

1 **EXECUTIVE SUMMARY**

2 **INTRODUCTION**

3 The United States Army Corps of Engineers (USACE), Little Rock District, proposes to
4 implement a revision of the Greers Ferry Lake Shoreline Management Plan (SMP). The SMP is a
5 comprehensive plan for management of the shoreline at Greers Ferry Lake. The SMP is required
6 by federal regulations found at 36 Code of Federal Regulations (CFR) section 327.30, and
7 contains a set of requirements for an SMP review. The current version of the Greers Ferry Lake
8 SMP became effective on November 21, 1994. The new SMP may revise various elements of the
9 1994 SMP. These elements include zoning of limited development areas, vegetation
10 modification, provisions for grandfathered docks, and restrictions on boats with sleeping quarters
11 and/or marine sanitation devices. As part of its decision-making process, the Corps is preparing
12 an environmental impact statement (EIS) to determine the potential environmental effects of SMP
13 revision.

14 USACE regulations require that an SMP, as described in section 327.30(e), will be prepared for
15 each Corps project where private shoreline is allowed. This plan will honor past commitments.
16 The SMP will be reviewed at least once every 5 years and revised as necessary. Shoreline uses
17 that do not interfere with authorized project purposes, public safety concerns, violate local norms
18 or result in significant environmental effects should be allowed unless the public participation
19 process identifies problems in these areas. If sufficient demand exists, consideration should be
20 given to revising the shoreline allocations (e.g., increases, decreases).” The last review of the
21 SMP began on January 26, 1999. Since Title 36 CFR and the 1994 SMP required the Corps to
22 accept rezoning requests, a deadline period for acceptance of such requests was established. The
23 deadline was set at April 1, 1999. An open house was conducted on June 15, 1999, allowing the
24 public to express its views on rezoning and other issues. This meeting was also the means of
25 presenting the scores assigned to each of the rezoning requests. A 30-day public comment period
26 followed the meeting. On January 11, 2000, the Greers Ferry Lake Project Office hosted a 5-hour
27 public workshop to present the draft revision to the Greers Ferry Lake SMP and a Draft
28 Environmental Assessment (EA) on the effects of implementing the proposed revised plan. The
29 Southwest Division approved the 2000 SMP for implementation on March 14, 2000.

1 Subsequently, an organization known as Save Greers Ferry Lake, Inc., filed suit in federal court
2 claiming that the Corps had failed to comply with the National Environmental Policy Act
3 (NEPA). In May 2000, the U.S. District Judge issued a temporary injunction that ruled the Corps
4 EA did not support an overall finding of no significant impact. Following the injunction, the
5 Corps withdrew the 2000 SMP, reverted to the 1994 SMP, and publicly announced that it was
6 going to conduct a full EIS to continue the process. On August 24, 2000, the court issued a final
7 order that ruled that the 32 permits for boat docks that had been issued under the 2000 plan were
8 invalid. The order also stated that completed docks could remain on the lake temporarily. These
9 docks can remain until July 3, 2002 or later, if approved, in a revised SMP. Although the permits
10 for the 32 docks in the additional zones were declared invalid, permits may continue to be granted
11 in areas zoned for docks under the 1994 plan.

12 The extensive 14-month public process identified the need for changes to the proposed SMP, and
13 Title 36 CFR requires the changes to be implemented if they do not interfere with authorized
14 project purposes, public safety concerns, violate the norms or result in significant environmental
15 effects. Therefore, the Little Rock District and the Corps Greers Ferry Lake Project Office are
16 obligated to continue the process with the necessary studies and to prepare an EIS before a new
17 SMP can be implemented.

18 **SETTING**

19 The Greers Ferry Lake Project area is located in the foothills of the Ozark Mountains in north
20 central Arkansas. The project area is approximately 65 miles from Little Rock, Arkansas, and
21 130 miles from Memphis, Tennessee. The lake lies within Cleburne and Van Buren counties.
22 Large portions of Stone and Searcy counties and small portions of Pope and Conway counties
23 also contribute to the lake's watershed. Beyond the lake the area is principally rural in character.
24 Over 80 percent of the land within the watershed is forested and 12 percent is agricultural.

