

Mr. MOSS. And that is to the recreational values.

Mr. HARTZOG. Right, because there were two points.

Mr. MOSS. And those would be impaired almost to the same extent by the present application as by the application, No. 2, I guess, before the three-quarters of an acre was removed.

Mr. HARTZOG. That is correct, sir.

Mr. MOSS. So there still is a substantive area of disagreement by the National Park Service on the granting of the permit.

Mr. HARTZOG. Sir, I believe that our substantive disagreement has been taken care of.

Mr. MOSS. One of your substantive disagreements. According to your letter, as I read it, you mention both recreational values and riparian rights.

Mr. HARTZOG. Right.

Mr. MOSS. One is a right that is justiciable, the other is rather an intangible matter, but one where your professional judgment says that it is impaired. We cannot put a dollar price tag on it, but the impairment continues nevertheless. Am I correct?

Mr. HARTZOG. The gentleman is quite right in summarizing what our objection is. And what it basically involved, sir, is the storm sewer that is in South Royal Street and emptying into this area here.

What we are recommending, and what we did recommend, is that this sewer be extended so as to pass through this fill. Mr. Horne is not only an administrator and my assistant, but by training a professional engineer, and Mr. Horne and our professional people have advised me that our second point can be as easily handled after the fill is made as before the fill. So that just so long as the sewer is ultimately extended through this fill—whether it is made as the fill is made or whether it is made subsequent to the fill—our second point is taken care of.

We do not want this water, as Congressman Reuss was saying earlier, eddying in here and coming back onto Jones Point Park. That is what we did not want. These were our two points of objection.

Mr. MOSS. There will be the continuing problem of the water eddying in there, will there not—the red section on the map over here just south of the highway leading to Woodrow Wilson Bridge. You create a sort of bay or inlet there and the water characteristics are going to change, are they not? There would be silting. You would almost have to set up an experimental model, I guess, of the water in that area in order to determine the exact influence upon the remaining land, would you not?

Mr. HARTZOG. Mr. Horne, if I may, Mr. MOSS.

Mr. HORNE. It is very difficult, Congressman MOSS, to determine this since this is a tidal estuary and the flow in Hunting Creek is not very great except during rainstorms. So that the current within the little bay there is very difficult to determine. It would depend largely, except during storms, on the ebb and flow of the tide.

Mr. MOSS. I say then my statement would be correct, it is difficult to forecast—

Mr. HORNE. It would be very difficult to forecast.

Mr. MOSS (continuing). The extent of adverse action, silting, and things of that type, on this little inlet that is created by the additional fill.