles. This might not be considered of note, as many areas of the delta have a rich and abundant plant community, were it not for the pattern of the plant growth. This botanical community is clustered on or at the fringes of the midden deposits along the natural levee of Bayou des Familles and nowhere else. They do not grow 300 meters to the west in the areas of the shellfish collecting stations, even though this area is a dry marsh, nor are they present as little as 100 meters west of the residential area in an environment which is in transition between the levee formation and the dry marsh.

The reconstruction of the paleo-environment can provide many keys to the adaptive responses of man in this area. How different was it relative to the present day environment? Today the area east of the des Familles levee is a dry mixed-hardwood open forest providing a good environment for a full range of mammals, nut crops from the hardwoods, and a wide variety of berries and fruits. Along the banks of the bayou are shellfish, many species of fresh water fish, and reptiles. Moving to the west one enters the marsh with mammals specifically adapted to this environment, resident wading bird populations, migratory wild fowl, fish, and reptiles. Farther to the west the shores of Lake Salvador offer another rich subsistence potential. In short the potential for economic exploitation of the present day environment seems nearly limitless. The archaeological investigations of this past summer recovered a full spectrum of the remains for the animal populations cited above. Botanical samples are still in the process of being analyzed and this information is not yet available. Only future work can provide us with a sound base from which to develop research designs relating to subsistence patterns and the use of plant items in crafts and ritual.

Summary

This very brief summary of the results of a single field season's work, which at the outset was meant to be purely exploratory in nature, provides an insight to the archaeological potential of the Coquilles site. Recovered as a result of this minimal investigation were few answers, but this information allows us to formulate better questions--questions, some of which are cited in preceding paragraphs of this paper, others are as yet unvoiced.

At the risk of being redundant, the archaeological significance of Je-37 and its surrounding activity areas is amply proven as a result of this season's work. Its potential as an interesting public attraction to the proposed Jean Lafitte National Park, requiring little in the way of development, is demonstrated. Beyond the importance of the site locality itself are the implications for a model, drawn from this small part of a complex whole, for man-land adaptations in the deltaic plain during prehistoric times. These implications have lead to the development of a Linear Settlement Systems model for the delta, as a human adaptive response to a complex and dynamic environment.

ADDITIONAL RESOURCE BASE IN THE BARATARIA MARSH UNIT

As was stated in the introduction to this paper, attention has been focused on a single resource area within the basin, the Coquilles site. The reason for this is evident, but it represents only one small part of the total resource in the area. There are many other known sites in the basin of which our knowledge is limited. In part this limited knowledge is a direct result of the lack of a comprehensive model to explain the role played by each of these sites in the basin of which our knowledge is limited. In part this limited knowledge is a direct result of the lack of a comprehensive model to explain the role played by each of these sites in the complex and dynamic adaptation to the delta. Previous archaeological work in the area has been severely constrained by the lack of adequate funding to expand scopes of work beyond a limited and specific research objective. But even this limited and poorly defined data base provides solid indications of significant site localities throughout the Barataria Basin.

There are several known sites which fit closely the definition of a center as developed at the Coquilles site. The best known of these is the Fleming site located at the confluence of Bayou Barataria and Villars on the east or left descending bank of Barataria. Excavation work at this site has been conducted by the Delta Chapter of the Louisiana Archaeological Society with assistance from the staff of the University of New Orleans Archaeological Research Program. There are a variety of interesting and significant features associated with this site which demand additional work.

The ceramic sequence recovered indicates that Je-36 was occupied from the Troyville/Coles Creek period through Plaquemine-Mississippian times, an initial occupation much later than that recorded for Coquilles. This might represent a population increase at this time period, with peoples moving onto newly available land resulting from the continuing maturation of the lower basin. Corn was recovered from archaeological context at the Fleming site, one of the very few occurrences of this staple in the delta. With only a limited amount of dry land available and a surrounding biomass of near limitless proportion, the role of corn in the subsistence base must be questioned. It is more logical to advance an explanatory model which places corn in a ritual or ceremonial context at Fleming. In this role it may represent a tangible tie to inland populations, much as we today participate in customs or ritual behavior to promote ethnic identity or social bonding. Present at Je-36 is a large conical mound, 22 feet tall, with several smaller ones; it is not known what functional role these mounds played. A likely explanation is that they served as cemeteries for the dead of the resident population, but this is unproven. Just as at Coquilles, there are areas of residential midden deposits, remains which hold the keys to the understanding of daily life at this site. Located across the bayou to the west is Ille Bonne, an island created by dredging through the point at this location..

At Ille Bonne is a strong Troyville component and minimal work on this site by the Delta Chapter members has revealed sound information relative to diet, aspects of the material culture, and of specific importance, a pattern of post molds representing a structure of some sort. It is not now known what the nature of this structure was, but if it represented the remains of a house

or shelter it would be the first such structure identified in the delta. Of specific and fundamental interest is the relationship between the Fleming site and Ile Bonne. Chronologically it seems reasonable to assume that Ile Bonne represents the initial settlement at this point and that as a result of population growth or locational stability the focus of activity shifted to Fleming.

Other known sites in the basin which could classify as possible centers are the Lafitte Cemetery Site (Je-35), the Little Temple Site (Je-19), the Crown Point Site, and possibly Je-3 and Je-7. Our present level of understanding and the validity of the data base comes into question as we try to classify these sites. The Little Temple site, located at the upper end of the channel leading into Little Lake may represent a special case for a central place. In this instance the focus of subsistence and occupational adaptation is lake shore, with residence patterns arrayed along the shoreline.

Je-3, located on Bayou Barataria/Bayou Cutler Confluence with Mud Lake, appears at this stage of the analysis to be another variation in the system. This location is preliminarily classified as a tactical site, some form of well developed special activity locus, possibly a camp site, occupied for periods of time up to 30 days by a moderate size group on a seasonal basis. Its location may represent the maximum extension of this system into the lower reaches of the basin. On a recent trip to the area this author collected ceramics from the Troyville/Coles Creek period and a considerable faunal sample, representing a full range of economically important animals from the site. Inspection of the eroding banks indicated the possibility of two components being present at this site, separated by a flood deposited layer of silt. If this observation proves to be correct then the utilization of this locality would have been during periods of active flooding of the distributary, possibly exceeding the pace of maturation in the basin.

There are several areas of research interest which focus at this location. What is the functional role of this site in the overall system? One explanation may center around a tactical role as mentioned above. It might be a frontier occupation, at the interface of the environment changes taking place in the lower basin. This last explanation is supported to some extent by the presence of a high percentage of Coles Creek ceramics in the surface collection, with a corresponding low occurrence of Plaquemines-Mississippian sherds, placing the activity centered here at an early period. The variation which this site represents makes it highly significant in relation to the linear pattern for the basin in general.

In addition to these locations there are many other small sites known in the basin; sites which represent the locus of life for a single family unit, special activity areas such as those at Coquilles relating directly to subsistence strategies which may be specific to a particular area, and sites which center around ritual or ceremonialism. We are presently hampered by our lack of knowledge and doubts as to the validity of the data base. On the trip this author recently made down Barataria, several small to moderate size sites were noted which had not been previously recorded. This despite the fact that the water level was high and the bayou had been surveyed several times in recent years. These smaller sites represent an equally significant potential for our understanding and must be preserved.

SUMMARY AND CONCLUSIONS

The preceding discussion details only a portion of the possibilities present in the Barataria Basin for research interests. The controlled excavation work at Coquilles during the summer of 1977 served only to whet this author's interest and make evident the importance of the site as an example of man-land adaptations in the basin. If this data is expanded to apply to the delta as a region, then the implications increase a thousandfold. The significance of both the Coquilles site and the Barataria Basin as an archaeological resource has been amply demonstrated.

As a focus of the proposed Jean Lafitte National Historic Park, the Coquilles site will provide an interesting and educational resource for the general public, requiring minimal development -- a resource which can be put to immediate use as a theme or focal point for the park. Nature trails and foot bridges, winding through the area in and around the confluences of Bayou Coquilles and Bayou des Familles, will allow interested citizens to both see the archaeological remains and experience the surrounding levee and marsh environments. Walking tours during periods of active archaeological investigation can serve a wide variety of ends. In this setting the proposed educational and interpretive character of the park could be exercised to its maximum limits, serving to both expand research efforts and bring to the public a greater appreciation for this resource base. From this new awareness it would be hoped that the aid of the general public could be enlisted to preserve and protect other areas of concentrated cultural resources.

This marvelous resource is available for all of these ends, yet its integrity is threatened daily. As was stated at the outset, damage to or the destruction of any part of this complex whole results in the irrevocable loss of a significant portion of the information represented by these remains. The preservation and protection of this nonrenewable resource is a must for the future of our understanding of prehistoric man's life ways in the Deltaic Plain of the Mississippi River. The support of all interested parties to achieve these ends is earnestly solicited.

Senator ABOUREZK. The next witness is Barry Kohl, vice president of the New Orleans Audubon Society.

Mr. KOHL, do you have a prepared statement?

Mr. KOHL. Yes, sir, I have handed it in.

Senator ABOUREZK. If you will not read the statement, but just give us the highlights of it, we would appreciate it very much.

STATEMENT OF BARRY KOHL, VICE PRESIDENT, NEW ORLEANS AUDUBON SOCIETY

Mr. KOHL. First of all, I would like to apologize for Mr. Ross Vincent for not being here today, but he had another meeting that he had to go to and was not able to give his statement in person.

I am here today representing the New Orleans Audubon Society, the Ecology Center of Louisiana, the Fund for Animals, Inc., and the New Orleans group of the Sierra Club.

I would like to begin by saying that we are wholeheartedly in favor of the Jean Lafitte National Park concept. We have been in favor of this since the first time the idea came into being, and we would do everything that we can to cooperate with the committee in helping to formulate the language on the final bill regarding the park. We would request that we do have the opportunity, either as organizations or through Mr. Ross Vincent, to work with you, Senator Johnston, on the final language of the bill. We hope that we do have a chance to look at the wording and offer some possible suggestions on some of the expertise that our organizations have.

Senator JOHNSTON. We solicit that very much. Definitely, I want you to have contact, not only with me, but with my staff for that purpose.

Mr. KOHL. We do support the size of the part, the 23,000 acres. We do believe that a buffer zone is needed to protect the core area, as other witnesses have spoken of it today. We believe that it should be a wilderness park, a park with access to the public, and not a commercialized park.

Senator JOHNSTON. The question of whether we ought to acquire the 23,000 acres and grandfather in these rights, or whether we ought to come up with a local control of anything beyond the 7,300 acres, with some kind of preservation plan, is something we've got to consider.

Mr. KOHL. Yes; we would like to see what sort of safeguards there would be for the nondeveloped sectors of the area. We would like to mention that there is a great deal of concern about land speculators who are trying to inflate the value of the land, and we believe that it is in the public interest to preserve the area for hunting, trapping, and fishing. We believe that a setting aside of this land, the 23,000 acres, will help prevent the destruction of the upper portion of the Barataria Estuary, which is extremely vital to the commercial fishing industry.

Senator JOHNSTON. What do you see as the biggest threat to the ecosystem in that 23,000 acres?

Mr. KOHL. The biggest threat would be the drainage of that land and the conversion of it into a residential area.

Senator JOHNSTON. Do you think much of it is usable as a residential area?

Mr. KOHL. In my estimation, no, very little of it is usable, because of the thickness of peat in the area and the soil subsidence. The soil in the area is classified by the conservation department as being very high in subsidence potential, and therefore is very low on the scale as potential developmental land. There is a very thin area along Highway No. 45, which is a natural ridge. The rest of the area west of Highway No. 45 essentially cannot be developed without extreme hazards. I think that many of the developers in the area are trying to get the Federal Government to drain it, to reclaim the land for them, so that they would not have to go through that expense. We have had a great deal of difficulty trying to balance the developmental interests and the conservation interests with the Corps of Engineers. As you heard today, there are very, very strong pressures for developing that land.

Senator JOHNSTON. Well, it would seem inconsistent to me to allow any residential development in that 23,000 acres.

Mr. KOHL. We would agree. It is unsuitable for development to begin with, based on the soil conservation service and the analysis of that land.

Senator JOHNSTON. But, you have no problem with allowing camps to continue in there and hunting and commercial fishing, and that would give your groups no problem; is that right?

Mr. KOHL. We would have no problem with that as long as it would be excluded from the core area, especially our main concern would be with hunting near the area visited by the public.

Senator JOHNSTON. In other words, you wouldn't want a deer rifle shot over the heads of people at the boat ramp?

Mr. KOHL. That's right, I did want to include with my statement the editorial from the Times-Picayune. It is attached to my statement and I would like it included in the record.

Senator ABOUREZK. It will be included. Thank you very much, Mr. Kohl, for your excellent presentation.

[The prepared statement of Mr. Kohl follows:]

STATEMENT OF BARRY KOHL, VICE PRESIDENT, NEW ORLEANS
AUDUBON SOCIETY

I am Barry Kohl. I reside at 1522 Lowerline Street, New Orleans, La. I appear here today representing, and on behalf of, the combined memberships of the Ecology Center of Louisiana, the Orleans Audubon Society, Inc., The Fund for Animals, Inc., and the New Orleans Group of the Sierra Club.

By now, I am sure, you have read the excellent testimony given at last year's subcommittee hearing as to the physical desirability, and the ecological, sociological and economic benefits to stem from the establishment of the Jean Lafitte Park. It would be redundant, therefore, to reiterate them at this time. We will rather present to you two more cogent reasons for the implementation of the long-proposed park program as a recreational resource for the people of the Mississippi Delta Region.

First, we submit that people living in congested metropolitan areas are in as much, if not more, need of such recreational opportunities as are provided by National Parks, as are residents of the underpopulated midwestern and western sections of the country. Ironically most of the National Park acreage lies in just such underdeveloped regions. The closest National Parks to New Orleans are Mammoth Cave in Kentucky and Everglades National Park at the tip of Florida,

each a day and a half trip. Such long trips incur a great use of energy and generate considerable costs for a family for food and lodging along the way.

On the other hand, Jean Lafitte Park, located less than a half hour's drive from a large metropolis, in conjunction with the proposed French Quarter and plantation satellite locations can provide similar recreational experiences for a large number of individuals who might not be able to visit Everglades or Mammoth Cave National Parks, without such expenditures of money and energy.

Second, the mediocrity and sameness of tract housing, the unvarying style of franchise architecture and the blight of urban sprawl are so stereotyping American cities that one could fall asleep in suburban Chicago, be transported to suburban Dallas, wake up, and not realize that he had left Chicago. This homogenizing of American cities is having a devastating effect on the preservation of the provincial individuality and charm of the ethnic and traditional cultures which have given America its wealth of diversity within unity.

The creation of this park, in a fast-disappearing freshwater wetland, encompassing an area significant to an historic epoch of American history, adjacent to the communities which still retain the flavor of earlier South Louisiana culture will be an important step in curtailing the homogenization and stereotyping attending the creation of megalopolises separated only by dirty industrialized areas. It will show that there is a concern for maintaining at least some of the natural beauty and variety which was the America we knew earlier in our lives and which our forefathers found when they reached its shores. That such should be maintained is a birthright of our progeny, and a duty to those of you trusted with the government of this country.

Gentlemen, the opposition to this park, and the proposals for decreasing its size, which you have heard today, or will hear, only serve to emphasize and vivify the timeliness and urgency of our appeal for its creation. Recognize, Gentlemen, that these objections come from the very interests, which to satisfy their selfish greed would not hesitate to destroy any natural beauty which stood in their way. They are converting this nation into a vast glob of cracker-boxes, smokestacks and trashpiles, all in the name of development and progress. The records will show that many, if not most of the objectors have already demonstrated their disregard for the environment by undertaking projects which have been the subject of Corps of Engineers cease-and-desist orders. In the vicinity of the park study area alone, three projects are under cease-and-desist orders, one, a local government project, is proceeding only after a court-approved compromise with environmentalists, and two more proposed projects will be the subject of future environmental action.

All responsible and disinterested group studies of the park area loudly proclaim that its best use will be for recreation. Yet in their greed for additional, and unneeded, acres of developmental land, the objectors ask that you reduce the size or abandon completely the dedication of this naturally recreation-suitable area to their onslaughts.

Gentlemen of the committee, we the combined environmental voices of the communities affected ask rather that you place the needs and interests of the people at least on an equal level with the selfish interests of those whose only interest in the area is the generation of profits for themselves. If you do, Gentlemen, we feel that you can only report favorably on Senator Johnston's original bill.

Each of our organizations request the opportunity to work with you, Senator Johnston, on drafting the language of the bill.

[From the New Orleans Times-Picayune, Dec. 16, 1977]

ASSAULT ON LAFITTE PARK

Supporters of the Jean Lafitte National Park in Jefferson Parish should prepare for another assault on the concept. At least that's what keen observers of the situation fear. And the fact that Lloyd Giardina tried to get the Jefferson Council to go against the park concept Wednesday seems to confirm suspicions that there is a move afoot to scuttle the park.

It is exceedingly odd that Mr. Giardina would propose a resolution against the park just three days before Sen. J. Bennett Johnson's Subcommittee on Parks and Recreation is scheduled to hold hearings in Gretna to hear from local interests on how the proposed bill creating the park might be amended to meet their objections. It is also odd that Mr. Giardina would take such action a few days after he, Parish President Doug Allen and fellow Councilman James Lawson

met with Mr. Johnston and received the senator's assurances that the bill would be changed to meet local wishes. To make matters worse, the news media and the public received very short notice of Saturday's hearing from Sen. Johnston's office.

Fortunately, Doug Allen was able to convince the council that opposing the park at this juncture would be premature. In fact, opposing it later may not be mature at all, considering how this metropolitan area is in need of some sort of family tourist attraction and how fortunate we are to have an ecosystem nearby that the National Park Service would consider making into a park.

The grounds for opposition, voiced at Wednesday's council meeting seem weak at best. Take, for example, the issue of camps in the area. First, there are not that many and most of them belong to persons who do not own the land. Whether the camps remain seems hardly an earthshaking matter. It will be interesting to hear just how many fishermen, crabbers and trappers make their livelihood from activities in the 9,000 acres proposed for the park. But that's what the hearing is for—to hear the opposition, whether on real or imagined grounds.

It is likely that the opposition stems from interests who would like to see the park area developed commercially rather than preserved as a national park. After all, the council and behind-the-scenes opposition killed the park once before, and just last January the council passed a resolution opposing extending the Lake Salvador Game Management Area into Jefferson Parish to serve as a buffer zone needed to protect the park area.

The subcommittee members should take pains to cross-examine the witnesses and try to ascertain the real reason for the opposition which may be, in reality, limited to a few land developers.

Senator ABOUREZK. The last scheduled witness is Mr. Frank Ehret, who has a slide presentation. If he doesn't have any objections, I would like to put on a couple of unscheduled witnesses.

Mr. EHRET. I have no objection.

Senator ABOUREZK. First of all, we have Mayor Leo Kerner of Lafitte, and I am going to ask him to come up now.

STATEMENT OF HON. LEO KERNER, MAYOR, TOWN OF LAFITTE, LA.

MAYOR KERNER. The first question I want to ask is that, you know, Congress passed a law that is 404, which we can't live with in Lafitte. They give us all of these restrictions about the wetlands and here you gentlemen are sitting here today trying to put thousands and thousands of people in the wetlands. They want us to remove a 15,000 foot levee which would do more damage to the environment than these thousands of people with their beer cans and beer bottles and all that stuff, we just can't understand these kinds of meanings. We would like to know your intention, when you would pass a law like 404, and then take 23,000 acres of the most valuable land in the country and make a national park out of it. You don't want to put it in a place like Lake Salvadore, Lake Catouatche or Bayou Segnette or anyplace like that. Let's put it in a place like the Smokey Mountains, where there's nothing but a bear that you see every once in awhile. And you could go out and look at the green grass, if you want to, and you can buy a novelty and you can stop at Cherokee; we put national parks in those areas. But, that place in Lafitte is not no place for a national park; that place is too valuable to disturb that area. We don't want to disturb that area. We want you to leave it just like it is. Now, if you want to do something, buy this area and leave it just like it is and we will be so thankful to you—not only us, but everybody that looks at it.

There's nobody in Lafitte and Barataria that wants that park. Those people that come up here and tell you that we want to build subdivi-

sions in Lafitte, they don't know what they're talking about. The people that own the property don't want to sell it. They don't want no subdivisions in Lafitte. We don't want all those people coming to Lafitte—we would like them to come in and enjoy themselves, but we don't want all of those people coming into Lafitte. Just like those newspapers in New Orleans, you know, and I saw where this man put that in the record—and I think he should put it in the record, but it shows two things that the newspapers are trying to do. If you are for what they like, then they tell you how beautiful you are, but if you are against what they like then they tell you how bad you are. They say that if anybody comes up here against the park that they should really know how to answer the questions. Well, I will answer any question they want, and I have read everything they put in the paper—even the children that live down in Lafitte don't know how they can be that foolish, to read a story about shrimp and crabs when they don't know nothing about it. Every first Friday of every month we have a meeting, and I have been elected down there six times, and the people that you all are listening to are the people that have been before the public and we have been restricted.

We built levees in Lafitte and then we call up the Corps of Engineers and they tell us to stop building the levees and they didn't even come and look at it, but they tell us to take them out. But, Early Rush, he knows as much about the wetlands as we know about the blue birds over the Cliffs of Dover. I would like to tell you that Lake Salvador and Bayou Segnette, where you talk about putting a national park, those places are too valuable. Those fishermen in Lafitte do a lot of fishing there, and a lot of sportsmen go in there. We don't stop the sportsmen and we welcome them to come in there. We have a lot of traffic on Fridays, Saturdays, and Sundays, in and out, and we're glad to have them, because they come in there and spend money. But, this place is a park now and we don't like to see the National Government come in there and put people to run it like they run the EPA and the Corps of Engineers, I feel sorry for the people who live down there. I really do, because here we sit in Lafitte and when we go to bed at night and if we have a fire, we don't have water that is adequate to put it out. The fishermen come in with their catch, that they need to supply their families with income, they couldn't sell the shrimp that they caught and they had to throw them overboard because we didn't have enough water to make ice. We don't have enough water to process the shrimp in that area. In the evenings from 4 to 6, we don't have water to even wash clothes and the EPA says we don't need water down there. How ridiculous can you get?

I have this here [indicating], and I have presented a written statement telling you that if there is anyway at all you are going to develop a park in that area, and we would want a nature park only, because if you drain that land—if you go in there tomorrow with all of that dry land and you let those cattle alone, they're going to die if you don't give those cattle some water and some feed. That wetland we're talking about, when people say we want to drain it, they don't know what they're talking about. We had one of the finest pelt areas in the Lafitte area, probably the finest in the whole world, but we don't have it any more because the salt water is eating up the marsh. We have written to every agency in the United States to try to find out what the wetlands produce and we can't find out what they produce.

These are the recommendations that we would like to make. We would like to ask this committee that instead of spending—and when you wind up, you will be spending \$10 million because it never fails. No. 1 the project that we would like you to look at, and transfer the money from this park thing that your're talking about and put it into the No. 1 project that we want, and that's a new waterline. We need water in Lafitte so bad. We pay the highest insurance rates in the State of Louisiana because of the inadequacy of the water supply. I have something here that the fire chief wrote to the council and I have it in the record. The second thing that we would like to get done is the second phase of the Lafitte-LaRose, which is 1¼ mile through Levee Plantation. You can walk through there right now and you're not going to find nothing there but sloppy water and we would like to see that road completed. We would like to see some of that money put into this so that people will stop getting into all of these major accidents that we have. No. 3, we need sewerage. Everytime that high water comes up in that area, we have septic tanks that float all over people's yards, which has caused some health hazards and one day it might cause a major health hazard. No. 4, we are asking for money to build levees in that area. I know you wouldn't like it if the salt water came into your homes every year when there was high water and destroy all of the vegetation and you have to replant them. That's why we don't have any oranges any more. How would you like to have an orange orchard and everytime the salt water comes in there all of your oranges split? I know you wouldn't want that and we don't want it either. I've never heard any of the environmentalists say anything about the salt water erosion, and in 10 years or less we're going to be just like Grand Isle with the Gulf of Mexico will be right on our backs if we don't do something with that land south of Lafitte. That's why you should be having hearings to do something with the money to bring that land back. At one time we had one of the richest fur producing industries in the world. We need that land to come back.

We also request that if there is to be a Jean Lafitte National Park, that it will consist of not more than 7,200 acres, with the land being left in its natural state. We also ask that this 7,200 acres does not include any water area. In other words, we don't want you to take any water at all, no canals or bayous, just the land. We would like you to leave the water just like it is. We wouldn't like to see 5,000 or 6,000 or 8,000 people on the shores of Bayou Segnette every Saturday and Sunday; we're not for that at all. We stood up in Lafitte for more than 5 years when they tried to put up these big apartment houses, even before you were a Senator. We're not for bringing in all those people like they would make you believe—when the newspapers tell you right on the bottom here [indicating]. "For opposition which may be in reality limited to new land development." We don't have any land development in there. Everybody that owns land in Lafitte doesn't want to sell it. The newspapers know this, the EPA knows this, that they're not going to sell it. If they decide to sell the land tomorrow, all of that land would be sold in less than a year, because people would like to move in that area. People that own the land, they've got oil wells in the area and they don't want to sell, and I don't blame them one bit.

Senator JOHNSTON. Mayor, what you're saying is that if we go in there with a 7,300-acre park, with some mechanism to preserve the rest

of the area, so it doesn't deteriorate the ecology of the lakes, and if it continues to allow fishing and hunting and trapping, and if we put in levees to develop the park, and we preserve the park in its natural state, that you can support that kind of idea?

MAYOR KERNER. Yes; absolutely. From the shooting range all the way down to—well, part of Alemand Road, you know, if you could buy all of that land in there and leave it as it is, then we would be happy about it, you know.

SENATOR JOHNSTON. Well, that's the whole idea. We don't want to put a Disneyland in that area because that would destroy it. There is no sense in someone coming down here to see a nature park and seeing a lot of buildings in there. We'll have some boats in there and we'll have some paths and some interpretive things, and you'll have to have some structures, such as sanitary facilities and all of that, but I wouldn't think that anyone would want intense development in the park. We want to preserve it and that's the whole idea. Now, the area between the 7,300 acres and the 23,000 acres, the only thing we want to do with the 23,000 acres is to keep that preserved, just as you want, so that we won't disturb the ecology. Now, we can do that two different ways: One, we can acquire it and grant grandfather rights for fishing and hunting and trapping, or just let the local people control it as long as they don't ruin the ecology. We want precisely what you want, and that is to preserve that area so you will be able to continue to fish, not just this year, but in the next century.

MAYOR KERNER. We don't want the Federal Government to buy the 23,000 acres, Senator, because you know when they get control of something, you know how that is.

SENATOR JOHNSTON. It seems like you're talking about the EPA, and I have had the same trouble that you've had with the EPA, and I share your view on that. We want to work with you and Doug Allen and the other elected officials in this area to figure out what is the best way to deal with the 23,000 acres. If you have any ideas on it, I would be glad to listen. What you're saying is that we don't need to buy it?

MAYOR KERNER. No; not the 23,000 acres.

SENATOR JOHNSTON. I'm inclined to think that we don't need to buy it, but I want to hear from you what you think is best. I think the best way to keep that fishing industry healthy is to plan this park, because the whole idea of this park is to preserve that area and to keep it away from intense development. Now, when you say that you would like to transfer that money over to the Lafitte-LaRose Highway, the waterline, and the levees, we can't transfer that money, because this money comes from what we call the Land and Water Conservation Fund. But as you know, I will continue to work with you on the waterline and on the preservation of the south end.

SENATOR ABOUREZK. That's a separate issue from this particular park.

MAYOR KERNER. Well, I think it would be a good idea to go ahead and buy that 7,200 acres; the hospital owns about 2,000 acres, and I think the State has already bought 500 acres. But, don't bring any more in and don't build any more than maybe 50 camps at one time, not to bring in a lot of people at one time. If people want to come down and look at the scenery, they can get out of their cars and walk around; it's beautiful down there, and there's no question about it.

But, we wouldn't want you to put 10,000 or 15,000 people along Lake Salvadore or Lake Cataouatche at one time. Because, we have a lot of beautiful places down there, and the bayou is a beautiful place down there. We're trying to buy land now—we tried to buy land, and I think we could have bought it if they wouldn't have come up with that foolishness about the levee. We wanted to buy it and keep it in its natural state and we put a levee there, and we started these levees back in 1972 and 1973, and now they want to say that we come under the 404. I don't know if we do or not.

What I'm really thinking is that we're all going to go to court and that's going to cost a lot of money, and we would like to keep those levees there. If we have to go to court, then we have to go, because we cannot let that land to continue to deteriorate to the salt water. Let me take you in back of Barataria Tavern, and if you come back there I will show you, and when I was a kid we used to walk across that pen in back of Barataria Tavern and we used to play games back there. Today, that pen is coming in toward us, the lake is coming toward us, and we need to put a levee back there. We need a levee from the Chevron Oil Co. canal to Goose Bayou Bridge. And the same thing is happening in lower Lafitte, that all of the land is being eaten away by salt water. And we sure hope that you talk to Colonel Wright (phonetic), because—I don't know if it's true or not, but somebody said that he got on television and he said that he didn't know if it was salt water or not that was coming into Lafitte at high water. Well, I don't know if he's talking about the water that fills up his bathtub, but the only place you get high water in Lafitte is from the river or from the Gulf of Mexico. He ordered us to stop the levee and when the high water was so strong we brought him down there and now they tell us that the other 1,500 feet of levee has got to be taken out.

What I'm saying to you is that we want to abide by the restrictions is everything, but we don't want people to tell us what to do in Lafitte when we know when is absolutely right. You know for yourself that if there was a plane going to heaven tomorrow morning, everybody would be on it, but every individual on the bayou and all of the people that live down there want this waterline and every one of those people are for the Lafitte-LaRose Highway, so it must be good, because it's very seldom that you get everybody to agree.

Senator JOHNSTON. Well, mayor, we will try to help you get that and we will try to help you get the kind of park that you described. We will try to get the type of park that protects the fishermen and protects the ecosystem. We appreciate your testimony, Mayor Kerner, and I have enjoyed working with you in the past 5 years. You know that I have always had an open door to my office and thank you very much for coming.

Senator ABOUREZK. Thank you, Mayor Kerner.

[The attachments to Mayor Kerner's statement follow:]

DECEMBER 9, 1977.

To the U.S. House of Representatives and U.S. Senate Committee on Parks and Recreation: We the Officials of the Town of Jean Lafitte and the 6th Ward of Jefferson Parish do hereby request that the eight million dollars to be spent for a Jean Lafitte National Park be transferred to a more worthwhile and needed project that is a necessity to the well being of the people who live in Crown Point, Barataria and Lafitte.

The number (1) one project would be the construction of the new waterline to Lafitte, Barataria and Crown Point. The present water supply is inadequate presenting a hazard for fire protection and is the cause of residents having to pay the highest insurance rates in Louisiana. This inadequate water supply is also affecting the processing of seafood, the shortage of ice during peak seafood production and the residents are deprived of water during fires when fire engines are pumping water. This water line is a must and should be constructed as soon as possible.

(2) Begin construction of the second phase of the Lafitte-LaRose Highway from the new Wagner Bridge to Highway 45 and include a new bridge over Bayou Barataria. This is urgently needed for the protection of the residents, especially during hurricanes and times of emergencies.

(3) Sewerage be provided to the area so that in times of high tide septic tanks will not be running over causing a health hazard.

(4) We ask that levees be built to provide protection not only to the people, their homes and property but from salt water intrusion which is destroying vegetation and food for wildlife.

(5) We would like to see the land South of Lafitte be preserved and work be done to restore the area. It once was the largest fur producing area in the United States. At present, this land is being eaten away by the Gulf of Mexico and in the near future we will be like Grand Isle with the Gulf waters at our doorstep. Something needs to be done to protect this area and needs to be done immediately.

We ask that the money for the Jean Lafitte National Park be used for these projects that are mentioned above.

We also request that if there is to be a Jean Lafitte National Park, it will consist of not more than 7,200 acres with the land being left in its natural state. We also ask that this 7,200 acres does not include any water area.

LEO E. KERNER, JR.,
Mayor.
FREDERICK GROR, JR.,
Alderman.
ALVRO G. DESPAUX,
Alderman.
CHRIS A. DUFRENE,
Alderman.
QUINTEN S. COUEVAS,
Chief of Police.
ERNEST W. STEIN,
Constable.

Lake Salvadore, Lake Cataouatche, Bayou Cuba, Bayou Segnette is being used now by commercial and sports fishermen. There is no need to create a monster park in that area. The destruction this park would bring is completely ridiculous. This area should be left alone and kept just as it is, with no development whatsoever.

The people of Lafitte, Barataria and Crown Point are against this park especially if it takes in any water area.

National Parks should be put only in areas where the land is not used for anything. Then that land area could be used by people to relax, view the scenery and buy noveltys and souvenirs at shops located there.

This water area is too valuable to the commercial and sport fishermen, to make a public park, where garbage, trash, bottles, cans, etc., will pollute the area to no return.

We sent you a telegram about Colonel Rush who is head of the Corps of Engineers to be replaced. Nothing has been done. He knows as much about the wetlands as we know about the blue birds on the Cliffs of Dover.

You keep listening to people who have been before the electorate and have been rejected with not enough votes to even file a minority report.

It's about time you send people to Lafitte to get the real facts about the area and do the things that need to be done to protect the area. Time is running out!

We live in the wetlands. We know the problems. With your help we can solve them.

We also would like to ask you people in Congress to do something about 404 or appoint people who know something about the property 404 has jurisdiction over.

LEO E. KERNER, JR.

WHY A WATER LINE IS NEEDED FOR LAFITTE, BARATARIA AND CROWN POINT

(1) How would you like to have a 2 in. water line in front of your house or business that supplies water for 300 families or more?

(2) How would you like going to bed every night knowing if your house caught fire the water supply isn't adequate to put it out?

(3) How would you like to pay the highest insurance premium in the State of Louisiana because of water shortage, where fire hydrants are 3000 ft. apart, and in some areas there are none.

(4) How would you like to go out and catch shrimp to support your family's needed income, then be told to throw them back into the water because there isn't enough water to make ice.

(5) How would you like to have a two story house and can't use the upstairs bath room because of poor water pressure.

These are the questions needed to be answered by the EPA who said we didn't need a larger water line.

A need for the 2nd Phase of the Lafitte-LaRose Highway.

How would you like to see your family, friends and visitors being injured on a highway that should have been corrected 25 years ago. Now that the road from Marrero to Crown Point is under construction we need the permit to cross Fleming Plantation to Highway 45 and across Bayou Barataria with a new bridge. This new road across Fleming Plantation is 1¼ mile compared to 4 miles which we are now using which is too narrow, has dangerous curves and bad shoulders.

We need this permit as soon as possible and we ask that all of you help us get it.

Very poor levee system in Lafitte, Barataria and Crown Point.

The levees are not adequate to prevent salt water from flooding over property everytime we have high water coming in from the Gulf of Mexico.

Peoples flowers, plants, shrubs, citrus trees are being destroyed from salt water intrusion.

Septic tanks running over into the yard during high water causing health problems.

Let's forget about spending money on a park which will hurt more than help, until these other problems are solved and then only using 7,200 acres of land, no water area, and a Nature Park Only.

LEO E. KERNER, Jr.,
Mayor.

We are opposed to the Jean Lafitte National Park as it is proposed in the current Senate Bill. If the Bill is left as is and the Lake Salvadore and Lake Cataouatche area are included, the first thing that will happen is zones will be set up, permits will have to be obtained for fishermen to earn their livelihood and eventually all the area will be restricted to both commercial and sport fishing. We don't want any restriction whatsoever. If these people have to walk five feet to obtain a permit, that's five feet too much. These people have been fishing and trapping both commercially and sport fishing for years and years. Our people are well aware of the red tape and frustrations involved in federal permits and regulations.

What benefits will we get from this park? Absolutely none. It will only be an asset to the New Orleans area. A proposed tourist center will be set up in the French Quarter in New Orleans, then tourist will be bussed to the park area. New Orleans will get all the tourist trade, all we will get is traffic jams, pollution from garbage into Lake Salvadore, which will eventually be a deterrent to our fishing grounds.

The Times Picayune reported that people who have camps along Bayou Segnette probably don't own them or the land, however they live in the local area and should have a preference over these lands before people of other areas in our country. They are American citizens, pay taxes and vote.

We also have about 800 signatures from residents, fishermen and trappers who are opposed to this park. So what more is needed for you to go back to Washington and give your report that the people of the Sixth Ward are opposed to this Jean Lafitte National Park. What more do you need, Thunder to fall on you?

CHRIS DUFRENE,
Alderman, Town of Jean Lafitte.

Senator ABOUREZK. Before we get started with the next witness, there have been a number of people who have requested time to testify, and the requests keep coming in. I guess what we're going to have to do, in order to end sometime today, is just end it. The next witness will be permitted to testify, Mr. Couevas, the Chief of Police from Lafitte, and also Mr. Frank Ehret, who will put on a slide presentation, and I would ask the other witnesses who have come here this morning and ask to testify, just to submit their written statements. As I said previously, the record will remain open and you can either mail them to Senator Johnston or send it to the Parks and Recreation Subcommittee, care of the U.S. Senate, Washington, D.C. I am very sorry that I will not be able to provide you time on the platform today to testify, but all good things have to come to an end at some point.

Senator JOHNSTON. Let me say, Senator Abourezk, that those written statements are printed up in a record like this [indicating], and this is the record of last year's hearing. So, they will be printed up for not only the use of the committee, but for anyone else. So, the fact that you can't testify doesn't mean that it won't be printed up and not made a part of the record.

Senator ABOUREZK. All right, the next witness to speak will be Mr. Quinten S. Couevas, the chief of police from the town of Jean Lafitte.

**STATEMENT OF QUENTIN S. COUEVAS, CHIEF OF POLICE,
LAFITTE, LA.**

Chief COUEVAS. I'll be very brief, because the mayor said most of the things anyway.

One of the things that concerns me is that the highway down there is inadequate; it's only about 18 to 20 feet wide, and it's the most dangerous traveled road in the State or Louisiana. We lose anywhere from 11 to 12 lives a year on that highway. I know that Lindy has been down there several times. Another thing down there is that our police protection down there is very minimum between the parish and the local government. We have only been in existence 2 years as a municipality, and we have organization problems in getting things setup. That's one of the problems that concerns us and the people.

I would like to touch briefly on these wetlands south of Lafitte and in this area where you want to put the park, and why this land is so valuable. We will begin, let's say, in March when the trappers are ready to leave the trapping land, they used to take and dam up the entrance to the canals to stop the salt water or the high tides coming in from the gulf in March, April, May, and June and then start changing. This would cause the grass to grow in the summertime and make the marshes fresh water or sweet water marshes. Most of them are that way now, but they are beginning to turn brackish or salty. What happens then, in November, the trappers would go out into their camps and break the levees, because they had a north wind and a north wind would push the water south to the gulf and we had low tides; therefore, the water wouldn't come above the land area and it would take pirogues to go in this area. And then when they were finished trapping they would burn the grass off after a certain time. Then when they were finished trapping, and the season was closed again, they would come back to the marshes and dam the canals again to stop the high tides from coming into the marshes. What happened in south

Lafitte, is that oil companies came in about 1939 and they kept digging canal after canal after canal without any protection; the corps has come in there and dug canal after canal without any protection. They depleted the rat system and the trappers had to go to other areas. If they had kept this as marsh land and not dug all those canals, we would never have the regulations we have today. We have to stop the salt water intrusion and where we should be having hearings is at Grand Isle to see how we could stop the Gulf of Mexico from coming up the west bank; this is one of our major problems.

The map that you see here [indicating], which is of the highlands, because they don't show the land area that was lost. According to the Corps of Engineers, we are losing 16 square miles of marsh land a year. Of course, it's a big area along the gulf coast, but if you take a foot along each canal it would add up to 16 square miles. We've got to stop the erosion of the land and the salt water intrusion. We want to stay down there and we want to work down there as our ancestors did in fishing, hunting, and trapping, and we don't need all those people coming down there. Thank you very much.

Senator ABOUREZK. Thank you very much, Chief Couevas. Ladies and gentlemen, we are going to take a 15 minute recess while Mr. Ehret sets up the slide projector.

[Short recess.]

Senator ABOUREZK. The committee will come to order.

Mr. Ehret, do you have something to say before you turn the lights off?

**STATEMENT OF FRANK EHRET, JR., REPRESENTING BARATARIA
CIVIC ASSOCIATION, JEFFERSON PARISH, LA.**

MR. EHRET. Yes, sir, I do. Senator Abourezk, chairman of the Senate Subcommittee on National Parks and Recreation, of the Department of Interior and Insular Affairs; Senator Johnston, author of Senate bill 1829 to establish the Jean Lafitte National Cultural and Historical Park in Jefferson Parish between Estelle and Crown Point, La.; Congresswoman Boggs, author of a similar bill in the House of Representatives, House bill 8290, and I wish Lindy would not have left, and distinguished members of the committee and staff, it is an honor to be before you again.

I am Frank J. Ehret, Jr., 5048 Ehret Road, Marrero, La., and I live just a few miles north of the proposed park site, representing the Barataria Civic Association, Active Citizens for a Better Jefferson, and the Citizens for the Promotion of the Jean Lafitte National Cultural and Historic Park, and I would like to say that I am now 15 years older since I first proposed this park concept.

Today I do not intend to elaborate in detail on the value of this park to our immediate area, our State and our Nation. My statement at this hearing last year, December the 6th, will bear this out. It was such a wonderful hearing that I would like to have the complete record of all of the wonderful people who represented the State of Louisiana, the Nation, and our local government, who spoke in favor of this beautiful concept. In Senator Johnston's bill, he has incorporated practically all of it. I must say that, and I have been scrutinizing this bill

over and over and I am practically in favor of all parts. I think it has been cleared up—the part that I was not in favor of, and that was the \$500,000. Because we know that the monetary value changes, and for development, it seems a small sum.

Senator ABOUREZK. As Senator Johnston said, everything is negotiable.

Mr. EHRET. I understand that that was straightened out, but that was the point that I was a little bit leery about. And also the concept about people's homes in the area and working out something for that. A major question arises: Why is Louisiana the only State without a true national park? I intend to elaborate more on what has happened since the previous hearing and on the contents of the bill with particular emphasis on boundaries, usage and transportation alternatives for public access to the park, which I do not think has been brought out in detail.

Since my association with National Park personnel for the past 6 years, I am aware that a buffer zone adjacent to the proposed park site is required and also a beautification corridor approaching the park both by road and by water should be emphasized. Since I have not been able to obtain any proposed boundaries, I will refer to the attached map taken from the study done by the National Park Service in 1973. I enclosed that and you have a copy of it. As I look at it it is the same proposal as it was in 1973, as to the boundaries. You will notice that it has the corridor, and I am in complete agreement with Senator Johnston that this corridor should be purchased by the Federal Government. I disagree with the loud rhetoric that I heard people stand up here and say today about Federal control will interfere with commercial fishing or hunting.

