

Appendix J

**Transcription of Draft EIS
Public Meeting**

GREERS FERRY DRAFT EIS MEETING
BRIGHTON PARK HOTEL, HEBER SPRINGS, ARKANSAS
TUESDAY, DECEMBER 4, 2001
6:00 P.M.

VERBATIM TRANSCRIPTION OF PROCEEDINGS

PROCEEDINGS

1 MR. FALETTI: For those of you who attended the EIS
2 Scoping meeting, you will recall when I gave the
3 five-minute warning there that I said there that you would
4 have a chance to make public statements in front of an
5 audience at a future public meeting.

6 And tonight's the night. In regard to that, we have
7 a few rules. One, be courteous to each other. This is a
8 public forum. We will allow everyone a chance to make up to
9 a three-minute statement.

10 You want folks to be courteous and listen when you
11 are talking, so please be courteous when they are talking.

12 We are recording all comments. So the first thing
13 you've got to state is your name. And if you are lucky
14 enough to have a name like mine, you're probably going to
15 have to spell it. I've been going through life spelling my
16 name.

17 We will accept written comments tonight, and all the
18 way through January 18. Our mailing address and e-mail
19 address are in the handouts that you received.

20 If you have a long statement, and you're not sure you
21 can finish within the three-minute time limit, try to use
22 your time to highlight what you feel is most important, and
23 then ask to have your written statement entered into the
24

1 taken place to date.

2 During this meeting, we will discuss several things.
3 Mr. Tommy Park, who many of you already know is the
4 operations manager of Greers Ferry Lake project, will follow
5 my address. He will provide details about the Shoreline
6 Management Plan review background, and why we are here doing
7 this EIS.

8 Ms. Tricia Anslow, who is serving as the Corps'
9 project manager for the EIS, will follow Tommy. She will
10 discuss the Shoreline Management Plan review, or SMP
11 alternatives, that were examined during the process that led
12 us up to the draft EIS, and where do we go from here.

13 Mr. Mike Bettiker is the project manager from Tetra
14 Tech, the engineering and professional services firm hired
15 by the Corps to conduct the EIS. He will explain the nuts
16 and bolts of the draft EIS.

17 After Mike's presentation, we will receive oral
18 comments from the public. Anyone who wishes to provide oral
19 comments for the record will be given the opportunity to do
20 so.

21 Those who have signed up to make public statements
22 will be called forward to the microphone. Because of the
23 number of persons here and to assure that everyone has an
24 opportunity to talk, we will limit each person's time to

1 official record, and we will do that.

2 We're going to have a light system tonight to help
3 you keep track of your time. And we will light the green
4 light for the first two minutes, right here on the lectern.
5 And then when the -- when you get the one-minute warning,
6 you'll see a yellow light, light up, and that's to remind
7 you to try and summarize your statement, and completely, and
8 as quickly as possible.

9 And if you're long-winded like I am, then you're
10 going to run out of time, and then the red light will show
11 up.

12 [Whereupon parties went off the record.]

13 [Back on the record.]

14 MR. BUTLER: Good evening, ladies and gentlemen. I
15 am Colonel Ben Butler, district engineer for the U.S. Army
16 Corps of Engineers Little Rock District.

17 Welcome to the public meeting for the Greers Ferry
18 Lake Shoreline Management Plan draft environmental impact
19 statement, or draft EIS.

20 This meeting is the latest in a series of
21 opportunities for the public to participate in the Shoreline
22 Management Plan, EIS process.

23 Part of our presentation tonight will be -- will
24 recap the extensive public participation efforts that have

1 three minutes.

2 To ensure that everyone's comments are respected,
3 no one will be allowed to question, cross examine, or
4 respond to questions posed by those making comments. We
5 will address all comments in the EIS.

6 We will also accept written statements for the
7 record. If you are reading from a prepared statement and
8 run out of time, please ask to have your written statement
9 added to the public record, and we will oblige, as there is
10 no limit to the length of written comments.

11 If you wish to make an oral statement, you should
12 have indicated so on the registration card that you were
13 asked to fill out when you came in.

14 If you do not indicate that you wish to make an oral
15 statement, please go to the registration table and fill out
16 a card at this time. Persons wishing to make statements
17 will be called forward in the order in which we received the
18 cards.

19 This meeting is being recorded by a court reporter.
20 It's important that when it's your turn to speak, you state
21 your name clearly for the record. You may be asked to spell
22 your name in order to ensure accuracy for the record.

23 We are seeking your input on the SMP elements, and
24 the draft environmental impact statement. Remember that

1 although we have a preferred alternative, a conclusion has
2 not yet been reached. Your input and comments will be
3 considered before a decision is made. That is why we are
4 asking for your participation.

5 It is in the best interests of everyone's time --
6 correction -- in the best interests of everyone's time, we
7 ask that you limit your comments to the SMP alternatives and
8 the EIS.

9 If you have other issues that you would like to
10 discuss with the Corps, we would be happy to talk with you
11 about them during a break, or after tonight's meeting is
12 concluded.

13 All comments received tonight and during the written
14 comment period, which will continue through January 18, will
15 be incorporated in the final EIS. That document is
16 scheduled for conclusion in the summer of 2002.

17 Before I go any further, let me introduce some of the
18 members of our team who are here this evening to assist.

19 Ed Watford, the deputy district engineer for project
20 management; Ken Carter, chief of planning environmental and
21 regulatory division; Phil Risher, assistant chief of the
22 operations division; Randy Hathaway, chief of the planning
23 branch; Chris Hicklin, chief of the planning section; Mike
24 Dowell, outdoor recreation planner; Ralph Allen, office of

1 counsel; Anthony Ragar, assistant chief of the real estate
2 division; Bob Faletti, public affairs officer. And other
3 park rangers and support personnel are here to assist as
4 well.

5 Tommy Park will now follow me.

6 MR. PARK: Thank you. Good evening, I'm Tommy
7 Park, operations manager of the Greers Ferry project.
8 Greers Ferry project office is responsible for conducting
9 review of the Shoreline Management Plan, or SMP.

10 Although the purpose of the meeting tonight is to
11 present information, to receive comments regarding the draft
12 environmental impact statement, also referred to as EIS, a
13 review of the history of the Shoreline Management Plan
14 process is relevant to understand the reasons for the
15 environmental impact statement.

16 The objective of this Shoreline Management Plan is to
17 achieve a balance between the permitted private uses and
18 resource protection for the general public. The shoreline
19 consists of all governmental lands and flowage easement at
20 Greers Ferry Lake.

21 Title 36 Code of Federal Regulations, and Part
22 327.30, that's the Shoreline Management on Civil Works
23 Project, states in part -- and I quote, "A Shoreline
24 Management Plan as described in 327.30 (e) will be prepared

1 for each Corps project where private shoreline use is
2 allowed."

3 "This plan will honor past written commitments. "
4 plan will be reviewed at least once every five years and
5 revised as necessary. Shoreline uses that do not interfere
6 with authorized project purposes, public safety concerns,
7 violate local norms, or result in significant environmental
8 effects should be allowed unless the public participation
9 process identifies problems in these areas."

10 "If sufficient demand exists, consideration should be
11 given to revising the shoreline allocations. For example,
12 increases, decreases. Maximum public participation will be
13 encouraged, as set forth in 327.30 (e) (6)."

14 Our Shoreline Management Plan review began January
15 26, 1999 with an explanation of the process and how the
16 public could become involved.

17 Since Title 36, Code of Federal Regulations, and the
18 1994 Shoreline Management Plan required the Corps to accept
19 boat dock rezoning requests, a deadline period or moratorium
20 for acceptance of rezoning requests was established. The
21 deadline was April 1, 1999.

22 The Corps of Engineers evaluation team was assembled
23 from outside the Greers Ferry project, to assure
24 impartiality in evaluating these requests.

1 Using criteria furnished by the Corps' Little Rock
2 District Office, the team completed evaluations on each site
3 requested. Each area received a numerical score based on
4 the physical and managerial suitability of the site. Some
5 areas were eliminated based on the elimination criteria.

6 A second public open house was conducted June 15,
7 1999, that allowed the public to bring issues to the Corps.
8 This meeting was also the avenue to present the scores
9 received by each of the rezoning requests.

10 This meeting was followed by a 30-day public comment
11 period that allowed the public to present issues and items
12 they wanted included in the review.

13 Two main issues were identified through the public
14 review process -- one, requests for additional areas for
15 private/community docks. And two, changes to the vegetation
16 modification limits allowed in the 1994 Shoreline Management
17 Plan.

18 The preponderance of comments received indicated the
19 need for change to the current plan in the areas of
20 additional boat dock zones, and increased vegetation
21 modification limits on public property.

22 As was mentioned during the review, when changes are
23 proposed or alternatives are identified that constitute
24 change to the current plan, environmental studies are

1 required in order to assure compliance with the National
2 Environmental Policy Act, since the Shoreline Management
3 Plan is a federal master plan document.

