

Complete Testimony On Big Sur Bill

The Big Sur Gazette



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May, 1980

Cranston's Big Sur Park Bill Suffers in Subcommittee Testimony

Carter Opposes Cranston's Big Sur Bill

WASHINGTON, D.C. — A spokesman for the Carter Administration testified at the April 24 hearing before the Senate Subcommittee on Parks, Recreation and Renewable Resources that President Carter opposed Senator Cranston's bill to create a Big Sur National Scenic Area.

M. Rupert Cutler, Assistant Secretary to the U.S. Department of Agriculture, testified that "while the (Carter) Administration supports the objectives of S2551 to avoid unnecessary adverse effects on the scenic beauty of the area, the Administration cannot support enactment at this time primarily."

Cutler indicated that the Administration had not been able to adequately assess "the specific provisions identified in the bill, especially as they may relate to existing Federal and state protection programs already operative there."

Cutler posed two questions. "First," he asked, "are the current planning and land use control processes now underway effective?"

He stated that "the state and local governments' coastal control program . . . is designed to address many objectives of this bill."

Referring to the Local Coastal Plan now in progress, he said that "we need to carefully consider the impacts of enacting new Federal legislation which would override the existing coastal zone management process before it has had a full opportunity to demonstrate whether its proposals will afford the necessary protections for Big Sur."

Cutler also questioned the reliability of Senator Cranston's assessment of "the overall costs to the taxpayer that will ultimately be



MEMBERS OF THE BIG SUR DELEGATION TO WASHINGTON post on U.S. Senate steps. Front row: Claire Chappellet, Pat and Barbara Chamberlain, Frank Trotter, Rosemary Craven, Sam Goldeen, Don McQueen. Back row: Chuck Cushman, Keith Thompson, Brian Lyke. Not shown are James Josoff and Howard Sitton.

required to accomplish the protections for Big Sur."

"The potential cost of federal assumption of responsibilities may be substantially in excess of the \$100 million authorized in S2551," he said.

Cutler said the Administration would be reviewing

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More Opposition Than Support

By GARY KOEPEL

WASHINGTON, D.C. — Extensive testimony was presented for and against U.S. Senator Alan Cranston's \$100 million Big Sur National Scenic Area bill during Senate Subcommittee hearings held April 24.

During the three-hour hearing before the Subcommittee on Parks, Recreation and Renewable Resources, 13 of the 20 speakers offered testimony opposing the proposal.

Proponents for the new federal designation which would be administered by the U.S. Forest Service included spokesmen for the Wilderness Society, the Big Sur Foundation and the Sierra Club, representatives of which had worked with Senator Cranston's staff to draft the legislation.

Speaking in opposition to the Big Sur National Scenic Area concept were one U.S. Senator, two U.S. Congressmen, a spokesman for the Carter Administration, a Monterey County Supervisor, the Hearst Corporation, and several Big Sur organizations: the Citizens Advisory Committee, Grange, Chamber of Commerce, Coast Property Owners Association, Esalen Institute, the Friends of Big Sur and the National Inholders Association.

The oral hearing was closed at the end of the afternoon but two weeks remain for submission of further written testimony.

At press time the decision of the subcommittee was unknown. One source on Capitol Hill indicated his opinion that "for all intents and purposes, the Cranston Bill is dead," but another more cautious legislative aid indicated that the issue would be determined by "the politics of the club, not by the merit of the issue."

The complete text of all the testimony is presented in a special section of this issue; the following is a summary of the highlights of the testimony in the order it was submitted.

Senator Cranston's introduction of the bill claimed that piecemeal development was occurring which would degrade the area. He cited at length excerpts from a letter written by Michael Fischer who allegedly represented the views of the California Coastal Commission which, he said, supported the Cranston Bill.

Fischer cited that Coastal Act regulatory programs were "impermanent," and that federal funds were needed to acquire viewshed properties and manage Highway 1 traffic.

Sen. Cranston described the area as defined on a map prepared by USFS personnel as containing approximately 700,000 acres of land from Mal Paso Creek in Monterey County to the Hearst Castle in San Luis Obispo County. The area consists of 168,000 acres of Hunter Liggett Military Reservation, and 120,000 acres of private property, 50,000 acres of

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Controversy Surrounds Cranston's Big Sur Bill

WASHINGTON, D.C. — During Senator Alan Cranston's April 24 testimony which introduced his legislation for a Big Sur National Scenic Area, the Senator stated that the California Coastal Commission supported his federal legislation for Big Sur.

During his testimony he quoted at length statements from a letter written by Michael Fischer, allegedly on behalf of the California Coastal Commission, which enthusiastically supported

his legislation.

However, Santa Cruz Supervisor and Regional Coastal Commissioner Marilyn Liddicoat, who attended the hearing but did not testify, informed members of the press that, to her knowledge, neither the regional nor the state Coastal Commission had either discussed or acted on Cranston's Big Sur bill. She said that Fischer's letter to Cranston was therefore his own

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Local News ...



No Parking.
FOURTEEN new no-parking signs appeared recently along the East side of Highway One at San Jose Beach.

Tor House Foundation Announces New Jeffers Tours

The highly successful bus tour of Jeffers Country, sponsored by Tor House Foundation, will be repeated on Friday, May 9. "This will be our fourth tour," David Hughes, president of the foundation, said, "and it promises to be our best." He recalled that the first trip, on Oct. 3, 1978, was shrouded in fog. None of the sights along the Big Sur Coast, so clearly described in Jeffers' poems, was visible. "But everyone had a marvelous time," he concluded.

The tour will begin at Carmel's Sunset Center at 9:30 a.m. First event is a screening of "Tor House," the dramatic film of Jeffers Country with lines from the poet read by Burgess Meredith. At 10, the buses will roll down Highway 1, passing the scenes of many Jeffers poems and stopping four or five times for readings-on-the-spot by Marcia Hovick and her talented associates. After about three hours and 50 miles of incredible scenic beauty, all engraved in type by the perceptive versus of Robinson Jeffers, the tour reaches its southern terminus at Julia Pfeiffer Burns State Park. There box lunches and wine will be provided and guests will be entertained by further discussion of the poet and his work.

The tour then returns to Sunset Center, arriving about 4 p.m. The whole concept was the idea of Ansel Adams, a close friend of Jeffers in his lifetime and an ardent disciple ever since. Subsequent tours, on July 13 and Oct. 6 last year, were blessed by perfect weather. The craggy cliffs, the restless sea, the stately forests, deep arroyos, rocky landings and soaring mountains so clearly

depicted in Jeffers' poetry were there for the taking. And having been taken, still remained.

Hike to Point Lobos

A second tour, similar in purpose but quite different in execution, will be offered on Saturday, May 10. This is the Jeffers Walking Tour, originating at the Forest Theatre and ending at Point Lobos. Under the direction of John Dotson, the foundation's current poet-in-residence and a professor at Santa Catalina School, this is for hardier folk who can maintain a fairly brisk pace for four or five miles and who prefer to examine the terrain at close range. "Jeffers himself and Una, his wife, often made this hike," says Dotson, "and we hope to relive some of the inspiration he found." Dotson will be joined by Don Howard, Carmel archeologist, and Robert de Yoe, naturalist and experienced Sierra Club hiker, in leading the trek. They will point out natural wonders along the way and highlight the history and lore of Jeffers with selected readings from his works.

Participants in the walking tour are asked to be on hand at the Forest Theatre at 9 a.m., ready to hike, and equipped with their own brown bag lunch. Return will be by bus about 1:30.

Reservations for both tours must be made at the Tor House office, Seventh Avenue between San Carlos and Dolores, (408) 624-1813. Post office address is Box 1887, Carmel, 93921. Fees are \$35 for the bus tour, \$2.50 for the walking tour. Space is limited to 90 for the buses, unlimited for the hike.

community calendar

MAY 1980

The COMMUNITY CALENDAR is a monthly feature, the purpose of which is to inform the public about meetings, events, entertainment and items of public interest. To place something on next month's calendar, either phone us at 667-2222 or write to:

THE BIG SUR GAZETTE
Highway One • Big Sur, California 93920

sunday	monday	tuesday	wednesday	thursday	friday	saturday
				1 May Day Food Co-Op Grange Hall 11-6 p.m.	2	3 Saturday Night Movies Grange Hall 8 p.m.
4 AA Meeting Grange Hall 11-12:30 p.m.	5 Health Clinic 10 a.m.-5 p.m. Grange Hall EMT 7-11 p.m. Grange Hall	6 Playing Video Tapes from Senate Hearings Grange Hall, 7:30 p.m.	7	8 Food Co-Op Grange Hall 11-6 p.m.	9	10 Saturday Night Movies Grange Hall 8 p.m.
11 Mother's Day AA Meeting Grange Hall, 11-12:30 p.m.	12 Health Clinic 10 a.m.-5 p.m. Grange Hall EMT 7-11 p.m. Grange Hall	13 CAC Meeting Grange Hall 2 p.m. work session 7:30 p.m. general meeting	14	15 Food Co-Op Grange Hall 11-6 p.m.	16	17 Saturday Night Movies Grange Hall 8 p.m. Jumping Frog Jubilee at Angel's Camp
18 AA Meeting Grange Hall 11-12:30 p.m.	19 Health Clinic 10 a.m.-5 p.m. Grange Hall EMT 7-11 p.m. Grange Hall	20	21	22 Food Co-Op Grange Hall 11-6 p.m.	23	24 Saturday Night Movies Grange Hall 8 p.m.
25 AA Meeting Grange Hall 11-12:30 p.m.	26 Memorial Day Health Clinic 10 a.m.-5 p.m. Grange Hall EMT 7-11 p.m. Grange Hall	27 CAC Meeting Grange Hall 2 p.m. work session 7:30 p.m. general meeting	28	29 Food Co-Op Grange Hall 11-6 p.m.	30	31 Saturday Night Movies Grange Hall 8 p.m.

Cranston Controversy

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personal opinion.

After the hearing, the *Gazette* questioned Senator Cranston's legislative aide, Cathy Files, who said both she and the Senator assumed Fischer was speaking for the Coastal Commission.

Ms. Files read the first few lines of each paragraph from Fischer's cover letter: "I'm sorry that the Coastal Commission is not able to be represented . . . the attached letters set forth our recommendations . . . Please submit these two letters in the record as representing our testimony.

"To us it is very clear that he is speaking for the Commission," she said, and then quoted the first lines of each paragraph of the letter which Senator Cranston had submitted with his testimony: "We are very pleased . . . It is our view . . . Our first area of concern . . . Our second area of concern . . . Accordingly, we suggest . . . We believe . . .

Ms. Files pointed out that the letter was on Coastal Commission stationery, and that if she and the Senator were incorrect in their assumption that Fischer was representing the Coastal Commission, then the commission should clarify their position before the hearing record closes.

On April 28 Michael Fischer, as reported in the *Monterey Peninsula Herald*, told both the *Herald* and Senator Cranston's office that he "was in fact speaking for the State Commission when he wrote a letter endorsing the Cranston proposal."

However, also on April 28, the *Gazette* learned that, according to state and regional Coastal Commission records, neither commission had discussed or acted on the Cranston bill.

James Josoff, spokesman for the Friends of Big Sur, asked, "How can Michael Fischer say the LCP won't protect the Coast when it isn't even completed yet? And if he believes that, why the hell didn't Michael Fischer tell the Citizens Advisory Committee rather than let the people of Big Sur spend four years helping the county draft a plan?"

By press time the *Gazette* learned that the subject of Fischer's correspondence and endorsement of the Cranston bill had been scheduled for discussion at both the regional and state Coastal Commissions during the first week in May.

Free Wood Areas Open

The Chews Ridge and Nacimiento/Coast Free Use Firewood Areas of the Los Padres National Forest will remain open until May 18, 1980 for the cutting of firewood for personal use. A free permit must be obtained from the Monterey district office in King City prior to cutting in the areas.

The Chews Ridge Free Use Area is located on Chews Ridge, immediately south of China Camp approximately eight miles south of Jamesburg on the county road to the Tassajara Zen Center. The Nacimien-

to/Coast Free Use Area encompasses a broad area along the Nacimiento Fergusson Road, South Coast Ridge Road and Cone Peak Road.

"Now is the best time to cut firewood before the areas are closed due to high fire danger later this spring," recommends Monterey District Ranger Robert Breazeale.

Anyone desiring permits, regulations, maps and information regarding the Free Use Areas should contact the U.S. Forest Service, 406 S. Mildred, King City. Phone (408) 385-5434.

Public Safety Closure Is Lifted

For the first time since the disastrous Marble Cone fire, which occurred during August of 1977, all areas of the Ventana Wilderness will be open, according to District Ranger Robert Breazeale.

Over 120 miles of trail have been reconstructed. Another 80 miles have been maintained within the wilderness, located on the Monterey Ranger District.

Visitors are reminded that wilderness permits are required for entry into the wilderness and may be obtained at the following stations: Big Sur, Carmel River, Arroyo Seco, Indians, Pacific Valley, Nacimiento Summit and King City. These stations are open normally from 8 to 4:30 each weekday. Permits are also available by writing or calling the King City office, 406 S. Mildred, King City, 93930, (408) 385-5343.

Pres. Carter Opposes Cranston Bill

Continued from page 1

other types of protection strategies, including less than fee acquisitions and cost sharing, and he alluded to other types of management and protection approaches which ought to be investigated.

Cutler said as an aside from his prepared testimony that "no one in this administration has said we can zone it (Big Sur) better from Washington."

Cutler concluded by saying that "the Department of Agriculture will also continue to work closely with the state and county to coordinate applicable portions of the Los Padres National Forest resource management plan with the local coastal plan currently being developed."

MAY FLOWERED...

- 1647 - Peter Stuyvesant became Governor of New Amsterdam (N.Y.)
- 1654 - First toll bridge opened in Rowley, Massachusetts
- 1701 - Captain Kidd hanged
- 1754 - First newspaper cartoon appeared in the *Pennsylvania Gazette*
- 1761 - First life insurance policy issued in Philadelphia
- 1792 - New York Stock Exchange founded
- 1869 - East and West coasts connected by rail at Promontory Point, Utah
- 1878 - First unassisted triple play in a baseball game at Providence, R.I.
- 1910 - First race between a plane and a train
- 1911 - Indianapolis Speedway opened - winner averaged 74.59 mph
- 1928 - First Calaveras County Frog Jumping Contest
- 1929 - First Oscar Awards
- 1935 - First Major League night baseball game held in Cincinnati
- 1942 - WAAC's founded

This month celebrate MOTHER'S DAY, BE KIND TO ANIMALS WEEK and NATIONAL TAVERN MONTH at...



P.O. Box 900
CARMEL
CALIFORNIA
93921

APPETIZERS: WESTERN ONION SOUP With gruyere and parmesan cheeses. CHILLED ARTICHOKE With vinaigrette. GUACAMOLE Served with Tortilla Chips. SOUPS: CREAM OF ALMOND COLD CUCUMBER SALADS: CAESAR SALAD Romaine tossed at your table with egg yolk, croutons and fresh grated parmesan cheese. SPINACH SALAD Fresh spinach with mushrooms, bacon and house dressing. DINNER ENTREES: NEW YORK STEAK FILET MIGNON VEGETABLE PLATE SOLE MADAGASCAR Sole, bay shrimp & crab in banana curry sauce. PRAWNS SAINTE MAXIME Sautéed in garlic, with shallots, tomato & wine. LUNCH: REUBEN SANDWICH Hot corned beef grilled with sauerkraut and swiss cheese, served with potato salad. TURKEY & SWISS SANDWICH on light rye. ANVIL BURGER 1/2 pound of char flavored ground beef, forged. HAMMER BURGER Bacon and golden cheeses forged to our char broiled ground beef. JACK'S PEAK OMELETTE Julienne of ham and cheese. BIG SUR OMELETTE Fresh chopped spinach with a blend of cheeses. QUICK Assorted fresh fruit served with yogurt and honey. DESSERTS: CHOCOLATE CAKE Poached in Red Wine with fresh fruit sauce. EGGS BENEDICT poached eggs on a bed of hollandaise and guacamole. BIG SUR BURGER Bacon and golden cheeses forged to our char broiled ground beef. ENTREES: TROUSSEAU With fresh mango, prawns, prosciutto & olive oil. OP CALIFORNIA served with potato and har flavored ground beef. JACK'S PEAK OMELETTE Julienne of ham and cheese. QUICK Assorted fresh fruit served with yogurt and honey. DESSERTS: CHOCOLATE CAKE Poached in Red Wine with fresh fruit sauce. EGGS BENEDICT poached eggs on a bed of hollandaise and guacamole. BIG SUR BURGER Bacon and golden cheeses forged to our char broiled ground beef. ENTREES: TROUSSEAU With fresh mango, prawns, prosciutto & olive oil. OP CALIFORNIA served with potato and har flavored ground beef. JACK'S PEAK OMELETTE Julienne of ham and cheese. QUICK Assorted fresh fruit served with yogurt and honey. 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More...

Local News...

Save The Whales

Assemblyman Henry J. Mello (D-28th District) has introduced AJR 78 which urges the president and Congress to vigorously seek passage of an indefinite moratorium on all commercial whaling.

"At the last annual meeting of the International Whaling Commission in July 1979, a majority of the member nations voted in favor of the moratorium on commercial whaling; however, a 3/4ths vote was needed for

passage," Mello stated.

"Most of the world's whales are close to extinction or seriously depleted. California should be in the forefront to condemn the senseless slaughter of the whale population," Mello concluded.

Panetta Outlines His Big Sur Approach

Representative Leon E. Panetta, D-Monterey, today put forward his approach for the Big Sur area designed "to supplement, not supercede" state and local management authorities. Panetta's approach essentially reflects the recommendations of the Big Sur Citizens Advisory Committee, a group established by the Monterey County government for the purpose of designing a plan for the protection of Big Sur.

In testimony prepared for the Senate Subcommittee on Parks, Recreation and Renewable Resources, Panetta, who represents the Big Sur area in Congress, expressed support for an approach combining the following factors:

- retention of existing jurisdictional authorities at the state and county levels;
- coordinated management among the various governmental agencies exercising management authority in Big Sur;
- involvement of the citizens of Big Sur in the planning process for the region;
- restrictions on federal land acquisition powers.

In legislation to be introduced next week, Panetta will propose the creation of a Big Sur Area Council, consisting of five representatives of federal, state and local governments and four local residents. The council would be empowered to draft and oversee "a comprehensive management plan based upon Local Coastal Programs and including detailed recommendations for coordinating the federal role with those of existing jurisdictions."

The existing Local Coastal Programs were created under the California Coastal Act of 1976.

Under Panetta's proposal, the federal government could make grants to the State of California and Monterey County for the purpose of purchasing lands within the Big Sur area under the management plan. The grants could not exceed 75

percent of the purchase costs.

Any land purchased under the plan by the federal government would be transferred to state or local authority at a 25 percent reimbursement cost.

Panetta stated that one goal of his legislation was adequate compensation for landowners and residents. "One of the more bitter experience we have endured along the coast," he said, "is the mandate of the state that has restricted property owners in a number of ways with absolutely no compensation provided for in the process." Partial federal funding of land purchases, he said, would ensure sufficient redress to the local residents.

"There is really no question," said Panetta, "but that this remarkable and unique area must be preserved. Both the residents and visitors to the area want Big Sur to stay the way it is. The only question is how to address the concerns of the disparate groups who share this deep concern."

"The federal government is needed because of the complexity and cost of an adequate approach to the situation. At the same time, existing state and local authorities are best suited to be the ultimate protectors of Big Sur."

In his testimony, Panetta discussed other proposals that have been under consideration for Big Sur. He was particularly critical of a National Park designation for the area, asserting that it would be "the biggest mistake Congress could ever

make. Such an approach would not only ignore the planning efforts that have already been made on the local and state level but also induce the kind of rampant tourism that would itself destroy the precious and unique qualities of the area."

Panetta also took note of the proposal by Senator Alan Cranston, D-California, for the creation of a National Scenic Area at Big Sur. While stating this this approach would be "much more sensitive to the concerns of the local area," he added that it "fails to incorporate adequately the work of local citizens and of local and state units of government."

"Big Sur," said Panetta, "is truly a unique area of scenic beauty, of spectacular views, of magnificent and undeveloped coastline, and of independent and self-reliant people and communities. In seeking to protect the preserve this area, we must be very careful not to sacrifice one quality for another. Rather, we must balance all of these important values that make Big Sur what it is today."

"The legislation I will introduce next week provides for the protection of the magnificent scenic and aesthetic qualities of the area while guarding the rural nature and autonomous spirit of the residents there. These must be the components of any effective legislation regarding Big Sur, and my proposal, which includes substantial participation by Big Sur residents as well as a strong protective role for the state and local governments, addresses both of these needs."

Art Classes Begin June 10 in Monterey

A summer session of professional art classes in Life Drawing, Advanced Drawing and Principles of Painting begins Tuesday, June 10 and continues through Thursday, July 17 at the Monterey Peninsula Museum of Art, 559 Pacific St., Monterey. Each course is conducted from 10 a.m. to 4 p.m. for six weeks and tuition is \$60 per class with a \$5 registration fee for non-museum members. UC Santa Cruz Extension Division series 400 credit is available.

This project is under the auspices of the museum's Extended Education Program. Open to all members of the public, it has proven to be useful for the earnest novice as well as the serious art student.

For registration and further information contact the museum at 372-7591.

A Statement From Big Sur Taxi

The Gazette has been kind enough to allow us this space to state the aims of the Big Sur Taxi Service and hopefully clear up any misconceptions that may exist.

Big Sur Taxi starts operation May 1 and has a two-fold service aim. First is to meet the transportation needs of the Big Sur (primarily North Coast) community. The 4-wheel drive Land Cruiser stationwagon will operate on call to and from any point within 25 miles of the Pfeiffer State Park. The fare is \$1.10 per mile per carload (not per person, as previously reported). The fare is based on miles from pick-up to departure, except that roundtrip rate applies for traversing dirt roads, ridge roads, etc. Thus two miles up Long ridge would cost \$4.40 per carload. Whether pick-up or drop-off and regular fare would start at the asphalt road. As most of you realize there could be little profit potential at these rates, and we are applying for Monterey County transportation grants to help us underwrite the cost of local service. We encourage folks living on the ridges and remote locations to coordinate their transportation needs so that we can provide service at more reasonable rates, whether to connect with bus runs or to make

round trip shopping and landry runs with us. We also wish the community to be assured that only good drivers will be operating the vehicles and we're not about to cut up anybody's road.

The second purpose of the Big Sur Taxi is to provide back road tours for visitors on county maintenance public back roads (such as the Old Coast Road). We would like to state clearly and definitely that no visitors will be taken on private roads, across private property or anywhere else that will infringe on the privacy of local people. Tours will be limited to four people at a time and a low profile will be maintained. We hope to provide visitors with a real experience at the coast and help lessen traffic on Route 1 at the same time.

Our vision and our politics is that we hope to be an integral part of an independent Big Sur community. We oppose any takeover from anywhere.

We welcome ideas and feedback. The taxi phone is 667-2233 and our home phone is 667-2116.

Tom Nash
George Flanner

Visit
**HISTORICAL
WAX
MUSEUM**
of Old Monterey
700 Steinbeck's
CANNERY ROW
Educational Entertainment

The Fascinating Scenes
You Will See in the Museum:

Indian group building the missions
Juan Rodriguez Cabrillo (famous explorer)
Vizcaino (15th century shipmaster)
Count de Monterey (Monterey named for him)
Governor Juan Bautista Alvarado
John Drake Sloat (raised American flag here)
Escolastica de Dye (great horsewoman)
Senorita Bonifacio (Sherman Rose story)
Gaspar de Portola (famous explorer)
Vasquez (bandito in jail scene)
Father Junipero Serra (blessing Indian boy)
Robert Louis Stevenson (author)
Jedediah Smith (famous scout)
John Sutter (Sutter's Fort, gold rush fame)
Gold Miner (panning gold)
Captain John Fremont (pathfinder)
Oliver Larkin (statesman)
Bret Harte (author)
Kit Carson (guide and hunter)
Indian Chief (in battle dress)
Grandma (in old fashioned bedroom)
Spanish Don and his Senorita
Hazel, Mac & Doc Cannery Row characters
Joaquin Murietta (bandito)
Juan Bautista De Anza (explorer)
Concecion (Spanish beauty)

Tickle Pink

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Contemporary Jewelry by James Avery, Craftsman
HOURS: 9:30-5:30 MONDAY through SATURDAY
26386 Carmel Rancho Ln., Carmel 624-1290
"APPROACHING THE BARNYARD"
Ample parking at both entrances.

Captain Cooper Bus Driver To Drive for High School District

BIG SUR — Larry Brassfield, who for the last five years was the bus driver at Captain Cooper School, has been promoted to driving the high school bus. He says he misses the little ones, but also enjoys seeing his old friends (those who were with him on his earlier Captain Cooper runs).

If you are looking for Larry Brassfield between now and summer, be sure to wave to the BIG bus.

Brassfield takes the place of Palo Colorado resident Larry Calhoun, who left the school district last month. Randy Sinclair will soon be driving Brassfield's old route, the most scenic school bus ride in the state.

Each year since he has been driving, Brassfield has held "Turkey Awareness Day" (a part of "Turkey Awareness Week"), a gimmick he uses to call the children's attention to the increase in traffic that we experience each summer. This year Turkey Awareness Day was Brassfield's last day for driving Captain Cooper students and Barbara Woyt baked some special turkey-shaped cookies, her own design, to celebrate the occasion.

Brassfield also worked at yard maintenance at Captain Cooper and in the past was custodian. The children especially appreciated him for donating his off-time to play baseball with them and to teach them some instrumental music during the lunch break. He will continue to be caretaker at Captain Cooper.



LARRY BRASSFIELD takes pictures of the children to remember his last Captain Cooper School bus ride.



CHILDREN HOLD UP turkey cookies baked by Barbara Woyt to celebrate Brassfield's last day, "Turkey Awareness Day" (see story).

Oil Painting Is Offered In Carmel

A six-week session in oil painting will begin at Sunset Center for beginners as well as for those who have had some painting experience. The class is scheduled to start Thursday evening, May 8 through June 12, from 7:30-10 p.m. in Studio 15 of Sunset Center, Ninth and San Carlos, Carmel.

The basic principles of painting as well as developing individual technique will be emphasized. Classes will be limited to permit individual instruction. The instructor is Shirley Polovy, a prominent local artist who has maintained a studio and classes at Sunset Center for several years. She is a noted figure painter as well as portrait artist. Her work appears in many private collections and she has been included in numerous gallery and museum exhibitions. She will include various subject matter in her class depending on student interest and experience. The cost for six lessons is \$59.

For further information, call 649-0715 or 624-9576.

Flaherty's seafood grill

Luncheon
Served 11:30-3:00 Mon. thru Sat.

—FROM THE ICE—

Eastern Blue Point Oysters	each	.65
Eastern Little Neck Clams	each	.65
Prawn Cocktail		4.95
Half Smoked Trout		2.95
Fresh Dungeness Cracked Crab	whole	5.95 half 3.95

—FRESHLY MADE SOUPS & SALADS—

Flaherty's Clam Chowder or Soup du Jour	cup	1.25
House Salad with Ranch or Vinaigrette Dressing		1.25
Marinated Seafood Salad		5.50
Marinated Prawn Salad		5.95
Combination Seafood Salad		5.95
Chicken Salad on Marinated Rice		4.95

—SPECIALTIES—
Green Salad Included

Hot Crab Sandwich		5.50
Steamed Eastern Soft Shell Clams		4.95
Shrimp or Crab Omelette		4.50
Seafood Quiche		4.50
Crepes Nova Scotia		4.25

CALL FOR OUR SPECIAL OF THE DAY..... 625-1500

Flaherty's oyster bar

Served from 11:30 to 9:00

—featuring—
Flaherty's Famous
Clam Chowder & Salad \$2.75
Evening Salad Bar
(with entree) \$1.75

—Italian Style—
Calamari 3.95

Clam Chowder	cup 1.75 bowl 2.25
Blue Point Oysters	each .65
Clams on the Half Shell	each .65
Shrimp Louis	5.95
Crab Louis	5.95
Fresh Smoked Trout	5.95
Shrimp Salad Sandwich	3.95
Steamed Clams	4.95
Steamed Mussels	4.50
Crab Cocktail	small 2.50 large 3.50
Shrimp Cocktail	small 2.50 large 3.50
1/2 Cracked Crab	3.95
Whole Cracked Crab	5.95
Oyster Stew	4.50
Cioppino	5.95
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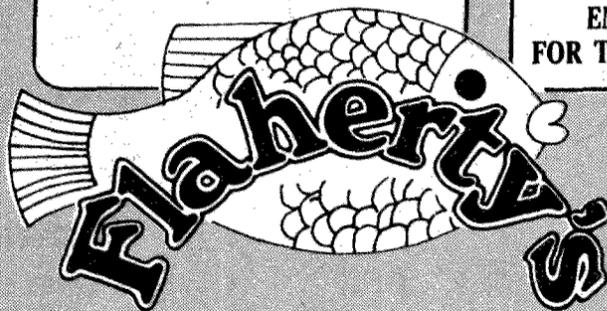
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Local News...

Big Sur Home Rights vs. Conservation Dream Clashes With Bureaucracy

By PHILIP HAGER
Times Staff Writer

CARMEL — Viktoria Consiglio braced herself against a fierce wind, high on a rocky point overlooking the crashing Pacific surf, and began to describe her dream home.

"The roof is down here, where it won't be in anyone's view," she said, pointing to a ravine laden with golden wildflowers. "It has one bedroom, one living room and one kitchen and a garage."

"It looks like a gull feather," she laughed, "like it just flew in and landed right there."

She uses the present tense — speaking about her dream home as though it already existed. The home does not exist. And it may never.

Consiglio has found herself up against the bureaucracy — well-intentioned, but, to her, bewildering. She cannot build on the property she owns. Nor can she sell it. She can only continue to make the payments on the two-acre parcel — including taxes — and hope one day to escape from a snarl of red tape she has been fighting for four years.

Running out of money and weary of dealing with officialdom, she has gone to court, suing the state and regional coastal commissions in an effort to overturn a ruling that her home would disrupt the public's view of the ocean.

The suit, presenting a classic test of the citizen's property rights against the government's land preservation policies, could effect similar disputes in California and the rest of the United States, Consiglio's attorneys say.

"This is the perfect example of the individual property owner exercising the right to build a house on her own property," says Ronald A. Zumbrun of the Pacific Legal Foundation, a Sacramento-based public interest law firm. "Here's a person of modest means, who on her own got enough to afford a home, and the government comes along and pulls the carpet out from under her."

For Consiglio, the ordeal has awakened strong emotions. In

a pronounced accent, she angrily recalls her youth in Hitler's Germany, a time when she feared that at any moment her family could be snatched from their home because one of her grandparents was Jewish. "We never knew what might happen," she says. "We were lucky. Others were taken away ... but we weren't."

"I remember when I came to this country (in 1956), my father telling me 'the United States has the best Constitution in the world,'" she says. "I believe that. I believe that what's happening to me now can't happen under this Constitution. It's scary."

Why can't she build? For its part, the state contends that the Consiglio home would spoil the view of a spectacularly scenic portion of the Big Sur coast and that it could impede public access to the shore.

"I agree it's possible to be 100 percent sympathetic to her dilemma," says Edward Y. Brown, executive director of the Central Coast Regional Commission in Santa Cruz. "But hers is a unique parcel of land. One thing that's come out clearly ... is that every attempt should be made to protect the view and minimize development that might interfere with the visual quality there."

Consiglio and her husband, a civil servant, live in nearby Seaside. They had always longed for a place on the ocean. "My husband grew up the son of a fisherman," says Consiglio, 55. "We dreamed of a home with the sea at our feet."

In 1976, the Consiglios saw an advertisement in a newspaper for a lot of Kasler Point, south of Carmel. They inspected it and fell in love with the site. With the help of an inheritance from her father and the paycheck she earns working for a Monterey auto supply firm, the Consiglios made the down payment on the \$67,000 lot and with her husband to do the wiring and carpentering himself, calculated they could build a one-bedroom home for about \$40,000.

Consiglio says she was assured she would have no trouble obtaining a permit to build. The property is in the midst of a residential enclave stretching for 1 1/4 miles. Homes had been built on 18 of the 27 parcels. There is no sandy beach at the site and the lot itself is on a steep and rocky cliff, about 25 feet below a sharp turn on Highway 1, the two-lane road that winds along the coastline.

The Consiglios began the laborious process of gaining clearance from local authorities but soon ran into trouble. Suddenly, they were hearing terms like "referencing issues," "prescriptive rights claims," "detrimental human intrusion" and other phrases well understood by lawyers and bureaucrats but vague and bewildering to ordinary citizens.

In 1978, when they were ready to build, Consiglio was

denied a permit by the Monterey County Planning Commission because the home might obstruct the view of passing motorists. She hired an attorney who won her appeal to the county Board of Supervisors.

Next it was on to the regional coastal authority and two hearings in 1979. There she received seven yes votes, with six of the commissioners present voting no. But under the law at the time, she was two votes short of the required majority of the entire 16-member commission. (The law has since been changed to permit approval by a majority of the members present.)

Her last frustrating reversal was at the hands of the state Coastal Commission, which in January refused to hear her appeal. Meanwhile, the owner of an adjacent two-acre parcel has received permission to build a home less visible from the road.

The officials' objections to the Consiglios' proposed home center on its location in the rugged and scenic landscape of the coast. According to a report prepared by the regional commission's Brown, the dwelling would "seriously compromise" the view. In addition, the report said, the home would block a path that leads to a rocky cliff above the sea and could block "potential shoreline access opportunities." The home also would not be "subordinate to the character" of its setting and thus is not consistent with legal requirements for coastal development, the report said.

Brown says that the commission's denial should not necessarily be viewed as permanent. He says that Monterey County authorities, aided by a local citizens' group, are preparing a coastal plan of their own.

But the county planning department, in a report prepared last year, does not leave much hope for additional development in the area. The report says future development should be "extremely limited" and that land preservation is "the highest priority." "Visual access," it says, "should be emphasized throughout Big Sur as an appropriate response to the needs of recreationists."

All this leaves Viktoria Consiglio puzzled and angry. Her home, she points out, would be visible only for a fleeting moment to motorists. Pedestrians who stand at a guard rail by the road could see it, she says, only if they look downward rather than straight toward the ocean shore. And for anyone who is offended, she says, she will surround the home with cypress trees and other vegetation to screen it from view.

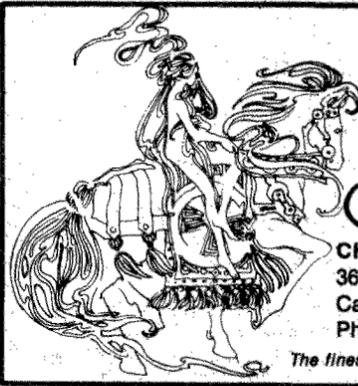
The path the state cites was made by the Consiglios and their pet dogs, not the public, she contends. And finally, she says, she is quite willing to grant the public access through her property, provided the government will accept the liability for anyone who plunges accidentally off the steep and rocky cliff.

Her lawsuit contends the state and regional commissions have erred in their application of the law and charges they have illegally denied her the rightful use to her own property. She asserts the state has violated her constitutional rights to due process and equal protection of the law. Among other things, the suit seeks a court order setting aside the commissions' actions and requiring the state to pay her legal costs.

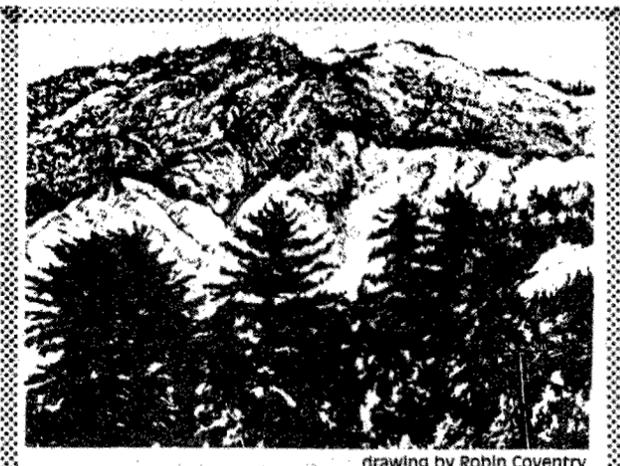
The action is expected to be heard in May in Monterey County Superior Court.

If she loses, will she try to sell the property? She's tried that already and found no takers. The state has not responded to her offer to sell the property for use as a recreational preserve, she says, and no private citizen has expressed interest in buying property that cannot be built upon.

"Nobody believes me when I tell them what has happened to me," says Consiglio. "They say it can't happen. Well it did. We wanted a dream home and it looks like we got a white elephant."



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St. Francis Church
Saturday Mass, 4 p.m.
Catholic Service
1/2 Mile North of Fernwood

New Drinking Ordinance in Effect

Sheriff D.B. "Bud" Cook has announced that the county ordinance prohibiting drinking in public will be effective on Friday, April 18 and that the sheriff's department will begin enforcement on that date.

The ordinance prohibits the consumption of alcoholic beverages on any public streets, sidewalk, alley, shopping mall, plaza, parking lot or bus or train depot in the unincorporated terri-

tory of Monterey County. The only exceptions to the ordinance are public events in which a permit to sell alcoholic beverages has been issued and the event would take place on a premises where consumption would otherwise be prohibited. Examples of such events are the Castroville Artichoke Festival and the Big Hat barbecue.

Violation of the ordinance

is a misdemeanor with maximum fine and/or imprisonment of \$500 and/or six months.

Since violations of the ordinance are misdemeanors, deputies may either cite persons in violation or arrest and book at the county jail as circumstances dictate.

Sheriff Cook has expressed hope that public awareness of the ordinance will result in voluntary compliance with it.

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Doran Associates Expands Computer Based Services

Doran Associates, a Carmel-based firm, has expanded its professional services to include business evaluation, financial proposal preparation, business planning and market research.

Terry M. Bourne, formerly of the Tri-County (Mauc) small business development association, has joined Doran Associates in the capacity of business counselor and will supervise these expanded operations. Mr. Bourne's background includes management consulting, financial analysis and loan proposal preparation. He has developed systems for eval-

uating individual business prospects and preparing financial proposals which will now be implemented at Doran Associates.

While at the tri-county SBDA, Bourne worked closely with local banks in obtaining government guaranteed financing for his clients.

Mr. Bourne's expertise, coupled with Doran Associates' computer based data and word processing capabilities, will provide a unique, necessary service to the local and coastal business community.

For further information, phone 625-1255.

California Festival Theater Prepares For Production Year

Henry Littlefield, president of the board of directors of the Festival Theater of California, announces the retention of consultant Jacqueline Kilbourne of MAEriksen Inc. in the next step of its plan to build a major professional theater on the Monterey Peninsula.

Ms. Kilbourne will work with the board and administration to develop and organize the master plan which will put the Festival Theater into its first phase of production this year. She comes to the Festival Theater of California from Visalia where she worked as an assis-

tant to the executive director of the California Shakespearean Festival for three years.

Plans for 1980 include a Festival Conservatory program which will begin this summer. It offers an intense course in theater arts including mime, movement and voice, and is designed to train young people from 16 to 20 in a fully professional and disciplined environment. Auditions for the program will be announced in late April, according to executive director Nick Zanides, who is currently interviewing for a director of the program.

39 Characters Portrayed

New Historic Wax Museum Opens on Cannery Row

History lives again in the Historic Wax Museum of Old Monterey recently opened on Cannery Row.

Billed as educational entertainment, the museum contains lifelike wax figures which depict famous people in Monterey history.

In the midst of realistic settings containing authentic antiques and historic artifacts, old Monterey characters are caught in timeless poses: Sebastian Vizcaino, the discoverer of Monterey Bay; Father Junipero Serra; an Indian Chief, friend of Kit Carson; Robert Louis Stevenson and many others.

In addition to statues of real life characters, the museum also portrays a host of characters from John Steinbeck's novels, including Mac, Hazel, Doc and Mary Talbot.

In all, 28 scenes and 39 characters are portrayed in the Historic Wax Museum. The museum is located at 700 Cannery Row (behind Sly McFly's), and admission is \$2 for adults and \$1.50 for children and senior citizens.



FRANK CRISPO, co-owner of the Historic Wax Museum on Cannery Row, with *Concepcion*, one of the figures featured in the educational antique settings.

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Brown Charges Off Shore Oil Sales Are A Mockery

From the S.F. Chronicle
April 16, 1980

Governor Brown charged yesterday that the Interior Department's decision to open 1.3 million acres in the Pacific off central and Northern California to potential oil and gas leasing makes "a mockery" of federal environmental protection laws.

"In the view of the state of California, the proposed five-year leasing plan falls far short of what Congress in-

tended when it passed the Outer Continental Shelf Lands Act," Brown said in a statement submitted to the House Select Committee on the Outer Continental Shelf. Brown charged that the plan submitted by Interior Secretary Cecil Andrus earlier this month "fails to weigh the impacts of oil and gas development on fishery and recreational industries and the unique and fragile coastal environment."

The governor said the Interior Department plans "will make a mockery of the provision of the Lands Act which directs the department to properly balance the potential for environmental damage, the potential for the discovery of oil and gas and the potential for adverse impact to the coastal zone."

Brown's statement, presented to the committee by Representative Leon Panetta, D-Monterey, said the schedule for oil and gas leases off Northern California and areas in Southern California "could have been a model for a federal, state and local partnership of the type required" if Outer Continental Shelf lands are to be developed safely.

"Instead, Interior seems intent on perpetuating a relationship best described as colonial," Brown said. "By ignoring the concerns of state and local government and citizens' groups in California, the Department has

set the stage for a prolonged conflict."

Instead of a carefully conceived proposed sale schedule, Brown charged the department left areas off Southern California undefined so that the potential lease area could include the entire California coast.

He said Interior should define the Southern California sales precisely, remove the Santa Monica, Santa Barbara, Santa Cruz, Bodega Bay and Point Arena areas from the lease program and delay the sale until environmental studies are completed.

In addition to Brown, the committee heard from area congressmen and representatives of Humboldt, Marin, Sonoma and Mendocino counties who also criticized the leasing schedule and called for a delay.

Areas proposed for leasing by Andrus include the Eel River Basin off Eureka, Point Arena Basin off Mendocino County; Bodega Basin off Sonoma and Marin counties north of Point Reyes; Santa Cruz Basin, north of Monterey Bay and the Santa Maria Basin off northern Santa Barbara County.

The areas off Northern and central California range from three to 27 miles offshore. Areas off Point Reyes National Seashore and Big Sur have been exempted from any oil and gas drilling.

Sagebrush Rebellion

"Federal Supremacy" vs. Local Control

By LISA LAUBACHER

As a result of a recently released Supreme Court opinion, some Californians are learning first-hand the tremendous authority Washington wields over state lands and resources.

The decision concerned a 120-acre parcel of land in Los Padres National Forest, located within Ventana County. Gulf Oil Corporation has been drilling for oil there, with the federal government's permission, since 1976. Ventura County sued Gulf in mid-1976 after the oil company refused to apply for a local land-use permit in compliance with the county's zoning laws. The county maintained that the permit process was necessary to assure that Gulf's oil drilling operations would be undertaken in a way to protect adjacent properties and lives, and meet basic environmental safeguards.

However, this argument did not fare well with the court. Brushing aside a strong protest by state Attorney General George Deukmejian and ignoring a friend-of-the-court (amicus curiae) brief filed on behalf of 10 Western states, the high court affirmed a 9th Circuit of Appeals ruling that imposition of local zoning ordinances on federal lands would be a "breach of federal supremacy."

Under the 1920 Mineral Leasing Act, the appellate court claimed, local governments cannot exercise veto power over federally licensed private development on federal property. The appellate decision, written by Shirley Hufstедler, further held that Gulf should be responsible to a "single-master": not the state of California or Ventura County, but the Federal Bureau of Land Management.

The court's far-reaching decision radically curtails traditional local zoning control and, no doubt, will have significant implications for the future of federal-state relations as well. Without the power to enforce zoning ordinances, Ventura

County — and now all local governments — will have no leverage to preserve and protect the "quality of life" of their communities.

Further, by favoring federal control, the court's decision represents another skirmish in the "Sagebrush Rebellion," a battle now being waged against the BLM by 12 Western states calling on the federal government to return federally owned and controlled lands to local and state governments. The federal government holds vast tracts of ownership in these 12 Western states, from 37 percent in Colorado to 98 percent in Alaska. Yet it doesn't own more than 12 percent of any state outside the West.

The realization of the immense value of these federally held lands, coupled with a growing dissatisfaction over the mismanagement of public lands, has prompted the Western states to mount a legal challenge to this federal "colonialism." Although the federal government has won the latest battle, the public's rising distaste for the often oppressive growth of federal regulations indicate that the "war" is far from over.

Truly, the development of energy resources is a vital necessity and of concern to us all. The vast reserves of uranium, coal and oil resources which lie under federally owned land must be utilized if America is to secure energy independence. However, Gulf's drilling site was 1,200 feet inside the boundary of the national forest and only within a few thousand feet of any private residences. While the federal government reaps the benefits and revenues from resource development, any adverse impact must be borne entirely by local and state governments.

Local governments have been long overburdened with the sudden population booms and pollution that almost invariably accompany any rapid acceleration of resource development.

Environmental protection and control should be at the level of government closest to the people. Instead, the court chose to entrust local environmental protection to yet another distant and faceless bureaucracy.

Certainly the court's decision points directly to the reason why California, and all the other Western states, should continue their efforts to accomplish the transfer of public lands to the states. Hopefully, with this added fuel to the fire, the "Sagebrush Rebellion" will continue to gain support, and Washington, while it has won this battle, may ultimately lose the war.

Stop Coddling Alaska

The extreme preservationists are at work again. Highly organized, the preservationist lobby is putting pressure on Congress in an election year to pass an Alaska lands bill that will lock up Alaska not only from balanced development, but scarcely any development at all, and will make Alaska virtually a wilderness zoo.

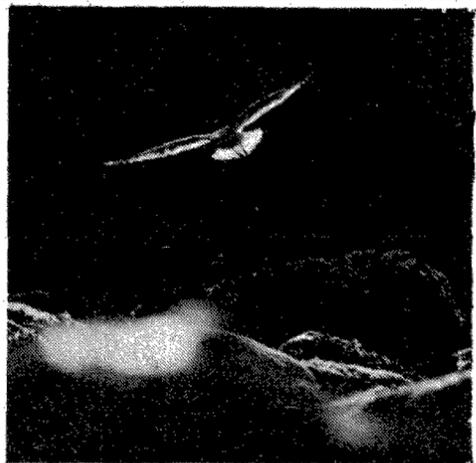
Alaskans do not appreciate its status being lowered to that of a step-child which needs extreme overprotection. Alaska would appreciate the same freedom to make mistakes as the other states had. Apparently the do-gooders spurred on by the preservationists have so little faith in themselves that they cannot have faith in Alaskans to refrain from making the same mistakes they made.

The Alaska Weekly

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Panetta Blasts Interior Department On Off Shore Oil Plan

Representative Leon E. Panetta (D-Monterey), in testimony submitted to the Senate Subcommittee on Energy Resources and Materials Production, has attacked the Interior Department's five-year leasing schedule for oil drilling in the Outer Continental Shelf off the central and northern California coast.

Commenting on the department's latest revised schedule, issued last week, Panetta called it "no revision at all." He added, "There obviously has been no consideration of the potential for degradation of scenic areas, loss of important revenue in recreation-oriented coastal communities and adverse effects on important fishery resources."

Panetta noted that the legislation governing the leasing process requires the Secretary of the Interior to "obtain a proper balance between the potential for environmental damage, the potential for discovery of oil and gas, and the potential for adverse impact on the coastal zone."

"A look at the facts," said Panetta, "reveals clearly that no such balance has been achieved. The Bureau of Land Management predicts that, over the life of the drilling project, we can expect two oil spills of greater than 1,000 barrels apiece, as well as 160 lesser spills. The economic impact of such spills on an area that depends as do few others in the nation on the tourism and fishing industries could be disastrous."

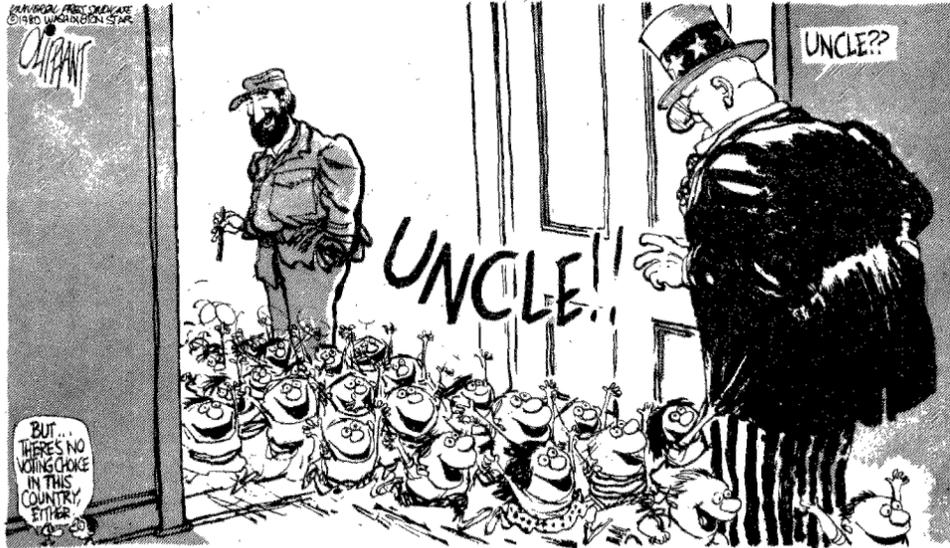
Panetta continued, "If you weigh these damages against the relatively meager amount of oil that the U.S. Geological Survey tells us can be found under Lease Area 53, it becomes clear that the Interior Department has not looked at the facts in an objective manner."

Panetta also remarked on a provision in the revised schedule for five additional "resales" in the leasing process. "The resales," he said, "would include in the bidding process sale tracts that had already been deleted from consideration. This is another decision, in my view, that indicates Interior's determination to run roughshod over environmental and economic considerations."

Panetta concluded, "The Monterey Bay, the Big Sur area, the Santa Cruz and San Luis Obispo coastlines and indeed the entire central and northern California coastal areas include some of the most scenic natural resources in the nation and in the world. The \$12 billion in revenue generated by tourism and fishing in the state indicates the economic reliance of California's coastal communities upon these resources."

"It makes no sense to sacrifice these known natural resources for a questionable energy resource for the future. These facts are being ignored and overlooked by the Interior Department despite legal requirements that they be considered. The offshore oil drilling train is on the track, without regard to destination, impact, laws, or resources."

Panetta also stated that he will introduce legislation to hold Lease Area 53 in reserve as a last alternative in the event no other oil resources can be found for the nation.



Los Padres Oil Drilling Gets Supreme Court Carte Blanche

By R.C. HORSE

BIG SUR — On March 31 the U.S. Supreme Court upheld a decision affirming that Gulf Oil Corporation need not comply with state or county laws if exploring for or extracting oil from federal-

ly owned lands.

In 1976 Gulf Oil Corp., which had obtained a federal drilling permit in Ventura County within the Los Padres National Forest from the U.S. Forest Service, applied for a county permit but was

refused on the basis of zoning.

Ventura County had zoned the area as open space, which requires a use permit for any development.

The county of Ventura appealed the decision, and four

years later the U.S. Supreme Court rejected the appeal that local and state governments have any jurisdiction on federally owned lands.

The Federal Court upheld that federal lands and federal law preempt county and state zoning ordinances.

In August of 1979, the 9th Circuit Court of Appeals upheld the position of Gulf Oil and ruled that the federal government had exclusive authority over federally owned lands.

The U.S. Supreme Court decision will affect Western states which are largely owned by the federal government. Uncontrollable oil exploration and development is expected to affect many communities adjacent or within the boundaries of federally owned lands.

