

## RECORD OF DECISION

### ENVIRONMENTAL IMPACT STATEMENT (EIS) FOR THE GREERS FERRY LAKE SHORELINE MANAGEMENT PLAN

#### Decision

As the Division Commander, US Army Corps of Engineers (USACE), Southwestern Division, I have carefully considered the following:

- The data developed and presented in both the Draft and Final Environmental Impact Statements (EIS) for the Greers Ferry Lake Shoreline Management Plan (SMP).
- The Recreational Carrying Capacity study for Greers Ferry Lake.
- All public input from June 1999 through June 2002.
- Public comments to the final EIS; responses to those comments have been addressed separately and are incorporated by reference in this Record of Decision (ROD).
- Provisions of relevant statutes, regulations, and Executive Orders that bear on the development and implementation of Shoreline Management Plans on Corps lakes.
- Mitigation measures

Based on the foregoing, I have determined that the Final Environmental Impact Statement (EIS) adequately addresses the impacts of implementing a revised Shoreline Management Plan (SMP) for Greers Ferry Lake. Accordingly, the Little Rock District will proceed to implement a revised SMP including the elements within Alternative 6 of the Final EIS, the Revised Preferred Alternative, as described below.

The Corps's Revised Preferred Alternative was created in response to the comments received on the Draft EIS from the public and Federal and State agencies. Under this revised alternative, the Corps of Engineers will implement a SMP that will approve 55 boat dock-rezoning requests, including 40 of the rezoning requests that met 90 percent of the rezoning criteria. Four of the requests that originally met the 90 percent criteria will not be approved based on two additional elimination criteria. Two boat dock rezoning requests in the Narrows, a heavy use area, will be denied because of concern for boater safety. Two rezoning requests will be denied along lakeshore areas that will be designated as *very high scenic integrity protected areas*. Three areas of the lake will receive this new designation in consideration of public concern raised about development in the majority of open areas of the lake that are not currently allocated as Limited Development Areas (LDAs), as well as concern that spot zoning in these areas could set a precedent for reallocations in the future, even with a "no rezoning" clause. Grandfathered boat docks in these protected areas will not be required to be removed and could be improved. The final number is reduced by one (from 56), as a result of an individual withdrawing their boat dock-rezoning request, as part of the public comment period on the Final EIS.

The decision to approve 15 of the 32 permits that were previously permitted but which did not meet the 90 percent criteria is based on detrimental reliance, the fact we had prior written commitments with the individuals, and the fact that approval of these rezoning requests would not result in significant adverse impacts. It is the Corps' position that written permission by the Corps of Engineers in May 2000 for approval of a boat dock permit caused many of the permittees to be financial bound to agreements for

boat dock construction at various levels. While the Final EIS shows that approval of all 93 requests that met the 80 percent criteria would not result in significant adverse environment impacts, the Corps chose to approve only 55 of the 93 permits based on public comments received on the Draft EIS. This includes 15 of 16 rezoning requests that scored less than 90%. One of the 15 would be eliminated due to the overriding concern for safety in the area of the lake known as the Narrows. Additionally, to ensure we minimize any adverse impacts from approval of the 15 rezoning requests, they will be conditionally permitted. The condition of the permit, is that the boat docks may not be expanded or altered from the original rezoning request. Therefore, these permits will not result in additional slip approval, at any time, beyond what was approved in the original request, which is 4 slips or less for these 15 rezoning requests.

Below is a detailed list of the number of rezoning requests that will be approved under the Revised Preferred Alternative, the criteria that the requests met, and the number of slips per request.

<u>Approved Requests</u>	<u>Score</u>	<u># of Slips</u>
4	>90	20
2	>90	8
1	>90	7
6	>90	6
9	>90	4
2	>80	4 conditional
1	>80	3 conditional
18	>90	2
<u>12</u>	<u>&gt;80</u>	<u>2 conditional</u>
Total: 55 sites		246 slips

The Revised Preferred Alternative also includes a further revision to the proposed Shoreline Management Plan's policy for vegetation modification. Permits to modify vegetation out to a distance of 50 feet around a habitable structure would continue to be granted to all homeowners whose homes would require such a permit. This aspect of the revised SMP would not be a change from the current SMP. Additionally, however, homeowners who request a permit to modify vegetation surrounding their homes to a distance of 100 feet would also be granted. This change is in response to a number of public comments and the recommendations of experts in the field of fire protection.<sup>1</sup> These experts, as well as publications from the U.S. Fire Administration, Colorado State University, and the University of Florida Cooperative Extension Agency recommended that vegetation cleared to within 30 feet of a habitable structure is a minimum distance for wildfire protection, and that the cleared distance could be extended to as much as 150 feet under certain environmental circumstances. The Corps carefully weighed the need to protect Greers Ferry Lake and the need of homeowners to protect their property in deciding to extend the permissible distance for vegetation modification to 100 feet.

