

Senator CHURCH. So that your interpretation of that language is the same as mine, that interpretation being that condemnation power for acquisition of the private property in fee can be used only for the declared purposes in the bill, and in any event could not exceed 5 percent of the total acreage of all privately owned property in the recreation area?

Secretary FREEMAN. That is correct.

Senator CHURCH. I thought we should make the record clear on that.

Senator BIBLE. I think the whole section 5, now that I read it a little more in detail, bears upon the authority of the Secretary to condemn, and puts the limitations on it. But this is something that I think should be very clear, because it does cause us so much concern.

Now, in this third category, as I understand your testimony, you envision—there is in private ownership some 450 lots, if I understood you correctly; is that correct?

Secretary FREEMAN. Yes.

Senator BIBLE. Now, these are bare lots? There are no improvements on them?

Mr. CLIFF. There are about 2,500 lots which have been subdivided. Approximately 450 of them have been sold to individual owners. And about 30 have been improved. So only a small part—

Senator BIBLE. How many have been improved?

Mr. CLIFF. About 30, approximately.

Senator BIBLE. And by "improvement," you mean what; they put homes on them?

Mr. CLIFF. That had houses built on them.

Senator BIBLE. Well, as the Senator from California could testify, the hardest problem we had was this area of subdivisions.

Now, as this bill is before us today, Mr. Secretary, or Mr. Cliff, or both of you, what can the owner of the lot do with the lot after this becomes law? Can he build any kind of a home on it; a \$5,000 house with so many square feet, or what?

Mr. CLIFF. On the lots that already have improvements on them, those improvements would continue as they are, unless we could negotiate a purchase in case we decided they were incompatible. We would try to negotiate a purchase or exchange. This would be voluntary on the part of the owner.

The unimproved lots, as I understand the provisions of this bill, could be subject to the regulations of the Secretary—

Senator KUCHEL. You mean while they remained in private ownership?

Mr. CLIFF. Yes.

Senator KUCHEL. I want you to explore into that a little bit, then.

Senator BIBLE. We have had some experience with this area. This is why we want to be very careful. It will save this committee countless headaches in the future if we can work this out satisfactorily. This is the real difficult area of creating a national park or recreational area or lakeshore area or whatever, and this is where we are always in trouble, right in this area we are discussing now.

Secretary FREEMAN. It clearly is. And I think Senator Church's comment earlier on zoning is apropos.

Senator KUCHEL. Zoning by whom?

Secretary FREEMAN. By the Secretary of Agriculture, in effect.