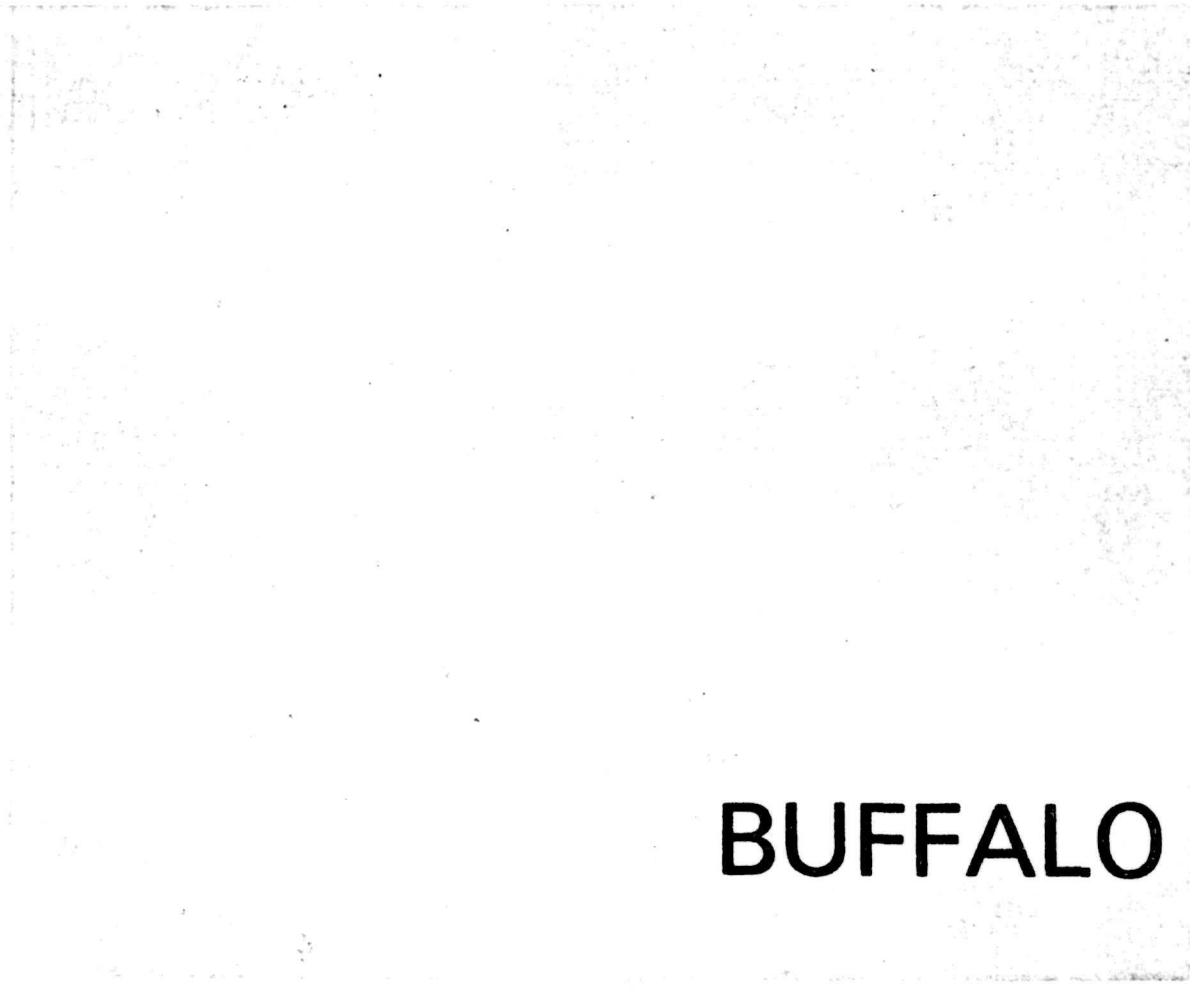


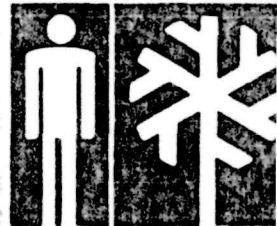
wilderness recommendation

march 1975

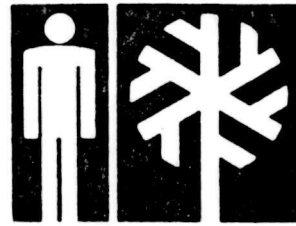


BUFFALO

NATIONAL RIVER / ARKANSAS



WILDERNESS RECOMMENDATION



Buffalo
National River
Arkansas
March 1975

C O N T E N T S

RECOMMENDATION / 1

A NATIONAL WILDERNESS PRESERVATION SYSTEM / 2

DEPARTMENTAL GUIDELINES FOR WILDERNESS PROPOSALS / 6

CONCLUSIONS / 10

APPENDIX: HEARING OFFICER'S REPORT

RECOMMENDATION

IT IS RECOMMENDED THAT 10,529 ACRES OF FEDERAL LAND BE DESIGNATED WILDERNESS AND THAT 25,471 ACRES OF NON-FEDERAL LANDS, OR WHICH HAVE NON-FEDERAL INTERESTS THEREIN, BE DESIGNATED AS POTENTIAL WILDERNESS ADDITIONS.

THIS RECOMMENDATION IS BASED UPON CAREFUL STUDY OF THE NATIONAL RIVER, THE VIEWS PRESENTED AT THE PUBLIC HEARING ON DECEMBER 5, 1974, AND THE WRITTEN RESPONSES CONCERNING THE WILDERNESS STUDY.

A NATIONAL WILDERNESS PRESERVATION SYSTEM

Section 6, Public Law 92-237 of March 1, 1972, establishing Buffalo National River provided that:

"Within three years from the date of enactment of this Act, the Secretary shall review the area within the boundaries of the national river and shall report to the President, in accordance with subsections 3(c) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c) and (d)), his recommendation as to the suitability or unsuitability of any area within the national river for preservation as a wilderness, and any designation of any such area as a wilderness, shall be accomplished in accordance with said subsections of the Wilderness Act."

Public Law 88-577, of September 3, 1964, establishing a National Wilderness Preservation System, provides, in part, as follows:

POLICY

"It is . . . the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness."

SYSTEM

" . . . there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by Congress as 'wilderness areas'"

DEFINITION

"A wilderness, . . . is . . . an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean . . . an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which: (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least 5,000 acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value."

MANAGEMENT

"The inclusion of an area in the National Wilderness Preservation System notwithstanding, the area shall continue to be managed by the Department and agency having jurisdiction thereover immediately before its inclusion in the National Wilderness Preservation System unless otherwise provided by Act of Congress."

USE

"Nothing in this Act shall modify the statutory authority under which units of the national park system are created. Further, the designation of any area of any park, monument, or other unit of the national park system as a wilderness area pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such park, monument, or other unit of the national park system in accordance with the Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including but not limited to, the Act of June 8, 1906, (34 Stat. 255; 16 U.S.C. 432 et seq.); section 3(2) of the Federal Power Act (16 U.S.C. 796 (2)); and the Act of August 21, 1935, (49 Stat. 666; 16 U.S.C. 461 et seq.)."

DEPARTMENTAL GUIDELINES FOR WILDERNESS PROPOSALS

United States Department of the Interior

Office of the Secretary
Washington, D.C. 20240

June 24, 1972

Memorandum

To: Director, Bureau of Sport Fisheries
and Wildlife

Director, National Park Service

From: Assistant Secretary for Fish and Wildlife
and Parks

Subject: Guidelines for Wilderness Proposals — Reference
Secretarial Order No. 2920

In the course of developing wilderness proposals we should strive to give the areas under study wilderness designation but not at the expense of losing the essential management prerogatives that are necessary to fulfill the purposes for which the areas were originally intended. Although each area under study must be considered separately, with special attention given to its unique characters, the following criteria should be adhered to when determining the suitability of an area for wilderness designation.

Management

An area should not be excluded from wilderness designation solely because established or proposed management practices require the use of tools, equipment or structures, if these practices are necessary for the health and safety of wilderness travelers, or the protection of the wilderness area. The manager should use the *minimum* tool, equipment or structure necessary to successfully, safely and economically accomplish the objective. When establishing the minimum tool

and equipment necessary for a management need within wilderness areas economic factors should be considered the least important of the three criteria. The chosen tool or equipment should be the one that least degrades wilderness values temporarily or permanently.

