

**Real Estate Plan
Beaver Lake Water Supply Reallocation
White River
Rogers, Arkansas**

20 April 2017

**Prepared For
US Army Corps of Engineers
Southwestern Division
Little Rock District**

**Prepared By
Jeremy R. Johnson
Acquisition, Planning & Control Branch
Real Estate Division
US Army Corps of Engineers
Southwestern Division
Little Rock District
Real Estate Plan
Beaver Lake Water Supply Reallocation**

**Beaver Lake Water Supply Reallocation
White River
Rogers, Arkansas**

<u>Table of Contents</u>	<u>Page</u>
1. Purpose of the Real Estate Plan.....	3
2. Description of lands, easements, and rights-of-way (LERRD's).....	4
3. Description of LERRD's already owned by Non-Federal Sponsor.....	4
4. Copies of proposed non-standard estates	4
5. Existing federal project that lies fully or partially with the LERRD's required for the project	4
6. Any federally owned land included within the LERRD's required for the project	5
7. Extent that LERRD's lies below the ordinary high water mark.....	5
8. Map depicting project area	5
9. Discussion of whether there will be flooding induced by construction or Operation and Maintenance (O&M) of the project	5
10. Baseline cost estimate for real estate.....	6
11. Relocation assistance benefits	6
12. Mineral activity	6
13. Assessment of Non-Federal Sponsor's legal and professional capability	6
14. Application of Zoning Ordinances	6
15. Real estate acquisition schedule.....	6
16. Description of facility or utility relocations	6
17. Known Contaminants.....	6
18. Support or opposition to the project	6
19. Statement that Non-Federal Sponsor has been notified in writing about the risks associated with acquiring land.....	7
20. Other real estate issues	7

Prepared By: Jeremy R. Johnson

Exhibits:

Exhibit 1 Vicinity Map

**Real Estate Plan
Beaver Lake Water Supply Reallocation
White River
Rogers, Arkansas**

1. Purpose of the Real Estate Plan

The purpose of this Real Estate Plan (REP) is to outline the real estate requirements for Beaver Lake Water Supply Reallocation. Beaver Dam is on the White River approximately 18 miles northeast of Rogers, Arkansas. Beaver lake is one of five multiple-purpose projects constructed in the White River Basin for flood control, power generation and other purposes.

Three regional water suppliers have requested reallocation of storage space:

- 1) The Benton Washington Regional Public Water Authority (Benton Washington),
- 2) The Carroll-Boone Water District (Carroll-Boone); and
- 3) The Madison County Regional Water Authority (Madison County).

Water supply was first available for municipal and industrial uses from Beaver Lake as part of the original project condition and provided 108,000 acre-feet of storage for the Beaver Water District. Current storage capacity on the lake is 287,302 acre-feet of flood control storage and 937,398 acre-feet of conservation storage for a total of 1,224,700 acre-feet.

This study resulted in no changes to the current Conservation Pool elevation at Beaver Lake for this project. As a result there will be no Real Estate impacts at Beaver Lake. No LERRD acquisition is required.

Study Authorities:

- Water Supply Act of 1958
Public Law (P.L.) 85-500, Title III, Water Supply Act of 1958, as amended, 33 U.S.C. 390b authorizes the Corps to reallocate existing storage space to municipal and industrial water supply. Specifically, Section 301(a) establishes a policy of cooperation in developing water supplies for domestic, municipal, industrial and other purposes. Section 301(b) authorizes the Corps to include municipal and industrial water storage in reservoir projects, and to reallocate storage in existing projects to municipal and industrial water supply. As specified in Section 301(d), modifying a planned or existing reservoir to add water supply requires congressional authorization if the change would seriously affect the project operations as they relate to project purposes. The Corps has discretionary authority to reallocate if requested volume is less than either 15 percent of total useable storage or less than 50,000 acre feet provided the reallocation does not have serious effects and does not involve major structural or operational changes.
- Public Law 88-140

P.L. 88-140 (16 October 1963), extended to non-federal sponsors of water supply storage the right to use the storage for the physical life of the project subject to repayment of costs.

2. Description of lands, easements, and rights-of-way (LERRDs)

There is no acquisition of LERRD required for this project due to reasons stated in paragraph one.

3. Description of LERRDs already owned by Non-Federal Sponsor

The Non-Federal Sponsor owns no lands within the project area.

