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Senate Passes Redwood Park Bill

An article from CQ Almanac 1967

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The Senate in 1967 passed a compromise bill (S 2515) establishing a Redwood National Park in Northern California. Creation of the park was a priority item on the Administration's parks and recreation agenda for the year.

No action, other than hearings, was taken by the House Interior and Insular Affairs Committee. Committee Chairman Wayne N. Aspinall (D Colo.) Oct. 10 said action would be taken early in 1968 on the redwood park legislation. Aspinall Aug. 2, in announcing that the Committee would adjourn after Labor Day, said "there'll be no redwood bill" until field hearings could be held in California. No such hearings, he added, would be held in 1967.

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Background

The battle in Congress to save a significant number of the world's tallest, oldest trees began in 1964 when a National Park Service (NPS) report urged that a federal redwood park be established. Studies were undertaken by the Interior Department and by a major research firm, Arthur D. Little Inc. of Cambridge, Mass., to determine the feasibility of alternative park sites and the impact the park might have on the area's economy. President Johnson requested establishment of a redwood park in both his 1965 and 1966 messages to Congress on conservation affairs. On both occasions he referred to establishment of a park as a critical need.

The atmosphere of emergency was being created by the Northern California lumber companies' continued and thorough cutting of redwood trees in the areas proposed for a national park. On Sept. 8, 1966, however, the four major redwood lumbering firms in the region agreed to a three-month moratorium on cutting under

pressure from the Administration and Sen. Thomas H. Kuchel (R Calif.) The moratorium was subsequently extended. (See *box.*)

Controversy in Congress over creation of a redwood park centered on two major proposals during 1967; both had been introduced in 1966. The first, the Administration's bill (S 1370) authorized purchase, for \$60 million, of 41,834 acres in Del Norte, the northernmost county in California. The proposed park would include two state redwood parks and about 19,000 acres of groves owned by the Miller (Rellim) Redwood Co., a vocal opponent of a national park. This plan, which called for in-lieu-of-tax payments to the county to help tide its residents over the first five years of adjustment to the national park, was backed by Sen. Kuchel. The second plan (S 514) – backed by the influential conservationist Sierra Club, Sen. Lee Metcalf (D Mont.) and 19 cosponsors of S 514 – proposed a 90,000-acre park in the Redwood Creek watershed, south of Del Norte in Humboldt County. S 514 also included temporary economic adjustment provisions. A third plan (HR 7742) entered the lists late in 1966 and was introduced in 1967 by Northern California Rep. Don H. Clausen (R) as a compromise. His plan was called Redwoods-to-the-Sea and included some 6 million acres of federal, state and local park areas in a regional conservation plan. Interior Secretary Stewart L. Udall, early in March 1967 called the plan “wholly unacceptable.”

Redwood Creek Compromise. Backers of the 90,000-acre Redwood Creek proposal, estimated to cost about \$200 million, early in 1967 indicated they would agree to a less expensive, smaller park, but only a park in the Redwood Creek area. This turn of events was regarded by most observers as an unusual concession, especially on the part of the militantly conservationist Sierra Club. Rep. Jeffery Cohelan (D Calif.), a Redwood Creek supporter, told the Senate Interior and Insular Affairs Committee April 18 that the need for a federal redwood park made it necessary that park proponents “get behind some commonly agreed-upon plan.”

Negotiations with Reagan. The Interior Department and the State of California held lengthy conversations during 1967 in an effort to arrange a park plan acceptable to both the Federal Government and to Gov. Ronald Reagan (R).

