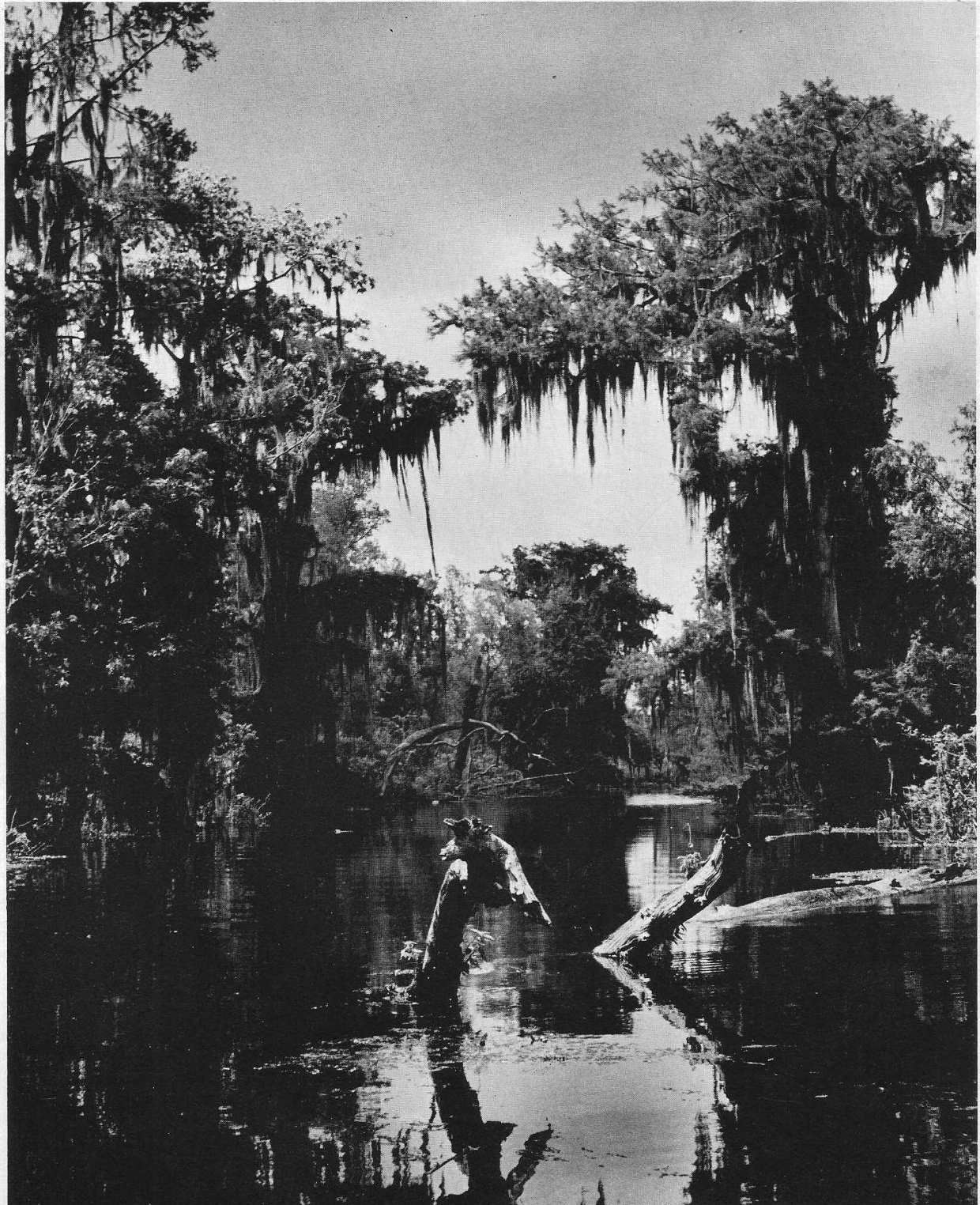


# Ozark Society Bulletin

Autumn 1978



The Atchafalaya — Charles Fryling, Jr.

## OZARK SOCIETY BULLETIN

Volume XII, Number 3, Autumn 1978

Published by The Ozark Society  
Joe Marsh Clark and Maxine B. Clark, Editors  
Ph 501-442-2404

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### Welcome, Osage Chapter, Our Latest!

## Distinguished Arkansas Conservationists

### The Arkansas Wildlife Federation and Sears, Roebuck and Co. Awards Banquet

Mrs. Howard (Jane) Stern of Pine Bluff, long a member of the Ozark Society, received a standing ovation as she stepped forward to receive the highest award, *Arkansas Conservationist of the Year*. Jane was honored for her years of service to wildlife conservation. Jane works effectively and quietly in the background of conservation issues. In realm of conservation, Jane Stern is in one word — ubiquitous (present everywhere).

Senator Dale Bumpers received the *Legislative Conservationist Award* for exceptional concern for the quality of the environment as a governor and senator of Arkansas. Senator Bumpers has demonstrated his concern for the Cache River, Buffalo River, aerosol sprays, and the National Forest Management Act.

Mr. and Mrs. E. "Tates" Phillips of Pine Bluff received the *Forest Conservationist Award* for their donation of the 130 acre wooded swamp known as Taylor woodlands to be preserved for future generations. This is the first private donation to the state Natural Heritage Commission.

Wade Taylor, age 18, of Marmaduke received the *Youth Conservationist Award* for his activities in 4-H work in planting trees, providing bird houses and feeders and signing up 43,355 Acres for Wildlife participants in 1978.

Ruth Wade of Cherokee Village received the *Education Conservationist Award* for her work with young people in garden clubs and public schools. Mrs. Wade, a retired school teacher for ten years has been actively teaching children to be nature lovers. Proceeds from the sale of her book, "Arkansas Wildflowers" will be used to complete a herbarium for Highland Cherokee School's outdoor classroom.

Dr. Henry W. Robison received the *Wildlife Conservation Award* for his work in aquatic biology. He has made over 700 collections of fish from Arkansas streams, participated in writing 47 scientific publications and was responsible for the placing of the leopard darter on the endangered species list.

The *Log Cabin Democrat* of Conway received the *Water Conservation Award* for its feature articles and editorials on Cadron Creek. It has led the fight to preserve the Cadron and other free-flowing streams in their natural state.

The Nimrod-Blue Mountain Resident office of the Corps of Engineers received the *Conservation Organization Award* for their outstanding natural resource management program which goes far beyond what regulations require. The lands in their jurisdiction are managed to provide habitat for a diverse population of native wildlife.

(Continued on Page 11)

# ATCHAFALAYA

AMERICA'S LARGEST RIVER BASIN SWAMP AND UNIQUE DELTA TREASURE

By: Charles Fryling, Jr.

Member, Bayou Chapter Ozark Society  
Active Environmentalist, State of Louisiana  
Louisiana State University School of  
Environmental Design Representative,  
Atchafalaya EIS Steering Committee

The fresh green color of spring willows, dense moss-draped cypress trees with irregular branches reflecting up from overflow waters, the calls of birds and frogs, the shadowy pattern of sunlight filtering through a dense canopy of bottomland hardwoods, a mighty river bending and flowing to the Gulf of Mexico, the open expanse of a delta marsh filled with

migratory waterfowl, all are but small glimpses of the Atchafalaya Basin in south central Louisiana. Within this semi-wilderness area are innumerable delights that separately or in combination represent this country's unique delta treasure. The Atchafalaya Basin is America's largest remaining river basin swamp.

Although few people outside of Louisiana know of the Atchafalaya, all know of the Mississippi River which created the Basin and now gives the Atchafalaya its life-giving waters. The Atchafalaya River is the principal distributary of the Mississippi, that is, water flows

out of the Mississippi and into the Atchafalaya forming one of the shortest, deepest, and most treacherous rivers in the world. The word ATCHAFALAYA is a Choctaw word which is translated as "long river". Yet the Atchafalaya is one of our shortest rivers. It measures only a little over 130 miles. The northern head is in the confluence of the Red, Old, and Mississippi Rivers near Simmesport, Louisiana, and the southern outflow is in the Gulf of Mexico. The Basin is a massive 1,400,000 acres of productive wetlands, and the largest river basin swamp in North America.