My goodness, Senator Johnston's bill specifically specifies that it is the greatest thing in the world for the people who love to hunt. I love to hunt, myself. There are many people who love to hunt but can't afford leased ground to hunt on, and that's the only way a man can hunt these days. Public hunting should be there for the total population. As I look into this, this would provide approximately 13,000 acres for public hunting, and how it would interfere with commercial fishing—I heard people say that commercial fishing would be interfered with. My goodness, there is no commercial fishing on the land. The commercial fishing is in Lake Cataouatche. I know all of this land like the back of my hand; I know every alligator hole and muskrat hole in the area. I have flown over it, walked over it, pushed through it in a pirogue, and I have taken the National Park Service people through there and they will agree that most of this is wetland. I disagree wholeheartedly with Mr. Giardina with his statement about there being some areas in here that are suitable for development. My goodness, he served on the Coastal Zone Management Board with me and we have maps that have been provided by experts, by the U.S. Conservation Service and they will tell you about the soil in this area. We are talking about soil that is unfit for development of any sort. We are talking about Kenner muck, Lafitte muck type of soil and most of it in there is this type of soil that has a sedimentation rate of up to 11 feet. We certainly don't want to see that land put into housing development, because it's just impossible to use.

So, I see no reason why the Federal Government should not acquire this land as a buffer zone. Nothing could be built on here and the only thing it could be used for is to keep it in its natural state as wetlands. I heard all kind of talk about pollution and I can't see how this part would affect the commercial fishermen. There's no way possible that you can think you can stop people from running outboards in Lake Cataouatche or Lake Salvadore. It is under Federal control. It is a Federal navigable waterway and it is under the control of the U.S. Coast Guard. Let's face it, it is already under Federal control and we have Federal navigation laws. So, we can't stop people anyway, whether it's a park or not from traversing natural waterways. So, I can't see what the problem is and how it would affect fishing or trapping in anyway. I think the plans have eliminated very much the area essential for the total park concept, especially at the northern boundary where the game management unit begins and the eastern boundary in the vicinity of Bayou Des Familles and Highway No. 45. The present boundary is drawn across the center of what is now known as Chenier Grand Coquille on the shores of Lake Salvadore. It is one of the oldest archeological sites in the area, dating back to 500 B.C., the Tchefuncta Culture, as submitted to you by Dr. Shenkel, of the University of New Orleans.

I disagree with the Park Service in drawing a line right across this area of Indian Culture that dates so far back, to 500 B.C. I think it should be included in the core of the park site. I have spoken to Dr. Curry about this and asked him to include this because of its importance. History tells us also that this was a place of rendezvous for Jean Lafitte and his men before he proceeded from Lake Salvadore by smaller boats through Bayou Coquille to its intersection with Bayou Des Familles, where there are the remains of an Indian Culture, the Marksville Culture, as submitted by Dr. Shenkel of UNO, and it still exists. From this point, the boundary should proceed north of what is known on the map as Delery Canal, which is of great historical value. If you would read the book that we got together, and Betsy Swanson is the author of it, it will bear out in that book that she refers to the Delery Canal and it was built in the early 1800's to joint the Kenta Canal, and proceed westward in T. 14 S., R. 23 E., across Highway 45 and across Bayou Des Familles. At present there are no homes in this area and none under construction. As to the eastern boundary, it should follow a line at least 1,500 feet east of Bayou Des Familles to preserve that portion of the natural ridge formed by Bayou Des Familles when it was a distributary of the Mighty Mississippi over 2,000 years ago and formed the Metairie-Barataria Deltalic Lobe. That's the land you're sitting on right now.

This eastern boundary should proceed south with 1,500 feet east of Bayou Des Familles to the end of the property of Christmas Lands, section 64 T. 15 S., R. 23 E., near the intersection of Highway 45 and the Lafitte—La Rose Highway. At this point, the line should cross Bayou Des Familles and Highway 45 bypass the three or four homes located on the west side of Highway 45. I think that the final plans may take some houses, and believe me, I don't want to see this park take anyone's home, and I don't want it said that Frank Ehret is in favor of displacing people's homes as has been said

in the past. Now, this line should proceed north of the Wagner Bridge approach to Bayou Barataria at its intersection with the Kenta Canal, which is of historic importance, because it was dug in 1839 by the Louisiana Cypress and Lumber Co., the largest cypress company in the world. The line should continue along Bayou Barataria until it meets the large Louisiana Power and Light Co., transmission lines. From there, the line should be set back several hundred feet so as not to displace any of the homes along the Bayou, in the so-called Albon area. We have a gentleman here that lives in there, and when he was told that his home was going to be displaced, I told him that I would ask the Senator to take out those homes that is included in the area. I think when it was drawn up these lines—I do know what happened, because the old Jefferson Parish Council in 1970 pressured the Park Service to provide a study and they put together the study and they came up with it prematurely; they didn't have enough input into it.

Senator JOHNSTON. We will take care of these homes.

Mr. EHRET. I think you already stated that you would take care of that.

We are also aware of objections by officials of the small village of Jean Lafitte. The objections are petty and vindictive since the proposed Jean Lafitte National Park is in the unincorporated area of Jefferson Parish in the fourth and sixth wards and the officials of the village of Jean Lafitte have no legal jurisdiction over this area. Statements such as displacement of homes, interfering with commercial fishing and pollution are completely ridiculous and false.

I hope and pray that the proponents of the park concept have convinced you to proceed with the passage of the bill and that I am available to help in anyway possible.

I would also like to present to you right now, since all of this came out against it, especially since last Wednesday when Mr. Lloyd Giardina tried to get a resolution passed opposing this bill, this really stirred up the public and without any trouble at all people came and asked me for a petition, in the vicinity of Crown Point and Lafitte. I would like to present you now with a petition with 875 names in favor of the park as Senator Johnston has proposed in his bill. Thank you very much.

Senator ABOUREZK. Frank, those will go in our files.

Mr. EHRET. Senator, on this slide show that I have here I have to say a few brief words on what it represents. This is a slide show that is put to music and it shows aerial views of the park and ground views and a lot of the slides are in infrared so that they can be analyzed and you can see the highlands from the lowlands. It shows some panoramic shots as well as shots through the swamps, the marsh, and some of the ridge land in the area. It is intended to show that if you do not protect this area now, it will go to the dredges and the bulldozers and become a concrete jungle.

[A slide presentation was presented by Mr. Ehret.]

Senator ABOUREZK. Frank, I can see that you care a lot about the park from the way you take pictures.

Mr. EHRET. Senator, I want it to stay in its natural condition as much as possible, as I stated in my statement, with limited access—no motorboats at all in the area. I have discussed it completely with

Dr. Curry, the modes of transportation, because the southwest region of the National Park Service has stated that there is no access by water or land and I can't disagree with them. In my statement you will find that I have a beautiful way of listing everything, being a retired educator myself, I see the need for educating the people to the value of this area and what we need in this area and to help show the beauty of our beautiful State of Louisiana to others throughout the United States and let them enjoy them as well. Thank you very much.

Senator ABOUREZK. Thank you, Frank.

[The prepared statements of Mr. Ehret follows:]

STATEMENT OF FRANK EHRET, JR., REPRESENTING BARATARIA CIVIC ASSOCIATION,
JEFFERSON PARISH, LA.

Senator Abourezk, Chairman of the Senate Subcommittee on National Parks and Recreation of the Department of Interior and Insular affairs; Senator Johnston, author of Senate Bill 1829 to establish the Jean Lafitte National Cultural and Historical Park in Jefferson Parish between Estelle and Crown Point, La.; Congresswoman Boggs, author of a similar bill in the House of Representatives, H.B. 8290, and distinguished members of the Committee and Staff, it is an honor to be before you again.

I am Frank J. Ehret, Jr., 5048 Ehret Road, Marrero, La., just a few miles north of the proposed park site, representing the Barataria Civic Association, Active Citizens for a Better Jefferson, and the Citizens for the Promotion of the Jean Lafitte National Cultural and Historic Park and I am 15 years older since I first proposed this park concept.

Today I do not intend to elaborate in detail on the value of this park to our immediate area, our State and our nation. My statement at the hearing last year, December 6, 1976, will bear this out. It is already incorporated in the record and I am enclosing a copy and requesting it be made a part of the record for this hearing. In fact I would like to request that all of the statements made at the preliminary hearing be part of the permanent record on the Jean Lafitte National Cultural and Historic Park. A major question arises, Why is Louisiana the only state without a true national park? I intend to elaborate more on what has happened since the previous hearing and on the contents of the bill with particular emphasis on boundaries, usage and transportation alternatives for public access to the park.

Since my association with National Park personnel for the past six years, I am aware that a buffer zone adjacent to a proposed park site is required and also a beautification corridor approaching the park both by road and by water should be emphasized. Since I have not been able to obtain any proposed boundaries, I will refer to the attached map taken from the study done by National Park Service in 1973.

I think this plan has eliminated very much of the areas that are essential in the total park concept especially in the Northern boundary where the game management unit begins and on the eastern boundary in the vicinity of Bayou Des Familles and Highway 45. The boundary is drawn across the center of what is known as Chenier Grand Coquille on the shore of Lake Salvadore. It is one of the oldest archeological sites in the area dating back 500 B.C. Tchefuncte Culture (Dr. Schenkel, University of New Orleans) therefore to include and preserve this total valuable area of oaks and shell middens the line should be moved further north as I have indicated. History tells us that this was also a place of rendezvous for Jean Lafitte and his men before he proceeded from Lake Salvadore by smaller boats through Bayou Coquille to its intersection with Bayou Des Familles where remains of an Indian midden, (Marksville Culture, 300 A.D., Dr. Schenkel, UNO) still exists. From this point the boundary should proceed north of Delery Canal, which is of historic value since it was constructed in the early 1800's to join Kenta Canal, and proceed westward in Township 14S R23E across Highway 45 and across Bayou Des Familles. At present there are no homes in this area and none under construction. As to the Eastern Boundary it should follow a line at least 1,500 feet east of Bayou Des Familles to preserve that portion of the natural ridge formed by Bayou Des Familles when it was a distributary of the Mighty Mississippi over 2,000 years ago and formed the Metairie-Barataria Deltaic Lobe. This Eastern Boundary should proceed Southward

1,500 feet East of the Bayou Des Familles to the end of the property of Christmas Lands Section 64 Township 15S.23E. near the intersection of Highway 45 and the Lafitte Larose Highway. At this point the line should cross Bayou Des Familles and Highway 45 westward and by pass the three homes located on the west side of Highway 45 and proceed north of the Wagner Bridge approach to Bayou Barataria at its intersection with Kenta Canal (dug in 1839 by La. Cypress Lumber Company). The line should continue along Bayou Barataria until it meets the large La. Power & Light Company transmission lines. From here the line should be set back several hundred feet so as not to displace any of the homes along the bayou and proceed across the Bayou Segnette waterway to the shore of Lake Salvadore. Jones' Island at the intersection of Bayou Villars and Bayou Barataria should be included and arrangements should be made with the owners of Fleming Plantation to have the historic Berthoud Cemetery and part of Old Berthoud Plantation to be in the Park concept with ownership remaining as is. The area of the Park described should remain in its natural state with minimum alterations.

The main entrance by land should be on Highway 45 at the intersection of Bayou Coquille and Bayou Des Familles. I would like to see erected here a Visitor's Center, a museum, a botanical garden, a place for the caretaker and a canoe and pirogue rental concession for visitors to explore the trails through-out the swamp and marsh. Boardwalks should be constructed through a large portion of the area to enable visitors, artists, photographers and school children to enjoy the natural beauty of the wonders of nature.

As to an approach by water, Bayou Des Familles will afford a beautiful scenic approach from Bayou Barataria, especially since the State Highway Department has agreed to allow construction of a bridge over Bayou Des Familles at its intersection with the section of the Lafitte Larose Highway. The major problem is that the Jefferson Council has not acted in removing the dam as ordered by the U.S. Coast Guard and the Corps of Engineers.

In order to tour the area by water would be no problem. Tourist Boats are already in operation along Bayou Barataria daily from New Orleans. A dock could be constructed on Bayou Barataria near Kenta Canal. Here along beautiful Bayou Barataria tourists would board smaller special shallow draft boats that would take them up Kenta Canal through the swap and marsh—and thence through Bayou Coquille to Bayou Des Familles and down Bayou Des Familles southward to Bayou Barataria and back to the dock at Kinter Canal. In the park area civilization has been documented as far back as the Tchefuncte Culture 500 B.C. Along the route I described it would be of extreme educational value to have small settlements established at intervals of each culture as designed by archeologists and anthropologists of the Tchefunctes, the Marksvilles, the Troyvilles, the Coles-Creek, the Plaquemines and last but not least the Baratarians as they lived and trapped and hunted the swamps from their dwellings constructed of logs and clay with palmetto roofs. This main portion of the Barataria unit without hunting being permitted will become a nature's paradise for wildlife and the creatures will gradually lose their nocturnal habits and will be wondering about during the day for the visitors to admire. All types of wildfowl and shore birds dominate the freshwater marshes.

In 1973 the National Park Service recommended the area north of the Park Site be made part of the Lake Salvadore Game Management area to act as a buffer zone for the park. This created opposition by the Jefferson Parish Council and thus defeated the Park proposal. Similar action has been taken by the present council on January 13, 1977, by passing resolution No. 29083 opposing any expansion of the Lake Salvadore Wildlife Management area expanded into the Parish of Jefferson. I think this was done in haste and there should have been a public hearing on such a vital matter. I know copies of this went to the Louisiana Congressional delegation. I am sure this buffer zone is a necessity before it meets approval and we need it whether it be controlled and managed by the La. Wildlife and Fisheries or by the U.S. Wildlife and Fisheries or the National Park Service.

In the area of the game management area near Highway 45 I Modified the boundary so that it will not interfere with Oak Cove Subdivision in lower Estelle.

We are also aware of objections by officials of the Small Village of Jean Lafitte. The objections are petty and vindictive since the proposed Jean Lafitte National Park is in the unincorporated area of Jefferson Parish in the fourth and sixth wards and the officials of the Village of Jean Lafitte have no legal jurisdiction over this area. Statements such as displacement of homes, interfering with commercial fishing and pollution are completely ridiculous and false.

President Kennedy in his message of March 1, 1962, on the recommendations of the Outdoor Resources Review Commission's Study emphasized that with our expanding population, industry expansion and production makes possible increased enjoyment of leisure time. It is the obligation of the people to make the most efficient and beneficial use of our natural resources. They are not inexhaustible nor will they replenish themselves. Every one must reaffirm their dedication to sound practices of conservation which can be defined as the wise use of our natural environment. Without proper planning and insight our natural sites will give away to housing developments, industrial plants, highways, shopping centers, and airports.

The proposed Jean Lafitte National Cultural Park and surrounding area in the southern half of Jefferson Parish has the most interesting water land relationships within the United States. On the Gulf of Mexico, Grand Isle and Grand Terre appear as outer fortifications, or a barrier reef, for the protection of the area further inland. The gradual transition from open gulf through many lakes and bayous through salt marsh and fresh water marsh, to swamp, thence to oak lined ridges and ultimately to drained and developed areas gives a strange romantic transition between water and land. Composed largely of alluvial silt, the area represents a constant transition from sand deposits from Bayou Des Familles, when it was a distributary of the mighty Mississippi as part of the Metairie-Barataria Deltaic Lobe, 2,000 years ago, to further delineation of the alluvial formations of the swamp and marshes, bayous and lakes that compose much of the Southern sector of Jefferson Parish.

The intricate and inter-penetrating waterways of bayous and lakes, bordered by moss draped live oaks and cypress trees cannot be isolated from the romantic legend of Jean Lafitte, the Baratarians, Privateers, intrigue, and destiny of the nation. Yet above all they symbolize the garden land of one of the world's greatest deltas and represents an untouched opportunity of natural beauty and outdoor living. The semi-tropical climate and abundant rainfall in the vast areas of cypress swamps and open marshes and lakes affords the habitat of an abundance of wildlife. Deer, rabbits, squirrels, nutria, mink, otters, alligators, muskrats, raccoons, birds and waterfowl of all description abound the area. Bald eagles that nest further to the south are often seen soaring over the park site.

For decades the Barataria region has developed near, but isolated from urban development to the north. Many of the people are professional fishermen and trappers. A multilingual society continues to prevail and is enriched by the freedom of the sea, and nationality groups, who find that the dispersion of land and water allows almost utopia isolation within a short distance of the nation's second largest port.

Many people seek communion with nature and want more than picnic tables, benches and fireplaces. They desire to learn something of the natural world in which they live, where through better appreciation they can learn how to lead richer, fuller lives. Many want wholesome, untrampled places where they can learn about wildlife, trees, wild flowers, where they can see and hear and feel wild things for themselves. Preservation of this natural outdoor area and access through it by board walks and pirogue and canoe trails will afford children and adults wider vision, better skills and deeper perspective in living.

The lack of representation within the National Park System is not in keeping with the intent of the policy guidelines of the National Park Service promulgated by the Secretary of the Interior on June 8, 1969, which directs the National Park Service to identify gaps in landscape representation and locate sample areas that would fill them. In response, for the purposes of inventoring the nation, natural regions were established such as Atlantic Coastal Plains, Northern Rocky Mountains and the Mohave Desert. The Barataria region representing a delicately balanced aquatic ecosystem fits into the Gulf Coastal Plain natural region. There is no established natural area as such within the National Park System. The Jean Lafitte Park site does possess these significant qualifications and would be in a sense interpretative of the values of Louisiana's valuable diminishing wetlands and estuaries and create public awareness at the state and national level of its preservation. One fourth of the nation's supply of seafood is produced by the Mississippi River Delta, one of the most productive deltas in the world.

The feasibility study of the Jean Lafitte National Cultural Park completed in 1973 by National Park Service authorized by Congress through the efforts of the late Congressman Hale Boggs, has recommended that the total Park concept be

included in the National Park System. Pages four and five of the study summarize the basis of acceptance and feasibility:

"A Jean Lafitte National Cultural Park is recommended as a feasible park because of:

"Existing historic site of established national significance, now eligible for inclusion in the National Park System.

"Existing evidence of major European and African cultural contributions.

"Existing natural resources in a suitable marsh area.

"Existing appreciation of cultural and natural resources.

"Existing local and regional support for such a park.

"Existing tourism.

"Existing national and international interest in the Lafitte story and Cultural symbol.

"Existing environmental concern for the delta and growing awareness of the processes operative there.

"The park goal is:

"To interpret the unique blend of the region's culture, using the Lafitte career and personality as a thematic vehicle.

"To preserve, reclaim, and perpetuate significant cultural and natural environments of the region.

"A cultural park designation is optimum for the park because:

"It allows a more encompassing theme than the historically park category incorporating not only past traditional but current, values of the living region, and extending to an environmental ethic.

"The region contains unique topographically, geological, and biological features—barrier beaches, swamps and marshes, mud lumps, and the meander belts of the Mississippi River. Beyond question the coastal zone is an important part of our dwindling heritage; and the philosophical argument for preservation of wild rivers, scenic canyons, and mountain fastnesses apply here with equal force.

"Inaction now may not deem a wild area insulated from masses of men; but in the delta region, inaction will mean a continuation of present trends, with probable loss of the resource itself. It is time of decision for Baratarians, for Louisiana, for the Nation.

"We present this proposal for a unique Cultural Park not only for its intrinsic qualities, but as a vehicle of assistance in this time of decision."

Many of the obstacles that confronted the park's acceptance in 1974 are no longer evident. The new Jefferson Parish Council and the Parish President have approved the park concept. Agreements have been reached to stop developments in the vicinity of the park that would have an adverse effect on it.

With your effort and support now, these native haunts of this legendary paradise can become a reality. Without it, it will be a passing memory, as expressed in the words of a great statesman, the late Adlai Stevenson:

"We must preserve our monuments and architecture, our shores, and lakes, and woodlands, for if we do not, we shall consign our heritage to the history books. To allow our landmarks to fall and our land to be squandered would be to destroy the noble evidence of our proud past."

Mayor KERNER. Senator, I would like to present this petition with 928 signatures on it.

Senator ABOUREZK. Those will go into the files as well. I am now going to ask Senator Johnston if he has any closing remarks?

Senator JOHNSTON. First of all, I want to thank Senator Jim Abourezk, the chairman of the subcommittee, for coming down here. I think you have been seeing what is a great asset for this whole region and this whole Nation.

If you look at the South, we've got no national parks in the South whatsoever, besides the Everglades and the Smok'es, if you want to call that the South. And only one other park in the country that I know of that depicts and interprets the marsh, that is the Everglades way over in Florida. It is a national asset and we do want to preserve that asset; we don't want to see it go.

The purpose of this hearing is really twofold; The first part, I think, is to reassure you as to what we have in mind. I haven't heard a thing here today that I consider illegitimate criticism of this proposal. But I hope from what you heard you are convinced that we are going to continue to satisfy you. Mayor Leo Kerner came out, and I thought this was great confidence, and Lloyd Giardina did as well. But, I hope from what we have told you, you will not only be satisfied on these complaints, which are legitimate, but that you will turn around and be supporters of the park. Now, what are those complaints? First of all, the homes. We don't want to displace any homes. We are going to take care of homes. Then, the camp owners, those who lease camps. We are going to take care of that as well. If I owned a camp back in there I would be out marching with the flag in order to get this park, because what this concept says is we're going to preserve it. That means we're going to preserve it for everybody, including the camp owners, so that you will be able to enjoy your camp and enjoy the area and it won't be spoiled by bulldozers and developers. You just can't develop homes and too much civilization in an area like this and keep it from deteriorating. It's happened too many places around this country and it's happened around the State of Louisiana where the evidence of the intrusion of man has destroyed a marsh. We want to keep this entire area as it is so we can preserve it, not just for us, not just for our children, but for all generations.

Now, another item that has been talked about is oil. Oil development and exploration in this area is not inconsistent with the development of the park, provided we have reasonable regulation of that so that you don't bring a marsh buggy in there where a boat would do. In other words, reasonable regulation of oil exploration and development, which nobody would object to.

Finally, hunting, fishing, trapping, including commercial fishing, is entirely consistent with this park. I have heard the representative of the Sierra Club and the Audubon Society testify that they have absolutely no objection to that, and not that they control everything we put into the legislation. But if they don't object, who does object? Not only do I not object to hunting, fishing, and trapping, including commercial fishing, but I want to see that thrive and prosper, because the greatest thing in this part of the world is to have the crabs and other seafood that we get. You don't realize how lucky you are to live down here until you live in a place like Washington, D.C., and you can't get that kind of seafood. So believe me, not only would we preserve that, but we would promote it as well.

Then, there is the question of boundaries. Since our goal here is to preserve this area the whole question is: Do we get 7,300 acres as the core area and allow private ownership of the rest of the 23,000 acres or do we acquire that by purchase? We heard two points of view on that. Frankly, as far as I am concerned, that ought to be a local decision. Leo, I think you ought to get together with Doug Allen and Lloyd and Jimmy Lawson and the council and all of the other people down here and give that some serious thought. Offhand, it occurs to me that the best thing to do is purchase the land. Why? Because I don't think you are going to be able to develop it. I think when you look at section 404 of the Water Pollution Control Act, you're not going to be able to develop that, so the only thing it's good for is hunt-

ing and fishing and preserving it. If I were a landowner back there I would rather be selling and get some money out of it rather than keep it and not get any money out of it. But as I said, that is pretty well a local decision and all of you should get together and think of all of the implications and think how best you can predict your people and how best we can preserve that area. As far as I am concerned, I'd be willing to follow your advice. The only thing that we would not do is buy a park with a core area of 7,300 acres and allow the whole system to deteriorate because of what is done in privately owned areas. That's the thing that we can't allow and that's the thing that you don't want. In other words, nobody wants to see the whole ecosystem ruined because of something that happened out there in the other acreage. So get together, and you all figure out what is the best thing to do on that, and we'll try to follow your advice.

As far as the kind of activity that we would allow in there, we're going to have to have a lot of study. Frank Ehret was talking about the question of access. We can't allow too much use, too much heavy use, with people throwing beer cans and just totally inundating the place with people and then expect to preserve this area in its natural state. When visitors come to this area, they're going to want to see the Jean Lafitte area in a natural state, just as it was when Jean Lafitte was there. In other words, they want to be able to look at the Indian Mounds and look at that and say, "This was the trading post for Jean Lafitte and this is the bayou that the pirates came up for the Battle of New Orleans." In other words, they are going to want to be able to picture that in their own minds. They can't do that if you've got Burger Kings and ferris wheels and all the rest of it. So, we've got to allow for limited public access. There are some areas within the 7,300 core area that are high areas that you might want for heavier use. But, that's something for the experts, for the local governing authorities, for the ecology people to strike a balance on. In other words, the balance that preserves the integrity of the ecology of the area, but still allows access to the many people in this area and other areas of the country that would want to see this.

We're going to put together a commission based on your recommendations, that will fairly represent the interest in the area, such as the Westbank Chamber of Commerce, the town of Jean Lafitte, the city of Westwego; I think those were good recommendations we had. We can and we want to accommodate all of those interests.

Let me say this: To me, this is one of the most exciting things in this part of the world that has happened for a long while, if we can put it together; and I think we can. From what I've heard here today, I believe that your enthusiasm has increased for this park. It's going to be a great thing for Jefferson Parish, the town of Jean Lafitte, the city of Westwego, the city of New Orleans, for the Southern part of the country, and indeed the whole Nation. Let's all join together and work together in trying to get every local interest taken care of and build a great park. Again, my thanks, Mr. Chairman.

Senator ABOUTREZK. Before we close, I want to express my thanks to all of those that helped me to work and put together this hearing: Congresswoman Lindy Boggs, and her staff, Senator Johnston and his people. As I said, I think you've got an awful good Senator here. He's trying to look out for the interest of all of you. It's a good politician

and a rare one that puts together all of the divergent interests as he is trying to do, and he is trying to do the best job for all of you. We appreciate him very much up in the Senate.

With that, these hearings are adjourned.

[Whereupon, the hearing was adjourned, subject to the call of the Chair.]

JEAN LAFITTE NATIONAL PARK

FRIDAY, FEBRUARY 3, 1978

U.S. SENATE,
SUBCOMMITTEE ON PARKS AND RECREATION,
OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES,
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: Senator Johnston.

Also present: Thomas B. Williams, professional staff member.

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

Senator JOHNSTON. The hearing will come to order. The purpose of the hearing this morning is to receive the administration's position on S. 1829, legislation which I introduced last year to create the Jean Lafitte National Historical Park. The park would include a visitor's center in the French Quarter which would provide a place for interpretation of not only the ecology and history but also all of the historic areas and sites around New Orleans, and would include facilities for transportation to all of these historic points. But in addition to that it would have a marsh area in Jefferson Parish, a core marsh unit in Jefferson Parish, in which Jean Lafitte used to fly his pirate boats, back in the last century. We think it is a very exciting concept in management for our National Park System, a great asset for Louisiana and for the Greater New Orleans area.

For over 10 years now we have been trying to create a park in this area. I think the first efforts in this respect were back in 1964 by the State parks commission which considered a recreation park at that time. Our late, great Democratic leader, Hale Boggs, then got into the movement for a park but each time we would try to get it, it would reach—it would be met with determined opposition from the National Park Advisory Council, from the Department of the Interior, from the Park Service, from just about anybody who could oppose a park, has opposed this one over the years.

But this I think is a great idea whose time has come and I am very pleased and very grateful for the great help of the Park Service in helping us design this park, so as to satisfy those objections which we had in the past. I am not anticipating testimony now, although I must say I talked to the Secretary of Interior last night who was quite hopeful. I am not anticipating that testimony, but I just know how Dr. Curry and Bill Whalen must feel about so great a park. I just know that they have got to embrace this idea and push it.

We have had, of course, great support in Louisiana. We had hearings there in 1976 and in 1977 and with just a little murmur of opposition over some objections which we can, I think have cured, we will have an outstanding park. At this time I would like to welcome to the committee Mr. William J. Whalen, who is the Director of the National Park Service. He is accompanied by Dr. Richard Curry who is Chief of the Office of Legislation of the National Park Service. We are glad to welcome you here.

STATEMENT OF HON. WILLIAM J. WHALEN, DIRECTOR, NATIONAL PARK SERVICE, ACCOMPANIED BY DR. RICHARD CURRY, CHIEF, OFFICE OF LEGISLATION, NATIONAL PARK SERVICE

Mr. WHALEN. Thank you, Mr. Chairman. I do have a short statement which I would like to read into the record if I may.

Senator JOHNSTON. All right.

Mr. WHALEN. Mr. Chairman, it is a pleasure for me to appear before you today to testify in favor of S. 1829, a bill to authorize the establishment of the Jean Lafitte National Historical Park, Louisiana. The bill would authorize the establishment of the historical park consisting of the Barataria Marsh Unit some 10 miles south of New Orleans metropolitan area; the B10 Oak Island Indian Site in eastern New Orleans; an interpretive and administrative facility in the French Quarter section of the city; the existing Chalmette National Historical Park and other sites to be included in the interpretation and administered through cooperative agreement rather than by direct ownership. The bill establishes a Delta Region Preservation Commission to assist and advise the Secretary in the selection of sites for inclusion in the park.

Mr. Chairman, the delta region has been the subject of study for over 10 years. The National Park Service became involved in 1973 when we were asked to do a study of the area at the request of the late Congressman Hale Boggs. The 1973 study found the Mississippi Delta region rich in history and culture resources worthy of preservation and interpretation. The national significance of many individual properties in and around New Orleans has been established through their designation as national historic landmarks. Although most of them are in good hands and accessible to the public to varying degrees, their preservation and public appreciation could be significantly enhanced by National Park Service coordination and assistance. The Boston National Historical Park provides a model. There, a variety of dispersed nationally significant historic properties in Federal, State, municipal and private ownership are given preservation aid, unified interpretation, and a degree of administrative coordination under National Park Services auspices. With the national recognition afforded by national historical park designation, orientation and interpretation for the public in a central park service-operated facility, and financial, technical, and interpretive assistance to individual component properties, the outstanding cultural resources of Greater New Orleans and the visiting public could benefit greatly.

Cultural diversity, including existing cultures, is the focus we believe the Federal Government should recognize in the resources enumerated in the bill. History itself is important, but the sole reason for Federal involvement. We are recommending that the title be changed

to National Cultural Reserve (park) to prevent confusion of the approach in the bill with a traditional Federal park.

We are also recommending an amendment authorizing financial assistance for operation and maintenance to the owners of properties who enter into cooperative agreements with the Secretary for preservation and interpretation of their areas. We believe some assistance may be necessary in order to assure adherence by the owner to the high standards we would expect to require in consummating such agreements.

We further recommend an amendment authorizing conveyance of land acquired in the Barataria marsh unit, from the Federal Government to the State or local unit of government for operation by the grantee in accordance with a cooperative agreement. As a condition precedent to such conveyance the Secretary must be satisfied that adequate land use controls will be made applicable to the land conveyed as well as adjacent lands which, if not sensitively managed, would adversely affect the area originally acquired for the reserve (park). In this regard we are recommending an 8,000 acre core area in the Barataria unit which will be within a 24,000 acre reserve protection zone.

The New Heritage Conservation and Recreation Service has an appropriate role in the Jean Lafitte National Cultural Reserve (park). This new service will be the focal point for national heritage programs relating to the Nation's cultural and natural heritage, and recreation resources. The Heritage Conservation and Recreation Service will identify, classify, and formulate policies and programs for their preservation, and coordinate Federal, State, and local resource and recreation policies and action. We are recommending that the directors of the Heritage Conservation and Recreation Service and the National Park Service be ex officio members of the Commission and provide such staff support and technical services as may be necessary to carry out the functions of the Commission.

In summary Mr. Chairman, we feel that with the assistance of the programs of the Heritage Conservation and Recreation Service and the management and coordination of the National Park Service along with the cooperation of the people of Louisiana it will be possible to develop a significant unit of the National Park System in the New Orleans area.

That concludes my prepared testimony, Mr. Chairman, I would be happy to answer any questions.

Senator JOHNSTON. Thank you very much, Mr. Whalen. I want to thank you again and Dr. Curry and Jim Joseph, the Under Secretary, and Mr. Andrus, the Secretary, for going to bat for us on this project. I know that OMB initially was trying to hold the pursestrings very carefully and was initially opposed to this park. I know that their opinion was prevailing at one time, but because of your good offices and Dr. Curry and Under Secretary Joseph and Secretary Andrus, we now have the support of the Park Service, which I think guarantees that we have a bill. I think the Senate Committee and the House Committee as well were in favor of this bill but this seals it with your support and for that I am deeply grateful.

I think I would agree with all your recommendations. The 8,000 acre core area, as I understand, would cost about \$34 million, some-

thing which I think we can afford. The larger area was initially recommended and I was inclined to go with the acquisition of it, but we ran into opposition from Councilman Giardina as well as others down there, saying that the State and Federal Government should not acquire that property. We could, however, handle that area with land use regulations. Most of the fishing camps are in the area outside of the 8,000-acre core. Are there any fishing camps in the proposed 8,000-acre core area?

MR. WHALEN. Mr. Chairman, I am not certain whether there are or not. I think there may be a couple in the fringe area. I called to Atlanta to our lands people. They were not able to get me the information this morning. We will do our best in trying to exclude them if possible, if they are in the area where they can be drawn around. If not, then I think we could work out the proper arrangements with them.

Senator JOHNSTON. And you would concur that we would be able to have a continuation of the same kind of recreational activities, commercial fishing and trapping, that we have had in the past in this area?

MR. WHALEN. Yes, Mr. Chairman, we would concur that the bill does provide for the hunting and fishing and trapping, including a commercial operation that does exist. There may be times for public safety at different times of the year; we may have to close certain areas to fishing or hunting, in particular. But in working out our overall management plan for the area, this would be something that we would work very closely with the State fish and game agencies there in Louisiana before ever promulgating anything along these lines, as far as closing it. But if we did close it, it would probably only be for a short period of time.

Senator JOHNSTON. We're not talking about closing the fishing, we are talking about the hunting and public safety, so that we do not have the deer rifles shot at the fishing boats that come into the area.

MR. WHALEN. That is right. We are primarily talking about hunting.

Senator JOHNSTON. That would only be on the 8,000 acres and not on the outlying areas.

MR. WHALEN. That is correct, sir.

Senator JOHNSTON. I wanted to emphasize that and I hope we will report that. We will try to reassure everyone in the New Orleans area that fishing will be able to continue, that people will not suddenly be jerked out of their camps and out of their traditional form of recreation which we find to be compatible with the operation of this park. There is no oil and gas activity, of course, in the marine area at this time, is there?

MR. WHALEN. Not that we know of, sir.

Senator JOHNSTON. Of course, we have a provision that would allow for the exploration, should it be indicated by geologists, that it would be allowed in this area.

MR. WHALEN. Yes, sir.

Senator JOHNSTON. One thing I want to make very clear, and I hope the press will pick this up, too, is that people who live in Jefferson Parish do not have to go down to New Orleans to the French Quarter to get a permit to come into the park. May I hear that from your lips, please, so that we can make that clear once and for all?

Mr. WHALEN. I think that is very well put. We certainly would not want to ever place any restrictions on people that they would have to go out of their way to get a permit to enter into the national parkland. The people of New Orleans can be assured that they will not have to do that.

Senator JOHNSTON. So that if you live next door to this park and you want to use it, all you have to do is walk in.

Mr. WHALEN. Just drop in.

Senator JOHNSTON. That is good. I hope that will be duly reported. Can you explain how the National Park Service operates visitor facilities, how one would operate in the satellite historic park concept? You mentioned Boston. Could you explain how you conceive of the operation in that concept?

Mr. WHALEN. Initially, we would, of course, look for an interim site to establish an administrative office, and then, working with the local people in development of a plant, we would come up with an identifiable site that would be sort of the administrative headquarters in downtown New Orleans.

Senator JOHNSTON. I am not trying to sell you the old U.S. Mint, but that has been urged upon us.

Mr. WHALEN. That would be one of the alternatives we would explore, but right now we are looking for an administrative site to get started, and then that would more or less dictate where the permanent site would be. The idea of the site is one of the most exciting things about the bill in that our staff, working through the cooperative agreements and with the local people in New Orleans, would be able to just coordinate, I think, in a very nice way, all of the opportunities that are available in the New Orleans area for the visiting public to go and see. As I understand it, now in the city there is no place where all this information is available from one location. So regardless of whether various sites or interests are even under cooperative agreement, we would certainly be willing to include their brochures and their ideas in with our overall program. So it is a major coordinating effort that we will be doing there as well as working very closely. We were able to obtain, we think we were, the cooperative agreements on setting standards for interpretation in those areas so that they are at the highest level possible.

Senator JOHNSTON. Let's say that a tourist from Maine happens to wander into our visitors facility some day. What would he find there? First of all, interpretation—tell us.

Mr. WHALEN. I would see that person finding a knowledgeable Park Service person who was extremely knowledgeable about the overall area. From that person he would certainly expect to obtain information about all of the historical and cultural sites that would be available for him possibly to spend his day.

Senator JOHNSTON. Perhaps slide presentations or movies of the marsh?

Mr. WHALEN. I think it would go beyond just slide presentations of the marsh. We could probably draw up an interpretive program there that would include all of the area there in New Orleans and in surrounding environs so that he would have an opportunity to really understand the total casts of the area beyond even the areas in which we may have cooperative agreements or absolute control.

Senator JOHNSTON. Suppose he comes in and says that he wants to see San Francisco Plantation? That is one of the old homes along the river. Would the park service be coordinating with San Francisco on times when it might be open and have personnel there and provide transportation on a regular schedule to see the old plantation, or to see the Chalmette Battlefield or whatever?

Mr. WHALEN. Yes; we would see that as our coordinating role, working with San Francisco Plantation and others that may be in the area so that a visitor could expect to use his time as wisely as possible. He might want to see this plus two or three others and hopefully by providing a good transportation system it can be coordinated through that office and in a 6- or 8-hour period the visitor may have an opportunity to see five or six areas. There is even the outside possibility that we would provide interpretation on bus times.

Senator JOHNSTON. How would you envision a transportation system working?

Mr. WHALEN. I don't have a crystal ball at this point. Transportation is a tough issue to deal with around a city. We haven't even done any preliminary work on transportation so far as the New Orleans area is concerned but I am happy that you asked the question, because in your bill you require us to do a transportation plan completed within 1 year. We would respectfully ask you to allow us to include that in the 3-year plan for the general management plan. I am afraid that if we try to draw up a transportation plan the first year before the overall management plan is done, that we will have the tail wagging the dog, so to speak.

We would appreciate 3 years to develop that plan, working with all of the local carriers.

Senator JOHNSTON. I think that is a good point. I would be inclined to make that change. In other parts which we explained the kinds of transportation, what options you would have for transportation, one would be park ownership of the vehicle. The other would be licensing of transportation groups.

Mr. WHALEN. Presently we do have a problem as far as your bill, the subsidization of carriers, and property outside national parks. There is presently a bill before the Senate, S. 975, that would allow the National Park Service, if passed, to actually work with carriers in a subsidy role, to carry people from one area to another area where the roads and so forth run outside the parks, so we do not have the authority to actually subsidize but we do have the authority to work closely with them and to try to coordinate with the local carrier ways to get the people there in certain hours. We in particular like to work with them in offpeak hours and also on weekends. We find in most cities that transportation on weekends is very poor. That would be one thing that we would immediately begin working with, the local carriers to extend transportation services on the offpeak and weekend times. I have to say though, as far as authority is concerned, we do not have the authority to subsidize carriers.

Senator JOHNSTON. Of course your study on that will recommend to us the best way to do the transportation.

Mr. WHALEN. I've had some personal experience with that, sir. I found in San Francisco, where we were allowed, on an experimental basis, to subsidize the local transportation system, we found people

who had never been 5 miles from home for the first time going to areas and seeing, so I think it is very important as far as getting people who are transit-dependent to get to the park and to get visitors to see the parks.

Senator JOHNSTON. We want to be sure that when somebody comes into this center that they will be able to tell him, when a bus will leave to take them to the park or take them on a tour of the historic homes or Chalmette or whatever other historic areas they decide to visit and that will be done under your plan.

Mr. WHALEN. At the minimum we would have all bus schedules and that information available right at the administrative site so that they would know what is available, and access to the parks is going to be one of our major emphases in the plan there.

Senator JOHNSTON. You recommended that we call this a reserve. The term "national historic park," we think is important for three reasons. It links this to Boston historic park and we think that is important. It is one that people of the region recognize and are familiar with. And finally the term "reserve" sort of conjures up visions of a place locked off and reserved from the public. They won't be able to use it. You could live, I hope, with our retention of the title.

Mr. WHALEN. We certainly could live with the retention of the title, on a professional basis, as many parks are of course so named. However, we were hoping here that we could get a President to begin something new with this reserve concept. That is, simply put that new areas coming into the system, while we are not having absolute Federal ownership, where we are working in a cooperative move with the cities and States, that we are thinking in terms of calling these areas reserves rather than parks because they are not operated in the traditional vain.

Senator JOHNSTON. Dr. Curry, did you have a comment?

Dr. CURRY. We have gone over the literature in development of this concept, and of course, going back to the earlier study that you had done with Green Line Parks, what we are trying to do is build on—take some of these ideas that were established there. We certainly agree that the word reserve has the same connotation.

Senator JOHNSTON. That is the wrong word in Louisiana. They have all of these wildlife reserves which everyone likes and wants to have but that is where the ducks go in so they can eat undisturbed and you cannot go in there and hunt, but you can go in there to look, with special permission.

Dr. CURRY. We understand that problems with the nomenclature, but we applaud the efforts that you initiated earlier and what we are trying to do is develop a concept that there are going to be areas like Lafitte where the scope of interest is so much broader than the traditional Park Service approach of being able to acquire and absolutely control all of the elements and the resorts that are worthy of protection and visitor use. We really are struggling for some kind of name and we solicit your assistance in a movement in this direction of this concept where the Federal role does recognize that there are some very key resources that must be acquired that must be made available for public use, but that we can develop a concept, a partnership if you will, where we can spread our resources further and incorporate a lot more for public use enjoyment by not relying solely on strictly Park

Service ownership and management of the areas. That is what we are just trying to convey and perhaps this dialog is all that will be necessary at this point in time to move this along. But as chairman of this subcommittee, you have—the former chairman of this subcommittee—

Senator JOHNSTON. Spiritual chairman of the subcommittee.

Dr. CURRY. You have the opportunity to look at a lot of proposals that will be coming before this subcommittee in this and future Congresses. We would just like to share with you at this time our feelings on how this emerging concept relates to the feeing and would relate to other areas coming in.

Senator JOHNSTON. We talk about reserve protection so that would be those areas that are red on the map. We would envision that the local governments would control that, as they do now, as they have the power to do now and as they say they want to do now. So there will be no Federal control. It will be a cooperative arrangement where they say they are going to manage their resources so as to protect the ecosystem and not have noxious discharges or whatever being put into the red areas, so as to affect the green areas. Is that correct?

Mr. WHALEN. Essentially that is correct. We would be working with them to establish a cooperative agreement which would outline the controls that the local people would want, but we are hopeful that those controls would certainly be strong enough to protect the land to the south.

Senator JOHNSTON. So it would be up to them to permit fishing camps and they would not be prohibited by this cooperative agreement at all. All they would have to do is to have their own regulations sufficient to preserve the area and not to degrade; either environmentally or in such ways that people couldn't enjoy the whole area.

