



WATERSHED NEWS

FOUNDATION

OCTOBER 6, 2006

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UPCOMING EVENTS

Volunteers needed for
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CLEANEST
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TODAY'S HEADLINES

LEGISLATION / REGULATION:

- [WATER QUALITY PLAN WOULD CHANGE SPECIAL STREAM LAWS](#) – *The Morning News*
TO JUMP TO THE ORIGINAL ARTICLE, CLICK [HERE](#)

SEWER / SEPTIC / WASTEWATER:

- [MAJOR PROGRESS MADE IN PIERCE CITY MUNICIPAL PROJECTS](#) – *The Monett Times*

STORMWATER RUNOFF:

- [ALDERMEN AGREE ON NEED TO STUDY FLOODING PROBLEM](#) – *Northwest Arkansas Times*
TO JUMP TO THE ORIGINAL ARTICLE, CLICK [HERE](#)

DEVELOPMENT / PLANNING:

- [NEW PLANNING BOARD DIRECTOR TO BEGIN WORK NOV. 1](#) – *The Benton County Daily Record*
TO JUMP TO THE ORIGINAL ARTICLE, CLICK [HERE](#)
- [MUSEUM BOARD FAVORS NEW FACILITY](#) – *The Morning News*
TO JUMP TO THE ORIGINAL ARTICLE, CLICK [HERE](#)

CONSERVATION:

- [GREEN PLANNING MORE THAN PRESERVING TREES](#) – *The Benton County Daily Record*
TO JUMP TO THE ORIGINAL ARTICLE, CLICK [HERE](#)

EVENTS:

- [CONSTRUCTION WORKSHOP WILL ADDRESS MANAGING STORMWATER](#) – *Northwest Arkansas Times*
TO JUMP TO THE ORIGINAL ARTICLE, CLICK [HERE](#)

FISHING:

- [FISHING REPORT](#) – *The Kansas City Star*
TO JUMP TO THE ORIGINAL ARTICLE, CLICK [HERE](#)
- [THE MURKY DEPTHS: NWA FISHING REPORT](#) – *Northwest Arkansas Times*
TO JUMP TO THE ORIGINAL ARTICLE, CLICK [HERE](#)

[BACK TO TOP](#)

WATER QUALITY PLAN WOULD CHANGE SPECIAL STREAM LAWS

By John L. Moore The Morning News

Posted on October 4, 2006

URL: <http://www.nwaonline.net/articles/2006/10/06/news/100506azadeqmeeting.txt>

New rules would allow water districts to remove a special designation protecting free-flowing streams such as the Buffalo River, the Kings River and a portion of Lee Creek.

The new rules would also require a water district to clear some big hurdles before they could impound a stream listed as an extraordinary resource, said Doug Szenher, a spokesman for the Arkansas Department of Environmental Quality.

Extraordinary resource waters are streams that the state says deserve extra protection because of their scenic beauty, aesthetics, scientific values, broad scope recreation potential and intangible social values. About 16 percent of the total miles of streams in the state are designated as extraordinary resources.

The Arkansas Pollution Control and Ecology Commission will hold meetings across the state in November and December to allow public comment on the proposed changes, which are a part of the three-year review process of the state's water quality plan.

Members of the Ozark Headwaters Group of The Sierra Club said they were wary about changing the laws regarding the specially protected streams.

"We tout ourselves as 'The Natural State,' yet we're impounding all of our natural waters. I really think we should guard fiercely those streams that still remain free flowing," said Dot Neely, chairwoman of the group.

Neely pointed out the changes to the state law would affect all the streams designated as extraordinary resource waters, not just Lee Creek.

The changes would require applicants seeking to build a dam on an extraordinary resource stream for drinking water supply to prove there was no "feasible alternative."

"There was not a prohibition against seeking this sort of thing before or trying to add or remove extraordinary resource designations from a stream, but there was not a specific procedure laid out," Szenher said.