(Continued)



The Atchafalaya • Charles Fryling, Jr.



It is the Basin's great size and not man's husbandry that has kept the Atchafalaya a natural wonderland. Man, unfortunately, has done much to destroy the unique renewable resources of the Basin. Although, sometimes it appears as if this destruction was caused by an orderly planned assault of the Basin the fact is it comes about as a cumulative result of thousands of separate activities. These actions are carried out for private gain at the public expense or performed without knowledge of or concern for the environmental consequences of these activities. The U.S. Army Corps of Engineers is one, among several, that is responsible for much of the destruction that has occurred. Yet it is the Corps of Engineers that now stands in the unprecedented position of being able to save the natural integrity of the Basin.

The Atchafalaya is a collecting area for the nutrients and sediments once carried towards the sea by the Mississippi and Red Rivers. As a collecting area the Basin is extremely fertile, although rapidly changing in physical form. This fertility is expressed in the fact that pound for pound or acre for acre the Atchafalaya system produces more fish than any other natural water system in the United States. In fact, the Basin is two and one half times more productive than the Everglades. The annual harvest of commercial fish and fur is valued at \$6.5 million and the recreational resource is valued at \$36 million annually.

The productivity of the Basin is brought about not only because of the nutrient-rich waters which it receives every spring, but also because in late summer and early fall the flood water runs out of the swamps and back to the watercourses which lace the Basin. The process of water draining out of the swamp is called de-watering. When the water is out of the Basin, annual plants get a chance to grow and when this vegetation is flooded again it provides even more food for the Basin's many organisms, especially the Red Swamp Crawfish (*Procambarus clarki*) which is at the base of the Atchafalaya food chain. Both flooding and de-watering are essential to keep the high productivity.



**The Atchafalaya** - Charles Fryling, Jr.

Crawfish and crawfishing are unique phenomena that are synonymous with south Louisiana, and which reach their pinnacle in the Basin. A curiosity in most parts of the nation, used only for fish bait, the "mudbug" or crawfish of Cajun country reaches such a size and quality that it has become one of the most succulent of epicurean dishes. As bisque, etouffee, and stew the crawfish is in its most respectable dress, but the "crawfish boil" remains one of the highlights of the good life in south Louisiana. The annual average yield of crawfish from the Basin is 23.5 million pounds. After one learns to love the crawfish there is almost no better reason to want to save the Basin.

Unequaled in its fish and wildlife productivity the Basin is also home for at least two species

listed as rare and endangered by the U.S. Department of the Interior. These are the Southern Bald Eagle (*Haliaeetus leucocephalus leucocephalus*) and the American Alligator (*Alligator mississippiensis*).<sup>\*</sup> It is also believed by some eminent ornithologists that the Basin contains one of the last colonies of the endangered, if not extinct, Ivory-billed Woodpecker (*Campephilus principalis*). Within the Basin about the latitude of Baton Rouge and Lafayette, Louisiana, are six active rookeries. The American Black Bear (*Euarctos americanus*) finds its only Louisiana habitat in the heavily wooded areas of the Atchafalaya. These same wooded areas support the largest known winter concentration of American Woodcock (*Philohela minor*). The White-tailed Deer (*Odocoileus virginianus*) abound



and about 300,000 acres of deer habitat will compare with any in the United States. The deer in the southern part of the Basin have by some authorities been given the status of a subspecies (*Odocoileus virginianus mcilhennyi*). The hooves of these wetland deer are longer and broader than their cousins located elsewhere. This is probably an adaptation to the soft gumbo muds of the Basin and allow these deer to move around more easily.

In 1927 a disastrous flood occurred nationally, but especially hard hit was the Lower Mississippi Valley; 214 persons were killed, 637,000 displaced with \$236 million property damaged. The Congressional response to the flood was passage of the Flood Control Act of 1928 which directed the U.S. Army Corps of Engineers to devise a flood protection plan for the lower Mississippi. The Corps is still attempting to carry out its single-purpose flood plan developed at that time. This plan and its implementation are now considered about 50 percent complete. As of June 30, 1976, the Corps had spent \$256,932,700 of the total estimated cost of \$904,920,000 on the Atchafalaya Basin component of the overall flood protection project. Despite this large expenditure there are no provisions in the single-purpose flood plan to insure preservation, sound management or public use of wetlands within the project area. There is even some question as to whether the single-purpose or flood-only plan will be able to pass the necessary flood waters. One major reason for this concern is the fact that development is not now fully prohibited in the Basin and with each private development, political pressure builds to not use the Basin for floods.

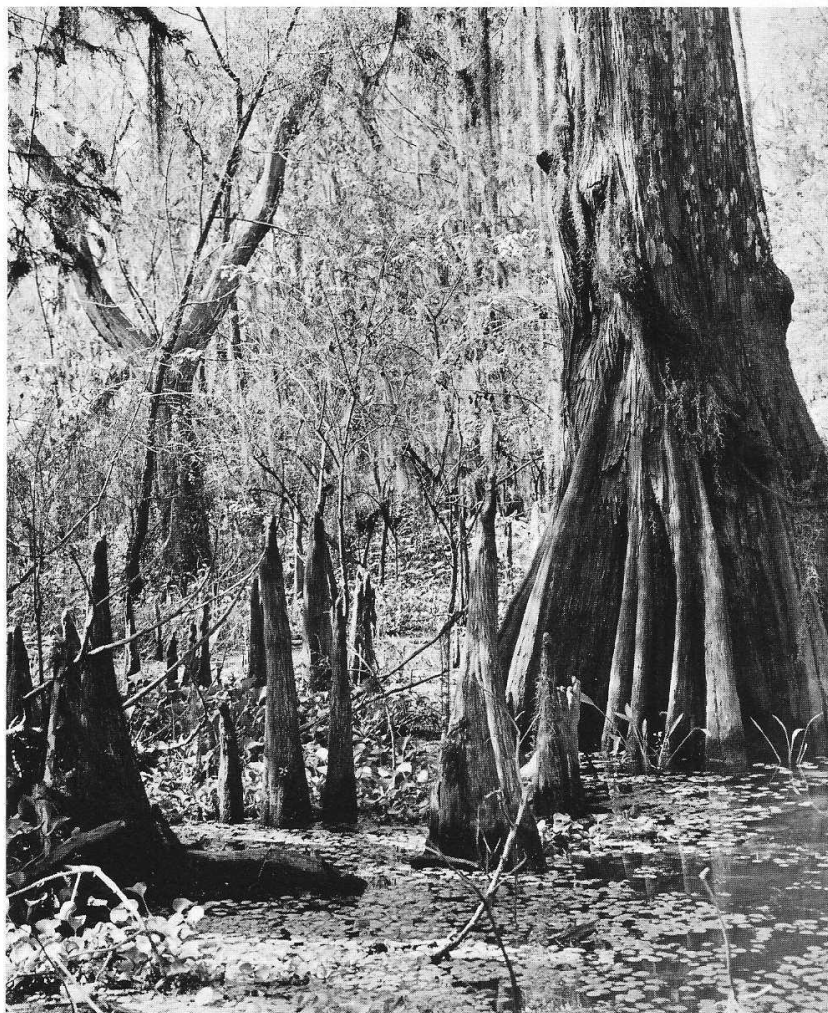
The 1928 flood-only plan calls for the passage of a design or project flood with a maximum rate of 3 million cubic feet per second (cfs). Under this plan the Atchafalaya Basin was converted into a floodway to carry half of the project flood waters by constructing two protection or "guide" levees to the east and west of, and parallel to the Atchafalaya River channel. The average distance between these two levees is 15 miles. This levee construction reduced the

natural overflow area of the upper Basin to about 860,000 acres and confined sedimentation to that inside area. The natural siltation or interior delta-building process was hastened by the Corps' levees and much of the open waters where the young river had never created a definite channel was converted to land. In Louisiana water bottoms are owned by the State, i.e., the people. The activities of the Corps of Engineers in the Basin under the single-purpose flood plan are taking this property away from the people and giving it to adjacent land owners.