For the purpose of this paragraph, accepted tools, equipment, structures and practices may include but are not limited to: fire towers, patrol cabins, pit toilets, temporary roads, spraying equipment, hand tools, fire-fighting equipment caches, fencing and controlled burning. In special or emergency cases involving the health and safety of wilderness users or the protection of wilderness values aircraft, motorboats and motorized vehicles may be used. Enclaves, buffer zones, etc., should not be established if the desired management practices are permitted under these guidelines.

Visitor Use Structures and Facilities

An area that contains man-made facilities for visitor use can be designated as wilderness if these facilities are the minimum necessary for the health and safety of the wilderness traveler or the protection of wilderness resources. An example of a wilderness campsite that could be included is one having a pit toilet and fire rings made of natural materials and tent sites. A hand-operated water pump may be allowed. This kind of campsite would not be considered a permanent installation and could be removed or relocated as management needs dictate. Facilities that exceed the "minimum necessary" criteria will be removed and the area restored to its natural state. (See section on Exceptions.)

Areas containing campsites that require, for the protection of the adjacent wilderness values, facilities more elaborate than those allowed in a wilderness campsite should be excluded from wilderness designation.

Prior Rights and Privileges and Limited Commercial Services

Lands need not be excluded from wilderness designation solely because of prior rights or privileges such as grazing and stock driveways or certain limited commercial services that are proper for realizing the recreational or other wilderness purposes of the areas.

Road and Utilities — Structures and Installations

Areas that otherwise qualify for wilderness will not be excluded because they contain unimproved roads, created by vehicles repeatedly

traveling over the same course, structures, installations or utility lines, which can and would be removed upon designation as wilderness.

Research

Areas that otherwise qualify need not be excluded from wilderness designation because the area is being used as a site for research unless that use necessitates permanent structures or facilities in addition to those needed for management purposes.

Future Development

Those areas which presently qualify for wilderness designation but will be needed at some future date for specific purposes consistent with the purpose for which the National Park or National Wildlife Refuge was originally created, and fully described in an approved conceptual plan, should not be proposed for wilderness designation if they are not consistent with the above guidelines.

Exceptions

Certain areas being studied may contain structures such as small boat docks, water guzzlers and primitive shelters that ought to be retained but may not qualify as minimum structures necessary for the health and safety of wilderness users or the protection of the wilderness values of the area. When an area under study for wilderness designation would otherwise qualify as wilderness a specific provision may be included in the proposed legislation for this area, giving the wilderness manager the option of retaining and maintaining these structures. Necessary management practices such as controlled burning shall also be mentioned specifically in the proposed legislation.

Areas being considered for wilderness designation will not be excluded solely because they contain hydrologic devices that are necessary for the monitoring of water resources outside of the wilderness area. When these devices, either mechanical or electronic, are found to be necessary, a specific provision allowing their use will be included in the legislation proposing the wilderness area being considered. For the installation, servicing and monitoring of these devices the minimum tools and equipment necessary to safely and successfully accomplish the job will be used.

Areas being studied for wilderness designation will not be excluded solely because they contain lakes created by water development projects if these lakes are maintained at a relatively stable level and the shoreline has a natural appearance. Where this occurs and there is no other reason for excluding the area, a specific provision describing the water development project and its operation will be included in the proposed legislation along with the recommendation for including it in the wilderness area. Other minimal development of water resources may be suggested for inclusion in wilderness if specific reference is made to them in the proposed legislation. These provisions will allow present maintenance practices to continue.

Areas that contain underground utilities such as gas pipelines and transmission lines will not be excluded from wilderness designation solely for this reason. Where this occurs the areas may be included by making specific mention of them in the proposed legislation indicating that this use would continue and previously established maintenance practices would be allowed to continue.

When non-qualifying lands are surrounded by or adjacent to an area proposed for wilderness designation and such lands will within a determinable time qualify and be available Federal land, a special provision should be included in the legislative proposal giving the Secretary of the Interior the authority to designate such lands as wilderness at such time he determines it qualifies.

A handwritten signature in black ink, reading "Nathaniel P. Reed". The signature is fluid and cursive, with a long horizontal stroke at the end.

Nathaniel P. Reed

CONCLUSIONS

INTRODUCTION

As required by the Act establishing Buffalo National River, P.L. 92-237, and the Wilderness Act, a public hearing was held on the preliminary wilderness study/environmental assessment (dated October 1974) on December 5, 1974 at Harrison, Arkansas. Notice of the public hearing appeared in the *Federal Register* on November 5, 1974 and in local newspapers. Approximately 75 people attended the hearing, and 14 presented oral statements. Oral statements, plus written responses received during the time the hearing record was open, totaled 509. A tabulation of responses is contained in the appended Hearing Officer's Report (Analysis of the Public Hearing and Written Responses).

PUBLIC RESPONSE AND COMMENT

The wilderness study/environmental assessment (dated October 1974) indicated seven alternatives. These alternatives were discussed in detail in the report, and are briefly as follows:

Potential
Wilderness

1. Two units, conforming to the land classification plan of the draft master plan. Potential wilderness of 26,900 acres.
2. Units retaining primitive access roads, and addition of a third unit. Potential wilderness of 27,300 acres.
3. Maximum in three units. Potential wilderness of 35,700 acres.
4. Maximum Ponca and Upper Buffalo/Minimum Lower Buffalo. Potential wilderness of 27,700 acres.
5. Ponca and Upper Buffalo/no Lower Buffalo. Potential wilderness of 13,600 acres.
6. Instant wilderness with potential wilderness additions. Immediate designation of all Federal lands within any alternative as wilderness, remaining lands designated as potential wilderness additions.
7. No wilderness.

The majority of the private organizations and individuals testifying or submitting written views favored Alternative 3 with some boundary modifications and applying the provisions of wilderness as generally indicated in Alternative 6. Specific comments and/or modifications to Alternative 3 that were suggested by the public:

Comment: Non-wilderness exclusions around Yarborough Ranch should be at a minimum.

Response: Alternative 3 does not indicate specifically the non-wilderness exclusion for this proposed area as an environmental education center, however, the Yarborough Ranch exclusion will be the minimum necessary to encompass the developments there.

Comment: If it is determined that a road to the Lower Buffalo River from Old Buffalo City through the national river, as indicated in the draft master plan, is necessary for put-in/take-out boat access to the river; this exclusion should be the minimum necessary.

Response: It has been determined that such a road through the national river is not needed. The existing public access upstream on the opposite bank of the White River outside the Buffalo River boundaries will be the put-in/take-out river access. Therefore, no lands are excluded from wilderness for a road access.

Comment: Small non-wilderness parking exclusions for wilderness trailheads along the national river boundaries should be provided.

Response: Six small parking area exclusions have been provided: three in the Ponca Unit, and three in the Lower Buffalo Unit. These small proposed parking areas are shown on the Wilderness Plan. Four other proposed parking areas, not shown on the preliminary report, lie in close proximity to the wilderness boundaries and are also shown on the Wilderness Plan.

Comment: Beauty Cave should be designated as a "pocket wilderness."

Response: Beauty Cave is recognized by the master plan as an outstanding natural area (Class IV) and will be given maximum protection. It will be open only to groups by reservation and to National Park Service guided tours. The National Park Service believes the area encompassed by Beauty Cave is too small to be managed as wilderness.

Several landowners within the Buffalo National River opposed wilderness designation of any portion of the national river. Their comments were directed against the concept of a Buffalo National River and the resulting acquisition of their lands. The effects of Federal acquisition of lands within Buffalo National River were stated and discussed earlier in the draft environmental statement (D.E.S. No. 74-45) on the master plan. The designation of wilderness within Buffalo National River by Congress would have no further effects than those already stated in the draft environmental impact statement.

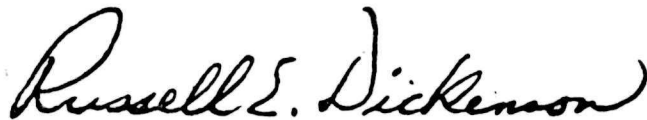
RECOMMENDATION

As a result of analysis of the public's response and further consideration of management needs, the following wilderness recommendation is made which conforms closely to Alternative 3 in the preliminary wilderness study/environmental assessment (see Wilderness Plan).

