boundary question was also reviewed again by our legal staff and we found that the application as it was then drawn did not conform exactly to our claim of

I also visited the site itself in company with Director Gottschalk and a wellinformed member of the Park Service staff. We viewed the area from the immediately adjoining property from the Cooper Washington Mamorial Parkway diately adjoining property, from the George Washington Memorial Parkway land on the south side of the creek, and from various vantage points on the Jones Point property to the north. We inspected the Dyke Marsh area from the Jones Point property to the north. We inspected the Dyke Marsh area from the marina site to see its relationship to the proposed development.

My discussions with Director Gottschalk and others concentrated on actual with the area. From this I concluded that the data submitted on this point did not refer energiable on the area. point did not refer specifically, or even very importantly, to the actual creek month Rather than waterfowl need data had primary reference to Dyke March mouth. Rather, these waterfowl use data had primary reference to Dyke Marsh and the covered thousand some of water and march in the coneral vicinity with and the several thousand acres of water and marsh in the general vicinity, with your little if any of that were being in the north holf of the great month. The Very little if any of that use being in the north half of the creek mouth. The critical issue was therefore posed as to whether the displacement of 9 acres of month world work each a dislocation of wildlife use as to warrant a proopen water would work such a dislocation of wildlife use as to warrant a proopen water would work such a discovation of windite use as to waitant a pro-hibition on the use of property which was not in Federal ownership. My observa-tion of the water area immediately affected showed it to be shallow turbid and tion of the water area immediately affected showed it to be shallow, turbid, and apparently heavily polluted. No birds were present, although a few were visible in the area to the south. I was unable to get any professional opinion that the in the area to the south. I was unable to get any professional opinion that the fill operation would have any adverse effect through siltation of downstream

Similarly, the impact of the project on adjacent park areas was not clearly Summarry, the impact of the project on adjacent park areas was not clearly evident. Structures on the proposed fill would be largely on line with existing high-rica huildings which have already modified the exemic viete The fill area evident, structures on the proposed in would be largely on the with existing high-rise buildings which have already modified the scenic vista. The fill area not vicible from the principal points of interact on the long Point property is not visible from the principal points of interest on the Jones Point property, and the development plans of the Park Service already call for a screen of trees. and the development plans of the Park Service already call for a screen of trees which will minimize if not avoid any visual intrucion on other parts of the and the development plans of the Fark Service already can for a screen of trees which will minimize, if not avoid, any visual intrusion on other parts of the planned park.

On balance, therefore, I reached the conclusion that those who continued to express concern over this project, both in and out of our Department, were motivated more by consideration of its procedent for future intrusions than by express concern over this project, both in and out of our Department, were motivated more by consideration of its precedent for future intrusions than by a project to opiciting volume I characteristic contents because any specific and present threat to existing values. I share this concern because we are deeply committed to the improvement of the Potomac Valley. But I also we are deeply committed to the improvement of the rotomac valley. Dut I also feel that the domino or precedent theory is not applicable here. What we have already have extensively filled the present bull-head line. is an area that has already been extensively filled—the present bulkhead line is an area that has arready been extensively lined—the present bulkness the extends far beyond the natural shore. High-rise apartments already provide the hoperatural which now etructurae will be placed. Moreover from Huntextends far beyond the natural shore, rightnise apartments already provide the background against which new structures will be placed. Moreover, from Hunting Creek south to Mount Vernon most of the undeveloped shoreline is in Fed. oackground against which new structures will be placed. Moreover, from Hunting Creek south to Mount Vernon most of the undeveloped shoreline is in Federal ownership as parkland and, therefore, adequately protected.

In responding to the corps request for a defintive statement of departmental views, I concluded that there was no reasonable basis for disturbing our position as it had stood for the preceding 6 months—but with two important caveats. My letter of April 26 makes it abundantly clear that our conclusions about con-My letter of April 20 makes it abundantly clear that our conclusions about conservation values applied to this specific area only and solely because of the alterservation values applied to this specific area only and solery because of the alterations already made by intensive development, highway and bridge construction, and prior landfills. It was clearly stated that similar accumulated pollution, and prior landfills. It was clearly stated that similar accumulated portunon, and prior randoms. It was crearly scaled that similar intrusions on the undeveloped portions of the Potomac shoreline would be stronged of more immediate consequence our position with recent strenuously opposed. Of more immediate consequence, our position with regard to the proprietary interests appurtenant to Jones Point ownership was clarified and expanded. We stated precisely that the incidents of riparian ownership, inand expanded. We stated precisely that the incidents of riparian ownership, including access to the main channel of the stream and the right to future accretions as fast land, extended to the east boundary of South Royal Street as projected to the thread of Hunting Creek. Under this concept, which we are confident in maintaining, a corner of the projected fill area would have been in violation of that line Von will note that the normit as it was approved by the ndent in maintaining, a corner of the projected in area would have been in violation of that line. You will note that the permit as it was approved by the Corps of Engineers has been modified to delete that corner, so that the permitted

Corps of rengmeers has been modified to defece that corner, so that the permitted fill now approximates 9 acres, as compared to the 36 acres contemplated in 1963. If now approximates y acres, as compared to the solution of the Department's staff I sock and value their advice I vield to it on Mr. Chairman, I have the deepest respect for the scientific and technical capatochnical matters and am influenced by it on policy decrease. I yield to it on Diffy of the Department's stant. I seek and value their advice. I yield to it on technical matters and am influenced by it on policy issues. In my view, however, however, and an influenced by it on policy issues. In my view, however, however, and an influenced by it on policy issues. the views expressed by some of those staff members in this instance represented subjective value judgments or preferences not based on clearly demonstrable evidence. I share those preferences; I look forward to a comprehensive program evidence, I share those preservences; I look forward to a comprehensive progreshat will preserve the Potomac and prevent the destruction of its shoreline.