

## FINDING OF NO SIGNIFICANT IMPACT

### FINAL ENVIRONMENTAL ASSESSMENT FOR THE BEAVER LAKE PROPOSED LAND ACQUISITION, BENTON, CARROLL, MADISON, AND WASHINGTON COUNTIES, ARKANSAS

The U.S. Army Corps of Engineers, Little Rock District has conducted an environmental analysis in accordance with the National Environmental Policy Act (NEPA, Public Law 91-190) as amended in 2020, for the proposed Beaver Lake Land Acquisition (Project) in Benton, Carroll, Madison, and Washington counties, Arkansas. The final Environmental Assessment (EA) identifies the potential environmental effects of the Project. The final recommendation was made publicly available in the final Beaver Lake Proposed Land Acquisition EA dated June 2023.

Construction of Beaver Reservoir was authorized for flood control, power, and other purposes by the Flood Control Act of 1954, approved 3 September 1954 (Public Law 780, 83rd Congress, 2nd Session), as recommended by the Chief of Engineers in House Document No. 499, 83rd Congress, 2nd Session (referred to as the project document). A Real Estate Design Memorandum completed at that time identified all land and interests in land that would be necessary for the operation, maintenance, and control of the reservoir. The fee acquisition line, as a general rule, was blocked out along regular land subdivision or property ownership lines to include all lands below elevation 1128 mean sea level (msl) or to include the lands required for public access areas. Because of the terrain, the process did not embrace all lands required for the project in many places. Since construction of the project, the project office has become aware of several low-lying areas around the perimeter of the lake where Beaver Lake floods privately-owned land at seasonal conservation pool (1121.43 ft. msl). In addition, there are many other locations where Beaver Lake temporarily inundates privately-owned land at flood pool.

The Recommended Plan includes the acquisition of up to approximately 161 acres of fee simple estate land from willing sellers that are necessary to properly operate the Beaver Lake Project. County tax records and cadastral data analysis revealed the 161 acres include an estimated 464 landowners and 596 total tracts. This preliminary analysis revealed no need for acquisition of flowage easement.

The final EA for the Project, incorporated herein by reference, evaluated seven alternatives, including the No Action Alternative, that could potentially address the frequent flooding of private property around Beaver Lake. Of the seven alternatives, two alternatives were carried forward for detailed analysis including the No Action Alternative and Alternative 2 - *Purchase Land According to Prescribed Elevations in Design Memorandum (REDM) from Willing Sellers Only*. Section 3.0 of the EA discusses the alternative formulation and selection. The Proposed Project includes coordination with the public, agencies, and Tribes to comply with the Corps regulations among other laws, policy, and guidance.

For all alternatives, the potential effects were evaluated, as appropriate. A summary assessment of the potential effects of the Recommended Plan are listed in Table 1.

**Table 1: Summary of Potential Effects of the Proposed Action**

<b>Resource</b>	<b>Insignificant effects</b>	<b>Insignificant effects as a result of mitigation*</b>	<b>Resource unaffected by action</b>
Aesthetics	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Air quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aquatic resources/wetlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Invasive species	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fish and wildlife habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Threatened/Endangered species/critical habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Historic properties	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other cultural resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floodplains	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous, toxic & radioactive waste	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hydrology	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Land use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Socio-economics	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental justice	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Soils	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Climate change	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

All practicable and appropriate means to avoid or minimize adverse environmental effects have been analyzed and incorporated into the Recommended Plan.

Public review of the Proposed Project, draft EA, and FONSI was completed on April 15, 2022. All comments submitted during the public review period were responded to in the final EA.

Pursuant to Section 7 of the Endangered Species Act of 1973, as amended, the U.S. Army Corps of Engineers has determined that the Recommended Plan will have no effect on federally listed species or their designated critical habitat.

This alternative does not entail dredge or fill of Waters of the United States, thus neither a 404(b)(1) analysis or Section 401 water quality certification are required.

Pursuant to section 106 of the National Historic Preservation Act of 1966, as amended, the U.S. Army Corps of Engineers determined that historic properties would not be adversely affected by the Recommended Plan as no ground disturbing activities are involved. As such, coordination with Tribes was not required.

All applicable environmental laws were considered and coordination with appropriate agencies and officials has been completed.

All applicable laws, executive orders, regulations, and local government plans were considered in evaluation of alternatives. Based on the final EA conducted by the Corps, and the reviews by other Federal, State, and local agencies, input of the public, and the review by my staff, it is my determination that the Proposed Project would not cause significant adverse impacts on the quality of the human environment, therefore, preparation of an Environmental Impact Statement is not required.

---

Date

---

Damon M. Knarr  
Colonel, U.S. Army Corps of Engineers  
District Commander