

Mr. McEWEN. I am sorry, I did not see the controlling depth of 40 feet.

Colonel SEIDEL. It is presently 26 feet deep.

Mr. McEWEN. Bulk plants in here at Port Jefferson?

Colonel SEIDEL. Yes, sir.

Mr. McEWEN. What is the controlling depth, then?

Colonel SEIDEL. Twenty-six feet.

Mr. McEWEN. It has an excellent benefit-cost ratio.

Mr. HARSHA. This is, or has, a one-user phase at this time, does it not; but we have authorized this one-user business before, have we not?

Colonel SEIDEL. Sir, there are presently two users, Long Island Lighting Co. and Consolidated Petroleum Terminal, Inc.

Mr. HARSHA. I have no further questions.

Mr. BLATNIK. No further questions of Colonel Seidel.

That will be all.

Colonel Anderson, could we finish your two projects? I believe they are not too controversial. One is H.R. 510 (H.R. 7634), Buffalo, N.Y.

We had Mr. Dulski and Mr. McCarthy. We have had a brief description. Is there anything more to add?

BUFFALO CITY, N.Y., LAND CONVEYANCE (H.R. 510)

Colonel ANDERSON. Sir, I have a statement for the record that goes into the technical details on the description of the land and gives the background.

Mr. BLATNIK. We have it here. It will appear in its entirety.

(Statement referred to follows:)

STATEMENT BY COL. FRED E. ANDERSON, JR., OFFICE CHIEF OF ENGINEERS, DEPARTMENT OF THE ARMY

Mr. Chairman and members of the committee, I am Lt. Col. Fred E. Anderson, Jr., Assistant Director of Civil Works for Central Divisions, Office, Chief of Engineers, Department of the Army. I have been designated to present the views of the Department of the Army on H.R. 510. I have a brief prepared statement which I would like to present to the Committee.

The purpose of this bill is to direct the Secretary of the Army to convey, without monetary consideration, to the City of Buffalo, New York, all right, title and interest of the United States in approximately 51 acres of land underlying Lake Erie, to be used for recreational development purposes; further, that should such use cease, title shall revert to the United States.

The views of this Department were recently furnished the Chairman of this Committee by letter from the Secretary of the Army. As stated therein, this Department is not opposed to the enactment of this bill if it is amended to (1) provide for certain navigational requirements, and (2) the legal description of the lands be revised to more accurately reflect existing conditions.

The real property referred to in this bill consists of approximately 51 acres of underwater land of Lake Erie in the outer harbor of the City of Buffalo, New York. These lands were originally acquired by the United States, without cost, by a deed of patent dated 5 May 1904 from the State of New York for use in conjunction with other lands purchased by the Government for the improvement of the Buffalo Outer Harbor project. This deed was accepted by the Government, recorded on 11 January 1906, and the United States is vested with fee title to these lands.

On 9 May 1950 the Army declared excess 11.0 acres of upland immediately adjacent to these 51 acres of underwater land, and reported the same to General Services Administration for disposal. Thereafter, by deed dated 23 May 1952, the General Services Administration conveyed the 11.0 acres of land to the City of Buffalo in consideration of \$11,250, being 50 percent of the market value at that time. The deed contained a number of conditions, among which were