The design flood-carrying capacity of 1.5 million cfs has not yet been achieved because of siltation and other problems. Efforts to raise the levees to accommodate the rising flood levels within the floodway have proven to be diffi-

cult. The weak soils upon which the levees were built tend to compress under the weight of higher and higher mounds of earth. To pass the silt and water on out to the Gulf of Mexico, the Corps of Engineers plans to dig a central channel with a cross-sectional area of 100,000 square feet. This would be the largest stream channelization project in the country — a ditch larger than the Panama Canal. The damage caused by such a channel is obvious. It would result in lowering water levels in the overflow or swamp areas of the floodway. History shows us that when this is done the land will be cleared and converted into agriculture, probably soybean production, which is the current trend in the hardwood bottomlands of the Lower Mississippi Valley.

(Continued)



The Atchafalaya - Charles Fryling, Jr.

Work on the channelization project stopped in 1968 when available funds were exhausted. Dredging in the main channel has not been done since that time. In 1971, an agreement was reached between the U.S. Army Corps of Engineers and the National Wildlife Federation\* whereby no further work on the Atchafalaya Basin main channel would be done until an environmental impact statement was completed. Further, the National Wildlife Federation agreed not to object to the Corps' continuing work on other project features, such as levees, while the statement was being prepared. The Federation also agreed to assist in preparing the statement, and an interdisciplinary approach to the preparation of the impact statement was initiated. A Steering Group for the statement was established and is chaired by the U.S. Corps of Engineers; it is composed of representatives of the U.S. Environmental Protection Agency, the U.S. Department of the Interior, the Louisiana Office of Public Works, the Louisiana Department of Wildlife and Fisheries, the Louisiana State University School of Environmental Design, and the National Wildlife Federation.

The work on the single-purpose 1928 Flood Plan environmental impact statement continued until November of 1974 when a preliminary draft EIS was completed and released to the public for a hearing in January of 1975. This hearing was a big success for the environment. The public's views can be summarized as follows: (1) There is an urgent need to complete the Atchafalaya Basin Floodway to provide south Louisiana protection from floods on the Mississippi River, (2) More should be done to safeguard the environmental values of the floodway, and (3) Additional measures are needed to convey the project flood safely through the Basin's outlets to the Gulf of Mexico. At this hearing the public's views were the same as those of the environmentalists. It was obvious from the overwhelming public-environmental response that the U.S. Corps of Engineers could not complete their single-purpose 1928 Flood Plan without

being in conflict with the environment and the public. The Corps reconvened the Steering Committee and asked for help. The response was the development of a Multi-Purpose Plan Concept for the Atchafalaya Basin Floodway which is supported by environmentalists.

The Multi-Purpose Plan is quite different from the Corps single-purpose flood control plan. As its name implies, the concept recognizes the many purposes for which the Basin is used, including fish, wildlife, and outdoor recreation. It should be kept in mind, however, that the first and most important objective of the new concept is the same as the old plan — to pass Mississippi flood waters to the Gulf without impacting on man's developed environment. While attaining this first objective, the Multi-Purpose Concept will preserve the historic backwater flooding within the floodway. This is accomplished by using structural measures that will decrease the amount of heavy silt allowed to enter the backwater areas, yet allowing the flood waters to naturally inundate them. The structures also will temporarily hold the flood waters in the swamp areas until it is the normal time for de-watering. In other words, the important backwater lakes and swamps will still be nourished and replenished by high water stages but will not be rapidly filled with waterborne silt nor allowed to be drained early by the channelization of the Atchafalaya River.

Coupled with the structural measures of the Multi-Purpose Concept are the more controversial non-structural measures which provide for acquisition of full ownership; comprehensive servitudes, or simple flowage servitudes (depending on location) over the lands within the Floodway. The simple flowage servitudes would only perpetuate many of the mistakes of the old 1928 flood plan. Except in the few areas of the Floodway where more comprehensive servitudes are not needed to insure adequate flood protection, nor to protect the productive natural resources of the Basin, the Corps **must** obtain rights to prevent inappropriate development. Also, management rights must be

obtained that will allow the Corps to store water on, or pass water over, private lands. Adequate opportunity for public use and enjoyment of the environmental resources of the Basin also must be insured.

The Corps of Engineers has in recent years done several unique things that deserve special credit: they entered into an agreement with the National Wildlife Federation; they established an interdisciplinary and intergovernmental approach to project planning and environmental impact statement writing; they issued a preliminary draft environmental impact statement for public review; and they developed with others the Multi-Purpose Concept for the Atchafalaya. If the Corps continues these efforts the Basin will be in good hands. However, in the past few months the Corps has been receiving a lot of pressure from a few influential landowners who want to make a profit at the public expense of channelizing and draining the Basin. At the end of this year or early next year the Corps again will be holding hearings on the Basin. It is expected that the private interest lobby will try to keep the Corps following its old flood-only, "Drain the Basin", plan. However, our past experience with the 1928 single-purpose flood plan has shown us that it is essential that we update this plan to make it consistent with today's needs and attitudes. The Corps of Engineers and the Congress of the United States must see to it that the wonderful resources of the Atchafalaya are kept intact and that we have a flood plan that will work. In conclusion, the Multi-Purpose Concept is good and should be supported by all who believe that the Atchafalaya is indeed this country's unique delta treasure.

\*The American Alligator is not considered endangered in Louisiana due to good management by the State.

\*In Louisiana the environmental problems have been so large and the number of environmentalists so small that conservation groups have worked together on many issues, including this one. The Federation has led the fight in the Basin and has always had the strong support of the Ozark Society and other environmental organizations.





**The Atchafalaya** - Charles Fryling, Jr.



# Memo

## On Problems in Cadron Creek Watershed Project

October 11, 1978

To: Officers of the Coalition of Conservation  
Organizations and Members of State Stream Committee

From: Harold E. Alexander, Liaison Officer  
State Committee on Stream Preservation

Subject: Review of problems identified in plans for the Cadron  
Creek Watershed project, and comments on recent ac-  
tions relative to this project

Attached you will find a Supplemental Review of the Cadron Creek Watershed Project, Arkansas. This Supplemental Review was made in reference to "Amplification of the First Environmental Impact Statement, dated May, 1978; prepared by the U.S.D.A., Soil Conservation Service." (Other more extensive reviews were prepared in reference to the Draft and Final Impact Statements).

As you are probably aware through recent news releases, actions were taken by our Congressmen (Tucker, Hammerschmidt and Alexander) in the House of Representatives to obtain approval for funding and implementation for plans for the construction of 14 dams on Cadron Creek, the last free-flowing stream in central Arkansas. These actions were taken during the past month, and although a number of conservation organizations and the Stream Committee had listed the Cadron as an outstanding free-flowing stream which should be retained in its natural state of condition, strenuous efforts were made to obtain approval of the project in the House Committee on Public Works and Transportation. In efforts to block this action, various actions were taken by organizations and individuals who are concerned, including the Citizens Committee to Preserve the Cadron, and those separate conservation organizations which are listed at the end of this review. The final action was the preparation of the attached "Supplemental Review" for the coalition of Organizations, and indicated that they jointly opposed impounding this stream. Subsequently, the watershed plan was presented to the Senate Committee on Public Works, and it was held up (tabled) through actions taken by our representative in that body for more detailed reviews. (It will not, therefore, be given further consideration in this session of the Congress); and this provides time for citizen comment to our Senators and the appropriate Committee Chairmen (with thanks where due).

Of particular concern in these actions was the fact that many of us learned, for the first time, that a watershed project of this type could be approved by the House and Senate Committees, and could immediately thereafter be funded from monies available to the construction agency (Soil Conservation Service) and construction could be started immediately. Approvals of costly projects in this manner seem to defy the right of concerned citizens to have projects of this type (some 3,000 in the United States) approved without the review and consent of the full House of Representatives and the Senate, as is usually done with major water development projects of any type.

