

Workshop Topics

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What is the Design Memorandum?

- The Beaver Lake Real Estate Design Memorandum (REDM) identifies all land and interests in land that would be necessary for the **operation, maintenance, and control of the reservoir**
- The REDM was generated in support of the construction of Beaver Reservoir, which 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)
- The **fee acquisition line**, as a general rule, was **blocked out** along regular land subdivision or property ownership lines with the intent of including all lands below elevation **1128 ft. msl** and lands required for public access areas
- **Flowage easements** were intended to be acquired to elevation **1135 ft. msl** or up to elevation **1148 ft. msl** on the White River and up to elevation **1144 ft. msl** on War Eagle Creek



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Why is a change needed?

- Because of the terrain, the **blocking out** process did not encompass all lands required for the project in many places; the original acquisition effort to acquire land for Beaver Lake fell short of meeting the designed requirement
- In an effort to address the **designed operation of Beaver Lake**, the Corps of Engineers reviewed site specific data at various locations where the original acquisition did not purchase all required real property interests, affecting an estimated **500 landowners**
- A Beaver Lake Real Estate Design Memorandum – **Supplement** (REDM-S) will be generated to address and document the need to acquire these lands should the decision be made to acquire property



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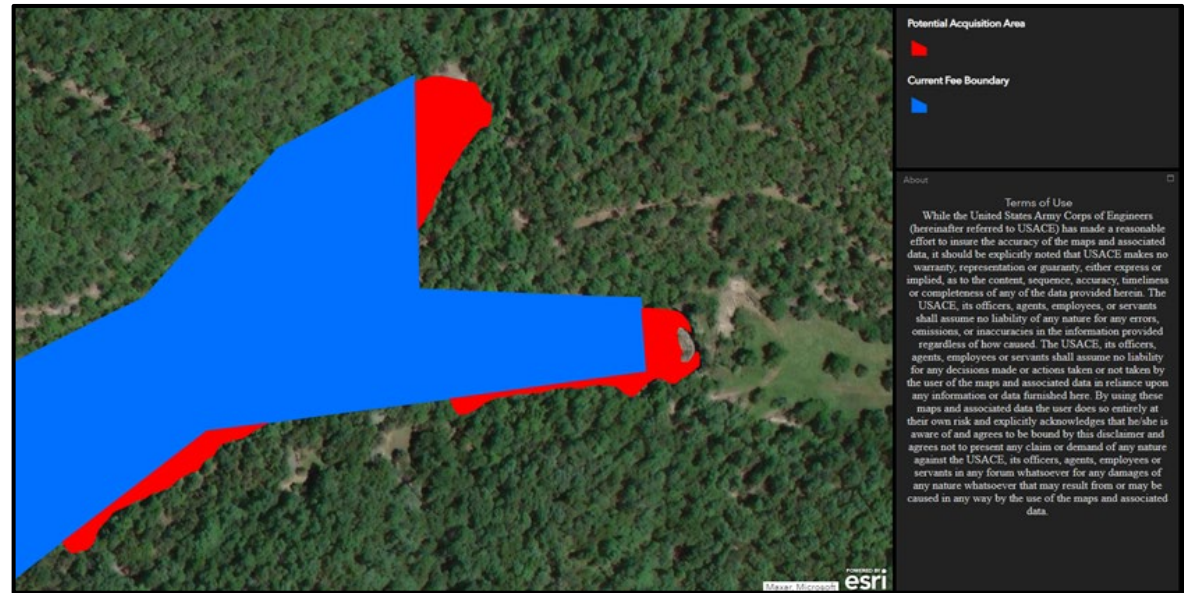


Why is a change needed?

Below: One example of a possible acquisition

Current boundaries (*in blue*) are overlaid on top of the **Proposed Acquisition area** (*in red*) (*right*) to demonstrate the proposed changes

The **current boundary** (*in blue*) illustrates how the land was initially acquired in 1954, and how the **“blocked”** nature of the area does not correspond to the **contour** of the lake (*in red*)



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What are fee and flowage?

- **Fee** acquisition includes the **purchase** of nearly all land rights and results in the subsequent **transfer** of property owners
- **Flowage** acquisition allows the property owner to **retain ownership** of the land but conveys to the government the right to **occasionally flood and restrict construction** of structures without approval
- **Fee acquisition** is the primary effort for this project
- Analysis of identified unacquired properties showed that primarily **fee** acquisition is needed in areas up to **1128 ft.** msl
- A small amount of **flowage** acquisition may be necessary
- These elevations are in accordance with the original REDM and will follow the elevation **contour**, instead of the **blocked-out** survey



Whose property may be affected?

- Currently, the Little Rock District Corps of Engineers estimates roughly **500 impacted landowners** are potentially affected
- USACE has identified areas where the original acquisition did not purchase all necessary real property interests and would acquire these areas from **willing sellers only**
- **Current and future funding allocations will** dictate how much land can be acquired



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What would be the process?

- Once willing sellers are identified, **Right of Entry (ROE)** permits will be sent out to landowners as applicable for the first step of the Acquisition process
- Through the ROE, the Corps of Engineers is requesting **permission** to enter the property in order to conduct required **environmental surveys** and **traditional land surveys** (**at no cost** to the landowner)
- An **external appraiser** would then estimate the value of the property
- If applicable, the Corps of Engineers would acquire the land **as funding allows**



How would I be compensated?

- The **external appraiser** determines the fair market value of the land
- **Negotiations** occur between the Corps of Engineers and the landowner
- Eminent domain through condemnation is **authorized**, however will not be used in this new willing seller approach
- All land acquisitions will be **in compliance with** the Uniform Relocation Act and federal land acquisition law



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When would this occur?

- The surveys and preparatory work could take around **12 months** for any willing sellers, if approved.
- The entire project could take **several years** and is contingent upon available funding for acquisition

Who can I talk to about the plan?

Please feel free to ask questions from USACE specialists **TODAY**. For questions about this project after today's workshop please contact:

By Phone:

Beaver Lake Project Office at (501) 340-1230 or
The Little Rock District at (501) 324-5551

- OR -

By Email:

CESWL-BeaverLakeAcquisitionPublicComment@usace.army.mil

***Please note that official public comments for the NEPA public comment period must be submitted **in writing** via the e-mail inbox, court reporter, website, or regular mail.*

