Exhibit A

Draft Markup Copy of Regulation No. 2

ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

REGULATION NO. 2

REGULATION ESTABLISHING WATER QUALITY STANDARDS FOR SURFACE WATERS OF THE STATE OF ARKANSAS

~~Adopted by the Arkansas Pollution Control and Ecology Commission on (August 26, 2011)~~

Submitted to the PC&E Commission in February 2013
Initial Draft Markup

Arkansas Pollution Control and Ecology Commission
Regulation No. 2, As Amended

Regulation Establishing Water Quality Standards for Surface Waters of the State of Arkansas

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CHAPTER 1: AUTHORITY, GENERAL PRINCIPLES, AND COVERAGE

Reg. 2.101 Authority

Pursuant to the provisions of SubChapter 2 of the Arkansas Water and Air Pollution Control Act, (Act 472 of the Acts of Arkansas for 1949, as amended; (Ark. Code Ann. § 8-4-101 et seq *et seq.*), and in compliance with the requirements of the Federal Water Pollution Control Act, 33 U.S.C. § 1251 *et seq.*, as amended (hereinafter "Clean Water Act"), the Arkansas Pollution Control and Ecology Commission, (hereinafter referred to as "Commission") hereby promulgates this Rregulation No. 2, as amended, establishing water quality standards for all surface waters, interstate and intrastate, of the State of Arkansas.

Reg. 2.102 Purpose

The water quality standards herein set forth are based upon present, future and potential uses of the surface waters of the State and criteria developed from statistical evaluations of past water quality conditions and a comprehensive study of least-disturbed, ecoregion reference streams. The standards are designed to enhance the quality, value, and beneficial uses of the water resources of the State of Arkansas, to aid in the prevention, control and abatement of water pollution, to provide for the protection and propagation of fish and wildlife and to provide for recreation in and on the water. In establishing these standards, the Commission has taken into consideration the use and value of the streams for public water supplies, commercial, industrial and agricultural uses, aesthetics, recreational purposes, propagation of fish and wildlife, other beneficial uses, and views expressed at public hearings. The State of Arkansas has an exceptionally large volume of high quality water. With few exceptions the streams and lakes of Arkansas contain waters of a quality suitable for all legitimate uses without the necessity of unreasonable water treatment. Where man-made pollution exists, substantial progress has been made in abatement. It is the purpose of these regulations to preserve and protect the quality of this water so that it shall be reasonably available for all beneficial uses and thus promote the social welfare and economic well-being of the people of the State. It is further the purpose of these regulations to designate the uses for which the various waters of the State shall be maintained and protected; to prescribe the water quality standards required to sustain the designated uses; and to prescribe regulations necessary for implementing, achieving and maintaining the prescribed water quality.

Reg. 2.103 Commission Review

The water quality standards herein established will be reviewed by the Commission at least once each three-year period beginning as of October 18, 1972. Revisions may be made to take into account changing technology of waste production, treatment and removal, advances in knowledge of water quality requirements, and other relevant factors.

Reg. 2.104 Policy for Compliance

It shall be the policy of the Arkansas Department of Environmental Quality (hereinafter "Department") to provide, on a case-by-case basis, a reasonable time for an existing ~~facility~~ permittee to comply with new or revised water quality based effluent limits. Consequently, compliance schedules may be included in National Pollutant Discharge Elimination System (NPDES) permits at the time of renewal to require compliance with new water quality standards. Compliance must occur at the earliest practicable time,~~;~~ but not to exceed three years from effective date of permit,~~.~~ unless the permittee is completing site specific criteria development or is under a plan approved by the Department, in accordance with Regs. 2.306, 2.308, and the State of Arkansas Continuing Planning Process.

Reg. 2.105 Environmental Improvement Projects

The Commission may, after consideration of ~~the~~ information provided pursuant to Appendix B and Ark. Code Ann. § 8-5-901 *et seq.*, grant modifications to the General and Specific Standards ~~(Chapters 4 and 5, herein)~~ or establish a subcategory(ies) of use(s) ~~(Reg. 2.307, herein)~~ for completion of long-term Environmental Improvement Projects.~~(EIP), as provided by Act 401 of 1997, codified at A.C.A. § 8-5-901.~~

Reg. 2.106 Definitions

304(a) Guidance: Refers to Section 304(a) of the Clean Water Act, 33 U.S.C. § 1314(a), which requires the U~~.~~nited S~~.~~tates Environmental Protection Agency to publish and periodically update ambient water quality criteria which will be protective of human health and the environment.

Abatement: The reduction in degree or intensity of pollution.

~~**Act**: Clean Water Act, as amended (33 U.S.C. 1251, et. seq.)~~

Acute toxicity: A statistically significant difference (at the 95 percent confidence level) in mortality or immobilization between test organisms and a control measured during a specified period of time which is normally less than 96 hours.

Algae: Simple plants without roots, stems, or leaves ~~which~~ that contain chlorophyll and are capable of photosynthesis.

All ~~F~~flows: Takes into account all flows and data collected throughout the year, including elevated flows due to rainfall events.

Aquatic biota: All those life forms which inhabit the aquatic environment.

Aquatic life: The designated use of a waterbody determined by the fish community and other associated aquatic biota.

Base ~~F~~flows: That portion of the stream discharge that is derived from natural storage (i.e., outflow from groundwater or swamps), or sources other than recent rainfall that creates surface runoff. Also called sustaining, normal, dry weather, ordinary, or groundwater flow.

Bioaccumulation: The process by which a compound is taken up by an aquatic organism, both from water and through food.

Chronic ~~T~~toxicity: A statistically significant difference (at the 95 percent confidence level) in mortality or immobilization, reduced reproduction or limited growth between test organisms and a control measured during a substantial segment of the life span of the test organism.

Commission: The Arkansas Pollution Control and Ecology Commission.

~~Continuing Planning Process (CPP): A document which describes the principal processes of the State's water quality management programs. The CPP is not a regulation.~~

Conventional pollutants: Pursuant to section 304(a)(4) of the Clean Water Act, 33 U.S.C. § 1314(a)(4), includes biochemical oxygen demand (BOD), total suspended solids (nonfilterable) (TSS), pH, fecal coliform, and oil and grease.

Criterion continuous concentration (CCC): An estimate of the highest concentration of a material in ambient water to which an aquatic community can be *exposed indefinitely* without resulting in an unacceptable adverse effect. This is the chronic criterion.

Criterion maximum concentration (CMC): An estimate of the highest concentration of a material in ambient water to which an aquatic community can be *exposed briefly* without resulting in an unacceptable adverse effect. This is the acute criterion.

Critical flows: The flow volume used as background dilution flows in calculating concentrations of pollutants from permitted discharges. These flows may be adjusted for mixing zones. The following critical flows are applicable:

For a seasonal fishery - 1 cubic foot per second (cfs) minus the design flow of any point source discharge (may not be less than zero).

For human health criteria - harmonic mean flow or long term average flow.

For minerals criteria - ~~harmonic mean flow or 4 cfs, except in those waters listed inReg. 2.511. Those waters in Reg. 2.511 which are noted with an asterisk will have a critical flow of 4 cfs. (Also see minerals implementation procedure in CPP)~~

- Reg. 2.511(A)(1) Site specific standards: Q7-10.
- Reg. 2.511(A)(2) Site specific standards: Flow stated in site specific criteria documentation.

- Reg. 2.511(B) Ecoregion Reference Stream Minerals Values: Harmonic mean flow; if no data is available to calculate a harmonic mean flow, permits shall contain a "monitor and report" condition (for a period of time not to exceed three years) until such time as the harmonic mean flow can be determined.
- Reg. 2.511 (C) Domestic Water Supply Criteria: Q7-10.

For ~~all others~~ metals and conventional pollutants: ~~t~~The critical flow will be Q7-10.

(Also see minerals implementation procedure in State of Arkansas Continuing Planning Process).

Critical season: That period of the year when water temperatures exceed 22°C. This is normally the hot, dry season and after the majority of the fish spawning activities have ceased. This season occurs during a different time frame in different parts of the state, but normally exists from about mid-May to mid-September.

Cumulative: Increasing by successive additions.

Department: The Arkansas Department of Environmental Quality ~~(ADEQ)~~ or its successor.

Degradation: The act or process of causing any decrease in quality.

Design ~~F~~flow: A facility discharge flow of process wastewater that is authorized in a NPDES permit.

Designated ~~U~~uses: Those uses specified in the water quality standards for each waterbody or stream segment whether or not they are being attained.

Discharge: A discrete point source of waste or wastewater entering into waters of the State.

Dissolved oxygen (DO): A measure of the concentration of oxygen in solution in a liquid.

Ecoregion: A large area of landscape with relatively homogenous physical, chemical and biological characteristics.

***Escherichia coli*:** A~~a~~ rod shaped gram negative bacillus (0.5 – 3-5 microns) abundant in the large intestines of mammals.

Endemic: Native to and confined to a specific region.

Existing ~~U~~uses: Those uses listed in Section 303(c)(2) of the ~~Act~~ Clean Water Act, 33 U.S.C. § 1313(c)(2) (i.e., public water supplies, propagation of fish and wildlife, recreational uses, agricultural and industrial water supplies, and navigation), which were actually attained in the waterbody on or after November 28, 1975, whether or not they are included in the water quality standards.

Fecal coliform bacteria: Gram-negative nonspore-forming rods that ferment lactose in 24 ± 2 hours at 44.5 ± 0.2°C with the production of gas in a multiple-tube procedure or produce acidity

with blue colonies in a membrane filter procedure. For the purpose of this regulation, the genus *Klebsiella* is not included in this definition.

Fishable/swimmable: Refers to one of the national goals stated in Section 101(a)(2) of the Clean Water Act, 33 U.S.C. § 1251(a)(2) ~~as stated in Section 101(a)(2)~~, "...provides for the protection and propagation of fish, shellfish and wildlife and provides for recreation in and on the water."

~~Fishery: The designated use of a waterbody determined by the fish community and other associated aquatic life.~~

Groundwater: Water below the land surface in a zone of saturation.

Hardness: A measure of the sum of multivalent metallic cations expressed as calcium carbonate ($CaCO_3$).

Harmonic ~~M~~mean ~~F~~flow: ~~The reciprocal of the mean of the reciprocals of daily flow measurements.~~ The number of daily flow measurements divided by the sum of the reciprocals of the daily flows. Long-term flow data should be used for the calculation of harmonic mean flow. If long-term flow data is unavailable, a minimum of twenty-four (24) samples each collected at least thirty (30) days apart is required.

Headwater: ~~The source of a stream~~The upper watershed area where streams generally begin; typically consists of 1st- and 2nd-order streams.

Heavy metals: A general name given to the ions of metallic elements heavier than iron, such as cadmium, lead, mercury, copper, zinc and chromium.

Human ~~H~~health ~~C~~criteria: Levels of toxicants in ambient water which will not manifest adverse health effects in humans.

Hypolimnion: That portion of a thermally stratified lake or reservoir below the zone in which the rate of temperature change is greatest. An area of minimal circulation and mixing.

Impairment: Exceedences of the water quality standards by a frequency and/or magnitude which results in any designated use of a waterbody to fail to be met as a result of physical, chemical or biological conditions.

Indicator species: Species of fish which may not be dominant within a species group and may not be limited to one area of the state, but which, because of their presence, are readily associated with a specific ecoregion. All indicator species need not be present to establish a normal or representative fishery.

Indigenous: Produced, growing or living naturally in a particular region or environment.

Interstate: Of, connecting, or existing between two or more states.

Intrastate: Existing or occurring within a state.

Ionizing radiation: Gamma rays and x-rays; alpha and beta particles, high speed electrons, neutrons, protons and other nuclear particles; but not sound or radio waves, or visible, infrared or ultraviolet light.

Key species: Fishes which are normally the dominant species (except for some ubiquitous species) within the important groups such as fish families or trophic feeding levels. All specified key species need not be present to establish a normal or representative fishery.

Long Tterm Aaverage Fflow: An average annual stream flow based on a period of record which reflects the typical annual variability.

Milligrams per liter (mg/lL): The concentration at which one milligram is contained in a volume of one liter; one milligram per liter is equivalent to one part per million (ppm) at unit density.

Mixing zone: An area where an effluent discharge undergoes mixing with the receiving waterbody. For toxic discharges a zone of initial dilution~~, (ZID)~~ may be allowed within the mixing zone.

Mouth: The point of confluence where a stream enters a larger body of water.

Natural background: Ambient conditions or concentrations of a parameter due to non-anthropogenic sources; natural background does not typically interfere with support of designated uses nor the level of aquatic ~~life~~ biota expected to occur naturally at the site.

Naturally occurring excursions: Temporary deviation from natural background due to natural events such as severe storm events, drought, temperature extremes, etc.

Nephelometric Tturbidity Uunit) (NTU): A measure of turbidity based upon a comparison of the intensity of light scattered by a sample of water under defined conditions with the intensity of light scattered by a standard reference suspension; NTU are considered comparable to the previously reported Jackson Turbidity Units (JTU). May also be reported as Formazin Turbidity Units (FTU) in equivalent units.

Nonpoint source: A contributing factor to water pollution that is not confined to an end-of-the-pipe discharge, i.e., stormwater runoff not regulated under Clean Water Act § 402(p), 33 U.S.C. § 1342(p), agricultural or silvicultural runoff, irrigation return flows, ~~etc.~~ and other sources of diffuse runoff.

~~NTU (Nephelometric Turbidity Unit): A measure of turbidity based upon a comparison of the intensity of light scattered by a sample of water under defined conditions with the intensity of light scattered by a standard reference suspension; NTU are considered comparable to the previously reported JTU (Jackson Turbidity Units). May also be reported as FTU (Formazin Turbidity Units) in equivalent units.~~

Nuisance species: Those organisms capable of interfering with the beneficial use of water.

Nutrient: Any substance assimilated by an organism which promotes growth and replacement of cellular constituents. The usual nutrient components of water pollution are nitrogen, phosphorus and carbon.

Objectionable algal densities: Numbers of total algae which would interfere with a beneficial use.

Persistent: Degraded only slowly by the environment.

pH: The negative logarithm of the effective hydrogen-ion concentration in gram equivalents per liter.

Picocurie: One trillionth (10^{-13}) of a curie which is a unit of quantity of any radioactive nuclide in which 3.7×10^{10} disintegrations occur per second.

Point source: A discharge from a discrete point.

~~Q7-10: A flow volume equal to or less than the lowest mean discharge during 7 consecutive days of a year which, on the average, occurs once every 10 years.~~

Primary season: That period of the year when water temperatures are 22°C or below. This includes the major part of the year from fall through spring, including the spawning season of most fishes. It normally occurs from about mid-September to mid-May.

Primary ~~S~~season ~~C~~critical flow: A flow volume equal to the lowest mean discharge during 7 consecutive days during the period when stream flows increase substantially and water temperatures are cooler and, on the average, occurs once in every 10 years. In streams with watersheds less than 10 mi^2 this flow is one (1) ~~CFS~~cfs minus the design flow of any point source discharge.

Q7-10: A flow volume equal to or less than the lowest mean discharge during 7 consecutive days of a year which, on the average, occurs once every 10 years.

Regulated-flow stream: Those streams restricted by structures which have the ability to control stream flow.

Seasonal ~~fishery~~ aquatic life: The designated ~~fishery~~aquatic life use that occurs in some waterbodies only during the period when stream flows increase substantially and water temperatures are cooler. This is normally during the months of December through May.

State of Arkansas Continuing Planning Process: A document setting forth the principal procedures of the State's water quality management programs, developed pursuant to Section 303(e) of the Clean Water Act, 33 U.S.C. 1313(e), and 40 C.F.R. § 130.5.

Surface water: That water contained on the exterior or upper portion of the earth's surface as opposed to groundwater.

Synergism: Cooperative action of discrete agents such that the total effect is greater than the sum of the effects taken independently.

Total dissolved solids (TDS): The total soluble organic and inorganic material contained in water; includes those materials, both liquid and solid, in solution and otherwise, which pass through a standard glass fiber filter disk and are not volatilized during drying at 180°C.

Trout fishery: Water which is suitable for the growth and survival of trout, usually characterized as high quality water having a maximum summer temperature of 68°F or less.

Use attainability analysis: A structured scientific assessment of the factors affecting the attainment of the fishable/swimmable use which may include physical, chemical, biological and economic factors.

Waterbodies, waterways, waters: In this document, refers to surface waters of the ~~s~~State as described in Act 472.

Water ~~E~~effects ~~R~~ratio (WER): A specific pollutant's acute or chronic value measured from a specific site ambient water, divided by the respective acute or chronic toxicity of the same pollutant in laboratory water.

Zone of ~~I~~initial ~~D~~dilution (ZID): An area within the mixing zone where a toxic effluent discharge initiates mixing in the receiving waterbody. This is an area where acute water quality criteria may be exceeded, but acute toxicity may not occur.

CHAPTER 2: ANTIDEGRADATION POLICY

Reg. 2.201 Existing Uses

Existing instream water uses and the level of water quality necessary to protect the existing uses shall be maintained and protected.

Reg. 2.202 High Quality Waters

Where the quality of the waters exceeds levels necessary to support propagation of fish, shellfish and wildlife and recreation in and on the water, that quality shall be maintained and protected unless the State finds, after full satisfaction of the intergovernmental coordination and public participation provisions of the ~~State's continuing planning process~~ State of Arkansas' Continuing Planning Process, that allowing lower water quality is necessary to accommodate important economic or social development in the area in which the waters are located. In allowing such degradation or lower water quality, the State shall assure water quality adequate to protect existing uses fully. Further, the State shall assure that (1) there shall be achieved the highest statutory and regulatory requirements for all new and existing point sources and (2) that the provisions of the Arkansas Water Quality Management Plan be implemented with regard to nonpoint sources.

Reg. 2.203 Outstanding Resource Waters

Where high quality waters constitute an outstanding state or national resource, such as those waters designated as ~~e~~Extraordinary ~~r~~Resource ~~w~~Waters, ~~e~~Ecologically ~~s~~Sensitive Waterbodies or ~~n~~Natural and ~~s~~Scenic ~~w~~Waterways, those uses and water quality for which the outstanding waterbody was designated shall be protected by (1) water quality controls, (2) maintenance of natural flow regime, (3) protection of instream habitat, and (4) encouragement of land management practices protective of the watershed. It is not the intent of the Extraordinary Resource Waters (ERW) designated use definition to imply that ERW status dictates regulatory authority over private land within the watershed, other than what exists under local, state, or federal law. The Arkansas Natural Resources Commission has responsibility for the regulation of the withdrawal of water from streams and reservoirs, and such withdrawals are not within the jurisdiction of this regulation.

Reg. 2.204 Thermal Discharges

In those cases where potential water quality impairment associated with a thermal discharge is involved, the antidegradation policy and implementing method shall be consistent with Section 316 of the Clean Water Act, 33 U.S.C. § 1326.

CHAPTER 3: WATERBODY USES

Reg. 2.301 Introduction

Substantially all the waters of the State have been designated for specific uses as shown in Appendix A. In those instances where waters are classified for multiple uses and different criteria are specified for each use, the criteria to protect the most sensitive use shall be applicable.

Reg. 2.302 Designated Uses

The designated uses are defined as follows:

(A) Extraordinary Resource Waters - This beneficial use is 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. (For specific listings, refer to Appendices A and D)

(B) Ecologically Sensitive Waterbody - This beneficial use identifies segments known to provide habitat within the existing range of threatened, endangered or endemic species of aquatic or semi-aquatic life forms. (For specific listings, refer to Appendices A and D)

(C) Natural and Scenic Waterways - This beneficial use identifies segments which have been legislatively adopted into a state or federal system. (For specific listings, refer to Appendices A and D)

(D) Primary Contact Recreation - This beneficial use designates waters where full body contact is involved. Any streams with watersheds of greater than 10 mi^2 are designated for full body contact. All streams with watersheds less than 10 mi^2 may be designated for primary contact recreation after site verification.

(E) Secondary Contact Recreation - This beneficial use designates waters where secondary activities like boating, fishing or wading are involved.

(F) ~~Fisheries~~ Aquatic Life - This beneficial use provides for the protection and propagation of fish, shellfish and other forms of aquatic ~~life~~ biota. It is further subdivided into the following subcategories:

(1) Trout - ~~w~~Water which is suitable for the growth and survival of trout (Family: Salmonidae).

(2) Lakes and Reservoirs - ~~w~~Water which is suitable for the protection and propagation of fish and other forms of aquatic ~~life~~ biota adapted to impounded waters. Generally characterized by a dominance of sunfishes such as bluegill or similar species, black basses and crappie. May include substantial

populations of catfishes such as channel, blue and flathead catfish and commercial fishes including carp, buffalo and suckers. Forage fishes are normally shad or various species of minnows. Unique populations of walleye, striped bass and/or trout may also exist.

(3) Streams - ~~w~~Water which is suitable for the protection and propagation of fish and other forms of aquatic ~~life~~ biota adapted to flowing water systems whether or not the flow is perennial.

(a) Ozark Highlands Ecoregion - Streams supporting diverse communities of indigenous or adapted species of fish and other forms of aquatic ~~life~~ biota. Fish communities are characterized by a preponderance of sensitive species and normally dominated by a diverse minnow community followed by sunfishes and darters. The community may be generally characterized by the following fishes:

Key Species	**Indicator Species**
Duskystripe, Bleeding or Cardinal shiner	Banded sculpin
Northern hogsucker	Ozark madtom
Slender madtom	Southern redbelly dace
"Rock" basses	Whitetail shiner
Rainbow and/or Orangethroat darters	Ozark minnow
Smallmouth bass	

(b) Boston Mountains Ecoregion - Streams supporting diverse communities of indigenous or adapted species of fish and other forms of aquatic ~~life~~ biota. Fish communities are characterized by a major proportion of sensitive species; a diverse, often darter-dominated community exists but with nearly equal proportions of minnows and sunfishes. The community may be generally characterized by the following fishes:

Key Species	**Indicator Species**
Bigeye shiner	Shadow bass
Black redhorse	Wedgespot shiner
Slender madtom	Longnose darter
Longear sunfish	Fantail darter
Greenside darter	
Smallmouth bass	

(c) Arkansas River Valley Ecoregion - Streams supporting diverse communities of indigenous or adapted species of fish and other forms of aquatic ~~life~~ biota. Fish communities are characterized by a substantial proportion of sensitive species; a sunfish- and minnow-

dominated community exists but with substantial proportions of darters and catfishes (particularly madtoms). The community may be generally characterized by the following fishes:

Key Species	Indicator Species
Bluntnose minnow	Orangespotted sunfish
Golden redhorse	Blackside darter
Yellow bullhead	Madtoms
Longear sunfish	
Redfin darter	
Spotted bass	

(d) Ouachita Mountains Ecoregion - Streams supporting diverse communities of indigenous or adapted species of fish and other forms of aquatic ~~life~~ biota. The fish community is characterized by a major proportion of sensitive species; a minnow-sunfish-dominated community exists, followed by darters. The community may be generally characterized by the following fishes:

Key Species	Indicator Species
Bigeye shiner	Shadow bass
Northern hogsucker	Gravel chub
Freckled madtom	Northern studfish
Longear sunfish	Striped shiner
Orangebelly darter	
Smallmouth bass	

(e) Typical Gulf Coastal Ecoregion - Streams supporting diverse communities of indigenous or adapted species of fish and other forms of aquatic ~~life~~ biota. Fish communities are characterized by a limited proportion of sensitive species; sunfishes are distinctly dominant followed by darters and minnows. The community may be generally characterized by the following fishes:

Key Species	Indicator Species
Redfin shiner	Pirate perch
Spotted sucker	Flier
Yellow bullhead	Spotted sunfish
Warmouth	Dusky darter
Slough darter	Creek chubsucker
Redfin pickerel	Banded pygmy sunfish

(f) Springwater-influenced Gulf Coastal Ecoregion - Streams supporting diverse communities of indigenous or adapted species of fish and other forms of aquatic ~~life~~ biota. Fish communities are characterized by a

substantial proportion of sensitive species; sunfishes normally dominate the community and are followed by darters and minnows. The community may be generally characterized by the following fishes:

Key Species	**Indicator Species**
Redfin shiner	Pirate perch
Blacktail redhorse	Golden redhorse
Freckled madtom	Spotted bass
Longear sunfish	Scaly sand darter
Creole darter	Striped shiner
Redfin pickerel	Banded pygmy sunfish

(g) Least-altered Delta Ecoregion - Streams supporting diverse communities of indigenous or adapted species of fish and other forms of aquatic ~~life~~ biota. Fish communities are characterized by an insignificant proportion of sensitive species; sunfishes are distinctly dominant followed by minnows. The community may be generally characterized by the following fishes:

Key Species	**Indicator Species**
Ribbon shiner	Pugnose minnow
Smallmouth buffalo	Mosquitofish
Yellow bullhead	Pirate perch
Bluegill	Tadpole madtom
Bluntnose darter	Banded pygmy sunfish
Largemouth bass	

(h) Channel-altered Delta Ecoregion - Streams supporting diverse communities of indigenous or adapted species of fish and other forms of aquatic ~~life~~ biota. Fish communities are characterized by an absence of sensitive species; sunfishes and minnows dominate the population followed by catfishes. The community may be generally characterized by the following fishes:

Key Species	**Indicator Species**
Blacktail shiner	Mosquitofish
Drum	Gizzard shad
Carp	Emerald shiner
Channel catfish	
Green sunfish	
Spotted gar	

(G) Domestic Water Supply - This beneficial use designates water which will be protected for use in public and private water supplies. Conditioning or treatment may be necessary prior to use.

(H) Industrial Water Supply - This beneficial use designates water which will be protected for use as process or cooling water. Quality criteria may vary with the specific type of process involved and the water supply may require prior treatment or conditioning.

(I) Agricultural Water Supply - This beneficial use designates waters which will be protected for irrigation of crops and/or consumption by livestock.

(J) Other Uses - This category of beneficial use is generally used to designate uses not dependent upon water quality, such as hydroelectric power generation and navigation.

Reg. 2.303 Use Attainability Analysis

(A) A use attainability analysis must be conducted to justify the following conditions:

(1) Removing a fishable/swimmable designated use, which is not an existing use, from a waterbody; or

(2) To identify a subcategory of a fishable/swimmable use which requires less stringent criteria.

(B) In order to remove a designated fishable/swimmable use, which is not an existing use, or identify subcategories of a fishable/swimmable use which require less stringent criteria, it must be demonstrated that the designated use is not attainable because:

(1) naturally occurring pollutant concentrations prevent the attainment of the use; or

(2) natural, ephemeral, intermittent or low flow conditions or water levels prevent the attainment of the use, unless these conditions may be compensated for by the discharge of sufficient volume of effluent discharges without violating State water conservation requirements to enable uses to be met; or

(3) human caused conditions or sources of pollution prevent attainment of the use and cannot be remedied or would cause more environmental damage to correct than leave in place; or

(4) dams, diversions or other types of hydrologic modifications preclude the attainment of the use, and it is not feasible to restore the water body to its original condition or to operate such modification in a way that would result in the attainment of the use; or

(5) physical conditions related to the natural features of a water body, such as lack of a proper substrate, cover, flow, depth, pools, riffles, and the like, unrelated to water quality, preclude attainment of aquatic life protection uses; or

(6) controls more stringent than those required by Section 301(b) and 306 of the Clean Water Act would result in substantial and widespread economic and social impact.

The scope of a use attainability analysis shall be in direct proportion to the project involved and the resource value of the receiving stream. Methods for conducting a use attainability analysis may be found in the November 1983 United States Environmental Protection Agency ~~(EPA)~~ publication entitled *Technical Support Manual: Waterbody Surveys and Assessments for Conducting Use Attainability Analyses*. Other scientific methods, including the use of existing technical data, may be used for justifying the removal of a designated use; provided the methods are agreed upon prior to the study. Such other methods may include the use of information previously gathered through technical studies and/or use attainability analysis. Use attainability analysis procedures may be found in the State of Arkansas Continuing Planning Process document ~~(CPP)~~. Any waterbody on which a use attainability analysis is approved shall be so listed in Appendix A with appropriate criteria.

Reg. 2.304 Physical Alteration of Habitat

~~(A) Significant physical alterations of the habitat within extraordinary resource waters, ecologically sensitive waterbodies or natural and scenic waterways are not allowed. For the purposes of this subsection, the Director may determine that a proposed physical alteration of the habitat is not significant if it is demonstrated that:~~

~~(1) the proposed physical alteration of habitat (a) will not impair water quality; (b) will not impair the natural flow regime; and (c) will not impair the habitat of fish, shellfish or other forms of aquatic life; and.~~
~~(2) there is no feasible alternative to the proposed project.~~

~~A request under this subsection for a determination that a proposed physical alteration of habitat is not significant shall be submitted to the Director in accordance with the procedures set forth in Appendix D.~~

~~(B) In other waters, where significant physical alterations of the habitat are proposed, the Department must be assured that no significant degradation of any existing use or water quality necessary to protect that use will occur. In order to make such determinations, the Department may require an evaluation of all practicable alternatives to the project including: an environmental assessment of the impacts of each alternative, an engineering and economic analysis, and a socio-economic evaluation of the project in the local area.~~

Significant physical alterations of the habitat within Extraordinary Resource Waters, Ecologically Sensitive Waterbodies or Natural and Scenic Waterways are not allowed. In other waters, where significant physical alterations of the habitat are proposed, the Department must be assured that no significant degradation of any existing use or water quality necessary to protect that use will occur. In order to make such determinations, the Department may require an evaluation of all practicable alternatives to the project including: an environmental assessment of the impacts of each alternative, an engineering and economic analysis, and a socio-economic evaluation of the project in the local area.

Reg. 2.305 Short Term Activity Authorization

The Director may authorize, with whatever conditions deemed necessary and without public notice, short term activities which might cause a violation of the Arkansas Water Quality Standards. This authorization is subject to the provisions that such activity is essential to the protection or promotion of the public interest and that no permanent or long-term impairment of beneficial uses is likely to result from such activity. Nothing herein shall be intended to supersede existing state and federal permitting processes or requirements.

Activities eligible for authorization include, but are not limited to:

(A) wastewater treatment facility maintenance;

(B) fish eradication projects;

(C) mosquito abatement projects;

(D) algae and weed control projects;

(E) dredge and fill projects;

(F) construction activities; or

(G) activities which result in overall enhancement or maintenance of beneficial uses.

The Director shall specify the degree of variance from the standards, the time limit of activity and restoration procedures where applicable.

Such authorization shall not be granted for activities which result in the adverse impact on any federally threatened or endangered species or on critical habitat of such species.

Reg. 2.306 Procedures for Removal of Any Designated Use Except Fishable/Swimmable, Extraordinary Resource Water, Ecologically Sensitive Waterbody, or Natural and Scenic Waterway, and Modification of Water Quality Criteria not Related to These Uses

This procedure is applicable in those cases where the Commission chooses to establish less stringent water quality criteria without affecting a fishable/swimmable use or the designated use of Extraordinary Resource Water or Ecologically Sensitive Waterbody or Natural and Scenic Waterway, or when the Commission chooses to remove a use which is not an existing use other than fishable/swimmable, Extraordinary Resource Water, Ecologically Sensitive Waterbody, or Natural and Scenic Waterway.

The Commission may allow a modification of the water quality criteria or the removal of a use which is not a fishable/swimmable use or designated use of Extraordinary Resource Water or Ecologically Sensitive Waterbody or Natural and Scenic Waterway to accommodate important economic or social development in a local area, if existing uses are maintained and protected fully and the requirements for public participation in the State of Arkansas Continuing Planning

Process are met. As a minimum, the following information shall be submitted to the Director before initiation of the public participation process:

(A) Technological or economic limits of treatability.

(B) Economic analysis of the impact on the local area.

(C) Documentation that the use being removed is not an existing use and that all other designated uses will be protected.

Modifications made pursuant to this section may be required to be rejustified for continued support. As community water needs change, or technological advancement, including long-term environmental improvement projects, make treatment options more practicable, the Commission may reevaluate the need for the reestablishment of the more stringent water quality criteria or the removed use.

Any waterbody on which such alterations are approved will be so listed in Appendix A with the applicable changes noted.

Reg. 2.307 Use Subcategories

The Commission may adopt sub-categories of a use and set the appropriate criteria to reflect varying needs of such sub-categories of uses; for instance, to differentiate between cold and warm water fisheries or agricultural and domestic water supply.

Reg. 2.308 Site Specific Criteria

In establishing criteria:

(A) Establish numerical criteria values based on:

(1) 304(a) Guidance; or

(2) 304(a) Guidance modified to reflect site conditions ~~[WER]~~(i.e., Water Effects Ratio); or

(3) ~~o~~Other scientifically defensible methods~~;~~.

(B) Establish narrative criteria or criteria based upon biomonitoring methods where numerical criteria cannot be established or to supplement numerical criteria.

Reg. 2.309 Temporary Variance

A temporary variance to the water quality standards may be allowed for an existing permitted discharge facility. The variance will be for specified constituents and shall be no longer than a three year period. A variance must be approved by the Arkansas Pollution Control and Ecology Commission and the U~~.~~nited S~~.~~tates Environmental Protection Agency. A variance will be considered when it is determined that a standard, including designated use, can ultimately be attained or when preliminary evidence indicates that a site specific amendment of the standards

may be appropriate. A variance may be granted only to the applicant and will not apply to other discharges into the specified waterbody.

Reg. 2.310 Procedure for the Removal of the Designated Use of Extraordinary Resource Water, or Ecologically Sensitive Waterbody, or Natural and Scenic Waterway for the Purpose of Constructing a Reservoir on a Free Flowing Waterbody to Provide ~~A~~a Domestic Water Supply.

(A) An ~~e~~Extraordinary ~~r~~Resource ~~w~~Water, ~~e~~Ecologically ~~s~~Sensitive ~~w~~Waterbody, or ~~n~~Natural and ~~s~~Scenic ~~w~~Waterway designated use may be removed from a free flowing waterbody for the purpose of constructing a reservoir to provide a domestic water supply, if it can be demonstrated that:

(1) the sole purpose for the funding and construction of the reservoir is to provide a domestic water supply; and
(2) there is no feasible alternative to constructing a reservoir in order to meet the domestic water needs of the citizens of the State of Arkansas.

The limitation in Subsection A(1) of this section does not prohibit incidental uses of the reservoir that are consistent with the use of domestic water supply.

(B) A petition to initiate rulemaking to remove an Extraordinary Resource Water, Ecologically Sensitive Waterbody, or Natural and Scenic Waterway designated use from a free flowing waterbody in order to construct a reservoir to provide a domestic water supply may be submitted to the Commission by a regional water distribution district, public facilities board, public water authority, or other public entity engaged in providing water to the public. Such petition, at a minimum, shall include:

(1) A map depicting the location of the proposed project and the area to be impounded;
(2) A description of the proposed project, including detailed design plans;
(3) A certification that the proposed structure to impound the free flowing stream shall be funded and constructed solely for the purpose of providing a domestic water supply;
(4) An evaluation of all alternatives to the proposed project, including:
  (i) an environmental assessment of the impacts of each alternative on the instream and downstream water quality, the instream habitat, and the habitat and plant and animal life in the area upstream, downstream, and to be inundated by the proposed project;
  (ii) the costs associated with, and an economic analysis for, each alternative;
  (iii) an engineering analysis for each alternative; and
  (iv) a socio-economic evaluation of the project to the local area and to the State as a whole; and
(5) Information and supporting documentation which address the criteria set forth in Appendix E;
(6) A recommendation to the Commission from the Director on whether or not the designated use should be maintained based upon a review of the information and supporting documentation required to be considered in Appendix E. The Director shall provide the petitioner with the Director's recommendation within 180 days of the

Department's receipt of the petitioner's Appendix E submittal. If the Director does not deliver a recommendation to the petitioner within the 180 day time period, the petitioner may file its petition under this section without including a recommendation from the Director. The Director may submit a recommendation to the Commission at any time not less than 30 days prior to the Commission's final decision on the petition.
(7) A description of any proposed mechanisms for protecting the domestic water supply, including but not limited to prohibitions to be placed on commercial and residential development along the proposed shoreline of the impoundment, the controls to be placed on public access to the water supply, and the legal authority for establishing and maintaining these domestic water supply protections; and
(8) Any other submittals required by Regulation No. 8 for a petition to initiate rulemaking.

(C) The Commission, as part of its rulemaking decision, shall determine whether or not a feasible alternative to constructing a reservoir is available to meet the domestic water needs of the citizens of the State of Arkansas. The Commission shall set forth the reasons for its determination in writing. The designated use of Extraordinary Resource Water, Ecologically Sensitive Waterbody, or Natural and Scenic Waterway shall not be removed by the Commission if a feasible alternative to constructing a reservoir is available to meet the domestic water needs of the citizens of the State of Arkansas.

(D) The Commission, as part of its rulemaking, shall determine whether or not the sole purpose for the funding and construction of the reservoir is to provide a domestic water supply. The Commission shall set forth the reasons for its determination in writing. The designated use of Extraordinary Resource Water, Ecologically Sensitive Waterbody, or Natural and Scenic Waterway shall not be removed by the Commission if the purpose for the funding and construction of the reservoir is other than to provide a domestic water supply. In no circumstance, shall the designated use of Extraordinary Resource Water, Ecologically Sensitive Waterbody, or Natural and Scenic Waterway be removed by the Commission from a free flowing waterbody in order to construct a reservoir for recreational, flood control, or economic purposes other than providing a domestic water supply.

(E) The Commission, as part of its rulemaking decision, shall determine whether or not the designated use of Extraordinary Resource Water, Ecologically Sensitive Waterbody, or Natural and Scenic Waterway of a given waterbody should be maintained. The Commission shall set forth the reasons for its determination in writing, after considering the Director's recommendation referenced in Subsection (B)(6) of this section and reviewing the information and supporting documentation which address the criteria set forth in Appendix E.

Reg. 2.311 Procedure for the Addition of the Designated Use of Extraordinary Resource Water, or Ecologically Sensitive Waterbody, or Natural and Scenic Waterway to a Waterbody or Segment of a Waterbody.

(A) Any waters of the State may be nominated for designation as an Extraordinary Resource Water, Ecologically Sensitive Waterbody, or Natural and Scenic Waterway by submitting a petition to initiate rulemaking to the Arkansas Pollution Control and Ecology Commission. Such petition shall include, at a minimum, the following:

(1) Name of petitioner;
(2) Petitioner's mailing address and telephone number;
(3) Name and location description of the waterbody or segment proposed for designation;
(4) A map depicting the waterbody or segment proposed for designation;
(5) Petitioner's interest in the proposed action;
(6) Statement of potential benefits and impacts of the proposed action, including economic benefits and impacts;
(7) Evidence of requests for resolution(s) by appropriate local government(s) regarding the nomination of the waterbody as an Extraordinary Resource Water, Ecologically Sensitive Waterbody, or Natural and Scenic Waterway;
(8) Supporting documentation for the designation, including information which addresses the factors listed in Appendix F~~, I (A) through (P)~~;
(9) Recommended language change necessary to affect this proposed change to any Commission regulation; and
(10) Any other submittals required by Regulation No. 8 for a petition to initiate rulemaking.

(B) The Commission, as part of its rulemaking, shall set forth in writing the reasons for its final decision.

CHAPTER 4: GENERAL STANDARDS

Reg. 2.401 Applicability

Unless otherwise indicated in this Chapter and in Appendix A, ~~T~~the general standards outlined below are applicable to all surface waters of the State at all times. They apply specifically with regard to substances attributed to discharges, nonpoint sources or instream activities as opposed to natural phenomena. Waters may, on occasion, have natural background levels of certain substances outside the limits established by these criteria, in which case these criteria do not apply.

Reg. 2.402 Nuisance Species

All waters shall be free from substances attributed to man-caused point or nonpoint source discharges in concentrations that produce undesirable aquatic ~~life~~ biota or result in the dominance of nuisance species.

Reg. 2.403 Methods

The methods of sample collection, preservation, measurements and analyses shall be in accordance with the ~~EPA's~~United States Environmental Protection Agency *Guidelines Establishing Test Procedures for the Analysis of Pollutants* (40 C.F.R.~~,~~ Part 136) or other proven methods acceptable to the Department.

Reg. 2.404 Mixing Zones

Mixing zones are allowed for all parameters not specifically excluded in Reg. 2.404 and the effects of wastes on the receiving stream shall be determined after the wastes have been thoroughly mixed with the mixing zone volume. Outfall structures should be designed to minimize the extent of mixing zones to ensure rapid and complete mixing.

For aquatic life toxic substances in larger streams~~,~~ (those with Q7-10 flows equal to or greater than 100 cfs), the zone of mixing shall not exceed 1/4 of the cross-sectional area and/or critical flow volume of the stream. The remaining 3/4 of the stream shall be maintained as a zone of passage for swimming and drifting organisms, and shall remain of such quality that stream ecosystems are not significantly affected. In the smaller streams~~,~~ (Q7-10 flows less than 100 cfs), because of varying local physical and chemical conditions and biological phenomena, a site-specific determination shall be made on the percentage of river width necessary to allow passage of critical free-swimming and drifting organisms so that negligible or no effects are produced on their populations. As a guideline, no more than 2/3 of the cross-sectional area and/or critical flow volume of smaller streams should be devoted to mixing zones thus leaving at least 1/3 of the cross-sectional area free as a zone of passage.

Mixing zones are not allowed for the parameters of bacteria, pH (except as specified in 40 C.F.R. § 133.102(c)), or oil and grease, or where the background flow is less than the critical flow or where the background concentration of a waste parameter exceeds the specific criteria for that waste parameter.

In lakes and reservoirs the size of mixing zones shall be defined by the Department on an individual basis, and the area shall be kept at a minimum.

Mixing zones shall not prevent the free passage of fish or significantly affect aquatic ecosystems. Careful consideration will be given to the appropriateness of a mixing zone where a substance discharged is bioaccumulative, persistent, carcinogenic, mutagenic, or teratogenic.

A mixing zone shall not apply to any public or private domestic water supply intake or public water supply well.

~~A mixing zone shall not include any domestic water supply intake.~~

Reg. 2.405 Biological Integrity

For all waters with specific ~~fisheries~~ aquatic life use designated in Appendix A, aquatic biota should not be impacted. Aquatic biota should be representative of streams that have the ability to support the designated fishery, taking into consideration the seasonal and natural variability of the aquatic biota community under naturally varying habitat and hydrological conditions; the technical and economic feasibility of the options available to address the relevant conditions; and other factors.

An aquatic biota assessment should compare biota communities that are similar in ~~variety~~ habitat and ~~abundance~~ hydrologic condition, based upon either an in-stream study including an upstream and downstream comparison, a comparison to a reference water body within the same ecoregion, or a comparison to community characteristics from a composite of reference waters. ~~The reference stream should have similar habitat and hydrologic conditions.~~ Such a comparison should consider the seasonal and natural variability of the aquatic biota community. It is the responsibility of the Department to ~~collect and~~ evaluate the data for an aquatic biota assessment ~~and such data will not be used to develop or impose permit limits~~ when appropriate to protect aquatic life uses designated in Appendix A. Such data may be used to develop permit effluent limitations or conditions.

Reg. 2.406 Color

True color shall not be increased in any waters to the extent that it will interfere with present or projected future uses of these waters.

Reg. 2.407 Taste and Odor

Taste and odor producing substances shall be limited in receiving waters to concentrations that will not interfere with the production of potable water by reasonable water treatment processes, or impart unpalatable flavor to food, fish or result in offensive odors arising from the waters or otherwise interfere with the reasonable use of the water.

Reg. 2.408 Solids, Floating Material and Deposits

Receiving waters shall have no distinctly visible solids, scum or foam of a persistent nature, nor shall there be any formation of slime, bottom deposits or sludge banks.

Reg. 2.409 Toxic Substances

Discharges shall not be allowed into any waterbody which, after consideration of the zone of initial dilution, the mixing zone and critical flow conditions, will cause toxicity to human, animal, plant or aquatic ~~life~~biota or interfere with normal propagation, growth, and survival of aquatic biota.

Reg. 2.410 Oil and Grease

Oil, grease or petrochemical substances shall not be present in receiving waters to the extent that they produce globules or other residue or any visible, colored film on the surface or coat the banks and/or bottoms of the waterbody or adversely affect any of the associated biota.

CHAPTER 5: SPECIFIC STANDARDS

Reg. 2.501 Applicability

Unless otherwise indicated in this Chapter and in Appendix A, ~~T~~the following specific standards shall apply to all surface waters of the state at all times except during periods when flows are less than the applicable critical flow. Streams with regulated flow will be addressed on a case-by-case basis to maintain designated instream uses. These standards apply outside the applicable mixing zone. Waters may, on occasion, have natural background levels of certain substances outside the limits established by these criteria, in which case these criteria do not apply to the naturally occurring excursions.

Reg. 2.502 Temperature

Heat shall not be added to any waterbody in excess of the amount that will elevate the natural temperature, outside the mixing zone, by more than 5 °F (2.8 °C) based upon the monthly average of the maximum daily temperatures measured at mid-depth or three feet (whichever is less) in streams, lakes or reservoirs. Maximum allowable temperatures from man-induced causes in the following waters are:

Waterbodies	**Limit °C (°F)**
Streams	
Ozark Highlands	29 (84.2)
Boston Mountains	31 (87.8)
Arkansas River Valley	31 (87.8)
Ouachita Mountains	30 (86.0)
Springwater-influenced Gulf Coastal	30 (86.0)
Typical Gulf Coastal	30 (86.0)
Least-Altered Delta	30 (86.0)
Channel-Altered Delta	32 (89.6)
White River (Dam #1 to mouth)	32 (89.6)
St. Francis River	32 (89.6)
Mississippi River	32 (89.6)
Arkansas River	32 (89.6)
Ouachita River (L. Missouri R.to Louisiana state line)	32 (89.6)
Red River	32 (89.6)
Lakes and Reservoirs (applicable at 1.0 meter depth)	32 (89.6)
Trout waters	20 (68.0)

Temperature requirements shall not apply to off-stream privately-owned reservoirs constructed primarily for industrial cooling purposes and financed in whole or in part by the entity or successor entity using the lake for cooling purposes.

Reg. 2.503 Turbidity

There shall be no distinctly visible increase in turbidity of receiving waters attributable to municipal, industrial, agricultural, other waste discharges or instream activities. Specifically, in no case shall any such waste discharge or instream activity cause turbidity values to exceed the base flows values listed below. Additionally, the non-point source runoff shall not result in the exceedance of the in stream all flows values in more than 20% of the ~~ADEQ~~ Department ~~ambient~~ monitoring network samples taken in not less than 24 monthly samples.

Waterbodies	Base Flows Values (NTU)	All Flows Values (NTU)
Streams		
Ozark Highlands	10	17
Boston Mountains	10	19
Arkansas River Valley	21	40
Ouachita Mountains	10	18
Springwater-influenced Gulf Coastal	21	32
Typical Gulf Coastal	21	32
Least-Altered Delta	45	84
Channel-Altered Delta	75	250
Arkansas River	50	52
Mississippi River	50	75
Red River	50	150
St. Francis River	75	100
Trout	10	15
Lakes and Reservoirs (applicable at 1.0 meter depth)	25	45

Reg. 2.504 pH

pH between 6.0 and 9.0 standard units are the applicable standards for streams. For lakes, the standards are applicable at 1.0 meter depth. As a result of waste discharges, the pH of water in streams or lakes must not fluctuate in excess of 1.0 standard unit over a period of 24 hours. No mixing zones are allowed for pH (except as specified in 40 C.F.R. § 133.201(c)).

Reg. 2.505 Dissolved Oxygen

Rivers and Streams

The following dissolved oxygen standards are applicable:

Waterbodies	**Criteria (mg/L)**	
Streams	Primary	Critical
Ozark Highlands		
<10 mi^2 watershed	6	2
10 to 100 mi^2	6	5
>100 mi^2 watershed	6	6
Boston Mountains		
<10 mi^2 watershed	6	2
>10 mi^2 watershed	6	6
Arkansas River Valley		
<10 mi^2 watershed	5	2
10 mi^2 to 150 mi^2	5	3
151 mi^2 to 400 mi^2	5	4
>400 mi^2 watershed	5	5
Ouachita Mountains		
<10 mi^2 watershed	6	2
>10 mi^2 watershed	6	6
Typical Gulf Coastal		
<10 mi^2 watershed	5	2
10 mi^2 to 500 mi^2	5	3
>500 mi^2 watershed	5	5
Springwater-influenced Gulf Coastal		
All size watersheds	6	5
Delta (least-altered and channel altered)		
<10 mi^2 watershed	5	2
10 mi^2 to 100 mi^2	5	3
>100 mi^2 watershed	5	5
Trout Waters		
All size watersheds	6	6

In streams with watersheds of less than 10 mi^2, it is assumed that insufficient water exists to support ~~a~~ ~~fishery~~ aquatic life during the critical season. During this time, a ~~D.O.~~dissolved

oxygen standard of 2 mg/~~l~~L will apply to prevent nuisance conditions. However, field verification is required in areas suspected of having significant groundwater flows or enduring pools which may support unique aquatic biota. In such waters the critical season standard for the next size category of stream shall apply.

