



# *The Arkansas Trouter*

Newsletter of the Arkansas Chapter of Trout Unlimited  
Chapter 514  
[www.geocities.com/arktu](http://www.geocities.com/arktu)

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## How could this happen to the Norfolk? See page 2



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# A TERRIBLE BLUNDER

Larry Tabor, Editor

As you are probably aware, especially if you have been paying attention to news coverage, a developer has seriously threatened the water quality of the Norfolk River, and through other developments could pose a threat of further damage to the Norfolk as well as the White River below Bull Shoals dam. Benny Doyal and his Homeport Development company chose to ignore the most basic environmental responsibilities in scraping most vegetation from the top of a mountain (approximately 100 acres) directly above the Norfolk, just below the dam. The Overlook Estates development is now pouring enormous amounts of mud and silt into the river. Some accounts by knowledgeable observers indicate that the silt has accumulated to a depth of 2-3 feet in some locations. Needless to say, besides the obvious degradation to the aesthetics of the stream, this will impact the food sources and will have a significant detrimental effect on the wildlife that reside in and around the water. With each hard rain, the muddy water rushes down the mountain and enters the river just across from the confluence with Dry Run Creek.

The pictures on page one will give you some idea of the damage being done, but in no way adequately portrays the situation (to view the pictures in color, visit the chapter website: [www.geocities.com/arktu/](http://www.geocities.com/arktu/)).

While our chapter of TU is not populated by foaming-at-the-mouth, raging, screaming, activist types, you can be assured that we will challenge ill-advised decisions when it comes to protecting what most consider some of the finest trout fisheries in the country. While development can be expected in and around these rivers, we are committed to ensure that it is carried out responsibly, as most developers have done up to this point. Common sense should dictate that you don't spoil the very resources that appeal to potential customers in the first place! In this specific instance, Mr. Doyal has exhibited an initial total disregard by scraping most of the vegetation down to the clay, which now results in a river of silt pouring down the mountain into the river. A tributary of coffee-with-cream colored mess pouring into a crystal-clear treasure. And the damage continues to this day. Even though ADEQ has monitored and issued citations since February of this year, and although Mr. Doyal has spent an estimated \$160,000 to remediate the disaster, it continues to be a saga of too little, too late - and totally inadequate.

To confirm our commitment to remedy this situation and hopefully to be a force in preventing future misadventures of this type, our board has participated in the following actions:

- Interaction with other parties active in the fight seek corrective/punitive action (i.e. North Arkansas Fly Fishers.
- Retained counsel to seek legal remedies
- On August 16, supported Arkansas Council of TU in serving the developer with notice of intent to sue within 60 days under the Federal Clean Water Act - However, since ADEQ filed a lawsuit on August 17, it has precedence at this time (our filing will be shelved pending outcome of the state suit). The suit requests actions to stop further erosion/pollution and to clean-up damage to the river

**- Arkansas Council of TU has filed in state court to intervene in the suit filed by ADEQ**

**An account has been established for donations to help the Arkansas Council of Trout Unlimited with its legal expenses in the Overlook Estates litigation. Donations may be made to ARVEST Account No, 17156549, Arkansas Council of Trout Unlimited "Overlook Estates Legal Expense Fund" or sent to Arkansas Council of Trout Unlimited, 70 North College Avenue, Suite 11, Fayetteville, AR 72701. Checks should be made payable to "Overlook Estates Legal Expense Fund."**

**Funds in this account will be used to pay legal expenses incurred during the litigation, such as filing fees, court reporter fees, expert witness fees, and other litigation costs. These funds will not be used for attorneys' fees. Any unused funds at the conclusion of the litigation will be transferred to the Arkansas Council of Trout Unlimited's general account.**

If anything positive can be attributed to this blunder, is that it has awakened the citizens and municipal/county officials of that area, the ADEQ and other agencies, and those of us that utilize and cherish the natural resources. We are going to be more vigilant and step-up our efforts to protect this world-class tailwater.

A special thanks to Dennis McCarty of TU and Leon Alexander of the North Arkansas Fly Fishers for their tireless efforts in this case, and to Henry Pharis for his river photos on page one.



Our annual chapter picnic was held on September 10 on the Beaver tail-water. Ken Richards did a fine job on the grill, with great help from trusty assistants Bruce Darr and Dennis McCarty. Thanks to Bruce and to Bob Britzke for putting this together. Several new folks were in attendance and made for a very enjoyable afternoon. Yes, there was some fishing, or something resembling fishing. Bill Tenison finally showed that he can indeed catch fish on dropping water levels. You should plan to join us next fall for this fun outing.



Very interesting picture of the J-vanes installed at Parker Bend by AGFC, made possible by seed money of \$10,000 for our chapter. Many report that the fishing has already improved in the area upstream from the access.

*The Arkansas Trout* is published bimonthly for members of the Arkansas Chapter of Trout Unlimited (Chapter No. 514). Membership in the national organization entitles the member to an assignment to a local chapter and its newsletter. When you join TU, you may request assignment to a specific local chapter or accept the default geographical assignment. Requests to renew membership, change chapter assignment, or update your mailing address or membership information should be sent to the national organization (contact listed below). Other questions or comments may be addressed to the Secretary/Editor. Recent past issues are available on the chapter's webpage.

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*WELCOME TO NEW MEMBERS!!  
(June - August)*

**George Skopecek, Rogers  
Tasha Gibson, West Fork  
Linda Moser, Rogers  
Judy Nettles, Piggott  
Janer Shepard, Fayetteville  
David Hawkins, Bentonville  
Nick Reynolds, Rogers  
Jim Gallagher, Fayetteville  
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Chad Boling, Bella Vista  
James Lochner, Fayetteville  
Larry Winter, Bella Vista  
Barry Allen, Rogers  
Bill Curington, Fayetteville  
Carl Shipley, Lowell**



### **CALENDER OF EVENTS**

- Sept. 29-Oct.1: Rim Shoals Outing**  
**Oct. 2: Chapter Meeting: Darrell Bowman and Matt Schrader of AGFC**  
**Nov. 6: Chapter Meeting: New Equipment Review by Area Fly Shops**  
**Nov. 19: Outing to Beaver Tailwater, hosted by Bob Britzke**  
**Dec. 4: Chapter Meeting: Brian Wise, River of Life Farm, North Fork River, MO.**  
**Dec. 9: Learn-to-Fly-Fish casting clinic for beginners: Murphy Park in Springdale**

Chapter meetings are held on the first Monday of each month, but are subject to change due to holidays, etc. Stay posted by checking our chapter website or calling one of the board members - info is on page 3. Unless posted otherwise, we meet at AQ Chicken House in Springdale. Arrive around 6:30 if you want to order dinner and/or enjoy a nice visit with other members. We usually start the meeting around 7:15. We have excellent programs lined up for this upcoming year, to include some special surprises that you will be hearing about later!