Mr. WHALEN. That is absolutely correct and as far as the activities that are going on there presently, they certainly will be in the realm of a preserve.

Senator JOHNSTON. The test already was that that is what they are doing now and that they would continue to do that.

Mr. WHALEN. As we understand it.

Dr. CURRY. I think this is a very important quote. Quoting Mr. Allen:

I feel sure that the local government would agree to create a new zoning classification that would serve as a buffer zone in certain areas around the park that would permit camps, hunting, fishing, swimming, trapping, but nothing that would permit urban development as we know it. There exists in Jefferson and St. Charles Parishes as much as 50,000 acres without displacing the majority of the camp owners.

That is the kind of spirit of cooperation that we are looking to.

Senator JOHNSTON. One final question. Can you give me an idea of how quickly we can get this going, the visitors' center and the quarry in terms of acquisition?

Mr. WHALEN. In terms of the acquisition, upon enactment of this bill, we certainly can begin our preacquisition work which would begin immediately at that time. We are presently not budgeted for acquisition funds for this area for fiscal 1979 budgets so the first chance we would have for actual acquisition funds would be in fiscal 1980 budget.

We would, on enactment, move ahead with the unit, whether we would call the superintendent or project manager, we haven't yet determined, with the lands people, a person to start beginning to work with the establishment of that Commission. So we would move rather quickly into that. But as far as the purchase of property it would probably be in fiscal year 1980 as our budget now stands.

Senator JOHNSTON. Would you foresee the opening of the visitors' center before we get the core area in operation?

Mr. WHALEN. Yes; I think we would open an office, whether we would call it a visitors' center. It could start providing some minimum visitor aid to the people and would become a focal point. I think that that center would also be the headquarters for the commission, and it would be our first move in the area. It would become a focal point not only for visitors but also for the local community to begin to work with it.

Senator JOHNSTON. We would not need a supplemental appropriation for this bill, would we?

Mr. WHALEN. A supplemental appropriation for this bill? At the present time we do not have permanent positions or dollars budgeted to begin an operation in this area so we would probably have to come back for some supplemental aid in that regard.

Senator JOHNSTON. We would, I think, be able to arrange for that. So please let us know as soon as possible. I would like to see that visitors' center start as soon as we can. You will gather a lot of experience as you go with a visitors' center and you might need a temporary building, but you will have a lot of experience as to what the demand is while you are designing the park and putting together your transportation plan. You might point out on the map there particularly for the benefit of the press what we have in mind with this 8,000 acre core area. You could describe the limits there.

Mr. REYER. The lake over here on the western side is the western boundary, the proposed road is partially under construction at the present time. This is basically the eastern boundary. The existing road that loops through this area would provide for some kind of entrance into this higher ground with the lower marsh area out here.

Senator JOHNSTON. And this configuration takes care of the levee problem we have in Jefferson Parish. Are you familiar with that problem?

Dr. CURRY. Yes. We have talked about that problem. I would have to state that probably the levy, in other words, the park—this park in through here would be the seaward side and this road, this perimeter and everything in here would not be protected by the levee. It would probably swing in around this area and cross connect up in here so that there would not be—we won't have to worry in the future about any conflicts between levee development and park boundaries. We will not be taking park lands—

Senator JOHNSTON. They haven't been able to agree on where that levee should be because nobody wants to be on the receiving side of the levee. They do not know where the park boundary would be but this will solve that problem with the location of the levee. Basically the limits of the park will be coterminous with the levee. **will it not?**

Dr. CURRY. That is right. We have volunteered to be seaward side because we don't anticipate our developments will be able to withstand any problems there. We don't want the levee in this area because it would destroy the values for which we were located in this region. So we are willing to ride out the storm in the natural course of things. I think what is important about this core area, Senator Johnston, is that we have, with this configuration, worked out, as you have noted, we may have a few scattered cabin sites through here. We expect those to be very little. The primary private use area has been up in this zone and will continue to remain so, but the bent of the old canals or old bayous, the famous Bayou des Familles, the early Kenta Canal, which was of course manmade, but a very old canal and therefore Louisiana uses that for explanation, and some of the other areas of the marsh, we think we have a good cross section for a visitor to get the whole relationship of the marsh region and yet have still preserved the very significant high ground for development of park use, and this area is basically very solid. The population densities are extremely high in here and the recreation opportunities are extremely low so I think this is not only a national unit but the immediate values to the people living around there will be very evident at this area gets developed.

Senator JOHNSTON. In other words, someone who lives in Jefferson Parish will be better able to enjoy what there is in this area by this park being there than they do right now?

Dr. CURRY. In absolute numbers they will be the major beneficiaries, but that is not unusual. Every national park is more heavily used by the people in the region and the people in the immediate area are certainly going to be the major beneficiaries, but because of the overall significance of the value, this is why it was brought into the system.

Senator JOHNSTON. Thank you very much, indeed, Director Whelan and Dr. Curry. I appreciate your testimony and your support very much. Thank you.

The hearing is adjourned.

[Whereupon, at 10:35 a.m., the hearing was adjourned.]

APPENDIX

ADDITIONAL STATEMENTS AND COMMUNICATIONS SUBMITTED FOR THE RECORD

STATEMENT OF HON. J. CHRIS ULLO, STATE REPRESENTATIVE, LOUISIANA HOUSE OF REPRESENTATIVES

Gentlemen of the Committee, thank you for permitting me to submit this statement concerning S. 1829. As vice chairman of the House Committee of Natural Resources of the Louisiana Legislature and having formerly served as chairman of the sub-committee on State Parks and Recreation, I have a deep appreciation for the necessity to preserve nature as it exists today for our children and our children's children. I commend the members of this committee and those members of the United States Congress who recognize that nature should be preserved for future generations.

I have long been involved with efforts to develop a 7,200 acre park in Jefferson Parish, a concept endorsed by numerous parish residents. I received several petitions favoring this concept, including one signed by 3,000 Jefferson Parish High School students.

In 1974, Act 657 authorized the issuance of \$3 million of state general obligation bonds for the purpose of expanding and improving Jean Lafitte State Park. This authorization was listed in Priority Three of the Capitol Outlay Program and was contingent upon securing matching federal funds. The matching funds were never received.

Therefore, with the support of the entire Jefferson Parish Legislative Delegation and with the assistance of the Honorable Edwin Edwards, Governor of Louisiana, I was successful in sponsoring legislation which was included in Act 298 of 1975 which authorized the issuance of \$6,600,000 in bonds for this purpose, placing the authorization in the Priority One category. Thus, the State of Louisiana has taken positive steps in expanding and improving Jean Lafitte State Park. Such continued expansion and improvement is essential.

It is fitting and proper that the Jean Lafitte State Park be located here, for this is where the famed Jean Lafitte lived. This area has the environment which he used and with which he is associated. This area provides a thriving habitat for the unique farms of flora and fauna produced by the commingling of the fresh and salt waters created by the converging waters of the Mississippi River and the Gulf of Mexico. This unique environment has greatly influenced the lives and cultural development of the people who settled in and lived in South Louisiana. It is a living history. Therefore, it is imperative that this area be preserved in order that future generations of Louisiana residents may enjoy the beauty and grandeur of the wet lands and may understand the forces of nature which have played so great a part in shaping the heritage of South Louisiana.

I support the Jean Lafitte National Historical Park asking the committee to give serious consideration to the legislation establishing the Delta Region Preservation Commission.

This park will be located in the largest unincorporated area of Jefferson Parish. Membership on this commission should definitely be guaranteed to the unincorporated area of Marrero which will be the most affected. Further strong language should be written into the bill protecting home owners' property rights. Consideration should be given to replace today's revenues and taxes which the Parish of Jefferson and the unincorporated area of Marrero will lose due to the park site. Every assurance should be given commercial and recreational fishermen and sportsmen that the privileges they now enjoy will be continued.

I am strongly opposed to having New Orleans manage this park which could eventually change the lives and culture of the people of this area. All recorded testimony concerning congressional willingness to work out the differences was apparent in the hearing conducted on December 17, 1977 at Gretna, Louisiana.

STATE OF LOUISIANA,
WILD LIFE AND FISHERIES COMMISSION,
New Orleans, La., December 14, 1977.

Hon. J. BENNETT JOHNSTON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JOHNSTON: This is in reference to the public hearing to be held in Gretna on December 17, 1977 regarding the proposal for the establishment of the Jean Lafitte National Historic Park. On December 6, 1976 at a hearing held in Gretna on this same matter a statement was presented by this Department offering support for the establishment of the Park and recommendations as to how the fish and wildlife resources could best be managed once the Park has become a reality. Supplementary information was provided to Mr. Richard Curry in a letter dated December 20, 1976 and signed by Richard Yancey of this Department as to why hunting, trapping and fishing should be continued to be allowed after establishment of the Park.

We have examined SB 1829 which you introduced on July 11, 1977 and note in Section 4 that the Secretary shall permit hunting, fishing (including commercial fishing) and trapping in the Barataria Marsh unit. We greatly appreciate the fact that you had this provision incorporated in the bill since this will be in the best interest of the wildlife resources in the area as well as the people who enjoy this type of outdoor activity or benefit from commercial fishing and trapping. As previously stated we feel that the establishment of the Park will provide a great amount of protection for the irreplaceable wetlands lying south of New Orleans.

With these considerations we would like to continue to offer our support for the establishment of the Park.

Mr. Dave John, District Biologist for the Department of Wildlife and Fisheries will be in attendance at Saturday's hearing and will be in a position to answer any questions relative to wildlife or marsh management in the proposed park.

Sincerely,

J. BURTON ANGELLE, *Secretary.*

U.S. SENATE,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, D.C., December 28, 1977.

Hon. J. BURTON ANGELLE,
Director, Wildlife and Fisheries Commission,
New Orleans, La.

DEAR BURT: Many thanks for sharing with me the Wild Life and Fisheries Commission's assessment of Section 4 of the Jean Lafitte National Historical Park bill.

I have requested that your letter be made part of the permanent hearing record on this measure and your comments will be very helpful to the committee when considering the proposal. I also appreciate Dave John attending the hearing, especially on the opening date for duck hunting.

With all best wishes for a happy new year,

Sincerely,

J. BENNETT JOHNSTON, *U.S. Senator.*

LAFITTE BARATARIA,
CROWN POINT VOLUNTEER FIRE CO.,
Lafitte, La., October 24, 1977.

Mr. JAMES DONELSON AND COUNCIL MEMBERS,
Jefferson Parish Council,
Gretna, La.

GENTLEMEN: As Fire Chief of Lafitte, Barataria, Crown Point, Volunteer Fire Company, I would like to see you start on our new water line as soon as possible. to this Area.

The reason is we need this line so we could get new fire hydrants 500 ft. apart. As of now, we have fire hydrants that are 3,000 ft. apart.

On Rosethorne Road, from the new bridge there are two (2) fire hydrants. One is located at Rosethorne Elementary School, and the second one is in front of Gene Menard's house. This covers an area of one (1) mile and three-fourths ($\frac{3}{4}$), and this line is only four (4) inches.

When we get a fire call, we have to call Jefferson Parish Water Works to get them to turn on the pumps to the line so we can get water pressure to fight fires.

This Summer we had only 15 pounds of pressure on the line at times, and this is not enough of pressure to fight fires.

The new water line is needed very much and the people of this area would appreciate it.

Sincerely yours,

GERALD R. FEICHAKEK,
Fire Chief.

LEAGUE OF WOMEN VOTERS OF JEFFERSON PARISH,
Metairie, La., December 17, 1977.

To: Senator James Abourezk,
Senator J. Bennett Johnston,
Senate Subcommittee on Parks and Recreation,
Jefferson Parish Council Chambers,
New Courthouse Building,
Gretna, La.

Re: Public Hearing: Proposed Senate Bill 1829 designating the Jean Lafitte National Park in Jefferson Parish, La.

The League of Women Voters of Jefferson Parish urges the support of Senate Bill 1829 as it is written, designating the Jean Lafitte Park in Jefferson Parish a part of the national park system.

As an area of unusual natural and historical interest and significance located near urban centers, the Jean Lafitte National Park would be of lasting value educationally, economically and culturally to Jefferson Parish as well as to regional and national users.

Relative to its position on the preservation of areas of unique ecological importance the League reaffirms the following concerns:

That the area designated be large enough to protect the predominant tupelo gum and cypress ecosystem;

That the area designated provide natural, rustic, passive types of recreation suitable for a wilderness environment and unaltered by drainage and development;

That the area designated be further set off by a buffer zone allowing for wild life management and protection of bayous, marshes and tidal lands affecting the biological renewal of the park.

The League of Women Voters of Jefferson Parish commends the interest and efforts of Senators Johnston and Abourezk in providing for continued public participation in the project. The League further commends Senator Johnston for his continuing legislative leadership in bringing a park of significant, noteworthy and appropriate dimensions nearer to reality.

The placing of a national park of this unusual kind within our parish and state would indeed be a fortunate legacy for future citizens as well as an exciting stimulus to the welfare of Jefferson Parish.

Respectfully submitted.

CHARLOTTE H. FREMAUX,
Environmental Committee,
League of Women Voters of Jefferson Parish.

NPCA, February 14, 1978.

HON. JAMES ABOUREZK,
Chairman, Subcommittee on Parks and Recreation, U.S. Senate, Washington, D.C.

DEAR SENATOR ABOUREZK: The National Parks and Conservation Association supports the enactment of S. 1829, with certain amendments, which would establish the Jean Lafitte National Cultural Reserve. The area proposed for the Jean Lafitte National Cultural Reserve has many historical, natural, cultural, and recreational values which should be preserved. Properties which could be part of the reserve have been designated as national historic landmarks. The proposed Barataria Marsh Unit is a natural area which provides habitat for many animals.

The marsh area also provides recreational opportunities for birdwatchers, sight-seers, hunters, and fishermen. In addition it is historically significant, representing the last remnants of the once vast stronghold of the pirate and war hero, Jean Lafitte.

While the area in the proposed Jean Lafitte National Cultural Reserve should be preserved, it does not possess the national historical significance necessary to qualify for inclusion in the traditional national park system. In April 1977, the Advisory Board on National Parks, Historic Sites, Buildings and Monuments recommended that the proposed Jean Lafitte National Historic Park not be established as a unit of the national park service because it lacked national significance. Even though the Jean Lafitte National Historical Park does not qualify for inclusion in the national park system, this area can be preserved through the establishment of a national cultural reserve. The National Parks and Conservation Association supports the amendment, with certain modifications, proposed by the National Park Service to S. 1829. These amendments would provide for the establishment of a national cultural reserve.

The National Park Service has recommended that S. 1829 be amended to change the name of the Jean Lafitte National Historical Park to Jean Lafitte National Cultural Reserve. The title, "National Historical Park," denotes that an area is nationally significant and has been included in the national park system. Since the Jean Lafitte area does not meet the criteria of national historical significance, it cannot be called a national historical park. Given the diverse values of the area, the title, "National Cultural Reserve" is appropriate, though we would also support the title, "National Historical Reserve."

The NPCA supports the amendment to provide financial assistance for operation and maintenance to the owners of properties who enter into cooperative agreements with the Secretary for preservation and interpretation of their properties. It is likely that some financial assistance will be necessary. This amendment should be enacted, however, with the clear understanding that only minor amounts of assistance will be needed. Since many of the historic resources of the New Orleans area, particularly the French Quarter, have already benefited from significant preservation through private enterprise and philanthropy, assistance provided by this Act should be considered a supplement of and not a substitution for these private preservation activities. This private activity should be encouraged to continue.

We also support the amendment which would allow the Secretary of the Interior, under certain conditions, to convey all or part of the Barataria Marsh Unit to the State of Louisiana or any political subdivision of the state. The amendment would allow the conveyance to take place only when adequate land use controls existed to protect the land conveyed as well as adjacent lands whose management could adversely affect the Barataria Marsh Unit. The amendment would also allow the Secretary to require that the conveyed lands revert back to the federal government if necessary to protect the area. In addition, NPCA proposes that S. 1829 be amended to require that any lands conveyed revert back to the federal government for management by the National Park Service if the Secretary finds that the lands are being inadequately managed. While it is highly unlikely that the lands would have to be returned to the federal government, we believe this amendment would give the Secretary the necessary powers to protect the area and the federal investment of over \$30,000,000 which will be used to acquire the Barataria Marsh Unit.

Both S. 1829 and the proposed amendments would provide for a study of transportation alternatives for public access. Given the close proximity of the proposed national reserve to the New Orleans area and the sensitive ecology of parts of the reserve, we believe that this is a very important study and that it must particularly be concerned with the provision of public transit. More important, however, we believe that the National Park Service needs additional authorities and assistance to provide adequate public transit to this proposed national reserve and many existing and proposed units of the national park system. Previously, we have testified before your subcommittee in favor of S. 975, which would provide the National Park Service with much of the authority it needs to deal with transportation access problems. We urge that S. 975 be enacted as quickly as possible.

S. 1829 provides for the inclusion of the Chalmette National Historical Park in the Jean Lafitte National Cultural Reserve. The Chalmette NHP can be administered as part of the reserve. However, since it meets the criteria for a national historical park, it should remain a separate unit of the national park

system, not subject to transfer to the State of Louisiana or one of its political subdivisions.

The NPCA also supports the other amendments which have been proposed by the National Park Service. We would recommend, however, that subsection 7(b) on page 7 be amended to show that the general management plan is to be prepared by the National Park Service.

The National Parks and Conservation Association appreciates the opportunity to comment on S. 1829, and we urge your support for the proposed Jean Lafitte National Cultural Reserve.

Sincerely,

WILLIAM C. LIENESCH,
Administrative Assistant, Park and Land Use.

ST. BERNARD PARISH PLANNING COMMISSION,
Chalmette, La., December 14, 1977.

HON. J. BENNETT JOHNSTON,
U.S. Senator, Washington, D.C.

DEAR SENATOR JOHNSTON: We, in St. Bernard Parish, applaud your efforts relative to the establishment of the Jean Lafitte National Park. The Mississippi Delta Region is rich in culture and history; and a National Park is a befitting vehicle to carry our heritage to the rest of the nation. As you well know, our Parish serves as the home of the Chalmette National Monument and Battlefield; additionally, St. Bernard Parish offers a vast number of historic and otherwise notable points of interest. In that light, I would like to suggest that some of these points of interest be included within the concept of the Jean Lafitte National Park. Specifically, I would request that Fort Proctor (situated on the southern shore of Lake Borgne) be included in the established Park boundary.

In 1856, Fort Proctor was built as a lake defense installation at Shell Beach, Louisiana. The Fort was engineered by General P.G.T. Beauregard and it was the first building of its kind to utilize steel beams in its construction. The National Park Service is investigating the possibility of having Fort Proctor added to the National Register of Historic Places.

After reaching your bill (S. 1829), I feel that the addition of Fort Proctor to the Jean Lafitte National Park system would provide a prime example of a prototype delta defense installation (as mentioned on lines 13 and 14 on Page 2 of the bill). Furthermore, it is my opinion that the addition of Fort Proctor would advance the intent of the bill to "Preserve for the education, inspiration, and benefit of present and future generations significant examples of natural and historical resources of the Mississippi Delta region * * *".

As a result of the land loss and erosion due to tidal action and wave wash, I feel that immediate action is essential to preserve Fort Proctor for future generations.

Thank you for your time and cooperation on this matter!

Respectfully,

JACK A. STEPHENS,
Director-Secretary.

U.S. SENATE,
Washington, D.C., January 5, 1978.

MR. JACK A. STEPHENS,
*Director-Secretary, St. Bernard Parish Planning Commission,
Chalmette, La.*

DEAR JACK: I am most appreciative of your kind words about my efforts to create a Federal park in Louisiana.

I was very interested to learn about Fort Proctor. This certainly sounds like a resource in which the Delta Region Preservation Commission, created in Section 6 of the legislation, would be interested and I am sure that the future members will want to explore the possibility of including the Fort in a cooperative agreement. I am requesting that your letter be made part of the proceedings on the bill to assure that Fort Proctor is included in the items the Commission examines at some future date.

With kindest regards and best wishes,
Sincerely,

J. BENNETT JOHNSTON,
U.S. Senator.

LOUISIANA LANDMARKS SOCIETY, INC.,
 NEW ORLEANS CHAPTER,
 New Orleans, La., January 13, 1978.

Senator J. BENNETT JOHNSTON,
 U.S. Senate,
 Washington, D.C.

DEAR SIR: For inclusion in the record, this letter is being written to urge support for Senate Bill No. 1829 for the creation of Jean Lafitte National Park.

Yours very truly,

JOHN GEISER III,
 President.

December 14, 1977.

SENATOR JOHNSTON: I am so happy that you are interested in developing the Jean Lafitte Park.

I thought perhaps you might be interested in this letter where National Campers and Hikers Association was fighting for a park in 1968 when my husband and I were field directors for N.C.H.A.

Good luck in your venture and happy holiday to you and your family.

Mrs. Wm. E. Jones, Jr.

METAIRIE, LA., May 15, 1968.

Governor JOHN J. McKEITHEN,
 State Capitol,
 Baton Rouge, La.

DEAR SIR: It has come to my attention that a most beautiful and historic tract of land has been given to our State for a State park at Lafitte. I am also told that a \$21,000 appropriation is waiting to be used to develop it. If the State does not soon survey and claim it we will lose a most needed recreation area. Also a place where out of State visitors could camp and spend some time and money in our State.

Please make Lamar Gibson do something for our park program and help us hold our head high when traveling in other States instead of feeling ashamed. If he does not know or is not interested in parks by all means replace him with someone who is familiar with such and tries to do something to help Louisiana instead of hindering our progress.

Respectfully,

WILLIAM E. JONES, Jr.

STATE PARKS AND RECREATION COMMISSION,
 Baton Rouge, La., June 5, 1968.

Mr. WILLIAM E. JONES, Jr.,
 Metairie, La.

DEAR MR. JONES: Receipt is acknowledged of your letter to Governor John J. McKeithen and his reply to you in regard to your concern for the proposed Jean Lafitte State Park.

Your concern in this matter is appreciated and is also shared personally and by the entire Jefferson Parish Legislative delegation, as well as prominent citizens in that area. However, the source and accuracy of your information in regard to the "dead center" position accredited to this agency is questionable.

In the above connection, personnel of this agency have met with the Jefferson Parish legislative delegation and other prominent citizens of that area on several occasions to effect a land transfer to the State Parks for the beginning of Lafitte State Park. It is regretted that you were not present at any of these meetings in order to avail yourself of first hand and accurate information.

A metes and bounds survey of all of the approximately 3000 acres of the Lake Salvador-Bayou Coquille area where the Lafitte brothers traded is in the process of being accomplished by the State Department of Public Works. In addition, a metes and bounds survey is being accomplished of the property of individual landowners who have expressed an intention to lease parts of this land to the state for a state park. In this area a metes and bounds survey is a very difficult undertaking, though it is understood that this will be accomplished very soon.

Lease agreements will be entered into with the owners who have indicated such an intention, though this does not include the area of the oaks along Barataria Boulevard. The cost of these lease agreements for 25 years is estimated at \$16,000, subject to the acreage determined by the metes and bounds survey.

There has been no legislative appropriation in any manner for Lafitte State Park. There has been an allocation of \$20,000 from the State Department of Public Works which is intended to be utilized to pay for the leases.

This agency is well aware of the historical value of a Lafitte State Park and concurs with the urgency of this matter. The economic impact of such a unique development to Jefferson Parish, the metropolitan area of New Orleans, the state and the nation is recognized, as well as the recreational aspect which cannot be valued in dollars and cents. However, if the State Parks and Recreation Commission is to provide, operate and maintain additional outstanding parks and unique outdoor recreational opportunities such as the Lafitte area would render, predictable and firm sources of revenue over a reasonable period of years to allow good sound planning is a necessity.

It is trusted that this letter will bring you up to date in regard to the progress in our effort to establish the Lafitte State Park, and I assure you it has been a pleasure to render this information.

Yours very truly,

LAMAR GIBSON,
Director.
CLYDE FUNDERBURK,
Executive Assistant.

DECEMBER 15, 1977.

In Re: Lafitte National Park—Public Hearing of December 17, 1977.

Senator ABOUREZK,

Chairman, Senate Subcommittee on National Parks and Recreation.

DEAR SENATOR ABOUREZK: Since I will be unable to attend the Public Hearing in Gretna on December 17, 1977, I desire that this letter be made part of the record of the Hearing. Unfortunately, local news media and conservation groups were given no notice of this Hearing. In addition, it is scheduled for the opening day of the second split of duck season. Accordingly, a great number of people who would have wished to support the Park will not attend.

The State of Louisiana, through the Wildlife and Fisheries Commission, is doing a fine job of providing public access to wetlands and other types of natural habitat through acquisition of wildlife management areas but these areas are primarily managed for the hunting and fishing opportunities which they provide. They are remote and often accessible only by boat.

Hunting and fishing are not, however, the only recreational uses which wetlands provide. A growing number of people seek the peace of mind which natural surroundings provide. Although traditionally recognized forms of outdoor recreation enable one to achieve such peace of mind, those who lack the means and/or skills necessary to hunt and fish deserve an opportunity to reestablish their identities in the real world. The presence of a popularly accessible national park featuring Cypress-Tupelo Gum swamp, fresh and salt water marsh would create a unique opportunity for such people.

Accordingly, Senate Bill 1829 has my enthusiastic support. If possible, I would like to see even more land included in the park system than presently proposed.

Unfortunately, Lafitte Park has become a political bargaining chip. Local governments and real estate development interests which they represent are refusing to endorse the Park in an attempt to stifle the protest of local conservationists concerning illegal and environmentally destructive land development schemes. Since locally elected officials appear to be acting in concert with local land barons, the "public" opinions expressed by them may lack popular substance. In fact, most local people support the Park. I urge the committee to consider the real interest of the local community as well as the national interest and support the creation of the Park.

Sincerely yours,

PATRICK RANKIN.

MARRERO, LA., December 26, 1977.

U.S. SENATE,
Committee on Energy and Natural Resources,
Washington, D.C.

DEAR COMMITTEE MEMBERS: These comments along with over 120 numbered pages of attachments are being submitted for inclusion in the written record of

the public hearing on the proposed Jean Lafitte National Park which was held Dec. 17, 1977 in the Council chamber of the New Gretna Courthouse, Gretna, La.

Those of us proponents of the park who were in attendance at the hearing were very discouraged by the proceedings. You who are not from our area may well ask "Why?", since only two people actually spoke against the establishment of the park.

Well, we had already had a park hearing on Dec. 6, 1976, which was a much more comprehensive one than the last. It seemed we would finally have a park, and a park based on a sensible plan. At the conclusion of that hearing, Senator Johnston said he hoped we'd have a park "by next Christmas" (1977). Instead, we got a new hearing. All of us at the hearing of Dec. 17 were hoping to see maps with concrete boundary proposals for both the park and the buffer zone. Ms. Delsener informed me that such proposals would be forthcoming from the Senate Committee. However, there was a map being used for reference at the hearing, and it differed substantially from the 1973 and 1976 proposals in that hundreds of acres of wetlands to the south and east of the so-called Cataouatche Hurricane Protection Levee were excluded from the buffer zone. Even part of the northern shore of Lake Cataouatche itself was excluded from the zone. This would mean that certain developers in Jefferson Parish could go forward with their plan to build a marina, launches, boatsheds, etc. right on the lake itself. This would be a source of heavy spot water and noise pollution, would interfere with commercial and recreational fishing on the lake, and would be a glaring eyesore in the middle of the Salvadore Wildlife Management Area.

I refer you to the "Suitability/Feasibility Study—Proposed Jean Lafitte National Cultural Park—Louisiana", prepared pursuant to authorization in the fiscal year 1973 Interior Appropriations Act (Public Law 92-369 of August 10, 1972), more specifically p. 70. I also refer you to the written record of the hearing of Dec. 6, 1976, p. 105, showing the recommendation of Dr. Sherwood M. Gagliano, which is about the same. The most important feature of these recommendations is that they would protect the most significant portion of the wetlands critical to our area.

We would like to see NPS purchase all of the wetlands north of Lake Salvadore and south of Lapalco Blvd. Whether these wetlands are to actually be part of Jean Lafitte National Park or not, we don't care, so long as they are not allowed to be either drained or polluted.

To get back to the proceedings at the Dec. 17, 1977 hearing itself, and the two people who spoke against the park, both Councilman Lloyd Giardina and Lafitte Mayor Leo Kerner proved themselves liars again, and not for the first time.

On Dec. 6, 1976, Lloyd Giardina stated categorically:

- (1) That he was in favor of Jean Lafitte National Park,
- (2) That the project was too massive for local or State authorities to undertake, and he hoped the federal government would intervene,
- (3) That the areas under consideration represented a very insignificant amount of tax revenues for the local government.

On Dec. 17, 1977, Lloyd Giardina stated:

- (1) That he had come to speak against the park,
- (2) That local citizens were skeptical about federal intervention, and he thought the wetlands should remain in private hands,
- (3) That the loss of tax revenues from the areas under consideration would be very large,
- (4) That he wanted to protect all the areas under consideration, and
- (5) That he wanted to develop some of the areas under consideration.

Since his election, Mr. Giardina has consistently proven himself to be untrustworthy. He was elected only due to the endorsement of Mr. Frank Ehret, Jr., but since his election has done all in his power to betray the trust of Mr. Ehret, and has reneged on several promises made in public in return for Mr. Ehret's political backing.

Mayor Leo Kerner should not have been allowed to speak at the Dec. 17 hearing, since he did not comply with the requirements for doing so. When he did speak, he should have been told he was out of order, for he seldom spoke about the park.

He did say one thing about the park, which was that not one person in Lafitte, "not one wants that park." This is a lie, as can be seen from the signatures on the petition presented to the subcommittee by Mr. Frank Ehret, Jr. at the Dec. 17 hearing. You should also refer to the written record of the Dec. 6, 1976 hearing, pp. 335-336, where the Joseph Robert Post 344 of the American Legion, along

with its Veterans Club and Ladies Auxiliary representing some 400 Lafitte, Barataria, and Crown Point residents goes on record in support of the park.

Mayor Kerner is a well-known moron, who has even stated that there are no shrimp in Lake Salvadore. On Dec. 17, he reaffirmed his view that nothing lives in the swamp but a few frogs and snakes. Yet he was concerned about hunters and trappers in the area. Are they trapping snakes? He also holds the view that a swamp is in its "natural state" when it is drained and filled. This must be why he used community development funds and Jefferson Parish equipment to illegally drain and levee 100 acres of cypress swamp in Lafitte in Spring of this year. He says he doesn't want a lot of people moving into Lafitte to stay. Yet he mortgaged his house to get involved in a 26-acre subdivision he's developing in Lafitte.

In view of these facts, I think it is only sensible that we disregard Mayor Kerner's views. If Senator Johnston and Congresswoman Boggs are concerned with the votes he claims to control, they should remember that he has influence in an area with about 2,000 residents—not votes, but residents. On the other hand, Frank Ehret, Jr. got over 7,000 votes in the last Councilmanic election.

This makes us wonder why Senator Johnston praised Mayor Kerner's comments at the Dec. 17 hearing, as well as Lloyd Giardina's comments. And why at the conclusion of the hearing did Senator Johnston turn to Leo Kerner and suggest he huddle with the Councilmen to decide "what land they'd like to include". We were stunned. We still are. Who the hell is Leo Kerner?

Why could Senator Abourezk put up with Lloyd Giardina, Leo Kerner, and Quentin Couevas, but threaten to walk out on Mr. Ehret? Where did he have to go so fast he couldn't listen to the testimony of the father of the park concept? Is it so boring the Senators couldn't bother to even see the area in question? Maybe they were already convinced the park should be created. Maybe Senator Abourezk didn't mean to insult Mr. Ehret. We don't know, but we all left with a sick feeling by the way the hearing ended. I am submitting these comments and attached materials in the hopes that the park will be created, that it will consist of at least 23,000 acres, plus a buffer zone. No hunting, trapping, or mineral exploration should be allowed within the 7,300 core area. Thank you.

Sincerely yours,

JOSEPH I. VINCENT.

[From the West Bank Guide, May 8, 1971]

COUNCIL FUMBLES BALL BY ENDING MORATORIUM

The Jefferson Park Council jumped the gun last week when it decided to lift the moratorium on development of 7,700 acres of land which had been preserved for the proposed Jean Lafitte National Cultural Park.

Although the National Park Service has decided that the area does not meet the criteria for a national park, there is still a strong chance that it could be used to create a state park supported by federal funds.

Congresswoman Lindy Boggs told the Guide that the Department of the Interior has the authority to supply federal matching funds for state preservation programs. She added, however, that such a project would have to receive strong support from the Jefferson Parish Council and the governor.

In effect, the area still has a chance to be preserved, but it will be up to parish and state leaders to do so. To declare the issue closed would be to deceive the public.

The Jefferson Parish council has been handed the ball on the issue, and unfortunately, its initial reaction was a fumble.

The council's decision to lift the moratorium was premature. If such a decision is to be made, it should come only after the council has thoroughly evaluated all alternatives for a state park in the area.

Once again the public will have to exert pressure on the council, which has too often required prodding before taking the initiative. Citizens who want a state park in the area should also make their feelings known to their state legislators and the governor.

In March, West Bank voters solidly rejected an \$8.35 million bond issue to build water mains to Lafitte, Avondale and Bridge City. One of the major reasons for the bond issue's failure was that many voters feared it would spur development near the area of the proposed park.

Hopefully, many of those same voters who rejected the bond issue will use the power of public opinion again.

Pressure will have to be exerted immediately, as the moratorium on development has already been lifted. If the moratorium is not reinstated, the developers' dollar derby will soon begin, and there will be no turning back.

Without a comprehensive land use study, that dollar derby could lead to a hazardous development that would benefit only the landowners.

[From the West Bank Guide, May 8, 1974]

LONE BID FOR PUMPING STATION THROWN OUT

The lone bid for construction of the controversial Bayou aux Carpes pumping station near Crown Point was thrown out Thursday after a unanimous vote of the Jefferson Parish Council.

In rejecting the \$1,087,600 bid by Williams-McWilliams Co. Inc., the council authorized via resolution that bids be readvertised.

Ray Condon, director of the Department of Drainage and Sewage, told the Guide Monday that he is optimistic more bids will be received after the re-advertisement. He said changes in parish plans for the project may attract more bidders. Williams-McWilliams was the only contractor out of 11 to submit a bid this past April 18.

The pumping station, which has been tabbed the "Molaison Pumping Station" by environmentalists, would be situated at the mouth of Bayou aux Carpes, a navigable waterway. Construction of the facility would be a violation of federal laws, environmentalists charge.

The station has been called the "Molaison Pumping Station" because it would drain 5,000 acres of flood-prone, uninhabited swampland, a portion of which is owned by Councilman-at-Large Harold Molaison of Gretna.

The facility was promised in a 1967 drainage bond issue, but at that time projected costs amounted to \$200,000. Since then, the cost projection has jumped to \$500,000. The lone bid submitted April 18 was more than twice what the parish expected.

COLUMBUS, OHIO, *January 21, 1975.*

HON. LINDY BOGGS,
House of Representatives,
Washington, D.C.

DEAR MRS. BOGGS: I am sure that Louisiana has many productive uses for funds for services and projects. Consequently, it is disheartening to see funds used for such purposes as the Bayou Aux Carpes damming project in Jefferson Parish.

Some of the aspects of the damming, dredging, and draining operations which disturb me follow:

Is the vicious cycle of drainage/pumping/flood control operations—followed by development—resulting in the need for further dredging/pumping/flood control—to continue blindly.

Is the quality of life for most people in Jefferson Parish to be allowed to deteriorate because of the short term financial interests of a few landowners and developers?

Is Jefferson Parish to become an insipid flat asphalt jungle because of persons such as Councilman Molaison. It appears Mr. Molaison would see no conflict of interest in acting as judge at his own trial.

Is money to continue to go to the Army Corps of Engineers to complete projects which too often cause more harm than good? In some cases the money would be much more profitably spent elsewhere. The Bayou Aux Carpes project may be one such case.

Are the wetlands, including those of the proposed state park near Lafitte, to be seriously damaged by submission to short term, shortsighted interests and by lack of competent, enforceable, comprehensive land use planning?

Sincerely yours,

WALLACE A. TONEY.

COLUMBUS, OHIO, *January 22, 1975.*

Col. E. R. HEIBERG III,
Office of the District Engineer,
New Orleans, La.

DEAR COLONEL HEIBERG: I urge you to stop the Bayou Aux Carpes damming project. The project will do considerable harm, and so-called benefits from it appear to be short-sighted and illusory.

The wetlands, as they are now, make Jefferson Parish a decent place to live, work, to raise children, to relax. * * * The Parish has fine people, vigorous industry, acceptable housing, and proximity to natural areas. But draining the wetlands and allowing indiscriminate development make the area less and less livable. Indiscriminate destruction has reached a point that the overall quality of life is deteriorating from development, not improving from it.

Two or three times in the past two years I have considered moving to the Jefferson Parish area. I like the area and have friends there. But long term prospects for living there don't look good to me: The area seems unable to make and enforce plans to preserve natural areas. Attempts to think ahead are made, but are overwhelmed by a vigorous few who have short term interests in development.

One recent instance of blatant, unethical personal interest is Harold Molaison's participation in Jefferson Parish Council. Councilman Molaison has insisted on participating in voting on matters related to the damming project. Even when reminded in public, he does not see fit to refrain from voting on issues that relate directly to speculative land investments he has made.

Mr. Molaison hides behind the excuse that the damming and pumping project are important for flood protection. However, the areas drained will be developed, resulting only in more property to be damaged by flooding and hurricanes in the future.

The federal government should not participate in such projects. That federal money should be spent to deteriorate life, to encourage misdirected development, and to cater to such limited interests as those of Mr. Molaison, is not called for.

A final note: I hope that you and other employees in the Army Corps of Engineers do not feel the need to approve projects just to stay in business, i.e. for the sake of looking like "progressive," dynamic, go-getting managers, keeping their "company" full of business. I do not know how seriously such actions influence projects (if at all), but I bring it up to state that I hope it is minimized.

Sincerely yours,

WALLACE A. TONEY.

DEPARTMENT OF THE ARMY,
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS,
New Orleans, La., February 18, 1975.

HON. CORINNE C. BOGGS,
House of Representatives,
Washington, D.C.

DEAR MRS. BOGGS: Reference is made to your letter of February 5, 1975 relative to the concern expressed by your constituent Mr. Jay Vincent of Marrero about the proposed Lafitte-Larose Highway.

The information contained in the environmental impact statement relative to the Lafitte-Larose Highway was obtained from the Louisiana Department of Highways. To the best of our knowledge it represents the current plans of that agency,¹ but we suggest that you correspond directly with the Highway Department for further information.

Before construction could be initiated on the segment of the highway from Lafitte to Larose a Federal permit would be required. Issuance of such a permit comes under the purview of the U.S. Coast Guard. All of our files relating to the permit application for the highway dredging and filling have been forwarded to that Agency for further action.

I am forwarding a copy of your letter to the Commander, Eight Coast Guard District, and by copy of this reply request that he send you the information you desire.

¹ Refer to the draft environmental statement of the Corps of Engineers for the Bayou Barataria-Bayou Perot dredging project, prepared July 1974.

I regret that I am unable to furnish the information you requested. Please call on me any time I may be of assistance.

Sincerely yours,

E. R. HEIBERG III,
Colonel, SE, District Engineer.

[From the New Orleans Courier, Apr. 10-16, 1975]

HABITAT—PLANNING

WEST BANK INTRIGUES—LAND PIRATES

The West Bank habitats of the pirate Jean Lafitte have been the center of a growing environmental and political controversy for the past decade—and piracy of a sort is still the issue.

A band of land developers and politicians have been trying to levee and drain private land with public monies, and then lace their booty with public roadways—and they have left one swashbuckling law violation after another in their wake.

They might have gotten away with it had they simply chosen another swamp—but unfortunately, they tried to steal the swamp that an equally determined band of West Bank residents and environmentalists have been attempting to turn into a state or national "Jean Lafitte Park." Some 30,000 acres of valuable wetlands are ultimately at stake, along with the future of the state's most important estuary into which these acres drain.

Before we predict a winner, it would help to review the controversies in question and the piles of public correspondence that have seasoned their growth to date.

(1) "The Molaison Projects." Known Officially as the "Harvey Canal-Bayou Barataria Levee and Associated Water Features," this scheme commits \$1 million in federal funds to a \$5 million expenditure for additional levees and two pumping stations around 12 square miles of land. The project is named for Jefferson Councilman Harold Molaison because of his land investments in the affected area, and a reputed minimum profit of half a million dollars he stands to make once the project is completed.

(2) "The Bayou Des Familles Projects." More levees, another pumping station, and a privately financed sewage treatment plant have mysteriously appeared on a 2100 acre tract adjacent to the proposed park site. Its owners are several well-known and politically well-connected businessmen, and thus far they have been fined \$25,000 for their efforts.

(3) "The Lafitte-Larose Highway Project." Billed originally as a hurricane evacuation route, this road would be built in a coffer dam slicing through the center of the massive Des Allemands-Salvador-Barataria estuary—Louisiana's single most productive estuary, accounting (among other things) for over 371 million pounds of fisheries products between 1963-1967.

(4) "The Dixie Freeway Project." Three-fourth of it has been stopped, and the other fourth is still awaiting a ruling by the Fifth Circuit Court of Appeals in an historic court suit that could help pull the plug on this entire scheme.

The businessmen who own the land these projects are seeking to develop include the following:

James Trotter, member of a family that holds race track interests in Lafayette, a seat on the First National Bank of Commerce, and control of the Self Service Restaurants company that owns Burger Kings and Chart Houses (the most notorious of which has been proposed for the Audubon Park batture in a somewhat similar political controversy).

Sam Gattuso, an alleged one-time business associate of local rackets figure Carlos Marcello.

James Hennessey, a land developer whose federally sponsored "Section 235" low-income housing projects have been the subject of bitter allegations and investigations over construction practices.

Wilson Abraham, financier Louis Roussel's hand-picked chairman for International City Bank's board, and a flamboyant ex-Baton Rouge contractor whose family owns an extensive real estate development on the I-410 right-of-way just north of the Jean Lafitte area.

Tom Lattie, Jefferson developer and large landowner in the Lafitte-Larose highway corridor, and a recipient of a \$5 million real estate construction loan in the Teachers' Retirement Fund scandal.

Lattie, Trotter's brother William, Gattuso and his brother Ray, and Abraham's brother Anthony were all named as recipients of high-risk loans from teachers' pensions in the retirement fund investigation—an interesting indication both of their common style of business, and their common political connections to Governor Edwin Edwards.

These gents, aided by the likes of Molaison, Sen. Russell Long and Rep. Lindy Boggs, have suffered set-back after set-back—the worst thus far a \$25,000 out-of-court settlement of a federal lawsuit against the Bayou Des Familles Development Corporation (BDF).

BDF (whose owners include Trotter, Gattuso, Hennessey and Abraham) was discovered, in August of 1973, to be erecting a levee around 1500 acres of its land without benefit of the Corps of Engineers permits required by law. Letters from the Corps, directed to BDF's attorney Moise Steeg, obtained no results on Oct. 29 of that year or Jan. 11 of the following year—so finally the Corps issued a cease and desist order on January 15, 1974, six months of destruction later.

