

At the same time, the entire riverfront would be made accessible to the public and a large strip along the edge of the water would be made into a riverfront park.

Over 200 acres will be reclaimed along both sides of lower Manhattan. In addition to being a substantial step toward solving some of the severe social and economic problems now besetting our Nation's largest urban center, the proposed plan would result in an annual tax return to the city of approximately \$90 million.

Because of the strategic commercial importance of this unique area, its development would benefit not only the city, but also the State—and, indeed, the entire Nation.

I am especially pleased to be able to assure you that the entire lower Manhattan plan requires no expenditure whatsoever of Federal funds. Therefore, the Congress will not be called on to appropriate as much as \$1 to assist the program contemplated by the city of New York. Thus, the plan accords completely with the policy expressed in the President's message to Congress of February 23, 1968, on housing and urban problems, in which he stressed the need to encourage the use of private capital to rebuild our Nation's urban centers.

The only congressional action necessary for the carrying out of this important program is an action to remove a technical impediment—an action which I urge this committee to recommend through the inclusion of an appropriate provision in the rivers and harbors bill.

As you know, under existing law the Federal Government can expropriate, without compensation, any improvements on waterways which are defined by statute as "navigable."

As a result, although the city of New York owns the land adjoining the waterways included in the lower Manhattan plan, the city is now unable to obtain essential mortgaging on the valuable improvements that are contemplated by the plan.

I have been informed by the mayor of the city of New York, our former colleague, John Lindsay, that General Koisch of the Army Corps of Engineers has evaluated the waterways in question and has indicated that the city's plans for filling this area do not conflict with the plans of the Army Corps of Engineers.

It is my understanding that General Noble will testify this morning and I presume he will approve the statement by General Koisch.

As a result, I urge this committee to include in the present bill a provision which would declare the river areas contemplated by the lower Manhattan plan to be nonnavigable. In this regard, I would like to submit for your consideration the proposed text of such a provision.

I submit the text for the record at this point.
(The text referred to follows:)

SUGGESTED PROVISION TO FACILITATE LOWER MANHATTAN PLAN, TO BE INCLUDED IN RIVERS AND HARBORS BILL

That portion of the Hudson River, in New York County, State of New York, lying between the north line of Spring Street, extended westerly, the U.S. pierhead line as it existed on November 1, 1967, to a point where the U.S. pierhead line and the U.S. bulkhead line converge adjacent to Battery Park at a point approximately 930 feet south of Battery Place, is hereby declared to be not a navigable water of the United States within the meaning of the Constitution and the laws of the United States.