

Mr. BLACK. There is a provision that we sought, and I believe is included in the permit, the last final subsection of the permit, in rather sweeping language, that would permit the Interior Department to prevent damage and to have a continuing input, I believe, in this.

Mr. MOSS. Can they do the channel dredging for the marina?

Mr. BLACK. Can who do the dredging?

Mr. MOSS. Hoffman Associates, the applicants for this permit.

Mr. BLACK. I don't understand your question.

Mr. MOSS. Well, it is proposed——

Mr. BLACK. If the permit is granted, I assume they will do what is necessary.

Mr. MOSS. And if it results in the filling in of a larger part of the estuary that is perfectly all right. There is no effort made to lessen the impact of this fill?

Mr. BLACK. I don't know that there were specific provisions or conditions that we sought other than the water pollution provision which I think by its terms is a very broad one.

Mr. MOSS. Of course the wildlife is also a very broad one.

Mr. BLACK. Well, the pollution, of course, would affect the wildlife.

Mr. MOSS. Yes, in part.

Mr. BLACK. There is nothing in the permit, Mr. Mangan advises me, about dredging as such. The permit provides only for bulkhead and fill.

Mr. MANGAN. The application was for bulkhead and fill, and the permit was issued in those terms. It is a permit for bulkhead and fill.

Mr. MOSS. Well, it is my understanding, and I think the transcript of the February 21 hearings will show that the engineers for Hoffman, Mr. Hoffman, said they would dredge the marina by the east bulkhead and deepen the channel along the south bulkhead; and, of course, that would inevitably require a disposal of spoil, and about the only place you can dispose of it would be in the estuary.

Mr. MANGAN. Presumably spoil would be put behind the bulkhead, if you were going to dredge because it is the most immediately available place. But——

Mr. MOSS. Are they going to be permitted to fill all the land from dredging in the estuary channel?

Mr. MANGAN. Mr. Chairman, my only answer is that until this reference was made to what was said at the February 21 hearing, there had been no indication of any dredging operation, and a check of the application——

Mr. MOSS. You will find this reference on page 31 of the Corps of Engineers transcript of the hearings——

Mr. MANGAN. Yes, sir.

Mr. MOSS. Of February 21, which were held in Alexandria, Va.

Mr. MANGAN. Yes, but a check as recently as yesterday showed that neither the application, nor the permit that issued in response to the application, made any reference to dredge operations.

Mr. MOSS. Well, was it so restrictively worded as to prevent it, or was it so generally worded as to permit it?