

Securing—and defending—the Coastal Zone

IT WAS THE BIRDS that made me fall in love with our coastal zone.

Pursuing our avid hobby of birding, my two sons and I traveled the length of Delaware dozens of times trying to find as many bird species as we could. One day from sunup to sunset we saw 123 species while visiting Delaware's national and state wildlife refuges, state parks, forests, farmlands, and wetlands; the Delaware Bay, the ocean coast, the inland bays, the Great Cypress Swamp and more.

In the process we met and visited with hundreds of people from all over Delaware and neighboring states who were enjoying our captivating coastal zone - camping, fishing, boating, swimming, surfing, crabbing, birding, picnicking, canoeing, kayaking, or just lying in the sun. And then I learned that Shell Oil Company was pushing to build a refinery in the heart of our unspoiled coast. Citizen groups organized to fight it, but lost when the Delaware Supreme Court gave Shell the right to proceed.

At that time I was campaigning to become Delaware's Governor. I won and was sworn in on January 22, 1969. Protecting our coastal zone became one of my prime objectives. A few weeks after taking office I advised the State Council on

Planning to concern themselves with the kind of state we want to pass on to our children and grandchildren.

"We have two great opportunities, right now," I told them, "but we can't capitalize on both of them. They are incompatible. One choice is to participate in a major industrialization of our coast, build a series of refineries and port facilities and live with all the growth and benefits and problems they will bring. The other choice is to leave most of the coast as it is, so people can enjoy the quality of life the coast now affords us. I believe the second way is the better way."

My preference for protecting the coast received almost no public attention during 1969, my first year in office. In January 1970, in the Governor's Future of the State address to the legislature, I spoke of my program to develop a master plan for the coastal zone and announced my appointment of a Task Force on Marine and Coastal Affairs to advise me. Then by Executive Order I declared a moratorium on all new industrial development in Delaware's coastal areas, including the refinery Shell was ready to build.



My staff asked where I got the authority to do this. I told them if the people supported me, then I would have the authority. Surprisingly, the powerful interests affected by the moratorium like Shell, the DuPont Company and the Chamber of Commerce, adopted a wait-and-see attitude. But on January 3, 1971, when I delivered my third Future of the State message to the Legislature, I reported that the Task Force would be releasing its report which had further convinced me I needed

(Continued on next page)

Former Governor Russell Peterson gave these remarks at the Delaware History Museum on September 22, 2009.

to act. I told the Legislature that I would be pushing for passage of a Coastal Zone Act prohibiting all new development of heavy industry in the Coastal Zone which the task force had delineated as roughly two miles wide and 115 miles long, covering the shores of Delaware Bay, the Atlantic Coast and the inland bays on the leeward side of Delaware's barrier lands in the south.

The battle lines were drawn. I would now be regarded by many influential people in Delaware, people who had helped me get elected, as a traitor to my former employer, to the industrial world from which I had sprung, to my political party and to at least some of President Nixon's men.

Opposed by business interests

On February 9, 1971, the Executive Committee of the Delaware State Chamber of Commerce voted unanimously to oppose the proposed Coastal Zone Act. All major companies in Delaware were represented on the Committee. The Chamber's president, Max Colson, wrote to me saying a permanent ban on heavy industry would stifle the economy, deprive a growing population of needed employment and give the state an anti-business image.

I stayed up until 2 a.m. two nights writing a lengthy reply rebutting Colson's contentions. The news media praised it and played it prominently. The Wilmington Morning News printed the whole letter. The Delaware State News stated that Delaware was widely known as pro-business; only the Chamber was advertising it as anti-business. My letter compared the Chamber's choice for the coastal zone (a slew of refineries, petrochemical complexes, deep sea ports, oil tank farms, mountains of coal and iron ore) with the alternate choice of leaving it pretty much in its natural unspoiled beauty, while capitalizing on its job producing businesses of tourism and recreation.

I wrote, "The key question is not whether refineries, for example, are good or bad, but are they the best use for the land involved?"

"We are heading full steam ahead toward the industrial complex. Without prompt action this choice will win by default. I intend to do all I can to lead the state into preserving the bulk of our Bay and Coastal areas for recreation and compatible commercial and industrial uses."

