



May 26, 2023

Re: Notice of Intent to Sue Over Violations of The Clean Water Act (a/k/a Federal Water Pollution Control Act) at Little Sugar Creek in Bentonville, Arkansas.

Dear Mr. Perkins,

The City is in receipt of your Notice of Intent to File Suit on behalf of Friends of Little Sugar Creek. Recently, the City's litigation against Cooper Realty Investments, Inc., requesting clarification of the multiple conveyance documents and agreements, was resolved. After a successful mediation, both parties came to an agreement allowing the City to remove the dam and transform the property into a functional and appealing recreation space.

As part of the Consent Decree, the City agreed to a timeline for design, permitting, and construction of the new park space. I have enclosed a copy of the Consent Decree for your review. The City is committed to transforming this space for its citizens while adhering to all state, federal, and local laws. Additionally, Runway Group, LLC commissioned a water quality report which includes results from samples taken at Lake Bella Vista Park during the years 2020 through 2023. A copy of the draft report is included with this correspondence.

The City is in the process of compiling documents requested pursuant to Ken Leonard's FOIA request. As it pertains to the Lake Bella Vista dam, a copy is contained in this mailing. Please let me know if you would like the information as well. City staff welcomes the chance to discuss this matter with you and I would be more than happy to schedule an in person meeting or conference call.

Sincerely,

A handwritten signature in blue ink that reads "Bonnie Bridges". The signature is written in a cursive, flowing style.

Bonnie Bridges
City of Bentonville
Staff Attorney

Enclosures (3)