The dredging began even before BDF had obtained from the Jefferson Council—with Molaison's help—a zoning reclassification for their property that Jefferson's Planning and Zoning Board had earlier recommended against granting. When Steeg finally showed the Corps of Engineers the courtesy of a reply to their letters, he asked the Corps for a "temporary" or "conditional" permit that the Corps flatly said it was not able to grant.

The developers and the environmentalists both sent letters to Rep. Boggs protesting the incident, and Boggs' letters to the environmentalists attempted to assure them that the law would be enforced. Meanwhile, in another one of those revealing documents filched from the correspondence file, a Boggs secretary signed only as "Peg" wrote the Corps the following letter: "Per our conversation. Appreciate your help. Inasmuch as Mr. Steeg [BDF attorney Moise Steeg] wanted Mrs. Boggs to call Col. Hunt [at that time head of the local Corps office], perhaps it would be well in your reply back to exclude the date of the Congresswoman's inquiry and not refer to her letter. O.K.? Thanks again, Peg." Sen. Long—whose prolific correspondence in behalf of real estate developers has surfaced in every land speculator story investigated by this newspaper for the past two years—also sought to lend his every helping hand.

But all to no avail, or at least to not *enough* avail. So many regulations were violated—and the BDF sewage plant apparently would not meet federal sewage regulations, either—that the Justice Department was finally forced to file suit. The out-of-court settlement of \$25,000 is considered paltry by local environmentalists, who had demanded the full authorized fine of \$1500 per day for the six months it took the Corps to close the BDF dredging down.

Nonetheless, the Corps must now hold a hearing and issue an environmental impact statement on the project—and if they decide to deny the permit, BDF must restore the 1,500 acres to their original state. Perhaps, some local environmentalists are speculating, they will turn their \$6 million loss into a deductible donation of property to the Jean Lafitte Park—whose final planning report came up for favorable approval before the state parks commission last month.

Meanwhile, the Corps also has been forced to hold hearings to reconsider the dams across Bayou aux Carpes and Bayou des Familles that are part of the Molaison levee project. These projects—also in violation of assorted federal laws—have been dispatched to the Corps' Washington office for an ultimate administrative disposition that local politics would make extremely difficult for the local office to make.

If those permits are similarly denied, and if the dams are removed, then the environmentalists can then renew their attacks on the upper portion of the Lafitte-Larose highway under partial construction now.

The lower portion is safely embroiled in a controversy with the Department of Interior now, and the bridge over Bayou Barataria that accompanies this project was smashed up by an errant barge just recently—so that whole project may eventually have to be scrapped as well.

And if these projects are denied necessary outside transportation access via the Dixie Freeway—a probable outcome of that current suit—then the entire 30,000 acres involved in this controversy could be set aside for both the park and an undeveloped buffer zone surrounding it.

Such an outcome would help safeguard our most important estuary during a time when energy crises may deny us transportation of other foodstuffs, and when inflation may make those other foodstuffs prohibitively expensive, anyway.

The lesson? Well, if any of us are to eat at the public trough, it had best be *all* of us—and better it be oysters and shrimp than bad money and worse politics. Even Jean Lafitte would probably concur.

—B. R.

MARRERO, LA., *September 11, 1975.*

DEAR ROTARIANS: I am writing to you with an urgent request that you support the candidacy of Frank Ehret, Jr. for the post of Councilman-at-Large from the West Bank. Recent developments in local politics (continuing the Gothic traditions of Southern politics, despite our so-called "enlightened" age) have made it all the more urgent that a responsible man be elected to the Jefferson Parish Council. The present conspiracy of elected officials to maintain the status quo and the high probability of their succeeding in this endeavor already indicates that these people are thinking only of themselves and not of those of us who helped elect them.

Mr. Ehret is a conscientious man, who has in mind the interests of the people. He is interested in raising the quality of life of all our citizens. He realizes that concrete and sewage canals in no way reflect progress. He is not inclined to use public funds illegally, unethically, and without consulting the public. Unfortunately for himself, he stands for honest government. This greatly diminishes his chances.

You know me. You sent me to Germany. You've helped to educate me. As an educated person I ask you to help change Jefferson Parish into a place where honor and honesty still have importance, not as abstract concepts, but as real parts of our everyday lives. Being good citizens means more than giving fellowships. Do not become like those politicians who bait the ignorant with a few dollars while stealthily lining their own pockets. Let our religion become a present examination of community needs and values, not a progression of conceptual advances. Stop those who put a dollar in the poor box on Sunday and rob from the poor on Monday.

Vote for Fran Ehret, Jr.

Sincere regards,

JOSEPH I. VINCENT.

[From the West Bank Guide, Oct. 29, 1975]

BAYOU DES FAMILIES' FATE IN CORPS HANDS

PUBLIC HEARING HELD

(By A. J. Tapie, Guide staff writer)

A battle has been brewing on the West Bank and the United States government has had to call out the Army Corps of Engineers to resolve the conflict.

The two warring parties are in a tooth and nail struggle to gain control of a 2,300 acre tract of land near Crown Point. It is the duty of the corps to evaluate the situation and choose a side, a certain victory for the party they back.

At odds in the conflict are the Bayou Des Familles Development Corp. and a group of concerned citizens, some who are members of local environmental groups. The two parties met face to face last week at the school board's Media Center before Col. Early J. Rush III, New Orleans district engineer, and his staff in an effort to muster support from the corps.

That public hearing brought the corps one step closer in the choosing of one of the sides. It is now accepting further comments on the conflict until Nov. 24 and after evaluating everything at great length, will select the victor.

The stage for the battle was set more than a year ago when the Bayou Des Familles Development Corp. began construction of a ring levee with closure dams around the tract of land in question—officially described as undeveloped bottomland with hardwood forest, marsh and swamp. The developing firms plan to drain the tract and build 17,000 residential buildings on it.

They have the support of the Jefferson Parish Council, District Attorney's Office and some of the residents living near the area as the levee, which is nearly complete, would provide flood protection to surrounding areas in case of a hurricane.

However, the levee construction had to be halted because it was being done illegally. The company failed to obtain a permit from the corps for the work, claiming they did not know a permit was needed.

The developing corporation is now applying for an after-the-fact permit to complete the work. Since the levee's completion would alter the area, the firm was ordered to draft an environmental impact statement (EIS) to aid the corps in its decision on which side is acting in the public interest. The public hearing was called so that comments from each side could be recorded in that statement.

The Bayou Des Familles development Corp. was at the firing line first. The firm's attorney, Roy L. Price, stressed the point that the levee would give the Marrero area additional hurricane protection. He sighted a corps plan devised in 1972 placing hurricane protection levees in the same alignment in which the company's levees are built.

The corps acknowledged the fact that they do have such a plan, however, it is only one of 12 plans that they have devised. The corps is currently studying all the plans to determine where the levees should be built.

Price also said that the levees would be turned over to the parish at no cost. Benefits from the granting of the permit include a boom to the construction industry, more jobs and a boost to the economy of the metropolitan area by approximately \$468 million, all of which are pointed out in the EIS.

Opponents to granting the permit were then allowed to take aim at the firm. They point to statements in the EIS which show that the land, when drained, wouldn't support the wildlife population in the area which include deer, squirrels, rabbit and many other fur-bearing mammals, fish, a wide variety of birds and alligators.

Destruction of the wetlands would also alter the flow of biological resources into Lake Cataouatche-Lake Salvador-Barataria Bay estuary and would affect fisheries. Opponents claim that it would have an enormous detrimental effect on the fishing, shrimp and oyster industries.

It was also brought forth that wastes from the area, if developed, would drain into the wetlands polluting wildlife habitat and the site of Lafitte Park. Those against the permit say that there will be a considerable amount of soil subsidence resulting in sinkage of homes. According to Barry Kohl, a spokesman for the Orleans Audubon Society, "it would cost a family who buys in that area an extra \$120 a month in maintenance because of the subsidence. Gas lines would break and there would be explosions like those on the East Bank."

The opposing group further stated that the plan is being presented as hurricane protection but that it is in fact land reclamation. They say the levees will protect land which is normally under water any way.

As to who won the skirmish, it is not known. If the corps was moved in any way they weren't letting any one know about it. Some at the meeting estimated that the corp's decision may be more than three months away. And while their decision would make one of the sides victorious, another battle would commence as both sides have vowed to take the issue to the courts.

MARRERO, LA., *November 10, 1975.*

DEAR COLONEL RUSH: I am writing to you in regard to several problems in the Marrero-Crown Point-Lafitte area, and to general problems of urbanization.

I have corresponded with your predecessor, Colonel Heiberg, as you can see from checking your files, but I now feel it is necessary to write to you personally. The things I have to say have been said many times before, but it continues to amaze me that logic and common sense should go so unheeded. The greed of certain individuals also amazes.

Naturally, I am referring to the old problem of natural values versus industrialization, clean air versus bad air, clean water versus sewage, grass versus concrete, life versus death, and of course the citizen versus the speculator who is protected by the government.

The one thing which the West Bank does not need now or in the future is another 17,000 residential dwellings. I am referring to the Bayou des Familles Development Corp. proposal. Where is the logic of spending millions of dollars in taxpayer's money so these same taxpayers will have the problems of another 60,000 people? Is the way to cure the problems of overcrowding the jamming of 17,000 houses onto a valuable piece of swampland? This is tantamount to destroying both natural and human values. Examples of "instant slum" housing are sprinkled all over the New Orleans metro area. The closest to the proposed new development site is "Willowdale Park," an excellent example of the depths

to which white America has sunk, or from which a certain segment of it has failed to rise. Small, ugly, cheaply-built homes stand close together. The streets are narrow and crowded with automobiles, an inordinate number of children, and often broken glass and oil. The original trees have been cut down. The perimeter of the development serves as a garbage dump. The inhabitants will pay 20-30 years for a house, after which time the house will already be in bad shape. The houses are designed for quick assemblage and sale, but not to last.

The entire East Bank of the river is under concrete. It follows that the only functions of the eastern part of Jefferson Parish are money exchange and housing. Sociological studies have shown that noise and overcrowding lead to depression, nervous disorders, suicide, homosexuality, and even murder. There must be a place to where we can escape. If you've ever been caught in the afternoon traffic on the West Bank Expressway, you'll realize that we've already reached a saturation population level.

Nor should we ignore the fact that birds, animals, and plants have just as natural and great a right to life as we ourselves. We are in no way "better" than they. Despite the fact that their mere existence is a physical, spiritual, and commercial boon to us, there are those who would destroy them as quickly as possible. I for one have no respect for the lives of those who have no respect for life itself.

There is the ludicrous assertion that levees are needed for hurricane protection. This is not only inaccurate, but is a lie. My parents are 49 years old, and they retain no memory of a flood other than after a heavy rain.

We should remember that God created nature. There is nothing more natural than Nature. Where man has tampered with Nature, destruction eventually followed. No natural disasters within the 2,500 years have ever come close to costing as much in money and lives as man-made disasters. If we take Hurricane Camille as an example, this was the most powerful hurricane on record. Over 200 people lost their lives, and millions of dollars in property damage resulted. But almost 50,000 people die in automobile accidents every year. At times up to 10,000 people are killed in earthquakes in South America. But over 30,000,000 people died in World War II. Should I draw another 1,000 examples?

The way to create a good life for our citizens is to keep our population at a controllable level, and to preserve our natural heritage. Many people in our area earn their living on the land and waters, yet do not realize that it is from the land itself that they have life, and that without the land they have nothing.

Money is fine, but if you eat it, it's not nutritious. It's impractical to wear. Your car can't run on it. When the politicians and developers have taken everything else from us, what will we do with the few dollars we have? They'll have enough to leave and to decimate another place. But we'll have to stay behind in the rubble. This is the agony of slum living. It's happening in New Orleans, and it's happening on the West Bank. We have to stop it. Until this year, the birth rate in the U.S. was slowly declining. It has begun to rise again. Obviously, we must take care of those people who have already been born. Pleasant or unpleasant, it is our duty. But we must also take care of other living things. A person no less illustrious than Albert Schweitzer said that we must develop a morality which envelops everyone including the animals. Why sacrifice our own well-being for 17,000 families which for all practical purposes do not exist?

I've never hidden the way I feel about the dealings of the Jefferson Parish Council or about Public Enemy No. 1—Harold Molaison. These people claim they should have the right to do what they will with their own property. But it's gone too far. There is so little space left which can provide truly civilized living conditions that measures must be initiated to place natural areas in the hands of the general populace. Just because the Council and their friends have power and money, does this mean that my life should be subject to their control? Leadership must come from a responsible quarter. Are you willing to provide the leadership?

Louisiana lives under the dark cloud of ignorance, ranking 50th among the states in literacy. Though most of our citizens can write, a relatively small number has had the opportunity to develop social awareness and an ability to look at problems "from without", i.e., on a large scale. The same shrimpers and trappers whose livelihoods are threatened by drainage, pollution, and roadbuilding

often vote for those very things because "their land will be worth more." Many of them, along with the Louisiana Wildlife & Fisheries Commission, refuse to blame pollution for the drastic reduction in this and last year's shrimp catch. We eat seafood from the same water which killed 300 pelicans. How long before we start dying?

You are aware of the fact that the Bayou des Familles Development Corp. illegally dredged a navigable waterway. The La. Dept. of Highways has done likewise. Harold Molaison had a \$500,000 pumping station built on land which was under a moratorium to drain some of his own lands. A pumping station and levees were built to drain land belonging to Mafia boss Carlos Marcello. The La. Dept. of Highways continues to buy land for new roads while existing state highways lie in abominable disrepair. To whom should we turn for help? Can the Army not protect us?

I could go on and on with this letter, citing case after case. Louisiana is notorious as the most corrupt state in the Union. And it is likewise well-known for its natural beauty, even remarked upon by Edgar Allan Poe. But in Poe's time, there were still elk in Louisiana. Twelve years ago there were still alligators on Lapalco Blvd. They're gone. Except in terms of pieces of paper, life is worth a little less here each day. Will you not join us in turning the tide?

We can be thankful to have the Hon. Lindy Boggs as our Congresswoman. She has an outstanding voting record, and was voted one of the top 10 participants in this session of Congress. But her hands are often tied when it comes to local matters. Yours are not.

What we would like to see:

(1) No Lafitte-Larose Highway. No reason for it exists. We favor a new bridge to Lafitte, but under an alternate proposal which would have minimal environmental consequences.

(2) No drainage, clear-cutting, pollution, or any other "development" of wetlands south of the already existing Willowdale Park.

(3) Curtailment of drainage and roadbuilding on that segment of land lying between the Harvey Canal and Highway 45, bounded on the south by the Intra-coastal Canal.

(4) Cleanup and enforcement of no dumping of garbage and trash from Willowdale Park to Lafitte.

(5) A speed-up of acquisition and completion of Jean Lafitte State Park, not to be smaller than 7,200 acres, and to exclude all plans which would transform the park and surrounding area from its natural state.

(6) An end to any and all dredging, channelization, and levee-building projects south of Willowdale Park.

(7) A water hyacinth control program which would not damage the environment.

(8) Water treatment facilities installed at Ames and Lapalco. The pollution in the canal next to the Negro housing development is almost unbelievable.

(9) Abandonment of I-410.

(10) Comprehensive land-use legislation which would include a mass-transit network which would use electric or electromagnetic power.

I look forward to your reply and thank you for your time.

Yours truly,

JOSEPH I. VINCENT.

P.S.—Where can I get and how much costs a copy of your "Inventory of Basic Environmental Data of the New Orleans-Baton Rouge Metropolitan Area"?

READER DISAGREES WITH GUIDE EDITORIAL

TO THE EDITOR:

In my opinion, the Guide Editorial of January 14, 1976 is a glaring example of irresponsible journalism. I would go one step further and state that such an editorial could only appear in a small-town, Deep South newspaper.

Your editorial complains: "I-410 Decision Blocks Jeff Growth." This is exactly the intent of the decision, and therein lies its great merit. I-410 is unnecessary and immensely costly—hundreds of millions of dollars and 175 square miles of wetlands lost for what? To encourage automobile traffic at a time when our nation and others are experiencing an energy shortage, polluted air and water, and overcrowding.

Any new roads built in lower Jefferson will only encourage immigration into the parish. Is this necessary and/or desirable? The answer is neither. One does

not have to look deeply to see that all of our major problems can be traced to overpopulation. The only way to improve life in Jefferson is to follow the lead of progressive communities such as those in Colorado which discourage an influx of outsiders.

Jefferson Parish politicians love to mention growth and progress in the same breath. Suffice it to say that growth does not equal progress, and bigger does not equal better. Anyone who has watched "The Life of Riley" knows that development can be a "revolting development." Also, see Webster's New 20th Century Dictionary under progress: " * * * 4. Improvement advance toward perfection or to a higher state." No man, nor anything human has ever improved on nature. Yet, according to this definition, nature and progress can coexist. (By the way, your expression "co-exist side by side" is somewhat redundant).

There is yet another redundancy in your editorial: "The Guide hopes that the efforts of the parish attorney's office to reverse last week's unfortunate decree will result in a compromise that will protect both the interests of the general public and the environmentalists." "General public" and "environmentalists" are for all practical purposes one and the same. The evidence is clear—environmentalists work only for the sake of life and living things, not to line their pockets with our tax money and kickbacks. They work for each and every one of us.

You state that last week's settlement was reached without taking Jefferson's interest in the project into consideration. This is a misrepresentation. You meant to say the interests of the Jefferson Parish Council. You further state that local rights are jeopardized. On the contrary, they were insured. Witness the Louisiana Shrimpers Association vs. I-410.

Hopefully, a recognition of the right to equal representation will encourage you to publish this letter in next week's editorial column.

JOSEPH I. VINCENT,
Marrero.

MARRERO, LA., *January 22, 1976.*

DEAR MR. TRAIN: I have been in the process of writing a letter to you for the last week concerning a very serious health hazard which exists here in our area.

I am speaking of the blatant dumping of unprocessed sewage into the Millaudon Canal here in Marrero, Louisiana. The sewage then flows into Bayou Segnette and on into Lake Salvador, a popular fishing and hunting area. Lake Salvadore is likewise connected to Barataria Bay, the cradle of Louisiana's seafood industry. Barataria Bay is also the site of the recent die-off of brown pelicans (about three quarters of the resident population) resulting from build-ups of Endrin in their brains.

The Millaudon Canal has been highly polluted since at least 1966, when a friend and I attempted to catch crawfish in the swamp alongside of the canal. At that time, the water in the canal was still clean enough that fish swam into it from the backwaters. But the floor of the adjacent swamp already contained so much fecal material that the mud was purple and stank. There were no crawfish, of course. Since that time, several new housing developments have sprung up along the canal. The water, too, is now purple. There are long since no fish, no turtles, no higher forms of marine life in the canal. The stench from the untreated wastes within its banks often carries to the nearby homes. The poisoned waters undoubtedly seep into the neighboring swamp, while the canal itself carries its deadly sewage into a popular lake and the surrounding Salvadore Wildlife Management Area.

By chance, an article on this alarming situation appeared in today's local newspaper. I am enclosing a Xerox copy for your benefit. I understand that the sport organization Bass Unlimited has attempted to get a cleanup action initiated, but without success. We need quick action. And we do not need the kind of solution arrived at by local officials in regard to another problem canal. I am speaking of the Hero Canal in nearby Gretna, Louisiana—a receptacle for industrial wastes from neighboring factories. Instead of ordering a cleanup of the Hero Canal, local authorities poured still another compound into the canal, just to diminish the smell. This did help cut down on smell for about two weeks, but didn't improve the quality of the water.

Our situation is particularly unfortunate, because all of the canals and waterways eventually interlock. This is due to an almost fanatical preoccupation with dredging and canal digging, often with the encouragement of the U.S. Army Corps of Engineers. No effort is made to keep waters clean or to at least keep them in a condition conducive to fish life.

Last night the smell from the Millauden Canal came to us. As usual, my wife had the bedroom window open for some fresh air. But we had to close it. The smell of sewage was overpowering. I went outside, and the wind was blowing from the direction of the canal.

The first houses to be affected several years ago were those farthest from the swamp—between the West Bank Expressway and Lapalco Blvd. Now the subdivisions Bayou Estates, Willowdale Park, and Oak Grove are also suffering. Immediately behind the new Oak Grove subdivision is a very large artificial lake, which is also raw sewage. A friend of mine who works for the Sanitation Dept. tells me that workers are dispatched to this lake and the adjacent Millauden Canal to knock the floating pieces of excrement to the bottom with shovels so that they won't be seen on the surface.

After all of this, the head of the Jefferson Parish Sewerage and Water Board tries to say that the sewage has been properly treated. As far as I know, "properly treated" has always meant "safe to swim in", "able to support fish populations", and "not a health hazard".

Your speedy assistance in this matter is urgently requested.

Unfortunately, I believe my detailed maps of the area in question to be in the care of Riesley R. Jones, Regional Vice President, Nature Conservancy, Southeast Regional Office, 4285 Memorial Drive, Suite J, Decatur, Ga. 30032.

I'm sure Congressman Boggs or the Jefferson Parish Council can furnish you with the best maps available upon request. Mrs. Boggs is a family friend, my mother is a secretary to the Council.

My time is your time if necessary. Please help.

Sincerely,

JOSEPH I. VINCENT.

BYPASSED SEWERAGE TERMED "EXCESSIVE" AS MILLAUDEN CANAL INVESTIGATION BEGINS

(By A. J. Tapie)

The Louisiana State Environmental Health Bureau has launched an investigation to determine what has changed the Millauden Canal in Marrero from a once productive waterway into a body of black ooze today.

And according to a spokesman from the Environmental Protection Agency, the EPA may soon join the investigation.

While no one wants to pinpoint the culprit yet, all eyes appear to be on the Marrero Sewerage Treatment Plant which many believe can't handle the amount of sewerage being pumped into it. Meanwhile officials of the Jefferson Sewerage and Drainage Department are claiming the plant is not at fault.

The controversy actually started nearly two years ago when people residing in Bayou Estates and Orleans subdivisions began complaining that untreated sewerage was being pumped into the canal. Sewerage and drainage officials continued to deny this even though Millauden Canal was seemingly turning into a cesspool.

According to Charlie Bishop, assistant director of the Louisiana Environmental Health Bureau, "This problem first came to my attention in December of last year. I sent a field inspector to take a look into the matter, but he reported that there was no problem.

"However I have taken a new look into the situation and now have my regional staff making a comprehensive study of the matter."

Bishop says his new attitude to the problem has stemmed from the efforts of Elvin Oglesby, a resident of Bayou Estates who has been complaining about the situation for more than a year. Oglesby was mainly responsible for the story about the canal which appeared in the January 21 issue of the Guide.

Since that time he has mailed a petition and a copy of the article to President Ford's Advisor on Domestic Affairs, U.S. Rep. Lindy Boggs and Gov. Edwin Edwards. Gov. Edwards forwarded the information to Bishop.

Since the January 21 issue, two former operators of sewerage treatment plants in Jefferson have told the Guide that the Marrero facility must bypass untreated sewerage into the canal because it cannot handle its present load.

According to Frank Babin, who was superintendent of all sewerage treatment plants on the West Bank in 1972, "the Marrero plant couldn't handle it (sewerage) then and surely can't handle it now."

Babin told the Guide that during 1972 the Marrero plant quite frequently was receiving nearly 7 million gallons of sewerage on dry days during peak activity. "This was usually during a Monday or Tuesday when most people do their laundry. It would get worse in the evening when people get off of work and take a shower or bath."

Babin said that the sewerage would overflow from the pools, necessitating bypassing the sewerage without treating it. The Marrero facility can only handle 4.8 million gallons a day.

The former superintendent quit his job in June, 1972, claiming that the operation of the plant was getting out of hand. "They wouldn't give me the proper amount of men to run the plant correctly and I became under fire for giving bad reports on the quality of water coming out of the plant."

Babin was referring to the reports which he had to make for the Louisiana Health Division. At one time, he said, the reports showed that the water exiting the plant didn't meet the standards set by the state. "My immediate supervisor bawled me out for that report." Babin doesn't know for sure if the records were altered.

"It's impossible for that plant to treat the water properly when they throw on that No. 3 pump. That overloads plants when they turn it on." The No. 3 pump according to Babin, is a large pump which is used to force backed up sewerage through the plant. Babin says bypassing is then necessary.

According to standards set up by the Clean Water Act of 1972, all bypassing must be reported to the Environmental Protection Agency. According to a spokesman of that agency, "we have noticed that the Marrero plant has been bypassing excessively."

A letter, according to that spokesman, was sent to Ray Condon, Jr., director of the Jefferson Parish Sewerage and Drainage Department on Oct. 16 requesting an explanation for the bypassing. He said the EPA received no reply.

The spokesman also reported to the Guide that the Marrero plant bypassed 47 times between the date the letter was mailed and Jan. 1. "We consider this frequent and quite excessive," he said, "and we will investigate the matter further."

The EPA sent a registered letter to Condon on Friday, Feb. 6, in "a more forceful tone." According to Walter Fry, chief engineer with the Jefferson sewerage department, he didn't see the Oct. 16 letter but did receive the registered letter.

"We told them that we were bypassing because of equipment failure, and drainage seepage," he reported to the Guide, "and the matter has been cleared up." However, a source in the EPA office in Dallas told the Guide it hasn't been cleared up and that an investigation is still needed.

MARRERO, LA., March 1, 1976.

JOHN C. WHITE,
Regional Administrator, U.S. Environmental Protection Agency,
Region VI, Dallas, Tex.

DEAR MR. WHITE: Thank you for your letter of Feb. 20, 1976. However, in no way assuages my fears for the health of the human and wildlife populations of our area. I will be satisfied only when federal action is initiated.

There is no reason to be satisfied with assurances from either R. L. Condon of Jefferson Parish or from the Louisiana Environmental Health Bureau. I have enclosed for your use two articles which recently appeared in our local newspaper. You will notice a vast discrepancy in the testimony given by a former superintendent of sewage plants and the present chief engineer for the Sewerage and Drainage Dept. If only 15-20,000 gallons of untreated sewage were passed as stated by Mr. Fry, there would be a problem, but not the hopeless situation we now face. Actually over 2,000,000 gallons have been bypassed in dry weather in a single day.

All jobs involving administration on a parish-wide scale are political appointments. Appointees are told what is expected of them at the time of appointment. Qualifications are loyalties. No planning in Jefferson is done on a scientific basis. This situation at the Marrero plant has existed for over 10 years. During this same period, parish funds were used to build a pumping station to drain lands belonging almost exclusively to Mafia boss Carlos Marcello. Another pumping station was built at a cost of \$500,000 to drain the land of Jefferson Parish Councilman Harold Molaison. So far environmentalists have successfully blocked its use. Illegal dredging was done in conjunction with that pump by the U.S. Army

Corps of Engineers. \$3,000,000 in levee construction has been done, and another \$1,000,000 is to be spent with a Bayou Aux Carpes pumping station to drain several thousand more acres. All of this money comes from the same department which has neglected to install proper sewage treatment at the Marrero Sewerage Treatment Plant. The Marrero plant is supposed to serve the residents of Jefferson. These people already reside in Jefferson. The millions of dollars spent on pumping stations benefit only a few people under the guise of helping "future" residents. But what kind of jackass encourages growth in a population which is not close to being taken care of at present?

Mr. Frank Ehret, Jr., is a life-long resident of Marrero, and our most influential voice in its preservation. He took two biologists to the Millaudon Canal with the purpose of taking water samples. They declined to do so, because they could see it was a cesspool. One commented that he wouldn't dare to put his hand into the water.

Charlie Bishop of the Louisiana Environmental Health Bureau states that the sewage imposes no threat to fish or wildlife. I'm sure that even schoolchildren would disagree with him. Or maybe the fish disappeared from old age? I have also personally inspected the oxidation pond mentioned in the newspaper articles. The smell is enough to knock you over. Water from this pond kills even the turtles which wander into the pond. This same water pours into the surrounding swamp. The mud is no longer brown, but purple, and it reeks. Why sterner measures are not being taken by your office, I don't know.

The population of our parish is growing, unfortunately. Growth always means problems. But the condition of our parish is the direct result of wanton and ruthless destruction for the sake of personal benefit by the members of the Jefferson Parish Council. Their aim now is to ruin as much as possible as quickly as possible, so that there will be no reason to try to save any of the land. None of it will be in its natural state. The Council beats the drum of "no Federal interference" so that their free hand will not be stayed. We need the help of EPA. And once you decide to help, it will have to be for at least 15-20 years. A blink of the eye, and anything you might accomplish will be undone.

Louisiana and the Mississippi delta hold some of our hemispheres greatest natural wonders. Please help us to see that they are not lost for the sake of money.

Please excuse my mistakes. My emotional state is not the best at the moment. Thank you.

JOSEPH I. VINCENT.

CANAL WORSE THAN MUDDY

(By A. J. Tapie)

Five years ago the first families to move into the Bayou Estates Subdivision in Marrero were happy with the location of their new homes. Today they are dissatisfied and many have moved to another area.

The source of their troubles flows along the back of the subdivision and is known officially as the Millaudon Canal.

According to the first residents in the subdivision, that canal was once a clean waterway and a "good fishing spot." Fishermen could launch their boats behind the subdivision and travel southward to Bayou Segnette, Lake Cataouatche or other waterways.

Today the Millaudon Canal is a flowing cesspool of black, murky water. The foul odor originating from the canal, say residents, becomes unbearable during the summertime and has caused the paint to chip off their houses.

"A little girl who lives a few houses down the street," claims Elvin Oglesby who lives directly on the canal, "became ill from the smell. They finally couldn't take it any more and moved away."

Oglesby said he has been trying to get the canal cleaned up for nearly two years but has had little success. We got them to cut the grass along that levee in back of my house and they did spray those lilies that have nearly taken over the canal. But I think the real problem here is that the parish is pumping sewerage into the canal."

Oglesby said he believes the sewerage is being pumped into the canal late in the evening. "Just after the sun goes down you can see this black water flowing past my house. That's when the smell is the worst."

But to Oglesby's dismay and to that of the residents who have complained about the situation to parish and state agencies, no one in authority seems to have any knowledge that sewerage was being pumped into the canal.

When the Guide questioned the supervisor at the Marrero Sewerage Treatment Plant he claimed to have no knowledge that sewerage was being pumped into the canal. After he asked what the information was to be used for, he retracted his statement and directed the Guide to call Ray Condon, head of the Jefferson Parish Sewerage and Water Board.

Condon told the Guide that sewerage was being pumped into the Millaudon Canal but it was being treated properly. He affirmed that the facility "had the proper capacity to handle the number of homes in the area."

"The state board of health wouldn't let us operate unless we were doing things correctly," he stated. "And besides, we wouldn't be able to receive federal funds if we were in violation."

However, the situation became cloudy when the Guide looked into the matter further and asked the state and parish Environmental Health Bureaus for the results of a water sample which residents claim was taken by inspectors from the two agencies. Neither bureau had any knowledge of the sample nor were they aware that there was a problem in the Millaudon Canal area.

Although two inspectors for the parish health agency did look into the matter on Dec. 10, 1975, no one in charge remembered ever receiving a bad report on the matter, thus concluding that nothing was wrong.

Upon further investigation, the Guide learned that an analysis of the water in the Millaudon Canal did exist in the Army Corps of Engineers' records. The analysis wasn't made by either a parish or a state agency so no one had any knowledge of it.

It seems the study was made when the corps ordered the Bayou Des Familles Development Corp. to contract a consulting firm for an environmental impact statement on the company's plan to develop the marshland along Bayou Des Familles.

In the course of the investigation by BTN Louisiana Inc., two water samples were taken from waterways in the area and analyzed. The Millaudon Canal was one of those waterways.

According to the firm's findings, which are now the property of the Army Corps of Engineers, the fecal coliform count, a bacteria found in the intestines of humans, was 25,000 organisms per 100 milliliter (m) of water and 64,000 per 100 ml. A milliliter is roughly $\frac{1}{8}$ cup of water.

Samples from two other bodies of water, Bayou Boeuf and Kenta Canal, were found to have highs of only 5,700 per ml and 3,200 per ml respectively. These samples were taken on March 7 and 10 of last year.

The study also included the count of total coliforms (bacteria from humans and other warm-blooded animals). It was 100,000 per ml in the Millaudon Canal in one sample and 8,000 per ml and 800 per ml respectively for Bayou Boeuf and the Kenta Canal. This count indicates that a large amount of the bacteria found in the water comes from humans and not the animals in the area.

According to a spokesman from the Louisiana Environmental Health Bureau, these figures did indicate "an excessive amount of fecal coliform" and that "sewerage was present in the water."

While the spokesman didn't pinpoint the Marrero Sewerage Treatment as being the source of the high bacteria count (he claimed that other sources may be involved and would have to study the situation further) the Army Corps does.

According to that report there is "very little residential or industrial development along the (Millaudon) canal. However, the Marrero Sewerage Treatment Plant * * * discharges into the Outfall Canal which flows into the Millaudon Canal." The report also describes an open garbage dump near the Millaudon Canal.

The state Environmental Health Bureau told the Guide that it will send inspectors into the area to take their own water samples and supervisors with the parish health unit said they will inspect the situation personally.

Meanwhile residents of Bayou Estates have obtained a petition with 200 signatures that has been sent in the past and will be sent again to U.S. Rep. Lindy Boggs. "Man, one night we got so disgusted with the smell we called President Ford," snapped Oglesby. "But they told us he wasn't in."

MILLAUDON CANAL QUESTIONS STILL UNANSWERED

(By A. J. Tapie)

Now that definite action has finally been taken to rid the pollution in the Millaudon Canal, residents of the area are now asking why it took so long.

According to residents in the Bayou Estates and Orleans Village subdivisions, they have been complaining about the condition of the canal and the Marrero Oxidation Pond for more than two years to various state and parish agencies.

"I used to hunt a lot in that marsh until they built that oxidation pond," said one resident. "Even after it was built I'd go back there just to see if it was working. That thing has been covered with lillies for more than three years."

Many home owners bought in Bayou Estates just for a waterfront home. "It was beautiful," claimed one disgusted homeowner. "You could catch bass, perch and catfish in it (Millaudon Canal) and you could launch your boat and travel all the way to Bayou Segnette. Today, I wouldn't even look at fish that was taken out that canal."

The Guide has also found some unanswerable questions during its investigation into the matter. When reports of the canal's condition were first reported, the Guide attempted to locate water samples which residents along the canal claimed inspectors of the state board of health had taken. However, the sample could not be located.

When the Guide asked an official of the board of health for the names of the inspectors, he couldn't find out who they were. However, the Guide did obtain their names from the parish health bureau which claimed they received them from the same person who said he didn't know who they were.

Residents of the area have repeatedly told the Guide that persons in the Jefferson Parish Department of Drainage and Sewerage have told them sewerage is not present in the Millaudon Canal and that the odor from the water is being caused by dead lillies.

Their accusations appear to be supported in a letter from Paul Connick, administrator in the parish president's office, to Sen. Elwynn Nicholson. According to the letter, " * * * the water (Millaudon Canal) has been checked * * * and at no time is any sewerage matter been detected." The letter further stated that there "are no sewerage treatment plants close to the canal which would even permit limited seepage."

Connick admitted to the Guide that the information he received was entirely false. "I handled the matter in a routine fashion," he told the Guide. "I had no reason to suspect that someone was lying to me so I just took the information as such and didn't ask the name of whom I was speaking to."

When the Guide asked Walter Frye, chief engineer for the department of drainage and sewerage, who gave Connick that information, he said he didn't have the slightest idea.

The situation continued to become cloudy when the Louisiana Environmental Health Bureau told the Guide one week that its inspector found nothing wrong with the condition of the canal. That following week, however, the same agency said it was taken a "completely new look into the matter."

Their "new look" came after Gov. Edwin Edwards received a petition with 2 signatures from residents in the area. He ordered the agency to begin an investigation of the canal immediately.

Today the waterway appears to be in better shape. One resident even reported seeing minnows swimming around his pier, which he hasn't used for years. Although they are happy something is being done, they are wondering if all the attention is just temporary.

MARRERO TREATMENT PLANT CITED FOR CANAL POLLUTION

The Louisiana Health and Human Resources Administration has concluded its investigation of the Millaudon Canal and has cited the Marrero Sewerage Treatment Plant as the main contributor to the waterway's badly polluted condition.

The Millaudon Canal lies behind a number of subdivisions in Marrero and empties into Bayou Segnette. It has been the object of grave concern to residents

of the area, the Environmental Protection Agency and the Jefferson Parish Council (West Bank Guide, Jan. 21, Feb. 11 and Feb. 25).

According to Charlie Bishop who headed the investigation for the state, "we are presently gathering our data and will submit recommendations to the parish to remedy the problem."

Bishop said that at this time his agency is looking into the possibility that improper operation and maintenance could have caused the situation. "Frequent bypassing of untreated sewerage is definitely the major cause of the problem. We are now looking into ways in which the bypassing can be reduced."

Meanwhile the Jefferson Parish Department of Drainage and Sewerage has begun measures to help alleviate the situation. Water is now being pumped into the canal every other day to increase the flow of water. The department has already applied for a permit with the Army Corps of Engineers to have the waterway dug out and to upgrade its levees.

The parish is also in the process of authorizing a comprehensive study to upgrade the West Bank's sewerage treatment network. Parish officials say that the study would take nearly two years and that a bond election would be needed.

Although most of the attention has been centered on the Marrero plant, it seems that it is probably one of the better sewerage treatment facilities on the West Bank. A letter addressed to Ray Condon, director of the parish's sewerage and drainage department, from the Environmental Protection Agency stated that five of the West Bank's 12 sewerage treatment plants "are bypassing for long period of times."

In addition to the Marrero plant, the EPA detected problems with Terrytown Plants 1 and 2, the Bridge City facility and the plant in Harvey. The parish claims that frequent breakdowns and heavy rains have necessitated the bypassing.

The Guide discovered another source of untreated sewerage discharge (West Bank Guide, February 25) in the Marrero Oxidation Pond. According to the state health bureau, the pond is in "deplorable condition and couldn't possibly be working properly."

The parish reported to the Guide that it is now working to rid the pond of the water lilies, which cover nearly 90 per cent of the water's surface. Parish engineers have found that the discharge pipe is lying too close to the bottom and that it would have to be raised.

ARMY CORPS, EPA JOIN MILLAUDON PROBE

The stink emanating from the polluted waters of the Millaudon Canal in Marrero appears to be spreading as the Army Corps of Engineers and the Environmental Protection Agency have expressed concern over the waterway.

The Corps' interest in the canal, which is heavily polluted with sewerage, is aimed chiefly at a series of dams and levees constructed north of the canal in the wetlands near Westwego.

According to a spokesman for the Corps, the construction of the dams and levees could be illegal since no application for a permit to build the structures were issued. The spokesman said it appeared the structures were erected to drain the wetlands for possible development.

The Corps has concluded that the barriers are interfering with the flow of the Millaudon Canal, thus locking the sewerage to the confines of the canal.

Their conclusions are supported by evidence collected by the Louisiana Bureau of Environmental Health, an agency which has just ended its own investigation into the waterway. Instead of having a steady flow, its waters actually sway back and forth with the tides."

His agency has concluded that the Marrero Sewerage Treatment Plant "is of inadequate size" for discharging sewerage in such a closed system. Bishop has also concluded that the 20-acre oxidation pond in Marrero is also adding to the canal's pollution.

The EPA's concern over the canal's polluted state was made public last week during a live telecast of a public forum on the environment. WYES-TV Channel 12 conducted the forum which featured high-ranking administrators of the EPA.

In response to a question aired by a viewer from Marrero, John C. White, EPA regional administrator, said, "the problem in the canal has been alerted to our attention and we will have people here very soon to make an investigation."

According to an EPA spokesman, the decision to investigate the situation themselves was prompted by a series of articles which have appeared in the West

Bank Guide (Jan. 21, Feb. 11, Feb. 25 and March 10). The EPA was at first counting on Bishop's investigation, but it suddenly had a change of mind. No further explanation was given.

White concluded his remarks on the situation by saying "We hope to develop a plan of action as soon as we can."

The EPA spokesman said that the team of investigators will be looking closely at the operation of the Marrero Treatment Plant and the Marrero Oxidation Pond.

[From the States-Item, Apr. 10, 1976]

"PECULIAR" CANAL PROBLEMS IN MARRERO STIR PROBE

(By Wes Brumfield)

Two federal agencies and a state health agency are investigating sewage problems in an open canal which have enraged the residents of Bayou Estates and other Marrero subdivisions.

The investigations have resulted from residents' repeated complaints that the Jefferson Parish Department of Drainage & Sewerage has been pumping raw sewerage into the Millaudon Outfall Canal * * * Ames Boulevard in Marrero. The * * * runs directly behind the Bayou Estates, Orleans Village and Willowdale Estates subdivisions.

The Environmental Protection Agency (EPA), the Army Corps of Engineers and the state Bureau of Environmental Health are investigating the complaints.

Residents say, and officials confirm, that untreated sewage pumped into the canal from the Ames Boulevard pumping station has caused stagnant, septic conditions, foul odors and a health hazard.

Sewerage department officials have acknowledged that untreated, but diluted, sewage is pumped into the canal during heavy rains.

Walter G. Frey, Sewerage Department engineer, said a major breakdown at the Marrero plant resulted in the partial by passing of untreated sewage into the Millaudon Canal last October and November. He said that action may have triggered some objectionable odors. Bypassing of the treatment facilities has since been stopped, he said, and will not be allowed hereafter when there is a need for repairs.

He said bypassing will still have to occur when there are heavy rains, "There is no way to get around it, and I'm not going to deny it," he said.

Contamination of the Millaudon Canal and nearby adjoining wetlands also has been linked to an oxidation pond operated by the parish in the swamp near the Willowdale subdivision and to two dams constructed in a private canal.

Elvin Oglesby, of 2260 Sauvage, Bayou Estates, said that overflow from the oxidation pond has contributed to pollution of the canal and nearby streams and wetlands, including the Lake Cataouatche-Lake Salvador estuary. The canal is connected to the estuary by Bayou Segnette.

William M. Martin, of 5801 Glasco Drive, Bayou Estates, said the two dams constructed in a private canal system in the swamp adjacent to the Millaudon Canal are interfering with the tidal flow which would have helped keep the canal flushed out. The Corps of Engineers is trying to determine if one of the dams violates federal law.

Frank Ehret, a West Bank civic leader, said the dam blocks a canal used by the oil industry and, therefore, is subject to provisions of the 1899 Rivers and Harbors Act. But Johnny Campbell of the Corps' permit section in New Orleans said the act would apply only if the dam were built after September of 1972, when the Corps' definition of navigable waters was expanded.

Parish officials have turned a valve to open a drainage pipe through one of the dams, thereby releasing some fresh water into the Millaudon Canal.