25 Greers Ferry Lake was constructed between March 1959 and July 1964. The project area
26 includes 45,548 acres (slightly more than 71 square miles). Within the project area, the
27 government owns flowage easements over 4,634 acres. The lake's waters cover 31,500 acres
28 when measured at the "conservation pool" level of 461 feet above mean sea level. When waters
29 must be held to prevent flooding of areas below the dam, the surface of the lake may rise to 487
30 feet above mean sea level. When this happens, the lake's surface area increases to 40,500 acres,
31 and adjacent lands subject to the flowage easements become inundated.

1 **ALTERNATIVE IDENTIFICATION PROCESS**

2 Identification of alternative SMP elements followed a two-step process. First, the individual
3 elements that make up shoreline management were identified. These elements were analyzed and
4 four elements were identified for consideration at integral parts of revised SMP alternatives.
5 These elements are described below.

- 6 • *Limited Development Zoning.* This management element determines the amount of shoreline
7 where docks may be permitted. Several variations or options are possible. A revised SMP
8 could stabilize or “freeze” the amount of shoreline zoned for limited development by no
9 longer accepting rezoning requests during periodic reviews of the SMP. Conversely, the
10 SMP could provide for an increase in the extent of LDA shoreline, either by favorably acting
11 on 93 rezoning requests received during the present SMP review or by otherwise increasing
12 the amount of shoreline classified as LDA.¹ A revised SMP could also include a
13 determination of the physical capacity of the shoreline and use existing rezoning criteria to
14 limit development areas. If the baseline were “recalibrated” in this manner, use of this option
15 could possibly lead to a greater percentage of LDA shoreline around the lake.
- 16 • *Vegetation Modification.* This management element involves the issuance and terms of
17 permits for vegetation modification in protected and limited development shoreline
18 management zones. These permits could include clearing permits for fire protection, with
19 various subelements such as mowing and sapling and/or underbrush removal. The extent of
20 permissible removal also needs to be considered. The current SMP allows a vegetation
21 modification permit to be granted to enable building owners to protect their premises from
22 fire. The purpose must be for fire protection and not for landscape enhancement.
23 Underbrush, such as broom sedge, green brier, and some saplings, may be removed. Only
24 hand operated tools and noncommercial lawn mowers may be used. The use of heavy
25 equipment such as tractors and bulldozers is not permitted. Trees and shrubs with trunk
26 diameters equal to or exceeding 2 inches may not be removed. Flowering trees and shrubs,

¹ In connection with the SMP review, the Little Rock District solicited permit applications for limited development area-type actions. The Project Office received 123 requests by the April 1999 deadline. Of this number, 103 met 80 percent of the evaluation criteria and thus were found eligible for approval. The number of approved sites was subsequently lowered to 93 because some requests were consolidated and others were found to pertain to shoreline already zoned for limited development.

1 regardless of size, may not be removed. No plantings will be authorized, except at the
2 specific direction of the Corps of Engineers Project Office to mitigate erosion. Under these
3 permits, vegetation may be modified no farther than 50 feet from the foundation of habitable
4 structures. Options under this element include decreasing the 50-foot limitation or increasing
5 the 50-foot limitation to as much as 200 feet. A requirement could be added to the SMP that
6 no vegetation modification occur within a 50-foot buffer along the shoreline.

- 7 • *Grandfathered Docks.* Grandfathered docks are those docks that existed prior to the first
8 management plan and are not located in an LDA. The current SMP restricts each
9 grandfathered dock to its original footprint, although owners can request dock expansions.
10 An option would be to allow grandfathered docks to be reconstructed to alternative
11 dimensions.² Another option would be to reallocate the locations of existing grandfathered
12 docks outside the buffer zones or prohibited areas to limit development.
- 13 • *Restriction on Boats with Sleeping Quarters and/or Marine Sanitation Devices.* The current
14 SMP contains restrictions on use of all boats with sleeping quarters and/or marine sanitation
15 devices. This management element provides controls on a particular use of the lake that has
16 special potential to degrade the quality of the environment. All such boats must be moored at
17 commercial marinas. An option would be to delete adherence to the sleeping quarters map
18 from the SMP. The restricted area from the mouth of Peter Creek to the Dam would be
19 eliminated. Additionally, the restricted area around municipal water intakes could be
20 changed to conform to Arkansas State regulation.³ Similarly, the requirement that all such
21 boats continue to be moored at commercial marinas could be modified or retained.