Szenher said the changes provide a route for people in the state to add an extraordinary resource water.

The River Valley Regional Water District has worked for years to get approval to build a dam on a portion of Lee Creek.

They also petitioned the Pollution Control and Ecology Commission to change the state's water quality plan.

The water district's environmental attorney, Allan Gates, initially opposed the changes proposed by the Arkansas Department of Environmental Quality. Gates said he withdrew that opposition after the department made some changes prior to a meeting of the Pollution Control and Ecology Commission meeting on September 23.

"We're not happy with everything in there, but it's something the district said they can live with," Gates said. "We always said we didn't have a problem with a tough procedure, as long as there was some kind of procedure in place to make these kinds of changes."

Gates said the district's separate petition to change the water quality plan would likely be withdrawn or denied by the commission as being moot if the department's changes were approved.

Meeting Information

Water Quality Plan

The Pollution Control and Ecology Commission will hold 10 public hearings across the state to take comment on proposed changes to the state's water quality plan. Area meetings include:

Fayetteville, 6 p.m., Nov. 20 at the Clarion Inn, 1255 S. Shiloh St.

Van Buren, 6 p.m., Dec. 4 at Northridge Middle School cafeteria, 120 Northridge Drive.

Source: Arkansas Department of Environmental Quality

[BACK TO TOP](#)

MAJOR PROGRESS MADE IN PIERCE CITY MUNICIPAL PROJECTS

By Murray Bishoff The Monett Times

Posted on October 4, 2006

URL: http://www.monett-times.com/NF/omf/monett/news_story.html?rkey=0022803+cr=gdh

Armory clean-up complete, well drilling nears completion, wastewater plant upgrade finishes

There's good news in Pierce City, where progress has been steady on all three major municipal projects.

All of the asbestos and mold is gone from the historic National Guard armory by Mid-America Western Environmental and Abatement. The walls and floors are now white and spotless. The entire old roof has been removed, as well as all the contents from the old structure.

There were a few surprises in the process. An International Harvester refrigerator that still works was salvaged from the building. Mayor Carol Hirsch pointed out the gray polished marble panels enclosing the men's and women's showers will be kept as mementos in some form.

Branco Enterprises has started work toward putting a new roof on the structure. Hirsch noted that is the critical step next needed, enclosing the facility and keeping it dry, thus preventing any future problems with mold that developed after the building was left open to the elements after the May 4, 2003 tornado.

Branco crews have started work on the parapets at the front of the building, parts of which were knocked off by the force of the storm tearing the roof off. After this foundation work is completed, Hirsch expected Branco would proceed immediately with erecting the roof. Dry weather in recent weeks has provided a serious boost to the effort, she added.

Several structural issues will be addressed as work progresses. There is a hole in the upper story floor, for example, punched there by one of the falling parapets. Crews were working on extracting the old boiler, and would modify walls accordingly once it was out.

In a special meeting of the city council in Pierce City at the end of last month, a written contract was signed with the Clark Community Mental Health Center in Monett for the historic armory. Previous arrangements had been verbal agreements.

In the contract, the name selected by aldermen which the city took possession of the structure, the Ray A. Carver Municipal Building, would be retained. The city was also given permission to use the basement area of the building as a public storm shelter, and would have full responsibility for its use as a shelter in case of a storm.

Financial arrangements in the contract indicated Clark has already paid \$15,000 to the city as a loan advancement for renovations, and would further loan the city \$214,130. Interest on the loan would be forgiven upon Clark's purchase of the building.

Terms of the deal call for Clark to lease the building from the city for one year, with the option to renew for six additional years. This seven-year stipulation was a reduction from the 10-year time span originally discussed. Rental will be \$23,571 per year, payable in two installments each year. The city would be responsible for all taxes on the property. Insurance obligations by both the city and the Clark Center were spelled out in the contract.