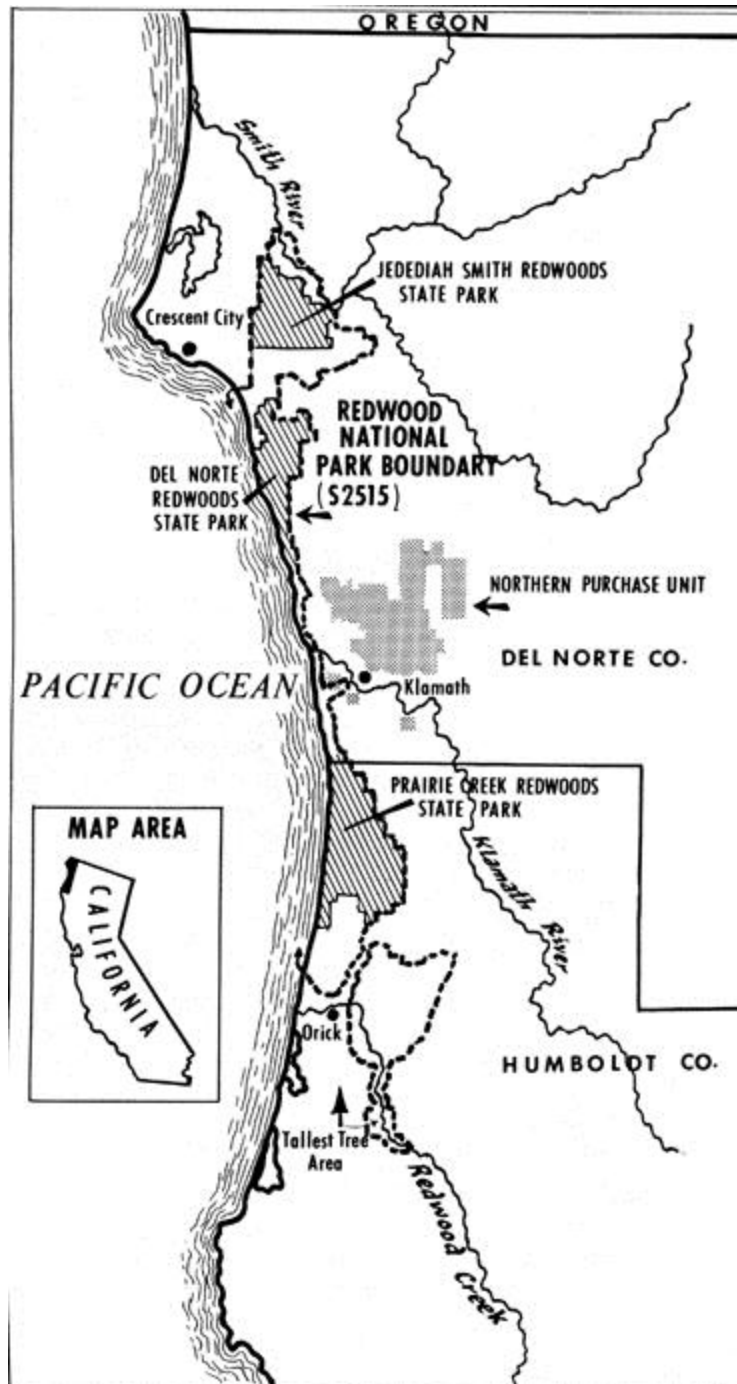
In testimony April 17 before the Senate Interior Committee, one of Governor Reagan's aides presented Reagan's views on the proposed national park. The Governor said he supported establishment of a Redwood National Park but only under certain conditions. The state of California, he said, “must receive full, fair and equal value” from the Federal Government for state parklands incorporated in the park. He pointed out that 50 percent of California's land area was already owned by the Federal Government. Reagan said “it is my duty to the taxpayers of California to protect (the state from) further encroachment upon an already too-small tax and economic base.” State land, Reagan insisted, “must be exchanged” for land already owned by the Federal Government in California. (S 1370 authorized the Interior Secretary to acquire land owned by the state through donation or exchange for specified federal lands.)

Reagan also emphasized “the absolute necessity of maintaining a stable economy in the area affected. People as well as trees must be considered.” He urged that the in-lieu-of-tax provisions in S 1370 and S 514 be made permanent instead of temporary. He added that the California legislature, which must vote on any transfers of state land, would be unwilling to approve any proposal “that does not protect the interests of all California citizens.”