All streams with watersheds of less than 10 mi^2 are expected to support ~~a~~ ~~fishery~~ aquatic life during the primary season when stream flows, including discharges, equal or exceed 1 cubic foot per second ~~(CFS)~~(cfs). ~~h~~However, when site verification indicates that ~~a~~ ~~fishery~~ aquatic life exists at flows below 1 ~~CFS~~cfs, such ~~fishery~~ aquatic biota will be protected by the primary standard (Refer to the State of Arkansas Continuing Planning Process for field verification requirements).

Also, in these streams with watersheds of less than 10 mi^2, where waste discharges are 1 ~~CFS~~cfs or more, they are assumed to provide sufficient water to support ~~a~~ ~~fishery~~ aquatic life and, therefore, must meet the dissolved oxygen standards of the next size category of streams.

For purposes of determining effluent discharge limits, the following conditions shall apply:

(A) The primary season dissolved oxygen standard is to be met at a water temperature of 22°C (71.5°F) and at the minimum stream flow for that season. At water temperatures of 10°C (50°F), the dissolved oxygen standard is 6.5 mg/~~l~~L.

(B) During March, April and May, when background stream flows are 15 ~~CFS~~cfs or higher, the ~~D.O.~~dissolved oxygen standard is 6.5 mg/~~l~~L in all areas except the Delta Ecoregion, where the primary season ~~D.O.~~dissolved oxygen standard will remain at 5 mg/~~l~~L.

(C) The critical season dissolved oxygen standard is to be met at maximum allowable water temperatures and at Q7-10 flows. However, when water temperatures exceed 22°C (71.6°F), a 1 mg/~~l~~L diurnal depression will be allowed below the applicable critical standard for no more than 8 hours during any 24-hour period.

~~The following dissolved oxygen standards must be met:~~

~~**Waterbodies**~~	~~**Limit (mg/l)**~~	
~~**Streams**~~	~~Primary~~	~~Critical~~
~~Ozark Highlands~~		
~~<10 mi^2 watershed~~	~~6~~	~~2~~
~~10 to 100 mi^2~~	~~6~~	~~5~~
~~>100 mi^2 watershed~~	~~6~~	~~6~~
~~Boston Mountains~~		
~~<10 mi^2 watershed~~	~~6~~	~~2~~
~~>10 mi^2 watershed~~	~~6~~	~~6~~
~~Arkansas River Valley~~		
~~<10 mi^2 watershed~~	~~5~~	~~2~~

Waterbodies	Limit (mg/l)	
10 mi^2 to 150 mi^2	5	3
151 mi^2 to 400 mi^2	5	4
>400 mi^2 watershed	5	5
Ouachita Mountains		
<10 mi^2 watershed	6	2
>10 mi^2 watershed	6	6
Typical Gulf Coastal		
<10 mi^2 watershed	5	2
10 mi^2 to 500 mi^2	5	3
>500 mi^2 watershed	5	5
Springwater-influenced Gulf Coastal		
All size watersheds	6	5
Delta (least-altered and channel-altered)		
<10 mi^2 watershed	5	2
10 mi^2 to 100 mi^2	5	3
>100 mi^2 watershed	5	5
Trout Waters		
All size watersheds	6	6

Lakes and Reservoirs

Specific dissolved oxygen standards for lakes and reservoirs shall be 5 mg/~~l~~L applicable at 1.0 meter depth. Effluent limits for oxygen-demanding discharges into impounded waters are promulgated in ~~Regulation 6 of the Arkansas Pollution Control and Ecology Commission~~ Arkansas Pollution Control and Ecology Commission Regulation 6, Regulations for State Administration of the National Pollutant Discharge Elimination System (NPDES). However, the Commission may, after full satisfaction of the intergovernmental coordination and public participation provisions of the ~~state's~~ State of Arkansas ~~c~~Continuing ~~p~~Planning ~~p~~Process, establish alternative limits for dissolved oxygen in lakes and reservoirs where studies and other relevant information can demonstrate that predominant ecosystem conditions may be more accurately reflected by such alternate limits; provided that these limits shall be compatible with all designated beneficial uses of named lakes and reservoirs.

Reg. 2.506 Radioactivity

The Rules and Regulations for the Control of Sources of Ionizing Radiation of the Division of Radiological Health, Arkansas Department of Health, limits the maximum permissible levels of radiation that may be present in effluents to surface waters in uncontrollable areas. These limits shall apply for the purposes of these standards, except that in no case shall the levels of dissolved

radium-226 and strontium-90 exceed 3 and 10 picocuries/liter, respectively, in the receiving water after mixing, nor shall the gross beta concentration exceed 1000 picocuries/liter.

Reg. 2.507 Bacteria

~~The Arkansas Department of Health has the responsibility of approving or disapproving surface waters for public water supply and of approving or disapproving the suitability of specifically delineated outdoor bathing places for body contact recreation, and it has issued rules and regulations pertaining to such uses.~~

~~For the purposes of this regulation, all streams with watersheds less than 10 mi^2 shall not be designated for primary contact unless and until site verification indicates that such use is attainable. No mixing zones are allowed for discharges of bacteria.~~

(A) ~~Primary Contact Waters - Between May 1 and September 30, the maximum allowable fecal coliform criteria, calculated as a geometric mean, shall be 200 col/100 ml and the single-sample maximum shall be 400 col/100 ml. Alternatively, in these waters, the maximum allowable *Escherichia coli* criteria, calculated as a geometric mean, shall be 126 col/100 ml and the single-sample maximum shall be 298 col/100 ml in lakes, reservoirs, Extraordinary Resource Waters ("ERW"), Ecologically Sensitive Waterbodies ("ESW"), and Natural and Scenic Waterways ("NSW") or 410 col/100 ml in all other rivers and streams. During the remainder of the calendar year, these criteria may be exceeded, but at no time shall these counts exceed the level necessary to support secondary contact recreation (below).~~

(B) ~~Secondary Contact Waters – The maximum allowable fecal coliform criteria, calculated as a geometric mean, shall be 1000 col/100 ml and the single-sample maximum shall be 2000 col/100 ml. Alternatively, the maximum allowable *E. coli* criteria, calculated as a geometric mean, shall be 630 col/100 ml and the single-sample maximum shall be 1490 col/100 ml for lakes, reservoirs, ERWs, ESWs, and NSWs or 2050 col/100 ml for all other rivers and streams.~~

(C) ~~For assessment of ambient waters as impaired by bacteria, the above listed applicable values for *E. coli* shall not be exceeded in more than 25% of samples in no less than eight (8) samples taken during the primary contact season or during the secondary contact season.~~

For the purposes of this regulation, all streams with watersheds less than 10 mi^2 shall not be designated for primary contact unless and until site verification indicates that such use is attainable. No mixing zones are allowed for discharges of bacteria.

For assessment of ambient waters, at least eight (8) data points must be taken during the primary contact season or during the secondary contact season.

The following standards are applicable:

Contact Recreation Seasons	**Limit (col/100mL)**			
Primary Contact*	*E. coli*		Fecal Coliform	
	IS[1]	*GM*[2]	*IS*[1]	*GM*[2]
ERW, ESW, NSW, Reservoirs, Lakes (applicable at 1.0 meter depth)	298	126	400	200
All Other Waters	410	-	400	200
Secondary Contact**				
ERW, ESW, NSW, Reservoirs, Lakes (applicable at 1.0 meter depth)	1490	630	2000	1000
All Other Waters	2050	-	2000	1000

1 – Individual Sample Criteria
2 – Geometric Mean – Calculated on a minimum of five samples spaced evenly and within a thirty-day period.
* - May 1 to September 30
** - October 1 to April 30

The Arkansas Department of Health has the responsibility of approving or disapproving surface waters for public water supply and of approving or disapproving the suitability of specifically delineated outdoor bathing places for body contact recreation, and it has issued rules and regulations pertaining to such uses.

Reg. 2.508 Toxic Substances

~~Toxic substances shall not be present in receiving waters, after mixing, in such quantities as to be toxic to human, animal, plant or aquatic life or to interfere with the normal propagation, growth and survival of the indigenous aquatic biota~~. The following standards for toxic substances in receiving waters, after mixing, represent the concentrations that will not be toxic to human, animal, plant, or aquatic biota, or will not interfere with the normal propagation, growth, and survival of the indigenous aquatic biota. Acute toxicity standards ~~may not be exceeded~~ apply outside the zone of initial dilution ~~(ZID)~~. Within the ~~ZID~~zone of initial dilution acute toxicity standards may be exceeded but acute toxicity may not occur. Chronic toxicity and chronic numeric toxicity standards ~~shall not be exceeded~~ apply at, or beyond, the edge of the mixing zone. Permitting of all toxic substances shall be in accordance with the toxic implementation strategy found in the State of Arkansas Continuing Planning Process. For non-permit issues and as a guideline for evaluating toxic substances not listed in the following tables, the Department may consider No Observed Effect Concentrations ~~(NOECs)~~ or other literature values as appropriate. For the substances listed below, the following standards shall apply:

ALL WATERBODIES - AQUATIC LIFE CRITERIA

Substance	Acute Values (µg/~~l~~L) ~~(Never to Exceed)~~	Chronic Values (µg/~~l~~L) (24-hr Average)
PCBs		0.0140
Aldrin	3.0	
Dieldrin	2.5	0.0019
DDT (& metabolites)	1.1	0.0010
Endrin*	0.18	0.0023
Toxaphene	0.73	0.0002
Chlordane	2.4	0.0043
Endosulfan*	0.22	0.056
Heptachlor	0.52	0.0038
Hexachlorocyclohexane*	2.0	0.080
Pentachlorophenol	$e^{[1.005(pH)-4.869]}$	$e^{[1.005(pH)-5.134]}$
Chlorpyrifos	0.083	0.041

* Total of all isomers

DISSOLVED METALS *

Substance	Acute Criteria (CMC) - µg/L(ppb) Formula	X	Conversion	Chronic Criteria (CCC) - ug/L(ppb) Formula	X	Conversion
Cadmium	$e^{[1.128(lnhardness)]-3.828}$		(a)	$e^{[0.7852(lnhardness)]-3.490}$		(c)
Chromium(III)	$e^{[0.819(lnhardness)]+3.688}$		0.316	$e^{[0.8190(lnhardness)]+1.561}$		0.860
Chromium (VI)	16		0.982	11		0.962
Copper	$e^{[0..9422(lnhardness)]-1.464}$		0.960	$e^{[0.8545(lnhardness)]-1.465}$		0.960
Lead	$e^{[1.273(lnhardness)]-1.460}$		(b)	$e^{[1.273(lnhardness)]-4.705}$		(b)
Mercury**†	2.4		0.85	0.012**		NONE
Nickel	$e^{[0.8460(lnhardness)]+3.3612}$		0.998	$e^{[0.8460(lnhardness)]+1.1645}$		0.997

Substance	Acute Criteria (CMC) - µg/L(ppb) Formula	X	Conversion	Chronic Criteria (CCC) - ug/L(ppb) Formula	X	Conversion
Selenium**	20		NONE	5		NONE
Silver	$e^{[1.72(\ln hardness)]-6.52}$		0.85	----------		NONE
Zinc	$e^{[0.8473(\ln hardness)]+0.8604}$		0.978	$e^{[0.8473(\ln hardness)]+0.7614}$		0.986
Cyanide**	22.36		NONE	5.2		NONE

*These values may be adjusted by a site specific Water Effects Ratio (WER) as defined in 40 CFR Part 131.36 (c).

(a) Calculated as: 1.136672 - [(ln hardness)(0.041838)]

(b) Calculated as: 1.46203 - [(ln hardness)(0.145712)]

(c) Calculated as: 1.101672 - [(ln hardness)(0.041838)]

**Expressed as total recoverable. ~~Mercury based on bioaccumulation of residues in aquatic organisms, rather than toxicity.~~

‡Mercury based on bioaccumulation of residues in aquatic organisms.

ALL WATERBODIES - HUMAN HEALTH CRITERIA

Substance	Criteria (ng/~~l~~L~~)~~*
Dioxin (2,3,7,8 TCDD)	0.001
Chlordane	5.0
PCBs (polychlorinated biphenyls)	0.4
alpha Hexachlorocyclohexane	37.3
Beryllium	4000**
Dieldrin	1.2
Toxaphene	6.3

* Criteria based on a lifetime risk factor of 10^{-5}.

** 4000 ng/~~l~~L is also represented as 4.0 ug/~~l~~L, which is the ~~M~~maximum contaminant level ~~(MCL)~~ under the ~~EPA~~ Safe Drinking Water Act, ~~[~~42 U.S.C. ~~s/s~~§ 300f ~~et seq~~ *et seq*. ~~(1974)]~~

The permittee shall have the option to develop site-specific numerical standards for toxic substances using ~~EPA~~United States Environmental Protection Agency approved bioassay methodology and guidance. Such guidance may include but may not be limited to *Water Quality Standards Handbook*; *Guidelines for Deriving Numerical National Water Quality Criteria for the Protection of Aquatic Organisms and Their Uses* (August, 1994); *Methods for Measuring the*

Acute Toxicity of Effluents to Freshwater and Marine Organisms (EPA 600/4-90/027F. 5th ed. December 2002); *Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms* (EPA/600/4-91/002. 4th ed. October 2002) or most recent update thereof.

Only ambient water quality data for dissolved metals generated or approved by ~~ADEQ~~ the Department after March 1, 1993 will be considered in the documentation of background concentrations for the purpose of developing permit limitations.

Reg. 2.509 Nutrients

(A) Materials stimulating algal growth shall not be present in concentrations sufficient to cause objectionable algal densities or other nuisance aquatic vegetation or otherwise impair any designated use of the waterbody. Impairment of a waterbody from excess nutrients ~~are~~is dependent on the natural waterbody characteristics such as stream flow, residence time, stream slope, substrate type, canopy, riparian vegetation, primary use of waterbody, season of the year and ecoregion water chemistry. Because nutrient water column concentrations do not always correlate directly with stream impairments, impairments will be assessed by a combination of factors such as water clarity, periphyton or phytoplankton production, dissolved oxygen values, dissolved oxygen saturation, diurnal dissolved oxygen fluctuations, pH values, aquatic-life community structure and possibly others. However, when excess nutrients result in an impairment, based upon Department assessment methodology, by any Arkansas established~~,~~ numeric water quality standard, the waterbody will be determined to be impaired by nutrients.

(B) Site Specific Nutrient Standards

Lake	Chlorophyll a (ug/L)**	Secchi Transparency (m)***
Beaver Lake*	8	1.1

*These standards are for measurement at the Hickory Creek site over the old thalweg, below the confluence of War Eagle Creek and the White River in Beaver Lake.
**Growing season geometric mean (May - October)
***Annual Average

~~All point source discharges into the watershed of waters officially listed on Arkansas' impaired waterbody list (303d) with phosphorus as the major cause shall have monthly average discharge permit limits no greater than those listed below. Additionally, waters in nutrient surplus watersheds as determined by Act 1061 of 2003 Regular Session of the Arkansas 84th General Assembly and subsequently designated nutrient surplus watersheds may be included under this Reg. if point source discharges are shown to provide a significant phosphorus contribution to waters within the listed nutrient surplus watersheds.~~

Facility Design Flow – mgd	Total Phosphorus discharge limit – mg/L
= or > 15	Case by case
3 to <15	1.0
1 to <3	2.0
0.5 to <1.0	5.0
<0.5	Case by Case

For discharges from point sources which are greater than 15 mgd, reduction of phosphorus below 1 mg/L may be required based on the magnitude of the phosphorus load (mass) and the type of downstream waterbodies (e.g., reservoirs, Extraordinary Resource Waters). Additionally, any discharge limits listed above may be further reduced if it is determined that these values are causing impairments to special waters such as domestic water supplies, lakes or reservoirs or Extraordinary Resource Waters.

Reg. 2.510 Oil and Grease

Oil, grease or petrochemical substances shall not be present in receiving waters to the extent that they produce globules or other residue or any visible, colored film on the surface, or coat the banks and/or bottoms of the watercourses or adversely affect any of the associated biota. As a guideline, oil and grease shall not exceed 10 mg/l average or 15 mg/l maximum when discharging to surface waters. Oil and grease shall be an average of no more than 10 mg/L or a maximum of 15 mg/L when discharging to surface waters. No mixing zones are allowed for discharges of oil and grease.

Reg. 2.511 Mineral Quality

(A) Site Specific Mineral Quality Criteria

Mineral quality shall not be altered by municipal, industrial, other waste discharges or instream activities so as to interfere with designated uses. The following limits criteria apply to the streams indicated., and represent the monthly average concentrations of chloride (Cl^-), sulfate ($SO_4^=$) and total dissolved solids (TDS).

Stream	Concentration mg/L		
	Cl^-	$SO_4^=$	TDS
Arkansas River Basin			
Arkansas River (Mouth to L&D #7Murray Lock and Dam [L&D #7])	250	100	500
Bayou Meto (Rocky Branch to Bayou Two Prairie)	64*	ER	ER
Bayou Meto (mouth to Bayou Two Prairie Pulaski/Lonoke county line)	95**	45**	ER
Bayou Two Prairie (mouth to Rickey Branch)	95**	45**	ER
Bayou Two Prairie (Pulaski/Lonoke county line to Northern boundary of Smoke Hole Natural Area	95**	45**	ER
Bayou Two Prairie (Southern boundary of Smoke Hole Natural Area to Mouth)	95**	45**	ER
Rocky Branch Creek	64*	ER	ER

Stream	Concentration mg/L		
	Cl^-	$SO_4^=$	TDS
Little Fourche Creek (Willow Springs Branch to Fourche Creek)	ER	ER	179
Willow Springs Branch (McGeorge Creek to Little Fourche Creek)	ER	112	247
McGeorge Creek (headwaters to Willow Springs Branch)	ER	250	432
Arkansas River (L&D #7 Murray Lock and Dam [L&D #7] to L&D #10 Dardanelle Lock and Dam [L&D #10])	250	100	500
Cadron Creek	20	20	100
Arkansas River (L&D #10 Dardanelle Lock and Dam [L&D #10] to Oklahoma state line, including Dardanelle Reservoir)	250	120	500
James Fork	20	100	275
Illinois River	20	20	300
Poteau River from Business US Hwy 71 to Oklahoma Sstate line	120	60	500
Unnamed trib at Waldron	150	70	660
White River Basin			
White River (Mouth to Dam #3)	20	60	430
Big Creek	20	30	270
Unnamed trib from Frit Ind.	ER	48*	ER
Cache River	20	30	270
Big Creek Ditch to Bayou DeView	20	30	270
Bayou DeView (from Mouth to AR Hwy 14)	48	37.3	411.3
Bayou DeView (from AR Hwy 14 to Whistle Ditch)	48	38	411.3
Big Creek (from Whistle Ditch to mouth of Unnamed trib)	58	49	ER
Unnamed trib to Big Creek	71	60	453
Lost Creek Ditch	20	30	270
Little Red River (including Greers Ferry Reservoir)	20	30	100
Black River	20	30	270
Strawberry River	20	30	270
Spring River	20	30	290
Eleven Point River	20	30	270
Stennitt Creek from Brushy Creek to Spring River	ER	ER	456*
South Fork Spring River	20	30	270
Myatt Creek	20	30	270
Current River	20	30	270
White River (Dam #3 to Missouri state line, including Bull Shoals Reservoir)	20	20	180
Buffalo River	20	20	200
Crooked Creek	20	20	200
White River (Missouri state line to headwaters, including Beaver Reservoir)	20	20	160

Stream	Concentration mg/L		
	Cl^-	$SO_4^=$	TDS
Kings River	20	20	150
West Fork White River	20	20	150
St. Francis River Basin			
St. Francis River (Mouth to 36° N. Lat.)	10	30	330
L'Anguille River	20	30	235
Tyronza River (headwaters to Ditch No. 6 confluence)	20	30	350
Ditch No. 27	ER	480	1200
Ditch No. 6 (mouth to Ditch No. 27 confluence)	ER	210	630
Tyronza River (mouth to Ditch No. 6 confluence)	20	60	350
Little River	20	30	365
Pemiscot Bayou	20	30	380
St. Francis River (36° N. Lat. to 36° 30' N. Lat.)	10	20	180
Ouachita River Basin			
Bayou Bartholomew	50	20	500
Chemin-A-Haut Creek	50	20	500
Overflow Creek	20	30	170
Bayou Macon	30	40	330
Boeuf River	90	30	460
Big Cornie Creek	230	30	500
Little Cornie Creek	200	10	400
Three Creeks	250	10	500
Little Cornie Bayou	200	20	500
Unnamed trib from GLCC 003	538*	35*	519*
Unnamed trib to Little Cornie Bayou	305*	ER	325*
Little Cornie Bayou from unnamed trib to State Line	215*	25*	500*
Walker Branch	180*	ER	970*
Gum Creek	104*	ER	311*
Bayou de L'Outre above Gum Creek	250	90	500
Bayou de L'Outre below Gum Creek	250	90	750
Ouachita River (Louisiana state line to Camden)	160	40	350
Saline River	20	40	120
Saline River east bifurcation at Holly Creek	ER	250	500
Hurricane Cr above Hurricane Lake Dam	20	250	500
Hurricane Cr from Hurricane Lk. Dam to Ben Ball BrdgBridge	125	730	1210
Hurricane Cr from Ben Ball Bridge to US Hwy.270	125	700	1200
Hurricane CRr from Hwy 270 to Saline River	100	500	1000
Alcoa unnamed tribs to Hurricane Cr.	125	700	1100
Dry Lost Creek and tribs	ER	560	880
Lost Creek to Little Lost Creek	ER	510	820
Lost Creek below Little Lost Creek	ER	300	550
Holly Creek	30	860	1600

Stream	Concentration mg/L		
	Cl^-	$SO_4^=$	TDS
Moro Creek	30	20	260
Smackover Creek	250	30	500
Unnamed trib A to Flat Creek from mouth of EDCC 001 ditch to confluence with Flat Creek	16*	80*	315*
Confluence with unnamed trib A to Flat Creek	23*	125*	475*
Bayou de L'Outre Creek above Loutre Creek	180	ER	970
Unnamed trib UT004 from GLCC	014*	ER	311*
Unnamed trib UT002 from GLCC	278*	90*	500*
Loutre Creek- from Hwy 15 South to the confluence of Bayou de Loutre	256*	997*	1756*
Bayou de Loutre – from Loutre Creek to the discharge for the City of El Dorado - South facility	264*	635*	1236*
Bayou de Loutre – from the discharge for the City of El Dorado-South downstream to the mouth of Gum Creek	250*	431*	966*
Bayou de Loutre – from the mouth of Gum Creek downstream to the mouth of Boggy Creek	250*	345*	780*
Boggy Creek – from the discharge for Clean Harbors El Dorado LLC to the confluence of Bayou de Loutre	631*	63*	1360*
Bayou de Loutre- from the mouth of Boggy Creek downstream to the mouth of Hibank Creek	250*	296*	750*
Bayou de Loutre – from the mouth of Hibank Creek downstream to the mouth of Mill Creek	250*	263*	750*
Bayou de Loutre – from the mouth of Mill Creek downstream to the mouth of Buckaloo Branch	250*	237*	750*
Bayou de Loutre- from the mouth of Buckaloo Branch downstream to the mouth of Bear Creek	250*	216*	750*
Bayou de Loutre – from the mouth of Bear Creek downstream to the final segment of Bayou de Loutre	250*	198*	750*
Bayou de Loutre (Final segment) – from the mouth of Bear Creek to the Arkansas/Louisiana State Line	250*	171*	750*
Ouachita River (Camden to Carpenter Dam)	50	40	150
Town Creek below Acme tributary	ER	200	700
Unnamed trib from Acme	ER	330	830
Little Missouri River	10	90	180
Muddy Fork Little Missouri	ER	250	500
Bluff Creek and unnamed trib.	ER	651*	1033*
Garland Creek	250	250	500
South Fork Caddo	ER	60	128
Back Valley Creek	ER	250	500
Wilson Creek from its mouth upstream approx. 1.7 miles at the UMETCO property line	56	250	500
Ouachita River (Carpenter Dam to Headwaters, including Lake Ouachita tributaries)	10	10	100

Stream	Concentration mg/L		
	Cl^-	$SO_4^=$	TDS
Red River Basin			
Bayou Dorcheat	100	16*	250
Albemarle unnamed trib (AUT) to Horsehead Creek	137*	ER	383*
Horsehead Creek from AUT to mouth	85*	ER	260*
Cypress Creek	250	70	500
Crooked Creek	250	10	500
Dismukes Creek	26	ER	157
Big Creek from Dismukes to Bayou Dorcheat	20	ER	200
Bois d'Arc Creek from Caney Creek to Red River	113*	283*	420*
Caney Creek	113*	283*	420*
Bodcau Creek	250	70	500
Poston Bayou	120	40	500
Kelley Bayou	90	40	500
Red River from Oklahoma to confluence with Little River	250	200	850
Red River from Little River to Louisiana	250	200	500
Sulphur River	120	100	500
Days Creek	250	250	500
McKinney Bayou	180	60	480
Little River	20	20	100
Saline River	20	10	90
Mine Creek from Hwy 27 to Millwood Lake	90	65	700
Cossatot River	10	15	70
Upper Rolling Fork	20	20	100
Rolling Fork from unnamed trib A to DeQueen Lake	130	70	670
Unnamed tribs A and A1 at Grannis	135	70	700
Mountain Fork	20	20	110
Mississippi River (Louisiana state line to Arkansas River)	60	150	425
Mississippi River (Arkansas River to Missouri state line)	60	175	450

ER - ecoregion standard
* based on critical background flow of 4 cfs
** These limits shall apply to all tributaries of Bayou Meto and Bayou Two Prairie listed in Appendix A Any modification of these values must be made in accordance with Reg. 2.306.

Table 2.511(A)(1) – [Site specific minerals criteria developed by ADEQ]

Stream	Concentration-mg/L		
	Cl^-	$SO_4^=$	TDS
Arkansas River Basin			
Arkansas River (Mouth to ~~L&D #7~~Murray Lock and Dam [L&D #7])	250	100	500
Arkansas River (~~L&D #7~~ Murray Lock and Dam [L&D #7] to ~~L&D #10~~Dardanelle Lock and Dam [L&D #10])	250	100	500
Cadron Creek	20	20	100
Arkansas River (~~L&D #10~~Dardanelle Lock and Dam [L&D #10] to Oklahoma state line, including Dardanelle Reservoir)	250	120	500
James Fork	20	100	275
Illinois River	20	20	300
White River Basin			
White River (Mouth to Dam #3)	20	60	430
Big Creek	20	30	270
Cache River	20	30	270
Big Creek Ditch to Bayou DeView	20	30	270
Lost Creek Ditch	20	30	270
Little Red River (including Greers Ferry Reservoir)	20	30	100
Black River	20	30	270
Strawberry River	20	30	270
Spring River	20	30	290
Eleven Point River	20	30	270
South Fork Spring River	20	30	270
Myatt Creek	20	30	270
Current River	20	30	270
White River (Dam #3 to Missouri state line, including Bull Shoals Reservoir)	20	20	180
Buffalo River	20	20	200
Crooked Creek	20	20	200
White River (Missouri state line to headwaters, including Beaver Reservoir)	20	20	160
Kings River	20	20	150
West Fork White River	20	20	150
St. Francis River Basin			
St. Francis River (Mouth to 36° N. Lat.)	10	30	330
L'Anguille River	20	30	235

Stream	Concentration-mg/L		
Tyronza River (headwaters to Ditch No. 6 confluence)	20	30	350
Tyronza River (mouth to Ditch No. 6 confluence)	20	-	350
Little River	20	30	365
Pemiscot Bayou	20	30	380
St. Francis River (36° N. Lat. to 36° 30' N. Lat.)	10	20	180
Ouachita River Basin			
Bayou Bartholomew	50	20	500
Chemin-A-Haut Creek	50	20	500
Overflow Creek	20	30	170
Bayou Macon	30	40	330
Boeuf River	90	30	460
Big Cornie Creek	230	30	500
Little Cornie Creek	200	10	400
Three Creeks	250	10	500
Little Cornie Bayou	200	20	500
Ouachita River (Louisiana state line to Camden)	160	40	350
Saline River	20	40	120
Hurricane Cr above Hurricane Lake Dam	20	250	500
Moro Creek	30	20	260
Smackover Creek	250	30	500
Ouachita River (Camden to Carpenter Dam)	50	40	150
Ouachita River (Carpenter Dam to Headwaters, including Lake Ouachita tributaries)	10	10	100
South Fork Caddo	ER	-	128
Red River Basin			
Cypress Creek	250	70	500
Crooked Creek	250	10	500
Bodcau Creek	250	70	500
Poston Bayou	120	40	500
Kelley Bayou	90	40	500
Red River from Oklahoma state line to confluence with Little River	250	200	-
Red River from Little River to Louisiana state line	250	200	500
Sulphur River	120	100	500
Days Creek	250	250	500
McKinney Bayou	180	60	480
Little River	20	20	100

Stream			
	Concentration-mg/L		
Saline River	20	10	90
Cossatot River	10	15	70
Upper Rolling Fork	20	20	100
Mountain Fork	20	20	110
Mississippi River (Louisiana state line to Arkansas River)	60	150	425
Mississippi River (Arkansas River to Missouri state line)	60	175	450

Table 2.511(A)(2) – [Site specific minerals criteria developed by a third party**]**

Stream	Concentration-mg/L		
	Cl^-	$SO_4^=$	TDS
Arkansas River Basin			
Bayou Meto (Rocky Branch to Bayou Two Prairie)	64*	ER	ER
Bayou Meto (mouth to ~~Bayou Two Prairie~~ Pulaski/Lonoke county line)	95**	45**	ER
~~Bayou Two Prairie (mouth to Rickey Branch)~~	~~95**~~	~~45**~~	~~ER~~
Bayou Two Prairie (Pulaski/Lonoke county line to Northern boundary of Smoke Hole Natural Area	95**	45**	ER
Bayou Two Prairie (Southern boundary of Smoke Hole Natural Area to Mouth)	95**	45**	ER
Rocky Branch Creek	64*	ER	ER
Little Fourche Creek (Willow Springs Branch to Fourche Creek)	ER	ER	179
Willow Springs Branch (McGeorge Creek to Little Fourche Creek)	ER	112	247
McGeorge Creek (headwaters to Willow Springs Branch)	ER	250	432
Poteau River from Business US Hwy 71 to Oklahoma ~~S~~state line	120	60	500
Unnamed trib at Waldron	150	70	660
White River Basin			
Unnamed trib from Frit Ind.	ER	48*	ER
Bayou DeView (from Mouth to AR Hwy 14)	48	37.3	411.3
Bayou DeView (from AR Hwy 14 to Whistle Ditch)	48	38	411.3
Big Creek (from Whistle Ditch to mouth of Unnamed trib)	58	49	ER
Unnamed trib to Big Creek	71	60	453
Stennitt Creek from Brushy Creek to	ER	ER	456*

Stream		Concentration-mg/L	
Spring River			
St. Francis River Basin			
Ditch No. 27	ER	480	1200
Ditch No. 6 (mouth to Ditch No. 27 confluence)	ER	210	630
Tyronza River (mouth to Ditch No. 6 confluence)	-	60	-
Ouachita River Basin			
Walker Branch	180*	ER	970*
Gum Creek	104*	ER	311*
Bayou de L'Outre above Gum Creek	250	90	500
Bayou de L'Outre below Gum Creek	250	90	750
Saline River east bifurcation at Holly Creek	ER	250	500
Hurricane Cr from Hurricane Lk. Dam to Ben Ball ~~Brdg~~Bridge	125	730	1210
Hurricane Cr from Ben Ball Bridge to US Hwy.270	125	700	1200
Hurricane C~~R~~r from Hwy 270 to Saline River	100	500	1000
Alcoa unnamed tribs to Hurricane Cr~~.~~	125	700	1100
Dry Lost Creek and tribs	ER	560	880
Lost Creek to Little Lost Creek	ER	510	820
Lost Creek below Little Lost Creek	ER	300	550
Holly Creek	30	860	1600
Boggy Creek - from the discharge for Clean Harbors El Dorado LLC to the confluence of Bayou de Loutre	631*	63*	1360*
Town Creek below Acme tributary	ER	200	700
Unnamed trib from Acme	ER	330	830
Little Missouri River	10	90	180
Muddy Fork Little Missouri	ER	250	500
Bluff Creek and unnamed trib.	ER	651*	1033*
Garland Creek	250	250	500
South Fork Caddo	-	60	-
Back Valley Creek	ER	250	500
Wilson Creek from its mouth upstream approx. 1.7 miles at the UMETCO property line	56	250	500
Red River Basin			
Bayou Dorcheat	100	16*	250
Albemarle unnamed trib (AUT) to Horsehead Creek	137*	ER	383*
Horsehead Creek from AUT to mouth	85*	ER	260*
Dismukes Creek	26	ER	157
Big Creek from Dismukes to Bayou Dorcheat	20	ER	200
Bois d'Arc Creek from Caney Creek to Red River	113*	283*	420*

Stream	Concentration-mg/L		
Caney Creek	113*	283*	420*
Mine Creek from Hwy 27 to Millwood Lake	90	65	700
Red River from Oklahoma state line to confluence with Little River	-	-	850
Rolling Fork from unnamed trib A to DeQueen Lake	130	70	670
Unnamed tribs A and A1 at Grannis	135	70	700

ER - ecoregion standard

(B) Ecoregion Reference Stream Minerals Values

The following values determined were derived from Arkansas' least-disturbed ecoregion reference streams and are considered to be the maximum naturally occurring levels values. For waterbodies not listed in Reg. 2.511(A)(1) and (A)(2) above, any discharge which results in instream concentrations, after mixing, more than 1/3 higher than these values for chlorides (Cl^-) and sulfates ($SO_4^{=2}$) or more than 15 mg/lL, whichever is greater, is considered to be a significant modification of the water quality maximum naturally occurring values. These waterbodies should be considered as candidates for a modification in accordance with Regs. 2.306 and 2.308. Similarly, such modification exists should be considered if the following TDS values are exceeded after being increased by the sum of the increases to Cl and SO_4. Such modifications may be made only in accordance with Regs. 2.306., and 2.308. The values listed in the table below are not intended to be, nor will be, used by the Department to evaluate attainment of the water quality standards.

CALCULATED ECOREGION REFERENCE STREAM VALUES (mg/lL)

Ecoregion	Chlorides (Cl^-)	Sulfates (SO_4^{2})	TDS
Ozark Highlands	17.3 13	22.717	250 240
Boston Mountains	17.3 13	15 9	95.3 85
Arkansas River Valley	15 10	17.3 13	112.3 103
Ouachita Mountains	15 6	20 15	142 128
Gulf Coastal Plains	18.7 14	41.3 31	138 123
Delta	4836	37.3 28	411.3 390

(C) Domestic Water Supply Criteria

In no case shall discharges cause concentrations in any waterbody to exceed 250, 250 and 500 mg/L of chlorides, sulfates and total dissolved solids, respectively, or cause concentrations to exceed the applicable limits criteria in the streams to which they are a tributary, except in accordance with Regs. 2.306 and 2.308.

Reg. 2.512 Ammonia

The ~~T~~total ammonia nitrogen (N) criteria ~~shall not exceed those values~~ and the frequency of occurrence ~~established in the following tables~~ are as follows:

(A) The one-hour average concentration of total ammonia nitrogen shall not exceed, more than once every three years on the average, the acute criterion as shown in the following table:

pH-Dependent Values of the CMC (Acute Criterion)- mg/L

pH	Salmonids* Present	Salmonids Absent
6.5	32.6	48.8
6.6	31.3	46.8
6.7	29.8	44.6
6.8	28.1	42.0
6.9	26.2	39.1
7.0	24.1	36.1
7.1	22.0	32.8
7.2	19.7	29.5
7.3	17.5	26.2
7.4	15.4	23.0
7.5	13.3	19.9
7.6	11.4	17.0
7.7	9.65	14.4
7.8	8.11	12.1
7.9	6.77	10.1
8.0	5.62	8.40
8.1	4.64	6.95
8.2	3.83	5.72
8.3	3.15	4.71
8.4	2.59	3.88
8.5	2.14	3.20
8.6	1.77	2.65
8.7	1.47	2.20
8.8	1.23	1.84
8.9	1.04	1.56
9.0	0.885	1.32

* Family of fishes which includes trout

(B) The thirty-day average concentration of total ammonia nitrogen shall not exceed those values shown as the chronic criterion in the following tables:

Temperature and pH-Dependent Values of the CCC (Chronic Criterion) for Fish Early Life Stages Present – mg/L

	Temperature, °C									
pH	**0**	**14**	**16**	**18**	**20**	**22**	**24**	**26**	**28**	**30**
6.5	6.67	6.67	6.06	5.33	4.68	4.12	3.62	3.18	2.80	2.46
6.6	6.57	6.57	5.97	5.25	4.61	4.05	3.56	3.13	2.75	2.42
6.7	6.44	6.44	5.86	5.15	4.52	3.98	3.50	3.07	2.70	2.37
6.8	6.29	6.29	5.72	5.03	4.42	3.89	3.42	3.00	2.64	2.32
6.9	6.12	6.12	5.56	4.89	4.30	3.78	3.32	2.92	2.57	2.25
7.0	5.91	5.91	5.37	4.72	4.15	3.65	3.21	2.82	2.48	2.18
7.1	5.67	5.67	5.15	4.53	3.98	3.50	3.08	2.70	2.38	2.09
7.2	5.39	5.39	4.90	4.31	3.78	3.33	2.92	2.57	2.26	1.99
7.3	5.08	5.08	4.61	4.06	3.57	3.13	2.76	2.42	2.13	1.87
7.4	4.73	4.73	4.30	3.78	3.32	2.92	2.57	2.26	1.98	1.74
7.5	4.36	4.36	3.97	3.49	3.06	2.69	2.37	2.08	1.83	1.61
7.6	3.98	3.98	3.61	3.18	2.79	2.45	2.16	1.90	1.67	1.47
7.7	3.58	3.58	3.25	2.86	2.51	2.21	1.94	1.71	1.50	1.32
7.8	3.18	3.18	2.89	2.54	2.23	1.96	1.73	1.52	1.33	1.17
7.9	2.80	2.80	2.54	2.24	1.96	1.73	1.52	1.33	1.17	1.03
8.0	2.43	2.43	2.21	1.94	1.71	1.50	1.32	1.16	1.02	0.897
8.1	2.10	2.10	1.91	1.68	1.47	1.29	1.14	1.00	0.879	0.773
8.2	1.79	1.79	1.63	1.43	1.26	1.11	0.973	0.855	0.752	0.661
8.3	1.52	1.52	1.39	1.22	1.07	0.941	0.827	0.727	0.639	0.562
8.4	1.29	1.29	1.17	1.03	0.906	0.796	0.700	0.615	0.541	0.475
8.5	1.09	1.09	0.990	0.870	0.765	0.672	0.591	0.520	0.457	0.401
8.6	0.920	0.920	0.836	0.735	0.646	0.568	0.499	0.439	0.386	0.339
8.7	0.778	0.778	0.707	0.622	0.547	0.480	0.422	0.371	0.326	0.287
8.8	0.661	0.661	0.601	0.528	0.464	0.408	0.359	0.315	0.277	0.244
8.9	0.565	0.565	0.513	0.451	0.397	0.349	0.306	0.269	0.237	0.208
9.0	0.486	0.486	0.442	0.389	0.342	0.300	0.264	0.232	0.204	0.179

Temperature and pH-Dependent Values of the CCC (Chronic Criterion)

for Fish Early Life Stages Absent – mg/L

	Temperature~~,~~ °C									
pH	**0-7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**15***	**16***
6.5	10.8	10.1	9.51	8.92	8.36	7.84	7.35	6.89	6.46	6.06
6.6	10.7	9.99	9.37	8.79	8.24	7.72	7.24	6.79	6.36	5.97
6.7	10.5	9.81	9.20	8.62	8.08	7.58	7.11	6.66	6.25	5.86
6.8	10.2	9.58	8.98	8.42	7.90	7.40	6.94	6.51	6.10	5.72
6.9	9.93	9.31	8.73	8.19	7.68	7.20	6.75	6.33	5.93	5.56
7.0	9.60	9.00	8.43	7.91	7.41	6.95	6.52	6.11	5.73	5.37
7.1	9.20	8.63	8.09	7.58	7.11	6.67	6.25	5.86	5.49	5.15
7.2	8.75	8.20	7.69	7.21	6.76	6.34	5.94	5.57	5.22	4.90
7.3	8.24	7.73	7.25	6.79	6.37	5.97	5.60	5.25	4.92	4.61
7.4	7.69	7.21	6.76	6.33	5.94	5.57	5.22	4.89	4.59	4.30
7.5	7.09	6.64	6.23	5.84	5.48	5.13	4.81	4.51	4.23	3.97
7.6	6.46	6.05	5.67	5.32	4.99	4.68	4.38	4.11	3.85	3.61
7.7	5.81	5.45	5.11	4.79	4.49	4.21	3.95	3.70	3.47	3.25
7.8	5.17	4.84	4.54	4.26	3.99	3.74	3.51	3.29	3.09	2.89
7.9	4.54	4.26	3.99	3.74	3.51	3.29	3.09	2.89	2.71	2.54
8.0	3.95	3.70	3.47	3.26	3.05	2.86	2.68	2.52	2.36	2.21
8.1	3.41	3.19	2.99	2.81	2.63	2.47	2.31	2.17	2.03	1.91
8.2	2.91	2.73	2.56	2.40	2.25	2.11	1.98	1.85	1.74	1.63
8.3	2.47	2.32	2.18	2.04	1.91	1.79	1.68	1.58	1.48	1.39
8.4	2.09	1.96	1.84	1.73	1.62	1.52	1.42	1.33	1.25	1.17
8.5	1.77	1.66	1.55	1.46	1.37	1.28	1.20	1.13	1.06	0.990
8.6	1.49	1.40	1.31	1.23	1.15	1.08	1.01	0.951	0.892	0.836
8.7	1.26	1.18	1.11	1.04	0.976	0.915	0.858	0.805	0.754	0.707
8.8	1.07	1.01	0.944	0.885	0.829	0.778	0.729	0.684	0.641	0.601
8.9	0.917	0.860	0.806	0.756	0.709	0.664	0.623	0.584	0.548	0.513
9.0	0.790	0.740	0.694	0.651	0.610	0.572	0.536	0.503	0.471	0.442

* At 15^{o} C and above, the criterion for fish ~~ELS~~ Early Life Stage absent is the same as the criterion for fish ~~ELS~~ Early Life Stage present.

(C) The highest four-day average within a 30-day period should not exceed 2.5 times the chronic values shown above.

(D) For permitted discharges, the daily maximum or ~~7~~seven-day average permit limit shall be calculated using the four-day average value described above as an instream value, after mixing and based on a season when fish early life stages are present and a season when fish early life stages are absent. Temperature values used will be 14^{o} C when fish early life stages are absent and the ecoregion temperature standard for the season when fish early life stages are present. The pH values will be the ecoregion mean value from least-disturbed stream data.

CHAPTER 6: EFFECTIVE DATE

This regulation is effective ten (10) days after filing with the Secretary of State, The State Library, and the Bureau of Legislative Research.

ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

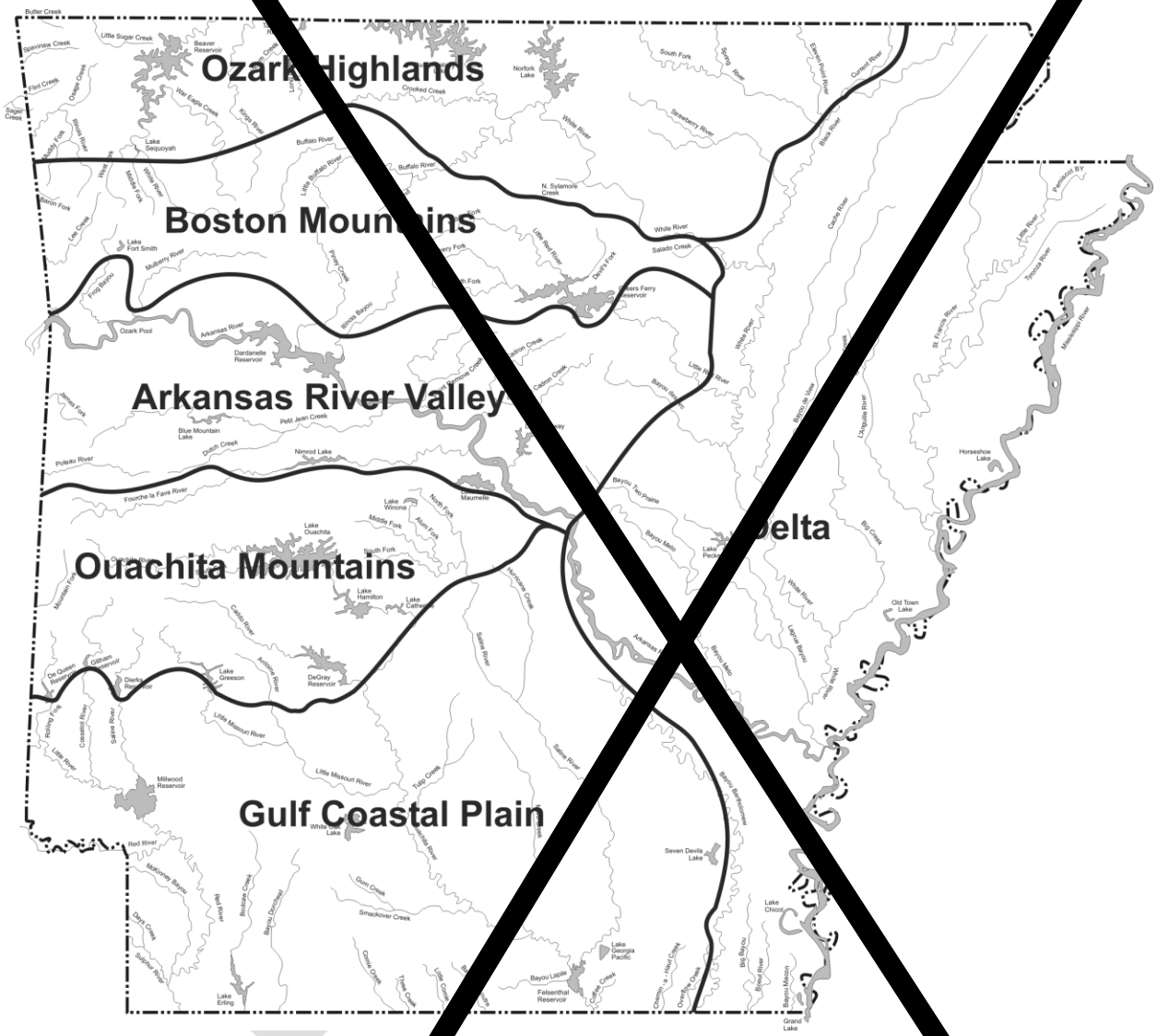
REGULATION NO. 2

APPENDIX A

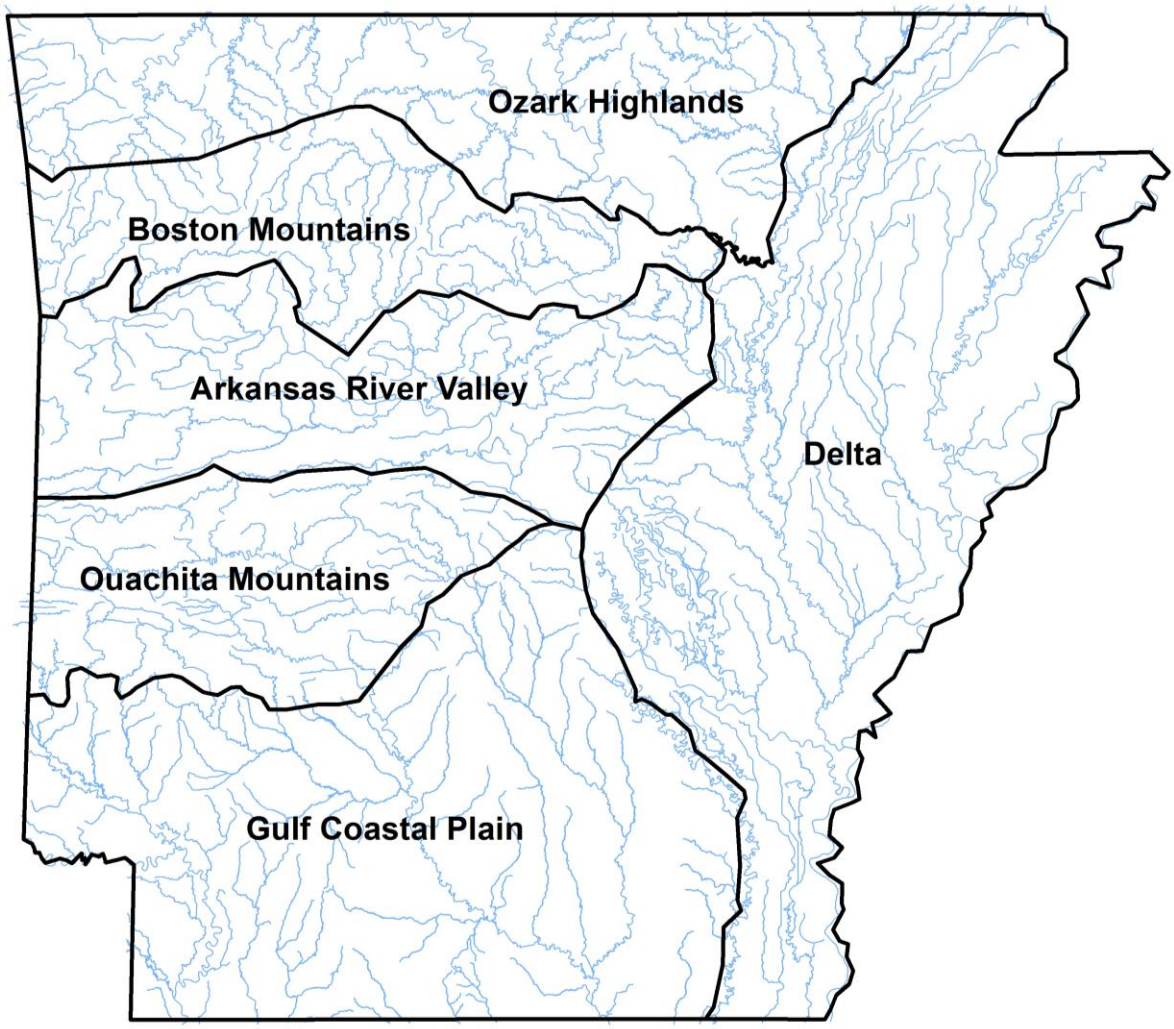
Designated Uses, Specific Standards and Maps of Waters of the State by Ecoregions

~~**(September 24, 2010)**~~

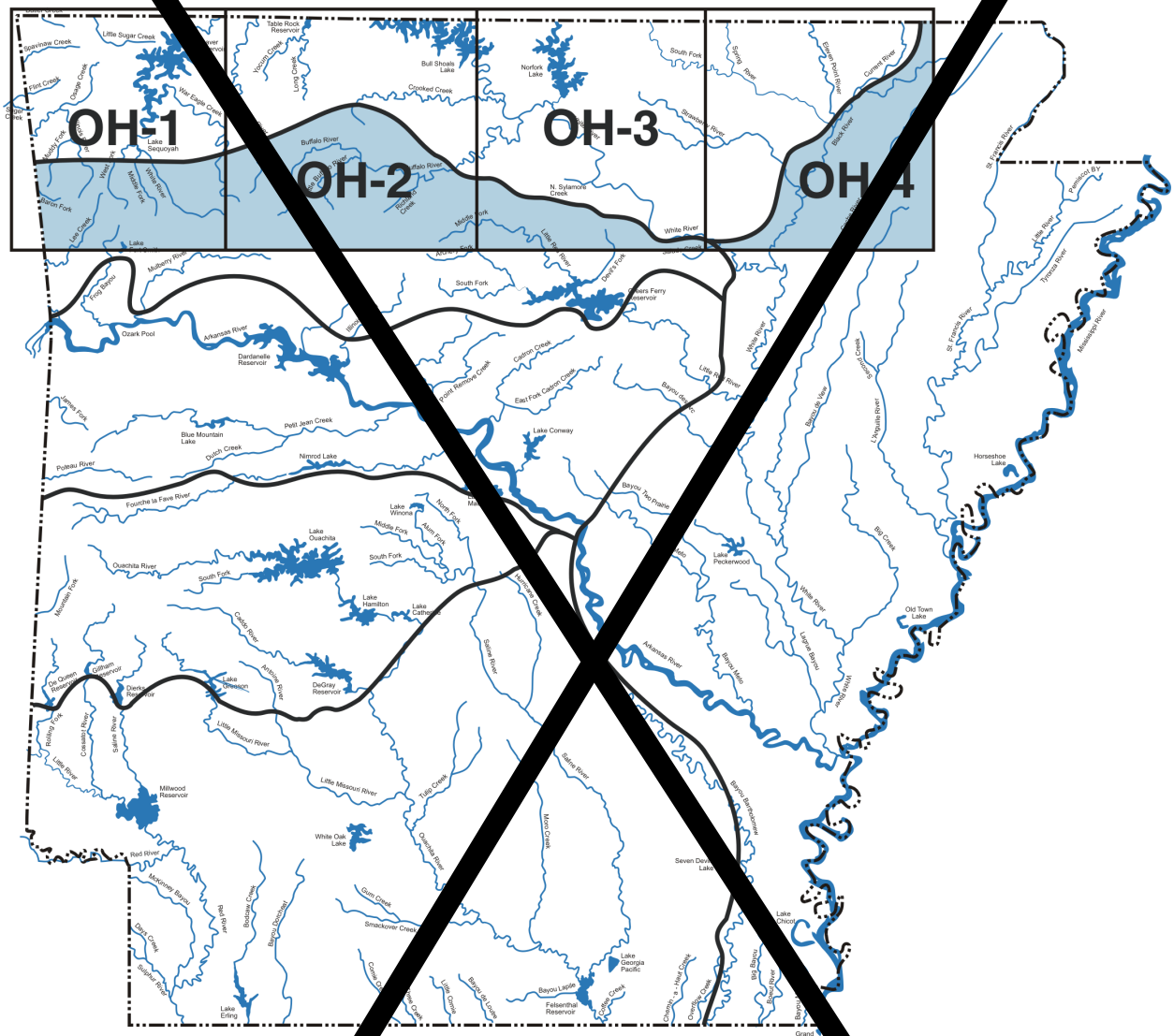
APPENDIX A: MAP OF ECOREGIONS OF ARKANSAS



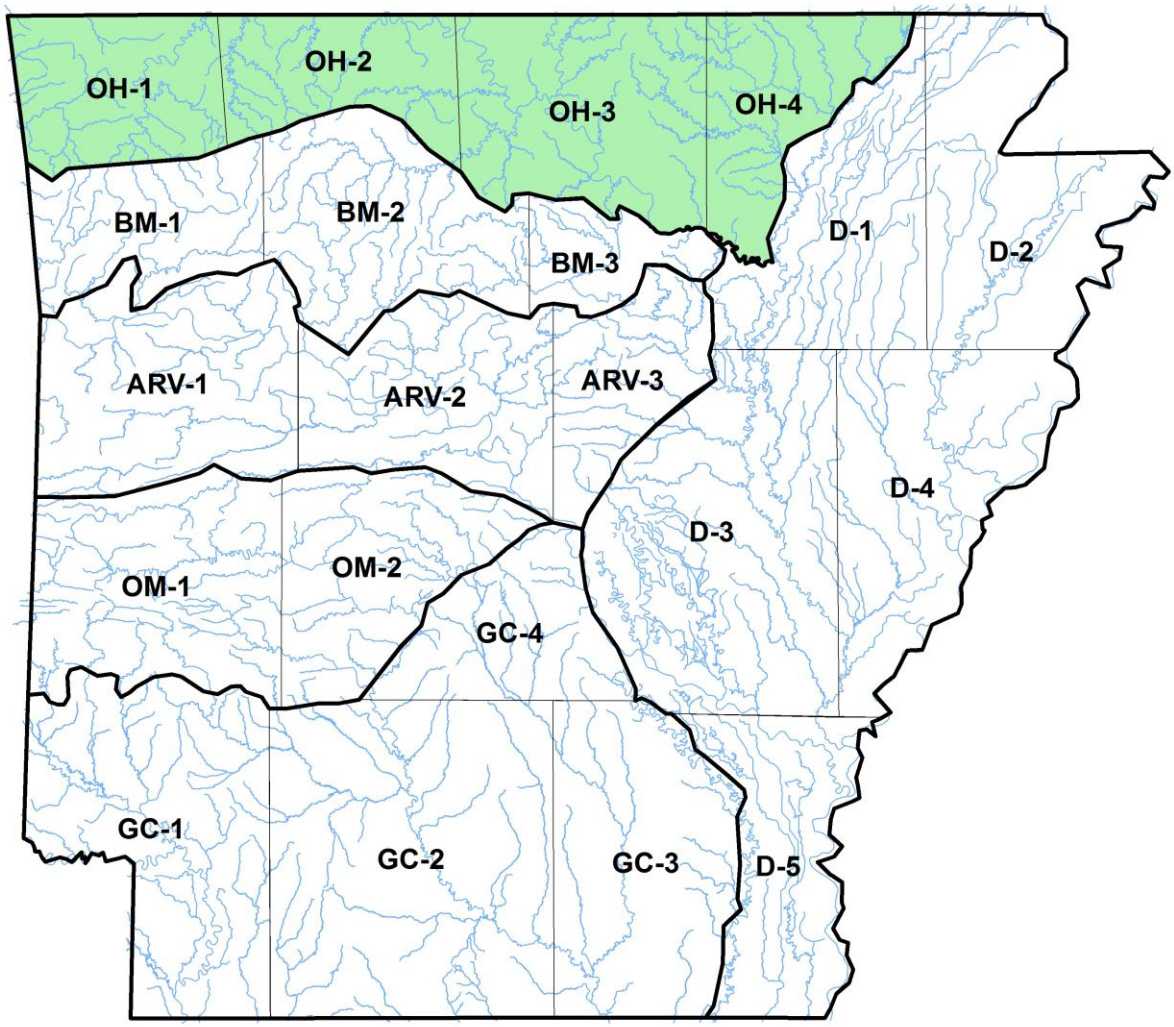
APPENDIX A: MAP OF ECOREGIONS OF ARKANSAS



Index to Plates of the Ozark Highlands



Index to Plates of the Ozark Highlands



DESIGNATED USES: OZARK HIGHLANDS ECOREGION
(Plates OH-1, OH-2, OH-3, OH-4)

Extraordinary Resource Waters
Current River (OH-4)
Eleven Point River (OH-4)
Strawberry River (OH-3, OH-4)
Little Strawberry River (OH-3)
Spring River, including its tributaries: Field Creek, Big Creek, English Creek, Gut Creek and Myatt Creek (OH-4)
South Fork Spring River (OH-3, OH-4)
North Sylamore Creek (OH-3)
Buffalo River (OH-2, OH-3)
Kings River (OH-2)
Bull Shoals Reservoir (OH-2, OH-3)

Natural and Scenic Waterways
Strawberry River from headwaters to Sharp-Izard County Line (OH-3, OH-4)
Kings River - that segment in Madison County (OH-2)
Buffalo River (OH-2, OH-3)
North Sylamore Creek (OH-3)*

Ecologically Sensitive Waterbodies
Cave Springs Cave, Logan Cave and n~~N~~umerous springs and spring-fed tributaries which support southern cavefish, Ozark cavefish, Arkansas darter, least darter, Oklahoma salamander, cave snails, cave crawfish and unique invertebrates (OH-1, OH-2, OH-3)
Strawberry River - location of Strawberry River darter, and spotfin shiner, fanshell complex, snuffbox, Ozark shiner, Ouachita kidneyshell, rabbitsfoot, purple lilliput, and bleedingtooth mussel (OH-3, OH-4)
Little Strawberry River – location of the Strawberry River darter (OH-3)
Spring River – snuffbox, ~~and~~ pink mucket mussels, and western sand darter, blue sucker, fanshell mussel complex, Ozark chub, Ozark shiner, stargazing darter, Ohio pigtoe, Ouachita kidneyshell, rabbitsfoot, salamander mussel, purple liliput, bleedingtooth mussel, ellipse, Coldwater crayfish, and Mammoth Spring crayfish; Ozark hellbender (OH-4)
Rock Creek – snuffbox and pink mucket mussels; Ozark hellbender (OH-4)
Eleven Point River - location of Ozark hellbender, fanshell mussel complex, silver redhorse, Ouachita kidneyshell, and bleedingtooth mussel (OH-4)
Current River - location of flat floater and pink mucket mussels fanshell mussel complex, Ozark chub, silver redhorse, stargazing darter, Ouachita kidneyshell, and rabbitsfoot (OH-4)
Illinois River - Neosho mucket, Ouachita kidneyshell, rabbitsfoot, purple lilliput, and ellipse mussel (OH-1)

Primary Contact Recreation - all streams with watersheds of greater than 10 mi^2 and all lakes/reservoirs**

Secondary Contact Recreation - all waters**

Domestic, Industrial and Agricultural Water Supply - all waters**

~~Fisheries~~ Aquatic Life**

Trout
Bull Shoals Reservoir - lower portion (OH-2)
White River from Bull Shoals Dam to Dam #3 (OH-3)
North Fork White River (OH-3)
Spring River from Mammoth Springs to South Fork Spring River (OH-4)
Upper White River from Beaver Dam to Missouri ~~S~~state ~~L~~line (OH-1)

Lakes and Reservoirs - all

Streams

Seasonal Ozark Highlands ~~fishery~~ aquatic life use - all streams with watersheds of less than 10 mi^2 except as otherwise provided in Reg. 2.505

Perennial Ozark Highlands ~~fishery~~ aquatic life use - all streams with watersheds of 10 mi^2 and larger and those waters where discharges equal or exceed 1 ~~CFS~~ cfs

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*As designated in the National Wild and Scenic Rivers System

**Except for those waters with designated use variations supported by Use Attainability Analysis or other investigations.

Site Specific Designated Use Variations Supported by ~~UAA~~Use Attainability Analysis or Other Investigations
Railroad Hollow Creek - no fishable/swimmable uses (OH-1, #1)
Columbia Hollow Creek - seasonal ~~fishery~~ aquatic life use March-June (OH-1, #2)
Curia Creek - below first waterfall, perennial ~~fishery~~ aquatic life use (OH-4, #3)
Moccasin Creek – below Arkansas Highway 177, perennial ~~fishery~~ aquatic life use (OH-3, #4)
Stennitt Creek- from Brushy Creek to Spring River, no domestic water supply use (OH-4, #6)

SPECIFIC STANDARDS: OZARK HIGHLANDS ECOREGION
(Plates OH-1, OH-2, OH-3, OH-4)

	Streams		Lakes and Reservoirs
Temperature °C (°F)*	29 (84.2)		32 (89.6)
Trout waters	20 (68)		
Turbidity (NTU) (base/all)	10/17		25/45
Minerals	see Reg. 2.511		see Reg. 2.511
Dissolved Oxygen**	Pri.	Crit	see Reg. 2.505
<10 mi^2 watershed	6	2	
10 to 100 mi^2	6	5	
>100 mi^2 watershed	6	6	
Trout waters	6	6	

All other standards (same as statewide)

Site Specific Standards Variations Supported by ~~UAA~~ Use Attainability Analysis
Railroad Hollow Creek: from headwaters to Spavinaw Creek - year-round dissolved oxygen - 2 mg/~~l~~L (OH-1, #1)
Curia Creek - below first waterfall, critical season ~~D.O.~~ dissolved oxygen 6 mg/~~l~~L (OH-4, #3)
Moccasin Creek - below Highway 177, critical season D.O. 5mg/~~l~~L (OH-3, #4)
SWEPCO Reservoir - maximum temperature 54°C (limitation of 2.8°C above natural temperature does not apply) (OH-1, #5)

Stennitt Creek - from Brushy Creek to Spring River, ~~TDS~~ total dissolved solids = 456 mg/~~l~~L (OH-4, #6)

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*Increase over natural temperatures may not be more than 2.8°C (5°F).

**At water temperatures ≤10°C or during March, April and May when stream flows are 15 ~~CFS~~ cfs and greater, the primary season ~~D.O.~~ dissolved oxygen standard will be 6.5 mg/~~l~~L. When water temperatures exceed 22°C, the critical season ~~D.O.~~ dissolved oxygen standard may be depressed by 1 mg/~~l~~L for no more than 8 hours during a 24-hour period.

Plate OH-1 (Ozark Highlands)

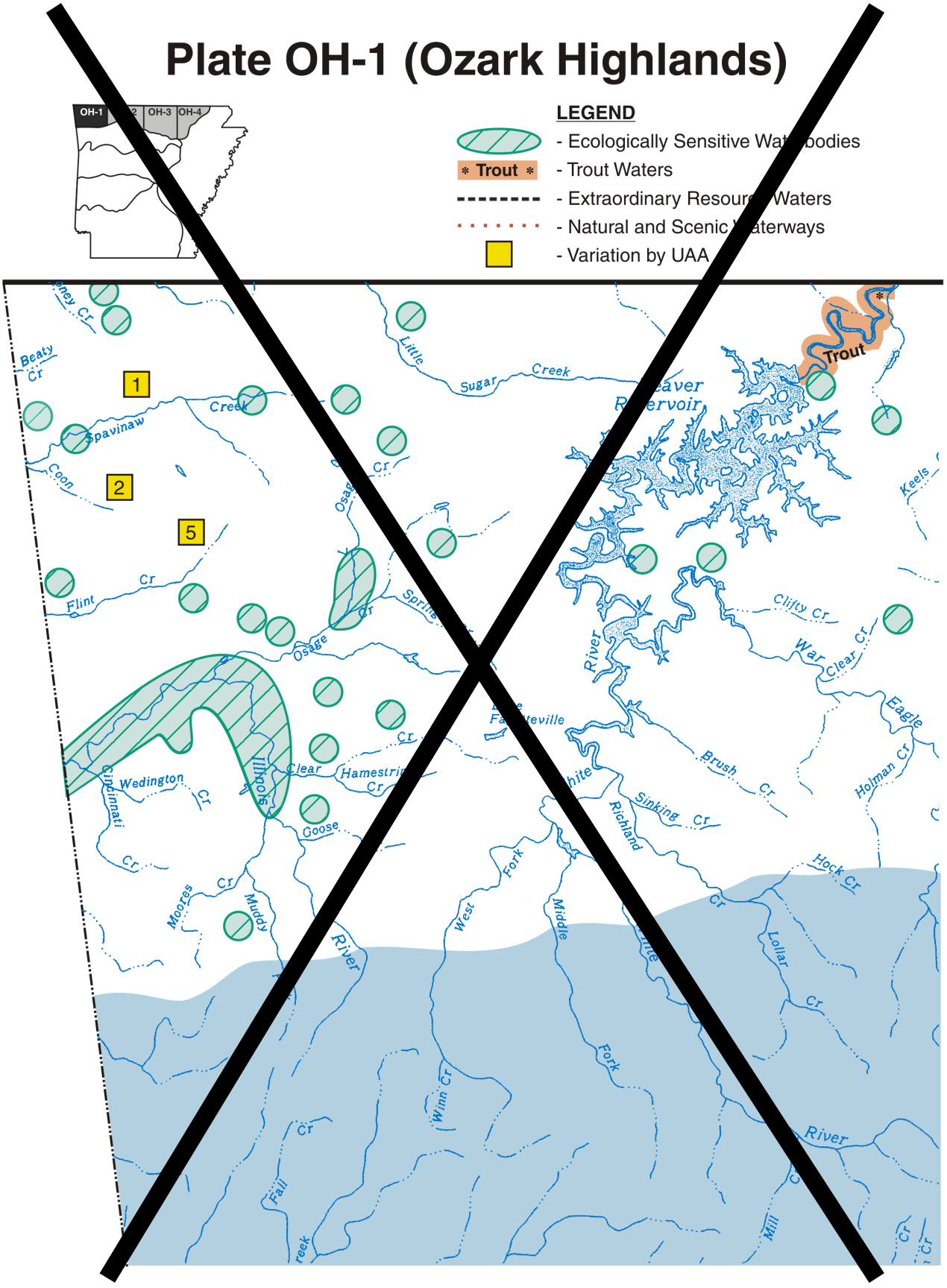
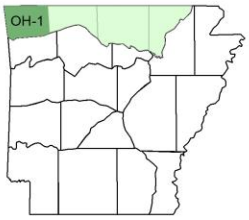


Plate OH-1 (Ozark Highlands)



LEGEND

- Extraordinoiary Resource Waters
- Natural and Scenic Waterways
- Variation by UAA
- Ecologicaly Sensitive Waterbodies
- ESW Caves, Springs, and Seeps
- Trout_Waters

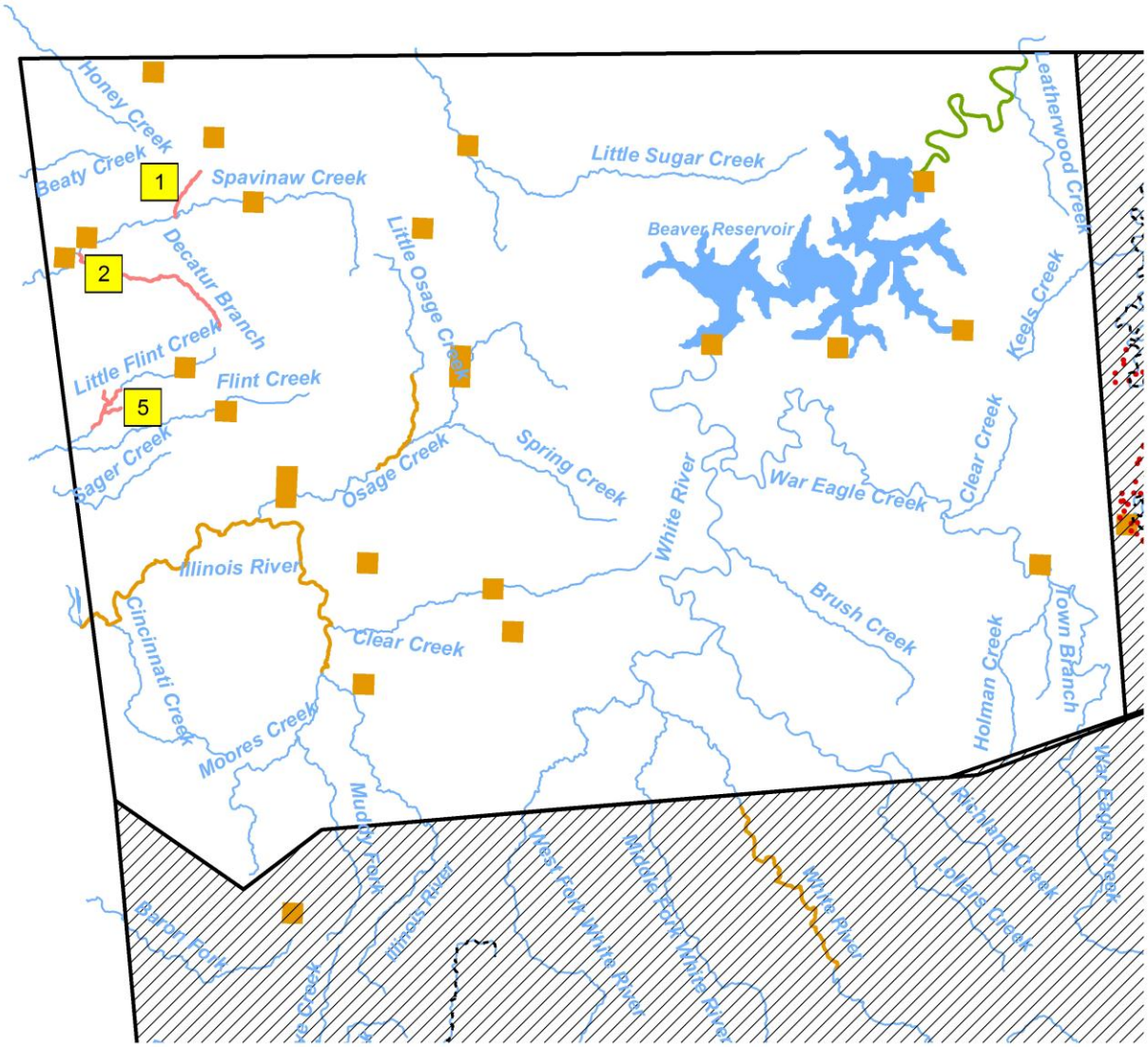


Plate OH-2 (Ozark Highlands)

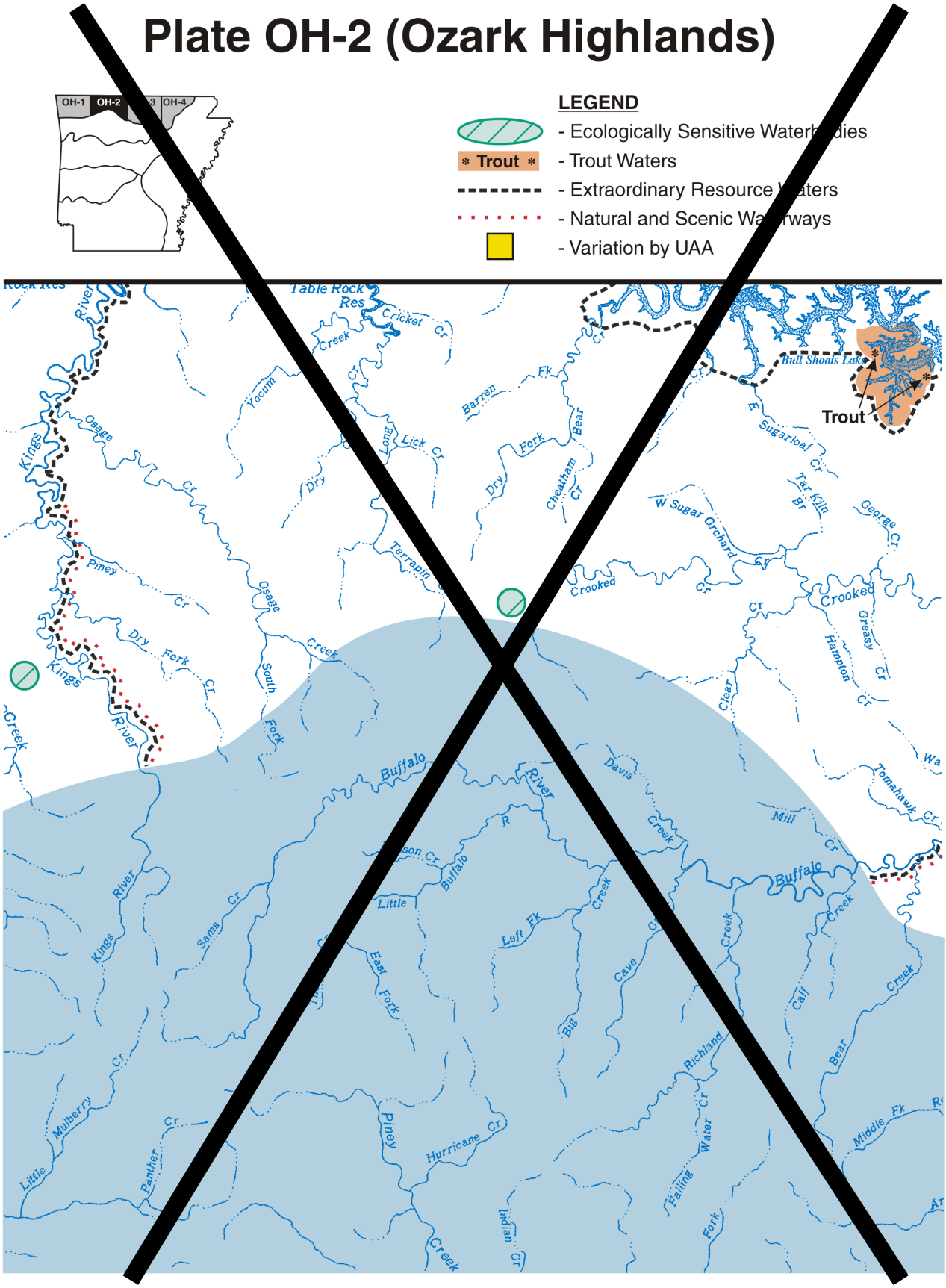
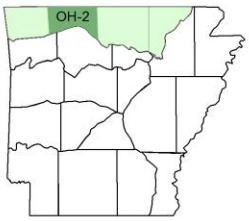


Plate OH-2 (Ozark Highlands)



LEGEND

- Extraordinoiary Resource Waters
- Natural and Scenic Waterways
- Variation by UAA
- Ecologicaly Sensitive Waterbodies
- ESW Caves, Springs, and Seeps
- Trout_Waters

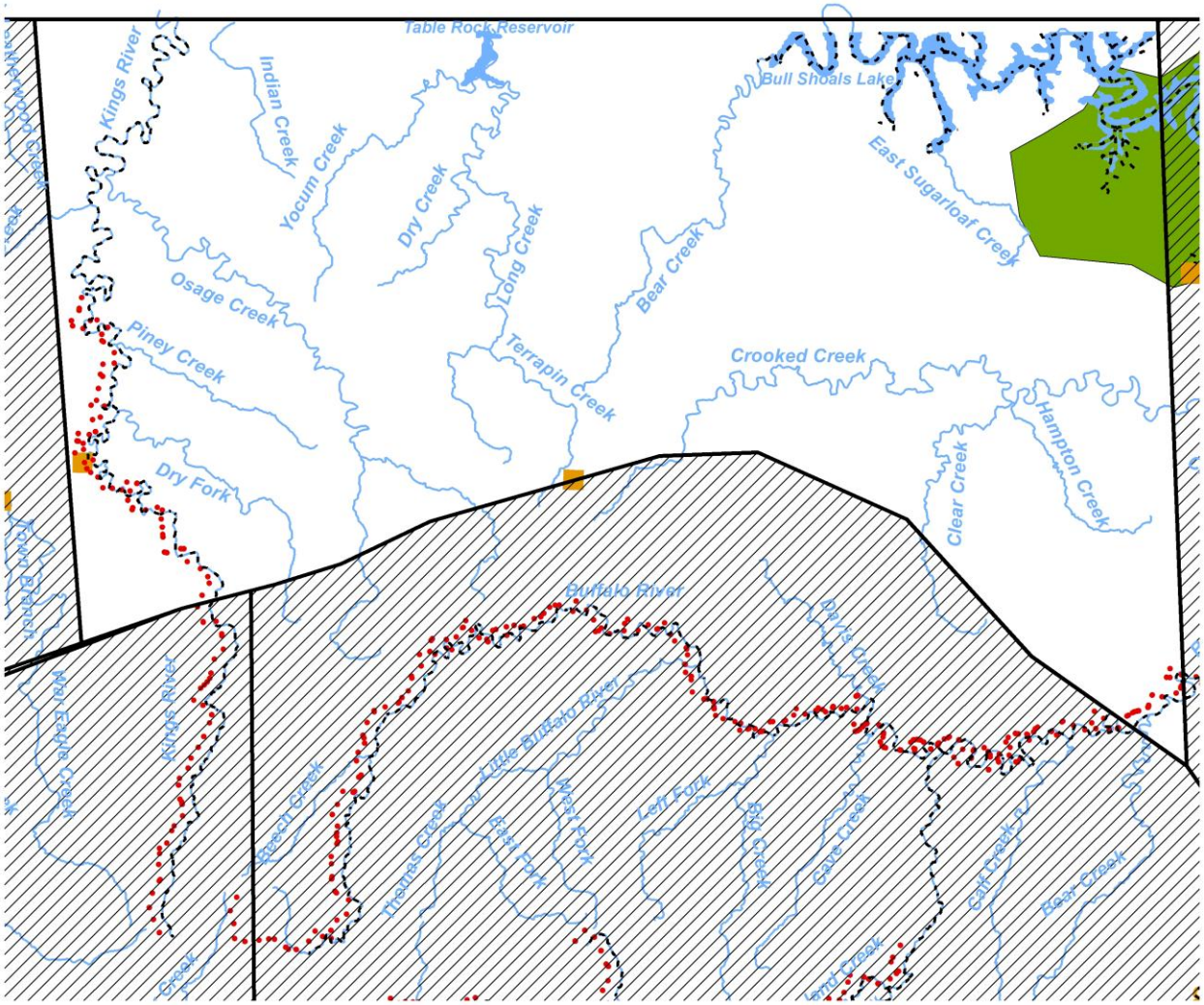


Plate OH-3 (Ozark Highlands)

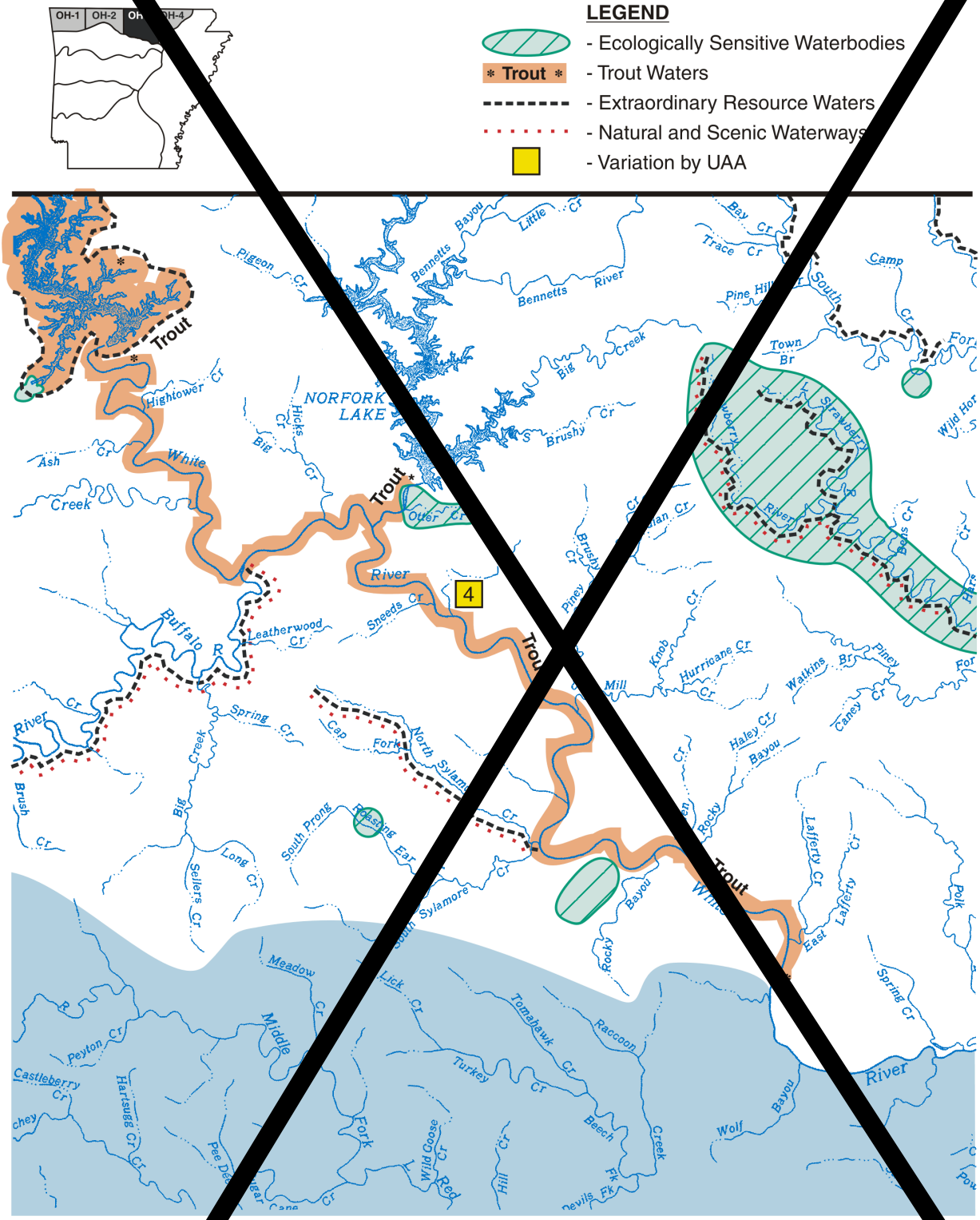
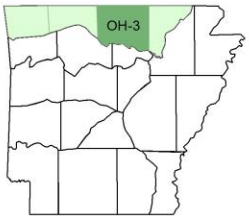


Plate OH-3 (Ozark Highlands)



LEGEND

- Extraordinoiary Resource Waters
- Natural and Scenic Waterways
- Variation by UAA
- Ecologicaly Sensitive Waterbodies
- ESW Caves, Springs, and Seeps
- Trout_Waters

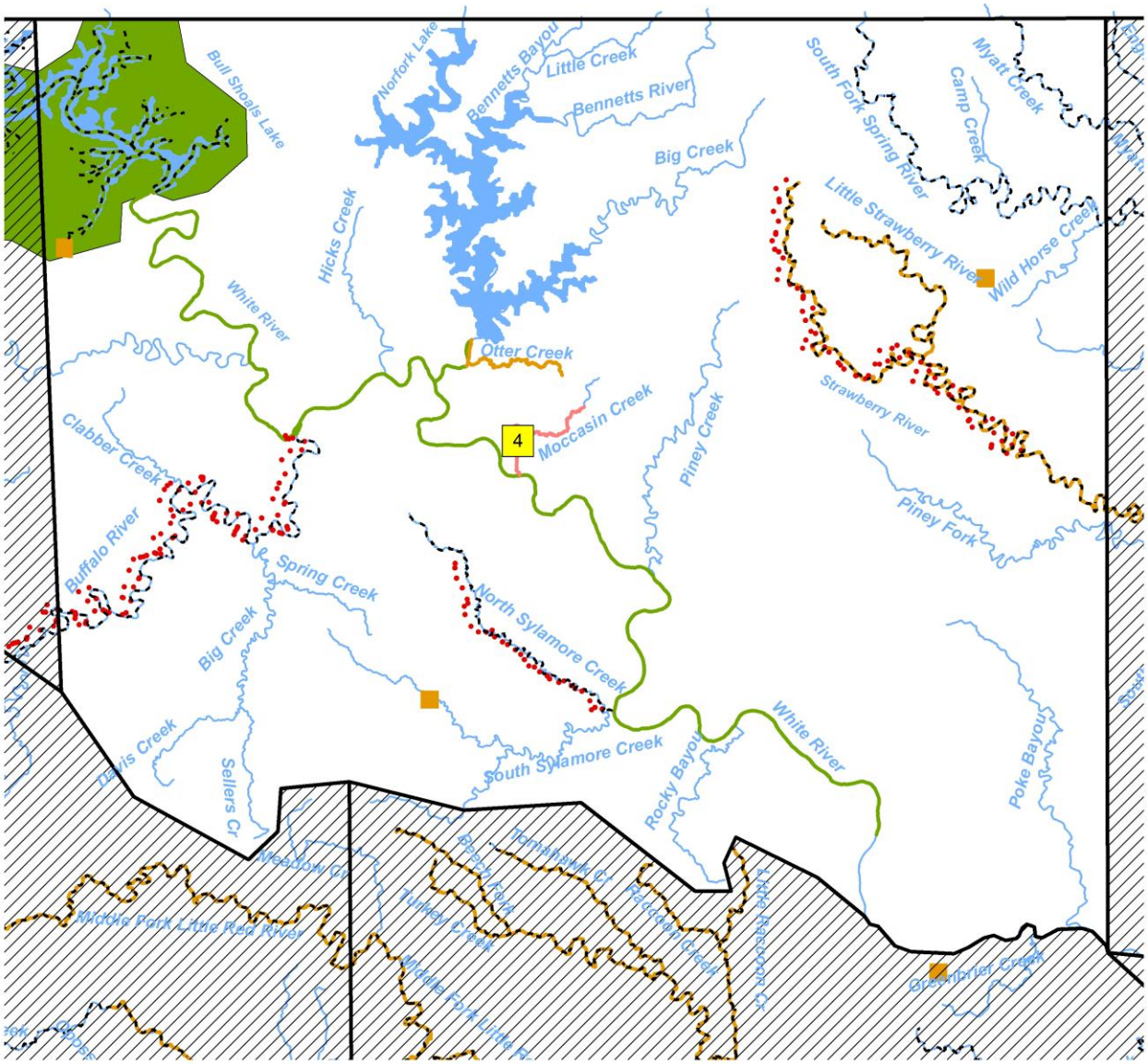


Plate OH-4 (Ozark Highlands)

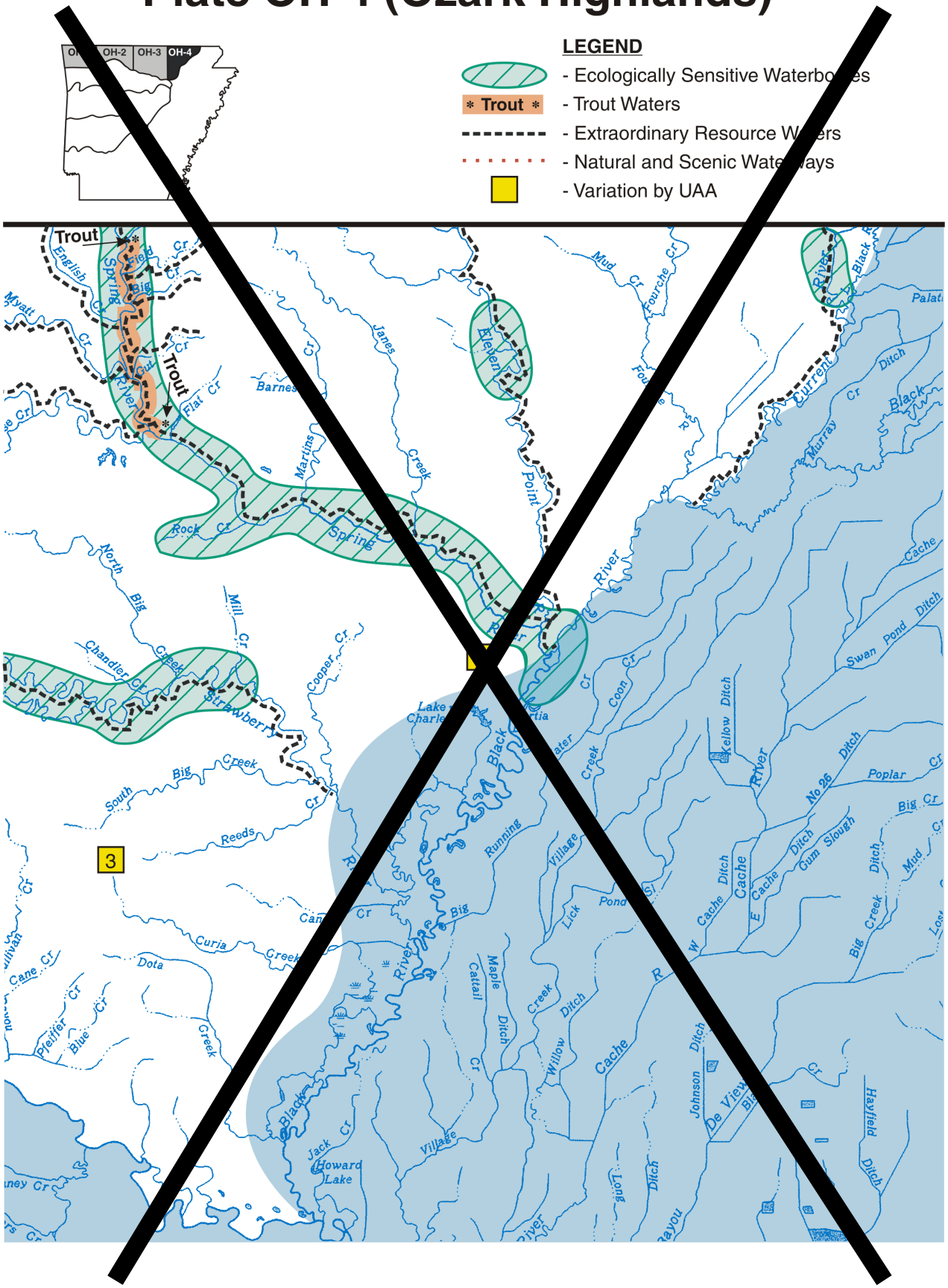
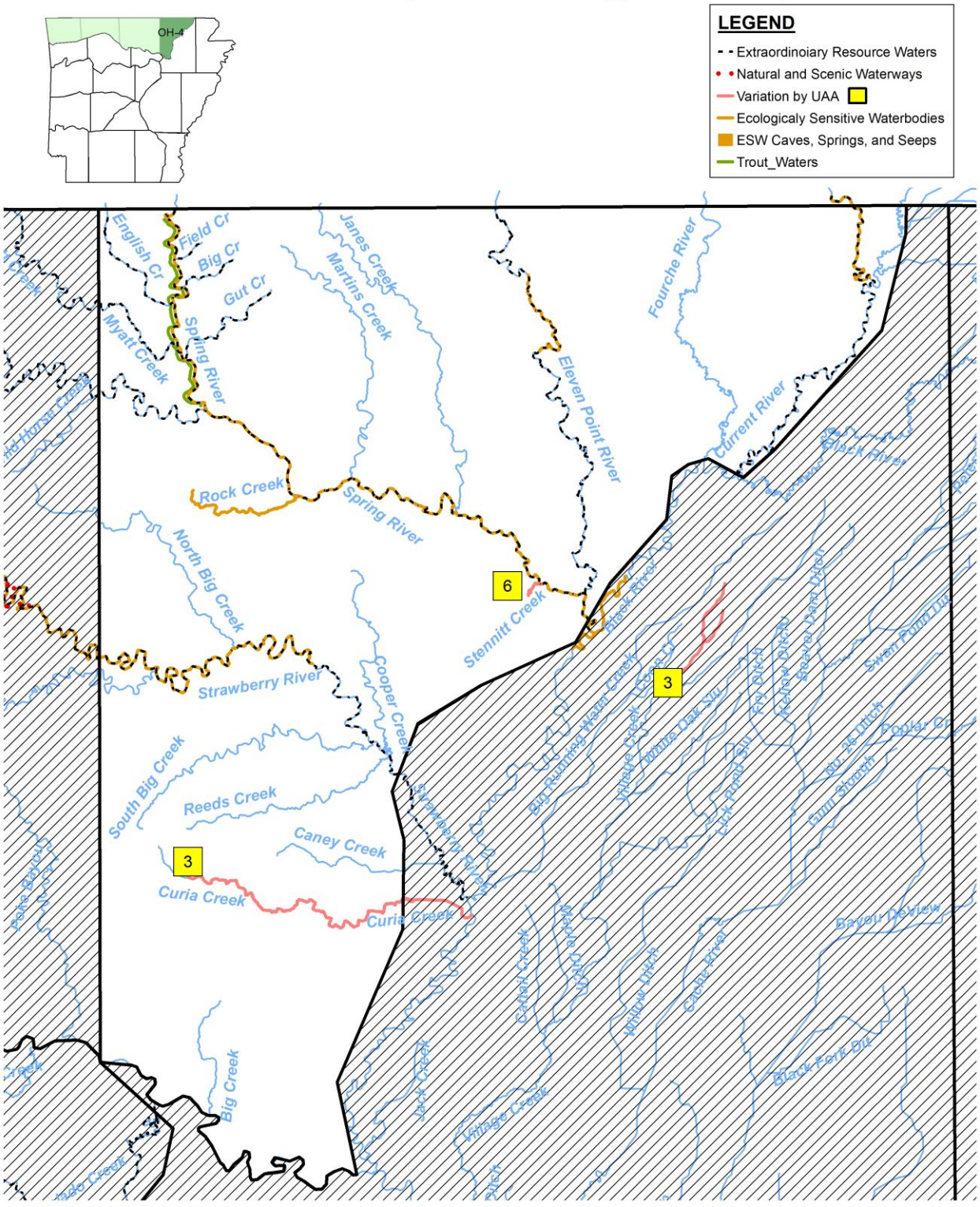
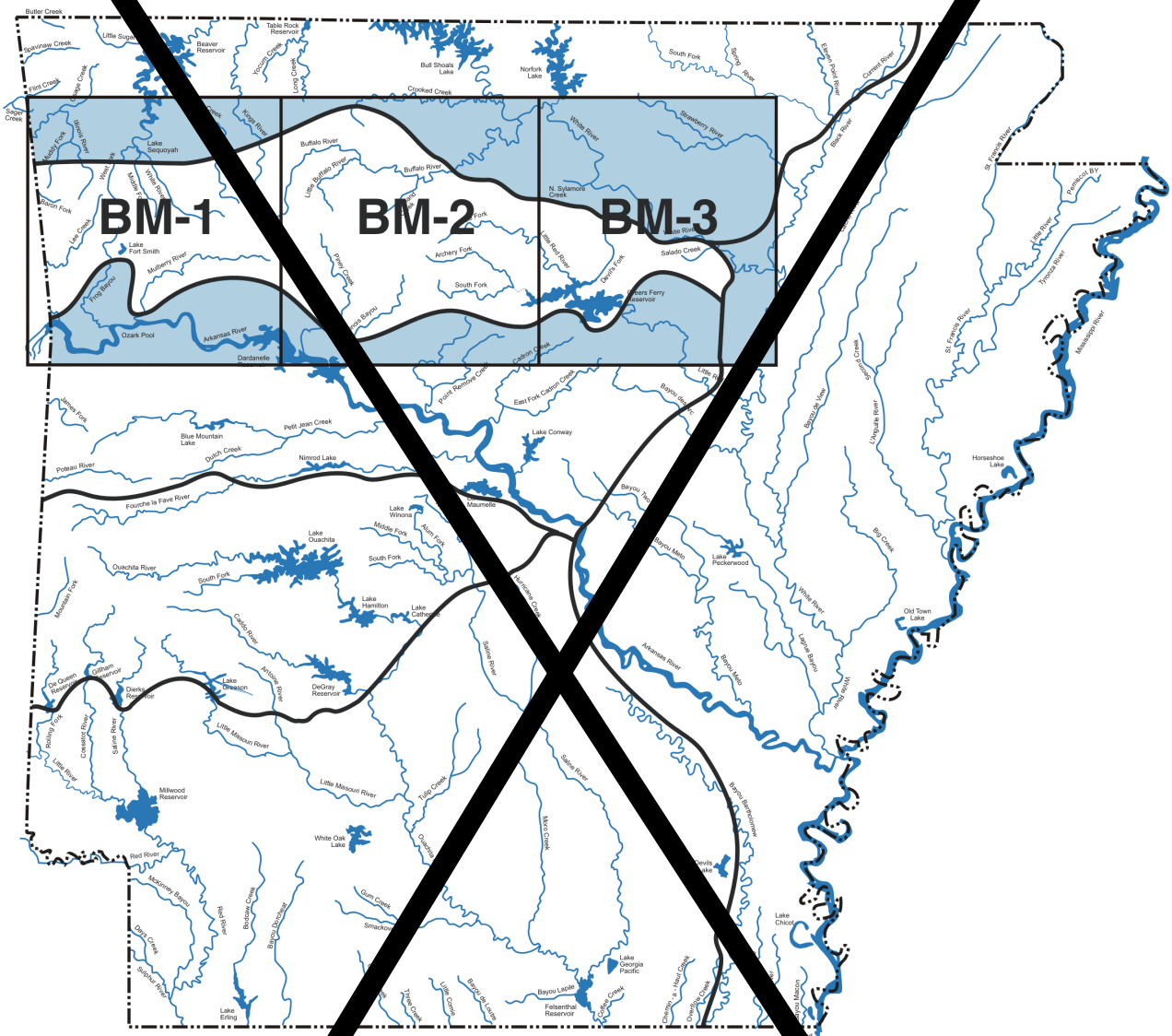