In the Upper Buffalo River area 840 acres are recommended for designation as wilderness and 1,360 acres as potential wilderness additions. This unit adjoins the 9,400 acre Ozark National Forest Upper Buffalo Wilderness. In the Ponca area 4,382 acres are recommended for designation as wilderness and 6,918 acres as potential wilderness additions. In the Lower Buffalo area 5,307 acres are recommended for designation as wilderness and 17,193 acres as potential wilderness additions. Traditionally, johnboats with motors have been used to fish the lower portion of the Buffalo River. It is felt that the use of motors on johnboats is a convenience to those who desire motorized access for fishing, but is not necessary for public enjoyment of the proposed wilderness. It is therefore recommended that motorized recreational use of this part of the river continue, but that the river not be designated as wilderness.

Those portions of the Buffalo River flowing through the Upper Buffalo and Ponca units are included within the respective wilderness units.

A large portion of the lands in the proposed wilderness units within the Buffalo National River are in non-Federal ownership or have non-Federal interests therein. Some of the lands will be subject to use and occupancy rights. A minimum of 25 years will be required before all non-Federal rights and nonconforming uses have expired. Therefore, 10,529 acres of Federal land are recommended for immediate wilderness designation and 25,471 acres are recommended as potential wilderness additions. It is recommended that the potential wilderness additions be designated as wilderness by the Congress, to be effective upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased.

A handwritten signature in black ink that reads "Russell E. Dickinson". The signature is written in a cursive, flowing style.

Acting Director
National Park Service

HEARING OFFICER'S REPORT

INTRODUCTION

A public hearing on the preliminary wilderness study/environmental assessment for Buffalo National River was held in the Harrison City Hall, 112 South Spring, Harrison, Arkansas, on December 5, 1974. The hearing was opened at 1:00 p.m. and again at 7:00 p.m. by the Hearing Officer, Mr. John Preston (460 Rossmoor Tower II, Laguna Hills, California). Approximately 75 people attended the hearing and 14 presented oral statements. The proceedings were reported by Sondra L. Cargle, Shirley M. Stinebaugh & Associates, Inc. (3612 Princess Lane, Dallas, Texas).

ANALYSIS OF THE PUBLIC HEARING AND WRITTEN RESPONSES

Conservation Group Recommendation

Generally the conservationists recommended Alternative 3 with instant wilderness as provided in Alternative 6. Certain modifications to Alternative 3 were suggested. They were:

Minimum non-wilderness exclusions around Yarborough Ranch and around the proposed access road to the Lower Buffalo River — if it is determined that a river access is needed.

Small non-wilderness exclusions for trailhead parking along the national river boundaries should perhaps be provided.

Beauty Cave was recommended as a "pocket wilderness."

Landowners

Several owners of land within the national river area recommended no wilderness (Alternative 7). They opposed the very existence of the Buffalo National River.

SUMMARY OF RESPONSES RECEIVED

Recommendation	Public Agency	Private Organization	Individuals Statements/ Letters	Petitions	Totals
Alternative 1	0	1	2	0	3
Alternative 2	1	0	3	0	4
Alternative 3	2	36*	338*	75*	451*
Alternative 4	0	0	1	0	1
Alternative 5	0	0	1	0	1
Alternative 6 *(see note below)	—	—	—	—	—
Alternative 7	1	1	3	0	5
Wilderness general, no recommendation	1	0	4	16	21
Acknowledgements	18	1	4	0	23
TOTALS	23	39	356	91	509

*Recommended application of Alternative 6 (instant wilderness for Federal lands and wilderness designation of non-Federal lands effective upon acquisition by the Federal government).

DISPOSITION OF HEARING RECORD AND WRITTEN RESPONSES

The official record, including letters received by the Hearing Officer, the Superintendent and the Southwest Regional Office, and the Washington Office of the National Park Service, has been assembled and is available for review in the Washington Office.


Hearing Officer

VIEWS OF OTHER GOVERNMENT AGENCIES ON THE PRELIMINARY WILDERNESS STUDY

The following letters, statements, and resolutions were received from the agencies listed below:

FEDERAL AGENCIES

Department of Agriculture

Chief, Forest Service

State Conservationist, Soil Conservation Service (2 letters
counted as one response)

Department of Commerce

Deputy Assistant Secretary, Assistant Secretary of Science & Technology

Department of Housing & Urban Development

Environmental Clearance Officer, Region VI

Department of the Interior

Bureau of Outdoor Recreation

Assistant Director

Regional Director, South Central Region

Fish and Wildlife Service

Deputy Regional Director

Geological Survey

Wilderness Coordinator

Bureau of Indian Affairs

Director, Office of Trust Responsibilities

Bureau of Reclamation

Assistant Commissioner

Bureau of Mines

Acting Director

Federal Power Commission

Chief, Bureau of Power

Department of Transportation

Regional Administrator, Federal Highway Administration

Environmental Protection Agency

Regional EIS Coordinator, Region VI

STATE OF ARKANSAS

Office of the Governor
Governor

Game and Fish Commission
Director

Department of Parks and Tourism
Director

Department of Planning
Director
Director, Office of State Planning Coordination

Archeological Survey
State Archeologist

Department of Health
Director

Division of Soil and Water Resources
Chairman

LOCAL

Town of Pruitt
Mayor (oral statement)

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
Washington, D.C. 20250

2320

DEC 19 1974



Mr. Joseph C. Rumburg, Jr.
Regional Director, Southwest Region
National Park Service
U.S. Department of the Interior
P.O. Box 728
Santa Fe, NM 87501

Dear Mr. Rumburg:

We have reviewed the Wilderness Study environmental assessment for the Buffalo National River and have the following comments.

The discussion on wildlife, pages 34-37, while it appears generally adequate, has omitted references to several species of reptiles such as the blue racer, black snake, copperhead, cottonmouth, and timber rattler snakes which we believe to be indigenous to the region.

On page 35, reference is made to the red wolf as a threatened species. Actually this species is classified as Endangered. Also, on page 36 the Bald Eagle is mentioned. If this is the southern race, it, too, is classified as Endangered.

Thank you for the opportunity to review the assessment.

Sincerely,


JOHN R. MCGUIRE
Chief

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Post Office Box 2323, Little Rock, Arkansas 72203

November 8, 1974

Mr. Joseph G. Rumburg, Jr.
Regional Director, Southwest Region
National Park Service
Post Office Box 728
Santa Fe, New Mexico 87501

Dear Mr. Rumburg:

Einar L. Roget has transferred to the U. S. Forest Service and I have replaced him as State Conservationist for the Soil Conservation Service in Arkansas.

I have received your notice of a public hearing on the Buffalo National River Wilderness. I will not be able to attend the hearing; however, Paul Whittington, area conservationist at Harrison, will attend.

The Soil Conservation Service in Arkansas will not plan to make a statement at the hearing; however, if upon completion of our review of the assessment we have comments, they will be forwarded to you within the allotted time.

Sincerely,


M. J. Spears
State Conservationist

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Post Office Box 2323, Little Rock, Arkansas 72203

January 6, 1975

Mr. Joseph C. Rumburg, Jr.
Regional Director
Southwest Region
National Park Service
Post Office Box 728
Santa Fe, New Mexico 87501

Dear Mr. Rumburg:

We have reviewed the Buffalo National River Wilderness Study/Environmental Assessment which you prepared and also had a representative attend the public meeting which was held at Harrison on December 5, 1974.

We would like to suggest that if a plan is developed to include wilderness areas, existing primitive roads should be retained and left open to vehicular travel.

In addition, we would like for you to consider the following comments:

Page 45, paragraph 2, sentence 2

<u>Area</u>	Percent of Land Area Forested	
	1959	1969
Newton and Searcy Counties	84	82
State of Arkansas	62	54

The Buffalo River area does not follow the pattern of the state closely with respect to percentage of total forested land.

Page 45, paragraph 2, sentence 3

<u>Area</u>	Standing Hardwood Sawtimber (mbf)	
	1959	1969
Newton and Searcy Counties	529	831 + 57%
Baxter, Boone, and Marion Counties	467	810 + 73%

Hardwood sawtimber stock has been cut less rapidly than growing stock can reach maturity.

Page 45, paragraph 2, sentence 5

Conclusion may be in error, according to the data on standing timber and timber removed.



Mr. Joseph C. Rumburg, Jr.

2

Page 86, paragraph 1

A discussion of the requirements for National Park Service approval of private and/or public agency projects would assist the reader to further evaluate impacts.

We appreciate the opportunity of reviewing and commenting on this assessment.

Sincerely,

A handwritten signature in cursive script, appearing to read "M. J. Spears", followed by a horizontal line.