Additional protection for Greers Ferry Lake is provided for in the Revised Preferred Alternative in the creation of a 100-foot vegetative buffer strip surrounding the lake. The vegetative buffer strip will extend from the vegetative edge of conservation pool inland and will protect the lake and shoreline from erosion, other forms of pollution, and habitat degradation. No vegetation modification permits in excess of 50 feet

<sup>1</sup> Don McBride, District Forester, Arkansas Forestry Commission; Lane Kinder, Chief Fire Marshall, Little Rock Fire Department; Mary Jo Lavin, Director, USDA, Forest Service; John K. Baker, Fire Chief, Oakland, California Fire Department; Jim Dancy, Fire Chief, Springfield, Missouri Fire Department

will be issued to the extent that such permit would overlap the 100-foot vegetated buffer strip as protection of the lake will always take precedence. This will limit the amount of government land that a homeowner would be allowed to modify.

The Revised Preferred Alternative also incorporates changes to the SMP rules regarding grandfathered docks and boats with sleeping quarters and/or marine sanitation devices. Under the revised SMP, grandfathered docks will be allowed to be reconstructed to alternative dimensions. This change would not allow a change in the number of boats or slips on a grandfathered dock, but would permit a dock owner to enlarge slips to a maximum width of 12 feet. No other changes to grandfathered docks would be permitted. Boats with sleeping quarters and/or marine sanitation devices would be allowed on a section of the lake—from the mouth of Peter Creek to the Dam—where they were previously not permitted. Additionally, the restricted area around municipal water intakes would be changed to conform to the Arkansas State regulation, which requires a 300-foot standoff on the water marked with buoys and 0.25 mile on each side of the intake on land. The requirement that all such boats continue to be moored at commercial marinas would be retained in the revised SMP.

Finally, the Revised Preferred Alternative mandates that no further rezoning requests will be accepted or approved under the revised SMP.

## **Background**

USACE regulations require that an SMP, as described in 36 Code of Federal Regulation (CFR) 327.30(e), be prepared for each Corps project where private shoreline use is allowed; that past written commitments be honored; and that the SMP be reviewed at least once every 5 years and revised as necessary. The regulations further states that shoreline uses that do not interfere with authorized project purposes, public safety concerns, violate local norms, or result in significant environmental effects should be allowed unless the public participation process identifies problems in these areas; and that if sufficient demand exists, consideration should be given to revising the shoreline allocations (e.g., increases, decreases). The latest review of the SMP began on January 26, 1999. Because 36 CFR 327.30 states rezoning requests should be considered, and the 1994 SMP approved reallocation of shoreline from Protected to Limited Development for boat dock rezoning, and boat dock rezoning requests had been on file since approval of the 1994 SMP, a deadline for acceptance of such requests was established. The deadline was set at April 1, 1999. An open house was conducted on June 15, 1999, allowing members of the public to express their views on rezoning and other issues. This meeting was also the means of presenting the scores assigned to each of the rezoning requests. A 30-day public comment period followed the meeting. On January 11, 2000, the Greers Ferry Lake Project Office hosted a 5-hour public workshop to present the draft revision to the Greers Ferry Lake SMP and a Draft Environmental Assessment (EA) on the effects of implementing the proposed revised plan. The Corps Southwestern Division approved the 2000 SMP for implementation on March 14, 2000.

Subsequently, an organization known as Save Greers Ferry Lake, Inc., filed suit in federal court, claiming that the Corps had failed to comply with the National Environmental Policy Act (NEPA). In May 2000 a U.S. District Judge issued a temporary injunction that ruled the Corps EA did not support an overall finding of no significant impact. Following the injunction, the Corps withdrew the 2000 SMP, reverted to the 1994 SMP, and publicly announced that it would prepare an EIS before implementing a revised SMP. On August 24, 2000, the court issued a final order that ruled that the 32 permits for boat docks that had

been issued under the 2000 plan were invalid. The order also stated that the five completed docks could remain on the lake temporarily. These docks may remain until July 3, 2002, or later if approved in a revised SMP. Although the permits for the 32 docks in the additional zones were declared invalid, permits may continue to be granted in limited development areas zoned for docks under the 1994 plan.

Title 36 CFR 327.30 stipulates that the changes should be implemented if they do not interfere with authorized project purposes, pose public safety concerns, violate local norms, or result in significant environmental effects. Therefore, the Little Rock District and the Corps' Greers Ferry Lake Project Office continued the process of conducting additional studies and preparing an EIS before a new SMP would be implemented. The recently completed 40 month EIS process identified the need for changes to the proposed SMP. This Record of Decision concludes that process.

