

"Subject: Hunting Creek Dredging Permit.

"The pot still boils on the decision I made some time ago to remove objections to this permit reversing an earlier decision made before I was Assistant Secretary.

"The latest difficulty raises from Mike Frome who has asked that I reverse myself. His point is not so much the fish and wildlife value of the few acres to be behind bulkhead on the upstream side of the mouth of the creek as it is his assertion that to grant this permit would practically assure a continuous line of high-rise buildings along the shore south of Hunting Creek, which doesn't necessarily follow.

"Today I had a chance to speak to Secretary Udall about the problem. He had earlier relegated the decision to me and had raised no objection to what I did. He merely wishes that we get a scientific-technical basis that can be stood on, whether we go 'yes' or 'no' on issuance of the permit. This being the case, and since I made my earlier decision without asking for a new study of the area, I think that one should be made now. Will you please have two or three of the Bureau staff—types who ordinarily make such judgments in river basins—go over there and take a new look? Whatever the judgment of the Bureau turns out to be, I will go with it, as will the Secretary. Incidentally, I will not be bothered by reversing myself, if it should turn out that way. And if it doesn't, I'll have to take Mike Frome's possible barbs. *C'est la guerre!*"

10. *The National Park Service stands firm.*—On April 4, 1968, National Park Service Director George P. Hartzog sent a memorandum to the Secretary of Interior, through Assistant Secretary for Fish and Wildlife and Parks Cain, as follows:

"Subject: Proposed Landfill in Hunting Creek.

"In March 1964, Hunting Towers Operating Co. and Howard P. Hoffman Associates requested permission from the Corps of Engineers to construct bulkheads and place fill in Hunting Creek from their existing shoreline to a point near the Maryland-Virginia boundary at the mouth of Hunting Creek. It was their contention that their riparian rights extended from the present shoreline to the navigable waters of the Potomac River since in their opinion Hunting Creek was no longer navigable. By action of the general assembly of 1964, the Governor and attorney general of Virginia were authorized to convey the submerged lands to the applicants.

"The Department of the Interior in 1964 opposed the conveyance of the submerged lands and the issuance of the fill permits on the grounds that the bulkhead and fill would adversely affect fish and wildlife and park and recreation values in the area, and might adversely affect the riparian rights of the United States as owner of Jones Point Park. Revised applications filed in July 1964 which reduced the area of the proposed fill were opposed on the same basis as the original applications.

"Recently, the Department reconsidered its interests in this matter in the light of existing conditions in the area and concluded that the granting of the applications would not significantly affect recreation or conservation values in the Hunting Creek area.

"An important principle; that is, the preservation of our fast-disappearing natural environment, which you have creatively defended with great honor and high distinction, would appear to me to be involved here.

"The bills before Congress to preserve estuarine areas, and the Potomac River study as well, highlight the need to preserve the natural environment along the Potomac estuary. Moreover, further studies of the area are being recommended.

"The alteration of wetland areas and the consequent loss of natural values and environmental quality in an area where they are at a premium by virtue of riparian ownership could set a precedent which might have disastrous consequences along the Potomac estuary and elsewhere. In short, this small concession at Hunting Creek might be pointed to as a precedent for the right to undertake far larger and more destructive high-rise projects in other embayments along the Potomac.

"All things considered, I recommend the desirability of the Department re-studying its recent decision at Hunting Creek."

In short, National Park Service Director Hartzog was not changing his mind, and stood for the public interest.

11. *Mr. Cain "clarifies his role."*—On April 8, 1968, Assistant Secretary Cain replied to National Park Service Director Hartzog's April 4, 1968, memorandum: