

Mr. HARTZOG. In the context in which that application was filed at that time; yes, sir.

Mr. VANDER JAGT. It is my further understanding that in your memorandum of April 4, 1968, you still indicated an objection to the filling of that area, and one of the grounds of your objection was that it would adversely affect the recreational values of that area; is that correct?

Mr. HARTZOG. My memorandum of April 4, sir, did not specifically object so much as it suggested that a decision here, in my judgment, would be in the context of the legislation involving estuarine areas as well as the Potomac National River. I suggested it be restudied in that context. It was not directed specifically to the protection at Jones Point at that time.

Mr. VANDER JAGT. I believe in your memorandum you pointed out the great national concern to protect estuarine areas. In light of that, you suggested that they restudy this decision where they had said go ahead and fill it in; is that correct?

Mr. HARTZOG. That is correct.

Mr. VANDER JAGT. And a very valid inference from that would be that you objected to the filling in of that area, wouldn't it be?

Mr. HARTZOG. I think that can be logically inferred; yes, sir.

Mr. VANDER JAGT. All right. Now when did you change your mind and decide that it wouldn't adversely affect the recreational area there if they went ahead and filled it in?

Mr. HARTZOG. The date of my letter is April 4, and the letter to General Woodbury by the Under Secretary is April 26. Is that the sequence of it?

Mr. VANDER JAGT. I believe so.

Mr. HARTZOG. And in the meantime what had happened was that we had gotten some pretty reasonable assurance that this would not be filled. In other words, that the application would be approved on that basis, which gives you a straight line shot for this South Royal Street sewerage line and eliminates the controversy over the riparian rights to this triangle here that we assert. These had been the two major objections which we had asserted here and we had gotten assurances on.

Mr. VANDER JAGT. What you are telling us is that it was the deletion of that tiny pie-shaped white area in there that changed your objection?

Mr. HARTZOG. Well, it didn't change our objection at all; it simply overcame our objections. In other words, our objections were, one, that they were encroaching on our riparian rights and, second, by putting a blockage across the South Royal Street sewerline they were creating the kinds of conditions which Congressman Reuss so eloquently described earlier, of stagnant water with a high degree of sedimentation in there from that outflow. By cutting it back and assuring us that the outflow would be taken care of, our objections were simply overcome. They were not withdrawn.

Mr. Moss. Would you yield to me for a moment?

Mr. VANDER JAGT. Gladly.

Mr. Moss. Mr. Hartzog, how do you reconcile the statement you have just made with these two paragraphs in your letter of April 4:

An important principle, i.e., the preservation of our fast disappearing natural environment, which you have creatively defended with great honor and high distinction would appear to me to be involved here.