

BUFFALO RIVER WATERSHED ALLIANCE

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Statement before

Senate Committee on Agriculture, Forestry, and Economic Development House
Committee on Agriculture, Forestry, and Economic Development Meeting Jointly

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Chairman Caldwell, Chairman Douglas and committee members, thank you for the opportunity to speak to you today. I am here as president of the Buffalo River Watershed Alliance, and I also speak on behalf of our Buffalo River Coalition partners - the Ozark Society, the Arkansas Canoe Club, and the National Parks Conservation Association. Our shared goals are to preserve and protect the Buffalo National River, an important economic resource in one of the poorest regions of the state. I am also a resident of Newton County where I have been farming along the Little Buffalo River for almost 40 years and I am also involved in tourism. Our cabin rental business, and much of our farm markets, are almost entirely dependent on the allure of the Buffalo River so I know first-hand the importance of protecting this important state treasure. There are several points which I would like to touch on today.

Economics

The 135 miles of the Buffalo flows through Newton, Searcy, Marion and Baxter counties. The Buffalo National River is an invaluable economic engine for these poor, rural areas. Among your handouts please find a copy of the Buffalo National River 2014 economic report. In 2014, the Buffalo generated \$56.6 million in visitor spending, \$65.2 million in economic output, and was responsible for 890 jobs in these gateway communities. Small businesses like mine are directly dependent on this economic tourism engine. I am sure everyone here appreciates the role the Buffalo plays in the economies of not only our struggling region but the state as a whole. I hope you also agree on the importance of protecting this unique natural resource.

303(d) Exclusions

Because of our organization's focus on protecting the Buffalo and its watershed, we were concerned when threats to its water quality recently came to light. You will find in your handouts three recent letters from the National Park Service, which identify three tributaries of the Buffalo currently threatened by pollution. The most recent letter, dated March 16, 2016, includes Park Service analysis of data collected by the Big Creek Research and Extension Team on upper reaches of Big Creek and finds that in addition to impairment for low dissolved oxygen found in lower reaches, upper Big Creek is also impaired for high E. coli, a human health hazard. The Park Service recommends that ADEQ include these three major tributaries on the 303(d) List of Impaired Streams. You will also find a letter from Arkansas Game and Fish Commission, which concurs with the Park Service regarding impairment of Big Creek (for dissolved oxygen). Inclusion of these streams on the 303(d) List would result in increased monitoring and would prioritize identification and remediation of the sources of pollution. Inclusion would be an important step in reversing these threats and protecting this critical economic resource. However, due to technicalities, ADEQ has disregarded the advice of these two agencies. The National Park Service/Buffalo National River has long been a trusted partner of ADEQ with regards to monitoring water quality of the Buffalo, a partner who is now raising red flags. Why is ADEQ choosing to ignore these warnings? Regardless of 303(d) technicalities, it behooves ADEQ to pay attention, accept the advice of the Park Service and Arkansas Game and Fish Commission, and afford the Buffalo the protection it deserves. Whether ADEQ includes these streams on the 303(d) List or not, it must make every effort now to identify and halt the sources of pollution in these waterways which feed the Buffalo.

Watershed Protection

Perhaps the larger issue being alerted by these red flags is the importance of watershed protection. The Buffalo National River is a narrow, 135-mile long corridor comprising a mere 11% of its entire watershed. It is fed by numerous springs, creeks, and streams flowing from the remaining 89%. What is a river if not the sum of the tributaries which feed it? The Buffalo National River can only be adequately protected if the quality of its tributaries is also addressed. Regulation 2.302 states that designated uses of Extraordinary Resource waters are defined as,

“... a combination of the chemical, physical and biological characteristics of a waterbody and its watershed which is characterized by scenic beauty, aesthetics, scientific values, broad scope recreation potential and intangible social values.”

We strongly encourage the adoption and enforcement of comprehensive watershed protection regulations for the Buffalo National River.

EPA Non-compliance

Your handouts also include a letter from EPA’s Stacy Dwyer, Associate Director, NPDES Permits & TMDL Branch, commenting on the draft 303(d) list. This letter, along with the fact that EPA has not approved ADEQ’s 303(d) List since 2008, reveals ongoing concerns by EPA with how ADEQ is managing the 303(d) and NPDES programs. ADEQ is clearly under scrutiny of EPA and, if current management practices continue, there is the very real possibility that EPA will intervene, as when Act 954 of 2013 was enacted and subsequently repealed. If Arkansas does not want this to reoccur, ADEQ should be required to comply with EPA regulations and properly administer the NPDES permitting program.

In closing, we request that when considering clean water policy, each of you, as our elected representatives, listen not only to your own constituents but to all stakeholders across Arkansas. We all live downstream and the full impacts which streams like the Buffalo have on rural communities, not only economic impacts but also public health and safety, must be thoughtfully considered.

Thank you,

Gordon Watkins, President
Buffalo River Watershed Alliance