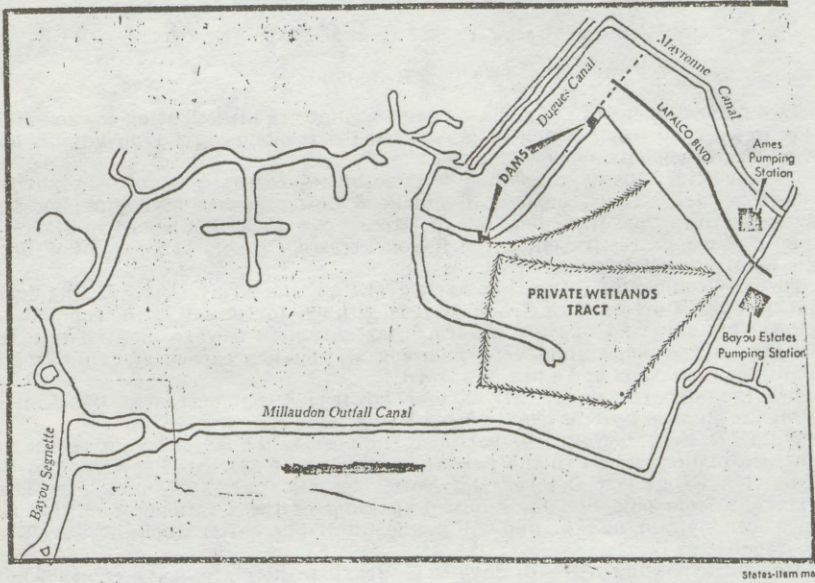
Martin said this move is not enough. The dam should be removed, he said, and the canal extended to flow under the new Lapalco Boulevard extension and into the Mayronne Canal, which is connected to the Millaudon Canal. The sewage treatment plant is located on the Mayronne Canal. If this were done, said Martin, the sewage system would be circulatory, connected to the constant flushing action of the tidal flow.

Asked if the dams were impeding the tidal flow, Frey said, "It's possible but I wouldn't want to say definitely."

He said, "If you could get a tidal flow through there, it would help; how to do this, I can't say."

Frey said such dead-end canals into sea-level environment tend to go stagnant. "The worst thing you can do is dump in a long canal," he said. "What you want to do is get your drainage system into a very large body of water as quickly as possible."

Frey said the unpleasant odor from the Millaudon Canal comes from hydrogen sulfide gas, a byproduct of decomposed organic matter in water depleted of oxygen. He said the canal turns black when there is no oxygen left in the water.



Map shows elements of controversy over West Bank's polluted Millaudon Outfall Canal

Asked if the canal is a health problem, Frey said, "Any time you have sewage you could have a health problem." He said the sewage could cause hepatitis and diarrhea.

Charles Bishop, chief of the Water Quality Section of the state Bureau of Environmental Health, said his staff had investigated the Marrero plant and the oxidation pond. He said the oxidation pond was in "miserable condition" and had become septic, either because of decaying water hyacinths which covered it and used up its oxygen, or because it was being overloaded with sewage. He said he is inclined to believe the hyacinths were the main problem.

Bishop said his staff had found mechanical and operational problems at the sewage plant, which he said was bypassing untreated sewage with unusual frequency. He said parish officials were advised to bypass only when absolutely necessary.

Bishop said the canal system is totally dependent on the tidal flow. It "is riding on the water table which is riding on the tidal flow," he said.

William B. Hathaway, chief of the EPA's Region VI Water Program Branch in Dallas, said his office had investigated both the Marrero plant and the oxidation pond. He said the investigation is aimed at determining whether the bypassing of sewage had been intentional or unavoidable and whether the Marrero plant is capable of operating properly.

Recently the parish had the hyacinths removed from the oxidation pond and the parish council has authorized a \$60,000 contract to have the Millaudon Canal excavated, said Frey.

Ehret, an unsuccessful candidate for the council in the last election, said the real problem is that the Marrero plant is overloaded. He said it was built in the 1960s to accommodate about 6,400 homes and is having to serve about 20,000 today. He said parish officials had allowed developers to build more homes with-

out providing additional sewage facilities. Meanwhile, he said, parish officials have been using federal revenue sharing money to build pumping stations to serve private developers in remote wetlands tracts.

Frey said the Marrero plant is not overloaded in dry weather. He agreed, however, that it rains quite frequently in this part of the country.

CANAL'S CONDITION ATTRIBUTED TO IMPROPER PLANT OPERATION

(By A. J. Tapie)

Investigators from the Environmental Protection Agency have completed their probe into the polluted Millaudon Canal in Marrero and have concluded that the parish hasn't been operating its sewerage treatment facilities in the area properly.

Although the complete report hasn't been compiled as of yet, a spokesman for the EPA told the Guide that "it appears most of the problem could be rectified if the Marrero Sewerage Treatment Plant and the Marrero Oxidation Pond were maintained and operated properly."

Just as the source of the mess in the Millaudon Canal is beginning to surface, efforts to relieve the canal of its polluted state were delayed as the EPA is now looking into the parish's application to have the canal dredged.

According to the EPA spokesman, "We don't want to okay the dredging of the canal until we look into the matter closer."

Objections to the plan appear to be aimed at the proposed placing of the dredged material. Inspectors with the permits department of the Army Corps of Engineers pointed out that the placing of the dredged matter on the canals north bank would interfere with the flow of water from wetlands north of the canal.

According to one inspector, the parish has been asked to revise its application. "The way they have it now, a large tract of wetlands would be prevented from flowing properly," he said, "and would eventually dry up."

He pointed out that a more acceptable means of disposing the spoil would be to have the matter deposited on each side of the canal in intervals of 200 feet or more.

Meanwhile the Corps is still conducting its probe into the legality of dams and levee which were erected in the wetlands north of the Millaudon. (Guide, March 31.) According to a spokesman for the corps the structures were "obviously built to drain" a large tract of the wetlands north of the canal.

The parish submitted a plan to the corps three years ago which proposed to move the Ames Boulevard Pumping Station farther up the Millaudon Canal. Money has already been appropriated for the project in a bond issue that was passed in October of 1973.

According to Walter Fry, chief engineer for the Jefferson Parish Department of Drainage and Sewerage, the moving of the pumping station would better protect low lying subdivisions in Marrero (Bayou Estates, Orleans Village and others in the Estelle area) from flooding.

However, an Army Corps engineer stated that the proposed moving of the pumping station would probably do more to protect the area of wetlands which would eventually be drained by the facility.

Residents of the Bayou Estates and Orleans Village area have issued a petition with 200 signatures to parish officials asking that the station not be moved. They argue that the moving of the facility would make the septic state of the canal worse behind their homes.

They believe that sewerage pumped into the canal would remain behind their homes during dry periods when the pumping station would remain idle.

In any case, parish officials agree that it would be hard for them to move the station. Said Fry, "The station would eventually drain the wetlands (north of the Millaudon) and the EPA has a long history of rejecting anything that would change wetlands."

ENVIRONMENTAL CONCERNS SPUR LAFITTE-LAROSE DEBATE

(By A. J. Tapie)

The Army Corps of Engineers opened its public hearing on a portion of the Lafitte-Larose Highway with a shouting match between environmentalists and the people of the Lafitte area.

The hearing, held at the Rosethorne Park auditorium in Crown Point, was directed at an application submitted by the Louisiana Department of Highways for dredging a portion of wetlands between Barataria and Estelle (Marrero) for a segment of the proposed Lafitte-Larose Highway. The right-of-way for the highway in that area is almost complete.

The hearing followed the opening of the new Wagner's * * * their full-fledged support for the much needed highway.

Jefferson Parish Councilman-at-Large, Harold Molaison, who failed in his bid for re-election, * * * brought together the * * * the environmentalists and highway all in one breath.

The outspoken councilman expounded on how this country's thinking today has turned for the worst as people are looking to the A-bomb for an easy way out. "They say we don't need an army and navy," Molaison sounded, "and it's this thinking which is destroying this nation."

Molaison ended his dissertation asking "what would have happened to this country if we listened to the environmentalists before?" His statements brought cheers from the residents of the Lafitte area as he called for more growth to the area. "Why shouldn't this area enjoy the same growth that New Orleans has?" he yelled.

Office holders from the Lafitte area joined the band wagon. After presenting petitions from various groups supporting the project, each political figure lengthened the hearing with his pledge to support the public's will as long as he holds office.

Lafitte Mayor Leo Kerner brought delight to the highway supporters as he made the statement that "The inland waters have as much to do with the shrimp population as a donkey in old Mexico."

Kerner's statement was contradicted by Dr. Sherwood Gagliano, a marine biologist with Coastal Environments Inc., the firm contracted by the Louisiana Highway Department to determine the environmental impact of the project.

According to Dr. Gagliano, considered to be a leading authority on coastal waters, "the interrelationship between the wetlands and the Gulf are essential" to the shrimping industry. Gagliano said that the nutrients from which shrimp survive come from the grasses in the wetlands.

Other supporters of the highway called the environmentalists "obstructionists." Each claimed the opponents had no business expressing their views on the highway as they didn't live in the area. However, many of the "outsiders" lived in the immediate area of Estelle where the project will begin.

Highway backers further called for the roadway as essential for a hurricane evacuation route.

As the environmentalists took the speaker's stand, the pro-project followers greeted them with boos and jeers. At one point, Army Corps District Engineer Early Rush had to stop the hearing to restore order to the outraged crowd.

From the standpoint of the environmentalists, the roadway is needed for a hurricane evacuation route, however, present plans for the construction of the roadway are unacceptable.

They claim that the highway, as proposed on ground level, will eventually destroy part of the wetlands adjacent to the highway. They claim that it would just open the area to further development.

As an alternative plan, the environmentalists suggest that a portion of the roadway, about a mile of it south of the so-called V-shaped levee, be elevated or to upgrade the existing Highway 45 into a four-lane roadway. The Louisiana Department of Highways claim that the costs of both plans are prohibitive.

[From the Times-Picayune, Apr. 21, 1976]

WETLANDS JURISDICTION COULD CHANGE HANDS

(By Breard Snellings)

The House Public Works Committee last week voted 22-13 to approve legislation that would remove federal jurisdiction from most of America's wetlands.

The proposed legislation, which was slipped in among a number of expected amendments to the Federal Water Pollution Control Act of 1972, will change the government's 77-year-old definition of navigable waters if it passes the House and Senate and is signed into law by President Ford.

The amendment, which was introduced by Rep. John Breaux, D-La., proposes to eliminate from the jurisdiction of the U.S. Army Corps of Engineers most of

the wetlands and those waters that were historically navigable, but no longer are.

If the committee bill becomes law, virtually the only remaining wetlands still protected by federal jurisdiction would be coastal marshes up to the mean high tide point, which is an imaginary line above and below which the tide peaks an equal number of days a year.

The Environmental Protection Agency, which opposes the legislation, claims it could result in as much as 80 per cent of our wetlands being used as dredge disposal sites or landfill areas.

The EPA considers the proposed bill a setback to environmentalists and a victory by agricultural, forest, dredging and highway interests, all of which would benefit either directly or indirectly from dredge and fill operations.

Rep. Breaux, upon introducing the legislation, contended that Congress never intended to give the federal government broad authority to control dredging and filling activities, and maintained that local and state agencies should have a voice in the management of wetlands.

Much of South Louisiana comes under the definition of the term "wetlands," which are water-saturated lowland areas that support aquatic vegetation and serve as a natural water-purifying system and breeding area for fish and waterfowl.

In the past, Louisiana's wetlands have often been used to dump silt, mud and other spoil material dredged from river and lake bottoms either to create canals or keep them navigable.

Much of this work has been done by the Corps of Engineers, an organization which is generally distrusted by environmental groups, but which is certainly more trustworthy than private interest organizations, which would be the ones to benefit if the Corps of Engineers loses jurisdiction of Louisiana's wetlands.

Currently, the Corps of Engineers is responsible for carrying out two controversial state-oriented projects—the hurricane control project initiated by the Orleans Levee Board, which proposes damming Lake Pontchartrain at Seabrook, the Rigolets and Chef Menteur Pass for the purpose of flood control; and the multi-purpose flood control plan for channelizing, dredging and filling parts of the Atchafalaya Basin, which conservationists say would dry up much of the surrounding wetlands and benefit land developers and the soybean industry—both of which have land interests in the basin.

The Corps of Engineers has alternative plans for both projects which meet the satisfaction of conservation groups, and nothing final has been settled as far as a plan of action on either project.

Should the new legislation, proposed last week by the House Public Works Committee, become law, it would mean the responsibility for both projects would pass into the hands of state and local government.

If you wish to write your congressman and give him your opinion on the matter, here are the names and addresses:

U.S. Senators J. Bennett Johnston and Russell B. Long, Russell Building, Washington, D.C. 20510; U.S. Representatives F. Edward Hebert and Otto E. Passman, Rayburn Building; Corinne C. Boggs and David C. Treen, Longworth Building; Joe D. Waggoner Jr., W. Henson Moore, John B. Breaux and Gillis W. Long, Cannon Building, Washington, D.C. 20515.

READER CLEARS UP 'GUIDE ANALYSIS'

TO THE EDITOR:

I am writing in response to two articles which appeared in last week's Guide, both authored by A. J. Tapie. I have come to respect Mr. Tapie, and am thankful to him for his recent series of articles on the Millaudon Canal situation. However, his two articles on the Lafitte-Larose Highway, particularly that under the heading of 'Guide Analysis,' do little to clear up the confusion generated at last Saturday's public hearing held by the U.S. Army Corps of Engineers at Rosethorn Park.

First of all, Mr. Tapie fails to mention that the hearing was held to discuss only that portion of the roadway located between the new Wagner's Ferry Bridge and Estelle. In his defense, almost everyone else both pro and con, managed to spend nearly five hours discussing the Lafitte to Larose segment of the highway, which is being held in abeyance by the Department of Highways.

Mr. Tapie states that environmentalists failed miserably in presenting their views on why the road should be elevated. It should be pointed out that the

other side was even more inept. Remember that we are talking about a distance of not more than one mile north from the new bridge to that point at which the wetlands have already been drained. Therefore, there can be no question of prohibitive costs from the Department of Highways. Therefore, despite the stump-jumping, pig-calling tirade of Councilman Molaison, the road will not eventually lead to the destruction of the U.S. Army if a small ecologically vital link is elevated. Therefore, despite cries of salt water intrusion by many speakers, including D. A. John Mamoulides, there is not a drop of salt water in the swamp north of Crown Point.

No one wanted to deny the citizens of Lafitte a new bridge. And they have their bridge. But if a new road were needed, then certainly widening and straightening of Hwy. 45 was the only logical choice. It was pointed out that there were 3 traffic fatalities and over 250 accidents on Hwy. 45 in the last 5 years. This was attributed to the road's crookedness. There were many more accidents on the much straighter West Bank Expressway. A large percentage of those accidents were the result of drunken driving, not the winding road.

A ground-level highway would cause hundreds of animal fatalities each month. Automobile access to the marsh would cause great increases in direct pollution of the waters, dumping of garbage and trash and poaching—particularly of alligators. Although it was pointed out that a ground-level road would not alter requirements for obtaining a permit for construction or dredging in the marsh next to the highway, the highway itself would serve as the best reason for the granting of such permits and the "inevitability" of its development.

Lafitte residents complained of declining shrimp catches in Lake Salvador, yet proposed a levee across the marsh which would completely block the entry of shrimp into the lake and the outflow of nutrients from the lake necessary to Barataria Bay. They also clapped when Councilman Molaison called for an influx of the oil industry, yet complained bitterly that oil company canals were aiding saltwater intrusion and ruining the marsh.

If residents fear hurricanes, the new Wagner's Ferry Bridge already allays their fears. As for residents of Grand Isle, Cut Off, etc., high-rise bridges should be built along Hwy. 1. This is a much more sensible and cheaper approach than a road through one of America's most important wetlands.

One more word on the wetlands north of the Wagner's Ferry Bridge: the land in question harbors Jefferson Parish's largest deer herd; is a roost for vultures, hawks, herons, egrets and many other forms of birdlife; contains remnant populations of two animals which are endangered in our area (alligator and box turtle); contains beautiful stands of cypress and oak, and is an important source of recreation to the people of the area. These are sufficient reasons for a mile or so of elevated road.

JOSEPH I. VINCENT, *Marrero.*

BREAUX'S MUD BILL KICKS UP DUST

THE ENVIRONMENT

(By Les Brumfield of the States-Item staff)

Young Louisiana Congressman John B. Breaux of Crowley has precipitated a major environmental fight in Congress.

Potentially at stake is the way Louisiana's vast coastal wetlands, which make up one-fourth of the nation's, will be developed and/or preserved.

Breaux, a protege of Gov. Edwin W. Edwards, is the author of legislation, passed 22-13 last Tuesday by the House Public Works and Transportation Committee, which would all but repeal Section 404 of the 1972 amendments to the Federal Water Pollution Control Act.

Section 404 governs the disposal of spoil (mud and roots) gouged up from the bottom of swamps, lakes and streams during dredging operations. It requires land owners or government agencies planning to dredge in the wetlands to apply to the Corps of Engineers for a permit. The Corps and the U.S. Environmental Protection Agency must approve the applicant's plan for getting rid of the spoil before a permit to dredge is issued.

For years, the corps' authority over dredging applied only to navigable waterways. But in March of 1975, the U.S. District Court for the District of Columbia, ruling on a lawsuit brought by the Natural Resources Defense Council and the National Wildlife Federation, expanded the corps' authority under Section 404 to cover "all waters of the U.S."

There followed a squabble among corps officials, congressmen and outraged landowners, on one side, and EPA officials and environmental groups on the other, over the interpretation of "waters of the U.S." When the dust, or mud, had settled, the corps published new regulations in the Federal Register last July 25, extending its authority into wetlands adjoining navigable waterways. This was only the first phase. Under two more phases over the next three years, the * * * U.S." are to be extended inland to the very headwaters of streams.

Corps officials, recognizing that the court-ordered interpretation of Section 404 could present legal obstacles to their own construction programs, initially sought to drum up nationwide opposition to the new "waters of the U.S." ruling. They argued that farmers might be required to get a permit to dig a stock pond or even to plow their fields. After this contention was challenged in congressional hearings, the corps backed down. But the corps remains unhappy with its own regulations under Section 404.

For environmentalists and sportsmen, who fear that uncontrolled activity is * * * is a legal tool to force careful review of wetlands developments. Coastal land owners and politicians see it as land use imposed by the federal bureaucracy after Congress rejected land-use legislation.

What Breaux's amendment would do is return the corps' authority to the original definition of navigable waterways.

Environmentalists were stunned when the Public Works Committee passed Breaux's legislation. According to Mrs. Nancy Matisoff, legislative director of the Washington-based League of Conservation Voters, Breaux already had "an awful record" on environmental legislation. The league, a lobby organization which periodically lists a "Dirty Dozen" * * * gives Breaux a rating of five on a scale of 100.

National environmental groups, including the National Wildlife Federation, the Sierra Club, the Audubon Society, the Isaac Walton League and the League of Women Voters, are planning to oppose Breaux's legislation when it reaches the House floor later this month or early next. Brent Blackwelder, chairman of the board of the American Rivers Council, said the Public Works Committee had showed "complete disdain for public procedure" by not holding a hearing on Breaux's bill.

Explaining why Breaux had sponsored the Section 404 amendments, Dusty Zaubrecher, an aide to the congressman, said the regulations do not allow for planning at the local and state levels. Section 404 addresses only the permit question and does nothing to resolve planning conflicts among local governing bodies, he said.

Zaubrecher said for example, that the Vermillion Parish Police Jury, seeking to build a flood protection project on Bayou Queue De Tortue, is caught in a squeeze between the Lafayette Parish Police Jury, which has its own project under way, and the need to acquire a corps permit under Section 404. The federal regulation also is an obstacle for rice farmers who need to build levees to keep salt water from ruining their crops, he said.

Zaubrecher said Rep. Breaux is 100 percent for a coastal zone management program for Louisiana. Recently, however, the Louisiana Police Jurors Association adopted a resolution opposing the state's bill, to be submitted in next month's session of the legislature, which would establish a state coastal zone management program.

Ross Vincent, president of the Ecology Center of Louisiana, said that Breaux's amendments would take away the state's incentive to establish coastal zone management. Section 404 and other federal wetlands regulations evolved only because the states failed to do the job in the first place, he said.

[From the West Bank Guide, June 30, 1976]

WEST BANKERS BLAST REGIONAL PLANNING COMMISSION

(By A. J. Tapie)

A small group of West Bank residents angrily criticized the Regional Planning Commission for its lack of preparation during RPC's public hearing held in the Jefferson Parish Council Chambers last week.

The public hearing—scheduled to present the commission's study on future residential construction, residential land use for 1990, modifications of building

codes and regulations, and identifying the characteristics of low and moderate income population—attracted but a handful of citizenry.

The main concern of those attending centered upon the commission's findings that 1990 "without drainage of wetlands, there will not be any land available for the influx of projected population growth."

According to the study, by 1990 Jefferson Parish is projected to have population increase of 253,483 new residents. The study also points out that the expected population growth will demand 14,093 acres for residential use.

However, according to the commission's study, Jefferson Parish doesn't have and probably would not have the projected acreage needed. Predicting that the East Bank would probably be fully developed by 1990, the study points out that the West Bank of Jefferson is the only area of the parish which is * * *.

When asked if the commission took considerations of the environmental effects of its land use plan, members of the commission admitted that it hadn't. Members of the commission's panel explained that the study is merely a plan and that if accepted by local governing authorities, it would need an environmental impact statement.

Frank Ehret, president of a local civic association, protested to the commission for not making available the maps and sketches which pointed out which land the study designated as areas that are developed, which are expected to be developed and which will be unavailable for development.

Members of the panel explained that the maps and sketches were not available in a "transportable" form.

Jay Vincent of Marrero further criticized the commission for presenting projections and no plans. "What plans did you make for the land use of this area?" he asked.

The RPC panel admitted that it would have to look into the wetlands situation in a future study.

Joe Smith of Marrero complained to the commission that the study's figures "will be used by the local politicians as a basis for irresponsible land development." The panel that the figures they obtained were based on past and present trends and that their projections for the future may be wrong.

Smith further criticized the RPC for its lack of effort in making the public aware of the hearing. "This small gathering is truly not representative of the amount of people living in the area. Can't you make these hearings known to the public?" he requested.

The panel assured him that the press had been made aware of the hearing and that they usually publish the announcement of the hearings. However, the only member of the press attending protested that his newspaper was not notified of the hearing and that he first heard of the meeting through a friend.

LAND DEVELOPMENT

(By Frei)

Where does Jefferson Parish draw the line, as it applies to land development in the parish's wetlands or on the fringes of these wetlands?

At present, the parish government takes each proposed development one at a time, on its own merits, in determining whether a plan of subdivision is to be accepted in any area of the parish. There is no hard, fast rule about wetlands development, though other governmental agencies and environmentalists have made it increasingly difficult to drain and build.

But Jefferson Parish Councilman Lloyd Giardina plans to draw the line, literally (or have experts draw it for him), beyond which land development will be forbidden and the land or wetlands will be left in their natural state.

Giardina points out that no parish officials in the past have seriously considered establishing such a cutoff line for development.

While supporters of the I-410 "Dixie Freeway" project were struggling to keep that project alive, one of the restrictions proposed to make the project environmentally acceptable was to prohibit new development south of that bypass freeway. Parish officials often vented their ire over this regulation, saying it had halted West Bank development. But when the I-410 proposal was abandoned in a court settlement, the prohibition on development died with it.

Now the idea of establishing such a line, but not necessarily at the same location, is being considered anew in connection with studies by Jefferson environ-

mental consultants, Burk & Associates, engineers. Giardina said Burk will recommend a location for a development cutoff line as part of a proposal for parish coastal zone planning.

He said the recommendation is not expected immediately, and it will be sometime in the fall before the council will be ready to consider the proposal for adoption. After the Burk recommendation is received, it will be necessary for the parish to conduct public hearings before consideration for adoption.

"I'm sure it's going to be controversial," Giardina said. "There will be parts of the proposal the environmentalists won't like, and parts the land owners won't like. But the council and the parish administration recognize the need for such a line."

For the development line to be creditable, he said, it must have teeth and must be difficult to change. "It would take a public referendum or something of that nature to alter the line once it is established," Giardina said. "That would be necessary to protect all sides."

"I consider establishment of this line to be the key to orderly development of the West Bank, and the most critical factor in meeting federal flood insurance elevation requirements," Giardina said.

"It is the elevation problems caused by the flood elevation regulations that bring more telephone calls to me than any other parish problems," the councilman noted.

"I've dedicated, myself to protecting our estuary," Giardina said. "In order to do so, we must draw this line and have the proper levees in place to protect the developed areas.

"Without these, there would be a constant battle over development and no government body could operate effectively with these conditions."

* * *

"Now is the ideal time to consolidate, because the debts of most of our sewerage districts are very low and their bonding capacities are high. Once they are consolidated, the parish will be able to qualify for a lot of federal money to improve the sewerage and sewage treatment system on the West Bank," the councilman said.

"At present, we have no long-range plans for a solution to our pollution problems, and that is what I am seeking," Giardina said. "Even if we started today, we are about five years away from an effective solution. In the meantime, what can we do other than take temporary actions to meet our needs?"

"I don't believe the answer is to continue pumping our treated sewage into the drainage canals, where it eventually goes into the estuary," Giardina said. "This has been giving us many problems recently."

"Instead I favor an environmentally approved system for pumping effluent—potable water from treatment plants—into the Mississippi River where the volume of water is great enough to prevent problems from developing. Sludge from sewage treatment would have to be disposed of in a way which would not affect the estuary," he added.

Giardina said the possibility of including West Bank municipalities in the consolidated sewerage district is also being studied.

LAFITTE PARK BILLS PASS

(By A. J. Tapie)

The proposed Jean Lafitte Park got two legislative pats on the back as both the state legislature and Congress took action on the matter.

Sen. Bennett Johnston got the nod from Congress to proceed with formulating plans for establishing a national park in the area. The bill, introduced June 10, sets early December as the first of several public hearings which will be held to discuss the possibilities of creating the park.

Johnston's bill described the area as "the most extensive marsh ecosystem in the United States" which the federal government must "assist the state in preserving."

Johnston further stated in his bill that he will introduce a complete and final measure during the next Congressional session for the establishing of the park.

Meanwhile, the state House of Representatives sent the senate the capital outlay bill which authorizes the sale of \$6.3 million of bonds for the acquisition of land in the proposed park site.

As of Guide deadline, the state senate had yet to take action on the bill. However, sources from both chambers agreed that there was little danger that park monies wouldn't be okayed.

After passing both houses, it is expected that the bonds for the park would go on sale within six months.

The proposed park consists of 7,300 acres of valuable wetlands and high ground fronting Highway 45 just north of Bayou Barataria. The area is of historical importance as many ancient Indian mounds dot the area. Pirate and patriot Jean Lafitte found the area to his liking as it afforded him protection from federal troops determined to capture him.

The park has received widespread support from area legislatures and the Jefferson Parish Council. The only opposition has been generated by appointed mayor of the tiny Village of Jean Lafitte Leo Kerner. Kerner has circulated a petition in his small area objecting to the park because its users would pollute Lakes Cataouatche and Salvador and the park area itself.

However, residents of Crown Point, who live directly in the vicinity of the park, have voiced their approval of the project.

LAFITTE OFFICIALS OPPOSE CREATION OF PARK IN AREA

(By Fred Barry)

Lafitte village officials Thursday afternoon went on record opposed to establishment of a Jean Lafitte State Park in their area.

The park opposition was announced at a meeting of the Jefferson Parish Council in the Gretna Courthouse by Lafitte Mayor Leo E. Kerner Jr.

The opposition to the park was prompted, he said, by the loss of the I-410 "Dixie Freeway" to Jefferson, the delay in issuing a permit for construction of the Lafitte-Larose Highway between Marrero and Lafitte, plus the problems of crowds and resulting pollution the officials feel the new park would bring to their area.

Mayor Kerner said the park would do nothing for his community except create problems. He asked the council to refuse to issue a permit for the park, and to strengthen hunting laws, "especially for hunting on other people's property."

Construction of the Lafitte-Larose Highway in this area has been held up by environmental considerations where the highway route passes through swamps.

Both West Bank Councilmen James E. Lawson Jr. and Lloyd Giardina said they favor the park, though understanding feelings of the Lafitte officials about the proposed highway. Lawson said he does not feel the park will be of such a nature that it will hurt the community.

Giardina said he favors a park which is more a nature preserve than a recreation area, and which would not draw heavy tourism into the area. "The final plans haven't been adopted yet, and the use of the park has not yet been determined," he noted. "I advocate a park which will mean only minimum change to the present area."

Councilman B. H. Miller Jr. said the highway is needed "more than the park or anything else" by the people in Lafitte. Everything in the Lafitte area is in limbo, he said, including the park, the highway, I-410 and laying of new water lines to Lafitte.

"We should call a referendum and find out if the people really want that park," Miller said.

Instead the council asked the parish attorney to determine the status of the Lafitte-Larose Highway permit.

Mrs. Diane Ribando of Crown Point, which lies between Lafitte and the park site, said her community is not opposed to the park and should be considered.

Mrs. Ribando appeared before the council to submit a petition of 180 signatures of Crown Point residents, objecting to a council resolution of no objection to a permit by the U.S. Army Corps of Engineers to a pumping station at the mouth Bayou Carpes, just east of Crown Point.

The petition asked that both Bayou Carpes and Bayou Des Familles be reopened, to drain naturally into Bayou Barataria.

Mrs. Ribando noted that a "hurricane protection levee" and the pump do not provide either drainage or hurricane protection for her community, and is designed only to drain wetlands for possible future development.

She asked that Crown Point be provided drainage and storm protection.

The council declined to recall its resolution on the pumping station. Giardina claimed it will "lead to solutions to many of our problems."

Referring to a study to establish a line of demarcation for future development at the edge of the wetlands, Giardina said he would like to find a "permanent solution" so that he can "go about my business as a councilman without having to act as a judge on every environmental matter that comes along."

On a matter related to the park, parish President Douglas A. Allen announced that metropolitan area Jaycees had requested cooperation in a one-day clean-up of trash at the Lafitte Park site. He said the parish would assist by directing traffic during the cleanup, and by hauling the trash away. The council asked the Louisiana Highway Department to pick up the trash along Louisiana 45, which passes the site and is the only highway to Lafitte.

On motion of Giardina, the council requested the State Tax Commission for permission to conduct a referendum election on three West Bank sewerage proposals: a \$12.5 million bond issue, five-mill maintenance tax and a \$1.25 monthly service charge.

[From the Times-Picayune, Nov. 10, 1976]

LA. CRITICIZED FOR WETLAND ABUSE

(By Merikaye Presley)

Assistant Interior Secretary Nathaniel P. Reed Tuesday warned that Louisiana's failure to enact a Coastal Zone Management plan would be a costly mistake.

"You're simply going to lose a bundle of dollars from the federal government if you don't pass a proper Coastal Zone Management act," the assistant secretary for fish, wildlife and parks said. Money for managing wetland areas, for mitigating the impact of offshore energy production and other federal programs are tied to the state's implementation of a management plan.

Reed, who was in New Orleans to address the first Conference on Scientific Research in the National Parks at Braniff Place Hotel, was highly critical of Louisiana's failure to protect her wetlands. "The rate and destruction of the marsh system in Louisiana is appalling, and it's got to stop," he said during a news conference.

"It's up to the state of Louisiana to take some bold initiatives to protect its own wetlands," he said. "Other states are far ahead of Louisiana, and Louisiana needs to catch up."

He predicted the incoming Carter administration will be just as vigorous in protecting the coastal areas as the present one and that projects planned for the wetland areas "will come under closer and closer scrutiny." He also said, "I think you will see a diminution of approvals to work in the wetlands."

He said he is tired of hearing state officials say the federal government has no right to interfere in the protection of the wetlands. He said the federal government retained control of the coastal areas in the Constitution because the drafters of that document recognized their importance.

Reed described the wetlands as a "valuable national treasure" which "belongs to the people of the United States as a whole." He said, "It will be tough on Louisiana, but that's the fate—the fate of location."

He called upon the governor, Legislature and business interests of Louisiana to back a plan for preserving the complex ecological system which exists in the wetlands. "New Orleans and Louisiana can grow and prosper and protect the wetlands as well," he said.

The visitor also had some criticism for New Orleans during his freewheeling news conference. "What happened to your sanitation department?" he asked reporters after he greeted them. "The streets here Saturday and Sunday were as close to revolting as you can get."

He also later said, "Looking around New Orleans, there is a great deal of room for some very bold urban renewal."

Lest he be called a "carpetbagger" for his remarks, Reed added, "I really think of New Orleans as a great national city. It's in the national interest and New Orleans' interest to keep it clean and healthy."

WEST BANK BAYOUS, ORDERED UNPLUGGED

(By A. J. Tapie)

Bayous Aux Carpes and Des Families will be free flowing waterways once again as a memorandum from Washington has ordered the replacement of the dams at these waterways with flood gates.

The order came from Gen. Drake Wilson, commander of the Arm Corps of Engineers, and was directed to the Corps' local district. Although the dams have been ordered destroyed, the installation of the flood gates was left to the judgement of Jefferson Parish officials.

However, the order does state that the gates were to be closed only at times when high water posed a threat of flooding. The operation of the gates was to be supervised by the Corps.

The issuance of the order is the result of a compromise between environmental groups, Jefferson officials and the Army Corps of Engineers. After months of negotiating the Corps agreed to drop its support of the dams and a pumping station at Bayou Carpes.

In return, environmentalists dropped their efforts to force a section of the Lafitte-Larose highway to be elevated in a small part of the roadway's northern sector (from Crown Point to Estelle).

The agreement, however, does call for the highway department to revise its design of the highway in the wetlands north of Crown Point so that additional, larger open culverts will be used.

Because of imminent and lengthy court battles, the highway department has in effect dropped its plans for the highway from Lafitte to Larose. As a possible part of the agreement, the Crown Point to Estelle section of the roadway may be designated a separate project.

The dams at Bayous Carpes and Des Families were installed in 1971 as part of a "hurricane protection" project authorized by Congress. Environmentalists and the Environmental Protection Agency (EPA) have contended for years that the dams were illegal since they plugged navigable waterways.

Action by Jefferson Parish officials further aggravated the situation as it authorized, under the consent of the Corps, the installation of a pumping station at Bayou Carpes.

According to sources close to the EPA, a landmark court battle was about to take place as the agency was ready to file suit against the Corps. Two federal agencies had never filed suit against each other before.

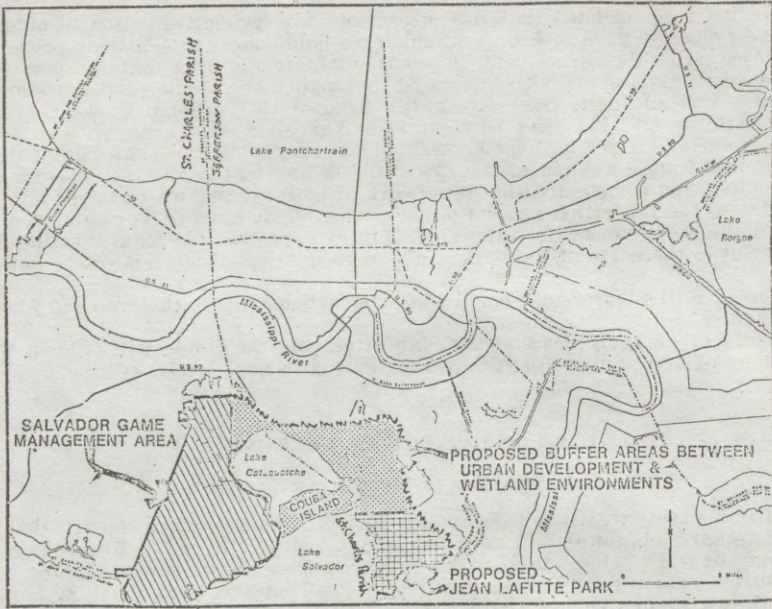
The source told the Guide that EPA lawyers had contacted Corps lawyers and that a settlement was reached. "They (the Corps) didn't have any legal ground to stand on," the EPA source said. "It was obvious that the project was for land reclamation and not hurricane protection."

The order comes as good news to the people who live along Bayou Des Families as they have been plagued by improper drainage ever since the bayou was plugged.

The past parish administration, however, has received a hard slap from the federal government for its efforts to drain a portion of the wetlands owned in part by former Councilman Harold Molasion. The parish had authorized in 1971 \$300,000 to help build the levees, \$180,000 for the damming of Bayou Carpes and another \$486,000 for the Bayou Carpes pumping station.

An undetermined amount of money was also spent by the parish for the digging of a canal connecting the two bayous in anticipation of the installation of the Carpes pumping station.

Parts of the pumping station still lie in the wooded area near Bayou Carpes. Depending upon what parts are salvageable, the parish could possibly have spent more than \$1 million, along with another \$1 million authorized by Congress, for a levee system which protects acres of uninhabited land.



Buffer zone

This proposal, outlining a possible buffer area for the Jean Lafitte Park which would include the Salvador Game Management area, was advanced by Dr. Sherwood M.

Gagnon of Coastal Environments, Inc. Roughly a dozen other proposals are under consideration by federal officials.

FRIENDS OF JEAN LAFITTE PARK VOICE APPROVAL

(By A. J. Tapie)

The proposed Jean Lafitte National Park wasn't short of friends Monday as citizens and politicians filed before a United States senate Subcommittee on Park and Recreation voicing their approval of the proposal.

The public hearing, chaired by Sen. J. Bennett Johnston (D.La.), attracted a standing room only crowd in the Council Chambers at the Gretna Courthouse. The hearing was being held to gather recommendations for what should be included in the proposed park.

Gov. Edwin Edwards joined local officials in expressing the need for the park as both a cultural and natural establishment.

The subcommittee took special note of recommendations from state Rep. Sam LeBlanc and Bob LeBlanc, head of the New Orleans Tourist Commission. Both proposed that the park encompass a broad area of activities which would allow tourists visiting New Orleans access to the park.

According to Rep. LeBlanc, Alternative 4 in the state's park study would best serve the purpose of the park. That plan calls for a center to be established in New Orleans which would offer a grand tour of the cultural and natural settings of Southern Louisiana.

It would include stops at the French Quarter, Chalmette Monument, a trip through Louisiana bayous and finally a visit in the park.

Although members of the subcommittee mostly listened to testimony submitted, they did pose some questions. After West Bank Councilman-at-Large Lloyd Giardina testified that there "is immediate pressure to develop the area," Sen. Johnston wanted to know which course of action should be taken in obtaining the land.

Giardina recommended that the government use legislative action in obtaining the property. Such measures would force landholders to sell their property at a price set by the government. It would eliminate any price negotiations.

The subcommittee was also interested in whether or not the proposed size of the park was adequate. Gary Everhardt, head of the National Parks Service, asked Wildlife and Fisheries Director Dick Yancey if enough marsh area was to be protected. "I really don't know," said Yancey, "but the more marsh that you protect from development the better the fishing will be in Lake Salvador."

Sen. Johnston commented that a network of buffer zones, which might not be of value to the recreation aspects of the parks, might have to be established to protect the eco-system within the area. Yancey expressed his fears that the development to the north of the park might force the implementation of the buffer zone.

If included, the buffer zone could add extensive acreage to the proposed 7,300-acre facility.

Because of an early deadline Monday afternoon, the Guide will publish the testimony of others attending the public hearing in next week's edition.

[From the Times-Picayune, Dec. 8, 1976]

LAFITTE'S MAYOR ENDS PARK FIGHT

With an assurance from U.S. Sen. J. Bennett Johnston that construction of a Lafitte-Larose highway will not be ruled out, Lafitte Mayor Leo Kerner agreed Tuesday to end his opposition to the proposed Jean Lafitte National Park.

Johnston, who strongly backs creation of the 7,500-acre park north of Lafitte near Crown Point, reached the agreement with Kerner, who strongly supports the highway, as Johnston changed helicopters at Fisher Elementary School in Lafitte.

The senator had just completed a helicopter tour of the proposed park site and met with Kerner on the school athletic field before boarding another helicopter for an inspection trip to an offshore drilling platform.

Kerner announced opposition to the national park last summer after environmentalists—backing the park—opposed the Lafitte-Larose highway proposal.

Johnston, chairman of the Senate Interior Subcommittee on Parks and Recreation, and committee member U.S. Sen. Clifford Hansen, R-Wyo., conducted a hearing Monday in Gretna on the proposed park.

Mayor Kerner was scheduled to testify but did not appear.

Kerner said the proposed highway would serve as a hurricane evacuation route, and Johnston agreed with him saying, "We've got to build that road."

Kerner also said he received assurances from Johnston that commercial fishermen and trappers would not be restricted from carrying out their occupations once the park is built and that tourists would not damage the marshland the park is intended to preserve.

Johnston, who introduced a bill in the 94th Congress to establish the park, said he will reintroduce it when the 95th Congress convenes next month. He estimated the cost of site acquisition and park development will run between \$10 million and \$20 million.

BUFFERING THE PARK

In the tally of National Parks, Arizona leads the country with 21. Our neighboring states also have a reasonable share—Texas has 11; Arkansas, five, and Mississippi, four. But Louisiana can mark up only one, the 142-acre Chalmette National Battlefield and Park. Soon, however, we may have another.

At hearings before the Subcommittee on Parks and Recreation of the Senate Interior and Insular Affairs Committee earlier this week, backing for the Jean Lafitte Park was almost unanimous—with strong support coming from public officials and environmentalists.

The site of the proposed park is a 7,300-acre tract on the east bank of Lake Salvador in Jefferson Parish. There park-goers would be able to experience the vast, but generally inaccessible, world of bayous, marshes and swamps from winding boardwalks and guided boat tours.

Of utmost importance to the park concept is the idea of a buffer zone. At the hearing support was voiced for such a zone of 20,000 acres to protect the park estuary from encroachment of civilization. Fear of such encroachment is not without grounds.

The most famous swamp park in the country, the Everglades National Park, suffered severe water shortages because Congress failed to protect the aquifers that kept the Everglades wet. Residential and agricultural developments north of the park began diverting the water that flowed into the swamp. Now the Park Service, authorized by Congress, is actively acquiring land in the Big Cypress Swamp to the north for a national preserve to insure the "wet" character of the Everglades.

Foresight, as usual, is better and cheaper than hindsight. It is well known that commercial enterprises are attracted to the periphery of national parks, which also enhance residential developments. So pressure on the estuarine areas surrounding the Jean Lafitte Park site is more than likely.

The buffer zone suggested at the hearing—connecting the park with the Salvadore Game Management Area west of Lakes Salvadore and Cataouatche and including Couba Island and the northern rim of Lake Cataouatche—should be given full consideration by the subcommittee now and Congress when appropriations time comes.

STATE OF LOUISIANA,
WILD LIFE AND FISHERIES COMMISSION,
New Orleans, La., February 11, 1977.

Hon. LINDY BOGGS,
*Representative, House Office Building,
Washington, D.C.*

DEAR LINDY: Reference is made to your recent letter concerning the Jefferson Parish Commission Council resolution objecting to any expansion of our Salvador Wildlife Management Area into Jefferson Parish.

