

Arkansas Wildlife Federation Names Friends Its "Water Conservation Group of the Year"



Friends President Jerry Weber and Vice President Jane Darr receive the Arkansas Wildlife Federation's 2009 Water Conservation Trophy from AWF's President Wayne Shewmake.

The Arkansas Wildlife Federation unanimously selected *Friends of the North Fork and White Rivers* for its 2009 Water Conservationist of the Year award, according to the Federation.

AWF President Wayne Shewmake presented *Friends'* President Jerry Weber and Vice-President Jane Darr with the award in an August 8 reception at the University of Arkansas at Little Rock.

Said Jack Blackstone, AWF Executive Director, "*Friends'* water conservation work aims directly at one of our primary missions. Arkansas is fortunate to have such an outstanding organization as *Friends.*"

In its nomination, the AWF recognized *Friends* for its work to "educate, act and participate."

The nomination specifically highlighted some important *Friends'* accomplishments:

- Watershed Education program,
- Successful advocacy for public policy changes relating to water protection and conservation, and

- Involvement of a variety of other organizations in the effort to protect, preserve and enhance the rivers.

Darr said, "This award is especially meaningful to *Friends of the Rivers*, because of the great reputation and track record of the Arkansas Wildlife Federation. It truly is an honor to be named as AWF's Water Conservation Group of the Year."

"Arkansas is fortunate to have such an outstanding organization as Friends."

Formed in 1936, the AWF counts among its many accomplishments:

- Their 1944 sponsorship of Amendment 35, creating the Arkansas Game & Fish Commission.
- U.S. Forest Service's reduction of clear-cutting in the Ouachita and Ozark National Forests.
- Assisted with the addition of approximately 100,000 acres of wilderness in the Ozark and Ouachita National Forests.
- Supported land trades bringing over 100,000 additional acres of wildlife-rich lands to national wildlife refuges

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Suggestions or photos for use in this newsletter would be appreciated. Send to Clay Parton, editor (cparton01@yahoo.com)

- and a national forest in Arkansas.
- The 1996 Conservation Sales Tax Amendment that has funded programs and operation of the Arkansas Game and Fish Commission.
- Defeating federal plans to channel the Cache River in East Arkansas, one of the nation's most important regions for waterfowl.
- Opposition to in-stream-gravel mining in Crooked Creek and other high-quality streams.

RiverReport



Healthy trout need dissolved oxygen. Photo courtesy of Bob Waldeck

Minimum Flow: Corps Convenes Stakeholders' Meeting at Bull Shoals

...to discuss key events and timelines for two projects

The U.S. Army Corps of Engineers and the Arkansas Game and Fish Commission convened a meeting of stakeholders to discuss the planned "Minimum Flow" projects on the North Fork and the White Rivers.

They brought the group together at Gaston's Visitor Center near Bull Shoals Dam, for broad discussions ranging from project timelines and financing, through the engineering design of the siphons on the dams, and including AGFC's work to mitigate lakeside facilities affected by changed water levels.

Tricia Anslow, the Corps' Chief of Planning and Environmental Services in their Little Rock District, said the group plans a series of such meetings.

Anslow also said the Bull Shoals and Norfolk minimum flow projects are actually two distinct projects, which can proceed separately as funding becomes available.

New Responsibilities

The Norfolk and Bull Shoals minimum flow projects will soon be transferred within the Corps from "planning" to "project management" teams - because the projects appear to be approaching their construction phases.

Joint Corps and AGFC signature of a "Project Participation Agreement" for the Norfolk project (expected in early October) will trigger that project's actual beginning. The PPA will document the respective AGFC and Corps responsibilities, and will commit the AGFC to fund the estimated \$500,000 in lakeside facilities mitigation on the Norfolk project.

According to AGFC representative Mike Armstrong, the funds for this construction will come from oil/gas lease revenues, which are currently disputed in court. That litigation, he said, should be resolved

during the coming spring, enabling AGFC to either use that funding sources, or to tap other funds.

