Mr. BLACK. I think that it is.

Let me tell you what I think subjective is. I think that when a Bureau head, an acknowledged expert in a technical field, says that it is our responsibility because of precedental effect and because of our general concern for the shoreline of the Potomac to deny this permit, I think that that is largely a subjective or policy decision. I don't think it follows, necessarily or logically from a decision or from a finding that this area—and I don't argue with it—that this whole broad area is of value for waterfowl. I think that when we are talking about, in my view, considering this whole area a very limited piece of ground in a very builtup area, that you have to look at all of the values.

Mr. Moss. Did you discuss the disturbance factor that Dr. Uhler mentioned yesterday?

Mr. BLACK. There was some discussion about the possibility of siltation. Is this what you mean?

Mr. Moss. The siltation, the emergence of a series of new high rises, the environmental disturbance, the fact that the engineers for Hoffman stated that they would dredge a marina by the east bulkhead and deepen the channel along the south bulkhead; and thus the dredging would cover additional acreage beyond the amount in the fill application, and would, therefore, affect larger areas of waterfowl habitat.

Was this type of impact considered?

Mr. BLACK. There was a discussion of specific possibilities, the marina and so forth, there was discussion of the possibility of siltation, maybe even the likelihood of siltation resulting from these kinds of construction activities. I suppose they are inevitable.

Again, it is a matter of degree and Dr. Gottschalk indicated they could not point to any proof that this would occur or have a detrimental effect. That methodology wasn't really available to do so.

Mr. Moss. Well, you would almost have to set up a model of the river to make that determination.

Mr. BLACK. I would think so.

Mr. Moss. But you certainly would be on sound ground in assuming that putting a marina out into the water is going to cause siltation.

Mr. BLACK. Certainly.

Mr. Moss. It would certainly interfere——

Mr. BLACK. I am not suggesting that there will necessarily be no disruption of wildlife habitat.

Mr. Moss. I hope, Mr. Secretary, that there will be none, because I hope this committee will come up with a report that strikes at the heart of this in such a manner that the permit is permanently withdrawn, not just suspended as of the moment. Because I think the judgments made for issuing the permit have not reflected appropriate concern with the public interest as envisioned in the Coordination Act.

It was the very type of judgment that you have alluded to as being somewhat parochial in your Fish and Wildlife Service and in your National Park Service that was sought under title 16, United States Code, section 662(a), in the 1958 Coordination Act when it said:

* * * such department or agency first shall consult with the United States Fish and Wildlife Service, Department of the Interior.