M. J. Spears
State Conservationist



December 5, 1974

Mr. Joseph C. Rumburg, Jr.
Regional Director
Southwest Region
National Park Service
U.S. Department of Interior
Post Office Box 728
Santa Fe, New Mexico 87501

Dear Mr. Rumburg:

The Department of Commerce has reviewed the Department of the Interior's report entitled "Buffalo National River Arkansas, Wilderness Study Environmental Assessment".

The Wilderness Study states that there are known deposits of lead and zinc in this region. Other mineral resources found in the four county area of the study include tripoli, manganese, pyrite, uranium, marble, copper, and fullers earth.

It is our understanding that there have been no comprehensive mineral surveys conducted in the study area. This Department has consistently argued that if the United States is to maintain a strong domestic minerals position, large areas of the public domain should not be considered for withdrawal from exploration and development without a thorough assessment of the mineral potential of the area. We therefore urge that no recommendation be made on the basis of this study until a thorough mineral survey has been undertaken and the results evaluated.

Sincerely,


Sidney R. Galler

Deputy Assistant Secretary
for Environmental Affairs





REGIONAL OFFICE
1100 COMMERCE STREET
DALLAS, TEXAS 75202

January 20, 1975

REGION VI

IN REPLY REFER TO:

6ME

Your Reference:

L48

Mr. Joseph C. Rumburg, Jr.
Regional Director, Southwest Region
National Park Service
United States Department of The Interior
Post Office Box 728
Santa Fe, New Mexico 87501

Dear Mr. Rumburg:

The Department of Housing and Urban Development has reviewed the Buffalo National River Wilderness Study/Environmental Assessment; and, as was indicated in our earlier review response to the draft environmental impact statement for the subject project, we do not have comments regarding this proposed action.

Sincerely,


Travis Wm. Miller
Environmental Clearance Officer



United States Department of the Interior

BUREAU OF OUTDOOR RECREATION
WASHINGTON, D.C. 20240

IN REPLY REFER TO:

D7223-Buffalo National River
Wilderness Study

NOV 13 1974

Memorandum

To: Regional Director, Southwest Region
National Park Service, Santa Fe, New Mexico

From: *Asst* Director, Bureau of Outdoor Recreation

Subject: Buffalo National River Wilderness - Environmental
Assessment

This will acknowledge your recent letter and enclosures concerning the public hearings to be held on the subject.

We understand you have furnished similar material to our Albuquerque Regional Office. Therefore, our Regional Director will respond directly to you.

At Underhill



IN REPLY REFER TO:

United States Department of the Interior

BUREAU OF OUTDOOR RECREATION

South Central Regional Office
Patio Plaza, 5000 Marble N.E., Room 211
Albuquerque, New Mexico 87110

Memorandum

To: Regional Director, Southwest Region, National Park Service

From: Regional Director, South Central Region

Subject: Buffalo National River Wilderness Study/Environmental Assessment

This is in reply to your letter requesting our review and comment on the subject study/assessment. We have divided our comments into the specific areas noted below:

Comments on the Assessment

Page 18, first paragraph, the document mentions the Buffalo River flowing eastwardly across five counties. After following the route of the river on several different maps we find that the Buffalo does not cross Boone County. It does, however, traverse the other four counties. This error should be corrected in subsequent documents.

Also, on page 18, second to the last paragraph, the assessment states, "Other Ozark streams, shorter in length than the Buffalo, but generally regarded as outstanding in quality, include the following:". The document lists the White River in this category. This is confusing in that the White River is one of the longest and largest rivers in Arkansas. This should be clarified.

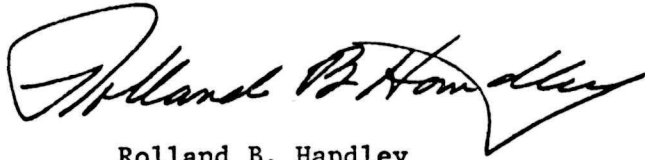
Comments on the Study

This office supports the dedication of appropriate lands for wilderness status as a permanent addition to our national system of recreation lands. Since public recreation is a primary purpose of wilderness areas, it is our opinion that alternative 7, that of no wilderness, is the least desirable alternative. We cannot identify, at this time, which of the remaining six alternatives is the best.

In the "consultation and coordination" section of the study, it is noted that the Arkansas Department of Planning was not listed. It is our recommendation that during the preparation process of a document such as this, that this State agency be contacted not just informally but

formally as well for their input and/or coordination. The Department of Planning has just published the 1974 State Comprehensive Outdoor Recreation Plan for Arkansas. This document contains all the current information on demand, supply and need for recreational opportunities in the State as well as certain policies and recommendations which may influence your planning decisions.

These comments are made on a "technical assistance" basis only. If we can provide any additional information or assistance, please call upon us.

A handwritten signature in black ink, appearing to read "Rolland B. Handley". The signature is fluid and cursive, with a large initial "R" and a long, sweeping underline.

Rolland B. Handley

cc:
BOR, WASO



United States Department of the Interior

FISH AND WILDLIFE SERVICE

17 EXECUTIVE PARK DRIVE, N. E.
ATLANTA, GEORGIA 30329

FEB 11 1975

Hearing Officer
Buffalo National River
P.O. Box 1173
Harrison, Arkansas 72601

Dear Sir:

Our comments concerning the wilderness suitability of study areas delineated in the "Buffalo National River Wilderness Study, Environmental Assessment" are provided in response to the October 22 notice of public hearings from Mr. Richard Curry, Associate Director, National Park Service.

In its descent toward confluence with the White River, the Buffalo River passes through beautifully rugged terrain of the rural and sparsely populated counties of Newton, Searcy, and Marion in the north central Arkansas Ozarks. The headwaters and the first 16 miles of the Buffalo River lie in the Ozark National Forest, also the site of origin for such major tributary streams as the Little Buffalo, Big Cave, and Richland creeks; the remaining 132 miles of the river course and associated ecosystems is contained within the boundaries of the Buffalo National River, established in 1972.

The Act establishing the Buffalo National River expressly provides for hunting and fishing within its boundaries, activities not precluded by the establishment of wilderness. Good primary access to the area is abetted by the presence of a number of gravel surfaced State routes and unsurfaced county roads for adequate lateral circulation. Usage to the point of encroachment of wilderness values, as defined in the Act, is enabled by the variety of alternative outdoor recreational facilities currently available to the area. Twelve major conservation reservoirs in the Ozarks of Missouri, Arkansas, and northeastern Oklahoma provide a total area of 295,000 surface acres, and over 20 other large impoundments in Arkansas and Oklahoma provide water-based recreation opportunities. In addition to the Buffalo River, the Ozarks include such notable streams as the White, Mulberry, Kings, and Spring rivers in Arkansas; the Eleven Point River in Missouri and Arkansas; and the James and North Fork rivers in Missouri. National forests in



the Ozarks serve recreation needs with 2 million acres in the Arkansas-Missouri Ozarks as do thousands of acres of State forests and numerous other facilities within the Ozark region.

The Buffalo River is noted for its excellent smallmouth bass fishery, a fishery complemented by the presence of rock bass, green sunfish, longeared sunfish, redhorse, suckers, trout in larger spring outflows, and such unusual species as the studdfish, chestnut lamprey, darter, and gar. Primary access to the river is good but entry is often discouraged by steep and densely vegetated bank slopes.

Generally typical of vegetation of the Arkansas Ozarks, plants along the river are extremely luxuriant and diverse. Climatic conditions, soils, and topography contribute to the survival of over 1,500 plant species that include the monkey flower, blue larkspur, Indian mallow, Ozark chinquapin, and spring flowering witch hazel--species endemic to the Ozarks. The presence of "fern falls" in the area, reported in the Environmental Assessment, is particularly appealing.

The Buffalo River traveler may sight white-tailed deer, black bear, grey and red foxes. The timber wolf, elk, and the bison, former residents of the area have been eliminated by man and probably the mountain lion and the red wolf have met the same fate. Still, beaver, otter, mink, muskrat, and numerous smaller mammals inhabit the Buffalo River environs. The rich faunal complement includes a number of Ozark plateau endemics.

Over 250 species of birds frequent the area of the Buffalo National River as residents or as migratory visitors. Bald eagles, golden eagles, and ospreys are conspicuous during migrations. Among other interesting species, the roadrunner and pileated woodpecker are occasionally sighted. The reintroduced eastern wild turkey, in company with the ruffed grouse, bobwhite quail, and various migratory waterfowl, comprise the area's principal gamebird species.

