

Lease Action at Various Parks on the McClellan-Kerr Arkansas River Navigation System, Arkansas

Real Estate Action

ENVIRONMENTAL ASSESSMENT



March 2007



**US Army Corps
Of Engineers**
Little Rock District

EXECUTIVE SUMMARY

ES.1 Introduction

Hammerschmidt Lake (Trimble Lock & Dam), Ozark Lake (Ozark Lock & Dam), Lake Dardanelle (Dardanelle Lock & Dam), Rockefeller Lake (Ormond Lock & Dam), and Pool 8 (Toad Suck Lock & Dam) are major units in the multiple-purpose plan of development of the Arkansas River and tributaries, known as the McClellan-Kerr Arkansas River Navigation System. Hydroelectric power generation, navigation, recreation, water supply, bank stabilization, and enhancement of fish and wildlife resources are authorized project purposes.

Ozark Lake covers 10,600 acres of water area at Mean Sea Level (MSL) elevation 372.0 feet. A land area of 6,349 acres surrounds the lake and extends around the shoreline for a distance of 173 miles. Fee lands extend from the Ordinary High Water Mark of the Arkansas River to the surveyed project boundary. In addition to the fee acreage, Ozark Lake has 21,645 acres of flowage easement lands. The lake is situated in Franklin, Crawford, and Sebastian Counties and extends 36 miles along the Arkansas River. The shoreline of the lake varies from steep bluffs and tree lined banks to open farm lands and level fields.

Rockefeller Lake is impounded by Arthur V. Ormond Lock and Dam, which is located at Arkansas River navigation mile 176.9, southwest of Morrilton, Arkansas, in Conway County. It extends 28 miles westerly along the Arkansas River through Conway, Pope and Yell Counties to the Dardanelle Lock and Dam.

The Dardanelle Lock and Dam is located at the Arkansas River navigation mile 205.5 in Pope and Yell Counties, Arkansas, at the north edge of Dardanelle and the southwest edge of Russellville. Lake Dardanelle extends 51 miles westerly along the Arkansas River through Pope, Yell, Johnson, Logan and Franklin Counties to Ozark-Jeta Taylor Lock and Dam.

Toad Suck Ferry Lock and Dam and Arthur V. Ormond Lock and Dam on the Arkansas River have major multiple use component of the McClellan-Kerr Arkansas River Navigation System. Benefits other than navigation are derived through the use of impounded waters and the shoreline for recreation, soil conservation, and fish and wildlife management. Toad Suck Ferry Lock and Dam pool has a surface area of 4,130 acres and has a shoreline length of 47 miles. This pool extends 20.6 miles. Arthur V. Ormond Lock and Dam pool has a surface area of 4,910 acres and has a shoreline length of 100 miles.

ES.2 Project Description and Alternatives

The Russellville Project is charged with the responsibility for operating and maintaining the recreation areas on John Paul Hammerschmidt, Ozark Lake, Lake Dardanelle, Rockefeller Lake, Lake, Arthur V. Ormond Locks and Dams and Toad Suck Ferry. The parks were constructed and are managed to provide a variety of outdoor recreational opportunities in a clean, safe park environment that will give equal opportunity and access to the water resources. The objective of the parks is to conserve and improve natural resources and the environment while enhancing the recreation facilities to the most cost effective and efficient manner considering present and future visitors' safety and enjoyment as the two most important factors. No action would result in not leasing the identified parks to the local sponsors, resulting in closure of the parks as identified by the Corps of Engineers (COE) in March 2005 due to Federal cutbacks and loss of operational

budget. The purpose of leasing the parks is to allow public camping and other recreational activities at no cost to the COE. This action would reduce the COE operational budget costs and would provide recreational use of the parks to the public. An Environmental Assessment (EA) is required in order to determine the impacts of the proposed lease on the environment.

The purpose of this environmental assessment is to assess the environmental effects from the proposed lease of the parks and associated improvements to the existing facilities at Lee Creek, Vache Grasse, White Oak, Bluff Hole, Vine Prairie, O’Kane, Flatrock, Horse Head, Cabin Creek, Delaware, Bigelow, Cadron Settlement, Sequoya, Illinois Bayou and Point Remove parks. This document has been prepared in accordance with the policies and procedures outlined in the National Environmental Policy Act (NEPA) of 1969, Council on Environmental Quality (CEQ) regulations, and USACE Procedures for Implementing NEPA 1988 (ER 200-2-2).

Information regarding the proposed action was provided by Mr. Miles Johnson, Lake Manager, Russellville Project Office, Operations Division, Little Rock District, U.S. Army Corps of Engineers (see Appendix A).

Alternatives

Alternative 1 Under Alternative 1 (No Action Alternative) the existing Lee Creek, Vache Grasse, White Oak, Bluff Hole, Vine Prairie, O’Kane, Flatrock, Horse Head, Cabin Creek, Delaware, Bigelow, Cadron Settlement, Sequoya, Illinois Bayou and Point Remove parks would remain in their current condition of closed, partially closed and open only for day use.

Alternative 2 Alternative 2 (Proposed Action Alternative) involves leasing of Lee Creek, Vache Grasse, White Oak, Bluff Hole, Vine Prairie, O’Kane, Flatrock, Horse Head, Cabin Creek, Delaware, Bigelow, Cadron Settlement, Sequoya, Point Remove, and Illinois Bayou parks to various local sponsors. The intent of this leasing action is to restore currently closed/partially closed parks to an operational status for the good of the public users by cooperating with the local communities when possible.

Parks and Sponsors:

- Lee Creek – Unknown at this time
- Vache Grasse - City of Lavaca
- White Oak - Unknown at this time
- Bluff Hole - Unknown at this time
- Vine Prairie - Unknown at this time
- O’Kane - Unknown at this time
- Flatrock - Unknown at this time
- Horse Head - Unknown at this time
- Cabin Creek Unknown at this time
- Delaware - Unknown at this time
- Bigelow - Unknown at this time
- Cadron Settlement – City of Conway
- Sequoya - Unknown at this time
- Point Remove – City of Morrilton
- Illinois Bayou – City of Russellville

ES.3 Environmental Consequences

Alternative 1

Implementation of **Alternative 1** (No Action Alternative) would result in no beneficial impacts to natural resources. Aesthetics and recreation would have long term adverse impacts due to lack of operation and maintenance at the parks and closure of the parks, respectively. Lee Creek, Vache Grasse, White Oak, Bluff Hole, Vine Prairie, O’Kane, Flatrock, Horse Head, Cabin Creek, Delaware, Bigelow, Cadron Settlement, Sequoia, Point Remove and Illinois Bayou parks would continue to be managed under U.S. Army Corps of Engineers regulations.

Alternative 2

Implementation of **Alternative 2** (Proposed Action Alternative) would result in localized minor, short-term adverse impacts to terrestrial resources, aesthetics, and possible cumulative effects due to increased local traffic, private development and road construction if park popularity increased. There would be minor, long-term beneficial impacts to recreational resources, primarily for those individuals that would use the parks. There would also be minor long-term beneficial impacts to socio-economic resources for the surrounding small businesses. These localized impacts would be related to the increased expenditures associated with boats, boat maintenance, dock purchases, fuel, and other recreational purchases.

Implementation of the Proposed Action Alternative would have no impact to wetlands, archeological resources, historical resources, groundwater, or threatened and endangered species.

Proposed Action Alternative) involves leasing of Lee Creek, Vache Grasse, White Oak, Bluff Hole, Vine Prairie, O’Kane, Flatrock, Horse Head, Cabin Creek, Delaware, Bigelow, Cadron Settlement, Sequoia, Point Remove’ and Illinois Bayou park to various local sponsors. The lessee will maintain all structures, facilities, roads, ramps and utilities in the lease portions of the park. No new construction, modifications (except rehabilitation of existing structures) to existing structure or other activities beyond the lease action constitute the proposed action covered by this EA. Future improvements by the lessee will be subject to environmental review and approval by the Little Rock District, Corps of Engineers. Additional NEPA documentation preparation (i.e. EA, EIS, etc.) may be required depending on the scope of the future proposed action.

ENVIRONMENTAL ASSESSMENT

of LEASE ACTIONS AT various parks along the Arkansas River, McClellan-Kerr Arkansas River Navigation System, Arkansas

Table of Contents

EXECUTIVE SUMMARY

ES.1 Introduction

ES.2 Project Description and Alternatives

ES.3 Environmental Consequences

<u>1.0 INTRODUCTION</u>	<u>1</u>
<u>2.0 PROJECT PURPOSE AND NEED</u>	<u>1</u>
2.1 Project Purpose	1
2.1.1 Delineation of Study Area	2
2.2 Alternative Formulation Process	2
<u>3.0 PROPOSED ACTION AND ALTERNATIVES</u>	<u>4</u>
3.1 Introduction	4
3.2 Alternatives	4
<u>4.0 AFFECTED ENVIRONMENT</u>	<u>6</u>
4.1 Physical Resources	6
4.1.1 Topography/Physiography	6
4.1.2 Soils	6
4.2 Cultural Resources	7
4.2.1 Archaeological Resources	7
4.3 Water Quality	7
4.3.1 Surface Water	7
4.4 Wetlands	8
4.5 Aquatic Resources	9
4.6 Terrestrial Resources	9
4.6.1 Vegetation	10
4.6.2 Wildlife	10
4.7 Threatened and Endangered Species	11
4.8 Aesthetics	11
4.9 Socio-Economic Resources	13
<u>5.0 ENVIRONMENTAL CONSEQUENCES</u>	<u>17</u>
5.1 Definition of Key Terms	18
5.1.1 Direct Versus Indirect Impacts	18
5.1.2 Short-Term versus Long-Term Impacts	18
5.1.3 Significance	18
5.2 No Action Alternative	19
5.2.1 Physical Resources	19
5.2.1.1 Topography/Physiography	19
5.2.1.2 Soils	19
5.2.2 Cultural Resources	19
5.2.3 Water Quality	19
5.2.3.1 Surface Water	19
5.2.3.2 Ground Water	19
5.2.4 Wetlands	19
5.2.5 Aquatic Resources	19
5.2.6 Terrestrial Resources	19
5.2.6.1 Vegetation	19
5.2.6.2 Wildlife	20

5.2.7 Threatened and Endangered Species.....	20
5.2.8 Aesthetics.....	20
5.2.9 Recreation Resources.....	20
5.2.10 Socio-Economic Resources	20
5.2.11 Cumulative Impacts	20
5.3 Proposed Action Alternative (Construction of a new marina at Cove Creek Park).....	20
5.3.1 Physical Resources	20
5.3.1.1 Topography/Physiography	20
5.3.1.2 Soils	20
5.3.2 Cultural Resources	20
5.3.3 Water Quality.....	20
5.3.3.1 Surface Water	20
5.3.3.2 Ground Water	21
5.3.4 Wetlands	21
5.3.5 Aquatic Resources	21
5.3.6 Terrestrial Resources	21
5.3.6.1 Vegetation.....	21
5.3.6.2 Wildlife.....	21
5.3.7 Threatened and Endangered Species.....	21
5.3.8 Aesthetics.....	21
5.3.9 Recreation Resources.....	21
5.3.10 Socio-Economic Resources	21
5.3.11 Cumulative Effects	21
5.4 Conclusions.....	22

6.0 RELATIONSHIP OF PROJECT TO ENVIRONMENTAL REGULATIONS..... 24

7.0 LIST OF REFERENCES AND PERSONS CONTACTED..... 26

8.0 LIST OF ACRONYMS AND ABBREVIATIONS..... 28

APPENDIX A: Finding of No Significant Impact (FONSI)

APPENDIX B: Initial Agency Coordination

APPENDIX C: 30-Day Public Review Period Comments and Responses

1.0 INTRODUCTION

Hammerschmidt Lake (Trimble Lock & Dam), Ozark Lake (Ozark Lock & Dam), Lake Dardanelle (Dardanelle Lock & Dam), Rockefeller Lake (Ormond Lock & Dam), and Pool 8 (Toad Suck Lock & Dam) are major units in the multiple-purpose plan of development of the Arkansas River and tributaries, known as the McClellan-Kerr Arkansas River Navigation System. Hydroelectric power generation, navigation, recreation, water supply, bank stabilization, and enhancement of fish and wildlife resources are authorized project purposes.

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Arthur V. Ormond Lock and Dam and Toad Suck Ferry Lock and Dam on the Arkansas River have major multiple use component of the McClellan-Kerr Arkansas River Navigation System. Benefits other than navigation are derived through the use of impounded waters and the shoreline for recreation, soil conservation, and fish and wildlife management. Toad Suck Ferry Lock and Dam pool has a surface area of 4,130 acres and has a shoreline length of 47 miles. This pool extends 20.6 miles. Arthur V. Ormond Lock and Dam pool has a surface area of 4,910 acres and has a shoreline length of 100 miles.

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Information regarding the proposed action was provided by Mr. Miles Johnson, Lake Manager of Russellville Project Office via an email to Ms. Patricia Anslow, Chief Planning Office, Little Rock District, U.S. Army Corps of Engineers.

2.0 PROJECT PURPOSE AND NEED

2.1 Project Purpose

The Russellville Project is charged with the responsibility for operating and maintaining the recreation areas on John Paul Hammerschmidt, Ozark Lake, Lake Dardanelle, Rockefeller Lake,

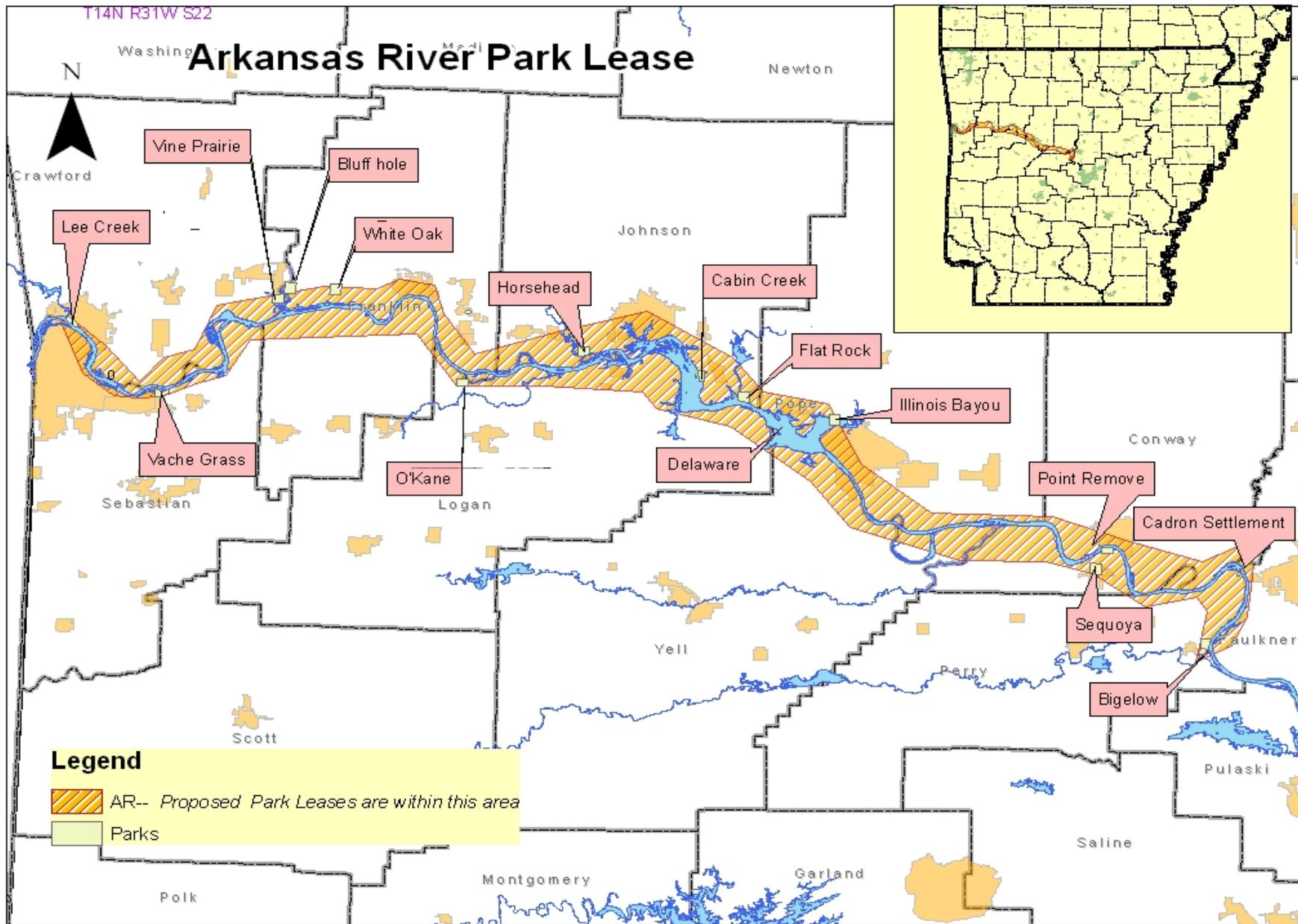
Lake, Arthur V. Ormond Locks and Dams and Toad Suck Ferry. The parks were constructed and are managed to provide a variety of outdoor recreational opportunities in a clean, safe park environment that will give equal opportunity and access to the water resources. The objective of the parks is to conserve and improve natural resources and the environment while enhancing the recreation facilities to the most cost effective and efficient manner considering present and future visitors' safety and enjoyment as the two most important factors. Due to Federal budget cutbacks various parks have been identified for closure. The purpose of this project is to continue public use of these parks through leasing them to various local sponsors. The **intent of this leasing action is to restore currently closed/partially closed parks to an operational status for the good of the public users by cooperating with the local communities when possible.**

2.1.1 Delineation of Study Area

These parks were selected because their current status is either closed or partially closed and thus not fulfilling the objective of the field offices.

2.2 Alternative Formulation Process

The alternatives to be considered in the environmental assessment were developed by the Little Rock District, USACE and Russellville Project Office as part of an agreement to allow local sponsors to maintain and operate Corps of Engineers owned parks through a 25-year lease. The parks are located within the Arkansas River corridor. Locations are listed in table 3.1.



3.0 PROPOSED ACTION AND ALTERNATIVES

3.1 Proposed Action

The Little Rock district of the US Army Corps of Engineers proposes a leasing action of Lee Creek, Vache Grasse, White Oak, Bluff Hole, Vine Prairie, O’Kane, Flatrock, Horse Head, Cabin Creek, Delaware, Bigelow, Cadron Settlement, Sequoia, Point Remove and Illinois Bayou parks to various local sponsors.

3.2 Alternatives

Alternative 1 Under Alternative 1 (No Action Alternative) the existing Lee Creek, Vache Grasse, White Oak, Bluff Hole, Vine Prairie, O’Kane, Flatrock, Horse Head, Cabin Creek, Delaware, Bigelow, Cadron Settlement, Sequoia, Point Remove, and Illinois Bayou parks would remain in their current condition of closed, partially closed and open only for day use. The No Action Alternative would include not leasing the identified parks to the local sponsors resulting in these parks to remain in their current condition of closed, partially closed and open only for day use as identified by the Corps in March 2005 due to Federal cutbacks and loss of operational budget. The purpose of leasing the parks is to allow public camping and other recreational activities at no cost to the COE. The No Action Alternative would reduce operational budget costs but fail to provide for public recreational use. See Table 3-1 for park status, facilities, location, acreage, and interested sponsors.