## Alternatives Considered

In addition to the Revised Preferred Alternative (Alternative 6) described above, the EIS fully evaluated four action alternatives for revision of the SMP and a No Action Alternative. The Final EIS analyzed a full range of reasonable alternatives in considering potential changes to the elements of the 1994 SMP. Alternative development was an iterative process taking into account the public desires from the beginning of the public process in 1999 and revised numerous times in response to public, regulatory, and peer review input until the FEIS was completed. Alternatives were considered from the range no growth to maximum permitted growth: the No Growth Alternative would have permitted no growth in docks and virtually no vegetation modification on government property, the Maximum Modification Alternative would have rezoned as much of the lake shoreline as possible to permit dock installation and created a 200-foot zone around habitable structures for vegetation modification. The EIS also evaluated several alternatives between these two extremes in order to find a preferred alternative that best met the desires of all concerned parties. These other alternatives analyzed in the Final EIS also considered changes that lay between these extremes. In analyzing these alternatives, the Corps considered the full range of potential environmental effects (direct, indirect, and cumulative) that could result from changes to SMP as well as the full range of feasible changes to the SMP. While numerous combinations of SMP plan elements could have been considered as additional alternatives, it was determined that doing so would not have produced any additional information about environmental or socioeconomic effects. The alternatives considered in the Final EIS, therefore, differed from those in the Draft EIS only in the inclusion of the Revised Preferred Alternative. The alternatives evaluated in the Final EIS are described below.

- *Alternative 1 (No Action Alternative).* The Council on Environmental Quality (CEQ) regulations prescribes inclusion of the No Action Alternative. The No Action Alternative is evaluated in detail in the 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. Boat dock 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 would be allowed. 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 was adopted, no new rezoning requests would be approved during the period that would begin following issuance of the ROD upon completion of this EIS. However, during future reviews of the SMP, rezoning applications could be approved to the extent of the level described in Alternative 5 (Maximum Modification). It is expected that under the No Action Alternative, some growth would occur over a much longer period of time than that described under Alternative 3 (No Growth).

- *Alternative 2 (Approval of Rezoning Requests Meeting the 80 Percent Criteria).* No future rezoning requests would be accepted under Alternative 2. The 93 rezoning requests that met the 80 percent criteria during the 1999 review of the 1994 SMP would be allowed. A minimum 50-foot vegetative buffer strip would be established; that is, mowing would be prohibited from the vegetated edge of the shoreline for 50 feet. This prohibition would involve only Corps property. Authorization for mowing near habitable structures would be increased from 50 to 100 feet, except where it would conflict with the vegetative buffer strip. The project rules on use of boats with sleeping quarters and/or marine sanitation devices would be deferred to State and Federal regulations, except that the requirement that such boats be moored at commercial docks would remain in effect. Grandfathered docks would be allowed to be reconstructed to alternative dimensions, or the locations of existing grandfathered docks would be reallocated outside the buffer zones or prohibited areas to limited development.
- *Alternative 3 (No Growth Alternative).* This alternative, which is the most restrictive to lake access and recreational use, would seek to maintain the Corps land around the lake, as it currently exists. Rezoning applications would not be accepted. No new shoreline use permits would be allowed. Expiring permits could be renewed, but only according to the permit's current terms (e.g., a permit for a two-slip dock could be renewed only as a permit for a two-slip dock; it could not be changed to a permit for a community dock). No new permits for vegetation modification would be issued, and expiring permits would not be renewed. Restrictions on the locations for boats with sleeping quarters and/or marine sanitation devices would remain in effect. Because it would result in the fewest adverse environmental impacts this alternative is referred to as the *Environmentally Preferable Alternative*.
- *Alternative 4 (Approval of Rezoning Requests Meeting the 90 Percent Criteria).* This alternative would implement the same measures as those described under Alternative 2; however, only rezoning requests that met 90 percent of the rezoning criteria would be approved. A minimum 100-foot vegetative buffer strip would be established; that is, mowing would be prohibited from the vegetated edge of the shoreline for 100 feet.
- *Alternative 5 (Maximum Modification).* This alternative would allow the maximum rezoning from "protected" to "limited development." The shoreline would be rezoned to increase the percentage of LDAs from 7 to 33 percent. Rezoning would be based on suitable topography (shoreline with a 20 to 49 percent slope). No rezoning requests would be accepted or approved at future SMP reviews. Authorization for mowing would be increased from 50 to 200 feet from habitable structures. Restrictions on use of boats with sleeping quarters and/or marine sanitation devices would be abolished, but the requirement for such boats to be moored at commercial docks would remain in effect. Grandfathered docks would be allowed to be reconstructed to alternative

dimensions, or the locations of existing grandfathered docks would be reallocated outside the buffer zones or prohibited areas.

In addition to these alternatives, an alternative suggested by Save Greers Ferry Lake, Inc (SGFL) was also considered but not selected for separate treatment in the Final EIS. In comments received on the Draft EIS, SGFL suggested an alternative that would represent a combination of elements of other alternatives already considered and analyzed in the Draft EIS. Specifically, SGFL suggested that the Corps consider implementing Alternative 1, the No Action Alternative, with the additional provision that no rezoning requests be accepted or approved during future SMP reviews. This alternative would not represent the plan with the fewest adverse impacts on the environment. The adverse impacts from implementation of this alternative would be fewer in number and intensity than those of Alternative 1 but greater than those of Alternative 3. It was concluded that it would be redundant to do a separate full analysis of this alternative in the Final EIS because the resulting impacts were already evaluated under other alternatives.