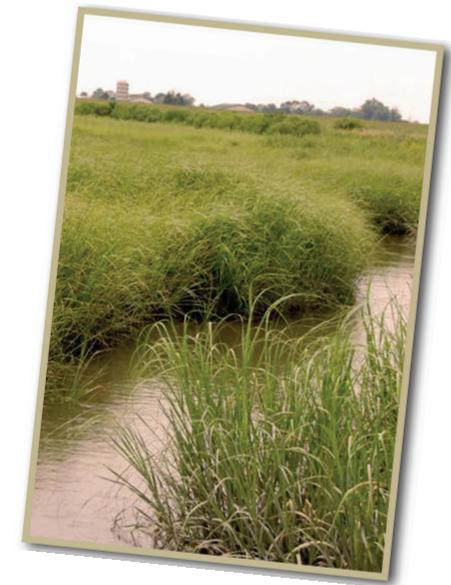
At about that time the Commercial Development Association (CDA) hon-

ored me at a black tie dinner in the Waldorf Astoria Hotel in New York City for the work I had done at DuPont in launching new business ventures. That organization consisted of large industrial companies of which DuPont was an influential member. They obviously had decided to give me the top award before I announced my intention to ban heavy industry from the Delaware coast.

Before and after dinner I found myself surrounded by oil company executives trying to talk me out of the ban. It was hard to enjoy my big night in the big city with all the lobbying going on.

Back home Zapata Bulk Systems, an affiliate of oil man George Herbert Walker Bush's company, announced their plan to build a large island for coal transfer in Delaware Bay's best fishing waters. The Building and Construction Trades Council of Delaware came out in favor of Shell Oil Company's proposal, and construction workers picketed the Governor's House, booing me on my way to work.

At this time I intensified my efforts to get citizen groups involved. These included Delawareans for Orderly Development, Delaware Wildlands, the Delaware Nature Society, Delaware Sierra



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Club, the Association of University Women and the Governor's Youth Council. The United Auto Workers and the American Federation of State, County and Municipal Workers joined our cause. They considered the coast a valuable asset, easily accessible and of recreational import to their families. They were determined to save it.

It felt like it did in my old days as a volunteer citizen activist trying to reform our prison system, putting pressure on the legislature and the governor, only now I had the advantage of sitting in the governor's chair, going all out to mobilize the citizens. For me, those hectic, heady days were an activist's dream come true.

In April 1971, the Task Force on Marine and Coastal Affairs released its report providing a solid, scientific basis for the impending legislative battle. The report unconditionally recommended that the coastal zone be dedicated to active and passive recreational use, and be compatible with other uses of an agricultural, commercial, or educational nature. It emphasized that current proposals to build oil refineries and deep sea ports in the area would lead inevitably to development of a huge, incompatible heavy-industry complex with the

potential for catastrophic spills.

As an alternative, the Task Force recommended that the state help local communities develop additional recreation areas and shoreline access in order to provide adequate public facilities for tourists.

In January 1971, I had assigned my counsel, Fletcher (Sandy) Campbell, Jr., to write the Coastal Zone Act. I asked him to draft it to outright prohibit any more heavy industry or bulk product transfer facilities in the coastal zone. I was determined that the Act be written to avoid any conflict with the interstate commerce clause of the U.S. Constitution. Time has shown that Sandy did so. At the 25th anniversary reunion of Sandy's Harvard Law School Class, when asked what was the most important thing he had done since graduating, he told his fellow alumni, "Draft Delaware's Coastal Zone Act."

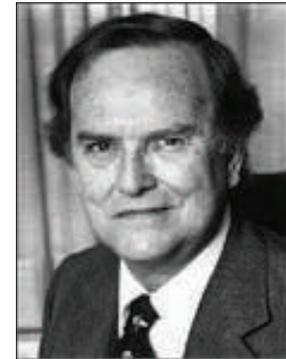
Rep. Knox was prime sponsor

The Act was introduced in Delaware's House of Representatives as House Bill 300 on May 12, 1971. Andrew Knox, a new member of the House, and a close friend, sponsored the legislation. He lined up 20 cosponsors, a majority of the 39 member body. While planning

the legislation, I had involved the Republican leaders of the Legislature, Reynolds duPont, President pro term of the senate, and George Hering, Speaker of the House. Now they swung into action persuading their colleagues. Two future governors supported the bill—Michael N. Castle, then a member of the state senate, and Pierre S. duPont IV, then in his first term as U.S. Congressman from Delaware.