4 The Corps contracted with Parsons Engineering
5 Sciences, Incorporated, to prepare an environmental
6 assessment.

7 On January 11, 2000 the Greers Ferry project office
8 hosted a five-hour public workshop to present the draft
9 revisions to the Greers Ferry Lake Shoreline Management Plan
10 and the corresponding draft environmental assessment.

11 The public had many opportunities to present comments
12 during the SMP review. And the preponderance of comments
13 supported the draft Shoreline Management Plan and draft
14 environmental assessment.

15 Since the environmental assessment concluded the
16 proposed actions would not have significant environmental
17 impacts, Colonel Thomas A. Holden, Junior, former Little
18 Rock district engineer, signed a finding of no significant
19 impacts, and a draft Shoreline Management Plan was forwarded
20 to the southwest division office of the Corps of Engineers
21 for approval.

22 The revised Shoreline Management Plan was approved on
23 March 14, 2000. A public meeting was held at the Heber
24 Springs High School, on March 16, 2000. Then Little Rock

1 district engineer, Colonel Holden, announced the approved
2 Shoreline Management Plan to the public on that date.

3 In April of 2000, a lawsuit was filed in federal
4 court, claiming the Corps failed to comply with the National
5 Environmental Policy Act.

6 In May, a federal judge issued a temporary injunction
7 that ruled the Corps' environmental assessment did not
8 support an overall finding of no significant impact.

9 After the injunction, the Corps withdrew the 2000
10 Shoreline Management Plan, and reverted to the 1994
11 Shoreline Management Plan, which invalidated the changes
12 that the 2000 SMP had provided, and these included
13 invalidating the boat dock permits issued in the rezoned
14 areas, reverting back to the 50 feet from habitable
15 structure vegetation modification radius and doing away with
16 the buffer area; doing away with the provision of requiring
17 community docks only after a one-year grace period;
18 invalidating the wildlife enhancement permit provision; and
19 maintaining the separate houseboat rules for Greers Ferry
20 Lake.

21 The Corps stated publicly at that time that they
22 intended to continue the Shoreline Management Plan review
23 process by conducting an environmental impact statement.

24 Since that date, the contractor, Tetra Tech, and the

1 Corps of Engineers have been in the process of carrying out
2 the technical aspects of the EIS. The draft EIS is being
3 presented in this meeting and has been available for public
4 review since the notice of availability issued November 15,
5 2001.

6 The draft Shoreline Management Plan is a part of the
7 draft EIS as Appendix E.

8 Since the extensive 14-month public process
9 identified and supported the changes, and Title 36, Code of
10 Federal Regulations, requires the changes be implemented if
11 they meet the conditions cited previously, the Corps was
12 obligated to continue with Shoreline Management Plan review
13 process to determine what the revised plan will be.

14 This includes the necessary study to determine if
15 significant adverse impacts will be realized before a
16 revised Shoreline Management Plan can be implemented. This
17 study is the draft environmental impact statement we are
18 here tonight to present.

19 I thank you, and now you're going to hear from Ms.
20 Tricia Anslow, the Corps' project manager for the
21 environmental impact statement. And Ms. Anslow will present
22 an overview of alternatives studied, and a preferred
23 alternative and draft SMP.

24 MS. ANSLOW: Thank you, Mike. Good evening. I am

1 Tricia Anslow, the project manager for the Greers Ferry Lake
2 Shoreline Management Plan environmental impact statement.

3 When we met in December of 2000, I discussed two
4 things with you. First, I told you we needed your help. We
5 received it through written and oral comments during the
6 scoping process, and we thank you for your contribution.

7 Secondly, I proposed possible elements to be used to
8 devise a Shoreline Management Plan alternative. These
9 elements are points of interest or portions of the SMP that
10 warrant review for possible change.

11 These elements were selected for review based on
12 previous public comments. We asked if you thought there
13 needed to be less, more, or different elements reviewed.
14 We wanted to know your ideas on how to arrange the various
15 elements to derive alternatives.

16 Of the seven elements proposed, four elements were
17 used to develop alternatives. And three were not, due to
18 lack of interest.

19 The three grayed out on the slide represent those not
20 carried forward. We consolidated all of the comments
21 received and published a scoping report in April of 2001.

22 Three main points surfaced during production of the
23 report. First, most respondents wanted to preserve the
24 beauty and environmental quality of Greers Ferry Lake. The

1 second most important issue was boat docks.
 2 There was varying opinions for the need to expand
 3 limited development areas and allow rezoning for additional
 4 boat docks. We received comments both for and against the
 5 need for expansion.

6 And the third issue was mowing, or vegetation
 7 modification. The majority who commented supported
 8 increasing vegetation modification limits.

9 Based on the previous SMP review, and comments
 10 received through this scoping process, we developed five
 11 alternatives to represent the wide range of possible changes
 12 to each main element.

13 In later slides, I will explain in detail each
 14 alternative.

15 Alternative one is the no action alternative.
 16 Alternative two is a modification of the SMP. This is our
 17 preferred alternative. Alternatives three, four and five
 18 are also modifications of the existing SMP.

19 The first alternative, the no action alternative, is
 20 one that is familiar to you. It is continued use of the
 21 1994 Shoreline Management Plan.

22 A summary of the no action alternative is we would
 23 continue to permit activity in the existing limited
 24 development areas. We would continue to review the SMP and

1 A 50-foot buffer strip will be established from the
 2 vegetative edge of the conservation pool elevation landward.
 3 This buffer would supersede the vegetation modificatic
 4 permit.

5 Restrictions on boat docks with sleeping quarters or
 6 marine sanitation devices would be abolished, and we would
 7 follow state law and Title 36 of the Code of Federal
 8 Regulations. Limited modifications would be allowed on
 9 grandfathered docks.

10 We believe this alternative is the best balance of
 11 lake use. It will maintain the environmental quality and
 12 aesthetic beauty of the lake.

13 It would allow some additional boat dock rezoning
 14 during this review, but it would close the door for further
 15 expansion.

16 We would allow an increase in vegetation modification
 17 limits, but we would establish a buffer along the shoreline
 18 to protect the water quality, provide wildlife corridors,
 19 and protect the aesthetics.

20 The draft SMP contained in the draft EIS reflects the
 21 proposed changes of this alternative. If carried forward in
 22 the final EIS, this alternative will become the revised SMP.

23 We refer to alternative three as the no growth
 24 alternative. This proposed alternative would freeze the

1 accept rezoning requests for additional LDAs during the
 2 future review process.

3 We would also continue to issue vegetation
 4 modification permits, a maximum of 50 feet from a foundation
 5 of a habitable structure.

6 This slide represents our current shoreline
 7 allocations. The numbers are slightly different from
 8 previous reports because we have updated them with our
 9 digital topographic data derived using geographic
 10 information system technology.

11 We believe this is the most accurate representation
 12 of the shoreline allocations that we can present. Maps
 13 representing each of the alternatives are in the back of the
 14 meeting room for your review.

15 Alternative two is a modification of the SMP. The
 16 main elements of this alternative are we will approve boat
 17 dock rezoning requests from those received by 1 April, 1999
 18 that met 80 percent of the rezoning criteria.

19 This represents a one percent increase in LDA zoning,
 20 and 93 additional docks on Greers Ferry Lake.

21 No boat dock rezoning requests will be evaluated at
 22 future SMP reviews. The vegetation modification limit will
 23 be increased from 50 feet to 100 feet from the foundation of
 24 a habitable structure.

1 lake in its current state of development. No new shoreline
 2 use permits or vegetation modification permits would be
 3 approved. Once a vegetation modification permit expired, we
 4 would not renew them. This alternative has the least
 5 adverse environmental impact.

6 Alternative four is a modified SMP similar to
 7 alternative two. One difference under this alternative is
 8 boat dock rezoning.

9 We would propose to approve rezoning requests from
 10 those received by 1 April, 1999 that met 90 percent of the
 11 rezoning criteria.

12 This represents a half percent increase in the
 13 limited development zoning, and 45 additional docks on
 14 Greers Ferry Lake.

15 Additionally, the vegetation modification limit would
 16 be increased from 50 feet to 100 feet from the foundation of
 17 a habitable structure, and a 100-foot buffer would be
 18 established from the vegetation edge of the conservation
 19 pool elevation landward, instead of the 50-foot buffer
 20 proposed in alternative two.