Alternative 2 Alternative 2 (Proposed Action Alternative) involves leasing of Lee Creek, Vache Grasse, White Oak, Bluff Hole, Vine Prairie, O’Kane, Flatrock, Horse Head, Cabin Creek, Delaware, Bigelow, Cadron Settlement, Sequoia, Point Remove’ and Illinois Bayou park to various local sponsors. The lessee will maintain all structures, facilities, roads, ramps and utilities in the lease portions of the park. **No new construction, modifications (except rehabilitation of existing structures) to existing structure or other activities beyond the lease action constitute the proposed action covered by this EA.** *Future improvements by the lessee will be subject to environmental review and approval by the Little Rock District, Corps of Engineers. Additional NEPA documentation preparation (i.e. EA, EIS, etc.) may be required depending on the scope of the future proposed action.*

TABLE 3-1

Parks	Status	Partner	Acreeage	Campsites	Paved Roads (Miles)	Other	Township and Range
Lee Creek	Park closed with ramp open by AGFC	TBD	155	14	4	1 Restroom 1 Boat Ramp - leased to AGFC 2 Parking Lots	Section 23, T-9-N, R-32-W, CRAWFORD CO., ARK.
Vache Grass	partially closed	City of Lavaca	230	24	2	5 Picnic Sites 1 Boat Ramp 1 Group Shelter 1 Restroom 1 Parking Lot	Section 30, T-8-N, R-30-W, SEBASTIAN CO., ARK.
White Oak	closed with road open	TBD	85	7	2	1 Boat Ramp 1 Parking Lot 1 Restroom	Section 34, T-10-N, R-28-W, FRANKLIN CO., ARK.
Bluff Hole	open by volunteer partnership with City of Mulberry	TBD	8	0	3	14 Picnic Sites 1 Group Shelter 1 Restroom 2 Parking Lots	Section 36, T-10-N, R-29-W, CRAWFORD CO., ARK.
Vine Prairie	open by volunteer partnership with City of Mulberry	TBD	185	20	3	1 Groups Shelter 2 Restrooms 1 Boat Ramp 2 Parking Lots	Sections 34 and 35, T-10-N, R-29-W, And Sections 2 and 3, T-9-N, R-29-W, CRAWFORD CO., ARK
O'Kane	closed with road open	TBD	31	0	0	1 Restroom 1 Launch Ramp 1 Parking lot 5 Picnic Sites 1 Mile Unpaved Road	Section 16, T-8-N, R-26-W, LOGAN CO., ARK.
Flatrock	closed	TBD	59	15	2	1 Dock 1 Launch Ramp 1 Pavilion 8 Parking lots 2 Restrooms	Section 10 & 15, T-8-N, R-22-W, JOHNSON CO., ARK.
Horse-head	closed with road open	TBD	110	11	1	1 Dock 1 Launch Ramp 6 Parking Lots 2 Restrooms	Section 29, T-9-N, R-24-W, JOHNSON CO., ARK.
Cabin Creek	closed with road open	TBD	51	9	1	1 Dock 1 Ramp 2 Parking Lots 1 Pavilion 2 Restrooms	Section 1, T-8-N, R-34-W, JOHNSON CO., ARK.
Delaware	partially closed	TBD	136	13	2	1 Launch Ramp 5 Parking Lots 1 Pavilion 3 picnic sites 2 Restrooms	Section 31, T-8-N, R-21-W, And Section 6, T-7-N, R-21-W, Yell Co., ARK.
Bigelow	Open by volunteer partnership with City of Bigelow	TBD	15	0	1/4 mile	1 Boat Ramp 4 Parking Lots 9 Picnic Sites 1 Group Shelter 2 Water Hydrants with Shelters 1 Restroom	Section 16, T-4-W, R-15-W, Perry Co.
Cadron Settlement	Open with interest to lease	City of Conway	74	0		2 Restrooms 2 Group Shelters 7 Parking Lots 7200ft. Of Trails with a Foot Bridge 1 Boat Ramp 24 Picnic Sites	Section 1, T-5-W, R-15-W. And Section 6, T-5-W, R-14-W. And Section 36, T-6-W, R-15-W. And Section 31, T-6-W, R-14-W. Perry Co., Ark.
Sequoia	partially closed, day use area closed	TBD	41	14	0.7	1 Basket Ball Court 1 Dumpster 7 Parking Lots 1 Pavilion 11 Picnic Sites Playground 1 Restroom 1 Shower house	Section 2, T-5-W, R-17-W, Conway Co.
Point Remove	Open by volunteer partnership with the City of Morrilton	City of Morrilton	91	16	0.5	1 Shower House (Closed for 25 yrs.) 1 Vault Restroom (Closed for 15 yrs.) 1 Boat Ramp 4 Parking Lots	Section 23-26, T-6-W, R-17-W, Conway Co.
Illinois Bayou*	unimproved area	City of Russellville	62	0	0	no facilities present	Section 25 T-8-N, R-21-W, Pope Co.

* not included in the Draft EA material.

4.0 AFFECTED ENVIRONMENT

4.1 Physical Resources

4.1.1 Topography/Physiography

The McClellan-Kerr Arkansas River Navigation System project area traverses many physiographic regions in Arkansas.

The major physiographic provinces of the area surrounding Toad Suck Ferry and Arthur V. Ormond Locks and Dams navigation pool is predominately bordered by flat alluvial flood plains with the Ozark Mountain Range to the north and the Ouachita Mountain Range to the south.

Rockefeller Lake and Lake Dardanelle are bordered by the Ozark Mountains on the North and the Ouachita Mountains on the south. The lower one-third of Lake Dardanelle is surrounded by tree-covered, rocky slopes including several clear water tributary streams. Rockefeller Lake and the upper two thirds of Lake Dardanelle are bordered by a predominately flat alluvial plain.

John Paul Hammerschmidt and Ozark Lakes are predominantly bordered by flat alluvial flood plains with the Ozark Mountain Range to the north and the Ouachita Mountain Range to the south.

Numerous levees have been constructed along these areas to provide flood protection for lands largely used for agricultural purposes.

The Arkansas River channel, within the Arkansas River Valley, varies from one-half up to several miles in width around the large bay areas. Two types of tributary streams feed the river in this stretch. Tributary streams are either narrow and confined by adjacent ridges or are gradual in slope and are associated with minor bottom ecosystems. Rocks exposed in the lake areas are of sedimentary origin and consist predominately of shale and sandstone.

4.1.2 Soils

The area surrounding, Toad Suck Ferry and Arthur V. Ormond Locks and Dams navigation pools is of the Arkansas Valley physiographic sub province of the Ouachita Mountains. Rocks comprising the uplands consist of sandstones and shales of Mississippian and Pennsylvanian age. Residual soils covering the upland bedrock formations range from highly plastic clays to sandy clay containing sandstone fragments. In general, the residual soils range from one to 10 feet in thickness. At several locations unconsolidated Pleistocene terrace deposits overlie bedrock and constitute the upland soils. In other areas they are intermediate in elevation between the upland bedrock and the Arkansas River floodplain. These soils were formed prior to deposition of the Arkansas River alluvial sediments and are often more firm due to their greater age. The terrace deposits consist of inter-bedded gravel, clay and sand, and are typically red. Locally, a well-sorted sand or gravel is found near the base of the terrace deposits, grading upward to silt or clay near the ground surface.

The residual soils at Lake Dardanelle and Ozark Lake are the result of weathering of underlying rock strata. In the areas where the bedrock is sandstone, the soils mantle generally consists of

sandy silt containing fragments of sandstone. These deposits vary in thickness up to five feet. The shale strata being less resistant to weathering has, a soil overburden of clay containing fewer rock fragments and reaching thicknesses up to 15 feet. Soils in some of the upland areas contain varying amounts of detrital or washed-in material controlled by the drainage and topography of the area.

The soils in the lowland of the Arkansas River flood plain of the entire project were deposited subsequent to melting of glaciers in late Pleistocene time. In general, the soils of this deposit grade from sand and gravel at their contact with bedrock to heterogeneous deposits of sand, silt, and clay at the ground surface. The materials comprising the alluvium tend to decrease in thickness upstream from an average of approximately 70 feet at Little Rock to approximately 40 feet at Fort Smith.

4.2 Cultural Resources

Cultural resources at all Arkansas River Parks are managed by implementing the policies and guidelines established by Federal archaeological and historic preservation laws and regulations. The following laws and regulations provide the basis for the cultural resources management program: Antiquities Act of 1906 (Public Law 59-209); Historic Sites Act of 1935 (Public Law 74-292); Reservoir Salvage Act (Public Law 86-523); National Historic Preservation Act of 1966 (Public Law 89-665); Archaeological and Historic Preservation Act of 1974 (Public Law 993-291); the Archaeological Resources Protection Act of 1979; and the Native American Graves Protection and Repatriation Act of 1990 (Public Law 101-601; 104 Stat. 3048; 25 USC 3001-13) (USACE, 1997).

4.2.1 Archaeological and Historical Resources

Formal cultural resources investigations have taken place at only two of the parks in this study. Testing of the Cadron Settlement site (3FA25) occurred in 1973 with four weeks of field work under the direction of Samuel D. Smith of the Arkansas Archeological Survey. Testing revealed stratified 19th century remains and the site was subsequently determined to be eligible for inclusion into the National Register of Historic Places (Smith 1974). In 2004, Lynita Langley-Ware performed limited archeological testing in conjunction with the construction of a wheelchair ramp. The results of this testing are not yet available (Stewart-Abernathy and Langley-Ware 2004).

In 1993, David Williamson performed an archeological survey of the Cabin Creek Public Access Area. Two previously recorded sites were revisited. One site had been destroyed by a commercial rock quarry and the other was not impacted. No new sites were identified. No further archeological work was recommended (Williamson 1993).

4.3 Water Quality

4.3.1 Surface Water

The Arkansas River, one of the country's major watersheds, begins high in the Rocky Mountains of Colorado. The river descends the steep eastern slopes of the Continental Divide as a clear, narrow mountain stream. By the time it moves through Kansas and Oklahoma into Arkansas, the Arkansas River has become a slower-moving wide river in a broad, flat alluvial valley.

The surface water of the Arkansas River Basin is affected by several sources of pollution located along its pathway. Many of the cities located adjacent to the Arkansas River and its tributaries discharge sewage plant effluent into these waters.

Two other sources of pollution to the Arkansas River are located in Oklahoma. These are the heavy sediment load discharged by the Upper Arkansas, Cimarron, and Canadian Rivers and the massive chloride concentration discharged by the Cimarron, Salt Fork, and the Canadian Rivers. Corps projects located in Oklahoma have reduced the volume of pollutants through sedimentation.

The surface water of tributary streams emptying into Ozark Lake and Lake Dardanelle is generally of good quality. These streams receive runoff from the Ozark and Ouachita Mountains, and typically have streambeds of sand and gravel with a low silt load. This results in clear water embayments at their confluence with the lake.

Water quality suffers in Ozark, John Paul Hammerschmidt, Dardanelle and Rockefeller Lakes during periods of high flow. Watershed erosion evident in tributary streams of all the lakes, results in high turbidity. For example the Petit Jean River which enters the Arkansas River at navigation mile 187, has a high silt load and is a major source of nonpoint pollution due to agricultural runoff, resulting in decreased water quality in Rockefeller Lake.

An approximate 2-mile segment of the Arkansas River below Dardanelle Reservoir (pool #10) occasionally had dissolved oxygen (DO) values below the state's standard (<5 mg/L) during the summer period. This is related to hydropower releases from the upstream reservoir when very low DO values exist in the deeper levels of the reservoir. These low values recover quickly downstream of the reservoir under low to moderate generation flows and in the presence of photosynthesis activity from planktonic algae (ADEQ 2002). A 2 mile segment below the reservoir was added to the 2004 Impaired Waterbodies list which is prepared by ADEQ pursuant to Section 303(d) of the Federal Water Pollution Control Act.

4.4 Wetlands

Wetlands are complex habitats that are transitional from dry land to open water, and they have soil, water, and plant components. Wetlands are defined as those areas inundated or saturated by surface or ground water at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands found within the study area include many different types. All wetlands must have a dominance of rooted wetland vegetation. The major wetlands within the area include, but are not limited to the following locally described types, swamps, emergent wetlands, marshes, and bottomland hardwood wetlands.

In northwestern Arkansas the study area is within the broad trough of the Arkansas River Valley. This region includes the alluvial valley of the Arkansas River, as well as bottomlands and terraces associated with tributary streams, and other landforms that occur within the portion of the Ouachita Mountains that drains to the Arkansas River. Consequently, this region includes wetlands similar to those of the lowlands, as well as elements of mountain wetland systems.

However, intensive agricultural development on the fertile terraces and river bottoms, and navigation projects on the Arkansas River have altered or eliminated many historic wetlands.

Wetlands along the middle Arkansas River include tracts of bottomland hardwoods found in floodplain connected and unconnected depression wetlands, connected and unconnected oxbow lake margin wetlands, reservoir fringe wetlands, low-gradient backwater wetlands, and low-gradient over bank wetlands (Arkansas Multi-Agency Wetland Planning Team 2004).

4.5 Aquatic Resources

The fishery resource of the Arkansas River is probably the most important recreational resource of the general area. Utilization of this resource has greatly improved upon completion of the project. Completion of the upstream components of the navigation system has caused the water to become less turbid due to silt being deposited in the upstream lakes and to stabilize bank and channel conditions. The fishery has further benefited by increased water levels and increased minimum flows. Substantial fisheries have developed immediately downstream from all locks and dams. The various species of catfish, white bass, and sauger are prevalent in the tailwater areas. The dominate sport fish species in the pools are largemouth bass, crappie, white bass, catfish, and the recently-introduced striped bass. The Arkansas Game and Fish Commission has stocked numbers of native game fish in the navigation pools.

The pools and lakes provide habitat for largemouth and spotted bass, white and striped bass, crappie, catfish, green sunfish, redear sunfish, bluegill, and other sunfish species, sauger, carp, buffalo, gar and drum. Non-game species include a variety of minnows, shad, and silversides, as well as mussels and numerous invertebrates. Fishes of Arkansas by Robinson and Buchanan, University of Arkansas press, Fayetteville, 1988, is an excellent reference book for fish identification and distribution.

Fisheries on project lakes support both sport and commercial fishing. Management of the fisheries is carried out in cooperation with the Arkansas Game and Fish Commission. The commission monitors fish populations through rotenone sampling, electro-shocking, netting and observing commercial fishermen. Results from these techniques aid in determining age composition, species densities and health characteristics.

The commission also operates a 100-acre nursery pond which empties into Lake Dardanelle near Knoxville. Dependent on species densities in the lake, such species as largemouth bass, crappie, sauger and shad are raised to fingerling size and released into the lake.

Numerous bass tournaments are held on the pools and lakes each year. The Arkansas State Parks Division has constructed a tournament area consisting of a launching ramp and parking lot enlargement and a weigh-in area at Lake Dardanelle State park. The facility was greatly needed, as none of the State Parks or COE facilities could efficiently handle large bass tournaments. Local bass clubs have assisted both in lakeshore cleanup and in building and installing fish habitat structures in embayment areas.

The zebra mussel, an invasive species, was found in the Arkansas River System around 1992, at which time, the Little Rock District appointed a committee to oversee concerns regarding the

mussel. All of the Lock and Dams have census devices in place to monitor population fluctuations. Entergy Corporation has initiated a population growth study through Arkansas Tech University Fisheries and Wildlife Department.

4.6 Terrestrial Resources

4.6.1 Vegetation

The minor and major bottomland ecosystem adjacent to the river valley is generally used for agriculture and the upper elevations are usually forested. Over 75 species of trees have been reported in the project area, including at least 14 oak species.

Vegetation adjacent to the Arkansas River on Dardanelle, Rockefeller, Ozark and John Paul Hammerschmidt Lakes are those typical of a major bottom system. Major forest vegetation types occurring in these areas include: cottonwood, ash, box elder, hackberry, sugarberry, pecan, black willow, river birch, rough-leafed dogwood, plums, mulberry, overcup oak, shumard oak, water oak, and associated midstory and understory species.

Vegetation found along the flat gradual tributaries are those typically associated with minor bottoms systems. Dominant vegetative types in these areas include: wateroak, pin oak, willow oak, shumard oak, cherrybark oak, overcup oak, burr oak, ash, sycamore, silver maple, mulberry, black willow elm, water hickory, swamp privet, and associated midstory and understory species. This ecosystem is the richest in terms of species diversity and serves as the transition from bottomland to upland ecosystem.

Narrow tributary streams descending from adjacent mountain ranges are dominated by upland hardwoods, shortleaf pine, or mixed upland pine-hardwood associations. Examples of upland hardwoods would include: white oak, post oak, southern red oak, northern red oak, blackjack oak, mockernut hickory, black hickory, black gum, eastern red cedar, with a variety of midstory and understory species such as flowering dogwood, pawpaw, black cherry and elm.

Wildflowers on moist and less exposed sites include trillium, trout lily, mayapple, Solomon's-seal, bellwort, geranium, columbine, bloodroot, phlox, golden ragwort, and violets. Wildflowers found on dry sites include wild verbena, phlox, spiderwort, birdsfoot violet, bluet, false garlic, prickly pear cactus, sunflowers, goldenrod, asters and blazing stars.

4.6.2 Wildlife

The primary species managed for on the project include the white-tailed deer, gray and fox squirrels, gray and red fox, cottontail and swamp rabbit, interior least tern, bald eagle, eastern wild turkey, bobwhite quail, ducks, and a variety of migratory waterfowl and non-game bird species. A variety of waterfowl species can be viewed at all times of the year.

Some species, such as the beaver and native populations of Canada geese, have become overpopulated in certain areas, and must be managed to limit their population. Contracts have been awarded and in house efforts have been made to trap beavers in areas where they have caused extensive flood damage. The first Canada goose hunting season in Western Arkansas

since the late 1970's was initiated in 1992. The resident population of giant Canada geese is a result of the AGFC's Giant Canada goose Restoration Project initiated in the late 70's. The rearing pen facilities were phased out in 1992.

4.7 Threatened and Endangered Species

The bald eagle (*Haliaeetus leucocephalus*) is a large, long-lived bird of prey restricted in distribution to North America. Bald eagles use large areas for hunting, and they are almost always associated with open water such as lakes and rivers. The bulk of the eagles' diet is fish, but bald eagles are opportunistic and will supplement their diet with a variety of living and dead vertebrate species. Bald eagles use large trees for roost sites, and they are sensitive to disturbance, especially during the late fall to early spring nesting season in the southeast. Radical changes in the eagles' environment can be detrimental (USFWS, 1989). The Arkansas River System provides excellent winter habitat for bald eagles. The bald eagle was federally listed as endangered in 1978, however due to population increases; the population was down-listed to threatened in 1995 and was proposed for delisting in 2000. Bald eagles are known nesters in Arkansas, and one nest in the vicinity of Ozark Lake has been identified at River Mile 290.

Each year the Ozark, Dardanelle and Toad Suck Ferry Field Offices participate in the Midwinter Bald Eagle Survey conducted by the National Biologic Service in Alabama, Mississippi, Louisiana, and Arkansas. A survey is conducted by boat on Ozark and John Paul Hammerschmidt lakes, Toad Suck Ferry and Arthur V. Ormond Locks and Dams, and Lake Dardanelle and Rockefeller Lake to count mature bald eagles and golden eagles. This survey has revealed a gradual increase in wintering and nesting population in Arkansas and along the Arkansas River since the survey was initiated in 1979. In addition to the annual eagle survey, the Project Offices River Survey Crew reports information on eagle sightings throughout the year.

Interior Least Tern: Prior to the construction of the McClellan-Kerr Arkansas River Navigation System, the Arkansas River contained numerous islands and sand bars that provided desirable nesting habitat for the least tern. There are no records of the least tern nesting along the Arkansas River for a number of years after the navigations system became operational. The continued natural deposition of sediment and placement of dredged material into slack water areas and behind revetments has created new islands and sand bars in and along the Arkansas River that are being used as nesting sites by the least tern. Field Office personnel conduct aerial and ground surveys annually of least tern nesting sites. Data such as adult population, number of eggs, and number of juveniles are recorded and an annual summary is submitted to the Little Rock District office.