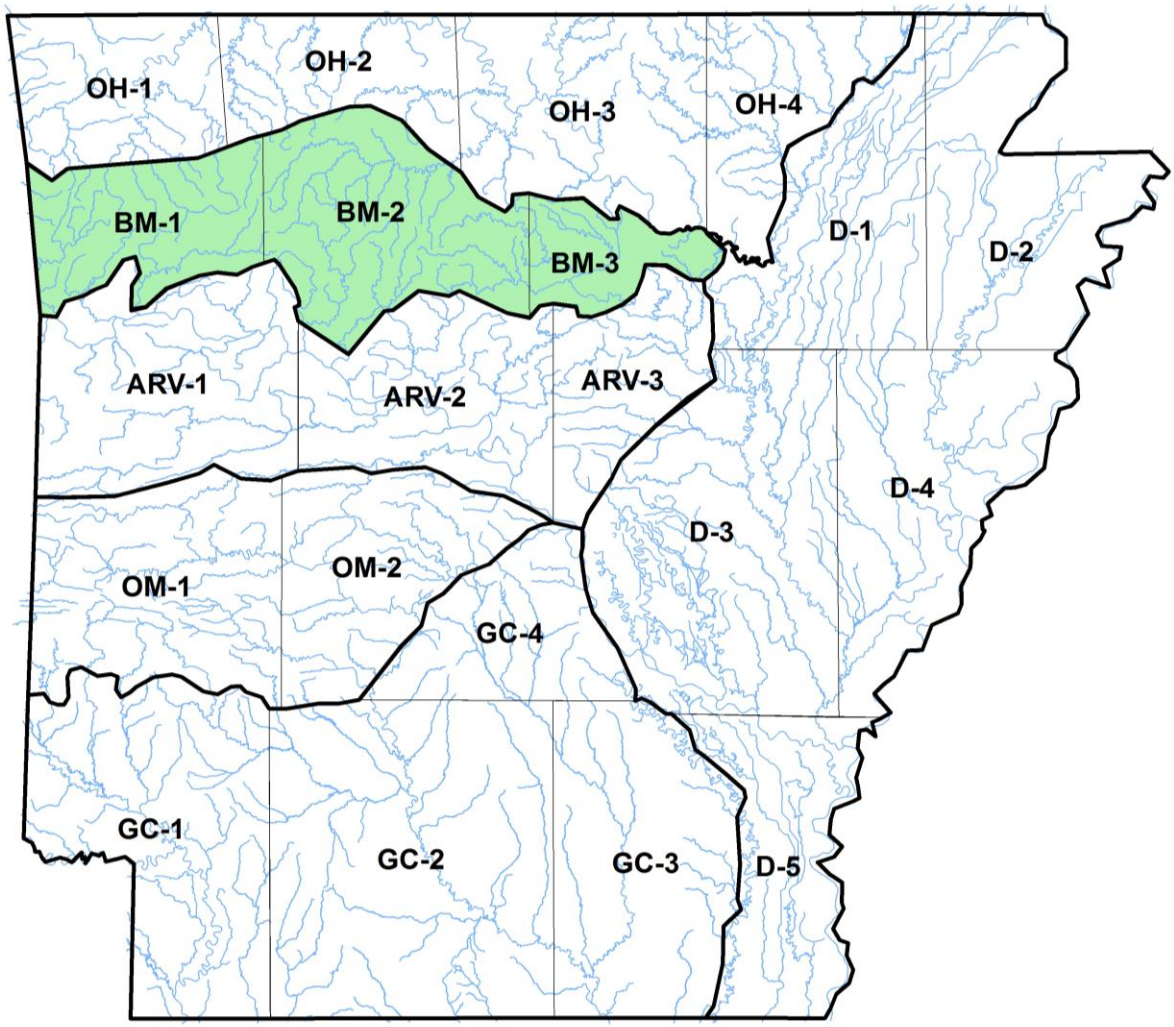
Plate OH-4 (Ozark Highlands)



Index to Plates of the Boston Mountains



Index to Plates of the Boston Mountains



DESIGNATED USES: BOSTON MOUNTAINS ECOREGION

(Plates BM-1, BM-2, BM-3)

Extraordinary Resource Waters

~~Devils Fork of Little Red River including Beech Creek, Tomahawk Creek, Turkey Creek, Lick Creek and, Racoon Creek (BM-3)~~

~~Middle Fork of Little Red River above Greers Ferry Reservoir (BM-2, BM-3)~~

Middle and Devils Forks of the Little Red River including Beech Creek, Tomahawk Creek, Turkey Creek, Lick Creek, Raccoon Creek, and Little Raccoon Creek (BM-2, BM-3)

Archey Creek from headwaters to confluence with South Fork Little Red River (BM-2)

Illinois Bayou including North, Middle and East Forks (BM-2)

Big Piney Creek (BM-2)

Hurricane Creek (BM-2)

Mulberry River (BM-1, BM-2)

Lee Creek from state line upstream to headwaters (BM-1)

Salado Creek (BM-3)

Kings River (BM-1)

Richland Creek and Falling Water Creek (BM-2)

Buffalo River (BM-1, BM-2)

Natural and Scenic Waterways

Mulberry River (BM-1, BM-2)

Buffalo River (BM-1, BM-2)

Kings River (BM-1)

Big Piney Creek (BM-2)*

Hurricane Creek (BM-2)*

Richland Creek (BM-2)*

Ecologically Sensitive Waterbodies

~~Devils,~~ Middle, ~~and~~ South, and ~~Forks~~ Devils Forks of Little Red River including Beech Creek, Tomahawk Creek, Turkey Creek, Lick Creek, Raccoon Creek, Little Raccoon Creek, ~~of Little Red River~~ and Archey Creek above Greers Ferry Reservoir - location of endemic yellowcheek darter, ~~and~~ endangered speckled pocketbook mussel, and scaleshell (except Devils Fork), Ouachita kidneyshell, fanshell mussel complex, purple liliput, bleedingtooth mussel, Ozark chub, longnose darter, pyramid pigtoe, rabbitsfoot , and sandbank pocketbook (BM-2, BM-3)

Foshee Cave - location of aquatic cave snail (BM-3)

Upper White River - location of longnose darter (BM-1)

Primary Contact Recreation - all streams with watersheds of greater than 10 mi^2 and all lakes/reservoirs**

Secondary Contact Recreation - all waters**

Domestic, Industrial and Agricultural Water Supply - all waters**

~~Fisheries~~**Aquatic Life****

Trout

Greers Ferry Reservoir below Narrows (BM-3)

Little Red River below Greers Ferry Dam (BM-3)

Lakes and Reservoirs – all

---

*As designated in the National Wild and Scenic Rivers System

** Except for those waters with designated use variations supported by Use Attainability Analysis or other investigations.

Streams

Seasonal Boston Mountain ~~fishery~~aquatic life- all waters with watersheds of less than 10 mi^2 except as otherwise provided in Reg.2.505

Perennial Boston Mountain ~~fishery~~aquatic life- all waters with 10 mi^2 watershed or larger and those waters where discharges equal or exceed 1 ~~CFS~~cfs

Use Variations Supported by ~~UAA~~Use Attainability Analysis

None

SPECIFIC STANDARDS: BOSTON MOUNTAINS ECOREGION

(Plates BM-1, BM-2, BM-3)

	Streams		Lakes and Reservoirs
Temperature °C (°F)*	31 (87.8)		32 (89.6)
Trout waters	20 (68)		
Turbidity (NTU) (base/all)	10/19		25/45
Minerals	see Reg. 2.511		see Reg. 2.511
Dissolved Oxygen (mg/~~l~~L) **	Pri.	Crit	see Reg. 2.505
<10 mi^2 watershed	6	2	
10 mi^2 and greater	6	6	
Trout waters	6	6	
All other standards	(same as statewide)		

Site Specific Standards Variations Supported by ~~UAA~~ Use Attainability Analysis

None

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* Increase over natural temperatures may not be more than 2.8°C (5°F).

** At water temperatures ≤10°C or during March, April and May when stream flows are 15 ~~CFS~~cfs and greater, the primary season ~~D.O.~~dissolved oxygen standard will be 6.5 mg/~~l~~L. When water temperatures exceed 22°C, the critical season ~~D.O.~~dissolved oxygen standard may be depressed by 1 mg/~~l~~L for no more than 8 hours during a 24-hour period.

Plate BM-1 (Boston Mountains)

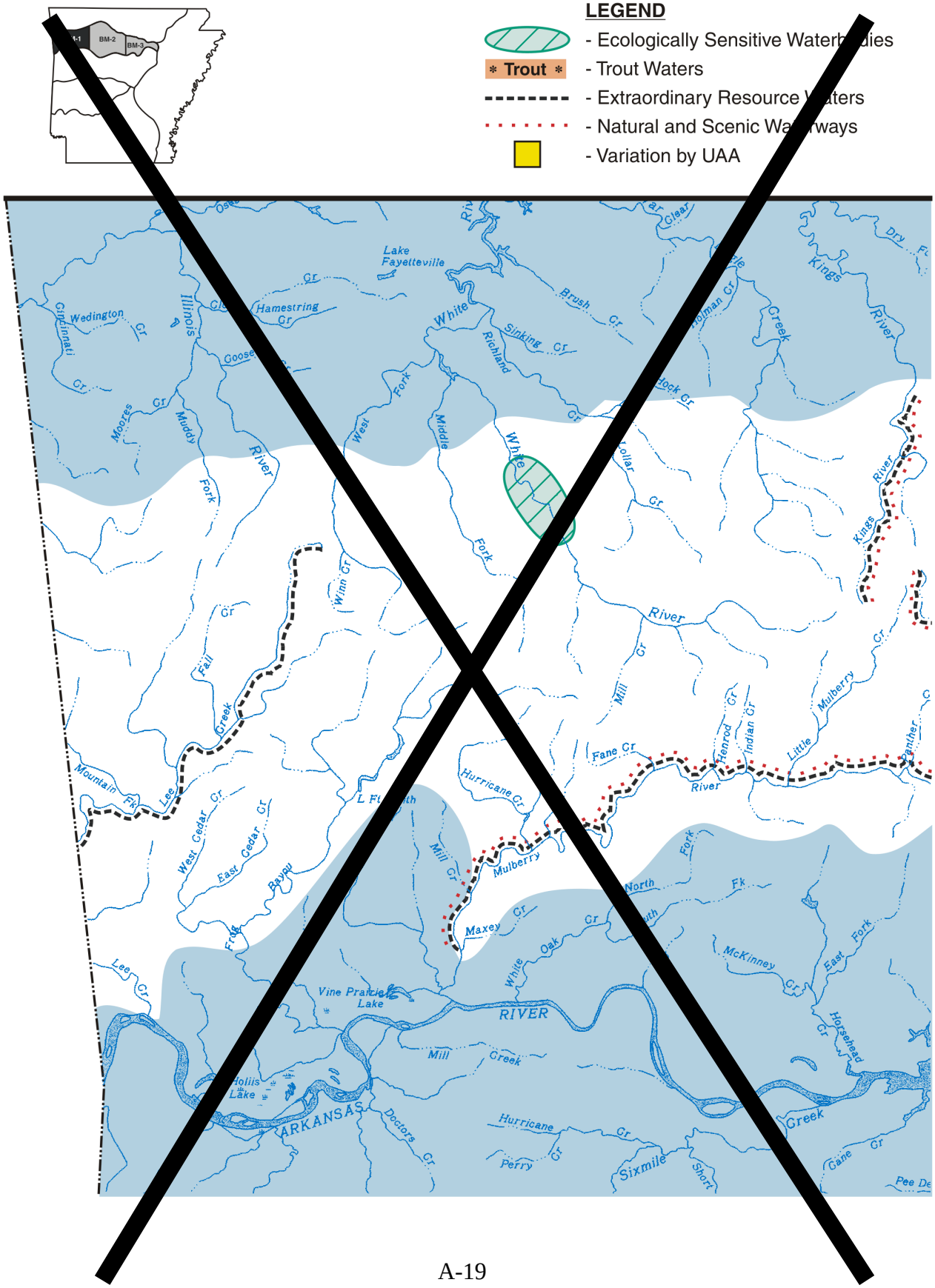


Plate BM-1 (Boston Mountains)

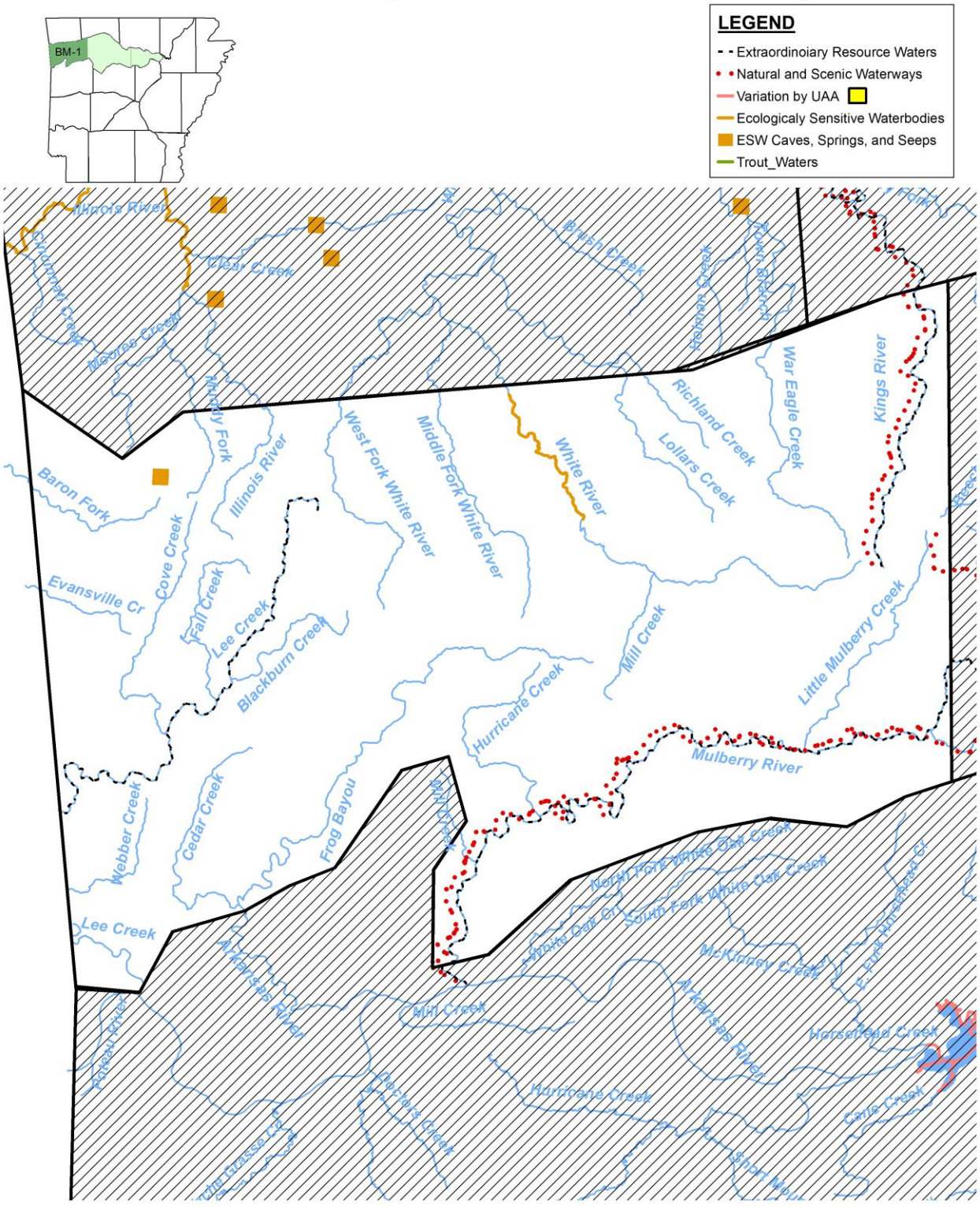
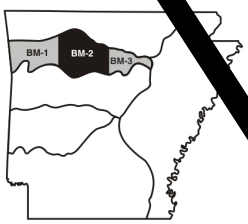


Plate BM-2 (Boston Mountains)



LEGEND

- Ecologically Sensitive Waterbodies
- * Trout * - Trout Waters
- Extraordinary Resource Waters
- Natural and Scenic Waterways
- Variation by UAA

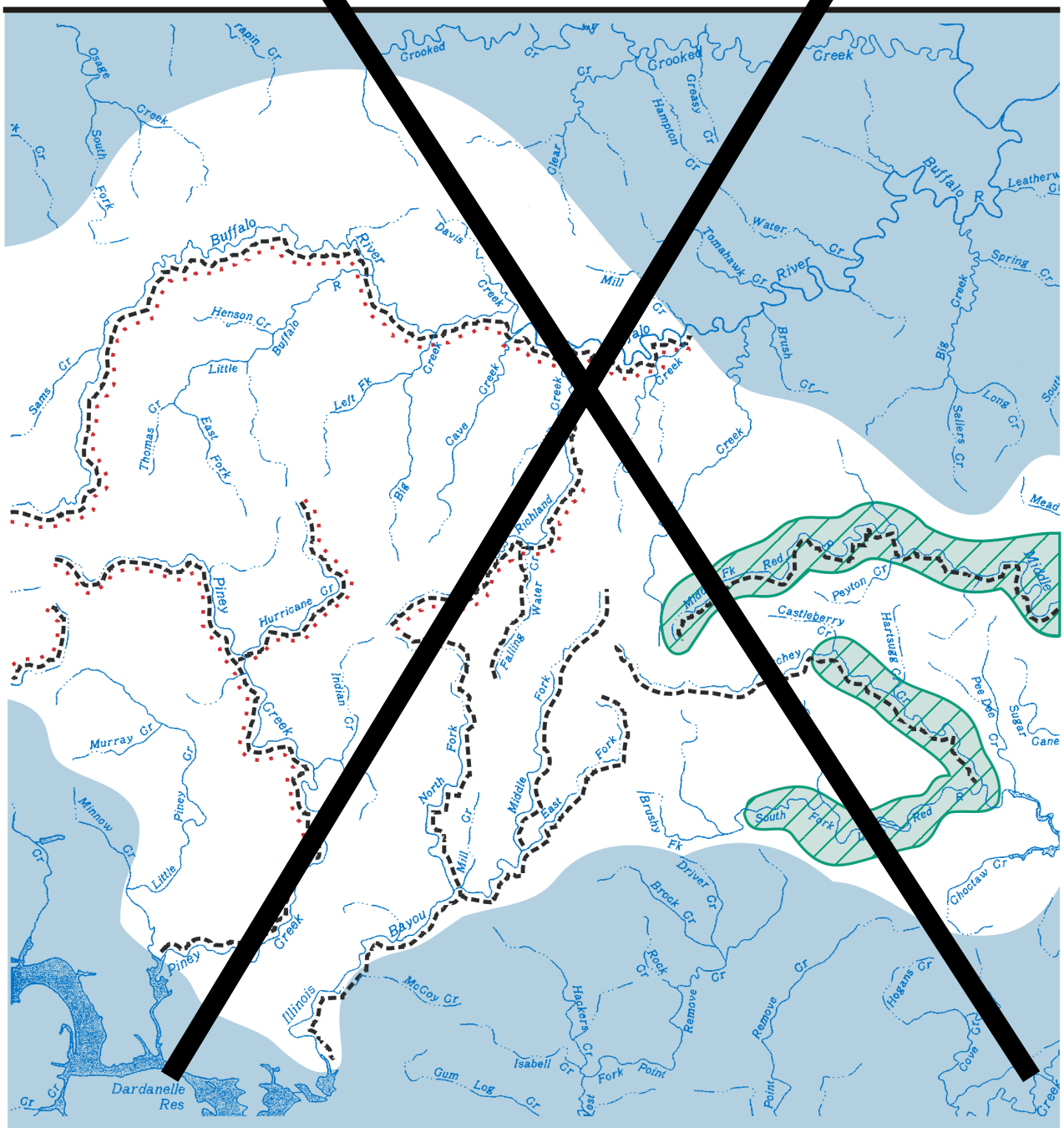
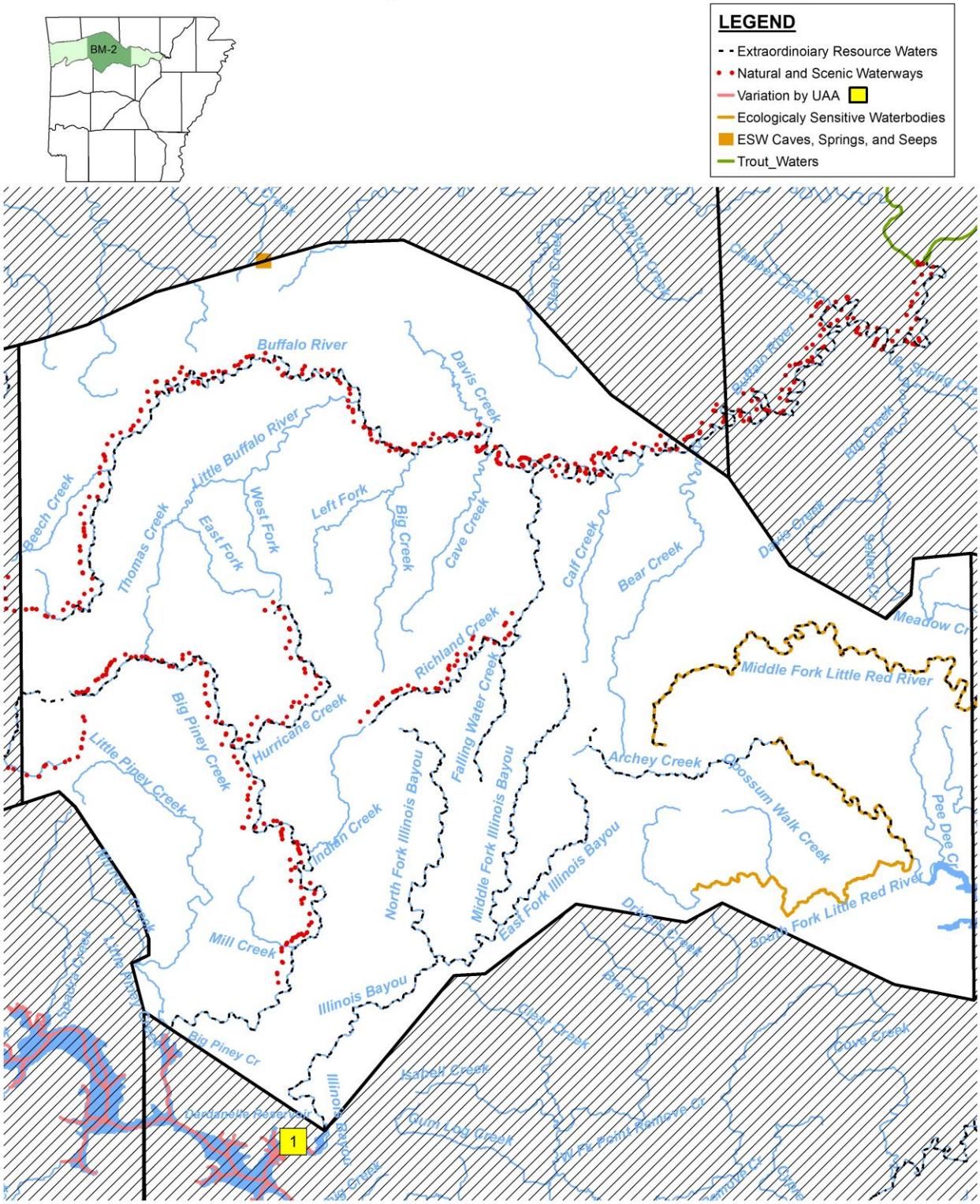


Plate BM-2 (Boston Mountains)



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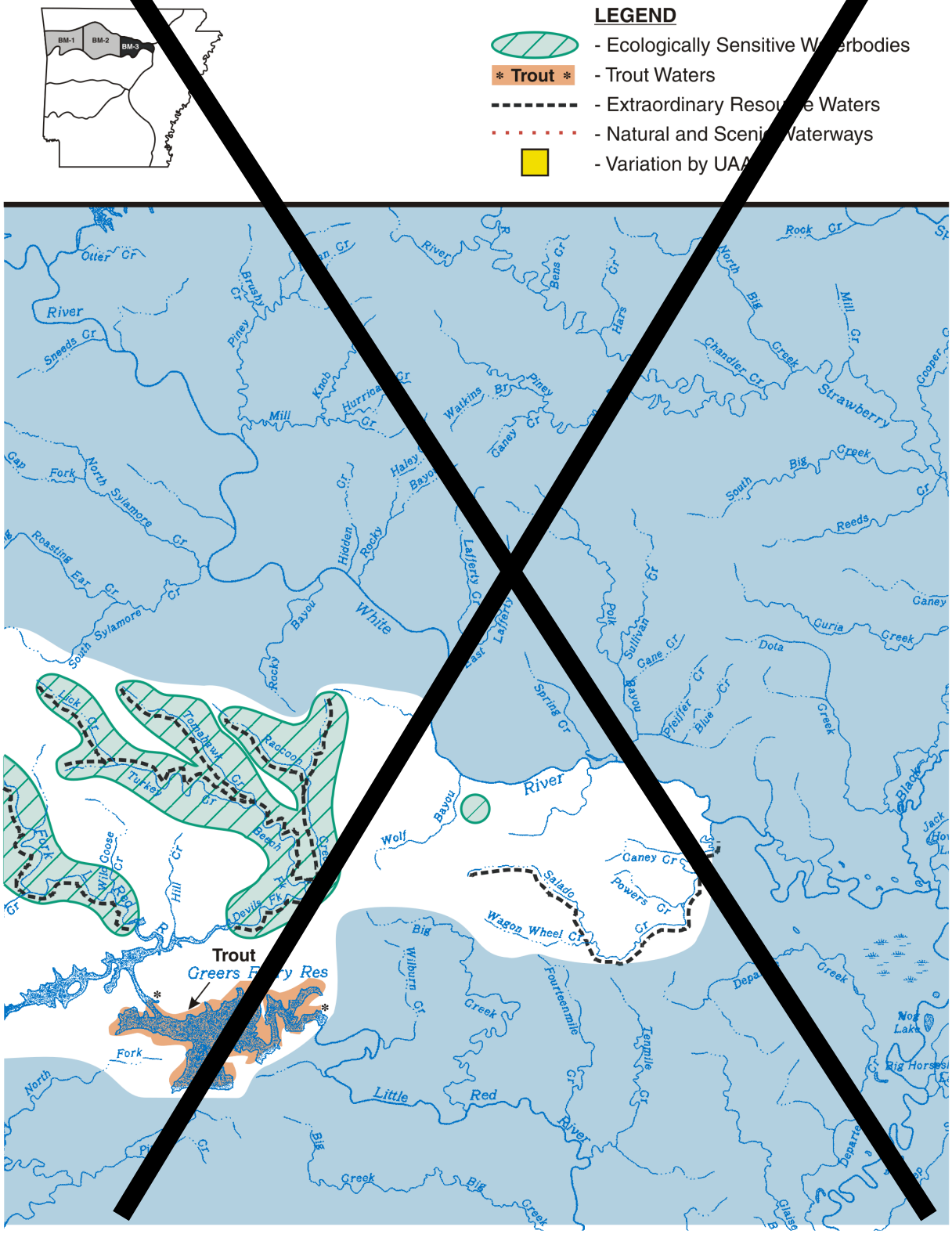

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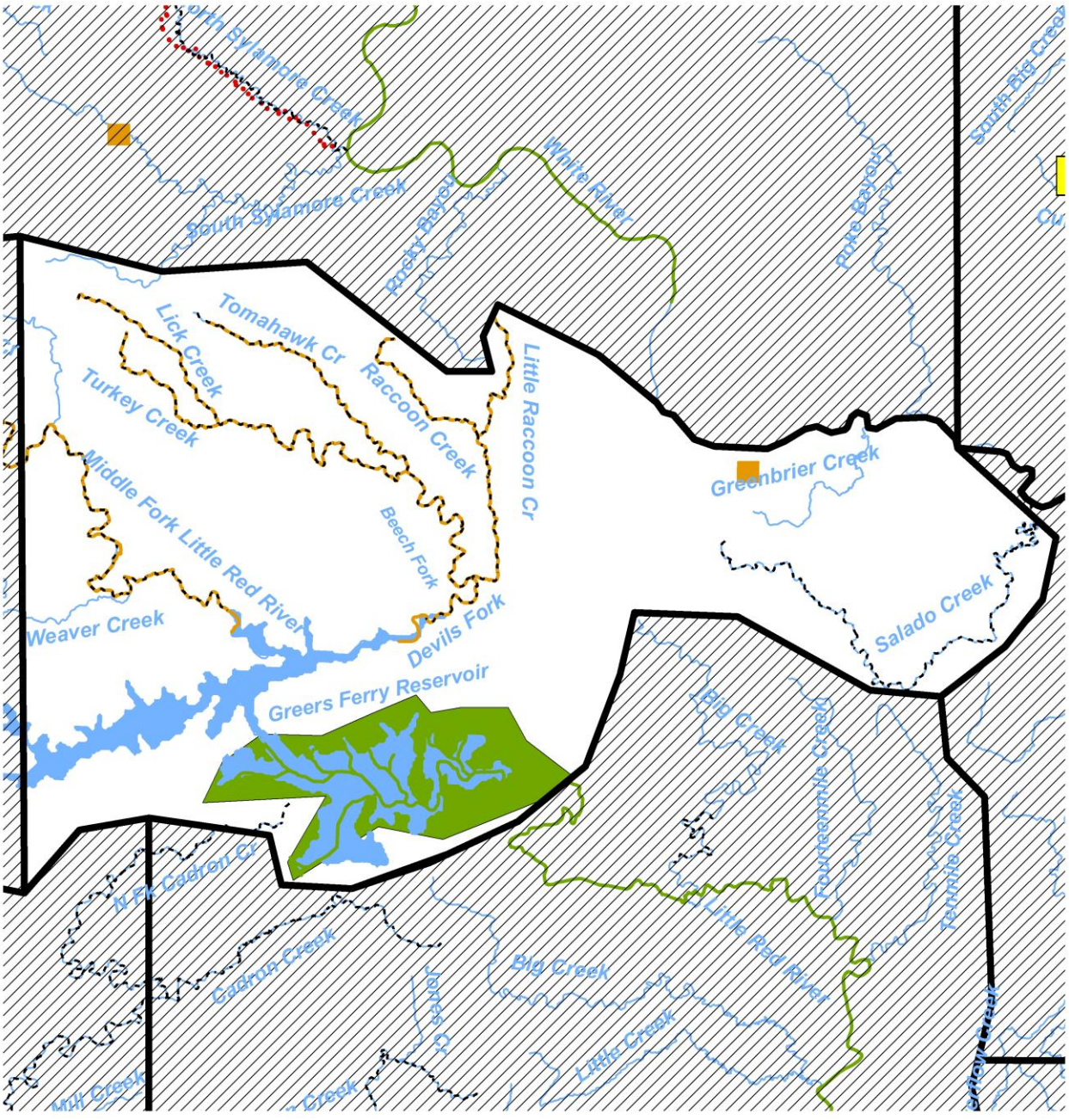
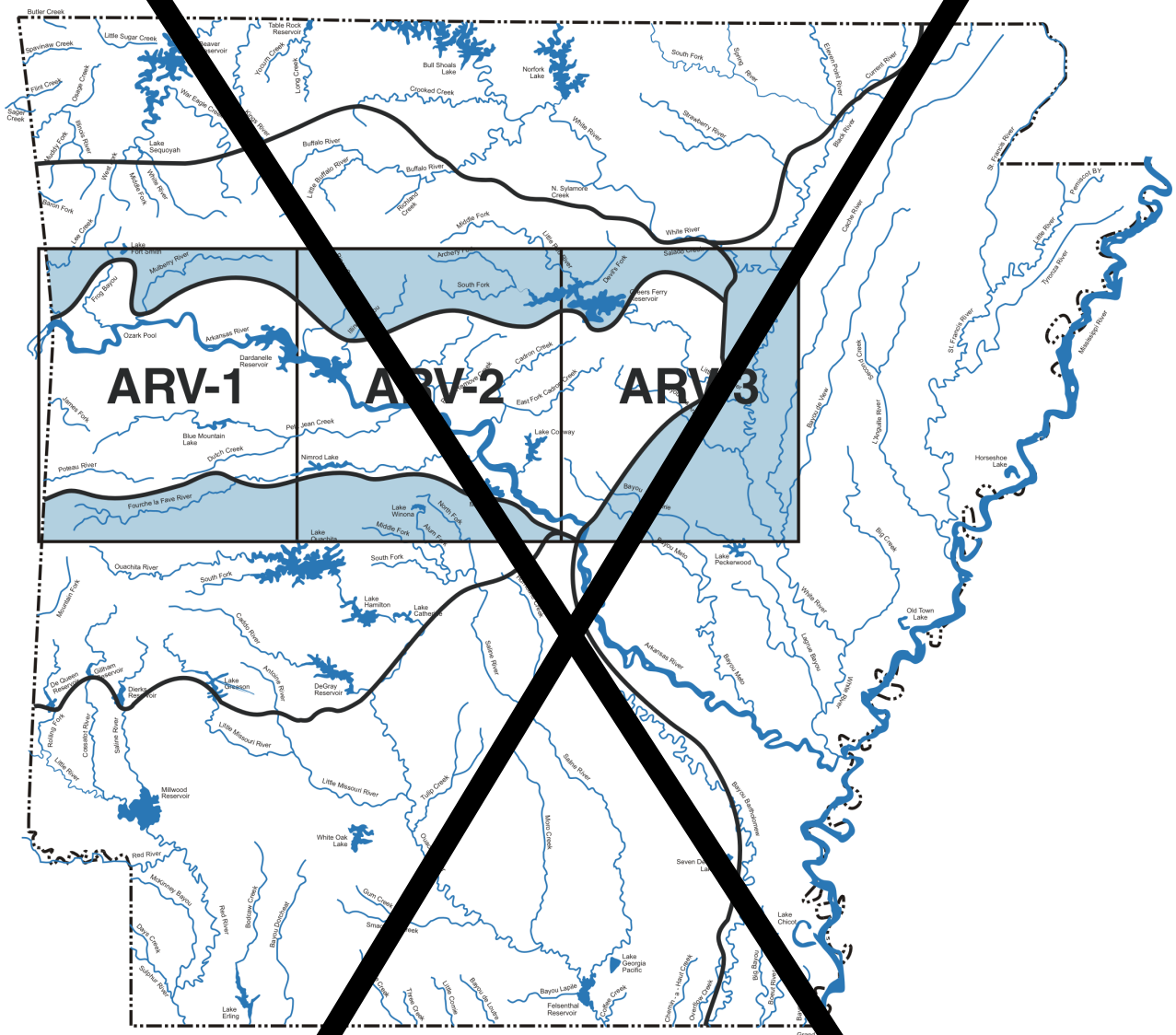


Index to Plates of the Arkansas River Valley



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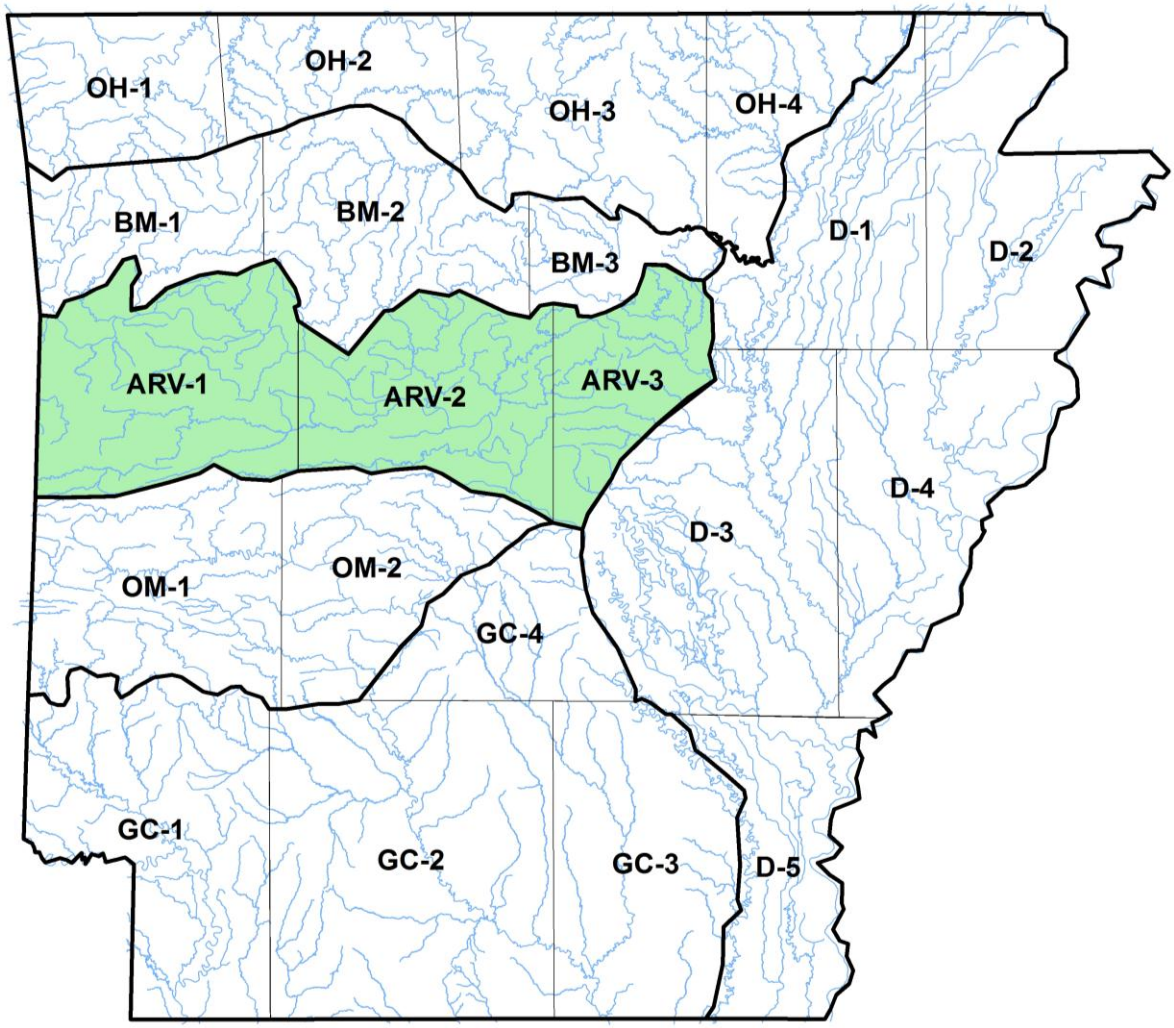

DESIGNATED USES: ARKANSAS RIVER VALLEY ECOREGION

(Plates ARV-1, ARV-2, ARV-3)

Extraordinary Resource Waters
Cadron Creek including North Fork and East Fork (ARV-2, ARV-3)
Mulberry River (ARV-1)
Big Creek adjacent to natural areas (ARV-3)

Natural and Scenic Waterway
Mulberry River (ARV-1)

Ecologically Sensitive Waterbodies
None

Primary Contact Recreation - all streams with watersheds of greater than 10 mi^2 and all lakes/reservoirs**

Secondary Contact Recreation - all waters**

Domestic, Industrial and Agricultural Water Supply - all waters**

~~Fisheries~~ Aquatic Life**

Trout

Little Red River below Greers Ferry Dam to Searcy (ARV-3)

Lakes and Reservoirs - all

Streams

Seasonal Arkansas River Valley ~~fishery~~ aquatic life use - all streams with watersheds of less than 10 mi^2 except as otherwise provided in Reg. 2.505

Perennial Arkansas River Valley ~~fishery~~ aquatic life - all streams with watersheds of 10 mi^2 or larger and those waters where discharges equal or exceed 1 ~~CFS~~ cfs

Site Specific Designated Use Variations Supported by ~~UAA~~Use Attainability Analysis
Poteau River from U.S. Business Highway 71 to Oklahoma ~~S~~state line - no domestic water supply use (ARV-1,#2)
Unnamed tributary to Poteau River at Waldron - no domestic water supply use (ARV-1,#3)

**Except for those waters with designated use variations supported by Use Attainability Analysis or other investigations.

SPECIFIC STANDARDS: ARKANSAS RIVER VALLEY ECOREGION

(Plates ARV-1, ARV-2, ARV-3)

	Streams		Lakes and Reservoirs
Temperature °C (°F)*	31 (87.8)		32 (89.6)
Trout waters	20 (68)		
Arkansas River	32 (89.6)		
Turbidity(NTU) (base/all)	21/40		25/45
Arkansas River~~)~~(base/all)	50/52		
Minerals	see Reg. 2.511		see Reg. 2.511
Dissolved Oxygen (mg/~~l~~L)**	Pri.	Crit.	see Reg. 2.505
<10 mi^2 watershed	5	2	
10 to 150 mi^2	5	3	
151 mi^2 to 400 mi^2	5	4	
>400 mi^2 watershed	5	5	
Trout waters	6	6	
All other standards	(same as statewide)		

Site Specific Standards Variations Supported by ~~UAA~~ Use Attainability Analysis

Dardanelle Reservoir - maximum temperature 35°C (95°F) (limitation of 2.8°C above natural temperature does not apply) (ARV-2, #1)

Poteau River from U.S. Business Highway 71 to Oklahoma ~~S~~state line - chlorides - 120 mg/~~l~~L; sulfates - 60 mg/~~l~~L; TDS - 500 mg/~~l~~L (ARV-1, #2)

Unnamed tributary to Poteau River at Waldron - chlorides 150 mg/~~l~~L; sulfates - 70 mg/~~l~~L; TDS - 660 mg/~~l~~L (ARV-1, #3)

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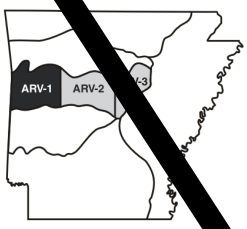
* Increase over natural temperatures may not be more than 2.8°C (5°F).

** At water temperatures ≤10°C or during March, April and May when stream flows are 15 ~~CFS~~cfs and greater, the primary season ~~D.O.~~dissolved oxygen standard will be 6.5 mg/~~l~~L. When water temperatures exceed 22°C, the critical season ~~D.O.~~dissolved oxygen standard may be depressed by 1 mg/~~l~~L for no more than 8 hours during a 24-hour period.

