

1 **DRAFT FINDING OF NO SIGNIFICANT IMPACT (FONSI)**

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4 **NAME OF PROPOSED ACTION:** 2020 Greers Ferry Lake Draft Shoreline Management Plan
5 (SMP)

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7 **PURPOSE AND NEED FOR THE PROPOSED ACTION**

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9 The Draft 2020 Greers Ferry Lake Shoreline Management Plan (SMP) is the required U.S. Army
10 Corps of Engineers (USACE) approval document (Title 36, Section 327.30 Code of Federal
11 Regulations and Engineers Regulation 1130-2-406) that protects and manages shorelines of
12 USACE Civil Works water resource development projects under USACE jurisdiction in a manner
13 that promotes safe and healthful public use of shorelines while maintaining environmental
14 safeguards. The objectives of management actions in this 2020 SMP are to balance permitted
15 private shoreline uses and natural resource protection for general public use. The 2020 SMP
16 replaces the 2004 Greers Ferry Lake SMP.

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18 With the proposed SMP revision, a Draft Environmental Assessment (EA) is being completed to
19 evaluate existing conditions and potential impacts of proposed alternatives. The EA is prepared
20 pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality
21 (CEQ) regulations (40 CFR, 1500–1517), and the USACE implementing regulation, Policy and
22 Procedures for Implementing NEPA, ER 200-2-2, 1988.

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24 **ALTERNATIVES:**

25 Three alternatives were evaluated for the Draft EA:

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 - 28 ■ Alternative 1 (No Action)
 - 29 ■ Alternative 2 (Preferred)
 - 30 ■ Alternative 3 (Conservative)

31 **No Action (Alternative 1):** There are 306.4 miles of shoreline at Greers Ferry Lake. The No
32 Action Alternative shoreline allocation, which is based on the 2004 Shoreline Management Plan,
33 will retain 21.7 miles of Limited Development Area (LDA), representing 7.1% of the total
34 shoreline miles. Public Recreation Areas (PRA) include 43.6 miles (14.2%), the Protected
35 Shoreline Areas (PSA) include 236.3 miles (77.1%), while Prohibited Access Areas (PAA)
36 comprise 4.8 miles or 1.6% of the total 306.4 miles of shoreline. Components of this alternative
37 include:

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 - 40 ■ Legal parking access to shoreline is considered to be within 200 feet of facility location;
 - 41 ■ There must be at least three parking spots for every four slips contiguous to the access
42 easement;
 - 43 ■ Docks will be spaced a minimum of 100 feet apart, with no crossover allowed and must
44 be below property with two-thirds of the cove open;
 - 45 ■ No swim decks allowed;
 - 46 ■ New and replacement docks must use alternative power source;
 - Walkways 40 feet in length and a maximum of six feet in width allowed;

- 1 ▪ One to 20 slips per dock allowed, with maximum slip size 12 feet x 28 feet;
- 2 ▪ Slip owner can be any US citizen with legal access within 200 feet of the dock;
- 3 ▪ No new enclosed structures allowed;

- 4 ▪ Existing vegetation modification permits are limited to 100 feet if it does not infringe on
- 5 the existing 100 feet vegetative buffer implemented with the 2004 Greers Ferry Lake
- 6 Shoreline Management Plan.
- 7 ▪ Allow removal of non-flowering trees less than 2” in diameter at breast height with
- 8 permit;
- 9 ▪ Hazardous trees can be removed if they have the potential to fall on permitted
- 10 path/underbrush areas or a structure, felled trees to remain on project lands;
- 11 ▪ Vegetation removal for dock maintenance allowed for width of facility;
- 12 ▪ Walking paths must be meandering with maximum six feet width;
- 13 ▪ Ambulatory Assistance Vehicles (AAV) allowed on permitted paths, if eligible;
- 14 ▪ Steps/stairs allowed in LDAs if slope >20%;
- 15 ▪ Tramways allowed in LDAs;
- 16 ▪ Easements allowed for access to docks.

