



# Department of Justice

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BY

THE HONORABLE WILLIAM B. SAXBE  
ATTORNEY GENERAL OF THE UNITED STATES

BEFORE

CONFERENCE ON THE PROTECTION OF THE GULF COAST WETLANDS

12:00 NOON

THURSDAY, JULY 18, 1974

INNISBROOK RESORT AND GOLF CLUB

TARPON SPRINGS, FLORIDA

I AM VERY PLEASED TO BE HERE TODAY AS YOU BEGIN THE WORK OF THIS IMPORTANT CONFERENCE. THE DEVELOPMENT OF MORE EFFECTIVE WAYS TO PRESERVE THE VITAL WETLANDS OF THE GULF COAST STATES WILL BE A SIGNIFICANT CONTRIBUTION TO THE WELL BEING OF THE ENTIRE NATION.

ALL OF YOU HAVE A KEEN INTEREST IN CONSERVATION BUT YOUR WORK IN THE COMING MONTHS WILL TRANSCEND THE STATES YOU REPRESENT. IN VERY TANGIBLE WAYS, THE SUCCESSES OR FAILURES OF THE EFFORTS IN THE GULF STATES WILL HELP TO SET THE PATTERN FOR OTHER REGIONS IN THE COUNTRY.

ONE REASON I HAVE LOOKED FORWARD TO ATTENDING THIS MEETING IS THAT I HAVE A GREAT INTEREST IN CONSERVATION. LONG BEFORE IT BECAME FASHIONABLE, PEOPLE IN RURAL AREAS KNEW THE REAL BENEFITS OF CONSERVATION--PARTICULARLY SOIL CONSERVATION. SINCE I COME FROM A RURAL AREA, THE VALUE OF CONSERVATION AND ENVIRONMENTAL PROTECTION HAVE BEEN READILY APPARENT TO ME ALL OF MY LIFE.

BUT IN ADDITION, I NOW HAVE THE SPECIAL OPPORTUNITY AS THE ATTORNEY GENERAL TO JOIN YOU IN HELPING TO ENFORCE LAWS DESIGNED TO PROTECT IMPORTANT BUT FRAGILE LINKS IN THE ECOLOGY.

FROM MY PERSPECTIVE, PRESERVATION OF THE WETLANDS WILL NOT BE AN EASY TASK. SERIOUS INROADS ALREADY HAVE BEEN MADE. AND IF PRESENT TRENDS CONTINUE, THE WETLANDS WILL HAVE BEEN GRAVELY DIMINISHED A DECADE FROM NOW. IF WE DO NOTHING, WE FACE THE VERY REAL PROSPECT THAT AT SOME POINT, THEY MAY PRACTICALLY VANISH EXCEPT FOR MODEST PARK AREAS.

WHETHER THEY ARE SAVED TO BECOME A PERPETUAL RESOURCE DEPENDS IN LARGE MEASURE ON US AND OUR COUNTERPARTS THROUGHOUT THE NATION. A GREAT DEAL ALSO HINGES ON HOW EFFECTIVELY WE INFORM ALL SEGMENTS OF THE PUBLIC AND BUSINESS COMMUNITY ABOUT THE NATURE OF THE PRESENT CRISIS WHILE ENLISTING THEIR RESPONSIBLE SUPPORT.

NO SINGLE SEGMENT OF SOCIETY WILL BE ABLE TO PRESERVE THE WETLANDS BY ITSELF, NO MORE THAN A LONE SEGMENT CAN SOLVE OTHER ENVIRONMENTAL PERILS.

THE ISSUES ARE OF SUCH MAGNITUDE THAT THEY REQUIRE A JOINT EFFORT--BY GOVERNMENT AT ALL LEVELS, BY INDUSTRY AND LANDOWNERS, AND BY THE GENERAL PUBLIC.

WHAT IS IN JEOPARDY IS NOT MERELY THE SCENIC VIEW OF OCEAN FRONTAGE OR LAKESHORE--AS IMPORTANT AS THEY ARE.

THE WETLANDS REPRESENT FAR MORE. THEY ARE AN IRREPLACEABLE RESOURCE. AND IN TURN, THEY ARE PART OF A THREATENED ENVIRONMENT IN WHICH SOME DETECT DANGERS NOT ONLY TO OUR WAY OF LIFE BUT TO THE VERY EXISTENCE OF LIFE.

IN HIS BOOK, THE CLOSING CIRCLE, BARRY COMMONER DISCUSSED SOME OF THE PERILS FACING THE NATION WITH WHICH WE ARE ALL SO FAMILIAR. THEY INCLUDE: RIVERS AND LAKES BEING POLLUTED; THE AIR POISONED; FORESTS BEING STRIPPED; FARMLAND DANGEROUSLY MISUSED AND ERODED; WILDLIFE BEING DESTROYED.