Secondly, it should be brought to your attention that there were, in 1976, 107 watershed projects comparable to the Cadron Creek plan, which were under consideration, were approved, or were in the process of construction in Arkansas (some 3,000 in the U.S.). In other words, we have quite a number of streams which could be radically altered through the initiation of a project where the E.I.S. has been approved, and which is suddenly presented to the appropriate Congressional Committees for immediate action, under circumstances where opponents are not conscious of what is happening.

The point I want to make in this connection is that, if the Stream Committee is to function adequately, it will necessitate a continuing review of the status of streams which have been or may be identified as free-flowing and which could be included in a natural river system in Arkansas, to determine the status of any developments which may have been proposed or approved through the

Soil Conservation Service 566 program, and through actions taken by Congressional Committees. In fact, it is my impression that the Committee and conservation interests which support the objectives of stream preservation should seriously question the manner in which projects of this type may be approved under present circumstances, and should try to provide for legislative procedural changes which would require their consideration by the full complement of Senate and House members as is the case with other project approvals.

In the process of reviewing Environmental Impact Statements and project plans over the past 15 to 20 years, I have assembled detailed information on a large number of proposals and plans which have been made for streams and riverways in Arkansas. I reviewed the status of many of these proposals and plans in a paper prepared about 5 years ago. In the interest of informing the Stream Committee and others who may be concerned about the preservation of free-flowing streams, I will make an effort to update this review sometime in the near future and distribute it to Coalition and Committee members. These problems might be considered as a major topic for discussion at the next meeting of the State Committee on Stream Preservation. In fact, this may be one of the most significant problems that the Committee must face in promoting legislation to protect free-flowing streams in the future.

## Supplemental Review

### Of the Cadron Creek Watershed Project, Arkansas

Compiled by: H. E. Alexander

Signed by: Betty Albright

September 20, 1978

(With additional comments on project plans and proposals and Environmental Impact Statements and the Amplification of the First Environmental Impact Statement, dated May, 1978; prepared by the U.S.D.A., Soil Conservation Service.)

An initial and critical review of the Draft Environmental Impact Statement for this project was prepared by the Arkansas Wildlife Federation in 1965. This review was prepared in accordance with provisions for review and comments under terms of "The Environmental Policy Act of 1969". (See Attachment) Subsequently, the S.C.S. responded to (rebutted) the criticisms of project benefits claimed.

It is our contention that initial criticisms of the Draft E.I.S. (and other comments made on prior S.C.S. documents) were valid and that responses made by the S.C.S. did not adequately answer criticisms presented by the Arkansas Wildlife Federation. The following comments are submitted to further identify project deficiencies, and are in reference to the "Amplification of Final Environmental Impact Statement".

1. In accordance with the objectives of the Arkansas Wildlife Federation, Arkansas Coalition of Conservation Organizations, the State Committee on Stream Preservation, and other conservation interests, a major objective is the preservation of remaining freeflowing streams in Arkansas for their hydrologic, esthetic, historical, unique recreational, scientific and other values; and to perpetuate environmental diversity.

We wish to note that **Cadron Creek is the last remaining free-flowing stream in Central Arkansas**, and this project would radically alter this stream.

2. The value of recreational opportunities on the 15 (now 14) flat-water reservoirs on Cadron Creek tributaries has been presented as a benefit in project plans.

But, this stream is surrounded by a number of large lakes including Greers Ferry, Beaver Fork, Overcup, Harris Brake, Lake Conway, Lake Atkins, and the vast chain of lakes along the Arkansas River, which provide more than ample opportunities for lake type recreation.

Cadron Creek does thus provide opportunities for recreational diversity of a unique type in this area where opportunities for lake recreation are most extensive.

In addition, the Floodwater Retarding structures will have radical fluctuations in water levels, limiting their use; and they will be in private ownership - although constructed with public tax dollars. In the completed (nearby) Point Remove Watershed Pro-

ject, for example, real estate interests now advertise "lots" for sale around F.W.R. impoundments and construction sites are now advertised for sale on the basis of their proximity to proposed F.W.R. structures on Cadron Creek.

3. Construction costs for the 15 F.W.R. structures on the Cadron were estimated at \$16,063,116.00 by the S.C.S. in 1975. No increases in costs estimates are calculated in the Final Draft Environmental Statement or in the Amplification, dated May, 1978; although costs of commodities, services, supplies, and interest rates have increased from 3% to 10% annually since the Draft E.I.S. was prepared by S.C.S.

4. In addition, the Amplification of the Final E.I.S. (dated May, 1978) provides for removal of Structure No. 4, and estimates the \$ values deleted from the project at \$903,574.00, "at costs based on November, 1977 prices". This reduction, made in ratio to 1977 prices, is deducted from other costs estimated at 1975 prices, and imposes a deduction for this single project feature, which we believe cannot legitimately be balanced against those cost estimates calculated in 1975.

5. The development of Woolly Hollow State Park, for which benefits are claimed, are negated by the fact that this State Park is essentially completed, but claims for benefits proposed in S.C.S. documents have not been deleted from benefits claimed for the entire project.

6. The U.S. Army Corps of Engineers has been authorized to construct a water supply reservoir on Cypress Creek - a tributary of the Cadron.

This large impoundment will negate benefits claimed for an S.C.S. impoundment planned for construction on Cypress Creek. But, nowhere in the Final E.I.S. or its Amplification document is any mention made of the effects the Corps Water Supply Reservoir will have on the planned S.C.S. structure - cost estimates and claimed benefits are thus distorted.

7. The Arkansas Natural Heritage Commission has purchased more than 200 acres of land in the unique and spectacular lower reaches of Cove Creek - a tributary to the Cadron. These lands were acquired and dedicated to preservation into perpetuity as a "natural area", in accordance with the jurisdictions of the Natural Heritage Commission.

But, two F.W.R. impoundments are planned for construction on tributaries to Cove Creek and these structures will alter water regime, flow patterns, water temperatures and biological communities in Cove Creek, negating a major purpose of the Natural Area System. No mention is made of this area or the potential impacts of impoundment proposed in S.C.S. project documents.

8. Additionally, data obtained from the U.S. Geological Survey Water Resource Division records demonstrates that, due to exposure of surface waters collected behind the 14 planned F.W.R. structures to solar radiation and wind action, **evaporation from these impounded waters will be at least equal to the annual rainfall.** As a result, water which would normally flow downstream maintaining ground water tables, normal stream flows and flow patterns, normal water temperatures, and biological communities will be lost through evaporation into the atmosphere. S.C.S. reports contend that downstream flows on the Cadron will be improved. We believe these losses of surface waters induced by construction of these F.W.R. impoundments will have adverse rather than beneficial effects on stream flows in Cadron Creek.

9. We wish to reiterate that major flood problems in the lower (main segment) of Cadron Creek (a prime agricultural area) are radically affected by backwater from the Arkansas River, resulting from the construction of major impoundments for navigation purposes, and the Corps recognized this eventually by acquiring more than 2,000 acres in flowage easements within the Cadron Creek Watershed. Thus, the watershed project will have comparatively little impact in reducing the effects of flooding in the area affected by backwater from the Arkansas River.

We have previously commented on other inadequacies in the claims for project benefits and wish to state that we believe these criticisms are pertinent and valid. We have attached copies of our comments on the Draft E.I.S. for your review and consideration.

In summary, we would reiterate that no increases in costs for construction are included (except for a planned deletion of one structure); other agencies have approved plans for construction or preserving areas which will negate proposed benefits and these other plans are not recognized; and that flooding in the lower flood plain is the result of developments for the Arkansas River Navigation System which will not be alleviated by the watershed plan. We also wish to observe that this stream is the last unaltered stream in central Arkansas, that it provides environmental diver-

sity and is surrounded by a number of large impoundments available to the public for flat-water recreation. Many of the benefits claimed for wildlife resources are questionable, and there is little data to substantiate economic benefits claimed by the S.C.S.