Proposed legislation for a Big Sur Scenic Area in southern Monterey County would increase federal ownership and jurisdiction in the area, and no development would be subject to county or Coastal Commission controls.

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Los Angeles Times

FRIDAY, MAY 2, 1980

Votes by Coastal Panel Affecting Members' Land Disclosed

By MIKE GOODMAN and CLAIRE SPIEGEL
Times Staff Writers

A California coastal commissioner is being investigated by the state Fair Political Practices Commission on charges he failed to disclose ownership of up to 20 pieces of property valued at about \$1 million, The Times has learned.

The FPPC opened its probe last year when complaints were filed that Commissioner Robert H. Newdell, a seven-year veteran on the regional panel covering San Luis Obispo, Santa Barbara and Ventura counties, failed to report land holdings on conflict-of-interest forms he filed in 1976 and 1977.

Commissioner Newdell is one of at least four regional commissioners statewide who voted on matters that had in impact on their land or business holdings, a Times sampling of commission documents and county land records has disclosed.

In addition, The Times found that Newdell has repeatedly voted on neighboring property and planning issues affecting his own extensive land holdings around Grover City, near Pismo Beach.

Newdell, the mayor of Grover City, represents local government on the commission. The other three commissioners include two appointees of Assembly Speaker Leo McCarthy and one of state Sen. James Mills (D-San Diego).

The Times survey found that:

—Commissioner Zad Leavy of Big Sur has used his regional commission post to vigorously oppose construction on land next to his own coastal home. Also, Leavy has been accused publicly of using his commission post to aid a private, nonprofit land trust he helped found and now advises.

—Commissioner Mildred Benioff of Mendocino County voted for a controversial condominium project in Northern California last year that was being developed by two men who owed about \$30,000 for coastal land they had bought from her. Earlier, she voted to deny construction near her land.

—Commissioner Geraldine Grader, whose husband owns a fishery in the Northern California town of Ft. Bragg, has opposed permits for her husband's business. The permits allowed him to proceed with construction which neighbors and a staff memo said was begun in violation of the commission's regulations. She also has voted against projects of a business competitor, who said she used the commission to harass him.

The only commissioner formally under investigation is Newdell, a powerful local political force in San Luis Obispo County.

Newdell said he did not list all his property on disclosure forms because of "a misunderstanding of reporting procedures" and because of "clerical errors."

Newdell's coastal interests are so varied that fellow commissioners joked how they occasionally have to "poke him" when certain projects come to a vote to remind him to abstain and leave the room.

Some of the votes Newdell has cast have embittered Grover City residents because of the influence they feel he has exerted on behalf of his own friends and interests.

In 1976, Minuks showed that Newdell voted for an application by his father to build a warehouse that neighbors opposed. Newdell had drafted the construction plans. Later,

Commissioner Newdell said he built the warehouse and took title to the property. But Newdell said he felt he had no conflict of interest when he cast his vote.

"He (Newdell) owns so much coastal property he shouldn't be on the coastal commission voting on anything in this area," said Anna Ralph, whose ocean-view home in Grover City is nestled between some of Newdell's commercial holdings.

Ralph and neighbors petitioned the commission two years ago to deny a permit for a warehouse on her street. Their request was part of a heated local fight to rezone the area, and the proposed warehouse was a test case.

Commissioner Newdell had two pieces of commercial property a few

'You're never going to get permission,' he said he was warned.

blocks from the warehouse, which was being proposed by a long-time friend.

At the commission hearing, Newdell spoke on behalf of warehousing in the area and of his friend's permit. It was approved 8 to 2, with Newdell voting yes. "I just don't have any conflict in my mind," Newdell told The Times.

"The coastal commission rolls over and plays dead for Mr. Newdell," complained Ralph. "I thought it was supposed to protect the people."

In the Monterey-Santa Cruz area, regional coastal Commissioner Zad Leavy has used his post to oppose construction on property neighboring his choice 10-acre home site in Big Sur.

Leavy, who serves in the dual capacity as an alternate to the state coastal commission, is an outspoken environmentalist appointed by Speaker Leo McCarthy.

Leavy's land in Big Sur lies next to the famous Ventana Inn complex and also the property of Larry Gelbart, a writer who developed M*A*S*H for television.

A few years ago, Leavy and another neighbor tried to buy Gelbart's land to preserve it as open space. Gelbart said that Leavy phoned him with the warning, "You're never going to get permission (to build) so you might as well sell."

Leavy acknowledged that he once asked Gelbart about selling, but denied giving that warning.

Gelbart said that when he later applied for a coastal permit to build a house, Leavy actively opposed it.

Although the commission's planning staff recommended approval, the regional commission denied Gelbart's permit 9 to 4, with Leavy speaking and voting against his next-door neighbor. (The denial was later overturned by the state commission.)

About the same time, Leavy's other neighbor, Larry Spector, who operates the 24-unit Ventana Inn, was fighting to add another 36 units.

First, Spector had to get permission from the county, and Leavy spoke against him at county hearings.

"He's fought us openly for years," Spector complained in an interview.

Then, when the permit came before the coastal commission, Spector recalled: "When people spoke to the

commission in favor of our project, Zad would turn his chair around and put his back to them and read a book."

Leavy replied, "I turned my back because I wasn't interested in a lot of the stuff."

Finally, Spector's attorney petitioned the coastal commission to request Leavy to officially stay out of the case. Leavy abstained from voting.

But former Commissioner Marilyn Liddicoat, a Santa Cruz supervisor, publicly accused Leavy of lobbying behind the scenes against the Ventana Inn. She told The Times she overheard Leavy tell another commissioner, "It (the inn's expansion) is going to be a disaster . . . got to get rid of it."

Leavy denied lobbying at the hearing, but said he may have talked to other commissioners about "problems" with the expansion "prior to them coming before the commission."

The inn's expansion was denied in October, 1978, with Leavy abstaining. This decision, too, was later overturned by the state, which granted a permit for the construction of 16 units.

Leavy objected to the inn's expansion partly because he said it would strain the area's water supply. Leavy's home and the Ventana Inn share the same water.

While Leavy complained publicly about the water shortage, he privately installed a 700-gallon hot tub and deck without a county permit.

When caught, Leavy who is an attorney, pleaded ignorance of the law. The county punished him by forbidding use of the hot tub for six months.

Recently, another accusation was made against Leavy by a local monthly newspaper, the Big Sur Gazette.

The newspaper accused Leavy of using his position as a commissioner to aid the Big Sur Land Trust, which Leavy helped found and now advises.

Leavy said the land trust is a tax-exempt organization founded in 1978 to preserve open space. People sell property through the land trust to get a tax break and buyers purchase through the trust in hopes of getting a better price, Leavy said. The land trust sells property to people who pledge to preserve it environmentally. Much of the property the land trust wants to acquire is in the coastal zone which Leavy oversees as a commissioner.

Last year, the scenic 3,000-acre Gamboa Point Ranch was up for sale.

'No one in the trust makes any money . . . I haven't taken a dime.'

The land trust, among others, wanted to buy it.

Big Sur Gazette Publisher Gary Koepfel reported that prospective buyers from Oklahoma called Leavy as a coastal commissioner representing the Big Sur area and asked about their chances of getting a commission permit to develop the land. Leavy said he talked to them briefly and never discussed specifics.

One of the Oklahomans, Robert Hefner, told The Times, "We didn't know he (Leavy) represented the land trust and he didn't say. We wanted to check with the coastal commission and he apparently scurried around and found another buy-

Probe Involves Charges That One Commissioner Failed to Report Holdings Valued at \$1 Million

er."

A week after talking to the Oklahomans, Leavy, representing the land trust, said he called the ranch owners, who were actively negotiating with the Oklahomans. Leavy said he told the owners, "We finally did it. We got a million bucks." The land trust had coincidentally found a cash buyer, industrialist David Packard, who was using the land trust to get a cheaper price, Leavy said.

The purchase price was \$1.125 million—roughly \$500,000 below estimated market value, Leavy said.

By selling to the tax-exempt land trust, the ranch owners got a tax break and cash.

Immediately after the purchase, the land trust deeded the property over to Packard, who pledged to preserve it environmentally by building no more than four homes, Leavy said.

Leavy said the land trust didn't make any money on the transaction. "No one in the land trust makes any money on it. I haven't taken a dime and don't expect to," he said.

But newspaper publisher Koepfel reported that the Oklahomans and their real estate broker questioned Leavy's role in the whole transaction.

"It was a stinky deal," said Hefner of Oklahoma City. "We were just dumb. We had already sent them a deposit (for the ranch)."

Leavy denied any impropriety and said that Koepfel is trying to "smear" him. "He (Koepfel) has been after me for years, issue after issue," Leavy said.

Leavy complained that because of his coastal commission work, he and his family have been repeatedly harassed and threatened.

"Somebody chain-sawed my fence about two years ago," Leavy said. "Then toward the end of last year, for several weeks, I received a series of harassing telephone calls, and the Monterey County sheriff's office just won't tell me . . . who was doing it. Then . . . one of the locals here got a \$50 bill in the mail with a note saying that, 'You'll get another \$250 if Leavy's house burns down.'"

But Leavy said that he refuses to cave in to pressure.

In the state's most northern coastal region, Commissioner Mildred Benioff, a retired Mendocino businesswoman appointed by McCarthy, owned eight acres of vacant land on a scenic, largely unspoiled point fronting the ocean about five miles south of Mendocino.

Except for one house, the area is undeveloped, and Benioff said she has tried to get the state to buy it for a park.

In 1974—one year after Benioff was appointed to the commission—a developer proposed building a 56-unit motel and 200-seat restaurant on the point about three-quarters of a mile from Benioff's land. Benioff voted against the project, which was nevertheless approved 7 to 3. But the permit was denied later by the state commission on appeal.

"Commissioner Benioff was against me from the start," recalled Arthur Reeb, the unsuccessful motel applicant. "I lost \$12,000. I've never been so disgusted with any group of people in my life."

Benioff told The Times that she opposed the motel because it encroached on agricultural land.

The next land on the point proposed for development was Benioff's own property. The land had been up for sale for several years, and Benioff finally got a bid in 1977. But the sale depended upon the buyer getting coastal commission approval to build a house.

The commission approved a permit with Benioff abstaining in December, 1977.

Six months later, a neighboring landowner, David Puder, wanted to build a house one-quarter mile away.

"I had been holding onto my land for seven years," Puder explained, "and I thought that when Mrs. Benioff's permit went through, that this was the juncture and the precedent, so I applied for a permit."

But Puder's permit was denied 6 to 4, with Benioff voting against it. Benioff told The Times she didn't think a house should be built on such a large chunk of unsubdivided land which had potential for recreational use.

Puder called his permit denial "totally peculiar" and "a gross inconsistency." He said he ended up selling 27 acres for \$35,000. Benioff's eight acres, which had the benefit of the coastal permit, sold for about \$50,000, records show.

The new owner of Benioff's property was David Roberts of Los Gatos. Roberts ended up owing the commissioner a \$30,000 first trust deed. Then he deeded 40% of the land to Bud Kamb, the real estate agent who had put the sale together for Benioff, and who had secured the building permit from the coastal commission.

Roberts said he and Kamb began paying the loan off by sending Benioff separate checks monthly.

Less than a year later, while still making payments to Benioff, Kamb, Roberts and several others applied to the commission to build 54 condominiums outside Mendocino. The project became one of the largest and most controversial in the three-county area.

Benioff, traditionally a strong environmentalist, acknowledged that she was the commission's biggest booster of the condos, which were intensely opposed at packed public hearings.

Benioff voted for the condominiums because, she said, she believes in "clustered development" in wilderness area.

She says she knew about Kamb's interest in the project, but not about Roberts'.

Kamb, however, said that he "let her know" of Roberts' interest, too, and it also was published in a local newspaper.

Kamb and Roberts paid off the debt to Benioff about six months after the condominium was approved in April, 1979.

Meanwhile, the Sierra Club appealed the project to the state commission, where Benioff also sat as the regional commission's representative. This time, as a state commissioner, Benioff voted with the majority against rehearing the case.

California Legislators Urge Olympics To Be Held In Greece

Capitol News Service
SACRAMENTO — Over 100 California legislators have introduced a resolution urging that the summer Olympic games be held in Greece permanently in order to depoliticize the games.

Senator Nicholas Petris, D-Oakland, and Assemblyman Lou Papan, D-San Mateo County, along with numerous others, have authored Senate Joint Resolution 37 which is a statement of support for the idea of estab-

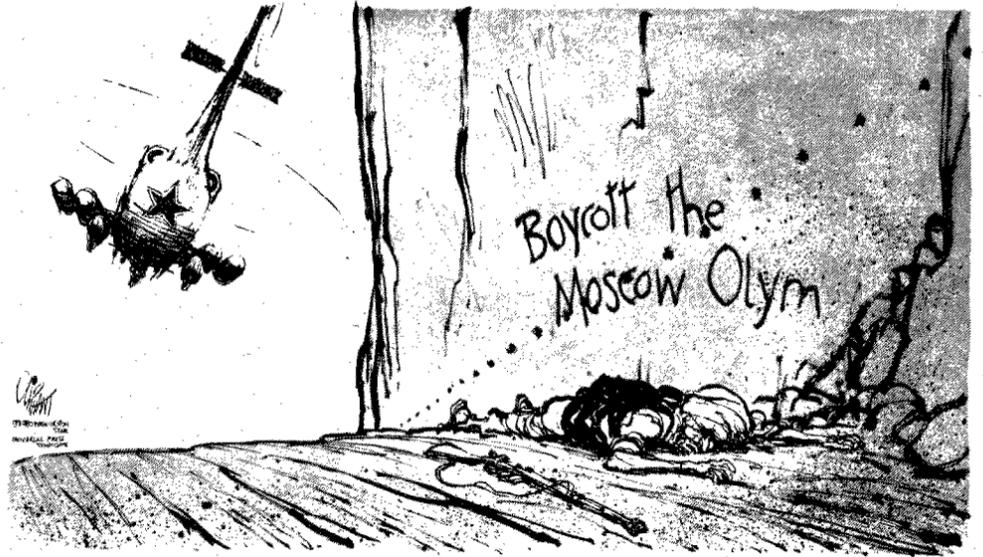
lishing a permanent site for the summer Olympic games in Greece, the original site of the first Olympic games.

"We believe this move, to begin the summer Olympics of 1988, will help depoliticize the games and remove them from the increasing crossfires of international politics," Petris said.

The Greek government has offered to donate 1250 acres of land near Olympia which is suitable for building accommodations to house the

athletes, journalists and tourists.

The plan has been endorsed by President Carter but the International and United States Olympics Committees will have to make the decision. The Olympic games began in 776 B.C. and lasted continuously until 394 A.D. Traditionally, the Olympics were considered sacred and participating countries would interrupt wars in order to allow their athletes to compete.



Big Sur Crossword No. 13

By RANDY LARSON

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33										

Across

- 1. Norm or general rule in underwater vehicle of inferior quality. (3,8)
- 8. Our great grandparent to the umpteenth power. (3)
- 9. Made it grow with H²O. (9)
- 11. What only a well-heeled profligate can be. (11)
- 16. If you feel one, then perhaps you can exhort. (4)
- 17. Practitioner in the Nightingale tradition. (2)
- 18. The kind of subject you hate to bring up. (7)
- 22. The way laughter comes in on very windy days. (5)
- 24. Good place for a student to sack out. (4)
- 25. A Parisian II. (2)
- 26. Very fashionable. (2)
- 28. First there was a sharp left jab, but this is a short right. (2)
- 29. What's this thing, this article, before orange? (2)
- 30. One who gives instructions to 17 Across. (2)
- 31. A ball you should stay in front of. (5)
- 33. Walk, my boy, even if you aren't my own flesh and blood. (4,3)

Down

- 1. Cuts ahead, but turns around fast backwards. (5)
- 2. Seville's most famous occupation. (6)
- 3. If it's at this end, it's really the last one. (3)
- 4. The way you take things so you can fix them. (5)
- 5. What she can buy for her hair after taxes. (3)
- 6. Give him this first, then take him to a doctor. (3)
- 7. Banker's tool that leads to a uniform. (5)
- 10. Mistake, plus, but it gives you something to go on. (3,3)
- 12. A good fellow addicted to special jokes with a certain kind of smell. (3,4)
- 13. Pretty worthless, I'd say. (2)
- 14. If it does this, you'll have to wait and see. (7)
- 15. Lacking one, contracts are hard to bid on. Not enough partners involved. (6)
- 19. Alphas.
- 20. The way you go persistently ahead in a revolutionary valley. (5)
- 21. Caesar said this was only 50 short of 1000. (2)
- 23. What you do with a broken or injured leg. (4)
- 25. Owns. (3)
- 27. A convict's version of 24 Across is located here. (3)
- 32. A Navy man's San Francisco landmark. (2)

You'll find the answers on page 35.

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Views and Viewpoints

Big Sur and Yosemite

Dear Editor:

A page one headline of the *San Francisco Examiner* should be a warning to every resident of Monterey, Carmel, Carmel Valley and anyone or any community adjacent to or concerned about Big Sur.

The headline is: "The Threat to Yosemite: Man is destroying wilderness."

The story describes the current raging dispute between the three major forces influencing the further "undevelopment" is certainly a worthwhile endeavor. My concern, and I think yours as well, has to do with the motives and methods underlying each of their positions.

The three forces involved are:

—The National Park Service: keepers of the park and the agency which has brought it to its present condition; Big Sur's 'old friend' and the agency that now everyone agrees, including Ansel Adams, is not the agency to take over Big Sur.

—MCA: parent corpora-

tion of The Yosemite Park and Curry Co. and the concessionaire who has brought to Yosemite the beer can, the plastic cup and, I think but I'm not sure, Ticketron. A major accomplishment of this group has been to get a five-cent deposit placed on all cans sold in the park.

—The Wilderness Society: saviours of parks and people; defenders of the "national interest" and most recently, developers of a plan for Big Sur which looks exactly like the plan for Yosemite. I mean exactly; including the parking lots, the buses, the employee housing at the entry points and facilities inside the park only by designated concessionaires. Who will they be, I wonder.

The real question here is, if Big Sur is not already in the desperate condition that the saving forces have allowed Yosemite to reach, what in heaven's name are they doing trying to save Big Sur... with the same remedies by the way, recommended for Yosemite.

It seems to me that the

three combatants (and are they really combatants?) in the Yosemite battle are joined, sometimes openly and sometimes covertly, in the effort to develop Big Sur, ultimately, into another Yosemite. The result of that effort? Well, I think that the result will be that Carmel and Cambria and San Simeon and any other community who allows it will begin to look like an "entry-way" to a national park.

These communities will look like small towns filled with thousands of cars winding their ways to the steamy, asphalted parking lots; each community will have its assignment of "streamlined non-polluting" buses, the "herding" mechanism for the thousands of people (these, I guess are the "public interest") who until now have enjoyed Big Sur in their own way, but will not see Big Sur from the bus and probably with automated recorded messages. The communities will be dotted with the phony glitter, perhaps like the Old West facade that now embarrasses the small towns outside Yosemite.

I believe it is time for the citizens of the Monterey Peninsula to be alert to the designs these agencies have for Big Sur. Read and learn what they plan for Yosemite and recognize that the plans are the same for our communities as well. Big Sur is in danger and thus, so are you.

Alan J. Perlmutter
Big Sur

Airport

Dear Editor:

You're involved if rubber-necking airplanes bug your sanctuary although you're outside the airport voting district.

Private planes at Monterey increased 35 percent since last election for airport directors. This big jump shouldn't come as a surprise when four out of five board members are pilots. Unless you remain alert, private pilots will continue to dominate the board after June 3 election. Three of the candidates are pilots and two own personal planes based at Monterey.

Also bear in mind the

squeeze is on. Your airport is in danger of becoming an even bigger dump for personal planes. Marin County voters told private aviation to get lost, Morgan Hill closed their airport and Santa Cruz Sky Park airport struggles for survival.

In these lean times, when Uncle Sugar is on the skids, hard-pressed taxpayers aren't easily bamboozled into subsidizing private pilots and their expensive hobbies. If social programs for the needy are cut back, then personal aviation, our noisy sacred cow, must be put into the fat-grinder.

Taxpayers, not noisemaking aviation, got stuck with the check for wasteful study on noise exposure. While your board members contended themselves with squandering your tax dollars on biased bureaucrap, other communities achieved excellent grades for solid noise removal like bans on helicopters, curfew and strict enforcement of ordinances to protect health, security and sanctuary of their citizens.

Defense of your priceless airspace means keeping a sharp eye on your precious skies and on the bottom line of your candidates. Your concern can make a difference.

Thomas McGrath
Monterey

Hypocrite?

Dear Senator Cranston:

I am violently opposed to any Federal intervention along the Big Sur Coast for the following reasons:

1. The Big Sur Coast is already one of the most beautiful and well-manicured pieces of real estate in the world. There is absolutely no over-development, or any environmental abuses for that matter, anywhere in Big Sur.

2. The new GAO report entitled "The Federal Drive to Acquire Private Lands should be Reassessed." (The number is CED-80-14, dated 12/14/79).

3. If the government were to take the Big Sur Coast over it would absolutely ruin the current lifestyles of everybody not only in Big Sur but also on the Monterey Peninsula where I live. We

would be faced with many more tourists, litter, parking problems, not to mention the costs involved with maintaining such a vast parcel of land, which the government owns more than 40 percent already.

4. "Over 100 million," when we are all trying to cut back. This would be the biggest waste of the American tax dollar I can think of. Let's use the money to help balance the national deficit.

In summation, Mr. Cranston, you are a hypocrite. You say you advocate stopping government waste and fraud, you deplore the lack of citizen participation in government, you deplore the trend to centralize government.

Shake yourself, Mr. Cranston, you can be replaced, a stunt like you propose will only accelerate the process.

Douglas E. Scott
Carmel

Highway One?

Dear Editor:

To the Senate Subcommittee on Parks, Recreation and Renewable Resources:

Re: Cranston Bill S. 2251: Section IV (a), "Visitor Transportation System Plan."

Big Sur's "Coast Highway One," constructed in the 1930s along Central California's shoreline under National Defense fundings is a marvel of American engineering.

The roadway meanders over 100 miles amongst sheer cliffs and along steep mountainous terrain, and is our single route of access across the Big Sur coast — but it is fragile and has become costly to maintain.

Coast Highway One at Big Sur is being eaten up by overloaded commercial double-trailer semi-trucks and tourist buses, whose powerful air-brakes and automatic gear-boxes tear the pavement right out of the roadbed at every steep hill and sharp turn along the highway. Formerly, Coast Highway One was listed as one of California's routes in government, and heavy commercial vehicles must not use, because its engineers knew that this delicate roadway could not withstand the daily stresses of weight and vibration which regular highway construction is able to support. Twenty years ago this protective legislation was removed (lobbying from the trucking industry?). After the defeat of the state law — which protected Coast Highway One from damage due to heavy vehicular traffic, the annual maintenance cost shot up, costing the taxpayer astronomical dollar-amounts. We are told that the State of California currently is spending over \$2½ million each year for the maintenance of the existing roadbed (the whole highway cost only \$10 million to build as a light-vehicle thorough-

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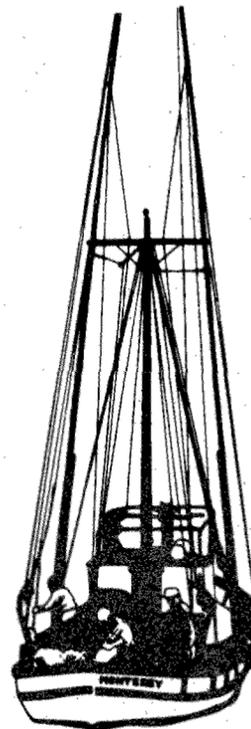
- Jim O'Brien is running for Monterey County Board of Supervisors — Fifth District.
- Jim O'Brien is running to provide responsible solutions to water, housing, energy and planning issues.
- Jim O'Brien is running to bring financial stability to our County.
- Jim O'Brien is running for you.

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fare).

We understand that the Cranston bill (S.2251) provides for a visitor transportation system plan which might replace existing use of Big Sur's Coast Highway One by high-density passenger-vehicle traffic, with heavy-duty tourist buses. This kind of planning is typical of non-local centralized authority which cannot have had all of the facts necessary to decide upon the best "final solution" to Big Sur's transportation problems. Sen. Cranston's proposed Federal intervention into California's Big Sur, with the obvious "busing" of visitors over Coast Highway One, will result in vastly increased highway maintenance costs to American taxpayers — for which Sen. Cranston's proposal even lacks the necessary budgetary appropriations! S.2251 Section XI (a) allocates \$500,000 for development, but highway access through the proposed recreation area demands that your committee revise this figure to include roadway maintenance costs, and \$3,000,000-\$4,000,000 is a more realistic figure to consider.

A much higher cost for Americans is the damage to Highway One's fragile roadbed due to increased use by tourist buses under Sen. Cranston's plan. Vibrations and stresses from heavy and unmanageable tourist buses will bring even greater hazard to life and limb. Our homes along Coast Highway One shake with each passing tourist bus and increasingly this threat to our dwellings and our lives must eventually produce lawsuits for loss of life and property. Moreover, Sen. Cranston's "visitor transportation system plan" ensures that whole portions of Coast Highway One will crack loose and fall into the sea.

Harold Treacy
Notary Public,
State of California

(P.S. My grandfather, the late Sen. T.E. Treacy, presided at dedication ceremonies of Big Sur's world-famous "Bixby Rainbow Bridge" (1932) in behalf of California's Governor "Sunny" Jim Rolph, who could not attend. Sen. Treacy's highway construction firm built the Marin County portion of the "Highway of the

Missions" (State 101) and the Treacy family continues in the contracting business to this day. This writer's views on the fragile condition of Big Sur's "Coast Highway One" are based on discussions with his contractor relatives as well as his personal experiences as businessman, private roadbuilder and mining operator, on and around Coast Highway One for the past 25 years. These experiences include his access to state files on the highway's construction, interviews with highway foremen from its earliest inception, and repeated observation of the road's diminishing quality as a public thoroughfare due to increasing roadbed abuse by heavy vehicle (e.g., tourist bus) pavement overloading.

Sunset Strip

Dear Editor:

The paranoid fear that made someone write, "We don't want a Sunset Strip in the Big Sur," probably cannot be allayed by logical reasoning, but let us try.

Is beautiful Big Sur really threatened with becoming like the Sunset Strip? Or like Times Square? Obviously not, for the conditions that produced the Sunset Strip in Hollywood, or Times Square in New York, do not exist in the Big Sur and never will. It is a silly, silly statement.

The thing that anti-people folks fail to understand is other people. They can not accept the fact that other people, like those who made the Sunset Strip, Times Square, Kansas City, Albuquerque, Los Angeles, Milwaukee and Wichita really like those places and prefer to stay there — or they would have moved to Big Sur or elsewhere long ago. When Thomas Mann left Nazi Germany he headed for Hollywood, not Big Sur. Bob Hope, Danny Kaye, Frank Sinatra and many other millionaires are rich enough to live anywhere in the world, but you don't find them in Big Sur. It's not their bag, nor is it mine.

It was reported that a "wilderness" activist has decided that to perfect the scenic views of the proposed Big Sur National Park would require the removal of only six existing houses along the coast. Only six homes. Ye Gods! Six little houses can interfere for only a brief mo-

ment with a view many miles long. Surely the offense of the six houses that bother those who agitate for more Federal controls is nothing compared with the constant blocking of the view of the ocean by long strings of ugly trucks and campers parked between the highway and the sea. They obscure and disfigure the view of the coast much more than does an occasional dwelling.

At a time when the deficit of the U.S. Treasury approaches a trillion dollars, and enemies work against us from without and within, the spending of untold millions of dollars that our treasury does not have for an unneeded Federal takeover of the entire Big Sur coast, at the behest of irresponsible busy bodies, is made to occupy our minds as though the United States could forever sail on a calm and untroubled sea of golf, "leisure," and "recreation." In this hostile world our seemingly impotent nation is confronted with dangers far beyond any possible threat to the scenery of Big Sur.

The sooner we focus our attention on more important matters, and concentrate our resources on them, the better off this nation will be. The people of Big Sur have infinitely more to fear from the entering wedge of totalitarian dictation, promoted by people itching to dominate others and "restructure" our dear country in a Marxist mould, than from a mythical "Sunset Strip."

Edgar Bissantz
Santa Barbara

A.A. Replies

Dear Editor:

I am not anxious to enter into controversy involving inflexible opinions (and I suppose all sincere opinions are inflexible to a degree!).

However, when confusion and misinformation appear in print I believe it is important they be clarified and corrected. In the March 1980 issue of the *Big Sur Gazette* I find the following items invite discussion:

Page 6: I cannot help but feel that the determined opposition (sic) to appropriate Federal intervention in the protection of Big Sur is based on a general opposition to all Federal management. Rather than exploit a few bad examples (and what enterprise

of any type cannot exhibit them) I think it would be fair to recognize the enormous benefit to all our people that the National Park Service and the United States Forest Service (and other agencies) have provided for our country (and to the world at large). After more than 60 years experience with problems of conservation and protection of the Natural Scene I reaffirm my faith in our Federal agencies. I certainly do not condone the frequent stupidities and the quite infrequent injustices; these do not reduce the grandeur of the concepts, or the basic efficiency of the agency's operations.

Page 7: Highway One has been, is and will be, a most serious problem. Without management and controls it can become a real disaster. I support a reduction of traffic on Highway One. The Management Plan I am interested in, in no way contemplates invitation to greater traffic; you have more than can be properly handled now, most especially during the summer.

Page 1 and 8: If the National Park Service should run the Scenic Area (I do not anticipate this) it would NOT be a "Park" in accepted meaning of the term. This should be obvious.

Page 13: Ms. Mary Ruth Spencer's letter makes a rather ludicrous error: my wife, Virginia, is NOT a Curry and has no relation with the Curry family or Camp Curry in Yosemite.

Her father was Harry C. Best, a painter, who started his studio in Yosemite in 1901. We have always been independent concessionaries.

Page 23: Ms. Marge Johnson's article offers assumptions that are very much in error, but she has a right to her opinion and interpretations. She makes assumptions that I cannot agree with on the basis of fact. My reply to her letter is best summed up by what I believe is a very positive note: As the Big Sur Coastal area is of national importance, it deserves national management and this management must protect and continue the ranches, homes, studios, established enterprises, and lifestyle of the inhabitants of the area. I am quite positive this can be accomplished by Federal agencies far better than regional, county or state resources could achieve. I have no more "power" than any other private citizen; I do have a fairly good conservation record which I intend to maintain. I have visited the Big Sur since 1927. I know much of its grandeur and beauty.

Ansel Adams

More Visitors

Editor:

The question is not whether the Big Sur Coast should be protected from further development, but rather in what form it should be saved and under whose control it should be managed.

Time is of the essence for a

regional solution as federal legislation is imminent. Local and state control to preserve the integrity of Big Sur should be thoroughly explored before federal control is even considered.

In the opinion of the Carmel Citizens Committee, federal development along the Big Sur Coast would be counter-productive in truly saving the area.

Any national designation attached to the Big Sur region, whether Big Sur National Seashore or Big Sur National Scenic Area, would greatly increase the already large number of people attracted to the Peninsula and traffic along Highway 1.

The mere use of a national title will draw more visitors to the area, thereby spoiling the uniqueness of the Big Sur area and causing incalculable problems for the entire Monterey Peninsula.

We are especially concerned about a plan to establish staging areas for automobiles at either end of the Big Sur Coast, as outlined in the Wilderness Society's proposal.

We urge the citizens of the Peninsula to familiarize themselves with the issues and positions involved. Because of the importance of the Big Sur, we recommend you express your views by writing Sen. Alan Cranston and Rep. Philip Burton.

William G. Doolittle
President
Carmel Citizens Committee
Carmel

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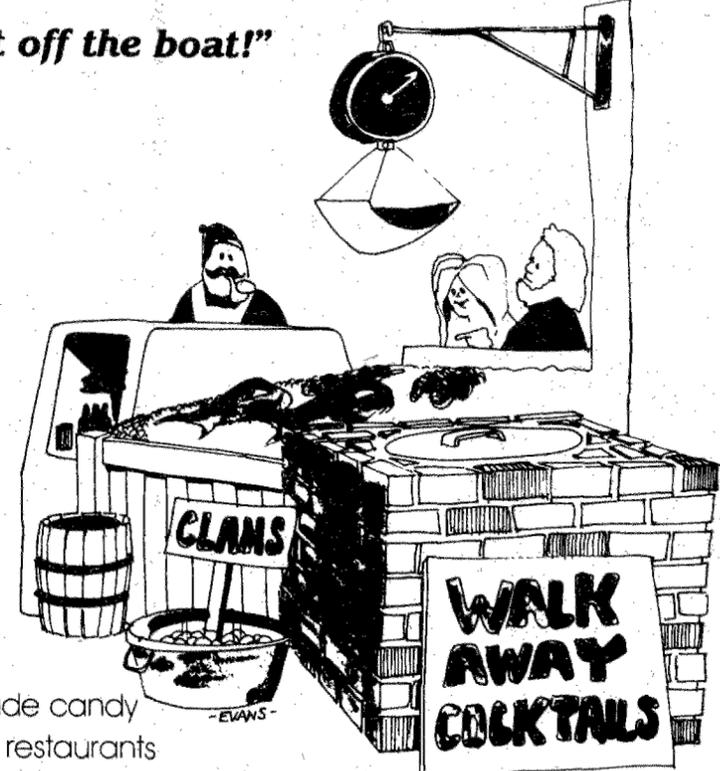
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Views and Viewpoints

An Open Letter to Congressman Panetta

By JEWEL SPEER

Probably better than any of our other representatives, you understand the fierceness and validity of resistance to any further federal intervention in Big Sur. You grew up on the Monterey Peninsula and are familiar with the land use policies and social patterns and with the multiplicity of overlapping controls already in effect. You know Big Sur is not an isolated wilderness, to be dealt with by the remote federal government as an uninhabited outpost. You are personally acquainted with Big Sur as a settled, long-established community, occupied by hundreds of highly individualistic people, some of whose families have lived there for generations, carefully protecting the land.

During the past few weeks you have met with hundreds of Big Sur residents — in town hall meetings and in private homes. You know that federal intervention is rejected by the vast majority of these residents, as witness petitions signed by almost 800 adult Big Sur residents. You know also that the Cranston bill is rejected by abutting communities through resolutions from owners' associations and groups such as the Carmel Citizens Committee; that it is rejected by the Big Sur Citizens Advisory Committee now working on the Local Coastal Program; that the GAO sharply criticizes such land acquisitions programs as proposed by the Cranston bill; that further federal intervention is also opposed by Senator Hayakawa, by Assemblyman Hallett and State Senator Nimmo, as well as by thousands of people who are opposed in principle to any further controls over our properties and lives.

In addition to your knowledge of all these facts, you also have first hand knowledge of the Monterey Peninsula-Big Sur geography and topography. You know Big Sur is accessible from the north ONLY through the Monterey Peninsula, over two-lane Highway 1 — through Carmel, past the mouth of Carmel Valley and through Carmel Highlands — and that what happens to Big Sur affects all these places. You know very well the vulnerability of tiny Carmel, with its quaint, narrow, gardened streets and with its impacted waterfront scenic road — and of Carmel Point, with its bird sanctuary. You know about the traffic bottlenecks at Carmel Hill, entrance to Carmel Valley and through Carmel Highlands. You can graphically project what will happen in all these spots and many others, if a federal facility of ANY kind is nationally

advertised and the inevitable millions of visitors come in.

You know that no matter what the Cranston bill says — or doesn't say — the government will be compelled to meet tourist needs with parking, toilets, food, water, police and all other essential visitor services — not only in Carmel and staging areas, but also along Scenic Highway 1. You know the severe limitations on the number of possible staging areas, the inflexibility of local traffic circulation and the unavoidable adverse impact on all Peninsula communities — and what it would cost local cities to police the area. Perhaps other, non-resident legislators, if they project at all, envision feeder roads, widening of local streets and widening of Highway 1. With your special knowledge, you know the absolute impossibility of that.

You know all this is degradation — NOT environmental protection.

Having had the joyous experience of driving the Big Sur Coast road in your own car, at your own pace, you know how dreary and unacceptable it would be to be piped down that magnificent highway in a bus; and you also know hundreds of buses on Scenic Highway 1 have nothing to do with environmental protection nor with the fulfillment of visitor expectations.

You know, too, the REAL market value of Big Sur properties, and that the one hundred million dollars specified in the bill wouldn't begin to buy these lands at fair market value. To buy these properties — some with houses — would run into the billions, if the park is properly developed and supervised. You know this is not a justified expenditure at a time like this and especially since there is NO PROOF that Big Sur is threatened by over-development. YOU know this is fiscal irresponsibility.

What you may not know, but perhaps have thought of, is that even if the federal government decides to squander these millions or billions of dollars to buy up and supervise these lands, no matter how much we protest, you might be the one to have to face the people who once lived so proudly and happily in homes they can no longer call their own or even occupy. And that you might be the one to have to try to console the few folks left when a catastrophic illness or an accident or a death in the family wipes them out because they can't sell their properties quickly on an open market. Or that some one of them might die or go bankrupt while they waited for the government to decide when it would buy their properties even at the government's own appraisal. As residents and property owners we think of these things, because it's happening to people we know in other places and we watch the anguish of these friends as they wander through the graveyards of their dreams. Can you justify this callous treatment to achieve "environmental protection" for an area already protected — or for ANY reason?

Perhaps, unlike you, other legislators have only a vague idea of how restrictive Big Sur land use controls ALREADY are. So restrictive are they that it is almost impossible for owners to use their land in a fair, essential way, even for their own private use. For example, it took an all-out fight on the part of the entire community for one owner to get a building permit

for a small caretakers' cottage on a 120-acre parcel, even though the structure was visible from nowhere. So restrictive are these land use controls, in fact, that the proponents of federal status for Big Sur are actually using them as an argument to try to convince beleaguered landowners that federal takeover is their only hope of getting paid anything for their locked-up lands. Whether these tactics are a part of a plot or the natural outgrowth of a mindless drive to grab Big Sur lands, it's carrying "environmental protection" to dangerously un-American lengths.

How shameful for a government to set up rules which coerce landowners who have protected their properties for generations, into a position where they have to go along with a federal land grab, move off their beloved lands and sell their birthrights for a mess of pottage in order to survive at all — and in doing so, subject us all to the inevitable blight of public overuse. And all because a handful of people — people who don't even live in Big Sur — have arbitrarily decided Big Sur is in danger of over-development! It's incredible that such cavalier actions are condoned in the name of "environmental protection."

But it IS condoned, and it is being done here again, under the cover of "environmental protection," as usual — and in spite of the fact that the record shows that federally owned parks can't compare in environmental quality with privately owned Big Sur lands.

Big Sur doesn't need federal controls. It doesn't even need a lot of the oppressive controls it is now reeling under. What Big Sur needs is recognition and respect for its past accomplishments in the field of land use and — as a reward for its dedicated citizens who spend endless hours agonizing over land use policies and every facet of planning — a return to reasonable, ethical, constitutional, LOCAL controls such as the Coast Master Plan and existing and evolving county ordinances — all arrived at through local input and administered by LOCAL, ELECTED, responsive, accountable officials. This is the system which has worked successfully, and without cost to the federal government, to create the fabled Big Sur we all cherish and gladly share with millions of happy, unregimented visitors.

All things considered, we opt for local controls as against ANY KIND of further federal intervention. We hope you do too; but in any event, we ask that you give other legislators the benefit of your special knowledge of the Monterey Peninsula-Big Sur communities and that you staunchly represent your constituency.

Enough Foul Play!

Dear Editor:

(This is a copy of the letter I have sent to many individuals in the federal government.)

Senator Cranston and all other persons who advocate making Big Sur a national park — i.e., who advocate a federal takeover, have made me understand what it means to be an Indian in the United States today. And as a white Jewish middle-aged female Indian, I say to you: Stop! I protest with all my being your attempted rape of our beloved land.

Enough foul play! Enough rape! We who live in Big Sur

want to continue to caretake this magnificent land, and to nourish and protect all seekers who pass through here, in the same loving way we have for years.

Any other solution is sheer greed and profit motive. Any other solution is a deceptive and degrading violation of our civil rights.

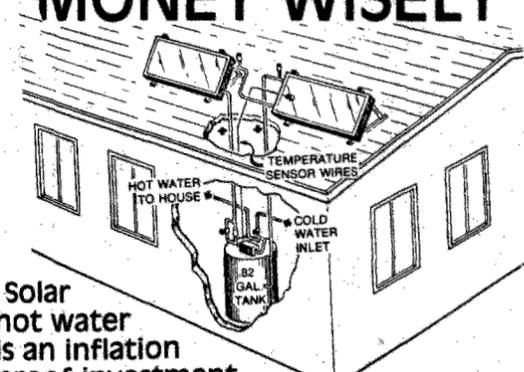
We in Big Sur are today's Indians, and we say to you in the federal government: Stop! Go away and let us continue to live in love, joy and peace.

Nancy G. Mayer

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Brainchild Of A Few

Senator Dale Bumpers, Chairman, Subcommittee on Parks, Recreation and Renewable Resources
Senate Office Building
Washington, D.C. 20510

Dear Senator Bumpers,

By now you've no doubt heard everything there is to say — a thousand times over — about environmental protection for all the super-precious places in this country, including the Big Sur Coast. You've probably also heard more than once that everybody in the world has an absolute right to visit Big Sur. We here agree, as we always have; but we don't think we can federalize it, advertise it nationally, and ENTICE millions into the area without adverse social, economic and environmental consequences. And we think it's your responsibility to ensure a balance between public use and resource capacity — between public rights and private rights; to ensure that an existing important culture be protected; to see that there be no rapacious land grabs under the pretext of environmental protection; and to see that there be no unnecessary spending under ANY circumstances.

The stipulated One Hundred Million Dollars for this Big Sur National Scenic Area project is unrealistic. Based on similar situations elsewhere in the United States, this estimate is undoubtedly based on less than fair market value for lands taken — in an effort to get approval from Congress. Furthermore, the purchase price of lands will be only the beginning. Loss of tax revenues, development costs, supervisory costs and costs of litigation, not to mention costs of relocating displaced families, could run into billions.

All this, at a time when we can't balance our national budget; when inflation is running wild; when interest rates are soaring; when everyone is searching for ways to cut expenses and eliminate programs; when many essential

services such as fire and police protection are being curtailed; when businesses and cities are going bankrupt; when environmental extremism is under fire; and even more important, when:

As it now stands, Big Sur lands are revenue-producing, furnishing enjoyment to both the private and public sectors at no cost to the government; there is no proof that Big Sur is threatened by over-development — and every proof that it is thoroughly protected by existing legislation and natural restraints, including private stewardship by people who understand the area and are heavily invested both financially and emotionally (the best of all possible combinations).

Aside from the foregoing considerations, please remember: this Scenic Area concept is the brainchild of a handful of people who don't even live in Big Sur, don't represent Big Sur, don't offer any proof of environmental degradation in Big Sur and is based on the discredited theory that public control equals environmental protection. Remember, too, that this federal status is rejected by the vast majority of Big Sur residents, by hundreds on the Monterey Peninsula and by our state Assemblywoman Carol Hallett and our state Senator Robert Nimmo.

Robert Speer
Carmel

No Need To Embalm

Dear Editor:

Please note our objection to the Cranston bill on behalf of thousands and thousands of Americans, many of whom are self-employed, who in this country have made real estate and land their major financial investment.

Specifically, we represent families who in 1964 formed a private mutual partnership to become the investors of a large land acreage, an investment which for them is major and is also critical to their estate planning and to their retirement.

In doing so, their interest became more in keeping with the fundamentals of the American ethic than those who would erase all the incentives and the responsible obligations of individual ownership, not the least of which includes taxation as an economic contribution to our American system of government. As professionals we know we are capable of helping them make a responsible determination of the future use and preservation of these lands. We also know that the local land holders, planning and zoning officials for this coastal zone (affected by the Cranston bill) are capable under current land use criteria, of adequately preserving the entire area in a desirably proper manner.

Spiritual Retreat

Dear Editor:

We in Big Sur are compelled to live here for our spiritual growth. We do not choose to live here. We are compelled — because it is the only place for us to live in perpetual awareness of God's grace. I am talking about something that tourists can never see.

Unless someone has really lived in Big Sur, s/he has not had the experience of what this place means. There is an old Indian saying, that you have to walk a mile in a person's shoes to understand the other's life, the other's essence.

Big Sur is our home. After living here 40 years, I believe

it is *my* home. We have put down roots, like the redwood tree, and our heads are in the sky. You wouldn't uproot a redwood, would you?

Therefore, I object to Ansel Adams coming down here, and raping the country, and bringing more tourists in. They don't really see. They can't really see, what is going on here.

Big Sur is really a spiritual retreat, a place where you can live in harmony with animals and trees and the sun and the moon. It is the only place I know that is compelling enough for my spiritual growth.

Douglas Madsen

There is no need to embalm another isolated region of this country in hopes it will remain unchanged for some unknown length of time, and some unknown future purpose. Bills like the Cranston bill tend to become the tools of a few influential elitists whose efforts actually end up further excluding the American majority from using and enjoying unusually attractive geological locations. These locations then become the private preserve for the limited use of a very special few.

In this case, much of the momentum for the Cranston bill is by a few influential exclusionary people (of financial means) who live or retreat to the Big Sur Coastal Region.

(Many have made no

bones about wanting to preserve that region for their personal pleasure.) Additionally any property or properties they personally wish to dedicate to a preservation cause is or can also have a financial benefit through various forms of tax writeoffs and exclusions.

To promote these self-interests they support and obtain the leverage of effective lobbying by respected national cause organizations. The direct results are at the disproportionate lifetime expense of other owners and local families who have no tax benefits or national organization to lobby for their rights. In this case these are owners who have invested too much of their life and

equity to start over. "The government" already has more monuments, more green acre spaces, more open space dedications and more national parks — forests than it can properly fund and manage. What the country really needs are land investment incentives which encourage the private sector to take a stronger land management role, thereby proportionately guaranteeing that larger amounts of land are privately preserved for the future.

The above is presented on behalf of the following:

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Views and Viewpoints

Close Pandora's Box

Dear Editor:

Many people have forgotten how the Coastal Commission tyranny got started.

Among my memories of the Monterey Peninsula is of being stopped by a woman at a card table on Ocean Avenue in Carmel. "Please sign this petition," she said. "It is merely to put on the ballot for the people to decide a proposal for a temporary Coastal Commission to make a plan for the California coastline. Just to make a plan. The commission will exist for only three years, long enough to make the plan and deliver it to the local communities for whatever use they want to make of it. It will be up to the local communities to control as before, after the commission has gone out of existence." Surely you remember that pitch, which was the basis for encouraging people to vote for Proposition 20.

Although the clever social planners who plotted the coastal strategy surely knew from the start that this would be only an entering wedge, the head of the camel into the tent, the simple-minded woman with the petition probably believed what she had been taught to say. She was disappointed when I did not sign the petition.

Thereafter naive innocents who insisted that the pro-

posed Coastal Act did not mean what it said, and could affect mildly only a few large properties along the seashore, trotted along like sheel and Prop. 20 became law by a "vote of the people" (51 percent of those who voted). Undistinguished and hitherto unknown people appeared to take highly paid jobs in the coercive new political empire. With what arrogant pleasure they came into power!

Those who pointed out the colossal dangers inherent in the arbitrary powers, and the opportunities for graft and corruption in the incubus thus created were not believed, though time has proved them right. A former Coastal Commissioner from Los Angeles, who quit in disgust, was shocked because the room in which the staff "processed" applications was called "The Murder Room."

So that is how the Coastal Act was put over. The Coastal Commission has not jumped the track — it has been on track from the beginning! In spite of its shameful reputation, its instigators seem confident in the belief that what they have so deeply entrenched cannot be undone. With their offensive itch to dominate others they dream of bringing masses of preferably

low-income people to the coast for "recreation" without regard for the property rights or feelings of that endangered species, the coastal population. And with ever more brutal governmental interference — something most of those who voted for Prop. 20 never intended.

It is the responsibility of people who helped open this Pandora's Box to close it again. A new vote would show that the oppressive despotism the voters brought into being is far, far different from what they were led to expect.

Edgar Bissantz
Santa Barbara

Solar Heat

Dear Editor:

At first glance solar heating and PG&E seems an unlikely couple. Nevertheless, on Jan. 29, 1980 the California Public Utilities Commission (CPUC) issued a statement that PG&E, along with three other California utilities, had 60 days to develop programs which would aid approximately 175,000 homeowners to buy solar hot water heaters for their homes. A shotgun wedding, so to speak.

Last week PG&E submitted the proposal for those programs — a 70-page report outlining various steps to help further the widespread use of residential solar water heating systems for domestic hot water and swimming pool use. PG&E has proposed zero or low interest loans for the purchase and installation of the solar system, where the utility will completely finance the system and the homeowner need only repay the loan when the house is sold. For a homeowner who is not planning to sell her/his house, this is a free gift. Once the program is ac-

cepted by the CPUC, it will go to public hearings. After the public hearings, the plan will most likely be implemented in phases, with the most attention given to geographical areas high in population and energy usage. Prime candidates include the Bay Area and San Joaquin Valley districts. Other areas, such as Monterey County, will eventually be included in the program. Interested homeowners will be drawn from a list of names being compiled by PG&E and will then be given a solar energy audit which would determine the feasibility and efficiency of the proposed solar heating system for the home or pool. This audit might include the use of site photographs from which the PG&E engineers will determine if the home meets standard requirements for a cost-efficient installation. If the installation meets those criteria, PG&E will design the system and the homeowner will choose a certified solar company who would sell and install the system.

Certification of solar contractors and equipment is an unfinished detail. One certification program has already been initiated by the California Solar Energy Industries Association. It is called the CAL-SEAL program and its original purpose was to provide a standard from which to determine solar heating systems and equipment that qualify for the California State Solar Tax Credit. Retailers and contractors dealing with solar heating equipment must meet certain requirements concerning equipment efficiency, warranties and installation procedures. The CAL-SEAL program is now active, however, the state has not yet mandated that only CAL-SEAL members' equipment and services qualify for the tax credit. CAL-SEAL is the only program of its kind in the state and it is likely that PG&E will work in conjunction with the program to decide solar system eligibility. Homeowners who are interested in the PG&E financ-

ing program are urged to submit their names, addresses and phone numbers to: Pacific Gas & Electric, 356 E. Alisal, P.O. Box 1171, Salinas, CA 93902, ATTN: Steve Boone. Since the proposal will be retroactive to Jan. 29, 1980, PG&E suggests that you need not wait for the final CPUC acceptance to buy and install a solar heating system for your home. If you have recently installed such a system, or are currently considering one, you are still eligible to receive financial assistance, provided that you are chosen from the list of applicants.

You may ask why PG&E is being so helpful in supplying its customers with a heat source independent of fossil fuels — its major commodity. The reasons extend beyond mere goodwill. For every dollar it will cost PG&E to help finance solar heating systems for homeowners, the utility would have to spend approximately \$10 to build a new fossil fuel generating plant to accommodate increased demand for power. The more basic reason is clear — it is a matter of survival.

Joni F. Harris
Manager, ALTEN Monterey

Intervention

Dear Editor:

I am a resident of the Carmel Highlands and a former member of the Carmel Area Citizens Advisory Committee.

I really don't understand why I was so dismayed by this mockery of local participation by citizens in the planning process for our area. As long ago as the spring of 1975 when a group of us insisted on our right to attend the National Conference on Coastal Zone Management at Asilomar it was obvious that the Federal Government was intent on taking over the management of all coastal states including California. The means for exerting this control was the offer of Federal money for creating a state plan which met all Federal requirements — our present Coastal Act. The present Coastal Act, in

turn, was forced upon county governments in the form of the LCP of Local Coastal Programs. These requirements must be met or penalties would be exacted. Thus it develops that the "low man on the totem pole" — the logical recipient of all abuse and criticism, the "patsy" of the story, is the well meaning, public spirited citizen who agrees to serve on the Citizens' Advisory Committee (CAC). He is in the impossible position of being told to help create a plan for his area and encouraged to make suggestions which can have no meaning since all the significant decisions have already been made. In order to give the illusion that the final plan has been created "by the people" there must be public input even though that input be rejected, subverted, diluted and deleted! (See State Coastal Commission Memorandum dated Jan. 28, 1980, from Mr. Michael Fischer, Executive Director).