## **Environmental Consequences**

Direct, indirect, and cumulative environmental and socioeconomic effects that would likely occur upon implementation of each of the six alternatives were analyzed. Cumulative effects were analyzed taking into account past, present, and reasonably foreseeable future actions in the Greers Ferry area. Impacts to the resource areas were determined to vary from negligible to major under the alternatives analyzed. Significant effects were determined to occur only under the Maximum Modification Alternative. A determination that the effect of an action or activity is significant requires consideration of the context and intensity of the action or activity being considered and is distinguished from effects that may range from minor to major in severity but which are not judged to be significant according to established criteria used for determining significance. Such criteria include the degree to which an action affects public health or safety, unique characteristics of the geographic area where an action is proposed, and the degree to which an action might adversely affect an endangered or threatened species or habitat, among others, as described in Section 4 of the Final EIS. No environmental or socioeconomic effects, either collectively or cumulatively, that were considered likely to occur under the Revised Preferred Alternative and Alternatives 1 through 4 were determined to be significant. Unless explicitly stated, one cannot construe it to mean that any combination of major and minor, long-term or short-term effect can equate to a determination of significance. Significant impacts were determined based on the criteria established in 40 Code of Federal Regulations (CFR) 1508.27. A comparative summary of the findings of the alternatives analysis contained in the EIS is presented in Table ROD-1. Finally, implementation of Alternative 6 will not cause any significant adverse impacts on the environment; and the effects from this action and effects from past, present, and reasonably foreseeable actions in the area will not result in any significant adverse cumulative impacts.

Table ROD-1  
Comparison of Alternatives

Resource Area	Alternative 1: No Action Alternative	Alternative 2: 80% Rezoning Criteria	Alternative 3: No Growth	Alternative 4: 90% Rezoning Criteria	Alternative 5: Maximum Modification	Alternative 6: Revised Preferred Alternative	Cumulative Effects
<b>Greers Ferry Lake Watershed</b>	Short- and long-term indirect minor adverse effects. Minor increase in loadings for certain parameters with periodic violation of water quality standards. Less than 1% increase in total phosphorus (TP) and total suspended solids (TSS) for the entire system. Negligible change in fecal coliform (FC) loads. Localized impacts on areas with high-density marina operations. No effects on groundwater.	Short- and long-term indirect minor adverse impacts. Less than 1% increase in TP, TSS, and FC for the entire system. Localized impacts on areas dependent on the degree of exposure of erodible soil through construction of paths and walkways. No effects on groundwater.	No effects. Any changes in water quality would be due to baseline growth in the region, not implementation of the No Growth Alternative. No effects on groundwater.	Short- and long-term indirect minor adverse effects. Less than 1% increase in TP and TSS for the entire system. Negligible change in FC loads. Localized impacts on areas with high-density marina operations. No effects on groundwater.	Short-term direct minor adverse and long-term indirect major adverse effects. Major effects assuming Corps actions induce 100% growth. TP could increase up to 16% to 25%, TSS could increase up to 2% to 3%, BOD could increase up to 8% to 12%, and FC could increase up to 5%, assuming Corps actions induce 100% growth. Minor effects for the lake if Corps actions only partly induce growth (e.g., 20%). No effects on groundwater.	Short- and long-term indirect minor adverse effects. Impacts would be more than those under Alternative 4, but less than those under Alternative 2	Adverse cumulative effects on water quality could result from an increase in development in areas adjacent to the lake within the project area. Additional construction related to resort areas, housing, and new infrastructure in the Greers Ferry Lake watershed would contribute additional pollutant loadings to the lake. In addition, the proposed construction of a 400-slip boat marina in Cove Creek would cause cumulative impacts on water quality. No effects on groundwater.
<b>Land Use and Land Cover</b>	Long-term direct and indirect moderate adverse effects. New homes, new access paths, and clearing around additional homes would affect land use and vegetative cover.	Long-term direct and indirect minor beneficial and adverse effects. New homes, new access paths, and clearing around additional homes would affect land use and vegetative cover. A 50-foot vegetative buffer strip would protect vegetation.	Long-term direct and indirect minor beneficial effects. Reduced clearing around homes would improve vegetative cover.	Long-term direct and indirect minor beneficial and adverse effects. New homes, new access paths, and clearing around additional homes would affect land use and vegetative cover. A 100-foot vegetative buffer strip would protect vegetation.	Long-term direct and indirect major adverse effects. Many new homes, new access paths, and clearing around additional homes to 200 feet would change land use and vegetative cover.	Long-term direct and indirect minor beneficial and adverse effects. Impacts would be more than those under Alternative 4, but less than those under Alternative 2.	Long-term adverse effects. Continued development around the lake would add to any effects of implementation of one of the alternatives.
<b>Infrastructure</b>	Long-term direct negligible beneficial effects and long-term indirect negligible and minor adverse effects. Additional boat docks would relieve some pressure on existing boat launch facilities and ease traffic	Long-term direct negligible beneficial effects and long-term indirect negligible and minor adverse effects. Additional boat docks would relieve some pressure on existing boat launch facilities and ease traffic circulation.	No effects. Implementation of the No Growth Alternative would not place additional demands on regional infrastructure resources.	Long-term direct negligible beneficial effects and long-term indirect negligible and minor adverse effects. Additional boat docks would relieve some pressure on existing boat launch facilities and ease traffic	Long-term direct minor beneficial and short- and long-term indirect major adverse effects. Additional boat docks would relieve some pressure on existing boat launch facilities and ease traffic circulation around them.	Long-term direct negligible beneficial effects and long-term indirect negligible and minor adverse effects. Impacts would be more than those under Alternative 4, but less than those under Alternative 2.	Alternative 5 would likely create cumulative effects on infrastructure that might need to be considered in future county planning. Those effects might include a need to expand roads to handle more traffic year-round in Greens

	<p>circulation around them. However, building new docks would result in negligible amounts of construction wastes in landfills and additional energy usage. Induced development will generate minor increased demand for roads, potable water supply, wastewater treatment, solid waste disposal, landfill space, and fire and rescue services.</p>	<p>around them. However, building new docks would result in negligible amounts of construction wastes in landfills and additional energy usage. Induced development will generate minor increased demand for roads, potable water supply, wastewater treatment, solid waste disposal, landfill space, and fire and rescue services.</p>	<p>circulation around them. However, building new docks would result in negligible amounts of construction wastes in landfills and additional energy usage. Induced development will generate minor increased demand for roads, potable water supply, wastewater treatment, solid waste disposal, landfill space, and fire and rescue services.</p>	<p>However, building new docks would result in minor amounts of construction wastes in landfills and additional energy usage. Induced development would have major adverse effects by generate increased demand for roads, potable water supply, wastewater treatment, solid waste disposal, landfill space, and fire and rescue services. Expected growth under this alternative could take as many as 50 years to build out to expected levels.</p>	<p>Ferry, Heber Springs, and other surrounding towns; increases in electrical and water supply capacities; and expanded communication systems (including wired and cellular telephone and Internet access). If recreational activity at the lake increased under Alternative 5, it might be desirable to increase the availability of sewage disposal facilities for boaters and expand enforcement of no discharge regulations.</p>
<p><b>Socioeconomics</b></p>	<p>Short-term direct minor and short-term indirect minor effects. Employment and gross regional product (GRP) to increase by 1% and personal income by 2%. Population increases by 2.7% more than baseline by end of 5-year period. No effects on environmental justice or protection of children.</p>	<p>Short-term direct minor and short-term indirect minor beneficial effects. Employment and GRP to increase by 1% and personal income by 2%. Population increase by 2.9% more than the baseline by the end of the 5-year period. No effects on environmental justice or protection of children.</p>	<p>Short-term direct minor beneficial and short-term indirect minor beneficial effects. Projected changes to most indicators would be less than 2%. No effects on environmental justice or protection of children.</p>	<p>Short-term direct minor beneficial effects and short- and long-term indirect minor beneficial effects. Major long-term indirect effects if Corps actions induce 100% of lakeshore growth. Local population could increase by more than 16% from the baseline projection. Employment and GRP are projected to increase by about 6% and 5%, respectively. Personal income increase by 10% over the baseline projection. Effects may not occur for several decades. No effects on environmental justice or protection of children.</p>	<p>Future development of marinas and other public facilities would be expected to have a minor beneficial effect on the local economy. If marinas and parking facilities were expanded, more people would visit the lake. These visitors would spend money on food, lodging, gas, recreation, and other services in the region of influence (ROI).</p>
<p><b>Visual and Aesthetic Resources</b></p>	<p>Long-term direct minor adverse impacts. <i>Scenic attractiveness</i> affected with 58% potential</p>	<p>Long-term direct minor adverse impacts. <i>Scenic attractiveness</i> affected with 89% potential</p>	<p>Long-term direct minor adverse and beneficial effects. <i>Scenic attractiveness</i> affected</p>	<p>Long-term direct significant and indirect major adverse effects. <i>Scenic attractiveness</i></p>	<p>Construction and operation of the proposed Cove Creek marina would have a</p>