HE SUMMED IT UP IN THESE SOMBER WORDS: "THE ENVIRONMENTAL CRISIS IS A SIGNAL OF APPROACHING CATASTROPHE."

THE STRUGGLE TO PRESERVE THE ENVIRONMENT DOES NOT DEPEND ONLY ON SAVING THE WETLANDS. PROMPT AND MEANINGFUL SOLUTIONS MUST BE FOUND FOR A HOST OF PROBLEMS: THE PERNICIOUS EFFECTS OF PESTICIDES AND CHEMICALS; AUTOMOBILE AND INDUSTRIAL POLLUTION; SEWAGE; AND EVEN SOME FERTILIZERS.

HOWEVER, IF WE FAIL TO SAVE THE WETLANDS, WE WILL BE LOSING MORE THAN AN ECONOMIC AND AESTHETIC ASSET THAT CAN NEVER BE RE-CREATED. THE LOSS MAY ALSO SIGNAL AN IMPENDING AND CRUSHING DEFEAT IN THE LARGER EFFORT TO MAINTAIN AN ENVIRONMENT THAT CIVILIZED MAN CAN INHABIT.

THOUGH THE DEPARTMENT OF JUSTICE IS NOT INVOLVED IN ENVIRONMENTAL RESEARCH, PART OF OUR LAW ENFORCEMENT RESPONSIBILITY DOES RELATE TO OUR NATURAL RESOURCES. SCIENCE HAS LONG WARNED US ABOUT THE GROWING THREAT TO THE ENVIRONMENT--INCLUDING THE WETLANDS.

AS YOU KNOW, WETLANDS IS A BROAD TERM. IT REALLY MEANS ANY AREA THAT IS COVERED BY WATER AT LEAST PART OF THE TIME. AND IT INCLUDES AREAS ALONG OUR COASTLINES, BAYS, ESTUARIES, RIVERS, CREEKS, LAKES, MARSHES, AND SWAMPS.

EACH CATEGORY IS THREATENED TO SOME EXTENT. BUT IT IS THE AREAS THAT ARE ON OR NEAR THE OCEANS THAT I WISH TO DISCUSS WITH YOU NOW.

BIOLOGISTS ARE AMONG THE MOST PRACTICAL MEN OF SCIENCE. THEY TELL US THAT THE COASTAL WETLANDS AND ESTUARIES ARE ESSENTIAL FOR THE SURVIVAL OF PERHAPS THREE-FOURTHS OF OUR COMMERCIAL FISH AND SHELLFISH. THE BULK OF COASTAL GAME FISH ALSO ARE DEPENDENT ON THE WETLANDS, WHICH SERVE AS BOTH SPAWNING AND FEEDING GROUNDS. IF THE WETLANDS VANISH, SO DO THOSE FISH.

BIOLOGISTS CONTEND IT IS NOT NECESSARY TO DESTROY ALL OF THE WETLANDS BEFORE THE CYCLE OF LIFE FOR FISH IS DESTROYED. IT IS ENOUGH TO MERELY REDUCE THE WETLANDS TO A CERTAIN POINT--AND THEN THE FISH ARE GONE. NO ONE KNOWS EXACTLY WHAT THAT BREAKING POINT IS OR WHEN WE MAY REACH IT.

BUT IT IS SOMETHING THAT WE BETTER NOT GAMBLE ON-- NOT IF WE CARE ANYTHING FOR OUR FUTURE.

ONE SURVEY SHOWED THAT SEVEN PERCENT OF THE NATION'S ESTUARY MARSHLANDS WERE LOST FROM 1947 TO 1967 TO INDUSTRIAL, COMMERCIAL, AND RESIDENTIAL DEVELOPMENT. ANOTHER STUDY PUBLISHED IN 1969 SAID THAT NEW YORK STATE HAD LOST 28 PERCENT OF ITS COASTAL WETLANDS IN A 15-YEAR PERIOD. IN THAT SAME TIME, CONNECTICUT'S WETLANDS SHRANK BY 21 PERCENT.

A MORE RECENT SURVEY, PUBLISHED LAST YEAR, SAID THAT CALIFORNIA HAD LOST 67 PERCENT OF ITS MARSHLAND TO COMMERCIAL AND INDUSTRIAL USE. IT ADDED THAT LOUISIANA WAS LOSING MORE THAN 16 SQUARE MILES OF MARSHLAND A YEAR.

SOME MIGHT ASK: WHO NEEDS FISH? WELL, WE DO.

IT'S A VITAL SOURCE OF PROTEIN IN A WORLD WHERE THE FOOD SUPPLY SHRINKS EACH YEAR.

