

to the development of the country or the area as a whole. For example, there are green headlands of the Golden Gate in San Francisco where Presidio is on the north end of San Francisco Peninsula and has been an Army base ever since this country was taken over from the Spanish, and Fort Baker, Fort Concrite, and Fort Berry have been on the southern tip of Marin Peninsula for many years. And as a conservationist, I believe that this is a good thing. The Federal Government has served as a fine custodian.

There has recently been talk of releasing some of these lands. At first there were many people who said we need these lands for private development, for houses, and for apartments and dwellings. Other say the areas should remain as green headlands because they serve the entire area. Finally ways were worked out so that the State could acquire one of these areas. I believe Concrite, has now become a State park. Due process was followed. There was a chance for debate before the Government undertook specific action.

Senator MUSKIE. So what you are really urging there is a two-way dialog designed to aim at sounder policy and not a mandatory authority on the part of the Federal Government at all.

Mr. FISHER-SMITH. Correct.

Furthermore, I am urging that the Federal Government not release such lands until it is certain that the public interest has been satisfied. If there is sufficient dialog, I think that objectives can be fulfilled.

Senator MUSKIE. Any questions?

Senator BAKER. The question the chairman puts is basic to virtually every categorical grant-in-aid program or other Federal program that is undertaken; that is, how do we go about implementing the question of soundness. I wonder if you would agree that we are dealing here with the question that is more delicate than just the question of whether the Government can or cannot decide if a given project or given transaction is in the public interest. Rather, we are dealing with the range of choice or criteria by which this is judged. I very much doubt, for example, that anyone would want to completely abdicate the concern of the Government from other public welfare, and on the other hand, I very much doubt if anyone would want the professional engineers of this country to have their judgment overturned by administrative agencies. I wonder what suggestion you would have on the best policy in this situation for fairness.

Mr. FISHER-SMITH. I believe it was the intent of our statement, that if the objectives of the unit of local government are incompatible with the objectives for the area of development, this would be a definition of unsound development.

I am not satisfied, however, that the words "unsound development" are adequate.

In answer to your question, I believe that sound planning and zoning and other land use practices result from a comprehensive planning process involving many disciplines, and these must cover a sufficient area or region to be pertinent. I think the problem that we are talking about in the disposition of public lands would be, for instance, a large base containing a great deal of area in a small rural community where the community lacks the technical expertise and sophistication to cope with such a problem and where the pressures, for some development or some industrial use may be very great and may be backed by a great deal of technical expertise.