<p>increase in docks. Addition of 170 boat docks would reduce scenic integrity. <i>Landscape visibility</i> affected by 18% increase in lake acreage where 1 or more boat docks would be clearly visible. No new net visual and aesthetic impacts from vegetation modification, grandfathered docks, or boats with sleeping quarters and/or marine sanitation devices (MSDs).</p>	<p>increase in docks. Addition of 263 boat docks would reduce scenic integrity. <i>Landscape visibility</i> affected by 49% increase in lake acreage where 1 or more boat docks would be clearly visible. 50-foot vegetation modification zone would have adverse visual and aesthetic impacts. No new net visual and aesthetic impacts from grandfathered docks, or boats with sleeping quarters and/or MSDs.</p>	<p>private boat docks and eliminating mowing would have a beneficial effect on the scenic attractiveness of the lake's shoreline. The need for additional dryland boat storage could lead to some loss of the surrounding area's scenic attractiveness as natural settings give way to more dry-dock boat storage buildings.</p>	<p>with 73% potential increase in docks. Addition of 215 boat docks would reduce scenic integrity. <i>Landscape visibility</i> affected by 35% increase in lake acreage where 1 or more boat docks would be clearly visible. 100-foot vegetative buffer strip would enhance the natural scenic integrity of the shoreline by hiding housing and other structures along the shore.</p>	<p>significantly affected with 372% potential increase in docks. Addition of 1,098 boat docks would significantly reduce scenic integrity. <i>Landscape visibility</i> affected by 55% increase in lake acreage where 1 or more boat docks would be clearly visible. The 200-foot vegetation modification zone would detract from the natural scenic attractiveness of the shoreline by visually contrasting with the surrounding natural vegetation.</p>	<p>on boat dock visibility would be more than Alternative 4, but less than those under Alternative 2, and effects on vegetative clearing would be slightly more than those under Alternative 1.</p>	<p>minor effect on the scenic attractiveness and scenic integrity of the lake's shoreline over and above the introduction of new private boat docks. Significant cumulative impacts under Alternative 5.</p>	<p>Long-term direct minor beneficial effects due to the potential increase to on-lake boating recreational opportunities.</p>	<p>Long-term direct minor beneficial effects due to the potential increase to on-lake boating recreation opportunities.</p>	<p>Long-term direct minor beneficial and indirect adverse effects. Additional 209 boats on the water surface during peak use periods in boating density (14.4%). Some increase in recreational opportunities.</p>	<p>Long-term direct minor beneficial effects. Effects would be more than those under Alternative 4, but less than those under Alternative 2.</p>	<p>Long-term direct minor beneficial and indirect adverse effects. Additional 209 boats on the water surface during peak use periods in boating density (14.4%). Some increase in recreational opportunities.</p>	<p>Long-term direct and indirect minor adverse effects with vegetation modification (mowing) increase to 100 feet from homes. Long-term minor beneficial effects from 100-foot vegetative buffer strip from conservation pool.</p>	<p>Long-term direct and indirect minor adverse effects with vegetation modification (mowing) increase to 100 feet from homes. Long-term minor beneficial effects from 50-foot vegetative buffer strip from conservation pool.</p>	<p>Short- and long-term direct minor adverse effects and long-term indirect minor beneficial effects. Existing vegetative modification permits would expire and, over time, the regrowth of the vegetative buffer would naturally help prevent soil erosion.</p>	<p>Development behind Corps property along the lake is likely to continue to increase; therefore, soil disturbance and subsequent increased sediment runoff would occur during construction of new structures. Increase in impervious surfaces, such as rooftops and roads, would increase</p>	<p>Short- and long-term direct minor adverse effects and long-term direct minor beneficial effects. Effects would be less than those under Alternative 4.</p>	<p>Short- and long-term direct minor adverse and long-term indirect minor adverse effects. Maximizing development of all areas of shoreline with slopes between 20% and 49% would cause increase in soil disturbance and soil erosion. Increase in impervious surfaces, such as rooftops and roads, would increase</p>	<p>Short- and long-term direct minor adverse effects with vegetation modification (mowing) increase to 100 feet from homes. Long-term minor beneficial effects from 100-foot vegetative buffer strip from conservation pool.</p>
<p><b>Recreation and Recreational Facilities</b></p>	<p>Long-term direct minor beneficial effects due to the potential increase to on-lake boating recreational opportunities.</p>	<p>Short-term direct minor adverse effects and long-term direct minor beneficial effects. No change in recreational activities, but increased demand for recreational facilities.</p>	<p>Long-term direct and indirect minor adverse effects with vegetation modification (mowing) increase to 100 feet from homes. Long-term minor beneficial effects from 50-foot vegetative buffer strip from conservation pool.</p>	<p>Long-term direct and indirect minor adverse effects. Existing vegetative modification permits would expire and, over time, the regrowth of the vegetative buffer would naturally help prevent soil erosion.</p>														
<p><b>Geology and Soils</b></p>	<p>Short- and long-term direct minor adverse and long-term direct minor beneficial effects.</p>	<p>Long-term indirect minor beneficial effects. Existing vegetative modification permits would expire and, over time, the regrowth of the vegetative buffer would naturally help prevent soil erosion.</p>	<p>Long-term direct and indirect minor adverse effects with vegetation modification (mowing) increase to 100 feet from homes. Long-term minor beneficial effects from 50-foot vegetative buffer strip from conservation pool.</p>	<p>Short- and long-term direct minor adverse effects and long-term indirect minor beneficial effects. Existing vegetative modification permits would expire and, over time, the regrowth of the vegetative buffer would naturally help prevent soil erosion.</p>														

<sup>2</sup> Although a potential increase of 170 boat docks is indicated here, possible rezoning approvals under future 5-year reviews could lead to more rezoning actions and additional docks.