THIS POINT WAS PERHAPS MADE MOST HARSHLY LAST YEAR IN THE SIZE OF THE ANCHOVY CATCH FROM THE SEA OFF PERU. THE FISH MEAL MADE FROM ANCHOVIES IS ONE OF THE WORLD'S LEADING SOURCES OF PROTEIN AND HAS BEEN A MAJOR SUPPLIER OF POULTRY AND LIVESTOCK FEED.

BUT IN 1973 THE ANCHOVY CATCH WAS ONLY TWO MILLION TONS--A STAGGERING DROP FROM CATCHES OF UP TO 12 MILLION TONS IN PREVIOUS YEARS.

AS THIS PROTEIN VANISHED, SHORTAGES WERE TRIGGERED IN TURN IN SOYBEANS AND OTHER FEED GRAINS WHICH ARE USED AS SUBSTITUTES IN THE UNITED STATES AND OTHER NATIONS. FEED GRAIN PRICES ROSE DRAMATICALLY, AS DID POULTRY AND OTHER LIVESTOCK PRICES.



SOME SCIENTISTS MAINTAIN THAT SUBTLE CHANGES IN OCEAN CURRENTS MAY HAVE BEEN PARTIALLY RESPONSIBLE FOR THE DECLINE OF THE ANCHOVIES. BUT THERE ALSO IS SPECULATION THAT IT MAY HAVE BEEN A SIMPLER CAUSE--OVER-FISHING THAT DESTROYED BROOD STOCK.

IN THE UNITED STATES, COMMERCIAL CATCHES OF SOME FISH ALSO HAVE DECLINED SHARPLY.

CALIFORNIA FISHERMEN ONCE CAUGHT UP TO 1.5 BILLION POUNDS OF PACIFIC SARDINES A YEAR--BUT TODAY THERE ARE VIRTUALLY NONE. AND THE NATION'S SALMON CATCH IS ONE-THIRD OF WHAT IT WAS 30 YEARS AGO.

IN SOME CASES, OVER-FISHING HAS BEEN THE KEY FACTOR IN THE DECLINES. IN OTHER INSTANCES, HOWEVER, POLLUTION AND DAMS HAVE BEEN MAJOR CAUSES.

GIVEN ENOUGH EXCESSES--THE DESTRUCTION OF FISH,  
THE RUINATION OF CROPLAND--WE COULD AT SOME POINT BEGIN  
TO FACE FOOD SHORTAGES ON A SCALE THAT HAS CAUSED  
WIDESPREAD DEATH AND SUFFERING IN OTHER NATIONS.

WE NEED THE WETLANDS FOR OTHER REASONS AS WELL.

IN THE FACE OF DIMINISHING WILDLIFE RESOURCES, WE  
MUST BECOME MORE AWARE THAT THE WETLANDS ALSO NURTURE AND  
SUPPORT A VARIETY OF BIRDS AND ANIMALS.

TO CITE ONLY ONE EXAMPLE, EVERY DUCK HUNTER FACES  
THE PROSPECT OF DUCKS AND GEESE DISAPPEARING IF THE  
WETLANDS ARE DESTROYED. EVERY SPORT FISHERMAN MUST REALIZE  
THERE MAY COME A DAY WHEN HIS ROD WILL BE FUTILE IF THE  
TWIN THREATS OF WETLANDS DESTRUCTION AND WATER POLLUTION  
WORK THEIR ULTIMATE EVILS.

THOSE WHO HAVE NO CONCERN FOR COMMERCIAL FISH SUPPLIES OR FOR WILDLIFE PRESERVATION MIGHT LOOK AT WETLANDS DESTRUCTION IN ANOTHER WAY.

AS MORE AND MORE SHORELINE IS DEVELOPED, THE POLLUTION FROM HOMES AND FACTORIES TENDS TO INCREASE-- PARTICULARLY FROM SEWAGE AND INDUSTRIAL WASTES.

IF ANYONE DOUBTS THE IMPACT OF POLLUTION, THEY SHOULD LOOK THIS SUMMER AT THE BEACHES ON OCEANS, LAKES, OR RIVERS WHICH ARE CLOSED TO SWIMMING.

AND WHY ARE THEY UNSAFE? BECAUSE POLLUTION BREEDS DISEASE--DISEASE THAT CAN ATTACK ANYONE. YOU DON'T EVEN HAVE TO GO INTO THE WATER TO BECOME A POTENTIAL VICTIM.

MANY DANGERS SPRING FROM A VARIETY OF POLLUTION.

ONLY LAST WEEK, THE PUBLIC HEALTH SERVICE WARNED AMERICAN TRAVELERS TO AVOID SWIMMING IN WATER CONTAMINATED WITH HUMAN SEWAGE OFF BEACHES IN PORTUGAL BECAUSE OF AN OUTBREAK OF CHOLERA.

