

In the case of the Felsenthal Navigation Pool, the counties are Union, Ashley, and Bradley. Two other counties, Calhoun and Ouachita, make up a total of five counties in Arkansas involved in the whole navigation project.

The office of the District Engineer, Vicksburg District, U. S. Army Corps of Engineers, furnished copies of all of the documents that needed to be signed by the several county judges in order to establish assurances for all of the additional lands needed for flooding and protective areas in the Felsenthal Lock and Dam Complex. The county judges signed all of the required documents in good faith because they were still of the opinion that the greater portion of the required lands for flooding and buffer zones would be donated by the landowners.

That assumption was undoubtedly true until the last few years when land values in this area began to increase. Soybean interests began bidding for the land, timber values began to increase, and other navigation projects began showing up with authorizations wherein the federal government purchased all of the land requirements as part of the project cost.

By the time the Corps of Engineers called for land titles, the county judges were confronted with the fact that they would have to purchase most of the required lands and that land values in the area had advanced to a point where they could not legally make such expenditures from their available county funds.

The Arkansas Attorney General furnished the following statement:

"No county shall levy a tax to exceed one-half of one per cent (of the assessed value of all property) for all purposes (Const. 16, p. 9). The county's appropriation cannot exceed 90 per cent of the taxes levied in any one year (Ark. Stat. 17-411). No county can make a contract in excess of the amount of the annual appropriation (Ark. Stat. 17-416)."

"No County Court—shall make or authorize any contract—in excess of the revenue from all sources for the fiscal year in which the said contract—is made—(Constitution Amendment No. 10)."

Under the statutory and constitutional provisions in Arkansas, it is impossible for the three principal counties involved in the land purchase for the Felsenthal Navigation Pool to make the expenditures that would be necessary in spite of their avowed willingness. They can and will carry out their original agreement to provide the lands needed for the locks and dams, river cutoffs, spoil areas, etc.

At this point the Ouachita River Valley Association, as the sponsor of the Ouachita River 9-Foot Navigation Project, has only three solutions to the problem: (1) abandon this needed and worthwhile project in Arkansas; (2) have the Congress to authorize the Army Corps of Engineers to dredge the 9-foot channel through the Felsenthal Basin; or (3) call upon the Congress to amend the 1950-1960 authorizations for the Ouachita-Black River 9-Foot Project to make the cost of the additional lands that will be flooded in the Felsenthal Pool to become a part of the project cost.

The people are asking for this help because it is something they cannot do for themselves. The Ouachita River Valley Association believes that the favorable benefit cost ratio of 1.5 to 1 of the present project can easily absorb the approximately \$3 million in additional land costs and remain a sound project. Especially is this true because the cost of dredging and maintaining a 9-foot channel through this low land area of the Ouachita River would far exceed the cost of the flooded and buffer zone lands.

The people in the Ouachita River Basin want the presently authorized 9-foot channel in the Ouachita River to be completed to Camden, Arkansas. They will accept any engineering approach the Corps of Engineers may suggest; however, the people see their greatest economic and social advantages developing from the high-lift locks and dams as now proposed by the Corps.

The proposed height of the minimum pool for the Felsenthal Lock and Dam will stand at 65.0 feet m.s.l. At this height a lake of about 14,500 acres will be formed. This will be a tremendous economic asset for all of South-Southeast Arkansas and Northeast Louisiana.

The Felsenthal area of the Ouachita River flood plain is flooded extensively each year. On the average the annual flooding above the 65.0 feet m.s.l., minimum pool stage, shows a duration of 102 days with the average yearly height of the flooding calculated to be 74.5 feet m.s.l. This average is 9.5 feet above the minimum pool stage. The average days of flooding above 70 feet m.s.l. are 49, and the average number of days flooding above 75 feet m.s.l. are 20.

For this and other economic reasons the fish and wildlife interests have proposed a 5-foot increase in the height of the Felsenthal Lock and Dam to operate in the winter and early spring months to form a water fowl resting and feeding