4. Copies of proposed non-standard estates

There is no non-standard estate for this project.

5. Existing federal project that lies fully or partially with the LERRDs required for the project

Beaver Lake is one of a five lakes in the reservoir system of the White River Basin initially constructed for flood management. Located in northwest Arkansas, the lake lies within portions of Benton, Washington, Carroll, and Madison counties (lower end of the Ozark Highlands), which are home to the rapidly growing Fayetteville-Springdale-Rogers Metropolitan Statistical Area. It is the first reservoir on the upper end of the White River basin (Exhibit 1). The lake is a multi-purpose project authorized for flood control, hydroelectric power, municipal and industrial water supply.

Beaver Lake has 28,370 acres at the top of the conservation-water supply pool at an elevation of 1,120 feet (National Geodetic Vertical Datum or NGVD). Surface acreage increases to 31,700 at the top of the flood-control pool at an elevation of 1,130 feet NGVD. The Lake has a storage capacity of 1.95 million-acre feet of water, which includes 287,300 acre feet for flood control and the remainder for water supply and hydroelectric power generation. In addition to surface water acreage, the Corps manages about 449 miles of shoreline.

Project Authorization:

Congress authorized Beaver Lake for flood control, hydroelectric power, and other purposes as further discussed below. The Water Supply Act of 1958 authorized municipal and industrial water supply as a project purpose. Construction of the Beaver Project began in November 1960 and was completed in June 1966.

Congressional authorizations for Beaver Lake include:

- 1) The Flood Control Act approved 28 June 1938 (Public Law No. 761, 75th Congress, 3rd Session) as modified by the Flood Control Act approved 18 August 1941 (Public Law No. 228, 77th Congress), and Flood Control Act of 1954, which included authorization of

the project for flood control and generation of hydroelectric power (Public Law No. 83-780, 83d Congress, 2d Session).

- 2) Flood Control Acts of 1944, Flood Control Act of 1946, and Flood Control Act of 1962, Rivers and Harbors Flood Control Act of 1968.
- 3) Section 6, Public Law 78-534 (the 1944 Flood Control Act) allows the Corps to enter into agreements for surplus water with states, municipalities, private concerns, or individuals at any reservoir under the control of the Department of the Army at agreed to price and terms. Agreements may be for domestic, municipal, and industrial uses, but not for crop irrigation.
- 4) The Water Supply Act of 1958 section 301(a), established a policy of cooperation in development of water supplies for domestic, municipal, industrial, and other purposes. Section 301(b) is the authority for the Corps to include municipal and industrial water storage in reservoir projects and to reallocate storage in existing projects for municipal and industrial uses. However, as specified in Section 301(d), modifications to a planned or existing reservoir project to add water supply, which would seriously affect the project, its other purposes, or its operation, require congressional authorization.

6. Any federally owned land included within the LERRDs required for the project

The project is located entirely on federally owned property.

7. Extent that LERRDs lie below the ordinary high water mark

There is no acquisition of LERRD required for this project due to reasons stated in paragraph one.

8. Map depicting project area

The map depicting the location of the proposed project is shown in Exhibit 1. There are no known or potential HTRW lands. There are no utilities or facilities to be relocated due to this project.

9. Discussion of whether there will be flooding induced by construction or Operation and Maintenance (O&M) of the project

The project will not result in any change to the existing pattern of flooding.

10. Baseline cost estimate for real estate

The project is located entirely on federally owned property. No additional real estate costs associated with this reallocation. There is no acquisition of LERRD required for this project due to reasons stated in paragraph one.

11. Relocation assistance benefits

There are no PL 91-464 relocations associated with this project.

12. Mineral activity

None. The Federal government owns the project area in Fee Simple.

13. Assessment of Non-Federal Sponsor's legal and professional capability

The project is located on federally owned property. No acquisition of LERRD is required.

14. Application of Zoning Ordinances

There are no zoning ordinances applicable to the lands required for this project.

15. Real estate acquisition schedule

The project is located on federally owned property. No acquisition of LERRD is required.

16. Description of facility or utility relocations

No facility or utility relocations are expected for this project.

17. Known Contaminants

There are no known contaminants associated with this project.