MERCURY POISONING HAS STRUCK IN SEVERAL PARTS OF THE WORLD IN RECENT YEARS. ONE OUTBREAK KILLED 46 PERSONS IN JAPAN AFTER THEY HAD EATEN CONTAMINATED FISH, AND OTHERS SUFFERED PERMANENT BRAIN DAMAGE. THERE HAS BEEN A GROWING BODY OF EVIDENCE THAT A VARIETY OF POLLUTION REACHING THE SEA CAN HAVE AN ADVERSE IMPACT ON BOTH AQUATIC AND HUMAN LIFE.

SOME SCIENTISTS FEEL THAT EVEN THE OCEANS MAY NOT BE THE SELF-SUSTAINING RESOURCE THAT MOST ONCE CONSIDERED THEM TO BE. IT IS POSSIBLE THAT THEY ALSO MAY BE DAMAGED BEYOND RECALL.

BY BUILDING WALL-TO-WALL HOUSING DEVELOPMENTS AND INDUSTRIAL INSTALLATIONS ALONG THE COASTLINES, WE RUN THE RISK OF DUMPING SUCH UNPRECEDENTED AMOUNTS OF EFFLUENTS INTO THE SEAS THAT THE OFFSHORE WATERS COULD BECOME BASINS OF SLUDGE. THEY WOULD BE DEVOID OF AQUATIC LIFE BUT RICH CESSPOOLS FOR THE GROWTH OF DISEASE.

THERE ALREADY ARE SIGNS OF SUBSTANTIAL DAMAGE TO THE SEA IN SOME AREAS. SEVERAL REPORTS DURING THE PAST FEW YEARS INDICATE THAT A LARGE SECTION OF THE ATLANTIC OCEAN OFF NEW YORK IS BADLY POLLUTED FROM THE WHOLESALE DUMPING OF ALL KINDS OF WASTE.

IN TERMS OF THE ENVIRONMENT, OCEANS MIGHT BE VIEWED AS MERELY LARGE LAKES. AND WE ALL KNOW WHAT HAS HAPPENED TO OUR OWN GREAT LAKES. NOT MANY YEARS AGO, MOST PEOPLE MAINTAINED THAT THEY WERE TOO LARGE TO BE SPOILED. NOW WE READ PERIODICALLY THAT THEY ARE DYING OR DECLINING.

AS I TICK OFF THESE PROBLEMS, YOU MAY BE STRUCK BY THE SAME THOUGHT THAT HAS OCCURRED TO ME, NATURE IS NO LONGER BEING DESTROYED BY INCHES, BUT BY SQUARE MILES.

ASIDE FROM MARINE LIFE, COASTAL WETLANDS BENEFIT THE NATION IN OTHER WAYS. STUDIES HAVE SHOWN THAT IN SOME AREAS THEY HELP TO REPLENISH SUPPLIES OF GROUND WATER. INTERIOR DEPARTMENT REPORTS SAY THEY ALSO PROVIDE A NATURAL BARRIER TO DIMINISH THE EFFECTS OF STORMS AND OFTEN PREVENT OCEAN WATER FROM CONTAMINATING SUPPLIES OF SUB-SURFACE DRINKING WATER.

AT SOME POINT, WHAT HAPPENS TO THE ENVIRONMENT BEGINS TO AFFECT EVERY PERSON IN THIS COUNTRY--WHETHER THEY REALIZE IT OR NOT. DESTRUCTION OF THE WETLANDS DOES MORE THAN DESTROY THESE MARVELS OF NATURE. ANOTHER DOMINO IN THE ECOLOGY TOPPLES, LEADING IN TURN TO OTHER DISASTERS.

AFTER ALL THE ARGUMENTS ON THE BASIS OF HEALTH AND FOOD AND ECONOMY HAVE BEEN SUMMONED ON THE SIDE OF WETLANDS PRESERVATION, ONE FINAL POINT REMAINS TO BE MADE.

IT WAS PERHAPS STATED BEST BY ALDO LEOPOLD, A FORESTER AND NATURALIST, IN A BOOK CALLED A SAND COUNTY ALMANAC.

LEOPOLD SAID, IN THESE WORDS: "...THE OPPORTUNITY TO SEE GEESE IS MORE IMPORTANT THAN TELEVISION, AND THE CHANCE TO FIND A PASQUE-FLOWER IS A RIGHT AS INALIENABLE AS FREE SPEECH...."