22 In the second step of alternative development, again reflecting authorized project purposes, SMP
23 objectives, and public input, the four key SMP elements were combined into five alternative
24 configurations, including the no action alternative. These five SMP alternative configurations are
25 described below.

² A Little Rock District memorandum provides revised guidance concerning grandfathered dock alterations. The memorandum states that changes may be considered. While the numbers of boats or slips cannot be changed, a slip may be enlarged up to 14 feet. No other changes to grandfathered docks, such as the addition of swimming platforms or diving boards, are eligible for approval.

³ The current State regulation requires a 300-foot standoff on the water marked with buoys and 0.25 mile on each side of the intake on land.

ALTERNATIVES

The Little Rock District and the Greers Ferry Project Office propose to implement a SMP following consideration of public comments and completion of appropriate environmental impact analyses. The new SMP would adhere to USACE policy and Title 36 CFR. The purpose of the proposed action is to implement an SMP that accomplishes congressionally authorized project purposes while balancing permitted private uses, community social and economic needs, and the application of sound environmental stewardship to managed resources.

The Draft EIS examines four action alternatives for revision of the SMP and a no action alternative. These alternatives are described below.

- *Alternative 1 (No Action Alternative)*. Inclusion of the No Action Alternative is prescribed by Council on Environmental Quality (CEQ) regulations⁴. The No Action Alternative is evaluated in detail in this EIS. Under the No Action Alternative, the Little Rock District would make no changes to the existing 1994 Greers Ferry Lake SMP. No new management elements would be adopted, and no existing management elements would be modified. Rezoning applications received during the current SMP review would not be allowed but would be returned to the applicants at the completion of the current review. Applicants would be advised that they could reapply during the next review. Permit applications for placement of private floating facilities within present LDA's could be approved. Treatment of applications concerning grandfathered docks would proceed based on the 1994 SMP, which means no changes or enlargements. The allowance for vegetation modification would permit mowing up to a maximum of 50 feet from habitable structures, as currently allowed under the 1994 SMP. Restrictions on the locations for boats with sleeping quarters and/or marine sanitation devices would remain in effect.

It should be noted that if the No Action Alternative were adopted, no new rezoning requests would be approved during the period that would commence following issuance

⁴ Congress established CEQ within the Executive Office of the President as part of the National Environmental Policy Act of 1969 (NEPA) (The White House, 2001). The CEQ coordinates Federal environmental efforts and works closely with agencies and other White House offices in the development of environmental policies and initiatives (The White House, 2001). The CEQ reports annually to the President on the state of the environment; oversees federal agency implementation of the environmental impact assessment process; and acts as a referee when agencies disagree over the adequacy of such assessments (The White House, 2001).

1 of the ROD upon completion of this EIS. However, during future reviews of the SMP,
2 rezoning applications could be approved to the extent of the level described in
3 Alternative 5 (Maximum Modification). It is expected that under No Action, some
4 growth would occur over a much longer period of time than that described under
5 Alternative 3 (No Growth).

- 6 • *Alternative 2 (Preferred Alternative, Approval of Rezoning Requests Meeting the 80*
7 *Percent Criteria)*. No future rezoning requests would be accepted under this alternative.
8 The 93 rezoning requests that met the 80 percent criteria during the 1999 review of the
9 1994 SMP would be allowed. A minimum 50-foot buffer would be established, where
10 mowing would be prohibited from the vegetated edge of the shoreline for 50 feet. This
11 would involve only Corps property. Authorization for mowing from habitable structures
12 would be increased from 50 to 100 feet, except where it would conflict with the vegetated
13 buffer. The project rules on use of boats with sleeping quarters and/or marine sanitation
14 devices would be deferred to State and Federal regulations, except that the requirement
15 that such boats be moored at commercial docks would remain in effect. Grandfathered
16 docks would be allowed to be reconstructed to alternative dimensions, or the locations of
17 existing grandfathered docks would be reallocated outside the buffer zones or prohibited
18 areas to limited development.

