

Mr. GURNEE. Yes. You passed a similar law. I think it was 2 years ago, covering a stretch of the East River only, which was for a development involving the United Nations.

Mr. BLATNIK. I am familiar with that.

I think that was proposed by Mr. Celler. That project is underway; is it not, it is under construction?

Mr. GURNEE. That is correct.

Mr. HARSHA. Have you encountered any problems with that to guide you in this?

General NOBLE. Not that I am familiar with, sir.

On the other hand, I believe it has acted as something to look at, to visualize what this thing could be and has sharpened up our concerns that we not drift into something we cannot live with later.

Mr. HARSHA. What is the full and complete effect of declaring this portion of the river nonnavigable?

General NOBLE. The practical effect is not much of anything at all, because these decrepit structures are out there now in the way, so no ship can go through there anyway. These structures would be removed and a new bulkhead line would be put out in the water some feet offshore, and this would be filled in.

So, frankly speaking, there would be no effect.

If one could visualize that these decrepit structures would be removed someday and without filling in, the navigable waterways could conceivably be pushed further inland than they practically are today.

But I do not know whether I have answered your question.

Mr. HARSHA. I do not think you have. Maybe I did not word it right.

What is the legal effect?

General NOBLE. The legal effect is that we would be giving up our navigation servitude.

Mr. BLATNIK. You are giving up your jurisdiction and Congress is giving up its jurisdiction to those waters?

General NOBLE. That is right.

Mr. BLATNIK. Turning them over to proper authorities, either local or governmental, city, municipal, or State?

General NOBLE. These title companies will not risk their money if there is any possibility, and it is most unlikely.

Mr. HARSHA. With the strictness of title companies and how they look upon things—

General NOBLE. The point is, practically speaking, you are not giving up anything at all; because if we permitted people to put this amount of fill in the water, there would be no practical way of applying the navigation servitude. You could not expect anybody to remove such development at a later date.

But legally the Government still retains that right, and this is enough to cause these title companies to hesitate.

Mr. HARSHA. Now you mentioned in two different instances, one between the Battery and Canal Street, there are only two piers in use, and the other between—

General NOBLE. On the East River.

Mr. HARSHA. East River, between the Battery and Brooklyn Bridge, obviously you are going to have to destroy those two existing piers or remove them?