4.8 Aesthetics and Recreation

The recreational areas associated with the MKARNS and its associated upstream reservoirs provide recreational and aesthetic opportunities to millions of visitors annually. Table 4-1 portrays the trends in annual visits to the lakes and reservoirs associated with the McClellan-Kerr Navigation System. These annual visitations translate into substantial economic impacts to the local economies in the form of direct and indirect employment, business volume and income.

Table 4-1. Trends in Annual Visits.				
Lake	2002	1999	1996	1993
Arkansas				
Dardanelle Lake	2,908,987	1,995,185	2,136,266	3,863,000
Hammerschmidt Lake (J.W. Trimble L & D No.13)	563,819	864,721	1,135,563	1,219,000
Ozark Lake	431,784	463,231	502,802	471,000
Rockefeller Lake (Arthur Ormond L & D No. 9)	241,830	203,280	346,290	414,000
Toad Suck Ferry L & D No. 8	452,319	447,968	614,254	891,000
Total	4,598,739	3,974,385	4,735,175	6,858,000

a. Ozark Field Office – The USACE, Little Rock District’s Ozark Field Office is responsible for recreational activities from the Oklahoma-Arkansas border downstream to Ozark-Jeta Taylor Lock and Dam (No. 12). This area includes John Paul Hammerschmidt Lake, which was formed by J.W. Trimble Lock and Dam (No. 13), and Ozark Lake, which was formed by Ozark-Jeta Taylor Lock and Dam.

Four parks are located along the banks of Ozark Lake. Vine Prairie Park, open by a volunteer partnership with the City of Mulberry along with Bluff Hole Park, has a boat ramp and allows overnight camping. Vache Grasse Park and White Oak Park are for partially closed and closed with a road open respectively.

The Ozark Field Office only manages the Arkansas portion of John Paul Hammerschmidt Lake. The Lee Creek area has a boat launching ramp only and is leased to the Arkansas Game and Fish Commission.

All game fish native to Arkansas are in abundance in Hammerschmidt and Ozark Lakes. The Arkansas Game and Fish Commission (AGFC) also stocked both lakes with striped bass and walleye. The tail waters below Ozark-Jeta Taylor and J.W. Trimble Locks and Dams provide some of the best sauger fishing in the nation. Hunting for common game species, including deer, quail, squirrel, rabbit, dove, wild turkey, ducks and geese during open State hunting season is possible in many areas. Ducks Unlimited Inc., in partnership with AGFC and USACE, built moist soil units near Vine Prairie Park to improve duck hunting opportunities within the area. The USACE land and water areas are managed under a license agreement with the Arkansas Game and Fish Commission.

g. Dardanelle Field Office – The USACE, Little Rock District’s Dardanelle Field Office maintains the area along the Arkansas River downstream of the Ozark-Jeta Taylor Lock and Dam (No. 12) to the Arthur V. Ormond Lock and Dam (No. 9). This area includes Lakes Dardanelle and Winthrop Rockefeller, which spread westward behind Dardanelle Lock and Dam (No. 10) and Arthur V. Ormond Lock and Dam, respectively.

Five parks are located along the banks of Lake Dardanelle. O’Kane Park, Flat Rock Park, Horsehead Park, Cabin Creek Park and Delaware Park are closed with the exception of boating access to the river.

Wildlife viewing is another popular activity in the region, especially with regard to the bald eagles, which are often winter residents along the shorelines of the lakes. Several nesting pairs have been documented over the past five years on the lake. The abundant fish and wildlife of the area also provide for ample fishing and hunting opportunities. Record flathead, blue, and channel catfish are caught from the Arkansas River. Sunfish, crappie, and largemouth bass are stocked by the AGFC, which reports that Lake Dardanelle is the most productive bass fishery in the State of Arkansas. Hunting for game is bolstered by the river’s close proximity to the Ozark and Ouachita National Forests.

h. Toad Suck Field Office – The USACE, Little Rock District’s Toad Suck Field Office maintains the area along the Arkansas River downstream of Arthur V. Ormond Lock and Dam (No. 9) to Murray Lock and Dam (No. 7). Located in between these two locks and dams are the pools formed by Toad Suck Ferry Lock and Dam (No. 8) and Murray Lock and Dam.

Several USACE parks are located upstream of Toad Suck Ferry Lock and Dam. Cadron Settlement Park, open by a volunteer partnership with the City of Conway, just 2 miles upstream of the dam, does not permit overnight camping. Sequoyah Park, located south of Morrilton, is a Class A facility (fully equipped, including trailer dump stations). Currently Point Remove Park is open by a volunteer agreement with the city of Morrilton. Upstream of Murray Lock and Dam is Bigelow Park which permits camping. All of the USACE parks have a boat launch ramp with the exception of Sequoyah Park.

The Toad Suck area provides approximately 19,000 acres of water and supports excellent fishing opportunities. Hunting for game species is also a popular activity. The Tollantusky Trail, named after the Cherokee chief, is located along the Arkansas River in Cadron Settlement Park. The 1.3-mile mountain bike and footpath is a popular outdoor destination. The park is of historic importance because of it’s role in the massive Cherokee Nation forced migration to Indian Territory “the Trail of Tears” and because it was an early seat of government to the developing territory.

The Ozark, Dardanelle and Toad Suck Field Offices are all administratively managed by the Russellville Project Office.

4.9 Socio-Economic Resources

The region of economic impact is Conway, Crawford, Franklin, Johnson, Logan, Perry, Sebastian and Yell Counties in the State of Arkansas. These counties represent the area surrounding the project. These counties represent the Arkansas River System study area.

Table 4-2 portrays population trends from 1980 to 2000, with comparative data for the State of Arkansas. According to U.S. Census data, this area experienced an average increase of 24.75 percent in population from 1980 to 2000, with a growth rate that has exceeded 150 percent during the same time period.

County	2000 (Estimate)	1990	1980	Change 1980- 00	Percent Change 1980-00
Conway	20,336	19,151	19,505	831	4
Crawford	53,247	42,493	36,892	16,355	44
Franklin	17,771	14,897	14,705	3,066	21
Johnson	22,781	18,221	17,423	5,358	31
Logan	22,487	20,557	20,144	2,343	12
Perry	10,209	7,969	7,266	2,943	41
Sebastian	115,071	99,590	95,172	19,899	21
Yell	21,139	17,759	17,026	4,113	24
Arkansas (State)	2,673,400	2,350,624	2,286,435	38,6965	17

Source: U.S. Census Bureau.

The following discussion of environmental justice issues has been developed to address three Presidential Executive Orders:

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority and Low-Income Populations. On February 11, 1994, President Clinton issued Executive Order 12898, Federal Actions to Address Environmental Justice in Minority and Low-Income Populations. The purpose of this executive order is to avoid the disproportionate placement of adverse environmental, economic, social, or health impacts from Federal actions and policies on minority and low-income populations or communities. An element emanating from this order was the creation on an Interagency Federal Working Group on Environmental Justice comprised of the heads of seventeen Federal departments and agencies, including the U.S. Army. Each department or agency is to develop a strategy and implementation plan for addressing environmental justice.

It is the Army's policy to fully comply with Executive Order 12898 by incorporating environmental justice concerns in decision-making processes supporting Army policies, programs, projects, and activities. In this regard, the Army ensures that it would identify, disclose, and respond to potential adverse social and environmental impacts on minority and/or low-income populations within the area affected by a proposed Army action. The initial step in this process is the identification of minority and low-income population that might be affected by implementation of the proposed action or alternatives. For environmental justice considerations, these populations are defined as individuals or groups of individuals, which are subject to an actual or potential health, economic, or environmental threat arising from existing or proposed Federal actions and policies. Low income is defined as the aggregate annual mean income for a family of four in 2000 of \$17,601.

Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. On April 21, 1997, President Clinton issued Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This Executive Order recognizes that a growing body of scientific knowledge demonstrates that children may suffer disproportionately from environmental health risks and safety risks. These risks arise because children's bodily systems

are not fully developed; their size and weight can diminish protection from standard safety features; and because their behavior patterns can make them more susceptible to accidents. Based on these factors, President Clinton directed each Federal agency to make it a high priority to identify and assess environmental health risks and safety risks that might disproportionately affect children. President Clinton also directed each Federal agency to ensure that its policies, programs, activities, and standards address disproportionate risks to children that result from environmental health risks or safety risks.

It is the Army’s policy to fully comply with Executive Order 13045 by incorporating these concerns in decision-making processes supporting Army policies, programs, projects, and activities. In this regard, the Army ensures that it would identify, disclose, and respond to potential adverse social and environmental impacts on children within the area affected by a proposed Army action.

The race and income demographics of the counties also differ from State averages. Table 4-3 details the race populations, per capita income, and poverty levels for Conway, Crawford, Franklin, Johnson, Logan, Perry, Sebastian and Yell Counties and the State.

Table 4-3. Race and Income Demographics 1980-2000.					
County	Total Race Population	White Population	% Non-white pop. (2000)	Per Capita Income (1999 \$)	% Persons in Poverty (1999 %)
Conway	20,336	17,137	15.8%	16,056	16.1%
Crawford	53,247	49,087	9%	15,015	14.2%
Franklin	17,771	17,091	4%	14,616	15.2%
Johnson	22,781	21,344	6.5%	15,097	16.4%
Logan	22,487	21,690	3.7%	14,527	15.4%
Perry	10,209	9,762	4.3%	16,216	14%
Sebastian	115,071	94,745	21.2%	18,424	13.6%
Yell	21,139	18,312	14.1%	15,383	15.4%
Arkansas (State)	2,673,400	2,138,598	20.8%	16,904	15.8%

Source: U.S. Census Bureau.

General population characteristics of the area for median age, household size, and income are presented in Table 4-4. Reflective of the nature of a majority of the in-migrating population, the median age and household size for the counties is on average with the State of Arkansas. The percent of the area’s population below poverty level and median household income is approximately the same as for the State of Arkansas.

County	Median Age 2000	Median Household Size 2000	Percent of Persons Below Poverty Level 1999²	Median Household Income, 1999²
Conway	37.9	2.51	16.1	31,209
Crawford	35.1	2.68	14.2	32,871
Franklin	37.6	2.51	15.2	30,848
Logan	38	2.53	15.4	28,344
Johnson	36.4	2.54	16.4	27,910
Perry	38	2.54	14	31083
Sebastian	35.5	2.49	13.6	33,889
Yell	36.1	2.61	15.4	28,916
<i>Arkansas</i>	<i>36</i>	<i>2.49</i>	<i>15.8</i>	<i>\$32,182</i>

¹ Source: 2000 U.S. Census.
² Source: U.S. Census, Demographic Profiles.

Table 4-5 portrays selected housing characteristics of number of housing units, median housing values and occupancy status for the study area. The median value of owner-occupied housing (\$54,500) is lower than that of the State of Arkansas in 2000, while both the percent of owner-occupied units is higher and percent of vacant units is approximately the State average.

County	Number of Units	Median Value (Owner-Occupied)	Percent Owner Occupied¹	Percent Vacant
Conway	9028	\$59,400	78.1	11.8
Crawford	21315	\$71600	75.9	7.6
Franklin	7673	\$58,500	78.1	10.3
Logan	9942	\$54,000	77.1	12.6
Johnson	9926	\$59,300	73.1	12
Perry	4702	\$58,700	82.2	15.2
Sebastian	49311	\$73,300	63.5	8.1
Yell	9157	\$60,600	72.9	13.5
<i>Arkansas</i>	<i>1,173043</i>	<i>\$72,800</i>	<i>69.4</i>	<i>11.1</i>

¹ Represents percent of total occupied units.
Source: U.S. Census of Housing, 2000

Table 4-6 portrays the distribution of employment by industry sector for the county area based upon the U.S. Bureau of Economic Analysis data. This table lists the business sectors in the counties and state. Included is the number of persons employed per industry, annual payroll (in thousands of dollars), and the total number of establishments per industry. The employment distribution is well diversified and generally reflects that of the State of Arkansas with services, construction and finance and insurance comprising the major employment sectors respectively.

TABLE 4-6

Full and Part Time Non-Farm Employment by Industry Sector (percent), 1997									
Industry Sector	Conway	Crawford	Franklin	Johnson	Logan	Perry	Sebastian	Yell	Arkansas
	County	County	County	County	County	County	County	County	
Total									
Employees	5,695	16,772	3,144	7,430	4,876	617	72,929	5,912	990,830
Annual Payroll	133,805	390,464	61,872	137,607	94,596	10,468	1,860,678	109,208	24,663,335
Total Establishments	409	915	281	398	381	121	3,305	375	63,185
Mining									
Employees	20-99	250-499	20-99	0-19	20-99	0-19	435	0-19	3,161
Annual Payroll	-	-	-	-	-	-	16,780	-	107,246
Total Establishments	1	4	3	2	4	2	43	1	272
Forestry, fishing, hunting, and agriculture support									
Employees	14	20-99	0-19	12	24	0-19	0-19	88	6,034
Annual Payroll	164	-	-	223	467	-	-	1,632	137,814
Total Establishments	4	4	2	4	5	2	2	14	916
Construction									
Employees	889	3,938	1,045	3,370	2,213	40	23,950	2,882	48,616
Annual Payroll	35,309	96,489	21,855	65,618	51,119	679	710,842	53,966	1,278,836
Total Establishments	25	60	18	39	30	6	216	22	5,724
Manufacturing									
Employees	300	2,816	59	136	55	3	1,517	145	235,578
Annual Payroll	8,881	97,462	1,353	2,632	1,024	31	44,155	2,981	6,610,707
Total Establishments	15	53	11	4	19	4	100	20	3,245
Transportation & warehousing									
Employees	266	491	65	38	71	0-19	2,311	98	44,799
Annual Payroll	8,781	12,657	752	869	1,021	-	64,156	1,349	132,963
Total Establishments	24	59	7	5	10	5	234	13	2,439
Wholesale trade									
Employees	943	1,874	475	883	717	158	8,347	578	44,822
Annual Payroll	15,223	30,355	6,885	13,949	10,598	1,597	147,907	8,289	1,401,612
Total Establishments	95	164	57	93	85	22	612	77	3,505
Retail trade									
Employees	118	293	141	172	194	56	1,748	181	135,143
Annual Payroll	2,810	8,369	2,914	3,670	4,612	1,301	57,003	4,822	2,268,341
Total Establishments	18	49	22	22	26	7	212	17	12,211
Finance & insurance									
Employees	2,027	3,309	787	1,363	1,174	185	27,726	1,296	33,388
Annual Payroll	27,812	52,860	11,989	24,229	15,863	2,656	634,032	22,847	1,179,188
Total Establishments	118	293	92	153	114	35	1,255	112	3,647
Services									
Employees	2027	3309	787	1363	1174	185	27726	1296	408132
Annual Payroll	27812	52860	11989	24229	15863	2656	634032	22847	9084459
Total Establishments	118	293	92	153	114	35	1255	112	28671

5.0 ENVIRONMENTAL CONSEQUENCES

5.1 Definition of Key Terms

The following paragraphs define key terms used throughout this section.

5.1.1 Direct Versus Indirect Impacts

The terms impact and effect, are synonymous as used in this EA. Impacts may be determined to be beneficial or adverse, and may apply to the full range of natural, aesthetic, historic, cultural, and economic resources of the project area and its surroundings. Definitions and examples of direct and indirect impacts as used in this document are as follows:

- **Direct Impact.** A direct impact is caused by the proposed action, and occurs at the same time and place.
- **Indirect Impact.** An indirect impact is caused by the proposed action and is later in time or farther removed in distance, but is still reasonably foreseeable.

Application of Direct versus Indirect Impacts. For direct impacts to occur, a resource must be present in a particular area. For example, if highly erodible soils were disturbed due to construction, there would be a direct impact to soils from erosion at the construction site. Sediment laden runoff would indirectly affect water quality in adjacent areas downstream from the construction site.

5.1.2 Short-Term versus Long-Term Impacts

In this context, short-term and long-term do not refer to any rigid time period and are determined on a case-by-case basis in terms of the environmental consequences of a proposed action. A summary impact matrix is presented at the end of Section 5 on Table 5.2. The summary impact matrix table illustrates the environmental impacts for each resource category associated with each of the alternatives considered.

5.1.3 Significance

The term “significant” as used in National Environmental Policy Act (NEPA) requires consideration of both the context and intensity of the impact evaluated. Significance can vary in relation to the context of a proposed action. For a proposed action, context may include consideration of effects on a national, regional, and/or local basis. Both short-term and long-term effects may be relevant. Factors contributing to the intensity of an impact include:

- The degree to which the action affects public health or safety;
- The proximity of the action to resources which are legally protected by various statutes and regulations such as jurisdictional wetlands, sites and buildings listed on or eligible for listing on the National Register of Historic Places, regulatory floodplains, and Federally-listed Threatened and Endangered species;
- The degree to which the effects of the action on the quality of the human environment are likely to be highly uncertain or controversial;

- Whether the action is related to other actions that are individually insignificant but cumulatively significant; and
- Whether the action threatens to violate federal, state, or local law imposed for the protection of the environment.

5.2 No Action Alternative

5.2.1 Physical Resources

5.2.1.1 Topography/Physiography

There would be no impacts to the topography/physiography of the Arkansas River Valley System or Lee Creek, Vache Grasse, White Oak, Bluff Hole, Vine Prairie, O’Kane, Flatrock, Horse Head, Cabin Creek, Delaware, Bigelow, Cadron Settlement, Sequoya, Point Remove or Illinois Bayou Parks as a result of implementing the No Action Alternative.

5.2.1.2 Soils

Under the No Action Alternative, there would be no effect to soils at the aforementioned parks.

5.2.2 Cultural Resources

Under the No Action Alternative, there would be no effect to cultural resources at the aforementioned parks.

5.2.3 Water Quality

5.2.3.1 Surface Water

Under the No Action Alternative, there would be no change in the surface water quality at the project area.

5.2.3.2 Ground Water

Under the No Action Alternative, no impacts to ground water are expected.

5.2.4 Wetlands

Under the No Action Alternative, no wetlands in the vicinity of the parks would be affected.

5.2.5 Aquatic Resources

Under the No Action Alternative, no aquatic resources in the vicinity of the project area would be affected.

5.2.6 Terrestrial Resources

5.2.6.1 Vegetation

The vegetation of the area should return to a more natural condition in areas not subject to periodic cuttings.

5.2.6.2 Wildlife

A minor indirect benefit to the wildlife habitat in areas due to the lack of maintenance.

5.2.7 Threatened and Endangered Species

There would be no reasonable foreseeable adverse impacts to threatened and endangered species as a result of implementing the No Action Alternative.

5.2.8 Aesthetics

The No Action Alternative would leave the aforementioned parks in its present condition as an existing Corps of Engineers Park. There would be foreseeable adverse impacts to the aesthetics since the parks would not be open, operated and maintained on a frequent basis.

5.2.9 Recreation Resources

Under the No Action Alternative, minor longterm adverse impacts as the parks would remain in their current condition with many of the parks closed, partially open or open for day use only.

5.2.10 Socio-Economic Resources

The No Action Alternative could have a minor adverse impact to local economy due to park closure.

5.2.11 Cumulative Impacts

Under the No Action Alternative, there would be no stimulus for cumulative effects.

5.3 Proposed Action Alternative (Lease parks to local sponsors)

5.3.1 Physical Resources

5.3.1.1 Topography/Physiography

There would be no adverse impacts by implementing the Proposed Action Alternative.

5.3.1.2 Soils

Under the Proposed Action Alternative, there would be no adverse effects to soils at the Parks.