21 Alternative five is referred to as the maximum
 22 modification alternative. It proposes to expand the limited
 23 development zoning based on the rezoning criteria of slope.
 24 Slope is the most critical of the physical criteria used to

1 develop LDAS.
 2 This alternative proposes to increase the LDAS from 7
 3 to 33 percent. This represents shoreline at a suitable
 4 slope of 20 to 49 percent.
 5 Additionally, this alternative proposes to increase
 6 the vegetation modification limits from 50 feet to 200 feet
 7 from a foundation of a habitable structure, and no buffer
 8 would be established.
 9 This alternative represents the maximum limit of
 10 revision that we are proposing. This alternative also has
 11 the greater adverse environmental impacts if implemented.
 12 In summary, we have developed five alternatives that
 13 were designed based on public input received during the SMP
 14 review meetings, the EIS scoping meetings, and the
 15 equivalent comment period.
 16 The alternatives represent the wide range of possible
 17 variations of the SMP elements.
 18 Alternative one is the no action alternative, and
 19 alternatives two through five are modifications of the
 20 existing SMP.
 21 Alternative two is our preferred alternative because
 22 we believe it achieves the balance we are striving for in
 23 development of an SMP.
 24 It will maintain the environmental quality and

1 receiving your comments.
 2 As we go through our presentation, please keep in
 3 mind that your comments should be focused on the adequacies
 4 of the environmental impact statement, and the merits of the
 5 alternatives for the proposed revision of the Shoreline
 6 Management Plan.
 7 If you have questions on issues unrelated to the EIS,
 8 it may be more appropriate to speak with Little Rock
 9 district representatives here after the meeting.
 10 I'd like to take -- I'd like to now take a minute to
 11 outline my portion of the presentation.
 12 I will provide a brief discussion of the resource
 13 areas analyzed, methodologies employed, and the results of
 14 that analysis.
 15 And my remarks will be brief, providing only a
 16 synopsis, as the EIS is available to provide the
 17 comprehensive report. You should refer to the EIS for more
 18 specific discussion of the analysis and methodologies
 19 employed.
 20 The next several slides show the resource areas
 21 analyzed in this EIS. These resource areas are described in
 22 Section 3 of the EIS. This section provides the current
 23 environmental and socioeconomic additions at Greers Ferry
 24 Lake and the surrounding area.

1 aesthetic of the lake. It would allow some additional boat
 2 dock rezoning during this review, but it would close the
 3 door for further expansion.
 4 We would allow an increase in vegetation modification
 5 limits, but establish a buffer along the shoreline to
 6 protect the wildlife, water quality, and improve the
 7 aesthetics.
 8 As a reminder, if carried forward in the final EIS
 9 this alternative becomes the revised SMP.
 10 Mike Betteker, of Tetra Tech, will now follow me. He
 11 will explain in detail the analysis performed on each
 12 alternative during development of the draft EIS. Thank you.
 13 MR. BETTEKER: Thank you, Tricia. Good evening. My
 14 name is Mike Betteker. I represent one of the many
 15 individual specialists that prepared this draft
 16 environmental impact statement.
 17 My portion of the presentation this evening will
 18 focus on providing the synopsis of the potential
 19 environmental and socioeconomic consequences that could
 20 result from the implementation of the proposed action and
 21 alternatives as previously described by Ms. Anslow.
 22 The draft EIS has been out for a few weeks now for
 23 public review. And we are now soliciting comments on it.
 24 Our meeting tonight serves as part of that process of

1 Each resource area that could be affected by
 2 implementing the proposed action is described.
 3 The information in this section also serves as a
 4 baseline from which to identify and evaluate environmental
 5 and socioeconomic changes resulting from implementation of
 6 the proposed action and alternatives.
 7 Impacts were determined by evaluating the
 8 implementation of each alternative and how it would affect
 9 each resource area, individually as well as multiple
 10 resource areas collectively as well as cumulatively.
 11 The level of analysis applied to each resource area
 12 was determined based on input from the public comments, the
 13 potential for significant impacts, as well as regulatory
 14 requirements.
 15 This slide provides the definitions used in
 16 describing direct and indirect impacts. The use of the word
 17 'impact' and 'effect' synonymously used according to
 18 regulatory guidance on preparation of EIS's. However, the
 19 word 'effect' is used in this EIS generally to describe a
 20 less severe condition.
 21 For direct impacts of effects to occur, a resource
 22 must be present. For example, if highly erodible soils were
 23 disturbed as a direct result of the use of heavy equipment
 24 during construction of a home, there could be a direct

1 effect on soil due to erosion.
 2 This could further indirectly affect water quality
 3 through stormwater runoff containing sediment, and aquatic
 4 species through sedimentation in the lake or downstream from
 5 the construction site.

6 As described during the scoping meeting last
 7 December, we considered not only the impacts associated with
 8 implementing a revised Shoreline Management Plan, but also
 9 regional activities that have occurred in the past, in the
 10 present, and potentially into the future.

11 For example, the lake was created more than 40 years
 12 ago, causing a localized growth around the lake. Although
 13 that growth continues, it is at a slower rate than in the
 14 early years of the lake.

15 In addition, we considered activities throughout the
 16 watershed that contribute to impairment to water quality.
 17 For example, non-point source runoff from agricultural land
 18 adjacent to tributaries that contribute sediment and other
 19 pollutants into the lake.

20 This slide describes the intensity of effects used
 21 to define 'impact' or 'effects'. 'Negligible' and 'minor'
 22 are generally imperceptible, and 'significant' the most
 23 severe.

24 A major impact is not significant unless specifically

1 stated as such in the EIS. To be significant, it has to
 2 surpass significant thresholds as described in Section 4 of
 3 the EIS.

4 Now, bear with me. This slide will be up here for
 5 awhile while I go through the next several pages of my
 6 presentation.

7 These methodologies are specifically addressed in the
 8 EIS. You should review the EIS for more detailed
 9 explanation of these methodologies because what I present
 10 here is a summary of those methodologies.

11 In our analysis, we made worse case assumptions when
 12 conducting the examination. Impacts could in many cases,
 13 and especially the 'max mod' and the 'no action'
 14 alternatives, take 40 to 50 years to fully reach the impact
 15 levels described because it is unreasonable to expect growth
 16 to accelerate beyond that that has occurred over the past
 17 ten years.

18 Many of the impacts described in this EIS are
 19 indirect effects that could occur as a result of the Corps'
 20 action. I'll repeat that.

21 Many of these impacts described in this EIS are
 22 indirect effects that could occur as a result of the Corps'
 23 actions.

24 Although this EIS draws a direct correlation between

1 granting rezoning requests and permits to future development
 2 beyond Corps property, this assumption may not prove valid.

3 Impact throughout the study area could occur
 4 regardless of the Corps' actions.

5 Land use alterations were used in calculating the
 6 difference in loading for baseline conditions and for each
 7 of the possible alternatives for the Greers Ferry Lake
 8 watershed.

9 The land use alterations were divided among the upper
 10 watershed, and the -- the upper lake watershed, and the
 11 lower lake watershed.

12 Pollutant loads for the water were calculated for
 13 phosphorus, total nitrogen, total suspended solids, fecal
 14 coliform bacteria, and biological oxygen demand for each
 15 lake section and the upper watershed because they are the
 16 parameters considered to be primarily affected by altered
 17 land use conditions.

18 Using the baseline as a reference, the percent
 19 increase of the load was calculated for each constituent of
 20 concern.

21 These loads were quantified as an annual average
 22 loading condition, and represent the long term effects of
 23 each proposed alternative.

24 Socioeconomic impacts of the proposed alternatives

1 were estimated using a regional economic model, referred to
 2 as REMI. This model is described in Appendix C of the EIS.
 3 Specifically, the model was used to project the economic
 4 conditions for a baseline scenario and for each of the
 5 alternatives.

6 Economic projections were generated for 2000 -- for
 7 the year 2000 through 2010, although implementation of the
 8 alternatives was assumed to occur during 2003 to 2007.

9 Visual and aesthetic resources was perhaps the most
 10 difficult and subjective resource area to assess. Both
 11 written and verbal public responses during the scoping
 12 process identified lake aesthetics and beauty as one of the
 13 top issues of concern.

14 The issues identified as important included concerns
 15 about preserving the natural beauty of the shoreline or the
 16 pristine conditions of the lake.

17 Overall, boat dock related issues were the primary
 18 concern of lake property owners and other recreational users
 19 of the lake.

20 Of special concern was the preservation of the
 21 unspoiled, uncluttered nature of the shoreline. Public
 22 comments showed that perceptions varied as to what was
 23 perceived as adverse or beneficial.

24 Again, public comments showed that perceptions varied

1 as to what was perceived as adverse or beneficial.

2 To determine impacts from additional boat docks as
3 well as marinas, an extensive assessment was conducted
4 evaluating scenic attractiveness, scenic integrity, and
5 landscape visibility.

6 This criterion is described in Section 3.6 in the
7 EIS, and it is adopted from the U.S. Forest Service
8 criteria.

9 The graphic results for each alternative is depicted
10 in Section 4 of the EIS. A picture of the extent of dock
11 locations as well as visibility from both water and land is
12 described.

13 A separate recreational carrying capacity study was
14 also undertaken. The results of that study are included in
15 this assessment.

