

## Carol Bitting

Here are the copies of the moratorium originally placed on hog CAFO's in the Buffalo River watershed.

allowing reasonable site access to Department personnel for the purpose of conducting inspections, collecting water samples and placing monitoring wells or other testing devices.

5. Nothing in this Administrative Notice shall preclude the Department from taking any form of enforcement action deemed appropriate to prevent or abate pollution of the waters of the Buffalo watershed.

6. The Department does not consider this Administrative Notice a final agency action subject to appeal or other adjudicatory review. However, any person adversely affected by subsequent actions by the Department in pursuance of the policy announced herein (e.g., through denial of a permit or initiation of an enforcement action) retains all rights of legal redress recognized by the Arkansas Water and Air Pollution Control Act.

Randall Mathis  
RANDALL MATHIS, DIRECTOR

10/12/92  
DATE

Buffalo River basin for the purpose of assessing the water quality of the Buffalo and its tributaries, identifying the cause of any impairment of waters in the basin, and determining a reasonably protective water quality management plan for all waters in the basin.

THESE PREMISES CONSIDERED, the Director hereby issues the following Notice:

NOTICE

1. During the pendency of the surveys and studies described above, the Department will not issue any permits for new sources to discharge wastes into any stream in the Buffalo River watershed, nor will the Department issue "no-discharge" permits for any facility or activity which would generate waste that could potentially impact the water quality of the Buffalo River or its tributaries.

2. The Department will perform surveys and inspections of all existing facilities and activities within PC&E's regulatory jurisdiction located in the Buffalo River basin. The purpose of these studies will be to catalog and assess what impact existing facilities may have on the Buffalo River or its tributaries.

3. Operators of confined animal facilities permitted by PC&E are strongly urged to consult with representatives from the Cooperative Extension Service to review the requirements of their permits and how their operations may be improved.

4. All persons and facilities subject to the regulatory jurisdiction of the Department shall cooperate with the surveys and studies described in this Administrative Notice, which includes

ARKANSAS DEPARTMENT OF POLLUTION CONTROL & ECOLOGY

IN THE MATTER OF:

BASIN-WIDE INITIATIVE FOR THE  
BUFFALO RIVER WATERSHED

ADMINISTRATIVE NOTICE

This Administrative Notice constitutes a statement of policy which will be followed by the Department in exercise of its authority under the Arkansas Water and Air Pollution Control Act, A.C.A. §8-4-201 et seq.

FINDINGS

1. The Buffalo River is one of the State's and the nation's treasures. The Buffalo was the first stream to be designated as National River. Arkansas Water Quality Standards classify the Buffalo as a Natural and Scenic Waterway and an Extraordinary Resource Water. Section 3(C) of the Regulation No. 2: Water Quality Standards directs the Department to protect such high quality waters using, among other means, "pursuit of land management protective of the watershed."

2. In general, the water quality of the Buffalo River is excellent. Recent data, however, indicates impairment of aquatic biota in tributaries to the Buffalo which could reasonably be expected to affect the Buffalo in the future if the cause is not discovered and abated. In order to preserve the outstanding quality of the Buffalo, the Department has determined it necessary to invoke its authority under Section 3(C) of Regulation No. 2.

3. The Department will perform an extensive survey of the