5.3.2 Cultural Resources

There proposed action would be result in no effect. However, in accordance with section 106 of the National Historic Preservation Act, a cultural resources survey will be conducted before any activities outside of normal operation and maintenance within the parks. This work shall be done in consultation with the State Historic Preservation Office, appropriate Native American Tribes, and any other interested parties.

5.3.3 Water Quality

5.3.3.1 Surface Water

With the implementation of the Proposed Action Alternative no adverse impacts on the water quality of the Arkansas River System are expected.

5.3.3.2 Ground Water

Under the proposed action alternative, no impacts to ground water are expected.

5.3.4 Wetlands

There have been no wetlands identified in the project area. Thus, under the proposed action alternative, no impacts to wetlands are expected.

5.3.5 Aquatic Resources

No direct adverse impacts from the project would be associated with the proposed action alternative.

5.3.6 Terrestrial Resources

5.3.6.1 Vegetation

There should be no adverse impact to the vegetation feature by following normal maintenance operations.

5.3.6.2 Wildlife

There should be no adverse impact to the wildlife feature by following normal maintenance operations.

5.3.7 Threatened and Endangered Species

There are will be no affects expected from the leasing action.

5.3.8 Aesthetics

A beneficial impact should be expected by continuing maintenance operations.

5.3.9 Recreation Resources

Long-term beneficial impacts are expected to accrue to those who would use the parks. With the upkeep of the parks locals and visitors would have greater access to the lake and expanded recreation opportunities. Currently many of the parks are only open for day use or just the launching ramps for boating activities. Many of the parks do not have the funding for typical operation and maintenance. Under the proposed action alternative the local sponsors would sign an agreement to lease the parks and would be responsible for normal upkeep of the park and all the facilities included in that park.

5.3.10 Socio-Economic Resources

Under the proposed action alternative, there would be minor beneficial impacts to the socio-economic environment. These localized impacts would be related to the increased expenditures associated with boats, boat maintenance, fuel, and other recreational purchases.

5.3.11 Cumulative Effects

Under the proposed action alternative, cumulative effects to the study area could occur. It is anticipated that all of these effects would be minor, assuming they ever materialized. These

effects would potentially include increased traffic on local roads, increased development near Lee Creek, Vache Grasse, White Oak, Bluff Hole, Vine Prairie, O’Kane, Flatrock, Horse Head, Cabin Creek, Delaware, Bigelow, Cadron Settlement, Sequoya, Point Remove and Illinois Bayou parks on private property, road improvements, and a reduction in aesthetics due to increased development. Increased traffic is an expected impact due to park users traveling to and from the area. Increased traffic would lead to increased air and noise pollution. Road improvements, although enhancing safety, can lead to short-term increased erosion changes.

5.4 Conclusions

Alternative 1

Implementation of **Alternative 1** (No Action Alternative) would result minor adverse to the Lee Creek, Vache Grasse, White Oak, Bluff Hole, Vine Prairie, O’Kane, Flatrock, Horse Head, Cabin Creek, Delaware, Bigelow, Cadron Settlement, Sequoya, Point Remove or Illinois Bayou Parks. There would be foreseeable adverse impacts to the aesthetics since the parks would not be open, operated and maintained on a frequent basis. The area would continue to be managed according to the current policies of the U.S. Army Corps of Engineers and recreational resources would suffer as they remain in their current condition with many of the parks closed, partially open or open for day use only.

Alternative 2

Implementation of **Alternative 2** (Proposed Action Alternative). There would be minor, long-term beneficial impacts to recreational resources, primarily for those individuals that would use the parks. There would also be minor long-term beneficial impacts to socio-economic resources for the surrounding small businesses. These localized impacts would be related to the increased expenditures associated with boats, boat maintenance, dock purchases, fuel, and other recreational purchases.

Implementation of the Proposed Action Alternative would have no impacts to wetlands, archeological resources, historical resources, groundwater, or threatened and endangered species.

No environmental or socioeconomic effects, either collectively or cumulatively, that were considered likely to occur under Alternative 2 were determined to be significant. Unless explicitly stated, one cannot construe it to mean that any combination of effects 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.

Resource Area	Proposed Action	No Action
Physical Resources	No beneficial or adverse effect	No beneficial or adverse effect
Cultural Resources	No beneficial or adverse effect	No beneficial or adverse effect
Water Quality	No beneficial or adverse effect	No beneficial or adverse effect
Wetlands	No beneficial or adverse effect	No beneficial or adverse effect
Aquatic Resources	No beneficial or adverse effect	No beneficial or adverse effect
Terrestrial Resources	No beneficial or adverse effect.	No beneficial or adverse effect
Threatened and Endangered Species	No beneficial or adverse effect	No beneficial or adverse effect
Aesthetics	Minor, long term beneficial impacts given the rehabilitation of the existing benches, restrooms, picnic sites, access roads, parking areas and campsites.	Long term adverse impacts from the lack of operation and maintenance at the parks.
Recreation	Minor, long-term localized beneficial impacts to those who would use the parks and their facilities.	Long term adverse effect from loss of recreation due to parks closing.
Socio-Economic Resources	Minor, long-term localized beneficial impacts due to the increased expenditures associated with the users of the facilities.	Minor adverse impact to the local economy due to the decline of facility use.
Cumulative	Possibility of minor, long-term adverse impacts due to increased local traffic, development, and road construction.	No beneficial or adverse effect

6.0 RELATIONSHIP OF PROJECT TO ENVIRONMENTAL REGULATIONS

<u>Guidance</u>	<u>*Degree of Compliance</u>
Archaeological and Historical Preservation Act, as Amended, 16 U.S.C. 469, <u>et seq.</u>	FC
National Historic Preservation Act, as Amended, 16 U.S.C. 470A, <u>et seq.</u>	FC
Native American Graves Protection and Repatriation Act of 1990 (P.L. 101-601; 104 Stat. 3048; 25 USC 3001-13)	NA
Clean Water Act, as Amended, 33 U.S.C. 466 <u>et seq.</u>	NA
Endangered Species Act, as Amended, 16 U.S.C. 1531, <u>et seq.</u>	FC
Farmland Protection Policy Act, 7 U.S.C. 4201, <u>et seq.</u>	FC
Federal Water Project Recreation Act, as Amended, 16 U.S.C. 4601, <u>et seq.</u>	FC
Fish and Wildlife Coordination Act, as Amended, 16 U.S.C. 4601, <u>et seq.</u>	FC
Land and Water Conservation Fund Act, as Amended, 16 U.S.C. 4601, <u>et seq.</u>	FC
National Environmental Policy Act, as Amended, 42 U.S.C. 4321, <u>et seq.</u>	FC
Rivers and Harbors Act, 33 U.S.C. 401, <u>et seq.</u>	FC
Floodplain Management, E.O. 11988	FC
Protection of Wetlands, E.O. 11990	NA
Protection and Enhancement of the Cultural Environment, E.O. 11593	FC
Prime or Unique Agricultural Lands NEPA, CEQ Memorandum August 11, 1980	FC

***Definitions: FC = Full Compliance PC = Partial Compliance NA- Not Applicable**

A - Full compliance will be attained after review and comment on the Environmental Assessment by the State Historic Preservation Officer.

B - Full compliance will be attained after review and comment on the Environmental Assessment by the U.S. Environmental Protection Agency.

C - Full compliance will be attained after review and comment on the Environmental Assessment by the U.S. Fish and Wildlife Service.

D - Full compliance will be attained after the Department of the Interior has reviewed the Environmental Assessment and has had the opportunity to comment on the fish and wildlife aspects of the report.

E - Full compliance will be attained after the U.S. Fish and Wildlife Service and the Arkansas Game and Fish Commission review and comment on the Environmental Assessment.

F - Full compliance will be achieved after the Finding of No Significant Impact (FONSI) is signed.

G - Full compliance will be attained pursuant to the requirement in Title 36 Regulations.

7.0 LIST OF REFERENCES AND PERSONS CONTACTED

7.1 References

Arkansas Employment Security Department (AESD), 2001	Arkansas Labor Force Statistics, 2001
BEA, 1997	U.S. Bureau of Economic Analysis. 1997 Regional Economic Information System. Employment by Industry Sector.
Haley, 1993	Haley, B.R. 1993 Geologic Map of Arkansas. Arkansas Geological Commission and U.S. Geological Survey.
Lamonds, 1972	Lamonds, A.G. 1972. Water Resources Reconnaissance of the Ozark Plateaus Province, Northern Arkansas. U.S. Geological Survey Hydrologic Investigations Atlas.
USACE, 2001a	Draft, Environmental Impact Statement, Dardanelle Field Office, Ozark Field Office and Toad Suck Ferry Field Office Operational Management Plan, 2001. Prepared by Tetra Tech, Inc. Submitted to the U.S. Army Corps of Engineers, Little Rock District.
USACE, 2001b	Recreation Carrying Capacity, 2001. Prepared by Tetra Tech, Inc. Submitted to the U.S. Army Corps of Engineers, Little Rock District.
USDA, 1986	Soil Survey of Cleburne and Van Buren Counties, Arkansas. 1986. U.S. Department of Agriculture, Soil Conservation Service. Arkansas Agricultural Experiment Station.
USFWS, 1982	Gray Bat Recovery Plan. 1982. U.S. Department of the Interior. U.S. Fish and Wildlife Service. Washington, D.C.
USFWS, 1989	Southeastern States Bald Eagle Recovery Plan. 1989. U.S. Fish and Wildlife Service. Washington, D.C.
Smith, Samuel D.	1974 Cadron Settlement Arkansas. Arkansas Archeological Survey Research Report No. 1. Fayetteville, Arkansas.
	Stewart-Abernathy, Skip, and Lynita Langley-Ware 2005. Testing at Cadron . Arkansas Archeological Society Field Notes. 325 (July - August):10-11. Fayetteville, Arkansas
	Williamson, David. 1993. An Archeological Survey of the Proposed Cabin Creek Public Access Area, Job Number GF-8-34, Johnson County, Arkansas. AHTD Job# GF-8-34. Little Rock, AR: AHTD, Environmental Division.

7.2 Persons Contacted

NAME	ADDRESS	TELEPHONE #	REASON CONTACTED
Ewing, Jamie	Resource Specialist Arkansas Natural Heritage Commission Little Rock, Arkansas	501 324-9619	Rare, Threatened, and Endangered Species
Osborne, Cindy	Data Manager Arkansas Natural	501 324-9619	Rare, Threatened, and Endangered Species

NAME	ADDRESS	TELEPHONE #	REASON CONTACTED
	Heritage Commission Little Rock, Arkansas		
Rodgers, Michael	U.S. Army Corps of Engineers P.O. Box 867 Little Rock, AR 72203	501 324-5030	Water Quality and NEPA compliance

8.0 LIST OF ACRONYMS AND ABBREVIATIONS

A

ADPCE Arkansas Department of Pollution Control and Ecology
 AGFC Arkansas Game and Fish Commission
 ANHC Arkansas Natural Heritage Commission
 ADEQ Arkansas Department of Environmental Quality

B

C

CEQ Council on Environmental Quality

D

E

EA Environmental Assessment
 ER Engineer Regulation
 ESA Environmentally Sensitive Area

F,

FEA Final Environmental Assessment

G, H, I, J,

L

LDA Limited Development Area

M

mgd million gallons per day
 MSA Metropolitan Statistical Area

N

NA not applicable
 NAGPRA Native American Graves Protection and Repatriation Act
 NEPA National Environmental Policy Act
 NFPA National Fire Protection Association
 NGVD National Geodetic Vertical Datum
 NRCS Natural Resources Conservation Service
 NRMS Natural Resource Management System
 NWI National Wetland Inventory

O

P

PL Public Law
 PSA Protected Shoreline Area

Q, R

S

SMP Shoreline Management Plan
 Stat. statute

T

TVA Tennessee Valley Authority

U

US or U.S. United States
 USACE U.S. Army Corps of Engineers
 USC United States Code
 USDA U.S. Department of Agriculture
 USFWS U.S. Fish and Wildlife Service
 USGS U.S. Geological Survey

V

W

WES Waterways Experiment Station

X, Y, Z

APPENDICIES

Appendix A

Finding of No Significant Impact (FONSI)

FINDING OF NO SIGNIFICANT IMPACT

NAME OF PROPOSED ACTION. The leasing of Lee Creek, Vache Grasse, White Oak, Bluff Hole, Vine Prairie, O’Kane, Flatrock, Horse Head, Cabin Creek, Delaware, Bigelow, Cadron Settlement, Sequoya, Point Remove and Illinois Bayou parks to various local sponsors.

BACKGROUND. The Little Rock District made the decision in 2004 to close 7 parks and partially close 13 parks by leaving their boat launching ramps open to the public, due to Federal budget cutbacks. The District identified these parks through an established Park Operations Efficiency Review (POER) process and is committed to partnering with local communities that might want to assume operation and maintenance of these parks through the leasing authority granted to the U.S. Army Corps of Engineers found in ER 405-1-12, Real Estate Handbook.

PURPOSE AND NEED FOR THE PROPOSED ACTION. The purpose of this leasing action is to provide the opportunity to restore currently closed/partially closed parks in the McClellan-Kerr Arkansas River Navigation System along the Arkansas River to an operational status. The action will allow the public increased recreational opportunities as the result of voluntary actions by local communities and other Government agencies to reopen and maintain the parks. Some local sponsors have been identified or are currently being identified that are interested in taking over the operation and maintenance responsibilities for these parks and additional sponsors may be identified in the future. The parks covered by this action are located on Lake Dardanelle, Rockefeller Lake, Ozark Lake, John Paul Hammerschmidt Lake, Toad Suck Ferry and Arthur V. Ormond Locks and Dams.

The need for this action arises from the loss of public recreational opportunities due to park closings that occurred in 2004. The Corps is committed to partnering with local communities that may assume operation and maintenance of these parks through a lease agreement.

ALTERNATIVES. In addition to the Proposed Action a No Action alternative was evaluated in the Environmental Assessment.

Proposed Action. - Implementation of the Proposed Action Alternative (leasing the parks to identified local sponsors) would result in localized minor, short term adverse impacts to terrestrial resources and aesthetics primarily as a result of the rehabilitation, operation and maintenance of the parks. There would be minor, long-term beneficial impacts to recreational resources, realized primarily for those individuals that would use the parks. There would also be minor long-term beneficial impacts to socio-economic resources for the surrounding small businesses. These localized impacts would be related to the increased expenditures associated with boats, boat maintenance, dock purchases, fuel, and other recreational purchases.

The lessee will maintain all structures, facilities, roads, ramps and utilities in the lease portions of the park. No new construction, modifications (except rehabilitation of

existing structures) to existing structure or other activities beyond the lease action constitute the proposed action covered by this EA. Any substantial future improvements by the lessee will be subject to environmental review and approval by the Little Rock District, Corps of Engineers. Additional NEPA documentation preparation (i.e. EA, EIS, etc.) may be required depending on the scope of such future proposed action.

No Action Alternative (leaving the parks closed or partially closed) would result in continuing the long term adverse impacts to the Lee Creek, Vache Grasse, White Oak, Bluff Hole, Vine Prairie, O’Kane, Flatrock, Horse Head, Cabin Creek, Delaware, Bigelow, Cadron Settlement, Sequoia, Point Remove or Illinois Bayou Parks. The areas would continue to be managed according to the current policies of the U.S. Army Corps of Engineers and recreational resources would suffer as they remain in their current condition with many of the parks closed, partially open or open for day use only.

ANTICIPATED ENVIRONMENTAL IMPACTS:

Consideration of the effects disclosed in the EA, and a finding that they are not significant, is in order to prepare a FONSI. This determination of significance is required by 40 CFR 1508.13. Additionally, 40 CFR 1508.27 defines significance as it relates to consideration of environmental effects of a direct, indirect or cumulative nature.

Criteria that must be considered in making this finding are addressed below, in terms of both context and intensity. The significance of both short and long term effects must be viewed in several contexts: society as a whole (human, national); the affected region; the affected interests; and the locality. The context for this determination is primarily local. The context for this action is not highly significant geographically, nor is it controversial in any significant way. Consideration of intensity refers to the magnitude and intensity of impact, where impacts may be both beneficial and adverse. Within this context, the magnitude and intensity of impacts resulting from this decision are not significant. The determination for each impact topic is listed below.

- 1. The degree to which the action results in both beneficial and adverse effects. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.** The EA indicates that there will be beneficial effects through the opportunity of the public to continue use of these parks in the Arkansas River Corridor.
- 2. The degree to which the action affects public health or safety.** No adverse effects to public health or safety will result from the Proposed Action and implementation will provide a reliable recreation opportunity.
- 3. The degree to which the action affects unique characteristics of the potentially affected area, such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.** The proposed action will not affect any unique characteristics or resources in the project area.

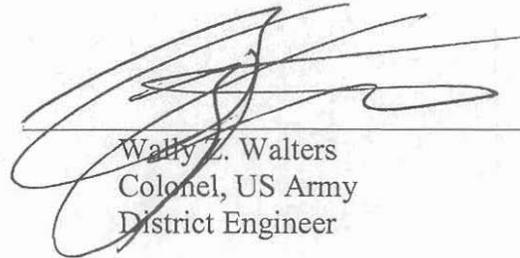
4. **The degree to which effects on the quality of the human environment are likely to be highly controversial.** The project will benefit the public therefore the Little Rock District, Corps of Engineers does not regard this activity as controversial, and the public response to the EA, for the most part, has confirmed this. One commenter expressed the opinion that the action was an attempt by the COE to skirt its mandate to provide recreation in addition to its other missions. The State of Arkansas, through its Department of Parks and Tourism, stated that this action was an attempt by the COE to withdraw budgetary support from the recreational component of the McClellan-Kerr Arkansas River Navigation System. However, the action will continue public use of these parks, closed due to budget cutbacks, through leasing them to local sponsors, and this overall action is not highly controversial.
5. **The degree to which the possible effects on the human environment is highly uncertain or involves unique or unknown risks.** The uncertainty of the impacts of this action is low relative to the existing natural physical and biological processes that currently exist.
6. **The degree to which the action may establish a precedent for future actions with significant impacts.** The precedent will possibly be set to allow the use of government property by the public and maintained by public entities in lieu of closing the facilities due to funding constraints.
7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** There are no individually or cumulatively significant impacts identified in this action.
8. **The degree to which the action may adversely affect items listed or eligible for listing in the National Register of Historic Places, or other significant scientific, cultural or historic resources.** No effect to cultural resources has been identified and coordination with the State Historic Preservation Officer will continue.
9. **The degree to which the action may adversely affect an endangered or threatened species or its critical habitat.** As disclosed in sections 4.7 and 5.2.7 of the EA, coordination with the USFWS indicates that the proposed action is expected to have no effect on T&E species.
10. **Whether the action threatens a violation of Federal, State or local law or requirements imposed for the protection of the environment.** No such violations will occur.

CONCLUSIONS:

The impacts identified in the prepared EA have been thoroughly discussed and assessed. No impacts identified in the EA would cause any significant adverse effects to the human environment. Therefore, due to the analysis presented in the EA and comments received

from a 30-day public review period that began on April 14 and ended on May 19, 2006, it is my decision that the preparation of an Environmental Impact Statement (EIS) as required by the National Environmental Policy Act (NEPA) is unwarranted and a "Finding of No Significant Impact" (FONSI) is appropriate. The signing of this document indicates the Corps final decision of the proposed action as it relates to NEPA. The EA and FONSI will be held on file in the Planning & Environmental Office for future reference. Consultation with regulatory agencies will be ongoing to ensure compliance with all federal, state, regional, and local regulations and guidelines.