As for liability over the mold issue, the contract states the city would "specifically, but without limitation, warrant that the improvements on the property will be free of hazardous materials or other health risks arising from the property for a period not less than seven years" following the date improvements were finished.

Clark agreed to use the building as a mental health agency. Terms for canceling the arrangement and possible conditions that could arise were detailed. Clark would be able to buy the building for \$75,000 at any time during the seven years, plus all scheduled lease payments that had not been made up to that time.

In other projects, Harper Drilling has surpassed 1000 feet in drilling the new well on Pine Street. A Clinton, Missouri, firm, Harper had had a drill rig set up in Monett to drill the new well by the Jack Henry and Associates campus, and after details were worked out securing funding for the well and a well house, Harper moved on site the next day.

Mayor Hirsch reported today that Harper hit water early, and is "very satisfied" with progress. Casing work on the well has started.

In addition, upgrading work at the wastewater treatment plant was completed by the end of September, as contracted. Wastewater operator Sam Corley reported all the upgrades were "on line and working perfectly." The new control panel and other equipment added, including pumps and motors, were in use every day.

A variety of improvements, including replacing the plant's roof, left clean-up work that was continuing by the installer and city crews, the mayor added.

[BACK TO TOP](#)

ALDERMEN AGREE ON NEED TO STUDY FLOODING PROBLEM

By MARSHA L. MELNICHAK Northwest Arkansas Times
Posted on October 6, 2006
URL: <http://www.nwanews.com/nwat/News/45613/>

Making improvements in the area the Fayetteville Street Committee proposed for a watershed study could cost “ millions of dollars, millions, perhaps tens of millions of dollars, ” said Gary Dumas, director of operations for the city.

The three aldermen on the committee agreed Thursday that a study should be made of the watershed area roughly between the top of Mount Sequoyah and College Avenue, from Lafayette to Prospect streets, because of repeated flooding. The most recent incident occurred in September during heavy rains.

Also on Thursday, the aldermen on the committee said they wanted to put up signs telling people the city is doing something about the 13 street projects voters agreed to fund in last month’s bond issue.

Aldermen Lioneld Jordan, Robert “ Swifty ” Reynolds and Kyle Cook also agreed to a plan for funding more of a partnership project with the state for widening Gregg Avenue from Township Street to the Fulbright Expressway.

Flooding

The committee voted Thursday to have staff begin a selection process to find a firm to conduct a watershed study. That selection will be brought back to the street committee before a proposal goes to the full City Council. During September’s rains, several homes flooded, debris rose above car bumpers and water started “ white capping ” down Trenton Street, according to descriptions by aldermen and city staff at the meeting.

It’s not a new problem, and historically, it has not been the city’s problem, according to Dumas and City Engineer Ron Petrie. City staff pointed to the lack of drainage easements in the area, lack of access points to the drainage structures that go under houses and driveways, and to houses built over drainage and “ up against what were streams ” as evidence of the problem not being one for which the city has ever been held responsible. Terry Gulley, the city’s transportation director, said city staff doesn’t think there’s a lot of stoppage because of the way it drains during lesser rainfalls. “ But there’s just no way short of getting on your hands and knees and crawling through it to figure out what’s there, ” he said.

Dumas said it has been a public policy that the city has not claimed responsibility for drainage problems in the area since it was built. “ This would be a significant change in that policy, ” Dumas told the committee. “ The ability to fix it, even after this study, is going to be an issue because this will be quite expensive, ” he said. Dumas said the city needs to have a comprehensive approach to drainage problems because they exist in various areas of the city. “ There has to be a way to address them financially, ” he said. “ Right now we don’t have that resource. ” Funding for the study can come from existing accounts; however, there are no funds for improvements, Petrie said.

Funding On Aug. 8, the street committee agreed to amend the city’s cost-share agreement with the Arkansas Highway and Transportation Department for widening Gregg Avenue from Township Street to Fulbright Expressway.