Time Sequencing of Construction

The Corps will soon establish a time-sequenced construction plan of necessary infrastructure on the Norfolk Dam. That will include installation of a siphon tube and bulkhead assembly. The tube itself is planned as a 42-inch steel pipe, installed directly through the dam at elevation 557.5 feet, discharging as a spray into the river below.

Based on current projections, the Corps' operations staff at Norfolk Dam would not begin capturing extra Norfolk lake storage before spring, 2012. (Extra water must be retained in the lake in order to implement Minimum Flow.) Before capture can begin, said the Corps, all AGFC mitigation projects must have been completed and approved by the Corps, and all Corps construction on necessary dam equipment must be complete.

White River To Take Longer

The White River project will take longer to move to its construction phase, because of financing requirements.

- First, the required repayment to Empire Electric for that utility's lost electricity is currently estimated at \$22 million (decreased from an earlier estimate of \$44 million since oil prices have dropped). This will require U.S. congressional action.
- Second, AGFC mitigation requirements for that project will be much more expensive, and may take two to three years - likely being funded by AGFC in phases, according to Armstrong.

Siphon Design Aimed at Oxygen

Mike Biggs, the Project Engineer until

Next Steps

Norfolk Minimum Flow

- PPA signed by Corps and AGFC (possibly October 2009)
- AGFC awards funding for Norfolk lakeside facility mitigation (construction September 2010)
- Corps begins installation of siphon tube infrastructure (possibly September 2010)
- AGFC mitigation projects constructed and approved
- Begin capturing extra storage of Norfolk Lake Water

White River Minimum Flow

- Congressional action authorizing Empire Electric repayment
- AGFC identifying and authorizing funds for lakeside facilities mitigation
- PPA signed by Corps and AGFC

its transfer to the new team, described the design of the Norfolk Lake siphon to be built. Its design will allow operations staff to continuously access the lake's most oxygenated water for release to the Norfolk River.

Biggs indicated this may help the river's historical designation as "impaired" due to Dissolved Oxygen problems.

The released water would not flow through the Hatchery, but be released directly into the river below the dam.

Next Meeting Looks at Specifics

The Corps and AGFC will re-convene interested parties within a few months -- likely in February. At that meeting, AGFC will bring a time-sequenced proposed plan of its lakeside facility construction projects for public input.

Additionally, the Corps will discuss time sequencing of its siphon tube construction on Norfolk Dam.

RiverReport

Wonderful River for a Tutorial !

By Rita Billbe

Two hours before dusk, peace settled over our stretch of the White River. No tourists or guides remained in sight.

My husband Mike and I left our resort campground by boat and motored to our favorite "honey hole". A hatch of Caddis created a joyous feast for trout slapping the water. The guys at the fly club lecture about matching the hatch. In other words, tie on a fly that resembles it.

However, we rigged Little Randy flies, our version with a lower scud-like body and a black covering. Then we topped them off with strike indicators and cast toward the bank.

I had struggled with strike indicators in the past because Rainbows tic or tap the fly causing the strike indicator to move imperceptibly, sometimes almost undetected.

But once I learned to watch for this tiny movement, the fun exploded. Immediately we had frenzied strikes. We caught fifteen fish within minutes. For the first time in my two years of learning the sport, I experienced the thrill of catching numerous fish.

This successful trip gave me new insights into utilizing a strike indicator as well as fly choices. Even though I had been coached how to observe the hits, it wasn't until I experienced frequent bumps that I caught numerous fish--perhaps a result of constant repetition.

Consequently, I became more confident with this type of fishing, which is sometimes degraded by more sophisticated fly flingers.

In the past, I took those sneers to heart, and attempted to learn to use wet flies without indicators. This often resulted in hang-ups and much frustration.

I decided to relax and enjoy the journey with my latest tool.

The second thing I learned was that it wasn't absolutely necessary to match the hatch. Since there was a huge Caddis hatch, the experts would've recommended dry flies; but we threw our Little Randy.

Maybe the trout viewed them as dessert?

My new lessons paid off the next day when I reaped a bushel of confidence. On that particular evening, I left the house about 6:00 to wade fish. I tromped to my first underwater rock pile where I cast an olive Woolly Buzzer with unique florescent sprinkles in its tail, drifting it by the prop scalpers.



