



Asa Hutchinson
Governor
Stacy Hurst
Secretary

March 31, 2022

Mr. Alan J. York
Associate Director, Office of Water Quality
Division of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118

Re: Pulaski County: Roland
Public Comment: ADEQ
Proposed Undertaking: Paradise Valley Subdivision Wastewater Treatment Plant
Discharge Permit Number: AR0053210, AFIN 60-05010

Dear Mr. York:

The staff of the Arkansas Historic Preservation Program (AHPP) is responding to the public notice regarding the draft permit for the proposed Paradise Valley Wastewater Treatment Facility. As is mentioned in the revised permit, there are important archeological sites that have recently been recorded in the area of potential effect (APE) for this proposed facility. By APE, I am referring not just to the footprint of the facility, but also the areas near it that will be affected by the discharge from the plant.

We appreciate the cooperation we have received from your office in conducting a small Phase I cultural resources survey of the facility's footprint and are looking forward to reviewing the report when it is complete. However, we still feel that the impacts to the archeological site could be detrimental. As mentioned in a previous letter from November 2021, the site is very prone to natural flooding and any additional water being released into the unnamed tributary to Mill Bayou will only add to this natural destruction. With the addition of increased discharge is also the concern of what is included in the water that is being removed from the wastewater treatment facility, including chemicals and human waste.

We also suspect that this undertaking should be subject to Section 106 review, as it likely affects Waters of the United States (WOTUS) and therefore should involve the United States Corps of Engineers. If this is the case, we look forward to further reviewing the undertaking and consulting with your office and any other parties involved.

There is still a lot we do not know about this newly recorded archeological site, but we believe it is a sacred Native American site and should be protected from any negative impacts. Again, we appreciate all the communication and cooperation that has taken place between our agencies and look forward to further consultation.

If you have any questions, feel free to contact Jessica Cogburn of my staff at jessica.cogburn@arkansas.gov or (501) 324-9357.

Sincerely,

for
Scott Kaufman
Director, AHPP