	<p>Long-term direct and indirect minor adverse effects. LDA development would affect vegetation, wildlife, and sensitive species. No effect from mowing 50 feet from homes.</p>	<p>Long-term direct and indirect minor adverse effects. LDA development would affect vegetation, wildlife, and sensitive species. Adverse effect on vegetation from mowing 100 feet from homes. 50-foot vegetative buffer strip from the shoreline would preserve habitat.</p>	<p>Long-term direct minor beneficial effects. Not issuing new vegetation modification permits and not renewing expiring permits would preserve habitat.</p>	<p>Long-term direct and indirect minor adverse and long-term minor direct beneficial effects. LDA development would affect vegetation, wildlife, and sensitive species. Adverse effect on vegetation from mowing 100 feet from homes. 50-foot vegetative buffer strip from the shoreline would preserve habitat.</p>	<p>Long-term direct and indirect minor to moderate adverse effects. LDA development would affect vegetation, wildlife, and sensitive species. Adverse effect on vegetation from mowing 200 feet from homes. Loss of lakeshore vegetation would reduce quality of habitat.</p>	<p>Long-term direct and indirect minor adverse effects and long-term minor direct beneficial effects. Effects would be less than Alternative 4.</p>	<p>Alternatives that allow for more development along the shoreline (more private docks) could lead to increased development of adjacent land, which would result in a localized reduction of habitat.</p>	<p>surface runoff and, consequently, the potential for soil erosion. Minor impacts from construction of proposed Cove Creek marina would occur through soil erosion. Fluctuating water levels from lake level management and increased boating activity on the lake would be likely to contribute to soil erosion through wave action and increased surface runoff.</p>
<p><b>Ecological Systems</b></p>	<p>Long-term direct and indirect minor adverse effects. LDA development would affect vegetation, wildlife, and sensitive species. No effect from mowing 50 feet from homes.</p>	<p>Long-term direct and indirect minor adverse and long-term minor direct beneficial effects. LDA development would affect vegetation, wildlife, and sensitive species. Adverse effect on vegetation from mowing 100 feet from homes. 50-foot vegetative buffer strip from the shoreline would preserve habitat.</p>	<p>Long-term direct minor beneficial effects. Not issuing new vegetation modification permits and not renewing expiring permits would preserve habitat.</p>	<p>Long-term direct and indirect minor adverse and long-term minor direct beneficial effects. LDA development would affect vegetation, wildlife, and sensitive species. Adverse effect on vegetation from mowing 100 feet from homes. 50-foot vegetative buffer strip from the shoreline would preserve habitat.</p>	<p>Long-term direct and indirect minor to moderate adverse effects. LDA development would affect vegetation, wildlife, and sensitive species. Adverse effect on vegetation from mowing 200 feet from homes. Loss of lakeshore vegetation would reduce quality of habitat.</p>	<p>Long-term direct and indirect minor adverse effects and long-term minor direct beneficial effects. Effects would be less than Alternative 4.</p>	<p>Alternatives that allow for more development along the shoreline (more private docks) could lead to increased development of adjacent land, which would result in a localized reduction of habitat.</p>	<p>surface runoff and, consequently, the potential for soil erosion. Minor impacts from construction of proposed Cove Creek marina would occur through soil erosion. Fluctuating water levels from lake level management and increased boating activity on the lake would be likely to contribute to soil erosion through wave action and increased surface runoff.</p>
<p><b>Cultural Resources</b></p>	<p>Long-term direct and indirect minor adverse effects. Construction could demolish potential NRHP-eligible archeological sites.</p>	<p>Long-term direct and indirect negligible to moderate adverse effects. Construction could demolish potential NRHP-eligible archeological sites.</p>	<p>No effects. Any effects on cultural resources would be due to baseline growth in the region, not implementation of this alternative.</p>	<p>Long-term direct and indirect negligible to moderate adverse effects. Construction could demolish potential NRHP-eligible archeological sites.</p>	<p>Long-term direct and indirect negligible to moderate adverse effects. Construction could demolish potential NRHP-eligible archeological sites.</p>	<p>Long-term direct and indirect minor adverse effects. Effects would be more than those under Alternative 4, but less than those under Alternative 2.</p>	<p>Additional construction related to resort areas, housing, and new infrastructure would disturb the soil and might affect archeological sites that could be NRHP-eligible. Development pressure could also affect historic structures.</p>	<p>Additional construction related to resort areas, housing, and new infrastructure would disturb the soil and might affect archeological sites that could be NRHP-eligible. Development pressure could also affect historic structures.</p>
<p><b>Air Quality</b></p>	<p>No effects. Air emissions would not increase due to construction or automobile traffic.</p>	<p>Long-term indirect negligible adverse effects due to increased automobile traffic.</p>	<p>No effects. No increase of stationary or mobile air emissions relative to baseline.</p>	<p>Long-term indirect negligible adverse effects due to increased automobile traffic.</p>	<p>Long-term indirect minor adverse effects because of increased automobile traffic due to additional recreational traffic and increase in</p>	<p>Long-term indirect negligible adverse effects. Effects would be more than those under Alternative 4, but less than those under</p>	<p>No effects.</p>	<p>No effects.</p>

