

COMMONWEALTH OF VIRGINIA,
GOVERNOR'S OFFICE,
Richmond, June 14, 1968.

HON. ROBERT E. JONES,
*Chairman, Natural Resources and Power Subcommittee of the Committee on
Government Operations, Rayburn House Office Building, Washington, D.C.*

DEAR CONGRESSMAN JONES: I wish to acknowledge receipt of your letter of June 12 regarding the permit that has been issued by the Army Corps of Engineers to Howard P. Hoffman Associates, Inc., to fill in a portion of Hunting Creek in Alexandria, Va.

I wish to advise that no deed of the Commonwealth to the land in question has yet been executed.

This matter is now receiving appropriate attention by the attorney general, and at this point, I know of no legal or policy questions at the State level that may unduly delay the deed's execution.

Sincerely,

MILLS E. GODWIN, JR.

HOUSE OF REPRESENTATIVES,
NATURAL RESOURCES AND POWER SUBCOMMITTEE OF THE
COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C., June 17, 1968.

MR. CHESTER F. PHELPS,
*Executive Director, Commission of Game and Inland Fisheries,
Richmond, Va.*

DEAR MR. PHELPS: The Natural Resources and Power Subcommittee of the House Government Operations Committee has scheduled a hearing for Monday, June 24, 1968, at 10 a.m., in room 2203, Rayburn House Office Building, Washington, D.C., to inquire into the circumstances surrounding the recent issuance of a permit by the Army Corps of Engineers to Howard P. Hoffman Associates, Inc., to fill in a part of Hunting Creek. Hunting Creek is a bay of the Potomac estuary lying in the Commonwealth of Virginia near Alexandria. It is navigable water of the United States.

Issuance of the permit was opposed by several groups on the ground that Hunting Creek is a wintering site for diving ducks and other waterfowl. It appears to have minimal value for either sport or commercial fishing.

Section 2 of the Fish and Wildlife Coordination Act (16 U.S.C. 662(a)) requires, in effect, that when an application to fill in navigable water is filed with the Corps of Engineers, the corps, prior to granting the permit, shall consult with "the head of the agency exercising administration over the wildlife resources of the particular State" in which the water lies.

We would greatly appreciate a statement from you for the hearing record indicating:

(1) Whether the Virginia Commission of Game and Inland Fisheries is the agency of the State of Virginia exercising administration over the waterfowl resources of the State of Virginia;

(2) Whether the U.S. Army Corps of Engineers consulted with the Virginia Commission of Game and Inland Fisheries, concerning the application of Howard P. Hoffman Associates, Inc., to place fill in Hunting Creek;

(3) Whether anyone acting on behalf of Howard P. Hoffman Associates, Inc., or Francis T. Murtha consulted with the Virginia Commission of Game and Inland Fisheries concerning the application of Howard P. Hoffman Associates, Inc., to place fill in Hunting Creek;

(4) Whether your commission, or yourself, as its executive director, has given consideration to the possible effects of this proposed fill on the waterfowl or other wildlife resources of the State of Virginia; and

(5) Whether anyone acting on behalf of the Virginia Commission of Game and Inland Fisheries has submitted a report or expressed views to the Corps of Engineers or the U.S. Fish and Wildlife Service on such possible effects of the proposed fill.

(6) If question 5 is answered in the affirmative, we would appreciate your sending to us a copy of such report, or a statement of such expressed views.

We shall appreciate your cooperation and your early response.

Sincerely,

ROBERT E. JONES,
Chairman, Natural Resources and Power Subcommittee.