Plate ARV-1 (Arkansas River Valley)



LEGEND

- Ecologically Sensitive Waterbodies
- * Trout * - Trout Waters
- Extraordinary Resource Waters
- Natural and Scenic Waterways
- Variation by AAA

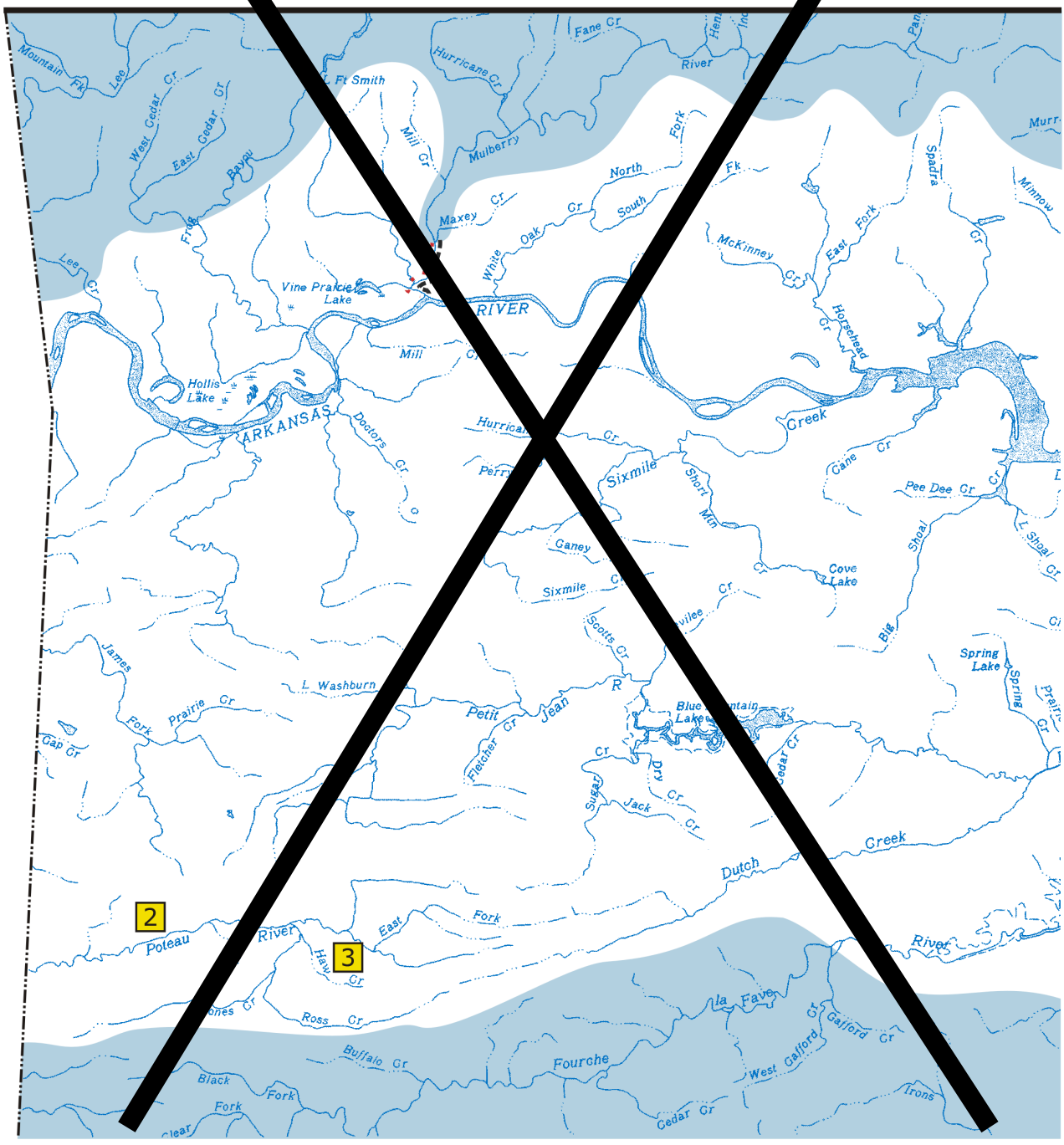


Plate ARV-1 (Arkansas River Valley)

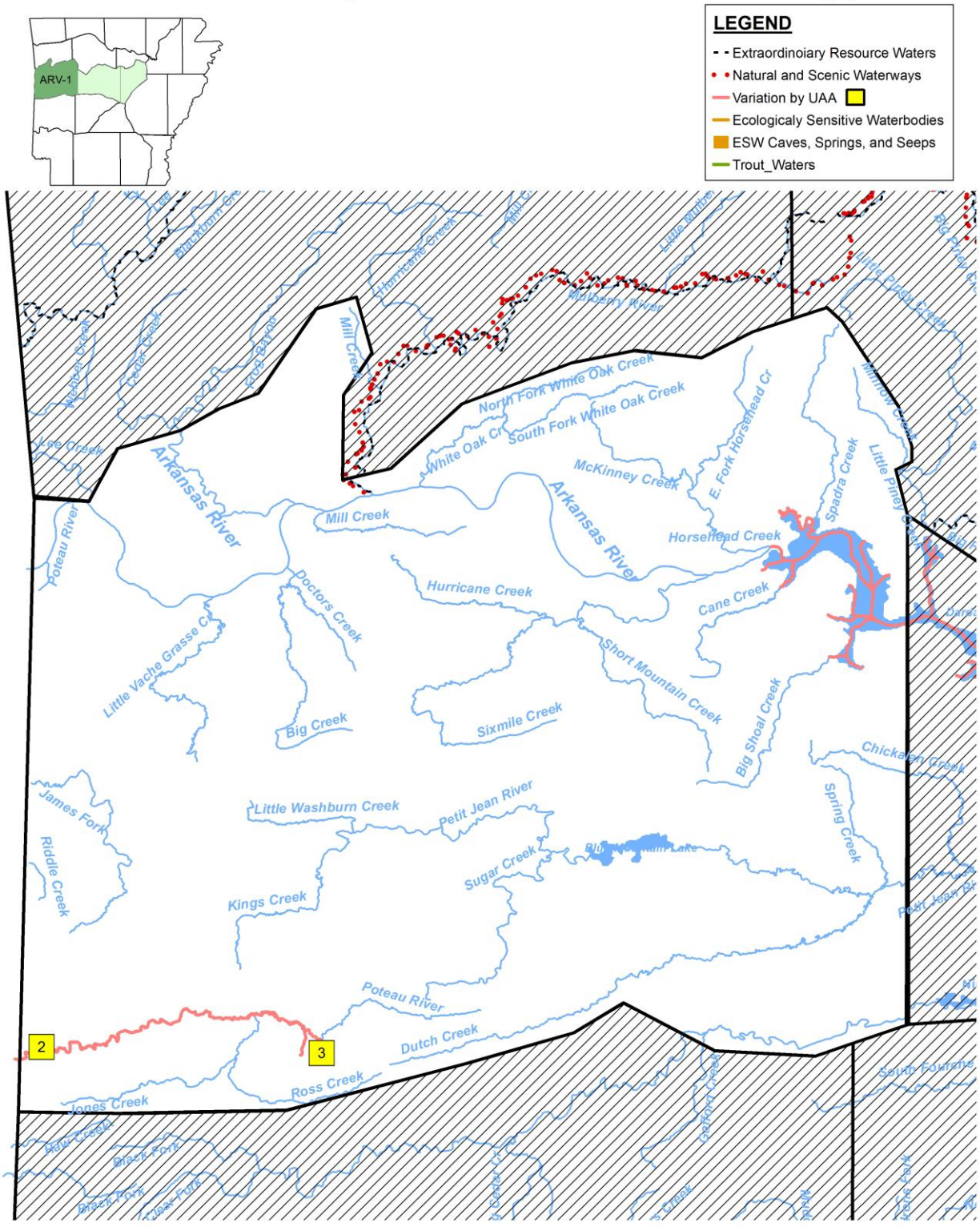


Plate ARV-2 (Arkansas River Valley)

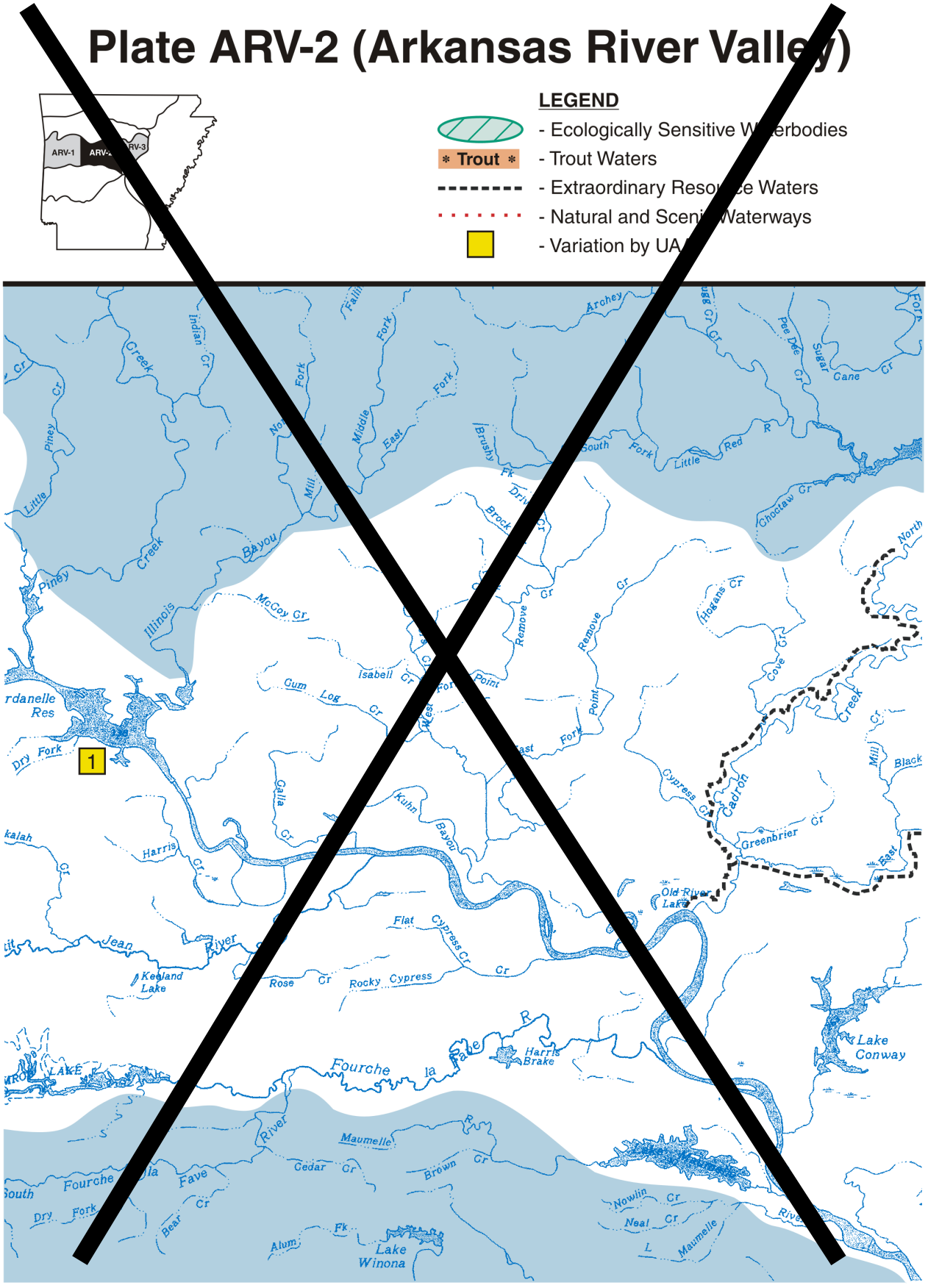


Plate ARV-2 (Arkansas River Valley)

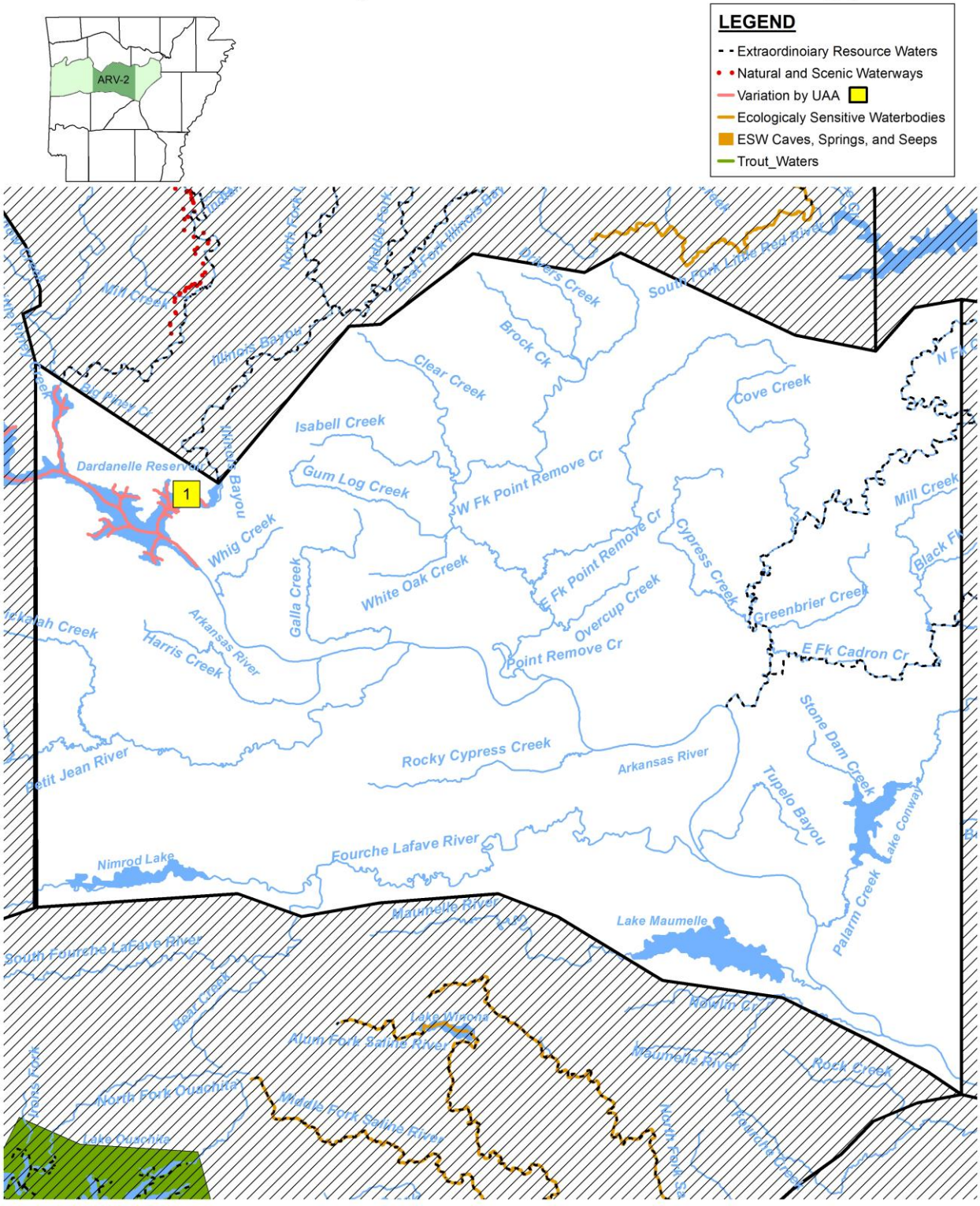


Plate ARV-3 (Arkansas River Valley)

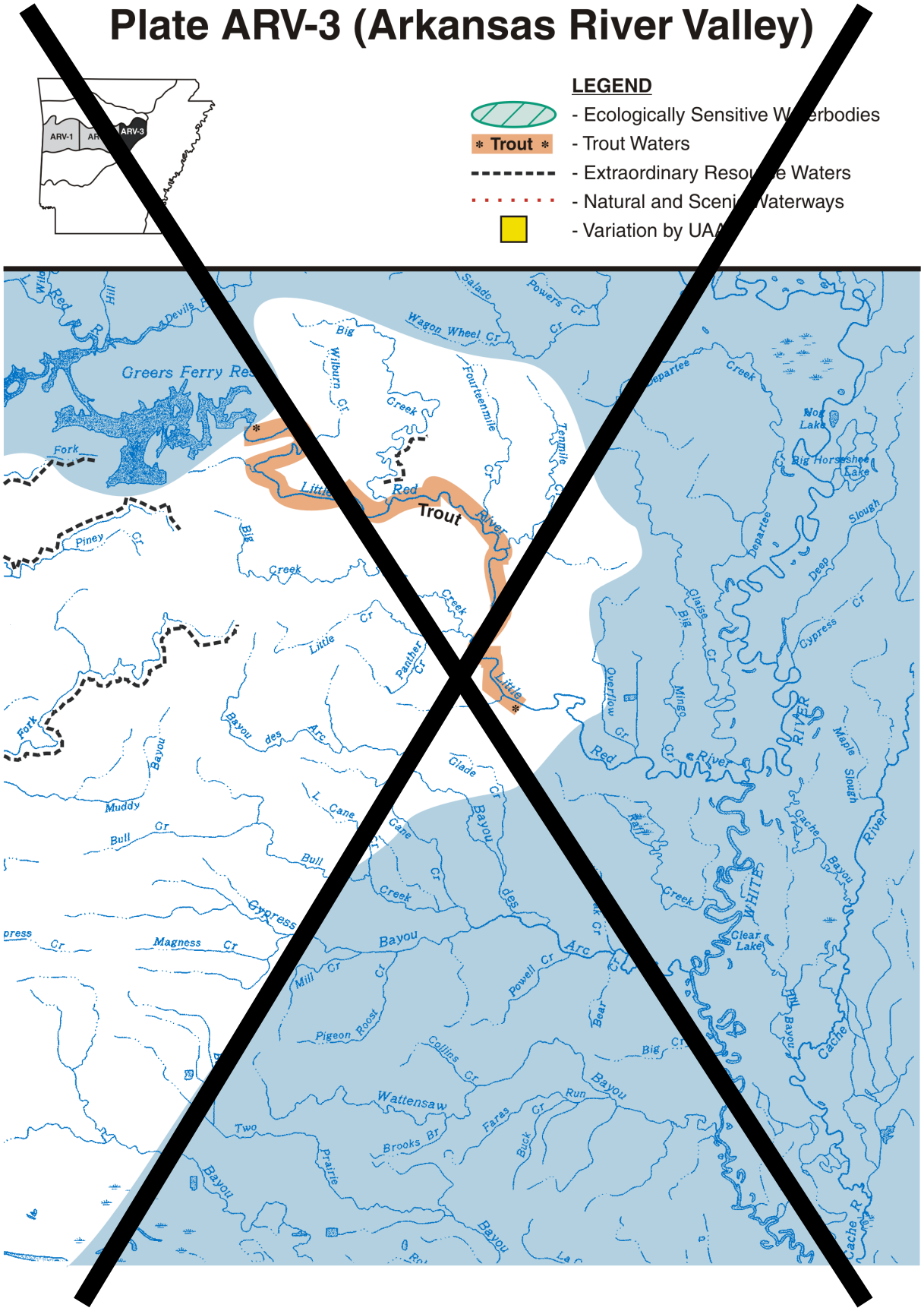
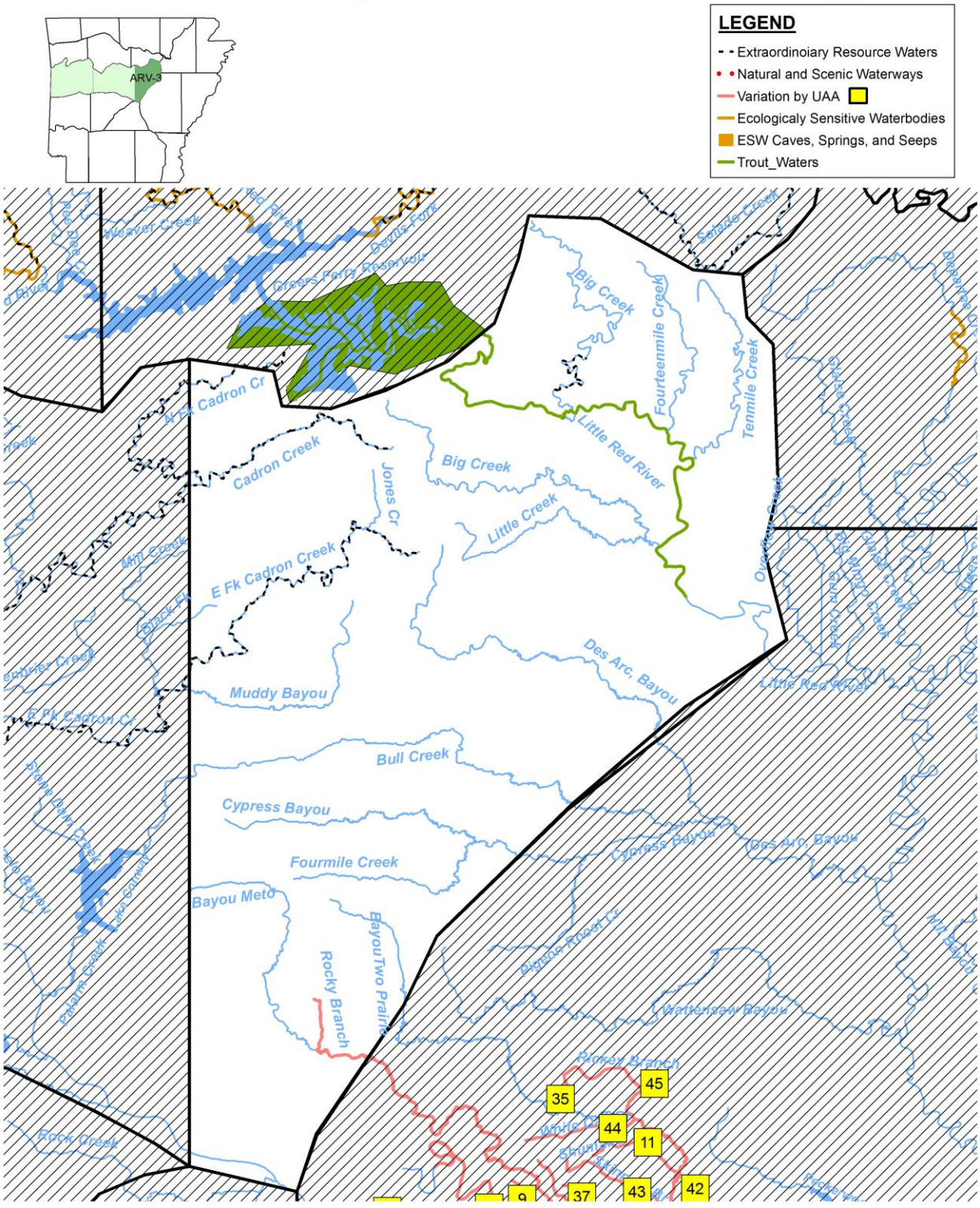


Plate ARV-3 (Arkansas River Valley)



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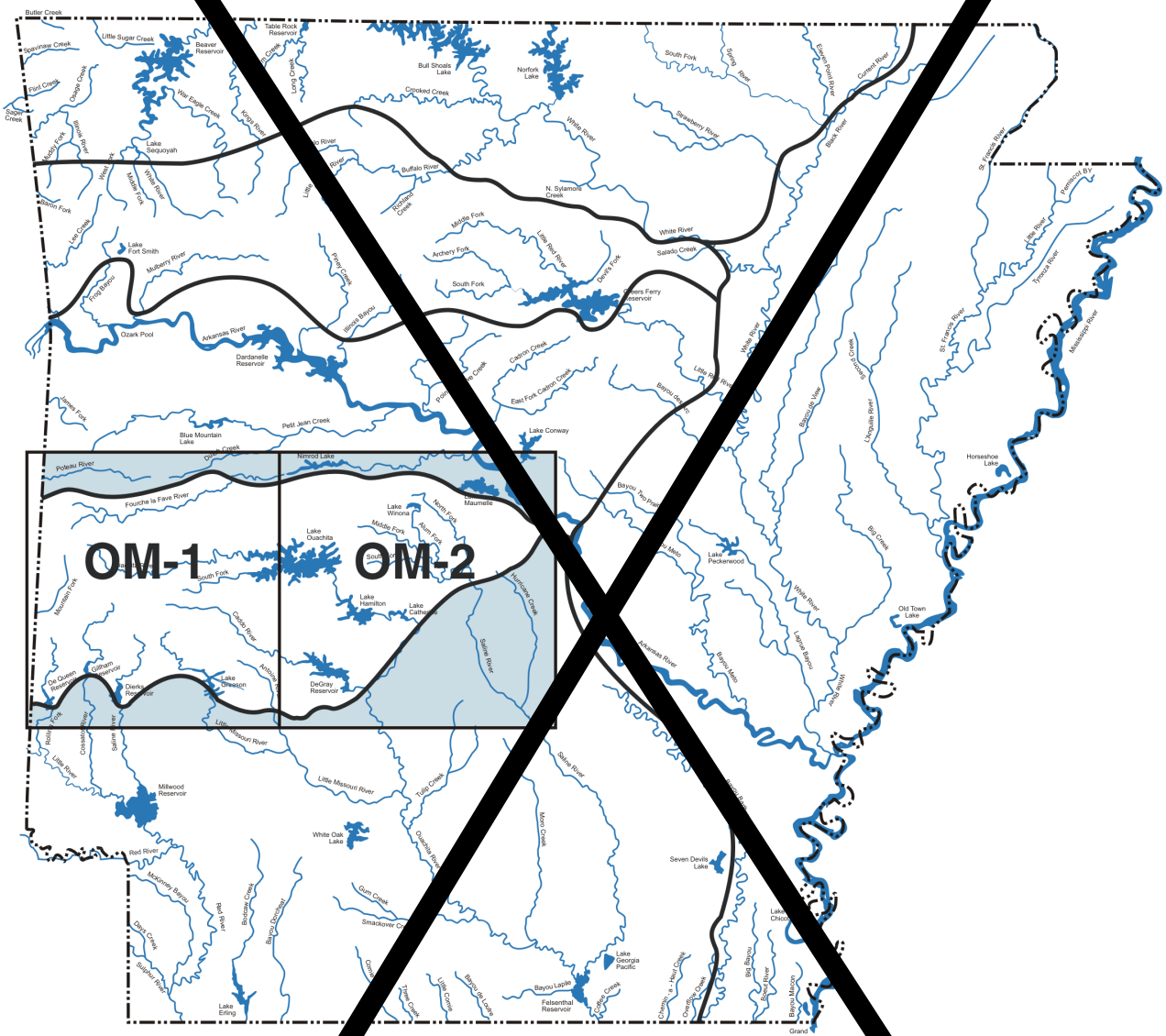

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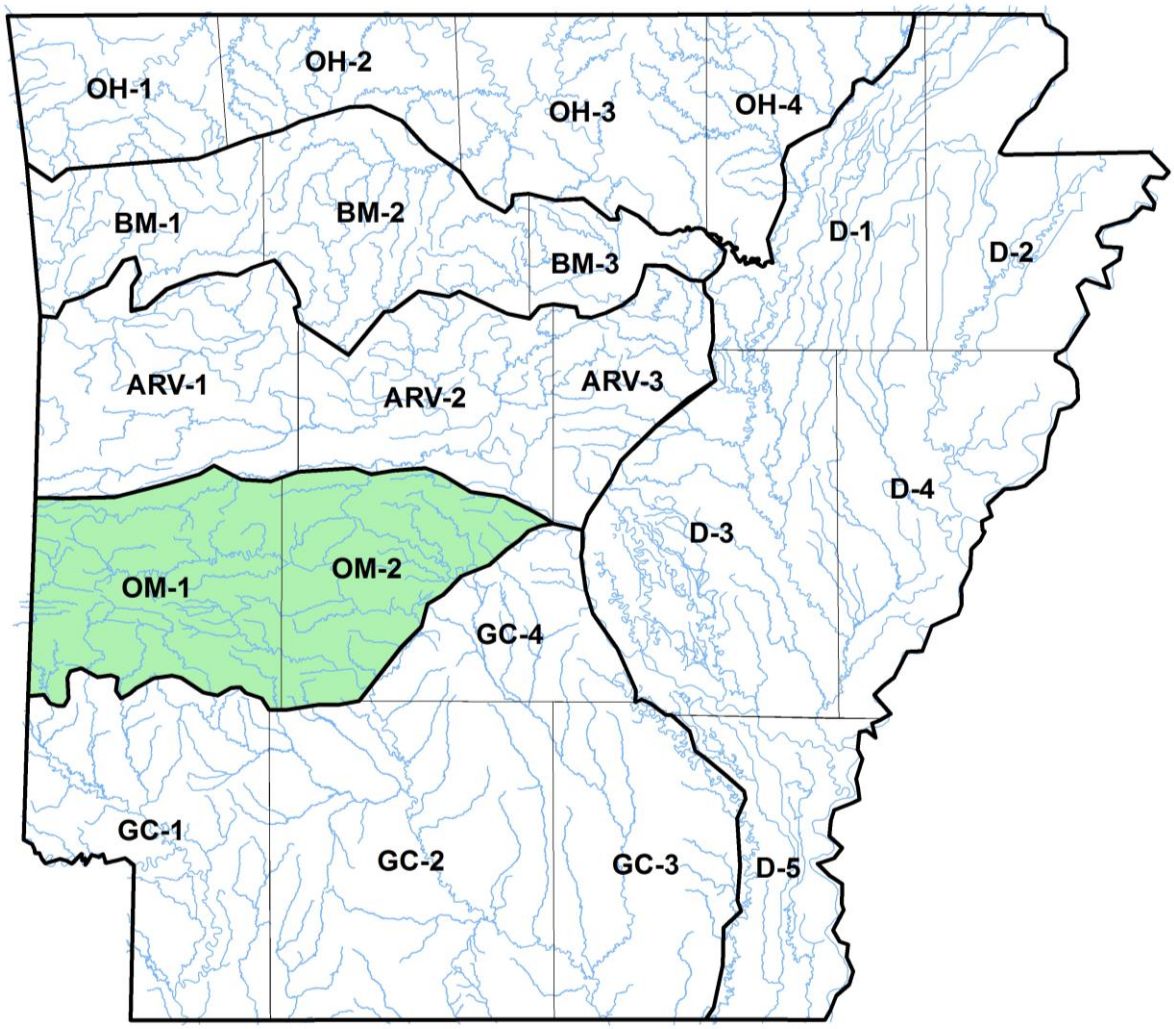


DESIGNATED USES: OUACHITA MOUNTAIN ECOREGION

(Plates OM-1, OM-2)

Extraordinary Resource Waters

Lake Ouachita (OM-1, OM-2)
DeGray Reservoir (OM-2)
Saline River - entire segment including North, Alum, Middle and South Forks (OM-2)
Caddo River - above DeGray Reservoir (OM-1, OM-2)
South Fork Caddo River (OM-1)
Cossatot River - above Gillham Reservoir (OM-1)
Caney Creek (OM-1)
Little Missouri River - above Lake Greeson (OM-1)
Mountain Fork River (OM-1)
Big Fork Creek - adjacent to natural area (OM-1)

Natural and Scenic Waterway

Cossatot River above Gillham Reservoir (OM-1)
Little Missouri River above Lake Greeson (OM-1)
Brushy Creek (OM-1)*

Ecologically Sensitive Waterbodies

Ouachita River above Lake Ouachita - location of Caddo madtom, longnose darter, peppered shiner, ~~and~~ threatened Arkansas ~~F~~fatmucket Mussel, fanshell complex, Kiamichi shiner, Ouachita darter, pyramid pigtoe, Ouachita kidneyshell, rabbitsfoot, purple lilliput, Ouachita creekshell, sandbank pocketbook, and stargazing darter (OM-1)
South Fork Ouachita River - location of Arkansas fatmucket mussel, ~~and~~ Caddo madtom, Ouachita kidneyshell, and Ouachita creekshell (OM-1)
Caddo River and all tributaries above DeGray Reservoir - location of endemic paleback darter, Caddo madtom and threatened Arkansas ~~F~~fatmucket Mussel, fanshell complex, southern pocketbook, peppered shiner, Ouachita kidneyshell (OM-1, OM-2)
Mountain Fork River - location of threatened leopard darter, Ouachita shiner, Ouachita kidneyshell, purple liliput, Ouachita creekshell and sandbank pocketbook (OM-1)
Cossatot River above Gillham Reservoir - location of threatened leopard darter and Ouachita shiner (OM-1)
Saline River including Alum, Middle, North and South Forks, and Ten Mile Creek - location of endemic Ouachita madtom and threatened Arkansas ~~F~~fatmucket Mussel (except South fork and Ten Mile Creek), Ouachita kidneyshell, purple liliput, and Ouachita creekshell, sandbank pocketbook; fanshell complex, pink mucket, southern pocketbook, pyramid pigtoe, and bleedingtooth mussel (main stem Saline River only); southern hickrynut, (Alum and Northfork only) (OM-2)
Little Missouri River above Lake Greeson - location of Caddo madtom
Mayberry Creek (tributary to Hallman's Creek) - location of paleback darter (OM-2)
Robinson Creek - location of threatened leopard darter and Ouachita shiner (OM-1)

Primary Contact Recreation - all streams with watersheds of greater than 10 mi^2 and all lakes/reservoirs**

Secondary Contact Recreation - all waters**

Domestic, Industrial and Agricultural Water Supply - all waters**

~~**Fisheries**~~ **Aquatic Life****

Trout

Lake Ouachita (lower portion) (OM-2)
Ouachita River from Blakely Mt. Dam to Hwy. 270 bridge (OM-2)

Lakes and Reservoirs – all

*As designated in the National Wild and Scenic Rivers System

**Except for those waters with designated use variations supported by Use Attainability Analysis or other investigations.

~~Fisheries~~ Aquatic Life**

Streams

Seasonal Ouachita Mountain Ecoregion ~~fishery~~ aquatic life - all streams with watersheds of less than 10 mi^2 except as otherwise provided in Reg. 2.505

Perennial Ouachita Mountain Ecoregion ~~fishery~~ aquatic life - all streams with watershed of 10 mi^2 or larger and those waters where discharges equal or exceed 1 ~~CFS~~ cfs

Site Specific Designated Use Variations Supported by ~~UAA~~Use Attainability Analysis

Rolling Fork from unnamed trib~~utary~~ A at Grannis to DeQueen Reservoir - no domestic water supply use (OM-1, #2)

Unnamed tributaries A and A1 at Grannis - no domestic water supply use (OM-1, #3)

SPECIFIC STANDARDS: OUACHITA MOUNTAIN ECOREGION

(Plates OM-1, OM-2)

	Streams		Lakes and Reservoirs
Temperature °C (°F)*	30 (86)		32 (89.6)
Trout waters	20 (68)		
Turbidity (NTU) (base/all)	10/18		25/45
Minerals	see Reg. 2.511		see Reg. 2.511
Dissolved Oxygen (mg/~~l~~L) **	Pri.	Crit	see Reg. 2.505
<10 mi^2 watershed	6	2	
10 mi^2 and greater	6	6	
Trout waters	6	6	
All other standards	(same as statewide)		

Site Specific Standards Variations Supported by ~~UAA~~ Use Attainability Analysis

Prairie Creek: from headwaters to confluence with Briar Creek, critical season dissolved oxygen - 4 mg/~~l~~L (OM-1, #1)

Rolling Fork from unnamed tributary A to DeQueen Reservoir - chlorides 130 mg/~~l~~L; sulfates - 70 mg/~~l~~L; ~~TDS~~ total dissolved solids - 670 mg/~~l~~L(OM-1, #2)

Unnamed tributaries A and A1 at Grannis - chlorides - 135 mg/~~l~~L; sulfates - 70 mg/~~l~~L; ~~TDS~~ total dissolved solids - 700 mg/~~l~~L (OM-1, #3)

South Fork Caddo River - sulfates 60 mg/~~l~~L (OM-1, #4)

Back Valley Creek - sulfates 250 mg/~~l~~L; total dissolved solids 500 mg/~~l~~L (OM-1,#5)

Wilson Creek from a point approximately 0.85 mile upstream of Outfall 001 to UMETCO Outfall 001 – chlorides 56 mg/~~l~~L; sulfates 250 mg/~~l~~L; ~~TDS~~ total dissolved solids 500 mg/~~l~~L (OM-2, #6)

Wilson Creek downstream of UMETCO Outfall 001 to its mouth – chlorides 56 mg/~~l~~L; sulfates 250 mg/~~l~~L; ~~TDS~~ total dissolved solids 500 mg/~~l~~L (OM-2, #7)

*Increase over natural temperatures may not be more than 2.8°C (5°F).

**At water temperatures ≤10°C or during March, April and May when stream flows are 15 ~~CFS~~ cfs and greater, the primary season ~~D.O.~~ dissolved oxygen standard will be 6.5 mg/~~l~~L. When water temperatures exceed 22°C, the critical season ~~D.O.~~ dissolved oxygen standard may be depressed by 1 mg/~~l~~L for no more than 8 hours during a 24-hour period.

Plate OM-1 (Ouachita Mountains)

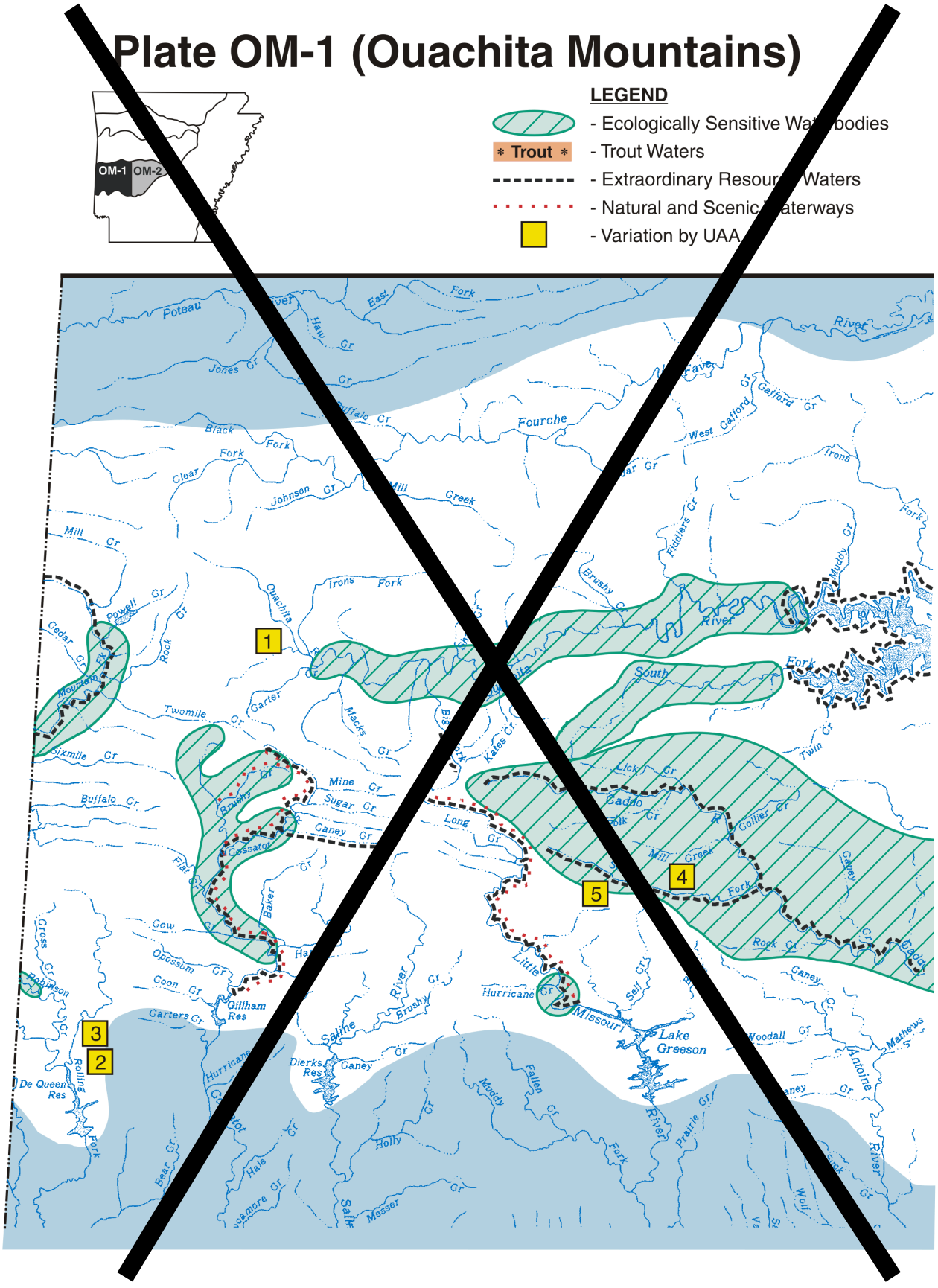


Plate OM-1 (Ouachita Mountains)

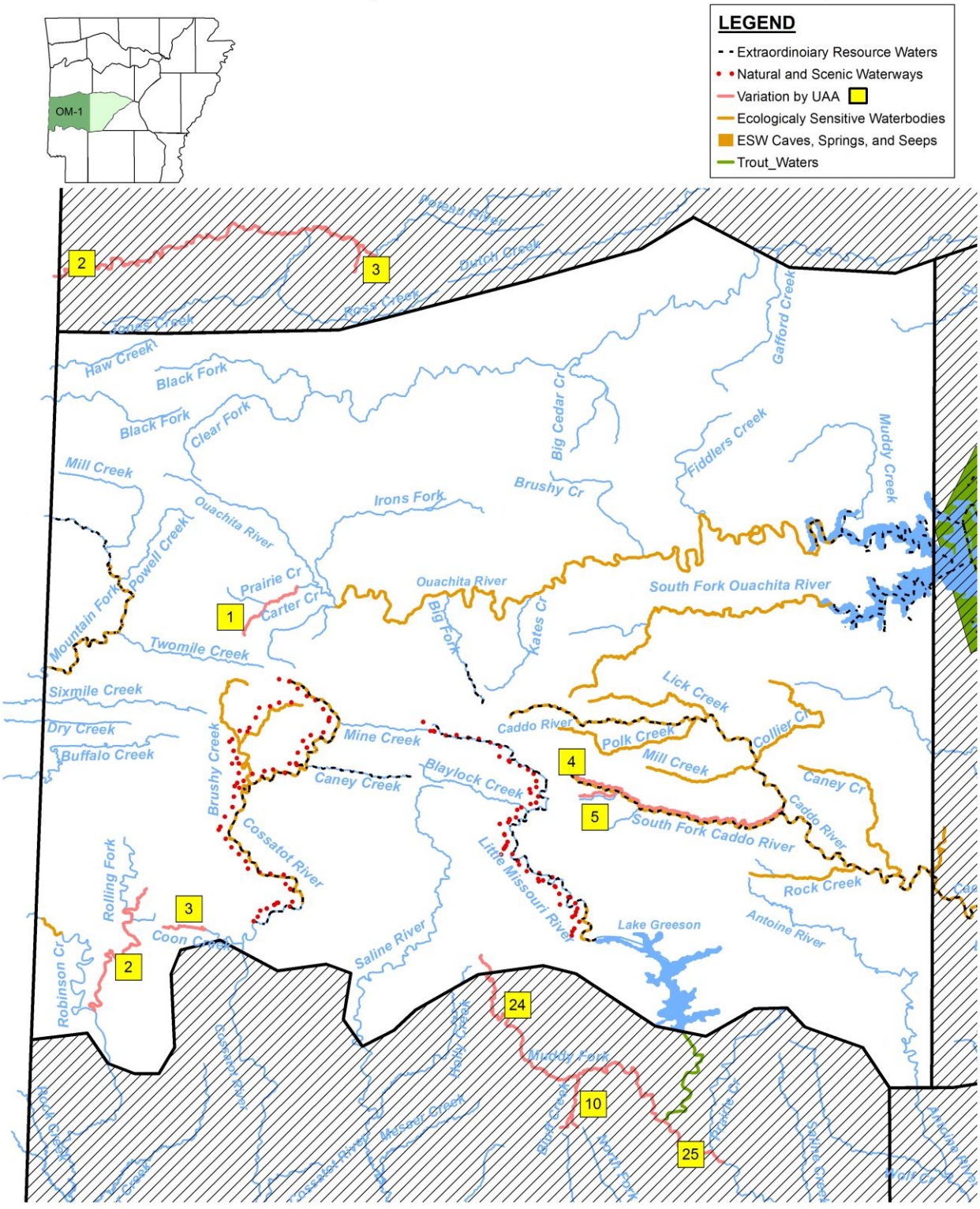


Plate OM-2 (Ouachita Mountains)

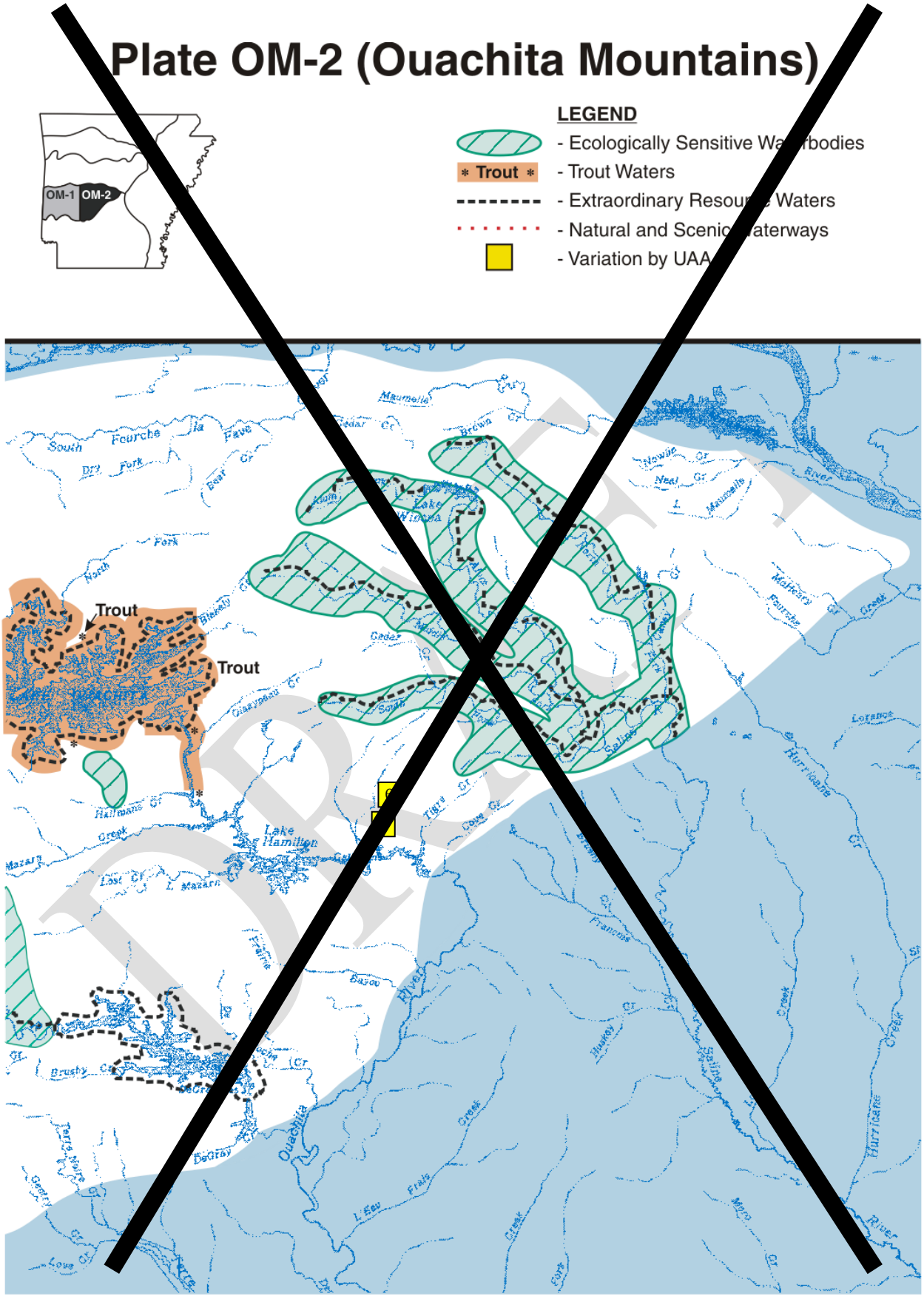
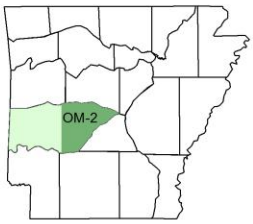
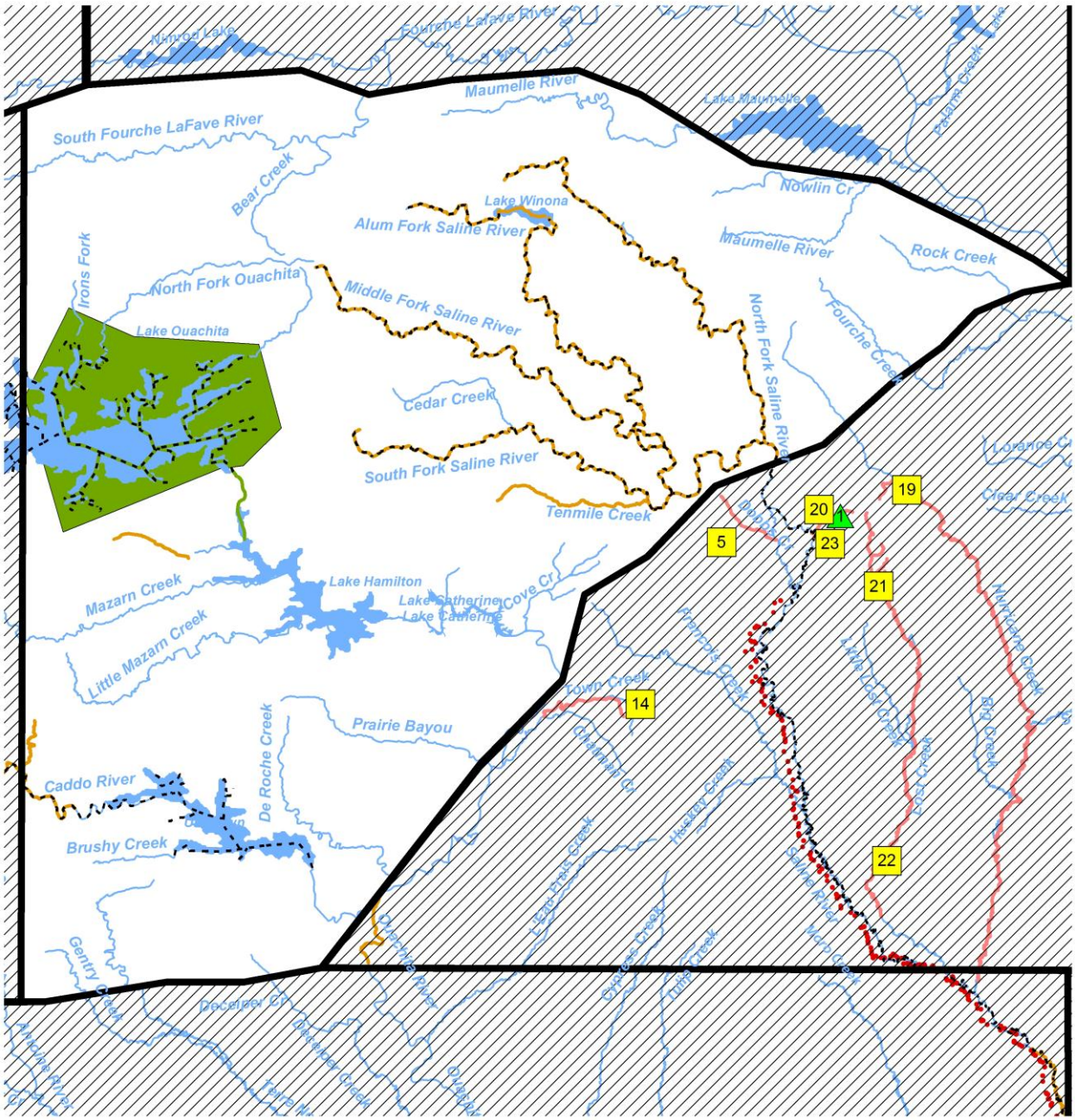