The Legislature held public hearings around the state. They were well attended, thanks to the efforts of supportive citizen groups. By an overwhelming margin the large audiences spoke in favor of the bill.

Then the oil companies weighed in. The distinguished president of Shell Oil, Denis Basil Kemball-Cook, visited me. He was an impressive, likeable man. He stated that his company had spent millions of dollars to prepare to build a refinery on land they owned in Delaware's coastal zone. For the past ten years, he said, they had been working in and out of the courts to gain permission to build. Now when they thought they had all the permits they needed, Delaware said no. He tried hard to change my mind. I explained why my answer had to be no.



It felt like it did in my old days as a volunteer citizen activist trying to reform our prison system, putting pressure on the legislature and the governor, only now I had the advantage of sitting in the governor's chair, going all out to mobilize the citizens. For me, those hectic, heady days were an activist's dream come true.

At that time the Nixon Administration entered the fray. The Departments of Treasury and Commerce came out in support of the plan of Zapata Norness to build an oil terminal off Delaware's shore. Zapata Norness was U.S. President-to-be George H.W. Bush's company. An assistant secretary of the U.S. Treasury wrote to the Delaware House of Representatives urging them to vote against the Coastal Zone Act, claiming it would seriously damage America's ability to compete in ocean-going commerce.

Then the Department of Commerce's Assistant Secretary for Maritime Affairs submitted testimony claiming the Act would "damage the nation's trade position and undermine President Nixon's program to assure United States' leadership in shipping." U.S. Secretary of Commerce Maurice Stans, asked me to come to his office in Washington.

When I arrived he had 25 of his staff with him. He said, "These men have been working for ten years to further the industrialization of the Delaware Coast. It is by far the best place in the East for such needed development. " Then he walked over to me and said, "Governor, you are being disloyal to your country."

"Hell no," I said. "I'm being loyal to future generations of Americans."

Next I heard from Russell Train, whom President Nixon had just appointed chairman of the newly created Council on Environmental Quality (CEQ). To my surprise, he expressed opposition to Delaware's Coastal Zone Act, asking that we wait until a national land-use policy act was passed.

Support from the media

All of Delaware's daily newspapers supported our drive to protect the coast. A stream of editorials and news columns urged favorable action.

After well attended hearings on the proposal, John D. Gates of The Wilmington Morning News wrote: "Call it what you will, a superb brainwashing job by ecologists and conservationists or a sudden public awakening to the dangers of environmental destruction. No longer will major development decisions be made without active public participation.

"That's progress. Those decisions influence the way of life and the nature of Delaware. The public deserves a voice, a loud voice, in their making.

"Now that business and industry are being forced into public accountability, now that the Establishment must justify itself, the whole American system stands to benefit."

As our bill was taken up in a legislative committee, opponents focused their attack. The oil company lawyers drafted an amendment that would remove the outright prohibition on new refineries, steel mills, petrochemical complexes and bulk products transfer facilities. The amendment proposed instead that each application be "judged on its merits," that is, be reviewed by an appointed commission and approved or disapproved on the basis of its potential impact.

As a former citizen activist and a student of the commission form of government I knew that a commission, an appointed body, would be highly susceptible to lobbying by special interests. The oil companies knew that, too. A single appointed body was too weak a reed on which to anchor something as important as the future of the Delaware coast. The bill came up for a vote in the House on June 21, 1971. Legislative Hall was jammed. Long-time legislators claimed that the lobbying was the most intense they had ever seen. Citizen



'Governor, you are being disloyal to your country.'

- Nixon Commerce Secretary Maurice Stans

groups were there in strength, Many young people were there lobbying along with the professionals. Reporters were all over the building, Debate proceeded well into the evening with frequent recesses for caucusing and for House leaders to meet with me in my office. Several legislators who had supported the bill were now wavering, Sherman Tribbitt, the Democrat who would succeed me as governor led the attempt to gut the bill.

The critical amendment prepared by the oil companies came up at 9:30 p.m. I was in the balcony watching the proceedings. It was an exciting, nerve-racking moment. I held my breath as the votes were counted, We beat the amendment by one vote: twenty nays and nineteen ayes,

The final vote on the bill came at 10:45 p.m. Having lost the key vote on the oil company's amendment, seven Democrats switched their votes in order to be on record as having favored a popular bill. We had cleared the first of our two hurdles.