We are also concerned about the fact that this proposed major natural resource alteration is conditioned by the limited interests, jurisdiction and affiliations of a Federal Bureau, and that it provides claimed benefits to a very limited segment of the public sector at large costs to the general public, and with few or no benefits to this public sector.

Elimination of this and other less desirable projects of this type from the nearly 3,000 watershed projects proposed for construction in Arkansas and elsewhere would help reduce the large public debt and perpetuate options for resource use and management for present and future questions.

Submitted by **Arkansas Coalition of Conservation Organizations:** The Arkansas Wildlife Federation, The Arkansas Ozark Society, The Arkansas Audubon Society, Arkansas Sierra Club Chapters, and The Arkansas Ecology Center.



## Botany Lesson for City Inspector

The *Summer Bulletin* carrying Maxine Clark's *Botanical Notes* which started with the paragraph "If you wish to be liberated from the laborious task of summer lawn care, consider using hardy wild perennials, annuals and shrubs that provide a succession of bloom from early spring 'til frost." was hardly off the press when she received a notice from the City Inspection Department demanding that she cut her weeds. (The Department had not seen the article.) Failure to comply would result in a court summons.

The Department was called and the pleasant young lady answering the phone was requested to come out and point out the "weeds". After Maxine had walked her along the driveway identifying the various plants, she was obviously embarrassed and volunteered to tear up the complaint.

This happened in August during the hot, dry spell in an interval when the plants were not blooming. A few weeks later there was a profusion of wild mari-gold, *Liatris*, and *Baltonia*, wild aster.

## Botanical Notes

Maxine Clark

On September 27 we drove to Mountain View where the headquarters of the Sylamore Ranger District of the Ozark National Forest is located. The forest covers an area of 130,000 acres in Stone and Baxter Counties with a small portion in Searcy and Marion Counties. This is a fascinating area geologically and botanically.

The forest cover ranges from shortleaf pine to various types of upland hardwoods. The unit has the most potential of any area to demonstrate multiple use management in a heavy recreation area.

The big attraction is Blanchard Springs Caverns where the visitors may view the beautifully lighted cave formations from a safe ramp. Winding roads through wooded, picnic and camping areas are well maintained.

Along the base of the north facing bluff is an intermittent stream which is bordered by spicebush intermingled with Jewelweed and rank growing composites.

Spicebush, *Lindera benzoin* belongs to the Laurel Family. A bush may be male, staminate, bearing stamen only, or female, pistillate, which produces a one seeded bright red fruit. The shrub is very decorative and can be propagated from seeds sown in a shaded area. A very rare species of spicebush is *Lindera melissaefolia*. In Arkansas it is known from Clay County only.

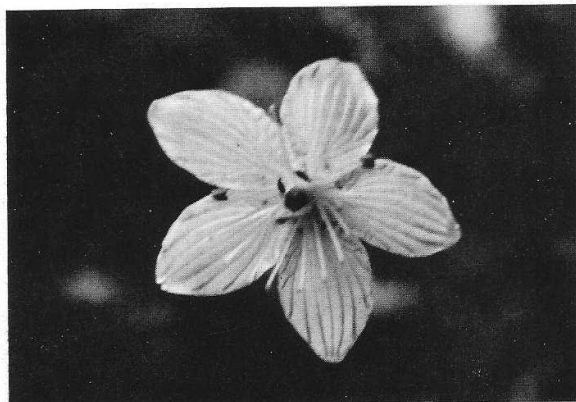
Jewel weed, *Impatiens capensis* belongs to the Balsaminaceae Family. Common names are Spotted Touch-me-not, Snapweed, Lady's-Earrings, Celandine or Solentine. The orange flowers have crimson spots; the sepals have a spur which curves back under the flower. The name Touch-me-not is derived from the fact that the fruit, when ripe, snaps open suddenly at a mere touch and throws out the seeds. I can never resist the temptation of holding it in my hand to test this unfailing phenomenon.

There are two prongs of Sylamore Creek; South Sylamore Creek flows from the southwest, North Sylamore Creek from the northwest. Their confluence is one quarter mile from the White River and the southeast corner of the National Forest. Both are botanically rich.

We drove to Gunner Pool Recreation Area and found the stream quite low but sparkling clear. A few feet above the water level, growing out of a mossy niche in the bluff was Grass-of-Parnassus. The common name is misleading. It is not a grass but one of the most beautiful species of the Saxifrage Family. A ten inch stem arises from a basal rosette of leaves. The five petals of the flower are white with delicate green veining.

Barkshed Recreation Area is upstream from Gunner Pool. High on the bluff face was a large colony of the beautiful flowers. Streamside blue *Lobelia siphilitica* was blooming.

We drove ridge roads high above the valley floor



Grass-of-Parnassus

and here I saw my favorite composite growing on limestone ledges and in roadside chat. There is no common name for it — just call it *Palafoxia callosa*. Heads of rose lavender, tubular flowers are beautiful under 10 power magnification. The stems are adorned with minute purple glands; leaves are thread-like and well adapted to conserve moisture. It is an annual but reseeds readily and should make an excellent rock garden plant.

Dittany, *Cunila origanoides*, was growing in abundance between the rocks in shaded areas. The small purple flowers grow in clusters in the axils of the leaves which have a mint-like aroma and may be used fresh or dried for tea. I keep a jar of dried leaves in my cupboard and enjoy the beauty of the plant in the rock terrace.

Cumula is the plant that produces the so called "frost flowers" during the early days of autumn. The white, ribbon-like, fluted formations resembling ribbon candy are sent up from the base of the plant. This phenomenon results in the rise of the cell sap and moisture from the still active root into the dead, dry stem. Watch for this on your early winter hikes.

Roadside ditches and banks were filled with the long spikes of purple gayfeather, *Liatris aspera*. I have never seen an area where the plant was so abundant.

Push Mountain fire tower is in western Baxter County. From this we drove a narrow ridge road which terminated on a dry bluff-line covered with a good stand of Smoke Trees, *Cotinus obovatus* Raf. Due to the drouth, the leaves which are usually a vivid yellow, were brown. The tree gets its name from the bluish-gray fruiting sprays as seen from a distance. Looking down to the southwest we could see the beautiful bend in the Buffalo River where it abruptly changes its course northward toward its confluence with the White River. To the north was the valley of Leatherwood Creek which is on the Rare II list.



## Indian Nations Backpack

A backpack trip into the upper watershed of the Powderhorn Creek in Colorado was taken by the following: Dave Waters, Steve and Gail Slagle, Mike Heidebrecht, Jack Jump, Mary and Idell Cook, Wood and Rheno Haddock, Jim and Sondra Steinberg, Bill and Peggy Perryman, Jim and Becky Haeberle, Don Whitaker, Don and Reta Haeberle.

The trip started at Youman's General Store with a truck ride to Ten Mile Spring, the beginning of the trail. The first 200' was down hill, and then the trail climbed up, following the East Fork of Powderhorn Creek. Powderhorn Creek was one beaver pond after another and full of trout. Consequently, the trout fishing and eating were superb. A real fisherman's paradise.

Wild flowers, wild strawberries and gooseberries were encountered everywhere. We hiked all of one quarter mile before losing the trail. We had to cross the creek and found it again. We made one long climb over a ridge and into the Middle Fork of the Powderhorn for the first night. The fact that this was the dry season meant we only had rain two or three times a day.

The second day a few more miles up the Middle Fork to our layover camp. There were five or six beaver ponds in sight of camp. Many trout were caught and eaten. On the layover day (the third day) we hiked two or three miles up to Hidden Lake. This was beautiful country, and the lake was full of golden trout. We encountered several young people who were with the Bureau of Land Management working on the trail and doing an excellent job.

