

BEAVER LAKE-SMP 1998

BACKGROUND

The area around Beaver Lake has experienced explosive growth during the past 10 years. The United States Census Bureau ranks northwest Arkansas as the 6th fastest-growing area in the U. S. The increasing residential and commercial development of private property adjoining Beaver Lake is rapidly generating higher demands for private exclusive use of public property along the shoreline. This represents a significant change in project conditions and prompted the need for a comprehensive study of the entire shoreline of Beaver Lake.

On 5 Apr 96, the Little Rock District Engineer, Col. David Ruf recommended that Chief, Natural Resources Management Section initiate a plan in FY 96 to address concerns regarding modifications to existing shoreline allocations. On 30 Jun 95, Chief, Construction-Operations Division authorized a 2-year moratorium on accepting private and community dock applications and the review of new rezoning requests. The moratorium became effective on 22 Dec 95. The moratorium was necessary due to limited manpower and the need for an in-depth study of the entire shoreline, research and rewrite of the text of the plan.

PURPOSE

The objectives used to review the SMP were established in the Operational Plan:

- a. Provide policies and guidelines for the effective long-range management of the shoreline resources.
- b. Protect and restore the natural environmental conditions.
- c. Maintain and/or restore aesthetics, fish and wildlife habitat, cultural and other environmental values.
- d. Achieve a balance between public use and permitted facilities.
- e. Seek reasonable measures to minimize private exclusive use of public property and to maximize general public uses.
- f. Involve and respond to public issues and concerns through public workshops, surveys, and general comment periods.

The resource topics that were of interest:

- a. Shoreline Allocations
- b. Endangered and Threatened species
- c. Fish and Wildlife Habitat/Management
- d. Water Quality
- e. Aesthetic Resources/Values
- f. Cultural/Archeological Resources
- g. Soil/Erosion Control
- h. Environmental Sensitive Areas

Research was conducted with experts in the natural resources fields, federal and state agencies and university officials. All the data was compiled and documented for future reference. All 449 miles of shoreline were evaluated by a team consisting of two rangers, working with zoning allocation criteria agreed upon by all district and project staff members in early coordination meeting. No set number of miles for reduction was predetermined. If the shoreline met one of the allocations, it was zoned as such. Approximately 5% of the limited development areas were recommended for a change to protected.

PUBLIC INVOLVEMENT

News releases were sent to area newspapers, radio and TV stations during the entire moratorium. Letters were mailed to over eighty agencies, clubs and civic groups throughout Northwest Arkansas, encouraging public participation.

In 1995, a Recreational Carrying Capacity Study was conducted on Beaver Lake. This study provided useful information from the marina owners, boating public and private dock owners on how they viewed their recreational experiences on the lake.

In 1997, three public workshops in July and October were conducted to present the draft plan and solicit public comments. There were 411 written comments, of which 21 were from agencies/organizations.

In 1998, an Environmental Assessment (EA) was completed. It provided information used to determine whether proposed actions had significant impact to the environment. One hundred four comments, including 1 agency comment were received. The EA was prepared to assure

compliance with the National Environmental Policy Act. The EA findings were that significant adverse impacts may result from increasing the mowing limits from 100' to 200'. This proposal was not pursued and FONSI was signed.

All of the above processes were used to assist with final management decisions.

Lessons Learned

Planning and preparation is a must. Objectives and resource topics should be understood and agreed upon before specific recommendations are considered. There must be a total involvement at the District level and local project level. Regulations and procedures must be discussed and agreed upon by all involved. All potential controversies must be identified. Everyone must have an agreement and be supportive of the proposals and means to accomplish this. Get congressional support up front.

Do not have a moratorium, unless there is no other way to conduct business.

If you have to conduct a comprehensive study, contract the study. Have a plan of action and don't wavier.

Document everything. If you do not have historical files from past SMP reviews and updates, start now, and continue.

Everyone from the Division and District Commander to the duty ranger, as well as interested district entities, should **"SPEAK WITH ONE VOICE"**. There should be only one POC for District and one POC for Project. These POC's should be the only ones to speak with the media, and extreme care should be taken when others are speaking to the general public and customers. The Natural Resource Management should serve as the Project Manager for this issue and assure all team members are working together.

Be prepared to take the heat and stay the course. Management decisions are not based on popular or majority vote. Be consistent and remember that everyone will not be satisfied or happy. You cannot depend on support from other agencies, or they may withdraw their support at any time. With the possibility of law suits, remember to document all steps of the process.

Be prepared to compromise. It is prudent to make corrections as new information is discovered.

Public comments and perceptions are very important. Look at the big picture and the end result. Choose your battles carefully.

During public workshops, provide workstations of expertise: state agencies, study specialists, legal counsel, and other important persons that can assist in answering questions.

If some of the proposals involve environmental concerns, decide if this is the route you want to go. An environmental assessment (EA) could be required, which could cause further delay and controversy. An EA may lead to an Environmental Impact Statement (EIS) which is costly and time-consuming, and could lead to findings that were not previously considered.

The end result of any review or update of the SMP should be a stable plan, which allows for a consistent policy and implementation.

Because of the controversy in some of the proposals, town hall meetings were conducted to inform the public. This allowed people to remain updated and to vent frustrations. Often, the same people kept raising the same issues at each meeting.

Do not make (major) reductions in Limited Development Allocations. This may negatively impact adjacent property values and could be considered a hostile taking by the Corps. This affects people's dreams and good faith purchases. Public response and adverse socio-economic impacts should be considered in management decisions.

There were many new players during the moratorium. They ranged from the Division Commander down to the Chief Ranger at the project. Newly involved personnel must be briefed on the situation and basis for past decisions.

There will last minute decisions, based on legal opinions and management.

CONCLUSION

After plan approval, news releases were issued simultaneously with certified letters to all rezoning requesters with their decision. An informational meeting was held after the SMP was approved. Col. Holden conducted the meeting and allowed a Q&A session with the public after a presentation summary of plan.