

**Tom McClure interviewed Paul Means on April 16, 2024, in Fayetteville, Arkansas.**

Tom McClure: The interview we are conducting today is a part of a joint project between the Pryor Center and the Ozark Society to document some of the history of the protection of wild and scenic rivers in Arkansas during the last 50 years. I am Tom McClure interviewing Paul Means for the David and Barbara Pryor Center for Oral and Visual History Project. The interview is being conducted in Fayetteville, Arkansas on April 16th, 2024. Paul, all I need you to do now is to state your name and indicate that you are willing to give the Pryor Center permission to make the audio file and related material available to others.

Paul Means: My name is Paul Means and I give my permission for the Pryor Center to make this interview available to others.

TM: Thanks, Paul. Today, Paul Means is joining us by phone from Little Rock. Paul was born in Hot Springs, Arkansas. His education includes a BA degree from Vanderbilt University and a JD degree from the University of Arkansas, Little Rock School of Law. Paul served as assistant attorney general of Arkansas from 1978 to 1979. In that position, he represented the State of Arkansas in the case of McElroy versus State, wherein the

Arkansas Supreme Court upheld the public right to canoe on Arkansas streams. From 1980 to 1981, Paul served as the chief legal counsel for the Arkansas Department of Pollution Control and Ecology. Then between 1982 and '86, he was employed by the Arkansas Power and Light Company as manager of government affairs. From 1987 to 1988, Paul served as director of the Arkansas Department of Pollution Control and Ecology. Then after that, he was employed by Entergy Arkansas Company as manager of public affairs from 1989 to his retirement in 2018. Paul was chairman of the Pulaski chapter of the Ozark Society in 1984 and was conservation chairman for the Ozark Society at various times from 1979 through the early 1990s. He was also conservation chairman for the Arkansas Canoe Club from 1982 to 1983. Paul, once again, welcome and thank you for being with us here today.

PM: I'm pleased to be here.

TM: We have some questions for you to consider, but would also encourage you to say other things beyond these four questions if you would like to. Our first question is, will you please describe your involvement in efforts to protect wild and scenic rivers in Arkansas?

PM: Yes, I'd be glad to. Since we're talking about history, I'd like to put the Wild and Scenic Rivers Act that was passed by Congress in some context. And so I have to go back before the year it was approved by Congress. Dale Bumpers was governor of Arkansas and was elected and at a time when the Buffalo River was about to become a national river. The Buffalo River was declared a national river in 1972. But as governor in 1971, Dale Bumpers attempted to establish some scenic rivers through Arkansas legislation. Given the big controversy over the Buffalo and the highly conservative nature of the Arkansas legislature, he did not get anywhere with his attempt to establish some scenic rivers. But he kept his interest in scenic rivers as he moved on to the U.S. Senate. And he served there for, I think, 24 years or 26 years, I'm not sure exactly. But anyway, the Congress established the Wild and Scenic Rivers System in 1963 and asked all the federal land managers to create inventory of rivers that were possibly eligible to become wild and scenic rivers. Work didn't really start until the 1970s and the inventory was finally completed in 1982. Our government moved very slowly. And once the inventory was complete, the federal land manager in Arkansas is U.S. National Forest Service. So they declared several streams, eight of them, to be eligible for study and

inclusion and undertook an environmental impact statement. And that process, again, took about 10 years, but they completed that in 1982. And so timing is everything in politics and Senator Bumpers was a master of how to manipulate and understand the interior workings of Congress and successfully navigate legislation. And so the Forest Service and their EIS had recommended the Cossatot River, the Little Missouri River, which both in the Ouachita National Forest, Richland Creek, Big Piney Creek, the section of the Buffalo River that flows through the National Forest, Mulberry River, North Sylamore Creek and Hurricane Creek for inclusion in the National Wild and Scenic Rivers Act. Of course, it was required that somebody passed the legislation. I recall that we were sitting on the porch at Hubert and Mary Virginia Ferguson's cabin up on Boxley, Arkansas in January of 1991, having the Ozark Society board meeting. And Stuart Noland suggested that now that the Forest Service completed all their process and recommended some rivers, probably perhaps it was time we moved forward with trying to add those to the official federal legislation. Excuse me. As part of my job at that time, I was the federal government affairs representative for Arkansas Power Light Company and spent about a week a month in Washington working on federal