Healthy trout caught in clear, cold White River (photo courtesy Bob & Ollie Waldeck)

Five tries later, I hooked a fat Rainbow. Kingfishers and Herons ignored my delighted shouts. After the action ceased in that location, I waded to the next one where I caught another sleek trout. Two fish in ten minutes accelerated my enthusiasm, until I hung the special fly on those same stones that had rewarded me only a moment before.

Deliberating on my next choice, I noticed the same hatch occurring as last time and decided to rig old dependable Little Randy with a strike indicator. I threw upstream from the spot where I anticipated fish and let it coast through the rocks.

The first fish in this area performed just as expected. There was minor bounce to the indicator. Pausing a millisecond, I lifted the rod and reeled in a "dink", a small trout of about eight inches. Doesn't matter, I thought. That's three I've released so far.

I pitched back out with my same technique, waited and momentarily noted the tranquil approaching dusk and my distant view of a mountain peak.

When I redirected my gaze, the fluorescent bobber was buried.

I yelled and heaved the rod up. After much prancing from the fish that fought like a giant, I pulled in a miniature Smallmouth Bass. I knew they inhabited the river but usually caught them in the Crooked Creek confluence with the White upriver.

Now really enthused, I failed to focus on my casting technique and wrapped the

tippet and fly around the leader. I watched the sun slide toward the horizon and muttered, "Not now, when I'm in a good hole." Tempted to cut the tippet and fly, I resisted and employed patience.

Maintaining focus, I finally untangled the line and returned to the same spot.

An instant replay occurred and I brought in another Smallmouth slightly larger than the first.

Beginner Heaven, catching my limit while wading, appeared close---only two fish away.

But dusk grew closer, requiring my hike toward our campground.

Trying to keep all my lessons intact, I cast carefully. No time for hang-ups or chances to re-rig in the near darkness. Squinting, I attempted to keep the strike indicator in sight. Within the next fifteen minutes, I caught my last two Rainbows and celebrated the glory of my first limit while wading.

I secured the Little Randy, raised my wading staff, and eased toward home.

During this trek, I reflected on what I'd learned: I can use a strike indicator, I don't have to match the hatch, I need to set goals for myself, and I must never lose sight of patience.

Before I retired as high school principal, I always preached to my students about becoming life-long learners. Now I'm living that lesson.

And believe me, I'll be spending the rest of my life exploring this river's tutorial.

RiverReport

Action Needed to Support Proposed Clean Water Restoration Act

...Act Intended to Restore Court-Eliminated Federal Protections for Waters in U.S.

A compromise version of Senate Bill 787, also known as the Clean Water Restoration Act, sponsored by Senator Max Bacus and others, was passed out of the Senate Environment and Public Works Committee on June 18.

Because of U.S. Supreme Court decisions occurring between 2001 and 2006, there is a great deal of confusion surrounding the jurisdiction and application of the original Clean Water Act, as passed under President Nixon in 1972.

Small Streams and Wetlands

"Many small streams and wetlands have already lost Clean Water Act protections due to recent Supreme Court decisions that called into question the scientific relationship between these waters and larger navigable rivers downstream," said 160 members of the National Academy of Scientists in a Feb. 4 letter to President Obama.

"We can say with certainty, however, that there is no scientific dispute about this relationship," the letter continued. "Long-standing and robust scientific evidence demonstrates that these waters are interconnected and that small streams and wetlands are essential to the health of downstream waters. We cannot protect our mighty rivers unless we also protect our vast array of small streams and

wetlands. It is equally clear that they must be protected if we are to achieve the Clean Water Act's goals of restoring and maintaining the chemical, physical, and biological integrity of the Nation's waters."

Stop Current Circumvention

Gene Dunaway, *Friends* board member, and an attorney, told *The River Report*, "The Clean Water Act, long considered one of the country's most successful environmental laws, is being circumvented. Ozark streams are particularly vulnerable."