This concern was perpetrated by the National Park hearing recently held by Senator Johnson in Gretna regarding the establishment of the Jean Lafitte Park in the Crown Point Area. Part of the National Park proposal was to purchase additional marsh lands surrounding the proposed park site providing these areas to the public for recreational purposes. Our Commission would be willing to assist the National Park Service in this effort by managing the area in conjunction with our Salvador Wildlife Management Area which is located along the western side of Lake Cataouatche in St. Charles Parish. The obvious concern to any expansion of our Salvador Wildlife Management Area is being expressed by camp owners who own recreational camps along Bayou Segnette near Westwego, Louisiana. These are important recreational facilities and certainly our Commission would not be in favor of any activity which would eliminate these facilities and have publicly so stated. Additionally, we pointed out to representatives of the National Park Service in private discussion that these facilities are providing recreational benefits to a large number of people and that public hunting and fishing should be an intricate part of the remote portions of the Jean Lafitte National Park.

Hope this information is of assistance to you and you can rest assured that our Commission will work closely with you and Senator Johnson's office in all aspects of the proposed park.

Sincerely yours,

J. BURTON ANGELLE,
Director.

[From the West Bank Guide, Apr. 27, 1977]

FLOODGATES TO BE INSTALLED AT BAYOU CARPES

(By Sue Picou)

An engineer has been hired by the Jefferson Parish Council to design flood gates for Bayou aux Carpes and to remove the dams and dikes at that bayou and at Bayou des Familles.

The action taken at the April 21 council meeting comes one week after 17 landowners in the area filed suit against the council and the parish president for supporting the flood gate installation, removing the dams and not constructing a pumping station at the bayou.

Court action on the suit was scheduled to begin Monday but Judge Thomas Wicker approved a continuance of the case until May 18 at the request of the landowners, parish attorney Harry Lee said.

The council had supported the dam and pumping station when the plan was approved by the U.S. Army Corps of Engineers. The corps withdrew its support a few months ago after being pressured by environmentalists and the Environmental Protection Agency (EPA).

Funds for construction of the pumping station were approved by the voters in a 1967 bond issue election for flood protection. The EPA has claimed that flood gates are adequate protection against flooding in the area.

Councilman Lloyd Giardina, who said he had heard only objections to the pumping station from the local residents, told the Guide, "The suit obviously shows the project is beneficial to only a few. It appears to be more evidence that the project is for land reclamation instead of for flood protection."

Since the absence of a pumping station will force the area to remain a wetland, the property owners are also asking for damages in the amount of money they would have gained if the land was drained and developed.

The council action followed an executive session where Lee briefed the councilmen on the status of the suit. J. J. Krebs is the engineer named to design the flood gates.

LWV REPORT—LA. NEEDS WISE COASTAL PLANNING

The coastal zone—where lands and waters meet—is a world of shifting soil. It provides bounteous foodstuffs, fuel sources, and recreation opportunities. It is a world in danger of destruction because man has used it too much and unwisely.

In 1969 and 1970, federal studies concluded that a comprehensive federal-state management system could ensure enjoyment, use and protection of productive coastal areas. The federal Coastal Zone Management Act, signed in October 1972, established a national policy to preserve, protect, develop, and where possible to restore coastal resources. It provided funds enabling some 30 states to develop and administer qualifying programs.

In 1971, the Louisiana legislature created the Louisiana Advisory Commission, with members representing varied public and private interests, and charged it with "preparing a plan for long-term, orderly conservation and development of Louisiana's coastal and marine resources." Its final report, "The Wetlands Prospectus", identified the key issues and recommended that the state take full advantage of the Coastal Zone Management Act.

The governor, in 1974, directed the State Planning Office to develop a coastal management plan. Federal grant guidelines required summarizing the state's past and current coastal management activities; identifying goals and objectives; naming a lead agency and all agencies involved; listing existing sources of information; and submitting annual work programs.

Having fulfilled these requirements, the State Planning Office presented to the governor in April 1976, a lengthy draft of legislation. If approved by the federal CZM Office and passed by the legislature, it would make Louisiana eligible for federal administrative funds for beginning a balanced and rational coastal program.

Federal approval criteria require difficult decisions about coastal boundaries, areas for preservation, mechanisms of state control, and pollution control, to name a few. Many state legislators have found meeting these criteria unacceptable; they may ultimately authorize only an additional planning study.

The League of Women Voters supports wise coastal planning; we believe that continued "study" is wasteful and unnecessary. The League endorses a well-defined coastal boundary based on biologic realities; a Commission representing a variety of public and private interests, a strong professional administrator; a uniform permit procedure; and equitable sharing for the many users of the coastal zone. Only by carefully regulating our use of the coastal zone can we continue to eat the shrimp, drill for oil, trap the nutria and enjoy all the other benefits of our unique marshes and bayous.

[From the States-Item, May 7, 1977]

LAFITTE-LAROSE HIGHWAY SUIT SETTLED BY ACCORD

A negotiated settlement permitting construction of part of the highway apparently has ended the six-month-old lawsuit against the Lafitte-Larose Highway.

The settlement became official yesterday when an agreement was signed by all of the parties to the suit and by the Louisiana Department of Transportation and Development.

The suit was filed in U.S. District Court in Washington, D.C., last November by the National Wildlife Federation, the Louisiana Wildlife Federation, the Fund for Animals, the Orleans Audubon Society and the Ecology Center of Louisiana.

It charged that the U.S. Department of Transportation, the U.S. Coast Guard and the Federal Highway Administration had failed to comply with federal law in planning and designing the highway. The environmental groups alleged that the ground-level road would damage wetlands vital to fish and wildlife production in the Salvador-Barataria estuary, would encourage urban sprawl and would deprive the people who use that area of millions of dollars annually in commercial and recreational opportunities.

Under the terms of the agreement, construction of the segment of the highway stretching from Estelle, south of Marrero, to the Wagner's Ferry Bridge, near Crown Point, may proceed, provided that it is constructed with openings under the roadway large enough to prevent damage to the wetlands it traverses.

Additionally, Bayou des Familles, a navigable waterway which the highway crosses, must be bridged so that it will remain navigable for small craft. Original plans had called for a grade-level crossing with insufficient clearance to permit the passage of many small boats.

The agreement requires, in addition, that the Louisiana Department of Transportation and Development withdraw all applications for federal construction permits on portions of the highway south of the Wagner's Ferry Bridge, and that new environmental impact studies and new public hearings must be conducted should plans for those portions ever be reactivated.

Under the terms of the agreement, the environmental groups are expected to withdraw their suit within the next few days.

Barry Kohl, vice president of the Orleans Audubon Society, said of the agreement, "We have achieved through negotiation practically everything we had hoped to accomplish with the lawsuit. My organization is pleased with the outcome."

Sidney Rosenthal, Jr., field agent for the Fund for Animals, who had been working closely with public officials on this problem for some time, said: "I hope this will be the last time environmental problems in Jefferson will have to be settled by litigation. The same results could have been achieved without the suit and its delays if only the previous parish council had been willing to address the issues.

"Fortunately, public officials are finally beginning to realize that environmentally concerned citizens do have the knowledge, the tools and the resources to make themselves heard. Concerned citizens will see to it that public and private projects will be undertaken in an environmentally sound manner or not at all."

The portion of the highway originally proposed to run from the Wagner's Ferry Bridge, south of Lake Salvador, to Highway 308 near Larose in Lafourche Parish remains a matter of serious concern, according to Ross Vincent, president of the Ecology Center of Louisiana, even though the highway people have agreed to withdraw their permit applications.

"Those applications could be refiled at any time," said Vincent, "All of the information we have indicates that, if the lower portion of the highway were built, it would be little used, a colossal waste of the taxpayers' money, and an environmental nightmare."

He commended federal, state and local officials for their "tough but reasoned approach to a problem, in many cases, not of their making." He expressed appreciation, as well, for the recognition of the wetland values included by U.S. Rep. David C. Treen, R-La., in his bill authorizing the project.

"I think they realize," he said, "how important the wetlands are to Louisiana and its people. Sound economic development and environmental quality go hand in hand, and I think we'll see more people who are aware of that fact elected and appointed to public office as time goes on."

The Louisiana Wildlife Federation's executive director, William A. Fontenot, added: "The sooner public officials realize that their projects must comply with laws designed to protect natural resources, wildlife and other environmental values, the faster their projects will be approved and completed."

With the signing of the agreement and withdrawal of the lawsuit, work on the Estelle to Crown Point Highway can commence at the discretion of the Department of Transportation and Development.

A FEW COMMENTS AND SUGGESTIONS ON THE ROLE OF THE DEPARTMENT OF ENVIRONMENT AND CONTROL IN SHAPING THE FUTURE OF JEFFERSON PARISH

MARRERO, LA., *May 13, 1977.*

To: Mr. Bruce Burglass, Director, Department of Environment and Control, Jefferson Parish.

INTRODUCTION

Since by definition of the "5-foot contour line" all of Jefferson Parish lies within the coastal zone, all following comments and proposals are at least indirectly related to Coastal Zone Management, some more directly than others. No major developments planned for Jefferson Parish can be considered independently of their impact within the coastal zone, but many developments may have such minimal significance in a "coastal" context that they will be exempt from any coastal zone restrictions.

I. THE "NO-DEVELOPMENT" LINE

Perhaps the most urgent and important decision which needs to be made for the future of Jefferson Parish is the determination of a "no-development line." This line will consist of a levee system, which will be high enough to allow persons living inside the levees to be eligible for flood insurance, and, of course, high enough to protect them from actual hurricane flooding.

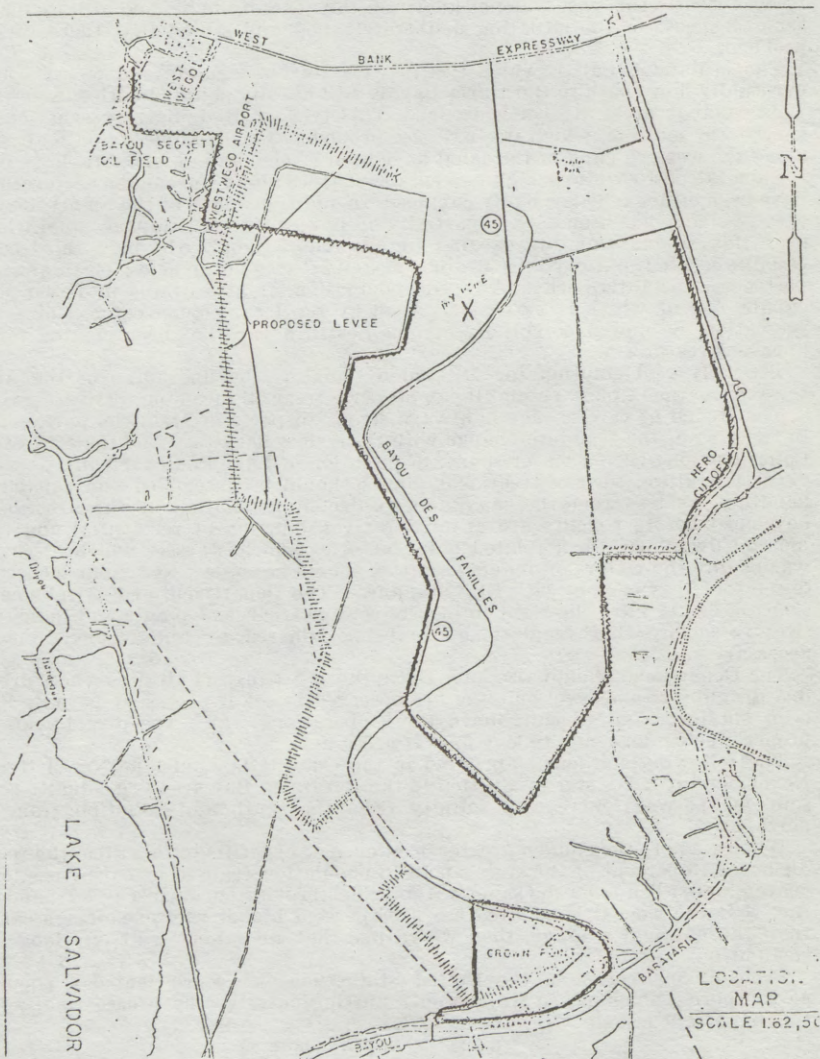
In general, the land within the levee system will be drained and developed for the future residential, commercial, and industrial needs of the populace. The land outside the levee system will generally remain in its natural state, and will provide its traditional uses of fishing, crabbing, hunting, trapping, oil exploration, etc., and (hopefully) will be the site of the Jean Lafitte National Park and the extension of the Salvadore Wildlife Management Area.

In referring to the attached map, it will be noticed that several thousand acres have been designated for inclusion within the levee system which are still officially considered to be wetlands by the U.S. Army Corps of Engineers. However, most of these areas are at least partially drained, and the natural flow of water has been disrupted. The inclusion of these areas gives Jefferson Parish a reserve of many thousands of acres available for all types of development. Even at present growth rates, Jefferson would probably need less than half ($\frac{1}{2}$) of this acreage by the year 2000. However, as the oil industry begins to slow down, and related available good-paying jobs become scarce, Jefferson's growth rate will correspondingly decline. In any case, Jefferson Parish is not obligated to accommodate all persons wishing to move in. In the past, the Parish has consistently reneged on its obligations to its citizens, always in the name of "progress" and "planning for the future". But the residents of Jefferson Parish are not interested in the welfare of some imaginary future immigrants. They pay taxes now, and expect to see them used wisely.

- PROPOSED "NO-DEVELOPMENT" LINE

- DISREGARD (NO LONGER VALID)

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II. SEWAGE AND WATER POLLUTION

The sewage situation is critical and needs immediate attention. At the last report which I personally received, twelve (12) of Jefferson Parish's nineteen (19) sewage treatment facilities were incapable of handling all incoming wastes, and were therefore bypassing raw sewage into the area's waterways. Until relatively recently this fact was not known to the general public, and a State official sent to check on the situation deliberately lied and stated that there was no problem.

The Millaudon Canal, which ties in with Bayou Segnette and whose waters eventually flow south to Barataria Bay, is still heavily polluted with raw sewage. This canal is presently being dredged. This type of dredging represents only a short-term solution, which itself causes problems. For example, to date all trees along the western bank of the canal have been leveled and uprooted to make room for spoil deposit, while a high percentage of trees along the canal's eastern bank have been either felled or badly damaged. In addition, much of the highly noxious sewage sludge has been used to partially fill in an adjacent drainage canal wherever this second canal is parallel to Millaudon Canal. Although this second canal is located in a partially drained swamp, it was nevertheless clean and supported a substantial fish and reptile population. It also drains into two other canals, one of which is extensively used by the local populace for fishing and recreation. So now a potentially serious health hazard has been created for no apparent reason.

The only real solution for Millaudon Canal is the upgrading of the Ames sewage treatment plant so that it can properly treat all incoming wastes.

The stench of raw sewage is always strong in parts of Metairie, particularly in the area of the I-10 interchange with Clearview Parkway. And the 17th Street Canal has long been a major source of pollution of Lake Pontchartrain.

In the future, sewage treatment plants should be assembled and capable of handling wastes from the maximum projected population of the area being developed before permits are granted for construction of residential and commercial dwellings. On a related note, factories and businesses which discharge wastes into the waters of Jefferson Parish should be subject to regular inspection to see that they comply with EPA standards. The Department of Environment & Control should have the right to inspect sewage treatment plants and industrial sites to ensure that regulations are being adhered to, and to levy fines if necessary.

The Department should also have the authority to inspect all sites where dredging, draglining, and level-building are observed to see if necessary permits have been obtained, and to shut down those operations which are illegally or improperly being done, and to levy fines if necessary.

The following statement appeared in the Cote de la Louisiane Newsletter of November 1976: "Oyster production in the Barataria Bay area is gradually being squeezed between increasing salinity from the south and pollution from the north."

When we note the sudden greater occurrence of hepatitis in this area, the recent die-off of 75 percent of the state's pelican population (caused by eating pesticide-contaminated fish from the same waters which provide our own seafood), and the fact that the New Orleans area has a 90 percent higher rate of stomach cancer than the national average, then we realize that we cannot wait any longer to clean up our waters.

Probably no section of the United States has as water-oriented a populace as southern Louisiana, so we are only hurting ourselves by procrastinating on this important issue.

III. LITTER AND GARBAGE

Agents of the Department of Environment & Control should have the authority to levy fines on any individuals and/or businesses caught in the act of littering or dumping garbage in any area of Jefferson Parish not officially designated as a parish or municipal dump. The habit of littering and dumping garbage is so deeply engrained in a large segment of the populace that fines for such activities will have to be fairly stiff, perhaps on the following scale:

Littering.—1st offense: \$10 plus pickup of article discarded; 2nd offense: \$50 plus pickup of article discarded; 3rd offense: \$100 plus 7 days in jail and pickup of article discarded.

Dumping by individual.—1st offense: \$25 plus cleanup of trash dumped; 2nd offense: \$100 plus cleanup of trash dumped; 3rd offense: \$500 plus 7 days in jail and cleanup of trash dumped.

Dumping by business.—1st offense: \$100 plus cleanup of trash dumped; 2nd offense: \$500 plus cleanup of trash dumped; 3rd offense: \$1,500 plus cleanup of trash dumped.

The authority of the Department of Environment & Control to levy such fines should not supersede the authority of the Sheriff's office, but should simply complement the work of the Sheriff.

The Department of Environment & Control should ask the Jefferson Parish Council to pass a resolution which would allow the sale within the Parish of returnable bottles only. It has been shown that returnable bottles cause a significant saving in energy use, greatly reduce the amount of trash to be collected, and greatly diminish the amount of broken glass on the streets. This further means fewer cut feet for parish residents (especially children), fewer cuts to pets, fewer flat tires, fewer cut trawls, less space needed for garbage dumps and landfills, less work for the parish Sanitation Department, a way for children and adults alike to earn extra money by collecting bottles, and a resultant beautification of our roadways and waterways.

Four states have already adopted such bottle bills. There is a similar bill presently before the Louisiana legislature. Some people will still throw their bottles out the window. But recently a friend and I walked along two miles of La. Hwy. 45 between Marrero and Crown Point. We counted about 300 beer and soft drink bottles alongside the road. Only six of these were returnable bottles, which we ourselves picked up.

IV. RESTORATION AND MANAGEMENT OF DRAINAGE CANALS

We in Jefferson Parish have a unique opportunity to live in highly urbanized surroundings and still be able to catch fish and crawfish right in our own backyards. Southern Louisiana is such a rich biological area that anywhere clean water stands for a few days it begins to teem with life. This can also be true of our drainage canals, many of which were important fishing streams only a few years ago.

Yet Jefferson Parish has terribly mismanaged its drainage canals and continues to do so. First, the parish maintains the water in its drainage canals at too low a level to provide the proper environment for larger species of fish. By raising the water level by 1½–2 feet, larger fish would be accommodated, and the water level would still be 6–8 feet lower than the surrounding land.

Second, the parish always cuts the grass growing along the slopes of canal banks. This is asinine. Much of the cut grass falls into the canals, setting on the bottom. Therefore the canals must be dredged to maintain their depths. This is causing needless work and expenses. The dredging causes a problem of spoil placement. The decaying grass in the water inhibits the growth of naturally occurring aquatic plants which are necessary to fish and crustaceans. It also ruins the water's oxygen supply, greatly diminishing the number of species of fish which can inhabit the canals. Cutting the grass also destroys ground cover used by all types of aquatically-oriented animals, without which they cannot exist in residential areas. And by allowing trees to grow along the banks, erosion would be greatly diminished.

Third, the parish insists on building roads as close to the banks of canals as possible. A distance of at least three (3) meters should be left from the point where the canal bank begins to slope to the point where the roadbed begins. This brings the chance of the bank's (and hence, the roadway's) caving in to near zero, and also provides a small corridor of grass which helps prevent oil, gasoline, etc. from running off of the roads into the canals, and makes it harder for passing motorists to throw trash into the water.

Fourth, the parish has allowed many of its drainage canals and ditches to become seriously polluted. This trend should be reversed. A few drainage canals on the West Bank are still fairly productive and would need only minimal restoration if they are acted on soon.

V. JEAN LAFITTE NATIONAL PARK

See attached letter, which is self-explanatory.

MARRERO, LA., November 29, 1976.

GENTLEMEN: These remarks are being submitted in accordance with your request that observations pertaining to the proposed Jean Lafitte National or State Park be admitted into the written record of the December 6, 1976 hearing on the park.

First of all, I am categorically in favor of the park, and in favor of any other proposal which would serve to preserve our swamps and marshes. Louisiana's wetlands have been and continue to be devastated on a massive scale, usually with the support of local and State officials, although such actions are in direct violation of national policy announced by the late President John F. Kennedy as early as 1961. This devastation occurs at the expense of the taxpayer, and to the great detriment of the taxpayer, the environment, and the world at large.

While I am in favor of the park, neither I nor any of my friends and associates wish to see the creation of a "mini-Playground USA". The driving force behind the local will to create Jean Lafitte Park has always been along the lines of a "Nature and Cultural" park. In effect, this would mean the construction of a visitor center and interpretive museum on a high-ground sector of the park, with the rest of the total area left in its natural condition, with the exception of boardwalk nature trails, and canoe paths which would be kept clear enough of vegetation to allow free passage. Any camping within the park should be along the lines of that allowed in Okefenokee National Wildlife Refuge. I very strongly recommend the Okefenokee form of park management with one exception: no motorboats should be allowed within the Jean Lafitte Park, except for emergency rescue operations. The area is too small for powerboats to operate without unacceptable levels of pollution and noise. This ban would not effect Lake Salvadore, but no boat ramps, boat docks, or launch facilities should be built within the park itself, for this would remove needed revenues from the private sector, particularly with respect to the village of Lafitte. In other words, Crown Point, Lafitte, and Westwego should receive fringe benefits from the creation of a park, but no detrimental effects. Sanitized, portable toilets are another outstanding feature of the Okefenokee swamp park.

In connection with the establishment of a Jean Lafitte Park, certain steps must be simultaneously taken to insure the park's integrity:

- (1) Bayou des Familles should be included within the park's boundaries.
- (2) Buffer zones should be created to the North and East of the park. Natural buffers already exist to the South and West.
- (3) A massive campaign should be undertaken to eliminate pollution emanating from the Millaudon and Westwego Canals.
- (4) Any portion of the proposed Lafitte-Larose highway south of the existing V-shaped levee in Crown Point should be either elevated or not built at all.
- (5) New measures must be drawn up to eliminate the increased threat of salt-water intrusion, the effects of which can already be seen in Lafitte and Lake Cataouache.

Respectfully submitted,

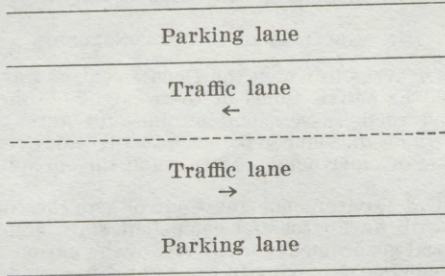
A further comment with regard to the extension of the Salvadore Wildlife Management Area into Jefferson Parish: the Jefferson Parish Council has stated its objection to such an extension, which objection is illogical in light of the Council's resolution in favor of creating a Jean Lafitte National Park. The proposed extension would lie outside of the "no-development line." Also, the Louisiana Wildlife & Fisheries Commission has categorically stated that it would not be in favor of any activity which would eliminate the recreational camps along Bayou Segnette. Therefore, no apparent reason for the Council's objection exists. The Department of Environment and Control should encourage the Council to do whatever it can to speed up the establishment of the Jean Lafitte National Park, which would be both an economic and educational boon to our parish.

VI. SUBDIVISION PLANNING

In cooperation with the Zoning Department and the Department of Roads and Bridges, the Department of Environment and Control should enforce stricter codes in the area of subdivision planning.

In particular, (a) much greater effort should be made to preserve all healthy large trees in a planned subdivision. No area should be clear-cut simply because this makes it easier for a contractor to do a hurry-up job. A subdivision which could serve as a positive example in this respect is Greenbriar, where as many trees were left standing as possible. On the other hand, Orleans Village and Lincolnshire are disgusting examples of what happens when an area is clear-cut before construction.

(b) In all future subdivisions, all streets should be wide enough that two-way traffic can freely flow even if cars are parked on both sides of the street. In other words, there should be the following configuration :



This will make life much more enjoyable for the residents of the subdivision, and should greatly diminish the risk of accidents.

(c) Soil surveys should be taken to determine what must be done to prevent sinking and cracking of house foundations and to avoid breakage of sewer lines and gas explosions. Prospective residents should be made aware of any soil-sub-sidence problems and the Parish Council should see to it that all proper steps have been taken before issue of building permits; otherwise the Council could possibly be held liable for damages incurred by homeowners.

VII. STATE AND FEDERAL PROJECTS IN JEFFERSON PARISH

The Department of Environment and Control should have its own personnel investigate the merits of outside-funded projects slated for Jefferson Parish and then draw its own conclusions as to their desirability. State officials have at times proven inept and federal officials indifferent when it comes to the welfare of the local populace.

An example of a poorly planned State project was the proposed ground-level highway from Lafitte to Larose.

An example of a poorly-planned federal project is the Bayou Segnette-Bayou Barataria Waterway. I am not aware of any protests lodged against this project by the Jefferson Parish Council, yet it would have tremendous adverse effects. The following is a partial list of these effects, all except the first of which appear in the Corps of Engineers' Final Environmental Impact Statement dated August 1976 :

- (1) The project will cause widespread environmental damage right in the middle of the proposed Jean Lafitte National Park,
- (2) The project will cause an increase in saltwater intrusion, already a grave problem in lower Jefferson Parish,
- (3) Bottom-dwelling fauna in 612 acres of water will be destroyed by dredging,
- (4) There will be an estimated loss of 1,864 fur pelts per year due to habitat destruction,
- (5) The potential for releases of heavy metals, especially mercury, does exist; fish in Bayou Segnette can be expected to contain mercury in excess of U.S. Food and Drug administration standards,
- (6) Increased salinity will affect oyster production because it can allow predators and parasites to infect oyster beds,
- (7) Waterfowl usage will be adversely affected, because most species of waterfowl prefer to winter in the more fresh water types,
- (8) There will be an estimated loss to fishermen of 2,602,829 pounds of fish per year,
- (9) There will result a direct monetary loss to the local economy,
- (10) Bank erosion will increase,
- (11) Destruction of habitat is irreversible,
- (12) Upon completion of the project, maintenance represents a permanent commitment,

(13) There are 11 identified archaeological sites in the project area; one has been destroyed by erosion; the others will be destroyed either in dredging the channel or by heightened erosion thereafter.

Despite this rather formidable list, the Corps of Engineers intends to proceed with this project.

VIII. MISCELLANEOUS AND CONCLUSION

There are still other areas in which the Department of Environment and Control could and should be active. Some of these might be improved landscaping of parish streets and roads, assessment of fines for autos and trucks having faulty exhausts or which disconnect pollution control devices, seeking a better solution to the decline of older neighborhoods and the spread of slum-type dwellings, etc.

If the Department of Environment and Control gets the funding it needs and is able to come up with an honest and competent staff, Jefferson Parish could become a model of local government for the rest of the nation within a few years. The new Council members are moving in the right direction, but it will still take much persistence, backbone, muscle, and level-headedness. No help can be expected from either the Louisiana Coastal Commission or from the Governor's office.

In conclusion, it should be kept in mind that once the "no-development line" has been determined, the Parish is under no obligation to develop all available land at breakneck speed. Once it becomes known for certain just how much land will be at the Parish's disposal, careful planning should dictate the pace and kind of development to come. It will be even more important than ever to strive for quality as opposed to quantity, for better as opposed to bigger.

Respectfully submitted,

JOSEPH I. VINCENT.

TALE OF TWO HIGHWAYS

Two environmentally questionable South Louisiana highways have been stopped—Interstate-410 by a court ruling in 1975 and the Lafitte-Larose Highway as planned, by an out-of-court settlement last week.

The Louisiana Highway Department should learn from the two experiences. Local environmentalists have proven they have the wherewithal to stop controversial projects, so the wiser course for the Highway Department is to consider environmental values first, not last—and then only when forced.

The out-of-court settlement of the suit brought by the National Wildlife Federation, the Louisiana Wildlife Federation, the Orleans Audubon Society and the Ecology Center of Louisiana requires the department to withdraw all applications for federal construction permits on portions of the highway south of Crown Point, write new environmental impact studies and hold new public hearings.

Construction will be allowed to proceed on the portion of the highway from Marrero to Crown Point with certain design changes, including a bridge over Bayou des Familles rather than the grade-level crossing originally planned.

The Lafitte-Larose Highway as planned was indeed a project of questionable merit. It would have crossed uninhabited marshes and disrupted the water flow in the highly productive Salvadore-Baratarie estuary. The ground-level highway was initially justified as a hurricane evacuation route, but anyone who would chose such a low-lying, watery route of escape would surely be making a risky choice.

For the time being the damage to the estuary has been stalled. When and if new public hearings are held, the land development spin-offs from the highway will be closely scrutinized. According to the original impact statement adopted in 1972, by not building the highway, "lands which would be drained, reclaimed and ultimately developed will remain inaccessible marshland impeding development within the area." This no-build alternative may be just what a more environmentally aware South Louisiana will prefer.

We have learned much in the last five years about the importance of our wetlands and about the costs of subsidence and dangers of gas explosions and drained wetlands. Developments in marshlands no longer seem desirable, and more than likely they would not receive the necessary permits. If built as originally planned, the Lafitte-Larose highway would be a double negative, damaging wetlands without producing land for compensating use.

JUDGE WEIGHS PUMPING STATION SUIT

Judge Thomas Wicker took under advisement Wednesday a suit against the Jefferson Parish Council, seeking to force the council to complete the controversial Bayou aux Carpes pumping station project.

Six Jefferson Parish councilmen were among those testifying in the day-long trial.

Judge Wicker gave both sides a week to file additional memoranda and said he would rule on the matter after studying all testimony and evidence.

Seventeen Jefferson Parish landowners brought the suit against the council, claiming the parish legislative body acted illegally and without authority in failing to carry out the Bayou aux Carpes pumping station project.

Joseph LeBlanc, attorney for the plaintiff, attempted to show that the council, along with the U.S. Army Corps of Engineers and environmentalist groups, reached an agreement by which the council abandoned its plans for the pumping station in return for the environmentalist groups dropping opposition to portions of a highway project.

The suit claimed the agreement was arranged by Councilman Lloyd Giardina at an Oct. 7, 1976, meeting among councilmen, Corps of Engineers officials and environmentalists, but Giardina testified Wednesday that at the "meeting," which he said was an on-site inspection tour of the area, Gen. Drake Wilson, deputy director of civil works for the Corps, told him he would not issue a permit for the pumping station because of opposition by the Environmental Protection Agency claiming that the pumping station would damage wetlands in the area.

Giardina testified that he called the general later that same afternoon and told him the parish council would favor flood gates in lieu of the pumping station.

Sidney Rosenthal, field agent for the Fund for Animals Inc., testified that he was at the Oct. 7 gathering but that his and other environmentalist groups did not agree at that time to drop their opposition to the "Estelle to Wagner's Ferry" segment of the Lafitte-Larose Highway in return for the abandonment of the pumping station, which they also opposed.

The 17 plaintiffs also were seeking damages for lost profits and income which they say they would receive if the project were carried out and their land drained, resulting in the "land use benefits which were the original justification for the project."

Parish President Douglas Allen testified that he favored the flood gates in lieu of the pumping station because it became obvious that the pumping station would never be built because of EPA opposition.

"We were eager to get matters resolved one way or the other on our projects, not just the Bayou aux Carpes pumping station," he said. "The principal factor was the hurricane protection, which would be solved by the flood gates, though this won't solve the problems of the land owners."

Councilman James Lawson, who has opposed the pumping station since he began his campaign for his council seat last year, characterized the pumping station project as a "land speculation" deal and unnecessary. Attorney LeBlanc objected to Lawson's statement.

Two of the plaintiffs, H. Edward Molaison and Linsey Molaison, are children of former Councilman Harold Molaison, who was a prime supporter of the pumping station project.

MAY 31, 1977.

I submit to the Coastal Zone Advisory Committee six Resolutions:

RESOLUTIONS

- (1) Purchase available land for preservation.
- (2) Preserve the swamps, prairies and wetlands south of Lafitte, and to use money to pump soil around the land for future fur animals and wildlife.
- (3) A line be drawn from the Intracoastal Canal at the new Wagner Bridge to Goose Bayou, 3000 feet from Highway 45 east, for development, above 3000 feet would be used only for oil exploration, hunting, fishing and trapping.
- (4) A line be drawn from the Intracoastal Canal to Bayou Rigolettes in Barataria with about 2000 feet along Highway 301 west to levee, for development, above the 2000 feet, or levee, would be used for oil exploration, hunting, fishing and trapping.

(5) The 2nd phase of the Lafitte-LaRose Highway would be known as the second part from the foot of the new Wagner Bridge across Fleming Plantation and a bridge over Bayou Barataria. This road across Fleming Plantation would be put on pilings across the wetlands, approximately 3,500 feet.

(6) The 3rd Phase from Barataria to LaRose. Before construction could begin, public hearings and environmental impact studies should be held. The building of this road should be done in a way which will do the less possible damage.

LEO E. KERNER, Jr.

MARRERO, LA., June 4, 1977.

DEAR COLONEL RUSH: About two weeks ago a friend and myself were informed of illegal dredging, filling, and damming operations which were very recently conducted without public knowledge in the wetlands of Marrero. On May 23, my friend and I made a jaunt to the site of the illegal operations, surveyed it thoroughly, and made detailed photographs of the operation.

On May 24, I notified the Corps that said operations had been done, and immediately a Mr. Guidry, one of your inspectors, was sent out to view the site. I personally led Mr. Guidry to the site, where he also took numerous photographs. I verbally outlined for Mr. Guidry what we believed to be the violations which have occurred:

(a) Woods Place Canal has been dredged without permit for a distance of approximately 6 city blocks,

(b) A levee has been constructed in the wetlands using the dredged spoil deposit without permit.

(c) A second canal has been dredged which runs north-south at the western-most edge of the project area, and a second levee has been constructed along said canal, again using spoil deposit. This levee and canal also lie largely in wetlands, and were constructed without permit.

(d) A recently (1973) dug (illegally also) canal, but now having the status of a navigable waterway, has been dammed without permit, and its easternmost part has been totally filled in, without permit.

(e) An existing levee which excluded the project-area from the Bayou Estates Pumping Station drainage system has been broken to promote drainage of the newly-leveed wetlands within the project area. This was done without an effluent flow permit, and is an EPA violation.

Subsequent to Mr. Guidry's inspection, a Mr. Ventola from your Permits Section called me to say he would also inspect the site with a Corps biologist on May 26. This he did. And still other people from your office are supposed to have inspected the site on June 2 or June 3. On June 3, I was informed by telephone by Mr. Ventola that the Corps viewed these several violations as minor although no permits had been granted, and that the party(ies) in question (known to myself only as a "Mr. Hennessy") would not be prosecuted, but would be informed of having committed violations, and would be requested to apply for an after-the-fact permit. I was also informed that Mr. Hennessy had received a letter from the Corps in August 1976, which apparently led him to believe he had the right to perform the illegal operations. Under the Freedom of Information Act, I would like to request you to send me a copy of that August 1976 letter to Mr. Hennessy, as well as a copy of the new letter(s) requesting that he apply for an after-the-fact permit. I would also like to receive notice when Mr. Hennessy applies for his permit. I assume he will be given a deadline to apply?

If what Mr. Ventola told me is accurate, then I do not agree with the Corps' position that the violations under discussion are minor. Please note that Corps maps of the area in question are quite inaccurate: they show wetlands included in the project area as high ground, and they fail to show the canal illegally dredged by the Bayou de Familles Development Corp. in 1973.

Why can these violations not be considered minor? (A) Ignorance of the law is no excuse. Mr. Hennessy, whom I believe to be a representative of Bayou Des Familles Development Corp., surely could not be ignorant enough to view a letter from the Corps as a permit to dredge and build levees in wetlands. (B) Woods Place Canal is an important link in the wetlands of Jefferson Parish. Although the dredging which took place would have had little long-term effect in itself, the canal is now planned to serve as the southern boundary of a suburb. This means its value as a habitat for wildlife is totally lost, and it will soon become seriously polluted from dumping of trash and garbage. If development in the

project area is allowed only to the wetland boundary, the canal will be much better protected. (C) National policy is violated when totally unnecessary development is encouraged in wetlands. By allowing developers to apply for after-the-fact permits, the Corps directly encourages such development. We would hope to see this appalling trend change. (D) The project area now being developed is only the second phase of a proposed three-phase subdivision, the third phase of which would be in an area which is totally swamp and marsh. By allowing an after-the-fact permit now, our dear Mr. Hennessey will undoubtedly assume he can do the same for phase 3 in the future.

I hope you will give this matter your personal and immediate attention, and look forward to hearing from you at the earliest possible convenience.

Yours truly,

JOSEPH I. VINCENT.

DEPARTMENT OF THE ARMY,
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS,
New Orleans, La., June 21, 1977.

Mr. JOSEPH I. VINCENT,
Marrero, La.

DEAR MR. VINCENT: Reference is made to your letter of 4 June 1977 and our letter of 8 June 1977 concerning alleged unauthorized work in Jefferson Parish wetlands, west of Louisiana Highway 45, just south of Oak Cove Subdivision.

Inclosed is a copy of the letter which we have forwarded to Mr. Jim Hennessey of Regent Development Corporation concerning the after-the-fact permit for the alleged illegal work. This correspondence should answer most of your questions.

Sincerely yours,

C. J. NETTLES,
Chief, Operations Division.

JUNE 13, 1977.

Mr. JIM HENNESSEY,
Regent Development Corporation,
Harvey, La.

DEAR MR. HENNESSEY: This is in reference to your subdivision development west of Louisiana Highway 45, Jefferson Parish.

On 24 May 1977 this office received a report of possible illegal work in the area of your development. Onsite inspections were made on 24 May and 26 May 1977 to determine the extent of the work. These inspections revealed that levees had been constructed along the southern, western, and northern limits of your property, and the canal on the northern limit had been filled. The levee on the southern edge had apparently been constructed with material dredged from the Woods Place Canal. In addition, this levee passed through a short segment of wetland. The levee on the western limit also traversed a short segment of wetland at the northwest corner of your property.

The dredging of Woods Place Canal, the construction of levees traversing wetlands in the southern edge and northwestern corner of your property, and the filling of the canal at the northern limit of your property are violations of Department of the Army permit regulations. The work which you have conducted could have subjected you to civil and/or criminal action for violation of Section 10 of the River and Harbor Act of 1899 and Section 301 of the Federal Water Pollution Control Act of 1972. Legal action could have resulted in a fine and/or court order to restore the site to preproject conditions. I have, however, determined that prosecution is not warranted in this case due to the minor nature of the work, and due to good faith on your part in constructing levees (reference our letter dated 23 August 1976, copy inclosed). Any similar violations in the future, however, will be referred to the U.S. Attorney for legal action.

You are directed to apply for an after-the-fact permit by 8 July 1977 to maintain the unauthorized work. If it is later found to be in the public interest to deny the permit request, civil action to restore the areas to preproject conditions will then be considered. Failure to submit an application by the above date will be construed as an indication of bad faith on your part and may cause reconsideration of my decision to not initiate legal action. You should also submit an application for any fill planned for the wetland areas within your levee system.

Inclosed are copies of an application form, information pamphlet, and listing of state and local agencies from which you must obtain letters of no objection. If you wish to discuss the matter, please contact Mr. R. J. Ventola of the Regulatory Functions Branch at (504) 865-1121, extension 447.

Sincerely yours,

EARLY J. RUSH III,
Colonel, CE, District Engineer.

READER BLASTS CZM ADVISORS

To the EDITOR:

I am writing in regard to the Jefferson Parish Coastal Zone Management advisory committee. Some people may still be unaware that such a committee exists or may not know what its purpose is. The CZM advisory committee is an appointed group of some 20 members whose function is to make recommendations to Bruce Burglass, the newly-appointed director of the newly-created Department of Environment & Control in all matters related to wetlands management in Jefferson Parish.

This advisory committee seemed like a good idea when it was created; however, it has turned out to be a pathetic farce. The main task of the committee was to recommend a "nodevelopment" or "growth conservation" line for Jefferson Parish. This line was to run roughly along the edge of our parish's wetlands, and once approved by the Parish Council, no drainage would be allowed outside the line. All of the area inside the line would be available for all types of development to suit the future growth needs of the Parish.

Certainly, this should be a simple task. Dr. Paul Wagner, a biologist for Burk & Associates, Inc., has made several recommendations as to where the line should be drawn. However, he has apparently been pressured to include more and more wetlands within the line for development, although no obvious reason for this exists. Taking only high ground and wetlands which have already been modified for development, projections indicate that Jefferson Parish would have more than twice the acreage it needs for development by the year 2000.

I have read the minutes of all the CZM advisory committee meetings to date, and attended the most crucial meeting on the "nodevelopment" line. Leo Kerner, an uneducated man somehow appointed mayor of Lafitte, has dominated the meetings. Committee chairman John Uhl is inept. He cannot control the committee members at the meetings and hasn't the foggiest idea of wetland value. Bill Quirk freely admits that he knows nothing about ecology or about Louisiana, as he himself is from Florida. Bobby Duplantis Jr., identified to me as an oil field attorney, appears incapable of making any valuable contribution. Councilman Lloyd Giardina offered neither comment nor direction at the meeting I attended.

One can only assume that certain committee members would like to see the committee abolished so that Jefferson Parish will still be without direction in planning its future growth. And it's quite obvious that some members plan joint strategy before each meeting in order to stall, disrupt, and, in general, to put on a mind-boggling display of ignorance.

None of this is necessary. We can have twice the area we need for growth and save our wetlands too. The facts are there. So why isn't anything being done?

JOSEPH I. VINCENT,
Marrero.

COASTAL COMMISSION: WETLANDS DISASTER

(By Cornelia Carrier)

The work of the Louisiana Coastal Commission has been, to put it mildly, a disappointment. To put it not so mildly, it's been a disaster. Created to formulate coastal zone management legislation by March 1, the commission members seem to have passed most of their time becoming familiarized with the issues. Since membership in the group includes mostly novices, it was possible for the staunch opponents of any meaningful coastal legislation to ram their ideas through the commission.

Chalin O. Perez buffaloed the commission into thinking that a program with no additional state power would be satisfactory. But federal approval of a state CZM plan hinges on the state's having authority to regulate uses it has identified in the zone. Dredging and filling has been identified as a use, but the state presently has no authority over such activities—ergo, the state needs expanded authority to get a plan approved.

A couple of weeks ago the commission put even more distance between the CZM plan and federal approval. It voted 15 to 4 to place the inland boundary of coastal zone at three miles from the coastline. The three-mile boundary was proposed to the commission by Robert Liles, the oil and gas industry representative on the commission. It is said he chose the three-mile inland boundary because the tidelands decision had placed the state's offshore boundary at three miles. So much for logic.

Robert Knecht, director of the federal Office of Coastal Zone Management, has already said, in writing, that such an abbreviated zone would not receive federal approval because it excludes wetlands and intertidal areas that the more comprehensive five-foot contour boundary would encompass.

It's the three-mile limit that may be the commission's Waterloo. Such a boundary would exclude most of the state's seven million acres of wetlands and some parishes altogether. And the parishes have decided they don't want much of their land excluded. It is another example of how money talks—and people listen.