## Mitigation Summary

In implementing this decision the following mitigation measures will be employed to avoid or minimize potential environmental impacts. I believe that these measures represent all practicable means available to avoid or minimize environmental harm that would result from implementing the selected alternative.

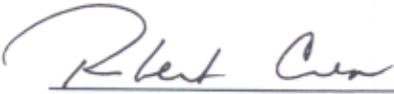
- The Corps of Engineers' Greers Ferry Lake Rezoning Request Evaluation Criteria<sup>3</sup> describe elimination factors, as well as physical and managerial criteria employed in determining whether a rezoning or permit request would be approved or otherwise denied. The use of these elimination factors serves to mitigate adverse effects and protect lake values in that implementing these criteria and denying a rezoning request or permit would avoid adverse impacts. For example, if more than 1/3 of the cove would be obstructed by the proposed dock at 461 msl, this would be a safety concern, and the rezoning request or permit would be denied. The Corps of Engineers will continue to apply the Evaluation Criteria and to conduct annual inspections of permits to ensure compliance with permit provisions.
- Under the revised SMP to be implemented, no further rezoning requests will be accepted.
- The Corps, in coordination with ADEQ, will continue to monitor water quality for pollutants to assess present conditions and evaluate future changes and effects of activity on water quality.
- The requirement to maintain a 100-foot vegetative buffer strip between upland development and the vegetative edge of the conservation pool would provide some interception of nutrient loadings to the lake system as well as maintain habitat. This 100-foot buffer would apply only to Corps lands. This buffer would help to avoid water quality impacts and enhance scenic integrity.
- Designation of three open water areas of the lake as highly scenic will help preserve the visual and aesthetic appeal of these areas.
- Two additional elimination criteria applied to the rezoning requests include the three highly scenic area designations of the lake, and high use area of the Narrows, this resulted in elimination of 5 rezoning requests.
- Conditional permits for 15 of the 16 rezoning requests will prohibit any future expansion of slip size.
- The Shoreline Management Plan requires all boat docks requiring paint maintenance be removed from project lands prior to beginning work. Docks may not be scraped or painted while on project lands.
- Where soils would be disturbed by anchoring docks, and installing access paths, best management practices (BMPs) for reducing sediment runoff—such as installing silt fences, revegetating disturbed areas as soon as possible, and phasing construction to minimize the total area of soil disturbed at any one time—will be used by those performing the work. Shoreline Use Permit Conditions included as Appendix C to Sec 327.30 serve as mitigation (minimization) of effects for the actions of the permittee. Failure to adhere to permit conditions can result in revocation of the permit by the District Engineer.
- Before any disturbance or land use change on or adjacent to the shoreline within Corps jurisdiction, the District Archeologist is notified. The District Archeologist coordinates with the Arkansas State Historic Preservation Office (SHPO) concerning the presence of historic and cultural resources on the proposed site. Mitigation measures recommended by the SHPO will be considered prior to any Corps approvals.
- New docks will be constructed of approved plastics, galvanized metal, dull finished aluminum, or subdued painted metal with subdued metal roofs. Dock and roof colors will blend in with the natural surroundings and must be approved by the Operations Manager.

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<sup>3</sup> The Greers Ferry Lake Rezoning Request Evaluation Criteria is used to evaluate permits as well as rezoning request.

**The new SMP outlines that when overuse of a path creates an erosion problem, the permittee will cease to use that path and remediate it. The use of an alternative path will be approved during the remediation. Decision**

Based on my consideration of the data developed and presented in both the Draft and Final EISs and my careful consideration of all public input, I have determined that the Final Environmental Impact Statement (EIS) adequately addresses the impacts of implementing the Little Rock District's preferred alternative for a revised Shoreline Management Plan (SMP). I find that the EIS not only meets or exceeds all of the requirements under NEPA, but that the revised SMP properly balances diverse requirements. Implementation of Alternative 6 will not cause any significant adverse impacts on the environment; and the effects from this action and effects from past, present, and reasonably foreseeable actions in the area will not result in any significant adverse cumulative impacts, accordingly, the Little Rock District will proceed to implement a Revised SMP based on Alternative 6, the Revised Preferred Alternative.



ROBERT CREAR  
Colonel, EN  
Commanding

2 July 02  
Date