

(The joint statement of Hon. John Moss and Hon. Henry S. Reuss follows, as though read:)

Gentlemen, I appreciate the opportunity to appear today on behalf of Congressman John Moss and myself in opposition to the granting of a permit to fill 9.5 acres of the Hunting Creek Estuary.

Applications to fill in substantial portions of the north side of the estuary have been pending since October 9, 1963. We protested these applications then and we protest them now. They represent an attempted landgrab at the public expense. If one follows the logic behind these applications, it would be appropriate to fill the entire Potomac to the borders of a narrow shipping channel, as long as the cost of doing so was less than that of buying land at going prices. Virginia has virtually given away its right to some 37 acres of the estuary bed. Despite this, I hope and trust that the Federal Government will protect the public interest in the maintenance of this important shallow tidal area.

This should be done for two reasons:

One, permission for land fills in the Hunting Creek estuary would destroy and damage valuable conservation and park assets;

Two, Federal approval of a project to be carried out by applicants involved in the rental of housing on a racially discriminatory basis is contrary to law and public policy.

The fill would eliminate one of the few places left on the Potomac River with the ecological conditions needed for a resting place for diving ducks such as the canvasback, redhead, bluebill, ruddy duck, and bufflehead ducks. The importance of the Hunting Creek estuary to wildfowl results from its suitable water depths, ranging from a few inches to several feet, and from the presence on its bottom of the most attractive foods for diving ducks—mainly larvae of the midge insect and the so-called Japanese snail. These conditions are scarce. There is no comparable area to the north of Hunting Creek and only a few locations suitable for diving ducks to the south—notably at Belmont Bay and at Occoquan.

In 1964 and again on December 9, 1967, I inspected the area of Hunting Creek estuary which is sought to be filled. On the most recent visit, I saw several hundred diving ducks, a whistling swan, and other wildlife using the estuary.

This evidence of the conservation value of this area was available to anyone who cared to look. But we should also have a scientific judgment on this matter.

In 1963, Francis Uhler, a veteran biologist with the Ecology Division of the Patuxent Wildlife Research Center, Federal Bureau of Sport Fisheries and Wildlife, made a thorough study of the Hunting Creek area. I should like to read his conclusion regarding the Hunting Creek estuary:

"Because of the importance as a diving duck feeding ground of this shallow, open water section in the embayment at the mouth of Big Hunting Creek, every effort should be made to protect this feeding area against destruction by either filling or dredging. These shallow open waters, together with adjacent marshes, compose an unsurpassed opportunity for conservation, enjoyment, and study of aquatic life in the vicinity of our Nation's Capital."

Just recently, Mr. Uhler has again considered the estuary and reviewed his conclusions of 1963. His finding on January 31, 1968, was that, and I quote:

"The comments made at that time are even more significant today because of the continued destruction of the remaining tidal marshes in that locality.

"I have been watching waterfowl in that vicinity for more than 40 years, and it has been an outstanding area for observing the important part played by the combination of shallow open waters, fresh tidal marshes, and semi-aquatic woodlands in creating a haven for a great variety of aquatic wildlife. In spite of the severely polluted condition of the adjacent Potomac, and drastic changes in the waterfowl feeding grounds of the broad, shallow cove that forms the mouth of Big Hunting Creek, this area still is the most important feeding grounds for diving ducks along the fresh tidal waters of the Potomac. It also attracts a great variety of other waterfowl, and the adjacent Belle Haven picnic grounds have become a mecca for bird students and interested visitors. The convenient accessibility of this section of the Mount Vernon Parkway for persons to enjoy aquatic natural history is unequalled in the Washington region.

"With the continued destruction by sand and gravel dredging in the adjacent Dyke Marshes, and the recent elimination of the colorful natural aquatic gardens through trash dumping and filling the nearby Big Hunting Creek tidal marsh adjacent to the west side of Memorial Parkway, the preservation of the remnants of these unique wildlife habitats has become increasingly important.

"The proposed construction of a 19-acre real estate development in the shallow waters of the mouth of Big Hunting Creek is certain to be detrimental, not