The next day the action moved to the Senate, comprised of 13 Republicans and 6 Democrats, From the beginning three Republicans joined the six De-

mocrats in opposing the bill. Lobbyists cornered Senators every time they left the sanctuary of the Senate chamber, The Senate leadership and I worked all day to maintain our 10 to 9 margin, By dinner time it appeared we had done so.

Last-minute lobbying

After dinner an aide rushed into my office saying that two Republican senators had been turned around by lobbyists I asked the two senators and the Senate leaders to meet with me in my office. We impressed on them the need to respect the will of the people, the well-being of future Delawareans and the need to maintain party unity. After about an hour the two agreed to support the bill. When the Senate went back into session, I was watching again from the balcony. The leadership immediately brought up the critical amendment. It was voted down 10 nays to 9 ayes, I breathed a big sigh of relief.

Shortly before 11 p .m., the final vote came. It was 16 to 3. As in the final House vote, many of the senators, when they saw which way the vote would go, joined the winning side in what had become a motherhood issue, an issue heralded by citizen groups statewide. But motherhood or not, the reality was that our bill had eked by in both cham-

bers, with only one vote to spare.

I signed the bill into law on June 27, 1971. It was a delicious moment, one that many of us involved in the victory still savor. The people of Delaware had opted for environmental quality and compatible development instead of the unrestrained development and environmental destruction that had been happening elsewhere for the last hundred years.

A New York Times editorial proclaimed, "Forty-nine other states, including New York, can learn something from this exceptionally perceptive action by Governor Peterson and his responsive legislature. "

Writing a year later in the magazine "On the Shore," David Nevin offered this perspective: "Considering the industrial boom of the last two decades and the ravished stretch from Wilmington to New York City, it's miraculous that the Delaware Coast survived; the Coastal Zone Act saved it in the last moments of its last chance. "

It had been such a close call that almost everything done on behalf of the Coastal Zone Act had been decisive. Every ac-

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The New York Times

tion and every supporter made a difference.

At the time I became Governor, the modern environmental movement was taking root around the world in governments, in the private sector and in the United Nations. By 1971 numerous new environmental organizations had been established. The federal government had passed the Clean Air Act, the Clean Water Act, and the National Environmental Policy Act. Unknown to me the world environmental community had closely followed the little state of Delaware's battle with the huge international oil, coal and transportation companies, and the principal culprits of environmental degradation. When we won, environmentalists everywhere were elated.

Delaware and her Governor became their heroes. A few months after I signed the law I was back at a black tie dinner in the Waldorf Astoria, where I received the prestigious Gold Medal of the World Wildlife Fund. When Chairman Prince Bernhard of the Netherlands gave me the medal he said, "Delaware's Coastal Zone Act was the first time in the world any community had ever won

such a battle with international oil companies."

A few months later I received another international award, Environmentalist of the Year, at a big gathering in Mexico City. It was my special thrill when my schoolboy hero, Charles Lindbergh, America's "Lone Eagle," handed me the award.

Lost election to second term

Back home I wasn't doing so well. Those who fought against the Coastal Zone Act ganged up on me and I lost my bid for re-election. Almost immediately thereafter, I received from people outside of Delaware, who liked what I had done as governor, several major unsolicited job offers. I decided to accept the offer to become President of the University of Connecticut. But before I did so, my colleague, Governor of New York Nelson Rockefeller, asked me to help him organize a national commission on critical choices for Americans. I accepted. This triggered a long career of exciting and rewarding jobs.

Back in Delaware, it soon became clear that the battle to save the coastal zone was not over. The first assault came

right after New Year's Day in 1974. The forces that had opposed the Coastal Zone Act from the start mounted a concerted attack on the two-year-old statute. The new governor, Sherman W. Tribbitt, sided with them in their campaign to remove the ban on heavy industry in the coastal zone. The country was in the grip of an energy crisis, with long lines forming at gas stations. Rising unemployment had become a national concern. The Coastal Zone Act provided a good scapegoat.

The DuPont Company leadership fired the first shots, declaring that the Act was too restrictive and contributed to "an anti-industry image." The Building and Construction Trades Council mailed a pamphlet to every home in Delaware claiming the Coastal Zone Act cost jobs. The Governor's Labor Secretary blamed the act for rising unemployment. The business-oriented Committee of 100 criticized the "prohibitory" law for giving Delaware "an anti-business, anti-industrial image" The Delaware Chamber of Commerce announced jubilantly that "the pendulum is now swinging from ecology to the economy!"