Obviously this usual process of taking was deemed much too slow by Senator Cranston. He prefers the "direct intervention" approach. Why pretend to give the people a voice in their own destiny? He prefers to pass a law in Congress that will let the Federal government take control of the coastline now — that way will eliminate all the delays of listening to comments by CAC committees (which he knows are meaningless anyway). He will just tell the people he is doing it to "protect and preserve" our area and not to wrest it away from its rightful owners as will be the final result.

We must reverse this process before it is too late. As California took the lead with Proposition 13, let us now take the lead by telling the Federal government to "get off our backs" — to take the Coastal Zone Management quislings and their "matching funds" and go back to Washington and start balancing the budget with it and we will solve our own problems our own way! **Bobbe Jeffers**



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From "Knee-Jerk Preservationist"

Dear Editor:

The following letter was written to Senator Alan Cranston regarding his proposal for Big Sur.

Sir:

I have read the text of your SB2551 to establish a Big Sur Coast National Scenic Area, and your statement of introduction to the Senate on, I believe, 4 April. Your bill is thoughtful and makes a special effort to restrain Federal action. Nevertheless, I cannot favor it in its present form. My reasons are as follows:

1. It does not make adequate provision for protecting the environmental quality immediately north and south of the Scenic Area.

2. It does not restrict vehicular and tourist traffic along Highway 1.

3. It does not forbid the development of Federal concessions nor the construction of housing for Federal employees within the Scenic Area.

4. It claims the right to condemn any property identified for public ownership in the land acquisition plan, whose owner does not give the Secretary of Agriculture the right of first refusal on any transfer of title not to a direct lineal descendant. The problem here is that the 'critical purposes' for acquisition of public land are almost all slanted toward serving tourists. To make matters worse, they are so vague and open-ended that they provide any bureaucrat with all the rationale he needs to acquire just about anything.

Thus, I do not see how your bill can answer to your finding No. 5 in Section II:

'5. The existing character of the Big Sur Coast and the indigenous residential and agrarian community should be perpetuated.'

I am a member of the Sierra Club and other organizations like Brower's Friends of the Earth, so I am what the residents of Big Sur

would now call a 'knee-jerk preservationist.' Although I deplore the tone in which they carry on their side of the debate and their choice of spokesmen, I do think they have a good point about unchecked Federal intervention on the Big Sur Coast.

If your bill were amended as follows, I believe I could support it.

1. Federal installations required by the administration

Guest Editorial:

Is Michael Fischer The Coastal Commission?

On April 24, 1980, Michael Fischer, Executive Director of the State Coastal Commission, sent word to Washington that he supports Senator Cranston's proposal for Federal takeover of the Big Sur Coast, because, says Mr. Fischer, the Local Coastal Program (LCP) won't "protect" Big Sur.

But at the very same time Mr. Fischer was disavowing the Big Sur LCP in Washington, he was courting both Washington and Sacramento for more money to extend and fund the LCPs!

Thus we have the Coastal Commission's own Executive Director prejudging and discarding the nearly-finished-but-not-yet-tried Big Sur LCP, ignoring the fact that in so doing he prejudices ALL LCP's, cancels out years of work by dedicated Big Sur citizens, sets a precedent for declaration of failure of other LCP's, demonstrates his contempt for LCP expenses already incurred, and diminishes the integrity of the entire coastal planning process.

Even more dismaying, Mr. Fischer admits he took this far-reaching action without formal authorization from the Coastal Commissioners!

And, insofar as the status of the LCP's is concerned, that's not all. On April 28, 1980, in a permit procedure before the Central Regional Coastal Commission, an owner was denied a building permit because 1) the Big Sur LCP is not yet finished; and 2) the land may be suitable for public use.

Consider the strange rationale: The Coastal Commission's denial of a building permit is based on an LCP which the Commission's State Executive Director disavowed just four days before. In fact, the discredited LCP is being used by the Commission to deny an owner the use of his land just as though the LCP is scripture and just as though the LCP had heretofore designated that site for public use — when in actuality, no such designation has ever been discussed, much less made.

In other words, when the Coastal Commission wants to use it as an excuse for denying a building permit, they say the Big Sur LCP is inviolate and controlling; but when their very flexible State Executive Director wants an excuse to support a Federal takeover of the Big Sur Coast, he says the Big Sur LCP is weak and must not be used as a decisive factor.

Can the Legislature continue to fund and support the implementation of any law in a manner which gives such power to a State employee — and which, in effect, underwrites raids on the public coffers, callous disregard for private rights, and the handing over to the Federal government of more and more California land?

Can the Legislature even continue to TOLERATE such distortions of its aims and such arrogant preemption of its powers by appointees and hirelings?

of the Big Sur Scenic Area must have a low profile such that they do not attract attention or disturb existing land use *inside* or *outside* the Scenic Area. Existing lodging and camping sites in the Scenic Area would be frozen at present capacity.

2. Non-resident vehicular traffic should be restricted to, say, 3,000 autos and 20 buses per day (is this reasonable?). Commercial vehicles and

guests of residents with a written invitation would be excepted. Permits of transit could be issued like wilderness permits are issued now — by making a telephone reservation up to two weeks in advance.

3. Residents should be permitted to transfer their property to any private individual, with the restriction that the price not exceed that computed from the inflation rate for private real property in the state as a whole. Some sort of price control would, I think, be necessary to discourage speculation and an unconscionable rise in property values that would drive out a large fraction of the present residents. The Federal government could purchase property at, say, 5 percent higher than the permitted price for private individuals. This agreement protects both the national taxpayer and the resident of Big Sur, although it seems rather artificial.

Certainly a broad reform of the development practices of the National Park Service is in order. In the past Interior has believed that, to justify its budget, it had to

show to the Congress statistics showing that an ever-rising number of tourists were driving to and camping in our national parks and monuments. Congress, though, recognizes that 'more is *not* necessarily bet-

ter.' The time is now right to effect a gradual reduction in the number of visitors to the National Park system, at least in the present very invasive vehicular mode.

Wm. James Roberts
Pasadena, Calif.

On Impacts of Scenic Area

Dear Senator Cranston:

The proposal to create a Big Sur National Scenic Area has caused much debate recently. As you know, I am a candidate for California's 28th Assembly District, and although the area in question is not a part of my district, there is a good possibility that the legislation would have a major effect on the Monterey Peninsula, which is in the district.

I am concerned for this area's continued environmental quality, and wonder if the creation of a federal reserve might not jeopardize this quality.

Specifically, I am interested in the following:

1. Does the creation of a Big Sur National Scenic Area foretell a reported four-fold

increase in visitor traffic?

2. To what extent will new development and services be required to accommodate these visitors? How will this impact the Carmel and Carmel Valley areas?

3. Will federal control threaten the Big Sur lifestyle? Will artists, craftsmen and residents lose a distinctive way of life unique to Big Sur?

I agree that protection of this scenic area should be our primary goal. However, highlighting a sensitive area by national designation might have potential for the reverse of what you hope to accomplish.

The adverse impacts should be carefully weighed before formalizing the Big Sur National Scenic Area. I respectfully urge your consideration of this matter.

Kevin LaGraft

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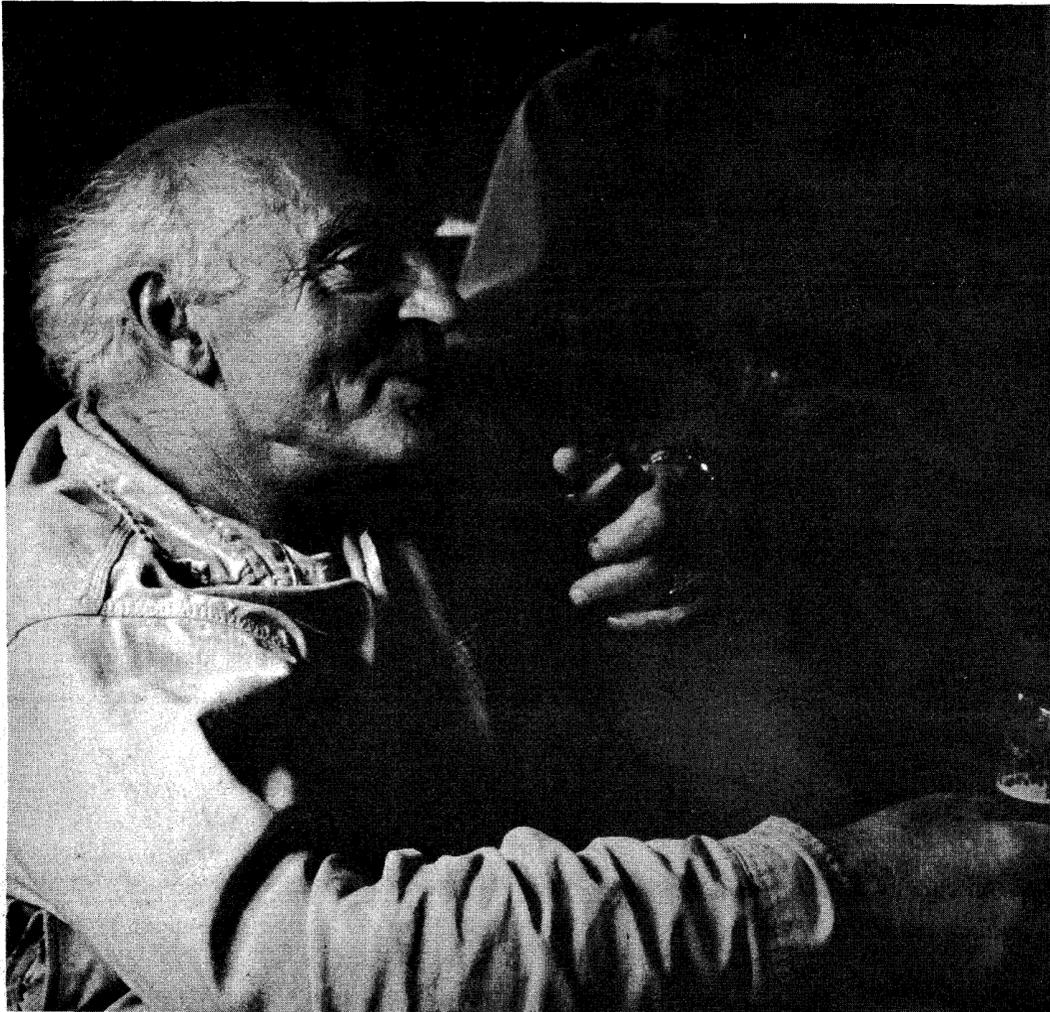
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Thinking of Eric ...

Seven Years Later

It was Tom Broadbent who first introduced me to Eric — Tom is British — a woodworker — with an atelier in Carmel Valley. I was organizing a tribute to Carmel's Tor House poet, Robinson Jeffers, and I'd wanted Eric to read some of Jeffers' poetry. I knew the two poets were mutual admirers.

Jeffers had said of Eric's work: "His poems please me more than any others that are being written at this time. They are natural and quiet, very far removed from the exhibitionist nonsense that afflicts poetry magazines. Barker's verses go straight, and he has a great theme in the coast range mountains above Big Sur. There is nothing artificial, no tricks, no self-conscious vanity, but the natural man speaking beautifully."

And Eric had written of Jeffers, penning a poem in tribute when Jeffers died in 1962 in a rare Carmel snowstorm.

Tom and Eric drank "black and tan" — Guinness beer and ale — together on weekends. But Tom had a friend, Claire Chappellet, at Rancho Rico in Big Sur, who kept tabs on Eric during the week. He arranged for me to meet Eric at Claire's.

Eric declined the invitation to read at the Jeffers celebration. But it was evident we would become friends. He spoke of Hippies and the Vietnam war, coyotes and hawks. He spoke of Jeffers — how Jeffers would have understood the flower children and the war protestors, just as they were beginning to understand Jeffers.

"Though some are dirty, they are much cleaner than the Establishment," Eric said about Hippies in one of his poems. I thought of Clare Walker in "The Loving Shepherdess," Jeffers' own tragic prototype of the flower child.

When I returned to Carmel to teach the following summer, Tom, Eric and I would go to the wharf pub on Friday nights for fish 'n chips and British beer. Sometimes we'd visit the Wah Chang or meet friends at Gordon Newell's old Sculpture Center on Cannery Row.

Occasionally, I'd visit Eric's cottage at Coastlands, a work

area made into a studio — about the size of a trailer. But it had everything he needed — refrigerator, stove, teapot, clothes, bed, table, tablets, pencils and walls for pictures, poems and posters. There was a cat and, outside, a gay garden. And there was a glimpse of the sea from the garden path.

The year of his heart operation, Eric was excited about the remodeling of the garage above his studio. It was to be a living area for him, with fireplace and new furniture. He had just begun to enjoy this expansion of his living space when the technology in his heart failed.

Tom told me about Eric's last day. He'd driven the little white Valiant Madelynnne had given him into Carmel to meet Dick Irwin. They drank beer and ate hamburgers at the Red Lion pub. Then they went to Point Lobos. For Eric, it was like being near Madelynnne.

When they returned to the house Irwin was renting in Carmel, they decided to play Scrabble. They agreed to use birds' names in the game. Tom said Eric had come up with a name — Tom couldn't remember what it was — that Irwin questioned and looked up in the bird dictionary. He found the word and said, "You're right! There is such a bird." Eric triumphantly replied, "I knew I was right!" Death punctuated that sentence.

It was Tom who wrote to me of Eric's death. Eric had lived fully. What saddened me, in spite of that knowledge, was the realization that he had been cut off before he could make the odyssey to Greece.

But I rationalized. Maybe fate had softened the severance. A taste of Greece had come to him, just a few months before, in the person of Nikos Kazantzakis' goddaughter, Katerina Anghelaki-Rooke. Katerina had been in the states on a Ford Foundation grant, traveling the country reading her poetry. I'd come to San Francisco to see her (we'd met two years before in Athens) and brought her to Carmel. There'd been a retsine wine and feta-cheese-on-bread picnic with Gordon and Eleanor Newell at Jim Hunolt's place in Big Sur. Later, we'd all gone to the old Thunderbird in Carmel Valley for dinner.

There Katerina and Eric met, intuited each other, and talked about Greece, poetry and the likeness of this coast to Greek landscape. They spoke of the passions of people in such ruggedly beautiful places. And they talked about Zorba, Kazantzakis' loveable scamp.

By ELAYNE W. FITZPATRICK-GRIMM

He looked like a leprechaun. The wily Wizard of Oz? Or was it Puck, or Pan? I liked him immediately.

Big Sur's best-known live-in poet, Eric Barker, had the look and arrogance of the Wizard. But there was an impishness about him that softened the haughtiness and promised fun, treasure to come.

I was impressed by the straggly eyebrows, strong nose, piquant face and the balding head haloed by a horseshoe of wiry hair. And I was excited by the possibility that, at any moment, he might sprout horns, grow cloven hooves, pull out pipes and lead me through the redwoods.

He did this — in his poems. Sometimes, after an evening of lively dialogue and just enough red wine, the clever wizard, so careful with words, would turn to the commons and transport us to a Cockney pub in Blackfriars, carelessly reciting bawdy limericks.

Eric was born British, in Thames Ditton, Surrey, in 1905. This could have accounted for the held-high chin. But the eyes danced with Dionysus, that maverick in the Greek pantheon.

Just seven years ago in February, Eric died — victim of an apparent valve failure occurring about six months after a heart operation. The surgery was intended to correct a weakness so he could travel to the land of Pan and Dionysus to pay homage to those revelers in life. He didn't get there.

Oddly, just three years before, Eric's well-loved wife, Madelynnne Greene, died of heart failure as they were anticipating a trip to Greece. They'd been married 34 years, each keeping separate residences to accommodate their differing vocations. Madelynnne was head of the International Dance Theater of San Francisco. Eric was poet-gardener at a Coastlands estate in Big Sur.

But they spent weekends and holidays together, traveled together. When Madelynnne held her dance camps, Eric was poet-in-residence. When Madelynnne came to Big Sur, she was Nepeenthe's folk-dancer-in-residence.

When Madelynnne died, there was a funeral in San Francisco. Eric offered poems in final tribute, then took Madelynnne's ashes to Point Lobos. He scattered them down the rocks at the edge of Cypress Grove where his own were scattered three years later.

There was no funeral for Eric. But there was a picnic with his ashes present. A few close friends gathered at Point Lobos, bringing bread, cheese and wine. Ephraim Doner had put

Eric's ashes in a Greek vase for the occasion. The solemn little group red poetry, played guitar music and ate the sacramental meal, honoring Eric.

Some imagined Eric's spirit had worked itself into the gray body of a capricious chipmunk who hung around, nibbled at

Doner's bread and coaxed laughter.

It was raining when the picnickers arrived at Point Lobos. But the sun broke through for the celebration, retreating behind clouds after the ashes were scattered by a lady called Gypsy.

Stephen Taugher wrote a poem capturing the feel of the event and of his own relationship with Eric. It went like this:

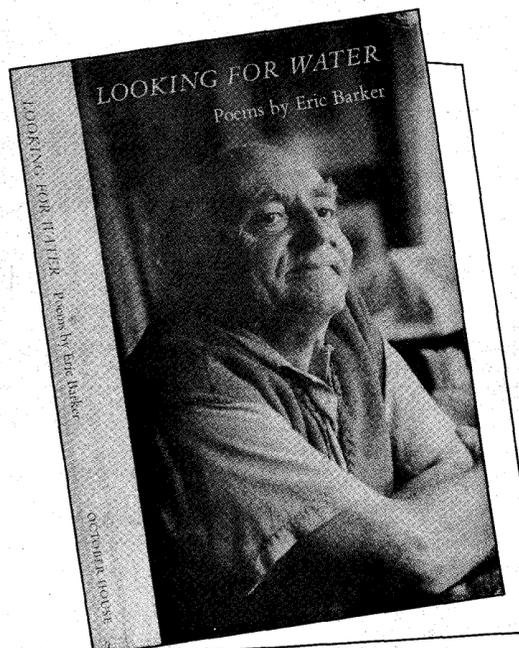
Your death tears the heart free of the bones. My heart and the hearts of others, gathering like fish in the green pool that was yours, gathering in love's water around the stone of your life, stone that held the names of leaves, the wings, stone that made the water ripple and sing as it passed through you, singing to us.

As I came to the sea today, between storms, it was flat and dark, a great slab of stone. Your face, your face was inside me burning like sapwood in my throat and lungs, breaking out of my body, crushing open like shells in the grass of my hands. Oh Eric, I saw the milky track winding out of the rocks to the slapping flukes of the storm, the dark skin full of fish and roots, moon spout and dolphin song, your song, the foamy path you took over the stony meadow. I saw the sea gather your blood in its arms, and rise, lifted like a branch of foam in my face.

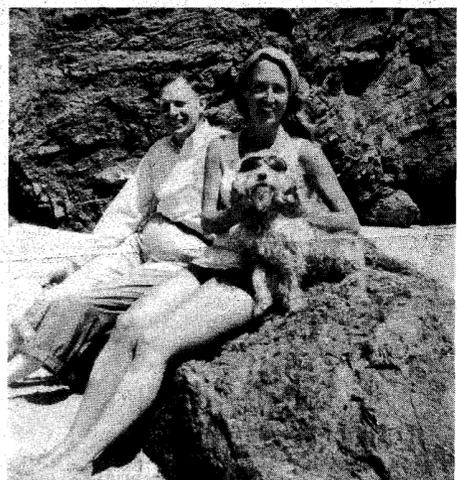
Your face also was a root caked with red clay and love always risen for the sake of singing pulled up from beneath us leaves and all by the rough hands of happiness. Fifteen years ago we hiked up the gorge, heading for a hole you knew. You stood in the trail and said this is it, and down we went skidding on our asses through the oak leaves to the bottom.

It was hot and there was no time to think about it. You were the first to shed your clothes and plunge into the green pool. The echoing blossom of your voice and eyes showed us the way. Only the heart that has been upstream can speak to us. We do not believe the selfish lies of pure poet. Only the words that leap from shadows of laughter and sorrow, joyful weeds the hands have born freely from clay and desire, wet grass, the excess of the body's long day risen for love.

This we need and remember. A simple tongue like water beneath a tree. Your heart was always deep beneath us, and when we gathered around you for the song we gre out of ourselves toward the love that is green and always green however long the moon's shadow. Light breaks the stone to ashes. The heart goes to seed. The wave slaps the rocks and the white tree lazies, the tree of no shadows.



Portrait of the Wizard of Oz. "THE WILEY WIZARD OF OZ." Sometimes Eric looked — and acted — like the Wizard.



ERIC TOOK THIS PICTURE of Tom Broadbent, Claire Chappellet and "Muffin" at Rancho Rico Beach during one of their picnics together.

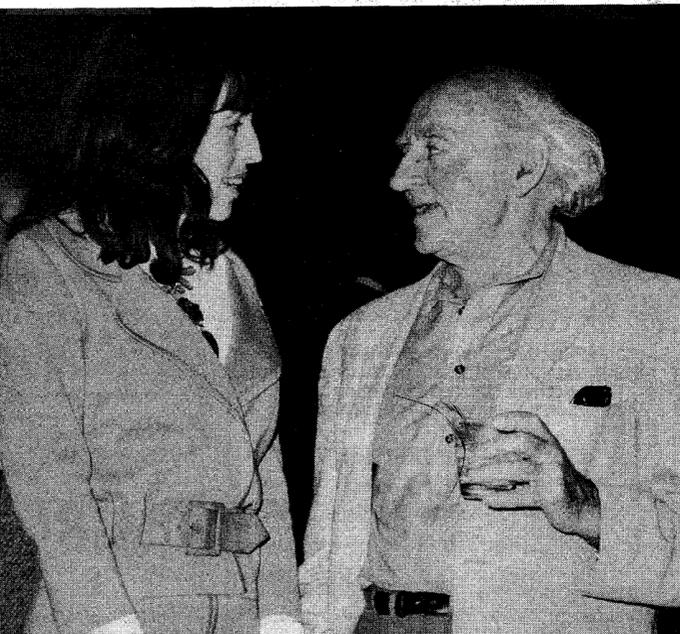
a tribute to Jeffers. Afterward, there was a reception in her honor at the Del Monte Lodge in Pebble Beach. Eric, writer Bill Brandon and I attended the theater together. Then we were to decide which car we would take to Pebble Beach — my Firebird, Eric's Valiant or Bill's "Sad Eyes" — an old green camper-truck. Eric suggested that it would be delightful to pull up to the front door of The Lodge in "Sad Eyes."

That we did, amid Cadillac and mink stoles, feeling very pleased with our anti-Establishment gesture.

Of all the tributes paid Eric in his lifetime, I think that the words of another Big Sur Greek-souled iconoclast, Henry Miller, best get at the essence of Eric.

Miller wrote: "British to the core — the Shropshire lad with the bloom still on his cheek and a dewy twinkle in his eyes ... Eric Barker lives as a poet should live, that is, in a constant state of awareness of the animate and inanimate world about him. Superbly without ambition, thoroughly unconcerned with politics, he does as little as possible to keep alive ... he lives blithely and serenely, floating rather than walking, dreaming rather than doing, singing rather than talking. The job which keeps him is one which even a body could hold down. It keeps his pipe filled and gives him his cup of tea. There is no promotion in store for him. Just more verse, more idle rambling, more seashore, more mushrooms, more abalone, more rejection slips. Who could ask for a better life ... Who has the courage any more to live the simple life, the life which is always there to be lived, the life which is based on doing without, on biding one's time, and relying solely on one's native intelligence."

It may be that those who do find the courage to live simply, as Eric did, will not only feel content with a relaxed lifestyle, good friends, and a happy sex life, but they'll become less dependent on social forces that appear to be moving us to destruction.



ERIC AND THE AUTHOR during the reception at Pebble Beach's Del Monte Lodge for Dame Judith Anderson.



PETER HALVERSON, as Marcello, and Bill Pell as Rudolfo are featured in "La Boheme," now playing at Hidden Valley Music Seminars in Carmel Valley.

CURTAIN CALL

By LESLIE LIEBMAN

Bruce Roberts heads a great all-round cast in Neil Simon's *Last of the Red Hot Lovers* at the Studio Theatre Restaurant through May 10. Simon's sad tale of the extramarital wooing and non-winning of three interesting ladies is well-acted and well-directed.

Patricia Cullen, Kate McEldowney and Connie Erickson as the ladies put our hero through the torches of the damned before setting him free and still unsullied. Marina Curtis directs.

Noel Coward's *Ways and Means*, a delightful one-act comedy is playing at the Studio Theatre Restaurant for the lunch crowd through May. The Studio's evening

attraction, beginning May 16th, will be *The Man Who Came to Dinner*.

Betsy Bell Taylor sings her way into your heart from up there on that Hidden Valley stage during this month's offering of *La Boheme* by Puccini. As the dying Mimi, she slyly insinuates her way into the hero's life, there to remain until she dies oh so tragically at the end of the fourth act. She dies so well, one is tempted to go watch her do it repeatedly. She was the only singer in the ensemble who was not drowned out by the orchestra. And for those of us who know Hidden Valley, that is saying a great deal for the little lady's voice.

son Jeffers' dramatic poem *At the Birth Of An Age* last month and found that it was so well received that they had to put it on a second weekend as well.

Carousel continues at Hidden Valley through May 18. I still say go to see Linden Waddell, the heroine's girlfriend. She's got success written all over her.

The Girl From Out Yonder appears Fridays and Saturdays at California's First Theatre in Monterey. The girl, named Flotsam because the tide brought her in, is played by Marion Richards. Other cheers in the audience were heard for Cousin Simonson played by Madeleine Hicks.

The Naval Postgraduate School Little Theater Group will put on the Harry Tierny-Joseph McCarthy musical *Irene* the weekend of the 16th and again the weekend of the 23rd at 8:30 p.m. in King Hall Auditorium on the NPS campus. The musical comedy tells the tale of Irene O'Dare who sets out to become a successful business woman despite the traditions of her era. The cast includes Robin Flanagan as Irene and Marybeth Livengood as her mother.

The Staff Players Repertory Company at the Indoor Forest Theater staged Robin-

Erick Hawkins came to Carmel last month with his unique vision of human movement. He, personally, performed in *Parson Weems and the Cherry Tree, Etc.*, although he's over sixty and had a sprained ankle. Hawkins' group is almost unique in that it performs to live music. After the topsyturvy tale of how the cherry tree got chopped down, Hawkins came out front and lectured the audience on each piece before it was performed. The upshot was that a lot more people had a notion that they knew what they were seeing.

FOR THE AWARE



Condors

By ARABY COLTON

The California Condor (*Gymnogyps californianus*) now numbers about 30 individuals. The Fish & Wildlife Service of the U.S. Department of the Interior, has a plan they call "a last-ditch contingency plan" to save this magnificent remnant of the pre-historic world.

In the words of the late Karl Koford, zoologist at UC:

"This plan proposes to trap all free-living condors; mark them with metal wing bands, plastic streamers, throat-skin tattoos, and radio transmitters; hold them at least three days for sex determination, possibly including tranquilizer injections and laporotomy; to take nine birds during the first two years and ultimately all wild condors for a captive

group; to retain all captured nestlings, over a period of five years; eventually to release birds in recent and former condor range.

"Birds would be lured to a carcass and trapped in a net. Even with great care the trapped birds will suffer physiological and psychological stress; some will be injured in their struggles. Transport to and from a laboratory for sexing will increase risks of exposure to avian diseases. After examination, some will be released, but even a minor injury to wings could affect the flight and other abilities of the released birds. As in other social animals, holding birds a few days can lower their dominance ranking among their fellows or even lead to fighting.

"Birds escaping capture may be frightened so that they are reluctant to descend to other food. In every month of the year there is danger of capturing or injuring an adult with dependent young. The proposed winter capture period, November to March, overlaps both the period of fledgling and laying. Even during the breeding 'holiday' of an adult, its capture may break up an established pair (condors mate for life).

The Audubon Society says that the decline in condor numbers is the result of human encroachment and destruction: "... egg collectors, museum collectors, shooters ... as California's population grew condors were uprooted from much of their range ... some died from poison intended for predators.

Friends of the Earth, the Sierra Club, the Golden Gate

Audubon Society chapter, the Committee for the Preservation of the Tule Elk and Friends of Wildlife are strongly opposing the Fish & Wildlife Service plan, as a drastic procedure which risks killing all the remaining condors.

These conservation organizations urge us to write Congressmen Philip Burton and Robert Lagomarsino, House Office Bldg., Washington, D.C. 20515, asking them to have the Sespe-Frazier Roadless Area included in the California Wilderness Bill, to increase the condors' needed food-providing, safe, habitat.

And to write Harold C. Cribbs, Ex. Secretary, CA Fish & Game Commission, 1416 Ninth St., Sacramento, CA 95814, urging him to refuse a "capture-captive breeding condor permit" to the U.S. Fish & Wildlife Service.

Easy Be With Me

*I can not hold what I wish to give
You tell me no, you must go
Then you tease me again
You feel good in my arms
You laugh and say I know
Then you go
I say, its here today
Then I want to pray
I know mine's coming
But how do I know when it isn't
I can not hold what I wish to give
I can not give
When it does not want to be held
So how do I know?
Why do I fear?*

Lesa Thompson



DANNY GOCHNAUER is a knockout as a thoroughly discabobolated British diplomat in Noel Coward's HAY FEVER at The Wharf Theatre through June at 8:30 p.m. Fridays and Saturdays and at 8 p.m. Sundays.

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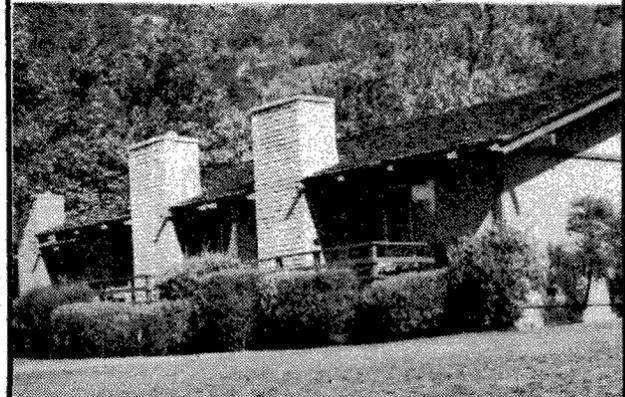


Photo by Greg Dodge

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JUAN SALINAS

Where To Obtain Windmills

By CHARLES E. DOLE
Christian Science Monitor

At one time you published a list of places where one could buy windmills. I am in

need of that list. Could you please send it to me?

Mrs. Monroe Young
Corbin, Ky.

Indeed, a number of com-

panies do build or sell wind-energy systems in the U.S. Although I don't know of any in Kentucky, here is a list of a few distributors or manufacturers which you

Glass and Fibers

Glorious Moments Opens

Antique stained glass and contemporary tapestries. An unusual combination? Glory Ushakoff of *Glorious Moments* has been lovingly and selectively collecting stained, leaded and beveled glass works since 1967 and has accumulated quite a collection of exquisite one of a kind pieces from the turn of the century. The intricate designs seem to find a balance between organic and geometric forms. He says the glass grows in him, he acquires them out of an attraction toward each individual piece and the attraction is cumulative.

The glass has a special quality about it that is lacking in newly made glass. Most of it was hand rolled, blown and cut, giving the surface a subtle irregularity which adds to the visual richness of the colors by catching the light more fully than a perfect machine made piece of glass. The hand cut beveled pieces leave the marks of hand and eye involvement. Natural pigments from powdered gold, silver, zinc and other minerals and metals give the colors a soft mellow quality. Seeing the sun shine through

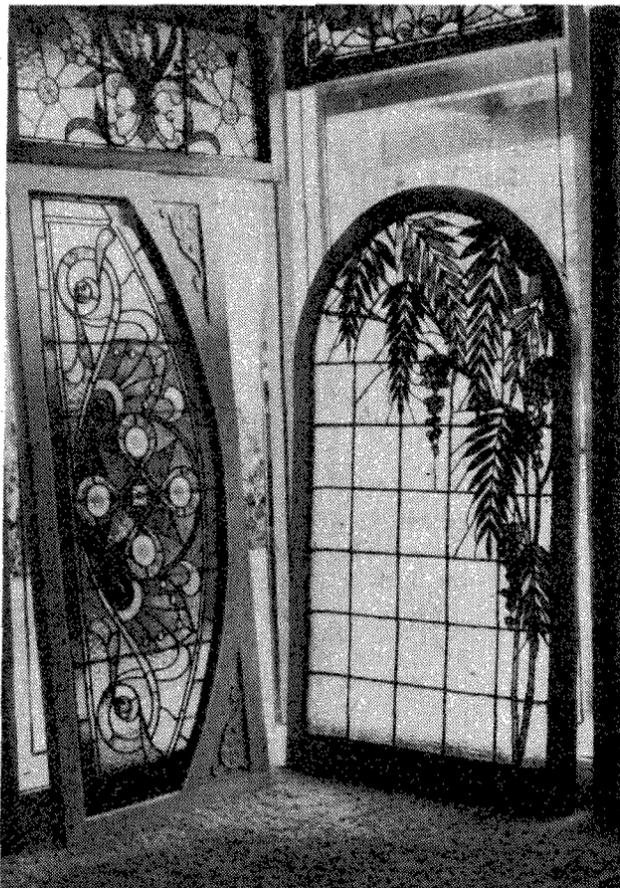
these beautiful works truly creates glorious moments.

The beginning of April, *Glorious Moments* moved to a larger space in the Carmel Rancho Center to house the expanding inventory and to provide studio and display space for the work of fiber artist Lydia Kulesov. Lydia has recently moved to Carmel from Minneapolis, Minn., where she maintained a studio and was showing her works in numerous local galleries and juried exhibitions and was doing commissioned work for private residences and businesses. In 1978 she received an individual artist grant from the Minnesota State Arts Board which enabled her to do an in depth exploration on a series of multiple-layered sculptural tapestries for which she custom dyed the colors to her own designs. The tapestries were designed to emerge and change as the viewer walks

around them. A few remaining from this series are on display now at *Glorious Moments*. She will be working on new tapestries in the shop where her studio is set up.

About her involvement with weaving she says fibers are a beautiful medium to work with. The process is very tactile and meditative and requires a full commitment every step of the way in order for the final piece to have a sense of balance and unity. It's a good exercise in becoming more aware of existing in the present while persevering toward a goal, in this case, the clarity of expression and communication of some idea.

With Glory collecting special pieces of glass from the past which capture an artistic sensitivity and Lydia weaving tapestries striving to tap a universal consciousness, they hope to share some meaning and beauty with others.



ANTIQUÉ stained glass by Glory Ushakoff is on display at *Glorious Moments*, a new shop in the Carmel Rancho Shopping Center.

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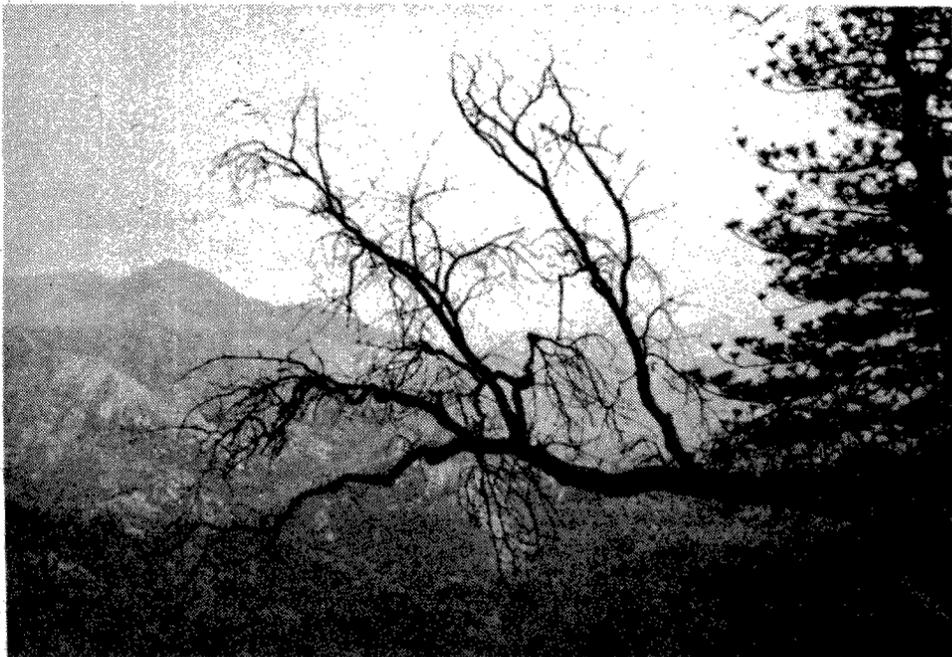


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PICK VALLEY from the Coast Ridge Road.

April Ramble

Pick Valley Holiday, 1975

By JUDITH GOODMAN

Wind and fog on the coast four days in a row, and more in the offing. Damp and raw. Time to leave my garden and my cat to the tender mercies of Mother Nature and take a short vacation in the sun.

Where shall I go to be warm? Of course, Pick Valley, the perfect spot for an April holiday. An easy three-mile walk down a dirt road running east off the Coast Ridge Road. Hidden and protected, surrounded by wilderness, bordering National Forest land, this sunny valley should be totally uninhabited at the moment.

I've been wanting to return ever since the summer day in 1973 when first I discovered the idyllic valley in the company of two companions. Leased and occupied then by Conrad and Linda who dreamed of raising money among their friends to buy the valley and create the perfect communal life, self-sufficient and far from the crazy world. They had moved into the cabin and planted a garden. They had also, in the process, accumulated a junkyard of broken cars and trucks and a backyard of automotive parts.

In the simple cabin, out of the 98-degree-in-the-shade heat we sipped lemonade and thumbed through the house's picture album, snapshots of the days in 1970 when the road and the cabin were built. I recognized Vicki and sunshine, and Walter on his dozer. Our hosts were hospitable; we were welcome to camp wherever we wished.

We had spent a pleasant afternoon exploring Pick Creek, finding our way up the steep precipitous trail to the waterfall. Giving each other courage we had plunged into the icy deep pool at its base. At sunset we had discovered the flaw in the idyllic picture — deer flies and mosquitos by the millions. We lasted only 24 hours and fled, covered with welts.

Now, in April, Pick Valley should be perfect — not too hot, too early for insects, and empty of people. The young couple had failed to raise sufficient money to purchase their dream valley and had moved out. The land had changed hands; the British caretaker was no longer in residence. The future of the valley was in limbo.

With written permission from the Powers

that Be to spend a few days, I present myself at the gate to the Coast Ridge Road with a loaded pack and faith that I'll get a ride. Sure enough, as expected, a government truck bound for Anderson Peak takes me all the way to the head of the Pick Valley road. I sit in the back of the pickup truck, bathe my face in the sunshine and watch the fog bank recede. The air is perfumed with wild lilac, the meadows are blue with lupin. We stop for a moment at the Terrace Creek trailhead. Someone has fastened three shabby boxing mitts to the Forest Service sign. Below, a scribbled note: "Where the ★-! is Outlaw Camp — I hiked all the way there with no water and there wasn't anything there — your sign sucks." Bizarre note in the wilderness.

On my walk down the bulldozed road that winds under oak and madrone, through chaparral bright now with yellow tree poppies, blue ceanothus and manzanita in blossom, I recall what I know of the history of Pick Valley. The Esselen Indians certainly frequented this spot — two bedrock mortars near the old cabin have the patina of ancient use. Old man Pick homesteaded here in 1891 and built a cabin near the spring where now the ramjet that serves the Rubis cabin gets its water. Frank Pfeiffer bought the property and ran cattle here. Rubis later bought it to use as a private hunt club, then sold to Sunshine Associates in 1969. From June to August, 1970, Walter and Sterling put in the road. Sunshine and Vicki built a cabin in about eight weeks, just in time to beat the winter rains. The young couple's idyll ended tragically in February when Sunshine shot and killed himself. Vicki stayed on alone in the isolated valley for more than a year. Then Conrad leased the place.

Now, two years later, April 1975, I meander down the road, muttering to myself as I count the automotive carcasses carelessly left behind. Eleven eviscerated wrecks between the ridge and the peaceful valley. By the time I reach the cabin site I am livid.

Nothing much there in the way of comfort. The cabin stands forlorn and windowless in the middle of a sea of indestructible human trash: machine parts, gutted cars, beer cans, wine bottles, broken glass, foam rubber,

plastic tubs, chicken wire, plastic hose, old suitcases, and an almost intact bright orange Coot on three wheels. Inside the cabin vandals have done their work. I poke around for an hour or so in the wreckage; the debris tells a story. Someone has passed many quiet hours drawing intricate brightly colored psychedelic designs in an artist's pad. A student of guitar has left his music here. Someone read *Evergreen Review*. An all-American array of medicines stand on the rough wood shelf — Bactine, Kaopectate, Epsom salts, hand lotion, toothpaste, Robitussin, Calamine lotion, innumerable old toothbrushes. I wade through the litter until my curiosity is satisfied, then turning my back on the mess, I flop on a bag of mushroom compost in the midst of the former garden.

The sunshine is warm in the meadow. I watch a gopher pushing his furrow through the earth. The soil is powdery and full of rocks. Think of the frustration of gardening here! The clearing is honeycombed with hills and holes — ground squirrels and gophers by the hundreds. I sit for a long time quiet and motionless, tired from my walk, letting the sun soothe my soul. A harsh breathy scream from over my shoulder sends a shot of adrenalin through my veins. Four deer have tiptoed out of the forest of pine and madrone, a pregnant doe, two of last year's fawns shepherded by a buck with two-pronged antlers. The buck advances resolutely toward the intruder and once again utters his challenge. I don't move. After awhile, judging me harmless, the deer begin to browse on the short green grass; the two young fawns take courage and play tag between their browsings.

At least I'm content to be here. I settle into the peace of the valley. It is so quiet I can hear the deer munching. Wind sighs in the pines high up the canyon, moves down the slope and ruffles the pages of an *Esquire*, March 1973. The unexpected noise startles the deer, who bound off up the slope in a panic. A squirrel dashing over the carpet of dead madrone leaves makes more noise than the four deer in flight.

I am almost asleep in the sunshine lulled by the steady hum of the Pick Valley bees as they fly from filaree to filaree with bright red balls of pollen on their hind legs. Did I speak of no insects in April? In actuality, the air is thick with tiny gnats that get in my eyes, busy bees, bronze-winged flies, lady bugs, and a giant bumblebee that circles my head three times and then departs. No human sound, except the entire trans-Pacific fleet honing in on the beam at Anderson Peak before heading west.

Sunset comes early in this deep green bowl. I pitch my mountain tent under a madrone out of sight of the vandalized valley and settle in for a long cold night. The moon, just one day short of full, illuminates Pick Creek with cool blue light. I sleep fitfully, my ears wide open for night time sounds. A mountain lion has been sighted this week on the Coast Ridge road; I half hope, half fear that he will come my way. The night passes without incident.

Morning in the meadow. I take pen and paper and a baggie of granola and flop on the bag of mushroom compost. While I scribble the resident deer herd assembles. By the time I look up, 12 deer are grazing within the valley. From time to time they glance at the human invader with more curiosity than fear. I write for an hour, then restless, seek physical work. It is senseless to attempt to clean up the garbage or the cabin, nothing short of a bulldozer's suited for that work. Perhaps I can use my energy to tidy up the

garden. I start with the fenceposts scattered helter skelter in the meadow, stacking them in piles for future use.

Hard at work, I am stopped in my tracks by a loud vibrant humming. I track down the commotion in the shade of a flowering madrone: a swarm of bees hangs neatly in a pendulous cone from a low-hanging branch. I am frustrated deep in my bee-keeper's heart — here is a healthy two-pound swarm just ripe for the taking, and me without equipment. I search through the rubble around the cabin — boxes aplenty to fabricate a hive, but without my veil and gloves, without a tool to gently cut the branch on which they cling, and without much courage, I relinquish my dream of capturing the swarm. Instead, I sit in the shade and watch the compact ball of bees. They have much the same pattern as my commercially purchased Italian hybrids, yellow and black stripes, but these bees are wild, their colors are muted, their size somewhat smaller. Hard workers, however, the Pick Valley bees have to make the most of the short springtime, for summer comes early and hot here, and the blossoming season is short. I wonder what filaree honey tastes like.

All night by the light of a huge white moon the swarm clings in a ball around their queen, sharing their multiple warmth. Early morning, still chilled, they await the sunshine, and as I watch, the scouts peel off and fly away to locate an appropriate hollow in which to begin again — build combs, secrete honey, nurture the eggs, grow bees, create a new hive.

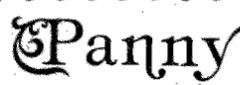
In the afternoon I explore the far side of the creek, following a deer trail and trying to walk soundlessly like the Indians. But my feet in hiking boots have not learned to touch the earth lightly; I crunch as I walk. In spite of my caution, I startle two deer napping in the afternoon shade. They are on their feet and up the steep slope in an instant. The ground is still warm in their bed. Tiny white wood violets and pennyroyal grow in the shade. On a hot rock by the cold creek I watch Woodwardia cast lacy shadows on the bright water. A speckled German brown trout swims against the current to a hiding place under a clump of tangled grass. Entranced, I watch a drowning bee dance in circles casting rainbow shadows on the sandy bottom. My mind floats free on the current. When in the late afternoon I return to the bee tree, the swarm has departed.

Three days of this peaceful existence. I scribble, I wander, I work. The fenceposts are all neatly stacked. On my last day, seized by some mischievous creative spirit, I gather from the trashpile old clothing — an army shirt, khaki pants, some rotten work gloves, mismatched shoes — and stuff a human figure. Propping him up on the front seat of the orange Coot, surrounding him with empty shotgun shells, I leave the Man to guard the wreckage of human hopes. Filling my canteen with sweet Pick Creek water, I make the slow trek up and out of the valley.

Epilogue, April 1980.

Pick Valley was burned in the Marble Cone fire — the cabin, the garbage, the broken vehicles were spared. Only trees were burned. Two years ago Pick Valley was purchased by the Forest Service except for a small inholding which remains in private hands. In my recent trip two weeks ago, I found the place restored to its pristine beauty. The cabin is gone. The trash has been removed by helicopter. The valley is clean and green and spotted with baby-blue-eyes. I did not see a single deer in my recent 24-hour stay, but the valley is furrowed with wild boar rootings.

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May Ramble

Full Moon on Coast Ridge

By JUDITH GOODMAN

Ten days of cold north wind on the coast. The waist-high wild oats flow and ripple like troubled waters. In the neighborhood, tempers wear thin; once again, no water in the system, once again, no lock on the gate. The folks look for someone to blame.

I too wear thin from the constant buffeting of wind and angry words. When I catch myself kicking the cat, I know that it's time to lace up my boots, put my pack on my back and walk away from it all in search of a broader perspective.

Full moon tonight; I will celebrate the celestial event from the sanctuary of the Coast Ridge Road. Past the heavy iron gate which sports eight separate padlocks I trudge, willing to walk the five miles to the crest and hoping that I won't have to. Sure enough, I am not even out of the redwoods when the kindly government physicist headed for Anderson Peak offers me a ride and drops me at the Terrace Creek trailhead. To the east, the vast reaches of Ventana wilderness, Forest Service land; to the west, sloping almost to the sea, uninhabited private holdings maintained and protected in the best tradition of private stewardship. No sign of human habitation, an occasional half-wild rangy steer. The road is open to anyone with the energy to walk it and to vehicles of those few fortunates who own land behind the gates, in addition to the daily traffic to and from the government installation on Anderson Peak. The Coast Ridge is truly a sanctuary, an inner sanctum.

Windy up here too. I find a protected spot behind a rounded knoll and flop to rest. Thirty-five hundred feet below, the sea is bright blue with one purple shadow of cloud, a perfect backdrop for the host of scarlet buglers that bend and sway with the wind. I sit on a carpet of filaree, a lacy-leaved, pink flowered weed, now going to seed. Cunningly designed, the filaree seed is a long sharp beak which corkscrews when ripe upon contact with fur or hair. I watch a seed spiral clockwise up my pants leg, alive with the force of life. Picking 32 filaree seeds out of my clothing, I marvel at nature's ingenuity in engineering for survival.

I stash my pack in a grove of madrones and amble down the cow-plopped road to a narrow saddle from which I can view both east and west. No sign remains of the old corral that once stood here; no sign of the Flores fire camp where during the 1977 Marble Cone fire a thousand men were billeted. Once again, vinegarweed and filaree cover the slopes.

I turn my sights to the west. Through my

Editor's Note: Many readers complained about missing April's "Rainy Day Ramble," which got misplaced in the editorial room. Our apologies to Judith Goodman; both the April and May Rambles appear in this issue.

Bushnell glasses I trace the line of the Clear Ridge Road winding from the cleft of Sycamore Canyon over gold green meadows, disappearing under groves of oak, winking in and out of the chaparral. I can make out the white dot of my beehive and the flare of light that is the solar panels. That's home. Through the glasses I follow a tiny truck on its trip up the Middle Road to the water tank. One of my neighbors, concerned with survival. From a distance, I wish him well. From this perspective, Clear Ridge rolling in sensuous curves between Pfeiffer Ridge and the sea, is merely another anonymous swell of earth touched lightly by human hands.

Facing east, I watch the late afternoon sun illuminate the barren slopes of the Ventana wilderness. The Marble Cone fire has scoured the mountains revealing the naked contours. Steep and stark, but a little less lunar this year; the land begins to recover from the fire. Already, a faint tinge of green where last year only gray ash. Down the immediate slope, where the backfire burned less hot than the actual fire, the charred madrones are sending up bushy shoots. I am heartened by nature's resiliency.

The wind is cold. I must get moving. Leaving my pack in the grove of madrones, intending to return to the saddle to watch the sun set and the moon rise, I walk with the wind at my back on the dusty road through a blue haze of lupin. Around a bend I surprise three black tailed deer tiptoeing out of the V of a tree-filled draw. They stop short, look me long in the eyes, then two lie down in the meadow sunshine while the third gazes quietly. I am certified harmless.

Yucca blooms on the dry rocky slopes in company with others of its kind in various stages of life: rosettes of grey green spine-pointed leaves which will grow for 15 to 20 years storing up nourishment toward a final ripening; here a mature yucca still holding flat black seeds in its multiple pods. The only missing link is the fruiting yucca, for which May is too early.

I clamber down the slope, stand on tiptoe to avoid the dangerous spines and pick one blossom. It is crisp and delicately sweet. Last spring, climbing the white marble slopes of Pico Blanco, I surprised a pair of deer who had managed to chew through the stalk of one giant asparagus and fell it; they were busily munching on one end. When they fled I tasted a slice of this forbidden fruit (it is strictly verboten to harvest the stalk of this plant which, after all, has spent perhaps 15 years growing toward this final fruiting.) I can report that the yucca stalk is crisp and juicy, slightly sweet, somewhat reminiscent of raw jicama (if that is any help). Delicious. A once-in-a-lifetime taste treat.

I admire the yucca which thrives where little else will grow, sending down roots after hidden water, making do with sparse soil, adapting to meager conditions. And useful; to the local Indians an important source of food and fiber. A survivor, one of the tough ones, sparse and economical. A should-be inspiration for a viable Big Sur way of life.

So quiet. No human disturbance except the

intermittent buzz and humm of aircraft flying the coastal route from L.A. to San Francisco. Except the disturbance of occasional worried thoughts about the future of the Coast Ridge Road. There is talk of opening the road to vehicular traffic; I shudder at the thought and push it away for future reference. When the time comes I'm ready to do what it takes to see that no Winnebago profanes this spot.