16 MAR 2007
Date



Wally E. Walters
Colonel, US Army
District Engineer

Appendix B

Agency Coordination

Mr. Allan Mueller
Arkansas Field Supervisor
U.S. Fish and Wildlife Service
1500 Museum Road, Suite 105
Conway, AR 72032

Mr. Tracy L. Copeland
Department of Finance & Administration
1515 West 7th Street, Room 412
P.O. Box 3278
Little Rock, AR 72203

Mr. Scott Henderson
Director
Arkansas Game and Fish Commission
2 Natural Resources Drive
Little Rock, AR 72205

Mr. Mike Nedd
State Director
Bureau of Land Management
7450 Boston Boulevard
Springfield, VA 22153

Mr. Richard W. Davies
Executive Director
Department of Parks and Tourism
#1 Capitol Mall
Rm 4A-900
Little Rock, AR 72201

Mr. Bethel Herrold
Southwestern Power Administration
One West Third Street
Tulsa, OK 74103-3519

Mr. Earnest Quintana
Regional Director
National Park Service
1709 Jackson St
Omaha, NE 68102

Mr. Michael P. Jansky
Regional Environmental Review
Coordinator
U.S. Environmental Protection Agency,
Region 6
1445 Ross Avenue, Suite 1200

Mr. George Rheinhardt
Arkansas Forestry Commission
3821 W. Roosevelt Road
Little Rock, AR 72204-6396

Ms. Karen Smith
Director
Arkansas Natural Heritage Commission
1500 Tower Building
323 Center Street
Little Rock, AR 72201

Mr. Gary Jones
Acting Regional Director
FEMA, Region VI
800 North Loop 288
Denton, TX 76210

Dr. Paul K. Halverson
Director of Health
Arkansas Department of Health
4815 West Markham
Little Rock, AR 72205

Mr. Michael Deihl
Administrator
Southwestern Power Administration
One West Third Street
Room 1400
Tulsa, OK 74103-3519

Mr. James Ahlert
Arkansas Game and Fish Commission
1266 Lock and Dam Road
Russellville, AR 72802

Mr. Ken Gruenwald
Director
Arkansas Historic Preservation Program
1500 Tower Building
323 Center Street
Little Rock, AR 72201

Mr. Marcus C. Devine
Director
Arkansas Dept of Environmental Quality
8001 National Drive
P.O. Box 8913
Little Rock, AR 72219-8913

Mr. John E. Terry
District Chief
U.S. Geological Survey
401 Hardin Road
Little Rock, AR 72211

Mr. Earl Smith
Chief
Arkansas Soil and Water Conservation
Commission
101 E. Capitol, Suite 350
Little Rock, AR 72201

Mr. Kalven L. Trice
State Conservationist
U.S. Department of Agriculture
700 West Capitol Ave.
Room 3416, Federal Building
Little Rock, AR 72201

Mr. Steve Filipek
State Stream Team Coordinator
Arkansas Game and Fish Commission
#2 Natural Resources Drive
Little Rock, AR 72205

Mr. George Robbins
Southwestern Power Administration
One West Third Street
Tulsa, OK 74103-3519

Planning, Environmental and Regulatory Division
Planning Branch
Environmental Section

Mr. Michael Deihl
Administrator

Southwestern Power Administration
One West Third Street
Room 1400
Tulsa, OK 74103-3519

Example Coordination Letter

Dear Mr. Deihl:

The Little Rock District, U.S. Army Corps of Engineers (USACE) is requesting information and comments that would assist in the preparation of an Environmental Assessment for the proposed lease of the following parks. For a more detailed description see the attached table.

- The City of Lavaca, approximately 230 acres of public property located in Sebastian County, **Vache Grasse Park**, to be maintained and operated as a public park, in the Vache Grasse Bend of the Arkansas River. See figure 1 for the vicinity map and figure 4 for site map.
 - The City of Conway, approximately 74 acres of public property in Faulkner County, **Cadron Settlement Park**, to be maintained and operated as a public park, in the Cadron Settlement of the Arkansas River. See figure 2 for the vicinity map and figure 5 for site map.
 - The City of Morrilton, approximately 91 acres of public property in Conway County, **Point Remove Park**, to be maintained and operated as a public park, on the Point Remove Creek located near the Arkansas River. See figure 2 for the vicinity map and figure 6 for site map.
 - To be named entity, approximately 185 acres of public property located in Crawford County, **Vine Prairie Park**, to be maintained and operated as a public park, at the intersection of Vine Prairie and Little Mulberry Creek. See figure 1 for the vicinity map and figure 7 for site map.
 - To be named entity, approximately 8 acres of public property located in Crawford County, **Bluff Hole Park**, to be maintained and operated as a public park, located on the Mulberry Creek. See figure 1 for the vicinity map and figure 8 for site map.
 - To be named entity, approximately 155 acres of public property located in Crawford County, **Lee Creek Park**, to be maintained and operated as a public park, located on the Arkansas River between Van Buren and Fort Smith. See figure 1 for the vicinity map and figure 9 for site map.
 - To be named entity, approximately 85 acres of public property located in Franklin County, **White Oak Park**, to be maintained and operated as a public park, located on the White Oak Creek. See figure 1 for the vicinity map and figure 10 for site map.
 - To be named entity, approximately 31 acres of public property located in Logan County, **O'Kane Park**, to be maintained and operated as a public park, located on Six Mile Creek. See figure 3 for the vicinity map and figure 11 for site map.
 - To be named entity, approximately 59 acres of public property located in Johnson County, **Flat Rock Park**, to be maintained and operated as a public park, located on Flat Rock Creek and Big Piney Creek on Lake Dardanelle. See figure 3 for the vicinity map and figure 12 for site map.
-

- To be named entity, approximately 110 acres of public property located in Johnson County, **Horsehead Park**, to be maintained and operated as a public park, located on Horsehead Creek of Lake Dardanelle. See figure 3 for the vicinity map and figure 13 for site map.
- To be named entity, approximately 51 acres of public property located in Johnson County, **Cabin Creek Park**, to be maintained and operated as a public park, located on Cabin Creek and Lake Dardanelle. See figure 3 for the vicinity map and figure 14 for site map.
- To be named entity, approximately 136 acres of public property located in Yell County, **Delaware Park**, to be maintained and operated as a public park, located between on Lake Dardanelle. See figure 3 for the vicinity map and figure 15 for site map.
- To be named entity, approximately 15 acres of public property located in Perry County, **Bigelow Park**, to be maintained and operated as a public park, located on the Arkansas River, Pool 7. See figure 2 for the vicinity map and figure 16 for site map.
- To be named entity, approximately 41 acres of public property located in Conway County, **Sequoia Park**, to be maintained and operated as a public park, located on the Arthur V. Ormond Arkansas River at Lock and Dam 9. See figure 2 for the vicinity map and figure 17 for site map.

Please submit any information your agency may have by September 26, 2005 to the Little Rock District Office, 700 W. Capitol Ave, Little Rock, AR 72201. If comments are not received by this date, we will assume your agency has no comments on the proposed actions. Our POC for this study is Study Manager, Karyn Higgins at 501-324-5037, or email at Karyn.c.higgins@us.army.mil.

Sincerely,

Enclosures
as

Patricia Anslow
Chief, Environmental Section



STATE OF ARKANSAS
**Department of Finance
and Administration**

OFFICE OF INTERGOVERNMENTAL SERVICES

1515 West Seventh Street, Suite 417
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206
<http://www.state.ar.us/dfa>

October 6, 2005

Ms. Patricia Anslow, Chief
Environmental Section
Department of the Army/Little Rock District
Corps of Engineers
P. O. Box 867
Little Rock, AR 72203-0867

RE: The Little Rock District Army Corps of Engineers is Requesting Information and Comments that would Assist in the Preparation of an Environmental Assessment for the Proposed Lease of the Attached Park Facilities

Dear Ms. Anslow:

The State Clearinghouse has received the above document pursuant to the Arkansas Project Notification and Review System.

To carry out the review and comment process, this document was forwarded to members of the Arkansas Technical Review Committee. Resulting comments received from the Technical Review Committee which represents the position of the State of Arkansas are attached.

The State Clearinghouse wishes to thank you for your cooperation with the Arkansas Project Notification and Review System.

Sincerely,

A handwritten signature in black ink, appearing to read "Tracy L. Copeland".

Tracy L. Copeland, Manager
State Clearinghouse

TLC/th
Enclosure
CC: Randy Young, AS&WCC



Arkansas Natural Resources Commission



J. Randy Young, PE
Executive Director

101 East Capitol, Suite 350
Little Rock, Arkansas 72201
<http://www.anrc.arkansas.gov/>

Phone: (501) 682-1611
Fax: (501) 682-3991
E-mail: anrc@arkansas.gov

Mike Huckabee
Governor

MEMORANDUM

RECEIVED

OCT 05 2005

INTERGOVERNMENTAL
SERVICES
STATE CLEARINGHOUSE

TO: Mr. Tracy Copeland, Manager
State Clearinghouse

FROM: Mr. J. Randy Young, P.E., Chairman
Technical Review Committee

SUBJECT: The Little Rock District Army Corps of Engineers
Is Requesting Information and Comments that Would Assist
In the Preparation of an Environmental Assessment for the
Proposed Lease of the Attached Park Facilities

DATE: October 4, 2005

Members of the Technical Review Committee have reviewed the above referenced project; the Little Rock District is requesting information and comments that would assist them in the preparation of an environmental assessment for the proposed leases of the listed parks: Vache Grasse Park, Sebastian County; Cadron Settlement Park, City of Conway; Point Remove Park, City of Morrilton; Vine Prairie Park, Crawford County; Bluff Hole Park, Crawford County; Lee Creek Park, Crawford County; White Oak Park, Franklin County; O'Kane Park, Logan County; Flat Rock Park, Johnson County; Horsehead Park, Johnson County; Cabin Creek Park, Johnson County; Delaware Park, Yell County; Bigelow Park, Perry County; and Sequoya Park, Conway County.

The Committee supports this project. Agency comments are included for your review.

The opportunity to comment is appreciated.

JRY/ddavis

An Equal Opportunity Employer



STATE OF ARKANSAS

OFFICE OF INTERGOVERNMENTAL SERVICES

Department of Finance and Administration

1515 West Seventh Street, Suite 412
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206
http://www.state.ar.us/dfa

MEMORANDUM

#1871

TO: All Technical Review Committee Members
FROM: Tracy L. Copeland, Manager - State Clearinghouse
DATE: August 30, 2005
SUBJECT: THE LITTLE ROCK DISTRICT, ARMY CORPS OF ENGINEERS IS REQUESTING INFORMATION AND COMMENTS THAT WOULD ASSIST IN THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED LEASE OF THE ATTACHED PARK FACILITIES.

Please review the above stated document under provisions of Section 404 of the Clean Water Act, Section 102(2) of the National Environmental Policy Act of 1969 and the Arkansas Project Notification and Review System.

Your comments should be returned by September 15, 2005 to - Mr. Randy Young, Chairman, Technical Review Committee, 101 E. Capitol, Suite 350, Little Rock, AR 72203.

If you have no reply within that time we will assume you have no comments and will proceed with the sign-off.

NOTE: It is imperative that your response be in to the ASWCC office by the date requested. Should your Agency anticipate having a response which will be delayed beyond the stated deadline for comments, please contact Ms. Debby Davis of the ASWCC at (501) 682-1611 or the State Clearinghouse Office.

- Support
Do Not Support (Comments Attached)
Comments Attached
Support with Following Conditions
[checked] No Comments
Non-Degradation Certification Issues (Applies to ADEQ Only)

Four horizontal lines for additional comments or notes.

Name(print) Colbert Agency ANRC Date 9-26-05
Telephone Number



STATE OF ARKANSAS

OFFICE OF INTERGOVERNMENTAL SERVICES

Department of Finance and Administration

1515 West Seventh Street, Suite 412
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206
http://www.state.ar.us/dfa

MEMORANDUM

TO: All Technical Review Committee Members
FROM: Tracy L. Copeland, Manager - State Clearinghouse
DATE: August 30, 2005
SUBJECT: THE LITTLE ROCK DISTRICT, ARMY CORPS OF ENGINEERS IS REQUESTING INFORMATION AND COMMENTS THAT WOULD ASSIST IN THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED LEASE OF THE ATTACHED PARK FACILITIES.

Vertical stamp: RECEIVED SEP 2 PM 11:00

Please review the above stated document under provisions of Section 404 of the Clean Water Act, Section 102(2) of the National Environmental Policy Act of 1969 and the Arkansas Project Notification and Review System.

Your comments should be returned by September 15, 2005 to - Mr. Randy Young, Chairman, Technical Review Committee, 101 E. Capitol, Suite 350, Little Rock, AR 72203.

If you have no reply within that time we will assume you have no comments and will proceed with the sign-off.

NOTE: It is imperative that your response be in to the ASWCC office by the date requested. Should your Agency anticipate having a response which will be delayed beyond the stated deadline for comments, please contact Ms. Debby Davis of the ASWCC at (501) 682-1611 or the State Clearinghouse Office.

- Support
Do Not Support (Comments Attached)
Comments Attached
Support with Following Conditions
No Comments
Non-Degradation Certification Issues (Applies to ADEQ Only)

Four horizontal lines for additional notes or comments.

Name(print) Steve Jones Agency ADEQ Date 9-5-05
Telephone Number 501-6827311



STATE OF ARKANSAS

OFFICE OF INTERGOVERNMENTAL SERVICES

Department of Finance and Administration

1515 West Seventh Street, Suite 412
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206
http://www.state.ar.us/dfa

MEMORANDUM

TO: All Technical Review Committee Members
FROM: Tracy L. Copeland, Manager - State Clearinghouse
DATE: August 30, 2005
SUBJECT: THE LITTLE ROCK DISTRICT, ARMY CORPS OF ENGINEERS IS REQUESTING INFORMATION AND COMMENTS THAT WOULD ASSIST IN THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED LEASE OF THE ATTACHED PARK FACILITIES.

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- Support
Do Not Support (Comments Attached)
Comments Attached
Support with Following Conditions
No Comments
Non-Degradation Certification Issues (Applies to ADEQ Only)

Handwritten lines for signature and date.

Name(print) TRACY L. COPELAND Agency Ark. Env. Com Date 8/30/05
Telephone Number 501-296-1802



STATE OF ARKANSAS

Department of Finance and Administration

OFFICE OF INTERGOVERNMENTAL SERVICES

1515 West Seventh Street, Suite 412
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206
http://www.state.ar.us/dfa

308

MEMORANDUM

TO: All Technical Review Committee Members
FROM: Tracy L. Copeland, Manager - State Clearinghouse
DATE: August 30, 2005
SUBJECT: THE LITTLE ROCK DISTRICT, ARMY CORPS OF ENGINEERS IS REQUESTING INFORMATION AND COMMENTS THAT WOULD ASSIST IN THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED LEASE OF THE ATTACHED PARK FACILITIES.

Received
SEP 01 2005
River Basins

Please review the above stated document under provisions of Section 404 of the Clean Water Act, Section 102(2) of the National Environmental Policy Act of 1969 and the Arkansas Project Notification and Review System.

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- Support
Do Not Support (Comments Attached)
Comments Attached
Support with Following Conditions
No Comments
Non-Degradation Certification Issues (Applies to ADEQ Only)

Name(print) Robert K Leonard Agency AGFC Date 9-8-05
Telephone Number 978-7301



STATE OF ARKANSAS

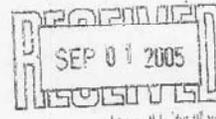
OFFICE OF INTERGOVERNMENTAL SERVICES

Department of Finance and Administration

1515 West Seventh Street, Suite 412
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206
http://www.state.ar.us/cfa

MEMORANDUM

TO: All Technical Review Committee Members
FROM: Tracy L. Copeland, Manager - State Clearinghouse
DATE: August 30, 2005



SUBJECT: THE LITTLE ROCK DISTRICT, ARMY CORPS OF ENGINEERS IS REQUESTING INFORMATION AND COMMENTS THAT WOULD ASSIST IN THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED LEASE OF THE ATTACHED PARK FACILITIES.

Please review the above stated document under provisions of Section 404 of the Clean Water Act, Section 102(2) of the National Environmental Policy Act of 1969 and the Arkansas Project Notification and Review System.

September 15, 2005

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- Support
Do Not Support (Comments Attached)
Comments Attached
Support with Following Conditions
No Comments
Non-Degradation Certification Issues (Applies to ADEQ Only)

Name(print) Kevin Dorman Agency ADEQ Date 9-1-05
Telephone Number 501-682-0645



STATE OF ARKANSAS

OFFICE OF INTERGOVERNMENTAL SERVICES

Department of Finance and Administration

1515 West Seventh Street, Suite 412
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206
http://www.state.ar.us/dfa

MEMORANDUM

TO: All Technical Review Committee Members
FROM: Tracy L. Copeland, Manager - State Clearinghouse
DATE: August 30, 2005
SUBJECT: THE LITTLE ROCK DISTRICT, ARMY CORPS OF ENGINEERS IS REQUESTING INFORMATION AND COMMENTS THAT WOULD ASSIST IN THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED LEASE OF THE ATTACHED PARK FACILITIES.

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- Support
Do Not Support (Comments Attached)
Comments Attached
Support with Following Conditions
No Comments
Non-Degradation Certification Issues (Applies to ADEQ Only)

Name(print) Bill Price Agency AGC Date 9-14-05
Telephone Number 683-0117



Arkansas GEOLOGICAL COMMISSION

VARDELLE PARHAM GEOLOGY CENTER • 3815 WEST ROOSEVELT ROAD • LITTLE ROCK, ARKANSAS 72204

Mike Huckabee
Governor
Bekki White
Director and State Geologist

September 8, 2005

Mr. Randy Young
Chairman, Technical Review Committee
101 E. Capitol, Suite 350
Little Rock, Arkansas 72203

Dear Mr. Young:

This letter is a response to your request for comments on the proposed leasing of U.S. Army Corps parks along the Arkansas River to local communities. The attached comments pertain to the geology of the 14 different sites on the Arkansas River between Fort Smith and Little Rock, Arkansas.

Sincerely,

William Lee Prior
Geologist Supervisor

PHONE: (501) 296-1877; FAX: (501) 663-7360
agc@arkansas.gov
www.state.ar.us/agc/agc.htm
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Lec Creek Crawford Co.
Section 23, T. 9 N., R. 32 W

Geological Comments: This site is located on Quaternary Arkansas River Alluvium that is about 40 feet thick. The alluvium is composed of silt and fine sand near the surface and grades downward to medium sand and finally coarse sand and gravel near the base. The underlying bedrock formation is the Upper Atoka of Pennsylvanian age and is composed of shale, siltstone and thin beds of silty sandstone.

Vache Glass Sebastian Co.
Section 30, T. 8 N., R. 30 W

Geological Comments: This site is located on Quaternary Arkansas River Alluvium and local Quaternary stream alluvium. This alluvium is about 40 feet thick. The alluvium is composed of clay near the surface grading coarser to sand with coarse sand and gravel at the base. Below the alluvium the bedrock is Pennsylvanian age McAlester Formation that is composed of shale, siltstone and silty sandstone.

Bluff Hole Crawford Co.
Section 36, T. 10 N., R. 29 W

Geological Comments: This site located on Quaternary alluvium of the Mulberry River. The alluvium is about 40 feet thick is composed of clay at the surface and coarsens downward to sand and then coarse sand and gravel. The bedrock formation beneath the alluvium is the Pennsylvanian age McAlester Formation that is composed of shale, siltstone and thin beds of sandstone and silty sandstone.