As always the press rallied to the defense



'Delaware's Coastal Zone Act was the first time in the world any community had ever won such a battle with international oil companies.'

- Prince Bernhard of the Netherlands

of the Act. Not only the Delaware papers responded, but also the Philadelphia Inquirer and the New York Times.

Shortly, a bill was introduced in the Legislature that would destroy the Coastal Zone Act. A majority of the members of both the House and Senate had signed on as co-sponsors. Governor Tribbitt supported it. It was clearly an orchestrated attack by the most powerful interests in Delaware, and it appeared to be the end of the Coastal Zone Act.

Then Grace "Bubbles" Pierce, a fellow warrior and Delaware's most effective environmental lobbyist, called me in Washington, where I was now serving as Chairman of the President's Council on Environmental Quality. "You must come back home," she said, "and help mobilize the troops." The next day I did so. First I sent a press release to the Delaware papers, who rejoined the battle. Bubbles arranged for volunteers to put a letter from me directly on the desk of each state legislator. Then we called on the leaders of the citizen groups who fought in our earlier battles to reactivate their members.

When the Legislators held public hearings, the people again made clear what they wanted. One by one legislators removed their names from the bill. It died in committee.

Attempts to overturn the Act

Three years later in 1977 when Pierre S. duPont IV became governor, those who had previously failed to block the Act saw another chance. While campaigning for the governorship of Delaware, Governor duPont, an early supporter of the Act, had jumped the fence to join those who opposed the Act. Now new legislation - essentially the same bill that had failed in 1974 - was introduced in the House. It had 23 co-sponsors. Only 21 votes were required for passage.

The press sprang to the defense of the Act. Joe Smyth, editor of the Delaware State News, after describing how well the Act had been protecting Delaware's coast, told his readers, "Having heard from all those organized pressure groups, an unholy alliance of Big Oil, Big Daddy DuPont and a few misguided Big Labor leaders, your legislators now need to hear from you." He further wrote, "If Delaware's legislators ruin the state's Coastal Zone Act, the

entire bunch of them should be strapped to a dunking stool and dipped into a big vat of oil."

The Legislature held hearings around the state; as before, citizens mobilized and testimony overwhelmingly favored keeping the Act as written. I came home from Washington to speak in the House chamber. It felt good to be back and to see the galleries crowded with people who loved the Delaware coast and were not going to let the Coastal Zone Act be compromised. As I ran through the litany of arguments for a strong Act, and responded to the arguments of the oil companies for gutting it, I think it began to dawn on the lawmakers where their constituents stood. The cheering crowd conveyed an unmistakable message.

To counter the standard argument that the Coastal Zone Act gave Delaware an anti-business image, I responded that Delaware had a pro-business image and was frequently called the Corporation State. I reported that I had talked to hundreds of large audiences and met with thousands of people all over the country during the last few years, and had never heard anyone (except here at



Grace W. "Bubbles" Pierce-Beck

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home) say Delaware had an anti-business image. On the contrary, many people all over America knew about our Coastal Zone Act and considered it a positive factor.

I suggested that the people of Delaware censure the State Chamber of Commerce and their associates for spreading such anti-business propaganda. In the end it was an organized and outspoken citizenry pressuring their elected representatives who carried the day. Gradually the bill's sponsors withdrew their support. The ban on heavy industry remained in effect.

Several years later in 1984 a major new threat, a legal challenge, came from Norfolk Southern, a railroad and van line company. They claimed that the Act violated the commerce clause of the U.S. Constitution.

Norfolk Southern planned to use an area at the mouth of Delaware Bay to transfer coal from smaller vessels to super-colliers for shipment overseas. They claimed that Delaware Bay was the only place on the East Coast from Maine to Mexico that afforded the sheltered deep water area they needed.

They requested a permit from Delaware's Secretary of Natural Resources and Environmental Control, John E. Wilson III, who administered the Coastal Zone Act. With the approval of Delaware Attorney General Charles Oberly, Wilson granted the permit.

Control Board overruled Secretary

Fortunately when the Act was drafted, it provided for a Coastal Zone Industrial Control Board that could pass judgment on the Secretary's decision. Now that Board overruled the Secretary. Promptly, Norfolk Southern sued Delaware in the U.S. District Court. Again the federal government joined the side of heavy industry. Earlier the Nixon administration had fought enacting the ban; now the Reagan Administration through court action hoped to lift the ban.