I stand on a rocky outcropping above Grimes Canyon watching the curve of Highway 1, busy with weekend traffic. Up here, the loudest sound is the yammer of jays and the whisper of pigeon wings. Silently a pair of peregrine falcons spirals above Grimes Canyon, mounting the air. Their breasts gleam pale in the afternoon light. I wait for a demonstration of the bird's hunting flight — speeds up to 70 miles per hour, says the book — but these two are simply out for a soar on a windy day.

Startled by a human sound, I look up to discover a curly faced young man in ragged tennis shoes, his guitar over his shoulder and his knapsack in his arms, striding south on the road.

"Where are you heading?"

"Gonna walk to Tassajara," he explains and draws a hand-drawn map from his pocket, showing me Cold Springs and the Tony trail. "How much further?"

He is slightly shocked to hear 25 miles. We chat. I ask with curiosity what he has brought to eat.

"Not much," he states with pride. "I'm gonna live off the land for a month."

I do my best to tell him what I know from experience: nothing much to eat in the back country in early May. Perhaps a few wild strawberries, miner's lettuce and some other greens, but nothing substantial. The young man listens politely but his glazed eyes tell me he doesn't want to hear my good advice. So I teach him about yerba buena — at least he'll have a nice hot drink — and I send him on his way. A taste of reality never hurt anyone.

It is almost sunset. I hurry back the way I came, returning to the narrow saddle where I huddle from the wind in my sleeping bag and await the show. The daytime denizens of the ridge are hunkering down for the night with rustle and cheep. I nibble on bread and cheese and an apple while the sun passes



HEART of yucca.

through marvelous metamorphosis — first a round red globe, then a fiery lampshade, ending as a thin flat wafer of fire. The afterglow touches the eastern ranges with rosey light.

The eastern sky is still blushing when a radiance begins to gather over the Ventanas, growing in intensity. Finally, as the huge white globe begins to climb the sky, a chorus of coyotes announces her ascension in a madrigal of mournful sound. I am flooded with a pure white light.

All through the tranquil, windless night I watch the moon in her path across the bowl of sky. Down in the valley, in the narrow corridor that visitors call "Big Sur," the few scattered lights wink out. Only the beam of the Point Sur lighthouse interrupts the night. Up here, on the Coast Ridge, nothing stirs; the only sound all night is the cry of a strange fly-by-night bird. Sometime in the night I walk along the white ribbon of road, my shadow leading the way. The meadows are silver, sweeping down to a silver sea. Under the madrones the shadows swim and shimmer. In pools of moonlight white moths flutter; a bat swoops and snaps them up one by one. All through the tranquil night I am, in Jeffers' words, "passionately at peace."

Toward dawn I doze, waking in time to see the moon turn red as it drops into the brightening sea. At sunrise the north wind resumes. I am hungry. I want my coffee. As full of energy as if I'd slept the whole night through, I make the five miles down the road in double time, contemplating with a newfound equanimity the future of the Coast; fortified by the full moon night, I know that in the longest run, everything will be all right.



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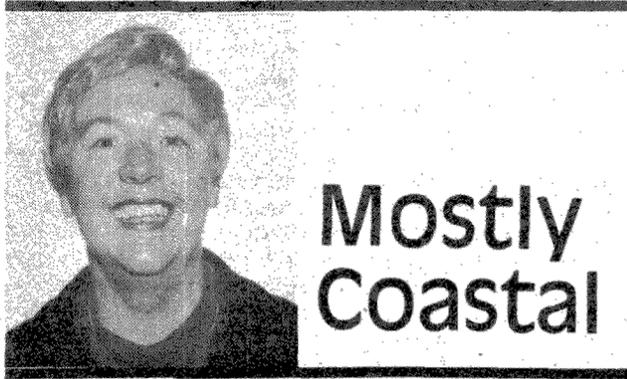
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Mostly Coastal

By CLARE CAREY WILLARD

Ever since I was a child, something inside me called me often to the sea, the coast. When in school, I read that no less a man than Seneca wrote: "My life is like a stroll upon the

beach -- as near the ocean's edge as I can go ..." I knew that his heart and mine had touched the sea as can only those who have fallen hopelessly in love with these most beautiful and powerful of God's Creations: the oceans of the world.

For years, we tried to find a little piece of land that would regenerate my soul and body's batteries by some small vista of the sea. But a Depression came and we were ALL so poor! Land was plentiful; money was not. But, always, we wandered back to the Big Sur, Carmel, Monterey area to gaze and long and love and leave better persons for having gazed.

A few years ago we did manage to find and claim our ocean view, through the grace of providence, an alert and caring realtor, and my remarkable husband who was probably beginning to find this path easier than forever dumping me on some sand dune in order to get my creative juices flowing!

Of course we knew about Proposition 20 in 1972. Of course it "sounded" good. "Protect Our Coast." "For Us All!"

But, because I was also teaching government and political science at the time, the implementation of this "protective solution" worried me. Frightened me. Even began to terrify me For I have seen and studied what can happen when government agencies get out of control. To set up a framework of Regional Coastal Commissions, all under the head of one all powerful bastion called a State Coastal Commission sounded frighteningly unwieldy and somehow not visible with our American Way of Life.

However, thus spoke the Coastal Act, and little did any of us know the abuses that would be perpetrated by these all powerful "law-unto-itself" themselves and accountable to NO ONE regional Commissions! Well meaning friends and neighbors tried to warn us. Nice, calm, sensible people told "horror stories" that were hard for us to believe. We listened. We were the "new kids on the block." We didn't really want to believe it. Not then.

Then: somebody showed us a copy of a questionnaire sent out to a selected group of people who call themselves environmentalists, but do not really seem to care about their environment. (We found out later that the questionnaire was never meant to fall into the hands of the private property owners and that a great deal of consternation was caused on many governmental levels when it was discovered that bona fide taxpaying property owners had actually seen a copy!)

This Prescriptive Rights Questionnaire asked for documentary proof in the form of snapshots no less, which could later be used as sufficient proof of TRESPASS over PRIVATE PROPERTY to FORCE the owners to give up their property as public lands under the law of Adverse Possession" and Prescriptive Rights.

Such a glossary of new words and phrases! But they were all true. The then Attorney General (Evell Younger's office assured me that the nefarious questionnaire was only to protect "PUBLIC RIGHTS."

"PUBLIC RIGHTS?" I am afraid I bellowed. "Whatever happened to PRIVATE RIGHTS and PROPERTY RIGHTS?"

And that is how it started. From the one a bitter battle raged between private property owners and the various Coastal Commissions over the odious "Questionnaire." The Commission denied any knowledge of the questionnaire and ping-ponged it ("wham, bam, thank you, mam!"). Right back to the Attorney General's office who did the same back to the Coastal Commissions.

Right now the people of Big Sur stand in the greatest jeopardy of their lives and their land. Big Sur absolutely CANNOT be protected by a huge network of government agencies and/or bureaus who are poorly informed because they are continually brainwashed by overtrained zealots masquerading as "environmentalists," who would rather have a live Dinosaur on hand than a taxpaying private property owner, the latter who is willing to care for and protect the land for the enjoyment of all. These are the real environmentalists and they have been "doing their thing" quietly and effectively for generations!

I hope that the *Big Sur Gazette* continues in its valiant fight against this latest government land grab by the combined forces and the "big guns" of the Wilderness Society, National Park Service, the Big Sur Foundation, the Sierra Club and others to turn glorious Big Sur into an overused and abused littler heap. We're all pulling for the work being done by all of the conscientious Friends of Big Sur, and others who feel so very strongly that it is the PEOPLE who live in Big Sur and others who feel so very strongly that it is the PEOPLE who should decide her real fate, not just a bunch of Washington-based bureaucrats.

The Secret of Mount St. Helens

By DOUG BEAUCHAMP

The international cult of volcano watchers now swarming around and over Mount St. Helens will be dispersing one of these days. When the fireworks are over each will go his or her own way, ready to descend on the next mountain that comes to life. Mount St. Helens will become all but forgotten to many of them.

But there are some of us who will never forget her. At one time or another her spirit has whispered something secret and powerful to each of our souls. Contained in that secret is a special message for all the world. The forebearers of the native Americans, famous for their skillful spearing of migrating salmon in mid-air leaps up the white water of the Columbia River, understood this message. They told it generation upon generation in the form of a great fable. Perhaps it is time to tell it again.

Briefly, it goes like this:

In the days before memory, there was a natural stone bridge which spanned the cliff-sided gorge of the great river. To the south lived the people ruled by Chief Multnomah, and to the north lived the people ruled by Chief Klickitat. These were industrious and peaceful peoples. They visited and traded with each other across the great bridge because the raging river far below could not be crossed in any other way. This bridge was called the Bridge of the Gods.

One day in the bitterness of winter, the Great Spirit took pity on his children because they were dying from cold and the sickness that came with it. With love and a desire to ease their pain, the Great Spirit decided to give his people a wonderful gift. This gift was the great life-preserving energy, Fire. He placed the fire on the center of the bridge where both peoples could have easy access to it. And to tend the fire, so that it should never go out, He created Looit, the most beautiful maiden in all the world.

All went well at first. The people took the fire and learned how to warm themselves and their babies and how to cook their food. All was happiness and thanksgiving.

But soon a new and sinister force was at work. In secret, Multnomah and Klickitat each began to desire Looit for himself. Eventually their rivalry turned into war.

The Great Spirit, alarmed by this turn of events, decided to transform Looit into an ugly old hag! But Multnomah and Klickitat took no notice. By now they had learned how to use this fire to maim, torture, destroy and kill. They surged back and forth over the great stone bridge.

One day the Great Spirit could tolerate this no more. He sent down a lightning bolt to destroy the bridge and separate the rampaging forces. The bridge fell with a great thundering into the river far below. The fighting stopped. The people watched in confused awe. The Great Spirit then transformed Multnomah into a mountain and covered him with snow so that he would be clearly visible throughout his land. This He also did to Klickitat. And between them, toward the land of the setting sun, He transformed Looit into the most beautiful mountain of all.

With the creation of these three mountains as evidence of His compassion and the fragments of the bridge as reminders of His power, the Great Spirit set forth for all time His cryptic warning to the people not to misuse His great life-preserving gift of Fire. Each century Looit blazes forth a reminder of this warning.

Today we know Multnomah as Mount Hood. And not far away stands Klickitat in the form of Mount Adams. Between them rises Looit as the beautiful Mount St. Helens. Far below them, in the Columbia River gorge to the east of Portland, lies the Bridge of the Gods in majestic and broken repose.



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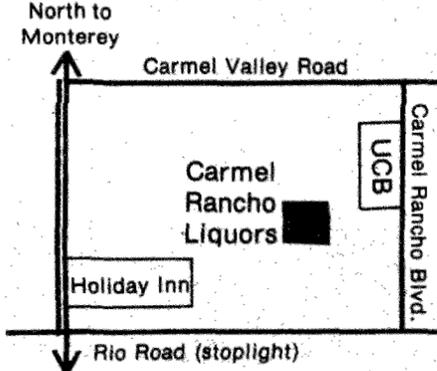
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Machete Song

Sword sing, sing in this sun. Dance, whistle in the swelter, stroking time. Fan my face. Boss Grandfather's white hairs stand silent in the ranch-house window, having to watch. They say he used to work like two. The hot thorns of thistles and roses among the lemon trees sting. But under these stars the sword of my own green island heritage of harps and pipes and quills hovers. Sword of my nights, sing of the sword in the sun, wad the sweat of my brow to sweet rain. Sing of the machete in the hired hand.

"I never work for nobody else," Grandfather proud said one of the first days. (His years, his trees make him Grandfather to me.) "I come from Greece when I am fourteen years old, and I work hard all my life, but I never work for nobody else." Over the weeks and months, over the summer the tale unfurled. "I have my own restaurant. Then I come here. I buy this land. I build this place." The hacienda, high above the laughing crystal sea; the hillside looks like Greece.

"You see these trees? I take from down the canyon when they are little things, like this." Eucalyptus, redwood. And the lemon trees in the down-swirling grove. "People come from all over to buy my lemons." But now the yellow fruits gasp above the vines and weeds on the tangled slope. Things grow and men work in the sun. I take the machete.

"Fifty years I have this machete," Grandfather said shuffling over one day as I keened it behind the garage. "Fifty years!" He took it out of my hand and slashed the air. "Ayah! Ayah!" Handing it back he said, "How many times have I sharpened it?" His arms and eyes beseeched the sky. "How many times?" "I like it," I said. "The handle feels good." La donna said to him, "He keeps it sharp."

Sword whir, sword whistle. I worked some days with only the machete, no other tool.

Back and forth, striking, fencing, back, attacking. It was hot combat in that jungle, too sheltered for sea breezes to cool. Back and forth. Whir. Slice, whir. I'd feel the blade grow dull, hourly; I could tell the time by it. I'd stop and have a drink of water, get the oil and stone and set the knife up where I'd found a place and way to hold it, where we killed a rattlesnake another day.

(I shooed the curious cat softly away and raised the machete, poised, and paused, transfixed with the reality of the rattler, my first.

"Kill him! Kill him right now!" Grandfather called, watching from the screen door. I struck and saw the red blood spurt. "With the rattlesnake you don't wait!" he said.)

And sooner or later her voice would call: "Lunch time!" My arms fell to my side. "I'll take it." Grandfather came in one day as I was sitting down. "Worr-r-rking in the fields today?" he said, his hands

going up to the sun, beyond, his accumulated time under the hot blaze feeling for all, a song in his words. "Yes," I said. "It's coming along." And sitting down to his crackers and beer he'd say, "You don't want a beer?" "I love it," I said, "in the evening."

Back to cutting, back and forth. Whistle, whir. The thorned thistles, taller than men, confronted me like phalanxes of spears from epic times. I had to fight them. Slice low and quickly slice again, or be stung. Ayah! Ayah! It was good work, in spite of prickle wounds and poison oak. And finally my name floating over from the orchard's edge: "It's five o'clock. If you want to stop." Ayah! Work is done, my time my own again. My throat will not be dry for long. My sword of night can sing.

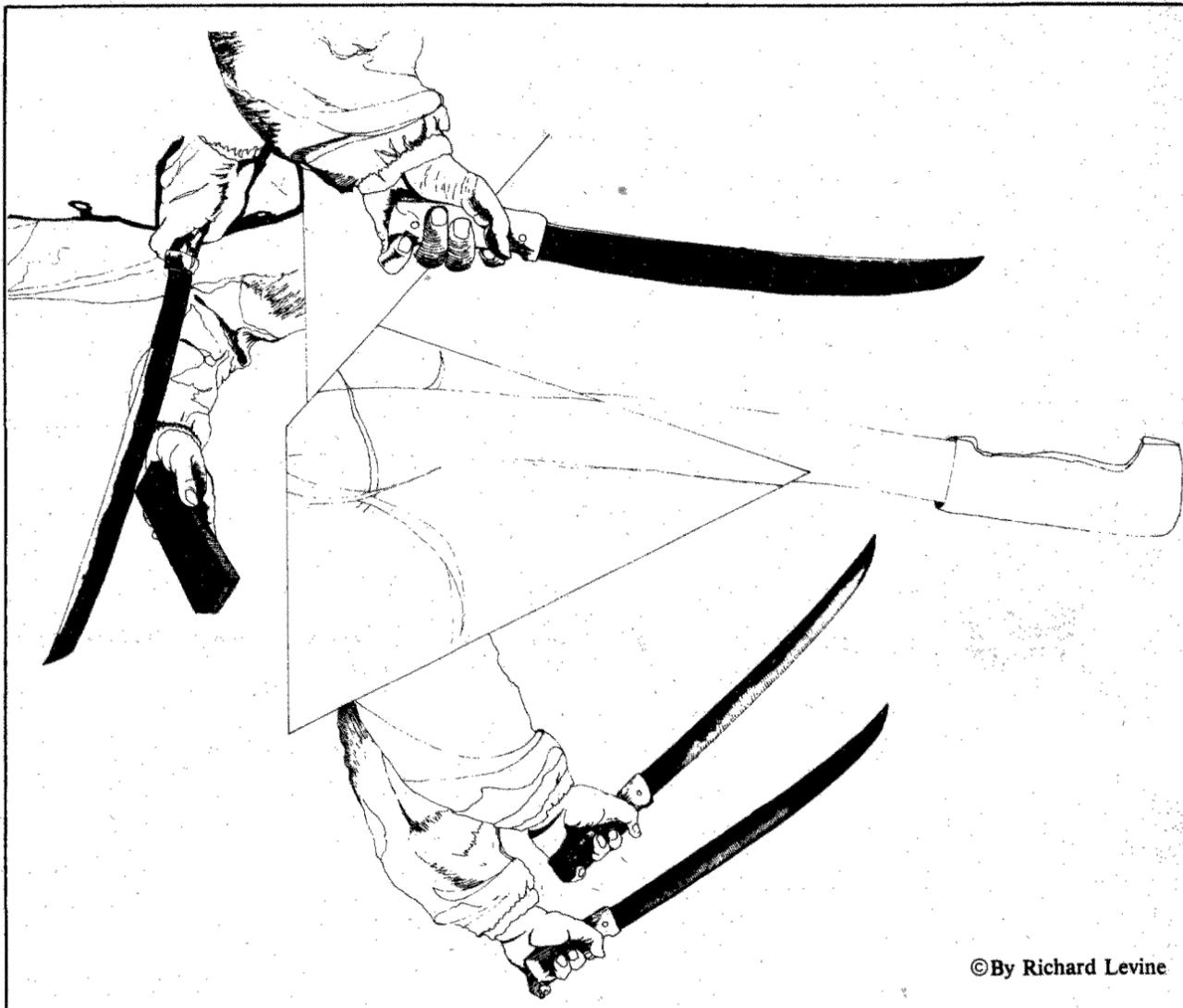
Strike for good, quill. Parry the poignant riddle, slash the truth clean, cry it out: How come, how come the hours under the sun go by so cotton-picking slow and the years

so sadly fast? Summer is gone now. The hills will soon be green as Ireland. Grandfather's nine decades' odyssey goes into the tenth. And I work here and there, from need to want, from story to song, and ply my ancestors' proud moonlit penny craft. As Zorba says, "In work I am your man, but in playing and singing, Boss, my own." I remember the fine worn handle of the sword, and how the graceful terraced paths of the orchard, raised on that steep ridge through many seasons under many suns, day by our day reappeared and the trees stood, free and fruitful, above the slain intruders. These are the funeral rites of thistles and time in summer's sun. Ayah! Ayah! They say who plants a tree thinks not only of himself. Machete,

I salute you with my higher hand.

Andrew Clarke
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Dedicated to the Pias Paradise Ranch, Big Sur.



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Hit List Hypocrisy

By JOE GUGHEMETTI
President, California Coastal Council

There exists in California a philosophical battle of extraordinary proportions: a determinative battle as to the fate of private property rights and the retention of earned liberty. The integral element of this battle concerns the vast acquisitions of private property holdings by federal, state and local government entities and the cruel land use restrictions of regulatory agencies which achieve public use without the constitutional guarantee of just compensation.

In 1972 an entire populace was lulled into an environmental zeal to protect the California coast, and hence the creation of the California Coastal Commission. Obscured in that popular mandate were the planned and executed public acquisitions of coastal properties. We were told of the necessity to preserve the coast from devastating development, but whose coast? By 1972 over 35 percent of the 1000 plus California coast had already been acquired by public agencies, with an additional 15-20 percent slated for subsequent acquisition. These acquisitions were planned in great part by the state Department of Parks and Recreation, as funded by the Public Works Board. Thus the first great deception of the Coastal Act concerned its jurisdiction, for the seven years and \$35 million expenditure which followed only concerned the 50 percent of the coastline in private ownership.

Contrary to the provisions and purpose of Proposition 20, the staff of the Coastal Commission commenced its own planned acquisition list for the balance of the privately owned properties. In 1974-75 the Commission staff consumed taxpayers money and inordinate time in order to adopt its own acquisition "hit list," despite the fact that it lacked both the legal authority and funding to acquire the targeted properties. The cruel aftermath of this practice is attested to by the countless owners whose property was designated for acquisition by a power-hungry organization which did not

have the power of condemnation, nor any funding for that purpose.

The Coastal Commission hit list soon became a blacklist of use, development and rights. Landowners were systematically denied development permits because of the planned acquisition of their property, acquisition which was not necessarily approved by the Department of Parks and Recreation or funded by the Public Works Board, acquisition designated by an agency without the power of condemnation.

In the interim the Department of Parks and Recreation was engaged in its own deceptive activities. The public and legislature were routinely displayed the Park's acquisition list, a five-year capital outlay program for public acquisition. This list delineated specific sites for acquisition, acquisition to be funded by the Public Works Board after public hearing. However, unknown to the public and legislature was a secret acquisition list: computerized and coded identifications of properties throughout the state designated for acquisition by the bureaucratic staff of the Department of Parks and Recreation.

The existence of the secret computer list was disclosed in litigation in San Mateo County last year. During an inverse condemnation trial against the state of California, the manager of Parks and Recreation disclosed its existence in response to my direct examination in testimony. Startling was his revelation that "the list was not available to the public nor to the legislature."

Now this community is confronted by yet another hit list, as the federal government plans and pursues a Big Sur federal park. Thus, at least three government staffs have expended taxpayer's funds in order to pursue this concept of government ownership, but for what purpose?

The proponents of public acquisition defend their policies as necessary steps toward the preservation of natural resources for future generations. The reality is not quite so laudible. The same proponents and governments which consistently deny coastal development and use urge a federal or state acquisition which threatens the environment beyond any reasonable private development.

In 1972 the federal government initiated the first federal recreational area (Golden Gate National Recreation Area: GGNRA), and cooperated with various local government leaders and environmental groups to ensure that targeted landowners would not use or develop their properties until that acquisition was achieved. Development and use were discouraged as having adverse impact upon the environment. The populace was told of the urgency to preserve the land holdings for the use and benefit of the entire community. Yet years later, after expensive and burdensome federal park litigation, the Coastal Commission suggested closing Highway 1 in Marin County on the grounds that the park had created serious environmental traffic conditions, and thus the multi-million dollar federal acquisition would be denied public use.

In 1973 the Coastal Commission commenced its standard practice of denying development which could have adverse impact upon any environmental issue: water, sewer, air, traffic, etc. All government entities have consistently subjected landowners to extensive and expensive environmental impact reports prior to the approved use of private land holdings. The Coastal Commission added its own peculiar if not paranoid demands of landowners already subjected to the environmental concerns of local government. Yet what demands have been imposed upon government itself? The same Coastal Commission which would not allow a single family home to be built in Big Sur because of "cumulative impact" openly supports a federal park of enormous consequence. A family of three is banned from Big Sur because of their impact upon road, air and water; yet a federal park which would induce millions of visitors is encouraged without any study or analysis of its impact upon the environment.

The residents of this community have been subjected to hit

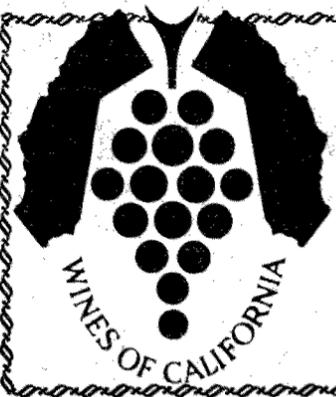
list hypocrisy. State parks and beaches, and vast federal recreation areas are encouraged without any analysis of their impact upon the environment. Why is a lot holder subjected to an environmental impact report, while the federal government project is hailed as a salvation for the community by environmentalists. Perhaps the answer does not concern the environment at all and the hit list hypocrisy is part of a broader issue: the concept of private property.

Over 50 percent of the land in the United States west of the Mississippi is now in public ownership, lead by 95 percent in Alaska, and approximately 55 percent in California. Are these acquisitions for public use, or for the sake of public ownership. The hypocrisy by which the state and federal government can plan and implement vast park projects without any serious analysis of environmental damage should provide an emphatic answer to this question.

The leaders and supporting staffs of various state and federal agencies are consumed by appetite for public acquisition, not as a corollary to environmental concerns but as a fulfillment of a social philosophy which was not approved by any elective process. If it is the desire of the American people to restructure the nature of private holdings and convert private rights into communal holdings then the same must be the result of the decision of the electorate and not unrestrained bureaucrats. For a number of our citizenry private holdings reflect prior generations of sacrifice with extensive investment and belief in a free and private economy -- their earned liberty. To those individuals the paranoid implementation of vast, rambling and unquestioned state and federal acquisitions are motivated by a desire to redistribute the wealth, regardless of the blatant destruction of individual constitutional rights let alone devastation to the environment.

One must question the hypocrisy of the proponents of additional public acquisition. Among those proponents are the extreme self-proclaimed "environmentalists," federal, state and local officials and the nameless-faceless bureaucrats of our various government agencies. They would be the first to castigate a landowner as a "developer," while impugning that individuals concern for the very environment he lives in. Yet if a landowner is to be condemned after years of administrative battles, hearings, environmental impact reports just for building a home for his family, then what should we say of the Cranstons, Burtons, Adams who would subject an entire community to the awesome burdens of a federal park and its potential devastation of the environment, air, water, and traffic without question.

We have been subjected to an environmental hustle and to the hit list hypocrisy of a few who would speak for all.



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Olivia de Havilland

By BETTY BARRON

Olivia de Havilland came to the Monterey Peninsula last month and won another triumph in her long and brilliant career. After her lecture, sponsored by Eskaton Monterey Hospital, she met with guests at a reception at Casa Serrano in Monterey.

Seeking a touchstone to this accomplished actress I reached out to her with an inquiry: "How have you managed to preserve your own identity and your own personal life in the midst of your stage and screen careers?"

Her answer came easily: "It is a matter of geography — of separateness. When I walk away from my 'role' in a film or play, I close the door — and open another — on my other life. I have kept my family life a separate entity. My daughter is now 22 and a lawyer in France. She is beautiful and a success in her own right."

Then that warm and wonderful smile, the searching and receptive eyes, expressing depth and understanding. In her soft-spoken way she reveals herself as a woman of discernment, determination and discrimination in the finest sense of the word.

As often happens to me, one personality, a chance remark or expression, brings another to mind. I found myself saying, "Did you know Robert Tyan?"

Her smile flickered and faded for a moment as she seemed to acknowledge a kindred spirit: "Yes. He died too young."

Then she went on to tell me how she became involved in her lecture series entitled "From the City of Stars to the City of Light." She said she had begun this phase of her life in Fargo, N.D., with a group of dedicated women. From there, the series carried her across the country in a role she cherishes.

Her philosophy of continually challenging has been with her a long time. On two occasions during her film career she accepted roles which suppressed a star's most cherished asset, her youth, and for both films, *To Each His Own* and *The Heiress*, she won Academy Awards.

In the 30 years between her first film in 1935, *A Midsum-*

mer Night's Dream and *Hush, Hush Sweet Charlotte* in 1964, Olivia de Havilland created more than 40 characters, among them the winsome and winning Melanie in *Gone With The Wind*. Her other major triumphs include *Hold Back the Dawn*, *The Dark Mirror*, *Captain Blood*, *The Private Lives of Elizabeth and Essex*, *Lady in a Cage*.

Her stage credits include *A Gift of Time* with Henry Fonda in 1962, and a tour in *Romeo and Juliet* in 1951.

Honors include two New York Film Critics Awards, the Women's National Press Club Distinguished Achievement Award, election as the first woman president of the Cannes Film Festival.

Olivia de Havilland came to California when she was three years old, and studied with her mother (a former dramatic student in England) and her sister, Joan Fontaine. She attended Los Gatos High School, was active in dramatics as well as hockey, the

school newspaper and year-book, and won the Miller Cup for public speaking.

autobiography to be published this year.

She has published a witty book of essays, *Every Frenchman Has One*, referring to the Frenchman's preoccupation with the health of his liver. She is presently working on her

To endeavor to produce a "profile" of this talented woman is like trying to describe a prism, depth upon depth, light refracting a million brilliants — an illusory yet solid and enduring symbol of earth itself.

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The Big Sur Gazette



CANDIDATES' FORUM

Editor's Note:

The *Big Sur Gazette* invited candidates for all political offices to make a brief statement for *Gazette* readers. Fifteen of the candidates responded with the statements which follow.

Ken Bowers

I am a candidate for U.S. Congress for one, and only one, reason. I believe that all Americans are rapidly losing the freedom which the founding fathers of this country envisioned and fought for. In my opinion, the principal cause of this loss of freedom is massive government expansion.

As the scope and power of government have expanded, it has become necessary to become a part of a special interest group in order to grab one's "share of the pie." Incentives to increase the size of the pie are diminished through excessive taxation and suffocating regulation and bureaucratic interference.

Instead of government of, by and for the people, we have government of, by and for special interests. (A situation affecting Big Sur residents as they battle against powerful Sierra Club interests trying to have Federal control extended over their property and lifestyle.) The result of special interest groups' struggles for power is chaos. An inevitable result, as politicians attempt to grant favors to all in an effort to keep themselves in power.

My party, the Libertarian Party, offers an alternative in 1980. That alternative is a return to the basic principles of individual freedom, coupled with individual responsibility. Originally, freedom was the guiding principle of American society. Over the



KEN BOWERS
Candidate for United States Congress — 16th District

years, our freedom has been eroded by the expanding power of government.

The American people are seeking a new direction in politics. I believe that the Libertarian Party is offering the voters this direction.

Leon E. Panetta



LEON E. PANETTA

Candidate for 16th Congressional District

As someone born and raised in this area, I am proud to represent one of the nation's most beautiful and diverse Congressional districts. Our people deserve strong and independent representation, which is what I have tried to provide.

—As chairman of the Budget Committee's legislative Savings Task Force, I have led the battle for the first balanced budget in the history of the budget process. My task force has produced over \$9 billion in savings in this budget, along with instructions to committees that they meet these targets.

—As chairman of my class, I led efforts to strengthen ethics reforms, eliminate slush funds, discipline members violating House ethics, and oppose Congressional pay raises. Indeed, I have returned every pay raise to the taxpayers since elected.

—Within the Agriculture Committee, I have fought to preserve and strengthen fami-

ly farms by reducing estate taxes, limiting foreign investment, and providing for comprehensive crop insurance and fair bargaining rights.

—Here in our area, I have established five regional offices, held constituent hours throughout the district, and handled cases for over 10,000 individuals having problems with government.

—With regard to Big Sur, I have worked closely with local citizens for over two years to develop an approach that will preserve the beauty and lifestyle of this area. Working together, I am confident that we can develop an approach to guarantee effective citizen participation in planning and management efforts.

I believe this reflects a solid record of accomplishment. I ask for your continued trust and confidence.



ANN WELCHNER
Candidate for 28th Assembly District

W.A. Jack Roth

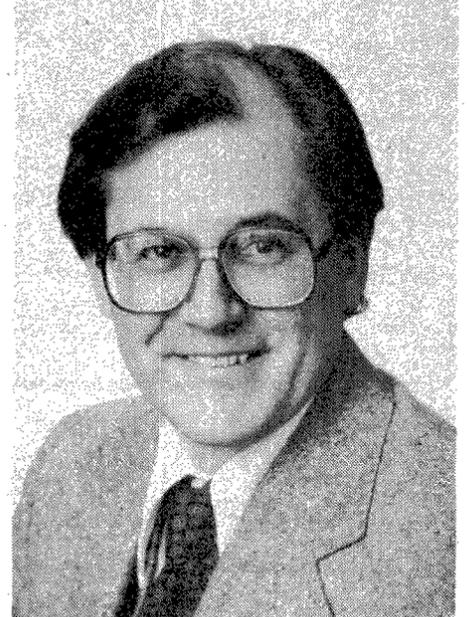
Defense: I believe in the concept of peace through strength. Thanks to President Carter and the liberal Democrats in Congress, we are forced to deal with the situations in Iran and Afghanistan from a position of relative military weakness. Congressman Panetta has helped to create this dangerous situation by voting against defense bills in Congress 90 percent of the time. We must rebuild our conventional and strategic military forces to the point where no one can threaten or bully us again.

The Economy: The most effective way I know to reduce inflation is to cut Federal spending. Congressman Panetta followed the lead of the other liberal Democrats in Congress by voting for the new Department of Energy and the new Department of Education. Each of these new agencies costs over \$15 billion a year, and each does more harm than good. I favor the dismantling of both of these departments. Massive cuts in Federal spending should be followed by large reductions in Federal income taxes.

Energy: We have ample energy resources in this country to meet our needs for years to come. We need to lose our irrational fear of nuclear power, deregulate the energy industries, and provide a tax structure which will encourage oil drilling in this country instead of chasing the big companies overseas and driving the small independent producers out of business. If we do these things, we will have an abundance of energy and prices will drop.

Ethics: Only persons of the highest personal integrity should be allowed to serve in the Congress. If Congress will not clean its own house, the voters should clean it for them. Anyone who is not part of the solution is part of the problem. Congressman Panetta has not taken any action to help correct the Congressional abuses of the last few years. Abscam is a case in point. I say let's clean house.

Registration and Draft: I have reluctantly come around to supporting a peacetime registration and draft. The volunteer army is not working. Our inability to respond in Iran



W.A. JACK ROTH
Candidate for United States Congress — 16th District

and to the situation in Afghanistan indicate a clear and present danger to this country. This is the only situation which justifies a draft, and I now favor it. I am adamantly opposed to the registration and drafting of women. The registration of women more than doubles the expense of the process, and the drafting of women would have a coarsening and brutalizing influence on our people. Equality under the law does not imply sexual egalitarianism.

National Designation for Big Sur: I am concerned about the possible adverse environmental effects that might occur if Big Sur becomes a National Scenic Area. Many more people would be attracted to the area. There would be a demand for development of new tourist facilities in Big Sur and the adjacent Monterey Peninsula. Also, the U.S. Forest Service and National Park Service both have histories of unfair treatment of landowners in their land acquisition policies.

Ann Welchner

The most prevalent reason for my seeking public office is government's ever-increasing cost and burdensome regulations which are stifling our business climate. As an angered taxpayer citizen, I believe the time has come for government to provide only essential services and remove itself from our everyday lives. Since I feel this way, I believe it to be my responsibility to seek office in the State Legislature.

Even after the passage of Proposition 13 and Proposition 4, government spending continues to increase. In the past five years, State spending has increased by 110% ... 22% per year. This dramatic growth in government comes at a time when real income in California is declining. During the past two years, real income in California has dropped by 8.2%. I believe it to be highly inappropriate for the State to have a surplus when many of its citizens are forced to draw from their savings accounts just to make ends meet.

I support Proposition 9. I believe that the State could easily trim its budget by the expected 2.3% without harming essential ser-

vices. The time has come to curb the alarming growth of our government and return control of government to the people. Passage of Proposition 9 will return surplus funds to taxpayers and will improve the standard of living of most California families.

The bureaucratic entanglement of the State's many boards and commissions must be brought under control. These agencies are able to make administrative mandates which have the weight of law. All of this is done without the need to be responsive to the public. I would support measures that place "sunset" dates on all of these agencies so that they may be evaluated for their usefulness and discontinued any found not appropriate.

To be elected to public office is not a career to me as it has been for some. I have been involved throughout the 28th Assembly District with community activities for almost 20 years. I feel that, given the opportunity to serve the 28th Assembly District, will allow me a more effective means to be of service to the area's citizens.

Tim Kilburn

California's newest official political party — the Libertarians — validated the seriousness of the party's challenge to old-style two-party monopolization of the political scene today, with the announcement that Libertarian Tim Kilburn is officially in the race for State Senator.

"The essence of the Libertarian credo is the fact that we own our lives, and are responsible for ourselves," Kilburn stated, "and my candidacy for the office of California State Senator offers voters the Libertarian alternative to the kind of non-choices they are accustomed to find on their ballots. Statism, with its increasingly aggressive intrusion into our personal and economic lives, its substitution of political expediency for basic principle, has had its day. This November, voters will be able to choose between individual sovereignty and personal freedom as the fundamental stand of their State Senator, or elect one more in a long succession of those who subscribe to the idea that the State — rather than the individual citizen — is the supreme power and final arbiter of how we shall live our own lives."

Kilburn, 29, has had 15 years of residence in and around Santa Cruz County and the greater Monterey Bay area to acquaint

himself with the problems and concerns of area voters. Together with his wife, Rose, and his children Mani and Chandra, he currently resides in Santa Cruz County and is employed by the County of Santa Cruz.

"I have entered this race with every intention of winning," Kilburn said, "and my campaign between now and November will center upon communication to the voters of the 17th Senate District, the purposes and principles by which the Libertarian Party can and will halt — and then reverse — the trend towards constantly increasing government domination of and intervention into the lives of the citizens it is intended to serve. Let me repeat that word: *serve!* As opposed to the word which best describes the philosophy of those who, whatever they call themselves, now inhabit the structure of government ... that word being subjugation of and submission by the individual, to the State."

The Republican Party, Kilburn continued, is disintegrating as a political force precisely because the party has abdicated principle and lacks leadership. The Democratic Party, on the other hand, is viewed by Kilburn as aggressively pursuing policies and actions leading to total domination of government

over the lives and property of its citizens.

"This trend has become so pronounced in the past two decades at both the State and National levels, that individual freedom and liberty are eroded to the point that our tax burden is oppressively huge and we are, in effect, in a condition of involuntary servitude to government," Kilburn declared, adding that this election year may well prove critical for the future of the idea that liberty and freedom can survive in an organized society. "It is time, and past, for citizens to stand up and say firmly and irrevocably to those in government: 'No!' No, to politicians who believe in corporate statism. No, to those who would have government monopolize both public services and the marketplace itself. No, to those tired old men with discredited ideas, who would have the young sacrifice their bodies — and their lives — on the altar of a policy of overseas interventionism. No, to the constant erosion of personal and civil liberties under the guise of government programs that appeal to our compassion but reduce us to tax-slavery. As a Libertarian I can be the voice of the voter in the State Senate, a voice saying that 'no!' in their behalf each and every time it is necessary," Kilburn declared.



TIM KILBURN
Candidate for
State Senator

CANDIDATES' FORUM

The Ballot

REPRESENTATIVE IN CONGRESS — 16th DISTRICT

- Kenton H. Bowers — Libertarian
- Leon E. Panetta — Democrat
- Wallace A. Roth, Jr. — Republican

STATE SENATOR — 17th DISTRICT

- Raymond L. Hack — Republican
- Tim Kilburn — Libertarian
- Henry J. Mello — Democrat
- Eric Seastrand — Republican

MEMBER OF THE ASSEMBLY — 28th DISTRICT

- Donald E. Atkinson — Libertarian
- Samuel S. Farr — Democrat
- Lowell T. Hunter — Democrat
- Kevin LaGraff — Democrat
- Daniel Paul Miller — Republican
- William P. Murphy — Democrat
- Ann Welchner — Republican
- Michael Zaharakis — Peace & Freedom

MEMBER OF THE ASSEMBLY — 29th DISTRICT

- Carol B. Hallett — Republican

JUDGE OF THE SUPERIOR COURT

- Nat A. Agliano

MEMBER OF BOARD OF SUPERVISORS

— 1st DIST.

- Lawrence S. Clark
- Charmaine Cruchett
- Donald Dunsford
- Marc Del Piero
- Sam Samples
- Jack C. Simon

MEMBER OF BOARD OF SUPERVISORS — 4th DIST.

- Michal C. Moore
- Joseph F. Sullivan

MEMBER OF BOARD OF SUPERVISORS — 5th DIST.

- Neill A. Gardner
- Florence Hunter
- James O'Brien
- William G. Peters
- Earl D. Thorp

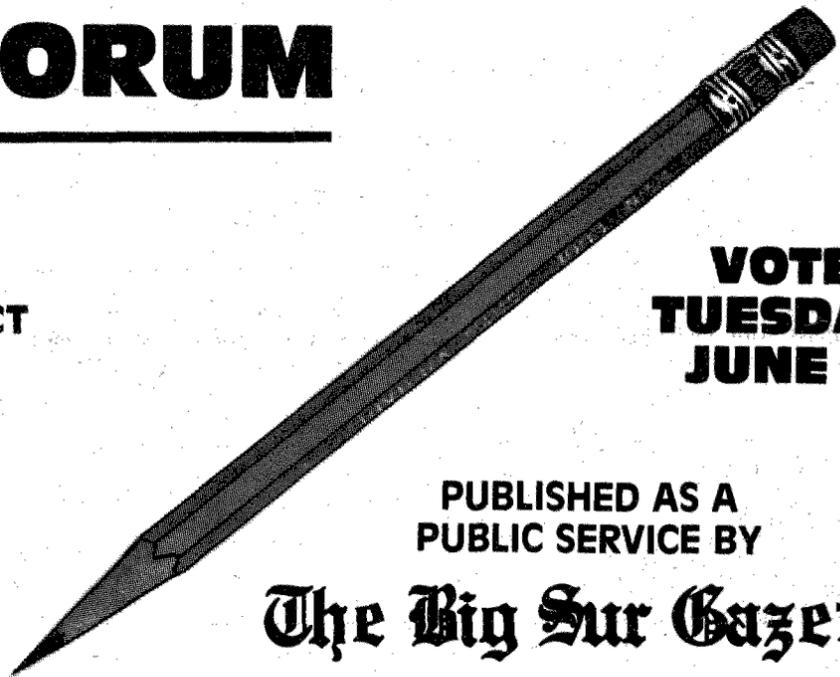
MONTEREY PENINSULA AIRPORT DISTRICT

- Robert J. Berman
- Dick Bragg
- Dick M. Calais
- Thomas A. Drakes
- J. Patricia Faul
- Thomas J. McGrath
- Dick Searle
- Karl V. VonChristierson
- C.B. Ward

**VOTE
TUESDAY
JUNE 3**

PUBLISHED AS A
PUBLIC SERVICE BY

The Big Sur Gazette





ERIC SEASTRAND
Candidate for
State Senate

Eric Seastrand

As we enter the 1980s, we face many governmental challenges — none more challenging than to end the spending and bureaucratic excesses promulgated by one party domination of our state legislature.

Rising taxes not only fuel inflation but also compete with it, as both garner a larger portion of our spendable income. While the government's policies have forced us to tighten our belts, the State budget has grown in excess of 100 percent in the past six years.

The spending excesses are matched only by the bureaucratic excess heaped on us by governments (State and Federal) that mandate and dictate in a manner in which too often subverts local control and authority.

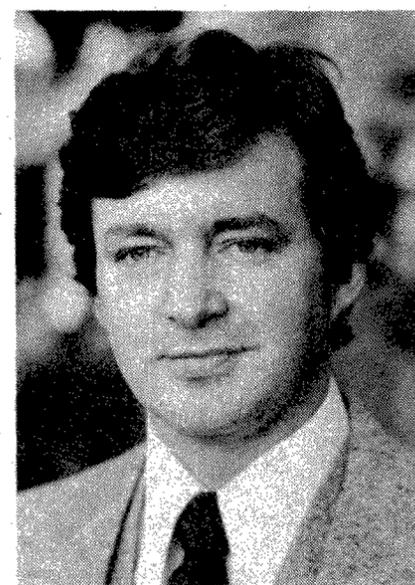
Regional, State and Federal authority over our ability to function and control locally have invaded land use policies, water rights,

education, housing, welfare, medical services and industry.

If we do not reassert our beliefs — our will — to return basic governmental authority to the local level and demand that excesses and wasteful government spending be immediately curbed, then the future of our families, our livelihoods and our beautiful central coastal region will remain in serious jeopardy.

In making judgments on legislative proposals, I will always be mindful that the greatness of our State and Nation is rooted in a belief that the individual, private property, and faith in a Supreme Being.

These are the basic and the essential reasons why I seek to represent you in the State Senate, because I believe our collective voice can make a clear difference in the methods and operation of our government.



KEVIN LAGRAFF
Candidate for State
Assembly — 28th District

Kevin LaGraff

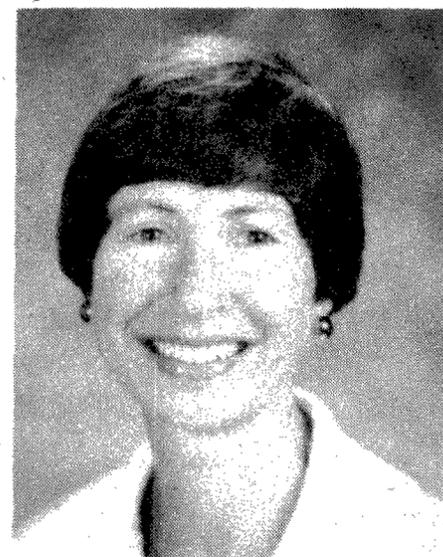
Kevin LaGraff has been serving the citizens of Santa Cruz and Monterey Counties since 1973 — as a former administrative assistant to the Santa Cruz Board of Supervisors and as chief administrative aide to Assemblyman Henry Mello.

Kevin graduated from the U.S. Naval Academy in 1968 and served five years of distinguished service. He is a veteran of Viet Nam. Kevin holds a Bachelor of Science degree from Annapolis and a Masters in Business Administration.

Upon leaving the Navy he was appointed as the administrative assistant to the Board of Supervisors. In this position he directed the office staff, coordinated activities between county departments, developed the budget, and worked closely with community organizations.

In 1976, Assemblyman Henry Mello called on Kevin to take charge of his 28th Assembly District office. In his work with Assemblyman Mello, Kevin has developed a thorough knowledge of the cities and counties of Santa Cruz and Monterey and the problems and needs of their people.

Kevin believes that inflation is the number one problem facing legislators in the 1980s. "We must meet this threat head on at all levels of government — local, state and federal. Government must be as accountable as each of us is in our own personal financial planning. This will require greater oversight of existing programs, determining benefits and costs, streamlining whenever possible and emphasizing productivity in all areas. New programs," Kevin said, "must face rigid accounting so that citizens can expect and get the most for their tax dollars. Inflation is the current version of taxation without representation."



CAROL B. HALLETT
Candidate for State
Assembly — 29th District

Don Atkinson

Don Atkinson, the Libertarian candidate for the 28th Assembly District, announced today that although there will be several candidates and parties on the ballot in November, there will be only two real choices.

One choice is represented by all the other candidates who see the government as the solution to the problems that it creates and will advocate more government, more laws, taxes, inflation, unemployment, sacrifices, intrusion into our lives, confiscation and regulation of our property, etc., etc.

The other choice, represented by candidate Atkinson, who recognizes that government IS the problem and not the solution, will be the Libertarian alternative of less government and increased individual freedom.

Atkinson stated that he was a Libertarian long before he founded the California Libertarian Party in 1972. He said that you can always predict where a Libertarian will stand

on any issue by understanding the basic Libertarian Principle, "You own your own life" and the four corollaries of that principle, which are:

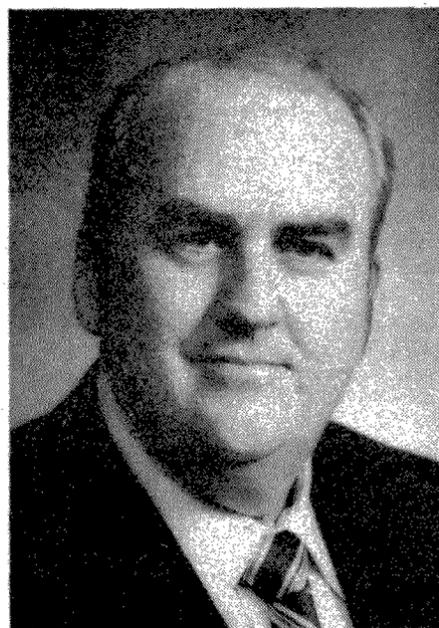
1) you have the inherent right to live your life in any manner you choose, which does not forcibly interfere in the life of another.

2) you have the inherent right to justly acquire, hold and use property as you desire.

3) no individual, group or government has the right to initiate force against another.

4) freedom exists for those who take responsibility for themselves and their lives.

For the State Government to have a surplus (not reserves but a surplus) of between the low figure of \$2.6 billion to the high of \$11 billion, while the citizens of California are really being crushed by taxation and inflation is not only unsound fiscal policy but obscene. It is time for government to tighten its belt; our belt is already in the last notch. Atkinson is for Proposition 9.



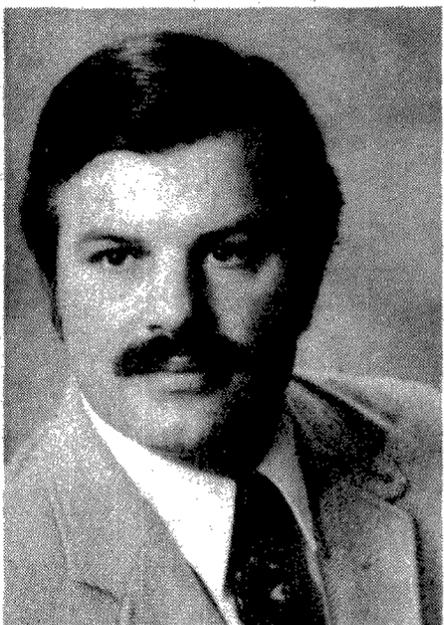
DON ATKINSON
Libertarian Candidate
for 28th Assembly District

William Peters

Peters is an educational psychologist and businessman who resides in Carmel Valley with his wife and four children. He is in his fifth year as a member of the Monterey County Planning Commission.

"Representing the Fifth District is a challenging opportunity! I pledge to serve the needs and interests of the entire district, respecting the variety of lifestyles that exist.

"My objective in the fiscal management of the county shall be to achieve the maximum level of service for the minimum investment.



WILLIAM PETERS
Candidate for Supervisor

This will include regularly examining the types of services that have been offered to determine whether they should be continued and, if so, at what level of funding. It is essential to limit the costs of government. I am committed to the proposition that the government which governs least and least expensively governs best.

"Under the Coastal Act Monterey County must prepare the Local Coastal Plan for the Big Sur. The draft land use plans and the various legislative solutions now proposed all offer alternate solutions to the conflicts between the Coastal Act and the rights of Big Sur property owners. Whatever plan or

legislation is adopted must respect private property rights. I will not support an LCP or legislation that does not make provision to compensate landowners who cannot develop, such as viewshed lots, or provide monies to manage coastal access. Further, I oppose condemnation of private land contrary to the wishes of private property owners.

"It is my commitment that Monterey County shall complete, with the help and guidance of the CAC, its own LCP planning, t h e r e b y returning the final permit granting authority in the Coastal Zone to Monterey County citizens."

Carol B. Hallett

I have been the Assembly representative from the 29th District for the past three and a half years and was the district representative for the senator and assemblyman from this area for 12 years before that. During that time my top priority has always been district service and reflecting the views of the residents of the 29th District.

With that in mind, I have tried to promote government efficiency and economy, strengthen the voice of the agricultural community, keep a sharp eye on the rights and problems of senior citizens, improve the lot of rural education and toughen anti-crime laws.

For the past two years I have refused to accept the pay increase granted to state legislators, believing that I should set an example for keeping government costs down. I have also fought each year to trim the state budget

and stop the huge bureaucratic sprawl that not only is costing us a fortune but also is intruding on all segments of our lives. With the firm belief that there will be ample funds for a 5 to 6 percent increase over this year's budget even if the income taxes are cut in half, I am supporting Proposition 9. The people of this state are tired of the continuing expansion of government and this measure is an opportunity to work against that expansion and put money back into their own pockets at the same time.

I have also authored a resolution, AJR 74, asking the federal government to refrain from intervening in the Big Sur area as long as government at the state level continues to oversee coastal protection.

My goal is to remain responsive to the needs of the district and to continue the battle for better, more efficient government.

Earl David Thorp

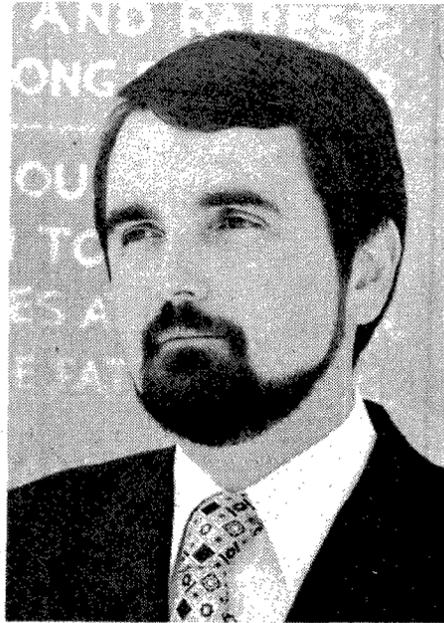
How to deal with the question of federal funds in the future to implement the Big Sur LCP presently divides the Friends of Big Sur from the Monterey County Supervisors. I can overcome that gap.

