

proposed fill and the mainland, it was felt that that discharge of raw sewage whenever it rained would be unesthetic.

Three, I will refer to your own map. In view of the National Park Service's plan to create a park out of the Jones Point area, and in view of the fact that the park would abut on the Hunting Creek estuary, and in view of the fact that high-rise apartments seemed to be in order on this filled land, objection No. 3 was that the erection of high-rise apartments in the filling of this land would interfere with the vista and hence the recreational value of the park.

And fourth, was the point that quite apart from any discharge of sewage by the Royal Street sewage outfall, the filling of this roughly 9 acres would create a backwash in which the tidal effects and general circulation of the Potomac, including all the other sewage that gets into the Potomac from a thousand other outfalls and all of the silt and sediment that gets into the Potomac in its hundreds of miles of water-course, would create unsatisfactory water conditions in the area between the fill and Jones Point Park.

Am I correct that those were your four objections?

Mr. HARTZOG. Sir, I would say that you have articulated the entire case that we were making much more completely than we had. We had articulated it in terms of two objections. One is the trespass on our riparian rights, and two, that we did not want that outfall from the South Royal Street sewer imbedded in that niche there in front of Jones Point Park. This is as far as we had gone in articulating it.

In our dialog this morning, these things have been refined and clarified to cover the additional two points you make. But the objections that we made to the departmental officers were simply the two I stated at the outset—one, the riparian trespass, and two, that we wanted proper provision made for an appropriate extension and disposition of that sewage water out of the South Royal Street sewer.

These were the two objections on which we are on record.

Mr. REUSS. I refer you again to your memorandum of April 4, 1968—

Mr. HARTZOG. And that memorandum, sir, if I might just say one thing about that memorandum: It was written simply to say, as I feel as a career officer I have the obligation to say, to my superiors—

We have recently endorsed a measure to preserve the Potomac River. I submit for your consideration the desirability of your thinking about this application in the light of that Administration recommendation.

I did not object to this on the basis of the Potomac River legislation; I simply called to my superiors' attention that I thought this was a relevant factor to evaluate in making a decision because it was an intervening circumstance in March after all of the record was in. And that is the only motivation for my writing that memorandum. It was not to raise another objection, it was not to present another reason for the rejection of this application; it was simply to make sure that I had contributed to the extent that I constructively could to my superior's frame of reference in calling his attention to the Potomac River and the possible impact or precedent at this location in the light of that legislation. That is all this memorandum says.

Mr. REUSS. Let me ask you, in this recommendation you referred, did you not, to the need to preserve the estuarine areas?

Mr. HARTZOG. I did.