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18 **Preferred (Alternative 2):** The Preferred Alternative shoreline allocation will increase the
19 LDAs to 22.0 miles of shoreline, representing 7.2% of the total shoreline miles of the total 306.4
20 miles of shoreline. Public Recreation Areas are reduced to 26.3 miles (8.6%), the PSAs
21 increased to 255.7 miles (83.5%), while PAAs will be decreased to 2.4 miles or 0.8% of the total
22 306.4 miles of shoreline. Components of this alternative include:

- 23 ▪ Parking for new multiple owner docks required within 200 feet of the dock site on private
- 24 property of a slip owner;
- 25 ▪ Docks will be spaced a minimum of 100 feet apart, with no crossover allowed and must
- 26 be below property with two-thirds of the cove open;
- 27 ▪ No swim decks;
- 28 ▪ New and replacement docks must use alternative power source;
- 29 ▪ No deck overs allowed;
- 30 ▪ Only single walkways 40 feet in length and a maximum of six feet in width allowed;
- 31 ▪ Exterior walkway maximum six feet width, other walkways maximum four feet width,
- 32 minimum width is three feet;
- 33 ▪ One to 12 slips per dock allowed, with maximum slip size 12 feet x 28 feet;
- 34 ▪ Slip owners must be adjacent landowners (for new docks only) and must have ownership
- 35 of 75 contiguous feet of common boundary line within an LDA. One property is eligible
- 36 for a two slip maximum;
- 37 ▪ Only alternative power sources will be allowed for new and replacement docks;
- 38 ▪ Existing vegetation modification limited to 100 feet if does not infringe on 100 feet
- 39 vegetative buffer implemented with the 2004 Greers Ferry Lake Shoreline Management
- 40 Plan.;
- 41 ▪ Underbrushing across a vegetation break (i.e. road, etc.) is not allowed;
- 42 ▪ Tree limbing is allowed up to six feet above ground surface along a permitted path only;
- 43 ▪ Dead trees can be removed if they have the potential to fall on permitted path/underbrush
- 44 areas or a structure, felled trees to remain on project lands;

- 1 ▪ Vegetation removal for dock maintenance allowed for width of facility at 462 feet mean
- 2 sea level and two foot swath for anchor cables;
- 3 ▪ Walking paths must be meandering with maximum six feet width;
- 4 ▪ AAV's allowed on permitted paths, if eligible;
- 5 ▪ Steps/stairs allowed in LDAs if slope >20%;
- 6 ▪ No new tramways allowed;
- 7 ▪ No easements allowed.

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9 **Conservative (Alternative 3):** The Conservative Alternative shoreline allocation will reduce
10 LDAs to 3.0 miles of shoreline, representing 1.0% of the total shoreline miles. Public Recreation
11 Areas are increased to 52.8 miles (17.2%), the Protected Shoreline Areas is increased to 245.8
12 miles (80.3%), while Prohibited Access Areas comprise 4.8 miles or 1.6% of the total 306.4
13 miles of shoreline. Components of this alternative include:

- 14 ▪ New docks will not be allowed;
- 15 ▪ Only alternative power sources will be allowed for replacement docks;
- 16 ▪ No swim decks;
- 17 ▪ No deck overs;
- 18 ▪ No new vegetation modification permits allowed;
- 19 ▪ Dead trees can be removed if they have the potential to fall on permitted path/underbrush
- 20 areas or a structure, felled trees to remain on project lands;
- 21 ▪ Walking paths must be meandering with maximum three feet width and only allowed at
- 22 every other common boundary property line;
- 23 ▪ No new AAV trails;
- 24 ▪ No tramways allowed;
- 25 ▪ No easements allowed.

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27 **ANTICIPATED ENVIRONMENTAL IMPACTS:** Consideration of the effects disclosed in
28 the EA, and a finding that they are not significant, is necessary to prepare a Finding of No
29 Significant Impact (FONSI). This determination of significance is required by 40 CFR 1508.13.
30 Additionally, 40 CFR 1508.27 defines significance at it relates to consideration of environmental
31 effects of a direct, indirect, or cumulative nature.

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

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43 **1. The degree to which the action results in both beneficial and adverse effects. A**
44 **significant effect may exist even if the Federal agency believes that on balance the effect**
45 **will be beneficial.** Existing conditions allow for some continued development around the lake. It
46 should be noted that reallocation of the shoreline under the Preferred Alternative would enhance

1 water quality by reducing available PRAs from 43.6 to 26.3 miles, thereby retaining more of the
2 natural shoreline vegetation. Approximately 83.5% of the linear shoreline would have a natural
3 vegetated shoreline due to these shoreline reallocations identified in the Preferred Alternative.
4 There would be insignificant impacts to climate, topography, geology and soils under this
5 alternative. The aquatic environment of the lake should benefit from a potential reduction in
6 storm water runoff velocity, reduced sedimentation, improved water quality, and a cleaner
7 substrate for macroinvertebrate production and fish spawning activity. This alternative would
8 also enhance wildlife foraging and movement patterns, offer more protection for threatened and
9 endangered species that inhabit the area, and result in minimal impacts to cultural resources. A
10 provision for additional potential development opportunities coupled with an abundance of lands
11 remaining in their natural condition would balance and enhance recreational experiences, which
12 would potentially stimulate the socio-economics of the area. This balanced approach should
13 provide a safe and aesthetically pleasing recreational experience for the public that visit and/or
14 live at Greer Ferry Lake.