The Coastal Energy Impact Fund, in May, will begin offering millions of dollars to help parishes pay for environmental restoration of areas impacted adversely by energy activity. There will also be money available for public facilities and services made necessary by energy activity. And the parishes want that money. To get it, they must be included in the state's officially designated coastal zone, and they seem willing to fight their way into the zone. So far 11 parishes have come out against the three-mile boundary. They are Orleans, Jefferson, Tangipahoa, St. Bernard, Calcasieu, St. Tammany, St. James, St. John, St. Charles, Jeff Davis and Cameron.

While the commission's seven-man ad hoc committee is beginning to draft the CZM legislation, the parishes appear to be gearing up for the fight—in the Joint Natural Resources Committee and later on the floor of the legislature.

Those involved in the State Planning Office's Coastal Resources Program (the agency handling federal CZM grants) expressed optimism about the commission membership when announced in October, but that optimism has faded.

The state's environmentalists were never optimistic, and predicted the disaster. They got the hint that their views were not going to be included when the governor failed to appoint one of the three persons recommended by a consensus of the state's conservation and environmental protection organizations. John Hammond, Robert E. Murry, Sr. and Sidney Rosenthal, Jr. were all highly qualified to represent the environmental constituency. The governor chose instead to appoint Mrs. Bethlyn McCloskey, who although environmentally oriented, did not represent the environmental community.

It is likely that the coastal commission will include the three-mile boundary and existing state authority in its proposed legislation, but even if these are changed, it is likely that the legislation will not be acceptable to environmentalists.

What seems to have been ignored by the commission and in discussions by recent legislatures is the mechanism for resolving conflicts over coastal projects out of court. Unless there is a mechanism where every interest can get a fair hearing, there can be no orderly development of the coastal zone because major projects will be tied up in the courts for years.

As Ross Vincent, president of the Ecology Center of Louisiana Inc., put it recently, "If someone violently disagrees, they are going to court anyway, but the objective is to minimize court suits. No one in the State Planning Office or the Coastal Commission has approached it from that perspective—it's always with the attitude of protecting one's interest—rather than building a program everyone has confidence in."

Surely the legislature will understand what boundary and jurisdictional provisions are necessary for federal approval, but developing the mechanism will require some creativity and time is running out.

535 BYPASSES IN JEFF POSE HEALTH HAZARD

(By Joyce Davis Robinson)

Researchers into the Jefferson Parish sewerage and drainage system found some 535 bypasses which channel raw sewage either into drainage pipes, or directly into canals.

Albert Switzer, head of Albert Switzer and Associates, the engineering firm which studied the sewage problem, said the large number of bypasses poses a health hazard, and labeled the situation a big mess."

"We found every kind of conceivable connection" of the sewage system into the drainage system, Switzer said. But the problem is even worse because home service line have been allowed to deteriorate over the years, he added.

Switzer said when the bypasses were installed, the procedure was not illegal, and in fact, he said, it was a common practice.

When the sewerage system becomes saturated during wet weather, he said, rather than have the sewage back up into homes, it is channeled through the bypass network into the canals.

Rather than improve the sewerage treatment system so that it could meet the needs of the community, officials agreed to the bypasses to alleviate the problem—resulting in filthy canals.

Parish officials just did not expand the sewage treatment system to keep up with the growth of the parish, Switzer said, and the present situation will not be rectified until at least 1983.

Switzer explained the sewage treatment system is easily saturated during wet weather when pumps are overworked and water seeps into drainage pipes cracked from soil subsidence.

The worst situation exists, he said, when it rains and the canals rise, and the sewage is fed back into the sewers.

Switzer has recommended a plan to expand the system by 1985, eliminating all bypasses of untreated sewage into canals or the drainage system. The firm has recommended construction of a single new sewage treatment facility which would discharge treated waste into the Mississippi River.

The plant would use ozonation, instead of chlorination for disinfection of waste before it is dumped into the river.

Switzer also wants to see the home service lines repaired, so that water would not seep into the lines. Also, Switzer has recommended construction of 41 new lift stations and modifications to 106 of the existing 208 lift stations.

ORLEANS AUDUBON SOCIETY,
A CHAPTER OF THE NATIONAL AUDUBON SOCIETY,
New Orleans, La., July 30, 1977.

Re: Draft EIS, for a New Waterline from Marrero to Lafitte, La. (Prepared for the Jeff. Parrish Comm. Devel. Agency.)

MARGARET M. MITCHELL,
*Coordinator, Community Development Agency,
Metairie, La.*

DEAR MS. MITCHELL: The Conservation Committee of the Orleans Audubon Society has reviewed the above Draft EIS. We request that this letter be included in the hearing record for the public meeting held this month. We also request that specific comments and questions raised be addressed in the Final EIS.

Our committee was appalled with the gross inadequacy of the Draft EIS and the amateur job attempted by Environmental Counselors, Inc. The "document" is not an objective evaluation but is written to justify the "need" for water in the undeveloped area north of Crown Point. Possibly the project should be re-described as a "New Waterline to develop wetlands from Estelle to Crown Point, La." If the purpose is to provide Lafitte with additional water, then this purpose should not be discussed in such a cursory manner.

Generally, the EIS should be expanded to include in detail: (1) the secondary impacts of future growth on the area along the pipeline route, (2) a discussion of soil subsidence potential, (3) alternatives to the present plan.

The EIS lacks maps in many critical areas needed to communicate with the reviewer. The planned location of branch lines along the length of the proposed

waterline should be shown as well as the areas intended for development. It is stated that the project is to correct " * * * water problems that might arise as a result of future growths and development." (p. 2). What are the existing problems?

Our organization is very concerned with the potential for subsidence in the areas north of Crown Point. The SCS has published a study in 1970 (see attached data) with soil maps for the area between the "V" shaped levee and Estelle. This area shows a predominance of Allemands muck which when drained has a High subsidence potential and is a severe fire hazard. The consultant used this reference but failed to show a detailed soil map or to discuss the soil problems in the areas planned for development.

The Orleans Audubon Society has continually voiced its objection to the development in areas having high or severe subsidence rates. A land use plan is needed before development. The parish needs building codes and a strict permitting system which would require developers to adopt standards which would prevent the loss of life and property in high subsidence areas.

We do not object to the building of a water line to Lafitte to fill the documented needs of that area. We do object to the development of lands along the waterline route in which no land use plans exist.

A newspaper article is attached entitled, "Jeff, is sued for \$1 million in gas blasts. Louisiana Gas Service Co. has sued Jefferson Parish because, "it allows building in areas subject to severe soil sinking." We believe at this time it is not in the public interest to develop high subsidence areas on the West Bank of Jefferson Parish unless a comprehensive building code exists. (see additional news articles attached).

Therefore, we object to the enlarged waterline in the area from Estelle to Crown Point. We ask that an alternative be included in the Final EIS which plans for an 18' waterline along the entire route from Estelle to Lafitte. This would provide the water needs for the Lafitte community at a lower cost and would ensure that high subsidence areas would not be developed until a comprehensive land use plan was adopted by the Parish Council.

The following is a listing of specific comments on the Draft EIS with suggestions for improvement:

- P. 10—Land use map needed.
- P. 11—Discuss recreational use.
- P. 12—Illustrations needed to show existing and proposed alignments. What canals are going to be crossed?
- P. 15—The map does not show future land use as a result of the project. (Need details) The scale of the map is incorrect.
- P. 21—Water Quality Analysis: Where is the map?
- P. 31—References are not in the bibliography. The section on soils has no references. Use SCS soils map for Jeff.
- PP. 31-38—Soil section should be expanded to discuss the soils in the areas proposed for future development. Soil types along the water line should be indicated. What are the soil characteristics under drained conditions.
- P. 41—Aren't there cypress trees in the swamp?
- P. 89—Reference the population data.
- P. 90—Population trend needs to be substantiated with referenced data.
- P. 119—How much growth will there be in the project area?
- P. 126—Support for the waterline is hearsay. What data supports the need? The Mayor and Aldermen own land in the Lafitte area which they are selling for development purposes. (There is a conflict of interest here.) Substantiate the need with objective data.
- PP. 135-140—This section is a justification of weirs. This is not part of the water line project and should be excluded.
- P. 141—Secondary impacts should be discussed, more than 20.4 acres will be lost from branch lines and induced development.
- P. 145—Dam removal is not part of the project.
- P. 146—Need maps showing alternative routes. This section needs to be expanded to include alternatives not presented.
- P. 155—The study is not an objective evaluation—it is a justification for the project. Expand to include secondary development, induced building on subsiding soils etc.
- P. 156—This section should be expanded and placed in the front of the EIS.
- PP. 158-159—This section has no purpose in the EIS for the water line project. This relates to the Lafitte-LaRose Law suit.

PP. 160-163—The Bibliography is inadequate: references cited in the text are not included. Data used in the text are not referenced. Several references in the bibliography are incorrect.

In conclusion, the Orleans Audubon Society does not object to the building of a water line to Lafitte if the need exists. The EIS should discuss those needs in detail justifying the expenditure of \$6.3 million. We request the opportunity to review the Final EIS when it is available to the public.

Thank you for providing us with a copy of the Draft EIS for review and comment.

Sincerely,

BARRY KOHL,
Vice President.

PUBLIC HEARING SCHEDULED ON JEFFERSON GROWTH LINE

(By A. J. Tapie)

A public hearing on a proposed growth-conservation line will be held Monday, Aug. 8, at 7 p.m. in the Jefferson Parish Council Chambers.

The growth-conservation line was adopted three weeks ago by Jefferson's 21-member Coastal Zone Management Committee. The line has been dubbed "tentative" as the council itself will ultimately decide where the line will be.

The establishment of the line is one of the present administrations top priorities as it will be the first step in formulating a long range plan for development of the West Bank. Once established, all land inside the line will be developed while acreage outside it will be left in its natural state.

The Coastal Zone Management Committee took to task the establishment of the line five months ago. Apparently concerned that the committee was taking too long, the council passed a resolution that the committee adopt a line soon.

During those months of meetings, interest in the committee appeared to have dropped. Out of the 21 appointed, only 10 or 12 attended the meetings regularly. Although three councilmen are on the committee, only one, Councilman-at-Large Lloyd Giardina, attended regularly.

Because of the haste in which the line was established, many have voiced their concern on whether or not it is the best solution to the West Bank's growth problems. The line also includes portions of the West Bank which will ultimately end up in battles with environmentalists.

The line basically follows existing levees and high ground west of the Harvey Canal. It runs along the Harvey Canal southward to the V-shape levee near Crown Point, turns south running along Highway 45, then extends some 4,000 feet east and south of Highway 45 in the Town of Jean Lafitte.

Heading north, the line generally follows Highway 45 to the Estelle area, turns west to include a portion of land known as the Abraham tract then meanders north and south near the Westwego airport and landfill until it reaches the Lake Cataouatche Levee system to the St. Charles-Jefferson line.

Inside the line is 54,000 acres of land, some 33,000 acres more than what has been predicted to be the growth needs of the West Bank through 1995. Those studies were compiled by the Regional Planning Commission and Burke and Associates, a consulting firm.

Hot spots included in the line are the deviation the line follows near the Town of Lafitte and the Abraham tract. Following mostly natural and man made levees, the line stretches some 4,000 feet into the marshes around the tiny town. It includes a series of levees and a pump which were illegally constructed by the parish. The Army Corps of Engineers has yet to decide the fate of the work.

Environmentalists on the committee voiced strong objections to the deviation. Also in question is the Abraham tract which has levees which are also being investigated by the Corps of Engineers.

The biggest problem the line faces, however, is the inclusion of land which, because of its soil makeup, is presently unsuitable for development. Many acres inside the line have soils with high subsidence potential.

Although homes do exist on such soils in other areas, they have proved to be dangerous as gas explosions have resulted. The parish is presently being sued by Louisiana Gas Services for allowing development on soils in Kenner which have lead to gas explosions.

Stablizing the soils is a long and expensive process and unless developers are willing to pay the price, more and more homes will be offered to potential home buyers which could possibly blow up from under them.

But inspite of the controversy which is already steaming around the line, the Jefferson Parish Council will still ultimately decide which path the line will follow. The line proposed by the Coastal Zone Management Committee is merely a recommendation. It will use input from the public hearing and its own beliefs of where the West Bank should grow in establishing the line.

MARRERO, LA. August 8, 1977.

GENTLEMEN: I am submitting these comments in regard to your proposed "growth conservation boundary", and as you all know me to some extent, you are undoubtedly already assuming that I dislike your proposed line, and rightly so. As a matter of fact, it stinks.

And no wonder. This whole Coastal Zone Management Committee business was fishy from the very start, although we had sincerely hoped it would be otherwise. At the first meeting, when the question arose as to who would chair the committee, Mr. Uhl stated that Councilman Giardina had promised him that he could be chairman. This was even before the vote was taken for chairman. Apparently Councilman Giardina knew something we didn't, for Mr. Uhl was subsequently elected chairman despite his embarrassing admission.

At a more recent meeting, Mr. Barkley wanted to have a 1000 foot strip bordering the Intracoastal Canal south from the Estelle pumping station included for development, and even stated that he had been promised this strip would be included for development. Who could have made such a promise and on what grounds, is unknown, since only the Corps of Engineers and the Environmental Protection Agency have the authority to decide if and where wetlands can be destroyed. Mr. Barkley hasn't gotten his wish yet, although to appease him, Councilman Giardini and Lawson have had a resolution passed asking the U.S. Soil Conservation Service to waste some more of the taxpayers' money by conducting a soil survey of the area in question. This area has always been under water, and the EPA has already stated its position in this regard, which is that no land reclamation is going to be allowed there.

Councilmen Lawson and Donelon were listed as members of the CZM Committee, yet neither of them has shown even enough interest to bother to attend the meetings. Bruce Burglass, head of the Dept. of Environment & Control, usually wanders in for a minute or two, then leaves. One appointed member, William Quirk, is from Florida, and admits he knows nothing about our area. Yet he serves as a representative of local industry. Considering these shenanigans, it would be a major miracle if the CZM Committee had come up with a viable growth conservation line. And in fact, none of the proposals made by the committee have been either exact, scientific, consistent with federal law and policy, or professional. Part of the blame must also rest with Dr. Paul Wagner, who has gone along with proposals he knows to be unwarranted and inaccurate.

Many committee members have never seen the areas whose fate they have been called upon to decide. Yet when a field trip was arranged so that the members could see with their own eyes just what is at stake, and where, only five of the more than twenty members showed up. This indicates to me that the committee is really little more than a sham. Plans are being made without hard data, and certain people are hopeful that the name "Coastal Zone Management Committee will create an aura of respectability deceptive enough to allow this ship of fools to sail away with our tax dollars and destroy our wetlands.

Taking into consideration the miserable past record of the Council in planning and running the Parish, I have little faith in its ability to govern an even larger area and population. We live today in a veritable sea of sewage, stench, garbage, and broken glass.

Since the most optimistic predictions indicate that the Parish needs only about 16,000 more acres by the year 2000 to handle increased population and industrial growth, one must ask why the Council is trying to adopt a line which includes some 50,000 acres for development, a large part of which are wetlands. Assistant Secretary of the Interior Nathaniel P. Reed was in New Orleans on November 9, 1976 and he was quoted as saying, "The rate of destruction of the marsh system in Louisiana is appalling and it's got to stop * * * It's up to the

state of Louisiana to take some bold initiatives to protect its own wetlands * * * Other states are far ahead of Louisiana, and Louisiana needs to catch up."

No one has yet indicated to me why more wetlands have to be drained, why more water must be polluted, and why we must sacrifice even more of our natural heritage. And, of course, a large question is why so much of this destruction is being done illegally, while the guilty parties go unpenalized?

We've all been over the bad things done under the old Council. So let's look at some of the things being done during the administration of the new Council, all of which have a direct bearing on the placement of the growth conservation boundary. For this we'll have to turn to the map.

First, we see a line extending into the wetlands designated "land fill". The CZM Committee has actually had the gall to recommend that we use a pristine swamp area as a garbage dump. I'd like to quote from the proceedings of the 95th Congress of the United States, dated July 11, 1977; Senator Johnston is speaking of the Mississippi Delta system: "Over 5000 years old, this is the largest delta system in North America, and is truly one of the great natural wonders of the United States." Our CZM Committee wants to improve this natural wonder by making part of it a garbage dump. Why, when Churchill Farms has already been approved for development? This was a beautiful swamp, too, just a few years ago, and fill is going to be needed by the thousands of tons before it can be fully developed. Since it's only a few minutes away from Westwego, I suggest that a site in Churchill Farms be selected for Westwego's dump, if necessary.

Second, we see another extension designated "proposed Westwego airport". The mayor of Westwego and the city board of aldermen have rejected the proposed extension of the airport. Therefore, it should not be included within the growth boundary. All air traffic is of the seaplane variety, and the airport is at sea level, so I can't see the need for it to be enclosed by a levee in any case.

Third, we see the Abraham tract, which contains an assortment of illegal dams, levees, drainpipes, and siphons, and which the Council wants to be included for development. The tract consists of three distinct subdivisions, the first of which is largely built upon already. The natural water level in the second subdivision is two—three feet, and in the third subdivision is five feet. Although little surface water remains on the tract except in its illegally dug network of ring canals, the soil is still wet, and water hyacinths are still green over large areas. If the illegal dams and levees were opened, the area would return to its natural state within a short time. The Council's insistence that this tract be included within the growth line is a direct condonation of illegally done work, and certainly doesn't look good in light of the investigation of corruption in Jefferson Parish presently being conducted.

The study prepared by Burk & Associates in connection with relocating the Ames Pumping Station also indicated that the soil types in sections two and three of the Abraham tract are Barbary soils and Allemand peat—both highly unsuitable for construction. I quote from the study: "Barbary soils occur in two segments along the Outfall Canal. These very poorly drained soils have a surface layer of organic matter (4 to 15 inches thick) over a semi-fluid or mucky clay layer. The shrink-swell potential of this soil is very high. Allemands peat soils occur along two segments of the Outfall Canal. The upper horizons consist of 15 to 50 inches of organic matter. The lower, predominantly mineral, horizons are semi-fluid clay layers. A very high shrink-swell potential and the unstable nature of this soil make it unsuitable for foundations without piling. Lands composed of Allemand peat are subject to very high subsidence rates when drained."

I recommend that the Council withdraw sections two and three of the Abraham tract from inclusion within the growth boundary.

Fourth, we see an extension jutting into the swamp along Woods Place Canal. Only within the last few months, illegal activity has taken place within this extension, and I have two letters from the Corps of Engineers confirming this fact. I'd like to quote from these letters, the first of which is dated June 13, 1977, and is addressed to Mr. Jim Hennessey of Regent Development Corporation:

"* * * On May 24, 1977 this office received a report of possible illegal work in the area of your development * * * The dredging of Woods Place Canal, the construction of levees traversing wetlands in the southern edge and northwestern corner of your property, and the filling of the canal at the northern limit of your property are violations of Department of the Army regulations * * * Any similar violations in the future * * * will be referred to the US

attorney for legal action * * * You are directed to apply for an after-the-fact permit by July 8, 1977 to maintain the unauthorized work * * * Failure to submit an application by the above date will be construed as an indication of bad faith on your part and may cause reconsideration of my decision not to initiate legal action * * *

Mr. Hennessey had still not filed his application as of August 2nd.

The second letter is addressed to Congresswoman Boggs, and is dated June 29, 1977, and likewise states: "* * * The dredging of Woods Place Canal, the construction of levees traversing wetlands in the southern edge and northwestern corner of the property, and the filling of the canal at the northern limit of the property are violations of Department of the Army permit regulations * * *"

It is then obvious that the third phase of Oak Cove subdivision will not be developed, for any work in the area would be impermissible under Corps of Engineers and EPA regulations. I quote from the Corps of Engineers pamphlet entitled "Section 404—Permit Program," dated September, 1975: "The purpose of this program, which is part of the Corps of Engineers' overall regulatory authority, is to insure that the chemical/biological integrity of waters of the United States is protected from the irresponsible and unregulated discharges of dredged or fill material that could permanently destroy or alter the character of these valuable resources." Therefore, this area, too, should be designated a "non-growth" area.

Fifth, is the area south of the Estelle Pumping Station bordering the Intracoastal Waterway, which I have mentioned earlier. Very severe soil subsidence would occur if this land were drained. This is part of the Bayou aux Carpes area, of course, where two illegal dams were supposed to have been removed, yet still have not been. This area contains an important marsh for ducks and other waterfowl, and harbors sizeable alligator and deer populations. The idea of this area being developed is rather unappetizing.

Sixth, a large area of marsh has been included for development south of Rosethorn Park. Why? Is this a scientific determination, or was someone playing blindman's bluff on the map? The line in this area must be relocated much closer to the Intracoastal Waterway.

Seventh, a lame-brained proposal was adopted by the CZM Committee to include 3000 feet to the east of Highway 45 in the Village of Lafitte for development. This proposal is based on no scientific criteria, certainly, and as is now known, levee construction, canal dredging, and the construction of a pumping station (all illegal) have taken place within this 3000 foot line. Who got the contract for this work, why it was conducted with no public hearing and no Corps of Engineers permit, and which Councilmen gave the go-ahead for use of Parish funds are undoubtedly questions which will interest Mr. Gallinghouse. Lafitte Mayor Leo Kerner is developing a subdivision in the same area. Certainly this fact makes his intentions as a CZM member suspect.

Work on the illegal pumping station was completed in April, 1977, so the present Council cannot deny at least partial responsibility in this matter. On August 2, I spoke by phone with Mr. Ronald Saucier, Superintendent of Drainage for the West Bank to try to determine by what authority the new pump and the new levee were built. He told me they were authorized by Resolution #22620, dated October 4, 1973, introduced by Mr. Dufrene, seconded by Mr. Molaison. The resolution reads: See Attached Resolution (attachment No. 1).

This is another of the famous "emergency" contracts. The resolution makes no mention of a pumping station, nor does it specify where a levee must be built, for what distance it should extend, what height it should be—nothing. "Adjacent to Highway 45" to me implies directly adjacent, not 3000 feet deep in the marsh.

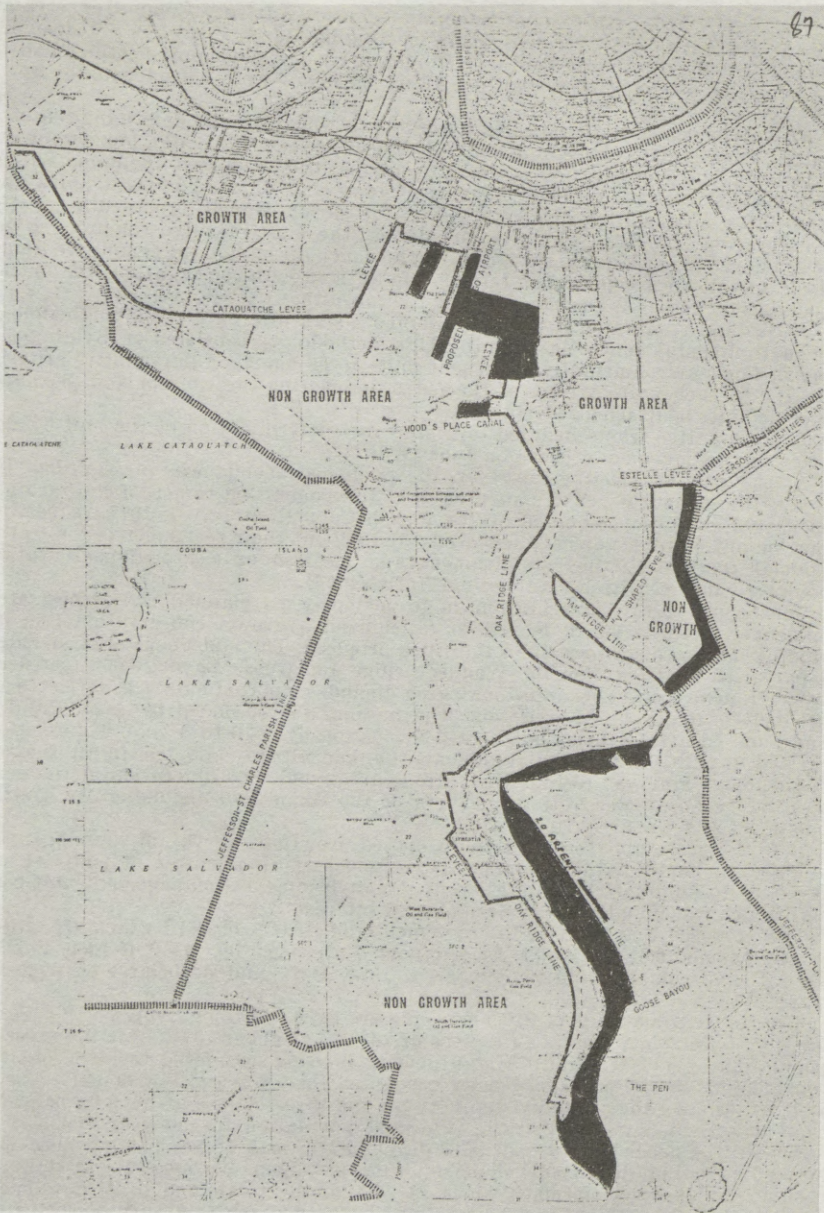
This illegal work, plus the fact that most of the area within the 3000-foot line consists of wetlands, are more than enough grounds to reject this recommendation. The development line should include only high land or land already being legally drained, i.e., about 400 feet to the east of the highway.

In short, the Council cannot be considered to have acted in good faith in presenting such a line for consideration. As the Council members are undoubtedly aware, several thousand acres north of the V-shaped levee and in the Churchill Farms area are still designated as wetlands by the Corps of Engineers. As an act of good faith, environmentalists, conversationists, and sportsmen have dropped their opposition to development of this acreage, and undoubtedly expected to receive in kind from the Council. Under federal law, the Council doesn't have a

leg to stand on when it tries to press for the destruction of wetlands. The Council also realizes that under today's regulations, the Cataouache, Estelle, V-shaped, and Barataria levees would undoubtedly not receive approval to be built. I think the people of Jefferson Parish have about had it with being manipulated. The Council can adopt whatever line it wants, but it should keep in mind that private citizens now have the right to bring suit in cases where the environment is being illegally destroyed. The President of the United States has also made it clear that he is unalterably opposed to destruction of our nation's wetlands and estuaries.

I implore the Council to reconsider before adopting such a half-baked growth conservation line. Failure to adopt a sensible line will just mean an even greater waste of the taxpayers' money, time, and energy which could better be spent on correcting the wrongdoings of past administrations and in building a sound future.

JOSEPH I. VINCENT.



The Jefferson Parish Coastal Zone Management Advisory Committee, created by the Jefferson Parish Council began meeting on March 7, 1977 as a 21-member committee. Meetings were held on a bi-monthly basis, but many meetings had to be cancelled for lack of a quorum. Many members were conspicuous by their absence.

The major concern of the committee, to date, has been the determination of a suitable mechanism for establishing a balance between future development of the Westbank and conservation of the parish's natural resources, including one of the world's most productive estuarine systems, the Barataria Basin. Burk and Associates, a consulting firm retained by the parish council, proposed a growth-conservation boundary which it considered "the most effective compromise between development and conservation." After much discussion the committee found itself unable to accept either the concept of a growth-conservation line or the boundaries thereof as recommended by the consultant.

Accordingly, on June 27, 1977, it adopted, as an alternative, the methodology of environmental management units. This methodology consisted of dividing the parish into environmentally congruent units to be managed pursuant to criteria specific to each unit. A copy of the maps delineating the concept and proposed specific units is attached. (Exhibit A.)

The committee was scheduled to begin exact determination of the unit boundaries and management criteria on June 11, 1977.

At the July 11 meeting, however, the published agenda was disregarded. Instead, the committee chairman presented the committee copies of a Giardina-sponsored resolution, adopted by the Parish Council on July 7, 1977, requesting the committee to "complete their study and submit their recommendation to the Council relative to the establishment and location of a growth-conservation boundary at the earliest possible time." (Exhibit B.)

Subsequent to this presentation, is an obviously per-planned and orchestrated maneuver, William Quirk moved to recommend a growth-conservation line including more growth area than the Burk proposal. The additional area included a parcel of land between the Wagner bridge and Goose Bayou, 3,000 feet deep from Highway 45. The additional area includes approximately 2,500 acres of productive, undeveloped wetlands. The motion was seconded by A. J. Phillips and adopted after a brief but heated discussion by a 10 to 3 vote. This motion carried despite the fact that the committee had already adopted an alternative methodology and was to tour the various areas under consideration at the next meeting because some voting members of the committee, including Mr. Quirk, had never seen the areas in question.

It is therefore apparent that the proposed growth-conservation boundary was adopted in haste, without proper foundation and as a matter of political expediency to eliminate consideration of the environmental management unit concept which was unpalatable to development interests.

The proposed line includes far too much land, 19,000 acres of which are either virgin or modified wetlands. In a report authorized by the Jefferson Parish Council and completed in September of 1974, Burk and Associates on page 63 stated:

"By the year 2000, about 316,000 people are expected to be living on the Westbank of Jefferson, which is an increase of 166,000 or about 107% over the present population of 150,000. In 1973 high density housing accounted for 48% of new construction starts, medium density accounted for 7.3% and low density 47.9%. If it is assumed that this division between the three classes of housing persists, then to provide housing for the projected population in the year 2000, 4,417 acres will be needed for low density development with 18 persons per acre, 505 acres for medium density development, with 40 persons per acre. Industrial and commercial uses are normally allocated 25% of the total land to be developed. Therefore, an additional 2,260 acres will be needed for this purpose, bringing the total required on the Westbank for commercial and residential uses in the year 2000 to about 9,050 acres.

"An inventory of vacant land on the Westbank of Jefferson Parish near the Mississippi River reveals that parcels of land having a combined total of more than 9,800 acres are open and undeveloped within existing leveed, drained areas. The projected need for approximately 9,000 acres does indicate that at this time the parish does not have to plunge into a program of increasing availability of developable land. There is no critical shortage of developable land. The parish can take time to consider alternative actions carefully and to make informed decisions on the best directions for future community expansion."

Again, in its 1977 report setting forth its proposed growth-conservation boundary, Burk and Associates, on page 35, stated: "The 33,241 acres of developable land left on the West Bank including modified wetlands is twice the amount of land needed to house the entire projected population of the parish by the year 2000." (Emphasis supplied.) It is interesting to note that the two studies, made by the same firm with the same personnel, only three years apart, contain a 77 percent variation in their future growth projections. The presently proposed growth area includes 27,000 acres more than the 1974 projected need and 20,000 acres more than the 1977 projected need. Because there is obviously no factual need for such expansive growth, we feel that land is included within the growth area which, by virtue of its naturally productive nature and physical characteristics should be in the conservation area. We feel that inclusion of the following areas on the growth side is extremely questionable.

1. CATAOUCHE LEVEE AREA

The area between Highway 90 and the Cataouatche levee consists primarily of organic soils of high subsidence potential. Normal development of this area could result in extremely hazardous conditions such as those existing in Kenner. The land behind the levee has oxidized and subsided so far that reclamation as wetlands is infeasible. Therefore we are willing to concede properly limited development after careful planning in this area.

2. WESTWEGO LANDFILL

From the map, it is impossible to determine whether or not the proposed boundary is limited to the existing landfill on Marrero Land Development Company's property, or if it allows for further extension into the wetlands. Since this area consists of Cypress-Tupelo Gum swamp, and since this landfill constitutes a point source of pollution of wetlands and navigable waters, we object to any increase in its size.

3. WESTWEGO AIRPORT EXTENSION

We object to the unnecessary extension of the Westwego Airport into the adjacent Cypress-Tupelo Gum swamp for the following reasons:

(A) Most traffic using the airport consists of private float planes and small land-based planes which do not require long runways.

(B) The probability of F.A.A. approval of large commercial operations in such close proximity to the traffic pattern of New Orleans International Airport is unlikely. Such expansion therefore would result in destruction of wetlands which would probably be little used in their altered state.

(C) The City of Westwego Council has rejected the concept of expansion of the present airport.

(D) Secondary development resulting from the expansion would sprawl into unprotected wetland areas adjacent to the site.

4. ABRAHAM TRACT

Since the two undeveloped sections of this tract are still wetlands, which, except for the existence of illegal siphons and levees of questionable legality would be subject to tidal flow. Since the physical characteristics of this land remain those of wetlands or modified wetlands, and since the tract is contiguous with those adjacent to Lake Cataouatche, we feel that these lands should be allowed to revert to natural wetlands.

There is no justification for expansion of urban sprawl into these wetlands. Permitting areas to be included for development which have been modified using questionable techniques without proper permits is aiding and abetting the violation of federal law.

Inclusion of this tract within the development corridor, when there are inadequate sewerage treatment facilities in the area to even handle the sewerage from existing development on the tract, will only result in severe increase in pollution of the surrounding wetlands, as the presently overburdened treatment plant has found it necessary in the past to bypass much sewerage, untreated into the Millaudon canal. In 1975 over 50 percent of the sewerage from the plant was bypassed directly into Lake Cataouatche through this canal. Further development along this canal would result in the area's residents being subject to both noxious odors and possible waterborne health hazards.

We therefore object to the inclusion of the undeveloped two sections of the Abraham tract within the growth border.

5. OAK COVE SUBDIVISION

We object to the extension of the Oak Cove subdivision beyond the natural ridge and into the wetlands west of Highway 45. During the present development of this area, Woods Place Canal was illegally dredged and wetlands illegally filled. The U.S. Corps of Engineers has already informed Regency Development Company that any further violations of federal Law and Corps regulations will be referred to the U.S. attorney for prosecution. Inclusion of any portions of Oak Cove which have not already been developed within the growth border will be a manifestation of disrespect for federal law, as well as approval of destruction of valuable wetlands for private gain.

6. AREA SOUTHEAST OF TEXAS COMPANY LANDING BELOW LAFITTE

The Jefferson Parish Drainage and Sewerage Department has, within recent years constructed a pumping station east of the Seaway Marina (extended end of Highway 45 s.) Levees and canals to the north drain the ridgeland that was once Milligan's plantation. The levees and canals to the south extend into areas that are wetlands owned by Louisiana Land and Exploration Co. This area is swamp and intermediate marsh in the process of subsiding. Inclusion of such land within the development boundary indicates a lack of recognition or awareness of the physical characteristics of the land. Additionally, the area contains several registered archaeological sites (Indian middens), whose significance outweighs its development potential. We cannot in good conscience recommend development of this area.

7. AREA BETWEEN VAN DORN CANAL AND GOOSE BAYOU, PARALLELING HIGHWAY 45 AND 303 FOR A DEPTH OF 3,000 FEET

We object strenuously to the extension of the proposed line beyond the alluvial ridge formed by the natural levee of Bayou Baratavia in the above area. Although the boundary for the proposed growth area is labelled "Oak Ridge Line" on the Committee's map, there is no oak ridge, and in fact the area encompasses approximately 2,000 acres of Cypress-Tupelo Gum swamp and fresh water marsh. To call such an area an "Oak Ridge" is an insult to the intelligence. This boundary represents an irrational departure from the line proposed by Burk and Associates.

The 3,000 foot extension was first proposed to the committee in a resolution on June 13, 1977 by Leo Kerner the mayor of the little township of Jean Lafitte, and a member of the committee (Exhibit C). At that time the motion was tabled by the committee. The proposal was inexplicably resurrected in William Quirk's motion of July 11 proposing the present boundary under consideration.

Mayor Kerner's personal interest in this extension has now become a matter of public information. On November 2, 1976 Kerner, his chief of police Quinten Conevas and Alderman Alvro Despaux, Sr., purchased a 26-tract of land with a depth of 2,998 feet east of Highway 45 in the township of Jean Lafitte. (Exhibit D) Parenthetically, the depth of the tract is just 2 feet short of the 3,000 foot extension of the boundary line requested by the mayor. As of July 1, 1977, public records show that three lots have been sold in the tract which has been named "Oak Grove Subdivision." As previously stated, Oak Grove Subdivision consists of primarily Cypress-Tupelo Gum swamp, lacking utilities such as water, gas, electricity, sewerage facilities or surfaced streets. No record of a parish ordinance granting approval of this subdivision can yet be found.

On the July 25 tour of the "Advisory Committee" Mayor Kerner proudly pointed out the two miles of levees and the 30-inch pumping station, illegally constructed by the Jefferson Parish Drainage Department and completed on April of 1977. This canal and levee system drains an area extending in depth approximately 3,000 feet east of Highway 45 from the Fleming canal on the north to a point one mile south, utilizing the spoil banks of oil exploration canals as lateral enclosures.

To this date we have been unable to locate a parish ordinance authorizing either this drainage levee, the damming of the canal or the construction of the pumping station to drain this area. Further no record can be found for the taking of bids or awarding of contracts for the work.

Inclusion of this proposed area within the development boundary will lead to conflict with federal law, since the U.S. Corps of Engineers has determined the area to be wetland and subject to full Federal permitting procedures. Under the recent executive orders relative to wetlands and floodplain development, it is unlikely that much financing will be available for construction in the area. Additionally, the U.S. Corps of Engineers has ordered a cease and desist to all draining and pumping operations in the area, and is investigating to determine if fines and penalties are to be assessed as well as to whether removal of the levees and restoration of the area should be ordered.

Let it be made clear that we are discussing not the area between Highway 45 and the levee behind and adjacent to the Fisher School property (no one objects to drainage of that area), but the area east of that levee to the back levee which was built very quietly and which encloses the area referred to, including Mayor Kerner's property.

Inclusion of this area within the growth boundary, now that the conflict of interest of the mayor is public knowledge will place the committee in the position of recommending that a member be allowed to profit from the use of this public office to have his property improved at taxpayer expense and to use his position on this committee to assure that profit through his appointment to this committee by virtue of his public office.

If this illegal 300-acre development scheme is allowed, it will be only the first of many such schemes in the area to be activated which will quickly destroy 90% of the swamp areas south of the Wagner Bridge to Goose Bayou, further diminishing the fresh water supply to the Barataria Estuary, just to the opposite of Kerner's public utterances, increase salt water intrusion into the Lafitte area.

BAYOU CARPES SWAMP

We object to the location of the growth-conservation boundary as being too far east on the east side of Louisiana 45 from its junction with the V-levee to Crown Point. It should follow exactly the line of demarcation between ridge and swamp as determined by vegetation differences. As shown on the map it is in swamp land.

We are aware of considerable pressure being exerted by Marrero Land Development Co. and others to have a 1000-foot industrial development corridor instituted along the bank of Bayou Barataria as it traverses this swamp. We strongly urge that no such corridor be permitted, since this is wetland, so determined by the U.S. Corps of Engineers, an area which will not physically support heavy construction, and an area which has been an important factor in recent environmental disputes. Establishment of such a corridor will undoubtedly create additional point sources of pollution of surrounding areas and waterways and will reopen environmental activism on a large scale. We strongly recommend against the establishment of such a corridor.

It is the opinion of this minority that the proposed boundary does not accomplish its intended objective of balancing development with conservation of natural resources. It is, in our opinion, a total cave-in to the pressures exerted by those developmental interests which have been able to exert political and other pressures to protect their personal financial investments in the affected areas. The proposed boundary results in the subordination of the rights of the public to enjoy the fruits of the natural production of wetlands to the desire of the politically powerful landowners to reap inordinate profit from the destruction of such wetlands by converting them to speculative real estate.

The value of such wetlands is clearly established in this segment of Burk and Associates June 1974 Planning Study for Jefferson Parish. On page 69 it reads:

It is impossible to reduce the value of land in its natural condition to some monetary figure, and declare that the land is worth that amount. Most people are aware of the market price of residential real estate. Subdivision lots are advertised on T.V., newspapers carry notices for sale of many types of property in many locations. Wetlands which are enclosed by levees, drained and filled, can be subdivided and sold for several hundred dollars per acre.

The value of wetlands in their natural state cannot be estimated quite as easily. Clearly, the market price is a poor yardstick by which to estimate their value. Techniques are available which can be used to estimate their value as fish breeding areas, a wildlife habitat, a park, a buffer zone for flood protection and a source of food for plants and animals.

The Barataria interdistributary system stretches from Grand Isle on the south to Donaldsonville on the north, and from Bayou Lafourche on the west to the Mississippi River on the east. The fish, crabs and oysters harvested in the brackish and saline.

Low sections of the bay are dependent on the swamps and marshes to the north to provide them with the food, fresh water and nutrients necessary for their existence. Each acre of cypress swamp in the Upper Barataria Basin produces and exports 300 pounds of organic matter, 34 pounds of nitrogen and 4 pounds of phosphorous per acre. (Dr. John Day, L.S.U.) The organic matter serves as a basic food source for fish, shrimp and crustaceans and the nitrogen and phosphorous are essential for marsh plant growth. Without marsh plants, the marshes and nursery habitat would erode away and the commercial and sports fishing industry would wither. Fresh water entering the system from the swamps and marshes helps maintain the proper salinity balance in the bays to the south. Without this fresh water, salinities would increase, causing a serious loss in fishery production, increased erosion in the bays and land loss in the marsh itself. The loss of any component of this estuarine system would result in serious damage to the entire unit.

Another important factor, not mentioned in the Burk and Associates report is the effect of wetlands development on oxygen supply. 75% of all oxygen available for breathing is produced by phytoplankton living in shallow waters. All of the trees and plants in the world cannot produce enough oxygen to sustain life as we know it. Every parcel of wetland dried out cuts down on the world oxygen supply, even if only by a small amount. What happens if an oxygen shortage creeps up on us as the oil shortage did? How much is the continuation of life worth in placing the value of wetland areas?

It is the opinion of the minority of this committee that if the growth-conservation line is to be the mechanism by which future balance of development and conservation of natural resources is to be maintained, the Burk and Associates proposed line, modified as outlined in this minority report represents a true balance between growth and conservation and is the one which should be adopted by the Jefferson Parish Council.

Respectfully submitted,

SIDNEY ROSENTHAL, JR.,
Vice Chairman.
FRANK EHRET, JR.
PATRICK RANKIN.

TWO LINES TOO MANY

It appears that Jefferson Parish is plunging ahead to drain and develop more of its wetlands on the West Bank—just at a time when wetland development is proving less and less desirable.

The parish is being sued by Louisiana Gas Service Co. for \$1 million on grounds that the parish's own poor planning is partly to blame for the recent rash of natural gas explosions. In the suit, the gas company argues that the parish should have known of the "potential in the former wetland areas for severe and dangerous soil subsidence."

Surely parish officials know now. And yet the parish's coastal zone management advisory commission voted 10-3 last week to designate a "growth-conservation" line that would include some 40,000 undeveloped acres (in addition to the 21,000 acres already developed.) The Regional Planning Commission figures show that the parish needs only 16,000 more acres by the year 2000 to handle increased population growth.

The main problem with the 24,000 additional acres is that they include swamps and marshes—just the lands that have proven unsuitable for development. The parish's consultants recommended a line that would follow the natural alluvial ridge along Bayou Barataria with only a few deviations. This ridge of high ground suitable for development is about 400 feet wide and yet the growth-conservation line the committee chose extends some 3,000 feet from the bayou.

The committee's decision is not final. The growth line must be discussed at a public hearing Aug. 9 and then receive council approval. Federal permits for levee work will also be required.