The state had requested an additional \$ 800, 000 from the city for the project to go forward. Since then, the highway and transportation department rebid the project for the fourth time and tentatively accepted a bid of about \$ 6. 5 million.

On Thursday, the street committee identified two sources of city funds for the additional \$ 800, 000. About \$ 585, 000 remaining in the street cost-share account will be used, with other funds from the \$ 8. 8 million earmarked for cost shares in the recently approved bond issue. This project is not one of the 13 projects identified in the bond issue.

Street projects The committee got good news on the four bond issue projects it is cost sharing with the state. “ We got these moved up a little bit, ” Chris Brown, engineering design manager for the city, told the committee about two of the four projects: Garland Avenue from North Street to Melmar Drive and Arkansas 16 from College Avenue to Stonebridge Road. Brown said the state had agreed to immediately start design work, which should mean construction could begin in 2009 instead of 2010. The state is completing the environmental assessment for the Crossover Road project, which will then require approval from the federal highway administration, Brown said.

He said the city will be allowed to design and administer the construction contract through a permit from the highway and transportation department for the Garland Avenue project from I-540 to Howard Nickell Road.

Brown also reported selection of and negotiations with engineers, meetings with the public and property research on other projects.

“ The sooner the better; let the public know we’re cranking on it, ” said Reynolds, referring to efforts under way to get updated project status listed on the city’s Web site.

Jordan said he wants a chart with a timeline at future meetings so it can be displayed on the television showings of the meetings.

“ I want some signs up saying, ‘ Here’s what we’re doing; here’s what we’re doing, ’ ” Jordan said.

Dumas said signs are being designed and should be “ in the works ” in the next few weeks.

“ Excellent ... Put us up a big old sign where the whole world can see it, ” Jordan replied.

“ We got the trust of the public last week, and we certainly need to let them know what we’re doing, ” Reynolds said.

BACK TO TOP

NEW PLANNING BOARD DIRECTOR TO BEGIN WORK NOV. 1

By Jennifer Turner The Benton County Daily Record
Posted on October 6, 2006
URL: <http://www.nwanews.com/bcdr/News/40555/>

BENTONVILLE — The newly hired director of the Benton County Planning Board said Thursday she looks forward to working in an area where planning issues are front and center.

Ashley Pope, Planning and Development director in Pulaski County, will begin working in Benton County on Nov. 1.

“ I know it’s going to be challenging, ” Pope said Thursday. “ I know there are going to be many applications coming in. ”

Indeed, there are routinely a dozen or more plans up for review by the Planning Board every month. And almost every month there is at least one proposal that brings the public out in protest.

Pope sees public interest as a good thing.

“ I like the amount of attention that (planning) is getting in that area, ” she said. “ I’m glad to hear that your top executive officials are talking about planning. ”

Benton County officials have expressed their desire for a well-qualified planning director to lead the county though its current growth spurt. The Quorum Court even increased the position’s salary range.

Planning Board member Tim Sorey believes Pope’s experience in Arkansas will be a benefit.

“ I was very impressed, ” he said. “ She understands how we’re set up and what we do, and I think she is more than capable. ”

Pope will likely face quick challenges. With contentious and complicated issues on the horizon — countywide zoning, watershed protection, handling rapid growth — the Benton County Planning Department is often in the middle of opposing groups.

But Pope said she is ready to jump into the leadership position.

“ I’ve had a lot of experience with conflict, ” Pope said. “ It’s something that I’ve kind of grown into being able to manage. ”

Gary Finnegan, who was a member of the seven-member search committee that interviewed Pope and other candidates, said it was Pope’s people skills that impressed him most.

“ She was very knowledgeable, and I think she’ll handle herself very well dealing with the different interests of the county, ” he said.

Pope has more than six years of planning experience, including subdivision review and administration, floodplain management, permitting and site plan reviews. She has also worked with GIS mapping.