16 Boat counts and user surveys were conducted on the
17 lake this past year, from Memorial Day weekend, May 26
18 through July 8.

19 The highest number of boaters counted on the lake
20 simultaneously occurred on the afternoon of May 27, a
21 Sunday, when over 1,400 boats were counted.

22 Well, now I've come to the most difficult part of my
23 short presentation, presenting the resulting potential
24 impacts from implementation of each of the alternative

1 actions.

2 There is a lot of information presented in the EIS
3 and it's not practical to present it all here tonight. So
4 I've provided the summary charts. I know the text of the
5 slides is small. And to aid in your reading, a slide packet
6 containing this information has been provided in your
7 handouts.

8 So the information is in here. I know it's small
9 slides here as well. But the summary chart is a full page
10 chart that will be easier for you to follow.

11 I would like to note that there are some typos in the
12 EIS summary tables. The charts presented here have been
13 corrected, and are consistent with the text of the EIS. I
14 will point out those corrections as we go along.

15 On this slide here, underneath 'cultural resources'
16 the EIS did not indicate any impact. The text did indicate
17 those impacts, and this table has been corrected for the
18 chart that you see here this evening.

19 This chart and the following charts summarize the
20 variety of what we've determined to be impacts, effects that
21 would occur if alternatives were implemented.

22 The top row lists the type of impact, whether it is a
23 direct, indirect, or cumulative impact. The left column
24 lists each of the environmental resource areas analyzed.

1 The chart is a summary of what is presented in the text of
2 the analysis.

3 Resource areas, direct, indirect, cumulative effects.
4 And this is where I point out -- the cultural resources that
5 were corrected. In the EIS it shows no effects. That's been
6 corrected. This is what is indicated in the text, and these
7 tables have been corrected here tonight.

8 I will show each one of the individual summary
9 charts, and then briefly talk about the differences on the
10 summary chart.

11 Next slide. This is the summary chart of the
12 preferred alternative. Again, the direct, indirect,
13 cumulative effects.

14 On this chart here, we got the cultural resources
15 right on that. But the land use information, we corrected
16 that. The indirect effects and cumulative effects have been
17 corrected on this chart, compared to the EIS. Again, the
18 text is correct in the EIS, but not on the summary tables.

19 As you can see, there are effects in nearly every
20 resource area, both adverse and beneficial, many long-term
21 -- and many of those long-term.

22 However, when considering the context of the whole
23 ecosystem, they are characterized as either negligible or
24 minor, except for the cultural resources.

1 The state historic preservation officer for Arkansas
2 believes that any growth could cause impacts from negligible
3 to moderate.

4 However, with continued management of these
5 resources, from permitting to annual inspections, as already
6 performed, these effects are expected to be negligible.

7 I'll leave it up here a little bit longer for you to
8 read.

9 This is the no growth alternative. You'll see that
10 by and large that there are no effects for this. This
11 alternative presents the least harm to the environmental, as
12 Ms. Anslow had indicated earlier in her presentation, and
13 actually creates some beneficial effects. However, it is
14 considered to have negative effects on recreation.

15 And I'll leave this slide up here so you can take a
16 little bit longer look. Okay.

17 The next alternative is, the fourth alternative, the
18 90 percent rezoning alternative, we made a correction -- no,
19 that was just the first one.

20 Okay, land use with the correction that needed to be
21 made on that slide, everything else is consistent with the
22 EIS summary chart.

23 This alternative is similar to the preferred
24 alternative, but permits fewer docks and creates a hundred

1 foot buffer that produces a more beneficial effect,
 2 especially for aesthetics and visual resources, as well as
 3 ecological systems, over the preferred alternative.
 4 The last alternative, the maximum modification
 5 alternative, this alternative would produce major and
 6 significant impacts. It is not likely to be implemented but
 7 demonstrates how unchecked shoreline development could
 8 impact the lake. This is the only alternative in our
 9 analysis that resulted in producing significant impacts.
 10 You can see those highlighted -- for visual and
 11 aesthetic resources, and for water quality.
 12 This is a summary chart. And you also have a
 13 full-sized copy of it. I know it's in black and white. But
 14 I will -- I have this chart here because I wanted to be able
 15 to show the comparison of all the alternatives, side by side
 16 so you can see the differences.
 17 We see the no growth alternative, we see little
 18 effects associated with that. I did mention for cultural
 19 resources, negligible to moderate effects. However, again,
 20 applying the management measures already in place at Greers
 21 Ferry Lake, those impacts would be considered to be
 22 negligible.
 23 I know it is difficult to read, but I will point out
 24 that the maximum modification alternative is the most

1 severe. We have significant impacts, and we also have some
 2 major impacts as well.
 3 The preferred alternative, the no action alternative,
 4 no growth, and the 90 percent rezoning criteria do not have
 5 significant impacts associated with implementing those
 6 alternatives.
 7 In closing, I would like to emphasize that when you
 8 comment on the EIS, your comments should focus on the
 9 adequacy of the environmental impact statement, and the
 10 merits of the alternatives.
 11 This is a draft environmental impact statement, and
 12 your comments are appreciated in helping us bring this to a
 13 final environmental impact statement.
 14 Thank you, and now I will turn the podium back over
 15 to Ms. Anslow.
 16 MS. ANSLOW: Thank you, Mike. We want everyone to
 17 understand that we have put a great deal of time and effort
 18 into preparation of this draft EIS. We have sought to make
 19 it technically correct by having an independent technical
 20 review of the preliminary draft EIS.
 21 Dr. Larry Cantor, an internationally known expert in
 22 the field of environmental impact assessments, provided very
 23 valuable comments that we incorporated into the draft EIS.
 24 There may be some editorial errors, but it is our

1 intent to provide a technically accurate document.
 2 Above all tonight, we want everyone to understand
 3 that this meeting is an important part of the public
 4 involvement process.
 5 We are here to receive your oral comments. We have
 6 presented a preferred alternative, but this is not our final
 7 decision.
 8 Your comments will be reviewed carefully and
 9 addressed in the final EIS. To be part of the public
 10 record, you must provide an oral comment tonight, or send an
 11 e-mail, or written mail, comment to myself, by January 18.
 12 Comments that were made in regard to the Greers Ferry
 13 Lake EIS prior to the notice of availability of the draft
 14 EIS on the Fifteenth of November, 2001, were considered as
 15 part of the scoping of this study.
 16 In order for your comments to be addressed in the
 17 final EIS, please make sure I receive them by the Eighteenth
 18 of January.
 19 My e-mail and mail address are provided on the
 20 comment sheets in the back of the room, and on the sides on
 21 the tables.
 22 We are going to take a short, ten-minute break before
 23 we start the oral comments.
 24 You are reminded that you will be called forward to

1 make a no more than three-minute oral comment in the order
 2 that you signed in.
 3 If you have not turned in your card, please do so
 4 now. There are lights here on the podium. The green light
 5 will be on when you start to speak. The amber light will be
 6 turned on after you've spoken for two minutes. This is your
 7 one-minute warning.
 8 When you -- when the red light comes on, your time is
 9 expired and we ask you to quickly finish your thought so
 10 that everyone gets the opportunity to speak.
 11 The first three presenters for comments this evening
 12 after the break will be Leonard Uecker, Patricia Uecker, and
 13 Bob Pittman.
 14 After the first three have spoken, I will read the
 15 names of the next three commenters.
 16 Thank you, and we're now going to begin our
 17 ten-minute break.
 18 [Whereupon parties went off the record.]
 19 [Back on the record.]
 20 LEONARD UECKER: To put it mildly, I see this
 21 EIS as a total fraud. It is like wetting your finger
 22 putting it up to determine the direction of a wind during a
 23 hurricane.
 24 One need only visit Lake of the Ozarks or Lake Lanier

1 to learn that it doesn't take a rocket scientist to figure
2 out what happens to a lake when restrictions are lowered or
3 ignored.

4 The Corps says it wants to put only 93 private docks
5 on government property, presumably to alleviate hardships or
6 satisfy the constitutional rights of property owners.

7 The Corps spent something like \$400,000 -- over
8 \$4,000 per dock -- to have a report written, and to justify
9 granting these permits.

10 The closest the report comes to giving any basis for
11 the permits are vague, highly subjective statements that
12 suggest minimal or no significant adverse impact.

13 There is no study or reference to the intent or
14 purpose of the docks. Five of the first six applications
15 are by persons requesting more than one dock. There is no
16 report on how many docks the applicants already have, no
17 report on whether they own property adjacent to the
18 government land they want to use, no report on whether the
19 docks will be for personal or business use.

20 Letters in the scoping report describe the sale of
21 lake access and slips to anyone who will pay the price. The
22 DEIS makes no mention of these abuses, or how the Corps
23 could control them.

24 The Corps either has not investigated these reports,

1 and the reasons that it is so attractive to visitors and
2 residents alike.

