

Embattled River: The Hudson and Modern American Environmentalism

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I spent several days in September 2015 at the Rockefeller Archive Center (RAC) working in the Nelson A. Rockefeller Papers, especially the gubernatorial collection, investigating the Hudson River Valley Commission (HRVC), a largely unstudied state agency that the governor created in 1965. Thanks to considerable effort by archivist Monica Blank after my initial interview at RAC, I also worked in the documents Laurance S. Rockefeller compiled as chair of the (temporary) Hudson River Valley Commission, which are housed at the RAC. Given his longstanding interest in the Hudson River Valley, Laurance S. Rockefeller's papers include a large amount of material from the subsequent years of the "permanent" commission's existence. During the same month of my visit to RAC, I also spent considerable time working in the Hudson River Valley Commission Collection at the New York State Archives, Albany. Between these two collections, I was able to develop a thorough understanding of the commission's goals and operations.

Based on my work at the Rockefeller Archive Center and the State Archives, along with research in the *New York Times* and other periodicals, I was able to write the chapter on the Hudson River Valley Commission for my book, *The Environmental River: The Hudson in American Environmental Law and Policy Since the 1960s*, now completed and published by Cornell University Press. I'm not a political historian, but I became deeply immersed in the political jostling, in the mid-1960s, between Secretary of the Interior Stewart Udall, who described the Hudson as an "open sewer" and chastised New York for doing little to clean up the river, and Governor Rockefeller.¹ Also important was a bill introduced by Congressman Richard Ottinger to create a Hudson Highlands National Scenic Riverway, which would have given the Secretary of the Interior the authority to intervene to "preserve areas of scenic, historic, and recreational value, to assist in the abatement of water pollution and the protection of pure water, and to rehabilitate blighted and decaying areas."² Governor Rockefeller deeply resented the threat of

federal intervention in the state's affairs and asserted that New York knew best how to take care of the Hudson.³

Ultimately, I concluded that the HRVC was Rockefeller's strategy for deflecting the possibility of federal intervention to clean up pollution in the Hudson River Valley. While respectful of the traditional power of local governments to control planning and zoning, he ultimately gave HRVC severely limited authority. He charged the commission to prepare a master plan for the valley's development, and to review proposals for development visible from the river, but it was ultimately an advisory body. HRVC had no power to enforce its plan or to prevent development that it considered injurious to the valley.⁴ A key document in the Laurance S. Rockefeller Papers is a report, prepared at his behest by the New York law firm Milbank Tweed, which called for a commission with much more substantial powers, really akin to those held by the Delaware River Basin Commission, than those ultimately given to HRVC.⁵ But at Governor Rockefeller's insistence, HRVC was a toothless agency and as a result was never able to fulfill its mission—to preserve the scenic, cultural, and historic resources of the Hudson River Valley. The commission lacked the power to achieve what the governor promised, a clean river and intelligent development that gave the big stream, as folk historian Carl Carmer once called it, back to the people.⁶

Notes

1. Udall is quoted in "Redevelopment of Hudson Urged," *New York Times*, Oct. 25, 1964. See also McCandlish Phillips, "Nation and State Clash Over River," *ibid.*, July 26, 1965.

2. Hudson Highlands National Scenic Riverway bill (HR 3012), in *Hearings Before the Subcommittee on National Parks and Recreation of the Committee on Interior and Insular Affairs*, House of Representatives, 89th Congress, first session, July 24 and 25, 1965, pp. 1-4.

3. Statement by Governor Nelson A. Rockefeller Concerning a Proposed Hudson River Valley Scenic Corridor Linking the Hudson River to the Adirondack and Catskill Parks, June 5, 1965; "Hudson River Corridor Act of June 28, 1965,"

typescript copy in the Hudson River Valley Collection, folder B—Rosters, Rockefeller Archive Center (RAC); Eleven Reasons Why the Hudson River Valley Needs a Permanent Commission, unsigned and undated memorandum, and Fred Smith to L.S. Rockefeller, April 13, 1966, both in Laurance S. Rockefeller Papers, box 137, RAC. See also “The Hudson River Valley Commission: A Short History,” typescript, Aug. 17, 1966, Laurance S. Rockefeller Papers, box 137, RAC; “State Spurs Plan to Guard Hudson,” *New York Times*, Apr. 25, 1965; “Governor Offers Plan for Hudson,” *ibid.*, June 6, 1965; “Governor Names 37 to Study River,” *ibid.*, June 12, 1965.

4. Hudson River Valley Commission, minutes, June 19, 1965, copy in Laurance S. Rockefeller Papers, box 137, RAC; Nelson A. Rockefeller to John Wilkie, Apr. 5, 1966, and Bruce Howlett to Ben H. Thompson, Nov. 23, 1965, both in Laurance S. Rockefeller Papers, box 137, RAC.

5. Milbank Tweed Hadley & McCloy, Memorandum, The Hudson River Valley Commission, copy in the Laurance S. Rockefeller Papers, box 137, RAC.

6. Carl Carmer, *The Hudson* (New York: Farrar & Rinehart, 1939), p. 404.