

## 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.

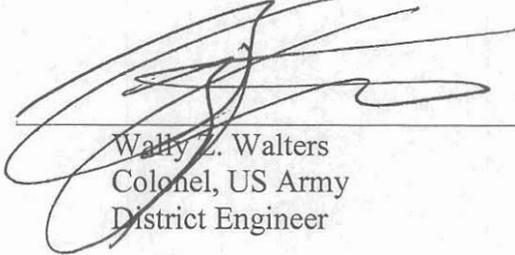
4. **The degree to which effects on the quality of the human environment are likely to be highly controversial.** The project will benefit the public therefore the Little Rock District, Corps of Engineers does not regard this activity as controversial, and the public response to the EA, for the most 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



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