Reagan said he had met with representatives of the lumber industry in California. They were prepared, he said, to accept, in exchange for lands they owned within the proposed park borders, equal acreage within the National Forest Service's Redwood North Purchase Unit in Del Norte County. Reagan said he “was

disappointed to learn that the...Forest Service appears to be adamant in refusing to relinquish this property.” He also warned that “harassment of the lumber industry must stop.”

Reagan Letter. Gov. Reagan May 3 sent a letter to House Interior Chairman Aspinall setting forth eight “general principles” which would guide his decision on whether or not to turn over the two state parks the Johnson Administration sought in Del Norte County for its park site. One of Reagan's conditions was that the Agriculture Department's Forest Service give to the Miller Redwood Co. a 14,567-acre redwood area, called the Northern Purchase Unit, in Del Norte and Humboldt counties. This condition was strongly opposed by the Forest Service. Edward P. Cliff, chief of the Forest Service, explained July 12 to the House Interior and Insular Affairs Committee that the transfer would set “a dangerous precedent” and “could lead to serious fragmentation of the National Forest System.” The Unit's trees were currently being harvested at a maximum rate, he said, by 10 Del Norte County lumber firms which would all suffer if the Unit were turned over to the Miller Co. He said this fact had caused the Del Norte County Board of Supervisors to pass a resolution opposing transfer of the Unit to Miller. Cliff added that giving up the 14,567-acre tract would remove it from multiple-use management which the Forest Service was observing. Also, he said, the redwood management and research station the Service was operating would have to be closed down.



Budget Bureau Letter. A June 22 letter to the House and Senate Interior Committees from Phillip S. Hughes, deputy director of the Budget Bureau, indicated that the Government could concur with all of Reagan's requests except the transfer of the Northern Purchase Unit to the Miller Redwood Co. (See above.) Major agreements included: (1) Transfer of the two northern state parks to the Federal Government. (2) The promise of negotiations with California for the transfer of 270,000 acres of federal lands (25 parcels). The tracts included many areas in populous Monterey County and most of the beach and wooded areas on the Marin County headlands, north of San Francisco. (3) Transfer to the state of several Defense Department beaches including one mile of San Onofre Beach – "probably the finest surfing beach in California," according to the Budget

Bureau. (4) Changes in the boundaries of the Six Rivers National Forest to permit increased logging for companies dispossessed by the National Park. (5) Acceleration of a Department of Transportation plan to build a 49-mile highway through the redwood country at a cost of \$96.6 million if the state would assist by reallocating some of its federal highway funds.

Reagan Response. In a June 28 letter to the House and Senate Interior Committees, Gov. Reagan responded to the Budget Bureau's letter to the Committees. Reagan said that without transfer of the Northern Purchase Unit to the state "no park proposal can advance because it will not meet the objections of the people of the North Coast of California nor will it be acceptable to the state legislature."

"While it is not (my) intent," the Governor continued, "...to advocate the interests of any individual timber operator, ...we do feel strongly that any park plan must adequately provide the private sector with other timber land and not just for dollars. As of now, the federal Administration's proposals do not meet that requirement."

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Senate

The Senate Interior and Insular Affairs Committee held three days of hearings in April on the two major Redwood National Park proposals (S 1370, S 514). The testimony featured arguments between the supporters of the two plans which differed little from hearings held in 1966.

When the hearings ended it appeared that the two groups were no closer to a solution to the park problem than they had been before the hearings opened. Over the summer, however, a compromise bill (S 2515) was worked out which included land areas in both Del Norte and Humboldt counties. The compromise contained a controversial provision authorizing the exchange of a 14,567-acre tract owned by the Forest Service – the Northern Purchase Unit – for privately owned land within the proposed park's borders.

Bill Reported

The Committee Oct. 12 reported a clean bill (S 2515 – S Rept 641) creating a Redwood National Park in northern California. S 2515 was a compromise measure sponsored by three top-ranking members of the Committee: Chairman Jackson, ranking Republican Thomas H. Kuchel (Calif.) and third-ranking Democrat Alan Bible (D Nev.). The second-ranking Democrat on the Committee, Clinton P. Anderson (N.M.), filed individual views with the report (*below*).