19 As described in Section 4.0, all of the alternatives analyzed in this EIS would result in
20 some adverse effect on the environment. In designating Alternative 2 as the preferred
21 configuration of key SMP elements for incorporation into and implementation through a
22 revised SMP, the Little Rock District is guided by Corps regulations and policy
23 governing shoreline management plans, the District's objectives for the Greers Ferry
24 Lake SMP, public input to the SMP and EIS development processes, and court ordered
25 mandates. The Preferred Alternative is viewed by the District as the alternative that
26 conforms with existing laws and regulations and best balances public uses of lake
27 shoreline for recreational opportunity, public safety, and environmental protection.

- 28 • *Alternative 3 (No Growth Alternative)*. This alternative, which is the most restrictive to
29 lake access and recreational use, would seek to maintain the Corps land around the lake
30 as it currently exists, at least until the next review. Rezoning applications would not be
31 accepted. No new shoreline use permits would be allowed. Expiring permits could be

1 renewed, but only according to the permit's current terms (e.g., a two-slip dock could be
2 renewed only as a two-slip dock. It could not be changed to a permit for a community
3 dock). No new permits for vegetation modification would be issued and expiring permits
4 would not be renewed. Restrictions on the locations for boats with sleeping quarters
5 and/or marine sanitation devices would remain in effect.

- 6 • *Alternative 4 (Approval of Rezoning Requests Meeting the 90 Percent Criteria)*. This
7 alternative would implement the same measures as described under Alternative 2
8 (Preferred Alternative); however, only rezoning requests that met 90 percent of the
9 rezoning criteria would be approved. A minimum 100-foot buffer would be established,
10 where mowing would be prohibited from the vegetated edge of the shoreline for 100 feet.

- 11 • *Alternative 5 (Maximum Modification)*. This alternative would allow the maximum
12 rezoning from "protected" to "limited development." The shoreline would be rezoned to
13 increase the LDA's from 7 to 33 percent. Rezoning would be based on suitable
14 topography (i.e., shoreline with a 20 to 49 percent slope). No rezoning requests would be
15 accepted or approved at future SMP reviews. Authorization for mowing would be
16 increased from 50 to 200 feet from habitable structures. Restrictions on use of boats with
17 sleeping quarters and/or marine sanitation devices would be abolished, but the
18 requirement for such boats to be moored at commercial docks would remain in effect.
19 Grandfathered docks would be allowed to be reconstructed to alternative dimensions, or
20 the locations of existing grandfathered docks would be reallocated outside the buffer
21 zones or prohibited areas.

22 A variety of other alternatives were also identified but were not carried forward for detailed
23 analysis for reasons described in the Draft EIS.

24 **CONCLUSIONS**

25 Direct, indirect, and cumulative environmental and socioeconomic effects that would likely occur
26 upon implementation of the five alternatives were analyzed. Cumulative effects were analyzed
27 taking into account past, present, and future actions in the Greers Ferry area. A summary of the
28 findings is presented below and in Table ES-1 (located at the end of the Executive Summary).
29 Table ES-2 provides a visual comparison of the impacts of the alternatives considered in the EIS.

1 ***Alternative 1 (No Action Alternative).***

- 2 • ***Impact Summary.*** Implementation of the No Action Alternative would result in a variety
3 of short- and long-term minor beneficial and adverse effects on both the natural and
4 human environments. Short-term direct minor beneficial effects on socioeconomics
5 would be expected. Long-term direct minor beneficial effects on recreation would be
6 expected. Short-term direct minor adverse effects on geology and soils would be
7 expected. Long-term direct minor adverse effects on visual and aesthetics resources and
8 ecological systems would be expected. Long-term indirect minor beneficial effects to
9 socioeconomics would be expected. Long-term indirect negligible adverse effects on
10 noise would be expected. Short- and long-term indirect minor adverse effects on water
11 resources would be expected. Long-term indirect minor adverse effects on land cover;
12 infrastructure; geology and soils; ecological systems; cultural resources; air quality; and
13 hazardous, toxic substances, and waste would be expected. Minor to negligible adverse
14 cumulative effects would be expected for all resources with the exception of .minor
15 beneficial cumulative effects on socioeconomics and no cumulative effects on recreation
16 and recreational facilities. No direct, indirect, or cumulative significant impacts would
17 result from implementation of the No Action Alternative.

