Alternative plans for the Felsenthal pool have again been reviewed. Plans with pool elevations at and between the elevations 61.6 and 65.0 feet were compared on the basis of estimated total annual charges, and annual navigation and fish and wildlife benefits. This review confirmed that the 65.0 foot elevation Felsenthal pool provides the economically most favorable development of the reach for the concurrent purposes of navigation and fish and wildlife. Furthermore, the addition of a seasonally higher pool solely for fish and wildlife purposes provides an even more favorable overall plan of development.

Longstanding current policy regarding Federal navigation improvements includes the requirement that local interests furnish all necessary project lands. Unusual circumstances may justify limited or broad deviation from this requirement on a particular project; however, such deviation was neither proposed nor authorized at this project. We feel that the existing requirements of local cooperation for all aspects of the project are proper and that the relief sought is not warranted. When considering the Ouachita-Black River project in the 1960 report, the relatively large increased land requirement in the Felsenthal reach was specifically considered and apparently adjudged either insufficiently unusual or sufficiently offset by resultant benefits, or both, such that reporting officers did not recommend and the Congress did not authorize a deviation from this general requirement.

With regard to additional lands required for the 5-foot seasonally higher fish and wildlife pool, the Fish and Wildlife Coordination Act requires specific approval of the Congress prior to the project acquisition of any additional lands solely for fish and wildlife purposes. This has been interpreted in the Felsenthal situation not to prohibit the acceptance of lands at no cost to the United States. In view of the considerable additional Federal cost for the modification of project structures and provision of additional basic recreation facilities, the furnishing of these additional lands by local interests does not appear inequitable.

In the State of Arkansas, local sponsoring bodies are the respective counties. Local interests supported the changes proposed in the 1960 authorization and stated they were willing to provide the assurances. These assurances from the County Judges of Ashley, Bradley, Calhoun and Union Counties, Arkansas, were furnished in 1962. Also, I might add that a subsequent letter from the Attorney General's Office in June of that same year, giving his opinion that the counties may legally execute these assurances, is a matter of record.

The five-foot seasonally higher fish and wildlife pool was added pursuant to desires of local interest in accordance with established policies and authorities available to the Chief of Engineers. In August of 1966, Acts of Assurances to include this features were requested from the respective counties. That same month, the respective counties advised the Vicksburg District Engineer that they were unable to comply with the request for the additional assurances—therefore, planning on the Ouachita River Navigation Project within Arkansas was discontinued—however, that portion within Louisiana is continuing under construction.

In summary, Mr. Chairman, we see no reason to change the requirements of local cooperation for the Ouachita River Navigation Project in preferential treatment of any reach. Further, the requirements of local cooperation for this project are in accord with longstanding policy regarding Federal navigation projects and in our view should remain so.

Mr. Chairman, this concludes my statement.

Mr. BLATNIK. Can you brief it as this point?

Colonel HALL. Yes, sir. The problem at hand with respect to the Felsenthal lock and dam relates to the items of local cooperation on the Felsenthal lock and dam. Local cooperation is required by the act authorizing the channel on the Ouachita-Black River system, which requires that local interests provide land, easements, rights-of-way, among other conditions of local cooperation.

The local cooperation requirements in the Louisiana portion of the project have been furnished. Local cooperation in the Felsenthal reach has not, due to the alleged inability of local interests to come forth with it. We think that the local cooperation requirements are proper, in accord with the established policy for navigation projects and think that the conditions of local cooperation should remain.