Pope is a cum laude graduate of the University of Central Arkansas with a bachelor’s degree in geography and has been working on a master’s degree in public administration.

The Benton County Planning Department has been without a leader since July 27 when former Planning Director Michelle Crain was arrested and terminated from her position. She is accused of stealing \$ 595 from the Benton County Planning Office.

Crain pleaded not guilty to the felony and misdemeanor charges. A jury trial in the case is scheduled for Jan. 9.

[BACK TO TOP](#)

MUSEUM BOARD FAVORS NEW FACILITY

By Lori Harrison-Stone The Morning News

Posted on October 5, 2006

URL: <http://www.nwaonline.net/articles/2006/10/06/news/100606rzrogersmuseum.txt>

ROGERS -- A miniature replica of the White River could flow on the grounds of a new Rogers Historical Museum if land is bought and a new building constructed near the city library on Dixieland Road.

That type of possible outdoor exhibit for the museum was one of the reasons members of the Rogers Museum Commission agreed Wednesday that they would prefer a new building and location for the museum's expansion.

The commission and museum staffers have been considering options for expanding the museum for the past several months. In addition to buying about 4 acres near the library, the other option under consideration would be expansion of the library where it sits now at the corner of Second and Cherry streets. The commission agreed Wednesday to keep both options open until it's a sure bet that the city can afford the added expense and obtain land near the library.

But commissioners also approved \$90,000 to buy a duplex behind the museum for expansion at the current site.

Alderman Jim Clark, who happens to own the duplex and agreed to sell it to the museum, said one reason he chose to sell the rental property is that he favors keeping the museum downtown and wanted to aid in the expansion. He said the property would likely be of value for possible parking even if the main museum moves to a new site.

Gaye Bland, the director of the museum, said the existing museum will be used for a special exhibition area for textiles, folk art or turn-of-the-century displays, if a new building is constructed. The library site would allow for outdoor displays, provide more space and each museum facility could be used to attract patrons to the other, Bland said. The Museum Annex on Poplar Street will be sold either way, she said.

The commission, Bland said, really needs some indication from the Rogers City Council about whether the city can provide the financial support for the added construction and operating cost if it chooses to move the museum to the library area.

If the main museum is moved to the library area, she said, the estimates for buying the land and building would be as much as \$4 million and operating costs would be an additional \$275,000 or more each year.

If the museum is expanded where it is, Bland said the estimated cost would be as much as \$2.6 million for construction and land purchase. Operating costs would go up an estimated \$145,000 per year.

Commissioner John Sampier said the city would save money by keeping the main museum where it is, but "the opportunities" for cooperating with the library on events and programs, and for developing outdoor exhibits, make the moving option a better choice, despite the cost.

A suggestion from Clarice Moore of Rogers that the museum purchase the old Applegate Pharmacy building at 116 S. First St. wasn't approved. Bland said it would have to be operated as a separate museum and wouldn't address any of the museum's existing need to expand.

The Issue

Get Involved

The Rogers Historical Museum is looking for public input about its future.

The issue: Expansion of the Rogers Historical Museum at its current site at Second and Cherry streets, or moving the main museum near the Rogers Public Library.

Have a say: Contact Gaye Bland, museum director, at 621-1154 or at gbland@rogersark.org.

Source: Staff Report

[BACK TO TOP](#)

GREEN PLANNING MORE THAN PRESERVING TREES

By Chad Eiler The Benton County Daily Record

Posted on October 6, 2006

URL: <http://www.nwanews.com/bcdr/News/40547/>

BENTONVILLE — A wide range of environmental subjects was covered Wednesday during a Green Community Planning teleconference at Bentonville's Community Development Building.

The conference, part of an American Planning Association training series, featured a guest panel of experts from various planning fields, including Tim Beatley, professor of sustainable communities for the University of Virginia; Richard MacMath, an architect with the Green Building Program of Austin Energy in Austin, Texas; and Dana Bourland, director of Green Communities for Enterprise Community Partners.