- 18 • ***Mitigation Summary.*** The Corps of Engineers' *Greers Ferry Lake Rezoning Request*
19 *Evaluation Criteria* as provided in Appendix A describes elimination factors as well as
20 physical and managerial criteria employed in determining whether a rezoning request
21 could be approved or otherwise denied. The use of these elimination factors serves as
22 mitigation in that implementing these criteria and denying a rezoning request avoids
23 adverse impacts. For example if there are any significant environmental, ecological, or
24 cultural features present the rezoning request would be denied. The Corps of Engineers
25 would continue to apply the Evaluation Criteria in reviewing and approving requests for
26 rezoning and permits. The Corps would also continue to conduct annual inspections of
27 permits to ensure compliance with permit provisions.

28 The Corps, in coordination with ADEQ, should continue to monitor water quality for
29 pollutants to assess present conditions and evaluate future changes and effects of activity
30 on water quality.

1 The requirement to maintain a 50-foot vegetative buffer strip between upland
2 development and the conservation pool would provide some interception of nutrient
3 loadings to the lake system as well as maintain habitat. This buffer would serve to avoid
4 water quality impacts.

5 Where soils would be disturbed by anchoring docks, installing access paths, and
6 constructing homes, best management practices (BMPs) for reducing sediment runoff—
7 such as silt fences, revegetating disturbed areas as soon as possible, and phasing
8 construction to minimize the total area of soil disturbed at any one time—should be used
9 by those performing the work.

10 Prior to any disturbance or land use change on or adjacent to the shoreline, the State
11 Historic Preservation Officer (SHPO) should be contacted concerning the presence of
12 historic and cultural resources on the proposed site. Mitigation measures recommended
13 by the SHPO should be used.

14 ***Alternative 2 (Preferred Alternative, Approval of Rezoning Requests Meeting the 80 Percent***
15 ***Criteria).***

- 16 • ***Impacts Summary.*** Implementation of Alternative 2 would result in beneficial and
17 adverse effects on both the natural and human environments. Short-term direct minor
18 beneficial effects on socioeconomics would be expected. Short-term direct minor
19 adverse effects noise would be expected. Long-term direct minor beneficial effects on
20 recreation and recreational facilities, geology and soils, and ecological systems would be
21 expected. Long-term direct minor adverse effects on visual and aesthetics resources;
22 geology and soils; ecological systems; and noise would be expected. Long-term direct
23 and indirect negligible to moderate adverse effects on cultural resources would be
24 expected. Short-term indirect minor beneficial effects on socioeconomics and long-term
25 indirect minor beneficial effects on socioeconomics and water resources would be
26 expected. Short-term indirect minor adverse effects on water resources; hazardous, toxic
27 substances, and waste; and noise would be expected. Long-term indirect negligible
28 adverse effects on infrastructure and air quality would be expected. Long-term indirect
29 minor adverse effects on water resources; geology and soils; ecological systems;
30 hazardous, toxic substances, and waste; and noise would be expected. Minor adverse
31 cumulative effects on water resources, infrastructure, ecological systems, hazardous and

1 toxic substances and wastes, and noise would be expected. Short- and long-term minor
2 beneficial effects on socioeconomics would be expected. Minor adverse cumulative
3 effects would be expected for visual and aesthetic resources. No direct, indirect, or
4 cumulative significant impacts would result from implementation of the Preferred
5 Alternative.

- 6 • **Mitigation Summary.** The Corps of Engineers' *Greers Ferry Lake Rezoning Request*
7 *Evaluation Criteria* as provided in Appendix A describes elimination factors as well as
8 physical and managerial criteria employed in determining whether a rezoning request
9 could be approved or otherwise denied. The use of these elimination factors serves as
10 mitigation in that implementing these criteria and denying a rezoning request avoids
11 adverse impacts. For example, if there are any significant environmental, ecological, or
12 cultural features present, the rezoning request would be denied. The Corps would
13 continue to conduct annual inspections of permits to ensure compliance with permit
14 provisions.

