

Exhibit C:

Legislative Questionnaire

**QUESTIONNAIRE FOR FILING PROPOSED RULES AND REGULATIONS
WITH THE ARKANSAS LEGISLATIVE COUNCIL AND JOINT INTERIM COMMITTEE**

DEPARTMENT/AGENCY Arkansas Division of Environmental Quality
 DIVISION Office of Water Quality
 DIVISION DIRECTOR Robert Blanz
 CONTACT PERSON Robert Blanz
 ADDRESS 5301 Northshore Drive, North Little Rock, AR 72118
 PHONE NO. 501-682-0929 FAX NO. 501-682-0880 E-MAIL blanz@adeq.state.ar.us
 NAME OF PRESENTER AT COMMITTEE MEETING Robert Blanz
 PRESENTER E-MAIL blanz@adeq.state.ar.us

INSTRUCTIONS

- A. Please make copies of this form for future use.
- B. Please answer each question **completely** using layman terms. You may use additional sheets, if necessary.
- C. If you have a method of indexing your rules, please give the proposed citation after "Short Title of this Rule" below.
- D. Submit two (2) copies of this questionnaire and financial impact statement attached to the front of two (2) copies of the proposed rule and required documents. Mail or deliver to:

**Donna K. Davis
 Administrative Rules Review Section
 Arkansas Legislative Council
 Bureau of Legislative Research
 One Capitol Mall, 5th Floor
 Little Rock, AR 72201**

1. What is the short title of this rule? APC&EC Regulation No. 5

Amendment to Chapter 9 to make permanent the prohibition of issuance of new permits pursuant to Regulation No. 5 for the operation of certain, defined size of confined animal operations in the Buffalo National River Watershed.

2. What is the subject of the proposed rule? Amendment to Chapter 9 to make permanent the prohibition of issuance of new permits pursuant to Regulation No. 5 for the operation of certain, defined size of confined animal operations in the Buffalo National River Watershed.

3. Is this rule required to comply with a federal statute, rule, or regulation? Yes No
 If yes, please provide the federal rule, regulation, and/or statute citation. Regulation 5.901(E)

4. Was this rule filed under the emergency provisions of the Administrative Procedure Act? Yes No

If yes, what is the effective date of the emergency rule? N/A

When does the emergency rule expire? N/A

Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act? Yes No

5. Is this a new rule? Yes No
If yes, please provide a brief summary explaining the regulation. N/A

Does this repeal an existing rule? Yes No
If yes, a copy of the repealed rule is to be included with your completed questionnaire. If it is being replaced with a new rule, please provide a summary of the rule giving an explanation of what the rule does. _____

Is this an amendment to an existing rule? Yes No
If yes, please attach a mark-up showing the changes in the existing rule and a summary of the substantive changes. **Note: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled "mark-up."**

6. Cite the state law that grants the authority for this proposed rule? If codified, please give the Arkansas Code citation. Ark. Code Ann. § 8-4-101 et seq.

7. What is the purpose of this proposed rule? Why is it necessary? The purpose is to make permanent the prohibition of issuance of new permits pursuant to Regulation No. 5 for the operation of certain, defined size of confined animal operations in the Buffalo National River Watershed. It is necessary to protect the existing water quality of the Buffalo National River and the associated tourism and recreational based economy associated with the river.

8. Please provide the address where this rule is publicly accessible in electronic form via the Internet as required by Arkansas Code § 25-19-108(b). https://www.adeq.state.ar.us/regs/draft_regs.aspx

9. Will a public hearing be held on this proposed rule? Yes No
If yes, please complete the following:

Date: August 23, 2019

Time: 2:00 P.M.

Commission Room, ADEQ
Headquarters, 5301 Northshore Drive,

Place: North Little Rock, AR 72118

10. When does the public comment period expire for permanent promulgation? (Must provide a date.)
Ten business days from the date of the public hearing, which will be on or about September 3, 2019.

11. What is the proposed effective date of this proposed rule? (Must provide a date.)
On or about November 10, 2019

12. Do you expect this rule to be controversial? Yes No
If yes, please explain. N/A

13. Please give the names of persons, groups, or organizations that you expect to comment on these rules?
Please provide their position (for or against) if known.

The Division expects to receive comments from residents of the Buffalo National River Watershed, recreational users of the river, and those who own and operate businesses in the watershed. The Division expects broad support for the regulation change. The Division has not identified a group or individual who intend to oppose this rule change, but do acknowledge that such opposition is possible.