The proposal, intended as a compromise after three years of controversy over the park, was opposed by the Administration.

Major Provisions. S 2515 established a park of 61,654 acres (plus 4,730 acres of submerged land) divided into two sections. The northern unit was in Del Norte County and consisted of 25,970 acres; 14,820 acres of the tract constituted Jedediah Smith and Del Norte Coast State Redwood Parks and, under the terms of S 2515, would be donated to the Federal Government. The cost of acquiring the remaining, private land in the northern sector was estimated at \$23,640,000.

The 35,684-acre southern unit of the park was made up of a narrow coastal strip, running from the mouth of the Klamath River to Prairie Creek Redwoods State Park. This park, like its two northern neighbors, would be donated by the state to the federal park. The remaining private holdings, 22,314 acres, lay north and south of

Prairie Creek Park and included the tallest trees unit. The purchase price of this land was estimated at \$76,170,000.

S 2515 provided also for exchange of sections of a 14,567-acre tract, the Northern Purchase Unit, owned by the Forest Service, for privately held sections of the proposed park. Lands held by the Bureau of Land Management were also opened for trade under the bill. S 2515 set a limit of \$100 million on appropriations for land acquisition.

Changes in Administration Bill. S 2515 changed the shape of the Administration-supported park. It pared about 17,000 acres from the tract – all in Del Norte County – and added the 35,684-acre southern unit. S 2515 also eliminated the Administration bill's economic adjustment payments to the Del Norte County government to tide the area over while the park was being set up. In addition, the trade of federal land for private land, an unprecedented procedure, was authorized in the compromise bill. The Administration bill had provided for trade of federal lands only for state lands.

Majority Views. The Committee said that S 2515 would have “broad appeal to conservationists.” The benefits of S 2515, the report said, would be that its boundaries protected more old-growth redwoods than earlier measures had and that it spread the impact of land acquisition for the park among four timber companies instead of one, the Miller Redwood Co.

The Committee said it was “in the public interest” to make the Northern Purchase Unit lands open for trade with the private timber companies. The report noted that all of the 14,567-acre tract – except for a 935-acre experimental logging farm – was already used for timber harvesting and the logs were sold to the highest bidders. The report noted that putting the unit back on the county tax rolls would help compensate for the loss of other private lands to the Federal Government. The Committee said the language in the bill authorizing the exchange “should not be construed as in any way establishing a precedent for exchanging national forest land to acquire lands for national parks.” Besides, the report contended, the Northern Purchase Unit was not technically “an established national forest.” The land was acquired between 1939 and 1945 to build toward an “economic forest unit...suitable for inclusion in the national forest system.” Only “a fraction” of the planned acreage had been acquired, the report said, and it appeared “unlikely that further progress in this direction would ever be realized.”

The Committee did not mention the impact the trade proposal was expected to have on the total cost of the park. Jackson and Kuchel Oct. 9 said they thought the trades would cut about \$60 million from the estimated \$99,810,000 total cost of the private land purchases.

The Committee rejected the argument offered by California Gov. Ronald Reagan (R) that the state ought to receive “value-for-value” compensation for state park lands acquired for a federal park. This had never been an acceptable principle to the Committee, the report said, and establishment of a Redwood National Park should not be made contingent upon California's decision whether or not to donate its state parks to the plan.

The Committee said it deleted from S 2515 the in-lieu-of-tax payments requested by the Administration because the practice would set a bad precedent. The payments were compensated for, the Committee felt, by putting the Northern Purchase Unit back on the tax rolls and by other economic opportunities offered by the compromise bill.

Individual Views. Anderson said he supported the establishment of a Redwood National Park, but he was “unalterably opposed” to the provision in S 2515 authorizing the trade of Forest Service land for private land.