legislation. And I said, "Well, I've got some free time. I will use some of that to talk to our congressional delegation about wild and scenic rivers." And so in February on my trip up there, I stopped by Senator Bumpers' office and talked to his aide, Deborah Estes. She handled all his environmental-type legislation and mentioned that the Ozark Society was interested in moving forward on declaring Arkansas Wild and Scenic Rivers. She said, "Well, that's coincidental because the Forest Service had also come to us to talk about that." At this time, Dale was chairing the subcommittee on Public Lands, National Parks and Forest, and his committee that he was chairman of is where the legislation would be heard by the U.S. Senate. So that's why the Forest Service had come to him. A third coincidence was that Governor George H. W. Bush also supported Scenic Rivers, and he was trying to put together an omnibus Wild and Scenic River Bill that included rivers from a whole number of states across the country. So we had three things coming together, the president, Dale Bumpers with an interest, the Forest Service having done all the bureaucratic paperwork and recommending some. And Deborah inquired as to, "Well, how do things look in Arkansas?" So I said, "Well, I'll go back and test the water and see what I can find." I talked to other environmental groups. Of course,

they were all supportive. And a fourth coincidence was there was a group called the Ouachita Watch League that had made a successful challenge to clear cutting in the Ouachita National Forest. And this had really gotten the attention of the major timber companies, the Farm Bureau, and the other sort of conservative organizations that opposed protecting federal lands. And they were highly focused on clear cutting at the moment. So Dale said, "You know, the timing's right. Nobody's really paying attention to scenic rivers." I went through the environmental impact statement that had been done by the Forest Service on their eight rivers they recommended. It had been put out to public comment, and all those public comments were compiled into an appendix to the environmental impact statement. There was a lot of them. I read through them all, and surprisingly, they were all from people that were members of conservation and environmental organizations, and they were all supportive. And I could find no individual or group that had written a negative comment in regard to these eight rivers. There was some thoughts, including the North Fork Illinois Bayou, but the Tri-City Water District had proposed a dam. That was highly controversial. It had a lot of comments and support, wild and scenic rivers, a lot of comments of creating a dam for water

supply. So unfortunately, that particular stream dropped out of the discussion, but Dale considered all this and he said, "I think the timing is right." And he says, "I'm going to put together a bill." And so he got to work and he filed the bill in 1991 in September. Once he filed the bill listing Arkansas streams, that freed up the forest supervisors of the Arkansas two National Forest, Mike Kern with the Ouachita Forest and Lin Neff with the Ozark Forest to talk and support his bill. They originally felt kind of tentative because they are a part of the executive branch and the president was working on his omnibus bill, but they had gotten permission to come out publicly supporting designation of these scenic rivers. And so Senator Bumpers filed the bill in September. October 15th, he held the first hearing on it in the Senate. I was there to testify in support of it. Don Hamilton came on behalf of the Arkansas Wildlife Federation and testified at the hearing. Elizabeth Norcross with the American Rivers Association testified. So we cleared that first hurdle. The committee approved the bill for passage, and it went before the Senate and passed and moved over to the House of Representatives. We didn't have anybody from Arkansas on the appropriate committees in the House, but John Paul Hammerschmidt had been in Congress a long time. He'd been

very helpful with the Wilderness Act and the designation of the Buffalo River as a national river. And he worked his inside magic along with Beryl Anthony and they convinced Senator Vento, I mean, Representative Vento, who chaired the House Committee, to quickly take up their bill that they supported. So once again, I testified in support. The bill passed by that committee, it passed the House, and thus it became a law when President Bush signed it on Earth Day of all things, April 22nd of 1992. So in the mere eight months since introduction, the Arkansas Wild and Scenic Rivers Act passed, adding these eight streams, which was pretty amazing considering how slow things move through Congress. So that's sort of inside history. The Ozark Society members wrote letters of support at the appropriate times, other organizations did also. So I think it was helpful to have that support, but the most amazing thing I think about it was that nobody was paying attention and there was really no organized opposition. And that made it very easy to move it quickly through Congress and have it signed into law. And that's sort of a short history of how all this fits together. It was timing. Nobody was paying attention and all the right people came together and supported at the same moment.

TM: Well, thank you, Paul, for that play by play and analysis that really gives us a picture of what happened. Thank you. Question number two, will you please describe how you personally feel about protecting wild and scenic rivers in Arkansas and what value you think these wild and scenic rivers will have for the people of Arkansas, both now and into the future?

