

To date, no remedial or corrective action has resulted from our long and continued attempts to get this situation corrected. Meanwhile, Hunting Creek west of the Jefferson Davis Highway has virtually disappeared. Essentially this action has resulted in the damming and filling of a navigable waterway of the United States and the consumption and attrition of a natural resource by this action.

No national, State, or local authority, except the Congress, has attempted to halt the operations clearly identified as illegal by both Commonwealth of Virginia and county officials. The position of the citizens of Virginia, for whom I speak today, is that Hunting Creek is, and continuously has been, and should be, held in trust for all of our citizens, inasmuch as lands in the public domain are at issue in this completely unauthorized and illegal operation of substituting one streambed for another. The U.S. Government, therefore, through its Congress and its Corps of Engineers, has the sole right to determine the course of the navigable waters of the United States.

The Commonwealth of Virginia has no authority to alter or to realine such stream and creek beds. The U.S. Congress has not issued such authority in the subject case. Should Congress elect to retain the historic and original alinement of Hunting Creek rather than permit its use to the favored few, the area should be made available for recreation purposes for the public at large. Further corroboration of facts, enclosure (8), is attached. Copy of brief No. 9760. Photos dated November 16, 1963, show the manmade fill and the resultant stream damming of a navigable waterway and are attached as enclosure (9).

ADDITIONAL ISSUES CONTRARY TO THE PUBLIC INTEREST IN THE CURRENT PROPOSAL

(1) *Public works facilities.*—The existing sewerage disposal capacity of Arlington, Alexandria, and Fairfax will suffer a potential reduction under this proposal. The marine life balance endangered by the continuing effluent into Hunting Creek and the Potomac waters, together with the resultant siltation from such operations, would create very real threats to the natural forces required to complete decomposition of partially treated (or during heavy storms untreated) sewerage effluence from existing and proposed plants in the area. We must cease making the Potomac a cesspool. The proposed fill and bulkhead would retard the stream-flow necessary for the biological balance and to establish and maintain proper outfall sanitation discharge. Due to past dumping and landfill operations noxious odors are the rule rather than the exception.

(2) *Legal delineation of the proposed site area.*—The plat of the proposed land fill and bulkhead shows a channel for Hunting Creek which does not conform to the historic alinement of the channel identifying the official Alexandria, Fairfax County, boundary. This boundary is clearly delineated by the Virginia Code. Fairfax County officials, when questioned about this discrepancy, stated the line was arbitrarily drawn on instruction from the board of supervisors from its correct location in 1950 to the present.

Alexandria officials also agree with our contention that the boundary as presently portrayed is inaccurate. As citizens, we feel this change was accomplished for the benefit of the favored few.

(3) *Usurpation of lands in the public domain by the favored few.*—The citizens of Fairfax County and other communities have a legal and statutory right to enjoy the full use of the Jones Point Park and recreation facility which will be developed shortly. The Federal Government has the moral obligation to exert every reasonable effort to oppose the current dump and land-grab proposal, inasmuch as the public interest demands these lands be retained in domain so that the new park and the Mount Vernon Parkway can have mutual access. If such access is not provided future traffic will require passage through Alexandria's "Old Town" residential area and aggravate an already overburdened highway system.

(4) *Public moneys.*—Millions of dollars in public and private funds have been obligated or expended to acquire and improve or protect the shores and waterways of the Potomac River estuary in the Washington area. Federal agencies, acting on President Johnson's directive to prepare a workable plan to provide swimming facilities in the Potomac River by 1975, are presently involved in preparing recommendations for funding in the amount of \$3 billion to protect the Potomac watershed. How can this Congress remain inert about all Federal rights and interests to 18 acres which H. 591 transfers title to a group of the favored few, when this group plans to establish a large dump on half the site and quite likely on the rest of it as soon as they can. If \$750,000 in Federal funds was required to obtain a very limited scenic easement at the Merrywood Estate which