

**From:** [Lin Wellford](#)  
**To:** [WaterbodyComments](#)  
**Subject:** Comment on the decision not to provide the Buffalo with the highest level of protection  
**Date:** Thursday, August 16, 2018 2:36:53 PM

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Thank you for the opportunity to comment on the inadequacy of current plans to protect and improve the water quality of the Buffalo River. The following are my observations and comments on the placement of the Buffalo National River on the 303(d) list in the 4b category

I have been a visitor to the Buffalo River for decades, and have kayaked, camped, swam and hiked along the river multiple times over the years. These experiences put me in a position to state that the changes in the river in the past several years are impossible to ignore. In the past six years the following developments have been documented:

- • Proof that C&H Hog Farm Inc. was built on karst despite previous assertions that it was not, thanks to results of the ERI testing done by Oklahoma State University revealed through use of FOIA.
- • That there is leakage from the waste lagoons that reaches ground water systems, and that ADEQ did not follow its own guidelines in drilling only a single investigatory bore hole. Claims not to have encountered anything problematic in the process of drilling are not credible when almost two times more grout was needed to fill in the bore hole than what was expected as calculated by the material removed.
- • That dye testing by hydro-geologist Dr. John Brahana in the area surrounding C&H and its spreading fields indicates easy and direct connections between surface, ground water and springs, and that testing results showed movement of water in surprising and unexpected ways, including under mountains and traveling many miles per day.
- • That despite repeated claims that all necessary and required steps were followed in the permit process, two inadequate Environmental Assessments failed to include sub-surface investigation, and evinced a complete disregard of the inevitable impacts of land applying millions of gallons of untreated waste on

fields that drain into Big Creek and flow into an outstanding national resource water 6 miles downstream.

- • That concerned citizens raised credible doubts about the monitoring efforts and reports coming out of the Big Creek Research Extension Team, a tax-payer supported effort put in place purportedly to protect the water quality of Big Creek and the Buffalo River.
- • That the Beautiful Buffalo River Action Committee begun by Gov. Asa Hutchinson was expressly precluded from assessing whether any permitted facilities were contributing to the degradation of the Buffalo River, and that BBRAC is without regulatory enforcement power and depends entirely on voluntary public participation in Best Management Practices within the watershed.

Once evidence of impairment of both Big Creek and a portion of the Buffalo River was indisputable, rather than giving the Buffalo National River a level 5 designation that would trigger TMDL monitoring to determine the causes of impairment so that they can be rapidly addressed, the river has instead been given a lesser designation 4b, which asserts that alternates to TMDL monitoring will address the issues facing the river.

Please provide specifics as to how a purely voluntary program of watershed management like BBRAC will be able to determine sources of impairment and bring about measurable improvement of water quality.

Does ADEQ have a timetable for how long they will depend on the watershed action committee put in place by the governor to go through the motions of correcting the issues threatening the health and safety of the river and the health and safety of recreational users of the river?

EPA states that TMDL monitoring is not needed when other controls will lead to meeting water quality standards within a reasonable period of time.

Please define what constitutes a 'reasonable period' of time in this

context.

Has ADEQ established a schedule with targets or requirements that must be met showing that WQS are improving under the watch of BBRAC? If so, will you make this schedule available to the public?

Lastly, is ADEQ aware of any similar voluntary, un-funded watershed groups or committees whose efforts have resulted in the measurable improved water quality of an impaired waterway in Arkansas or any other state?

Thank you for your attention.

I look forward to receiving your reply and response to the above questions.

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