PM: Well, since my favorite outdoor activity is whitewater kayaking, I have a great personal interest in preserving these scenic rivers and have floated them all. I think the value to the State of Arkansas is that we call ourselves the natural state. We attract a lot of tourists, and so it helps the tourism economy with that. North Sylamore Creek and Hurricane Creek don't get a whole lot of traffic on them. The other streams are fairly frequently used by folks. They've added a little bit to the local economy and that there's outfitters that support folks coming to a canoe or kayak on these streams. But mostly they're preserved in the natural state. They're scenic. They can have a little bit development on them. The only wild rivers are actually the ones where they flow through a declared wilderness area. So you've got wilderness and a wild stream all protected. It gives us a chance to see what Arkansas looked like when the first Europeans arrived. And I

think that's a part of our heritage we need to preserve and give people the opportunity to go and experience.

TM: Well, thank you. Question three, do you have any special stories that you would like to tell about your experiences or the experiences of others regarding efforts to protect wild and scenic rivers here in Arkansas?

PM: Yeah. Dale Bumpers was known for his oratorical skills, but he also had a really dry sense of humor. And we were sitting in his office discussing a strategy for passing this legislation and who might oppose it and who would support it, what committees we'd go to, were any of the other senators or congressmen likely to oppose it. And he was trying to come up with words to describe his strategy. And he finally looked at us and he says, "What this needs to be, it needs to be stealth legislation. It needs to go through before anybody notices it's there." And I thought that was a unique way to describe something going on very publicly in Congress, but that was his strategy and it worked. It passed before anyone noticed enough to rise up and oppose it. It's just amazing that we could pass an act to protect rivers in the state of Arkansas, and there was no opposition ever voiced in the whole process.

TM: Okay. Question number four, would you like to add anything else that you think needs to be emphasized about the history of wild and scenic rivers protection in Arkansas that you think the public should know or should consider?

PM: Over the years parallel to the federal legislation, there were sporadic attempts by the State of Arkansas itself to protect scenic rivers. They sort of sputtered along. Bill Clinton early in his administration helped allow legislation to be passed and created an Arkansas Scenic Rivers Commission, which could make recommendations and inventories and such similar to the federal process, but it was written in such a fashion that the quorum courts and the general assembly pretty much could squash anything ever really happening. It was more window dressing than reality. That Senate Rivers Commission was abolished and then reestablished as part of the Department of Heritage. And really, it sounds good. And if you read the title, it looks like it's something important, but it really hasn't done anything. But oddly, over the years, the legislature at the request of various local legislators whose folks in their districts wanted to protect the river have expressed support. And the legislature actually has created some state scenic rivers. The Cossatot River, which is actually in a state park, the Strawberry

River over in Northeast Arkansas, a small section of the Saline River and the Little Missouri River was protected. And the Kings River is also protected perhaps the best of any of them. On the other rivers, it basically just says you can't build dams, but on the Kings River, there's no dams, there's no development within 50 feet of the riverbank. So it goes to show that [unclear] are very conservative state, that local folks that speak on behalf of their stream can actually get a little protection from the state government as well. And that's all I have on that subject.

TM: Okay. Well, that's interesting to know. And just is there anything else that you would like to mention that I have not asked about?

PM: No. For the Buffalo River and the Wilderness Act, the activity of the conservation environmental organizations was critical to passage of both of those. They had to really advocate for it. On the Wild and Scenic Rivers protection, it was sort of the opposite. Senator Dale Bumpers and Representative John Paul Hammerschmidt, who also helped the wilderness legislation, were just masterful at manipulating and shepherding legislation through the U.S. Congress. And they did a great job. I think they perhaps deserve more credit for wild and scenic rivers than the efforts of the environmental organizations.

TM: Okay. Would you like to add anything else at this point or add anything to your earlier comments?

PM: No, I do not.

TM: Well, Paul, I just want to thank you again on behalf of the Pryor Center and the Ozark Society for being here today to share with us your perspectives and your stories and your memories of wild and scenic rivers protection efforts here in Arkansas. The Pryor Center will provide you with a copy of this audio recording and thank you again and I'll say goodbye.

PM: Goodbye, Tom.

TM: Thanks.