Vine Prairie Crawford Co.
Sections 34 & 35, T. 10 N., R. 29 W. Sections 2 & 3, T. 9 N., R. 29 W

Geological Comments: This site is located on Quaternary age creek alluvium that is about 25 feet thick. The alluvium is composed of sand and clay. Beneath the alluvium the bedrock formation is the McAlester of Pennsylvanian age. This formation is composed of shale and siltstone. There is also a normal fault that runs NW to SE with the downthrown side to the SW.

White Oak Franklin Co.
Section 34, T. 10 N., R. 28 W

Geological Comments: At this site areas located below 400 feet in elevation are located on Quaternary stream alluvium that is 35-45 feet thick and composed of clay near the surface and sand and gravel at the base. Areas that are 400-520 feet in elevation are in the Pennsylvanian age Atoka Formation that is composed of shale and siltstone. Areas above 520 feet in elevation are on the Hartshorne Formation that is composed mostly of sandstone.

O' Kane Logan Co.
Section 16, T. 8 N., R. 26 W

Geological Comments: This site is located on Quaternary alluvium of the Arkansas River. The alluvium is about 50 feet thick and is composed of clay near the surface and grading coarser downward to silt then sand with coarse sand gravel at the base. The

underlying bedrock formation is the Pennsylvanian age Savanna Formation that is composed of dark gray shale, light gray siltstone and gray fine grained sandstone.

Horsehead Johnson Co.
Section 29, T. 9 N., R. 24 W

Geological Comments: This site is located on the Pennsylvanian age Savanna Formation that is composed of shale, siltstone and fine grained sandstone. There is also a east to west normal fault with the downthrown side on the south the fault runs along about the 360-370 foot elevation line.

Cabin Cree Johnson Co.
Section 26, T. 9 N., R. 23 W

Geological Comments: This site is located on the Pennsylvanian age Savanna Formation that is composed of shale, siltstone and silty sandstones. There is also a thin 2-5 inch thick coal bed that occurs at about the 340-350 foot elevation.

Flat Rock Johnson Co.
Sections 10 and 15, T. 8 N., R. 22 W

Geological Comments: This site is located on the Pennsylvanian age Hartshorne Formation that is composed of sandstone, siltstone and shale. There is also a normal fault where Flat Rock Creek enters Piney Creek this east to west fault has the downthrown side on the south.

Delaware Yell Co.
Section 31, T. 8 n., R. 21 W., Section 6, T. 7 N., R. 21 W

Geological Comments: This site is located on the Pennsylvanian age McAlester Formation that is composed of shale, siltstone and silty sandstone.

Biglow Perry Co.
Section 16, T. 4 N., R. 15 W

Geological Comments: This site is located on Quaternary age Arkansas River alluvium that is about 75 feet thick. The alluvium is composed of clay and silt near the surface with a coarsening downward sequence of sand with coarse sand and gravel near the base. Beneath the alluvium is the Pennsylvanian age bedrock formation called the Upper Atoka. The Upper Atoka is composed of black shale, siltstone and micaceous sandstone.

Cadron Settlement (in Conway Co. not Perry Co.)
Section 36, T. 6 N., R. 14 W

Geological Comments: This site is located on Quaternary stream alluvium that is about 50 feet thick. The alluvium is composed of clay and sandy clay. Beneath the alluvium the bedrock is the Pennsylvanian age Middle Atoka Formation that is composed black shale and gray sandstone.

Point Remove Conway Co.
Sections 23-26, T. 6 N., R. 17 W

Geological Comments: This sit is located on Quaternary age Arkansas River alluvium that is about 55-60 feet thick the alluvium is composed mostly of sand with coarse sand and gravel near the base. Beneath the alluvium the bedrock is the Pennsylvanian age Upper Atoka Formation that is composed of shale and sandstone.

Sequoia Conway Co.
Section 34, T. 6 N., R. 17 W

Geological Comments: This site is located on the Pennsylvanian age Upper Atoka Formation that is composed of micaceous sandstone and black shale.



STATE OF ARKANSAS

Department of Finance and Administration

OFFICE OF INTERGOVERNMENTAL SERVICES

1515 West Seventh Street, Suite 412
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Little Rock, Arkansas 72203-8031
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Fax: (501) 682-5206
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RECEIVED

SEP 09 2005

RECEIVED
AHTD.

MEMORANDUM

INTERGOVERNMENTAL
SERVICES
STATE CLEARINGHOUSE

AUG 31 2005

TO: All Technical Review Committee Members

FROM: Tracy L. Copeland, Manager - State Clearinghouse

ENVIRONMENTAL
DIVISION

DATE: August 30, 2005

SUBJECT: THE LITTLE ROCK DISTRICT, ARMY CORPS OF ENGINEERS IS REQUESTING INFORMATION AND COMMENTS THAT WOULD ASSIST IN THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED LEASE OF THE ATTACHED PARK FACILITIES.

Please review the above stated document under provisions of Section 404 of the Clean Water Act, Section 102(2) of the National Environmental Policy Act of 1969 and the Arkansas Project Notification and Review System.

September 15, 2005

Your comments should be returned by to - Mr. Randy Young, Chairman, Technical Review Committee, 101 E. Capitol, Suite 350, Little Rock, AR 72203.

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NOTE: It is imperative that your response be in to the ASWCC office by the date requested. Should your Agency anticipate having a response which will be delayed beyond the stated deadline for comments, please contact Ms. Debby Davis of the ASWCC at (501) 682-1611 or the State Clearinghouse Office.

Support Do Not Support (Comments Attached)

Comments Attached Support with Following Conditions

[checked] No Comments Non-Degradation Certification Issues (Applies to ADEQ Only)

Name(print) John L. Harris Agency AHTD Date 9/1/05
Telephone Number (501) 569-2281



IN REPLY REFER TO

United States Department of the Interior

FISH AND WILDLIFE SERVICE

1500 Museum Road, Suite 105

Conway, Arkansas 72032

Tel.: 501/513-4470 Fax: 501/513-4480

September 26, 2005

Ms. Patricia Anslow
Chief, Environmental Section
U.S. Army Corps of Engineers
Post Office Box 867
Little Rock, AR 72203-0867

Dear Ms. Anslow:

The U.S. Fish and Wildlife Service (Service) has reviewed your August 26, 2005 letter requesting information in preparation of an Environmental Assessment (EA) for the proposed lease of U.S. Army Corps of Engineers parks along the Arkansas River in Arkansas. Our comments and recommendations are submitted in accordance with the Endangered Species Act of 1973 (Public Law 93-205, as amended) and the Fish and Wildlife Coordination Act (Public Law 85-624; 16 U.S.C. 661-666e.).

The Service's current assessment is that the leasing of these parks to local communities or sponsors interested in operating and maintaining them would benefit all parties involved. Many of these parks have been partially or entirely closed due to budget restrictions and maintenance difficulties. The level of interest that communities and sponsors have in restoring and maintaining these areas is evidence of their importance and indicative of how they have suffered from their loss. Local economies have been impacted as tourism revenues declined and gathering places for picnics, swimming, camping, and recreating have been lost. Letting local interests operate and maintain these parks will allow for the restoration of these important landmarks and fulfill recreational obligations to the public. In addition, the economies of nearby communities would benefit greatly as much of the Arkansas River is difficult to access and reopening these parks will increase tourism and recreational activities in these areas.

Community operation will also allow for localized development and management to meet their specific interests. Communities often have varying interests and needs that can not be satisfied by a general design and management plan. A lease will allow each community to develop and manage their park as they wish. Some communities may have interest in constructing soccer fields whereas another may prefer to maintain a development free nature area and trails. Specifically designing and operating these parks in this way will create added benefits for these communities.

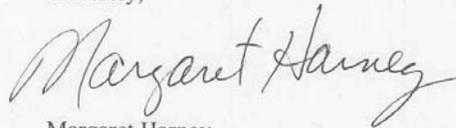
While the Service does support the concept, we do not think that we or the Corps should be relieved of our duties and responsibilities in assisting and regulating these parks as federal property. We believe that the Service and the Corps should continue to look for opportunities to

assist in the development and management of the parks, recreation, and conservation along the Arkansas River Navigation System. Furthermore, it is our responsibility to insure that these areas are developed and managed in accordance with all applicable state and federal laws. Developments and habitat alterations within the parks should be reviewed and assessed accordingly. The Service recommends that the interests leasing the parks should be required to develop a habitat management plan for review and approval in advance of acquisition to insure that habitat, fish, and wildlife conservation are given due consideration. Additionally, many of these parks may have threatened and endangered species living on site or nearby.

The Service does not anticipate any effects to threatened and endangered species from the leasing of these parks to other interests so long as eagle/egret nest surveys are performed prior to any development and the Service is contacted for further consultation if a nest or rookery is identified. If species are found in an area planned for development the Service will assist the Corps and the public interest in accordance with Section 7 of the Endangered Species Act to develop the area responsibly and protect and conserve the species. Other applicable laws such as the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act protect eagles, herons, and other bird species which are commonly found nesting along the Arkansas River. The Service can provide assistance and guidelines for complying with these laws in advance of development.

The Service looks forward to receiving the draft EA and further coordination regarding the lease of Corps parks along the Arkansas River. If you have any questions, please contact Lindsey Lewis at (501) 513-4489.

Sincerely,



Margaret Harney
Environmental Coordinator



The Department of Arkansas Heritage

Mike Huckabee, Governor
Cathie Matthews, Director

Arkansas Arts Council

Arkansas Natural Heritage Commission

Delta Cultural Center

Historic Arkansas Museum

Mosaic Templars Cultural Center

Old State House Museum



Arkansas Historic Preservation Program

1500 Tower Building
323 Center Street
Little Rock, AR 72201
(501) 324-9880
fax: (501) 324-9184
tdd: (501) 324-9811
e-mail:

info@arkansaspreservation.org
website:
www.arkansaspreservation.org

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September 21, 2005

Ms. Patricia Anslow
Chief, Planning, Environmental & Regulatory Division
Little Rock District Corps of Engineers
Post Office Box 867
Little Rock, Arkansas 72203-0867

RE: Multi County - General
Section 106 Review - COE
Proposed Leases of 14 Parks
AHPP Tracking No: 57931

Dear Ms. Anslow:

This letter is written in response to your inquiry regarding properties of architectural, historical, or archeological significance in the area of the referenced project.

For the Arkansas Historic Preservation Program to complete its review of the proposed project, we will need the additional information checked below:

- A 1:24,000 scale USGS topographic map clearly delineating the project boundary.
- A project description detailing all aspects of the proposed project
- The location, age and photographs of structures to be renovated, removed, demolished, or abandoned as a result of this project.
- Photographs of any structures on property directly adjacent to the project area.

Once we have received the above information, we will complete our review as expeditiously as possible. If you have any questions, please contact me at (501) 324-9880.

Sincerely,

Steven M. Imhoff
Staff Archeologist

Arkansas Game and Fish Commission
2 Natural Resources Drive Little Rock, Arkansas 72205

Scott Henderson
Director

Mike Gibson
Deputy Director



David Goad
Deputy Director

Loren Hitchcock
Deputy Director

September 14, 2005

Karyn Higgins
Study manager
Little Rock District Corps of Engineers
Post Office Box 867
Little Rock, Arkansas 72203-0867

Dear Ms. Higgins

This is in response to the letter sent out by Patricia Anslow, Chief of the Environmental Section, requesting our comments on the proposed leasing of some of the US Army Corps of Engineer parks on the Arkansas River. Our official comments for each park are attached.

The Arkansas Game and Fish Commission appreciates the opportunity to comment on the disposition of these parks that are used frequently by Arkansas hunters and fishermen.

Yours truly,

A handwritten signature in cursive script that reads "James Ahlert".

James Ahlert
Regional Stream Team Coordinator

Phone: 501-223-6300 Fax: 501-223-6448 Website: www.agfc.com

The mission of the Arkansas Game and Fish Commission is to wisely manage all the fish and wildlife resources of Arkansas while providing maximum enjoyment for the people.



DEPARTMENT OF THE ARMY
LITTLE ROCK DISTRICT CORPS OF ENGINEERS
POST OFFICE BOX 867
LITTLE ROCK, ARKANSAS 72203-0867

August 26, 2005

Planning, Environmental and Regulatory Division
Planning Branch
Environmental Section

Mr. James Ahlert
Arkansas Game and Fish Commission
1266 Lock and Dam Road
Russellville, AR 72802

Dear Mr. Ahlert:

The Little Rock District, U.S. Army Corps of Engineers (US ACE) is requesting information and comments that would assist in the preparation of an Environmental Assessment for the proposed lease of the following parks. For a more detailed description see the attached table.

- The City of Lavaca, approximately 230 acres of public property located in Sebastian County, **Vache Grasse Park**, to be maintained and operated as a public park, in the Vache Grasse Bend of the Arkansas River. See figure 1 for the vicinity map and figure 4 for site map.

Comments: Vache Grasse Park is a small park that could be easily maintained by the City of Lavaca. The picnic tables and shelter should be left as day use only from April 1 to November 1. The ramp should be left open year around for fishermen and hunters.

- The City of Conway, approximately 74 acres of public property in Faulkner County, **Cadron Settlement Park**, to be maintained and operated as a public park, in the Cadron Settlement of the Arkansas River. See figure 2 for the vicinity map and figure 5 for site map.

Comments: This Park would be a plus for the City of Conway if they maintain it. Regular patrols by City or County officers would probably ensure more use by the public. The ramp should remain open all year as well as the restroom and group shelter nearest the ramp.

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- The City of Morrilton, approximately 91 acres of public property in Conway County, **Point Remove Park**, to be maintained and operated as a public park, on the Point Remove Creek located near the Arkansas River. See figure 2 for the vicinity map and figure 6 for site map.
 Comments: The Park facilities such as picnic table and shelters should remain open from April 1 to November 1. The ramp should be left open all year to accommodate fishermen and hunters.
- To be named entity, approximately 185 acres of public property located in Crawford County, **Vine Prairie Park**, to be maintained and operated as a public park, at the intersection of Vine Prairie and Little Mulberry Creek. See figure 1 for the vicinity map and figure 7 for site map.
- Comments: The volunteer partnership with the City of Mulberry seems to be working. This is one of the best-maintained parks I visited. Keep the park open at least from April 1 to November 1 and the ramps open year around.
- To be named entity, approximately 8 acres of public property located in Crawford County, **Bluff Hole Park**, to be maintained and operated as a public park, located 1\ on the Mulberry Creek. See figure 1 for the vicinity map and figure 8 for site map.
 Comments: The Park is well maintained and is a favorite swimming area during the summer for locals. If City of Mulberry can't maintain both parks all year this would be a good park to close from November 1 to April 1.
- To be named entity, approximately 155 acres of public property located in Crawford County, **Lee Creek Park**, to be maintained and operated as a public park, located on the Arkansas River between Van Buren and Fort Smith. See figure 1 for the vicinity map and figure 9 for site map.
- Comments: This Park was heavily damaged by a tornado that destroyed a lot of the picnic facilities, restrooms and shelters. The ramps are still open with an agreement with the Arkansas Game and Fish Commission. The area of the park where the picnic tables used to be is over grown with brush and is completely unusable. This area needs to be cleared off or burned off from the wetland on the east end to the ramp area on the west end. After this is done this whole area should be planted in hardwoods and left to grow.
- To be named entity, approximately 85 acres of public property located in Franklin County, **White Oak Park**, to be maintained and operated as a public park, located on the White Oak Creek. See figure 1 for the vicinity map and figure 10 for site map.
 Comments: White Oak is a remote park used mainly by fishermen and hunters. Vandals have damaged what few picnic tables remain and these are overgrown with vegetation. Continue to maintain the road, ramp and one restroom year around.
-

- To be named entity, approximately 31 acres of public property located in Logan County, **O'Kane Park**, to be maintained and operated as a public park, located on Six Mile Creek. See figure 3 for the vicinity map and figure 11 for site map.
- Comments: This Park is also fairly remote and the only thing still open is the ramp and one restroom. This area is used by fishermen and others and should be left, as is year around.

- To be named entity, approximately 59 acres of public property located in Johnson County, **Flat Rock Park**, to be maintained and operated as a public park, located on Flat Rock Creek and Big Piney Creek on Lake Dardanelle. See figure 3 for the vicinity map and figure 12 for site map.
- Comments: The Park is presently closed. This small park is located on the Big Piney Creek arm of Dardanelle Lake. The park should be open from April 1 to November 1. The rest of the year the entire park could be closed to prevent vandalism. Boater access to this part of the lake is accessible by the Arkansas Game and Fish Commission ramp two miles below the park.

-
- To be named entity, approximately 110 acres of public property located in Johnson County, **Horsehead Park**, to be maintained and operated as a public park, located on Horsehead Creek of Lake Dardanelle. See figure 3 for the vicinity map and figure 13 for site map.
- Comments: This park should be left open all year to provide boater access to Horsehead Creek. The areas of the park currently closed should be left closed.

-
- To be named entity, approximately 51 acres of public property located in Johnson County, **Cabin Creek Park**, to be maintained and operated as a public park, located on Cabin Creek and Lake Dardanelle. See figure 3 for the vicinity map and figure 14 for site map.
- Comments: This used to be a nice park but is now in need of a lot of maintenance. The ramp should be left open all year to provide fishermen access to the middle section of Dardanelle Lake. The restroom and group shelter nearest to the ramp should also be left open from April 1 to November 1. The rest of the park could remain closed as is.

-
- To be named entity, approximately 136 acres of public property located in Yell County, **Delaware Park**, to be maintained and operated as a public park, located between on Lake Dardanelle. See figure 3 for the vicinity map and figure 15 for site map.
- Comments: Delaware Park should be maintained as it currently is. Part of the park is closed but there is a large section still open that includes a restroom, group shelter and picnic tables. These areas and the ramp should be left open all year.

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- To be named entity, approximately 15 acres of public property located in Perry County, **Bigelow Park**, to be maintained and operated as a public park, located on the Arkansas River, Pool 7. See figure 2 for the vicinity map and figure 16 for site map.

Comments: Bigelow Park is isolated but provides easy access to the river. The ramp at this location should be left open all year. The rest of the park should be operated seasonally.

-
- To be named entity, approximately 41 acres of public property located in Conway County, **Sequoia Park**, to be maintained and operated as a public park, located on the Arthur V. Ormond Arkansas River at Lock and Dam 9. See figure 2 for the vicinity map and figure 17 for site map.

- Comments: Sequoia Park should be left open all year. Its location near the dam should make it a favorite for campers and deterrent to vandals. All it needs is a ramp.

Please submit any information your agency may have by September 26, 2005 to the Little Rock District Office, 700 W. Capitol Ave, Little Rock, AR 72201. If comments are not received by this date, we will assume your agency has no comments on the proposed actions. Our POC for this study is Study Manager, Karyn Higgins at 501-324-5037, or email at Karyn.c.higgins@us.armv.mil.

Sincerely,

Patricia Anslow
Chief, Environmental Section

Enclosures
as

Appendix C

30 Day Public Review Period Comments and Responses



March 30, 2006

Planning & Environmental Office

«fn» «ln»
«title»
«agency»
«office»
«add1»
«add2»
«city», «state» «zip»

Dear «salutation» «ln»:

Enclosed for your review is a compact disc containing a copy of the Draft Environmental Assessment (DEA) and Draft Finding of No Significant Impact (DFONSI) of the Lease Action at Various Parks in the McClellan-Kerr Arkansas River Navigation System. The documents have been prepared in accordance with the National Environmental Policy Act (NEPA) and U.S. Army Corps of Engineers Engineer Regulation ER-200-2-2. The documents can also be reviewed on the internet at <http://www.swl.usace.army.mil/planning/index.html>

Your comments are requested as part of a 30-day public review period and should be received **no later than April 30, 2006**. Comments should be addressed to Mr. Mike Rodgers, U.S. Army Corps of Engineers, Little Rock District, Planning & Environmental Office, P.O. Box 867, Little Rock, Arkansas 72203-0867, telephone number (501) 324-5030, email: michael.r.rodgers@usace.army.mil.

