

Senator CHURCH. For the submission of any further comments you wish to make.

Senator BIBLE. It will be held open until September 5, which is a Tuesday.

Senator CHURCH. And in accordance with your suggestion, Mr. Chairman, may we have these proposed guidelines duplicated and furnished to each of the Idaho witnesses who come and testify today so that they will have the benefit of it.

Senator BIBLE. Without objection that may be done.

You may continue, sir.

Mr. BRECKENRIDGE. Thank you, sir. And I would appreciate the proposed regulations being sent.

Senator BIBLE. They will be furnished you before you leave today. I think we have a Thermo-Fax or Xerox machine.

Mr. BRECKENRIDGE. I am concerned that such subdivision may be prohibited altogether by the Secretary of Agriculture. This appears to be the effect of regulations issued by the Secretary of the Interior for the Cape Cod National Seashore, which govern local zoning ordinances. These regulations provide that "undeveloped areas will be preserved in a natural condition (36 CFR, sec. 27.3(b)), and only allow construction of residences on existing lots."

I realize that historically the National Park Service, under the Secretary of the Interior, has been much less tolerant of private land use than the Forest Service, under the Secretary of Agriculture. However, I fear that increasing pressures for beautification may change the Secretary of Agriculture's attitude.

The only indication we have so far of how the Secretary of Agriculture may handle such problems are proposed regulations for the Whiskeytown-Shasta-Trinity National Recreation Area, which were published in the Federal Register on May 6, 1967 (32 F.R., 6979). In effect, for the Whiskeytown unit, they prohibit construction of residences on property containing less than 3 acres, unless a lesser acreage was in separate ownership and in a recorded subdivision prior to the creation of the recreation area. The effect will be to prevent future subdivisions within that unit. The other units may be developed at a density not exceeding two residential units per acre, which would seem to permit subdivision.

Which approach might be taken in the Sawtooth Valley I can only guess. Therefore, if Congress feels that some properly controlled subdivision is proper, I would urge that this bill make that quite clear. For example, section 3 of the bill lists three purposes for which the Secretary shall administer the area. The third purpose includes the multiple-use concept on federally owned lands, to the extent it will not conflict with the first two purposes. Since the Secretary will also be exercising control over privately owned lands through the issuance of regulations, it might be well to include some reference to these lands, to indicate the congressional intent that full development of private lands will also be permitted to the extent it will not substantially impair the first two purposes.

Section 5 of the bill appears to be intended to meet many of the objections to the previous bill concerning zoning which effectively takes the value of property without compensation. My attorneys feel this section is rather curiously drafted, however, and may not fully achieve these ends. First, it does not limit in any way the Secretary's