On the fourth day, we broke camp early, about 10:30 A.M., and started out, taking our time, fishing and enjoying the country. We eventually made camp near a large active beaver pond. We observed beaver on the pond until past dark. After dark the moon shone beautifully on the pond. In all, twenty-six trout were caught, cooked and eaten by all who wanted to eat.

On the fifth day, we hiked back to Ten Mile Spring and spent our last night. There were some sore feet and a few up-set intestinal tracts, but all in all it was a most enjoyable trip. Those of you who backpack and were unable to go missed a fine outing. Several people took slides and I'm sure would like to share these soon with everyone.

### CONSERVATIONISTS (Continued from Page 2)

E. C. "Ernie" Deane of Fayetteville received the *Communications Conservation Award* for his years of effectively helping to protect the natural resources and beauty of Arkansas. As a retired free-lance writer, lecturer, and author of "Ozark Country", Ernie is a champion of environmental quality.

Charles W. Sumner of Pine Bluff is the recipient of the First Arkansas Conservation Achievement Award for *Hunter Safety*. In his 24 years of instruction in safe hunting practices, Charlie has assisted in teaching over 2,500 students. He has taught 210 students in the past year.

## Illinois River Cleanup

Members of the Indian Nations Chapter of the Ozark Society, Tulsa Canoe and Camping Club, Audubon Society and Sierra Club attended the cleanup. Camp was at Sparrow Hawk Friday and Saturday nights. Chewy Bridge to Round Hollow was canoed the first day and Round Hollow to Pea Vine Hollow the second day. The river was cleaner than it has been in the past. The area around Chewy Bridge was especially clean. Items collected were three washers, two large chairs, and some couch springs. Many tires and sacks of beer and pop cans were picked up.

It was good to see that people are using more cans which can be recycled, but there was still much glass and other metal found on the gravel bars. The land owners are no longer throwing old junk into the river as they did in the past. There used to be trucks full of this trash. Some areas were found where people are dumping home trash, where the roads make it easy to get to the river.

Everyone was very tired Sunday when they took out at Pea Vine Hollow. All of us who use the Illinois should give a big thank you to those who took the time to clean the river.

Afterward, Don and Jean Bowman once again invited everyone to their home for a cookout.

June Kendall

## Status of Canoeing Oklahoma Streams

Most of us have wondered about our legal status at times when canoeing and fishing on Oklahoma streams. The following Opinion by the Attorney General as published in a recent *Oklahoma Bar Journal* provides us with some answers.

"All rivers, streams, creeks and waterways within the State of Oklahoma forming a definite stream or course are public waters, subject to appropriation by the State for the benefit and welfare of the people. Riparian owners along waters forming a definite stream, navigable or non-navigable, may not fence across said waters for the purpose of limiting public use thereof; however, riparian owners may take reasonable action to prevent physical trespass upon their property by those persons seeking access to public waters. Since definite streams are public waters, an individual is not subject to fine and punishment for fishing upon the same without the consent of the riparian owner; however, those utilizing private property to gain access to public streams without consent of the landowner are subject to fine and punishment upon the filing of a proper complaint."

Indian Nations Chapter Newsletter

# Twelfth Annual Buffalo River Cleanup

Ralph Roseberg, Leader

The cooperation between participants, the Park Service, and the shuttle service during the cleanup float this year was absolutely **fantastic**. In spite of my numerous little mess ups, things turned out pretty well. As usual, Butch Baker helped the Society with shuttle and cooperation.

The equivalent of about 150 sacks of trash was collected this year. A lot of you will gladly note how much less this is compared to previous years.

As usual, the pot luck supper was the high point of the trip (for me anyway). There were some other interesting moments, however. For instance, one canoe turned over twice the first day. I won't mention any names and they **did** perservere. They even brought in all their trash (very wet, I might add). My canoe turned over in about 6 inches of water. Unfortunately, most of me was in it at the time.

Another interesting highlight was watching the McKinney kids paddle 50 miles while only covering 16 or so river miles.

## PRIZE LIST

Black and White Cab of Little Rock — a day pack and life jacket.  
The Pack Rat of Fayetteville — a child's size life jacket, lantern, paddle, and knee pads.

Jeremiah's of Springfield — a pack stove.  
Harold and Margaret Hedges — a life jacket and paddle.  
Heard's Drug Store of Arkadelphia — a flashlight  
Otasco Store, Arkadelphia — a boat seat  
Western Auto Store, Arkadelphia — a Coleman lantern  
Commercial Hardware, House Sports, Arkadelphia — a life jacket

The order of finish follows:

Place	Names	Points
1st	Mike Moriarity and Scott Poole	31½
2nd	Bill Pettit and Glenn Carlson	18
3rd	Dan Marsh and Alan Atkins	15½
4th	Luther Collins and family	14
5th	Bob and Betty James	13½
6th	Russ and Mike McKinney	11
7th	Nan Darby and Sally Hubbard	9
8th	Bob and George Ann McKinney	6
9th	Mr. and Mrs. George Smith	5¾
10th	Ralph Roseberg and Joe Scott	5½
11th	Tom McGill and Dick Taylor	5
	Harold and Margaret Hedges	5
12th	Bill and Chris Slikker	4½
13th	Dr. Tom Gilchrist and crew	2½
14th	Dr. Poole (who enjoyed the fun)	½

The special kids prize (a child's size life jacket from the Pack Rat) went to the McKinney youngsters.

A category initiated last year (pop top collecting) was expanded this year. Anna Leah Marsh collected 18 inches of pop tops to gain the first prize of \$3. Robert Marsh was second for \$2. and Russ McKinney was 3rd for \$1. The judges donated the cash prizes.

The Judges were Tom McGill, Bob McKinney, Harold Hedges (first day) and Bob James, (second day). They did a fine job of practical expedient judging.

Butch Baker (Baker's Store of Gilbert, Arkansas) helped us out a lot with a donation of a free shuttle for the second day and excellent services for the first day shuttle.



The Scavengers

# The Future of Stream Preservation in Arkansas

Much of the history of our stream protection efforts in Arkansas have been parallel and dependent on that of the Stream Preservation Committee. In 1967 Governor Faubus signed the bill that created the State Committee on Stream Preservation. Actually the group of people that were first appointed to the Committee had been active long before they became an official State-authorized organization. Most of them had united earlier to stop the damming of the Buffalo River. Many of these same people were responsible for the formation of the Ozark Society. This legislation, Act 437, recognized "... that the number of high quality, unadulterated or unchanged streams in Arkansas is rapidly diminishing and that immediate steps must be taken to provide for proper study and classification of rivers and streams which are still in their natural state in order that plans and recommendations may be developed for their preservation. According to this legislative mandate the Committee was to study and survey free-flowing streams to determine which ones would make good candidates for protection. From this information the Committee would then make recommendations to the Governor and the General Assembly regarding the best means to protect them. The Committee was also to make an annual report to the legislature about its activities and recommendations.

At this time the Committee was operating out of the Department of Planning. Since the Committee had not received any funding to hire a staff or to pay its expenses, the success of fulfilling its responsibilities was totally dependent on the contributed time and effort of its members. In 1969 the Committee published its report, "Stream Preservation in Arkansas", in 1970 and in 1971 introduced three stream protection bills to the legislature. None of these was passed.

When the Department of Natural and Cultural Heritage was formed in 1975, the Stream Preservation Committee was included as an agency. During the next two years the Committee worked to find a way to get funding so that it could accomplish its goals. Finally in 1977, Miss Ann Bartley, Director of the Department, arranged for a CETA employee to be hired as the administrative assistant to the Committee. As the first and only staff member of the Committee, my responsibility was simple in direction, formidable in its execution; to work with the Committee to draft stream protection legislation and to get it passed.