LEOPOLD WAS NOT A MAN HIDDEN AWAY IN AN IVORY TOWER. HE SPENT MUCH OF HIS LIFE IN WILDERNESS AREAS, AND WAS AN ARDENT HUNTER AND FISHERMAN. HE RECOGNIZED, MORE CLEARLY THAN MOST, THAT RESOURCES HAVE TO BE NURTURED CAREFULLY. AND HE KNEW THAT THE WISE PRESERVATION OF WILDLIFE AND THE AREAS THAT GIVE THEM LIFE CAN MEAN THEIR EXISTENCE IN PERPETUITY. BUT HE ALSO WAS DEEPLY AWARE THAT ONCE DIMINISHED, A CYCLE LEADING TO THE EXTINCTION OF A SPECIES MAY BEGIN TO DEVELOP. AND TOO OFTEN THAT IS AN IRREVOCABLE TURN OF EVENTS.

THERE ARE MANY INSTANCES WHERE THIS HAS ALREADY HAPPENED. WHILE THEY ARE UNPLEASANT, THEY SHOULD BE A CONSTANT SPUR TO US SO THAT TRAGEDIES OF GREATER MAGNITUDE CAN BE PREVENTED.

MANY OF US READ NEWSPAPER STORIES LAST MONTH THAT THE STUFFED REMAINS OF MARTHA, THE LAST PASSENGER PIGEON, WERE BEING SHIPPED BY THE SMITHSONIAN INSTITUTION TO AN EXHIBIT IN CINCINNATI.

THESE BIRDS ONCE EXISTED--AND NOT THAT LONG AGO-- BY THE UNTOLD MILLIONS UNTIL THEY WERE SLAUGHTERED AND THEIR FEEDING GROUNDS DESTROYED. AS BAD AS THAT WAS, IT WAS AN OMINOUS SIGN OF WORSE THINGS TO COME.

THE LIST OF ENDANGERED SPECIES OF WILDLIFE--BOTH BIRDS AND ANIMALS--IS GROWING. FISH RESOURCES HAVE DECLINED IN ALARMING WAYS--RANGING FROM THE RUNS OF SALMON ON THE WEST COAST TO A VARIETY OF ONCE-ABUNDANT SPECIES IN THE GREAT LAKES.

AGAIN I COME BACK TO THE WETLANDS AND TO SOMETHING LEOPOLD SAID: "ONE OF THE FASTEST SHRINKING CATEGORIES OF WILDERNESS IS COASTLINES...NO SINGLE KIND OF WILDERNESS IS MORE INTIMATELY INTERWOVEN WITH HISTORY, AND NONE NEARER THE POINT OF COMPLETE DISAPPEARANCE."



AS WE GO ABOUT OUR WORK HERE, WE SHOULD CONSIDER NOT ONLY THE CONTENT BUT THE IRONY OF THOSE WORDS. FOR LEOPOLD SAID THEM IN A BOOK PUBLISHED NEARLY 30 YEARS AGO. THE DANGER SIGNALS HAVE BEEN HOISTED FOR A VERY LONG TIME, BUT TOO FEW HAVE PAID ATTENTION.

I KNOW WE ALL AGREE THAT NEEDLESS DAMAGE TO WILDLIFE AREAS HAS BEEN EXTENSIVE. BUT I AM EQUALLY CERTAIN WE SHARE A CONVICTION THAT TOTAL DISASTER CAN AND MUST BE AVERTED. THAT IS WHY WE ARE ALL HERE. BUT TIME IS GROWING SHORT.

I AM HAPPY TO SAY THAT THERE ARE A NUMBER OF PROMISING SIGNS THAT WE MAY BE ABLE TO PRESERVE MUCH OF THE WILDLIFE RESOURCES AND THE AREAS WHICH SUSTAIN THEM.

FOR ONE THING, THE PUBLIC TODAY IS MUCH MORE AWARE THAN IT WAS FIVE OR TEN YEARS AGO OF THE NEED FOR CONSERVATION AND PROTECTION OF THE ENVIRONMENT.

THE FEDERAL GOVERNMENT IN THE LAST FEW YEARS HAS  
BEGUN MOVING IN UNPRECEDENTED WAYS TO COMBAT A WIDE RANGE  
OF PROBLEMS.

CONGRESS HAS CREATED A SUBSTANTIAL AMOUNT OF  
IMPORTANT LEGISLATION IN THE ENVIRONMENTAL AREA. ONE  
OF THE BILLS IT ENACTED INTO LAW NOT LONG AGO, THE COASTAL  
ZONE MANAGEMENT ACT, HAS PARTICULAR RELEVANCE TO THE WETLANDS.