15 The Corps, in coordination with ADEQ, should continue to monitor water quality for
16 pollutants to assess present conditions and evaluate future changes and effects of activity
17 on water quality.

18 The requirement to maintain a 50-foot vegetative buffer strip between upland
19 development and the conservation pool would provide some interception of nutrient
20 loadings to the lake system as well as maintain habitat. This buffer would serve to avoid
21 water quality impacts.

22 Where soils would be disturbed by anchoring docks, installing access paths, and
23 constructing homes, BMPs for reducing sediment runoff—such as silt fences,
24 revegetating disturbed areas as soon as possible, and phasing construction to minimize
25 the total area of soil disturbed at any one time—should be used by those performing the
26 work.

27 Mitigation measures for cultural resources should be discussed with the Arkansas State
28 Historic Preservation Officer (SHPO) early in the process, and with the public and
29 interested American Indian tribes or organizations. Any mitigation measures should be
30 proposed or considered in accordance with the provisions of Title 36 of the CFR Part

1 800, Protection of Historic Properties. Mitigation measures for historic structures or
2 districts that would be altered or demolished or whose viewsheds would be adversely
3 affected include photographic documentation, scale drawings, and archival research.
4 Other mitigation means are also possible. Avoidance, however, is preferred.

5 ***Alternative 3 (No Growth Alternative).***

- 6 • ***Impacts Summary.*** Implementation of the No Growth Alternative would result in
7 beneficial and adverse effects on both the natural and human environments. Long-term
8 direct minor beneficial effects on visual and aesthetics resources and ecological systems
9 would be expected. Long-term indirect minor beneficial effects on geology and soils
10 would be expected. Long-term indirect negligible adverse effects to visual and aesthetics
11 resources would be expected. Long-term minor adverse cumulative effects on
12 infrastructure would be expected. No direct, indirect, or cumulative significant impacts
13 would result from implementation of the No Growth Alternative.
- 14 • ***Mitigation Summary.*** No direct adverse effects would be expected; therefore no
15 mitigation measures are required.

16 ***Alternative 4 (Approval of Rezoning Requests Meeting the 90 Percent Criteria).***

- 17 • ***Impacts Summary.*** Implementation of Alternative 4 would result in beneficial and
18 adverse effects on both the natural and human environments. Short-term direct minor
19 beneficial effects on socioeconomic would be expected. Long-term direct minor
20 beneficial effects on recreation and recreational facilities would be expected. Long-term
21 direct minor adverse effects on geology and soils, and ecological systems would be
22 expected. Long-term direct minor adverse and beneficial effects on visual and aesthetic
23 resources would be expected. Long-term direct and indirect negligible to moderate
24 adverse effects on cultural resources would be expected. Short-term and long-term
25 indirect minor beneficial effects on socioeconomics would be expected. Short-term
26 indirect minor adverse effects on water resources; hazardous, toxic substances, and
27 waste; and noise would be expected. Long-term indirect minor adverse effects on water
28 resources; infrastructure; geology and soils; ecological systems; air quality; hazardous,
29 toxic substances, and waste; and noise would be expected. Minor short- and long-term
30 beneficial cumulative effects on socioeconomics would be expected, while long-term

1 minor adverse cumulative effects on infrastructure, visual and aesthetic, ecological
2 systems, hazardous and toxic wastes, and noise would be expected.

- 3 • **Mitigation Summary.** The Corps of Engineers' *Greers Ferry Lake Rezoning Request*
4 *Evaluation Criteria* as provided in Appendix A describes elimination factors as well as
5 physical and managerial criteria employed in determining whether a rezoning request
6 could be approved or otherwise denied. The use of these elimination factors serves as
7 mitigation in that by implementing these criteria and denying a rezoning request adverse
8 impacts are avoided. For example, if there are any significant environmental, ecological,
9 or cultural features present the rezoning request would be denied.

10 The Corps, in coordination with ADEQ, should continue to monitor water quality for
11 pollutants to assess present conditions and evaluate future changes and effects of activity on
12 water quality.

13 The requirement to maintain a 100-foot vegetative buffer strip between upland development
14 and the conservation pool would provide some interception of nutrient loadings to the lake
15 system as well as maintain habitat. This buffer would serve to avoid water quality impacts
16 and enhance scenic integrity.