Green communities are cities that “reduce the ecological footprint” left by municipal developments, Beatley said. By consciously reducing the use of natural resources, protecting the existing tree canopy and limiting land use by developing an infill system instead of creating urban sprawl, cities can create a healthier and more productive living environment.

“Our approach combines smart growth with health, economic and environmental benefits that lessen the impact on the environment, lower the costs and provide the best resources,” Bourland said.

“Urban areas are profoundly disconnected from natural areas,” MacMath said. “Too many times, these fragmented local governments are competing with each other for these same limited natural resources.”

European cities in Denmark, Sweden and Germany that follow green planning were discussed in detail. Beatley said that limitations of usable land and distinct cultural differences make it easier for those cities to move toward more green practices.

Several examples of limiting vehicle transportation in downtown areas and solar energy that powers entire buildings show how these older cities were able to transform into models for green communities.

The Mueller Airport redevelopment in Austin is a 711-acre green-planning project that, once completed, will create a mixed-use urban village. It will feature 10, 000 residents and create 10, 000 jobs with more than 1, 000 units of affordable housing. It will also feature more than 100 acres of public open space, along with a town center and entertainment district.

MacMath said it is a 20-year project that will feature green-community amenities by being pedestrian and bicycle friendly, offering a light-rail system and using nonpotable water for landscaping and other nondrinking uses.

Public apathy to greenplanning issues was discussed as one of the big obstacles cities face when trying to consider environmentally friendly options.

“ These are either depressing or encouraging times depending on your point of view, ” Beatley said. “ But there are signs of hope that consumers are interested in sustainability. The growth in the organic foods market shows that there is an awareness of the problems we are facing.

“ The time is ripe for change. ”

BACK TO TOP

CONSTRUCTION WORKSHOP WILL ADDRESS MANAGING STORMWATER

Northwest Arkansas Times

Posted on October 6, 2006

URL: <http://www.nwanews.com/nwat/Business/45629/>

Runoff from construction sites can contribute sediment and other pollutants to regional waterways. A workshop next week will address these issues.

In 2003, the U. S. Environmental Protection Agency enacted new regulations requiring construction sites that disturb an acre or greater to obtain a permit to discharge stormwater.

To be permitted through the Arkansas Department of Environmental Quality, a storm water pollution prevention plan must be developed and implemented for each construction site, including individual lots that are less than an acre but part of a larger common plan.

An “ ABCs of BMPs: NWA Construction Stormwater Management ” workshop will take place from 8: 30 a. m. to 5 p. m. Wednesday at the Northwest Arkansas Holiday Inn Convention Center in Springdale. The program is designed to help planners, developers, engineers, home builders, contractors and municipal stormwater program managers better:

- understand the construction industry’s role in water quality protection,
- recognize and fulfill federal, state and local construction stormwater management requirements, and
- plan, install and maintain effective sediment and erosion control best management practices (BMPs) in Northwest Arkansas.

The program will feature Shirley Morrow, CPESC with Tetra Tech EM Inc. and former director of Stormwater Compliance for Wal-Mart, as well as representatives from the department of environmental quality.

The workshop costs \$ 35. Participants can receive credit for seven professional development hours. Pre-registration is required by today to ensure lunch and workshop materials.

For more information, contact Katie Teague at the Washington County Cooperative Extension Service, 479-444-1755.

BACK TO TOP

FISHING REPORT

Compiled by BRENT FRAZEE The Kansas City Star
Posted on October 5, 2006
URL: <http://www.kansascity.com/mld/kansascity/sports/15681052.htm>

BRENT'S BEST BET

(Watershed News editor's note: This article has been shortened due to space and applicability. To read the article in its entirety, click on URL above.)