STATE AND LOCAL GOVERNMENTS HAVE ALSO BECOME MORE  
DEEPLY INVOLVED IN PRESERVATION EFFORTS. AND WE SEE A  
GROWING AWARENESS ON THE PART OF MANY BUSINESSES AND  
INDUSTRIES THAT THEY HAVE MAJOR RESPONSIBILITIES IN THE  
ENVIRONMENTAL AREA. PRIVATE ORGANIZATIONS HAVE ENLARGED  
NOT ONLY THE SCOPE OF THEIR PRESERVATION PROGRAMS BUT THEIR  
INTENSITY AS WELL.

YOU PROBABLY READ RECENTLY THAT THE 25 MEMBERS OF THE SANTEE CLUB OF SOUTH CAROLINA HAD DONATED A 25,000-ACRE TRACT OF LAND FRONTING ON THE OCEAN TO A GROUP CALLED THE NATURE CONSERVANCY. THIS AREA, TO BE MAINTAINED AS A WILDLIFE REFUGE, IS A HOME FOR THE SOUTHERN BALD EAGLE AND THE AMERICAN ALLIGATOR--BOTH ENDANGERED SPECIES.

SOME BUSINESS FIRMS ALSO HAVE MADE NOTABLE DONATIONS OF WILDLIFE AREAS. AND MANY MORE ARE SPENDING LARGE AMOUNTS OF MONEY TO MINIMIZE THE ENVIRONMENTAL EFFECTS OF THEIR OPERATIONS.

ACTS OF THESE KIND ARE OF IMMENSE VALUE TO THE ENTIRE NATION, AND I HOPE THEY CAN BE PART OF A NEW EMERGING PATTERN.

FOR IT IS UP TO EVERY SEGMENT OF OUR SOCIETY TO  
CONTRIBUTE TO THE PRESERVATION OF OUR RESOURCES. TO BE  
SUCCESSFUL, ENVIRONMENTAL PROTECTION HAS TO BE A JOINT  
EFFORT. AND A COOPERATIVE SPIRIT MUST PERMEATE ALL OF  
THE LAW ENFORCEMENT EFFORTS CARRIED OUT BY LOCAL, STATE,  
AND FEDERAL GOVERNMENTS IF WE ARE TO PRESERVE THE WETLANDS.

I BELIEVE IT IS FAIR TO SAY THAT THESE EFFORTS  
THUS FAR HAVE BEEN TOO LIMITED IN SCOPE AND LACKING IN  
PROPER COORDINATION. AS A RESULT, VAST AREAS OF THIS  
IRREPLACEABLE RESOURCE HAVE BEEN DESTROYED.

MY PURPOSE IN MAKING THESE REMARKS IS NOT TO FIND  
FAULT. THERE IS ENOUGH OF THAT TO GO AROUND AND LAST ALL  
OF US A LONG TIME. MY POINT IS THAT WE SIMPLY HAVE TO  
DO A BETTER JOB--AND I STRESS THAT I AM MOST PARTICULARLY  
TALKING ABOUT THE DEPARTMENT OF JUSTICE DOING A BETTER JOB.

AS YOU KNOW, THE LAW REQUIRES THAT THE ARMY CORPS OF ENGINEERS MUST APPROVE ANY PROJECT TO ALTER WETLANDS, TO DREDGE OR FILL THEM, OR TO BUILD ANYTHING ON THEM. IT FALLS TO THE DEPARTMENT OF JUSTICE TO REPRESENT THE GOVERNMENT IN THE EVENT A COURT SUIT STEMS FROM THE CORPS' REFUSAL TO GRANT A PERMIT FOR WETLANDS WORK. WE ALSO HAVE THE RESPONSIBILITY TO BRING CRIMINAL OR CIVIL ACTIONS WHEN SUCH WORK IS DONE WITHOUT A PERMIT--AND THIS SORT OF TWENTIETH CENTURY BUCCANNEERING IS MUCH TOO PREVALENT.

TWO YEARS AGO, THE DEPARTMENT WAS PROCESSING ONLY 21 CASES RELATING TO THE WETLANDS. BY JUNE OF 1973, THE TOTAL HAD GROWN TO 96 CASES. AND BY LAST MONTH, THERE WERE 151 SUCH CASES IN PROGRESS--50 CRIMINAL AND 101 CIVIL ACTIONS.

THE GROWING NUMBER OF CASES REPRESENTS IN PART THE TOUGHER STANDARDS BEING APPLIED BY THE CORPS OF ENGINEERS. IN PART, IT REFLECTS THE WORK OF THE ENVIRONMENTAL PROTECTION AGENCY--WHICH TAKES PART IN EACH HEARING FOR A WETLANDS APPLICATION. THE DEPARTMENT OF INTERIOR IS NOW DIRECTLY INVOLVED IN INVESTIGATING CASES AND IN PROVIDING EXPERT BIOLOGISTS AS WITNESSES.