Both the U.S. Department of Justice and the Department of Commerce filed supporting briefs. Delaware's new governor, Michael Castle, fired off a telegram to Commerce Secretary Malcolm Baldrige: "I understand the profit motive driving Norfolk Southern, but I find it disturbing that such corporate tunnel vision is shared by the federal

agency responsible for administering the nation's Coastal Zone Management Act."

In the previous battles our campaigns focused on informing and mobilizing citizens to pressure their lawmakers. But now a different strategy was needed - a long, costly legal defense lay ahead. Attorney General Oberly assigned one attorney - his deputy, Regina Mullen - to handle the case. She told me of her limited resources as compared with those of Norfolk Southern and the federal government. Even as bright, energetic, knowledgeable and dedicated as Regina Mullen was, her task was daunting.

I agreed to help. As I was then president of the National Audubon Society, I was able to arrange for three national groups to intervene as defendants-Audubon, Sierra Club and a highly professional, no-nonsense outfit of lawyers and scientists who specialized in such cases, the Natural Resources Defense Council (NRDC). Governor Castle, the Delaware Nature Society and Delaware Wild Lands filed Friend of the Court briefs.

John Adams, Chair and founder of

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NRDC came to my home in Wilmington to meet with Regina Mullen, former US. Senator J. Caleb Boggs and me. He agreed to assist us if I would help him raise funds to support their additional work. I did so. He appointed a full time attorney and lined up a large New York City law firm to work with us pro bono. Now Regina Mullen and company had some real clout.

The federal district court eventually ruled in favor of Delaware. When Norfolk Southern appealed, the US. Circuit Court of Appeals also found for Delaware. In September 1987, the company announced it would not appeal to the U.S. Supreme Court. The Coastal Zone Act had withstood the anticipated constitutional challenge.

Regulations wait 19 years

Although attempts to scuttle or weaken the Coastal Zone Act had failed in the legislature, industry lobbyists managed for 19 years to stymie the implementation of one important provision of the Act: Regulations were required to serve as guidelines in deciding how and where the law applies, when a permit might be granted and what administrative procedures needed to be followed. Business

lobbyists didn't want comprehensive guidelines. They wanted each application for a permit considered on its specific merits.

Finally in 1990, Governor Castle appointed a nationally known environmentalist, Dr. Edwin "Toby" Clark, as Secretary of the Department of Natural Resources and Environmental Control. As a point of interest, Toby had reported to me when I headed the President's Council on Environmental Quality. As administrator of the Coastal Zone Act, Toby went to work to establish regulations. Over a two-year period and with extensive input from industry and the community, Toby submitted his proposed regulations, as required, to the Coastal Zone Industrial Control Board. The Board, after hearings, adopted them. They became law on July 25, 1993.

But wait! The Delaware Chemical Industry challenged them on the basis that the Control Board had not properly followed the state's Administrative Procedures Act. The state's business court, the Court of Chancery, agreed and declared the Regulations null and void. With one judicial flush, three years of

conscientious work and thousands of hours of public input went down the drain.

At this time a new governor, Thomas Carper, was elected and he appointed Christophe Tulou Secretary of DNREC. Three years later, Governor Carper announced his determination to see that regulations were established. He appointed representatives of business, environmental organizations and state government to develop by consensus guidelines to be followed in preparing the required regulations. I participated in this exercise.

After two years of many meetings our committee reached consensus, all of us including Governor Carper signed off on a detailed memorandum of understanding that paved the way for Secretary Tulou to prepare regulations that should be free from legal challenges by either industry or environmentalists. His regulations, approved by our committee, were submitted to the Coastal Zone Industrial Control Board which, after hearings, approved them in November 1998.

Regulations were now legally binding 27 years after they had been mandated



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in the Coastal Zone Act. Governor Carper's decision to pursue a consensus-building approach was the key to success.

Will the people of Delaware ultimately prevail in protecting their coast? I believe so. Despite unrelenting efforts to undermine Delaware's Coastal Zone Act by the oil, coal and chemical industries, state and federal governments, and the Delaware Chamber of Commerce, our experience in Delaware shows that our coast can be saved. It was done by pressure from voters, pressure from the large number of citizens who invariably rally to defend the Act, pressure from the 90 percent of Delawareans who say they want to protect their coast from the industrial activity that has destroyed so many other coasts.

