

At the hearing Congressman Henry S. Reuss, for himself and in behalf of Congressman John E. Moss, objected to the application on the basis that the project constituted a land grab, would destroy valuable conservation and park assets, contemplated housing on a racially discriminatory basis, and would seriously harm the public interest. Conservation interests among them, representatives of the Izaak Walton League of America, the Audubon Society, Virginia Society of Ornithology, Daughters of the American Revolution, the Wilderness Society, Valley View Citizens Association, the Sierra Club, the Northern Virginia Conservation Council, and concerned individuals objected to the application on the grounds that the recreational and fish and wildlife values of the area should be conserved. The Alexandria branch, Washington Urban League, and the Alexandria Council on Human Relations opposed the project unless the apartment development would be opened to all without regard to race, creed, or color.

A review of the situation following the hearing, by our District Engineer in Baltimore, showed that the Bureaus of the Department of the Interior concerned with parks, conservation, recreation, and pollution had withdrawn all objections to issuance of the permit and had indicated that the project would not adversely affect the area from these standpoints. The National Park Service had no objection to Howard P. Hoffman Associates, Inc., application from a riparian rights standpoint. The Virginia Division of the Izaak Walton League had withdrawn its objection to the work. The city of Alexandria had reached agreement with the applicant on engineering problems as related to flooding and sewage disposal considerations at the site. Further, the applicant had stated that there was no connection between it and Hunting Towers Operating Co. and that it would not engage in racial discrimination practices in the operation of the facility.

Subsequent to the submission of the report and the recommendations of the District and Division Engineers for evaluation at the Washington level, we were advised informally that the Department of the Interior desired to review their position again. Accordingly, on April 15, we referred the matter to the Department of the Interior for their further comments in accordance with the July 13, 1967, agreement between our Departments. On April 26, the Under Secretary of Interior stated that the pending application would encroach upon the property interests of the United States to the extent of any of the fill area that lies east of the South Royal Street line projected and recommended that the limited area in question be excluded from the application. No other objections were raised. By letter dated April 30, 1968, the applicant submitted revised plans excluding the area in question and stated that "It is expressly understood that no part of the bulkhead or fill area will extend toward the body of the river beyond the east line of Royal Street extended, as it is now laid out and exists in the city of Alexandria." The objections of the Department of the Interior to issuance of the permit had thereby been removed.

Since the issues raised concerning riparian property rights, conservation, recreation, and pollution were now resolved insofar as the responsible Federal agencies were concerned, and since the applicant had stated that the apartment development would be open to all without regard to race, creed, or color, and since there was no objection to the proposed work from the standpoint of navigation, the District Engineer was authorized on May 21, with the concurrence of the Special Assistant to the Secretary of the Army for Civil Functions, to issue the permit for the work as revised on April 30, 1968, subject to the conditions of Eng Form 1721 (Civil) and the following additional condition:

(k) That the permittee shall comply promptly with any regulations, conditions, or instructions affecting the work hereby authorized if and when issued by the Federal Water Pollution Control Administration and/or the State water pollution control agency having jurisdiction to abate or prevent water pollution. Such regulations, conditions, or instructions in effect or prescribed by the Federal Water Pollution Control Administration or State agency are hereby made a condition of this permit.

On June 13, the permittee was requested not to construct bulkheads and any other structures or engage in filling operations under the permit pending the hearing of this subcommittee and consideration thereof.

(Whereupon, at 4:30 p.m., the committee adjourned, subject to the call of the Chair.)