A maximum of three wilderness units within the confines of the Buffalo National River are proposed in the first five Environmental Assessment alternatives. All lands within the boundaries of the units selected would be characterized merely as potential wilderness until all non-Federal rights and all nonconforming uses are extinguished a minimum of 25 years hence. The additional mantle of protection provided by wilderness designation within the Buffalo National River would be unduly deferred.

Alternative 6, applicable to each of the foregoing, would recommend to Congress that all Federal lands within the selected boundaries of the proposed units (upper Buffalo, Ponca, and lower Buffalo) be immediately

designated as wilderness and all non-Federal lands therein, potential wilderness additions. A special provision would be recommended in the legislative proposal giving the Secretary of the Interior the authority to designate these potential wilderness lands as wilderness at such time as he determines they qualify. The legislation designating immediate wilderness within the Buffalo National River would have to recognize existing non-Federal rights whereas Alternatives 1 through 5 provide for National Park Service recognition of those rights until their expiration and designation of the lands as wilderness.

Alternative 7 makes no provisions for wilderness designation.

In summary, the alternatives developed are:

1. potential wilderness, two units (Ponca and lower Buffalo) conforming to land classification plan of the draft master plan;
2. potential wilderness, two of three units (upper Buffalo, Ponca, and lower Buffalo) excluding primitive access roads;
3. potential wilderness, maximum in three units;
4. potential wilderness, maximum Ponca and upper Buffalo/minimum lower Buffalo;
5. potential wilderness, Ponca and upper Buffalo/no lower Buffalo;
6. instant wilderness with potential wilderness additions, applicable to each of the foregoing; and,
7. no wilderness.

We suggest that incursions and limitations on wilderness extent are unnecessarily imposed in other than the delineations provided in Alternative 3. Therefore, the following comments relate favorably to wilderness unit boundaries therein proposed.

An upper Buffalo River unit of 2,200 acres would include all lands within the Buffalo National River south of an irregular line formed by a county road and by properties that are to remain in private ownership with scenic easement. The upper unit's extremely rugged terrain and relative lack of development are supportive of wilderness

designation; in association with a 9,400 acre tract of the adjacent Ozark National Forest, proposed for wilderness designation in Senate Bill 316, the unit would assure protection of the entire Buffalo River headwater area.

A second area to the north and east, the Ponca unit, maximally encompasses 11,400 acres within the Buffalo National River which contain densely vegetated slopes, scenic tributaries to the Buffalo River, and a 200-foot waterfall at Hemmed-in-Hollow. (For the Ponca unit, as well as for the lower Buffalo unit, we reject as incompatible with the intent of the Wilderness Act, incursions for motorized access to remote wilderness areas so we approve the delineation provided in Alternative 3.)

Just above confluence with the White River is the area termed the lower Buffalo unit, maximally comprised of 22,100 acres. Portions of its south and east boundaries abut the Leatherwood area of the Ozark National Forest, a potential for wilderness designation and thereby protection for a greater area of the Buffalo River watershed. (The Forest Service will recommend the Leatherwood area as a wilderness study area.) We recommend wilderness delineation provided in Alternative 3.

We recommend immediate wilderness designation of all properties not expressly precluded by terms of the Act within the units delineated in Alternative 3, believing that latitude accorded to the Secretary of Agriculture in Special Provisions of the Act and that terrestrial access presently provided preclude the further necessity for incursions on areas otherwise suitable for wilderness designation.

If motorboat use is contemplated, we urge confinement of that usage to the lower reach of the Buffalo River (to the upstream limit of District Headquarters near Gilbert as depicted in the map entitled Plan for Visitor Use). We recommend the exclusion of use of any motor greater than 10 horsepower.

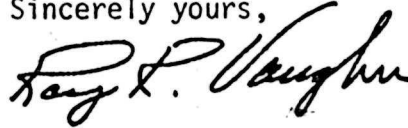
We submit that little activity is affected since motor-powered travel on the upper river is precluded much of the year by the fluctuating character of the stream. We suggest motor size regulation is imperative since some White River traffic moves into the Buffalo by motors that could conceivably be other than "light" as Environmental Assessment reported on page 59. Benefits would derive from reductions in motor-roiling of the river bottom, destruction of aquatic vegetation, and disturbance of wildlife that used the river. More convenient egress from the lower river would be facilitated.

Scenic amenities and stream fish habitat could be adversely impacted by streambank erosion and coliform pollution caused by livestock grazing. Therefore we recommend that grazing be excluded within the boundaries of the Buffalo National River, particularly in the upper Buffalo unit. If this is not feasible, provision should be made to fence critical stream reaches where banks are susceptible to damages from livestock.

For the wilderness areas we recommend complete exclusion of timber cutting. We concede the possible propriety of controlled burning and recommend provisions be included for its accomplishment as agreed by the various interested agencies.

We apologize for submitting these comments late and we appreciate the opportunity to comment on the wilderness study for inclusion in the transcribed hearing record.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Gary L. Vaughan".

Deputy

Regional Director



United States Department of the Interior

GEOLOGICAL SURVEY
RESTON, VIRGINIA 22092

November 14, 1974

Mr. Joseph C. Rumburg, Jr.
Regional Director, Southwest Region
National Park Service
P. O. Box 728
Santa Fe, New Mexico 87501

Dear Mr. Rumburg:

Thank you for your brochure on the review of the Buffalo National River Wilderness Study and environmental assessment, Arkansas, and the invitation to attend public hearings on December 5, 1974, at Harrison, Arkansas.

The brochure correctly states the mineral resources of the area, of which lead and zinc are of importance. The U. S. Geological Survey and U. S. Bureau of Mines have not made a mineral survey of the area. We know that numerous prospects and mines occur in and near the area, but have no information of the potential of these minerals in the area. We also have no information on igneous intrusions in the general area.

We will not have a representative attend the hearing.

Sincerely yours,

Melville R. Mudge
Wilderness Coordinator



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
WASHINGTON, D. C. 20245

IN REPLY REFER TO:
Trust Facilitation
EQ

Memorandum

DEC 10 1974

To: Regional Director, National Park Service
Southwest Region
Santa Fe, New Mexico

From: Director, Office of Trust Responsibilities

Subject: Review of Buffalo National River Wilderness Study
(Arkansas)/Environmental Assessment

In accordance with your request, we have reviewed the subject environmental assessment. The subject project does not involve any Indian trust lands that are under the jurisdiction of this Bureau. We, therefore, have no comments.

Martin E. Senechal





United States Department of the Interior

BUREAU OF RECLAMATION
WASHINGTON, D.C. 20240

IN REPLY
REFER TO: 739
121.

NOV 8 1974

Memorandum

To: Regional Director, Southwest Region,
National Park Service, Santa Fe, New Mexico
Assistant
From: Commissioner of Reclamation
Subject: Buffalo National River Wilderness Study/Environmental
Assessment

This responds to your recent letter concerning the subject wilderness study. We have reviewed the study with interest; however, since it is not within our area of jurisdiction, we have no specific comments to offer.

cc:
Director, National Park Service





United States Department of the Interior

BUREAU OF MINES
WASHINGTON, D.C. 20240

January 14, 1975

Memorandum

To: Superintendent, Buffalo National River, National
Park Service, Harrison, Arkansas

Through: ~~Primary~~ Assistant Secretary--Energy and Minerals

JAN 29 1975

From: Director, Bureau of Mines

Subject: Review comments on wilderness study environmental
assessment, Buffalo National River, Arkansas

Personnel of our Intermountain Field Operation Center, Denver, have reviewed this wilderness study environmental assessment relative to minerals resources and their existing and potential development in the Buffalo National River area.

The subject document pertains to designation of boundaries for the Buffalo National River area in Baxter, Marion, Newton, and Searcy Counties, in north-central Arkansas.

Our comments of August 7, 1974, concerning the draft environmental statement for the proposed master plan remain valid. The only difference between the two documents is that wilderness Alternative 5 in the draft EIS excluded the abandoned mining town of Rush from the Buffalo National River area. The current assessment does not specifically mention such an alternative, although Alternative 3 of the current document indicates that Rush would not be included in the Lower Buffalo Unit. This office remains opposed to including within the Buffalo National River area that vicinity in and around the town of Rush until a mineral study similar to those the Geological Survey and Bureau of Mines conduct on forest wilderness candidate area is completed.