The innovative implementation techniques precluding additional federal regulation are being nurtured by the Office of Research & Development of the US Environmental Protection Agency with which I have been associated. As a policy analyst funded by the Ford, Kellogg, and National Science Foundations, I have worked with trade-off models, strategic environmental assessment systems, state environmental information centers, and regional educational computing networks.

To bring federal agencies into compliance with the LCP sense of heritage and community, I can draw upon experience at summer home along Montana's Going-to-the-Sun Highway. The establishment of the Flathead National Forest and the Waterton-

Glacier International Peace Park did *not* displace the Blackfeet Indians, did *not* place deed restrictions on private property owners, did *not* upstage Mother Nature in accommodating visitors. The natural self-restraint of the Great Northern Railway and the Park and Forest Services continue to serve a Great People. Until recently, the Glacier representative in Congress was Mike Mansfield, Majority Leader of the U.S. Senate. We can learn from his incredible achievements.

The Feds are capable of loving dyed-in-the-wool locals. The Jeffers postage stamps delivered at the Sunset Center dare us to address each other as spiritual beings. If we succeed in that task, even a county supervisor can work with you to convert a nation to our environmental way of thinking. The glory chiefly to be preserved in any wilderness valley is *democracy*.



EARL DAVID THORP
Candidate for Supervisor

Patricia Faul

I am a candidate for the Monterey Peninsula Airport Board of Directors for a number of reasons.

The citizens of the Monterey Peninsula have largely ignored the business of the airport over the years. However, recent projections from several authoritative sources indicate that, whether we like it or not, there will be a doubling of the use of this facility in the next 20 years, as measured in landings and take-offs. How this growth is managed, and there are many alternatives, is the issue. Crucial decisions are being made, even now, about future use and development of our airport.

The predicament is clear. Many choices made along the years have lead our economy to depend heavily upon the airborne visitor. In addition, a large number of local businesses and governmental agencies require reliable airline schedules in order to function. The airport has also traditionally serviced an array of local and transient planes, here for business or recreation. Each of these groups is pressuring hard for its special need for airport service.

All of the above serve to increase the anxiety of people living on the ground who must deal in their daily lives with airport-generated noise. Along the landing and take-off corridors there are extremely important safety factors to be considered.

Programs must be developed to achieve compatibility between the airport and the community. Only recently has the airport district begun a dialogue with the community it serves. I believe this communication is crucial and that the future Board must give it the highest priority.

It is clear that decisions concerning the airport can best be made by people who have had experience in public service and decision-making and who care about people on all levels — the taxpayer, the consumer, the business person, and those concerned with the environment. I have served on a special district board before and I understand how such bodies function. I have been appointed to county advisory boards and city commissions. My volunteer work has involved handling large sums of money and solving unique problems. In my professional career I have had experience in labor-management negotiations. I am confident that I can exercise reason and moderation as a Director of the Monterey Peninsula Airport.

I am not a pilot, and have no vested interest in general aviation. I am not a captive of any interest group. I am, however, known as a person who can make balanced decisions based on the facts. I believe that we can have a quality airport that also can be a good neighbor.

For all of these reasons, I stand for Director of the Airport Board, and ask your support of my candidacy.



PATRICIA FAUL
Candidate for Monterey Peninsula Airport District



FLORENCE HUNTER
Candidate for 5th District
Monterey County Supervisor

Florence Hunter

Florence Hunter, an attorney with offices in Pacific Grove, announced today that she is a candidate for the Fifth District seat on the Monterey County Board of Supervisors.

A former administrative assistant to the present Fifth District Supervisor, Ms. Hunter said that her three years experience in that job makes her uniquely qualified for the Supervisor's seat since she is very familiar with the District and its constituency's needs and problems.

A resident of Monterey County since 1958, Ms. Hunter lives in Pacific Grove with her two sons who attend Monterey Peninsula College. She is the President of the Board of the Ombudsman Program, an organization which is greatly concerned with the care the elderly and ill receive in nursing facilities in the County, a member of the Board of

Trustees of Monterey Peninsula College and former President of the Salinas Branch of the American Association of University Women. She began her professional career in library administration and later taught for two years at Kyung Pook National University in Taegu, Korea. Ms. Hunter graduated from Catholic University in Washington, D.C. and the Monterey College of Law. She is a member of the California State Bar and the Monterey County Bar Association.

The Fifth District is a special place. Our District includes Carmel, parts of Monterey, Pacific Grove, Pebble Beach, Carmel Valley and Big Sur.

We have a wide range of complex problems. There are no simple solutions to those problems but we can make intelligent choices, Ms. Hunter said.

Sur in 1977) and air transportation to and from Monterey Airport in particular, that I may well have an immediate conflict with the many environmentally-oriented citizens of the Big Sur coastal community. I will try to earn their votes, not by issue-straddling, but by convincing them through logical reasoning.

Perhaps there is a prime contradiction in terms which prevents reasonable compromise between the necessities of the economy and ecology. For instance, the aircraft which our economy and culture has grown to urgently require, also must breathe air for propulsion and use the atmosphere to sustain themselves aerodynamically in the same air which supports human life. Similarly, noise results which must be evaluated in terms of the need for air transportation versus the degree of hardship noise exposure is proven to cause the citizenry. Then there is the effect on the Monterey Peninsula's prime industry, tourism, which must be constantly evaluated, versus aircraft noise and air pollution.

I submit that my three-term elected councilmanic experience in Pacific Grove, my four years as a Director of Monterey Peninsula Transit (an original member, eventually chairman) and a four-year Monterey County Transportation Commissioner qualify me to make the decisions I would make as a Monterey Peninsula Airport Board Director. I am also an ex-Navy pilot (WW2) but I do not currently operate or own aircraft.

There have been some comments that pilots overly-control the Airport Board. I suggest that evaluations of aeronautical parameters which are often concerned in Board decisions, might be very difficult or even erratic if made by members who were not aeronautically oriented.



TOM DRAKES
Candidate for Monterey Peninsula Airport District

Tom Drakes

I am well aware that as an avant-garde advocate of public transportation in general (I even supported daily service by MPT to Big

Sam Farr

I am giving up my seat as your elected County Supervisor to run for the State Assembly because our society faces problems that are too numerous, too complex and too urgent to be left to someone who will need on-the-job training in Sacramento. We simply can't afford that luxury.

It should come as no surprise that the most effective representatives, like Congressman Leon Panetta, are those that have had extensive experience in and around the legislature prior to their election.

I offer the residents of the 28th Assembly District direct experience in the state legislative process. I was the Chief Consultant to the Assembly Constitutional Amendments Committee where I took a prominent role in the simplifying and streamlining of our Constitution. I was also one of the first to actively press for tax reform while serving with A. Alan Post's Office of Fiscal Reform.

In Monterey County, I have demonstrated that government can provide more services for less, can manage the allocation of scarce resources like fuel and water and can preserve a lifestyle which is based on resource protection, rather than exploitation. In addition to serving as a County Supervisor for five years, I have been a member of over 17 different Boards and Commissions, ranging from the four-county Health Systems Agency to the Tri-County Air Pollution Control District.

Thus, my experience has not been matched by the other candidates, however well-intentioned they may be.

I am committed to making the legislature address priorities, to commit itself to energy priorities and to tax reform priorities, and then to establish programs that meet these priorities on schedule.

James O'Brien

I believe the most serious problem facing our county is financial. The financial markets are telling us the crunch is at hand. The elec-



JAMES M. O'BRIEN
Candidate for Monterey
County Supervisor

torate is fed to the teeth with taxes. The combination of the two forces is frightening for local governments. The Federal government in its proposed budget slash has eliminated some \$200,000,000 in revenue-sharing funds for local governments in our State alone. Props. 13, 4 and possibly 9 are attacking from the other side. I have had 34 years experience in the financial community in sales and management. I understand cost/benefit ratios and managing a budget to eliminate waste.

Good land use planning is essential. I serve on the Advisory Committee to the County for the Local Coastal Program for Del Monte Forest. I am sensitive to the integrity of the environment and feel we must manage growth coincident to need.

I support studies to ascertain water supply, equitable allocation, and monitoring of wells as to their effect on Carmel River. I support reclamation and conservation.

As residents of Big Sur, you have strongly opposed the issue of Federal ownership. I share your concerns as to local protection and control. Another serious question arises: will Federal ownership expedite the drilling of oil off our coast?

Our first priority must be the preservation of Big Sur and its incomparable coastline.

Neill A. Gardner

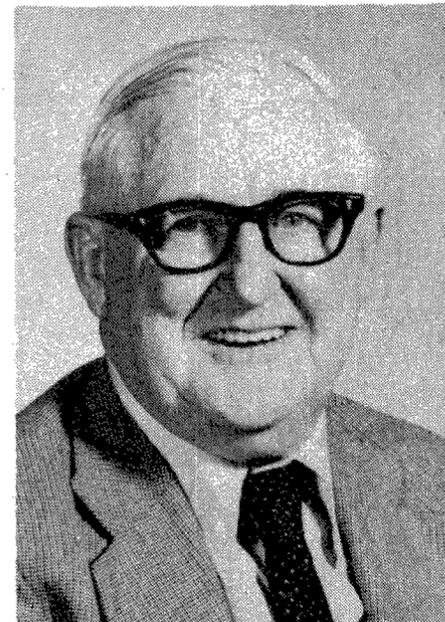
I'm running for Fifth District Supervisor because I value the freedom to write an editorial without asking permission of city hall, to go to church or not go to church without its affecting my relationship with my employer, to move across the nation without curtseying to a bureaucrat, to change jobs without asking permission of anyone.

I believe inflation is the number one threat to our freedom. Our form of government will fall — either to the left or the right — if we fail to control inflation. One of the root causes of inflation lies in the desire of city and county government to get every nickel they can out of the federal treasury. We must learn to say "no" to ourselves as well as to others.

There is little logic in telling ourselves that there is no such thing as a free lunch — and then doing our damndest to get a free lunch.

I believe the federal government should keep its hands off Big Sur. Management of Sur is a job for the county and the residents.

I'm running because I believe we should be doing more to solve our water problem. A 20-year supply of water has poured unused into Carmel Bay since the drought. We need to provide storage for water — not to figure out ways to divvy up the shortage.



NEILL A. GARDNER
Candidate for 5th District Supervisor

We need to return to the condition where the Fifth District supervisor is the "swing" vote.

We should return Superior Court jury trials to the Monterey Peninsula.

Allen Griffin has cautioned me never to say anything bad about an opponent. So I won't. But I've got to tell you — I know I can do a better job than the fellow who's in there now. And that goes for his protege, too.

Claire's Cooking Corner

BIG SUR **RECIPE**
FROM WASHINGTON



Political Potluck

Though unsure of who you'll see or what "goodies" you'll receive, most people go to Washington D.C. — as to a party — with the optimistic hope of new friends gained and the common heritage of "liberty and justice for all" shared. But, the political-pie seems carved into uneven pieces, size not having to do with need and merit as much as power and influence. In a few hours the glamour wears off, party spirits dim and would probably be extinguished if it were not for a few kindred spirits who keep the flame of honesty and concern kindled. To these political individuals who uphold Constitutional rights and maintain the dream of a democratic system of government, I offer the following recipe:

Political support; Love and Gratitude — In large quantities!

P.S. For those with cast-iron stomachs, I could refer you to recent restaurants featuring: Cranston's Crunch, Burton's Bellyache; Tipton's Tippy Tea; and Turnage's Federal Turnovers.



**VOTE THEM IN ... VOTE THEM OUT...
BUT, VOTE!**

**The Phoenix Shop's
California Wine
Cellar**

Partial Selections

- Freemark Abbey
- Chateau Montelena
- Robert Mondavi
- Chappellet
- Stags Leap Vineyard
- J. Lohr
- Foppiano

*and selections from
other premium
California Vineyards*

**The Phoenix at Nepenthe
Big Sur, California
667-2347**

Esalen Portrait: Rita Rohen

Copyright © 1980 by Nancy Mayer

Like the Big Sur Coast, Esalen is a frontier. And the people who pass through its gate are pioneers, brave new explorers who are mapping out important new territory: human consciousness. The following portrait is about Rita Rohen. Now a Work Scholar II, she is one of the people who is likely to greet you when you come to soak in the hot tubs.

Generous, warm-hearted, and amazingly energetic, Rita has not only done yoemanwork on the gate and in the office, soothing and brightening the lives of hundreds of seminarians and locals, but she has also conducted many community workshops; taught and counseled work scholars and staff; led orientation sessions for new arrivals; taken the Esalen children on camping expeditions; been chosen as an alternate on the massage crew; and been elected to the Esalen community council.

As the '70s drew to a close, Rita wrote to her many friends and family around the country: "My life is the most stimulating and exciting and joyful that it has ever been and at the same time I am more and more at peace with myself and the world. I have found my wonderland: love and light and joy dazzle all who inhabit this place."



RITA ROHEN in January of this year, as photographed by the author, Nancy Mayer.

What follows is Rita's story of her experiences at Esalen, told in her own words, which were recorded in several interviews and then edited.

Before I came here I was busy, busy, busy! For a long time I was a mother and raised six kids. Just before I came I was working four jobs in LaSalle, Michigan: I was the director of a counseling agency for families, the Juvenile Intervention Project; a nuclear medicine technician doing clinical laboratory work; a management consultant for organizational development; and a partner in a firm called Operation Understanding Inc. I was also going to school to complete two masters degrees. I had every minute filled. My life was scheduled so that as I traveled the interstate highways I had to go 70 miles an hour in order to be there on time.

In Big Sur country I feel comfortable because there is a style of living where people express themselves freely. The first time I came down Highway 1, I felt like this was home. I'd read about Esalen 10 years ago and knew that I would come here someday. Then in 1978 I came as a work scholar. The person who was supposed to be on the gate didn't want to do it, so they picked me. My reaction was: "ME! A gate guard!!! I'm 5'2" and I'm not big enough to scare anybody!" But they said, yeah, they really like my energy and didn't want someone who would fight with people anyway.

I really loved the gate at night. I'm a night person anyway. It

was marvelous. I fell in love once a week, at least, with somebody who came in. We sat up all night and talked. I met incredible people — people who know it's important to come and sit in the hot tubs in the middle of the night! A lot of them were from the Big Sur area and they had a kind of wild, outside-of-society living style, sort of like the pioneers. I remember this really big man, who lives up in the hills and builds houses. He taught me a lot about the camaraderie of Big Sur. Like, "So and so needs a house built this week, so of course, we all go over and do that." And he talked about the early times of Esalen. How they all got together and built the fireplace, with big rocks. He was so big himself I can just imagine him picking up all the rocks and setting them there! What he wanted to do was share with me the Big Sur area. He told me about all the different places up and down the coast, and just by being who he was, taught me about living up in the mountains — what it was like.

People come to the hot tubs from all over. One couple would fly from Los Angeles to San Luis Obispo and rent a car to come take a bath, and then drive back and fly back, to get to work the next morning! Just the concept of people to whom sitting in a hot tub was important enough to come all those miles for a few hours of sitting there — that made me value the baths. I guess some of that changed me. Changed me from being busy, busy, busy, to being able to hang out. It taught me the value of being able to sit still in the hot tub for a while. Just sit and enjoy the stillness. The fact that somebody would sit in it for four hours was just unbelievable to me! When I got here, you know, I'd go down and dip for five or ten minutes. And then about a week after I'd been here I started trying it — staying longer — and discovered this whole new marvelous place inside myself. Before that, the bath was just a place to go and wash yourself.

In Big Sur there is a meeting between the land and the ocean. It has to do with standing firm and being a mountain, hard and tough. And then it has to do with the mobility and fluidity of the water and the meeting between the two. Esalen is both of these, but it stands for the water, the fluidity. It stands for movement and growth.

I see Esalen functioning under management principals that are not used anywhere else that I have seen and I see it functioning very well. The main principle is self-responsibility. The person is the center, the focus, as opposed to the business or profit being the center. An example that comes to mind is a work scholar who recently walked into a job in the lodge, and said, "This job is too stressful for me. I just came out of a stressful situation and I can't do this." So they put him into the garden, which was lovely, and he functioned maximally there and brought a joy to it. In a business, if that happened they would say, "Tough! Out!" It's the concept of letting people be responsible for themselves, for knowing what they need, and working to fulfill those needs.

The people who run Esalen are unique. Dick Price has great strength as a mediator, explaining one person or situation to another person. He seems to have a clear grasp on things and the ability to translate that into someone else's area of understanding. Julian Silverman, on the other hand, does that between schizophrenic and sane! He knows the cosmic joke and he knows how to explain it to those who don't. Janet Lederman has the mind of an adult and she also has the mind of a child. Just as Dick is the mediator who can explain one person to another, Janet does that in her own head. She explains the child mind to the adult mind, and back and forth. So they are all three mediators.

One of the most exciting projects at Esalen now is the Gazebo School, which I love. I am delighted that *Sur Real Press* will soon be publishing Janet's book about the Gazebo. When my kids were little I wanted so badly for something like that school to happen for them. At my son's funeral the principal of his grade school said, "The school system isn't made for kids like the Rohen kids." I thought she was being funny, but she said, "No, I mean it. They were all so smart and had such wide experiences and learned so much so fast, and were incredibly curious. We did what we could, but there was no place in the system for them."

The Gazebo makes a place for kids like that. The Gazebo is, first of all, an idea that children should learn about their own power. Second, it's a place where children can experiment with whatever they want. It's tents and yurts and teepees and big wheels for racing down the hill. Kids experience their power in racing each other down the hill.

I took my granddaughter there, and she was standing out in the middle of the path of the big-wheel racers and they were charging down the hill. She was right in the middle of the path

and they turned aside so they both missed her. Then Arthur said to Dylan, "Go tell Catherine about staying out of the middle." Dylan was 4 and Catherine was 1½. So Dylan went and talked to her in words that I didn't understand and she never went out in the middle of the path again!

It's like older children — even though they're only three or four — teach younger children about how to get along in the world, because they understand each other. The 9- and 10-year-olds teach the younger children about letters and reading. There are lots of toys and swings. They learn about nature. They learn about birds. They get birds to come and eat out of their hands. They learn about animals — the dogs and horses. And about trees and about the sand-box. When it comes time for toilet-training, they all go together on their little potties and the older kids teach the younger kids. And it's all done very simply.

If you let a child experience something, he'll learn from it; and that's what they do. If two children are fighting, the only way that there's any interference is if one of them has a weapon. The weapon is taken away and they say, "Use your fists." And then each child knows his own powers, knows where he is. It's an incredible understanding of reality.

My daughter Shirley teaches kids that age, and she says the kids in the Gazebo are the mellowest kids she had ever met. I imagine that mellowness will expand, and they will grow up without internal traumas around things like identity, or power, or the ability to perform. They'll know those things, so they won't have to waste their adult energy on learning them. I see the Gazebo opening the way for a lot of creative energy.

When a sculptor friend of mine, Harriet, was there, she didn't teach the kids to do things with clay. She sat down and started doing her thing with clay and then they came along and watched and did their thing, and when they asked for help she would help and that was the way the process went. It wasn't, "We're going to have clay time now." I view the Gazebo as probably the best educational process I have ever seen.

In the last year I have made hundreds of friends at Esalen, and I have met a lot of Big Sur people. I have met a lot of older people who live here and they have told me the most marvelous stories. And I've done a lot of exploring around the area, like Partington Cove, the Ridge, and back into the hills.

Big Sur people bring with them a knowledge of surviving, through the earth. It's not like surviving through the local delicatessen! There is an independence here, a pioneer kind of thinking. It's hard to live 45 miles from the grocery store, so people who choose to live here out of necessity have a certain feeling of independence, or they wouldn't survive. They are exciting people, the survivors. They already know you can't change other people and that's not a well-known fact outside of here! They don't try to change me and I don't try to change them, and we get along just fine.

I love the Big Sur way of life: the freedom to be. And I love the Big Sur drum music. It's like earth and sky and lightning and thunder. One night the Big Sur drummers were playing and I felt like I was dancing inside of the drums. They told me later how my dancing really encouraged them to play more, because they felt one with me in drumming.

I have a need to travel, but I don't think I'll ever leave the Coast for good. I feel like this is home.

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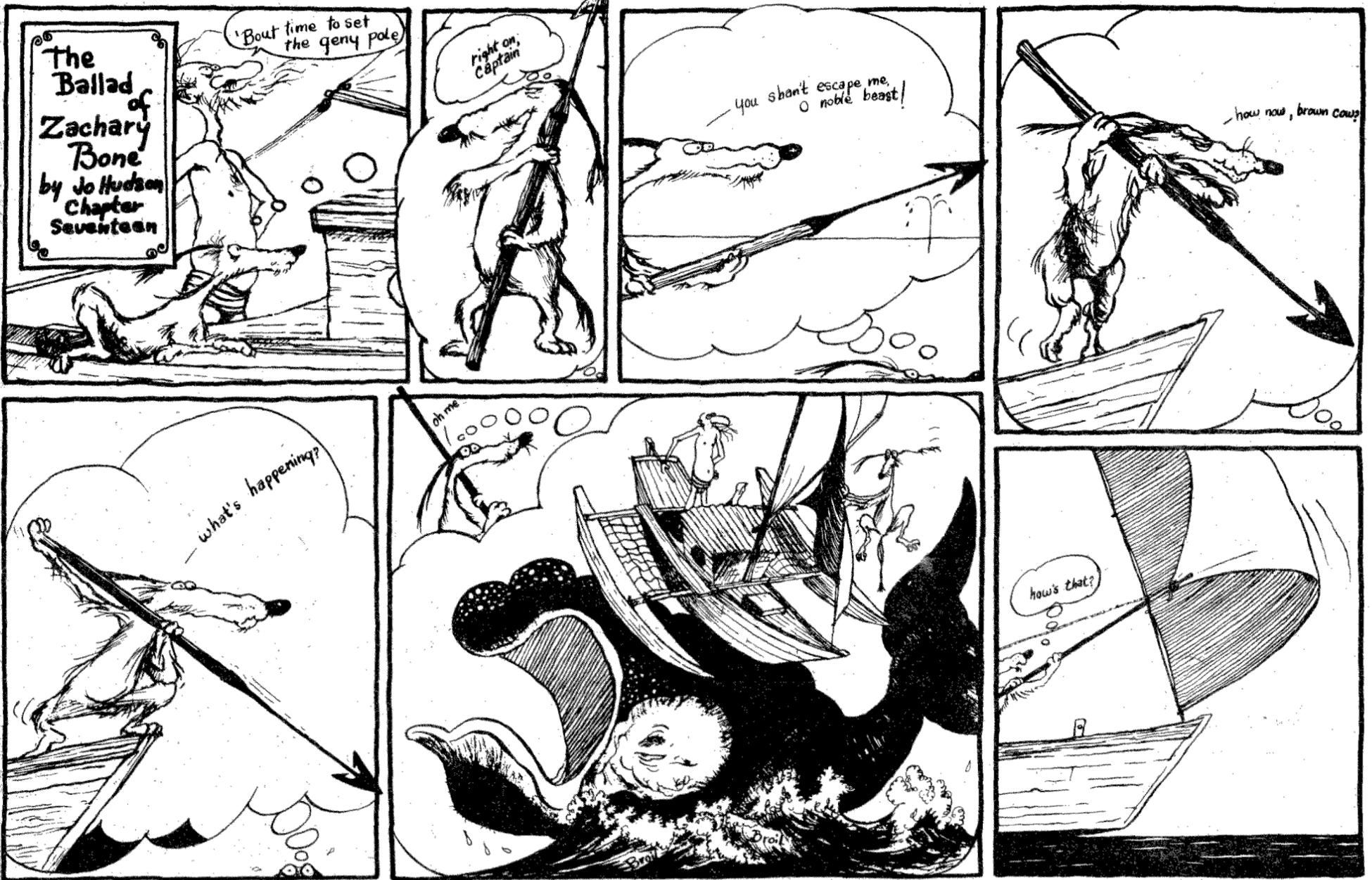
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Down: 1. snips/spins; 2. barber; 3. tag; 4. apart; 5. net; 6. aid; 7. draft; 10. errand; 12. pungent; 13. n.g.; 14. depends; 15. fourth (for bridge, of course); 19. A's; 20. forge; 21. LM; 23. limp. 25. has; 27. pen; 32. T.I. (Treasure Island)



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Cranston's Big Sur Bill Suffers

Continued from page 1

which belongs to the Hearst Corporation.

Cranston said the use of condemnation of private land outlined in his bill could occur (1) if, prior to the adoption of an area plan, a property changes use that is "incompatible" with a National Scenic Area, or (2) if, after the adoption of the area plan, there is a "new use which is inconsistent with the plan," or if the property "had been identified in the land acquisition plan and the owner has not given the Secretary of Agriculture the right of first refusal when the property is disposed of to anyone other than a direct lineal descendant," or (3) if the plan indicated that a property needed acquisition as part of the 5 percent of the private land needed for public access and recreational use.

The Senator urged the study of a Visitor Transportation System and he indicated that the \$100 million appropriation should come from the Land and Water Conservation Fund.

Senator S.I. Hayakawa's written testimony pointed out that the "overwhelming majority" of Big Sur residents opposed a "federal takeover" of Big Sur and he called the legislation "unnecessary and unjustified."

Hayakawa charged that "there is nothing in this bill to protect existing developments from being condemned," and said it was an example of "the federal bureaucracy at its worst."

He referred to the progress and near completion of the Local Coastal Program, and he submitted a chart showing development of 101 single-family dwellings since 1973.

In extemporaneous comments, Hayakawa called Big Sur a "crazy place inhabited by rich and poor hippies . . . unique bohemians . . . who are zealous conservationists . . . and who wouldn't allow a McDonald's within 500 miles." He submitted a score of letters in opposition to the bill and read excerpts from several.

U.S. Congressman Leon Panetta offered no support for the Cranston Bill but indicated that he would soon be submitting legislation of his own.

Panetta said he believed the area needed protection and preservation, that a comprehensive plan was required, and that some federal role was needed.

He outlined the key aspects of his forthcoming bill, included a proposed Big Sur Area Council, which would consist of five members from federal, state and county government agencies and four local citizen advisors. Authority would be vested with the Secretary of Agriculture.

U.S. Congressman Jerry Lewis opened the bill and spoke for State Senator Robert Nimmo and Assemblywoman Carol Hallett.

He referenced the 47.5 percent of federal land ownership in California, the critical GAO report called the "Federal Drive to Acquire Private Lands Should be Reassessed," and he said the \$100 million requested appropriation was 200 to 300 percent low of the actual costs.

Lewis said Cranston's bill "may in fact be destroying the unique and rare qualities of the very 'national treasure' we are trying to preserve."

Monterey County Supervisor Barbara Shipnuck summarized the history of county planning for the area from the 1962 Master Plan to the 1976 Coastal Act and the present Local Coastal Program (LCP).

She emphasized that "while the Board of Supervisors is not categorically opposed to any increased role for Big Sur, as we do not wish to preclude this potentially valuable source of assistance, we do believe that the Local Coastal Program must be completed and evaluated before this role can be justified as necessary and before any such role can be defined."

The surprise testimony of the afternoon was submitted by Rupert Cutler, the Assistant Secretary to the U.S. Department of Agriculture, on behalf of the Carter Administration.

"While the Administration supports the objectives of S2551 to avoid unnecessary adverse impacts on the scenic beauty of the area, the Administration cannot support enactment at this time primarily."

Cutler questioned if the current planning was effective and cautioned that the potential costs "may be substantially in excess of the \$100 million authorized in S2551."

"No one in this administration has said we can zone it (Big Sur) better from Washington," he said.

Cutler concluded by saying that the Department of Agriculture would "continue to work closely with the state and county to coordinate the applicable portions of the Los Padres National Forest resource management plan with the Local Coastal Plan."

Carmel Highlands photographer Ansel Adams, speaking in support of Cranston's bill, urged that Big Sur needed saving because it could not be preserved by "so-called 'private stewardship' and local zoning through an inadequate, unenforceable local coastal plan."

Adams said he "strongly endorsed" the National Scenic Area legislation, and that he would "strongly oppose" any significant deviation from the Cranston bill.

Adams expressed his fears of overdevelopment as had occurred in Yosemite and Lake Tahoe, and he foresaw a similar fate for Big Sur without federal management. He indicated that he did not believe "the majority of the people in Big Sur will lose their property if the Cranston bill becomes law."

Roger Newell, chairman of the Big Sur Citizens Advisory Committee, who earlier in the week resigned as a trustee of the Big Sur Foundation, testified that the CAC "endorses the

recommendations and policies in the . . . LCP background reports . . . as the committee's position on preservation of the Big Sur Coast and as its proposed basis for all Big Sur Coast planning and regulatory authority for all levels of government."

However, he qualified, "if there is to be federal legislation, the CAC recommends a management council."

Phil Battaglia, an attorney for the Hearst Corporation, opposed the inclusion of 50,000 acres of Hearst Ranch property in the proposed National Scenic Area because it was "unnecessary and unnecessary."

He distinguished the Hearst property as ecologically different from the Big Sur Coast, that it has a single owner and was not subject to piecemeal development, and therefore it needed no federal controls. He called inclusion of the Hearst Ranch an "unnecessary duplication" of Coastal Act controls, and he cited the GAO report at length.

Battaglia said that "the Hearst Ranch should not be considered part of the Big Sur Coast," and quoted from Coastal Commission officials who stated "inclusion of the Hearst Ranch within the project boundary is neither necessary nor logical."

Fred Farr, appearing as a trustee of the Big Sur Foundation, spoke in favor of the Cranston bill and said "both local and state efforts to protect this (the Big Sur) viewshed and other amenities are failing."

Farr cited state fiscal problems from tax limitation initiatives, and he suggested amendments to the bill regarding adding an injunctive process, changing the eastern boundary, and limiting public acquisitions to incompatible uses.

Saunders Hillyer, also speaking for the Big Sur Foundation as its Executive Director, strongly supported the bill. He said that problems of "piecemeal degradation" and "severe downzoning" and he offered the solution of "a minimal expenditure of federal funds."

Hillyer referred to the Sawtooth National Recreation Area in Idaho as a "relevant model" for Big Sur. He said studies indicate the 100 miles of coast must be treated as a unit to solve alleged problems of traffic, including a 37 percent increase due to the proposed Hearst Corporation development.

Hillyer stressed "unified management" with the USFS as the "regulatory authority," and he advocated amending the "first refusal provision." He recommended that "all existing uses by explicitly grandfather in so they are not subject to the threat of condemnation."

Rod Holmgren, representing the Ventana Chapter of the Sierra Club, reported that hiking on the Forest Service trails was a major use of the area for their members.

Holmgren criticized the residents of Big Sur for not complaining about developments to the proper authorities. "They often call upon the Sierra Club to lodge their complaints for them," he said, "because they don't want to get in trouble with their neighbors."

Therefore, he said he was skeptical of private stewardship, and he felt also that the LCP "will not be adequate to preserve the area." He said the Cranston bill would provide more trails, better access and better maintenance.

Senator Ted Stevens of Alaska, who took over chairing the meeting from Subcommittee Chairman Dale Bumpers, and who sat on the Appropriation Subcommittee, asked Holmgren as representative of the Sierra Club to tell him "what park would you cut money from to get \$100 billion to protect Big Sur?"

Unable to answer, Holmgren promised to submit a statement recommending where to cut the park appropriations.

John Williams, speaking as a private citizen and Carmel Highlands resident, said that "most of the people of Big Sur oppose the bill . . . because they have been taken in by a skillfully executed big lie campaign . . . that the Forest Service will . . . destroy their community and drive them out of their homes."

He recommended two changes in the bill to allay people's fears.

William Turnage, the director of the Wilderness Society, an advisor to the Big Sur Foundation, stated that local and regional planning was "not the solution to the problem of how to best protect Big Sur permanently."

Turnage said the Wilderness Society believed in "single agency management" for the Big Sur area.

Land acquisitions would be on a "willing seller" basis, he said, and "we would expect most undeveloped property to be purchased in fee."

Easements would be purchased for existing commercial and residential property, but "future development would be precluded."

All land acquisitions would be based on the right of first refusal and according to Turnage, landowners "could keep their property, sell it to the Forest Service, or in some cases, sell an easement."

Turnage concluded by testifying that the Wilderness Society endorsed the USFS as the managing agency only because it increases support for the scenic area concept. However, he stressed that the National Park Service was better qualified because "it is expert in resource protection, visitor interpretation, crowd management and traffic control," and that it (National Park Service) would do an outstanding job of managing the area.

The panel from Big Sur was introduced by Jim Josoff, spokesman for the Friends of the Big Sur Coast.

Frank Trotter, representing the Big Sur Grange, said their

membership urged no increase in federal intervention because the area was well protected by the natural constraints of the land, the natural restraints of the people, by county zoning, and by the 1976 Coastal Act.

Trotter reported that the CAC, of which he is one of the original members, will not support any individual or group who proposes to preempt the LCP process.

Don McQueen, who represented the members of the Big Sur Chamber of Commerce, submitted written testimony but he commented extemporaneously that he had been a resident of Big Sur since his family was forced out of Yosemite 40 years ago.

McQueen said that there was "absolutely no mention of businesses in the bill." He said there were 82 businesses in the area; 30 are located along the highway and are visitor serving while 52 were very small and located in people's homes.

He stated that Big Sur business employed 430 people to serve three million visitors a year, whereas Yosemite employs over 2,000 people to serve 2.5 million visitors.

McQueen estimated that maintenance costs for Highway 1 would run about \$15 million a year, and that the bill would cost 10 times more than proposed.

He concluded by requesting special oversight hearings before any further action was to be taken.

Howard Sitton spoke for the Coast Property Owners Association in opposition to the bill. In reference to charges of overdevelopment, he said that only a few homes, unobtrusively placed, had been built since 1972.

Sitton cited the GAO report pertaining to excessive federal acquisitions of private lands, and said that the \$100 million bill did not address cost items such as maintenance, inflation or condemnation costs. He stated that a consensus of Monterey appraisers believed that acquisition costs would more likely be \$150 to \$160 million — not including the cost of the Hearst Ranch property. He calculated the total cost would more realistically reach \$400 to \$500 million.

Sitton concluded by referring to a publication called "The Living Wilderness," a special issue on Ansel Adams, dated March 1980, and read an article by William Turnage which said "ultimately up to 75,000 acres could be acquired along the coast in Monterey County." This is the total amount of private land in the proposed scenic area.

Spokesman for the Esalen Institute, Keith Thompson, testified in opposition to the bill. He characterized the bill as a war for a way of life and for artistic self-expression. "How many artists are there in Yosemite or other national parks?" he asked.

"The bill creates a problem in order to find a solution," he said, adding, "Can America buy itself up to preserve itself? We believe this is not a preservation bill, but a land acquisition bill, and it authorizes a civilian relocation program."

Thompson criticized the condemnation provision of the bill which ultimately would be interpreted by a "middle-level bureaucrat." He referred to Cayuhoga Valley in Ohio which he helped legislate when he worked as an aide to the U.S. Senator from the state, and he described the difference between the intent of the bill and the result of over 550 families being condemned and evicted from the area.

"There's an old saying," he quipped, "that if the only tool you've got is a hammer, then everything you see looks like a nail, and that's the way the federal government tends to approach a beautiful piece of land: make a federal park out of it."

James Josoff, spokesman for the Friends of Big Sur, offered for the record a statement from Carmel Mayor Barney Laiolo opposing the bill on the basis of its impact on Carmel. He also presented 800 petitions from Big Sur residents who oppose further federal intervention and involvement in the area, a summary of the GAO report, a statement from the National Inholders Association, and a statement from the Friends of the Big Sur Coast.

Josoff addressed the charges of overdevelopment in Big Sur and quoted Coastal Commission statistics of 12.5 homes built per year since 1972 in a 300-square-mile area.

He said that only \$6 million would be required to purchase viewshed properties, and that the Local Coastal Plan would be practical when completed.

He sought to clarify that the Coastal Commission does not support the Cranston bill, and that Michael Fischer, the Executive Director, was speaking only for himself.

Josoff concluded that the natural constraints of the land and the LCP will protect the Big Sur area.

In the interest of time, Charles Cushman of the National Park Inholders Association did not testify but, in his written statement, he said the issue of Big Sur was not of "preservation versus development," but a fight over the best way to protect the area and its "unique socio-cultural environment."

Cushman said he supported a locally developed plan because "those placed under direct federal management are generally disenfranchised from what is regarded by Americans as unalienable rights in control over those that govern them."

Cushman cited 14 federally designated areas throughout the country which had violated their legislative intent, and he questioned the viability of the Federal Promise. He concluded by quoting from Sitting Bull:

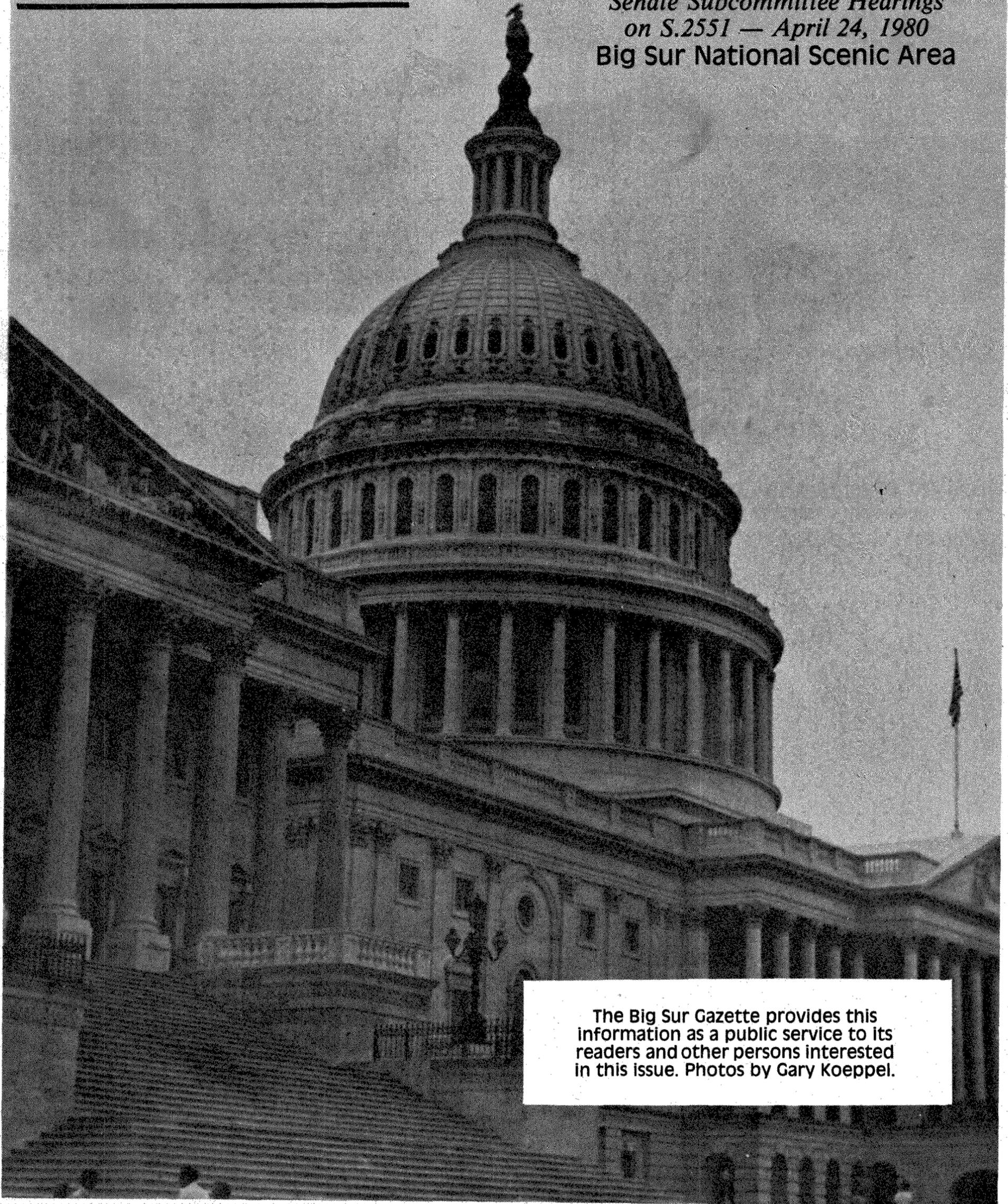
*"They made us many promises,
more than I can remember,
but they never kept but one,
they promised to take our land,
and they took it."*

The Big Sur Gazette

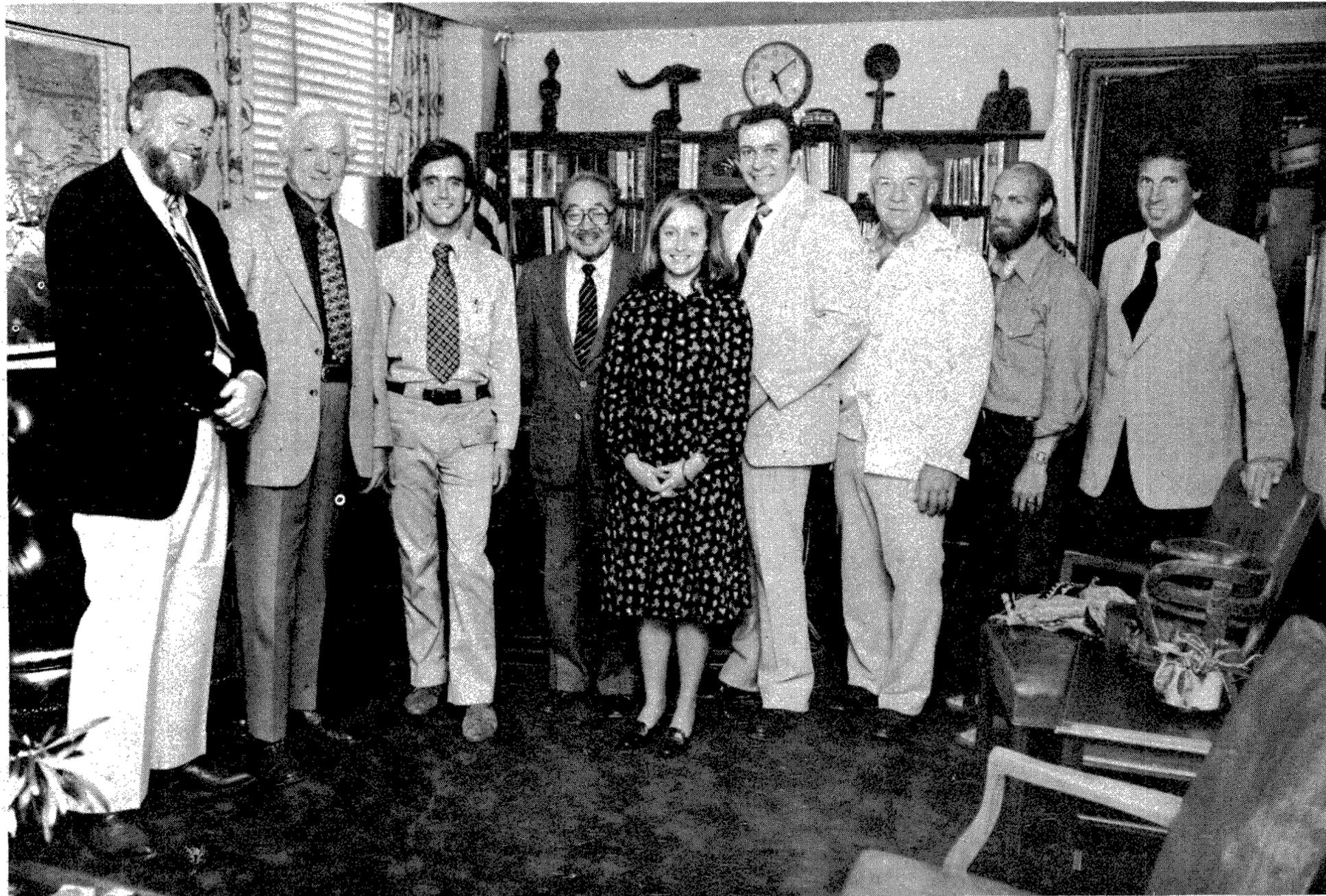
SECTION TWO

Complete Written Testimony

*Senate Subcommittee Hearings
on S.2551 — April 24, 1980*
Big Sur National Scenic Area



The Big Sur Gazette provides this information as a public service to its readers and other persons interested in this issue. Photos by Gary Koeppel.



SOME MEMBERS OF THE BIG SUR DELEGATION pose with Senator S.I. Hayakawa. From left: Charles Cushman, Howard Sitton, Keith Thompson, Senator Hayakawa, Mary Goedde (aide), James Josoff, Frank Trotter, Brian Lyke, Gene Prat (aide). Senate Photo Service

**STATEMENT BY SENATOR ALAN CRANSTON
BEFORE THE SENATE ENERGY AND NATURAL
RESOURCES COMMITTEE SUBCOMMITTEE ON
PARKS, IN SUPPORT OF S2551, TO ESTABLISH THE
BIG SUR COAST NATIONAL SCENIC AREA
APRIL 24, 1980**

Mr. Chairman, I deeply appreciate your taking the time from your busy schedule to chair today's hearing on S2551, my bill to establish the Big Sur Coast National Scenic Area in the State of California. The Big Sur Coast truly is a national treasure. The rights of homeowners must be safeguarded. So should the rights of all Americans, and all posterity, to enjoy the fantastic stretch of undeveloped coastline — the longest and most scenic in the contiguous 48 states.

Each year more people visit the Big Sur Coast than Yellowstone or Yosemite — nearly three million Americans a year make the incredibly beautiful drive along California State Highway 1 overlooking the Pacific Ocean.

Those who know and love Big Sur want to preserve it the way it is today. This is especially true of the residents of the immediate area — although, of course, they have a variety of views about how to go about doing so. With local citizen support, the state of California and the local county governments are doing everything they can to protect the Big Sur Coast through zoning and the local coastal program being developed under the California Coastal Act.

But in spite of these efforts, piecemeal residential and commercial development is occurring which — over a period of time — will alter the existing character of the Big Sur Coast and degrade its natural beauty. Tourist visitation and associated vehicular traffic are also seriously impacting the fragile coastal ecosystem of Big Sur.

The California Coastal Commission readily acknowledges that there are certain limitations on the state's ability to control land uses along the Big Sur Coast effectively and that it is going to take more than local regulation and tax dollars to protect Big Sur permanently. According to Michael Fisher, Executive Director of the California Coastal Commission, it appears extremely likely that the long-run benefits of federal assistance in the protection of Big Sur could be of great value in complementing those measures which will be contained in the local coastal program.

While it will be possible to regulate development carefully under the California Coastal Act, the Commission advises me further that we must face the fact that even this limited degree

of development over the long run will still inevitably result in substantial changes in some aspects of Big Sur's existing physical and community character. I agree with Michael Fisher that regulatory programs, by their very nature, are impermanent, and if our objective is to pass the Big Sur Coast on to future generations, regulations alone will be a chancey guarantee.

Unfortunately, Mr. Fisher is unable to be here today to testify on behalf of the California Coastal Commission. However, he has asked me to submit for the record his letter of support of S2551, and an accompanying letter to Congressman Leon Panetta which outlines the status of the current regulatory and resource management proposals and their possible implications for long-term protection of Big Sur. Among other things, these limitations include the lack of funds to acquire lands essential to protect ocean views from Highway 1 and legal constraint on the state's ability to manage traffic on Highway 1 and minimize highway congestion.

In summary, he says, "The entire nation will benefit from efforts directed at preserving the priceless resources of Big Sur; we wish to give you as much encouragement as possible in moving toward that goal . . . It is our view that your legislation is extremely well thoughtout and carefully directed toward most pressing problems of Big Sur. Your proposal to establish a National Scenic Area and to employ the Forest Service as the responsible agency will meet the major need of the Big Sur, especially the protection of its vast scenic and natural resources. Your legislation also contains the proper degree of restraint in the exercise of federal authority that is required to be responsive to local concerns. All in all, we praise the care with which you have drafted the proposed statute."

Mr. Chairman, S.2551 would establish a Big Sur Coast National Scenic Area administered by the U.S. Forest Service. Included within the scenic area would be about 70,000 acres of private lands in Monterey County south of the Mal Paso Creek; the entire Monterey District of the Los Padres National Forest, about 410,000 acres; the Hunter Liggett Military Reservation, about 168,000 acres; some state park lands and property owned by the University of California; and about 50,000 acres of land in San Luis Obispo County north of San Simeon owned by the Hearst Corporation. In all, more than 100 miles of magnificent coastline in Monterey and San Luis Obispo County would be protected.

I am aware that the Hearst Corporation is opposed to the inclusion of any of its land within the scenic area. I had originally included the property within the boundaries of the scenic

area because it is generally considered ecologically part of the Big Sur Coast which extends all the way to San Simeon and the beginning of the four-lane highway. Inclusion of the northern portion of the Hearst Ranch may make sense from the standpoint of coordinated management — for what happens at one end of scenic Highway 1 impacts at the other. At the same time, I recognize that there is a difference between the situation in Monterey County where there are hundreds of landowners and multiple pressures for development and San Luis Obispo County where there is one property owner whose development may be restricted by highway capacity and limited water supplies.

The California Coastal Commission does not address this issue in its testimony although Executive Director Michael Fisher tells me he is quite interested in protection of the scenic highway corridor on both sides of the Monterey/San Luis Obispo county line. I've begun discussions with the Hearst Corporation on an appropriate southern boundary for the Big Sur Coast National Scenic Area and hope that we can reach a satisfactory agreement. In the meantime, I hope this committee will seek additional information from the California Coastal Commission, the Forest Service and other witnesses on this boundary issue to clarify whether there are compelling management and resource protection needs for inclusion of this land.

I would now like to comment briefly about Forest Service land acquisition contained in S2551. The bill provides that the state and local lands within the scenic area be acquired only by donation or exchange and that the military lands be transferred to the Forest Service automatically whenever the Department of Defense determines it has no further need for the property.

Regarding the private lands within the scenic area, the bill provides for both fee title acquisition and purchase of scenic easements or other interests in land. When it is the best use of tax dollars, I anticipate that less than fee title acquisition would be used to purchase scenic easements or development rights to accomplish our objective of preservation.

Generally, I contemplate land acquisition on a willing buyer, willing seller basis. I have written into the legislation strict controls on the use of condemnation. To repeat, there must be no use of condemnation except under the very limited circumstances specifically mentioned in the bill. That use would be carefully circumscribed in the following ways:

First, prior to the adoption of a comprehensive plan for the management and development of the scenic area, condemna-

WITNESS LIST

The Subcommittee on Parks, Recreation and Renewable Resources — Committee on Energy and Natural Resources on S.2551, the "Big Sur Coast National Scenic Area Act" — 2:00 p.m. Thursday, April 24, 1980 — Open Hearing

- The Honorable Alan Cranston, U.S. Senator
State of California
- The Honorable S.I. Hayakawa, U.S. Senator
State of California
- The Honorable Leon J. Panetta, U.S. Representative
16th District, California
- The Honorable Jerry Lewis, U.S. Representative
37th District, California
- Mrs. Barbara Shipnuck, Supervisor for District #2
Monterey County Board of Supervisors
Salinas, California
- The Honorable Rupert Cutler
Assistant Secretary for Natural Resources
and Environment, Department of Agriculture
- Mr. Ansel Adams
Carmel, California
- Mr. Roger Newell, Chairman
Citizens Advisory Committee
Local Coastal Program, Big Sur, California
Accompanied by: Mr. Paul Vieregge, Vice Chairman
Citizens Advisory Committee
- Mr. Philip M. Battaglia, representing the Hearst Corporation
Los Angeles, California
- Panel**
- Mr. Fred Farr, Trustee, Big Sur Foundation
Carmel, California
- Mr. Sandy Hillyer, Executive Director
Big Sur Foundation
Monterey, California
- Mr. Rod Holmgren, Sierra Club — Ventana Chapter
Carmel, California
- Mr. John Williams
Carmel, California
- Mr. William Turnage, Executive Director
The Wilderness Society
Washington, D.C.
- Mr. Frank Trotter, Master, Grange #742
Big Sur, California
- Mr. Don McQueen
Chamber of Commerce
Big Sur, California
- Mr. Howard Sitton
Coastal Property Owners Association
Big Sur, California
- Mr. Keith Thompson
Esalen Institute
Big Sur, California
- Mr. James Josoff
Friends of the Big Sur Coast
Big Sur, California
Accompanied by: Mr. Charles Cushman
National Park Inholders Association
Washington, D.C.

tion could occur only if the Secretary of Agriculture finds that a property has undergone a change in use that is substantially incompatible with the use of the area as a national scenic area. Second, after the adoption of the comprehensive plan, condemnation can be used only if there is a new use of the property that is inconsistent with the comprehensive plan, or if the property has been identified in the land acquisition plan and the owner of the property has not given the Secretary of Agriculture the right of first refusal when the property is disposed of to anyone other than a direct lineal descendent. Third and finally, the Secretary of Agriculture can use condemnation to acquire no more than 5 percent of the total private lands necessary for public access and recreational use.