17 Where soils would be disturbed by anchoring docks, installing access paths, and constructing
18 homes, BMPs for reducing sediment runoff—such as silt fences, revegetating disturbed areas
19 as soon as possible, and phasing construction to minimize the total area of soil disturbed at
20 any one time—should be used by those performing the work.

21 Prior to any disturbance or land use change on or adjacent to the shoreline, the State Historic
22 Preservation Officer (SHPO) should be contacted concerning the presence of historic and
23 cultural resources on the proposed site. Mitigation measures recommended by the SHPO
24 should be used.

25 ***Alternative 5 (Maximum Modification).***

- 26 • **Impacts Summary.** Implementation of the Maximum Modification Alternative would
27 result in beneficial and adverse effects on both the natural and human environments.
28 Long-term direct significant adverse impacts would be expected to visual and aesthetic
29 resources under this alternative. Greers Ferry Lake is considered a unique geographic

1 area. The public has stated its desire to preserve the beauty, shoreline, and pristine
2 conditions of Greers Ferry Lake. A change of this magnitude would irretrievably change
3 that character. The considerable amount of change to what is considered a unique
4 geographic area would likely be highly controversial. Short-term direct minor beneficial
5 effects on socioeconomics would be expected. Short-term direct minor adverse effects
6 on water resources; infrastructure; geology and soils would be expected. Long-term
7 direct minor beneficial effects on geology and soils would be expected. Long-term direct
8 minor adverse effects on infrastructure; recreation and recreational facilities; geology and
9 soils; ecological systems; and noise would be expected. Long-term direct and indirect
10 negligible to moderate adverse effects on cultural resources would be expected. Short-
11 and long-term indirect major adverse effects on hazardous and toxic substances would be
12 expected. Short-term and long-term indirect major beneficial effects on socioeconomics
13 would be expected. Short- and long-term indirect minor adverse effects on noise would
14 be expected. Short- and long-term indirect major adverse effects on hazardous, toxic
15 substances, and waste would be expected. Long-term indirect minor adverse effects on
16 recreation and recreational facilities; geology and soils; ecological systems; air quality;
17 and noise would be expected. Long-term indirect major adverse effects on water
18 resources; visual and aesthetic; and hazardous, toxic substances, and waste would be
19 expected. Major beneficial cumulative effects on socioeconomics would be expected.
20 Major to moderate adverse cumulative effects on infrastructure and cultural resources
21 would be expected, and significant adverse cumulative effects on water resources and
22 visual and aesthetic resources would be expected.

- 23 • **Mitigation Summary.** The following measures are proposed to help mitigate the impacts
24 of potentially increasing the number of boat docks by 372 percent under the Maximum
25 Modification Alternative. This alternative would allow rezoning of areas of shoreline
26 with slopes between 20 and 49 percent to Limited Development Areas. The Corps of
27 Engineers' *Greers Ferry Lake Rezoning Request Evaluation Criteria* as provided in
28 Appendix A describes elimination factors as well as physical and managerial criteria
29 employed in determining whether a rezoning request could be approved or otherwise
30 denied. The use of these elimination factors serves as mitigation in that by implementing
31 these criteria and denying a rezoning request adverse impacts are avoided. For example
32 if there are any significant environmental, ecological, or cultural features present the
33 rezoning request would be denied.

1 A compilation of suggested mitigation measures for individual resource areas follow.
2 The introduction of pollutants and sediment to surface waterbodies from surface water
3 runoff can be reduced if BMPs are used during construction, agricultural operations,
4 industrial operations, and daily household operations in the Greers Ferry Lake watershed.
5 Proper operation and maintenance of septic systems in the watershed is critical, as is
6 proper operation and maintenance of boats and personal watercraft (PWC). Planting a
7 grassy cover would help minimize soil erosion and nonpoint source pollution associated
8 with surface water runoff following vegetation removal if the vegetation modification
9 (mowing) distance from habitable structures is increased. Maintaining an intact
10 vegetative buffer within 50 feet of the vegetated edge of the shoreline would also reduce
11 the likelihood of soil erosion and nonpoint source pollution. Visual and aesthetic impacts
12 could be mitigated by the use of earth tone or green-colored materials, particularly for the
13 roofs and any siding, depending on the color of the background vegetation. Mitigation
14 measures for archeological sites include data recovery excavations at archeological sites
15 that would be destroyed due to construction or soil disturbance. Boater conflicts and
16 accident rates could be reduced by increasing the message of boater safety and tolerance
17 for multiple uses during patrols on the lake and encounters between law enforcement
18 officials and lake visitors and area residents. Were conflicts between adjacent
19 homeowners and boaters (for instance, concerning fishing by private docks or jet ski use
20 in coves), become too common, some form of use regulation may be desirable. The use
21 of a lake surface can be regulated by zoning different parts of the lake for different
22 activities or by allowing conflicting activities on a lake at different times.