Plate OM-2 (Ouachita Mountains)



LEGEND

- Extraordinoiary Resource Waters
- Natural and Scenic Waterways
- Variation by UAA
- ESW Caves, Springs, and Seeps
- Trout_Waters
- Variation by EIP



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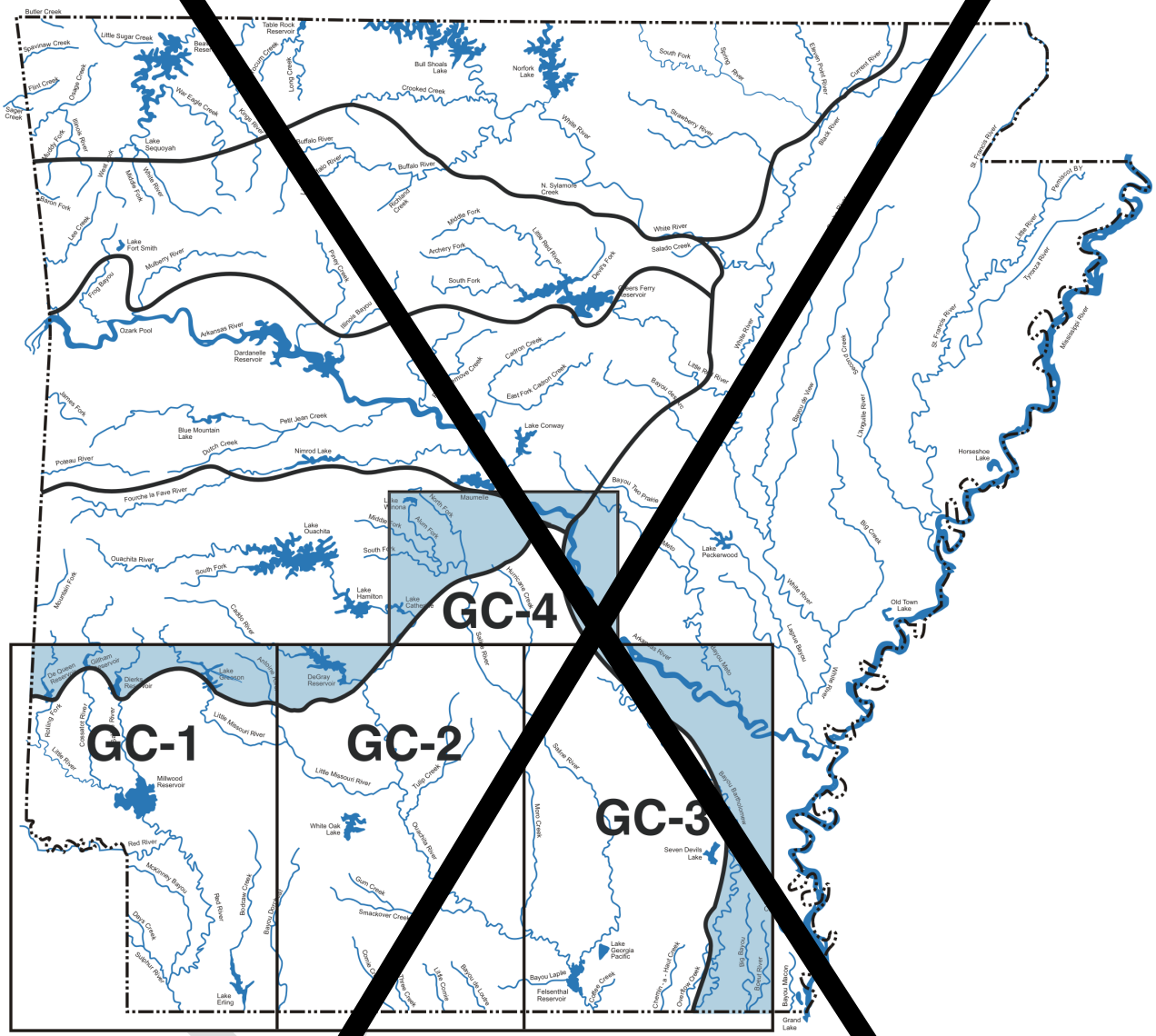

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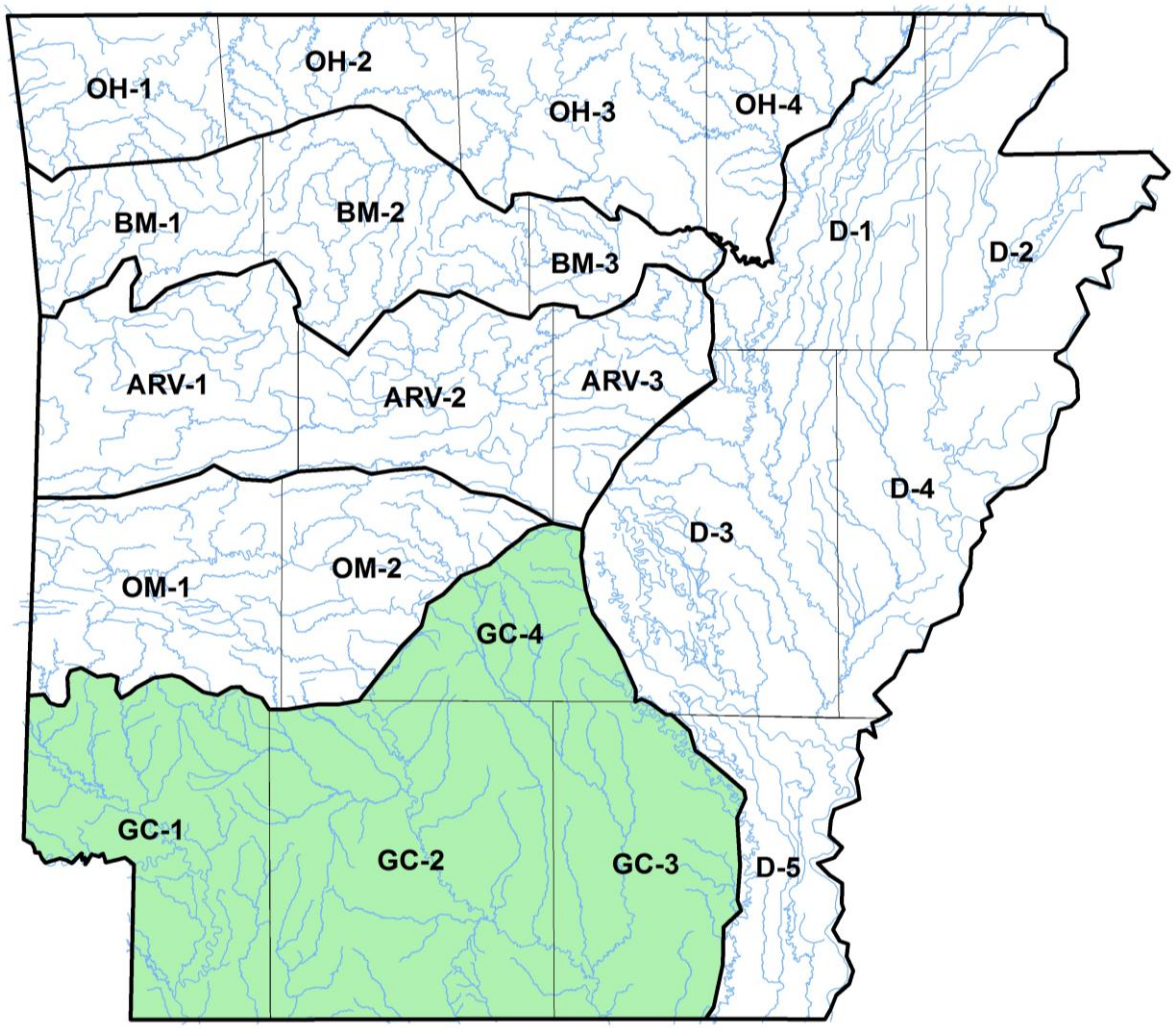

DESIGNATED USES: GULF COASTAL ECOREGION

(Plates GC-1, GC-2, GC-3, GC-4)

Extraordinary Resource Waters
Saline River (GC-3, GC-4)
Moro Creek - adjacent to natural area (GC-~~3~~2)

Natural and Scenic Waterways
Saline River from the Grant-Saline County line to mouth (GC-3)

Ecologically Sensitive Waterbodies
Little River above Millwood Reservoir - location of Ouachita rock pocketbook ~~and~~ pink mucket mussels, and southern hickorynut, pyramid pigtoe, Ouachita kidneyshell, and rabbitsfoot (GC-1)
Grassy Lake and Yellow Creek below Millwood Reservoir - unique ecosystem and biota (GC-1) ~~Lower Little~~ Lower Little Missouri River - location of peppered shiner ~~and~~ longnose darter, Alabama shad, crystal darter, fanshell complex, pink mucket, southern pocketbook, sandbank pocketbook, southern hickorynut, Ouachita darter, pyramid pigtoe, Ouachita kidneyshell, rabbitsfoot, winged mapleleaf, purple lilliput, Ouachita creekshell, and stargazing darter (GC-2)
Lower Saline River - location of peppered shiner, crystal darter ~~and~~ goldstripe darter, and fanshell complex, western sand darter, pink mucket, southern pocketbook, southern hickorynut, stargazing darter, Ohio pigtoe, pyramid pigtoe, Ouachita kidneyshell, rabbitsfoot, winger mapleleaf, and purple lilliput (GC-3)
Ouachita River near Arkadelphia - location of flat floater, Ouachita rock pocketbook ~~and~~ pink mucket ~~mussels~~, Alabama shad, crystal darter, fanshell complex, southern hickorynut, Ouachita kidneyshell, and rabbitsfoot (GC-~~2~~4)

Streams with Substantial Springwater Influence
L'Eau Frais (GC-4)
Cypress Creek (GC-4)
East and West Fork Tulip Creeks (GC-4)
Others to be determined

Primary Contact Recreation - all streams with watersheds greater than 10 mi² and all lakes/reservoirs**

Secondary Contact Recreation - all waters**

Domestic, Industrial and Agricultural Water Supply - all waters**

~~**Fisheries**~~ **Aquatic Life****

Trout

Little Missouri River from Narrows Dam to confluence with Muddy Fork (GC-1)

Lakes and Reservoirs - all

Streams

Seasonal Gulf Coastal ~~fishery~~ aquatic life - all streams with watersheds of less than 10 mi^2 except as otherwise provided in Reg. 2.505

Perennial Gulf Coastal ~~fishery~~ aquatic life - all streams with watersheds of 10 mi^2 or larger and those waters where discharges equal or exceed 1 ~~CFS~~cfs

Except for those waters with designated use variations supported by **Use Attainability Analysis or other investigations.

Site Specific Designated Use Variations Supported by ~~UAA~~Use Attainability Analysis

Loutre Creek - perennial ~~fishery~~ aquatic life use, except seasonal from railroad bridge to mouth (GC-2, #1)
Unnamed tributary to Smackover Creek - no fishable/swimmable uses (GC-2, #2)
Unnamed tributary to Flat Creek - no fishable/swimmable uses (GC-2, #4)
Dodson Creek - perennial ~~fishery~~ aquatic life use (GC-4, #5)
Jug Creek - perennial ~~fishery~~ aquatic life use (GC-2, #6)
Lick Creek - seasonal ~~fishery~~ aquatic life use; no primary contact (GC-1, #7)
Coffee Creek and Mossy Lake - no fishable/swimmable or domestic water supply uses (GC-3, #8)
Red River from Oklahoma state line to confluence with Little River - No domestic water supply use (GC-1, #9)
Bluff Creek and unnamed tributary - no domestic water supply use (GC-1,#10)
Mine Creek from Highway 27 to Millwood Lake - no domestic water supply use (GC-1, #11)
Caney Creek - no domestic or industrial water supply use (GC-1,#12)
Bois d'Arc Creek from Caney Creek to Red River - no domestic or industrial water supply use (GC-1,#13)
Town Creek below Acme tributary - no domestic water supply (GC-4,#14)
Unnamed trib. from Acme - no domestic water supply (GC-4,#14)
Gum Creek - no domestic water supply use (GC-2,#15)
Loutre creek from Highway 15 S. to the confluence of Bayou de Loutre – no domestic water supply use (GC-2, #41)
Unnamed trib 002 (UT002) – no domestic water supply use (GC-2, #31)
Unnamed trib 003 (UT003) – no domestic water supply use (GC-2, #34)
Unnamed trib 004 (UT004) – no domestic water supply use (GC-2, #32)
Bayou de Loutre from ~~Gum Creek~~ mouth of UT004 to Louisiana ~~S~~state line - no domestic water supply use (GC-2, #16)
Walker Branch - no domestic water supply use (GC-2,#17)
Little Cornie Bayou from Walker Branch to Arkansas/Louisiana ~~S~~state line - no domestic water supply use (GC-2,#18)
Unnamed trib to Little Cornie Bayou (UTLCB-2) - no domestic water supply use (GC-2, #18)
Alcoa unnamed trib to Hurricane Cr~~.~~eek and Hurricane Cr~~.~~eek - no domestic water supply use (GC-4,#19)
Holly Creek - no domestic water supply use (GC-4,#20)
Dry Lost Creek and Tribs. - no domestic water supply use (GC-4.#21)
Lost Creek - no domestic water supply use (GC-4,#22)
Albemarle unnamed trib (AUT) to Horsehead Creek - no domestic water supply use (GC-2,#27)
Horsehead Creek from AUT to mouth - no domestic water supply use (GC-2,#27)
Dismukes Creek and Big Creek to Bayou Dorcheat – no domestic water supply (GC-2, #28)
Boggy Creek from the discharge from Clean Harbors El Dorado LCC downstream to the confluence of Bayou de Loutre - no domestic water supply use (GC-2, #51)
Unnamed tributary to Flat Creek from EDCC Outfall 001 d/s to confluence with unnamed tributary A to Flat Creek - no domestic water supply use (GC-2, #37)
Unnamed tributary A to Flat Creek from mouth of EDCC 001 ditch to confluence with Flat Creek - no domestic water supply use (GC-2, #38)
Flat Creek from mouth of UTA to confluence with Haynes Creek - no domestic water supply use (GC-2, #39)
Haynes Creek from mouth of Flat Creek to confluence with Smackover Creek - no domestic water supply use (GC-2, #40)

SPECIFIC STANDARDS: GULF COASTAL ECOREGION

(Plates GC-1, GC-2, GC-3, GC-4)

	Typical Streams	**Spring Water Streams**	**Lakes and Reservoirs**
Temperature °C (°F)*	30 (86)	30 (86)	32 (89.6)
Ouachita River (state line to Little Missouri River)	32 (89.6)		
Red River	32 (89.6)		
Turbidity (NTU) (base/all)	21/32	21/32	25/45
Red River (base/all)	50/150		
Minerals	see Reg. 2.511		see Reg. 2.511
Dissolved Oxygen (mg/~~l~~L) **	Pri. Crit.		see Reg. 2.505
<10 mi^2 watershed	5 2		
10 mi^2 - 500 mi^2	5 3		
>500 mi^2 watershed	5 5		
All sizes (springwater influenced)	~~6~~ ~~5~~	6 5	
All other standards	(same as statewide)		

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*Increase over natural temperatures may not be more than 2.8°C (5°F).

**At water temperatures ≤10°C or during March, April and May when stream flows are 15 ~~CFS~~cfs and greater, the primary season ~~D.O.~~dissolved oxygen standard will be 6.5 mg/~~l~~L. When water temperatures exceed 22°C, the critical season ~~D.O.~~dissolved oxygen standard may be depressed by 1 mg/~~l~~L for no more than 8 hours during a 24-hour period

Site Specific Standards Variations Supported by ~~UAA~~Use Attainability Analysis

Loutre Creek - from headwaters to railroad bridge, critical season ~~D.O.~~dissolved oxygen standard - 3 mg/~~l~~L; primary season - 5 mg/~~l~~L; from railroad bridge to mouth, critical season ~~D.O.~~dissolved oxygen - 2 mg/~~l~~L (GC-2, #1)

Unnamed tributary to Smackover Creek - headwaters to Smackover Creek, year round ~~D.O.~~dissolved oxygen criteria - 2 mg/~~l~~L (GC-2, #2)

Unnamed tributary to Flat Creek - from headwaters to Flat Creek, year round ~~D.O.~~dissolved oxygen criteria - 2 mg/~~l~~L (GC-2, #4)

Dodson Creek - from headwaters to confluence with Saline River, critical season ~~D.O.~~dissolved oxygen standard - 3 mg/~~l~~L (GC-4, #5)

Jug Creek - from headwaters to confluence with Moro Creek, critical season ~~D.O.~~dissolved oxygen standard - 3 mg/~~l~~L (GC-2, #6)

Lick Creek - from headwaters to Millwood Reservoir, critical season ~~D.O.~~dissolved oxygen standard - 2 mg/~~l~~L (GC-1, #7)

Coffee Creek and Mossy Lake - exempt from Reg. 2.406 and Chapter Five (GC-3, #8)

Red River from Oklahoma state line to confluence with Little River - total dissolved solids - 850 mg/~~l~~L (GC-1, #9)

Bluff Creek and unnamed trib. - sulfates 651 mg/~~l~~L; total dissolved solids 1033 mg/~~l~~L (GC-1,#10)

Muddy Fork Little Missouri River - sulfates 250 mg/~~l~~L; total dissolved solids 500 mg/~~l~~L (GC-1,#24)

Little Missouri River - sulfates 90 mg/~~l~~L; total dissolved solids 180 mg/~~l~~L (GC-1,#25)
Mine Creek from Highway 27 to Millwood Lake - chlorides - 90 mg/~~l~~L; sulfates - 65 mg/~~l~~L; ~~TDS~~total dissolved solids - 700 mg/~~l~~L (GC-1, #11)
Caney Creek - chlorides 113 mg/~~l~~L; sulfates 283 mg/~~l~~L; total dissolved solids 420 mg/~~l~~L (GC-1,#12)
Bois d'Arc Creek from Caney Creek to Red River - chlorides 113 mg/~~l~~L; sulfates 283 mg/~~l~~L; total dissolved solids 420 mg/~~l~~L (GC-1,#13)
Town Creek below Acme tributary - sulfates 200 mg/~~l~~L; ~~TDS~~total dissolved solids 700 mg/~~l~~L (GC-4,#14)
Unnamed trib. from Acme - sulfates 330 mg/~~l~~L; ~~TDS~~total dissolved solids 830 mg/~~l~~L (GC-4,#14)
Gum Creek - chlorides 104 mg/~~l~~L; ~~TDS~~total dissolved solids 311 mg/~~l~~L (GC-2,#15)
Bayou de Loutre from Gum Creek to State line - Chlorides 250 mg/~~l~~L; ~~TDS~~total dissolved solids solids 750 mg/~~l~~L (GC-2,#16)
Walker Branch - chlorides 180 mg/~~l~~L; total dissolved solids 970 mg/~~l~~L (GC-2,#17)
Ouachita River - from Ouachita River mile (ORM) 223 to the Arkansas-Louisiana border (ORM 221.1), site specific seasonal ~~D.O.~~dissolved oxygen criteria: 3 mg/~~l~~L June and July; 4.5 mg/~~l~~L August; 5 mg/~~l~~L September through May. These seasonal criteria may be unattainable during or following naturally occurring high flows~~,~~(i.e., river stage above 65 feet measured at the lower gauge at the Felsenthal Lock and Dam, Station No.89-o, and also for the two weeks following the recession of flood waters below 65 feet), which occurs from May through August. Naturally occurring conditions which fail to meet criteria should not be interpreted as violations of these criteria (GC-3, #26)
Alcoa unnamed trib. to Hurricane Cr. ~~A~~and Hurricane Cr. - see Reg. 2.511 (CG-4. #19)
Holly Creek - See Reg. 2.511 (CG-4, #20)
Saline River bifurcation - see Reg. 2.511 (GC-4, #23)
Dry Lost Creek and tributaries - see Reg. 2.511 (GC-4, #21)
Lost Creek - see Reg. 2.511 (GC-4, #22)
Albemarle unnamed trib (AUT) to Horsehead Creek - chlorides 137 mg/~~l~~L; ~~TDS~~total dissolved solids 383 mg/~~l~~L (GC-2,#27)
Horsehead Creek from AUT to mouth - chlorides 85 mg/~~l~~L; ~~TDS~~total dissolved solids 260 mg/~~l~~L(GC-2,#27)
Bayou Dorcheat - sulfates 16 mg/~~l~~L (GC-2,#27)
Dismukes Creek – chlorides 26 mg/~~l~~L; ~~TDS~~total dissolved solids 157 mg/~~l~~L (GC-2, #28)
Big Creek from Dismukes to Bayou Dorcheat – chlorides 20 mg/~~l~~L; ~~TDS~~total dissolved solids 200 mg/~~l~~L (GC-2, #28)
Bayou de Loutre from Chemtura outfall to Loutre Creek – maximum water temperature 96°F (GC-2, #29)
Unnamed tributary of Lake June below Entergy Couch Plant to confluence with Lake June – maximum water temperature 95 degrees F (limitation of 5 degrees above natural temperature does not apply) (GC-1, #30).
Unnamed tributary from Great Lakes Chemical Company Outfall 002 to Bayou de Loutre-chloride 65, sulfate 35 mg/~~l~~L, ~~TDS~~total dissolved solids 141 mg/~~l~~L (GC-2, #31)
~~Unnamed tributary from Great Lakes Chemical Company Outfall 004 to Bayou de Loutre-chloride 239 mg/lL., TDS 324 mg/lL (GC-2, #32)~~
~~Bayou de Loutre from mouth of UT004 to mouth of Loutre Creek, chloride 278 mg/L (GC-2, #33)~~
~~Unnamed tributary from Great Lakes Chemical Company Outfall 003 (UT003) downstream to unnamed tributary to Little Cornie Bayou – chloride 538 mg/L, sulfate 35 mg/L, and TDS 519 mg/L (GC-2, #34)~~
~~Unnamed tributary of Little Cornie Bayou to confluence with Little Cornie Bayou – chloride 305 mg/L and TDS 325 mg/L (GC-2, #35)~~
~~Little Cornie Bayou from mouth UTA to state line- chloride 215mg/L,sulfate 25mg/L and TDS 500mg/L. (GC-2, #36)~~
~~Unnamed tributary to Flat Creek from EDCC Outfall 001 d/s to confluence with unnamed tributary A to Flat Creek Chloride 23 mg/L, Sulfate 125 mg/L, TDS 475 mg/L, (GC-2, #37)~~
~~Unnamed tributary A to Flat Creek from mouth of EDCC 001 ditch to confluence with Flat Creek, Chloride 16 mg/L, Sulfate 80 mg/L, TDS 315 mg/L, (GC-2, #38)~~
~~Loutre Creek from Hwy 15 South to the confluence of Bayou de Loutre Chloride, 256mg/l; Sulfate 997mg/l, TDS, 1756* (GC-3. #41)~~
~~Bayou de Loutre from Loutre Creek to the discharge for the City of El Dorado South facility Chloride, 264mg/l; Sulfate 635mg/l, TDS, 1236* (GC-3. #42)~~
~~Bayou de Loutre from the discharge from the City of El Dorado South downstream to the mouth of Gum Creek. Chloride, 250mg/l; Sulfate 431mg/l, TDS, 966 (GC-3. #43)~~
~~Bayou de Loutre from the mouth of Gum Creek downstream to the mouth of Boggy Creek Chloride, 250mg/l;~~

~~Sulfate 345mg/l, TDS, 780 (GC-3. #44)~~

~~Bayou de Loutre from the mouth of Boggy Creek downstream to the mouth of Hibank Creek Chloride, 250mg/l; Sulfate 296mg/l, TDS, 750 (GC-3. #45)~~

~~Bayou de Loutre from the mouth of Hibank Creek downstream to the mouth of Mill Creek Chloride, 250mg/l; Sulfate 263mg/l, TDS, 750 (GC-3. #46)~~

~~Bayou de Loutre from the mouth of Mill Creek downstream to the mouth of Buckaloo Branch Chloride, 250mg/l; Sulfate 237mg/l, TDS, 750 (GC-3. #47)~~

~~Bayou de Loutre from the mouth of Buckaloo Branch downstream to the mouth of Bear Creek Chloride, 250mg/l; Sulfate 216mg/l, TDS, 750 (GC-3. #48)~~

~~Bayou de Loutre from the mouth of Bear Creek to the final segment of Bayou de Loutre. Chloride, 250mg/l; Sulfate 198mg/l, TDS, 750(GC-3. #49)~~

~~Bayou de Loutre (Final Segment) to the Arkansas / Louisiana State Line. Chloride, 250mg/l; Sulfate 171 mg/l, TDS, 750(GC-3. #50)~~

Boggy Creek from the discharge from Clean Harbors El Dorado LCC downstream to the confluence of Bayou de Loutre. Chloride, 631mg/~~l~~L; Sulfate, 63 mg/~~l~~L, ~~TDS~~total dissolved solids, 1360; Selenium, 15.6 u/~~l~~L

McGeorge Creek (headwaters to Willow Springs Branch) Sulfate, 250 mg/~~l~~L; ~~TDS~~total dissolved solids, 432 mg/L (GC-4. #52)

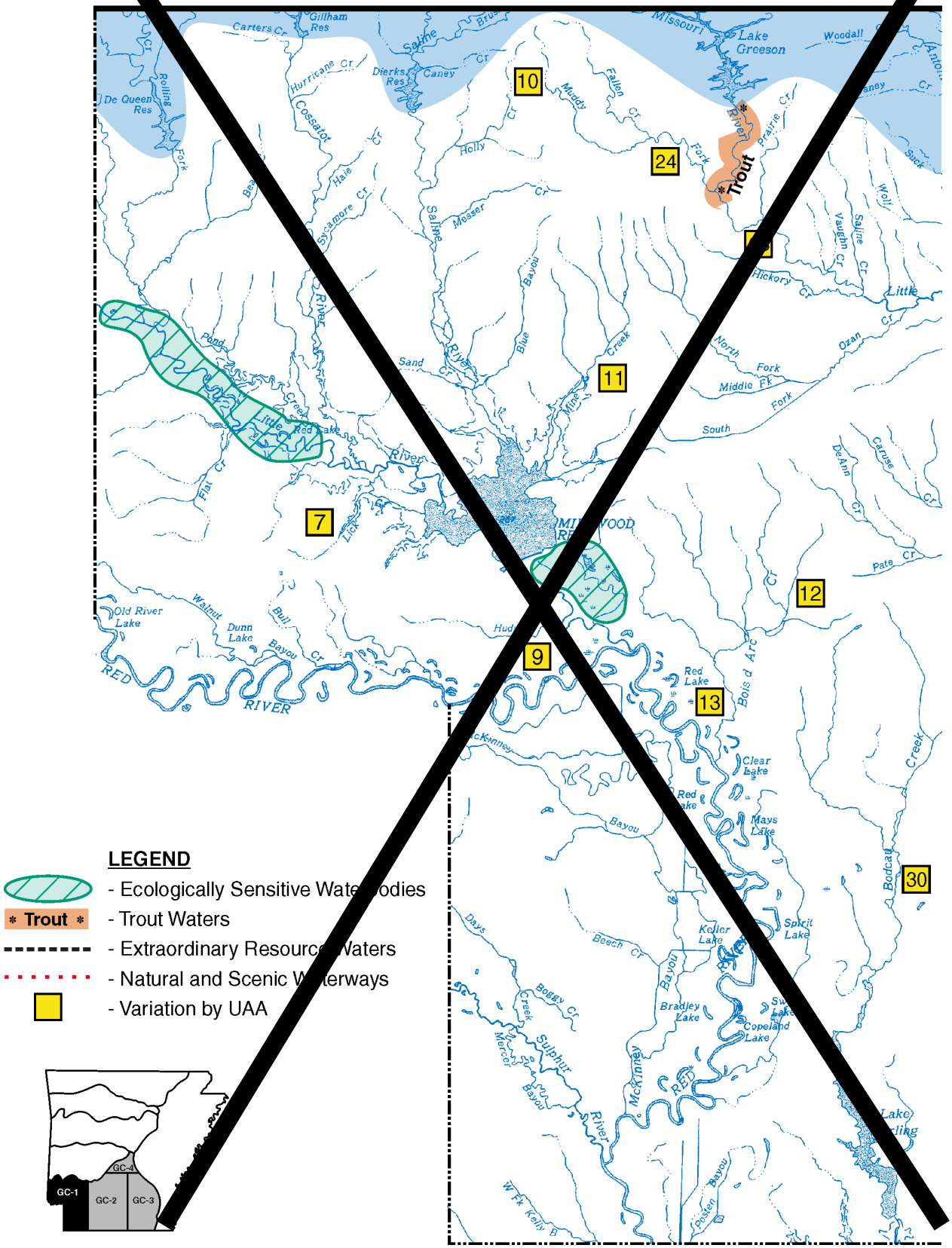
Willow Springs Branch (McGeorge Creek to Little Fourche Creek) Sulfate, 112 mg/~~l~~L; ~~TDS~~total dissolved solids 247 mg/~~l~~L (GC-4. #53)

Little Fourche Creek (Willow Springs Branch to Fourche Creek) ~~TDS~~total dissolved solids, 179 mg/~~l~~L (GC-4. #54)

Variations Supported by ~~EIP~~ Environmental Improvement Project

Holly Creek; Selenium, Chronic Standard, 17µg/~~l~~L (GC-4, #1)

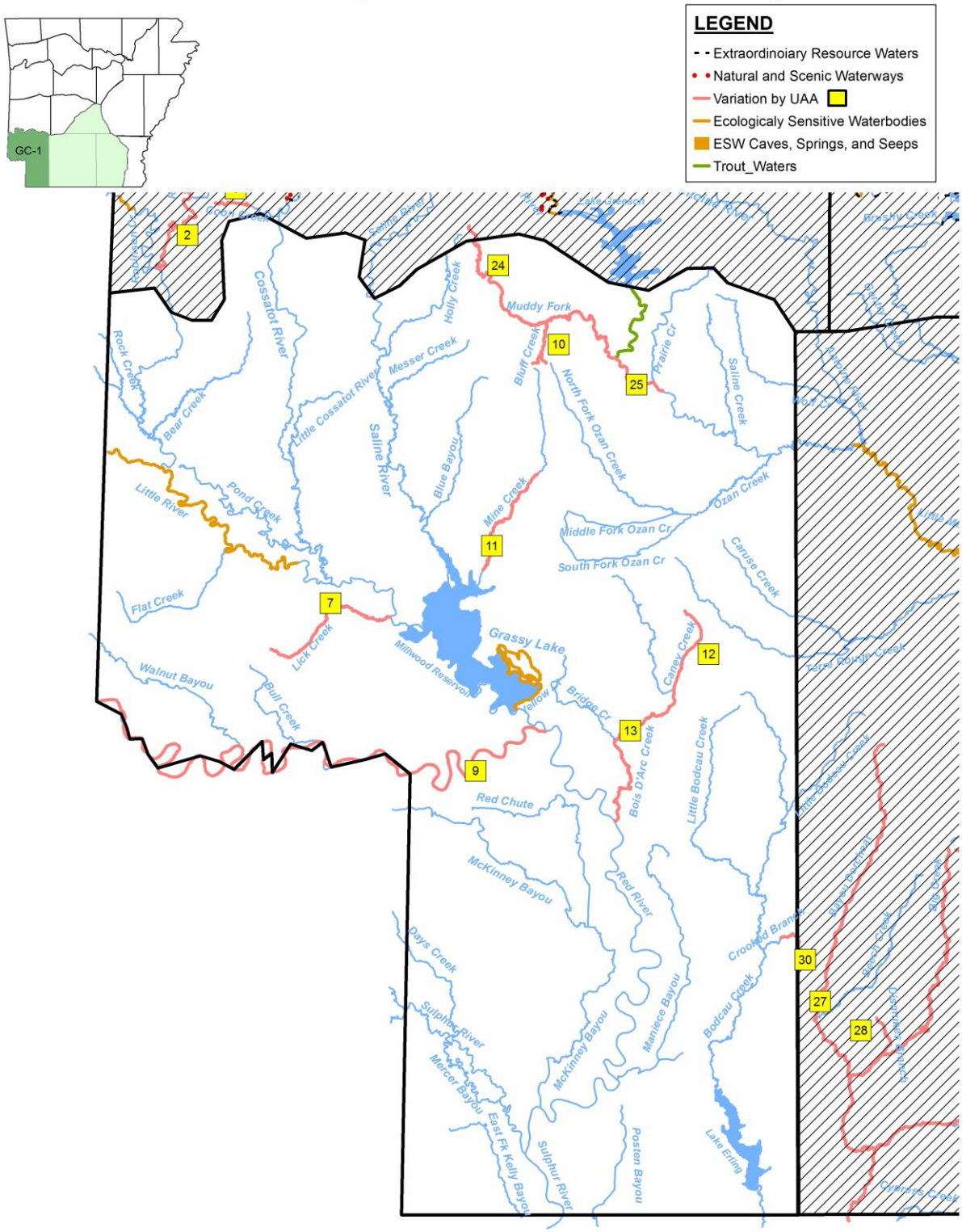
Plate GC-1 (Gulf Coastal Plain)



LEGEND

- Ecologically Sensitive Water Bodies
- * Trout * - Trout Waters
- Extraordinary Resource Waters
- Natural and Scenic Waterways
- Variation by UAA

Plate GC-1 (Gulf Coastal Plain)



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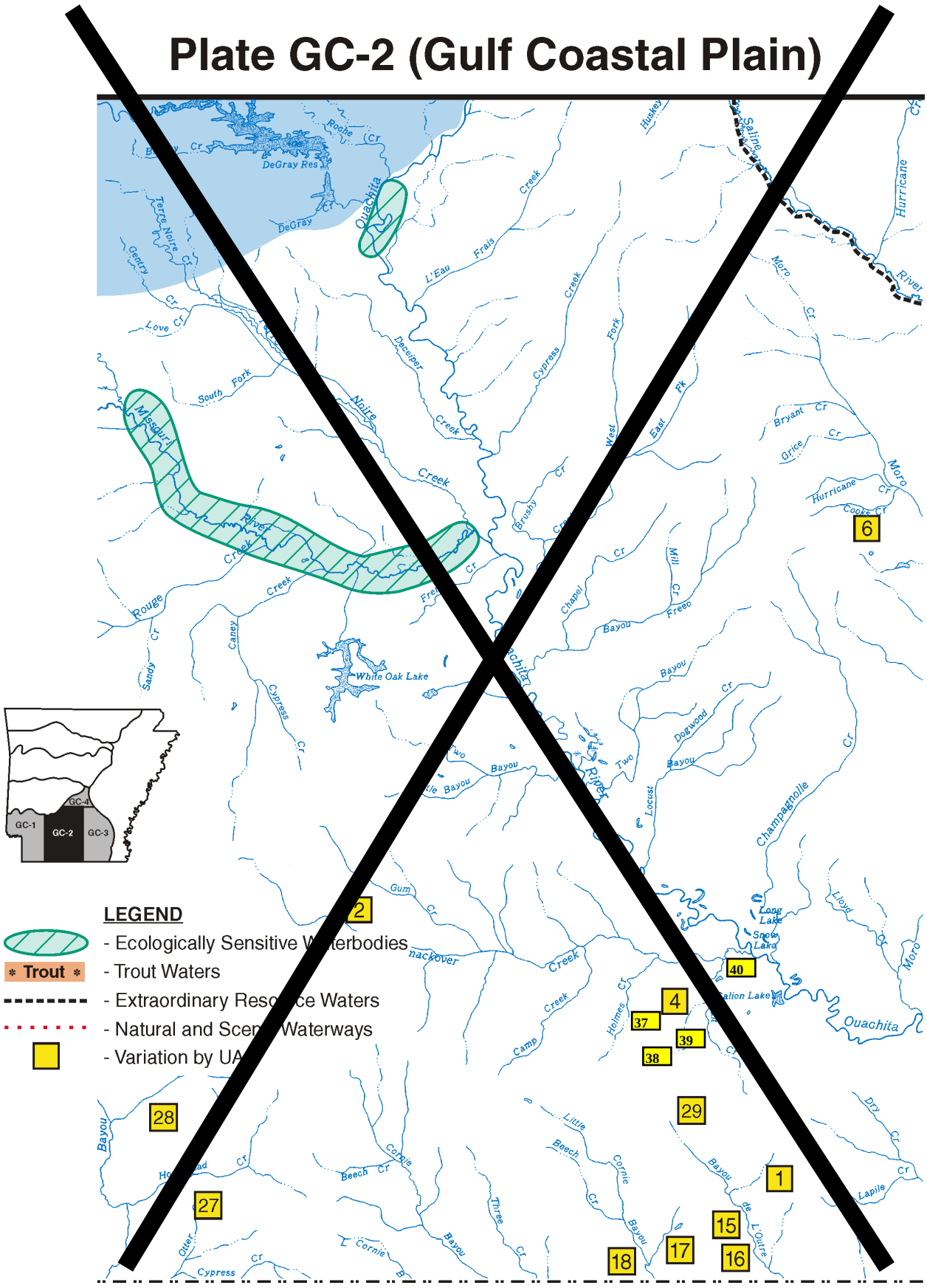

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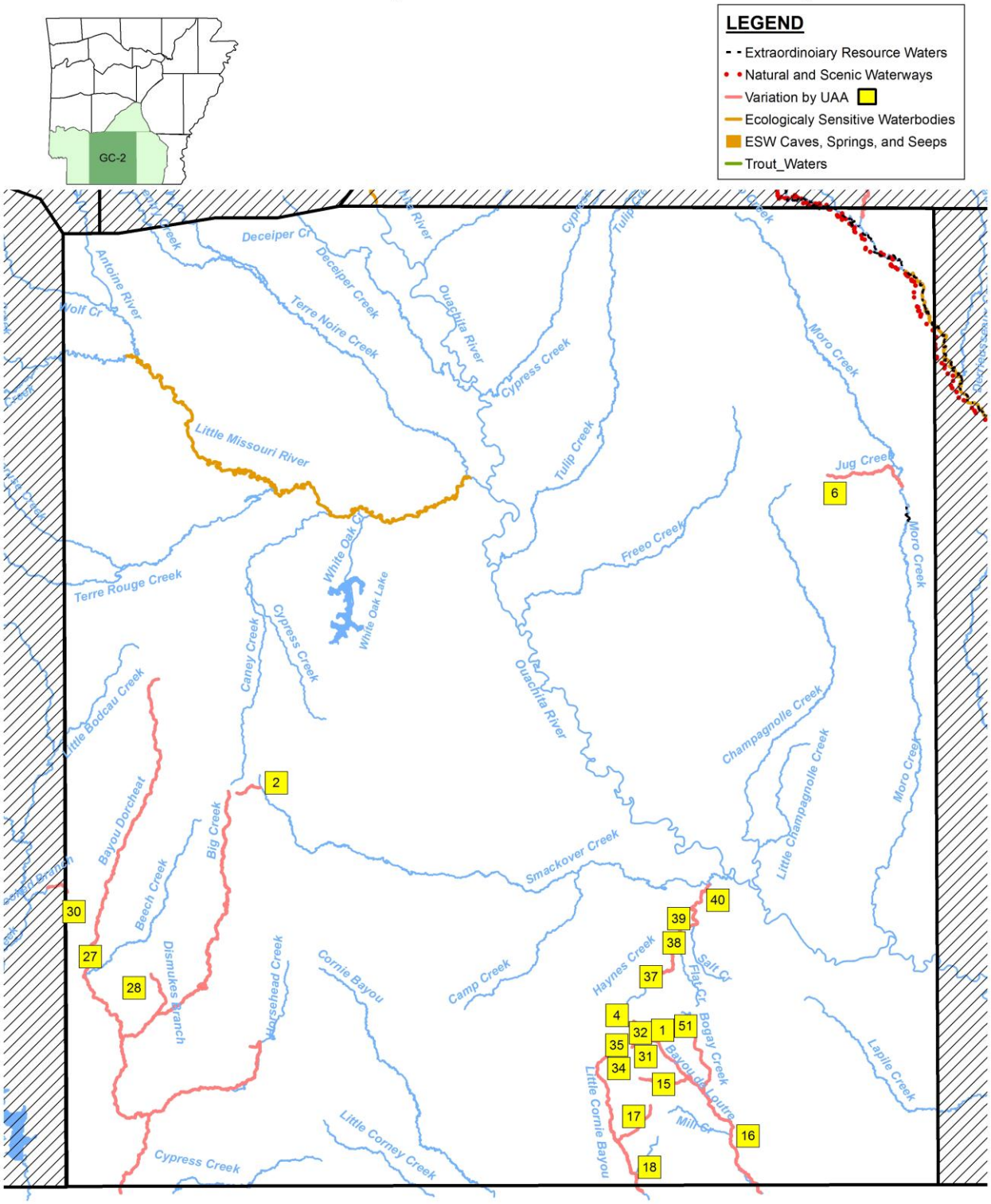

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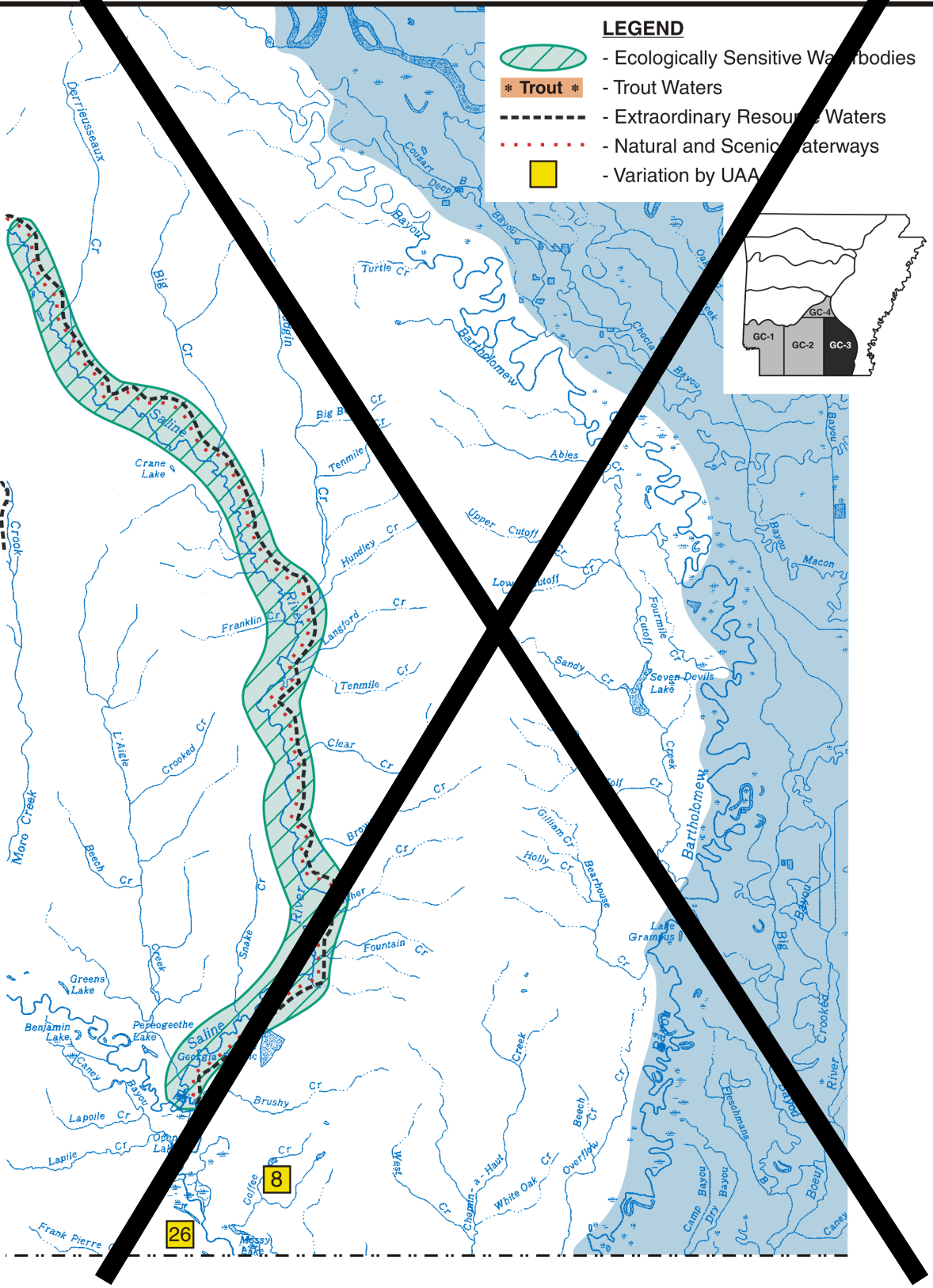
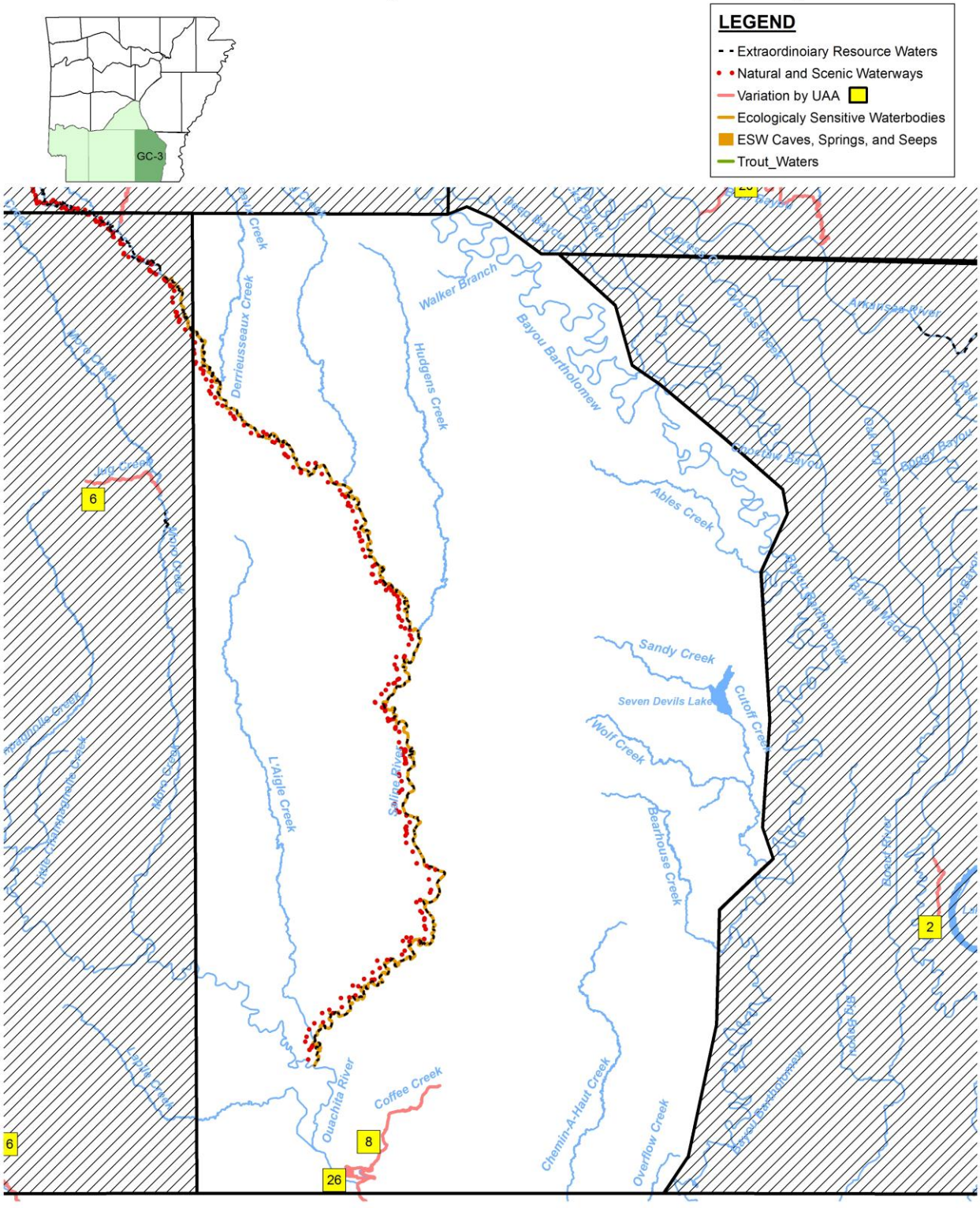