Some local landowners have expressed objections to the provision concerning the government's right of first refusal if a sale is contemplated to a party who is not a direct lineal descendent. I appreciate their concerns — and to some extent I share them. But this appears to be a reasonable means of achieving the objectives of this Act. There may be appropriate ways to do so and I'm sure the committee will want to explore this matter in depth.

The legislation does not specifically preclude acquisition of existing, occupied structures, but it was my intention to preclude the use of condemnation for this purpose. I do not believe that we should purchase people's homes against their will even to protect the beauties of the Big Sur Coast or to provide good public access and recreation use in Big Sur. I do believe the government should be able to purchase existing structures for these purposes — from a willing seller. I believe there will be few such cases. I thus recommend that the condemnation language in the bill be clarified accordingly.

Mr. Chairman, I believe that with these amendments the stringent limitation on condemnation authority will protect the private property owners on the Big Sur Coast and ensure that they will know what kinds of new activities and changes in use of their land are incompatible with the scenic area by reference

to the comprehensive plan.

I am also aware that the local interests are concerned about the extent of possible development by the Forest Service along the Big Sur Coast. Development clearly is not the intent of my legislation. My only purpose is to perpetuate the existing scenic and agrarian character of the coast, not to encourage recreational development. In order to ensure that the Forest Service does not overdevelop the Big Sur Coast, I would like to see the bill amended to limit the amount of land that can be acquired for administrative purposes. The U.S. Forest Service advises me that it already has committed 69 acres of land within the Monterey District of the Los Padres National Forest to administrative use and has another 27 acres on the coast for administrative purposes — employee housing, offices, visitor information, warehouses, and fire stations — for a total of 96 acres. I believe that there should be a ceiling of 100 acres total for administrative use. That would mean that no more than four additional acres could be acquired for this purpose at the very most. This is a small amount of land compared to the over 700,000 acres within the boundaries of the proposed Big Sur Coast National Scenic Area.

Finally I'd like to add a comment on the visitor transportation plan element of the comprehensive plan for the management and development of the scenic area. I am merely proposing that the Forest Service, in consultation with the advisory commission set up under the bill, study the need for some kind of visitor transportation system. I personally question the appropriateness of any suggestion that visits to Big Sur be limited to busing people through the area and this definitely is not mandated nor contemplated in the legislation. I do believe that there needs to be coordination among federal, state and local agencies with respect to visitor use of Highway 1, and I feel that the comprehensive plan should look at this issue.

Mr. Chairman, I continue to support the other provisions of my bill as originally introduced. This includes, among other things, the development of a comprehensive plan by the Secretary of Agriculture for the management and development of the Big Sur Coast National Scenic Area, and the preparation of a federal land acquisition plan as part of that com-

prehensive plan; the appointment of a citizens' advisory commission by the Secretary of Agriculture to work in joint partnership with the federal government in the preparation of the comprehensive plan so as to ensure continued local involvement in the planning process for the Big Sur Coast; the authority for the Secretary to lease back for grazing or other agricultural use any agricultural lands acquired by the federal government to perpetuate the pastoral character of the Big Sur Coast; and authorization of monies from the Land and Water Conservation Fund over a 10-year period since it is anticipated that land acquisition would take place over time as owners of property identified in the land acquisition plan decide to sell. I understand that for management purposes, the Forest Service will recommend that the boundaries of the Los Padres National Forest be adjusted to include all the lands within the Big Sur Coast National Scenic Area, and I have no objection to the bill being amended in this regard.

Mr. Chairman, because the Big Sur Coast is truly a national treasure, I strongly believe the federal government should take these steps now to protect the scenic beauty of the Big Sur Coast. Right now, because the state and local governments and local residents themselves already have done so much, we have a unique opportunity to act before there is significant degradation or even a major threat to the resource. But as I stated in the beginning of my testimony, if we wait, their efforts will unravel and then we will be asked to deal with a state of emergency and to arrest development already underway. And as more development takes place — including the possible subdivision of one or another of the larger ranches on the Big Sur Coast — with a consequent increase in land values, the cost of federal land acquisition will be substantially more for significantly less land.

Mr. Chairman, I think that in the years to come we will all look back and be extremely proud to have played a major role in the endeavor to protect the magnificent Big Sur Coast for all time for all Americans. I hope that you will act favorably on the legislation and I look forward to working with you and the committee staff on any changes needed in the legislation. Again, my thanks for your helpfulness, and the opportunity to testify.



SENATOR ALAN CRANSTON

STATEMENT OF SENATOR S.I. HAYAKAWA BEFORE THE SENATE SUBCOMMITTEE ON PARKS, RECREATION AND RENEWABLE RESOURCES

Mr. Chairman, I am most grateful for the opportunity to testify before the Senate Subcommittee on Parks, Recreation and Renewable Resources of the Energy and Natural Resources Committee. I am deeply concerned about the legislation we are discussing, S. 2551. This measure would create the Big Sur Coast National Scenic Area.

Now I consider myself to have some amount of expertise on the Big Sur area. I visited there most recently to talk with people on all sides of this issue. I wanted to get a feel for what the people of the area support, and what is right and reasonable in terms of any federal action or intervention at Big Sur.

I found that an overwhelming majority of the people who live in the Big Sur area are adamantly opposed to any plan that would allow for a federal takeover of private lands at Big Sur. The people feel that they have in the past done an excellent job of protecting the beauty and natural character of the Big Sur Coast. They plan to continue to do this without massive federal intervention. For these reasons, Mr. Chairman, I must oppose this legislation as an unnecessary and unjustified federal takeover of privately owned land.

The citizens of the Big Sur Coast have been working together with the California Coastal Commission in trying to develop their Local Coastal Plan (LCP). This plan would establish a permitting process that would control development. The permitting process of the LCP would take the place of the

now existing California Coastal Commission permitting process.

S. 2551 completely bypasses this local planning and local control. The citizens have demanded that land that is in private ownership be left in private ownership. S. 2551, however, would allow the federal government to take over all private land within about one hundred miles of coastline, totalling 140,000 acres of land. The bill would allow for the condemnation of up to 5 percent of the land within those boundaries. What is to prohibit the United States Forest Service from condemning only the developments or the land where development is planned, say a home or a barn, and leaving the landowners with the rest of their property but without the ability to use that land? Then they would say to the Forest Service, "Please take the rest of my property and pay me for it." The Forest Service could call that a willing seller offer. The fact would be that the entire property may as well have been condemned, but the story could appear quite different on paper.

Or let us imagine a future Congress, when that 5 percent condemnation authority has been used completely. Anyone could propose a simple "technical amendment" to raise that figure to 15 percent, 25 percent or anything at all.

There is nothing in this bill to protect existing developments from being condemned. This is of special concern to me. Many people at Big Sur are very worried about having the government come in and take their home away from them. I share

HAYAKAWA

Continued from page 39

that concern. S. 2551 creates an inholder situation and the threat of condemnation can be held over any property owner's head.

The Local Coastal Plan, ironically, is scheduled to go into effect in the very near future, in fact, in January 1981. The timing of this bill is ironic, since that Local Coastal Plan could theoretically never have a chance to work. The LCP will, as I mentioned earlier in my statement, take the place of the California Coastal Commission permitting process. Let me tell you what has been happening over the last few years under the California Coastal Commission.

According to the Santa Cruz Regional office of the California Coastal Commission, the number of development permits approved for single family homes in the Big Sur Coastal area has been steadily declining in recent years. According to Coastal Commission figures for Monterey County, single family homes approved for development within 1,000 yards of the coastline range from 12 approvals in 1973 to four approvals in 1976. (In 1974, nine single-family housing structures were approved and the figure was six for 1975.) Figures for the years 1977 through 1979 are based on the single family homes approved for development with the designated coastal zone. This area ranges anywhere from two to five miles inland from the coastline in the Big Sur area. According to the Coastal Commission, 32 single family residences were approved within the designated coastal zone in Monterey County in 1977, 22 were approved in 1978, and 16 were approved in 1979.

The number of total projects which have been approved for development in the Big Sur coastal area has also been steadily declining. The total number of approved projects in Monterey County within 1,000 yards of the coastline declined from 22 in 1973 to nine in 1976. Fifteen projects were approved in 1974, and 16 in 1975. These figures include homes, barns, sheds, bridges, commercial buildings, garages, additions to present structures and similar projects. Figures for 1977 to 1979 are based on applications for permits within the state's designated coastal zone. They also show a similar decline in the number of projects approved for development. In 1977, 52 projects were approved in the coastal zone. In 1978 that figure had declined to 48, and by 1979 only 25 projects were approved for development in the coastal zone in Monterey County. I have outlined these figures for the Committee in the form of a chart which is included as part of my statement.

These figures speak for themselves. I believe the members of the Committee can see that we do not need to save the Big Sur Coast from its citizens. They are saving the area for themselves. We are not faced with a situation where massive

Big Sur Coast Permit Applications (Monterey County)

Permit Applications for Single Family Housing Structures

Year	Approved	Withdrawn	Denied
1973*	12	1	0
1974	9	0	1
1975	6	1	3
1976	4	0	0
1977**	32	0	4
1978	22	1	1
1979	16	1	4

(2 pending)

Permit Applications for Projects in the Coastal Area (including single family homes, barns, sheds, commercial structures, garages, additions to existing structures, etc.)

Year	Approved	Withdrawn	Denied
1973*	22	1	0
1974	15	1	5
1975	16	1	0
1976	9	0	0
1977**	52	0	8
1978	48	1	4
1979	25	2	7

Notes:

Figures according to the Central Coast Regional Office of the California Coastal Commission.

* Applications for structures within 1,000 yards of coastline.

** Applications for structures within the designated coastal zone (generally ranging from 2 to 5 miles in depth from the shoreline).

developments are taking over the area and the view of the coast is being destroyed. This is simply not the case.

Mr. Chairman, I believe that the merits of any argument against legislation for a massive federal take-over of private land in the Big Sur area are stated above. But let me point out one more thing.

The people of this Nation are very unhappy with the Congress in these times of high interest rates, high unemployment, and a recession. They are also sick of too much government — too much unnecessary federal intervention in matters that could and should be handled through local management and control. They continue to send a message to Congress to get the federal government off our backs, balance the federal

budget and stop abusing our taxpayers' dollars. In light of the public sentiment, especially in Big Sur where the people have clearly spoken out against legislation to promote a massive federal take-over of private land, how can anyone justify spending \$100 million plus to do just that? This is an outrage. The local planning process is being completely bypassed. This is an abuse of the powers that these voters have vested in their elected officials. This is not an example of government of, by and for the people. This legislation is an example of government rolling over the people, ignoring their views and their wishes. This is federal bureaucracy at its worst. This bill is telling our citizens, "We know what is best for you. We don't care what you think — it doesn't matter. We'll tell you what's best for you and then you can live with our mistakes for years to come."

Mr. Chairman, the members of the United States Senate will be replaced over the years by new members. Yet the people of Big Sur will live there all of their lives. In addition, their children and grandchildren will have to live with the decisions of this Congress. I propose that we leave the Local Coastal Plan untouched. I propose letting the citizens of Big Sur decide what is best for them, and how they should determine their future. I oppose having the federal bureaucrats in Washington making their decisions for them.

Mr. Chairman, I have considered introducing legislation on this matter, but that might imply to the members of this Committee that I am in favor of federal legislation for Big Sur, and that I want the Committee to move on this matter. Nothing could be further from the truth. Therefore I do not plan to introduce legislation on Big Sur at this time. The Local Coastal Plan is due to go into effect in January of 1981. Even if federal legislation was needed it would certainly be premature for it to be taken up before the LCP goes into effect.

Mr. Chairman, if the Senate Committee on Energy and Natural Resources decides to move on legislation for the Big Sur Coast, then I would like to be notified. In that event, I would like the opportunity to work with the members of the Committee so that any legislation would meet the needs of the citizens of the Big Sur Coast. That means taking into con-

TESTIMONY OF THE HONORABLE LEON E. PANETTA Before the Subcommittee on Parks, Recreation and Renewable Resources of the Senate Committee on Energy and Natural Resources, April 24, 1980

Mr. Chairman:

I appreciate the opportunity to testify before this subcommittee today concerning the need to preserve and protect the important qualities and values of the Big Sur area of California — an area that I am proud to say lies entirely within my congressional district.

The Big Sur area is truly a unique area of scenic beauty, of spectacular views, of magnificent and undeveloped coastline, and of independent and self-reliant people and communities. All of these qualities constitute the special character of what we now as the Big Sur area. And in seeking to protect and preserve this area, we must be very careful not to sacrifice one quality for another but to try and balance all of these important values that make Big Sur what it is today.

In this effort to decide the future of the Big Sur area, there are several basic questions facing this committee and this Congress:

The first question is whether there is a need to protect and preserve Big Sur? There is really no question but that this remarkable and unique area must be preserved. Whether or not one supports a park approach, or a scenic area approach, or no approach at all, there is no disagreement among the residents or visitors to this area: they want Big Sur to stay the way it is. And so do we all. But we also recognize that there are forces at play at the present time which make preservation of Big Sur difficult to achieve. There is increasing development of homes and residences. There are close to three million visitors to Big Sur annually that strain the capacity of the two-lane coastal highway and increase commercial pressures on the area. These trends promise not only to detract from the scenic attributes of the area, but additionally threaten to alter the rural, independent character of the communities there. No one wants the unique qualities of Big Sur marred in any way — the people who live there don't want it and the people who visit there don't want it. Thus there is a broad consensus that the Big Sur area must be preserved and protected.

The second question is whether there is a need to provide comprehensive planning and management for the area. Obviously, if there is a need to preserve and protect Big Sur, this cannot occur in a vacuum — there is a need for planning and a need for effective management. Some of this is taking place today — through local planning efforts being conducted by Monterey and San Luis Obispo counties, the citizens of the Big Sur coast, and by the state of California pursuant to the California Coastal act of 1976. In addition, the U.S. Forest Service by virtue of the presence in this area of the Los Padres National Forest and Ventana Wilderness is in the process of developing plans for the areas within its jurisdiction. But by the very fact that there is a mix of jurisdictions between the local, state and federal government in this area, there is a need to coordinate planning and management. If standards conflict, if resources management differs, if property owners or residents are faced with varying rules and regulations, then



SENATOR S.I. HAYAKAWA

consideration local planning and local control to the maximum extent possible. Also of special importance is protection of all existing developments from condemnation.

If we are in a situation of having a Big Sur bill go through this Committee, I would also request that enough time be permitted to allow the local citizens the opportunity to add their contributions to the legislative process. I would be willing to have my office help in coordinating such an effort.

Finally, let me repeat that I most adamantly oppose S.2551, a bill to allow the federal government to take-over all private property at Big Sur. The price tag would be \$100 million at today's real estate prices, but I believe that figure would look modest in comparison to the actual price tag that would be the end result.

the residents and the Big Sur area itself will pay a heavy price for this lack of effective coordination.

The third question is whether there is a need for federal assistance in this process. Or, at a minimum, a need to define a federal role? I believe there is a need to define a federal role in this planning and management process. This is so not only by virtue of the existing federal presence of the U.S. Forest Service in this coastal area but also because there will certainly be a need for federal assistance in the implementation of any effective planning and management. The reality is that in the effort to protect scenic easements and watersheds, in the effort to identify and preserve those natural resources and areas worthy of special protection, adequate financing and compensation for landowners and residents will be necessary. One of the more bitter experiences we have endured along the coast is the mandate of the state that property owners be restricted in a number of ways without any compensation provided in that process. With limited funds at both the state and local levels of government, the fact is that additional financing will be necessary if planning efforts are to be effective. In addition, regardless of the actions taken by this committee or Congress, the federal government will continue to possess a substantial stake in the success or failure of land planning processes for Big Sur. For these reasons, I think it is evident that a federal role must be defined for this area.

The final question, therefore, is what form will this federal role take and how will federal assistance be provided to the Big Sur area? Obviously, this is where most of the controversy over Big Sur has arisen. Some have argued for a National Park designation for Big Sur. This, in my judgment, would be the biggest mistake this Congress could ever make. Such an approach would not only be costly, it would totally ignore the planning efforts that have been made on the local and state level and in fact would induce the kind of intensive tourism and visitation that would in itself destroy the precious and unique qualities of the area. Others, such as Senator Cranston, have suggested a Forest Service management approach that would create a National Scenic Area. While this approach is much more sensitive to the local area and makes use of the existing presence of the Forest Service, it also fails to adequately incorporate the work of local citizens and of local and state units of government.

Mr. Chairman, members of the subcommittee, for over two years now I have been working with the citizens of Big Sur, the affected government agencies, local groups and other interested parties in an effort to arrive at some consensus on this question. It has been a long and often arduous process. But the citizens of Big Sur, through the Citizens Advisory Committee, have provided some basic guidelines for legislation in this area. Big Sur needs management assistance from the federal government, it does not need management authority. The planning capabilities at the state and local level should be supplemented, not superseded. Tourism and traffic in the area need to be managed, not encouraged. And, finally, at the same time that we move to protect the scenic and aesthetic qualities of this area, we must simultaneously guard the rural nature and autonomous spirit of the residents there.

Accomplishing these objectives presents no small task, yet I

**STATEMENT OF CONGRESSMAN JERRY LEWIS ON S2551, THE BIG SUR COAST NATIONAL SCENIC AREA SUBCOMMITTEE ON PARKS, RECREATION AND RENEWABLE RESOURCES COMMITTEE ON ENERGY AND NATURAL RESOURCES
APRIL 24, 1980**

Mr. Chairman and members of the subcommittee, I thank you for your courtesy in allowing me to testify on S2551, a bill proposing the establishment of the Big Sur Coast National Scenic Area. Although I do not represent this section of California, Assemblywoman Carol Hallett — a friend and associate from my days in the California Legislature — does. She was unable to be present today and asked that I appear in her behalf and discuss her concerns about this proposal with you.

Carol has told me, "My position in opposition to S2551 is shared by approximately 800 of my constituents (between 80 and 95 percent of the adult population) in Big Sur who have signed and forwarded to me petitions and letters urging opposition to federal legislation providing for the ownership, management or control of the Big Sur area. The federal government already owns 47.5 percent of the land in California and 25 percent of the land in Monterey County. We simply do not need an increase in the level of federal ownership or management in the Big Sur area, and the input I am receiving from residents of the area clearly reflects that sentiment."

Along with state Senator Robert Nimmo, who also represents this area, Assemblywoman Hallett has introduced a resolution in the California Legislature memorializing "the President and Congress of the United States to take all the necessary actions to ensure that there shall be no increase in the level of federal involvement in this magnificent independent area so long as the California Coastal Act of 1976 or any similar protective state law is in effect." Copies of those measures are included for the record.

There is no need for me to reiterate to the members of this panel the conclusions reached by the General Accounting Office last December after that agency's study of federal land acquisition practices, but they certainly give one pause when considering S2551.

For instance, that report indicates that normally federal designation of an area brings double or triple the number of visitors which had previously visited a locale. A great deal of the charm of Big Sur lies in its slow pace of travel. The local road system is simply not up to handling that kind of volume. Would enactment of S2551 result in the creation of huge parking garages at each end of this area with some sort of tour bus arrangement in between? And, if so, is this really preservation? I think not.

Another point with regard to this increased influx of outsiders. The Big Sur area has a limited supply of potable water as well as a limited capacity for sewage disposal. At the moment, law prohibits the transfer of water from one watershed

believe they are attainable given the proper consideration for the particular needs of this unique area. There are several components which I feel to be essential to any legislation which is introduced, specifically:

- The retention of existing jurisdictional authorities at the state and county levels;
- Coordinated management among the various governmental agencies exercising management authority in Big Sur;
- Involvement of the citizens of Big Sur in the planning processes for the region; and
- Restrictions on federal land acquisition powers.

Many of these features have been incorporated into the proposal introduced by Senator Cranston, and which is before the Committee for consideration today. I am presently in the process of drafting legislation of my own, and would like to briefly summarize the key points of the approach I am developing:

Section 1. Findings and Declarations

Section 2. Purposes — the purposes of the act are to protect the important values of Big Sur, coordinate management and

to another. Both the increased visitor load which can be expected and the added permanent population necessary to serve the tourists may well place demands on these systems which are beyond their capacity and will result in degradation of the environment. Is this preservation?

Another disturbing conclusion of the GAO report were the indications of major rises in the crime rates around newly designated national areas. The rate, in fact, often exceeds that of major metropolitan areas. The Big Sur enjoys the reputation of a rural retreat for artists of every description and for others who are willing to accept the difficulties as part of their attempt to escape the problems of big-city living. Are we to ask these people, who would apparently be allowed to remain in their homes under the provisions of S2551, to accept these added risks. Is this preserving their way of life?

Finally, in these days of fiscal conservatism, one further point, again based on the GAO conclusions needs to be made. As proposed, S2551 would authorize up to \$100 million for land acquisition in this 700,000 acre area. The GAO studies indicate that initial cost estimates have, in the past, proved 200 to 300 percent low. In fact, between now and 1990, the cost of S2551 could well escalate to half a million dollars. Very frankly, without compelling evidence of the need to involve the federal government in preserving this unique area, I do not believe this is a wise expenditure of scarce tax dollars.

Mr. Chairman, on one point, Senator Cranston and I are in total agreement. As he said when he introduced S2551, "The Big Sur Coast is a national treasure." Where we disagree is on how that area should be preserved. As a member of the California Assembly, I participated in the debate leading up to enactment of the California Coastal Act back in 1976. Then and now, I am convinced that this legislation provides local residents and the state government with sufficient tools to adequately protect and preserve these areas. Yet in this instance, we are being asked to consider federal legislation even before completion of the final Local Coast Program which seeks the same goal as S2551. I have no crystal ball — perhaps that plan will not be sufficient — but from the past history of the dedication of the local citizens to preserving their land and their way of life, I am quite sure it will be more than adequate. In any event, I believe we must give that local process time to operate and that, at best, S2551 is premature.

In this case, it seems to me that we are being asked to detrimentally affect the individual rights of the local landowners (incidentally, something less than 20 percent of this land is now owned by individuals, the rest is controlled by some government entity) for an as yet unproven need. In effect, we placing some vaguely perceived "public good" as defined by organizations outside the area, above the wishes and rights of those who actually reside in the area. And we are doing so when these same individuals have demonstrated both the willingness and the ability to accomplish locally what it is proposed we do from Washington at a tremendously greater cost and with significantly less knowledge of the local situa-

make limited federal assistance available to carry out these goals.

Section 3. Boundaries of Big Sur

Section 4. Big Sur Area Council — A Big Sur Area Council shall be created, consisting of five members representing state, federal and local governments, and four representatives of the residents of Big Sur. The council shall be charged with the responsibility for drafting and overseeing the implementation of a comprehensive management plan for Big Sur.

Section 5. Management Plan — Within a year of enactment, the council shall submit to the Secretary of Agriculture a comprehensive management plan, based upon the local coastal programs, and consisting of additional planning information, as well as detailed recommendations for coordinating the federal role with existing jurisdictions.

Section 6. Acquisition and Financing — the Secretary shall make grants to the state and county, not to exceed 75 percent of land acquisition costs, for the purchase of lands within the area. All lands acquired by the Secretary for the purpose of implementing the comprehensive plan shall be transferred to the state, county, or other land managing body, with the requirement that the secretary be reimbursed for 25 percent of the acquisition costs of the land.

Section 7. State, county, and federal agencies shall retain their existing jurisdictions and authorities in Big Sur, except that they shall administer these areas in accordance with the comprehensive plan.

Section 8. Authorization of appropriations — there are authorized to be appropriated such sums as may be necessary to carry out the purposes of this act.

I believe the approach I have outlined here would provide the type of coordinated management necessary to meet the particular needs of this area, and would additionally ensure the protection of the residents and the communities of Big Sur through their very involvement in the planning process.

In closing, I would again stress to the committee my strong support for recognition of a national interest in Big Sur through the enactment of federal legislation to supplement the protective mechanisms which are currently in place. I am confident that by acknowledging the unique circumstances which do exist in this area, and crafting legislation appropriate to these circumstances, we can serve well the interests of both our nation and the citizens of Big Sur in protecting and preserving this unique area.

In fact, based on the GAO conclusions of the potential dangers such a formal designation poses, we may in fact be destroying the unique and rare qualities of the very "national treasure" we are seeking to preserve.

Mr. Chairman, I urge that your panel reject this effort to place the Big Sur Coast within the "lock-step" of federal land management practices and procedures. However benign, this is simply not the most effective manner to deal with this problem.



**COUNTY SUPERVISOR BARBARA SHIPNUCK
TESTIMONY OF BARBARA SHIPNUCK, SUPERVISOR MONTEREY COUNTY, CALIFORNIA, BEFORE THE SENATE PARKS & RECREATION SUBCOMMITTEE
APRIL 24, 1980**

My name is Barbara Shipnuck and I am a member of the Board of Supervisors of Monterey County, California. I am here at the unanimous request of the Board of Supervisors to express our views and our deep concern over the future of the Big Sur Coast. Let me begin by saying that we recognize the Big Sur Coast as the national treasure that it is. We also recognize that in preserving the Big Sur Coast we hold a public trust that transcends our usual responsibilities to our own local constituents. In this instance our responsibilities go beyond our county boundary because of the national and international attention drawn to this precious national resource.

In order that you fully understand the Board's position, I would like to briefly review with you the County's involvement in planning for the Big Sur Coast. This began immediately following the construction of Highway One in the late 1930s when the County established zoning along either side of the new highway. The County soon drew national attention by denying a permit for the erection of a service station sign along the highway. The County subsequently won a landmark case securing for local government the right to use its police power for aesthetic reasons.

Beginning on 1959 and continuing until 1962, the County worked with local residents and consultants to develop a total master plan for the coast. This plan, known as the *Monterey County Coast Master Plan*, is still in effect today. It has been recognized as both innovative and far reaching and has had the support of the people in the area. About the same time the *1962 Master Plan* was developed, the County Board of Supervisors took the unusual step of inviting federal study of Highway One for its potential as a national scenic highway or parkway. Although this study by the federal government was never undertaken, the County did publish a report entitled, *Wonderful One*, and indicated its concern for the protection of the national interest along the Big Sur Coast.

Our Board recognizes that even the best planning, in time, grows outdated and needs to be revised. Today's standards for environmental protection were unknown ten or fifteen years ago. What were thought to have been adequate parcel sizes for private land holdings at the time of the 1962 Master Plan are now recognized as being too small to protect the coast because too much density and development could occur. Travel use of Highway One has grown beyond anyone's imagination or expectation. Pressures for new residential and commercial development, as well as increased public acquisitions, have occurred, along with a dramatic increase in recreational development and use.

In recognition of these serious challenges, the County has undertaken new planning programs. These began in 1970 when Monterey County joined with Santa Cruz County to the north and San Luis Obispo County to the south in the development of the *Tri-County Coastline Study*. This innovative plan preceded the passage of Proposition 20, the California Coastal Initiative in 1972, and reflected the three counties' deep concern to be leaders in the stewardship of this beautiful coastline. This plan was not adopted because Prop. 20 was passed by the people in the state of California and the State Coastal Commission was charged with the preparation of a master plan for the California coast. When this master plan, called the *Califor-*

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CONGRESSMAN LEON PANETTA

SHIPNUCK

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nia Coastal Plan., became available, Monterey County again took the initiative, becoming one of ten jurisdictions on the California coast to undertake special pilot planning programs in cooperation with the California Coastal Commission. This program, begun in 1976, was designed to test the workability of the proposed California Coastal Plan at the local level. The initial planning report, prepared by a consultant to the County with full public participation, identified areas where more work needed to be done. Therefore, following passage of the California Coastal Act in the fall of 1976, the County set about developing its comprehensive work program for preparation of the Big Sur Coast's Local Coastal Program. Now nearly complete, this program has had an extra-ordinary level of public participation and cooperation by public agencies.

The Local Coastal Program has developed a series of far reaching proposals which will soon be before the Board of Supervisors for consideration. Among the recommendations proposed to protect the Coast are:

- Stringent limitations on all future land use and development in the coast by private land owners and by public agencies. This may involve rezoning of private lands to very large minimum parcel sizes and substantial limitation of public recreational development.
- Permanent protection of the Coast's scenic beauty by the exclusion of any further public or private development visible from Coast Highway One or other major public areas.
- Careful management of the area's precious material resources through a program that will safeguard water supplies and natural plant and wildlife habitats.
- Management of Highway 1, in cooperation with the Coastal Commission and the State Department of Transportation. Public information centers at either ends of the Coast are envisioned.
- A plan for improved public access to the shoreline and to the National Forest and Ventana Wilderness.

In developing these proposals, exceptional efforts have been made to coordinate and work closely with all the affected agencies — local, state and federal.

With these kinds of proposals likely, and in view of the cooperative effort underway, it is the Board of Supervisors belief that an extremely strong Local Coastal Program can be achieved for Big Sur by the county and the California Coastal Commissions.

There may, however, be difficult problems for the county and state in equitably carrying out such a strong plan. These will require innovation and thoughtfulness to resolve. The Board of Supervisors recognizes that there may well be circumstances in which extended state or even federal assistance may be needed in Big Sur. These are generally in areas where diminishing revenues at the local level may make full or fair implementation of the plan difficult. Among these may be:

- purchase of development rights to sensitive viewshed parcels proposed for development in limited circumstances where no other planning alternative exists at the local level.
- purchase of development rights to parcels containing important plant or wildlife habitats,
- acquisition of easements to provide shoreline or back-country access,
- coordination and oversight of the many agencies with management responsibilities on the Coast.

To a large extent, the effectiveness of the Local Coastal Program depends on whether or not implementation by the county will be adequate. Some critics believe that only the federal government, as an umbrella agency, can have truly effective regulation of the Coast. While the Board of Supervisors is not categorically opposed to any increased federal role for Big Sur, as we do not wish to preclude this potentially valuable source of assistance, we do believe that the Local Coastal Program must be completed and evaluated before this role can be justified as necessary and before any such role can be defined. It is the Board's basic belief that any extended involvement by the federal government, either in the form of the legislation presently proposed by Senator Cranston or by others, must be founded upon and closely defined by the Local Coastal Program.

In presenting this testimony it is not our intent to be obstructionist. It is our desire to ensure the integrity of a process already well underway in order that the Big Sur Coast can be protected and preserved in the national interest without ever losing sight of local involvement.

TESTIMONY OF ANSEL ADAMS BEFORE THE SENATE PARKS, RECREATION AND RENEWABLE RESOURCES SUBCOMMITTEE, APRIL 24, 1980 ON S. 2551

My name is Ansel Adams. I live in Carmel Highlands, California, at the northern end of the magnificent Big Sur Coast. I have lived there for 18 years (less one month at this date). I am a photographer, writer and teacher.

I am appearing today as a private citizen and I am representing no organization. I have traveled to every part of America and have photographed for 50 years and more the extraordinary beauty of our land from Alaska to the Appalachians, from the Maine coast to the California desert. For almost two decades I've had the enormous privilege of returning to Big Sur. Surely no more beautiful and spiritually uplifting coastline exists on this earth.

It is I think, a well-known fact that I have been an ardent conservationist for more than 60 years. I hope it is also well-known that I care deeply about my friends and fellow residents of Monterey County. The entire purpose of my effort here is to preserve the Big Sur Coast — this incomparable source of natural beauty for all of us and for future generations. I think most of us live in Monterey County because we love this land and this coast, and the rugged, unspoiled places which are becoming increasingly rare in urbanized America. The Big Sur Coast is a national treasure for all Americans to enjoy, and we would all benefit from its protection.

In answer to the question, "What is the Big Sur area?" I can reply by quoting the late fine painter Francis McComas, who called it "... the greatest meeting of land and water in the world." He was specifically describing Point Lobos State Reserve (about two miles north of the Big Sur area boundary). The Big Sur area offers important opportunities for hiking, riding, fishing and most significantly, the unforgettable experience of observing magnificent hills and a rugged, spectacular shoreline. The quality of these vistas depends upon prevention of construction of homes, roads and other development within view of coastal Highway 1; numerous examples of this desecration are painful to see.

However, Big Sur is a combination of extraordinary beauty and an important lifestyle which should be continued and protected. In simplest terms, the Big Sur, in its present condition, is what we wish to see preserved. The area now contains three excellent California state parks, two handsome nature-research reserves and some charming and appropriate hotels and restaurants. It is a really unique community of strongly individualistic and creative people who enjoy a way of life that should be perpetuated.

Unfortunately, in spite of the coastal legislation and dozens of plans and special zoning and "private stewardship," the Big Sur Coast is being developed and its beauty is being ruined at an alarming rate. This is particularly the case along the northern 55 miles of the coast, which is mostly in private ownership. Every time I drive down that part of the coast I see yet more construction, more traffic, more impact on the fragile coastal ecosystems. And once the local coastal plan is completed later this year, development will inevitably accelerate.

To emphasize this point, I would like to quote to you from a letter I received recently from Ken Norris, Director of the Environmental Field Program of the University of California at Santa Cruz. (The University manages the Big Creek Ecologic Reserve on the Big Sur Coast.) Norris told me that, "I don't think local planners will succeed in saving it (Big Sur). They are directly involved with the pressure groups that will erode it."

However, it is not too late. We can save the Big Sur Coast and its unique lifestyle, if we join together and act now. The job can be done *without displacing a single resident*, or having the government buy a single home by condemnation! But it cannot be done by so-called "private stewardship," and local zoning through an inadequate, unenforceable local coastal



M. RUPERT CUTLER testifies for the Carter Administration

M. RUPERT CUTLER, ASSISTANT SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT U.S. DEPARTMENT OF AGRICULTURE

Before the Senate Subcommittee on Parks, Recreation and Renewable Resources

On S.2551 to establish the Big Sur Coast National Scenic Area in the State of California

April 24, 1980

Mr. Chairman and Members of the Committee:

I am pleased to provide you with the Administration's position on the proposed Big Sur Coast National Scenic Area.

Based on the map available to us before this hearing, S.2551 would establish a scenic area of approximately 600,000 acres. As shown on the map before you, the proposed scenic area would incorporate the well-known Big Sur area, which extends 90 miles along the rugged and beautiful California coastline from Carmel to San Simeon. The proposed scenic area also would include 304,000 acres of the Los Padres National Forest, including the 159,000-acre Ventana Wilderness. Other major tracts included in the proposed area would be the Hunter Liggett Military Reservation and a portion of the Hearst Ranch.

This area is one of the most rugged, undeveloped yet accessible coastal sections remaining in the United States. Rising abruptly from the water's edge to elevations of between 4,000 and 5,000 feet, this rugged, mountainous terrain is the water-

shed of the Big and Little Sur rivers and many other smaller streams that flow directly into the Pacific Ocean. The climate in the area varies greatly depending on elevation and relationship to the ocean. The area includes the southern most limit of the natural range of the coast redwood trees and is the only place in the world where a rare and beautiful spire-like tree, the Santa Lucia Fir, also known as bristlecone fir, occurs naturally. Vegetation ranges from areas of chaparral and grass to oak woodland and coniferous forests. A number of plant species native to the area are being evaluated for possible classification as endangered. The area contains natural habitat for several endangered species of wildlife including the American peregrine falcon, southern bald eagle, and California condor.

The area is within a one-day drive of San Francisco, Los Angeles, and communities in the San Joaquin Valley. California's first designated Scenic Highway, State Highway #, stretches for 90 miles through the area. It passes through National Forest lands for about 18 miles and lies adjacent to the National Forest for much of the remaining distance as it winds along the beautiful Monterey County coastline.

The proposed scenic area also includes Pfeiffer State Park which is one of the most popular in the State system.

About one tenth of the area is in private ownership with single family residences comprising the major land use. There are approximately 1,160 privately owned tracts ranging from less than one acre to over 7,000 acres. The smaller tracts of less

than 2½ acres in size generally are located near the scenic highway and the ocean. Another 9 percent of the area is in one large private ownership, the Hearst properties, and the rest of the area is in State or Federal ownership.

The major business activities in the area are agriculture, the products of the resident artists and craftsmen, and the production of goods and services for tourists and recreationists.

Visitors number almost 3 million a year, many of them are from other states. During the summer, recreation facilities on the Los Padres National Forest and in State Parks averaged 90 percent occupancy even during the period of gas shortage last summer. Daily traffic on Highway # during the peak periods already exceeds 80 percent of its designed capacity.

S.2551 calls for a strong federal presence in addition to action by State and local government. The establishment of a national coastal protection policy, working through the States, was emphasized in the President's Second Message on the Environment issued on August 2, 1979. While the Administration supports the objective of S.2551 to avoid unnecessary adverse effects on the scenic beauty of the area, the Administration cannot support enactment at this time primarily, Mr. Chairman, because the Administration has not yet been able to give a complete and adequate assessment of the specific provisions identified in the bill, especially as they may relate to existing Federal and State protection programs already operative there. I want to assure you and the Committee members, however, that the Administration is interested in the Big Sur Coastal

plan. Both the county and state governments have made an honest effort to restrict development along the Big Sur Coast, but neither has sufficient funds available to implement the strong coastal protection program necessary to protect Big Sur. These systems have essentially been tried and they clearly don't work.

I have several important convictions concerning Big Sur which I would like to share with you:

1. As this coastal area is of surpassing beauty and interest to all Americans (approximately 3,000,000 people traveled through it last year on scenic coastal Highway 1). I consider it to be of prime national significance and therefore deserving of national protection and management.

2. In the past I joined with other conservationists in supporting the National Park Service as the proper federal management agency. For Big Sur we had no intention of establishing a "park" in the common meaning of the term. We visualized a land-use and management program which would prevent practically all future development of the area, and at the same time, protect and further the security of the existing residents and landowners. The National Park Service uses many alternative methods of land protection and clearly has the professional competence and ability to manage Big Sur.

However, it has become apparent to me that the U.S. Forest Service is a more logical candidate for this task. The Forest Service already manages the Los Padres National Forest and the Ventana Wilderness directly to the east of and adjacent to Big Sur. In addition, the U.S. Forest Service has gained experience recently with special types of land protection, such as the Sawtooth Mountains of Idaho. I believe that the U.S. Forest Service is fully capable of assuming management of the Big Sur area. I should add that the Forest Service has a long record of cooperation with the people of Monterey County and would be generally looked upon more favorably than would an unfamiliar agency, no matter how experienced and dependable it would be.

It is unfortunate that opponents of federal protection of Big Sur speak carelessly of a proposed national park and the "Yosemiteization" of Big Sur that Park Service management would impose. It is obvious that they do not understand the true Yosemite situation and the efforts being made to reduce its "urbanization."

In fact, Yosemite National Park today attracts more than 2.5 million visitors annually and most of them spend some time in Yosemite Valley. The Valley has been overdeveloped and over-commercialized for many decades, the Park Service has begun to phase out non-essential visitor services and commercial facilities, and to restore the Valley to its natural setting. By the year 2000 I am convinced it will once again be a remarkably beautiful and natural place. It is quite astounding that the Park Service is able to handle the number of visitors it receives in Yosemite with so little impact on the landscape.

3. I strongly endorse the legislation introduced by Senator Alan Cranston to establish a Big Sur National Scenic Area. The legislation is sensitive to the need to protect and preserve the lifestyle of the residents of Big Sur. In fact, if this bill is passed, the people who moved to the region to enjoy its spectacular beauty and unique way of life will have that ambition fulfilled permanently, not just for another three or four years, or until the residents are overwhelmed by a rising tide of development and tourism.

As a longtime member of various conservation and environmental groups and a private citizen with an intense devotion to the natural scene and all it represents to people in all walks of life, I would *strongly oppose* any significant deviation from the proposed legislation by Sen. Cranston. It is very close to the bare minimum necessary to assure the preservation of Big Sur.

4. Opponents of this important legislation seem adamant in their opinion that no change should be made in the present management and control of the area: that Big Sur will take care of itself, so to speak, and that government intrusion would be a catastrophe for all concerned and for the area itself. I have come to the conclusion that no matter how well-

Area and we are now in the process of reviewing the issues presented by this legislation.

Mr. Chairman, we feel that an analysis of this area requires us to ask two important questions about how to proceed. First, are the current planning and land use control processes now underway effective? For example, the State and the local government's coastal protection program which is implemented in accordance with the Federal Coastal Zone Management Act, is designed to address many of the objectives of this bill. I understand that the local plan for Big Sur is still in preparation. We need to carefully consider the impacts of enacting new Federal legislation which would override the existing coastal zone management process before it has had a full opportunity to demonstrate whether its proposals will afford the necessary protections for Big Sur.

Second, do we have a reliable assessment of the overall costs to the taxpayer that will ultimately be required to accomplish the protections for Big Sur? The potential cost of Federal assumption of responsibilities may be substantially in excess of the \$100 million authorized in S.2551. Our review, Mr. Chairman, will include a look at these potential Federal costs in comparison to the additional national values which we would acquire. We will also be reviewing the merits of other types of

intentioned they are, private individuals are virtually powerless in the face of "development and exploitation." I do not believe the good people of Big Sur realize the impending threat to their land and their way of life. They live in the euphoria of the present; I join them in *wishing* this euphoric condition could continue but I am certain it will not, unless firm and responsible legislation is passed by this Congress.

I believe it illogical to assume the Big Sur region will remain for long as it is now, protected by the zeal and effort of its citizens. There is no pressure like the pressures of development; we cannot wish them away. I refer you to the very sad state of Lake Tahoe in east-central California. I remember Lake Tahoe as it was 15 or 20 years ago, a shining jewel in the Sierra Nevada. At various locations along its shore it was developed, but in an acceptable manner: country estates, summer homes and camps and appropriate business-service enterprises. The lake was clean and the air pure. The surrounding shores, while not of true wilderness character, were very beautiful and relatively natural and wild.

Then came the "development" phase, literally before most of us realized what was happening. Large quasi-urban elements were introduced; motels and hotels in profusion, gambling casinos, high-rise structures and vastly increased commercial traffic. The character of the area changed in a surprisingly short time. The waters of the lake are now seriously polluted, air quality suffers and bona fide residents of the area and the citizenry at large are profoundly disturbed. The state governments (California and Nevada) have failed miserably in their obligation to the people at large and to the land. Lake Tahoe *could* yet be restored as a reasonably well-protected ecosystem, but only at an astronomical cost to the taxpayer.

Without federal management, I can foresee a similar fate for Big Sur. There are ample opportunities for extensive and spectacular development; motels, hotels, condominiums, private homes, shopping centers and all the evidences of urban and suburban civilization. Remember, Big Sur is only about 150 miles from San Francisco, 75 miles from Salinas and about as far from Los Angeles as Lake Tahoe is from San Francisco. The enticements are great and I refuse to be duped into thinking that a suitable amount of invested money could not exert a powerful degree of influence which would result in a substantial degradation of Big Sur.

I am concerned for those residents who do not believe this can happen. Right now there are plans to log old-growth redwood in beautiful Bixby Creek Canyon in the very heart of the Big Sur. This could occur as early as this summer. In addition, the Granite Rock Company plans to cut a new pit mine out of the top of magnificent Pico Blanco, one of the most impressive mountains in the Big Sur coastal range.

I do not wish to impugn the motives of the opponents of federal protection of Big Sur. It is clearly their right to speak out, though I resent the personal attacks that have been leveled at me and the amount of misinformation that has been spread. I do not believe that the majority of the people in Big Sur will lose their property if the Cranston Bill becomes law, any more than I believe that I or my neighbors in the Carmel Highlands area shall be "condemned" because of this legislation, despite rather far-fetched innuendos to the contrary.

I am distressed that the Big Sur problem has been inflamed by addressive attitudes and pronouncements exceeding the bounds of accuracy, statements that overlook the extraordinary achievements of our government agencies, while nit-picking at the occasional and perhaps inevitable errors and actions of individuals that work for those agencies (which no clear-thinking person would condone). This has confused and distorted the debate over the really important issue at stake — the preservation of a remarkable region and its culture.

In closing, I wish to make it clear that I am profoundly concerned with two aspects of the Big Sur problem:

1. The preservation of its extraordinary beauty for our time and for the generations to come; and
2. The continuation of the lifestyles of the residents and landowners and their descendants.

In the words of Isaiah: "Come now, let us reason together."

protection strategies including less than fee acquisition, and cost sharing. There are a number of alternative types of management and protection approaches with various levels of Federal and State involvement that ought to be investigated. In this way, we will be more sure that the ultimate protection strategy for Big Sur does the job as efficiently and effectively as possible.

In conclusion, while I have raised questions concerning the bill, I want to assure the Committee that the Administration acknowledges the beauty and uniqueness of Big Sur. We intend to provide the Congress with our help and recommendations to assure that this area receives adequate protection from overdevelopment and other uses that could forever destroy it. The Department of Agriculture will also continue to work closely with the State and County to coordinate the applicable portions of the Los Padres National Forest resource management plan with the local coastal plan currently being developed to help us identify answers to the questions we have raised. We recognize that we will require some additional time to make our determinations, however, we will work as expeditiously as possible to complete our analysis.

Mr. Chairman, this concludes my prepared statement. I will be happy to respond to any questions that you and the members of the Committee may have.



ANSEL ADAMS

TESTIMONY OF THE BIG SUR COAST CITIZENS' ADVISORY COMMITTEE, MONTEREY COUNTY, CALIFORNIA, BEFORE THE SUBCOMMITTEE ON PARKS, RECREATION AND RENEWABLE RESOURCES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES ON S. 2551, A BILL TO ESTABLISH THE BIG SUR COAST NATIONAL SCENIC AREA, ON APRIL 24, 1980.

Mr. Chairman, Members and Guests of the Subcommittee, My name is Roger Newell. I am Chairman of the Big Sur Coast Citizens' Advisory Committee, the appointed local planning body.

In 1975, the Monterey County Board of Supervisors created the Big Sur Coast Citizens' Advisory Committee to act as a forum for local public input, and for broad public participation in the planning process.

The Committee was further charged to gather creative and useful ideas that would be consistent with the framework of the California Coastal Act of 1976. The Committee was encouraged not to limit itself to only those planning considerations set forth in the County's Work Program, but to present any ideas it felt were worthy of discussion in preparing a revised plan for the Big Sur Coast.

The Board of Supervisors went on to state: "Be it resolved, that the County urges all interested parties and government agencies to cooperate with the work of the Citizens' Advisory Committee and the County LCP staff to assure that the revised plan reflects a broad-based consensus of local, statewide and nationwide concern."

This Committee is made up of nineteen appointments who are residents of the seventy-mile-long Big Sur Coast planning area. They include large and small landowners, non-landowners, agriculturalists and business people, employers and employees, engineers and carpenters, a film writer and an attorney, waiters and a motel clerk, a highway officer and a retired military officer. This group has geographical representation from Palo Colorado Canyon, on the north, to Willow Creek on the south. Among the membership of the Citizens' Advisory Committee are two members of the steering committee of the Friends of the Big Sur Coast, two trustees of the Big Sur Foundation, three trustees of the Big Sur Land Trust, members of the Big Sur Coast Property Owners Association, the Big Sur Grange, the Big Sur Chamber of Commerce, and members of the Sierra Club, the Wilderness Society, Friends of the Earth, and the Audubon Society. More than four hundred years of living experience on the Big Sur Coast are brought into the planning process by the membership of this Committee.

Although the Local Coastal Program (LCP) is incomplete, the philosophy by which it is being developed, at this time, is available to you in the attached materials. Included are the following items:

1. **Resolution No. 79-183** from the Board of Supervisors for the County of Monterey, which defines the purpose of the Citizens' Advisory Committee;
2. **Big Sur Coast LCP — Critical Planning Policies** prepared by the Monterey County Planning Department;
3. **Endorsement: Big Sur Coast LCP — Critical Planning Policies** by the Citizens' Advisory Committee;
4. **Planning Choices for the Big Sur Coast** which announces a series of informational meetings the Citizens' Advisory Committee scheduled for the coastal community;
5. **Forum: A Practical Planning Solution for the Big Sur Coast — Historical Perspective**, a one-page handout distributed at our March 8, 1980 meeting to hear the expression of various national interest viewpoints on Big Sur;
6. **Resolution: C.A.C. Position on Legislation**, and
7. **Discussion Draft: Legislative Proposal for Management of the Big Sur Coast**, a Citizens' Advisory Committee recommendation on a management council concept.

We feel that everyone here today is interested in the preservation of Big Sur.

In our support for a strong Local Coastal Program which

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NEWELL

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reflects all interests — including the national — the Citizens' Advisory Committee adopted on March 11, 1980 the following resolution: "The Big Sur Coast Citizens' Advisory Committee endorses the recommendations and policies contained in the Monterey County Local Coastal Program (LCP) background reports, with the modifications suggested by the C.A.C., as the Committee's position on the preservation of the Big Sur Coast and as its proposed basis for all Big Sur Coast planning and regulatory authority for all levels of government."

If there is to be federal legislation, the Citizens' Advisory Committee recommends a management council concept for the following reasons:

- It builds upon the Federal Coastal Zone Management Act of 1972, and the federal monies already spent for the coastal planning process;

- It develops an in-place management program that is cost effective;

- It provides equal protection for both national and local concerns;

- It utilizes local knowledge and resources in the management process;

- And it assures the continuity of the local community and its self-reliant lifestyle.

Thank you for inviting us to share our planning concerns as an advisory committee with you.



ROGER NEWELL AND PAUL VIEREGGE

STATEMENT OF PHILIP M. BATTAGLIA, PARTNER OF THE LAW FIRM OF FLINT & MAC KAY, ATTORNEYS FOR THE HEARST CORPORATION

Before the United States Senate Subcommittee on Parks, Recreation and Renewable Resources, Dale Bumpers, Chairman, April 24, 1980

THE HEARST RANCH PROPERTY ADJACENT TO THE BIG SUR COASTLINE IN CALIFORNIA SHOULD NOT BE INCLUDED IN THE BIG SUR NATIONAL SCENIC AREA

I. INTRODUCTION

The Hearst Ranch is located in the Northwestern corner of San Luis Obispo County, California. The 77,000-acre holding has been under the same private ownership for over 100 years and is now, and always has been, almost completely devoted to an agricultural usage, primarily grazing operations. The property itself is characterized by rolling hills backed, over a mile inland, by the Santa Lucia mountains. The Hearst Ranch coastline is traversed by Highway 1 which runs on a relatively level grade winding in and out with the contours of the shoreline. The character of Highway 1 on the Hearst Ranch, as well as the coastline itself, is not at all unique in California inasmuch as most all of the Central California coastline between Santa Barbara and Big Sur is characterized by the same gentle rolling hills and winding relatively level roadway.