TABLE ROCK: 73 degrees, clear, 5 feet low. Outlook: Baxter Boat Dock reports: black bass good on drop-shot rigs in 40 to 60 feet of water off main-channel points; white bass good on spoons, Rat-L-Traps on the flats.

BULL SHOALS: 68 to 74 degrees, clear, 5 feet low. Outlook: Buck Creek Marina reports: Kentucky bass good on crawdads in 25 to 30 feet of water along bluffs; smallmouth bass fair to good on crankbaits along chunk-rock banks; walleyes fair on night crawlers on the flats; crappies fair on minnows in 25 feet of water in the brush.

TANEYCOMO: 50 degrees, clear, very little power generation. Outlook: Fall Creek Marina reports: trout good early and late on Power Bait in the Fall Creek area.

BACK TO TOP

THE MURKY DEPTHS: NWA FISHING REPORT

By Bobby Hill Northwest Arkansas Times
Posted on October 6, 2006
URL: <http://www.nwanews.com/nwat/Sports/45637/>

Lake Fayetteville's Dollie Black best summed up current fishing conditions by saying anglers are catching " a few of everything but not a whole lot of anything. " Yep, that's the way it is coming into October's first full weekend. Fishing should be dynamite but for some reason it isn't... not yet anyway. Windy days and spinnerbaits seem to be a good combo for bass and trout are biting below the dam. Otherwise, sounds like a good time to go bowhunting. Good luck !

Beaver Lake Southtown Sporting Goods Frank Divis reports a good spinnerbait bite on windy days. Otherwise, anglers are using topwater baits early and spoons and drop-shots during the day. Nighttime bass angling is best on spinnerbaits, jigs and plastic worms. Bream fishing is excellent on crickets. A few crappie are being caught on trolled crankbaits but most are coming out of brush piles on minnows. A few white and stripers are schooling up near Point 12.

Hawg Country Bait and Tackle Garland Villines reports good crappie action on jigs fished down to 17 feet. Bass reports are scarce but windy days should really produce a good spinnerbait bite. Catfish are biting near Monte Ne on liver and night crawlers. A 48-pound blue cat came in on a jug line near Hickory Creek.

Hook, Line and Sinker in Rogers Fishing's still quite tough according to Aaron Jolliff. Topwater baits are catching bass early and later in the day, finesse worms fished deep are producing. Crappie are biting jigs and minnows fished near deep brush.

Beaver Tailwaters Steve Dadly at Beaver Dam Store says fly fishing has been pretty good this past week. Woolly Buggers, Dead Drift Crawfish, tan Scuds, black / red Midges, and Bryce's TDMs are good fly options. The best baits are night crawlers and Power Bait. Yellow micro jigs, gold Rapalas and gold / red spoons are the top lure choices.

Bella Vista Lakes Nick Gann at Hook, Line and Sinker in Bentonville reports a lot of small bass being caught from lakes Windsor and Loch Lomond. A Shaky-Head jig combined with a 4-inch worm is working well.

Lake Fayetteville Overall, fishing's slow according to Dollie Black. Catfish are biting liver and night crawlers. Crickets and worms are working on blue gill. Bass fishing is fair but no one bait stands out. Minnows and jigs are catching a few crappie.

Lake Sequoyah Jackie Smith says catfish action is good on small perch and gold fish. Three catfish in the 40-pound range came in this past week. Bass fishing is slow on plastic worms, spinnerbaits and buzzbaits. A few crappie will bite jigs and minnows.

Upper Table Rock Lake J. D. Fletcher says fishing is picking up. Zara Spooks are good surface lures in the mornings and drop-shots rigged with small plastics are working during the day. Trolling Model-A Bombers across deep points is a good way to catch an occasional walleye, white bass and black bass.

Kings River J. D. Fletcher says the river level has dropped but is still floatable. A recent guided trip brought in 100 fish on spinnerbaits, big tubes and buzzbaits.

[BACK TO TOP](#)