Sincerely,

Signed

Roger C. Hicklin, P.E.
Deputy Chief
Planning & Environmental Office

Enclosure

Mr. Sam D. Hamilton
Regional Director
U.S. Fish and Wildlife Service
1875 Century Boulevard
Atlanta, GA 30345

Mr. Ken Gruenwald
Director
Arkansas Historic Preservation Program
1500 Tower Building
323 Center Street
Little Rock, AR 72201

Mr. Marcus C. Devine
Director
Arkansas Dept of Environmental Quality
8001 National Drive
P.O. Box 8913
Little Rock, AR 72219-8913

Mr. John E. Terry
District Chief
U.S. Geological Survey
401 Hardin Road
Little Rock, AR 72211

Mr. Gary Jones
Acting Regional Director
FEMA, Region VI
800 North Loop 288
Denton, TX 76210

Dr. Paul K. Halverson
Director of Health
Arkansas Department of Health
4815 West Markham
Little Rock, AR 72205

Mr. Earnest Quintana
Regional Director
National Park Service
1709 Jackson St
Omaha, NE 68102

Mr. Michael Deihl
Administrator
Southwestern Power Administration
One West Third Street
Room 1400
Tulsa, OK 74103-3519

Mr. Melvin Tobin
Acting Arkansas Field Supervisor
U.S. Fish and Wildlife Service
110 South Amity Road, Suite 300
Conway, AR 72032

Mr. Tracy L. Copeland
Department of Finance & Administration
1515 West 7th Street, Room 412
P.O. Box 3278
Little Rock, AR 72203

Mr. Scott Henderson
Director
Arkansas Game and Fish Commission
2 Natural Resources Drive
Little Rock, AR 72205

Mr. Mike Nedd
State Director
Bureau of Land Management
7450 Boston Boulevard
Springfield, VA 22153

Mr. Earl Smith
Chief
Arkansas Natural Resources Commission
101 E. Capitol, Suite 350
Little Rock, AR 72201

Mr. Kalven L. Trice
State Conservationist
U.S. Department of Agriculture
700 West Capitol Ave.
Room 3416, Federal Building
Little Rock, AR 72201

Ms. Nancy DeLamar
State Director
The Nature Conservancy, Arkansas Field
Office
601 North University Ave.
Little Rock, AR 72203

Mr. George Robbins
Southwestern Power Administration
One West Third Street
Tulsa, OK 74103-3519

Mr. Michael P. Jansky
Regional Environmental Review Coord
U.S. Environmental Protection Agency,
1445 Ross Avenue, Suite 1200
6EX-NP
Dallas, TX 75202-2733

Mr. George Rheinhardt
Arkansas Forestry Commission
3821 W. Roosevelt Road
Little Rock, AR 72204-6396

Ms. Karen Smith
Director
Arkansas Natural Heritage Commission
1500 Tower Building
323 Center Street
Little Rock, AR 72201

Mr. Robert F. Stewart
U.S. Department of the Interior
Denver Federal Center, Bldg. 56, Room
1003
P.O. Box 25007
Denver, CO 80225-0007

Mr. Richard W. Davies
Executive Director
Department of Parks and Tourism
#1 Capitol Mall
Rm 4A-900
Little Rock, AR 72201

Mr. Bethel Herrold
Southwestern Power Administration
One West Third Street
Tulsa, OK 74103-3519

Ms. Loretta Sutton
U.S. Department of the Interior
1849 C Street NW
(MS 2342)
Washington, DC 20240

PUBLIC NOTICE

ARKANSAS RIVER PARKS

CORPS SEEKS PUBLIC COMMENTS

Public Involvement: The Army Corps of Engineers' Little Rock District is seeking public comments through May 19 on environmental documents relating to 14 parks along the Arkansas River from Conway to Fort Smith that are either closed, partially closed, under lease to local governments, or being considered for lease.

Information: Federal budget constraints caused the Corps to identify most of these parks for closure in 2004. However, if local governments or other entities lease and operate them, they can remain open for public use. The parks are Lee Creek, Vache Grasse, White Oak, Bluff Hole, Vine Prairie, O'Kane, Flatrock, Horse Head, Cabin Creek, Delaware, Bigelow, Cadron Settlement, Sequoya and Point Remove parks.

The documents are a Draft Environmental Assessment and a Draft Finding of No Significant Impact. The leases would cause no significant adverse effects to the human environment, and an Environmental Impact Statement will not be required.

Copies of the reports are available for review between 8:30 a.m. and 4 p.m. Monday through Friday at the Russellville Project Office at 1598 Lock and Dam Road in Russellville or at the Little Rock District Office in Room 7403 of the Federal Building at 700 W. Capitol Ave. in Little Rock. The documents can also be reviewed on the Internet at <http://www.swl.usace.army.mil/planning/index.html>.

Point of Contact: Public comments or questions should be provided to Mike Rodgers, Planning & Environmental Office, Little Rock Engineer District, P.O. Box 867, Little Rock, Ark., 72203-0867. Comments must be post marked by May 19 to become part of the official record. For more information, call Mike Rodgers at (501) 324-5030.



IN REPLY REFER TO.

United States Department of the Interior

FISH AND WILDLIFE SERVICE

110 S. Amity Road, Suite 300

Conway, Arkansas 72032

Tel.: 501/513-4470 Fax: 501/513-4480

April 28, 2006

Mr. Roger C. Hicklin
Planning & Environmental Office
c/o Mr. Mike Rodgers
U.S. Army Corps of Engineers
Post Office Box 867
Little Rock, AR 72203-0867

Dear Mr. Hicklin:

The U.S. Fish and Wildlife Service (Service) has reviewed your March 30, 2006 letter requesting review and comments on the Draft Environmental Assessment (DEA) for the proposed lease of U.S. Army Corps of Engineers parks along the McClellan-Kerr Arkansas River Navigation System in Arkansas. Our comments and recommendations are submitted in accordance with the Endangered Species Act of 1973 (Public Law 93-205, as amended) and the Fish and Wildlife Coordination Act (Public Law 85-624; 16 U.S.C. 661-666e.).

The Service previously provided comments for preparation of the DEA in a September 26, 2005 letter. On further review of the DEA and cooperating state and federal agency comments, the Service offers the following comments and recommendations.

1. The Service concurs that the project assessment would "...result in localized minor, long-term adverse impacts to terrestrial resources, aesthetics, and possible cumulative effects due to increased local traffic, private development and road construction if park popularity increased. There would be minor, long-term beneficial impacts to recreational resources, primarily for those individuals that would use the parks. There would also be minor long-term beneficial impacts to socio-economic resources for the surrounding small businesses. These localized impacts would be related to the increased expenditures associated with boats, boat maintenance, dock purchases, fuel, and other recreational purchases.

Implementation of the Proposed Action Alternative would have no impact to wetlands, archeological resources, historical resources, groundwater, or threatened and endangered species." and has no objection to the Proposed Action Alternative #2.

2. The Service concurs with and recommends incorporation of comments previously provided by the Arkansas Game & Fish Commission in their August 26, 2005 letter.
-

3. The Service would like to reiterate previous comments and recommendations provided in our September 26, 2005 letter.

September 26, 2005 Comments - The Service's current assessment is that the leasing of these parks to local communities or sponsors interested in operating and maintaining them would benefit all parties involved. Many of these parks have been partially or entirely closed due to budget restrictions and maintenance difficulties. The level of interest that communities and sponsors have in restoring and maintaining these areas is evidence of their importance and indicative of how they have suffered from their loss. Local economies have been impacted as tourism revenues declined and gathering places for picnics, swimming, camping, and recreating have been lost. Letting local interests operate and maintain these parks will allow for the restoration of these important landmarks and fulfill recreational obligations to the public. In addition, the economies of nearby communities would benefit greatly as much of the Arkansas River is difficult to access and reopening these parks will increase tourism and recreational activities in these areas.

Community operation will also allow for localized development and management to meet their specific interests. Communities often have varying interests and needs that can not be satisfied by a general design and management plan. A lease will allow each community to develop and manage their park as they wish. Some communities may have interest in constructing soccer fields whereas another may prefer to maintain a development free nature area and trails. Specifically designing and operating these parks in this way will create added benefits for these communities.

While the Service does support the concept, we do not think that we or the Corps should be relieved of our duties and responsibilities in assisting and regulating these parks as federal property. We believe that the Service and the Corps should continue to look for opportunities to assist in the development and management of the parks, recreation, and conservation along the Arkansas River Navigation System. Furthermore, it is our responsibility to insure that these areas are developed and managed in accordance with all applicable state and federal laws. Developments and habitat alterations within the parks should be reviewed and assessed accordingly. The Service recommends that the interests leasing the parks should be required to develop a habitat management plan for review and approval in advance of acquisition to insure that habitat, fish, and wildlife conservation are given due consideration. Additionally, many of these parks may have threatened and endangered species living on site or nearby.

The Service does not anticipate any effects to threatened and endangered species from the leasing of these parks to other interests so long as eagle/egret nest surveys are performed prior to any development and the Service is contacted for further consultation if a nest or rookery is identified. If species are found in an area planned for development the Service will assist the Corps and the public interest in accordance with Section 7 of the Endangered Species Act to develop the area responsibly and protect and conserve the species. Other applicable laws

such as the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act protect eagles, herons, and other bird species which are commonly found nesting along the Arkansas River. The Service can provide assistance and guidelines for complying with these laws in advance of development.

The Service appreciates the opportunity to review the DEA and provide further coordination regarding the lease of Corps parks along the McClellan-Kerr Arkansas River Navigation System. If you have any questions, please contact me at (501) 513-4489.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lindsey Lewis', with a stylized flourish at the end.

Lindsey Lewis
Environmental Coordinator



The Department of Arkansas Heritage

Mike Huckabee, Governor
Cathie Matthews, Director

Arkansas Arts Council
Arkansas Natural Heritage Commission

Delta Cultural Center
Historic Arkansas Museum
Mosaic Templars Cultural Center
Old State House Museum



Arkansas Historic Preservation Program

1500 Tower Building
323 Center Street
Little Rock, AR 72201
(501) 324-9880
fax: (501) 324-9184
tdd: (501) 324-9811
e-mail: info@arkansaspreservation.org
website:
www.arkansaspreservation.org

An Equal Opportunity Employer



May 12, 2006

mwg 5/17/06

Mr. Roger Hicklin
Deputy Chief
Little Rock District corps of Engineers
Planning & Environmental Office
Post Office Box 867
Little Rock, Arkansas 72203-0867

RE: Multi County - General
Section 106 Review - COE
Lease Action at Various Parks in the McClellan-Kerr Arkansas River
Navigation System
AHPP Tracking No: 56983

Dear Mr. Hicklin:

My staff has reviewed the documentation regarding the above-referenced undertaking. Our records show that 21 archeological sites and four historic sites are located on the subject properties and may be affected by the proposed leasing arrangements. We recommend that cultural resources surveys be conducted to determine the current status of the sites listed below, and whether additional unrecorded sites are present. A report of that work that meets the standards contained in "A State Plan for the Conservation of Archeological Resources in Arkansas" should be submitted to this office for review prior to issuance of any leases.

In addition, the lease agreements should contain specific language protecting cultural resources that are listed or eligible for inclusion in the National Register of Historic Places, as well as properties whose eligibility is currently undetermined. The leases should also specify that future development or modifications to the leased property be reviewed under Section 106 of the National Historic Preservation Act.

Thank you for the opportunity to comment on this undertaking. If you have any questions, please contact Steve Imhoff of my staff at (501) 324-9880.

Sincerely,

Ken Grunewald
Deputy State Historic Preservation Officer

cc: Ms. Margaret Bell, Wichita & Affiliated Tribes
Mr. Robert Cast, Caddo Tribe of Oklahoma
Mr. Christopher G. Davies, Little Rock District Corps of Engineers
Dr. Ann M. Early, Arkansas Archeological Survey
Mr. Anthony Whitehorn, Osage Nation
Ms. Carrie V. Wilson, Quapaw Tribe of Oklahoma

U.S. Department of Homeland Security
FEMA Region 6
800 North Loop 288
Denton, TX 76209-3698



FEMA

**FEDERAL EMERGENCY MANAGEMENT AGENCY
REGION VI
MITIGATION DIVISION**

PUBLIC NOTICE REVIEW

We have no comments to offer We offer the following comments

**WE WOULD REQUEST THAT THE LOCAL
FLOODPLAIN ADMINISTRATOR BE CONTACTED FOR
THE REVIEW AND POSSIBLE PERMIT REQUIREMENTS
FOR THIS PROJECT**

REVIEWER MITIGATION DIVISION

DATE 4-10-06



DEPARTMENT OF THE ARMY
 LITTLE ROCK DISTRICT, CORPS OF ENGINEERS
 POST OFFICE BOX 867
 LITTLE ROCK, ARKANSAS 72203-0867

REPLY TO
 ATTENTION OF (501) 324-5751 □ FAX: 501-324-5605 □ <http://www.swl.usace.army.mil>

March 30, 2006

Planning & Environmental Office

Gary Jones
 Acting Regional Director
 FEMA, Region VI
 Federal Regional Center
 800 North Loop 288
 Denton, TX 76210

Dear Mr. Jones:

Enclosed for your review is a compact disc containing a copy of the Draft Environmental Assessment (DEA) and Draft Finding of No Significant Impact (DFONSI) of the Lease Action at Various Parks in the McClellan-Kerr Arkansas River Navigation System. The documents have been prepared in accordance with the National Environmental Policy Act (NEPA) and U.S. Army Corps of Engineers Engineer Regulation ER-200-2-2. The documents can also be reviewed on the internet at <http://www.swl.usace.army.mil/planning/index.html>

Your comments are requested as part of a 30-day public review period and should be received **no later than April 30, 2006**. Comments should be addressed to Mr. Mike Rodgers, U.S. Army Corps of Engineers, Little Rock District, Planning & Environmental Office, P.O. Box 867, Little Rock, Arkansas 72203-0867, telephone number (501) 324-5030, email: michael.r.rodgers@usace.army.mil.

016-04-5005

Date Rec'd:	04/3/06
Initiator:	BT
	Action Info Initial
RD	
DRD	X
XA	
EO	
EA	
RR	
NP	
RM	X
AR	
ECO	
MERS	
File	X
Suspense	4-19-06
Date:	

Sincerely,

Roger C. Hicklin, P.E.
 Deputy Chief,
 Planning & Environmental Office

Enclosure

Draft EA MKARNS Lease Action

Arkansas Wildlife Federation

9700 Rodney Parham Rd. Suite I-2 Little Rock, Arkansas 72227

Telephone: (501) 224-9200 1-877-945-2543 Fax: (501) 224-9214

"Your voice for hunting, fishing and conservation since 1936"

May 13, 2006

To: Mike Rodgers
Planning & Environmental Office
Little Rock District
US Army Corps of Engineers
PO Box 867
Little Rock, AR 72203-0867

From: Jim Wood, Chairman
AR River Study Committee
AR Wildlife Federation
56 Delaware Bay Road
Dardanelle, AR 72834

Ref: Solicitation of comments for Draft EA titled, "Lease Action at Various Parks on the McClellan-Kerr Arkansas River Navigation System, Arkansas", dated Sept. '05.

Arkansas Wildlife Federation appreciates your solicitation on the above Draft EA and we offer the following comments on issues, concerns, opportunities and the NEPA Process on behalf of our membership. We believe this Draft EA opens up a long overdue opportunity to apply the NEPA Process to COE's controversial lack of maintenance and shutdown actions at MKARNS Parks, which, with exception of navigation, is similar to Agency's disinterest in sharing funds with managing other authorized purposes.

Our members are primarily sports men and women users of the resource to be affected by the proposed action. AR Wildlife Federation has no problem with leasing MKARNS parks to willing local governments, as long as these properties are managed by and remain under direct control of local government leaseholders and are not subleased under some scheme for private development. We do object to shutting down/reducing services at Parks having no takers, for we consider their O&M to be a federal responsibility.

Corps interest in long term leasing project lands/facilities to local governments opens up a potential special interest nightmare of lobby/earmark schemes and tricks as revealed by the 2003 free 50 year lease to a developer of COE lands at Skiatook Lake in OK, a AR River tributary flood control project. COE's failure to protect public taxpayer interest in this OK lease transaction reflects a high level of Agency corruption in itself. At Skiatook Lake, the City's Development Authority leased 280 acres of Corps lands/wildlife habitat for free and then subleased, at no charge, these same lands to a private developer for a golf course, cabins, lodge, RV park, shopping village and related developments. AR Wildlife Federation views Corps failure to protect the public interest in these type land laundering lease schemes as bordering on fraud, abuse and mismanagement that need full

Draft EA MKARNS Lease Action

discussion, notwithstanding that COE issued a FONSI on the Skiatook EA. We believe NEPA qualifies the proposed MKARNS Draft EIS for a full EIS in order to clarify how targeted parks will be leased under language that prevents these Skiatook Lake laundry type schemes from further occurring in the future?

The document seems to be around 64 pages, unusually long for a Draft EA, and indicates perhaps an EIS would be more appropriate in meeting NEPA Sec. 102(2)(C) mandate to quantify and compare cumulative economic and other impacts to the Human Environment. CEQ states, "The Council has generally advised Agencies to keep EA length to not more than approximately 10-15 pages."

COE continues Parks Management through a piecemeal shutdown strategy by breaking the action down into smaller individual [various parks] to make the action appear insignificant so as to avoid developing a comprehensive EIS. 40 CFR 1508.27 declares, "Significance can not be avoided by terming an action temporary or **by breaking it down into small component parts.**" COE's component breakdown approach appears contrary to NEPA?

The analyzed proposal is labeled a "Lease Action at Various Parks". Actually, it's a continuing, arbitrary shutdown process for Parks where COE has been historically unable to shift O&M expense to local governments. It is unrealistic that solutions are narrowed to only Alternative 2, when there's a wide mix of cost sharing opportunities, many used over the years at Corps LRD projects. COE requests additional construction funding from Congress every FY. Obviously, similarly requesting more Parks O&M funding is a reasonable alternative solution not included in the Draft EA, but should be.

Existing Situation and Background:

It appears that MKARNS annual O&M budget from FY 2001-06 grew from \$24.5-\$35.4 million, solely to maintain and operate the System, not included is hydropower or water management cost. It looks like this budget grew about \$1.8 million annually over this period that the Corps claims Need for the action is related to funding cutbacks? How did COE share additional budget funds with these Parks?

Moreover, during this 6 year period COE spent \$9.4 million to Study and approve a \$166 million MKARNS channel deepening project, while claiming they lack O&M funds to maintain Parks and other System components? We believe that NEPA requires an accounting analysis that discusses whether Purpose and Need of Park shutdowns result from lack of funds, COE options to shift FY O&M funds to favor navigation or other functions over Parks, or managements disinterest in generating funds at local projects?

Originally MKARNS was constructed to be managed for the purposes of navigation, hydropower, recreation, flood reduction, fish and wildlife. And under Section I, E. Operation and Maintenance activities/August 1974 MKARNS Operations and Maintenance EIS, 2-8, O&M activities apply to providing parks and public recreational opportunities. Congress has clearly authorized MKARNS to include parks and recreation, not as a local responsibility, but as a federal function.

According to this O&M EIS, by end of FY 1976, 59 parks were to be developed, COE Project Offices along the river included a Land Maintenance Section tasked to maintain assigned park areas. AR Wildlife Federation considers this '74 MKARNS O&M EIS, although outdated none the less, to be the baseline from which to begin NEPA

Draft EA MKARNS Lease Action

documentation of environmental changes to the System. And CEQ guidelines clearly requires that a 32 year old document must undergo either a comprehensive Supplement or reformulated EIS.