The Big Sur shoreline, on the other hand, is entirely different in scenic character and natural beauty. Big Sur is characterized by high mountain ranges dropping directly off into the sea with jagged rock formations and dramatic forests almost literally reaching to the cliff's edge overlooking the white water of the Pacific Ocean. Highway 1 in Big Sur is in large part cut out of those cliffs being characterized by steep up and downhill grades and very sharp turns. This distinct and scenically unique area in California is publicly known to the coastal visiting public as the "Big Sur Coast."

Moreover, the Big Sur Coast near Monterey proper contains some 800 to 1000 subdivided, but presently undeveloped lots under separate ownership, all of which must be controlled and dealt with in a piecemeal fashion by the responsible state or local conservation agency. On the other hand, the Hearst Ranch is under single ownership and presents only one undivided interest to deal with and therefore needs no federal controls to be effectively dealt with.

In short, the area known as the Big Sur Coast shoreline is highly distinguishable in public's eye from both a natural and national resource point of view from the more common California coastline characteristics represented by the Hearst Ranch and most of the remaining Central California coast.

The Hearst Corporation takes the position that the Hearst Ranch is a totally *unessential* property to be included in the Big Sur National Scenic Area for the following fundamental reasons:

1. Inclusion of the Hearst Ranch in the Big Sur National Scenic Area is *unessential* to assure the protection and preservation of the nationally significant and distinctly different Big Sur Coast shoreline which does extend to the Hearst Ranch;

2. Inclusion of the Hearst Ranch in the Big Sur National Scenic Area is an *unnecessary* duplication of a pre-existing statutory protection alternative in the form of the stringent and effective controls imposed by the California Coastal Act of 1976; and

3. The Hearst record of private stewardship over its property conclusively demonstrates that the highest priority has and will continue to be given by Hearst to protection of agricultural viability, conservation and thoughtful land use planning.

These points will be discussed in greater detail below with a

view towards demonstrating the *complete inapplicability* of the "Big Sur Coast National Scenic Area Act" to the inclusion of any portion of the Hearst Ranch within the Scenic Area.

Again, I place maximum initial emphasis on the obvious fundamental distinction between the natural resource characteristics and national interest of the unique Big Sur Coast shoreline and the shoreline in the Hearst Ranch which is typical of the rest of the Central California coastline. We feel this point is self-evident to all those familiar with the area and is readily demonstrated by the public coastal visitor's perception of "Big Sur" as beginning well north of the Hearst Ranch and ending in Monterey.

II. INCLUSION OF ANY PART OF THE HEARST RANCH IN THE BIG SUR NATIONAL SCENIC AREA IS UNESSENTIAL TO THE PROTECTION AND PRESERVATION OF THE BIG SUR AREA

As was stated in the recent Report by the Comptroller General investigating the federal government's insatiable appetite to acquire unnecessary private land, federal agencies all too often "follow the practice of acquiring as much land as possible *without regard to need* and alternatives to purchase . . ." (Comptroller General's Report to the Chairman of the Subcommittee on National Parks and Insular Affairs, House Committee on Interior and Insular Affairs, *The Federal Drive to Acquire Private Lands Should be Reassessed*, dated Dec. 14, 1979 at page i, hereinafter referred to as "Comptroller General's Report.") As a result of this policy, many "lands have been purchased *not essential* to achieving project objectives . . ." (Comptroller General's Report at page i, emphasis added.) The Hearst property is precisely such a parcel for which there exists absolutely no justification or need for federal purchase, plainly and simply because it is *not essential* or related to the accomplishment of the objectives of the "Big Sur National Scenic Area Act." The strongest rationale thus far suggested for inclusion of the Hearst Ranch in the Scenic Area is that such inclusion would be "nice, but not necessary." This type of reasoning does not constitute "*a critical determination of need*." (Comptroller General's Report at page 9.)

The findings and declarations in Section 2 of the Act describe with some specificity the value of the *Big Sur Coast* as the "longest and most scenic stretch of undeveloped coastline in the contiguous 48 states," "one of the nation's heavily visited scenic areas," "the most beautiful scenic drive in the United States," etc., etc. In *each* of these findings and declarations, references are made specifically to and only to the *Big Sur Coast*. The Hearst property is not part of the Big Sur Coast and, indeed, is highly distinguishable from the Big Sur Coast both in the public eye and in terms of natural resource content and characteristics.

The accomplishment of the laudable objective of preserving and protecting the Big Sur Coast is in no way dependent upon or related to including the Hearst Ranch in the Big Sur National Scenic Area. As will be demonstrated below, the nature and quality of the proposed, very minimal non-agricultural uses of the Hearst Ranch will only encourage and promote the preservation and protection of the Big Sur Coast and thereby materially assists in accomplishing the objective of S2551 objectives. Hearst plans to develop primarily coastal visitor serving facilities on its property which will only lighten the load on and demand for the same facilities in the Big Sur Coast.

Inclusion of the Hearst Ranch property within the National Scenic Area boundary is precisely the type of acquisition practice criticized in the Comptroller General's Report. As stated therein, "the prime criteria for acquiring land appears to be the availability of funds and opportunity to acquire, rather than *the critical determination of need*." (Comptroller General's Report at page 9, emphasis added.) Moreover,

federal government agency practices have often-times been that of "buying everything within the project boundaries or as much as the law allowed *without determining whether the lands were essential to achieve project objectives*." (Comptroller General's Report at page 9, emphasis added.)

In light of the above-noted concerns raised by the Comptroller General's Report as well as the potential and existing local opposition to the expansion of federal acquisition programs to include unnecessary and unessential properties, the following statistics, we believe, conclusively establish that extension of the National Scenic Area designation to the Hearst Ranch property is folly. Over one-third of the land of the United States is owned by the federal government and, in California alone, the federal government already owns 44 percent of the state. Indeed, a map of the United States provided on page 2 of the Comptroller General's Report shows an astonishing concentration of federally owned land in the Western United States with the Report specifically stating that more than 90 percent of the federally owned land is in the 13 western states. (Comptroller General's Report at page 1.) It would seem that these statistics alone mandate the Subcommittee's scrutiny of any proposed additional federal acquisitions in the Western United States and, particularly, in states like California where so much property is owned by the federal government already. Again, this scrutiny must be directed towards that "*critical determination of need*" which was so aptly emphasized in the Comptroller General's Report. (Comptroller General's Report at page 9.)

With reference to the Hearst Ranch specifically, therefore, we urge that there can be, and has been, no demonstration of any need whatsoever for inclusion in the Big Sur National Scenic Area. The property is entirely distinguishable from the publicly known "Big Sur Coast" itself, the target area of the Act's objectives, and has been under the same private ownership for over 100 years during which carefully planned efforts have been taken and will continue to be taken to preserve and maintain the agricultural and open space integrity of the Ranch as will be shown below. In sum, once that critical question of need is considered, we feel there is no alternative to the conclusion that the Hearst Ranch is totally unessential and is altogether unrelated to the project objectives of preserving and protecting the Big Sur Coast as proposed in the "Big Sur Coast National Scenic Area Act."

III. INCLUSION OF THE HEARST RANCH PROPERTY IN THE BIG SUR NATIONAL SCENIC AREA IS UNNECESSARY, DUPLICATIVE AND ILL ADVISED IN VIEW OF THE EXISTING CONTROLS IMPOSED BY THE CALIFORNIA COASTAL ACT OF 1976

Federal protection and preservation of scenic property on the Hearst Ranch coastline, if not the Big Sur Coast as well, is totally unnecessary in view of the stringent, effective and enforceable restrictions of the California Coastal Act of 1976. (California Public Resources Code § 30000 et seq.) [Note, all Sections of the California Public Resources Code cited herein are included within Exhibit I attached hereto.] In fact, officials of the California Coastal Commission have stated clearly and unequivocally to representatives of Hearst that "inclusion of the Hearst Ranch within the project boundary is neither necessary nor logical!"

In 1972, the voters of the state of California passed an initiative known as the "California Coastal Zone Conservation Act." Based on the authority of this interim initiative, the California Coastal Commission prepared an extremely detailed "Coastal Plan" including an inventory of all coastal resources in California and recommendations as to their protection and preservation to be implemented in the permanent Coastal Act which followed. The California Legislature then enacted the Coastal Act of 1976 which makes specific and

detailed provisions protecting and preserving all coastal resources including scenic and visual qualities within coastal areas such as the Hearst Ranch. (See California Public Resources Code § 30251.) *Over and above the pre-existing city and county zoning powers, which also directly restrict California's developments, the Coastal Act of 1976 superimposed a level of government consisting of the state Coastal Commission, numerous Regional Commissions, and mandated the development and implementation of Local Coastal Programs by each county with property in the coastal zone.*

Throughout the country, the Coastal Act of 1976 is considered to be one of the most restrictive laws ever enacted subordinating the development rights of private property owners to coastal conservation. It is one of the most resource protective pieces of legislation existing in the world. The powers of the Coastal Commission in California are more than adequate to effectively and perpetually accomplish goals and objectives identical to, if not more comprehensive than those proposed by the "Big Sur Coast National Scenic Area Act."

There is indeed, a surprising and extremely relevant similarity between the findings and declarations of the California Legislature in enacting the Coastal Act of 1976 and those proposed in S2551. California Public Resources Code § 30001 expressly declares that the permanent protection of the state's natural and scenic resources within the coastal zone are of paramount concern to present and future residents of the state and nation. This similarity and a review of the statutory powers included in Exhibit I and delegated to the state Coastal Commission under the Coastal Act of 1976 conclusively establish that no new federal regulation with identical goals and objectives need be superimposed over the pre-existing and adequate structures of the Coastal Act of 1976.

Another noteworthy and highly relevant similarity appears between the Coastal Act of 1976 and the "Big Sur Coast National Scenic Area Act." As noted above, the voters of the state of California initiated in 1972 a coastal planning process which required the development of a "Coastal Plan" for the entire state virtually identical to the "comprehensive plan" envisioned by the "Big Sur Coast National Scenic Area Act" in Section 6(a). However, the planning objectives of the voters in California have already been *actually* implemented in the form of the Coastal Act of 1976 which is, of course, present and enforceable state law. (See former California Public Resources Code Section 27000 et seq.) Each and every concern in the "Big Sur Coast National Scenic Area Act" (including, but limited to, land acquisition plans, visitor transportation systems, public access, resource protection and management, public information, scenic view preservation, natural and cultural resource protection, etc., etc.) has already been addressed by the California Coastal Commission in the greatest of detail in the "California Coastal Plan" and Coastal Act of 1976. It is clear, therefore, that the "comprehensive plan" envisioned by the "Big Sur National Scenic Area Act" is not only an unnecessary, direct duplication of successfully completed efforts by local and state planners, but also it is a plan intended to protect and preserve resources already effectively protected and preserved by the Coastal Act of 1976.

As can be seen from the above noted provisions of state law, the California coastline is, in fact, thoroughly protected in a manner fully in accord with the spirit and letter of the proposed "Big Sur Coast National Scenic Area Act." While the Big Sur Coast is itself more unique as compared to other areas of the California coastline, the coastal resources of the Hearst Ranch are nonetheless completely and clearly protected from indiscriminate and poorly planned development by the provisions of the Coastal Act of 1976 as outlined above. (As will be shown below, the land management history of the Hearst Ranch is, if anything, much more conservationist than most and, indeed, a record of unusual environmental achievement.)

Again, and most importantly, officials of the California Coastal Commission have stated clearly and unequivocally to representatives of Hearst that "inclusion of the Hearst Ranch within the project boundary is neither necessary nor logical!"

IV. AN ANALYSIS OF THE 115 YEAR HISTORY OF HEARST MANAGEMENT AND STEWARDSHIP OF ITS RANCH PROPERTY

The history of the Hearst ownership and management of the Ranch area discloses a consistently generous policy of granting rights to the people of the state to enjoy the open space, coastlands, and general pastoral quality of the area. In 1865, Senator George Hearst acquired the original 40,000 acres of San Simeon. Under Senator Hearst's direction, the small port of San Simeon was improved to provide service to coastal steamers. Upon the death of Senator Hearst and his wife, Phoebe, William Randolph Hearst assumed responsibility for the operation of the ranch. It was under William Randolph Hearst's control that the ranch attained its largest size of 256,000 acres. In 1941, over half of the ranch (164,000 acres of the eastern portion) was sold to the federal government for use as the Hunter Liggett Military Reservation. (It should be specifically noted that the military base is also intended to be assimilated as part of the proposed Big Sur Coast National Scenic Area.)

In 1919, the construction of the Hearst Castle was commenced as a memorial to William Randolph Hearst's mother, Phoebe. The Castle, "La Questa Encantada," is comprised of various buildings, well landscaped grounds, gardens, two of the most beautiful swimming pools ever constructed, and four magnificent edifices. The buildings consist of the main

building, known as "Casa Grande," with three exceptional houses known as "Casa del Mar," "Casa del Sol," and "Casa del Monte." The buildings and surrounding grounds were designated to house the multitude of antiques and art objects which Mr. Hearst had collected over many years from assorted places around the world. The castle is a public attraction of worldwide fame, construction having taken place during the period from 1919 to 1947 at a cost of approximately \$7,000,000.

In 1958, the castle was given to the people of the state of California and dedicated as the Hearst Historical Monument. Significantly, the monument has proven to be the only consistently profitable State Park in operation in California attracting over one million coastal area visitors each year.

Hearst has made numerous other gifts to the people of California exhibiting the continuing commitment of the property owner to utilize its property to provide the public with the maximum recreational, educational, visual and scenic experience possible consistent with resource protection and maintenance of its agricultural operation. For example, early in the 1950s, public interest was expressed in acquiring land in San Simeon Cove for the purpose of building a pier and related facilities. Hearst in 1951 conveyed by gift 3.8 acres, including 800 feet of beautiful beach frontage, to the county of San Luis Obispo for a public recreational area and as a site for the building of a public pier. Additionally, the Hearst Corporation donated to the state of California San Simeon Beach containing 2.36 miles of beach frontage as well as Hearst State Park containing 1.6 miles of beach frontage. The above comprise only the most well known gifts made to the people of California. Numerous other rights of way and easements have been granted to various governmental bodies, agencies and districts over the years in furtherance of the general Hearst policy of assistance and cooperation with responsible agencies in the area.

In the late 1950s and early 1960s, the corporate policy on maintenance and preservation of the ranch property was set forth in a memorandum entitled *The Hearst Ranch, San Simeon, Plans of the Hearst Corporation for its Future*, wherein it was emphasized that "the keynote of the plan is preservation of this property and its scenic coastline for posterity, giving due consideration to public service rendered by public enterprise. It will be developed according to our conception of the vision of William Randolph Hearst and his father, Senator George Hearst, in acquiring and holding intact and unspoiled these vast holdings."

However, by the mid-1960s, increased pressures on Hearst were generated by various state and local agencies to cut up the ranch, or otherwise dispose of it in manners inconsistent with its established agricultural mode. Most notably, the California Department of Public Works proposed the construction of a four-lane expressway through the property along the coastline. The Hearst Corporation successfully resisted this proposal and, as a response thereto, caused to be prepared and filed a General Plan in the county of San Luis Obispo for the proposed future development of the Hearst Ranch. The General Plan was prepared by the prominent planning firm of Wilsey, Hamm & Blair and, after appropriate hearings in the county, was accepted and filed as the General Plan for the Hearst coastal property known as the *Piedras Blancas Plan*. The plan outlined the maximum development of the Hearst Ranch coastline and coastal plateau in high density residential development. However, the plan was intended only as a defensive measure in response to the then existing pressures being exerted towards piecemeal development and other uses of ranch property inconsistent with the Hearst objectives noted above. Even though the approved county General Plan for the property allowed high density residential development

throughout the ranch, an obviously attractive prospect financially, Hearst always rejected this opportunity in favor of voluntarily holding the ranch intact and unspoiled.

County officials in San Luis Obispo have consistently expressed their gratitude that Hearst had the foresight to "hold" the property and not "force" development even though this was in an era when subdivision and development was in vogue. In 1975, the county of San Luis Obispo re-evaluated the *Piedras Blancas Plan* noting the total lack of any development pursuant thereto. Although the Hearst Corporation had no immediate development schedule for the ranch, Hearst felt it appropriate to restudy the *Piedras Blancas Plan* in light of the policies and standards outlined in the Coastal Act of 1976 and work with the Planning Department and Coastal Commission staff to develop an environmentally and economically sound proposal for the 1980s and 1990s.

In restructuring its land use plans, the Hearst Corporation again sought a framework that would maintain the open space nature of the ranch. It was felt essential that the recreational, visual and scenic qualities of the area be preserved. The Hearst Corporation subsequently retained the services of two environmental planning and land use consulting firms for the purpose of preparing a new plan which would show the complete development options of the ranch after giving full consideration to each and every relevant environmental constraint and opportunity.

After two years of study, the Envicom Corporation produced an exceedingly detailed environmental inventory of the entire ranch, entitled *Hearst Ranch Environmental Data Base*. The Data Base has been considered by most public agencies and staff that have reviewed it to be the most in-depth environmental analysis done of any coastal landholding in California.

The second firm, Wallace, McHarg, Roberts & Todd of Philadelphia, Penn., used the data base inventory to generate a "development suitability" plan for the entire Hearst Ranch. This plan delineates each possible form of development on the ranch that would not unreasonably interfere with the environmental constraints outlined in the Data Base. The development potential of the Hearst Ranch provided the Hearst Corporation with parameters within which it had to work in selecting development options realistically pursuable. It was from these options that Hearst selected six (6) itemized projects, known as the Hearst Ranch Land Use Plan, Phase I, to be implemented over the next 15 to 20 years, and utilizing for actual development the infinitesimal amount of seven one hundredths of one percent (.07%) of the total ranch acreage. Moreover, these selected options represent the two highest priority uses of coastal property under the Coastal Act of 1976, agriculture (99%) and coastal visitor serving facilities (.07%). These uses are, of course, of similar highest priority in Senator Cranston's Act. A detailed exposition of the Phase I Plan is set forth in the document *Highlights of the Hearst Ranch Land Use Plan, Introduction*, a copy of which is attached as Exhibit II to this statement.

The objective of the Hearst Corporation in preparing its plan is to provide a full range of experiences and facilities to coastal visitors. All structures will be of a low-rise nature and all development will be coastal visitor-serving in nature. Although the Hearst Corporation recognizes the real need to provide facilities for coastal visitors, that objective is wed to the equally important goal of not jeopardizing the viable agricultural operation presently existing on the ranch and protecting its environmental resources.

Hearst respectfully submits that its own historically proven and currently implemented land management policies obviate the necessity of additional protective measures at the federal level as proposed by Senator Cranston.

V. CONCLUSION

The Hearst Corporation recognizes and appreciates the many efforts that have been extended over the years by Senator Cranston and his staff on behalf of sound coastal land management, specifically, in this case, the Big Sur Coast. Based upon several years of experience working with the staff and the members of the California Coastal Commission, the Hearst Corporation also appreciates their concern for a proper balance between protection of the coast, development of coastal visitor-serving facilities, and protection of existing agricultural operations. While the Big Sur Coast is a valuable and distinct resource, clearly no part of the Hearst Ranch is logically related or necessary to the protection of this resource.

Moreover, in the present situation, it would seem to Hearst that with a state of California mandated Local Coastal Program (developed by the county of San Luis Obispo) and with continued firm administration of that program by the California Coastal Commission, there is no need for the intrusion of the federal government into areas presently and adequately protected under state law. *Such interference with the sound planning practices of the California Coastal Commission, the county of San Luis Obispo and the Hearst Corporation is inappropriate, excessive and unjustified.*

On behalf of the Hearst Corporation, I express appreciation to the subcommittee and its chairman for having been afforded the opportunity to present my views relating to this important subject. I respectfully request that this statement and attached exhibits be included in the record of this hearing and further request leave of the chairman to submit such further materials for the record as we may deem appropriate and necessary under the circumstances.



CONGRESSMAN JERRY LEWIS

Around Washington...



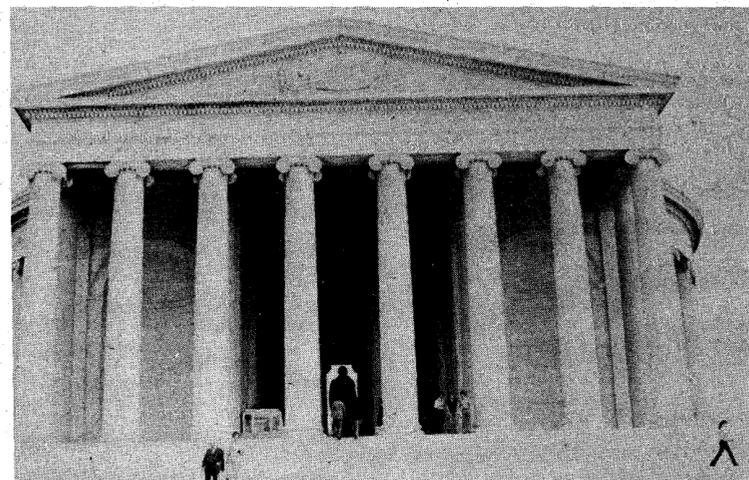
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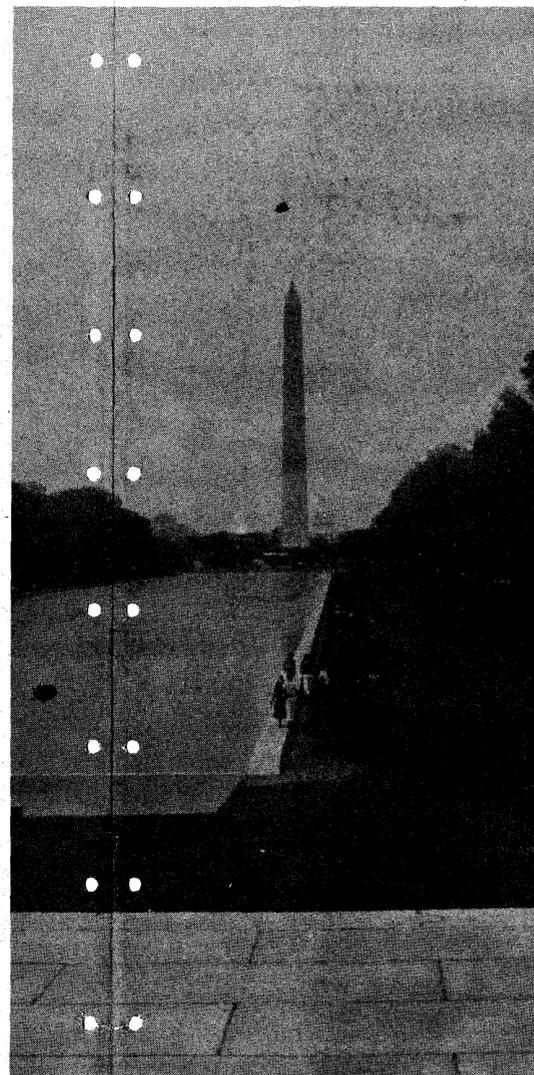
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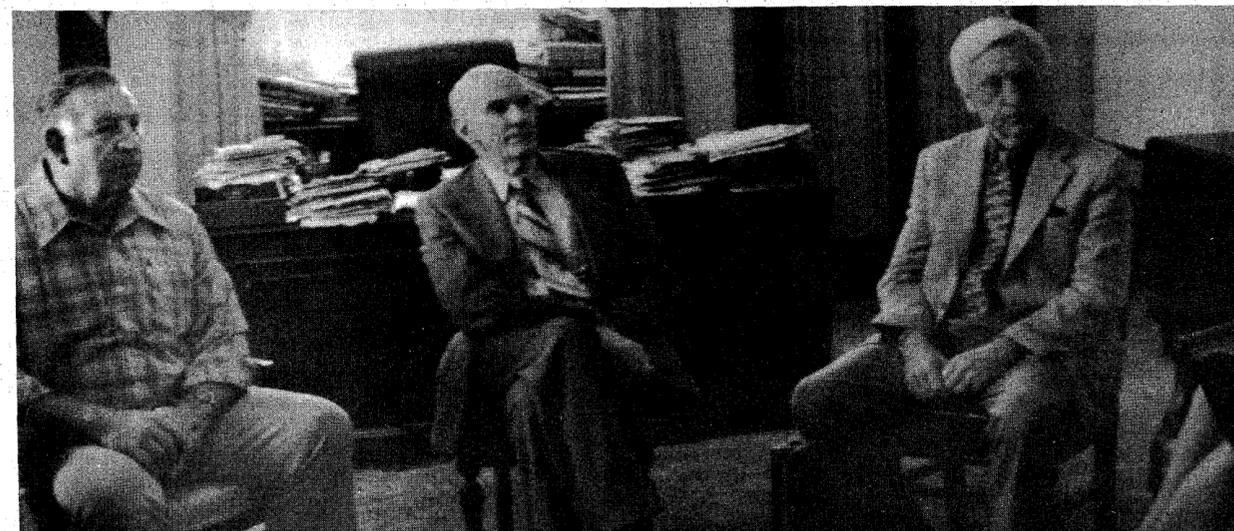
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THE WASHINGTON MONUMENT



ROSEMARY CRAVEN, JAMES JOSOFF, CLAIRE CHAPPELLET, HOWARD SITTON ...



FRANK TROTTER, HOWARD SITTON and others not shown with the Big Sur delegation meet with Sen. Alan Cranston.



PAT CHAMBERLAIN, BARBARA CHAMBERLAIN & FRANK TROTTER meet with Congressman Leon Panetta



FRED FARR

STATEMENT OF FRED S. FARR
MR. CHAIRMAN, MEMBERS OF THE COMMITTEE:

My name is Fred Farr and I am an attorney and resident of Carmel, Calif., and a landowner in Big Sur. I am appearing here today as a member of the Board of Directors of the Big Sur Foundation, a California tax exempt non-profit corporation whose purpose is to find some long range and hopefully permanent and meaningful answers to the many problems plaguing the 100 miles of coastland south of Carmel that we call Big Sur.

Our foundation's board of directors includes: world famous photographer Ansel Adams, who speaks here today for himself; Miss Julie Packard, whose father, David Packard, is a Big Sur landowner; Myron Etienne, the foundation's attorney who represents many of the landowners on the Coast; Mrs. Virginia Mudd, a Big Sur resident; Will Shaw, our foundation's president, who is an architect and part-time Big Sur resident; and Kenneth Wright, a Big Sur resident and California Highway Patrolman. Here with us today is the Big Sur Foundation's able Executive Secretary, Saunders Hillyer, a native of the District of Columbia, a former Forest Service smoke jumper, a former Peace Corp volunteer and a former staff member of the California State Coastal Commission and a lawyer. He will discuss in detail our foundation's proposed changes.

What is called the Big Sur is an unincorporated area of land in Monterey County south of Carmel and north of the Hearst Castle. Big Sur consists of mountains and sea of unsurpassed beauty suspended between 4,000-foot peaks and the rugged Pacific Ocean. A ribbon of highway along the cliffs provides access to the Big Sur and enables millions of tourists from throughout the world to enjoy its splendor. I will leave it to Ansel Adams to describe the scenic qualities of this coast so well documented in his magnificent photographs.

My own involvement with Big Sur dates back many years. From 1955 through 1966, I was a state senator. The Big Sur Coast was in my district. In 1960 I was able to get the legislature to remove Highway 1 from the Master Plan of Freeways in California. In 1965 the legislature approved my bill establishing California's State Scenic Highway Program. In 1966 Lady Bird Johnson, Secretary of the Interior Stewart Udall and California's Governor Pat Brown, in a ceremony near the Bixby Creek Bridge, dedicated Highway 1 as California's first official State Scenic Highway.

I served here in Washington 1967-69 as the National Coordinator of the Highway Beautification Program and for seven years I was a State Senate-appointed member of the California State Coastal Commission. I own 100 acres of land in the Big Sur and a group of us in 1978, including our foundation's president, Will Shaw, made a partial gift and partial sale of 4,000 acres of our Big Sur land to Nature Conservancy. It is now a University of California Natural Reserve.

Mr. Chairman, our Big Sur Foundation supports the Cranston bill. We believe that it points in the right direction. There is both a local interest and a national concern involved in getting permanent protection of the rural scenic beauty of the Big Sur Coast. After considerable study our foundation is convinced that neither our county government nor the state of California can provide this protection, for it has neither the staffing nor the funding to do the job.

Mr. Chairman: You will hear much today about the local interests of the Big Sur residents which our foundation recognizes and appreciates. Many Big Sur residents are members of an organization called "Friends of the Big Sur;" other residents are not. Let us set the record straight. All of us here from Monterey County, whether in support or in opposition to the bill, are friends of the Big Sur, otherwise we would not have taken the time, made the effort involved, or incurred the expense to travel 2,500 miles to come here and talk about our much-beloved Big Sur Coast. The Cranston bill and this

hearing make it possible for all views to be put before you.

What is the national interest is your concern and to that I momentarily speak. By far the biggest landowner and land manager in the Big Sur is the U.S. Forest Service with over 170,000 acres in the Ventana Wilderness of the Los Padres National Forest. These forest lands attracted over 200,000 people last year. Both our State Parks and National Forest facilities are up to 90 percent capacity in the summer months. While hiking, camping, picnicking, walking and bicycling are the heavy active recreational uses of the land, most visitors to the Big Sur area know of its amazing beauty from the window of an automobile. Nearly three million motorists last year traveled the narrow, twisting two lane rural road from Carmel to the Hearst Castle at San Simeon. What these tourists see from their car — the unsurpassed, unspoiled scenic grandeur of mountains, streams, redwoods — views unequaled anywhere else — is what they like, what they tell their friends about and why millions more are coming. This view is what must be protected and the Cranston bill aims to do just this.

The highway is there because a county supervisor, one Dr. John L.D. Roberts of Monterey, way back in 1915 walked 100 miles over the Santa Lucia Mountains from San Luis Obispo to Monterey. So awed was he by the scenic quality that he went to Sacramento, showed his remarkable photographs to a joint session of the Legislature, and convinced the members that there should be a road on that coast so that all might enjoy its beauties. So difficult was the construction project and so scarce the funds that it was not until 1934 that the road was completed. Ever since then people have been coming. In 1960 the boards of supervisors of both Monterey and San Luis Obispo counties by joint resolution asked that the National Park Service to establish a National Parkway in the Big Sur and in 1965 the state included the highway in its scenic highway program.

I stated earlier that both local and state efforts to protect this viewshed and other amenities of the Big Sur are failing.

Monterey County in 1962 being concerned about traffic increase on Highway 1 and buildout in the viewshed adopted the county's Master Plan to control growth. Among other things, the county limited houses to one per five acres on the coastal side of Highway 1, and one per 10 acres on the upland side.

In 1972 people all over California became alarmed at the creeping degradation and buildup on our coast. Through the state's initiative process, Proposition 20 was passed in a statewide vote. The preamble of the initiative measure among other things, provides:

It is the policy of the state to preserve, protect and, where possible, to restore the resources of the Coastal Zone for the enjoyment and succeeding generations."

In 1976 the Legislature adopted the present Coastal Act and among other things it calls for the development of a local Coastal Plan by local people. The Big Sur Citizens' Advisory Committee is here today; Roger Newell, its chairman, will tell you of his committee's work. The drafts of their report indicate that further construction in the viewshed must be curtailed or stopped entirely and landowners should be compensated where their land can't be used.

Already the Citizens' Committee is having financial problems in finishing the plan so it can be submitted to the county and state for approval. Once approved, implementing county ordinances must be enacted and this could be a long and painful process where property rights are involved.

There are not state funds to implement the planning process and with Proposition 13, the Jarvis amendment, and now Proposition 9, the new Jarvis initiative, on the ballot to cut the state income tax in half, both county and state planning departments will be hard put to carry on their normal functions, let alone administer any local coastal plan in the Big Sur.

The Cranston bill provides funds for acquiring lands from willing sellers to protect the viewshed and other essential needs of the scenic area. As large land holdings and smaller parcels break up due to deaths, marriage dissolutions and economic pressures, it is important to have an agency such as the Forest Service that has funds available to acquire such lands and when land is put to new uses inconsistent with Scenic Area protections, as a last resort, the Forest Service should have the authority to condemn.

We would suggest that the bill be amended to provide for use of the injunctive process to prevent incompatible uses, with eminent domain as a last resort. We think that the proposed boundary of the Scenic Area, particularly its eastward limits over the ridge line, needs to be carefully studied; we believe that incompatible uses that cannot otherwise be corrected be the determining factor for acquisition of private land, and that we try to keep private land in private ownership and use scenic easements to protect the viewshed rather than outright acquisition wherever feasible.

The Forest Service has performed a creditable job in its management of the Big Sur. It has worked with local residents, it has condemned no inholdings in the Big Sur and, I am told by Fritz deHoll, supervisor of Los Padres National Forest, it has condemned no inholdings in California in its history except for roads and forest trails.

Were it not for Monterey County's Coast Master Plan, and the Coastal Act, the viewshed would not be protected today. As a former legislator I know, as you so well know, how legislative attitudes change. Within a few years the composition of our board of supervisors can change. In fact, my son, a county supervisor, may be a part of the change as he now campaigns for and hopes to be elected to the state assembly.

Pressure groups may persuade the board of open up the coast, give more people an opportunity to build in the viewshed, and increase the tax base. With Supervisor Shipnuck standing guard, I don't think this will happen, but it could.

Likewise, mounting pressures in Sacramento from those who dislike the Coastal Commission may cause the legislature to repeal the Coastal Act.

Without county or state controls — with no funds to implement the planning process — there is little hope that the national interest in the Big Sur will be protected.

We need your help — we need the Cranston bill — we need it now. We can work out amendments when it gets to the House — our Congressman Panetta and our Senator Cranston have our best interests at heart.

Your favorable decision on this bill will have a profound and lasting effect on the Big Sur. We can't do the job without your help. We will appreciate your support.

**TESTIMONY OF SAUNDERS C. HILLYER
EXECUTIVE DIRECTOR
OF THE BIG SUR FOUNDATION
ON S.2551, A BILL TO ESTABLISH THE
BIG SUR COAST NATIONAL SCENIC AREA
April 24, 1980**

Mr. Chairman and Committee Members, I am Saunders C. Hillyer, Executive Director of The Big Sur Foundation. I thank you for the opportunity to testify this afternoon on behalf of The Big Sur Foundation concerning S.2551, the bill introduced by Senator Cranston to create a Big Sur Coast National Scenic Area.

The Big Sur Foundation supports S.2551 subject to certain amendments we would like to propose. These amendments would not alter the basic framework for the scenic area set out in this bill, but would further tailor it to the needs of The Big Sur Coast.

In recent years everyone who speaks about Big Sur seems to favor its protection, by which they mean keeping it the way it is today; however, good intentions are not enough. Neither are good land use plans that are never implemented. We have concluded that existing mechanisms for protecting The Big Sur Coast are incapable of doing so and that effective anticipatory action is urgently needed. The National Scenic Area proposed in S.2551 would, if enacted, provide timely, well thought-out protection that, in our opinion, would benefit the residents and property owners of The Big Sur Coast as well as the visiting public. In this testimony I shall review the bases of The Foundation's support for this bill and our proposed amendments to it.

The scenic magnificence of The Big Sur Coast places it among the most outstanding landscapes on the North American continent. It ranks second to none, not even to the Yosemite, Mount McKinley and Yellowstones included in the National Park System. The issue before this Committee is to determine the proper role and responsibility of the several levels of government and of the private sector in assuring that its natural resources and the existing character of its local communities are protected.

Most, but not all, of the basic elements needed to achieve this protection are already in place, including the regulatory framework provided by county, state, and federal governments pursuant to coastal protection programs and the management of the Los Padres National Forest, which includes within its boundaries much of the land along this Coast. However, county and state land use planning demonstrates there are problems whose solutions exceed the capabilities of the existing governmental framework and the resources available to local and state governments. These include increasing pressures for inappropriate development on private property that would degrade the view on both sides of Highway One, the need to provide fair compensation to landowners who are told they cannot build on their property, highway congestion and, perhaps most importantly, the need for effective unified management embracing the U.S. Forest Service and both the Monterey County and San Luis Obispo County portions of The Big Sur Coast.

We respectfully submit that the only way to meet these needs is for Congress to enact a legislative charter that clearly articulates the responsibility of, and the relation between, the several levels of government and the private community and that divides equitably and realistically the financial burdens of protecting this 100 miles of coast.

Protection of the scenic beauty of The Big Sur Coast and fair compensation to landowners. I have submitted for review by Committee members and staff copies of an analysis prepared by The Big Sur Foundation of the inability of county and state government to protect the visual resources of The Big Sur Coast and I now would like to summarize the problems it sketches and its conclusions. For fifty-five miles from Malpas Creek south to Limekiln Creek in Monterey County most of the land in view from Highway One is privately owned. This is also the case south of the Monterey-San Luis Obispo County line. Leaving aside the possibility of a major development such as open pit mining on Pico Blanco, we anticipate that the piece-meal degradation of the view from Highway One, which is already underway, will continue at an accelerated pace. At the same time, the existing burdens on landowners will worsen. This reflects the dilemma in which both landowners and regulators are caught. On the one hand, attempts at protecting



SAUNDERS HILLYER, FRED FARR AND ROD HOLMGREN

the extra-ordinary visual resources of The Big Sur Coast through exercise of the police power available to state and county governments results in extraordinarily severe downzoning of private property. In our opinion, this downzoning would neither give fair compensation to landowners or adequate protection to the land. In fact, attempts to protect The Big Sur Coast through regulation have already pressed, and in some cases exceeded, the constitutional limits on taking private property for public use without just compensation. What distinguishes Big Sur from other parts of the California Coast is both the value of the resource at stake and the degree of downzoning that would be required to protect the land and its beauty. Even by pressing land use regulation to its furthest constitutional limits, the visual resources of The Big Sur Coast will not be protected. Relaxation of land use regulations, on the other hand, would benefit the landowner, but would also intensify and accelerate the degradation of coastal resources. Either way, the large landholdings would be broken up and houses and roadcuts would be constructed adjacent to Highway One.

In the eight years since passage of Proposition 20 in 1972, destructive development has occurred along The Big Sur Coast as seen at Otter Cove and in the vicinity of Garrapata Creek and Rocky Point; yet this represents only the water that has spilled over the dam. The real danger is that the structure of the dam, itself, is unsound. The destructive processes at work feed on themselves. Every inappropriate development that is permitted, whether a badly sited house, a road cut, a motel or a public agency facility, saps the resolve of land use regulators to say "no" to subsequent permit applicants, while it fans the expectations of landowners. As the large landholdings break up, and as enclaves along the coast are written off because they have crossed the line separating the pristine and magnificent from the ordinary, the character and the beauty of The Big Sur Coast will be lost. Without federal reinforcement, this will happen; however, by taking effective anticipatory action now, Congress can arrest this process with a minimum expenditure of federal funds. Postponement will only result in a crisis some years hence when remedial action will be necessary. Such salvage attempts would then cost far more than the anticipatory action we seek now; yet, they would yield far less public benefit. In recognition of these and related problems, the Monterey County Planning Department recently recommended that the county explore ways to mesh local planning with federal programs and specifically referred to the Sawtooth National Recreation Area in Idaho as a relevant model.

Finally, I would like to point out that these remarks assume that the California Coastal Act of 1976 works as it is designed to work. This is not a safe assumption, for there is a growing environmental backlash in California that is concentrating its fury on the Coastal Commission. Each year the Commission has to defend itself in Sacramento against amendments designed to weaken it, and each year appointments are made to the Commission that reflect a perceptible trend towards weakened enforcement of the Coastal Act.

We submit that the fate of what many people feel is the nation's most beautiful coastline, one that is certainly the jewel in the crown of the California coast, should not be tied to the inadequate and uncertain protection afforded by the existing statutory framework.

California State Highway One and the boundaries for the proposed scenic area. For a hundred miles from Carmel south to the Hearst Castle Highway One winds its way between the Santa Lucia Mountains and the shoreline, with no practical road access across the mountain to the Salinas Valley. The presence of the mountains, highway and shoreline running between these two points define the logical northern and southern boundaries of the scenic area. The Monterey Peninsula to the north and Hearst Castle at the south are major tourist attractions. Already three million people a year drive this coast, ninety percent of whom are recreational travellers and this

figure is expected to double in the next twenty-five years. State and county reports conclude that during the four-month tourist season and on some weekends throughout the year, the highway is already at capacity. Moreover, the Hearst Ranch has proposed substantial recreational development that is projected to increase traffic on Highway One by 37%.

Studies by Monterey County and the California Coastal Commission demonstrate that effective planning for The Big Sur Coast must treat this one hundred miles of coast as a unit. Traffic entering from one end affects the congestion and use of coastal resources for the full length. Yet, this stretch of highway is divided between two counties and two Regional Coastal Commissions. With respect to the ability of the Coastal Commission and counties to cope with the limits this congestion places on residential and recreational use of the Highway, I would like to quote from a letter by Michael Fischer, Executive Director, California Coastal Commission, to Congressman Leon Panetta, dated April 17, 1980.

"Protection of Highway One's Capacity to Provide Public Access. A series of studies by State and local government agencies confirms that only limited capacity remains on Highway 1 and that projections for recreational demand indicate a doubling within 20-25 years. The Coastal Act requires that priority uses (such as recreation) not be precluded by non-priority development (mainly residential). But unless regulation is augmented by purchase, Monterey County must reserve enough capacity to serve the approximate 800 vacant parcels mentioned previously, as well as the additional parcels (roughly 100-200) which could be created under the 160/320 acre minimum parcel sizes currently proposed by County planning staff.

"Highway capacity for visitors will exist only if we accept highly congested traffic conditions with an average travel speed of 30 m.p.h. or less; even these minimal travel conditions will be attainable only if motor homes and trucks can be restricted from using the highway during peak hours. This analysis does not take into account the 37% increase in Highway 1 traffic projected by the San Luis Obispo County Transportation Study as the potential result of developments planned for the Hearst Ranch.

"Both the desirability and the legal capacity of the State to limit or condition motor home and truck use of a State Highway is unclear, and remains unresolved as a policy issue. Likewise, the exact means of coordinating the plans of Monterey County, San Luis Obispo County, and the U.S. Forest Service has not yet been determined. What is clear is that any commitment to a less congested level of service will require a substantial reduction in potential construction beyond that which the two Counties propose to achieve through rezoning.

"Another means of attempting to minimize highway congestion is to set up a system of public turnouts for recreational users, coupled with graduated deterrents and restrictions on use of private vehicles and public transit comparable to the system provided in Yosemite National Park.

"However, no state/local sources of funding or legal basis has yet been identified for anything beyond highway signs and signal lights. Evaluation of a possible federal role in managing the highway is called for, since the National Forest area is one of the major attractions which generates recreational traffic. Experience gained on the Blue Ridge National Parkway and in similar areas could benefit the Big Sur Coast.

"While we do not necessarily endorse the concept, many persons are surprised to learn that in 1960 the Monterey and San Luis Obispo County Boards of Supervisors passed a joint resolution endorsing the establishment of Highway 1 between Carmel and San Simeon as a National Parkway." (emphasis added)

The Big Sur Foundation supports the finding in S.2551 that Highway One should remain a rural, scenic two-lane highway and the authority given the Secretary to develop a visitor serving transportation system as part of the management plan for

the scenic area. The proposed boundaries are necessary for effective highway planning and traffic regulation.

There are further reasons for including in the scenic area the northern 20 to 25 miles of the San Luis Obispo County coast. The isolated, pristine feel of the coast continues as far as the staging area for the Hearst Castle. South of Ragged Point a narrow coastal terrace opens between the shoreline and mountains. The gentle contours of this rolling terrace, with the mountains in the background, provide a variation on the experience of the Big Sur Coast, without diminishing its quality. Approximately three-fourths of the recreational development now proposed by the owners of the Hearst Ranch would be located south of the scenic area. It appears that this development will be made regardless of whether the scenic area is created north of the Castle. In our opinion, the southern Hearst Ranch, and its scheduled development, would provide an appropriate buffer between the scenic area and the more southern San Luis Obispo County coast.

Unified Management. At present there are over seventy agencies from all levels of government involved in the Big Sur Coast. The action of many of these should be co-ordinated adequately by the Local Coastal Programs; however, effective unified management is needed that surpasses the abilities of state and local governments.

This includes the need for unified management that embraces those portions of The Big Sur Coast in both Monterey County and San Luis Obispo County, that includes the U.S. Forest Service, that has regulatory authority over Highway One and, perhaps most importantly, has authority to enforce land use plans that are supposed to be in effect.

Proposed Amendments. The Big Sur Foundation proposes the following amendments to S.2551. First, with respect to condemnation, we recommend deletion of the authorization to compel sales of property set out in Section 4(c)(3), the "first refusal" provision. Although this deletion would diminish the Secretary's options for protecting critical areas, we feel that other means can be provided for doing so that are less threatening to landowners. As currently drafted, S.2551 authorizes the Secretary to condemn new developments that would frustrate the objectives of the scenic area. We recommend that this authorization be complemented by empowering the Secretary to enjoin uses that would frustrate the purposes for which the scenic area is created.

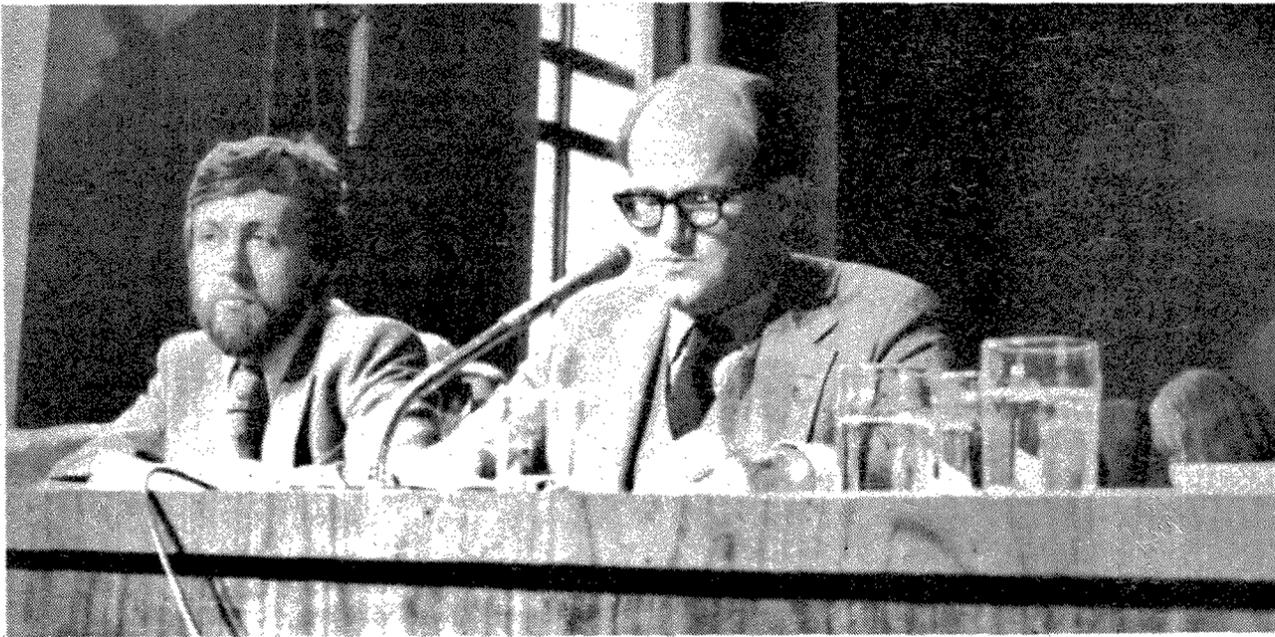
With respect to the authorization in Section 4(c)(4) to condemn up to, but no more than, 5% of the existing private land for recreational use or public access, we recommend that all existing uses be explicitly grandfathered in so that they are not subject to the threat of condemnation.

We have several recommendations concerning the Comprehensive Protection and Management Plan mandated by Section 6(a). We support the need for a Protection and Management Plan to be developed and adopted by the Secretary but at present it does not appear to us that there is a need for the Secretary to develop a land use plan and regulatory program that would duplicate those now being developed by county and state governments pursuant to the California Coastal Act of 1976. The permit review process is already complex and cumbersome and we do not think it is wise to add another layer of such review so long as the local coastal program function as they are designed to.

At present, other tools appear adequate to implement the Protection and Management Plan, most of which are already provided for in S.2551. This includes the authorizations provided elsewhere to condemn new land use that would be inconsistent with the Comprehensive Plan and have already suggested that the power to enjoin inconsistent uses be added to his. Second, is the authorization to acquire interests in land from willing sellers provided in Sections 4(a), b(a) and (b). We anticipate that this will prove to be a potent tool for implementing the plan. Finally, we recommend that the Secretary be given the additional authority to enter into Joint Powers Agreements with state and county government agencies as a means to implement the Protection and Management Plan.

The thrust of these recommendations may be consistent with the intention of the bill as currently drafted, but further clarification may be appropriate. We suggest that deletion of the second sentence of Section 6(b) would achieve this clarification.

Editor's Note: A copy of the testimony by Rod Holmgren for the Ventana Chapter of the Sierra Club was not available for newsmen and, therefore, is not a part of this special section.



RON TIPTON and WILLIAM A. TURNAGE

NATIONAL SCENIC AREA PROPOSED FOR BIG SUR

By
The Wilderness Society
February 21, 1980

I. BACKGROUND

The beautiful Big Sur Coast in central California includes some of the most spectacular lands in America. According to renowned photographer Ansel Adams, "Surely no more beautiful and spiritually uplifting coastline exists on this earth." The Big Sur region is almost 100 miles long and stretches from Malpas Creek south of Carmel Highlands to the Hearst ranch.

Much of the land in the region is owned by the U.S. Forest

Service, and is part of the Los Padres National Forest. The 170,000 acre Ventana Wilderness is part of the Los Padres, and is adjacent to parts of the Big Sur. However, lands along the northern fifty-five miles of the Big Sur Coast are in private ownership.

About 1200 residents live in Big Sur; there are about 70,000 acres of private land in the region. Most of the coastal landscape is undeveloped, though there are some residences in certain prime scenic locations.

Today Big Sur retains much of the natural beauty that it has always enjoyed. Permanent protection is now needed to put a stop to the inevitable incremental development that has already begun to take place along the coast. Thus far there have been relatively few homes built in the region, but some of

STATEMENT OF JOHN WILLIAMS BEFORE SENATE PARKS, RECREATION AND RENEWABLE RESOURCES SUBCOMMITTEE ON S.2551: A LEGISLATION TO ESTABLISH A BIG SUR NATIONAL SCENIC AREA
April 24, 1980

My name is John Williams and I live in the Carmel Highlands, just north of Big Sur.

Fifty-five years ago, my grandparents and a group of friends bought 800 acres in Big Sur, including more than a mile of redwood canyon on Rocky Creek, to protect it from development. They set up a non-profit, private-purpose corporation to hold the land, the Rio Piedras Club, of which I am now

president.

Our club, which was one of the first landowners to negotiate a scenic easement with Monterey County under California's Williamson Act, had its annual meeting just before S. 2551 was introduced, so we have no official position on the bill. However, I have polled our board of directors, and we are five to one in favor of the general thrust of the bill. We believe that private conservation efforts such as ours can best succeed in the context of unified, active management of the region, and that only the federal government has the resources, both in money and in trained personnel, to play this role. Fragmented efforts at regulation are unlikely to work. Even the strong temporary permit authority of the Coastal Commission has not

been able to protect the northernmost six miles of the Big Sur Coast from Malpas Creek to Rocky Point, which now has an atmosphere more like the western end of the Malibu coast than Big Sur.

Now I would like to speak as an individual about some of the particulars of the bill, and about its effect on the Big Sur community. Although I live just north of Big Sur, I have had some part in the community life there. When I was in grammar school the Carmel Highlands had a two-room schoolhouse, Bay School, and we had joint graduation ceremonies with the schools in Big Sur. These were all-day affairs, with games, a barbecue and an assembly at which the perhaps half-dozen eighth graders had to deliver recitations to the assembled parents, to demonstrate the successful completion of what until a short time before then was likely to have been all of their formal education. It was a kind of community life that has all but disappeared, and I am grateful that I had a part in it.

