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Wednesday, April 5, 2017

Water-Draft-Permit-Comment@adeq.state.ar.us

Katherine McWilliams
Office of Water Quality
Arkansas Department of Environmental Quality
5301 Northshore Drive
North little Rock, Arkansas 72118

RE: Draft No-Discharge Permit 5264-W

Friends of the North Fork and White Rivers (FOR), a nonprofit watershed organization dedicated to clean, healthy waters in the middle section of the White River watershed, opposes the issuance of the Draft Permit under Regulation 5, for the storage and land application of waste from C&H Hog Farms.

Big Creek is the fifth largest tributary of the Buffalo National River (BNR) and comprises 8% of the total drainage area. Karst hydrogeology is present throughout the Big Creek Valley. The base flow of the BNR in low flow seasons primarily comes from groundwater in its watershed.

The original Regulation 6 General Permit that was issued to the hog farm did not require karst-specific scientific methods of investigating the hydrogeology of the permit site as is required by section 5.402 of Regulation 5. Because this no-discharge (into Waters of the State, which includes groundwater) permit application fails to adequately consider the karst topography of the region in order to avoid degradation of the Big Creek and BNR, the permit should be denied. According to Federal Code, concentrated animal feeding operations (CAFOs) of this size are considered to be point sources of waste discharge. Accordingly, an Individual Permit under Regulation 5 or an Individual NPDES Permit should have been required.

Ample scientific evidence exists through studies of the Arkansas Game and Fish Commission, the National Park Service, the United States Geological Survey, the Big Creek Research Extension Team, and a team of scientists led by Dr. Van Brahana that significant degradation of the water quality of Big Creek and BNR has occurred since the beginning of the C & H Hog Farm. Issuance of this permit violates the Clean Water Act's anti-degradation policy. The draft Permit does not insure the water quality of the BNR, an Outstanding National Resource Water, will be maintained.

The requirement of the ADEQ to have only one test drill site to prove no contamination of groundwater or karst risk at the two storage ponds was not a scientifically valid investigation. It is unethical for the ADEQ to portray to the public that this was the case. Much of ADEQ's action regarding the permitting of the hog farm, from the beginning steps, have only served to erode the public's confidence in the agency that is charged with protecting the state's waters.

Thank you for your consideration of these comments on the Draft Permit 5264-W.

Sincerely,

Sam D. Cooke

Sam D. Cooke

President, Friends of the North Fork and White Rivers

Friends of the North Fork and White Rivers is an Arkansas 501(c)(3) non-profit organization devoted to creating an ongoing dialogue where individuals, groups, and government agencies can work together to conserve, restore and enhance these beautiful rivers.

From: [Jane Darr](#)
To: [Water Draft Permit Comment](#)
Cc: [Jane Darr](#); [Sam Cooke](#)
Subject: RE: Draft No-Discharge Permit 5264-W
Date: Wednesday, April 05, 2017 7:45:06 AM
Attachments: [FriendsComments4.6.17C&H.doc](#)

Ms. McWilliams – attached are comments from Friends of the North Fork and White Rivers – President Sam D. Cooke.

Always we appreciate acknowledgement of receipt. Jane Darr.