Director

FEDERAL POWER COMMISSION
WASHINGTON, D.C. 20426

IN REPLY REFER TO:

DEC 19 1974

Mr. Joseph C. Rumburg, Jr.
Regional Director, Southwest Region
National Park Service
Department of the Interior
P.O. Box 728
Santa Fe, New Mexico 87501

Reference: L48

Dear Mr. Rumburg:

This is in response to your letter addressed to Chairman Nassikas and received on November 7, 1974, with which you furnished a wilderness study - environmental assessment for the Buffalo National River in Arkansas.

According to the cited study, three separate areas, the Lower Buffalo, the Ponca, and the Upper Buffalo, within the boundaries of the Buffalo National River were identified as potential wilderness units. The study considered seven alternatives for wilderness designation which would involve different combinations of the three potential wilderness units of various sizes, and included a no wilderness alternative.

The staff of the Commission's Bureau of Power has reviewed the wilderness study to determine the effects of the considered wilderness on matters affecting the Commission's responsibilities. Such responsibilities relate to the development of hydroelectric power and assurance of the reliability and adequacy of electric service under the Federal Power Act, and the construction and operation of natural gas pipelines under the Natural Gas Act.

The Commission staff review indicates that there are no existing hydroelectric power plants within the three potential

Mr. Joseph C. Rumburg, Jr. -2-

wilderness units. Section 4 of Public Law 92-237 establishing the Buffalo National River prohibits the construction of dams and hydroelectric power plants on the national river. There are no existing, and no known plans to construct steam-electric plants, or bulk power transmission lines within the areas considered for wilderness designation. Also, there are no jurisdictional natural gas pipelines located in the considered wilderness areas. No natural gas reserves are known to exist within the areas under consideration.

In summary, it does not appear that designation of the three areas within the boundaries of the Buffalo National River as wilderness would have any adverse effect on matters of concern to the Commission.

Very truly yours,


T. A. Phillips
Chief, Bureau of Power



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
REGION SIX
PORT WORTH, TEXAS 76102

819 Taylor Street

December 6, 1974

IN REPLY REFER TO

06-00.8

Mr. Donald M. Spalding
Superintendent
Buffalo National River
P. O. Box 1173, 113 E. Rush
Harrison, Arkansas 72601

Dear Mr. Spalding:

We have reviewed your environmental assessment for
evaluating the suitability of the Buffalo National
River as a wilderness area.

We have no comments to offer on your assessment.

Sincerely yours,

J. W. White
Regional Administrator

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VI
1600 PATTERSON, SUITE 1100
DALLAS, TEXAS 75201

December 3, 1974

Mr. Joseph C. Rumberg, Jr.
Regional Director
Southwest Region
National Park Service
P. O. Box 728
Santa Fe, New Mexico 87501

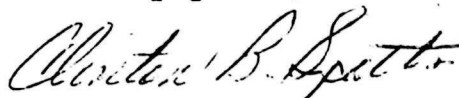
Dear Mr. Rumberg:

We have reviewed the Buffalo National River Wilderness Study/Environmental Assessment. The assessment presents alternative proposals for public comment and input concerning the proposed wilderness area.

We regret that we will be unable to attend the public hearings on December 5, 1974, in Harrison, Arkansas; however, we offer the following comments for your consideration in further developing the proposal. As pointed out in the assessment, fecal coliform counts at some stations are incompatible with use of the water as a water supply. Also, the data indicates that the water in some reaches of the river might be unsuitable for primary contact (swimming), and limited contact (boating, fishing) activities. The Arkansas Water Quality Standards, September 1973, state that "the fecal coliform content shall not exceed a log mean of 200/100 ml." The fecal coliform levels which occur at times at the Hasty and Jasper stations could pose a hazard to public health. We would suggest that the Arkansas Department of Pollution Control and Ecology be notified of this matter. Also, it may be necessary to restrict these areas from primary contact use until such time as the fecal coliform counts again reach levels which are safe for recreational purposes.

Thank you for allowing us to review this document. We appreciate you keeping us informed of such actions.

Sincerely yours,



Clinton B. Spotts
Regional EIS Coordinator



DALE BUMPERS
GOVERNOR

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR
LITTLE ROCK

November 7, 1974

Mr. Monte Fitch
Acting Regional Director - Southwest Region
National Park Service
United States Department of Interior
P. O. Box 728
Sante Fe, New Mexico 87501

RE: L 48

Dear Mr. Fitch:

Thank you for your letter of November 4, 1974, containing a copy of the Buffalo National River Wilderness Study/Environmental Assessment.

I note that written statements may be submitted at any time up to and including January 4, 1975.

The study/assessment has been referred to our Department of Planning for coordination of comments by the State of Arkansas.

Sincerely,

A handwritten signature in cursive script that reads "Dale Bumpers".

Dale Bumpers

DB:acd

JOE D. SCOTT
CHAIRMAN
NASHVILLE

RALPH B. GRIFFIN
VICE CHAIRMAN
JONESBORO

R. A. NELSON
BLYTHEVILLE

GUY FENTER
CHARLESTON

DR. RALPH H. BOWERS
HARRISON

MICHAEL F. MAHONY
EL DORADO

WM. F. WRIGHT
NORTH LITTLE ROCK

DR. P. M. JOHNSTON
FAYETTEVILLE



Arkansas

Game and Fish Commission

LITTLE ROCK, ARKANSAS 72201

December 6, 1974



Mr. Donald M. Spalding, Superintendent
National Park Service, Buffalo National River
115 West Central Avenue
P. O. Box 1173
Harrison, Arkansas 72601

Dear Mr. Spalding:

Thank you for your letter of November 8, 1974 and the enclosed Buffalo National River Wilderness Study/Environmental Assessment. These comments are forwarded for inclusion in the record of a Public Hearing held December 5, 1974 at Harrison, Arkansas on this subject matter.

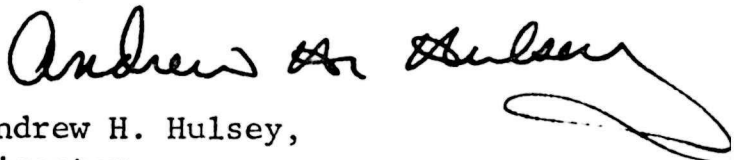
The Arkansas Game and Fish Commission, in past actions on similar proposals, has recognized the validity and desirability of Wilderness units within larger management areas. Such proposals add recreational and habitat diversity and generally compliment overall wildlife management objectives when properly coordinated with habitat manipulation activities designed to increase overall production potentials for management species of wildlife. In this regard, your alternative Number 2 which designates Wilderness units and retains primitive access roads appears to have merit over alternatives which would exclude vehicular access entirely. As one of the objectives of the National River is to provide hunting opportunities, and as the white-tailed deer is one of the principal species sought by hunters in this portion of the state, limited access to permit transportation of harvested big game animals from Wilderness units would appear to be feasible, at least during open big game seasons.

Dec. 6, 1974

The section of the study entitled Wildlife on pages 34 and 35 states that the last reported kill of a mountain lion in Arkansas occurred in the Ouachita Mountains in 1949. We recorded a kill from Ashley County during the 1968-69 hunting season (this was an illegal kill, as the mountain lion is completely protected by Game and Fish regulation in Arkansas). Your Wildlife section further states that white-tailed deer are increasing rapidly in the area. Conversely, reports from our Biologists indicate a stable population in the Buffalo River area. Your report also refers to the reintroduction of beaver from Minnesota. Beaver in the Buffalo area probably extended their range from releases made in Missouri. We also note that your report refers to the ruffed grouse. We have termed our efforts to reintroduce the ruffed grouse in this part of the state a complete failure and we have no recent records of sightings. If you have data on rough grouse sightings, we would appreciate receiving copies of this material.

We appreciate the opportunity to comment on the Wilderness Study/Environmental Assessment and we will look forward to continued co-operative activities with the Park Service on the Buffalo River in implementing objectives expressed in P.L. 92-237.

Very truly yours,



Andrew H. Hulsey,
Director

AHH:RWB:ac

cc: State Planning & Development Clearinghouse

Joseph C. Rumburg, Jr., Reg. Director
National Park Service, Southwest Region
Santa Fe, New Mexico



ARKANSAS DEPARTMENT OF PARKS & TOURISM

PARKS DIVISION

Dale Bumpers
Governor

1510 Broadway Little Rock, Arkansas 72202 Telephone (501) 371-1633

Jack E. Miller
Director of State Parks

William E. Henderson
Director

BUFFALO NATIONAL RIVER/WILDERNESS STUDY ENVIRONMENTAL ASSESSMENT REVIEW AND RECOMMENDATIONS BY ARK. STATE PARKS JANUARY 3, 1975

BACKGROUND

At the request of the Superintendent of the National River Mr. Don Spaulding, Arkansas State Parks was invited to evaluate the feasibility of wilderness areas within the boundaries of the Buffalo National River. After a thorough review was conducted a representative from our agency attended the public hearing at Harrison, Arkansas December 5, 1974, and aired the general consensus of opinion of those within State Parks regarding the proposed wilderness alternatives.