"We want the Senate to act quickly to move the Clean Water Restoration Act to a full vote in the Senate, so that headwater and intermittent streams and "isolated" waters are one step closer to regaining critical protections," Dunaway said.

Protecting Property

The proposed measure has angered those who oppose regulation of any kind, including those who object to any water regulations, regardless of whether their water-use practices pollutes water for downstream users.

Said *Friends* President Jerry Weber, "Ironically, the purpose of this law is to protect people's property. Protecting water is essential to the protection of our health, safety and economic welfare. We can't protect some of it without protecting all of it."

Why Is This Important?

- "We cannot protect our mighty rivers unless we also protect our vast array of small streams and wetlands." (National Academy of Scientists members)
- Only Congress can clarify the Supreme Court decisions that have led to much of the current disastrous situation for the nation's waters.
- Because of court confusion, over 500 EPA enforcement cases were affected during an 18 month period in 2006 and 2007.
- EPA estimates the Corps has left 10,000 to 15,000 water bodies out of the Clean Water Act's pollution control program, since a 2001 court decision.
- Waters losing protections include headwater, intermittent, and ephemeral streams that supply public drinking water systems that serve more than 110 million Americans.
- Wetlands have lost protections, too. A single acre of wetland can store 1 to 1.5 million gallons of flood water. Wetlands in the continental United States save an estimated \$30 plus billion in annual flood damage repair costs.

Corps Proposes New Regional Permits to Protect Water

... *Friends* advocates strongly supported

Within four days of the US Army Corps of Engineers' proposal to implement a new regional permit review, dozens of *Friends* members and advocates had written and submitted their letters of support in favor of the measure.

The measure, aimed specifically at the region called "Fayetteville Shale," would establish a Pre-Construction Notice (PCN) requirement for projects to be implemented in that region.

The PCN would be used to determine if a project would result in "more than minimal effects" to the watersheds within the Fayetteville Shale region.

These types of permit systems are intended to streamline the review process for proposed projects, yet assure safety.

Extensive natural gas drilling is being done in Arkansas' Fayetteville Shale

region. This drilling (and related projects) can potentially pollute the groundwater aquifers. Additionally, byproducts of drilling can contain heavy metals or other pollutants, and must be safely disposed.

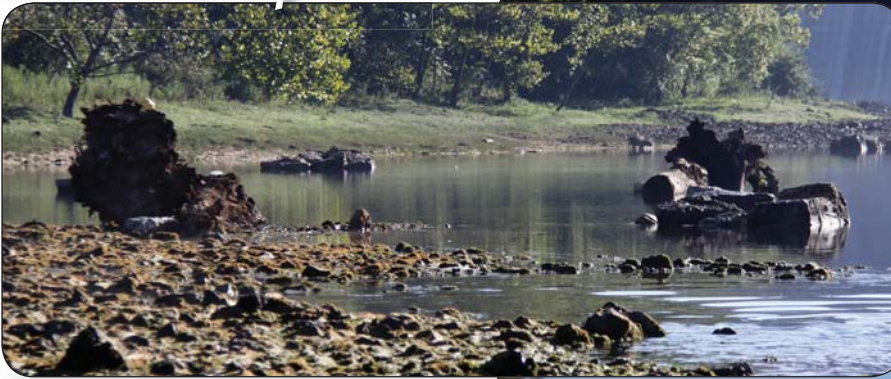
"We supported the PCN concept because drilling carries considerable risk," said *Friends* President Jerry Weber. "We're not at all opposed to drilling for needed natural gas. But it must be done safely, so that future generations can continue to have clean water."

Three dozen letters of support were filed with the Corps, using an online tool provided by *Friends*, allowing users to submit their custom-written comments directly to the agency.



Clean, healthy rivers require clean, healthy tributaries. (photo Clay Parton)

RiverReport



AGFC, Corps Complete White River Habitat Improvements

Arkansas Game and Fish and the US Corps of Engineers cooperated to make major fish habitat improvements immediately below Bull Shoals Dam.

"Research has indicated that the lack of refuge cover during high flows prevented young brown trout from being recruited into the population. The young browns evidently could not survive the high flows," said Steve Wilson, *Friends* board member.