18. Support or opposition to the project

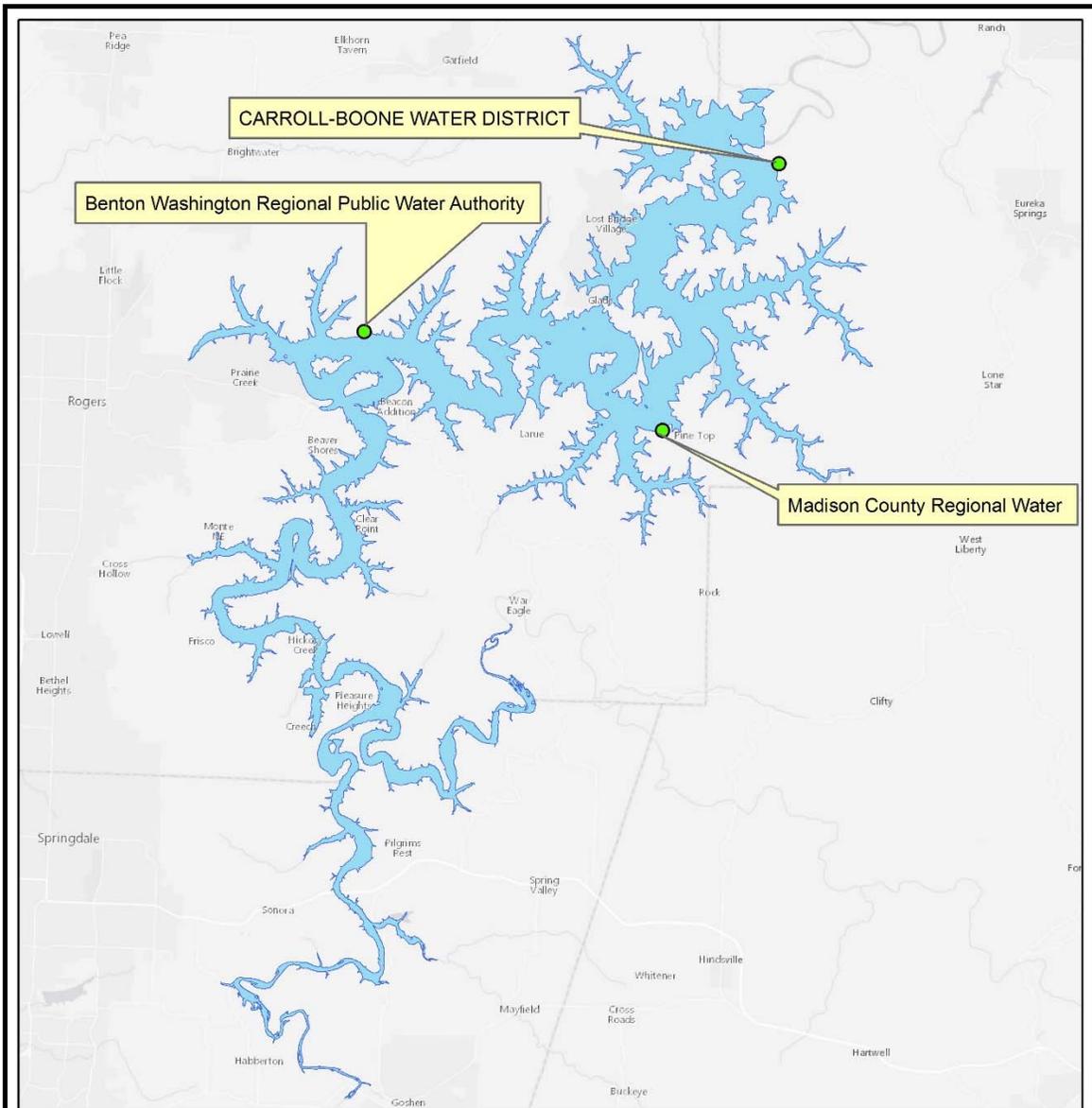
There have been no real estate-related positive or negative written or verbal comments received concerning this proposed project.

19. Statement that Non-Federal Sponsor has been notified in writing about the risks associated with acquiring land

There are no known risks associated with this project due to the fact that there is no land to be acquired.

20. Other real estate issues

There are no other issues that need to be addressed relevant to this project.



BEAVER LAKE WATER SUPPLY REALLOCATION

- WATER SUPPLIERS
- CONSERVATION POOL



**US Army Corps
of Engineers®**
Little Rock District
Real Estate Division

EXHIBIT 1