

September 7, 2018

Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118

Re: Proposed 2018 Impaired Waterbody List

Director Keogh,

I have floated the Buffalo River at least once each year for the past thirty plus years, primarily the lower stretch from Rush to Buffalo City. I have noticed changes in the lower half of the Buffalo National River and Big Creek for the past several years. The growth of algae and the clarity of the water have changed noticeably. I can also attest first-hand to declining fish populations. For years, I have depended on springs along the river (Cold Spring and another unnamed spring on Middle Creek) to provide my drinking water on multi-day float trips. I have stopped drinking the spring water now and have resorted to filtering or treating my drinking water. I am shocked that the Arkansas Department of Health has had to issue warnings to the public regarding the exposure to cyanotoxins and other pathogens now found in the Buffalo River waters.

The changes I have witnessed have increased rapidly in recent years. The Buffalo River has always been a retreat for Arkansans and all who value wilderness. I have never cared for the livestock allowed to live along the upper Buffalo, but I accepted that as part of the political compromise that was probably required to get the river established as nations the first National River. However, the introduction of factory hog farm within the Buffalo watershed was not needed, not required and never should have been allowed. The power of profits for a few have seemingly been deemed more important than the preservation of one of the few pristine wilderness areas, not just in Arkansas, but in the country.

I request that ADEQ act decisively and timely with enforceable action to determine the primary direct hydrologic sources of nutrient loading and of the pathogens that have impaired the Buffalo River and Big Creek. Placing the waters in Category 4b of impairment is wholly inadequate for these Extraordinary Resource Waters. While a watershed management plan is needed to add consideration for long term planning for best management practices, depending on a non-regulatory, voluntary watershed management plan that excludes permitted facilities and refuses to acknowledge the impairment of Big Creek will only allow the problem to worsen quickly. I recommend designating these stream segments in Category 5 impairment, a status that would allow for a greater level of source tracking and establishment of enforceable pollution limits through a TMDL.

The TMDL, even if completed in the near future and done correctly, is not the end. According to the EPA Clean Water Act Section 3(d) website, "A TMDL establishes the maximum amount of pollutant allowed in a waterbody and serves as the starting point for restoring water quality." As Category 5, a TMDL for these waters should be given highest priority in consideration of the extent of use by the public and the importance to the recreation industry of Arkansas.

Former Congressman Ed Bethune recently addressed the Arkansas Pollution Control and Ecology Commission and the ADEQ, stating eloquently that "If anything happens to the Buffalo River, it will be a disgrace not only to this state, but it will be a disgrace to the nation and to the world, and it would happen on your watch."

Thank you for your consideration.

Sincerely,