Wilson said flows greater than the equivalent of 6 generators (or about 16,000 cubic feet per second) operating in the dam's powerhouse would cause this disruption in trout spawning.

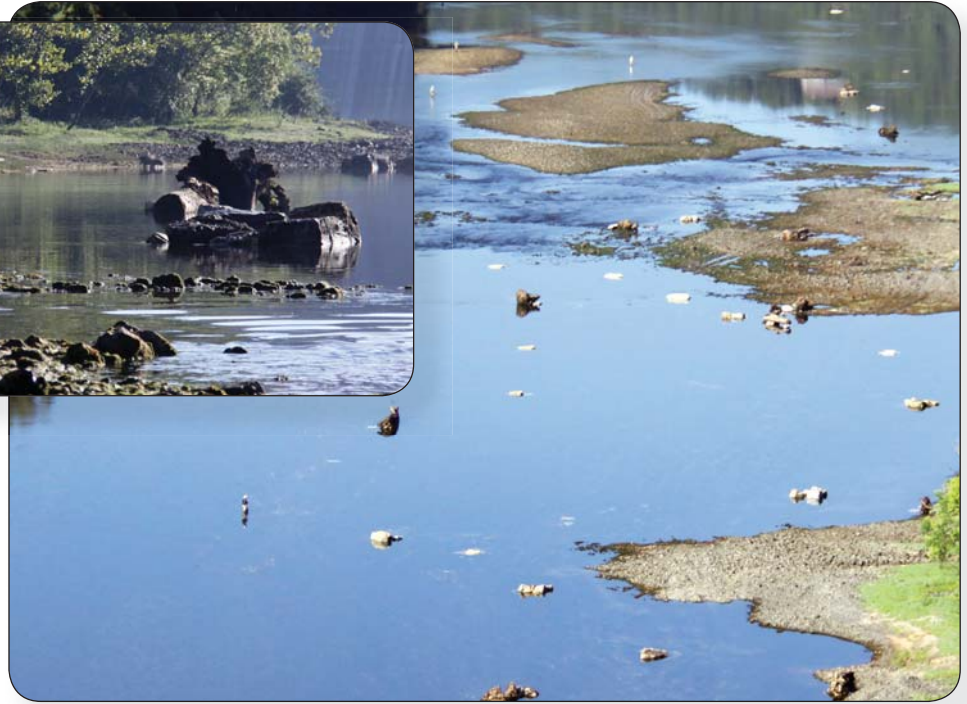
"A lot of credit must go to the contractor for the rapid completion of this project," said the Corps' Tracy Fancher, who manages the Bull Shoals and Norfork lakes and dams. "They built this out much faster than we projected."

The project began August 17 with placement of boulders and root wads at strategic locations of the riverbed, from the Bull Shoals Dam down to the upper end of the Bull Shoals State Park. Additionally, bank stabilization work was done along the same area; the contractor anchored cedar logs in several places along the eroded riverbank.

"This will stimulate vegetative growth and should bring bank restoration," said Wilson.

Bull Shoals generation was closed for several hours each day to allow for work in the stream bed, but then lake water was released through the turbines later in the day.

"Friends supports this kind of conservation work undertaken by the AGFC. We hope young trout being hatched in the spawning areas during higher flows will survive in the refuge areas created behind the boulders and root wads," said Wilson.



Large boulders and trees formed new habitat for spawning brown trout. (photo AGFC)

ADEQ's AWAG Gets New Staff ...big boost to local conservation efforts

Sarah Clem, ADEQ Branch Manager, announced the agency has just hired new staff to revive one of its crucial components - the Arkansas Watershed Advisory Group, or AWAG (www.awag.org).

AWAG assists interested citizens and organizations by promoting local voluntary approaches to watershed management and conservation, by assisting with local conservation funding issues, by improving statewide communication concerning watershed resources, and by providing technical assistance to local conservation projects.

"We are very pleased ADEQ is reviving AWAG," said *Friends* board member Gene Dunaway. "The previous loss of key AWAG staff had left the future of this effort in doubt. Thanks go to Teresa Marks for her efforts in keeping this alive."