3 The adverse effects of these proposed changes will
4 escalate at an exponential rate for long after you have
5 moved on to a new assignment. Thank you.

6 MS. ANSLOW: Patricia Uecker, please.

7 PATRICIA UECKER: Don't we have a beautiful
8 lake? The draft EIS practically eliminates scenic beauty or
9 natural shoreline from its considerations for allowing
10 additional docks, or development of previously protected
11 shoreline.

12 While the Miller Point, Diamond Bluff area is one of
13 the most prominent scenic and natural areas on the lake, it
14 is not even mentioned in the EIS.

15 Its importance to the attractiveness of the area has
16 been much appreciated in the past, and has certainly been a
17 factor in the decision of the many residents to build homes
18 in both Diamond Bluff and Eden Isle areas.

19 The recognition of the significant beauty there have
20 been because there are no docks permitted along the Miller
21 Point, Diamond Bluff shoreline.

22 Now the Corps wants to ignore that fact, and give
23 dock permits to a developer for speculative use in that
24 area.

1 or does not care if the docks are for commercial ventures.

2 The must-have lake access requirement is meaningless.
3 Why does the Corps allow the commercial sale or rental of
4 private docks? If the Corps doesn't know or can't control
5 these abuses now, how does it expect to administer a 40
6 percent increase?

7 When the first dock is approved in a newly rezoned
8 area, there is no way the Corps will be able to prevent the
9 expansion of docks over the entire shoreline.

10 There is no mention in the report of the Corps policy
11 that allows no docks on new Corps lakes. If they are
12 detrimental to new lakes, why are more docks good for Greers
13 Ferry Lake?

14 The DEIS ignores many of the factors requested to be
15 considered in the scoping report. It has not disproved any
16 of the adverse impacts listed in the environmental
17 assessment, and upheld by the federal court.

18 Finally, there is no signature on the DEIS to
19 identify the person who is responsible for and approves the
20 various statements of no significant impact, and promotes
21 the drastic changes in regulations.

22 If that would be you, Colonel Butler, before you
23 implement these changes, I would strongly urge you to spend
24 more time getting better acquainted with Greers Ferry Lake

1 The Corps wants to ignore scenic beauty entirely by
2 redefining beauty as only in the eye of the beholder.
3 Photos of Corps regulated Lake of the Ozarks and Lake Lanier
4 graphically show Corps accepted definition of 'scenic'.

5 The Corps has recently allowed a public boat launch
6 ramp to be built in this same scenic area. It is highly
7 visible, even from Eden Isle.

8 The Corps did not even follow its own requirements
9 for public access at public access road and public parking
10 area in granting this permit. This seriously flawed
11 procedure for granting such boat launch ramps is not even
12 mentioned in the EIS.

13 The current procedure allows the granting of a launch
14 permit with no public notice or no public input. Even
15 worse, it allows the granting of the permit on the decision
16 of only one man, the county judge.

17 It does not even have to be discussed or approved by
18 the quorum court. In this instance, the Greers Ferry Lake
19 operations manager stated that it was Little Rock's
20 decision, and he had not even reviewed or signed for that
21 permit.

22 I ask that the Corps give serious consideration to
23 their definition of 'scenic' and the flawed process of
24 approving boat launch ramps before accepting the destructive

1 alternative that they are proposing. Thank you.

2 MS. ANSLOW: Bob Pittman had declined. So the next
3 speaker will be Mary Smith.

4 MARY SMITH: My name is Pauline Smith. I have Hill
5 Creek Marina on Greers Ferry Lake. And I didn't really plan
6 on talking, but since I'm up here, I am.

7 I have no problem with people that pay taxes that
8 have lakefront property having their own docks if they want
9 to maintain them.

10 But I do have a real problem with people having a
11 ten-foot easement across their property, contractors coming
12 in and solicitating my customers and asking them if they
13 would like to give their boat numbers so that they could
14 have these docks.

15 I don't think it's fair that marina owners and marina
16 people have to maintain our docks to Corps specs, pay the
17 Corps a percentage of our gross, send this in every month,
18 and that these people can build these docks, solicitate,
19 sell them, or whatever you want to call it, maintain a
20 maintenance fee, and not pay the Corps but \$30 for five
21 years.

22 I don't think that's fair. I think that they -- you
23 know, they either need to do something. If the Corps can
24 regulate it and keep it straight, which I don't think they

1 can, because we've already seen how boat numbers have showed
2 up at two different boat docks, using the same numbers and
3 two different areas on the lake.

4 I -- that's my problem. That's the only problem I
5 have with it. Thank you.

6 MS. ANSLOW: The next speaker will be Barbara
7 Sullivan.

8 BARBARA SULLIVAN: My name is Barbara Sullivan,
9 and my husband, Larry, and I settled here in 1996. I care
10 passionately about this lake because living in a beautiful
11 place is very important to me.

12 I opposed the current proposals by the Corps of
13 Engineers because I feel they are fostering a rate of
14 decline in the current uncluttered, natural appearance of
15 the lake.

16 Allowing private use of previously protected
17 shoreline and increasing vegetation removal interferes with
18 the enjoyment of the lake by the public at large. The
19 desires of the few should not outweigh the rights and the
20 needs of the many.

21 The first time Larry and I saw Greers Ferry Lake,
22 friends took us in their boat from Bud Creek over to Diamond
23 Bluff. We decided on the spot that this is where we wanted
24 to retire.

1 There is a refreshment of spirit that happens here
2 that is getting harder and harder to find across the
3 country.

4 We lived in California for 16 years, and let me tell
5 you, if you want to see what happens to land and lake and
6 shoreline when people fill them up, go to California.

7 And don't think it can't happen here. It can and it
8 will if we don't decide as a community today that we don't
9 want to see this unspoiled beauty usurped by private
10 individuals or by developers who want to use up the
11 shoreline for their own profit.

12 In 1974, the Corps passed a regulation whose
13 objective is, and I quote, to manage private, exclusive use
14 of public property to the degree necessary to gain maximum
15 benefits to the general public.

16 To that end, the regulations say, and I quote again,
17 private exclusive use will not be permitted on new lakes.

18 It's clear the Corps recognized, unfortunately after
19 Greers Ferry was filled, that private exclusive use runs
20 counter to the Corps' objectives of serving the public at
21 large.

22 It's only because of the Corps' past policy of strict
23 protection of the shoreline that we have -- that Greers
24 Ferry remains the outstanding specimen that it is.

1 What mystifies me is why the Corps violated its
2 stated principles by soliciting boat dock requests. And
3 further, why did the Corps use 80 percent as a passing grade
4 for evaluating which docks would be approved, rather than
5 the more protective 90 percent?

6 I want to encourage the 93 individuals and companies
7 who are contained in the EIS preferred alternative to
8 consider those requests in light of the lake's future, not
9 their own.

10 These 93 are just the tip of an iceberg which will
11 arrive if this EIS remains as it stands. Look at Lake
12 Lanier, and Lake Altuna in Atlanta, Georgia, for instance,
13 both Corps lakes, both dirty, crowded, and ugly with
14 uncontrolled growth.

15 They provide a window on our future if we don't act
16 today. Once we head down this road, we can never, never go
17 back.

18 MS. ANSLOW: The next speaker is John D. Smith.

19 JOHN SMITH: May I yield my three minutes to Mr.
20 Carl Garner, if it's necessary?

21 MS. ANSLOW: No sir, we're not yielding any time
22 If you choose not to make a comment, that's fine. But this
23 comment period is for you and you alone.

24 JOHN SMITH: Okay, I yield.

1 MS. ANSLOW: So you're going to decline, then, is
2 that correct?

3 JOHN SMITH: Yes.

4 MS. ANSLOW: The next speaker will be Al Vita.

5 ALBERT VITA: My name is Albert Vita. My wife and I
6 are owners of the Lake Real Estate in Greers Ferry. Our
7 livelihood, the livelihood of our employees, the value of
8 our lakefront home, and the value of our other real estate
9 investments in the area are extremely dependent on the
10 attractiveness and broad appeal of Greers Ferry Lake.

11 For 15 years, my wife and I have been active in
12 Greers Ferry residential real estate market. During this
13 period, we have spent a great deal of time and money
14 advertising the virtues of Greers Ferry Lake.

15 This was all done in an attempt to attract as many
16 people as possible to our fine area. We are totally
17 committed to the well being of Greers Ferry. There is
18 absolutely nothing that I would do, nor is there a proposal
19 that I would endorse that would even remotely have an
20 adverse impact on the appeal of Greers Ferry Lake or on the
21 area's economy.

22 With that in mind, I wholeheartedly endorse
23 alternative two of the EIS. Alternative two is well
24 balanced and fairly represents a wide variety of interests.

1 The area economy is almost entirely dependent on the
2 popularity of Greers Ferry Lake. One very important aspect
3 of alternative two is that it offers a positive impact to
4 the area economy.