AS THE CASE STATISTICS SHOW, THE DEPARTMENT OF JUSTICE HAS ALSO BECOME MUCH MORE AWARE OF ITS RESPONSIBILITIES.

OUR LAND AND NATURAL RESOURCES DIVISION EARLY THIS YEAR DECIDED TO MAKE WETLANDS AND RELATED CASES A TOP PRIORITY. I FULLY SUPPORT THAT DECISION.

AMONG OTHER THINGS, THE LAND DIVISION IS HOLDING A SERIES OF CONFERENCES WITH STATE AND LOCAL OFFICIALS AS WELL AS WITH OTHER FEDERAL AGENCIES ON WETLANDS PRESERVATION.

THE MEETING WE ARE ATTENDING TODAY IS THE MOST AMBITIOUS THUS FAR OF A CONFERENCE SCHEDULE THAT ALREADY HAS INCLUDED IN-DEPTH DISCUSSIONS ALONG THE PACIFIC COAST AND IN GEORGIA AND SOUTH CAROLINA. IT IS LIKELY THAT ANOTHER MEETING WILL BE HELD LATER THIS YEAR ON PRESERVATION OF THE VALUABLE WETLANDS IN CHESAPEAKE BAY.

THE POINT OF THESE CONFERENCES AND THE NEW TASK FORCE APPROACH IS TO BUILD A FRAMEWORK THAT WILL MAKE ALL OF US MORE ALERT TO ILL-CONCEIVED OR ILLEGAL WETLANDS PROJECTS AND TO MOVE MORE PROMPTLY IN COURT.

THE WETLANDS OF THE GULF STATES ARE A PARTICULARLY IMPORTANT PART OF THE COASTAL AREAS WE SEEK TO PROTECT. STUDIES BY THE DEPARTMENT OF INTERIOR SHOW THAT MAJOR--AND OFTEN ADVERSE--INROADS ALREADY HAVE OCCURRED IN FLORIDA, ALABAMA, MISSISSIPPI, LOUISIANA, AND TEXAS.

OUR OVER-ALL JOB IS TO PROTECT THE WETLANDS FROM ILLEGAL ACTIVITIES AND TO HELP SHAPE POLICIES WHICH WILL ENABLE BOTH PRESERVATION AND DEVELOPMENT TO PROCEED TOGETHER.

I BELIEVE IT IS POSSIBLE TO HAVE INTELLIGENT DEVELOPMENT WHILE AT THE SAME TIME PROTECTING THE BULK OF THE WETLANDS. ONE DOES NOT HAVE TO CANCEL OUT THE OTHER. BUT IT IS ALSO A FACT THAT THERE ARE SUBSTANTIAL CONFLICTS TODAY BETWEEN CONSERVATIONISTS AND THE BUSINESS COMMUNITY.

BEYOND ENFORCING THE LAWS, WE HAVE A DEEP OBLIGATION TO ENLIST THE VOLUNTARY SUPPORT OF THOSE WHO WANT TO TURN WETLANDS INTO HOUSING DEVELOPMENTS, INDUSTRIAL PARKS, SITES FOR NUCLEAR POWER PLANTS, AND EVEN GRAZING GROUNDS FOR CATTLE.

I AM DETERMINED THAT ALL OF THE NEEDED RESOURCES WILL BE AVAILABLE FOR THE DEPARTMENT OF JUSTICE TO MOVE SWIFTLY AND RESOLUTELY IN THE COURTS IN WETLANDS CASES. SINCE THE BULK OF THIS LITIGATION FALLS UPON THE UNITED STATES ATTORNEYS, I AM REQUESTING THAT THEY GIVE A MAJOR PRIORITY TO LITIGATION INVOLVING THE WETLANDS--IN EVERY PART OF THE COUNTRY.



IF WE LOOK AT THE RECENT PAST, IT IS EASY TO SEE SOME OF THE REASONS FOR THE MUTUAL SUSPICION BETWEEN CONSERVATIONISTS AND LAND DEVELOPERS.

DEVELOPERS OFTEN FEEL THAT ANY EFFORT TO PRESERVE THE WETLANDS MEANS, IN EFFECT, A BAN ON ALL NEW PROJECTS.

CONSERVATIONISTS FREQUENTLY BELIEVE THAT ALL DEVELOPERS FEEL THAT OWNERSHIP GIVES THEM A BLANK CHECK FOR ANY ACTIONS--NO MATTER HOW HARMFUL TO THE ENVIRONMENT.