In the eleven years since the Committee was created, there have been many changes in the public's attitudes and interests regarding this and other environmental issues. The need for stream protection was recognized nationwide by the passage of the National Wild and Scenic Rivers Act in 1968. In 1972 the Buffalo River, thanks to the hard work of many people, was preserved by an act of Congress as a National River to be managed by the National Park Service. The 1972 amendments to the Federal Water Pollution Control Act called for the identification and treatment of point and non-point source causes of pollution so that by 1983 all streams and rivers would be "fishable and swimmable". Also, by 1977, twenty-three states expressed their concern for their streams by establishing various types of stream protection programs. All of this action has been a result of the recognition that increased growth means increased demand for the use of water resources. Similarly, the need to take action in Arkansas becomes more and more urgent with the passage of time.

The one attitude that has not changed is the general public's feeling about private property rights. Without exception the most critical issue of stream protection is land protection. Any intervention by federal or state governments in the control and use of private property is interpreted as a threat and challenge to the landowner. At the root of this opposition is the landowners' fear that they do not have a voice in the decision of what is to happen to their land. Of course, there is also the legal question of who owns the stream or river; that is, what are the public and/or private rights to the use of the stream bank, the stream bed, and of the water itself? The answer to this hinges on whether or not the river is judged to be navigable or non-navigable. This determination is somewhat vague on a number of Arkansas streams, but it should become more definite and conclusive in the future.

Other states have taken several different approaches to these problems in their river protection programs. Each state has tailored its program to fit its own needs. Most states have used the National Wild and Scenic Rivers System as a model and then

modified it to be effective in preserving their rivers thus keeping it as politically palatable as possible. Some of these methods are applicable to Arkansas, some are not. For instance, protecting the stream by giving a state agency the power of eminent domain is not desirable in Arkansas. It is very expensive and it represents the ultimate threat to private riparian landowners. When one of the original bills by the Stream Preservation Committee was introduced in the legislature, it was rumored that this would give the Committee power of eminent domain. Although this was not mentioned in the bill itself, this rumor caused enough controversy to kill the bill. Another approach which establishes a river corridor along both sides of the stream within which strict land-use regulations apply is also difficult for most landowners to accept. The two problems are: to protect the river in the most effective yet politically desirable manner, and to allow the local riparian landowner who will be most affected by the law to participate as much as possible in the planning and management of the river area.

With these goals in mind, the Streams Preservation Committee has adopted proposed legislation that will be introduced in the 1979 session of the General Assembly. This bill will create an Arkansas Natural and Scenic Rivers System to be administered by the Arkansas Natural and Scenic Rivers Commission within the Department of Arkansas Natural and Cultural Heritage. The members of the commission will be appointed by the governor. Four of the members will specifically represent farming, industry, forestry, and conservation interests. In addition, there would be an advisory council made up of representatives of State and Federal agencies; i.e., Arkansas Pollution Control and Ecology, Arkansas Game and Fish Commission, State Parks, the U.S. Forest Service, and the U.S. Geological Survey to provide technical advice and assistance. These members will be chosen by their own agencies.

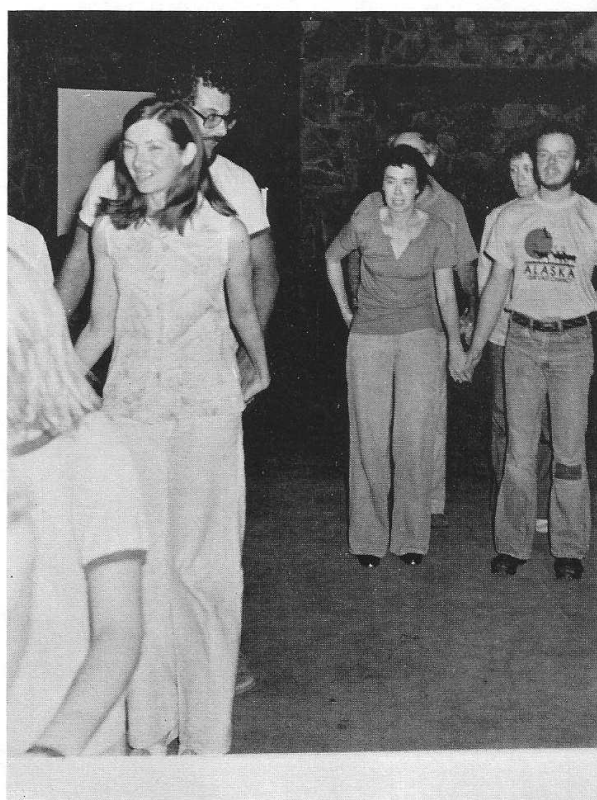
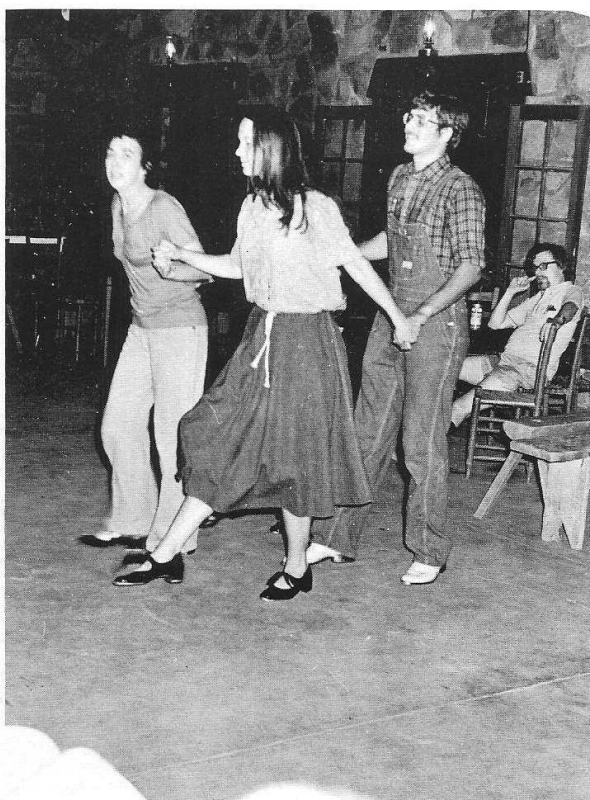
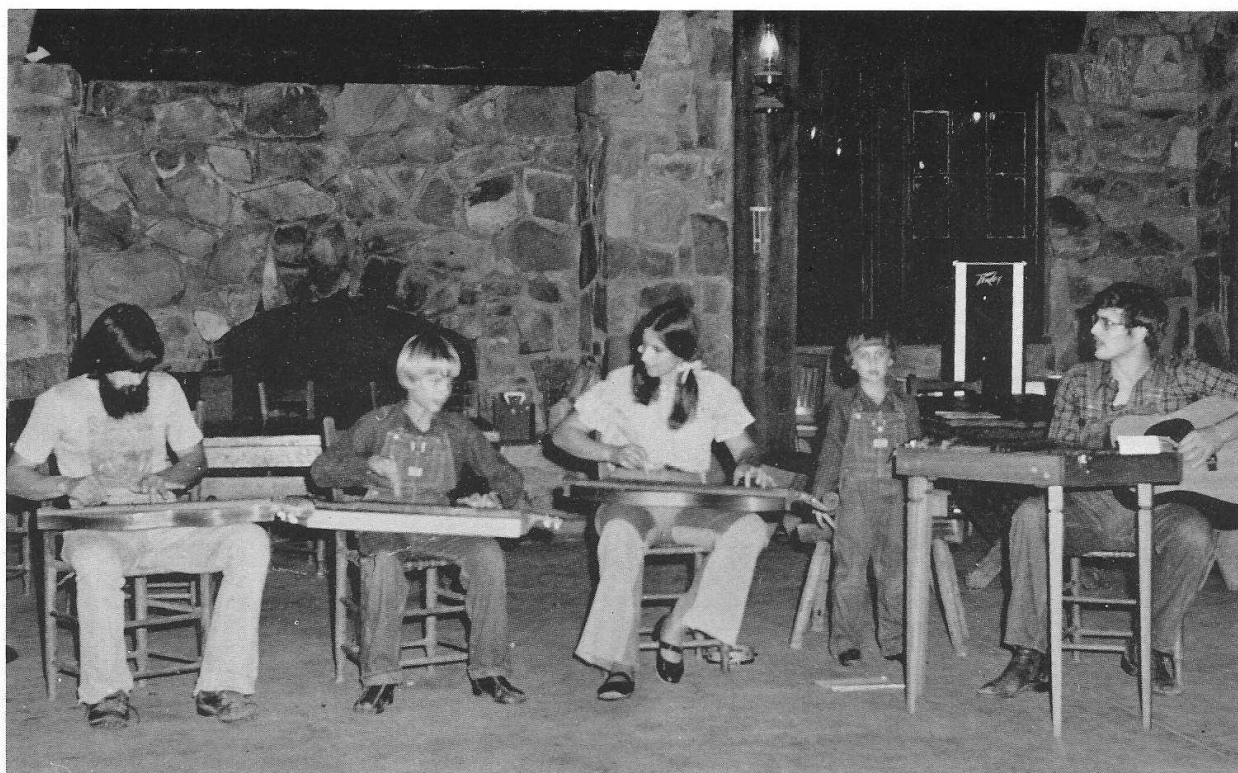
The bill then outlines the method of including rivers into the System. The Commission will be responsible for evaluating those rivers that would be eligible to include in the System. When a priority list of rivers is adopted, the Commission will then go out to a river area and begin working with the local people to set up a Local Advisory Committee. This Committee will consist of seven members, four appointed by the appropriate county Quorum Court and three to be appointed by the Governor to represent the State at large. From this point, the Commission will work with the local Committee to draw up a management plan for the river. Once this plan is decided upon by both bodies and presented at a public hearing, this plan will be submitted to the Arkansas General Assembly for approval. If the plan is approved by the legislature, the river will be an official component of the Arkansas Natural and Scenic Rivers System and the management plan will then go into effect.