5 It does so by supporting a plan of controlled,
6 balanced growth that the local economy needs, yet at the
7 same time alternative two goes a long way towards
8 guaranteeing the continued attractiveness of Greers Ferry
9 Lake.

10 It's been my observation that more private docks
11 generate greater, broader usage of the lake by the public at
12 large. This has been one of the issues that's been
13 discussed tonight -- usage, the public interest.

14 A good example of this is Lake Hartwell, a large
15 Corps lake in Georgia, with approximately 50 percent of its
16 shoreline zoned for private dock. The lake has more
17 visitors than Greers Ferry, yet real estate values are more
18 than twice what they are here.

19 The boat docks at Lake Hartwell have not ruined the
20 lake, they've made it more popular. Neither has the steady
21 increase in the private docks at Greers Ferry had an adverse
22 effect on the continued increase in the number of visitors
23 that come here.

24 It's worth noting that the newer, private docks all

1 meet rigorous construction standards with ongoing
2 maintenance closely monitored by Corps personnel.

3 The EIS is an impressive document. The balanced
4 proposal of alternative two is to be commended. Thank you
5 for allowing my thoughts.

6 MS. ANSLOW: The next speaker is Ken Crites.

7 KEN CRITES: Good evening, ladies and gentlemen. My
8 name is Ken Crites. My wife and I live over in the Greers
9 Ferry area.

10 We too are in favor of proposition two. Greers Ferry
11 is a gorgeous place to live. We moved out here about ten
12 years ago, have thoroughly enjoyed the area, our neighbors,
13 our friends.

14 And we very, very much enjoy living in Greers Ferry.
15 We believe that the lake is as pristine as it is -- and it
16 is beautiful, as one of the other ladies said.

17 But we believe that it's beautiful because of the
18 ongoing management by the Corps of Engineers. There are
19 little things that we believe need to be changed. We
20 believe that those things that need to be changed are
21 outlined in proposition two.

22 We sincerely respect the opinions of the other folks
23 who have spoken. However, Greers Ferry is a growing area.
24 There are a couple of things that need to be addressed --

1 safety on the lake. We believe that a few additional docks,
2 and I believe the number has been 93.

3 We had already been approved for a dock, and had
4 quite a bit of money invested in the building of that dock,
5 and of course, that came to a halt.

6 We believe that having that dock would increase the
7 safety of our guests while swimming in our home on Hurricane
8 Bay. We do believe that the growth of the lake, as
9 controlled under proposition two, would be very beneficial
10 for the continued growth, the well being of the lake, yet
11 allowing for the growth of the lake, and the further
12 enjoyment of those of us who live on the lake, pay the taxes
13 around the lake supporting the communities, and buy the
14 property, and grow with the lake.

15 I do support proposition two. We do believe that
16 through the adoption of that, and it does specifically
17 specify, I believe, that no further docks would be
18 considered after this 93 would be approved, under the time
19 limit.

20 So we are in favor of proposition two, and we
21 sincerely request a consideration for that.

22 MS. ANSLOW: The next speaker will be Carl Garner.

23 CARL GARNER: AS a stranger to the area, I have a few
24 comments. How many of you have read the EIS -- show of

1 hands? A lot of you haven't, and I'd suggest that you read
2 it.

3 But let me start out by saying that showing you what
4 alternative two would do. And for instance, would you take
5 this -- this is the lake, and put a dock here, and a dock --
6 this is all protected area, 210 miles of shoreline.

7 And put a dock up here, and a dock there, and a dock
8 up here, and a dock up there. And you put a hundred-foot
9 strip behind that one, and a hundred-foot strip behind this
10 one, and a hundred-foot strip over there.

11 And I believe they say no more applications for
12 rezoning in the future. The future means always to me. And
13 now they're saying in eight or ten years, we can open it up
14 again.

15 And when you open it up, and you're going to, you've
16 got a dock here and all along here, what's going to keep me
17 from getting one, and the next one, and the next one, and
18 the next one, and the next one.

19 This thing opens up, it sets a precedent, and then
20 we're going to have docks -- many of them. In fact, they're
21 talking about 1,300 in here under some plan.

22 Now, plan two, they didn't use the same set-up as
23 they did for one, three, four, and five. In those four,
24 they said the potential was zero all the way in through

1 applications, would you have permitted them all, and they
2 said we guess we would have.

3 So you can see what kind of plan we've got here.
4 way -- what we should do is stop this thing where it is. --
5 you can stop it, why can't you stop it where it is. So
6 supporting your plans for the future without having docks
7 all over the place.

8 It sets a precedent. No other district -- am I
9 though --

10 MS. ANSLOW: Yes sir.

11 CARL GARNER: -- that you can go out there
12 and rezone any area by a little cheat sheet that you have.
13 And that's what you've got here. Thank you.

14 MS. ANSLOW: Thank you. The next speaker will be
15 Walter Fisher.

16 WALTER FISHER: My name is Walter Fisher.
17 And I live on Diamond Bluff. And I'm opposed to -- the
18 number one thing that would concern all of the people's
19 input, I believe he said, was the visual impact. Am I
20 wrong?

21 The number one thing was visual impact. And yet they
22 want to build 93 docks, which can actually have up to 20
23 slips each. That's a lot more than 93 boats sitting out
24 there, and a lot more than 93 aluminum covers sitting out

1 here, after these.

2 But all the others, the potential is way on up here,
3 eventually to 1,300. But the potential for this is much
4 greater than in one or some others, because it opens up the
5 whole area.

6 The whole area now, this is open for boat docks, or
7 rezoned, or open the whole protected area. You can't say
8 that you have any protected area now, in the future. It's
9 all going to be docks if people want them.

10 And if the Corps says you can't have them, you know
11 what the congressman can do. If I have money, lots of
12 money, I can give it to a congressman's campaign. And if I
13 tell him I want a dock over next to yours, the Corps says
14 you can't have it.

15 The first thing you know, the word comes down from
16 the chief's office that says let him have the dock. It's
17 happened before, it will happen again.

18 And I don't think anybody has looked at that part of
19 it, but it will happen, I assure you.

20 And we'll have many docks on this lake. In fact,
21 they now say in ten years you can open it up. When it opens
22 up, there'll be 500 applications at one time.

23 In fact, I asked the Corps employees, when we're
24 talking about the 93, I said what if you had 200 or 500

1 there.

2 From my house, I can probably see 15 to 20 of these
3 new docks. Add 20 of them to it, that's 200. I think that
4 is a very definite visual impact.

5 If you look at your summary effects, proposition
6 number one, for visual, minor; number two, minor; number
7 three, minor; number four, minor -- all minor impact for the
8 people's expressed number one concern. Thank you.

9 MS. ANSLOW: The next speaker will be Larry Poff.

10 LARRY POFF: My name is Larry Poff. I was at the
11 dam when JFK dedicated it, and I grew up on the lake. I was
12 lucky enough to have a boat with my dad, drove around the
13 lake all the time. I'm also an appraiser. I'm all around
14 the lake everyday, looking at houses.

15 And I think the Corps has done a good job with what
16 they're trying to do, and I think Carl Garner has done a
17 good job in what he's trying to do.

18 What I do see, though, is 20 years ago, there were
19 hardly any houses and hardly any docks. Now there's a lot
20 more houses and a lot more docks.

21 The Corps cannot control what people build along
22 lake. So when you're driving around the lake in a boat
23 right now, there's going to be more and more houses.
24 Everyday it's more and more houses. And it's affecting the

1 beauty of the lake.

2 Just being able to see the houses take away from the
3 natural beauty of the lake.

4 The Corps can't control that. But what the Corps can
5 control is the number of docks on the lake. I think what
6 needs to be taken into consideration is if more docks are
7 being put on the lake, that they need to be put up in the
8 coves like they used to be, and not out on the main body of
9 the lake.

10 I wasn't going to speak. It's kind of off the cuff.
11 Just kind of throwing this out here. But I think if -- when
12 all of this is said and done, before any plan is implemented
13 -- we don't want to do like they done in Florida, where they
14 dredged Kissimee River, and spent millions of dollars
15 dredging Kissimee River, and then 20 years later, they come
16 back and spend billions of dollars having the biggest
17 restoration project in U.S. history.

18 So we just need to be real careful with where we're
19 going with this thing. And I would like the Corps to
20 consider, you know, the aesthetics. It's the number one
21 concern, I think, for most people here.

22 And that the one thing that the Corps can control --
23 the only thing that they can control is what's on their
24 property. Once you get off the fight [phonetic spelling]

1 line, you do whatever you want to do. Thank you.

2 MS. ANSLOW: The next speaker will be Fred Clark.

3 FRED CLARK: My name is Fred Clark, and that's
4 without an 'E'. I moved here 18 years ago because I loved
5 the lake. I do not want to see it change. I support
6 everything that Carl has done over the years.