LET ME REITERATE THAT I BELIEVE IT IS POSSIBLE TO HAVE CAREFUL PLANNING IN LAND USE SO THAT WE CAN ACHIEVE BOTH MEASURED GROWTH AND CONSERVATION. BUT IT WILL TAKE EVERY OUNCE OF ENERGY THAT THE STATE, LOCAL, AND FEDERAL GOVERNMENTS CAN MUSTER. THE JOB WILL NOT BE DONE THIS YEAR OR NEXT. IN A SENSE, IT WILL REQUIRE HARD WORK ON THE PART OF ALL FOR DECADES. BUT WE CAN AND MUST START NOW TO DO A BETTER JOB.

THE PROBLEMS EXIST VIRTUALLY EVERYWHERE.

IN SAN FRANCISCO BAY, FOR EXAMPLE, FILLING FOR EVERYTHING FROM HOUSING TRACTS TO GARBAGE DUMPS HAS GONE ON FOR YEARS.

ON THE OREGON COAST, THE DEPARTMENT WON A COURT FIGHT AGAINST A DEVELOPER WHO HAD FAILED TO GET PERMISSION TO ALTER THE COURSE OF A RIVER.

RECENTLY, THE DEPARTMENT WON A WETLANDS SUIT AGAINST A DEVELOPER IN GEORGIA. THE COURT REQUIRED THAT THE SALT MARSH AREA WHICH HAD BEEN FILLED TO BE COMPLETELY RESTORED.

NOT LONG AGO, THE DEPARTMENT BROUGHT SUIT AGAINST A DEVELOPER IN MARYLAND WHO WAS FILLING IN TIDELANDS WITHOUT A PERMIT FOR A HOUSING DEVELOPMENT.

NOT LONG AGO THERE WERE PRESS REPORTS THAT FOREIGN INVESTORS HAVE PURCHASED LARGE TRACTS OF NORTH CAROLINA WETLANDS AND PLAN EXTENSIVE DEVELOPMENT.

WE KNOW THAT ADDITIONAL PRESSURES FOR DEVELOPMENT WILL CONTINUE. THIS IS PARTICULARLY TRUE AS THE NATION SEEKS NEW SITES FOR POWER PLANTS, FOR RESORTS, AND FOR FARMING AND LIVESTOCK OPERATIONS.

NUCLEAR POWER PLANTS ARE AN IMPORTANT FACTOR IN THE NATION'S FUTURE GROWTH. BUT THEY SHOULD BE LOCATED CAREFULLY TO AVOID DAMAGE TO WETLANDS AND MARINE RESOURCES.

WHATEVER THE PARTICULAR PROBLEMS MAY BE, THE CLOCK IS TOLLING. THERE IS NO TIME FOR RECRIMINATIONS. THERE IS ONLY TIME TO TRY TO WORK TOGETHER TO DEVELOP SENSIBLE PROGRAMS THAT REST ON TWIN FOUNDATIONS OF SENSIBLE, PLANNED GROWTH AND REAL CONSERVATION.

ALDO LEOPOLD SAID THAT: "WE ABUSE LAND BECAUSE WE REGARD IT AS A COMMODITY BELONGING TO US. WHEN WE SEE LAND AS A COMMUNITY TO WHICH WE BELONG, WE MAY BEGIN TO USE IT WITH LOVE AND RESPECT."

AND JOSEPH WOOD KRUTCH, THE NOTED NATURE WRITER, MAINTAINED IN AN ESSAY ON THE MEANING OF CONSERVATION THAT THE STAKES ARE VERY HIGH. HE PUT IT THIS WAY:

"THE GENERATION NOW LIVING MAY VERY WELL BE THAT WHICH WILL MAKE THE IRREVOCABLE DECISION WHETHER OR NOT AMERICA WILL CONTINUE TO BE FOR CENTURIES TO COME THE ONE GREAT NATION WHICH HAD THE FORESIGHT TO PRESERVE AN IMPORTANT PART OF ITS HERITAGE. IF WE DO NOT PRESERVE IT, THEN WE SHALL HAVE DIMINISHED BY JUST THAT MUCH THE UNIQUE PRIVILEGE OF BEING AN AMERICAN."

HIS COMMENT HAS A PARTICULAR IMPORTANCE TODAY AS THE NATION PREPARES TO CELEBRATE THE 200TH ANNIVERSARY OF ITS FOUNDING. THE BICENTENNIAL YEAR WILL PROVIDE AN OPPORTUNITY TO TAKE STOCK OF A GREAT MANY VALUABLE THINGS WE AS A PEOPLE HAVE STRUGGLED TO BOTH CREATE AND PRESERVE OVER THE COURSE OF TWO CENTURIES.

THE NATION'S NATURAL BEAUTY AND WILDLIFE RESOURCES  
ARE CERTAINLY AMONG THEM. AND I CAN THINK OF NO BETTER  
CHALLENGE AS WE SET ABOUT THE WORK OF THE COMING MONTHS  
AND YEARS.

THANK YOU.