

Comments from Paul R. Easley

Dear Sirs:

I appreciate this opportunity to participate in the plan update and provide comments on the Draft Executive Summary for the Arkansas Water Plan Update (the Plan). I appreciate the Arkansas Natural Resources Commission (ANRC) for undertaking this effort and allowing public participation in the process. I also look forward to the finalization of the plan with hopes that adaptive management will cause the document to be a “living” document that will continue to better refine how the State manages its water resources.

My comments are provided in two formats, the first set of comments are general in nature and I feel relate the intent of the more specific comments that follow.

General Comments

1. Surface Water Quantity

Site specific and seasonally available stream flows may affect the amount of water reliably available for direct diversion from surface sources to satisfy beneficial out of stream uses (drinking water).

New impoundments are needed to provide adequate surface water supply. While there are additional sources of water available for uses such as agricultural or industrial, the water quality in these sources may not be compatible with the production of suitable drinking water nor may be available at the time of need (specifically during droughts).

The reallocation of storage for water supply is needed in federal projects (CORPS lakes) to make those sources more readily available for drinking water sources.

2. Water Quality

Degradation of water quality from non-point sources (i.e. agricultural runoff, forestry practices, gravel mining, road erosion) is a problem throughout the state. While prioritizing 303d listed waters is admirable, additional emphasis should be placed on anti-degradation in drinking water source areas.

3. Legislation

The highest and best use of water (both surface and ground) is as a source of drinking water for human consumption. The plan should recognize and designate “Drinking Water Sources” as a high priority in ADEQ regulations, including Reg 2 and Reg 6, thus elevating these sources in management decisions. This would be much like the existing ADEQ designation of “Extraordinary Resource Waterbodies”.

4. Adaptive Management

The completed plan should be flexible enough to adjust to new information (Adaptive Management). Specifically address how adaptive management and updates can be incorporated into the State Water Plan. Part of the consideration of this addition should include how the State Water Plan will address changes demands, both current and future.

Specific Comments

1. Appendices: Page ii of the Table of Contents for the Executive Summary lists ten appendices (A through J). None of the appendices are included with the Plan made available for public review. The fact that the appendices were not included limits the public's ability to fully analyze and understand the Plan. It is recommended that a corrected and full copy of the plan be made available for public comment including extending an additional 30 day public comment period.
2. Page 1, second sentence of the Foreword: It is recommended the sentence be revised to specifically emphasize the priority of public drinking water.
3. Page 5, Section 2.1, Demand Projections: There appears to be inaccuracies reported with the statewide municipal and self-supplied drinking water supply demand values. This may mean that the total projected statewide drinking water supply demand is too low.
4. Page 6, Section 2.5, Water and Wastewater Infrastructure: This section includes a bullet point that provides cost estimates for Arkansas water and wastewater providers to "build, maintain, and replace required infrastructure through 2024." However, increasingly water utilities are faced with increasing needs to provide significant resources to source water protection. Source water supplies (lakes, reservoirs, etc.) are as just much an asset that must be protected and maintained, and should be included as such.
5. Page 15, Section 3.5, Improving Water Quality through Nonpoint Source Management Priority Issue, item 2 under "Recommendations:" The item regarding ANRCs collaboration with ADEQ and AGFC "to determine" waterbody attainment or nonattainment during the biennial water quality assessment and reporting process under Sections 303(d) and 305(b) of the Clean Water Act (CWA) should be revised to acknowledge the role that ANRC, AGFC, and the Arkansas Department of Health (ADH) play in providing information, data, and other valuable input to ADEQ as it fulfills its duties under the CWA. ADH is listed as a funding source under Source Water Protection and the Safe Drinking Water Act, but not as a collaborator.
6. Page 16, Section 3.5, Improving Water Quality through Nonpoint Source Management Priority Issue, item 2.b under "Recommendations:" This states, "Streams currently attaining water quality standards in priority watersheds will be considered for protection through the NPS management program." There is no indication in Section 3.5 as to what constitutes a "priority watershed." It is recommended the sentence be revised as follows: "Streams currently attaining water quality standards in priority watersheds, and the watersheds of public drinking water sources, will be considered for protection through the NPS management program."
7. Page 16, Section 3.5, Improving Water Quality through Nonpoint Source Management Priority Issue, item 3 and item 4 under "Implementation Plan:" These items have the same problem discussed in Comment 5 above. It provides that ANRC will "participate with ADEQ and AGFC" in the biennial assessments conducted under CWA Section 303(d). This should be revised to recognize collaboration with ADH and provide that ANRC will contribute information, data, and other valuable input to ADEQ as it carries out its obligations under CWA Sections 303(d) and 305(b).
8. Page 16, Section 3.5, Improving Water Quality through Nonpoint Source Management Priority Issue, item 4 under "Implementation Plan:" This deals with ADEQ's triennial review of the Arkansas surface water quality standards pursuant to CWA Section 303(c)(I). It should be clarified that ADEQ makes decisions on "identifying reference water quality for different classes of streams within ecoregions."

9. Page 20, Section 3.8, Reallocation of Water Storage in Federal Reservoirs Priority Issue, item 1 under "Implementation Plan:" This item should be revised to provide that, "ANRC will review water supply needs within each of the WRPRs and, in conjunction with the public drinking water utilities in recognition of their existing water rights and determine if these water needs might be supplied through reallocation of water storage in USACE reservoirs within the WRPRs."

My comments and suggestions are by no means exhaustive, as I am certain you will receive many additional comments that will be incorporated. However, it was my intent to focus on those issues that seem to be of utmost importance to drinking water suppliers in Arkansas, as I believe that drinking water for human consumption should be the highest attainable use of any water source, and therefore should be afforded the greatest protection. In order for the State to continue to prosper, high quality drinking water sources must be designated as a high priority for protection over any other use.

Thank you for the opportunity to participate in the process and provide comment for your consideration. If you have any questions, please don't hesitate to contact me. I look forward to your responses to the public comments and finalization of the updates to the Arkansas Water Plan.