7 But I have a deeper concern. I'm the only one
8 probably in this room who spends everyday on this lake. I
9 mean, unless it's snowing and sleeting, I'm out there. And
10 I can see the changes.

11 And my deepest concern is water quality. This is
12 your drinking water, our drinking water. And as a -- I'm
13 ashamed of my fellow boaters, because there is no
14 enforcement of the federal water quality clause, and people
15 are dumping their effluent right from the heads into the
16 water.

17 And until we get some recognition, that's just going
18 to be one more problem that's going to decline the lake.
19 The colonel has sent people up here to check the water, but
20 it's never been after a busy weekend.

21 And let me tell you, it's gross, and it's not just at
22 one marina, it's at all of the marinas. And a lot of people
23 think that if they leave the marina and go out on the lake
24 and dump, it's okay -- not so. Thank you.

1 MS. ANSLOW: The next speaker is Jamie Taber.

2 JAMIE TABER: My name is Jamie Taber and I'm with the
3 Horseshoe Community Dock. And I would like to say that I'm
4 in support of alternative two for the shoreline plan.

5 We had built a site for a boat dock and got approved
6 for 20 slips. We asked for ten. I think somewhere in this
7 plan that they can adjust the number of boat docks that were
8 approved, I think that maybe they approved too many slips
9 per dock.

10 I'm very much in support of lake preservation and
11 very protective of the water and the shoreline. And I can
12 tell you that on more than one occasion, I've called the
13 game and fish on people that have been abusing their
14 privileges.

15 However, this is a manmade lake and it's also for
16 recreation. I've always heard that houses could be built on
17 the water, or where they could be built on the water, but
18 they shouldn't be seen. And I've been looking around over
19 the last summer, and there's houses going up everywhere, and
20 they're nice houses.

21 But to me, that destroys more of the shoreline than a
22 few boat docks. I don't support a huge number of boat
23 docks, individual boat docks, all over the lake. But I
24 would support several community docks.

1 Our community is near Mill [phonetic spelling] Creek,
2 and it's very environmentally conscious. We keep our trash
3 picked up, and do virtually no harm to the vegetation. And
4 believe me, there are many critters along our shoreline.
5 And they don't mind sharing with us.

6 I'm single and I have two sons, and we always bring
7 kids with us to the lake, and it's children that don't have
8 the luxuries that my kids have. And what I want is quality
9 family time in a good atmosphere. And I do want the lake
10 preserved for my children and my grandchildren.

11 But I don't think that a limited number of boat
12 docks, if properly maintained, will destroy our children's
13 futures.

14 We are depending on the Corps to make a decision
15 that's best for the people, and I believe that will be
16 alternative two. And I think that the future of our lake
17 should depend on what's best for the lake and keep the
18 politics out of the picture. Thank you.

19 MS. ANSLOW: The next speaker is Sally Sedelow.

20 SALLY SEDELOW: My last name is spelled
21 S-e-d-e-l-o-w. For clarity and to save time, I'm going to
22 speak only to the issue of increasing the number of docks as
23 specified in the Corps' preferred alternative two on Greers
24 Ferry Lake.

1 I speak as a property owner, who, together with all
2 U.S. citizens, including all of us here, I own Greers Ferry
3 Lake and it's shoreline.

4 No one in this room can point to an inch of that
5 shoreline and lake and say that belongs to me only. Rather,
6 it belongs to all of us. We, the individuals making up the
7 public, are the owners of all the shoreline and lake.

8 The U.S. Corps of Engineers is the agency of the
9 public which is supposed to maintain the shoreline and lake
10 only on our behalf.

11 Page 430 of the environmental impact statement
12 produced by Tetra Tech refers to the, quote, current public
13 preference for an uncluttered shoreline, unquote.

14 Given that fact, presumably drawn from the Tetra Tech
15 survey, many of us ask why you are proposing to produce
16 highly visible shoreline clutter and destruction.

17 You know and we know from reading the environmental
18 impact statement, and from Corps practice, that when you
19 make such statements as 'no more dock applications will be
20 accepted,' that probably means only until the next five-year
21 review and shore management plan of the Corps.

22 In an impact discussion of the no-growth option, the
23 disclaimer, quote "at least for five years" appears.

24 That disclaimer applies to all of the alternatives

1 already documented preference of the much larger public?

2 Thank you.

3 MS. ANSLOW: The next speaker is Jim Dixon

4 JIM DIXON: Thank you. My name is Jim Dixon --

5 D-i-x-o-n. I've been coming to Greers Ferry Lake for over
6 30 years.

7 I'm one of those weekenders that drives over from
8 Memphis. In a few years -- you can tell from my gray hair
9 -- I'm going to retire. I bought property over here, I'm
10 going to build a house on the lake.

11 And I support the plan number two for a couple of
12 reasons. One is I'm going to build a house that's going to
13 be close to the Corps property. I think the ability to
14 clean that brush away is important for fire protection.

15 I don't know about the fire protection in your area,
16 but in my area it's not very good. Some areas don't have
17 any fire protection, and brush fires are kind of a risk that
18 I don't want to expose myself to.

19 In the area of the boat rezoning, as a boat owner,
20 I'm a boater. I can tell you from pulling a boat up on the
21 shore, you get a lot of soil erosion. A boat dock is a lot
22 less, you know, safer, I think than having the boat pulled
23 up during the boating season.

24 So in summary, I support the plan number two

1 set forth. The future, realistically speaking, is likely to
2 be just five years.

3 You know and we know that once you've opened up
4 previously protected areas of the lake to docks, you set an
5 irreversible precedent. In time the entire shoreline,
6 except for a few small restricted areas will have sprouted
7 docks. You won't be able to stop it, even if you want to.

8 Many people are asking why you are proposing to wreck
9 one of the most important safety, aesthetic, and
10 environmentally significant features of this lake, which is
11 now a model for the nation.

12 Why do you determinedly insist on favoring and
13 permitting the 93 requests for docks from developers,
14 realtors and other individuals who have property nearby the
15 lake, and just as determinedly discriminate against the many
16 more public owners of the shoreline and lake who have
17 expressed their preference for an uncluttered shoreline.

18 This is not a case of private versus public. It's a
19 case of a few owners interested in short-term profit and
20 pleasure, versus many, many owners who thoroughly enjoy the
21 lake as it is, and want to keep it that way.

22 The Corps is not required to rezone the lake, or to
23 start the process of shoreline uglification.

24 Why do these 93 requests matter more to you than the

1 Thanks.

2 MS. ANSLOW: The next speaker is Jean Garner.

3 JEAN GARNER: My name is Jean Garner, and I'm a
4 resident of Cleburne County. And we own the property that
5 joins beautiful Greers Ferry Lake. And I want to discuss
6 alternative number two, the increase in mowing from private
7 habitable structures from 50 to 100 feet.

8 How can you justify this increase? The Corps
9 regulations state that vegetation modifications, better
10 defined as mowing, on government owned land is permitted
11 only -- and I emphasize -- only for fire protection.

12 Also your environmental assessment in 1999 stated
13 "The present plan of 50 feet exceeds the applicable
14 provisions of national fire protection code 299."

15 The assessment also found the accessible mowed space
16 requirement for homes on Greers Ferry Lake to be less than
17 50 feet, and in most cases approximately 30 feet.

18 Also your EIS, page ES3, states, regarding vegetation
19 modifications, quote, the purpose must be for fire
20 protection, and not for landscape enhancement, end of quote.

21 People, listen to me, land for Greers Ferry Lake w
22 paid for by mine and your taxes, and owning land adjacent to
23 government owned property does not give the landowner any
24 preferential rights.

1 Why am I speaking tonight? My husband usually takes
2 this role. I want you to understand that it appears the
3 Corps is violating their own regulations.

4 Also I love Greers Ferry Lake and I want it to stay
5 clean, beautiful, and unpolluted so yours and my
6 grandchildren and great-grandchildren can enjoy this
7 beautiful lake like I and others have as well as my
8 children. Thank you.

9 MS. ANSLOW: The next speaker is Jim Wallis.

10 JIM WALLIS: Hi, my name is Jim Wallis -- that's
11 W-a-l-l-i-s. My lake house is located at Number 55 Between
12 [phonetic spelling] -- over off Hurricane Bay and just off
13 the narrows.

14 I've been a part-time resident of Greers Ferry for
15 about 15 years. And nobody loves Lake Greers Ferry more
16 than I do, and I think it's the most beautiful lake in the
17 State of Arkansas.

18 And I certainly would oppose anything that would harm
19 the environment or even distract from the natural beauty of
20 the lake.

21 I have attended these public hearings for as far back
22 as 1999 relative to this boat dock issue. And at these
23 meetings, I have heard the public outcry for more boat
24 docks. And in response to that interest, the Corps of

1 time I finish.

2 I kind of have a different perspective on this lake.
3 I was raised in Arkansas County. In Arkansas County, there
4 are no mountains, there are no rocks, there are no trees.
5 All the water in Arkansas County is used to irrigate rice,
6 especially all the clean water.

