

Collins, Kelly A.

From: Jackie Drake <drakejackie@aol.com>
Sent: Tuesday, October 21, 2014 8:01 PM
To: Arkansas Water
Subject: 2014 Water Plan Comments - Lake Erling, Arkansas
Attachments: Scan0001.pdf; Scan0002.pdf

Gentlemen:

We ask that you consider the following when finalizing your 2014 Water Plan:

We are residents on Lake Erling in the Southwest corner of Arkansas. This 7000 acre lake was built in the 1950's as a water source for International Paper Company located in Springhill, Louisiana. This was done with agreement and exacting specifications by all parties that cannot be broken.

The Lake served for many years as the water source for International Paper Company and it also became a public recreational area as well as a premier bass fishing lake; and it continues to be a wonderful fishing and boating lake. International Paper Company, after their closing, sought someone to donate the lake as well as some additional property to and the AGRED Foundation (American Gamebird Research Education Development) contracted to take over the Lake as well as a small park with access to the lake and an earthen damn and spillway.

The AGRED Foundation agreed to preserve and improve the property, to protect the wildlife and maintain the lake for public recreational use in perpetuity. This is quoted from a news release concerning the transfer. The first thing AGRED did was to lower the water in the lake to a level far below most property owner's docks or boat houses. There were only a few places on the Lake where boats could be launched and very few piers or docks have water under them. It has remained this way for an exceptionally long time.

Now the two individuals who "own" AGRED are demanding that all of the owners of property around the lake sign documents basically giving their right of way to AGRED so they can then charge the owners for access to the Lake in the form of annual payments to the AGRED Foundation ranging from \$100 to \$1000 per year.

AGRED has threatened and tried to intimidate owners by saying that "AGRED does not have a legal obligation to maintain the water in Lake Erling." There has been a rumor attributed to one of the directors of AGRED that he would drain the lake and plant pine trees on the 7000 acres.

Attached is a copy of their latest publication as well as a copy of the "Formal" budget we asked for.

We ask that you consider the enormous value of Lake Erling and all fresh water lakes and streams, for recreation use, agricultural use and industrial use and the impact to the counties of SW Arkansas should this lake be drained or diminished to the point of not being navigable. Employment in our area is at an all time low and this lake remains a substantial attraction for industry to

this area as well as the economic boost by people building homes on the lake.

Thank you for considering our comments.

Jackie and Max Drake
drakejackie@aol.com



10/8/2014

Dear Lake Erling Lakefront Property Owner:

The AGRED Foundation (AGRED) is pleased that most property owners understand the position we have taken insofar as the permitting and easement policies are concerned. All easement and permit fees are deposited directly into the **Lake Erling Maintenance Account, and funds are only used for Lake Erling maintenance projects, and will not exceed maintenance costs.** Our directors are not compensated for their work. Most lakefront property owners have taken advantage of the introductory rates billed this year, which AGRED will continue to honor as follows:

- Introductory rates for those who have not signed up will end December 31st and anyone that has an existing boat dock, fishing pier, boat ramp, sea wall, etc. on AGRED property will owe the standard rate. This is **ONLY** if you haven't paid your introductory rate and signed an Annual Lake Easement, **if required**, and an Annual Land Use Permit.
- Standard rates will be double of what the introductory rates were.
- The standard rate will be implemented from January 1st 2015, continuing annually on these property owners who have not taken advantage of the introductory rate.
- Introductory rate property owners will continue to be billed at the introductory rate, plus the federally recognized Consumer Price Index (CPI) rate annually; for example; \$100 plus inflation rate: since the inflation rate is 1.4% for 2014, in 2015 the introductory property owners will owe \$101.40. **The introductory rate property owners will be able to continue at the introductory rate indefinitely, as long as they pay their Lake Easement, if required, and Land Use Permit fees annually.** Also, they will need to receive a permit if they decide to add new construction (boat houses, fishing piers, etc), prior to construction. These new structures that are built on The AGRED Foundation's property will stay at the introductory rate **indefinitely** as long as the permit is acquired pre-construction.
- Standard rate will be, for example; \$200 plus CPI rates: since the CPI rate is 1.4% for 2014, the standard rate will be \$202.80.
- **All new construction, whether past construction has been at introductory or standard rates, can be at introductory rate as long as permit is obtained prior to construction and past permits have been paid, if any.**
- Introductory rate minimums are \$100 and maximums are \$500. Standard rate minimums will be \$200 and maximums will be \$1,000.

Please understand that this introductory rate is only applicable until January 1, 2015, except on pre-permitted construction. It is the sole responsibility of lakefront property owners that have not received an Annual Lake Easement (if required), an Annual land Use Permit, and an invoice, to contact AGRED to obtain the needed documents.

AGRED is committed to maintaining and improving Lake Erling for the benefit of wildlife and community, as per the Mission Statement. However, it must be understood, that **AGRED does not have a legal obligation to maintain the water in Lake Erling.** Your Annual Lake Easement and Annual Land Use Permit fees make a significant contribution to ensuring that Lake Erling is maintained and improved.

Should you have any questions, please feel free to contact AGRED at (318) 210-0451 or you can e-mail us at theagredfoundation.tech@gmail.com, and we will be glad to answer any questions you may have.

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Budget List

From: Agred T.S. <theagredfoundation.tech@gmail.com>

To: drakejackie <drakejackie@aol.com>

Date: Wed, Jun 18, 2014 3:31 pm

Mr. Drake,

Here is the budget list for all of our maintenance on the lake.

Budget Plans for the Future:

- Water Control Structure - 2 gate replacements, rollers, & rails (8 years) - Cost of Maintenance=\$200,000 (Pro-Rated) - Estimated Annual Cost=\$25,000
 - Spillway caulking & water control structure 5-year maintenance - Cost of Maintenance= \$100,000 (Pro-Rated) - Estimated Annual Cost=\$20,000
 - Labor - Levee/Park mowing after hay-baling, litter pickup, daily maintenance, lake level water meter readings, & weekly/monthly inspections - Estimated Annual Cost=\$48,000
 - Equipment - Lawn mowers, weed-eaters, transportation mileage, bush-hogs, tractors, fuel, & hand tools (depreciation costs) - Estimated Annual Cost=\$21,600
 - Arkansas Department of Natural Resources - Annual lake permits and inspections - Estimated Annual Cost=\$9,200
 - Attorney & Accounting Fees - Estimated Annual Cost=\$9,500
 - Secretarial & Office Supply Costs - Estimated Annual Cost=\$14,400
- TOTAL ESTIMATED ANNUAL COST = \$147,700**

Thank You,

Technical Support

The AGRED Foundation, Inc.
Technical Support

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