

Mr. HORNE. I think it would be difficult.

Mr. HARTZOG. I think our best judgment remains that if the condition of approval given by Under Secretary Black is complied with by the corps and by the developer, that our second point will be resolved. In other words, either extend the sewer through there, or provide for its extension through there, so the eddying does not take place in the long run.

Mr. MOSS. Now I am confused because we have just had Mr. Horne indicate there would be some eddying, the extent of which would be very difficult to forecast.

Mr. HARTZOG. That is right, so long as that sewer is not extended. If the sewer comes through the fill you see, if the sewer comes through this fill, then it cannot eddy in here.

The point I was trying to make for your consideration—

Mr. MOSS. But the tidal action and the flow from Hunting Creek can, and therefore the matter is not resolved by the simple expedient of placing a storm sewer through the fill, is it?

Mr. HARTZOG. No.

Mr. MOSS. And what about the recreational values?

Mr. HORNE. I think that the most objectionable thing along this shoreline is the effluent from that sewer which upon occasion is not all storm water. In that particular area this effluent pollutes that area and eddies in the area of the mouth of that sewer, which would not be the case if the sewer were extended.

Mr. HARTZOG. This is the point I was trying to make.

Mr. JONES. It is not just storm water, is it?

Mr. HORNE. It is principally a storm sewer, Mr. Chairman, but it is my understanding, and from the appearance of the bay it is obvious, that there is some sanitary sewage that gets into it.

Mr. MOSS. Mr. Chairman, I ask permission to yield to the gentleman from Wisconsin, a member of the parent committee.

Mr. JONES. Mr. REUSS.

Mr. REUSS. I thank the gentleman for yielding.

Director Hartzog, I am referring to your memorandum of April 4, 1968, in which the National Park Service gave its reasons for objecting to the fill, objections which you have testified were present, though apparently unrecognized on October 10, 1967, when Assistant Secretary Cain wrote his letter. You state in that April 4 memorandum:

The Department of the Interior in 1964 opposed the conveyance of the submerged lands and the issuance of the fill permits on the grounds that the bulkhead and fill would adversely affect fish and wildlife and park and recreational values in the area and might adversely affect the riparian rights of the United States as owner of Jones Point Park.

I call your attention to your own National Park Service map and to the red plaque which indicates the area which would actually be filled under the fill permit issued, or purported to be issued, by the Corps of Engineers on May 29, 1968.

You have said that the National Park Service objected on several grounds. One was the riparian rights legal ground. That did not bother me or my congressional colleagues. That is for technical lawyers in the Department. I am glad you got that straightened out.