Further review and research by this agency resulted in the specific proposals for potential wilderness areas as outlined elsewhere in this review. Our basic justification for establishing wilderness areas may be found in the public hearing statement attached to this final review. Wilderness designation will cause wider recognition of the fact that potential wilderness areas exist within the watershed of the Buffalo National River. This recognition will help support measures for future resource protection, including acquisition of additional watershed, if necessary.

SELECTION OF WILDERNESS ALTERNATIVE

Careful consideration was given to each of the alternatives and its associated impacts as presented in the Wilderness/Environmental Assessment.

Throughout our final process of review and research the interrelationship between each proposed alternative and how it would effect implementation of overall management necessary for (1) resource protection and for (2) visitor use and enjoyment of the National River was closely evaluated.

SPECIFIC RECOMMENDATIONS

As a result of our review we recommend that the proposal for maximum wilderness in three units, Alternative #3, with application of "Instant Wilderness" Alternative #6 be implemented. .

Recommendations for modifications and other suggestions follow:

Ponca Unit

Roads: We recommend that a road corridor be provided to allow access for put-in, take-out use by floaters at Camp Orr. Elimination of an access point to the river in this location would deprive many visitors from enjoying a one day float on perhaps the most beautiful stretch of the entire river. Should it prove politically or economically non-feasible to use Camp Orr for public access, then Kyles Camp should be used. However, due to the fragile environ of the area at Kyles Camp, it should only be used if it is completely impossible to secure Camp Orr access.

The noise, pollution and disruption attendant to the operation of vehicles by the public is highly undesirable within wilderness areas. However, the need for providing access for visitor use and enjoyment and protection must also be given high priority at this location due to the basic purpose of the Buffalo as a National Recreational River.

KYLE'S CAMP

Existing facilities at Kyles Camp are too near the river and should be eliminated. We recommend location of the proposed environmental education facilities outside of wilderness areas within the National River. Only primitive camping and boater access should be located here.

LOWER BUFFALO UNIT

The proposed road into the vicinity of the mouth of Big Creek should be used for emergency or patrol use only; not for the general public. This will allow a relatively undisturbed two-day float from rush to the mouth of the Buffalo.

LOWER BUFFALO ACCESS

A road corridor should be provided for possible future use, if determined desirable, for a road near the mouth of the Buffalo for public access. Until such time as public use is allowed this road should remain closed except for emergency use.

ADDITIONS

Possible addition of the proposed Leatherwood Wilderness area of the U.S. Forest Service would give added protection and enhancement as part of the Lower Buffalo Unit.

UPPER BUFFALO UNIT

Some of the most rugged and spectacular terrain along the Buffalo is found in its headwaters area, of which the proposed Upper Buffalo Unit would be a part. A high level of protection on the upper watershed is essential and the Upper Buffalo Unit would be adjacent to the possible Upper Buffalo Wilderness of the Ozark National Forest.



STATE OF ARKANSAS
DEPARTMENT OF PLANNING
400 TRAIN STATION SQUARE • VICTORY AT MARKHAM
LITTLE ROCK 72201

DALE BUMPERS
GOVERNOR

CHARLES T. CROW
DIRECTOR

MEMORANDUM

TO: State Planning and Development Clearinghouse
FROM: Charles T. Crow *CTC*
SUBJECT: Buffalo National River Wilderness Study/Environmental Assessment
DATE: December 13, 1974

The Wilderness Study Environmental Assessment for the Buffalo National River/Arkansas sets out alternatives for determining which areas along the river are suitable for wilderness designation. Seven alternative proposals for wilderness designation are presented in the plan. The Arkansas Department of Planning feels that the alternatives are comprehensive and the information contained in the environmental assessment is adequate.

CTC/mrh



STATE OF ARKANSAS
DEPARTMENT OF PLANNING
400 TRAIN STATION SQUARE • VICTORY AT MARKHAM
LITTLE ROCK 72201

DALE BUMPERS
GOVERNOR
CHARLES T. CROW
DIRECTOR

January 7, 1975

Mr. Donald M. Spalding
Superintendent
National Park Service
Buffalo National River
115 West Central Avenue
Post Office Box 1173
Harrison, Arkansas 72601

Re: Buffalo National River
Wilderness Study/
Environmental Assessment

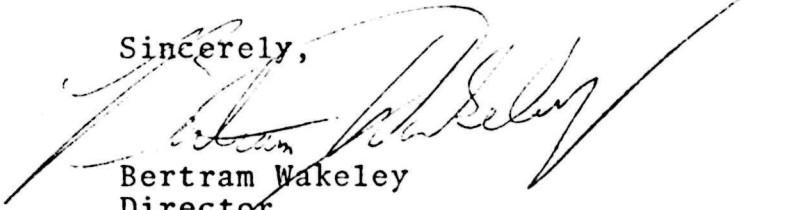
Dear Mr. Spalding:

The State Planning and Development Clearinghouse submitted copies of the above mentioned document to State Agencies charged with the responsibility for reviewing proposals which affect the natural environment of the State.

The comments of the responding agencies are enclosed for your consideration. We request that particular attention be given to the Game and Fish Commission and the Arkansas Archeological Survey.

If we can be of further assistance, please do not hesitate to call on us.

Sincerely,


Bertram Wakeley
Director
Office of State Planning
Coordination

BW:FK:js

Enclosures

cc: Charles T. Crow
John P. Saxton



ARKANSAS ARCHEOLOGICAL SURVEY

DIRECTOR • CHARLES R. MCGIMSEY III
STATE ARCHEOLOGIST • HESTER A. DAVIS

Coordinating Office
University of Arkansas Museum
Fayetteville, AR 72701

To: Mr. John P. Saxton, Chairman, Technical Review Committee
From: Hester A. Davis, State Archeologist
Date: 11 December 1974
Re: Buffalo National River Wilderness Study/Environmental Assessment.

The section on historic and archeological resources (pages 50-51) in this wilderness study/environmental assessment includes a listing of 16 historic sites being considered for the National Register of Historic Places and a comment that 254 archeological sites have been located. The discussion of the significance of these resources is absolutely minimal. There is no description or discussion of these resources or of the pre-historic/historic background of the river area and as a consequence it is not possible to make an assessment of the impact of the project on these resources. Also included in this section is the statement that "Historical and archeological surveys are in progress or have been programmed to assure compliance with Executive Order 11593" but there is no information given on the nature or status of these surveys. To our knowledge, no archeological surveys are in progress.

The 254 sites mentioned are those on record in the total area of the proposed National River property, not just within the wilderness study area. No recognition is made of the fact that designation of wilderness areas does not necessarily mean protection of the archeological resources; nor is there mention of the fact that before measures for protection or preservation can be decided upon the resources must be located and assessed.

This wilderness study/environmental assessment should include details of these survey plans stating when and by whom the surveys will be done and the methods and objectives involved. Plans for preservation and interpretation of the historical and archeological resources should be made in the earliest stages of planning so that the use or preservation of these resources is compatible with the overall plans. The preservation procedures discussed in Appendix F cannot be implemented to protect the resources until an intensive survey by professional archeologists is conducted.

Dr. Dan Wolfman, of the Arkansas Archeological Survey, was at the public hearing on December 7 and expressed these views.

cc: State Planning and Development Clearinghouse
Dan Wolfman

ARKANSAS STATE DEPARTMENT OF HEALTH
4815 WEST MARKHAM STREET
LITTLE ROCK



December 2, 1974

Division of Soil and Water Resources
1200 West Park, 3rd Floor
Little Rock, Arkansas 72204

Attn: Mr. John P. Saxton

Re: Technical Review Committee
Review Request
Buffalo National River Wilderness
Study / Environmental Assessment

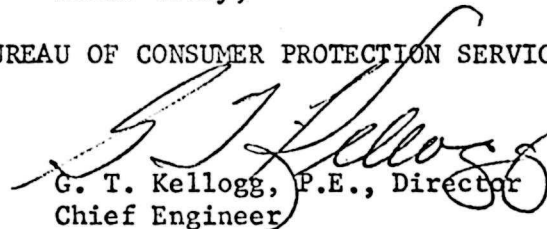
Dear Mr. Saxton:

This office has received and reviewed the above referenced study. This information supplied with this document does not indicate that there is any particular health significance, and therefore, there are no comments.