23 ***AREAS OF CONTROVERSY***

24 On June 15, 2001 the Little Rock District, U.S. Army Corps of Engineers announced that it was
25 withdrawing its 2000 Shoreline Management Plan and would reexamine the plan's environmental
26 aspects by preparing an Environmental Impact Statement. In addition, the 1994 plan would
27 remain in effect.

28 The withdrawal resulted from a May 30, 2001 temporary injunction issued by U.S. District Judge
29 William R. Wilson after a not-for-profit corporation called Save Greers Ferry Lake Inc. filed suit
30 to block the Corps from implementing portions of the 2000 SMP. In issuing the injunction, the
31 judge found that the Environmental Assessment conducted, as part of the 14-month shoreline

1 management review did not adequately support an overall finding of no significant impact when
2 long-term environmental impacts were cited.

3 On August 24, 2000, the court issued a final order that, among other things, ruled that the 32
4 permits for boat docks issued under the 2000 plan were invalid. Five of those docks had been
5 built and were placed on the lake before the injunction was issued. The others were in various
6 stages of construction. The order allows the five completed docks to remain temporarily. The
7 Corps will monitor them and notify the court of any violations. These docks can remain until
8 July 3, 2002, or later, if approved in a revised plan. Construction of the other docks will not be
9 completed unless subsequently permitted under an approved SMP. Some dock builders refunded
10 permit holders' money. Other permit holders are attempting to locate buyers for their docks and
11 recover their investment or are relocating their docks to areas that had been previously zoned for
12 docks. Although the permits for the 32 docks in the additional zones were declared invalid,
13 permits may continue to be granted in areas zoned for docks under the 1994 plan.

14 Public participation in the NEPA process revealed various public opinions, more than half of the
15 comments received indicated a desire to change the current SMP to allow additional boat dock
16 zones and to increase vegetation modification limits on public property. In fact there was
17 widespread support for the 2000 SMP. Out of the 41 broad categories of issues identified during
18 the scoping process for the EIS, dock-related issues were the primary concern of Greers Ferry
19 Lake property owners and other recreational users of the lake. The issue of the Corps approving
20 rezoning requests to allow for 93 new boat dock permits stimulated passions both in favor and
21 against approval. The issues related to private docks include: impact of increasing the number
22 docks, lake property owners responsibility for dock maintenance, and access for Greers Ferry
23 Lake property owners. Many also indicated that they would like the dock permits previously
24 approved by the Corps, but later revoked by the court order, to be reinstated. Other issues
25 mentioned include: support and opposition for the number of new dock permit approvals
26 mentioned in the SMP 2000, dock design, and grandfathered dock issues.

27 Other major issues of concern included water quality, vegetation modification, aesthetics and
28 beauty, mowing, the Corps, and marinas. Comments on water quality expressed a desire for more
29 research to be done on all the possible sources of pollution and how the lake's water quality
30 would be impacted. Vegetation modification (mowing) was both supported and opposed. There
31 were lakeshore residents who felt vegetation modification would improve the view of the lake

1 and would be good for fire safety and other safety reasons while other residents believed that it
2 would ruin the natural beauty of the lake and increase shoreline erosion. Almost all of the
3 comments about aesthetics and beauty indicated concerns about preserving the natural beauty,
4 shoreline, or pristine conditions of Greers Ferry Lake.

5 ***ISSUES TO BE RESOLVED***

6 No issues related to the proposed action remain unresolved.