"This is a kind of robbing Peter to pay Paul," Anderson said. He added that he feared that "we will not successfully keep down pressures to use national forest lands as trading stock for other federal projects whose sponsors will claim that they are (as)...uniquely significant" as the redwood proposal. The Purchase Unit was the "only federally owned redwood stand available for the valuable research on the management of redwoods," Anderson said.

Floor Action

The Senate Nov. 1, by a 77–6 roll-call vote, passed and sent to the House a bill (S 2515) establishing a Redwood National Park in Northern California. (See vote 236, p. [53-S.](#))

Before passage, the Senate by a 30–51 roll call rejected an amendment eliminating from the bill a controversial provision which permitted the trade of land owned by the Agriculture Department's Forest Service for private land within the park boundaries. (See vote 235, p. [53-S.](#))

The Senate debated S 2515 Oct. 31 and Nov. 1. Most of the discussion centered on an amendment offered Oct. 27 by Clinton P. Anderson (D N.M.). The amendment removed from the bill the authority for trade of sections of the Northern Purchase Unit for private land in the park. It was rejected by the 30–51 roll call.

Henry M. Jackson (D Wash.) said that S 2515 represented a compromise in which the Committee had tried "fairly (to) consider and weigh the competing and conflicting interests at stake." He defended the Committee's decision to permit trade of the Forest Service purchase unit – an unprecedented move. "This provision," he said, "is proposed as an honorable exception to a general policy, not the establishment of a new one."

Both Jackson and ranking Committee Republican Sen. Thomas H. Kuchel (Calif.) argued that the Northern Purchase Unit, although owned and managed by the Forest Service, was not technically a part of the national forest system. The 14,567 acres in the tract, they claimed, had been originally purchased to serve as a base for a redwood national park and were to be turned over to the Interior Department's National Park Service. Jackson maintained that if the land had been turned over to Interior as planned, the exchange would not have become an issue. "This is nothing more or less than a good, old-fashioned, Washington, D.C., bureaucratic hassle," Jackson said.

Anderson's amendment was defended by Allen J. Ellender (D La.), chairman of the Agriculture and Forestry Committee. (Anderson was absent during the two days of debate.) Ellender said that the exchange provision in S 2515 was contrary to a 1911 Act, governing land acquisition for the national forest system, under which the Northern Purchase Unit was obtained by the Federal Government. The Act required that all land purchased under its provisions be "permanently held" by the Government.

Ellender placed in the *Congressional Record* a July 13 letter from Interior Secretary Stewart L. Udall to Anderson in which the Secretary opposed exchanging Forest Service lands for state or private holdings. The Administration, Udall said, was "firm" on this point. Ellender also put in the *Record* an excerpt from a Budget Bureau letter to Jackson June 22 saying that such trades would set "undesirable precedents."

Jackson, however, produced a second letter dated Oct. 31, from Udall, saying that "for obvious reasons" (that the Senate compromise depended on the exchange language) the Administration would take no position on the amendment. Udall said it was his "own personal view" that the exchange language in S 2515 would be "acceptable" if it did not set a precedent. (*For later Udall statement, see below.*)

George Murphy (R Calif.) said the needs of the lumber industry and the state must be considered. He read from an Oct. 10 statement by California Gov. Ronald Reagan (R) supporting the compromise bill. But, Reagan said, the bill would “still seriously damage” the timber industry in the area affected by the park. The Governor urged that the amount of private acreage authorized in the bill be reduced.

Wayne Morse (D Ore.) opposed the exchange provision. He offered an amendment, accepted by voice vote, which inserted what he called a “public interest criterion” in the bill. The Morse amendment exempted from trade any Bureau of Land Management property “needed for public use and management.

PROVISIONS – As passed by the Senate S 2515:

Authorized establishment of a Redwood National Park in Northern California. Directed the Interior Secretary to acquire 61,654 acres – a northern section of 25,970 acres and a southern unit of 35,684 acres. Set a limit of 64,000 acres on the ultimate size of the park.

Directed the Secretary to acquire private land within the park boundaries by trade for land held by the Bureau of Land Management, not required for public use, or for land within the Forest Service Northern Purchase Unit. Permitted owners of improved property, acquired by the Secretary, to retain use and occupancy rights for their lifetimes or for up to 25 years.