This information will be retained for our files.

Yours truly,

BUREAU OF CONSUMER PROTECTION SERVICES


G. T. Kellogg, P.E., Director
Chief Engineer

GTK:TAS:BK:jt

GERALD C. HENDRIX, CHAIRMAN
ANTOINE
ROMEO E. SHORT, VICE-CHM.
BRINKLEY
GRAHAM P. MULLEN
DES ARC
EARL G. LANDERS
BATESVILLE
JACK A. GIBSON
DERMOTT
WAYNE GAIRHAN
TRUMANN
N LUCE
RT SMITH



NORMAN F. WILLIAMS
ACTING DIRECTOR OF COMMERCE

JOHN P. SAXTON
DIRECTOR
(501) 371-1611

DEPARTMENT OF COMMERCE
DIVISION OF SOIL AND WATER RESOURCES

1200 WESTPARK DRIVE, ROOM 308
LITTLE ROCK, ARKANSAS 72204

January 3, 1975

MEMORANDUM

TO: Charles Crow, Chairman
Governor's Cabinet Committee on Natural Resources

FROM: John P. Saxton, Chairman *JPS*
Technical Review Committee

RE: Buffalo National River Study/Environmental Assessment (D-11-8)

This office has reviewed the above referenced report and find it to be adequate in regard to a report of the soil and water resources of the area. We have not received any comments which express any inadequacy of the report, except for those submitted by the Archeological Survey.

Therefore, we are recommending to the State Clearinghouse that the comments submitted be returned to the sponsoring agency.

JPS:ADF:cc

cc: State Planning & Development Clearinghouse



STATEMENT BY MRS. HANNON, MAYOR OF PRUITT, ON DECEMBER 5, 1974.

MRS. HANNON: I have a bad cold.

Mr. President, ladies and gentlemen, I am Lucille Hannon, Mayor of the incorporated town of Pruitt, Arkansas, and also owner of a lifetime paid up leasehold on the Shady Grove Trailer Park at Pruitt.

My reasons for supporting Alternative 7, that no wilderness areas be designated within the proposed boundaries of the proposed Buffalo National River, explained more in detail resource-wise by Marjorie B. Koerner, Chairman of the Resource Committee in the proposed Pruitt Priority Area, are going to be more direct, and yet very simple to understand.

I haven't always used my eight years of college theory in the three sciences of logic, ethics, and metaphysics; meaning correct reasoning, moral good way, and man's relations to God and God's relation to man, because I have at times been most selfish myself, knowing always the truth however.

They say God is the essence of simplicity, the Creator of all things and people. And I believe that God is the Creator of this truthful means by which I should live this short, temporal life upon this earth.

Some of you don't believe in God, yet you embrace all of these three sciences of philosophy, but you have a right to freedom of religion, freedom to own private property, to life, to liberty, and to the pursuit of happiness.

Happiness isn't guaranteed, but it's guaranteed that we can pursue it. And all of these rights come under the Constitution, and federal, state, and the Bill of Rights, and other subsequent and prior laws of this land.

I shall consider Public Law 92-237, the National Buffalo River Bill, made law in March of 1972, as the whole part of this cause and law. It's a part of it, and this whole law, cause and law being the same.

I shall consider the Wilderness Study/Environmental Assessment, required by Section 6 of the Buffalo National River Bill in compliance with the Wilderness Act of 1964 to determine if any portion of the proposed Buffalo National River should be designated Wilderness Areas, as a part of this whole cause, and this whole law.

Secondly, if any part or all of a whole cause or law is false, illegal, unconstitutional, immoral, illogical, non-meta-physical, then the effects and the results of this whole case or law, or any part of it, is also false, illegal, unconstitutional, et cetera.

Is this so complicated to understand? You must can't start out with a false cause, or law, and wind up with a true effect and result.

Logically, gathering the material to determine a true analysis of whether this whole, or law, meaning the Buffalo National River Bill, we reason in this manner. Did the legislators, the various federal and state governmental authorities, the National Park Service, and others approving the implementation of this whole cause or law, uphold all prior federal and state, Constitutional, Congressional, Bill of Rights, et cetera, which would have prevented legislation, much less a Congressional law? No, they didn't, and are not.

The above true reasoning seems to wrap up the whole cart-before-the-horse activity that's been going on now even before the sub-committee hearings in Washington, carts before horses.

Are we to continue to completely ignore the fact that the Public Law 92-237 has been questioned in the federal courts as to its legality and constitutionality for almost three years now by over two hundred of private water and land owners, known as the Buffalo River Conservation and Recreation Council, of which I, personally, was one of the three who founded this organization. And it was certainly founded upon truth.

That many thousands of dollars and many thousands of hours have already been expended in our efforts to gain freedom from oppression from these Buffalo River -- for these Buffalo River people and its watershed from such questionable causes and laws?

Are the people of this nation to continue expending billions of dollars of the taxpayer's money and thousands of dollars and hours fighting these cart-before-the-horse causes and laws?

I think not, if every individual and state and federal agency who has had any part in forming this legislation and trying to see that it's implemented, would just sit down and use some simple, correct reasoning, one of the three sciences -- love of neighbor, and deep, conscience and soul-searching, even if you don't believe in God.

These true theories are now to live this most temporal life upon this earth, and I try to do it.

Are we to completely ignore that five land owners on this Buffalo River this past year entered a class action suit questioning Public Law 92-237, or at least its agency, the National Park Service, as to what right they had to accept donation of the two state parks, or what right the state agencies had to donate this land?

I understand that state and federal judiciary are involved in this class action suit. The Wilderness Act law states that these lands have to be federally owned; otherwise, we've got the cart-before-the-horse again -- all have to be federally owned.

Why hold hearings on designating the private water and land owner's property when 80 percent of this entire proposed National Buffalo River still is private ownership?

Again, we have the cart-before-the-horse, trying to implement a part of a whole cause. I'm coming back to a scientific theory now. Part of a whole cause or law is what this Wilderness Act is, when the whole of the cause and the law is in federal and state court litigation. It has been for almost 3 years.

I think I speak for all the citizens of the town of Pruitt, and 95 percent of the past and current Buffalo River water and land owners that no form of negotiation with the National Park Service, nor any other federal or state government, nor their agencies is acceptable regarding the use of our private waters and lands; more especially for uninvited public use, or restrictions or zonings of any nature. This action should be legislated at the local level only.

The terminologies, "wilderness areas," "Regional land use," "preserve and conserve for the enjoyment of future generations," "environmental impact," "pollution," and so forth, are great expressions, but all so far have led to complete economic chaos in this nation and this whole world; resulting in the worst energy crisis the world has even known.

The continuous competition by all governments with private enterprise -- I had to close my trailer park up, a fifteen to \$20,000 investment. They come and say to me, "Is this the national park, is this a state park?" No, thank you, be seeing you. I just threw that in.

The speedy federal and state ownership of more than half of the nation's lands, and last, but not least, the constitutional and legal rights of the nation's people are now in the greatest of jeopardy. I've got one more little paragraph.

I'm nervous, are you?

MR. PRESTON: No, I'm doing fine.

MRS. HANNON: A federal court order in May of 1973 prohibited the National Park's operation -- keep that mind -- keep that name -- I mean that word operation in mind -- operation of any of its acquired waters and lands, but a subsequent court ruling allowed them to operate the two acquired state parks only.

Yet, the three former private campgrounds in Pruitt, now owned by the National Park Service, has operated full-force since this injunction, and caused all manner of disturbance and vandalism, and what-have-you. I could tell you some true-to-life experiences right on the riverbank there what I've had to put up with, but I won't waste the time.

Come one, come all and float these private waters and roam these private lands is the verbal and nationally advertised motto of all, except the private water and landowner.

Let us see that these cart-before-the-horse activities and implementations are stopped until Public Law 92-237 is ruled both by the federal and state judiciary as being a true cause, and a true law.

As the Nation's principal conservation agency, the Department of the Interior has basic responsibilities to protect and conserve our land and water, energy and minerals, fish and wildlife, parks and recreation areas, and to ensure the wise use of all these resources. The Department also has major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

Publication services were provided by the graphics and editorial staffs of the Denver Service Center. NPS 835A