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16 **2. The degree to which the action affects public health or safety.** No significant adverse
17 effects to public health or safety will result from the Preferred Alternative. Minimal impacts to
18 boat congestion may occur from the continued issuance of shoreline use permits (i.e. dock
19 permits).

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21 **3. The degree to which the action affects unique characteristics of the potentially affected**
22 **area, such as proximity to historic or cultural resources, park lands, prime farmlands,**
23 **wetlands, wild and scenic rivers, or ecologically critical areas.** The Arkansas Department of
24 Environmental Quality (ADEQ) has designated Greers Ferry Lake uses as primary and
25 secondary contact recreation, as well as domestic, industrial and agricultural water supply.
26 Implementation of the Preferred Alternative is not anticipated to have any significant effect on
27 this use designation. There would be no effect on cultural resources with implementation of a
28 revised Shoreline Management Plan. Individual requests for use of project lands would be
29 evaluated on a case-by-case basis to ensure compliance with the National Historic Preservation
30 Act. Park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas
31 will not be impacted by implementation of the Preferred Alternative.

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33 **4. The degree to which effects on the quality of the human environment are likely to be**
34 **highly controversial.** The project will benefit the public through maintaining a balance of
35 terrestrial and aquatic resource preservation with the USACE recreation mission. Therefore the
36 Little Rock District, U.S. Army Corps of Engineers does not regard this activity as controversial.

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38 **5. The degree to which the possible effects on the human environment is highly uncertain**
39 **or involves unique or unknown risks.** The uncertainty of the impacts of this action is low since
40 shoreline allocations around the lake shore and provisions of the Preferred Alternative results in
41 a projection of known and regulated activities with implementation of the Preferred Alternative.

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43 **6. The degree to which the action may establish a precedent for future actions with**
44 **significant impacts.** Because the Proposed Alternative involves revising the 2004 Greers Ferry
45 Lake Shoreline Management Plan, which provides checks and balances on future shoreline
46 activities, the action should not establish a precedent for significant future impacts.

1 **7. Whether the action is related to other actions with individually insignificant but**
2 **cumulatively significant impacts.** Although additional individual actions can be assumed with
3 this Preferred Alternative, no cumulative significant impacts are anticipated with this action.
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5 **8. The degree to which the action may adversely affect items listed or eligible for listing in**
6 **the National Register of Historic Places, or other significant scientific, cultural or historic**
7 **resources.** The Preferred Alternative does not directly threaten impact to any historic properties
8 or other significant scientific, cultural, or historical resources. Coordination with Federal, State,
9 and local agencies and Federally Recognized Tribes will be utilized to avoid, minimize or
10 mitigate potential unforeseen impacts.
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12 **9. The degree to which the action may adversely affect a federally endangered or**
13 **threatened species or its critical habitat.** The Proposed Alternative will not adversely affect
14 any federally threatened or endangered species. Areas with known threatened or endangered
15 species and their habitat were classified as Environmentally Sensitive Areas in the 2019 Greers
16 Ferry Lake Master Plan. Individual requests for use of project lands would be evaluated to
17 ensure compliance with the Endangered Species Act.
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19 **10. Whether the action threatens a violation of Federal, state or local law or requirements**
20 **imposed for the protection of the environment.** Implementation of the Preferred Alternative
21 will be in compliance with all Federal, state, and local laws and regulations.
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23 **CONCLUSIONS:** The impacts identified in the prepared EA have been thoroughly discussed
24 and assessed. No impacts identified in the EA would cause any significant adverse effects to the
25 human environment. Due to the analysis presented in the EA and comments received from a xx-
26 day public review period, beginning on xx February 2020 and ending on xx March 2020, it is my
27 decision that the preparation of an Environmental Impact Statement (EIS) as required by the
28 NEPA is unwarranted and a FONSI is appropriate. The signing of this document indicates the
29 USACE's final decision of the Preferred Alternative as it relates to NEPA. The Draft EA and
30 FONSI will be held on file in the Civil Works Branch, Programs and Project Management
31 Division of the Little Rock District, U.S. Army Corps of Engineers for future reference.
32 Consultation with regulatory agencies will be ongoing to ensure compliance with all federal,
33 state, regional, and local regulations and guidelines.
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40 _____
Date

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PAUL E. OWEN, P.E.
Colonel, EN
Commanding
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