The sudden vote on the growth-conservation line came after Councilman Lloyd Giardina asked the advisory committee for a recommendation as soon as possible. At the same meeting the council tentatively approved construction

of a 36-inch water line from Marrero to Lafitte. Opponents of such a large water line were assured that its construction would not be a catalyst for development.

But one thing's certain—while the residents of the Estelle, Crown Point, Lafitte and Barataria areas may need more water, the 4,000 families living there don't need 13 million more gallons than the half-million they presently use. With the growth-conservation line opening up some 40,000 acres, it appears evident that the water line is indeed intended to serve massive new development in the Barataria estuary.

Since federal funds are involved in building the \$6.3 million water line, the Council on Environmental Quality must review the project. It is hoped the CEQ will disapprove this large water line, which along with the expanded growth line will serve to open up more fragile wetlands to development.

CÔTE DE LA LOUISIANE

They're elected to perform.

The purpose is to delineate those areas in West Jefferson which are suitable for development and those which are suitable for uses dependent upon the natural attributes of the terrain. The idea is simple but the public hearing was stormy.

Giardina told the group, "We've pioneers and the pioneers never had it easy." Thirty-five people testified at the hearing and offered a wide range of views from support for the line to total opposition.

The advisory committee began work last year in local coastal planning when Jefferson entered into a contract with the State Planning Office. The Jefferson Parish Council mandated work on a growth-conservation line by the advisory committee.

Development of a growth-conservation line had been talked about over the years in Jefferson. Several parish councilmen, James J. Donelon, James E. Lawson, Jr., Robert L. Deviney, Jr., and Giardina, had agreed a plan to guide future development is important (Times-Picayune). Donelon said of the growth-conservation line in an interview before the advisory committee began its work, "I think there is a critical need for it." He added that the line was one of the most important tasks facing those who represent West Jefferson.

In the coming year the advisory committee plans to look again at options the parish may have in guiding future development. Consideration of how development can be stimulated in areas best suited for development is likely to be an important topic.

BARATARIA BASIN—LAND LOSS AND EUTROPHICATION

Barataria Basin is the most productive estuary in the world. Along with a number of other drainage basins in Louisiana, it is experiencing accelerating land loss as well as cultural eutrophication which severely threaten the commercial fishing industry.

These findings are part of a coastwide study on land loss and eutrophication. The potential economic impact of land loss on commercial fisheries statewide is estimated to be a minimum of \$8.7-\$17.1 million annually. In addition, if the present trend toward eutrophication continues unabated, there is the potential there will be a decline and perhaps elimination of nursery areas. In Barataria Basin, these prime nursery areas could be seriously reduced by the year 2000.

Nancy Craig, a research associate at the Center for Wetland Resources, Louisiana State University, studied land loss and eutrophication in the Barataria Basin. "Land loss and eutrophication are natural processes but each can be strongly influenced by man's activity," said Ms. Craig. She found these processes are being "speeded up" in Barataria Basin by man's activity.

"Let's look at land loss. It results from natural and man-made processes," said the petite scientist. Natural land loss occurs through land subsidence, natural decay of abandoned river deltas and erosion due to wave energy and storms. "But it appears that man's activities are the dominant factors controlling the rate and nature of land loss," said Ms. Craig.

Human activity contributes to land loss through flood control practices, impoundments and canal dredging. Canals are particularly troublesome for a number of reasons. The initial land loss occurring when a canal is first cut through an area is compounded by the fact that canals tend to widen over time. For example, boat traffic creates waves which erode the banks of a canal.

Ms. Craig cited one startling example of how a canal "simply grew." Fifty years ago one man using a pirogue paddle cut a ditch 40 inches wide and a foot deep. Today this pirogue ditch or "trainasse" is 200 feet wide and eight to ten feet deep. There is no evidence the canal has ever been dredged.

In the course of Ms. Craig's research, she has surveyed the entire coastal area of Louisiana. The evidence points to the occurrence of canal widening throughout the entire coastal zone. Canal widening is certainly a dominant factor in causing land loss in Louisiana.

Another manner in which canals aggravate the wetland loss problem of coastal Louisiana is through the creation of spoil banks. The spoil bank areas differ from wetlands in that the higher elevation is not suitable for typical marsh vegetation. Additionally, the marshes in proximity to spoil bank areas may deteriorate as a result of the bank. These changes have an adverse impact on productivity. Ms. Craig said that previous studies have suggested that the area affected is five to six times that of the canal itself.

In Barataria, the wetland area lost due to canal dredging is approximately 10 percent if the spoil area is included. If one considers the damage to marshes surrounding spoil banks, the area of wetland affected by canals may approach 20 percent of the total wetland area. In looking at the entire coastal area of Louisiana, Ms. Craig found areas with high canal density are generally associated with higher rates of land loss.

Throughout coastal Louisiana brackish and saline marshes are experiencing the greatest rate of loss, 74 percent. Brackish marshes are considered to be the most biologically productive. By way of comparison, an acre of marsh is more productive of organic matter than an acre of carefully tended agricultural land.

"The impact of canals in the coastal area on the volume of the commercial fisheries harvest is directly related to the area of wetlands affected," said Ms. Craig. In general, high fish yields are associated with large wetland areas. Presently, the potential economic impact of land loss to commercial fisheries is \$8.7-\$17.1 million annually. This figure could rise as the rate of land loss is accelerating.

The trend of increasing land loss could be changed through effective management techniques. Ms. Craig suggested thoughtful planning in the area of canal construction. This could mean, for example, the multiple use of existing canals in lieu of dredging additional canals.

Canals are also contributing to another major problem in coastal Louisiana—eutrophication. "Eutrophication refers to the addition of nutrients such as agricultural runoff to water bodies and to the subsequent effects of these added nutrients," explained Ms. Craig. The sources of nutrient enrichment may be either natural or artificial. Natural sources include waterfowl waste, precipitation, detritus and sediment recycling. Artificial sources are municipal sewage, industrial wastes, urban runoff and agricultural runoff. Canals are an important factor accelerating the process of eutrophication because they act as rapid delivery systems shunting nutrient rich water from urban and agricultural areas directly into lakes. If instead this water filtered through the wetlands, it could be purified by the natural system.

Nutrients are necessary to growth in a lake, but "too much of a good thing is bad," said Ms. Craig. Nutrient over enrichment of a lake leads to undesirable changes in water quality, algal blooms, a decline in desirable sport and commercial fish species and diminished recreation.

The causes and solutions of eutrophication are found by looking at the entire area drained by a lake experiencing nutrient over enrichment. For example, Lake Cataouatche is becoming eutrophic due to municipal sewage and urban runoff from the West Bank of * * *

JEFF COUNCILMEN SEEK FEDERAL ATTENTION FOR AREA

(By Bruce Nolan)

Several Jefferson Parish councilmen think they have attracted some attention to local problems after a series of meetings with federal officials in Washington, D.C., this week. Wednesday he came away from the three-day visit with U.S. Reps. David Treen and Lindy Boggs and Sens. Russell Long and J. Bennett Johnston with general assurances that their offices stood ready to help local officials solve their own problems.

The meetings were set up in conjunction with the officials' participation in a conference of the National Association of Counties, but they were given a special urgency by the need for federal help in several areas following last week's storm tide flooding in Lafitte, Crown Point and Barataria.

"I think we went up there and made them cognizant of our problems, and I know I told them that I felt I wasn't getting the kind of cooperation from various federal agencies that I needed as a councilman," said Lawson Wednesday.

"We should all be working together. We shouldn't have a situation where I, Jimmy Lawson, councilman, submit a plan for hurricane protection levees and the Corps of Engineers and the EPA say, 'No, that won't work.'"

Lawson said representatives of the Corps and the EPA sat in on the meetings with Mrs. Boggs, Treen, Long and a representative from Johnston's office.

We just sort of asked the Congressional delegation to give us a hand," said Councilman Lloyd Giardina, who with Councilmen Robert DeViney Jr. and Aaron Broussard were also part of the sessions.

Although the participants talked about specific problems, principally in the West Jefferson area, the session was more valuable for the meeting of the minds than for any specific action it might have produced, said Giardina.

They talked, among other things, about delays in the construction of a large new waterline from Marrero to Lafitte, about a number of projects to reduce erosion along the banks of Bayou Barataria, and about hurricane protection in general for the West Bank, said Lawson and Giardina.

In addition, Lafitte Mayor Leo Kerner and Police Chief Quinten Couevas complained that it sometimes appeared the Corps of Engineers and the EPA "were the people really running the government," said Lawson.

In any event, both Lawson and Giardina, who represent the West Bank, said they came away from the meetings with some sense of accomplishment.

They gave us some consideration there, particularly the EPA. They said they'd call," said Lawson.

While nothing specific was formulated on the matter of hurricane protection, a number of parish officials are to meet here with local Corps officials Thursday on that topic and others.

The councilmen and Parish President Doug Allen will presumably talk about several Corps proposals for West Bank hurricane protection which are nearing the public hearing stage.

Another matter of interest presumably will be the fate of a controversial wetlands area now enclosed by a levee and being pumped down behind the Fisher School in Lafitte.

The Corps has already ruled that levee is illegal because it was constructed across wetlands area without a permit, and has ordered the parish to prepare a plan for restoring the area it encloses to its wetlands state.

The parish so far has submitted no such plan.

MARRERO, LA., *September 13, 1977.*

Col. EARLY J. RUSH III,

District Commander, U.S. Army Corps of Engineers, New Orleans District.

DEAR COLONEL: I am writing to you in regard to several resolutions adopted by the Jefferson Parish Council at its September 8th meeting. I have attached copies of the resolutions for your review. Needless to say, a couple of these resolutions make me very unhappy. It would be a different matter if these resolutions had been passed by the Lafitte Board of Alderman—at least then they could be shrugged off as the suggestions of a group of buffoons. But the Council has asked by these resolutions that the U.S. Army Corps of Engineers act in collaboration with it to destroy approximately 2,500 acres of wetlands under the guise of flood protection.

You are undoubtedly very familiar with the area in question—it lies directly to the east of Hwy. 45 in or near the village of Lafitte, and is the site of illegal dredge, fill, and drainage operations. It is where Mayor Leo Kerner of Lafitte is developing a subdivision, which he would like to have drained with public funds. I know that certain illegal work in the area in question is already under investigation by your office.

Now the mayor of Lafitte and the Jefferson Parish Council are using the recent minor flooding caused by Hurricane Babe as an excuse to ask you to build a levee 3000 feet deep in the swamp. Quite obviously, this would afford absolutely no flood protection, because Lafitte was flooded primarily by the rising waters of Bayou Barataria. Yet strangely enough, no one has asked that a levee be built

along Bayou Baratavia for flood protection. So if a levee protected Lafitte from the east, it would be just as flooded from the south and west. Now, if the Mayor of Lafitte and the Jefferson Parish Council decide that they want to enclose Lafitte by levees, they'll also have to build a levee on the north by Rosethorn Park. In any case, there is no justification for building any levee 3000 feet back in the swamp, when all of the houses are situated within 300-400 feet of the highway, and in many places the swamp comes within 100 feet of the road. Obviously, the place for any levee would be the borderline between the swamp and the higher ground. No swampland need be destroyed or drained, for no houses are situated in it.

I don't know how old the village of Lafitte is, but it's been there at least since my elder grandmother was born, which was 80 years ago, and it's survived quite well without any levees. I was in Lafitte on Sunday, and I can assure you that it is in no way a disaster area. However, any trip to Lafitte will show you that many areas claimed to be high ground by Mayor Kerner are and have long been permanent swamplands.

I would ask that you most particularly criticize land reclamation resolutions numbers 31134 and 31124.

It is my understanding from the newspaper that you sent out a team to review the flooding in Lafitte after Hurricane Babe, and to gather information for possible future flood protection. Please send me a copy of your Field Report, along with your recommendations as to what, if anything, should be done in regard to flooding in Lafitte and Baratavia.

Thank you very much. I look forward to hearing from you at your earliest possible convenience.

Sincerely yours,

JOSEPH I. VINCENT.

RESOLUTION No. 31124

On motion of Mr. Giardina, seconded by Mr. Miller, the following resolution was offered:

A resolution calling upon the Parish Attorney's Office, the Department of Drainage and Sewerage and the Safety Department to take whatever action is necessary and in their power to cause the property owners along the east bank of the Harvey Canal from the Hero Pumping Station to the Harvey Locks and the west bank from Lapalco Blvd. to the Harvey Locks to raise the banks of their property to a minimum 6.0' Mean Sea Level.

Whereas the land in the vicinity of the Harvey Canal between the Hero Pumping Station and the Harvey Locks was recently subjected to serious flooding conditions; and

Whereas the flood was caused by the sole reason of insufficient levee heights along the Harvey Canal between the Hero Pumping Station and the Mississippi River; and

Whereas the recently experienced flooding conditions was caused by surging tides in the Harvey Canal; and

Whereas the pumping stations were effectively pumping the water into the Harvey Canal but because of the insufficient levee heights, the Harvey Canal was overspilling its banks and continuing and compounding the flooding conditions; and

Whereas the area in the vicinity of the Harvey Canal between the Hero Pumping Station and the Harvey Locks is constantly threatened by surging tides that would cause flooding to be an eminent threat to lives and property; and

Whereas the only relief from these flood waters can be obtained only by building a levee along the Harvey Canal to a grade of 6.0' Mean Sea Level; and

Whereas some property owners along the Harvey Canal have raised their levees to the desired 6.0' Mean Sea Level to no avail because other property owners have not yet done so; and

Whereas it is incumbent upon the property owners in the area to raise the levees along the canal to a height of 6.0' Mean Sea Level.

The Jefferson Parish Council Hereby Resolved:

SECTION. 1. That the Parish Attorney's Office, the Department of Drainage and Sewerage and the Safety Department take whatever action is necessary and in their power to cause the property owners along the east bank of the Harvey Canal from the Hero Pumping Station to the Harvey Locks and the west bank from Lapalco Blvd. to the Harvey Locks to raise the banks of their property to a minimum of 6.0' Mean Sea Level.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

Yeas, 6; nays, none; absent, (1) Heaslip.

The resolution was declared to be adopted on this the 8th day of September, 1977.

RESOLUTION No. 31134

On motion of Mr. Giardina, seconded by Mr. Lawson, the following resolution was offered:

Be it Resolved by the Jefferson Parish Council of Jefferson Parish, Louisiana, acting as governing authority of said Parish:

SECTION 1. That the Parish Attorney be and is hereby authorized and requested to file a 404 Permit Request with the U.S. Corps of Engineers to construct a levee on the twenty (20) Arpent line between Goose Bayou and the Fleming Canal.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

Yeas, 5; nays, none; absent, (2) Miller and Heaslip.

The resolution was declared to be adopted this the 8th day of September, 1977.

RESOLUTION No. 31130

On motion of Mr. Lawson, seconded by Mr. Giardina, the following resolution was offered:

Whereas in the light of recent flooding on Tuesday, September 6, 1977, the dire need for ingress and egress in the Barataria-Lafitte Area was evident: Now, therefore, be it

Resolved by the Jefferson Parish Council of Jefferson Parish, Louisiana, acting as governing authority of said parish:

SECTION 1. That the Louisiana State Department of Transportation and Development (State Highway Division) be and is hereby requested and urged to complete the Lafitte-LaRose Road from the Bridge across Bayou Barataria.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

Yeas, 7; nays, none; absent, none.

The resolution was declared to be adopted this the 8th day of September 1977.

RESOLUTION No. 31129

On motion of Mr. Lawson, seconded by Mr. Giardina, the following resolution was offered:

Be it Resolved by the Jefferson Parish Council of Jefferson Parish, acting as governing authority of said parish:

SECTION 1. That the U.S. Corps of Engineers be and are hereby requested to proceed immediately and expedite the Intracoastal Waterway Cut from Bayou Rigolets to Bayou Pirougue.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

Yeas, 7; nays, none; absent, none.

The resolution was declared to be adopted this the 8th day of September, 1977.

RESOLUTION No. 31120

On motion of Mr. Lawson, seconded by Mr. Giardina, the following resolution was offered:

A resolution requesting the Department of Public Works and Lafourche Levee Board to upgrade the levees along Bayou Segnette.

Whereas recent flooding due to high tides, heavy rains and two hurricanes has created a threat to the City of Westwego; and

Whereas the water level of our immediate area right now is at a record high stage; and

Whereas a third hurricane threat to this area could cause serious damage to the City of Westwego: Now, therefore, be it

Resolved by the Jefferson Parish Council, governing authority of said Parish:

SECTION 1. That the Department of Public Works and the Lafourche Levee Board be and is hereby requested to upgrade the levees along Bayou Segnette.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

Yeas, 7; nays, none; absent, none.

The resolution was declared to be adopted this the 8th day of September, 1977.

RESOLUTION No. 31107

On motion of Mr. Lawson, seconded by Mr. Giardina, the following resolution was offered:

A resolution requesting and petitioning the Honorable Edwin W. Edwards, Governor, State of Louisiana, to formally declare the Town of Jean Lafitte and the unincorporated areas of Barataria, Crown Point, and Lafitte official disaster areas.

Whereas recent flooding due to high tides, heavy rains and two (2) hurricanes have seriously and detrimentally affected the vegetation, economy, health, safety and welfare of the citizens of the Town of Jean Lafitte and the unincorporated areas of Barataria, Crown Point and Lafitte, Parish of Jefferson; and

Whereas these said citizens are in dire need of financial and other assistance to combat the effects of the said present conditions; and

Whereas immediate relief may and should be obtained by having these said areas formally declared as official disaster areas.

Be it resolved by the Jefferson Parish Council, acting as governing authority of said Parish, Hereby respectfully requests and petitions the Honorable Edwin W. Edwards, Governor, State of Louisiana, to formally declare the Town of Jean Lafitte and the unincorporated areas of Barataria, Crown Point and Lafitte official disaster areas.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

Yeas, 7; Nays, None; Absent, None.

This resolution was declared to be adopted on this 8th day of September, 1977.

MORRERO, LA., October 11, 1977.

Col. EARLY J. RUSH,
*District Commander, U.S. Army Corps of Engineers,
New Orleans District.*

DEAR COLONEL: I am writing you in regard to several problems and/or possible problems with regard to non-authorized destruction of wetlands in the Marrero-Crown Point-Lafitte area. Probably the easiest way to look at these problems is to number them, and proceed step-by-step.

1. *Oak Cove subdivision.*—Back in January, I and others reported to you various violations which had occurred in connection with development of phase II of Oak Cove subdivision. I will not detail them here, for you are well aware of them, and have issued a cease and desist order to Regent Development Corporation. Mr. Hennessey of Regent was instructed by you to apply for an after-the-fact permit. He ignored your instructions. He was given an extension of his deadline. This he also ignored. And he is actively disregarding your cease and desist order. Construction is proceeding at full tilt, including on the controversial back section of the illegally leveed and drained property, where the surface soil consists of peat and clay. There is presently a dredge sitting atop the illegal levee, actively dredging and placing the spoil on top of the levee. Since the Corps has not acted to force Regent to comply with federal regulations, they are simply disregarding your instructions, sure that you will do nothing about it. We would like to see some action taken before these illegal projects are completed—not after, when more time and money must be sacrificed to undo something which should never have occurred.

2. *Vicinity of Estelle pumping station, Harvey-Marrero.*—This is a trickier problem, because the exact location and nature of possible violations is not exactly known, and requires immediate inspection by the Corps. Approximately one week go, witnesses observed a bulldozer, a dredging machine, and approximately 28 huge culverts being driven onto the road which leads to the Estelle pumping station. The road in question leads only to the partially-drained wetlands north of the pumping station, and the Bayou aux Carpes swamp to the south of the pumping station. Both areas are officially designated as wetlands by the Corps, and permits, public hearings, and probably Environmental Impact Statements are required before dredging, levee construction, and alteration of the area's wetlands character can possibly be initiated. The greatest fear is that work will be begun to illegally begin draining the Bayou aux Carpes swamp.

3. *Bayou aux Carpes and Bayou des Families.*—These bayous were both ordered undammed, with the provision that floodgates be installed in place of the existing dams. These floodgates were to be closed only in the event of expected dangerously high tides, presumably a possible result of the approach of a hurricane. These dams have not been removed. Why not? When is the Parish of Jefferson going to be forced to at last comply with your orders?

4. *Lafitte.*—Over 100 acres of swamp have been drained illegally in the area of the Gloria Drive pumping station. Both the Corps and the Environmental Protection Agency have ordered that this swamp be returned to its natural state. This has not been done. Why not? What causes a delay in such a cut-and-dried case?

5. *Crown Point.*—On September 11th, a Marine helicopter flew a pump to Crown Point, and if reports are correct, this pump was installed to relieve a permanent pump already on the site. Could you please clarify for me where the permanent pump is installed, where the auxiliary pump is installed, if either or both pumps are in compliance with federal regulations, what the U.S. Marine Corps has to do with flood protection, and how a request for relief by Lafitte Mayor Leo Kerner could possibly result in the installation of a pump in Crown Point?

I wrote to you about a month ago commenting on the absurd nature of the request by the Parish of Jefferson and the Mayor of Lafitte to build a levee on the "20 arpent line" in Lafitte, which would place it in the middle of one of the most beautiful freshwater marshes I have ever seen. I also requested in that letter that you please send me a copy of your Field Report in connection with your investigation of possible flooding problems in the Lafitte area. I have not heard anything from you since that time. Could you please inform me if the report is completed as yet?

I am sending copies of this letter to the Environmental Protection Agency and to the Chief of Engineers' office in Washington in the hopes that they may be able to work with you in making some headway on these problems.

Thank you.

Yours truly,

JOSEPH I. VINCENT.

INVESTIGATION CALLED FOR CAUSE OF LAFITTE FLOODING

Jefferson Parish's appointed Coastal Zone Management Committee has asked the Jefferson Parish Council to investigate the flooding in the Town of Lafitte.

During the committee's meeting Monday, members representing environmental concerns proposed that the committee investigate the flooding with a public hearing to be held in the Town of Lafitte so the people of that area would have an opportunity to voice their opinions and listen to drainage experts assess the situation.

But a motion to that effect, proposed by Pat Rankin, was defeated by a vote of 8 to 4. Another motion was offered, however, calling for the Jefferson Parish Council to investigate the matter. That motion carried.

The flooding of the Town of Lafitte has sparked charges and counter charges as to what caused what Lafitte residents describe as the worst flooding ever experienced there.

Lafitte officials and West Bank Councilmen blamed the flooding on the environmentalists and the Army Corps of Engineers because the Corps, through efforts of the environmentalists, stopped the completion of levees behind the town.

"This is not the case," said Corps investigator Charles Decker who accessed the situation after the flooding. "If they are referring to a break in the levee behind the town, we did not tell them to stop there. We are concerned only with two levees which were built directly behind the Fischer School."

"And those levees could not and did not stop the flooding in Lafitte. They appear to be built for what the mayor (Leo Kerner) plans to stop salt water intrusion," he said.

Decker explained that Jefferson Parish could build up all the levees they want along the California Company Canals, a series of canals behind the Town of Lafitte. "But I doubt if a 100-foot high levee would do much good," he said.

Decker said that a lot of Lafitte's flood problems come from Bayou Baratavia which overflowed its banks spilling water on both the Town of Lafitte, Lafitte

and Barataria. He also pointed out that many of the bayous is the area overflowed into the adjacent wetlands.

"I know where they should have built those levees," said one resident of Gloria Drive in Lafitte. "Instead of putting levees around swamp land that someone owns, they should have put those levees closer to my home."

His neighbor agreed. "I don't know who or why they stopped building those levees back there, but if they built them right behind my home no one would have stopped them. I think they should protect homes where people live, not swamp land."

The two residents asked that the Guide not identify themselves.

Meanwhile, officials of the Town of Lafitte and parish officials traveled to Washington Monday night to seek federal assistance in protecting the area. As of Guide deadline Monday night, the result of their efforts was not known.

WILL THE WATERS CEASE TO FLOOD?

(By A. J. Tapie)

Flood waters from a hurricane that missed the West Bank was the major concern of Jefferson officials last week and it has most West Bankers wondering what would have happened if he did come here.

Southerly winds have taken their toll again. In 1973, Southeast Louisiana experienced two days of southerly winds. Such wind action pushed Gulf waters into the marshes and bayous south of Marrero and eventually find their way to the Harvey Canal.

As in 1973, these southerly winds pushed the Harvey Canal over its banks and onto Destrahan Avenue and Peters Road. It could and will happen again.

Back in 1973, the past Jefferson administration passed resolutions to force industries along the Harvey Canal raise levees behind their firms. For the most part industry ignored them.

Resolutions passed by the present council have a little bit more teeth. Said Councilman-at-Large Lloyd Giardina, "We are investigating the possibility of taking legal action if they don't raise those levees this time."

The flooding along the Harvey Canal brings up a matter which has bothered many West Bankers for some time now—Why is there a six-foot levee along Bayou Barataria, miles south of where the major portion of the West Bank's population lives, protecting swamp and wild animals, while the Harvey Canal along Destrahan Avenue floods when there are southerly winds?

According to Leroy Cooper of the Army Corps of Engineers' Engineering Division the whole mess goes back to 1961. He said it was at that time that the parish recommended to the Corps where to spend \$1 million in federal funds for emergency hurricane protection.

"The parish wanted to reclaim the area known as the Bayou Carpes swamp," he told the Guide. "The parish promised us then that they would take care of completing the levee along the Harvey Canal."

Now that the council has put some teeth into their resolution this problem may be corrected. But the fact still remains that the biggest threat of flooding to the West Bank in case of hurricanes or if they miss, is along the Harvey Canal where thousands of families live.

As for the flooding the Lafitte, serious questions remain unanswered.

As for the flooding in the Town of Lafitte, the same situation exists—levees were built around swamp and not around people's homes.

According to Charles Decker, an investigator for the Army Corps of Engineers, "A lot of money will have to be spent to build a flood wall along Bayou Barataria. Anytime there are prevailing southerly winds, that bayou is going to overflow or at least cause the other bayous which meet it overflow."

Decker says that the matter is aggravated more because the entire area of Lafitte is sinking. "None of that area is receiving the annual deposits of silt which build it up hundreds of years ago. Not at least since the Mississippi River has had its levees built," he said.

The problem in Lafitte is that the parish has spent money on levees that isn't doing the people in that area any good. The Army Corps of Engineers has declared two levees, and only two levees illegal. They lie behind the Fisher School where no one lives.

The Corps has told the parish that it can build all the levees they want along the California Company Canals which lie behind the Town of Lafitte. They can also build up a levee which has existed in the area for years, the levee which

lies directly behind the Fisher School running south behind the homes of people who live in Lafitte, not swamp land.

Environmentalists say that the illegal levees and a 36-inch pumping station near Gloria Drive merely aggravated the situation. That pump was draining areas outside the residential areas protected by the levee which has existed for years. It was pumping flood waters into the California Company Canals which were already high because of the water pushed into them by southerly winds.

As one resident of Gloria Drive described it, "All they are doing is pumping water in a circle. They are pumping in and out of the swamp, into the canals and the canals are overflowing flooding my home."

Residents in the Lafitte area said that the flooding last week was the worst they have ever experienced. Why was it so bad this time?

Maybe that question will be answered if the Jefferson Parish Council undertakes the advice of the parish's Coastal Zone Management Committee and investigates the problem.

RESOLUTION No. 22620

On motion of Mr. Dufrene, seconded by Mr. Molaison, the following resolution was offered:

Whereas a group of concerned residents of the Lafitte Area appeared before the Council and expressed their alarm about the flooding and erosion from backwaters, and

Whereas they claim that if the erosion as its present rate is not stopped that a levee will have to be built adjacent to Louisiana Highway 45 to protect the Highway, and

Whereas a real emergency now exists in the Lafitte Area, posing a real threat to the residents of this Area: Now, therefore, be it

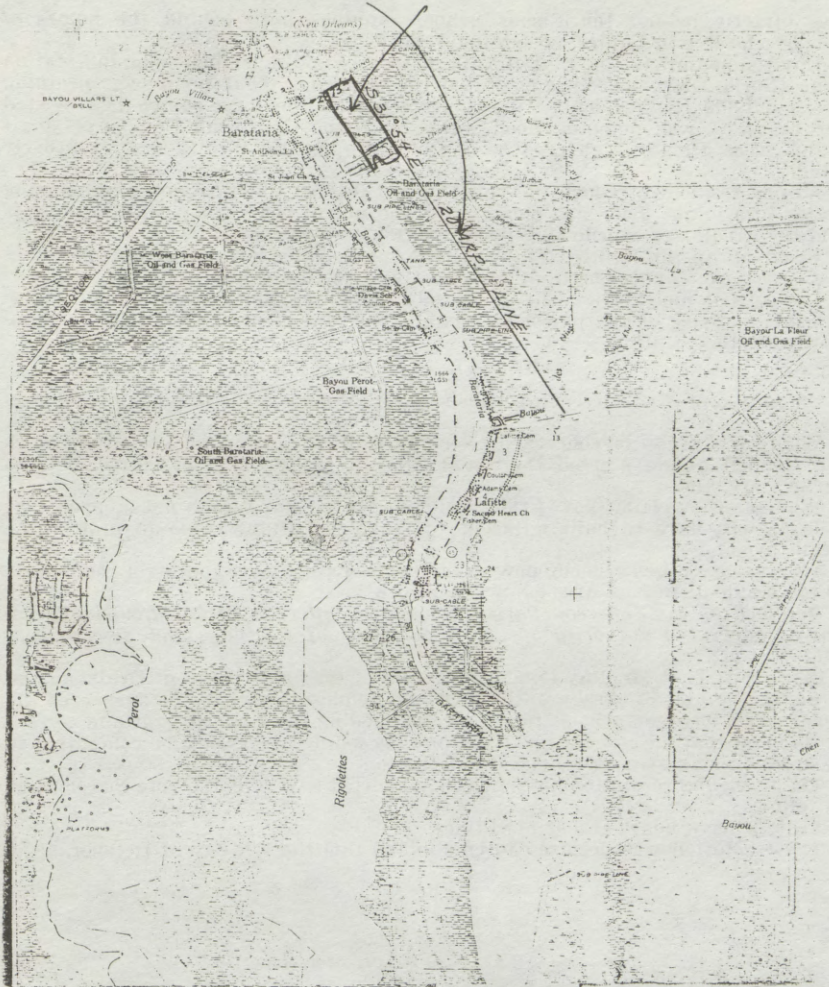
Resolved by the Jefferson Parish Council of Jefferson Parish, Louisiana, acting as governing authority of the Department of Drainage and Sewerage of said Parish:

SECTION 1. That Mr. Ray Condon, Director of the Department of Drainage and Sewerage be and is hereby authorized and requested to make a survey of the needs on an emergency basis to relieve the flooding situation in Lafitte in certain areas; and that an amount up to and not exceeding \$200,000.00 be committed to be spent in this area to relieve this situation.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

Yeas, 6; nays, none; absent (1) Pilney.

The resolution was declared to be adopted this the 4th day of October, 1973.



TOWN OF JEAN LAFITTE.
October 12, 1977.

To file suit if one becomes necessary, we must ask:

(1) That 404 be declared unconstitutional because it denies the use of property of the individual property owner.

(2) It delegates the authority over property to those who are appointed to office and not elected.

(3) Denies the authority of the local government. The levees which are built in the corporate limits of Jean Lafitte are to protect homes and property from flood waters and prevent destruction of vegetation by salt water intrusion.

(4) Levees are a must—levees need to be built south of Lafitte and mud pumped in to protect the land that is left. This land is being eaten away by wave wash, salt water intrusion and other factors. If we must go to court to protect the land of this area we will do so at any cost, because this area will become land under water within twenty years. We must not let this happen.

LEO E. KERNER, Jr., Mayor.

On motion of Mr. Lawson, seconded by Mr. Giardina, the foregoing resolution was offered:

RESOLUTION No. 31406

A resolution authorizing and empowering the Chairman of the Jefferson Parish Council and in his absence the Vice-Chairman, to enter into a contract with J. J. Krebs & Sons, Inc. for professional engineering services to renovate and upgrade the existing sewage treatment plant constructed by Bayou des Familles Corporation and to tie said plant into the existing Sewerage District No. 8 collection system.

Whereas the existing Marrero Sewerage Treatment Plant is operating at or in excess of its designed capacity, and

Whereas Bayou des Familles Corporation has constructed a sewage treatment plant that has not been placed into service, and

Whereas the addition of this plant to the Marrero system (Sewerage District No. 8) will relieve the overloading of the existing Marrero plant and allow continued orderly growth of the Marrero/Estelle area within the treatment standards provided by the Environmental Protection Agency: *Now, Therefore, be it*

Resolved.

SECTION 1.—That the Chairman of the Jefferson Parish Council or in his absence the Vice Chairman is hereby authorized and directed to enter into a contract with J. J. Krebs & Sons, Inc. for professional engineering services to renovate and upgrade the existing sewage treatment plant constructed by Bayou des Familles Corporation and to tie said plant into the existing Sewerage District No. 8 collection system.

SECTION 2.—That the contract with J. J. Krebs & Sons, Inc. shall provide that a feasibility study first be made which will establish the cost of these renovations, the acceptability to the Louisiana State health authorities and will address the methods of financing these improvements, and

SECTION 3.—That the Council authorizes the expenditure of up to \$5,000 for the feasibility study, but that the completion of the construction plans and specifications and the actual renovation of the plant shall not proceed until this council has authorized funding for the project.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

Yeas, 7; nays, none; absent, none.

The resolution was declared to be adopted on this the 12th day of October, 1977.

The foregoing is certified to be a true and correct copy.

FRANK J. DEEMER, *Parish Clerk,*
Jefferson Parish Council.

THE PRESENT IS THE LIVING SUM-TOTAL OF THE WHOLE PAST

(By Thomas Carlyle)

As a realist, I know the greatest tests for custodians and managers of wildlife and fish resources are in the immediate future.

In Louisiana, in the next decade we anticipate a tremendous population growth. Experts say that this increase will be dramatic in the coastal parishes. Our own records show us that licensed hunters have increased by 94,000 in the past decade. The last 10 years have brought well over a hundred percent increase in licensed fishermen. We know these figures will spiral upward in the years immediately ahead. To meet the needs of our people we are going to have to re-double our efforts.

As wildlife managers we know that the task is clearly defined. We are going to have to provide more game for more people on less land, on a continuing basis. As new uses for land become more pronounced in the future, the wildlife management areas we acquire will become increasingly important. We will be expected to provide high quality fishing in our rivers, lakes, streams and reservoirs, on a sustained basis.

We need public support to accomplish this and we are asking for that support. It is good to glance back at the past at this time of the year but we are looking steadily at the future.

MOVE AHEAD WITH LAFITTE PARK

The establishing of a Jean Lafitte National Park is very important to the West Bank, both culturally and economically. It is an idea which has been talked about for the past 15 years and finally appears to be close to becoming a reality.

But the proposal as it now stands in the form of Senate Bill 1829, isn't perfect. Revisions have to be made to insure that the West Bank receives the maximum benefits from the park. The rights of those who will be affected by the park must also be protected. The Guide believes that last Saturday's public hearing on the proposed park ended on an encouraging note. Sen. J. Bennett Johnston assured those who found fault with his bill that revisions can and will be made.

But Johnston will need input from local officials and citizens backing the park. The Guide calls on those public officials who found fault with Johnston's bill to work closely with the senator in guaranteeing that the park becomes a reality.

The Guide also hopes that Johnston will give an attentive ear to Frank Ehret Jr., father of the park proposal. It would be a great disservice to the park concept if its father didn't have a say in the raising of his child.

THROUGH ROSE COLORED GLASSES

(By Ed Rose)

What complicated times we live in! The proposal to establish the Jean Lafitte National Park in Jefferson Parish—a part of Senate Bill 1829—has stirred many well-meaning people into bitter controversy. Nearly everyone, it seems, is in favor of the idea of a national park in the Barataria marsh area, but the first draft of the proposed federal legislation presented at a public hearing Saturday leaves many unanswered questions, especially from the standpoint of Jeffersonians, both public officials and private citizens.

Some people are so much in favor of having the national park established as soon as possible that they're willing to accept any legislation; others would rather see the whole idea go down the drain than accept what they consider totally unsatisfactory legislation. These opposing viewpoints have threatened friendships, strained family relationships, caused commercial interests to take different sides and created a furor approaching that of a religious battle or a labor-management confrontation.

The Guide always has been strongly in favor of the establishment of a national park in the Barataria marsh area, as it is referred to in the legislation. The senate bill unveiled Saturday, however, would do much more than that, with other areas included in a "Mississippi Delta Region." That and other details, have led to the differences of opinion. Our own U.S. Senator, J. Bennett Johnston assured those attending the hearing that changes could and would be made in the bill.

Establishment of a national park of the size envisioned is a major undertaking that will require many decisions before final Congressional action. It would be a shame, however, if petty jealousies between parishes or between individuals sound the death knell of the park idea. Let's hope our elected officials—city, parish, state and national—as well as influential private citizens and organizations exhibit the intelligence, the compassion and the unselfish attitudes necessary to reach decisions eventually benefitting the most people without infringing unfairly on the rights of other individuals.

LAFITTE PARK SUPPORT

The proposed Jean Lafitte National Park, the subject of a congressional hearing Saturday at the Gretna courthouse, has had its ups and downs over the years.

Support among local politicians for the 7,000-acre wetlands park on Jefferson Parish's West Bank has waxed and waned, though support finally seemed to have congealed in recent months. Unfortunately, an exception surfaced recently in the form of a resolution in opposition offered by Jefferson Councilman Lloyd Gardina, whom many of his early supporters had counted on to back the park concept. Fortunately, Jefferson Parish President Douglas A. Allen intervened, otherwise the Parish Council might have adopted Mr. Gardina's damaging resolution well in advance of the hearing held by Sen. J. Bennett Johnston's Subcommittee on Parks and Recreation.

Sen. Johnston's interest in the park proposal has been instrumental in getting the National Park Service to reconsider an earlier decision to write off the site as unsuitable for national park designation and the financial support such designation confers.

As often noted in this space and elsewhere, the tract in question is ecologically vital to the continued productivity of the world-renowned Barataria estuary and represents an eleventh-hour, last-ditch chance for park-poor Jefferson Parish to ensure badly needed recreational space for present and future generations.

If put to a referendum, we suspect the park would receive the overwhelming support of the parish electorate, with the principal opposition coming from a few developers and their political helpers. Last Saturday's hearing will have been helpful only if Sen. Johnston and other subcommittee members were helped to gauge accurately the breadth of public support for the park.

PARK PROPOSAL CRITICIZED

(By A. J. Tapie)

Sen. J. Bennett Johnston's bill to create the Jean Lafitte National Park came under heavy criticism from local politicians during a public hearing held by the Senate Subcommittee on Parks and Recreation.

The hearing, held last Saturday in the Council Chambers, was the second session held within a year to receive local input into the creation of the proposed park. Sen. Johnston has introduced a rough draft of the bill in the United States Senate calling for the establishing of 23,700 acres of land south of Marrero as the park site.

Jefferson officials testifying at the public hearing found that bill "unpalatable" and "too vague," leaving much of the decisions on how to run the park in the hands of the federal government.

"Citizens in this area have become skeptical of federal intervention," Councilman-at-Large Lloyd Giardina told the senate subcommittee. "The bill is not specific and it leaves too much to the discretion of the secretary."

Johnston's bill will create a park commission to monitor activities within the park. Heading that commission will be a secretary, appointed by the federal government.

Giardina suggested that the commission should have more local representation. Johnston assured Giardina that this could be accomplished.

The West Bank councilman also objected to taking out of commerce the 23,700 acres which would comprise the park. He pointed out that all the land is presently on the tax rolls and is a source of revenue to the parish.

While Giardina didn't have exact figures as to how much parish revenues would be affected, District Two Councilman James Lawson didn't think that it was that serious a problem. "I believe that money taken out of our tax base will be returned 10 fold once the park is in operation," he said.

As Giardina continued to point out the vagueness of the bill, Sen. Johnston at one point found the councilman vague also. Giardina had stated that he was in favor of protecting the area of the park in its natural state. He later stated that he supported development of between five and ten percent of the land which he termed "developable."

"Your statements are inconsistent," stated Johnston. "You can't have both. You either protect it or develop it."

But the main concern of Giardina and other local representatives attending the hearing was that the rights of fishermen, hunters, trappers and campowners within the park be protected. "We have to insure that this valuable industry (fishing and trapping) will be continued," stressed Parish President Doug Allen. "Again, this is left up to the discretion of the secretary," chided Giardina.

"He has the power to designate which areas can be hunted or fished in."

Johnston assured local leaders that the secretary would have to justify any limitations in these activities and that public hearings would have to be held before he could exercise that power.

"We purposely put the word 'shall' in the language of the bill," explained Johnston. "He has to allow fishing and trapping. Believe me, we don't want to stop these activities."

The size of the proposed park also drew objections from Councilman Lawson and Lafitte Mayor Leo Kerner. Kerner, whose tiny town isn't within the boundaries of the proposed park, asked that the money earmarked for the park go toward a waterline to Lafitte, the Lafitte-Larose Highway and the building of levees in his area.

Sen. Jim Abourezk (D-S.D.), chairman of the subcommittee, explained to Kerner that this was impossible.

In closing the hearing, Johnston attempted to calm some of the fears. "We don't want to displace homeowners or campers," he counseled the group. "Oil and gas exploration is not in conflict with the park and hunting, fishing and trapping are also consistent with the park concept.

"Personally I think the best thing to do is to have the federal government purchase the 23,000 acres to protect the park core."

Johnston recommended that the local officials decide which alternative to take and that he would incorporate their suggestions in the bill.

LOUISIANA POLL—CZM PLAN HAS SUPPORT OF PEOPLE

Louisiana's legislators have had trouble agreeing on a Coastal Zone Management program for the state's marshlands, but the people support such a plan in no uncertain terms.

According to the Louisiana Poll, conducted recently for The Times-Picayune, seven of every eight adults in the state feel some type of Coastal Zone Management plan is needed to insure the orderly development and protection of the wetlands.

Seventy-one percent of those persons contacted said they feel such a program is needed, while only 11 percent felt a plan was not necessary. Eighteen percent had no opinion.

Support for management of the wetlands crossed age and geographical boundaries. For example, 76 percent of those persons under age 35, 68 percent aged 35-54 and 67 percent aged 55 and older indicated support for coastal zone management.

Seventy-six per cent of those persons contacted in the New Orleans area support such a plan, as do 65 percent in South Louisiana and 73 percent in North Louisiana.

The totals also break down evenly by sex, with 72 percent of the males and 70 percent of the females contacted saying they support the orderly development of wetlands.

Figures obtained on this particular question indicate some of the strongest agreement among residents here of any of the topics discussed in the current poll.

Louisiana failed to obtain federal approval for a Coastal Zone Management plan passed earlier this year in the legislature. Millions of dollars in federal funds could be lost if an acceptable plan is not passed.

The legislature is expected to try again next year to come up with a workable plan. The Louisiana Poll indicates statewide support for wetlands management.

More than 500 residents aged 18 and over were contacted by Staples and Staff, a public opinion research firm with offices in Metairie and Houston, in the poll conducted Oct. 24-29.

Race, sex and age quotas were employed to insure a representative sample.