We believe that to identify the existing baseline situation, COE must return to the '74 O&M EIS time and quantify subsequent shutdown/cutback of services, etc. impacts that have resulted at each originally constructed Park/Recreation Area. COE Commanders, from the outset, have presented a disinterest in sharing budget funds to maintain parks, recreation, fish and wildlife outputs, preferring to shift these MKARNS related activities through lease agreements to local, or state agencies such as AR Game & Fish and Parks & Tourism. Few cities and counties are financially able to manage rural parks, generally considered a authorized federal O&M responsibility that Congress authorized to COE.

For several years, following completion of recreation areas and '74 O&M EIS, Parks without lease takers, became candidates for arbitrary service cut-backs, dismantling of structures, eliminating RO Land Maintenance Sections, resulting in selected parks becoming overgrown with only boat launching ramps. This Corps maintenance strategy of allowing AR River parks to deteriorate, is a practice in itself which reduces visitor use. MKARNS parks rarely upgrade water and electric services to meet changing demand.

Corps has long standing authority (SWL-1130-2-40) and (EP 1130-2-550 Ch 2-2) and other Park management leasing tool, where takers are available. Of the 14 affected parks listed in the Draft EA, Point Remove and Sequoia were closed in 2002, and Cabin Creek and O'Kane were partially closed (Russellville Courier 2-13-02). Failure to provide at least an EA on these actions appears contrary to NEPA?

The National Recreation Lakes Study Commission, created by Congress and appointed by President Clinton in 1996, found in their June 1999 "Reservoirs of Opportunity" Report that, "Agencies often act as if the recreation business the lakes support isn't their concern". And regarding failure to lease concerns, "Corps of Engineers policy response is to close these parks"—COE disregards park maintenance as a federal responsibility. The existing situation [No Action Alternative], is a continuing strategy to get the Corps out of recreation on MKARNS. And Alternative 2 is designed to legitimize this strategy. Far more creative budget sharing options are not considered in the DEA.

After years of cooking cost/benefit ratios, for a variety of different formulated MKARNS plans in the 1940's [SW Division: 50 Years], COE finally came up with a favorable \$1/1.08 c/b. To meet the Congressional approval c/b test, authorized purposes had to include economic benefits provided by Parks. Fish, Wildlife and Recreation was assigned 17% of AR River benefits when scoping MKARNS 5 year \$9.4 million Study. Parks and recreation do not appear to be getting 17% of MKARNS budget? We offer the following on Issues we think apply to the proposed lease/shutdown action.

ISSUES:

1. FONSI: Under Anticipated Env. Impacts, declares, "---nor is it controversial in any significant way." This conclusion is factually incorrect. And during MKARNS Study, Col. Wally Walters and LRD Planning Staff, were made fully aware of the high level of public controversy with AR sportsmen that was being generated by COE's budget policy which short-changes/reduces Agency's obligation to fund recreation O&M needs. Noticeably, their policy continues to significantly increase O&M annual funding for
-

Draft EA MKARNS Lease Action

navigation, a authorized, overbuilt, pitifully underutilized component of MKARNS. FONSI's "non controversial" (40 CFR 1508.27(b)(4)) finding is factually inaccurate, nor does the Draft EA provide sufficient evidence to support such conclusion.

2. ES.2 Project Description and Alternatives: The proposed action language is deceptive. "No Action would result in not leasing the identified parks to local sponsors, resulting in closure of the parks—". It does clarify the real simplified purpose of this EA though, which is to present a formal threat to local government, that unless they assume operating expense for managing these targeted COE owned parks, they will be closed. The scheme being to shift "COE operating budget costs" over to local government entities who have declared over the 35 year history of MKARNS that they do not have sufficient funds to operate what is considered a federal responsibility and a Congressionally authorized Project Purpose. COE's parks and recreation role seems to be answered at EP 1130-2-550, Ch 2-2 mission statement: [CEQ considers people to be part of the ecosystem].

"The Army Corps of Engineers is the steward of the lands and waters at Corps water resource projects. Its Natural Resource Management Mission is to manage and conserve those natural resources, consistent with ecosystem management principles, **while providing quality public outdoor recreation experiences to serve the needs of present and future generations.**"

Providing recreation on the western stretch of AR River is a dispersed, unique situation where public access depends almost exclusively upon no less than the current scattering of Corps parks. The Draft EA improperly limits solutions to only one action Alternative. The 1999 "Reservoirs of Opportunity" Study found numerous cost sharing and other funding solutions that should be included in a mix of reasonable Alternatives analyzed. The Draft EA limits the No Action baseline situation to only 14 listed Parks without identifying how the matrix of all parks are to be managed to provide reasonable recreational access to each stretch of the river.

3. Purpose and Need 2.0: The Purpose of this proposed action is to formally continue a Corps Agency wide decision to discontinue funding recreational opportunities on MKARNS, a convoluted management decision that is contrary to the Congressional mandate which originally authorized the project and Purposes for which it was to be managed. The DEA fails to quantify LRD/COE budgeting process, or how funds are shared among authorized purposes, especially Parks, the Issue at review?

This NEPA document needs to clarify whether COE/LRD/Col. Walters has the authority, or in what measure, to arbitrarily withhold O&M funding from recreation/parks, while shifting these appropriated budget funds over to navigation or other authorized purposes? Moreover, we believe NEPA requires more of a discussion of available shifting of funds/solutions than a simple comment, "Due to budget cutbacks, various parks have been identified for closure." How much does COE need to save? Need for the action, ---"to allow public camping and other recreational activities at no cost to COE"---an approach contrary to the Agency's mission which needs rigorous discussion.

Draft EA MKARNS Lease Action

4. Economics/Recreation 4.8: The Draft EA bases the action upon “lack of funding” yet fails the sufficiency test of quantifying the shortfall or how much funding is needed? AR Wildlife Federation agrees that, “Annual visitations translate into substantial economic impacts to the local economies in the form of direct and indirect employment business volume and income.” AR Dept. Parks & Tourism annually publish these estimated benefits for each county within the State. They are significant. The DEA fails to quantify b/c impacts as required by COE’s own Planning Guidelines. This action also presents some measure of cumulative impacts beyond just a site-specific recreation area or park. We fail to see how this Draft EA, absent a economic analysis, comprehensive EIS, and accounting data for the same, can comply with ER 1105-2-100, six step Planning Process? Absence of an economic analysis is a fatal flaw in applying NEPA to this DEA.

COE utilizes Recreation Use Survey data, (EP 1130-2-550) “where car counters are used to monitor vehicle traffic.” Car counting is measurably inaccurate for determining recreational area use. Table 4-1 is 4 year old outdated 2002 data. Moreover, using reservoir/pool total estimated Visits fails the accuracy test for decisions as to whether a specific MKARNS park qualifies to be shut down. Alternative 2 lists 14 parks, and each one needs its own history of use and why those targeted for shutdown/cutback is based upon more than an arbitrary decision?

Noticeably, the proposed action is sharply narrowed to leasing or shutting down parks. We believe NEPA also requires analysis and grading criteria for restoring and improving parks as a solution to encourage elevated use. COE applies six specific criteria to consider park cut backs or closure, yet the Draft EA fails to analyze any of these.

In addition, shutting down or cutting back these facilities, seems to constitute a irretrievable commitment of recreational opportunities, without meeting NEPA’s Mitigation requirements as described at 40 CFR 1508.20, as well as CEQ’s clarification that, “All relevant reasonable mitigation measures that could improve the project are to be identified.” How will closure and its associated loss of recreational access at each park be mitigated where there are no lease takers?

5. EO 12898: Demographics used in 4.9 is based on a broad county wide income averaging formula, which seems less relevant to the usual low income situation in these rural unincorporated communities that depend more upon COE parks for recreational access to the River than other distant county residents. We believe in order to comply with EO 12898, public use survey data specific to each studied Park must be developed that more accurately identifies income demographics of each Park’s public users. We were not aware, nor were we previously notified, that COE was applying the NEPA Process, nor soliciting public comments, on proposals to wholesale shut down or close MKARNS Parks. We did know that, under a piecemeal approach, COE was arbitrarily cutting back park services without the public involvement requirements of NEPA.

This action is a controversial, decision in principle, precedent for COE to continue eliminating Parks and recreation facilities essential for low income rural people to enjoy benefits of this federally managed resource. A simple observation of users who picnic, camp, bank fish and vacation at these parks without utility services reveal a majority of them to be obviously local low income families.

Draft EA MKARNS Lease Action

In Summary:

The proposed action is a continuing strategy by COE to shift recreation and parks resource management to only the choices of (1) cut back/shut down services, or (2) Shift management, funding and maintenance to non federal local governments. Experience shows the latter exposes taxpayers, who have purchased and managed these MKARNS lands, to a corrupt plague of free lease laundering schemes exemplified by Tulsa Districts handling of Skiatook Lake situation. Military Commanders seem to often lack understanding and resource management job skills needed to protect the public interest in lease decisions like Skiatook, a Issue we think qualifies for “existing situation” discussion in an EIS. It is preposterous that Tulsa DE found that this Public Land laundering scheme at Skiatook presented No Significant Impact. We strongly object to COE allowing any local government sub-leasing of MKARNS property and Parks.

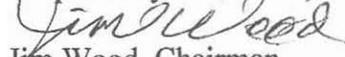
Resource Agencies, like BLM and Forest Service, often cope with budget shortfalls through creative funding options. COE continues a policy of spending the bulk of MKARNS annual budget on the underused and overbuilt navigation component of the System’s variety of authorized purposes. Noticeably absent from the DEA is a creative mix of cost sharing and other reasonable alternatives. This is a fatal flaw in applying NEPA.

This action is a continuing COE strategy, and decision in principle for future reviews, to break resource and parks management down into a fragmented mix of [FY budget] solutions, all tied to a policy that places lowest priority for funding to parks and recreation. This FONSI is an inappropriate decision in principle that future similar actions directed at eliminating parks and recreation as a federal function is insignificant, although they pose substantial adverse cumulative impacts upon low income public users of the resource.

COE spent \$9.4 million recently for an EIS study limited to deepening 445 miles of pitifully underused navigation channel. Lack of funding does not seem to be an Agency wide problem, so we request LRD treat parks and recreation with equal concern and also develop a comprehensive EIS on this Draft EA. The EA fails to provide sufficient evidence supporting that a FONSI is appropriate for this action which has potential for creating extensive cumulative impacts.

AR Wildlife Federation appreciates this opportunity to comment on this proposed action. Should you have questions, please call me 479-229-4449.

Respectfully Submitted,



Jim Wood, Chairman

AR River Study Committee

AR Wildlife Federation

cc file

AR Game & Fish

AR Dept. Parks & Tourism

AR Congressional Delegation



ARKANSAS
Department of Environmental Quality

4/24/05

Mr. Mike Rodgers
U.S. Army Corps of Engineers – LR Dist.
Planning & Environmental Office
P.O. Box 867
Little Rock, Arkansas 72203-0867

RE: Lease Action at Various Parks in the McClellan-Kerr
Arkansas River Navigation System

Dear Mr. Rodgers:

The Arkansas Department of Environmental Quality has reviewed the information submitted in the referenced project. We have no comments, at this time.

If you have any questions or concerns, please contact me at (501) 682-0947.

Sincerely,

A handwritten signature in cursive script, appearing to read "Nathaniel P. Nehus". The signature is written in black ink and is positioned above the printed name and title.

Nathaniel P. Nehus
Chief Ecologist



**DEPARTMENT OF
PARKS & TOURISM**

One Capitol Mall
Little Rock, AR 72201
501-682-7777
Arkansas.com

History Commission
501-682-6900 (V/TT)
Ark-ives.com

Keep Arkansas
Beautiful Division
501-682-3507
KeepArkansasBeautiful.com

Personnel Section
501-682-7742 (V/TT)

State Parks Division
501-682-1191 (V/TT)
ArkansasStateParks.com

Tourism Division
501-682-7777 (V/TT)

**Mike Huckabee
GOVERNOR**

Richard W. Davies
EXECUTIVE DIRECTOR

**STATE PARKS,
RECREATION
& TRAVEL
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**AN EQUAL
OPPORTUNITY/
AFFIRMATIVE ACTION/
AMERICANS WITH
DISABILITIES ACT
EMPLOYER**

Arkansas

THE NATURAL STATE

May 25, 2006

Mr. Mike Rogers
U.S. Army Corps of Engineers
Little Rock District, Planning & Environmental Office
P.O. Box 867
Little Rock, Arkansas 72203-0867

RE: Draft EA & Draft FONSI Lease Action
Various Parks, McClellan-Kerr AR River Nav.

Dear Mr. Rogers:

After my initial review of the above mentioned documents I was inclined to assume that the closure of a few parks, leasing of others, and cut backs in O&M expenditures was due to specific use data and a sharing of the burden of the cost of the war efforts of the country's military. I have since reconsidered my position. I have had extended discussions with my staff, the Arkansas State Park, Recreation, and Travel Commissioners, and others. They have reminded me that a long term pattern of staffing commitments, attempts to transfer operating and ownership responsibilities to other entities, and continual withdrawal of budgetary support by the Corps of Engineers (COE) from the recreational component of the McClellan-Kerr Arkansas River Navigation System, other COE projects within the state, and park and recreation projects across the nation is simply unacceptable.

Being a park management agency ourselves, we have sympathy for operating costs and problems. However, this incremental closing of more and more parks each year, and the lack of maintenance dollars in others has gotten to the point of "enough is enough."

A review of 35+ years of history of the creation and operation of Arkansas's rivers and navigation systems reveals that parks wildlife and recreation were included in the authorized purposes to justify to the development of these complex systems yet those original authorized purposes and commitments to the system has been continually eroding over time. COE parks, recreation and wildlife facilities play a very significant role in providing access to Arkansas's natural resources and the parks, travel and tourism economy. It is my opinion that the COE should honor their commitment to Arkansas by investing and upgrading existing facilities. The COE should provide quality maintenance to all facilities and where needed, construct new ones to enhance visitor access and generate revenues to help offset operating costs.

If I can provide you with any additional information, please feel free to contact me.

Sincerely,

Richard W. Davies
Executive Director

cc: Arkansas State Park, Recreation, and Travel Commission

Enclosures

CESWL-PE

JULY 6, 2006

Mr. Ken Grunewald
Deputy State Historic Preservation Officer
Arkansas Historic Preservation Program
1500 Tower Building
323 Center Street
Little Rock, AR 72201

Dear Mr. Grunewald:

The Little Rock District of the US Army Corps of Engineers (Corps) is currently considering leasing many of its parks on the Arkansas River. Your staff has previously reviewed this project (AHPP# 56983). We thank you for your comments issued in a letter dated May 12, 2006. It should be kept in mind that these parks are already developed and that any lease issued would explicitly require Section 106 review before any construction activities. We will continue to consult with your office should any ground disturbing actions be proposed.

Should you have any questions, please feel free to contact Christopher G. Davies of my staff at (501) 324-5752. Thank you for your time.

Sincerely,

Signed

Roger C. Hicklin, P.E.
Acting Chief, Planning and Environmental Office



The Department of Arkansas Heritage

Mike Huckabee, Governor
Cathie Matthews, Director

Arkansas Arts Council

Arkansas Natural Heritage
Commission

Delta Cultural Center

Historic Arkansas Museum

Mosaic Templars
Cultural Center

Old State House Museum



Arkansas Historic Preservation Program

1500 Tower Building

323 Center Street

Little Rock, AR 72201

(501) 324-9880

fax: (501) 324-9184

tdd: (501) 324-9811

e-mail: info@arkansaspreservation.org

website:

www.arkansaspreservation.org

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July 11, 2006

Mr. Christopher G. Davies
District Archeologist
Little Rock District Corps of Engineers
Post Office Box 867
Little Rock, Arkansas 72203-0867

RE: Multi County - General
Section 106 Review - COE
Lease Action at Various Parks in the McClellan-Kerr Arkansas River Navigation
System
AHPP Tracking No: 56983 & 60492

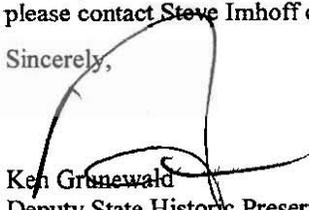
Dear Mr. Davies:

Thank you for your recent letter alerting us to the addition of Illinois Bayou Park to those proposed for lease action. Our records show that only one site (3PP16) is located in the vicinity of this park and that it is submerged beneath Lake Dardanelle.

Following a conversation between you and Steve Imhoff of my staff, we agree that, because these parks will remain in federal ownership, cultural resources surveys of them are not necessary at this time. However, any proposed changes, particularly those involving ground disturbing activity, will initiate the Section 106 process. The District should be vigilant regarding actions that the lessees may take at these parks, as they may not understand the requirements imposed on them by Section 106 of the National Historic Preservation Act.

Thank you for the opportunity to comment on this undertaking. If you have any questions, please contact Steve Imhoff of my staff at (501) 324-9880.

Sincerely,


Ken Grunewald
Deputy State Historic Preservation Officer

cc: Dr. Richard Allen, Cherokee Nation
Mr. Bill Anoatubby, Chickasaw Nation
Mr. R. Perry Beavers, Muscogee Creek Nation
Ms. Margaret Bell, Wichita & Affiliated Tribes
Mr. Robert Cast, Caddo Nation of Oklahoma
Mr. Terry Cole, Choctaw Nation of Oklahoma
Dr. Ann M. Early, Arkansas Archeological Survey
Mr. Jerry G. Hainey, Seminole Nation
Ms. Rebecca Hawkins, The Shawnee Tribe
Ms. Karen Kaniatobe, Absentee Shawnee Tribe
Mr. Emman Spain, Seminole Nation of Oklahoma
Mr. Ron Sparkman, Shawnee Tribe
Mr. Anthony Whitehorn, Osage Nation
Mr. George G. Wickliffe, United Keetoowah Band of Cherokees
Ms. Carrie V. Wilson, Quapaw Tribe of Oklahoma

USACE Response to comments

The preceding comments were received during the public comment/review period. All comments were reviewed and those comments applicable to the scope of this action (park leasing) were considered in the completion of this final document.

The general concern by the public and agencies regarding availability of recreational opportunities for the public has always been a concern for the USACE. Reduced federal funding for recreation has required that many USACE parks throughout the country either be closed or leased to local governments or organizations that are willing and able to maintain the parks to USACE standards. The USACE has always preferred to lease the parks and thereby continue to provide the general public with recreational opportunities rather than close the parks indefinitely. Of utmost importance to the USACE is the fact that the public will continue to have access to these parks. Subleasing will not be allowed by the lessee and all future actions by the lessee will be coordinated with the USACE and must conform to all applicable laws and regulations related to the action

The most controversial comments were received relative to other activities on the MKARNS and the general budget allocation for the system. These items are outside the scope of this EA. This EA has evaluated the potential leasing of parks which are currently closed, partially closed, or open with cooperation with cities in proximity to the parks. Budget cuts at the US Army Corps of Engineers, Little Rock District FY 2004, forcing the agency to take various actions affecting 84 parks in Arkansas. Preparation of a Park Operating Efficiency Review (POER) rating was completed and the results were analyzed with decision on the status made in January 2004 and final approval by the District Engineer in February 2004. The public was informed of this action in February 2004. The USACE regrets the conditions are such that operation and maintenance of some parks have suffered as a result of this problem. The intent of this leasing action is to restore currently closed/partially closed parks to an operational status for the good of the public users by cooperating with the local communities when possible.

Because the intent of the action is to restore currently closed/partially closed parks to an operational status for the good of the public, the COE does not find that the action is highly controversial.