Plate GC-3 (Gulf Coastal Plain)



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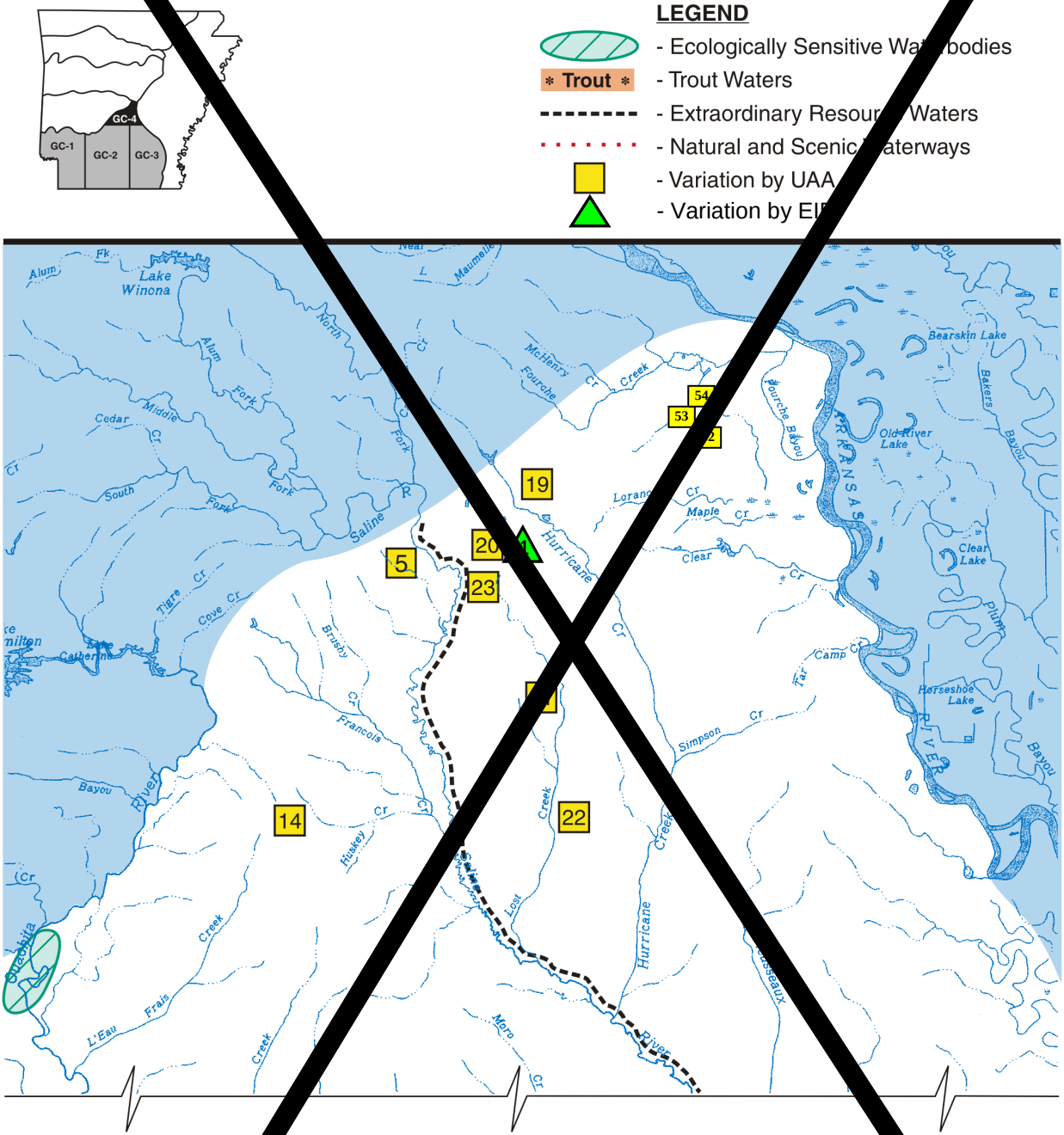

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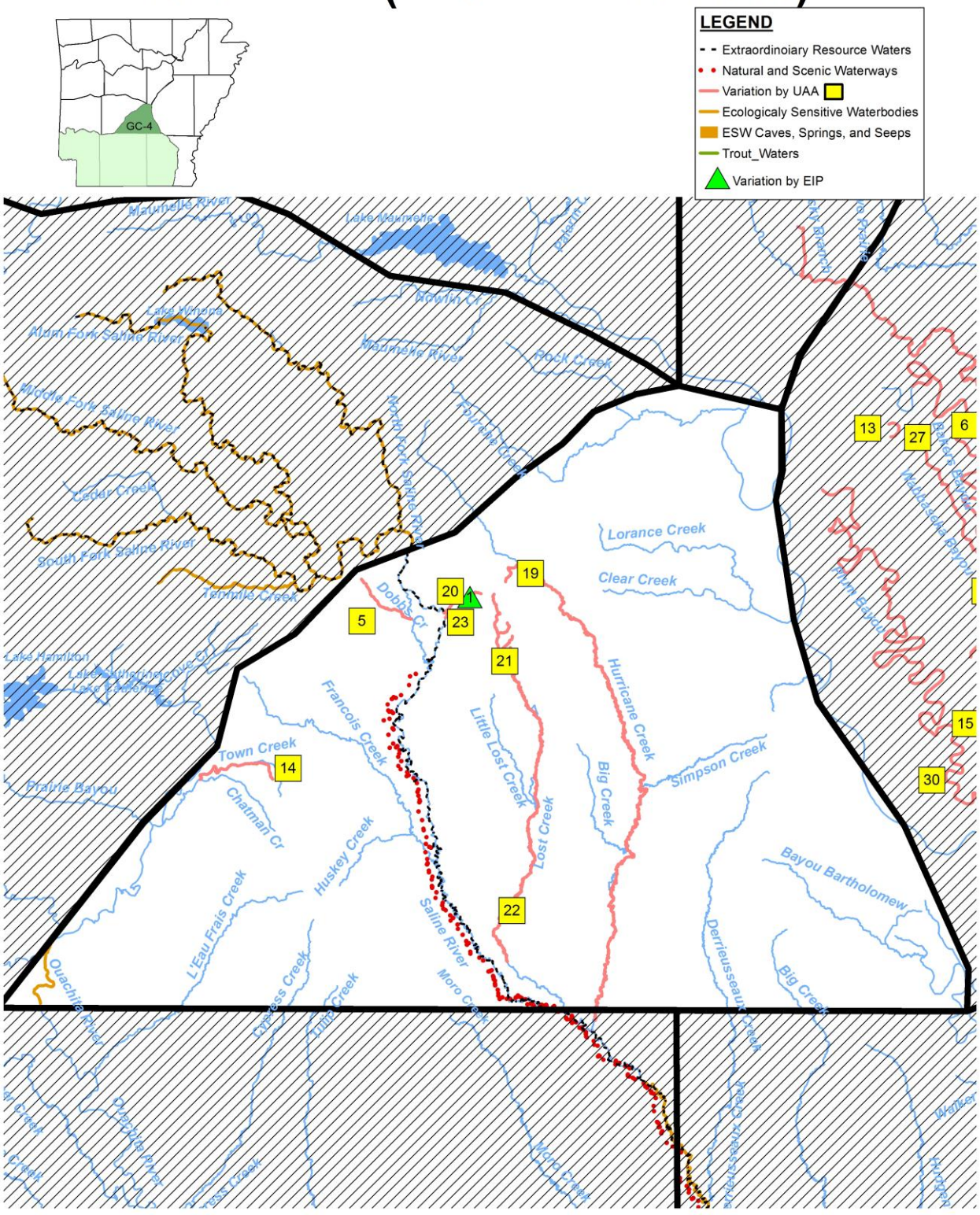
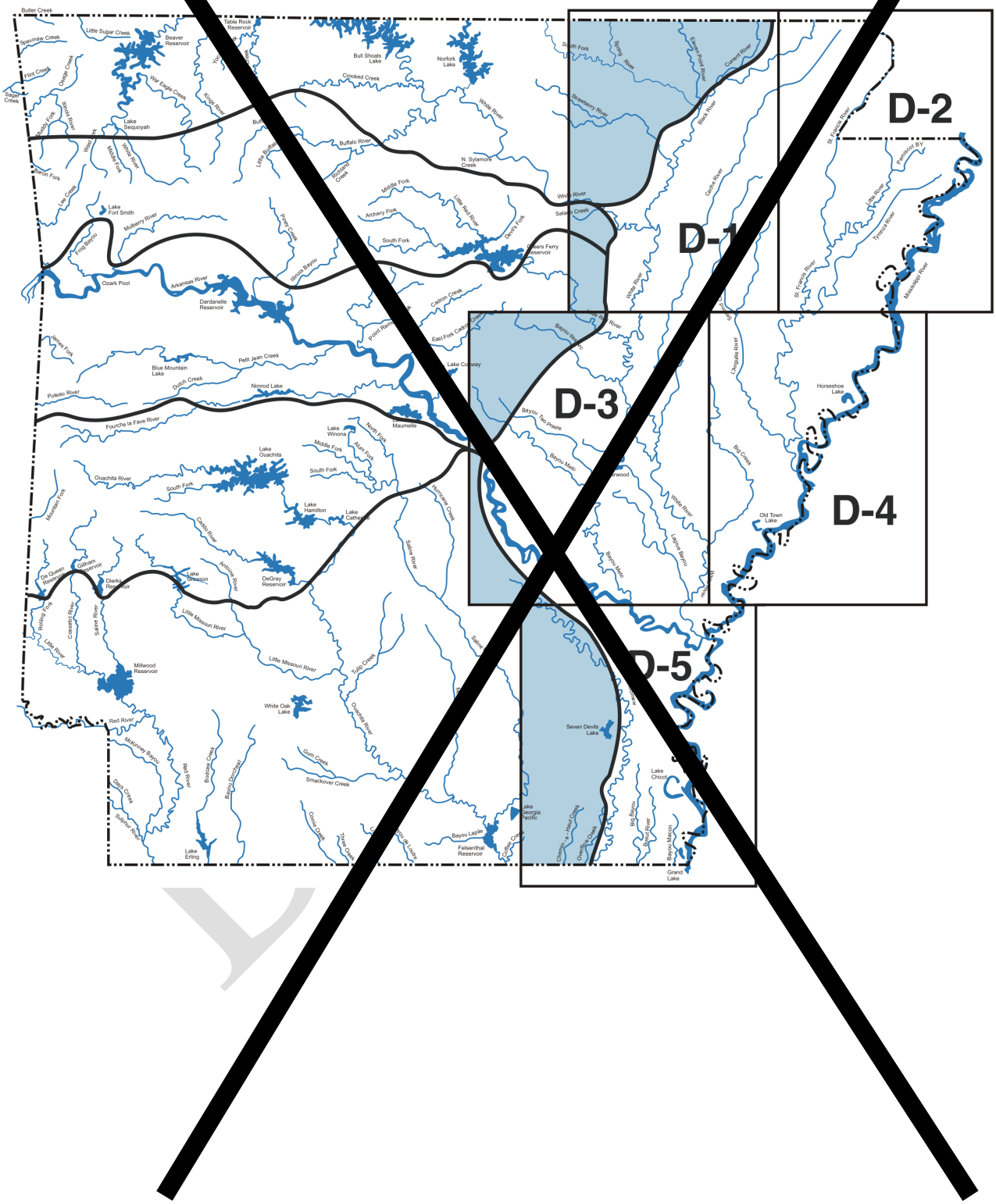
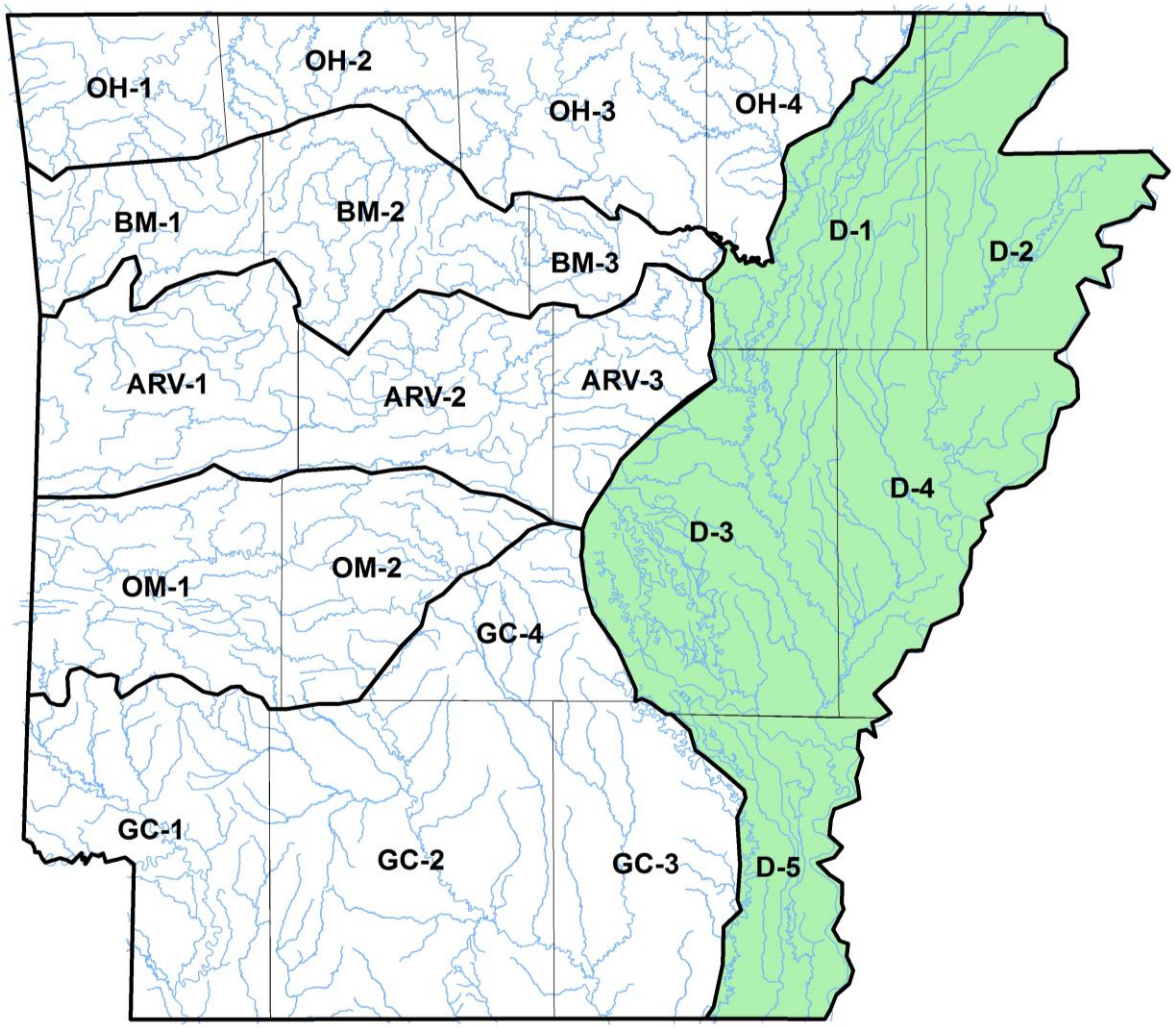


Index to Plates of the Delta



Index to Plates of the Delta



DESIGNATED USES: DELTA ECOREGION

(Plates D-1, D-2, D-3, D-4, D-5)

Extraordinary Resource Waters
Second Creek (D-4)
Cache River above Cache Bayou - adjacent to natural areas (D-3)
Arkansas River below Norrell Lock and Dam (Dam #2) (D-5)
Strawberry River (D-1)
Two Prairie Bayou adjacent to natural areas (D-3)

Natural and Scenic Waterways
None

Ecologically Sensitive Waterbodies
Lower St. Francis River and lower 10 miles of Straight Slough - location of fat pocketbook mussel, fanshell, Ohio pigtoe, pyramid pigtoe, and pallid sturgeon (D-2, D-4)
Right Hand Chute at confluence with St. Francis River - location of fat pocketbook mussel (D-2)
Departee Creek - location of flat floater mussel (D-1)
Black River at mouth of Spring River - location of pink mucket mussel, fanshell, Ouachita kidneyshell, rabbitsfoot, salamander mussel, and pyramid pigtoe (D-1)

Channel-altered Delta Ecoregion Streams - These include the majority of the streams in this ecoregion and are characterized by substantial alteration of the morphology of their main-stream channel as well as their tributary streams. Such alteration of the tributaries of these streams significantly affects the water quality and hydrology of the streams and their watersheds. Most of the upper segments of these waters have been dredged and straightened into ditches. Additionally most of the tributaries of these streams have been straightened, ditched and, in some cases, rerouted to quickly move water off the agriculture fields and into the major streams. In the lower segments of these waters, channel realignment is less expansive but most of these channels have been "snagged" to remove any in-stream obstructions (brush, logs, and other debris) and the stream channel and banks have been dredged to uniform depths and cleared of any obstructions. These include Cache River, Bayou DeView, Village Creek, Blackfish Bayou and others to be determined by the Department on a case by case basis.

Primary Contact Recreation - all streams with watersheds of greater than 10 mi^2 and all lakes/reservoirs**

Secondary Contact Recreation - all waters**

Domestic, Industrial and Agricultural Water Supply - all waters**

~~Fisheries~~**Aquatic Life****

Trout - none

Lakes and Reservoirs - all

Streams

Seasonal Delta ~~fishery~~aquatic life - all streams with watersheds of less than 10 mi^2 except as otherwise provided in Reg. 2.505

Perennial Delta ~~fishery~~aquatic life - all streams with watersheds 10 mi^2 or larger and those waters where discharges equal or exceed 1 ~~CFS~~cfs

Site Specific Designated Use Variation Supported by ~~UAA~~Use Attainability Analysis
Unnamed ditch to Little La~~g~~Grue Bayou - perennial Delta ~~fishery~~aquatic life (D-3, #1)
Little Lake Bayou - seasonal Delta ~~fishery~~aquatic life; no primary contact (D-5, #2)
Coon Creek and unnamed tributary from Frit Ind. - no domestic water supply use (D-1, #3)
Rocky Branch Creek and Bayou Meto from Rocky Branch Creek to Bayou Two Prairie - no domestic water supply use (D-3 #4)

Ditch No. 27 – no domestic water supply use (D-2, #5)
Ditch No. 6 – no domestic water supply use (D-2, #6)
Except for those waters with designated use variations supported by **Use Attainability Analysis or other investigations.

SPECIFIC STANDARDS: DELTA ECOREGION

(Plates D-1, D-2, D-3, D-4, D-5)

	Least-Altered Streams		**Channel-Altered Streams**		**Lakes and Reservoirs**
Temperature °C (°F)*	30 (86)		32 (89.6)		32 (89.6)
White River	32 (89.6)				
St. Francis River	32 (89.6)				
Mississippi River	32 (89.6)				
Arkansas River	32 (89.6)				
Turbidity(NTU) (base/all)	45/84		75/250		25/45
Arkansas River (base/all)	50/52				
Mississippi River (base/all)	50/75				
St. Francis River (base/all)	75/100				
Minerals	see Reg. 2.511		see Reg. 2.511		see Reg. 2.511
Dissolved Oxygen (mg/~~l~~L)**	Pri	Crit	Pri	Crit.	see Reg. 2.505
<10 mi^2 watershed	5	2	5	2	
10 mi^2 to 100 mi^2	5	3	5	3	
>100 mi^2 watershed	5	5	5	5	
All other standards	(same as statewide)				

Site Specific Standards Variations Supported by ~~UAA~~Use Attainability Analysis

Unnamed ditch to Little La~~g~~Grue Bayou - from headwaters to confluence with Little La~~g~~Grue Bayou, critical season D.O. standard - 3 mg/~~l~~L (D-3, #1)
Little Lake Bayou - critical season ~~D.O.~~ dissolved oxygen standard - 2 mg/~~l~~L (D-5, #2)
Unnamed tributary from Frit Ind., to Coon Creek - sulfates 48 mg/~~l~~L (D-1, #3)
Rocky Branch Creek- chlorides 64 mg/~~l~~L (D-3, #4)
Bayou Meto from Rocky Branch Creek to Bayou Two Prairie – chlorides 64 mg/~~l~~L (D-3, #4)
Bayou Meto from mouth to ~~Bayou Two Prairie~~Pulaski/Lonoke county line- chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #4)
Ditch No. 27 – sulfates 480 mg/~~l~~L; ~~TDS~~total dissolved oxygen 1,200 mg/~~l~~L; maximum water temperature 95°F (D-2, #5)
Ditch No. 6 from Ditch No. 27 confluence to its mouth – sulfates 210 mg/~~l~~L; ~~TDS~~total dissolved oxygen 630 mg/~~l~~L (D-2, #6)
Tyronza River from Ditch No. 6 confluence to its mouth – sulfates 60 mg/~~l~~L – see Reg. 2.511 (D-2, #7)
Long Pond Slough – chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #40)
Castor Bayou – chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #26)
Cross Bayou – chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #41)
~~Bayou Two Prairie (mouth to Rickey Branch) – chlorides 95 mg/lL; sulfates 45 mg/lL~~
Bayou Two Prairie (Pulaski/ Lonoke county line to Northern boundary of Smoke Hole Natural Area) - chlorides 95 mg/L; sulfates 45 mg/L (D-3, #42)
Bayou Two Prairie (Southern boundary of Smoke Hole Natural Area to Mouth) - chlorides 95 mg/L; sulfates 45 mg/L (D-3, #42)

Little Bayou Meto - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L(D-3, #34)
Bakers Bayou - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #6)
Wabbaseka Bayou - chlorides 95 mg/~~l~~L; sulfates 45mg/~~l~~L (D-3, #27)
Indian Bayou - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #28)
Flat Bayou - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #12)
Shumaker Branch - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #11)
Skinner Branch - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #43)
White Oak Branch - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #44)
Caney Creek - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #10)
Salt Bayou - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #29)
Snow Bayou - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #13)
Fish Trap Slough - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #14)
Ricky Branch - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #45)
Blue Point Ditch - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #46)
Big Ditch - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #8)
Main Ditch - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #15)
Plum Bayou - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #30)
Crooked Creek Ditch - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #9)
Indian Bayou Ditch - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #31)
Caney Creek Ditch - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #10)
Salt Bayou Ditch - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #29)
Bradley Slough - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #17)
Tupelo Bayou - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #36)
Dennis Slough - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #16)
Buffalo Slough - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #32)
Flynn Slough - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #18)
Boggy Slough - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #19)
Bear Bayou - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #20)
Bubbling Slough - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #21)
Five Forks Bayou - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #33)
Government Cypress Slough - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #22)
Brushy Slough - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #23)
Tipton Ditch - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #38)
Hurricane Slough - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #24)
Newton Bayou - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #25)
West Bayou - chlorides 95 mg/~~l~~L; sulfates 45mg/~~l~~L (D-3, #39)
Brownsville Branch - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #35)
Eagle Branch - chlorides 95 mg/~~l~~L; sulfates 45 mg/~~l~~L (D-3, #37)
Unnamed tributary to Big Creek — chlorides 71 mg/~~l~~L, sulfates 60 mg/~~l~~L, ~~TDS~~total dissolved oxygen 453 mg/~~l~~L (D-1, # 38)
Big Creek from Whistle Ditch to mouth of unnamed trib — chloride 58 mg/~~l~~L, sulfates 49 mg/~~l~~L (D-I I. # 39)
Bayou DeView from AR Hwy 14 to Whistle Ditch — chloride 48 mg/~~l~~L, sulfates 38 mg/~~l~~L, ~~TDS~~total dissolved oxygen 411.3 mg/~~l~~L (D-1, #40)
Bayou DeView from mouth to AR Hwy 14 — chloride 48 mg/~~l~~L, sulfates 37.3 mg/~~l~~L, ~~TDS~~total dissolved oxygen 411.3mg/L (D-1. # 41)

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* Increase over natural temperatures may not be more than 2.8°C (5°F).

** When water temperatures exceed 22°C, the critical season ~~D.O.~~dissolved oxygen standard may be depressed by 1 mg/~~l~~L for no more than 8 hours during a 24-hour period.

Plate D-1 (Delta)

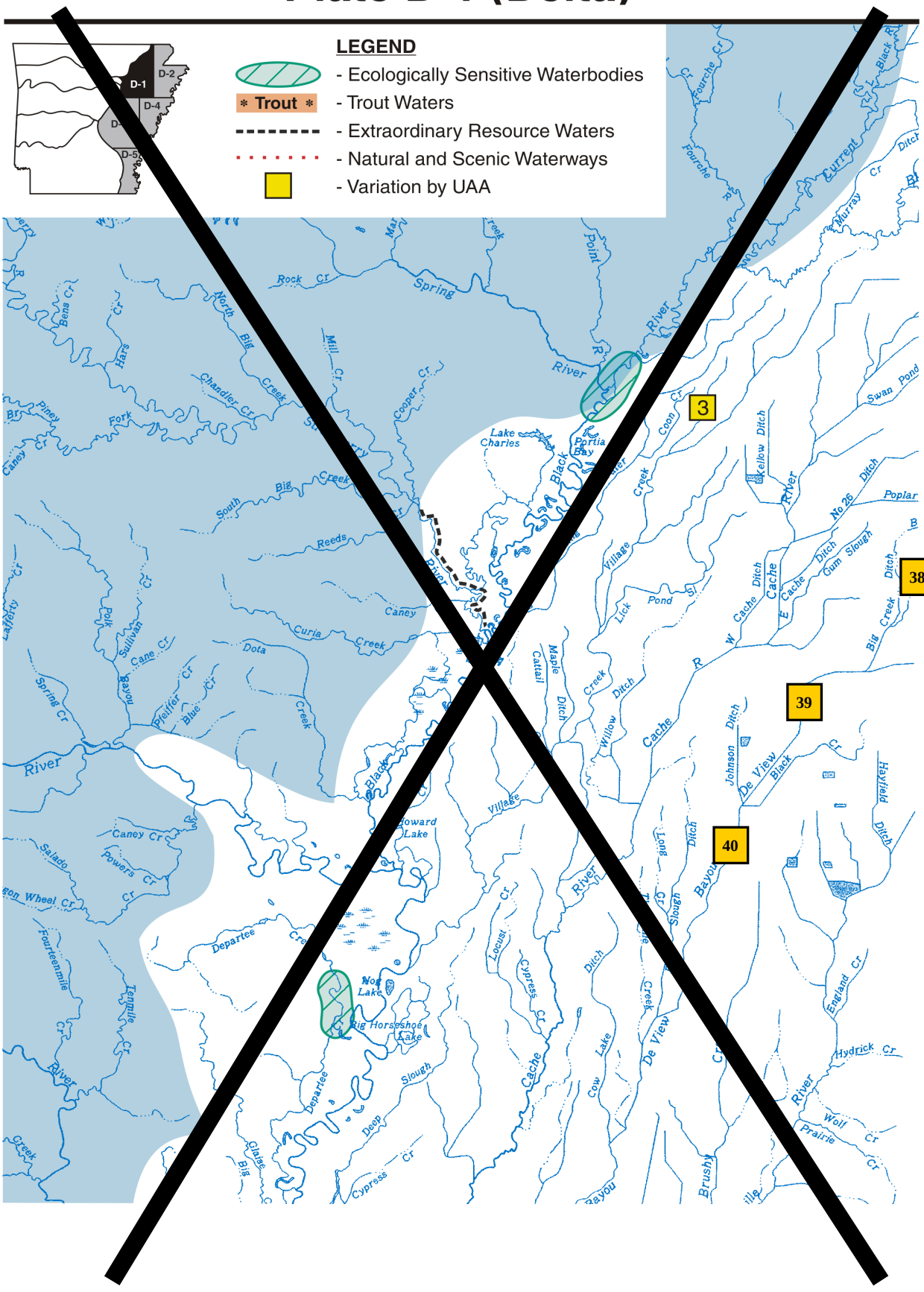
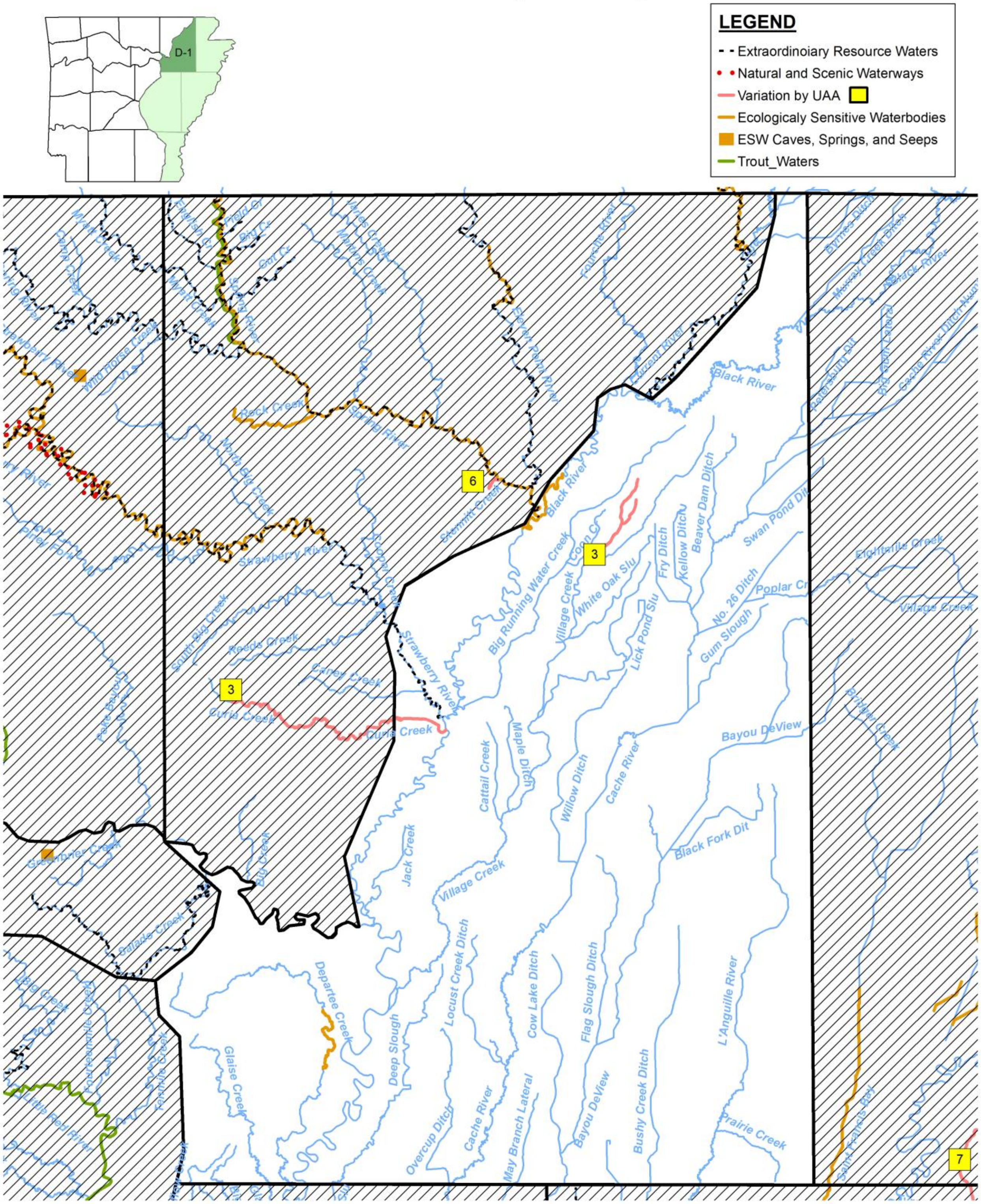


Plate D-1 (Delta)



41

Plate D-2 (Delta)

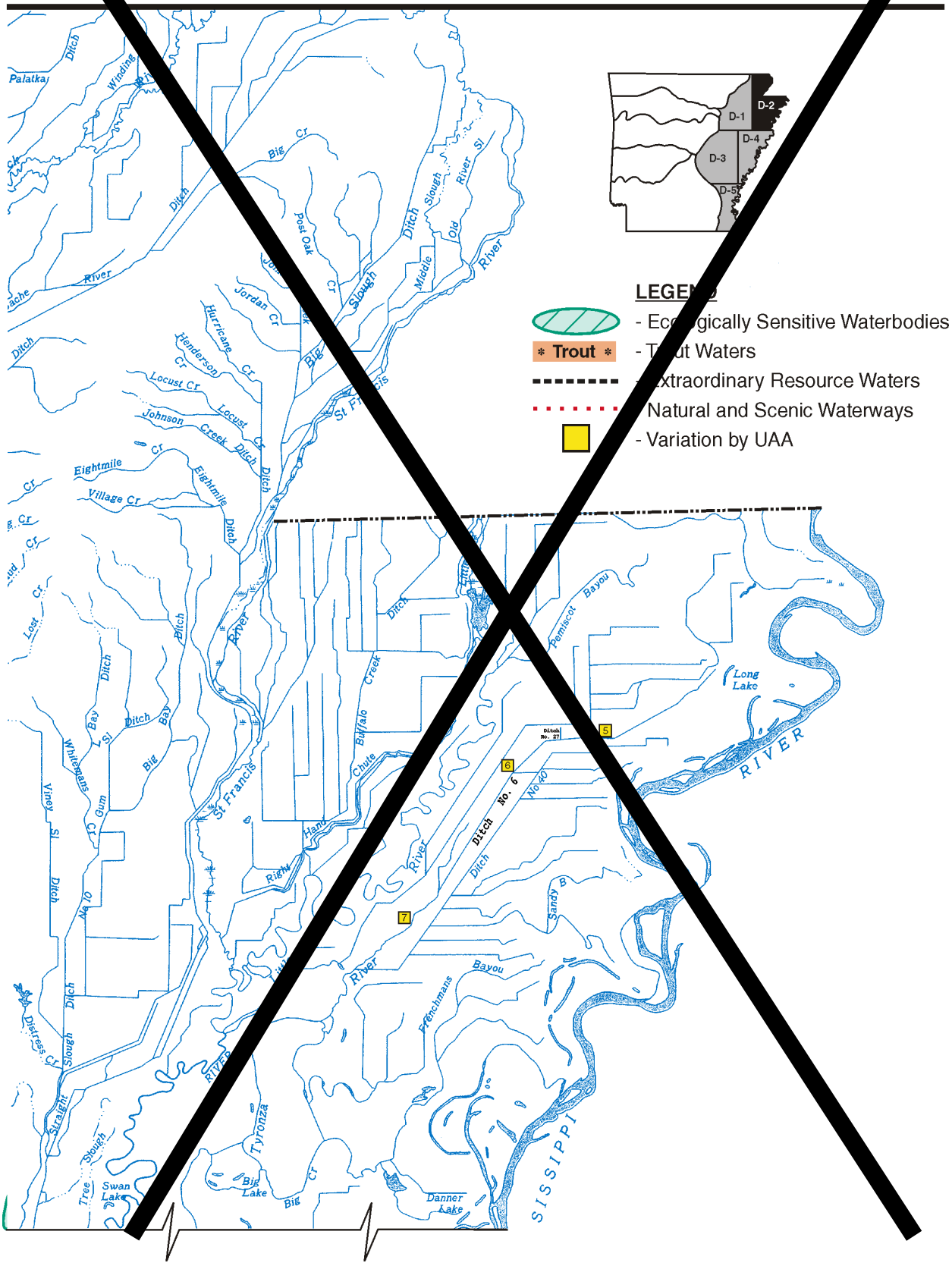
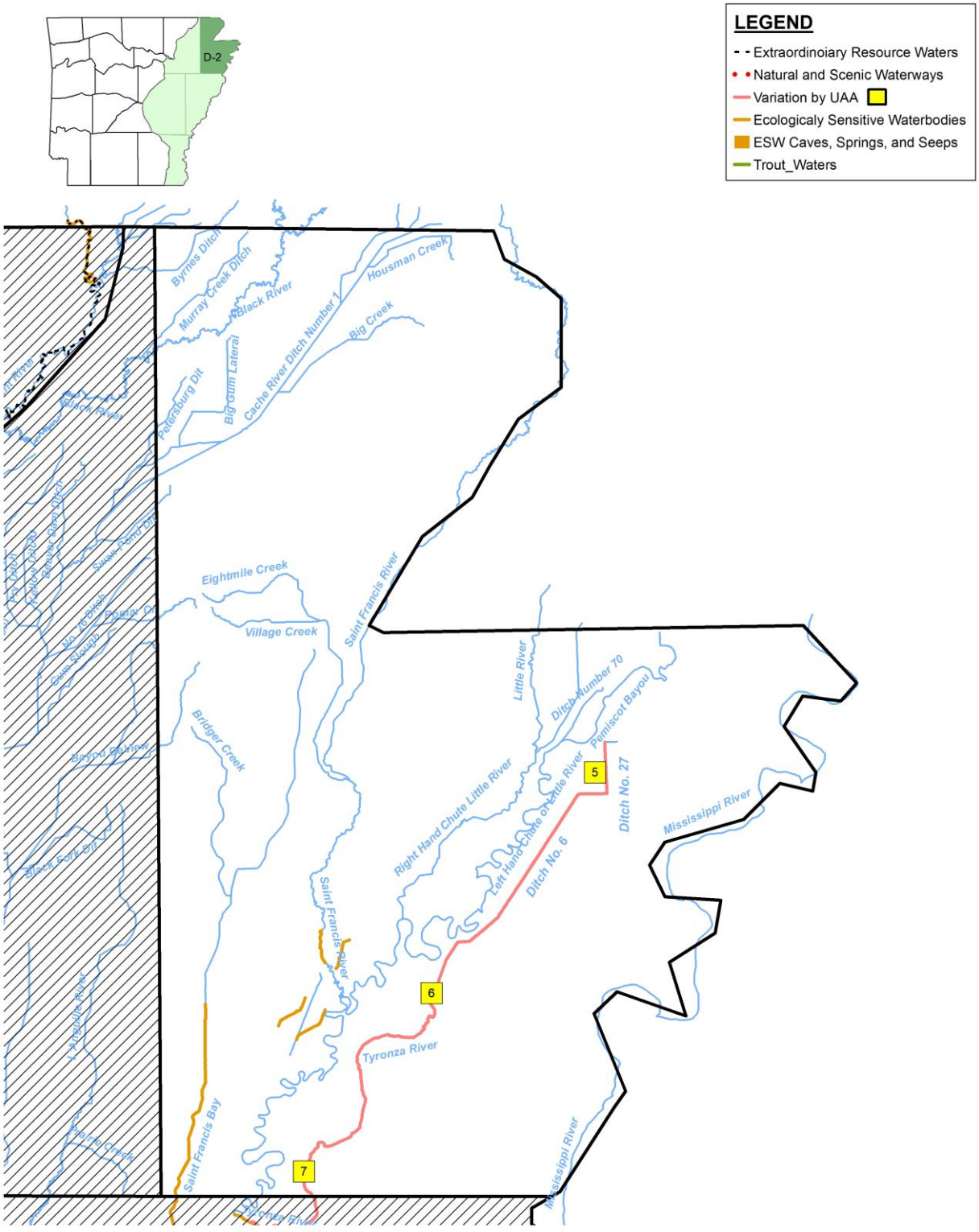


Plate D-2 (Delta)



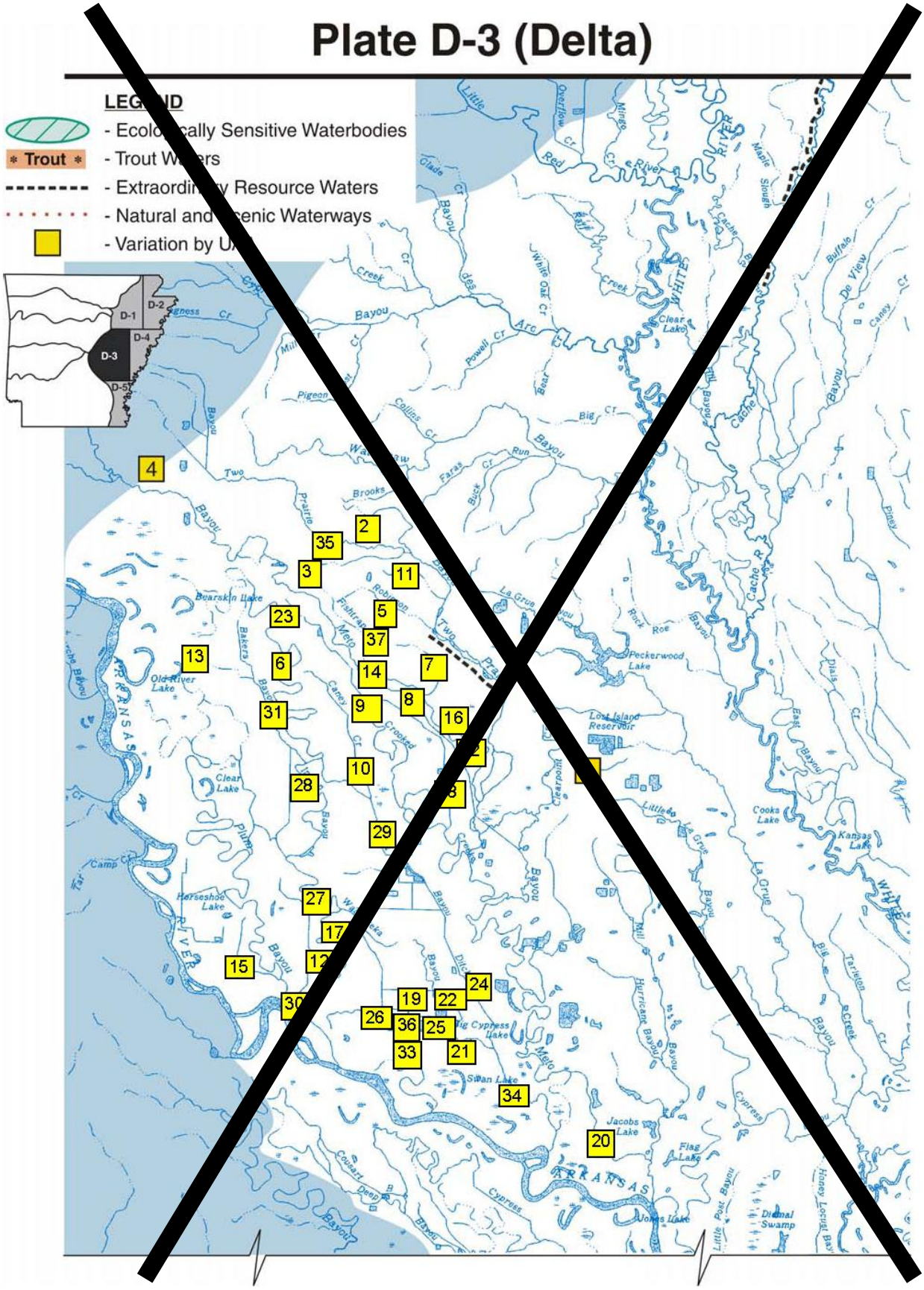


Plate D-3 (Delta)
LEGEND
- Ecologically Sensitive Waterbodies
* Trout * - Trout Waters
- Extraordinary Resource Waters
- Natural and Scenic Waterways
- Variation by Unit
D-1
D-2
D-3
D-4
D-5
Little River
Red River
White River
Arkansas River
Bayou
Creek
Lake
Reservoir
Slough
Cr
4
2
35
3
11
23
5
37
13
6
14
7
31
9
8
16
10
28
29
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Plate D-3 (Delta)

* EPA disapproved UAA for the portion of Bayou Two Prairie that is designated as ERW.