An oil company executive once said he was sure of eventual victory in circumventing the Coastal Zone Act. "The oil companies will be around much longer than Peterson," he was quoted as saying. By now he must recognize that there are many thousands of Delawareans who will fight to save their coast. You and I must make sure that from their ranks will come a succession of leaders who

will be around long after the world runs out of oil this century and long after the oil industry takes its place in history.

Land acquisition is best defense

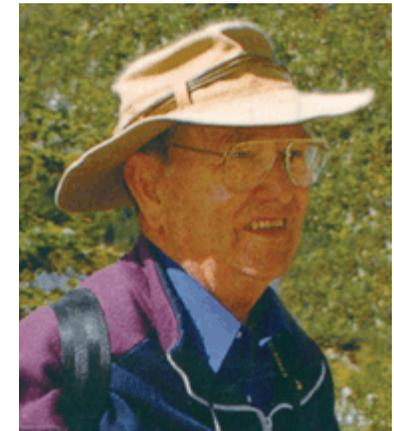
The oil company spokesman missed another point. There is an action, in addition to the Coastal Zone Act, that will ensure our coast is saved. That is for the state or private conservation groups operating in the public interest to buy the land and permanently maintain it as open space, as wildlife habitat, as places for public recreation. No amount of political pressure from big business, no amount of campaign contributions or other financial incentives to elected and appointed officials will ever change that.

Ted Harvey's Delaware Wild Lands has set a great example, buying up critical areas. They have, for example, acquired over 2,700 acres at Big Stone Beach, giving them control of the coastline where the consortium of oil companies had planned major building activities. Ted and I supported each other and became great friends. When I was unsuccessfully running as a Republican for re-election in 1972, Ted, a Democrat, held a rally for me at his farm in Kent Company. He gave me a gift from his

family of a bronze turtle carved by his artist son, Andre.

"The turtle," Ted said, "knows, like you, that one has to stretch out his neck to get ahead." I now like to visit the Harvey Conservation Area near Big Stone Beach where Ted is formally memorialized. Delaware Wild Lands is now run by Ted's son Rusty. He and his colleagues continue their quiet, unrelenting campaign to insure the lasting preservation of our coast.

How often we hear the advocates of business-as-usual call the arguments of environmentalists "emotional," as if there is something wrong with feeling passionate about the need to protect our Earth. Oil company executives have stated that our Coastal Zone Act was an emotional response to the fear of loss. You bet it was! While our side lacks one of the most powerful motivators of all – the profit motive – we have the ability to move people in other, equally compelling ways. Our love for our coast proved to be one such way. Our choice was to save our unspoiled coast or lose it. We decided to save it. Our choice was to cherish or destroy. We decided to cherish.



'The turtle,' Ted Harvey said, 'knows, like you, that one has to stretch out his neck to get ahead.'

Has our choice done what it was created to do? I think it has. When the Coastal Zone Act was passed 38 years ago, more than 80 percent of Delaware's shore land and adjacent land south of the Chesapeake and Delaware Canal was used for recreation, wildlife preserves, parks, farmlands and woodlands. Today this is still the case, and more of the coast enjoys lasting protection, thanks to the work of Delaware Wild Lands, the State of Delaware, the Nature Conservancy and others in acquiring the land. And thanks to Delaware's potent environment organizations and citizen activists who continue to diligently watch over the coastal zone.

Delaware Historian William Williams in his recent book, "Man and Nature in Delaware," summed up his appraisal of Delaware's Coastal Zone Act this way: "The Act's place in history is assured because in terms of its impacts on Delaware it is one of the most remarkable

pieces of legislation passed by the General Assembly in the past two centuries."

And Delaware Historian Carol Hoffecker writes, "Delaware's Coastal Zone Act remains Delaware's greatest and most comprehensive legislative achievement toward maintaining a livable environment."



We have come a long way. Delaware has established a national model and maintained its coast as a national treasure. Today one can find hanging on the wall in many Delaware homes (as it does in mine) a poster of a beautiful scene along Delaware's coast. Beneath the picture is the statement, "We have faced a challenge and made a choice. If uncontrolled industrial growth means great loss of our natural resources, then the price is too high and we don't want it."

It has been good to be here tonight with you, some who have played important roles in the battle for the coastal zone and others who now have the responsibility and opportunity to continue to carry the torch. It has also been good to speak about my memories. For it's memories that make old age better than it looks.