Efforts of the Arkansas Watershed Advisory Group have been partly funded by a series of Environmental Protection Agency 104 (b)(3) grants.

Clem said Sarah DeVries and Kate Finefield will staff AWAG. She said AWAG staff also work closely with Arkansas Project WET coordinators, Philip Osborne and Barbara Miller.

DeVries can be reached at devries@adeq.state.ar.us; Finefield is at nefield@adeq.state.ar.us.

Friends Surveys Stretch of Crooked Creek

...aimed to gather information

Board members of *Friends of the Rivers* conducted an informal survey of Crooked Creek during July. The group wanted to gather preliminary information about conservation practices along the creek.

"There are intermittent zones of healthy, strong stream bank with lots of integrity and structure, mixed with other zones having severely degraded or eroded banks along farmland," said *Friends* board member Ben Levin.

Levin owns property along Crooked Creek in Marion County.

U.S. CEQ Considers Updated Guidelines for Water Projects

New U.S. standards related to the development of water resources may be in the making. They would apply to all federal agencies, including agencies other than the traditional water resources development agencies covered under the current standards.

The Council on Environmental Quality, in coordination with the Office of Management and Budget, is coordinating the draft, which would potentially expand the scope of the current Principles and Guidelines (P&G) to cover all federal agencies that undertake water resource projects.

RiverReport

Sponsor a New Friend of the Rivers !

Your paid membership in Friends is so important. The larger and more diverse our member base, the more impact we can have on policy-making.

Currently membership dues are our sole financial source for undertaking educational and policy initiatives.

Each membership includes a printed copy of our quarterly newsletter, alerts regarding conservation issues in the state or region and means to partner with other citizens like you who love these streams.

Join either online at our website (friendsoftherivers.org), or use the form below.

We need you!

Join Friends of the North Fork & White Rivers

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E-Mail address (*for electronic news*) _____

Membership Levels - (Membership dues and any donations are tax-deductible)

- Individual Annual Membership - \$25.00
- Family Annual Membership - \$35.00
- Partnership Annual Membership - \$100.00
- Life Membership - \$500.00
- Business/Organizational Membership - \$50.00
- Donation (\$ _____) - *Donations are appreciated!*

Mail to Friends of the North Fork and White Rivers PO Box 61, Mountain Home, AR 72654

Signature/Date: _____

Corps Concludes Public Meetings to Reallocate Bull Shoals Lake Water

The Corps of Engineers concluded its public forums at Bull Shoals and Diamond City on July 1. The forums aimed to inform the public regarding two requests for reallocation of Bull Shoals Lake water, and the process the Corps will use in its decision.

The two projects were for public water expansions in the region, and compared to the recently approved Minimum Flow project (233,000 acre-feet of water), are tiny. Both projects are a total of 9,000 acre-feet of water -- less than 4% of the water volume of the recently-approved Minimum Flow projects.

Corps representatives said these projects are "on a tight timeline." However, they said they can make small reallocations by "discretionary authority," after Environmental Assessment. Following this assessment, they said, the Corps then signs an agreement with the water district(s).

Only two inches of lake water would be required (either from the flood pool or conservation pool) to alleviate the public health problems cited. Those problems included inadequate water sources (springs, shallow wells, etc); high levels of radium, fluoride and uranium; and insufficient water, resulting in multiple boil orders by the utilities.

The Corps noted the water must come either from the conservation pool, or from the flood pool. If the water is reallocated from the conservation pool, then Southwest Power loses some (at this point undetermined) revenue, due to less generation opportunity. However, if the water is reallocated from the flood pool, then downstream risk of flooding during severe flood events increases an undetermined amount.



A blue, cottony sky hovers over the clear waters of the White River above Calico Rock (photo Maria Smith)

ADDRESS CORRECTION REQUESTED

Friends of the North Fork and White Rivers, Inc. is an Arkansas non-profit organization -- 501(c)(3) -- devoted to creating an ongoing dialogue where individuals, groups, and government agencies can work together to conserve, restore and enhance these beautiful rivers.

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