Authorized the Secretary to accept, only by donation, from the state of California three state redwood parks – Jedediah Smith, Del Norte Coast and Prairie Creek – within the boundaries of the national park.

Authorized an appropriation of not more than \$100 million for land acquisition in the park area.

Amendment Accepted

Nov. 1 – Wayne Morse (D Ore.) – Permit the Interior Secretary to trade, for private lands within the park, lands administered by the Bureau of Land Management, provided they were not required for public use or management. Voice vote.

Amendment Rejected

Nov. 1 – Clinton P. Anderson (D N.M.) – Strike from the bill a provision permitting the trade, for private land, of sections of the 14,567-acre Northern Purchase Unit, owned by the Forest Service. Roll-call vote, 30–51.

Administration Views

Agriculture Secretary Orville L. Freeman in an Oct. 10 memorandum to the Senate Committee said the plan to exchange sections of the Northern Purchase Unit for private land would violate 60 years of Forest Service policy. The dollar savings that Jackson and Kuchel estimated would come from such an exchange, Freeman maintained, would actually be “nominal.” The plan and the reasoning behind it, the Secretary added, were “fallacious.” It was not known whether Freeman's letter had been endorsed by President Johnson. One Department aide, however, said “it's logical to assume” that the White House knew about the letter.

Interior Secretary Udall, at a Nov. 30 press conference, said he thought that the park boundary established in S 2515 represented “the best hope for a compromise to get action” on redwood park legislation. He said that if the Administration wanted “to get a (redwoods) bill” in 1968, S 2515 appeared to him to be “the best vehicle.”

Udall added that he thought the Administration should hold “a unified” position on the redwoods issue. He indicated that Secretary Freeman would withdraw his objections to the trade of Northern Purchase Unit lands authorized in S 2515.

Group Positions on Bill

Participants in the redwoods controversy – from conservationists to the timber companies – made their positions on S 2515 known between Oct. 12, when the bill was reported, and Oct. 31 when debate began.

Supporting the Committee compromise were the Sierra Club, the Save-the-Redwoods League and, according to Sen. Thomas H. Kuchel (R Calif.), the local and county governments in the affected region. Eight conservation groups sent a joint telegram to President Johnson Oct. 27 opposing the Northern Purchase Unit exchange provisions. The groups were the American Forestry Assn., the Boone and Crockett Club, the Izaak Walton League, the National Rifle Assn., the National Wildlife Federation, the North American Wildlife Institute, the Sport Fishing Institute and the Wildlife Management Institute.

The five timber companies, whose operations would be affected by the park, sent letters to the Committee approving the exchange provisions. Several of the firms reiterated their stands that a national park should not be created in the first place.

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Features

Logging Moratoriums

A major factor behind the urgency that the Administration attached to establishing a Redwood National Park in 1967 was the threat that the four major timber companies in the proposed park areas might resume logging operations.

During 1967, in exchanges of letters between officials of the timber companies and the House and Senate Interior and Insular Affairs Committees, a series of moratoriums on logging were agreed to. The companies involved were Miller (Rellim) Redwood Co., Arcata National Corp., Simpson Timber Co. and Georgia-Pacific Corp.

The first moratorium was arranged Sept. 8, 1966, after it was determined that the Miller company was cutting a swath of redwoods along the southern border of the Jedediah Smith State Park. (See *map*.) After an angry exchange of letters between company president, Harold Miller, and Interior Secretary Stewart L. Udall, and the threat of Congressional action to restrain Miller, a moratorium on cutting within the proposed borders of the park was arranged. Arcata, Simpson and Georgia-Pacific all agreed to withhold cutting operations in the park area, through the 1967 session of Congress.

A Senate Interior Committee source said it was the Committee's understanding that all four companies had agreed, either in writing or through discussion with the Committee staff, not to cut trees within the borders of the Senate-proposed park (S 2515) until the close of the 1968 session.

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