

Mr. GUDE. When you visited the site did you go out on the point to the old lighthouse?

Mr. BLACK. Yes, sir.

Mr. GUDE. Did you look back so you could see Hunting Creek?

Mr. BLACK. I don't think that from the lighthouse you can see Hunting Creek. That is over around—you might be able to.

Mr. GUDE. Did you walk over to the edge of the water there and look back and see the area and look at Hunting Towers?

Mr. BLACK. I don't recall—it is my impression now, if you could it was very difficult. That wasn't naturally where you would look from there. I don't recall precisely.

Mr. GUDE. Well, there is quite a panorama there, and, of course, any intrusion along that shoreline—actually, the Hunting Towers apartment buildings, although they are high rise, do not intrude into the shoreline there. But the fill in this red area would intrude into the shoreline view. Anything built beyond Hunting Towers there would do so. That is all, Mr. Chairman.

Mr. MOSS. Thank you very much. Mr. McCloskey?

Mr. McCLOSKEY. Mr. Black, I would like to ask you several questions about the sense of urgency which apparently existed only twice in the long history of this controversy. Once on October 10, 1967, Dr. Cain testified to a "sense of urgency"—so much so that within a few hours on 1 day, with a complete lack of knowledge of this subject, he reversed a policy of 3 years. The second "sense of urgency" occurred between April 10—when apparently Dr. Cain reviewed the situation completely, insisted on a strong case being made if he was to reverse his previous judgment, and according to his testimony a strong case was made and he reversed that judgment on April 10—and within 16 days thereafter you had reversed him, in effect, in that case which was presented to him.

I want to say that I have complete respect for your honesty. But on the face of this whole situation, it is difficult to understand, in view of the leadership that Secretary Udall has given in the preservation of natural habitat, and particularly in view of Director Hartzog's memorandum to Dr. Cain, which is in the record and in which he referred to this changing policy of the U.S. Government to preserve wetlands and natural environment. I want to ask you precisely about this "sense of urgency" in April of 1968. During that period of time, was not the Secretary of Interior pressing this Congress for a new law to preserve the very areas which this fill permit would involve destroying?

Mr. BLACK. You are talking about the National Potomac Waterway concept.

Mr. McCLOSKEY. That is correct.

Mr. BLACK. That activity was about contemporaneous. It may have preceded it.

Mr. McCLOSKEY. In effect, would you not say, Mr. Secretary, it is possible, if the policy of the Secretary of Interior on this estuarine Potomac bill is enacted into law, that this will be the last permit granted for the filling of the Potomac River in the area of Washington, D.C.?

Mr. BLACK. Well, I would think so. I would hope so, and I have no feeling there could be another permit granted in this area with the possible exception of a small portion north of—I am referring to the permit that is somewhere in abeyance now.