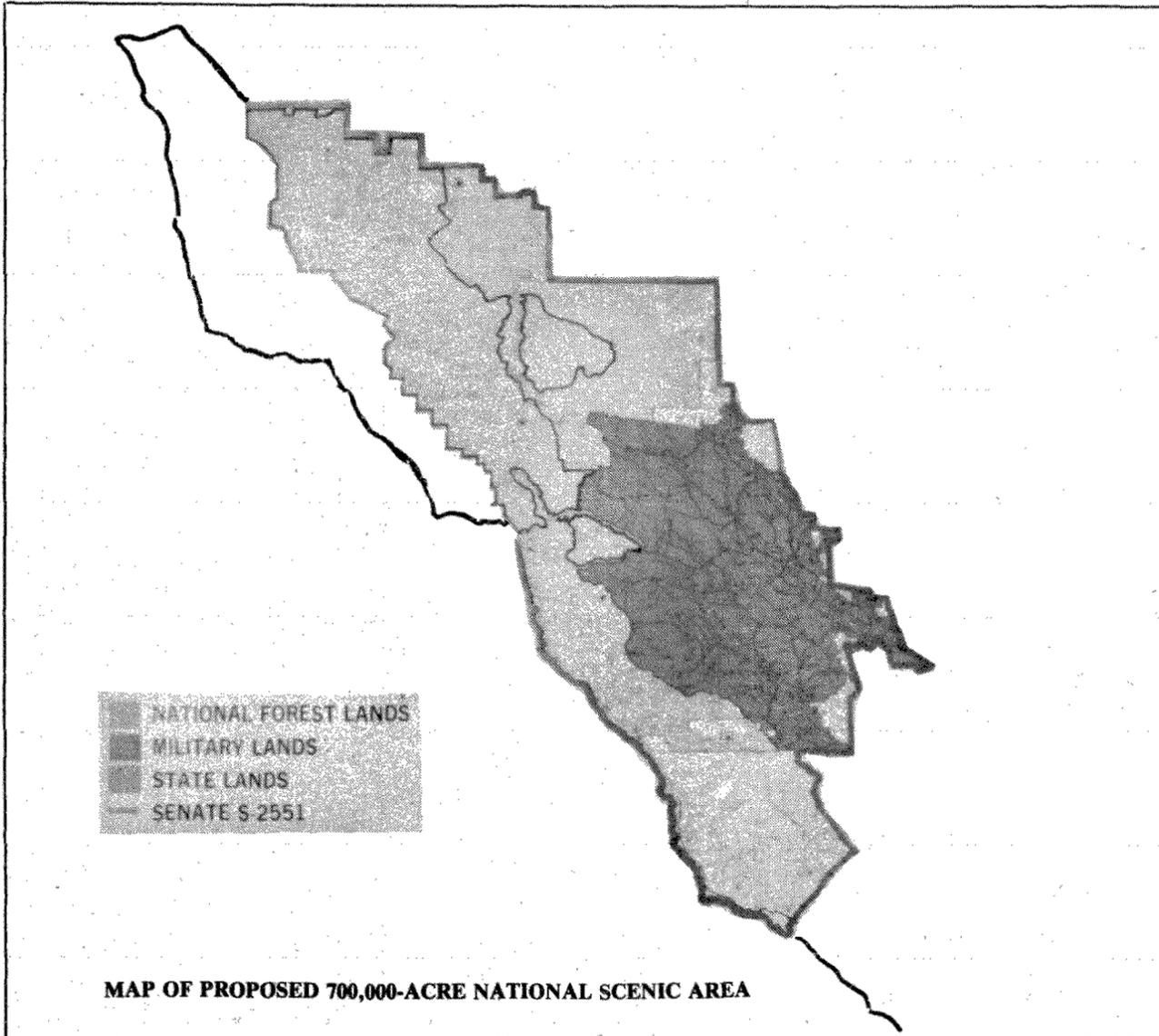
Frankly, most of the people in Big Sur oppose this bill. But after attending several meetings and talking to friends individually, I am convinced that they oppose it not because of what the bill actually says, but because they have been taken in by a skillfully executed big lie campaign, and convinced that if this bill passes, the Forest Service will come in like some kind of monster, destroy their community and drive them out of their homes.

I believe that these fears have no rational basis, or I would not support this bill. Nevertheless, the fears are real, in the sense that they are keeping people from getting a good night's sleep, and should be addressed. This can be done not by changing the intent or substance of the bill, but by making the intent more explicit. For example, you could:

- (1) Specify that the comprehensive plan allows for as many or more homes as now exist, with special protection for existing low and moderate income housing;
- (2) Re-write Section 4(c)(4) to make it clear that the 5 percent restriction applies to lands that may be identified in the plan as necessary for public access and recreational use, which may be acquired by condemnation, rather than the amount of land that may be acquired by condemnation if it is so identified.
- (3) Re-write Section 4(c)(2) to make it clear that the "new use" which may trigger condemnation must involve a substantial change in the old use.

The subcommittee could also strengthen the Advisory Commission set up by Section 7, perhaps by giving it veto power over those condemnations that do not involve a change in use, and increase the proportion of commissioners who must be residents of Big Sur.

Given the emotional atmosphere that now exists in Big Sur, changes of this sort will not change many people's minds about the bill in the short term; the fears are too deep for that. But in the longer term, I believe that such amendments will ease the fears, and that eventually the people who just want to live in Big Sur, those who do not anticipate substantial capital gains, will come to see that this kind of legislation offers the best hope of preserving what they want desperately to preserve.



MAP OF PROPOSED 700,000-ACRE NATIONAL SCENIC AREA

visors, and the Big Sur Citizens Advisory Committee to the local coastal program. A Big Sur National Scenic Area Advisory Committee would be established in the bill, and would include individual citizen members, as well as representatives of the organizations listed above.

The choice of the Forest Service as the agency to manage the Big Sur is a logical one. The Los Padres National Forest is already an integral part of the Big Sur community. The Forest includes much of the land in the Big Sur region, and the Forest Service is a familiar agency to the people of the Big Sur, and vice versa. The Forest Service has a record of being responsive to citizen concerns about management policies that affect the local community. There should not be the level of mistrust between the Forest Service and the Big Sur residents that could develop if an outside agency, such as the National Park Service, were brought in to manage the Scenic Area. Our commitment to the Forest Service to do this job is strong. Our sensitivity to the concerns of local residents is demonstrated by our commitment to the Forest Service.

A. Planning and Management for Big Sur

The Wilderness Society believes strongly in single agency management for the Big Sur Scenic Area, and we believe that agency should be the U.S. Forest Service. The most effective land preservation and protection efforts in America have been accomplished by single-agency management. We are convinced that management of the Scenic Area by multiple agencies at the federal, state and county level is **not a viable solution**. Multiple agency management would make it very difficult to carry out a cohesive strategy for protection of Big Sur, and could frustrate the efforts of local citizens to have their views considered before decisions are made. A specific agency with a clear mission and the tools to accomplish its objectives is the most effective way to preserve the status quo in Big Sur.

We do not advocate that the Forest Service manage all of Big Sur. The existing state parks and wildlife preserves in the region should continue to be managed by the state of California as long as the state wishes to do so. Nor do we envision that the Forest Service would take over the Point Sur Naval Station until the time when the facility is no longer needed for its present purposes.

Under our proposal, the Forest Service would be required to develop a management plan for Big Sur within two years after the legislation is passed. The plan would be developed after full public hearings, and maximum opportunity for public involvement. The Big Sur Advisory Committee would make recommendations to the Chief of the Forest Service, and he would have to consider these recommendations before approving the final plan.

The management plan would deal with how to best preserve the scenic values and the life-styles that are now an integral part of Big Sur in a way that is as sensitive as possible to local and land owner interests. The important questions of how to best manage tourist traffic on Highway 1, how to provide for public access to beaches and the inland mountains and forests, how to control erosion, and how to provide public information and interpretation about the Scenic Area and the commercial facilities available would all be addressed in the management plan.

A land acquisition plan would be prepared simultaneously with the management plan and full involvement by the public and the Advisory Committee. While the plan is being developed, land could be acquired from willing sellers. We would expect, however, that the bulk of the land acquisition in Big Sur would take place **after** there is an approved land acquisition plan.

B. Methods of Land Acquisition

Land would be acquired within the Big Sur National Scenic Area on a **willing seller** basis, with very limited, defined exceptions only. We want to make it very clear that the circumstances under which the federal government would be permitted to condemn property are quite restricted. If a person decides to build on an undeveloped lot, or to put in a new road, or to significantly expand an existing motel, or commercial enterprise, the land they want to develop would be purchased by the Forest Service. In other words, any activity that impairs scenic values or causes significant environmental degradation will be precluded.

We are **not** trying to prevent home owners from adding a new bathroom, or a new wing to their house, or to upgrade their driveway. We will work with affected landowners and with the appropriate members and committees of Congress to arrive at satisfactory legislative language that makes it clear what the rights of property owners are. We want to limit the discretion of the Forest Service to impose unnecessary restrictions on land owners who live in Big Sur.

The Forest Service could buy land from anyone within the boundaries of the Scenic Area who wished to sell pursuant to its land acquisition plan. The land could either be bought outright **in fee**, or **easements** that restrict future development could be purchased. Generally, we would expect most undeveloped property to be purchased in fee, unless it could be demonstrated that (1) significant savings to the taxpayer would be realized by buying an easement; (2) the land would be fully protected; and (3) public use would be allowed to the extent it is needed for access or for enjoyment of the Scenic Area. The Forest Service would be limited in the amount of land it could purchase for recreation development such as campgrounds.

We expect that easements would be purchased in most cases for commercial and residential property. This would permit

these property owners to continue to live on or use their land as they have in the past, and to build modest additions to existing homes, but future development would be precluded. In certain cases the Forest Service would buy developed property in fee, though again only from willing sellers.

For example, suppose that a residential property is in full view from Coastal Route 1 looking towards the ocean. The Forest Service might well determine that the house significantly detracts from the scenic beauty of the area, and would not buy an easement that would allow the house to remain permanently. This does **not** mean that the home owner would be forced off of his land; rather, the Forest Service would wait until the owner of the property is willing to sell in fee, and then would buy the entire interest.

All of these land acquisitions would be based on **right of first refusal**. As long as the property stayed in the immediate family, even for several generations, the federal government would have no right of acquisition. If the land owner decided to sell, however, he would have to offer the property to the Forest Service at fair market value, which would be determined by both impartial professional appraisal and through negotiations with the land owner. And if the Forest Service decided not to buy the property, it could be sold to another person. If the owner and the Forest Service could not agree on a price, the owner would be free to keep his property.

This land acquisition scheme offers many potential benefits to land owners in Big Sur. It allows the property owner to keep his property, sell it to the Forest Service, or, in some cases, sell an easement. Perhaps most importantly, from the land owner's point of view, it provides him with ready market and/or compensation for **not** being permitted to develop his property. Without this legislation, the land owners in Big Sur are faced with the unpleasant prospect of **not** being able to develop, and **not** being paid for giving up development rights.

III. WHY THIS LEGISLATION IS NEEDED NOW

We believe very strongly that it makes little sense to wait until incompatible development has overwhelmed Big Sur before

Senate Subcommittee on Parks, Recreation and Renewable Resources

Mr. Chairman:

As Master of the Big Sur Grange with the support of its officers and members, we urge no increased Federal intervention on the Big Sur Coast. This area is well protected by the natural constraints of the land itself, by the natural restraints of the people who love the land and have chosen to live here, by county zoning, and by the rigid controls of the 1976 California Coastal Act. With this we need no further protection.

No agency or group that proposes to PRE-EMPT the Local Coastal Program Process provided for by the California Coastal Act of 1976 will be supported by the Big Sur Citizens Advisory Committee. The Citizens Advisory Committee invites any group or agency to participate in the Coastal Plan Process through the existing channels. Although the Citizens Advisory Committee acknowledges the "right" of individuals to lobby separately, we cannot endorse any lobbying by a group or agency which would be in conflict with the Local Coastal Program Process.

The point of view is supported by the Grange. Perhaps a little background on myself and why I am interested in the Big Sur Coast and its preservation would be appropriate:

—My grandparents homesteaded in the Big Sur area in 1869 (111 years ago);

—I was born on the Big Sur Coast (62 years ago) and have

lived here almost all of my life;

—My father before me built many homes in this area, many are still standing;

—For the past 10 years, I have been building in this area;

—I am a member of the Big Sur Volunteer Fire Department;

—I am a member of the Big Sur Volunteer (Red Cross) Ambulance and at present I am taking a recertification class on E.M.T. for the ambulance;

—I hold an Instructor's Certification for Advanced First Aid;

—I am a member of the Big Sur Historical Society;

—I am a member of the Board of Directors of the Coast Property Owners Association;

—I am a member of the Citizens Advisory Committee appointed by County Supervisor Farr to get input from the community to the Planning Department to develop our Local Coastal Program (4 plus years to date);

—I am a member of the Steering Committee of the Friends of the Big Sur Coast;

—I have been a Grange member in the Big Sur Grange #742 for over 30 years and have been Master of this Grange since February of 1974.

It is in the capacity of the Master of the Big Sur Grange that I address this hearing, however, I felt you should understand my interest and the extent of my participation in matters affecting the Big Sur Coast.

—I am a member of the Steering Committee of the Friends of the Big Sur Coast;

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Frank Trotter



Big Sur panelists HOWARD SITTON, RICK DAVIDGE, JAMES JOSOFF and FRANK TROTTER

STATEMENT ON BIG SUR COAST NATIONAL SCENIC AREA ACT (S.2551) BEFORE THE SUBCOMMITTEE ON PARKS, RECREATION AND RENEWABLE RESOURCES OF THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE BY DON A. McQUEEN, PRESIDENT, BIG SUR CHAMBER OF COMMERCE — APRIL 24, 1980.

My name is Don McQueen and I am manager of Torre Engineering Company, Big Sur, California. I am appearing today on behalf of the members of the Big Sur Chamber of Commerce and as a concerned citizen. I am here today to discuss the problems S.2551, the "Big Sur Coast National Scenic Area Act," will create if it becomes law.

Torre Engineering is a small privately owned company consisting of twelve full-time employees. Last year, most of our business consisted of attending to basic home repairs such as paving, constructing sewage systems, and electrical work. Our firm is a typical example of the size businesses located in the Big Sur area, none of which employs more than 150 persons.

BACKGROUND

Big Sur is located on the coast, twenty-six miles south of Carmel. It is important to note that Big Sur is not an incorporated town, but an area which stretches approximately one-hundred miles along the coast. Over 800 people reside in this area, consisting of eighty-two businesses.

Many people in the East picture Big Sur as a remote coastal wilderness — in fact, it is a sparsely populated rural community. **If S.2551 is enacted, it is not unreasonable to project that the 800 residents and the local businesses could be permanently displaced.** Rather, S.2551 completely disregards local land use planning, and does not take into full consideration the impact on private citizens, the economy, the state or on visitors to Big Sur.

PRIVATE PROPERTY SHOULD BE RETAINED

At the present time, the federal government owns and controls over 46.132% (Source: *Public Lands Statistics, 1977, published by the United States Department of the Interior.*) of land in California. Included in this area are parcels of land under consideration by Congress for inclusion in the National Wilderness Preservation System (NWPS), and over 2,076,000 acres currently under review by the Bureau of Land Management (BLM). In addition, state ownership of land in California represents an additional 7%. This brings the total state and federal ownership of land to a total of 53% (this figure does not include local government land ownership).

The citizens of Big Sur appreciate the scenic values of this area and have attempted to manage the land in a protective manner. I find it hard to understand why the proponents of S.2551 wish to remove citizens from their homes for such spurious reasons. **Our Chamber is opposed to the contentious and unabated transfer of land to federal ownership.**

Prior to acquiring more land, I urge Congress to adopt a reasonable and uniform policy concerning federal acquisition of private property. Instead, the federal government is obtaining land in a haphazard manner which is significantly affecting local homes and businesses. According to the General Accounting Office (GAO): "The National Park, Forest and Fish and Wildlife Services had been following a general practice of acquiring as much private land as possible regardless of need, alternative land control methods, and impacts on private landowners." (Source: *"The Federal Drive to Acquire Private Lands Should Be Reassessed," GAO, December 14, 1979.*)

This bill calls for the United States Department of Agriculture's (U.S.D.A.) Forest Service to manage the proposed scenic area. And yet, the GAO report claims the Forest Service is not properly managing areas they presently control.

LOCAL ZONING LAWS MUST BE CONSIDERED

It is inconceivable why Congress is bypassing a good protective local system. S.2551 recognizes the mandate of the local coastal program. Yet, Section 6(b) of the bill states: "Whenever there is a conflict between the local coastal program and the comprehensive plan for the scenic area, the comprehensive plan shall be governing."

In other words, the bill would totally preempt the local planning process — under any circumstances — even if the local program is superior. Mr. Chairman, I submit this is patently absurd and disregards any logical and reasonable program. **Congress should provide that all acquisition of real property should be contingent upon the consent of local or state governing bodies, and in accordance with the wishes of the local community.**

California is a recognized leader in the protection of scenic coastal areas. Under the Coastal Act of 1976, the citizens of California are working to create a coastal plan which not only protects areas of outstanding natural beauty, but also provides for consideration of development of local communities. In addition, the Monterey County plan, which has been in effect since 1962, is extremely restrictive and has adequately preserved the area. Mr. Chairman, I respectfully urge that Section 6(b) be deleted from S.2551.

NEED TO REASSESS FUNDING MECHANISM

Section 11(b) authorizes \$10 million for fiscal year 1981 and each succeeding fiscal year through 1990 — a total of \$100 million. Most acre parcels of land in Big Sur sell for at least \$5,000 per acre. The areas affected by S.2551 include approximately 125,000 acres. At a minimum selling price of \$5,000



SENATOR TED STEVENS with aides, chairs hearing after departure of Subcommittee Chairman Dale Bumpers

per acre (and this is a low estimate), total acquisition price would be \$725 million. Furthermore, the bill does not include additional costs. **Section 11(b) is unrealistic.** The GAO report which I have previously cited states: "Federal acquisition of land can contribute to escalating land prices; result in extra costs to the Government, including payments in lieu of taxes and relocation costs; involve costly condemnation proceedings; and have undesirable social and economic impacts." (page 20, GAO Report #B-196787.)

NEED FOR CONGRESSIONAL DISTRICT HEARINGS

Today is the first and only hearing scheduled for S.2551. Since this bill affects every individual residing in Big Sur and in neighboring communities, Congress must afford the residents

an opportunity to comment on this bill. Although many citizens are concerned, not every resident has the financial means to travel to Washington, D.C. to testify. I respectfully urge the Members of this Committee to schedule a public hearing in Big Sur prior to voting on S.2551.

CONCLUSION

In summary, S.2551 is unreasonable and should be defeated. According to the GAO report: "A major Federal role is necessary to assure the protection and preservation of nationally significant areas, but this role does not have to be one of blanket ownership in all areas administered by the land management agencies." (page 20, *ibid.* *Emphasis added.*)

STATEMENT TO BE PRESENTED BY HOWARD W. SITTON ON THE SENATE SUB-COMMITTEE HEARING ON THE BIG SUR BILL, S2551

I am here as a representative of the Coast Property Owners Association. The CPOA, as it is known locally, is made up of more than 200 members — all of whom own property in the Big Sur coastal area, although their residency encompasses 9 different states. We are a permanently established organization designed to perform functions that are beneficial to the property owners as well as all residents and visitors in the Big Sur area. For example, our work has included sponsorship of a local health clinic, aid to the fire brigade and ambulance service, community mailings and so forth, items which may sound small, but are important in our rugged rural area.

Our governing body consists of a Board of Directors elected annually by the membership, of which I am one of 12. At a recent meeting of our Board, after long and careful discussion, we resolved to be represented at this hearing to voice our opposition to Senator Cranston's Bill S2551, which would establish the 100 miles of Big Sur coastline as a National Scenic Area.

We feel that the Bill is neither appropriate nor timely for a number of reasons; I'd like to cite a few.

The Big Sur Coast has not been over developed and is in no danger of becoming that way. The California Coastal Act of 1976 has been and is being rigidly enforced by the Coastal Commission. Under this control, a minimum number of Building Permits have been granted since 1972, and as a matter of fact, for the most part situated in areas that are never visited nor even seen by the tourists. This control added to the natural constraints of the land and the county zoning under the Master Plan of 1962 certainly prevent over development in Big Sur.

The Coastal Act further provides for local coastal plans to be developed by County Planners with the aid and advice of Citizens Advisory Committees, which plans are then to be administered by the county under the general supervision of the Coastal Commission. The work of the planning process has gone on diligently for more than three years, and now, with the completion of the L.C.P., very near at hand — within a time frame of 90-120 days, we are faced with proposed federal legislation that would pre-empt the entire planning process and cancel out the thousands of man hours of entirely unpaid effort on the part of local citizens, plus the time and money expended by County Planners and other county and state officials. The legislation proposed in Senate Bill 2551, if passed into law, would allow no opportunity for a law of the State of California to be put into practice as mandated.

The Big Sur Coast has long enjoyed a good balance of management between the Forest Service, State Parks, county supervision and local residents. We don't want to see a proven means of preserving our beautiful area and the life style of our residents, be destroyed by a change of management concept. The local coastal plan process provides for continuation of the balance with recognition of current and future protective requirements.

The Comptroller General Report of Dec. 14, 1979, sets forth the pattern of excessive and unnecessary fee acquisition of private lands in federal projects managed by agencies of both the Agriculture and Interior Departments and it is our grave concern that such a circumstance would be the ultimate outcome if a federal designation is legislated for Big Sur. Over and beyond the disruption of our homes and lives should this occur, is the fact that Senator Cranston's Bill projects expenditures of taxpayer monies at a most untimely period. In this time of great inflation and in view of the critical concerns that our nation faces today, it seems highly inappropriate to spend hundreds of millions of dollars unnecessarily. S2551 provides for 10 million dollars per year for ten years for acquisition of private lands. Nothing is said about the costs of condemnation and maintaining such a project. We feel that it would be far more realistic to think of a total cost of many hundreds of millions. I have conferred with two highly qualified individuals as to their estimation of a current market value of the private lands in the Monterey County portion of the Big Sur Coast, and it is their consensus that the dollar figure today is more in the range of 150-160 million. Their determination stems from more than 35 years experience in appraising in the area and handling real estate transactions on the Big Sur Coast. Added to this would be the value of properties in San Luis Obispo County, so it is rather apparent that the initial appropriation involved would only be a beginning.

I would like to bring to your attention also that Big Sur already provides great recreational opportunities for visitors and tourists. There are many State Parks and Beaches, and forestry wilderness trails already available to those desiring such an experience. The encouragement of more tourists to the area, which follows as a definite consequence of a national designation, might well destroy rather than preserve the ecologically fragile coastline.

Finally, may I conclude my remarks by urging you gentlemen to consider carefully the opposition to Senate Bill 2551, that is felt and expressed by our Coast Property Owners Association, and deny its approval.

Respectfully submitted,
Board of Directors
Coast Property Owners Association

To: The Senate Sub-Committee on Parks, Recreation and Renewable Resources

From: Esalen Institute, Big Sur, California

Dear Senators:

I suggest to you that there is a fundamental, inherent contradiction within Senate Bill S2551, namely the assumption that the preservation of the natural beauty and existing character of Big Sur is compatible with its designation as a National Scenic Area. On the contrary, there are ample reasons to believe that such a designation would contribute more to its destruction than its preservation.

Think of Big Sur as if it were another country. Think of it as if it had its own language and customs, its own unique heritage, its own norms of social conduct, its own goals and values, its own pace of life. Think of it as far away and somewhat out of step with the rest of mainland America, and leave unanswered the question as to whether it is a step ahead, or a step behind because the wheel goes round and round, and what seems quaint and old-fashioned in one moment, is called progress in the next.

The first settlers came to the Santa Lucia Coast of California around the middle of the last century. They were preceded here by the Spanish explorers and the Indians who were the first human inhabitants of the area. These early settlers were bold spirits who came because they loved independence, seclusion, and the beauty of the mountains and sea more than the dubious benefits of civilization, and their descendants, both natural and spiritual, live here for similar reasons.

Much has been said about the majesty and grandeur of Big Sur which sets it apart from any other place. For over fifty years poets, painters, photographers and storytellers have been trying to capture and convey its magic and inspiration. But not enough has been said about the people of Big Sur.

If you agree with Senator Cranston, as we do, that the existing character of the coast and its unique social fabric should be maintained, then please recognize that Big Sur is people as well as land. It's woodcutters and ranchers, artists and writers, farmers and scientists, sculptors, dancers, psychologists, musicians, architects, carpenters, and the Benedictine Hermits of Camaldoli. It's the wealthy and the poor, the straight and the eccentric, all woven together into an exquisite tapestry. And there in the midst of it all is Esalen Institute, an educational center known throughout the world as the home of the human potential movement and a pioneer in the study of human consciousness.

For eighteen years Esalen has offered seminars exploring those trends in religion, education, philosophy, and the behavioral and physical sciences which emphasize the potentialities and values of human existence. Seminar leaders have included Buckminster Fuller, Alan Watts, B.F. Skinner, Aldous Huxley, Theodore Roszak, Joseph Campbell, Ida Rolf, Carlos Casteneda, George Leonard, Karl Pribram, Lama Govinda, Harvey Cox, Bishop Pike, Abraham Maslow, Rollo May, Fritz Perls, Carl Rogers, John Lilly and Gregory Bateson, who has been on our faculty for the past two years as a scholar in residence. Some 6500 people annually from all fifty states and many nations attend our seminars and experience the natural wonder of Big Sur.

Because of its unique setting and its seminal contributions to our culture, Esalen has been likened to the Platonic Academy of ancient Greece where a special combination of geographical, social and political circumstances released and inspired the creative thinking of its people.

We who live in Big Sur hold the land in trust. We do not possess it; it possesses us. We do not want to keep tourists out as did those who sixty years ago fought against the construction of the Coast Highway. Last year nearly three million visitors traveled that highway and some of them stopped to enjoy the hot springs at Esalen.

What we do want is for you to realize that one of the unforeseen probable consequences of the designation of Big Sur as a National Scenic Area is the destruction of its native culture, of

which Esalen is a part, and the creation of a social and political climate that is inimical to freedom, creative self-expression, spontaneity, and self-responsibility. The land acquisition plan mandated by this bill will spell doom to private ownership of the land and will sever the symbiotic relationship between the land and its inhabitants that has sparked artistic creativity and provided a rich heritage for all the world to enjoy. If the resident population is uprooted from this coast, as has happened in scores of National Parks and Recreation Areas throughout this country in spite of guarantees and promises from the government, a natural resource as valuable and rare as the sea otter and the redwood, will be lost, and the character of Big Sur will be forever diminished.

If you agree with Senator Cranston, as we do, that Big Sur must be protected from development, then please first consider the fact that local residents, who themselves have fled developed areas, do not wish to see Big Sur developed with more restaurants, or motels, or homes in the viewshed, or public sanitation facilities, or parking lots, or trailers to house additional government employees, or obtrusive chainlink fences, or new trails through the wilderness, or signs which tell you where to take a picture or redundantly point out that this is, indeed, a scenic area. Development for recreational purposes, in the name of protection and preservation, is an inscrutable logic, indeed, and that is what this bill promises.

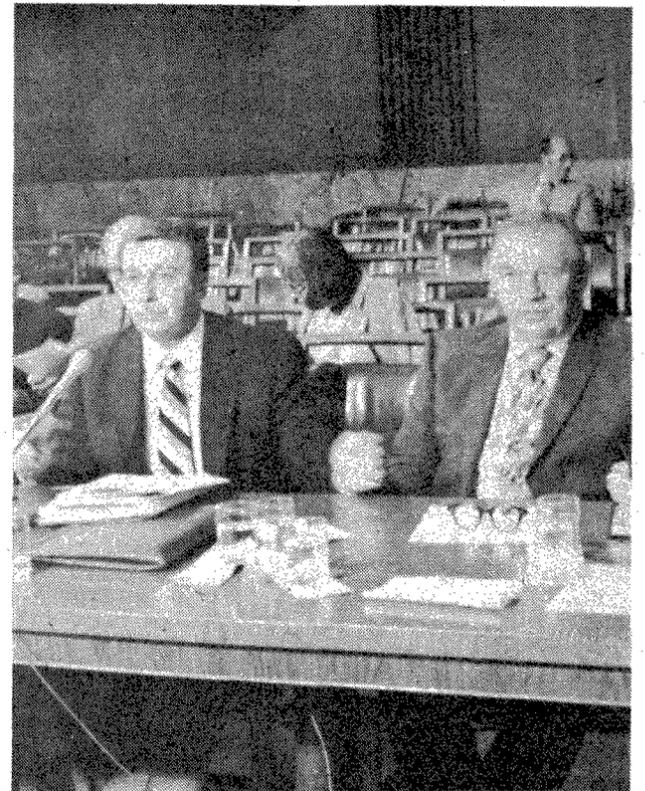
If you agree with Senator Cranston, as we do, that Big Sur must be preserved, then please, honor the fact that her citizens have been working together for over four years to create a Local Coastal Plan. It is a process which has required everyone's patience, humor, energy, trust, goodwill and intelligence. It is a plan which has very stringent restrictions against new development, and it, rather than the comprehensive plan mandated by this bill, should be the governing plan for Big Sur.

Don't allow control over this area to be taken from local hands out of some mistaken notion either that Washington knows best, or that local citizens lack the will or the ability to manage their land in the public interest. Don't throw out the hard work of people who have given so much of themselves, and though they have not always agreed on specifics, at least they are united in their love of Big Sur. Will those who write the Government's comprehensive plan be able to say that?

Give the Local Coastal Plan a chance. Honor the process that has already been set in motion — a far more democratic process than the one Senator Cranston has thus far produced for he has neither answered nor acknowledged any of the hundreds of communications he has received from the citizens of Big Sur, nor has he accepted or acknowledged any invitations offered him to participate in public forums to discuss this bill.

If you agree with Senator Cranston, as we do, that Highway One is the most beautiful two-lane, rural scenic highway in the United States, and must remain that way, then don't turn Big Sur into a huge outdoor museum for tourists to look at through the windows of a bus. Don't destroy the wonder and majesty of this coast for people who have never seen it by regulating how and when they can experience it, as will happen if a visitor transportation system, which this bill calls for, is created.

Big Sur has a wild, unspoiled grandeur, and we intend to keep it that way. With the ocean at our feet and the mountains at our back, there is a sense of peace and freedom, of reverence and praise and thanksgiving that there is still a place such as this where people can come for renewal and refreshment, yes, and perhaps even to live. But if you organize and program the experience of Big Sur, if you label it, and name it, and structure it and limit it, if you put Forest Service green to it and signs to explain it, if you publicize it and commercialize it, then at best you have succeeded only in putting an ugly, ill-conceived frame around a masterpiece, and at worst you have offered it up to be vandalized by those who neither think nor care.



JAMES JOSOFF and FRANK TROTTER

Testimony by Mr. James M. Josoff, General Chairman, Friends of the Big Sur Coast, before the Senate Sub-Committee on Parks, Recreation and Renewable Resources in opposition to Senate Bill 2551 by Senator Alan Cranston — April 24, 1980.

To date, 80 people, both residents and property owners, have signed the petition of the Friends of the Big Sur Coast against any increase in the level of federal involvement or intervention on our coast, and it is my pleasure to submit copies of those signatures for the hearing record. These signatures include somewhere between 75% and 95% of the actual adult population of Big Sur. We are also supported by the Monterey County Foundation of Concern, the Carmel Highlands Property Owners Association, the Mal Paso Creek Property Owners Association and the Monterey County Taxpayers Association.

One of the reasons we are all here today is the widely broadcast (but yet to be demonstrated) great threat of overdevelopment on the Big Sur Coast. Over the last seven years, an average of 12.5 building permits have been granted per year for an area of 300 plus square miles. That hardly constitutes overdevelopment. As Senator Cranston's Bill points out, **Big Sur is largely undeveloped.** In part, this is due to the group of citizens (many of whom are working with the Friends of the Big Sur Coast) who developed the 1962 Master Plan to ensure protection of the environment. That plan was citizen-initiated, not government mandated, and was the first master plan in California designated to protect scenic qualities.

There are several reasons why Big Sur can never be overdeveloped or abused: 1) The natural constraints of the land (lack of water in many areas, poor soil permeability and geological instability); 2) the natural restraint of the people who choose to live here; 3) County zoning, and, 4) the 1976 California Coastal Act provisions. This Act is **designed** to protect the coast. It mandates a local coastal planning process, which process we support. The Local Coastal Plan will be our master plan, implemented and enforced by Monterey County and with a right of appeal to the California State Coastal Commission. As the Local Coastal Plan is implemented, each parcel in Big Sur will be considered on a site specific basis, that is, on the viewshed criteria, on the natural constraints of the site, and on many other factors delineated in the California Coastal Act and Local Coastal Plan. In particular, on whether or not the planned residence can be so situated as to be unobtrusive.

We do not believe it is necessary for the federal government to spend anywhere near the requested \$100 million to protect Big Sur. Perhaps only a tenth of that would eventually be necessary under State or County Local Coastal Plan implementation.

On a site specific basis, it may well be that there will be some parcels on which people want to build, where there are no natural constraints but where the house or access would be detrimental to the viewshed. The most expert local Coastal Commission staff person has recently estimated 8 to 44 of these parcels. We believe that there will only be something like 10 or 15 parcels for which the owner must be compensated, IF and WHEN a building permit has been denied because of Coastal Act restrictions.

When such a situation arises, money will be needed, and money is presently available to the State and County under the Land and Water Conservation Fund. That money is made available on a matching fund basis for this kind of purchase and there are other existing sources. There are also a number

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Big Sur panelists KEITH THOMPSON, DON McQUEEN and CHARLES CUSHMAN



CHARLES CUSHMAN

Testimony before the Senate Subcommittee on Parks, Recreation and Renewable Resources in opposition to Senate Bill 2551 by Sen. Cranston to Create The Big Sur National Scenic Area.

This testimony is submitted by Charles Cushman, Executive Director, National Inholders Association, April 24, 1980

One of the issues which is of serious concern to the many Americans who live and own property within the area in which S2551 addresses is a matter of comparative example. When it became obvious that there was serious consideration of legislation with regards to perceived threats of overdevelopment on the Big Sur Coast we began to look at other areas in the country which have been placed in Federal management and we became very concerned with the promises made which have been broken.

Like so many other areas in the nation today Big Sur is in controversy with one side or the other making charges and countercharges. One clear message keeps coming through: the Big Sur issue is not an issue of preservation versus develop-

JOSOFF

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of ways to secure the County's share of the matching funds, such as a small surcharge on restaurants, campgrounds and other visitor facilities.

We do not want to see Big Sur overdeveloped in any way. We are the real environmentalists. We fear that the threat of overdevelopment will become a reality if the federal government is permitted to take over. Yosemite has two thousand federal and concessionaire employees. Two thousand people and their dependants would at least triple and possibly quadruple the present population ... and that is overdevelopment. It would also substantially increase the resident usage of State Highway One, one of the major concerns of the County and State Coastal Commission in their past consideration of development applications.

With regard to what the Bill sees as a need for a better transportation system for the vastly increased number of visitors it would itself cause, there is no way that everyone can or should be forced to experience Big Sur by a bus ride ... that is the antithesis of the Big Sur experience.

Nobody really minds a reasonable increase in the amount of visitors we now get, but with a federal designation of our area, the impact would be overwhelming. The GAO report of December 14, 1979 indicates a four-fold increase is probable. Neither the existing visitor facilities nor the resource carrying capacity can accommodate this influx without destroying the environment.

At present, visitors see Big Sur in a relatively unrestricted, unfettered way. They park their cars, vans or RVs along the road as they will, they stay overnight, and as long as they don't build campfires, they are not disturbed by either the residents or local authorities. We enjoy the visitors and they enjoy the residents. Big Sur is not just land. It is land, and the people living in it. This is the Big Sur mystique. Federal acquisition of the land as called for in this Bill will forever remove the residential half of that mystique. Although there is major disagreement with "environmental purists" on this point, most visitors identify with and appreciate an occasional glimpse of a private residence in a wild and remote area. Those residences reinforce the American Dream — that if you work hard enough, are willing to do without, are willing to save, then part of this can be yours.

Despite some promises mixed in with all the dangers of the Bill, the best intentions in the world can be changed. Laws can be made and changed. Legislative intent can be ignored by administering agencies, as they have in the past, despite the promises. There would come a time when there would be a demand for increased overnight accommodations within Big Sur and 400-500 room motels could be built. That is overdevelop-

ment, but a fight over the best way to protect the scenic resource of the area, while also protecting the unique socio-cultural environment which is as much a national treasure as any of the areas vistas. There are caring people on both sides of the issue, with legitimate points of view and serious concerns about the various alternative to protect Big Sur.

The question is, do we jump to the easiest, most simplistic solution — federal acquisition and management — which in the long-run is possibly the most dangerous to the cultural environment of Big Sur? Or do we look at more complicated but more responsive solutions? Sure, the California Coastal Commission has been uneven in the handling of the area. The Local Coastal Plan will have problems, too, not the least of which is how to fund whatever protective measures are necessary. Zoning by the County will also cause hardships and some people will lose money and rights.

The bottomline is, that measures to protect an area almost always cause some hardship on some people for some time. This is true by definition as any regulation on activity is restrictive and causes some loss in present freedoms. What we need is the solution which causes the least hardship. The solution that allows those most seriously affected to these actions to have control over their destiny. It seems to us, that having an elected local body, to unelect if necessary, is far safer than turning ourselves over to a bureaucracy 3000 miles away to make decisions for us and to us. To place ourselves in the position of being subject to direct federal management will remove our participatory and representative rights as set forth in our nation's founding document. We recognize this is not by specific design, but rather by government process. Regardless the net effect is still the same; those placed under direct Federal management are generally disfranchised from what is regarded by Americans' as inalienable rights in control over those that govern them. Bureaucracy planning our lives and the lives of our children, based upon promises made by well-meaning but generally naive local individuals who sincerely want to protect the environment — but have never been under direct Federal management, is very frightening to us all. Federal acquisition is the final solution but not necessarily the only solution or the most appropriate from a variety of perspectives, particularly that of those to feel the full impact of this "Final Solution."

A locally developed plan which recognizes the needs of the people within the area as well as the desires and needs of those from outside of the area that allow participatory representative processes is the most realistic and reasonable response to the questions of Big Sur Coast.

ment. A 1000- or 4000-car parking garage and related facilities at the mouth of the Carmel Valley is overdevelopment and would further compound the traffic congestion which now is a significant problem in that area.

We all want to continue to protect the coast for future generations as the present system has done for many years. We think the best way, the safest way, is to leave the coast the way it is ... to keep the historic balance of private stewardship, State Parks and the National Forest.

The federal government does not have a good record for protecting the rights of the people who are unfortunate enough to have been in an area federally managed. The GAO report of December 14, 1979, which we submit for the record, reviewed nineteen areas and gave a "good" report to only one, Sawtooth National Recreation Area. Since that report, we have found out that 700 of the 800 families who lived in Sawtooth, live there no longer!

Someone has said that we are today's Indians, and we all know how their agreements with the government fared. So much for fair and equitable treatment.

There is another point we would like to make: The Wilderness Society, the Sierra Club and the federal government want the private segment of Big Sur precisely because it is beautiful and unspoiled ... and it is beautiful and unspoiled precisely because of the private segment. All of the residents, property owners and non-property owners, live conservation daily. It seems to us immoral for the residents to be rewarded for having done such a good job by ending up as inholders and eventually being forced out as would happen under the acquisition provisions of this Bill. Make no mistake, we would eventually be forced out. The Bill's claims to protect the native cultural heritage are contradicted by its acquisition policies.

This bill is financially wasteful and inflationary. In the end, 4 to 5 hundred million dollars could be spent. The Bill makes no provision for the actual value of the land or for inflation, administrative costs, management costs, construction costs, legal costs, relocation costs or finally the financial and incalculable human costs to the uprooted citizens. We would encourage you to spend federal monies where they would be more cost effective ... and that is not in Big Sur. It is the time for the federal government to take a look at itself, rather than at us.

Whether or not we own property, all of us in Big Sur have a lifestyle that is in jeopardy. We all have an environment of which we have been the traditional and successful guardians and that is in jeopardy. We have an unfettered way for millions of visitors to enjoy Big Sur and that, too, is in jeopardy. The Friends of the Big Sur Coast is determined that the government shall not take, and destroy, the particular qualities of Big Sur ... qualities that we and the visitors cherish. We ask that this Bill die in Committee.

As stated in the opening of this testimony we have become very concerned with promises which have been given in good faith to people much like ourselves who now face the possibility of direct federal management. We would like to point to some specific examples as they may best speak for our concerns. It is important to note that most of our experience is with the National Park Service, however; on initial contact in some Forest Service areas we are hearing many of the same old stories and many of the same old promises.

Fire Island National Seashore

The residents on Fire Island, New York were convinced that the National Seashore was the only way they could keep Robert Moses, of the New York State Parks Commission, from building a four-lane road down the middle of the island. They joined with major environmental groups and came to Congress, who created the National Seashore and stopped the road. The National Park Service immediately turned around and planned a 20-foot wide two-lane bicycle path, in cement, for the length of the island. The residents found that they had simply traded one villain for another.

In addition, a number of communities, totalling some 4800 homes on the island, were to be protected by exempting them from NPS management. Gradually, these exempted communities have been eroded by cutting off access, almost eliminating reasonable travel to their homes by car and by a successive series of restrictions and dune district designations (some by law but most by administrative action) which if taken by themselves were fairly minor, however; when lumped together, have resulted in many homes being condemned and torn down. The communities thus found themselves not exempt as they had been promised both by members of Congress and representatives of the Park Service.

One of the most dramatic realizations to Fire Island residents came when the Deputy Director of the National Park Service, testified recently that it was the intent of the Service to return the island to its natural state. This agency restatement of purpose for an area not only was totally inconsistent with the intent of Congress but has so enraged the issue to cause both Senators from the state to call for oversight hearings and a General Accounting Office review of the entire management of the Fire Island National Seashore.

Mammoth Lakes, California

The National Forest Service built a new headquarters and then closed a trailer court across the road, because it blighted the view of the new facility. The problem is, that this large trailer court was one of the only areas for moderate income families and single residents in the area. The closure of this court severely impacts an already serious shortage of housing in the area. Now the Forest Service refuses to provide land, even on a lease basis, and says that low or moderate income housing is not their responsibility. Gradually, while increasing the visitor capacity, the Forest Service is strangling the local people who work in the area and cutting off the people who are not financially independent from working and enjoying this "national resource" that belongs to all Americans.

Sleeping Bear Dunes National Lakeshore

More exempted communities were promised in this area and a new idea of providing "Certificates of Exemption from Condemnation" to landowners who could qualify. At this time there are many inholders who hold such contracts with their government which agreed legally they would never be condemned — these same citizens of this nation are now in court under direct government condemnation by action of federal agencies. The same agencies which signed the contracts under the authority of the Secretary of the Interior. The explanation of the Park Service is that because this is a new government (a new President) those certificates are void.

Indiana Dunes National Lakeshore

Exempt communities and guaranteed non-condemnation again. 1966 law guaranteed no condemnation. In 1976 that law was changed and those in the area who fought to create the area with the understanding that they would not be condemned found the law changed and facing condemnation. In addition two-thirds of the town of Beverly Shores was taken out of exempt status and placed in the Lakeshore.

1978 legislation has now proposed to take the rest of Beverly Shores, a community of 330 homes, schools, shopping areas, churches, gas stations, etc. and in six years totally acquire all private lands. In addition this same legislation is attempting to begin to take parts of Dune Acres and Porter Beach, communities who were promised never to be even considered for acquisition or annex into the Lakeshore.

Olympic National Park

"Full use and enjoyment of their land," was the promise. Inholders now face condemnation, acquisition and severe use restrictions which have forced many to fold under federal pressures and leave trying to find a new place they can escape from federal domination and just be left alone.

Yosemite National Park

Inholders were protected by a number of statements by members of Congress included as part of the legislative history of the area which guaranteed "all valid and existing rights," but numerous condemnations and restrictions have taken place now placing those who remain in a state of expectation

CUSHMAN

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Today nearly every home within 400 feet of the river has been purchased. Some persons owning land within the state managed area of the river have been left completely alone.

Point Reyes National Seashore

Ranching and cattle grazing was supposed to be protected, but gradually the federal agency through restrictive regulations forced ranchers to sell as they could no longer operate economically and conform with federal management.

Zion National Park

Grazing activity was protected but again, gradually it has been eliminated, in some cases breaking agreements made when the legislation was passed. Families were promised that the grazing would continue until the death of the last surviving son but when their father died the grazing was eliminated.

Cascades Lake Chalen National Recreation Area

Stehekin was a protected community that the Congress

wanted developed to provide minimum services to the visitor at the head of Lake Chelan. Of the 1600 acres of private land, the agency has purchased nearly 1000 and clearly violated the intent of Congress. Plus, they have prevented the kind of services that the Congress wanted in order that the visitor could enjoy the area.

Flathead River

Currently, the Forest Service is threatening declaration-of-taking actions over the phone to landowners and not working with the people or offering any other alternatives such as easements as required.

In summary, small enclaves of people have virtually no protection against the Federal Government's land control agencies powers and funds once an area is designated a National Area. They do not elect their governors, who mostly manage for convenience and are generally trained to manage natural resources not people. Protecting unique life-styles is certainly not easy and will not likely fit the semi-military pattern of Federal management practiced today.

Whether the area is protected by Park Service, Fish and

Wildlife Service or the Forest Service, standardization of life-style will be the result. These results have been true across the nation, only varying occasionally when a sensitive manager is in charge. But how long can we depend on that manager? And why should we, as Americans, be subject to rule by personality rather than rule by law? The agencies continue a program of moving staff from place to place thus not encouraging any community ties and long standing responsibilities for promises made by area managers.

Does it not make sense to keep local control and explore every alternative possible, no matter how difficult? People and their life-styles or culture are so much a part of the vitality and the beauty of an area — they need as equal a right to protection as does the environment. Otherwise we are open space rich yet culture poor.

"They mae us many promises, more than I can remember, but they never kept but one; they promised to take our land, and they took it."

Sitting Bull

Charles Cushman
Executive Director
National Inholders Association

February, 1980

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96th Congress, 2nd Session

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<i>Baker, Howard H., Jr.</i> (Tenn.)	44944	4123	Hart, Gary (Colo.)	45852	254	<i>Packwood, Bob</i> (Oreg.)	45244	1321
Baucus, Max (Mont.)	42651	1107	<i>Hatch, Orrin G.</i> (Utah)	45251	411	Pell, Claiborne (R. I.)	44642	325
Bayh, Birch (Ind.)	45623	363	<i>Hatfield, Mark O.</i> (Oreg.)	43753	463	<i>Percy, Charles H.</i> (Ill.)	42152	4321
<i>Bellmon, Henry</i> (Okla.)	45754	125	<i>Hayakawa, S. I. (Sam)</i> (Calif.)	43841	6217	<i>Pressler, Larry</i> (S. Dak.)	45842	2104
Bentsen, Lloyd (Tex.)	45922	240	Heilin, Howell (Ala.)	44124	6327	Proxmire, William (Wis.)	45653	5241
Biden, Joseph R., Jr. (Del.)	45042	431	<i>Heinz, John</i> (Pa.)	46324	443	Pryor, David (Ark.)	42353	404
Boren, David L. (Okla.)	44721	440	<i>Helms, Jesse</i> (N. C.)	46342	4213	Randolph, Jennings (W. Va.)	46472	3203
<i>Boschwitz, Rudy</i> (Minn.)	45641	2107	Hollings, Ernest F. (S. C.)	46121	115	Ribicoff, Abraham (Conn.)	42823	337
Bradley, Bill (N.J.)	43224	4104	Huddleston, Walter D. (Ky.)	42541	2121	Riegle, Donald W., Jr. (Mich.)	44822	1207
Bumpers, Dale (Ark.)	44843	3229	<i>Humphrey, Gordon J.</i> (N. H.)	42841	4203	<i>Roth, William V., Jr.</i> (Del.)	42441	3215
Burdick, Quentin N. (N. Dak.)	42551	451	Inouye, Daniel K. (Hawaii)	43934	105	Sarbanes, Paul S. (Md.)	44524	2327
BYRD, HARRY P., JR. (Va.)	44024	417	Jackson, Henry M. (Wash.)	43441	137	Sasser, Jim (Tenn.)	43344	405
Byrd, Robert C. (W. Va.)	43954	133	<i>Javits, Jacob K.</i> (N. Y.)	46542	321	<i>Schmitt, Harrison "Jack"</i> (N. Mex.)	45521	248
Cannon, Howard W. (Nev.)	46244	259	<i>Jepsen, Roger W.</i> (Iowa)	43254	5327	<i>Schweiker, Richard S.</i> (Pa.)	44254	253
<i>Chafee, John H.</i> (R. I.)	42921	3103	Johnston, J. Bennett (La.)	45824	421	<i>Simpson, Alan K.</i> (Wyo.)	43424	6205
Chiles, Lawton (Fla.)	45274	437	<i>Kassebaum, Nancy Landon</i> (Kans.)	44774	304	<i>Stafford, Robert T.</i> (Vt.)	45141	5219
Church, Frank (Idaho)	46142	245	Kennedy, Edward M. (Mass.)	44543	2241	Stennis, John C. (Miss.)	46253	205
<i>Cochran, Thad</i> (Miss.)	45054	328	<i>Luxat, Paul</i> (Nev.)	43542	315	<i>Stevens, Ted</i> (Alaska)	43004	260
<i>Cohen, William S.</i> (Maine)	42523	1251	Leahy, Patrick J. (Vt.)	44242	232	Stevenson, Adlai E. (Ill.)	42854	456
Cranston, Alan (Calif.)	43553	229	Levin, Carl (Mich.)	46221	3327	Stewart, Donald W. (Ala.)	45744	110
Culver, John C. (Iowa)	43744	344	Long, Russell B. (La.)	44623	217	Stone, Richard (Dick) (Fla.)	43041	1327
<i>Danforth, John C.</i> (Mo.)	46154	460	<i>Lugar, Richard G.</i> (Ind.)	44814	5107	Talmadge, Herman E. (Ga.)	43643	109
DeConcini, Dennis (Ariz.)	44521	3230	<i>McClure, James A.</i> (Idaho)	42752	5229	<i>Thurmond, Strom</i> (S. C.)	45972	209
<i>Dole, Robert</i> (Kans.)	46521	2213	McGovern, George (S. Dak.)	42321	4239	<i>Tower, John</i> (Tex.)	42934	142
<i>Domenici, Pete V.</i> (N. Mex.)	46621	2317	Magnuson, Warren G. (Wash.)	42621	127	Tsongas, Paul E. (Mass.)	42742	342
<i>Durenberger, David</i> (Minn.)	43244	353	<i>Mathias, Chas. McC, Jr.</i> (Md.)	44654	358	<i>Wallop, Malcolm</i> (Wyo.)	46441	452
Durkin, John A. (N. H.)	43324	3319	Matsunaga, Spark M. (Hawaii)	46361	362	<i>Warner, John W.</i> (Va.)	42023	6239
Eagleton, Thomas F. (Mo.)	45721	1209	Melcher, John (Mont.)	42644	1123	<i>Weicker, Lowell P., Jr.</i> (Conn.)	44041	313
Exon, J. James (Nebr.)	44224	4327	Metzenbaum, Howard (Ohio)	42315	347	Williams, Harrison A., Jr. (N. J.)	44744	352
Ford, Wendell H. (Ky.)	44343	4107	Morgan, Robert (N. C.)	43154	5313	<i>Young, Milton R.</i> (N. Dak.)	42043	5205
<i>Garn, Jake</i> (Utah)	45444	5121	Moynihan, Daniel P. (N. Y.)	44451	442	<i>Zorinsky, Edward</i> (Nebr.)	46551	432
Glenn, John (Ohio)	43353	204	Muskie, Edmund S. (Maine)	45344	145			

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