7 If you want to go swimming in Arkansas County, you
8 swim in a mud puddle. So my perspective on this lake is
9 probably totally different than anybody else's in this room.

10 The other thing I'd like to point out is -- the other
11 thing I've never understood about this argument is that I
12 have these friends or acquaintances who say they want to cut
13 their trees.

14 In fact, one of these guys that I know hires somebody
15 and cuts the tops out of his neighbor's trees in their yard
16 because he wanted to see the view.

17 But if everybody on the lake cuts their trees on most
18 of the shoreline, and puts in a dock, people, there won't be
19 a view. I hate to tell you this.

20 The other thing is -- this is something you all need
21 to know. I don't know how many people here are for the
22 docks, are for no impact. But I will tell you this. If --
23 you've seen it yourself, you've seen it in playgrounds.
24 You've seen two dogs fighting, you've seen two children

1 course did the study.

2 And some nearly 100, I think, permits were issued.
3 Mine was one of those. And also I was one of the five
4 people that proceeded immediately and built their boat dock
5 immediately after receiving the authorization papers from
6 the Corps and a location rating of 90 percent.

7 I hired a boat dock builder, which was referred to me
8 by the Corps of Engineers. I built my boat dock according
9 to specifications furnished by the Corps of Engineers.

10 And since that time, my boat dock was installed and
11 permitted on May 24 or May 23, year 2000. And since that
12 time, my family and I have been denied the use of that boat
13 dock pending the outcome of this new study.

14 I want to firmly come across as supporting amendment
15 two, or alternative two. And I believe that this new study
16 is basically confirming all the findings of the old study.
17 And so that's my position, and thank you so much for your
18 time.

19 MS. ANSLOW: The next speaker is John Stevens.

20 MR. STEVENS: I decline to make a comment.

21 MS. ANSLOW: Thank you. The next speaker then will
22 be Ginger Feelon [phonetic spelling].

23 GINGER FEELING: Can you hear me? I have a
24 horrible voice, and you'll probably think it's worse by the

1 fighting.

2 And then the third dog comes and takes the bone. The
3 bone in this case is the water in this lake. You're not
4 going to have a shoreline to argue about. They're pumping
5 water out of this lake so fast. A thousand times more water
6 is being pumped out of this lake today than was pumped out
7 of this lake five years ago.

8 Once it leaves this lake, you have no control over
9 it. It can go to Arkansas, it can go to irrigate rice
10 fields, it can go to Dallas, Texas. You have no control
11 over it at all.

12 I don't know about you, but I don't know if anybody
13 has noticed that the quality of water in my home is
14 different than it was two years ago. You might check that
15 yourself.

16 You've got the prize right here. It's the beautiful,
17 clean water in this lake. And you're letting it slip
18 through your fingers. It's going to be gone.

19 You're going to be like New York State. The people
20 in upstate New York where all the beautiful lakes are don't
21 get to use that water. It goes to New York City. They have
22 another water supply. That's what's going to happen here.

23 You need to be thinking about that instead of arguing
24 about petty things like boat docks.

1 My last thing to say is if you want to mow down to
2 the shore, fine; if you want to cut all the trees, fine; if
3 you want your own boat dock and you want it to look like
4 this, fine. But if that's true, you just need to move to
5 Texas. It already looks like that there.

6 If you want things to look like they do now, you've
7 got to not count on the Corps to tell you what to do.
8 You've got to take it upon yourself to comply to what you
9 know is already true and right. Thanks.

10 MS. ANSLOW: The next speaker will be Richard Mays.

11 RICHARD MAYS: I'm Richard Mays. I am a
12 member of and an attorney for a group called 'Save Greers
13 Ferry Lake, Inc.' The objective of this group is to protect
14 the attributes of Greers Ferry Lake and the water quality of
15 it, not only for this generation, but also for future
16 generations.

17 Greers Ferry Lake, according to the -- and these are
18 the Corps' own statistics -- is the most popular
19 recreational destination in the State of Arkansas.
20 Approximately six million people visited here this last
21 year.

22 According to the Corps' statements, it's the second
23 most popular recreational destination in the United States
24 that the Corps administers.

1 And this is not because the lake has had an
2 over-abundance of boat docks. In fact, according to the
3 Corps' own study, it's specifically because the lake has not
4 had many boat docks on it. It's because the lake has a
5 natural and unbroken shoreline, and because it has a very
6 high water quality here that people like, and they like to
7 come and boat, and swim, and dive off cliffs, and that sort
8 of thing.

9 The thing that brought this lake to where it is today
10 and the popularity of it was because of the shoreline
11 management plan that's been in effect for a quarter of a
12 century.

13 And the Corps is now proposing to change that. What
14 they're proposing to do is to fix something that's not
15 broken. The Corps is establishing a management policy not
16 for the next five years, but for the indefinite future.

17 Once you allow more boat docks on this lake, once you
18 make exceptions, it will not be easy for the Corps to tell a
19 person whose property is adjacent to a rezoned area where
20 boat docks are allowed that they can't have a boat dock.

21 You've heard people here talk about how many houses
22 are being built around the shoreline. That's simply going
23 to mean that in the future, there will be more boat docks
24 requested for those houses.

1 So the course that the Corps is following is a
2 slippery slope, and once you start down it, you can't go
3 back up.

4 We're here tonight really to talk about the dra..
5 environmental impact statement. I will tell you that the
6 draft environmental impact statement is faulty. It's not
7 supported by good science. It doesn't adequately study the
8 alternatives. And there are some alternatives to the Corps'
9 proposed plan which they suggested in their scoping report
10 that have not been studied at all.

11 We are opposed to any plan that would allow more boat
12 docks or the increased mowing of the shoreline on this lake,
13 and we will oppose them by whatever means necessary. Thank
14 you.

15 MS. ANSLOW: The last speaker this evening will be
16 Larry Jolly.

17 LARRY JOLLY: It's kind of tough to follow an
18 attorney. I didn't plan on speaking. My wife kind of
19 pushed me into this. And had I known I was going to speak,
20 I would have had my 'Save the SMP' tee-shirt on.

21 I tell you, this is an emotional issue, and there are
22 just two sides to it, quite frankly. And you gentlemen have
23 a tough job ahead of you because you're going to please
24 some, and disappoint others.

1 And I'm going to stand here and threaten you with
2 anything of that nature. You guys have got the
3 responsibility to do what you need to do.

4 And quite frankly, I support 'two', because you've
5 done your due diligence, you've done what you are charged to
6 do.

7 I think that you do have the wherewithal to protect
8 this lake, and to save this lake, and to not let all of the
9 worse case scenario things happen to this lake. I trust
10 that you will do that.

11 You're not presenting a proposal that will destroy
12 the lake. You're presenting a proposal that's going to do
13 your job, and that is to maximize the usefulness of the lake
14 by all the users, and all the people who enjoy this lake and
15 love this lake, and that includes myself. Thank you.

16 MS. ANSLOW: Thank you for your time and your
17 comments. We have presented to you this evening the draft
18 EIS for the Greers Ferry Shoreline Management Plan.

19 It contains five alternatives. We've presented our
20 preferred alternative, alternative number two, which we
21 believe provides the balance in an SMP that we are seek
22 without harming the environment.

23 You are reminded that this is not our final decision.
24 Your comments will be accepted until January 18, 2002. We

1 anticipate publishing a final EIS by April, 2002.

2 When we publish the notice of availability, we will
3 again take comments for a minimum of 30 days. We plan to
4 publish our record of decision by June of 2002.

5 I want to extend our gratitude to all private
6 citizens and public entities for their continued
7 contributions and support during this environmental impact
8 statement and SMP review process.

9 I believe that by working together, we will achieve
10 everyone's goal of balancing the needs of Greers Ferry Lake.
11 This concludes our public meeting. Thank you.
12 [Whereupon the proceeding concluded at 7:55 p.m.]

13

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1 STATE OF ARKANSAS)
2 COUNTY OF PULASKI : ss
3 I, Stephanie G. Branton, an Arkansas Certified Court
4 Reporter and Notary Public in and for the aforesaid county
5 and state, do hereby certify that this transcript is a true
6 and correct transcription of the proceedings; that the
7 proceedings were reported by me, and were thereafter reduced
8 to typewriting by me or under my supervision; that the
9 transcription is a true and correct record of all
10 proceedings, to the best of my knowledge and belief; that I
11 am neither counsel for, related to, nor employed by any of
12 the parties to the action in which this proceeding was held;
13 that I am not a relative or employee of any attorney or
14 counsel employed by the parties hereto, nor financially or
15 otherwise interested in the outcome of this action.
16 WITNESS MY HAND AND SEAL as such court reporter on this 28th
17 day of January, 2002.

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20 STEPHANIE G. BRANTON, CCR #430

21 Little Rock, Ar. 72212

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