This legislation will be successful for several reasons. It avoids most of the land-use and government intervention threats that have caused most of the controversy and opposition to stream protection legislation in the past. Also by not specifying any rivers in this initial bill, it circumvents the problem of localized opposition and the political trade-off game in the legislature; i.e. "I'll vote for the bill if you take out the river in my district." until in the end all the rivers are deleted. In addition, it treats each river to be considered for inclusion on a case-by-case basis. Each river is different and, hence, will require different management solutions. This will in turn avoid any sweeping land-use regulations that may not be applicable to all rivers. But the most important point of this legislation is that it officially provides for the participation of the local people in the decision making process of how the rivers will be taken care of. They will have a voice. This legislation presents a flexible process for stream protection while at the same time providing for the supervision and coordination and technical assistance that only a state agency can offer.

As an example, the Commission decides that River X is a river eligible for inclusion in the System. The staff and the Commission will then go to the river area and begin to talk to the people about the goals of the Commission and ways that the Commission would like to work with them to get the river into the System. When the Commission decides that there is enough local support for such action it will begin working with the Quorum Courts and Governor to appoint the Local Advisory Committee. Once the Committee is established the Committee and the Commission

(Continued on Page 15)





**Having Fun** at the Ozark Society Annual Meeting at Lake Sylvia September 9.

# Ozark Society Activity Schedule

BOB RITCHIE, OUTING CHAIRMAN  
1509 OLD FORGE DRIVE, LITTLE ROCK, AR 72207 RES. PH. 501-225-1795

Dates and trips are subject to change. Before you go on an outing, please contact the trip leader to confirm meeting times and places, and to let him know you are coming.

## PULASKI CHAPTER

NOV. 23-26: Upper Buffalo Wilderness. Backpack. Jack Downs, 663-7049.

DEC. 9 & 10: Hurricane Creek & Snow Creek. Day hikes. McAlister, 565-6119; Moriarity, 664-3006.

## BUFFALO RIVER CHAPTER

DEC. 2: Canoe trip on Buffalo River. Trip Leader: Chris Tullgren, 425-2694.

## BAYOU CHAPTER

NOV. 23-26: Annual Ozark Society Thanksgiving Float on the Buffalo River. Plans tentative. Contact Skip Griffin (635-4493) for more information.

DEC. 2-3: Backpacking - Caney Creek. Overnight in this S. W. Arkansas backcountry. Moderately strenuous hiking. Tom Carson, 949-0048.

DEC. 9: Bayou Chapter Christmas Party. This social affair includes pot luck supper, sippin and slides. Location to be announced. Leola Hofman, 861-1328 and Rita Shaw, 635-0921.

DEC. 16: Christmas Lights Float - Cane River. Evening float along the Cane River to observe the famous and beautiful Christmas lights in Natchitoches, La. Supper on the riverbank. Jim Morgan, 865-2745.

JAN. 13: Canoeing - Sabine River. Dayfloat with option to overnight on the river. Located near Carthage, Tx. Beginners invited. John Mailhes, 687-7225.

JAN. 27-28: Backpacking - Lower Ouachita Mts. A strenuous overnight winter hike in search of the old government trail. S. W. Arkansas. Skip Griffin, 635-4493.

FEB. 3-4: Kisatchie Creek Canoeing. Float on this scenic waterway located near Natchitoches, La. Frank Hampson, 222-4572.

## STREAMS (Continued from Page 13)

will begin to work together to formulate a management plan for River X. This plan might include the passage of local zoning ordinances that will limit any activities that will further degrade the river. To alleviate trespassing the plan might call for the purchase of fee title or easement land for public access areas. If this is the case the State Commission can assist in acquiring the necessary money to purchase these lands. The State could also help to provide money to hire enforcement officers to eliminate any additional trespassing or to help reduce a litter problem. This bill does **not** give the State the power of eminent domain to control the river nor does it give the public any additional public access to private land any more than is specified in the management plan that has been decided upon by both the Local Advisory Committee and the Commission.

This legislation provides two things that the Stream Preservation Committee has not had in the past. It will create for the first time a legitimate and functioning State agency to actively pursue the goals of stream protection. Accompanying this bill in the legislature will be an appropriation request for two staff members and maintenance and operation money to support them. It will also pay for per diem expenses for the Commissioners. This funding is essential for the implementation of the Natural and Scenic Rivers System. But more importantly, this bill gives Arkansas an open door, a method to protect its natural, free-flowing streams. As an expression of commitment and support for this cause, Senator Knox Nelson, next year's President Pro-Tem of the Senate and Representative John Miller, next year's Speaker of the House have offered to co-sponsor the bill.

To get this bill passed will require much work by all of us who are concerned with the fate of our rivers and streams. As a major part of the Stream Preservation Committee's public awareness campaign that will precede the introduction of the bill to the legislature, the Stream Preservation Committee and the Department of Arkansas Natural and Cultural Heritage is co-producing with KARK-TV Channel 4 Little Rock a thirty minute television documentary on the need for protection of Arkansas' free-flowing streams. This show which will be aired in December is being produced by KARK as a public service which will mean approximately a \$50,000 investment on their part. In addition it will also take a strong cooperative effort by all of us to talk to as many people and legislators as we can so that they will express their support for this legislation. Each of us who is concerned has a responsibility in this process. If we recognize the value of Arkansas' streams and rivers, we **all** must act as caretakers.

If any readers have questions or suggestions, please contact me or any Stream Preservation Committee member. We all will be more than willing to send any information or to discuss this legislation in more detail. We want to hear from you. We need and want **your** help.

Susan Brenholts, Administrative Assistant  
Stream Preservation Committee  
Suite 500, Continental Building  
Main and Markham Streets  
Little Rock, Arkansas 72201  
Phone: 501-371-2761.

## Dues Notice

Please send in your dues for 1978.

Fill out the blank below and send it with your check to Jim Gaither,  
Membership Chairman, Box 2914, Little Rock, Arkansas 72203.

Dues are for the calendar year. They are regular (and family), \$5; contributing, \$10; sustaining, \$25; life, \$100

Please check: new member; \_\_\_\_\_ renewal \_\_\_\_\_ Date \_\_\_\_\_

Last name \_\_\_\_\_ first names of husband and wife \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_



**The Atchafalaya** - Charles Fryling, Jr.