

STATEMENT OF BRIG. GEN. CHARLES C. NOBLE, DEPUTY DIRECTOR OF CIVIL WORKS, CHIEF OF ENGINEERS, U.S. ARMY; ACCOMPANIED BY COL. JAMES B. MEANOR, JR., EXECUTIVE DIRECTOR, CIVIL WORKS, CHIEF OF ENGINEERS; HARRY O'NEILL, CHIEF, MANAGEMENT AND DISPOSAL DIVISION, DIRECTORATE OF REAL ESTATE; AND MARK S. GURNEE, CHIEF OF CIVIL WORKS, OPERATIONS DIVISION

General NOBLE. Yes, sir. Colonel Meanor is prepared to deliver our statement at this time.

The CHAIRMAN. All right, Colonel Meanor.

Colonel MEANOR. Yes, sir.

Mr. Chairman and members of the committee, I am Col. James B. Meanor, Jr., Executive Director of Civil Works, Office of Chief of Engineers, Department of the Army. I am accompanied by Mr. Harry O'Neill, Chief, Management and Disposal Division, Directorate of Real Estate, and Mr. Mark S. Gurnee, Chief of the Civil Works Operations Division.

I appreciate the opportunity to appear before this committee to discuss the use of Federal lands and facilities by the public at projects authorized by the Congress and constructed by the corps. The appendixes to my statement contain illustrations to which I will refer from time to time.

The bill, S. 2828, would except from the provisions of the Land and Water Conservation Fund Act of 1965 facilities administered by the Corps of Engineers by prohibiting the charging of a fee for entrance, admission, or access or for the use of minimum recreational facilities. The exception is assumed not to apply to fees or charges collected by States or local interests in the administration of project areas which have been leased to them, nor to national recreation areas where the authorizing legislation might well cover the specific application, nor to the collection of user fees as defined in Public Law 88-578.

It is recommended that the bill, if enacted, be clarified on these points.

The bill would also prohibit the Secretary of the Army from collecting or receiving any fee or charge for the issuance of any permit or license for any boat mooring or docking facility, duckblind, ski jump float, swimming or diving platform or raft or any other similar floating facility, but would not prohibit the Secretary from requiring a permit or license for any such floating facilities.

It is also assumed that this prohibition would apply to fixed as well as floating facilities of the type specified in the bill located on Federal project lands, recognizing that the charges to be imposed under corps of regulations are for the exclusive private use of the underlying lands, and not for the use of the waters.

There is a substantial difference in the problems relating to these two separate parts of S. 2828. Accordingly, I would like to divide my statement into two parts; namely, (a) entrance fees under the Land and Water Conservation Fund Act and (b) charging for special privileges granted on Government land and water to private interests.