



THE DEPARTMENT OF ARKANSAS
HERITAGE

Date: August 25, 2014
Subject: Arkansas Water Plan Executive Summary
Draft for Public Comment
ANHC No.: P-CF..-14-125

Mike Beebe
Governor

Martha Miller
Director

Ms. Kelly Collins
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Arkansas Arts Council

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Arkansas Historic
Preservation Program

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Delta Cultural Center

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Mosaic Templars
Cultural Center

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Old State House Museum

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Historic Arkansas Museum



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Dear Ms. Collins:

Staff members of the Arkansas Natural Heritage Commission (ANHC) have reviewed the 2014 Arkansas Water Plan Update. This plan contains recommendations for addressing critical groundwater issues and collaborative management of the state's water resources. The ANHC proposes additional specificity on the importance of water management to fish and wildlife and how recommendations will be implemented.

Below are recommended revisions to the Final Draft of the Water Plan that were compiled after discussion with members of the Fish and Wildlife and Recreational sub-groups. Please take these comments into consideration prior to finalizing the 2014 Arkansas Water Plan.

1. **Section 2.2 Key Findings Water Availability:** There is no mention of the water needs to maintain ecosystem viability despite ecological needs of fish and wildlife being a major goal in the Vision, Mission, and Goals. Furthermore, there is no mention of the Fish and Wildlife Flows Framework being a major finding of the Water Availability Workgroup.
2. **Section 3.2 Drought Contingency Planning:** Neither the Goals, Recommendations, or Implementation Plan sections include consideration of fish and wildlife for drought or shortage planning. The Final Draft of the Arkansas Water Plan did not contain a recommendation for identifying minimum flow requirements for each sector, which would include recreation and fish and wildlife. Consideration of fish and wildlife instream flows during shortages and droughts should be explicitly identified as a goal of the Drought Response Teams (DRTs).
3. **Section 3.2 Implementation Planning:** The constitutional and statutory state agencies whose mission is directly tied to water management during shortages and droughts should be explicitly identified as members of the DRTs, which should be the Arkansas Natural Resources Commission (ANRC), Arkansas Department of Environmental Quality (ADEQ), the Arkansas Game and Fish Commission (AGFC), and Department of Agriculture (DOA).

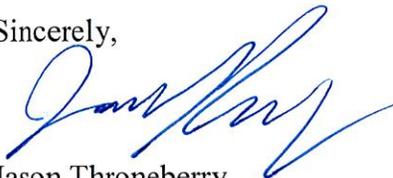
4. **Section 3.3 Recommendations:** Removing the 25% restriction on Excess Water did not emerge from the Regional Workgroup process as a priority recommendation. What did emerge was a negotiated, informed consent between Fish & Wildlife/Recreation and Agriculture to conduct a third-party scientific investigation into the most appropriate method(s) for determining instream flow needs. Furthermore, the Arkansas Method was to remain for determining the fish and wildlife component of instream flow until a scientifically-based and stakeholder engaged process determines otherwise. We feel it is important to remain genuine to the stakeholder process that was used to this point and NOT add a rule-making component that did not emerge from this process. Before removing the 25% rule the maximum amount of water allocated to water users and maintenance of stream health must be assessed using a scientifically sound and stakeholder driven process. Additionally, this aspect of the Arkansas Water Plan was agreed upon during the stakeholder process, but is not reflected in the Final Draft.

5. **Section 3.3 Implementation Plan:** The Fish and Wildlife Flow Framework was a priority recommendation throughout the stakeholder process, yet is absent from the Final Draft of the Arkansas Water Plan. The Fish and Wildlife Flows sub-group had lengthy discussions about the Framework as a process for determining appropriate flows. All conversations from the regional workgroups throughout the rest of the stakeholder process were focused on recommendation of conducting a “scientific study” to determine the proportion of water needed to meet non-riparian needs in various basins. The study needs to include review and validation of the administrative process for determining instream flow needs and scientific components of fish and wildlife flows.

6. **Section 3.5 Water Quality Implementation Plan:** Collaboration on the triennial review should include ANHC, AGFC, ANRC, and ADEQ.

The opportunity to comment is appreciated.

Sincerely,



Jason Throneberry
Aquatics Ecologist