LEGEND

- Extraordinoiary Resource Waters
- Natural and Scenic Waterways
- Variation by UAA
- Ecologicaly Sensitive Waterbodies
- ESW Caves, Springs, and Seeps
- Trout_Waters

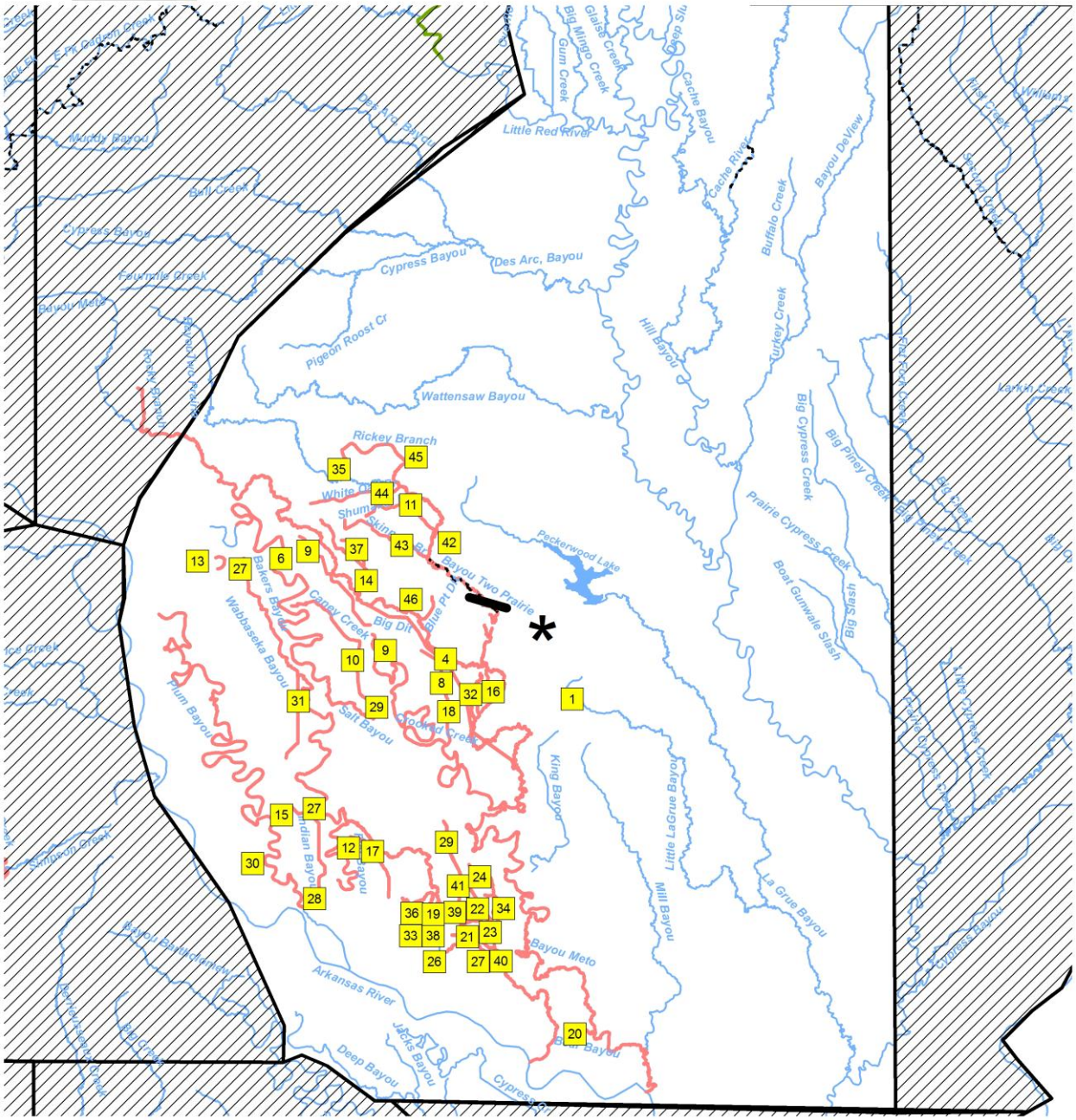


Plate D-4 (Delta)

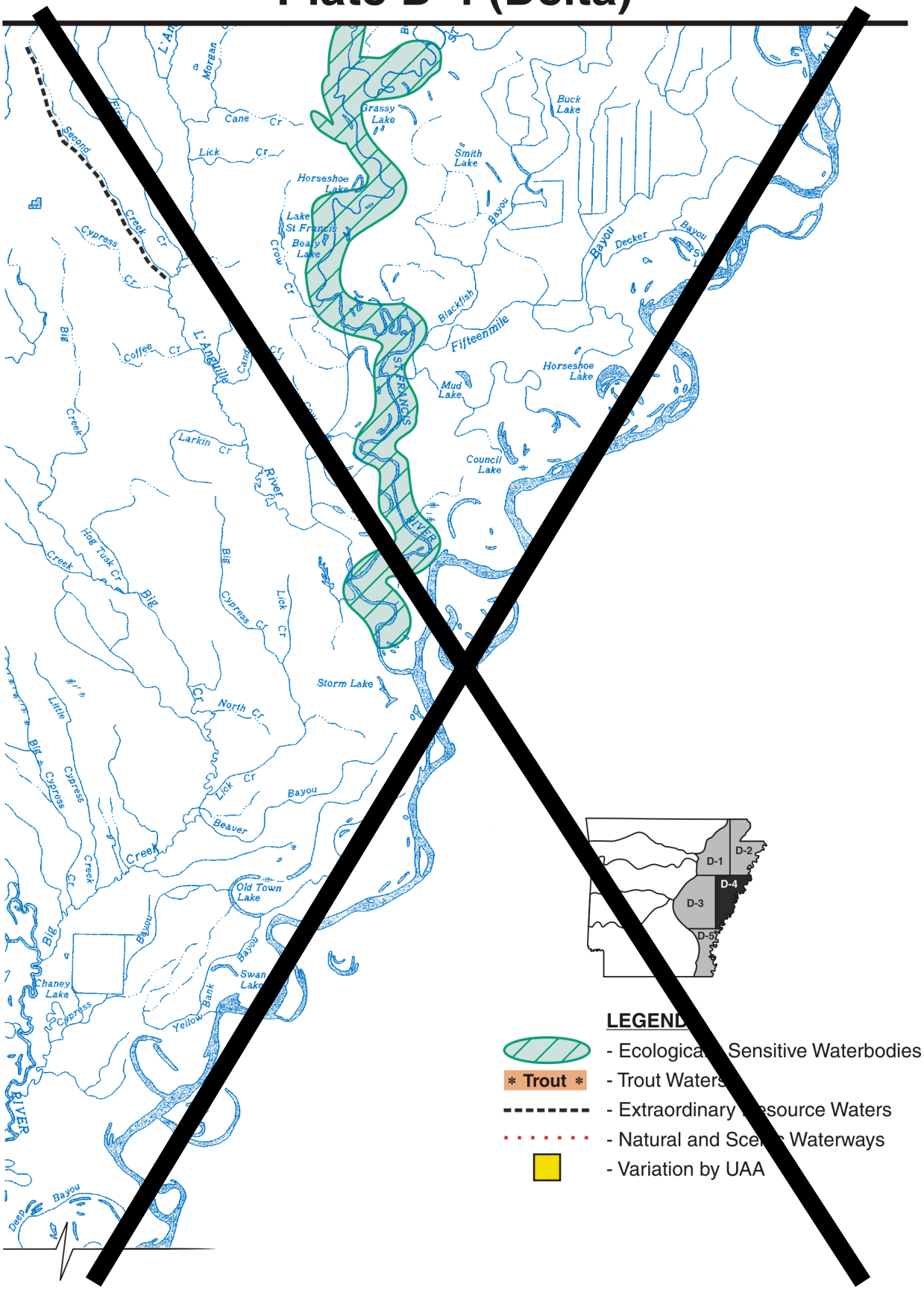


Plate D-4 (Delta)

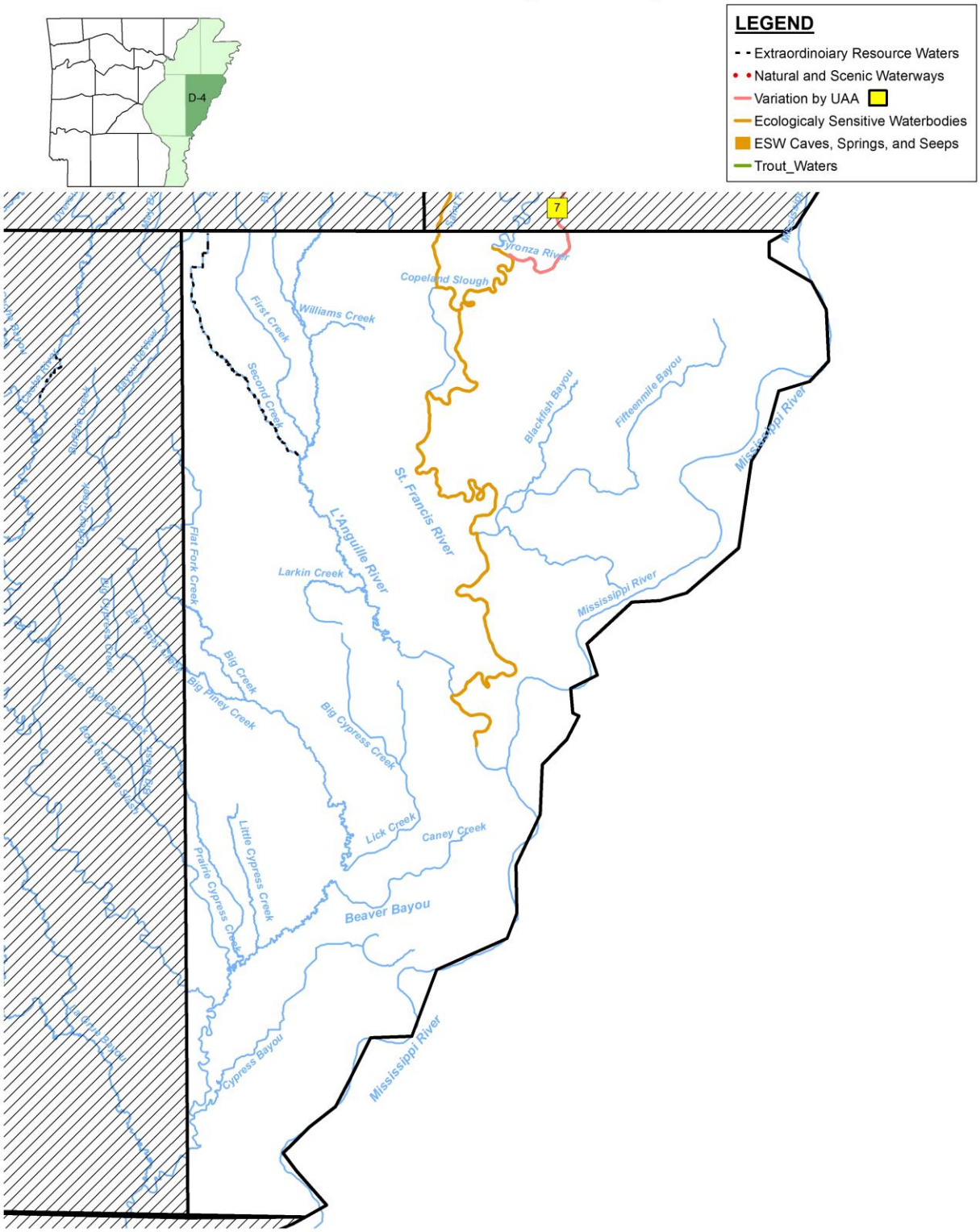
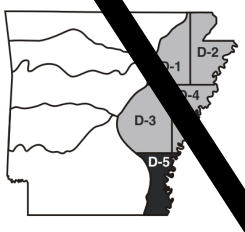


Plate D-5 (Delta)



LEGEND

- Ecologically Sensitive Waterbodies
- * Trout * - Trout Waters
- - Extraordinary Resource Water
- - Natural and Scenic Waterwa
- - Variation by UAA

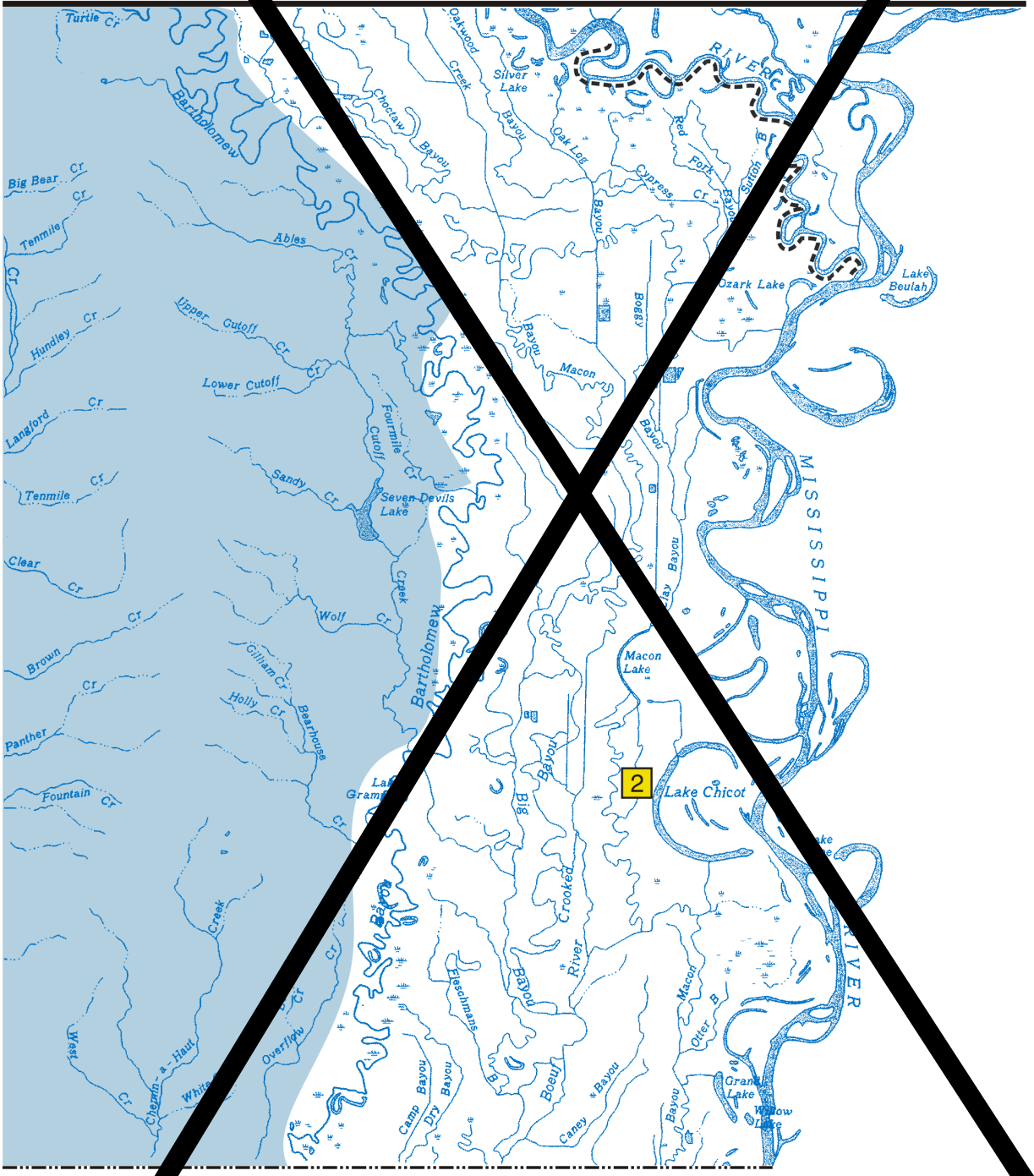
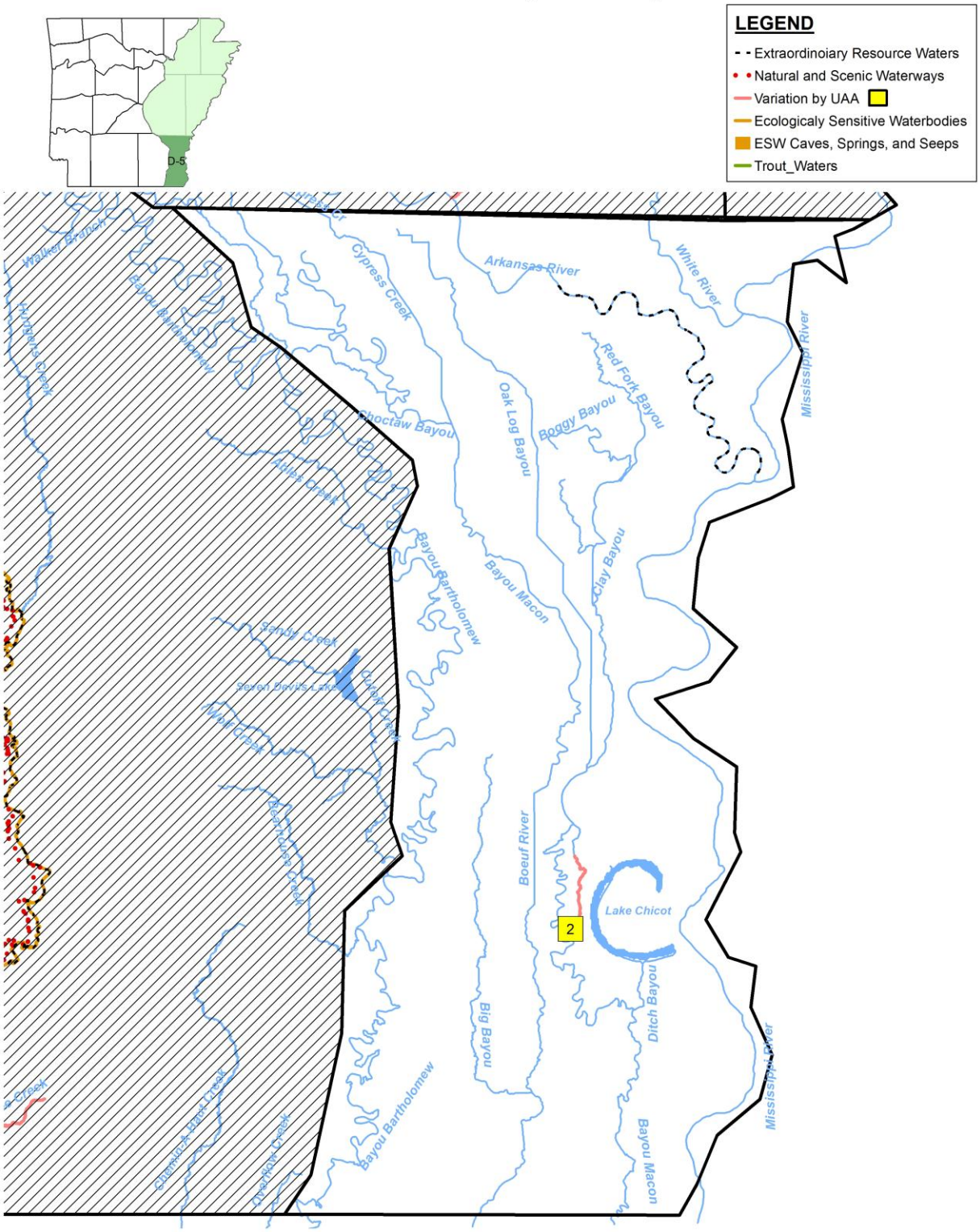


Plate D-5 (Delta)



REGULATION NO. 2

APPENDIX B

Environmental Improvement Project

~~(September 28, 2007)~~

1

APPENDIX B: ENVIRONMENTAL IMPROVEMENT PROJECT

Stricken language would be deleted from present law. Underlined language would be added to present law

State of Arkansas *As Engrossed: S2/21/97*

81st General Assembly **A Bill** ACT 401 OF 1997

Regular Session, 1997 HOUSE BILL 1563

By: Representatives Sheppard, Wallis, Lancaster, Johnson, and Horn
By: Senator Mahony

For An Act To Be Entitled

"AN ACT TO ENCOURAGE LONG-TERM ENVIRONMENTAL PROJECTS; AND FOR OTHER PURPOSES."

Subtitle
"AN ACT TO ENCOURAGE LONG-TERM ENVIRONMENTAL PROJECTS."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Legislative Findings and Intent.

The General Assembly hereby finds that many areas of the state would benefit from long-term environmental remediation projects that significantly improve the effects caused by industrial or extractive activities. However, commitments by private enterprise to remedy such damages are discouraged by the prospect of civil liability based upon rigid application of state water quality standards to the enterprises activities. The purpose of this act is to preserve the states approach to establishing water quality standards, while also encouraging private enterprises to make significant improvements to closed or abandoned sites that are of such magnitude that more than three (3) years will be required to complete the project.

SECTION 2. Definitions and Applicability.

For the purposes of this act:

(1) "Long-term Improvement Project" or "Project" means any remediation or reclamation project at closed or abandoned:

(A) Mineral Extraction Sites;

(B) Solid Waste Management Units as defined pursuant to the Arkansas Hazardous Waste Management Act;

(C) Oil and Gas Extraction Sites;

(D) Brownfield Sites as defined in Act 125 of 1995 or as may be amended; and

(E) Hazardous Substance Sites listed on the National Priority List (42 U.S.C. Section 9605), or State Priority List (Arkansas Code 8-7-509(e), or as may be amended.

(2) "Water Quality Standard" means standards developed through administrative rulemaking by the Commission;

(3) "Commission" means the Arkansas Pollution Control and Ecology Commission; and

(4) "Department" means the Arkansas Department of Pollution Control and Ecology.

SECTION 3. Procedures for approval of environmental projects, contents of applications, and public notice.

(a) A petitioner seeking approval of a change in water quality standards to accommodate a long-term environmental improvement project shall file with the Department a Notice of Intent, which includes as a minimum:

(1) A description of the water body or stream segment affected by the project;

(2) The existing ambient water quality for the use of criteria at issue;

(3) The affected water quality standard;

(4) The modifications sought;

(5) The proposed remediation activities;

(6) A proposed Remediation Plan, which shall contain:

(A) A description of the existing conditions, including identification of the conditions limiting the attainment of the water quality standards;

(B) A description of the proposed water quality standard modification, both during and post project;

(C) A description of the proposed remediation plan; and

(D) The anticipated collateral effects, if any, of the Remediation Plan; and

(7) A schedule for implementing the Remediation Plan that ensures that the post project water quality standards are met as soon as reasonably practicable.

(b) The department shall cause notice of the proposed project and associated water quality standard changes described in subsection (a) to be published for public notice and comment in the same manner as provided for permit applications in Arkansas Code 8-4-203(b), and shall advise the public that the details of the proposed project are available for public review.

(c) After considering comments from the public, the department shall notify the petitioner as to whether the proposed project is approved or denied. The department may deny approval of a project if it reasonably concludes that the plan is not complete, the plan is not technically sound, the schedule is unrealistic, the plan will not have an overall beneficial effect for the environment, or other appropriate reasons. Any department determination on the approval or denial of a project is subject to the appeal procedures applicable to permitting decisions set out in Arkansas Code 8-4-205.

(d) Upon approval of the project for further development, the petitioner shall prepare documentation required for third-party rulemaking by Arkansas Code 8-4-202 and established in administrative procedures.

SECTION 4. Modification of Water Quality Standards.

(a) The commission may approve a modification where the water quality standard is not being maintained due to conditions which may, in part or in whole, be corrected through the implementation of long-term measures. The commission shall establish such subcategory of use and modify such general and specific standards as it deems appropriate to reflect such modification while ensuring that the fishable/swimmable use is maintained. In all water quality standard changes associated with long-term environmental projects, the remedial action plan described in subsection (a) of Section 3 of this act shall be incorporated by reference in the statement of basis and purpose of the rule and shall be considered an essential condition of the modified water quality standard.

(b) Once the commission approves a water quality standard modification, the department shall ensure that conditions and limitations designed to achieve compliance with the plan are established in applicable discharge permits, consent administrative orders, or such other enforcement measures deemed appropriate by the department. The department may allow modifications by the petitioner to the remediation plan and schedule as is deemed appropriate, provided that any such modifications to the original remedial action plan shall not render the project significantly less protective of the applicable use subcategory. Should the department find that the petitioner is not acting in good faith to complete the project in accordance with the approved plan, applicable and appropriate enforcement authority may be exercised subject to appeal to the commission.

(c) The department or the petitioner shall report annually to the commission on the progress of the project.

SECTION 5. Project Completion.

At the end of the project the post project water quality standards shall be in full force and effect.

SECTION 6.All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 7. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 8. All laws and parts of laws in conflict with this act are hereby repealed.

/s/Sheppard et al
APPROVED:3-07-97

1

ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

REGULATION NO. 2

APPENDIX C

Scientific Names of ~~Fishes~~Aquatic Biota

~~(September 28, 2007)~~

APPENDIX C: SCIENTIFIC NAMES OF ~~FISHES~~AQUATIC BIOTA

SCIENTIFIC NAMES OF KEY AND INDICATOR FISHES

Common Name	Species	Family
Banded sculpin	*Cottus carolinae*	Cottidae
Banded pygmy sunfish	*Elassoma zonatum*	Elassomatidae
Bigeye shiner	*Notropis boops*	Cyprinidae
Black redhorse	*Moxostoma duquesnei*	Catostomidae
Blackside darter	*Percina maculata*	Percidae
Blacktail redhorse	*Moxostoma poecilurum*	Catostomidae
Blacktail shiner	~~*Notropis venustus*~~ *Cyprinella venusta*	Cyprinidae
Bleeding shiner	*Luxilus zonatus*	Cyprinidae
Bluegill	*Lepomis macrochirus*	Centrarchidae
Bluntnose minnow	*Pimephales notatus*	Cyprinidae
Bluntnose darter	*Etheostoma* ~~*chlorosomum*~~ *chlorosoma*	Percidae
Cardinal shiner	*Luxilus cardinalus*	Cyprinidae
Carp	*Cyprinus carpio*	Cyprinidae
Channel catfish	*Ictalurus punctatus*	Ictaluridae
Creek chubsucker	*Erimyzon oblongus*	Catostomidae
Creole darter	*Etheostoma collettei*	Percidae
Current River darter	*Etheostoma uniporum*	Percidae
Drum	*Aplodinotus grunniens*	Sciaenidae
Dusky darter	*Percina sciera*	Pericidae
Duskystripe shiner	*Luxilus pilsbryi*	Cyprinidae
Emerald shiner	*Notropis atherinoides*	Cyprinidae
Fantail darter	*Etheostoma flabellare*	Percidae
Flier	*Centrarchus macropterus*	Centrarchidae
Freckled madtom	*Noturus nocturnus*	Ictaluridae
Gizzard shad	*Dorosoma cepedianum*	Clupeidae
Golden redhorse	*Moxostoma erythrurum*	Catostomidae
Redfin pickerel	*Esox americanus*	Esocidae
Gravel chub	~~*Hybopsis punctata*~~ *Erimystax x-punctatus*	Cyprinidae
Green sunfish	*Lepomis cyanellus*	Centrarchidae
Greenside darter	*Etheostoma blennioides*	Percidae
Largemouth bass	*Micropterus salmoides*	Centrarchidae
Longear sunfish	*Lepomis megalotis*	Centrarchidae
Longnose darter	*Percina nasuta*	Percidae
Madtoms	*Noturus sp.*	Ictaluridae
Mosquitofish	*Gambusia affinis*	Poeciliidae
Northern hogsucker	*Hypentelium nigricans*	Catostomidae
Northern studfish	*Fundulus catenatus*	~~Cyprinodontidae~~

Common Name	Species	Family
		Fundulidae
Orangebelly darter	*Etheostoma radiosum*	Percidae
Orangespotted sunfish	*Lepomis humilis*	Centrarchidae
Orangethroat darter	*Etheostoma spectabile*	Percidae
Ozark madtom	*Noturus albater*	Ictaluridae
Ozark minnow	*Notropis nubilus*	Cyprinidae
Pirate perch	*Aphredoderus sayanus*	Aphredoderidae
Pugnose minnow	~~*Notropis*~~ *Opsopoeodus emiliae*	Cyprinidae
Rainbow darter	*Etheostoma caeruleum*	Percidae
Redfin darter	*Etheostoma whipplei*	Percidae
Redfin shiner	*Lythrurus umbratilis*	Cyprinidae
Ribbon shiner	*Lythrurus fumeus*	Cyprinidae
"Rock basses"	*Ambloplites sp.*	Centrarchidae
Scaly sand darter	*Ammocrypta vivax*	Percidae
Shadow bass	*Ambloplites ariommus*	Centrarchidae
Slender madtom	*Noturus exilis*	Ictaluridae
Slough darter	*Etheostoma gracile*	Percidae
Smallmouth bass	*Micropterus dolomieu*	Centrarchidae
Smallmouth buffalo	*Ictiobus bubalus*	Catostomidae
Southern redbelly dace	~~*Phoxinus*~~ *Chrosomus erythrogaster*	Cyprinidae
Spotted bass	*Micropterus punctulatus*	Centrarchidae
Spotted sucker	*Minytrema melanops*	Catostomidae
Spotted sunfish	*Lepomis punctatus*	Centrarchidae
Spotted gar	*Lepisosteus oculatus*	Lepisosteidae
Strawberry River darter	*Etheostoma fragi*	Percidae
Striped shiner	~~*Notropis*~~ *Luxilus chrysocephalus*	Cyprinidae
Tadpole madtom	*Noturus gyrinus*	Ictaluridae
Warmouth	*Lepomis gulosus*	Centrarchidae
Wedgespot shiner	*Notropis greenei*	Cyprinidae
Whitetail shiner	~~*Notropis galacturus*~~ *Cyprinella galactura*	Cyprinidae
Yellow bullhead	*Ameiurus natalis*	Ictaluridae

SCIENTIFIC NAMES OF AQUATIC AND SEMI-AQUATIC LIFE FORMS PROTECTED UNDER THE ECOLOGICAL SENSITIVE WATERBODY DESIGNATED USE

VERTEBRATES

Common Name	Species	Family
Alabama shad	*Alosa alabamae*	Clupeidae
Arkansas darter	*Etheostoma cragini*	Percidae
Blue sucker	*Cycleptus elongates*	Catostomidae
Caddo madtom	*Noturus taylori*	Ictaluridae
Crystal darter	*Crystallaria asprella*	Percidae
Goldstripe darter	*Etheostoma parvipinne*	Percidae
Kiamichi shiner	*Notropis ortenburgeri*	Cyprinidae
Least darter	*Etheostoma microperca*	Percidae
Leopard darter	*Percina pantherina*	Percidae
Longnose darter	*Percina nasuta*	Percidae
Oklahoma salamander	*Eurycea tynerensis*	Plethodontidae
Ouachita darter	*Percina sp. nov.*	Percidae
Ouachita madtom	*Noturus lachneri*	Ictaluridae
Ouachita shiner	*Lythrurus snelsoni*	Cyprinidae
Ozark cavefish	*Amblyopsis rosae*	Amblyopsidae
Ozark chub	*Erimystax harryi*	Cyprinidae
Ozark hellbender	*Cryptobranchus alleganiensis*	Salamandridae
Ozark shiner	*Notropis ozarcanus*	Cyprinidae
Paleback darter	*Etheostoma pallididorsum*	Percidae
Pallid sturgeon	*Scaphirhynchus albus*	Acipenseridae
Peppered shiner	*Notropis perpallidus*	Cyprinidae
Silver redhorse	*Moxostoma anisurum*	Catostomidae
Southern cavefish	*Typhlichthys subterraneus*	Amblyopsidae
Spotfin shiner	*Cyprinella spiloptera*	Cyprinidae
Stargazing darter	*Percina uranidea*	Percidae
Strawberry River darter	*Etheostoma fragi*	Percidae
Yellowcheek darter	*Etheostoma moorei*	Percidae
Western sand darter	*Ammocrypta clara*	Percidae

INVERTEBRATES

Common Name	Species	Family
Arkansas Fatmucket	*Lampsilis powellii*	Unionidae
Bleedingtooth mussel	*Venustaconcha pleasii*	Unionidae
Cave crawfish		Cambaridae
Cave snails		
Coldwater crayfish	*Orconcetes eupunctus*	Cambaridae
Ellipse	*Venustaconcha ellipsiformis*	Unionidae
Fanshell	*Cyprogenia stegaria*	Unionidae

Fanshell complex	*Cyprogenia sp*	Unionidae
Fat pocketbook	*Potamilus capax*	Unionidae
Flat floater	*Anodonta suborbiculata*	Unionidae
Foshee Cave snail	*Amnicola cora*	Amnicolidae
Mammoth Spring crayfish	*Orconectes marchandi*	Cambaridae
Neosho mucket	*Lampsilis rafinesqueana*	Unionidae
Ohio pigtoe	*Pleurobema cordatum*	Unionidae
Ouachita creekshell	*Villosa arkansasensis*	Unionidae
Ouachita kidneyshell	*Ptychobranchus occidentalis*	Unionidae
Ouachita rock pocketbook	*Arkansia wheeleri*	Unionidae
Pink mucket	*Lampsilis orbiculata*	Unionidae
Purple lilliput	*Toxolasma lividus*	Unionidae
Pyramid pigtoe	*Pleurobema rubrum*	Unionidae
Rabbitsfoot	*Quadrula cylindrica cylindrica*	Unionidae
Salamander mussel	*Simpsonaias ambigua*	Unionidae
Sandbank pocketbook	*Lampsilis satura*	Unionidae
Southern hickorynut	*Obovaria jacksoniana*	Unionidae
Southern pocketbook	*Lampsilis ornate*	Unionidae
Speckled pocketbook	*Lampsilis streckeri*	Unionidae
Snuffbox	*Epioblasma triquetra*	Unionidae
Unique invertebrates (cave & spring)		
Winged mapleleaf	*Quadrula fragosa*	Unionidae

PLANTS

Common Name	**Species**	**Family**

ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

REGULATION NO. 2.

APPENDIX D

~~PROCEDURES FOR OBTAINING DIRECTOR'S DETERMNATION ON THE PROPOSED PHYSICAL ALTERATION OF AN EXTRAORDINARY RESOURCE WATERS, ECOLOGICALLY SENSITIVE WATERBODY, OR NATURAL AND SCENIC WATERWAY~~

LIST OF CURRENT EXTRAORDINARY RESOURCE WATERS, ECOLOGICALLY SENSITIVE WATERBODIES, AND NATURAL AND SCENIC WATERWAYS

~~(September 28, 2007)~~

APPENDIX D: ~~PROCEDURES FOR OBTAINING DIRECTOR'S DETERMINATION ON THE PROPOSED PHYSICAL ALTERATION OF AN EXTRAORDINARY RESOURCE WATERS, ECOLOGICALLY SENSITIVE WATERBODY, OR NATURAL AND SCENIC WATERWAY~~LIST OF CURRENT EXTRAORDINARY RESOURCE WATERS, ECOLOGICALLY SENSITIVE WATERBODIES, AND NATURAL AND SCENIC WATERWAYS

~~I. CONTENTS OF REQUEST FOR DETERMINATION~~

~~Any person may submit a written request to the Department seeking a determination on whether or not a proposed project will constitute a significant physical alteration of the habitat of an extraordinary resource water, ecologically sensitive waterbody, or natural and scenic waterbody. Such request shall include, at a minimum:~~

~~(A) A map depicting the location of the proposed project and the area to be altered by the project;~~
~~(B) A description of the project, including detailed design plans;~~
~~(C) An analysis of alternatives to the proposed project, including: an environmental assessment of the impacts of each alternative, the costs associated with each alternative, an engineering and economic analysis, and a socio-economic evaluation of the project to the local area; and~~
~~(D) A technical report containing supporting documentation to demonstrate that the proposed project:~~
~~(1) will not impair water quality;~~
~~(2) will not impair the natural flow regime; and~~
~~(3) will not impair the habitat of fish, shellfish, or other forms of aquatic life~~

~~II. DEPARTMENT REVIEW OF REQUEST~~

~~(A) Upon receipt of the request and supporting documentation identified above, the Department shall review the alternatives analysis referenced in Appendix D, I (C). The Department may consult with professionals, as necessary, in reviewing the report. The Department shall review the alternatives analysis in order to:~~
~~(1) ensure that the alternatives analysis is complete;~~
~~(2) evaluate whether the analysis adequately addresses the environmental, social, and economic costs and impacts of each alternative; and~~
~~(3) determine whether any feasible alternatives exist for the proposed project.~~

~~(B) Following review of the alternatives analysis, the Department will review the~~

technical report referenced in Appendix D, I (D). The Department may consult with professionals, as necessary, in reviewing the report. The Department shall review the technical report to evaluate the impacts of the proposed project on water quality, instream flow, and aquatic habitat. The Department will develop guidelines for drafting the technical report and identifying issues to be addressed.

III. DIRECTOR'S DETERMINATION

(a) Upon completing its review of the written request and supporting information, the Director shall issue a draft determination. The Director's draft determination shall include a written statement setting out the reasons for the determination and provide a draft decision on the proposed project which shall either:

1) authorize, with conditions as necessary, the alteration of the habitat because the proposed project does not constitute a significant alteration of the habitat and no feasible alternatives exist to the proposed project; or
2) deny the request to alter the habitat because:
(i) the proposed project constitutes a significant alteration of the habitat which is prohibited by Reg. 2.304(a); or
(ii) feasible alternatives to the proposed project exist.

(b) Public notice, notice of a public comment period, and notice of any public hearing on the Director's draft determination shall be provided in the same manner as that provided for a draft permit decision in Regulation No. 8. Thereafter, the Director shall issue a final determination. The final determination shall be issued and notice provided in the same manner as that provided for the issuance and notice of a final permitting decision in Regulation No. 8. The Director's determination may be appealed to the Commission in the same manner as permit appeals are provided for in Regulation No. 8.

IV. REQUIREMENT FOR SHORT TERM ACTIVITY AUTHORIZATION

If the Director authorizes the alteration of the habitat of an extraordinary resource water, ecologically sensitive waterbody, or natural and scenic waterway, then the party requesting the Director's Determination shall submit to the Department a request for a short term activity authorization in accordance with the requirements of Reg. 2.305.

V. OTHER REQUIRED PERMITS NOT WAIVED

Nothing contained herein shall be construed to relieve the petitioner of the requirements to obtain any other permit for the proposed project required by state or federal law.

Extraordinary Resource Waters

Stream Name	Ecoregion	Plate
Alum Fork Saline River	Ouachita Mountains	OM-2
Archey Creek	Boston Mountains	BM-2
Arkansas River	Delta	D-5
Beech Creek	Boston Mountains	BM-3
Big Creek	Arkansas River Valley	ARV-3
Big Creek	Ozark Highlands	OH-4
Big Fork Creek	Ouachita Mountains	OM-1
Big Piney Creek	Boston Mountains	BM-2
Buffalo River	Boston Mountains	BM-1, BM-2
Buffalo River	Ozark Highlands	OH-2, OH-3
Bull Shoals Reservoir	Ozark Highlands	OH-2, OH-3
Cache River	Delta	D-3
Caddo River	Ouachita Mountains	OM-1, OM-2
Cadron Creek	Arkansas River Valley	ARV-2, ARV-3
Caney Creek	Ouachita Mountains	OM-1
Cossatot River	Ouachita Mountains	OM-1
Current River	Ozark Highlands	OH-4
DeGray Reservoir	Ouachita Mountains	OM-2
Devils Fork of Little Red River	Boston Mountains	BM-3
East Fork Cadron Creek	Arkansas River Valley	ARV-2, ARV-3
East Fork Illinois Bayou	Boston Mountains	BM-2
Eleven Point River	Ozark Highlands	OH-4
English Creek	Ozark Highlands	OH-4
Falling Water Creek	Boston Mountains	BM-2
Field Creek	Ozark Highlands	OH-4
Gut Creek	Ozark Highlands	OH-4
Hurricane Creek	Boston Mountains	BM-2
Illinois Bayou	Boston Mountains	BM-2
Kings River	Boston Mountains	BM-1
Kings River	Ozark Highlands	OH-2
Lake Ouachita	Ouachita Mountains	OM-1, OM-2
Lee Creek	Boston Mountains	BM-1
Lick Creek	Boston Mountains	BM-3
Little Missouri River	Ouachita Mountains	OM-1
Little Raccoon Creek	Boston Mountains	BM-3
Little Strawberry River	Ozark Highlands	OH-3
Middle Fork Illinois Bayou	Boston Mountains	BM-2
Middle Fork Little Red River	Boston Mountains	BM-2, BM-3
Middle Fork Saline River	Ouachita Mountains	OM-2
Moro Creek	Gulf Coastal Plain	GC-2
Mountain Fork River	Ouachita Mountains	OM-1
Mulberry River	Arkansas River Valley	ARV-1
Mulberry River	Boston Mountains	BM-1, BM-2

Myatt Creek	Ozark Highlands	OH-3, OH-4
North Fork Cadron Creek	Arkansas River Valley	ARV-2, ARV-3
North Fork Illinois Bayou	Boston Mountains	BM-2
North Fork Saline River	Ouachita Mountains	OM-2
North Sylamore Creek	Ozark Highlands	OH-3
Raccoon Creek	Boston Mountains	BM-3
Richland Creek	Boston Mountains	BM-2
Salado Creek	Boston Mountains	BM-3
Saline River	Gulf Coastal Plain	GC-2, GC-3
Saline River	Ouachita Mountains	OM-2
Second Creek	Delta	D-4
South Fork Caddo River	Ouachita Mountains	OM-1
South Fork Saline River	Ouachita Mountains	OM-2
South Fork Spring River	Ozark Highlands	OH-3, OH-4
Spring River	Ozark Highlands	OH-4
Strawberry River	Delta	D-1
Strawberry River	Ozark Highlands	OH-3, OH-4
Tomahawk Creek	Boston Mountains	BM-3
Turkey Creek	Boston Mountains	BM-3
Two Bayou Prairie	Delta	D-3

Natural and Scenic Waterways

Stream Name	Ecoregion	Plate
Big Piney Creek	Boston Mountains	BM-2*
Brushy Creek	Ouachita Mountains	OM-1
Buffalo River	Boston Mountains	BM-1, BM-2
Buffalo River	Ozark Highlands	OH-2, OH-3
Cossatot River	Ouachita Mountains	OM-1
Hurricane Creek	Boston Mountains	BM-2*
Kings River	Boston Mountains	BM-1
Kings River	Ozark Highlands	OH-2
Little Missouri River	Ouachita Mountains	OM-1
Mulberry River	Arkansas River Valley	ARV-1
Mulberry River	Boston Mountains	BM-1, BM-2
North Sylamore Creek	Ozark Highlands	OH-3*
Richland Creek	Boston Mountains	BM-2*
Saline River	Gulf Coastal Plain	GC-3
Strawberry River	Ozark Highlands	OH-3, OH-4

* As designated in the National Wild and Scenic Rivers System

Ecologically Sensitive Water Bodies

Stream Name	Ecoregion	Plate
Alum Fork Saline River	Ouachita Mountains	OM-2

Archey Creek	Boston Mountains	BM-2
Beech Fork	Boston Mountains	BM-3
Black River	Delta	D-1
Brushy Creek	Ouachita Mountains	OM-1
Caddo River	Ouachita Mountains	OM-1
Caney Creek	Ouachita Mountains	OM-1
Collier Creek	Ouachita Mountains	OM-1
Cossatot River	Ouachita Mountains	OM-1
Current River	Ozark Highlands	OH-4
Departee Creek	Delta	D-1
Devils Fork Little Red River	Boston Mountains	BM-3
Eleven Point River	Ozark Highlands	OH-4
Grassy Lake	Gulf Coastal Plain	GC-1
Illinois River	Ozark Highlands	OH-1
Little Missouri River	Ouachita Mountains	OM-1
Little Raccoon Creek	Boston Mountains	BM-3
Little Red River	Gulf Coastal Plain	GC-1
Little Strawberry River	Ozark Highlands	OH-3
Lick Creek	Boston Mountains	BM-3
Lick Creek	Ouachita Mountains	OM-1
Mayberry Creek	Ouachita Mountains	OM-2
Middle Fork Little Red River	Boston Mountains	BM-2, BM-3
Middle Fork Saline River	Ouachita Mountains	OM-2
Mill Creek	Ouachita Mountains	OM-1
Missouri River	Gulf Coastal Plain	GC-2
Mountain Fork River	Ouachita Mountains	OM-1
North Fork Saline River	Ouachita Mountains	OM-2
Otter Creek	Ozark Highlands	OH-3
Ouachita River	Ouachita Mountains	OM-1
Ouachita River	Gulf Coastal Plain	GC-2, GC-4
Polk Creek	Ouachita Mountains	OM-1
Robinson Creek	Ouachita Mountains	OM-1
St. Francis River	Delta	D-4
Saline River	Ouachita Mountains	OM-2
Saline River	Gulf Coastal Plain	GC-3
South Fork Caddo River	Ouachita Mountains	OM-1
South Fork Ouachita River	Ouachita Mountains	OM-1
South Fork Saline River	Ouachita Mountains	OM-2
Ten Mile Creek	Ouachita Mountains	OM-2
Raccoon Creek	Boston Mountains	BM-3
Right Hand Chute Little River	Delta	D-2
Rock Creek	Ouachita Mountains	OM-1
Rock Creek	Ozark Highlands	OH-4
South Fork Little Red River	Boston Mountains	BM-2
Spring River	Ozark Highlands	OH-4
Straight Slough	Delta	D-2, D-4

Strawberry River	Ozark Highlands	OH-3, OH-4
Tomahawk Creek	Boston Mountains	BM-3
Turkey Creek	Boston Mountains	BM-3
Various springs & spring-fed tributaries	Ozark Highlands	OH-1, OH-2, OH-3
White River	Boston Mountains	BM-1
Yellow Creek	Gulf Coastal Plain	GC-1

A RKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

REGULATION NO. 2.

APPENDIX E

Criteria to be Considered in Determining Whether the Designated Use of Extraordinary Resource Water, Ecologically Sensitive Waterbody, or Natural and Scenic Waterway Should be Maintained

~~(September 28, 2007)~~

APPENDIX E: CRITERIA TO BE CONSIDERED IN DETERMINING WHETHER THE DESIGNATED USE OF EXTRAORDINARY RESOURCE WATER, ECOLOGICALLY SENSITIVE WATERBODY, OR NATURAL AND SCENIC WATERWAY SHOULD BE MAINTAINED

The determination of whether a designated use of Extraordinary Resource Water, Ecologically Sensitive Waterbody, or Natural and Scenic Waterway should be maintained in a given waterbody must be made on a case by case basis. At least 180 days prior to filing any petition authorized under ~~Section~~Reg. 2.310 to initiate rulemaking with the Commission to remove the designated use of Extraordinary Resource Water, Ecologically Sensitive Waterbody, or Natural and Scenic Waterway from a free flowing waterbody for the purpose of constructing a reservoir to provide a domestic water supply, the petitioner shall submit to the Department information and supporting documentation which address each of the following:

(A) Describe generally and specifically the state of the existing water quality;
(B) Identify the presence of key and indicator species of fish adapted to flowing water systems and state the extent to which these species are present in the waterbody;
(C) Describe the extent to which water quality and physical habitat, including wetlands, support other plant or animal life and identify the species;
(D) Identify the presence of, and state the extent to which, other wildlife uses are dependent upon the waterbody;
(E) State the extent to which water quality and physical habitat support threatened, endangered, or endemic aquatic or semi-aquatic species and identify those species;
(F) Specify the extent to which the waterbody supports a high diversity of aquatic species and identify the presence and frequency of the species;
(G) Describe and identify the extent to which physical or chemical characteristics of the waterbody provide an unusual or uncommon aquatic habitat;
(H) Describe the extent to which physical or chemical characteristics give the waterbody unusual or unique aesthetic attributes;
(I) Specify the extent of the use of the waterbody for recreation in or on the water, such as fishing, swimming, and boating (including but not limited to canoeing, kayaking, or rafting), or use of the waterbody for commercial activity, including tourism;
(J) Identify and describe the intangible social values associated with the free flowing characteristics of the waterbody;
(K) Identify the presence and location of gorges, rapids, waterfalls, or other significant geologic features;
(L) Identify the presence and location of scenic areas and sites potentially impacted by the reservoir;

(M) Identify the presence and location of rare and/or irreplaceable natural areas potentially impacted by the reservoir;
(N) Identify the presence and location of known archeological sites potentially impacted by the reservoir;
(O) Identify the presence and location of historic resources potentially impacted by the reservoir;
(P) Delineate the extent to which the waterbody is located within the boundaries of, flows through, or is adjacent to state or federal forest land, parks, natural areas, nature preserves, refuges, or wildlife management areas;
(Q) Describe the extent to which the waterbody is used for educational, scientific, or research purposes;
(R) Identify the waterbody's use or potential use as an ecoregion reference stream;
(S) Describe the land uses, and the geographical extent of each, occurring within the watershed;
(T) Identify the presence and location of all permitted point sources discharging to the waterbody;
(U) Identify the presence and location of existing alterations, diversions or man-made impoundments; and
(V) Provide the frequency of occasions when there is no natural flow in the waterbody, and the ~~7Q10~~Q7-10 flow values for the waterbody.

ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

REGULATION NO. 2.

APPENDIX F

Factors Considered In Adding the Designated Use of Extraordinary Resource Water, Ecologically Sensitive Waterbody, or Natural and Scenic Waterway to a Waterbody or Waterbody Segment

~~(September 28, 2007)~~

APPENDIX F: FACTORS CONSIDERED IN ADDING THE DESIGNATED USE OF EXTRAORDINARY RESOURCE WATER, ECOLOGICALLY SENSITIVE WATERBODY, OR NATURAL AND SCENIC WATERWAY TO A WATERBODY OR WATERBODY SEGMENT

The Commission shall consider the following supporting documentation in determining whether a waterbody should be designated as an Extraordinary Resource Water, Ecologically Sensitive Waterbody, or Natural and Scenic Waterway:

(A) Location – The waterbody is within the boundaries of or flows through or is adjacent to state or federal forest land, parks, natural areas, nature preserves, refuges, or wildlife management areas, or the watershed may include remote, primitive, or relatively undeveloped areas;
(B) Existing water quality – pristine, naturally-occurring, or unique;
(C) Ecological value – The presence of water quality and physical habitat that supports threatened, endangered, or sensitive species, the presence of any threatened, endangered, or sensitive species, and/or water quality that supports an exceptional high diversity of aquatic species (fish or benthic macroinvertebrates) as categorized by an appropriate index of biological integrity (IBI) protocol;
(D) Presence of physical or chemical characteristics that provide an unusual or uncommon aquatic habitat;
(E) Special attributes of the waterbody that make it an outstanding resource, including but not limited to the presence of archeological sites, historical sites, or rare or valuable wildlife habitat;
(F) Aesthetic Value- the presence of scenic areas or sites or scenic beauty resulting from natural features of the basin such as flow, topography, geology, ecology, physiography (i.e., waterfalls, gorges, rapids, or other special features), or the presence of characteristics giving the waterbody unique or unusual attributes;
(G) Recreational Value- Use of the waterbody for:
(1) Fishing, rafting, kayaking, camping, family outings, backpacking, bird watching, etc.,
(2) Presence of hiking trails or scenic road or highway alongside, and
(3) Attracting tourism;
(H) Use of the waterbody for educational, scientific, or research purposes;
(I) Presence of rare and/or irreplaceable natural areas; and
(J) Impacts the designation may have on current uses, upstream users, downstream users, and potential future uses of the waterbody or waterbody segment.