

Secretary Becky Keogh  
Department of Energy and Environment  
5301 Northshore Drive  
North Little Rock, AR 72118

August 10, 2020

Dear Secretary Keogh:

I am writing today to ask that you consider and grant a 60-day extension for public comment and review on three critical water quality policies and regulations. Currently the deadline for submitting public comments on the Anti-Degradation Implementation Methods (AIM) and Continuing Planning Process (CPP) documents expire on August 26, 2020. The deadline for the triennial review of Regulation 2 is September 8, 2020.

The Anti-Degradation Implementation Methodology has been required by the Clean Water Act (CWA) regulations since 1987. The state has been out of compliance with the CWA and is 33 years overdue in developing the assessment and implementation methodology of an Anti-Degradation policy, yet is only providing the public 30 days to comment on this brand-new policy.

The Continuing Planning Process (CPP) is a highly technical document (111 pages) and has not been updated for the past 20 years, yet again your agency is only providing the public 30 days to comment.

Third, the CWA requires states to conduct a review of its water quality standards captured in Regulation 2 every three years. These regulations are the state's most important and fundamental standards to protect water quality and deserve a thorough review process by the public.

As a participant in the stakeholder review process, I am surprised that none of the stakeholders' comments have been incorporated into these documents prior to providing the documents to the public. What was the benefit of holding 4 stakeholder AIM and CPP meetings if our comments were not to be considered prior to public distribution? Changes requested to Regulation 2 were equally dismissed and not incorporated.

The timing of these three document reviews ending close to the same time during a pandemic is concerning. Special consideration should be given especially with respect to the technical and logistical challenges surrounding the pandemic and with the knowledge that it has taken ADEQ 33 years to draft an anti-degradation implementation plan. Thirty days for the public vs. 33 years in DEQ development. Isn't an additional 60 days for public review and comment a reasonable request and should this additional time be granted?

Sincerely,  
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