

**From:** [Ann Henry](#)  
**To:** [Wesley Stites](#)  
**Cc:** [Clem, Sarah](#); [Wise, Jim](#); [Moulton, Charles](#); [Bekki White](#); [Chris Gardner](#); [Joe Fox](#); [John Chamberlin](#); [Joseph Bates](#); [Larry Bengal](#); [Miles Goggans](#); [Randy Young](#); [Ricky Chastain](#); [Robert Reynolds](#); [Rusty Moss](#); [Benenati, Katherine](#); [Keogh, Becky](#)  
**Subject:** Re: News release  
**Date:** Saturday, January 30, 2016 5:47:00 PM

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Thank you for your comments Wesley. I had gone to the page and looked for the changes. And I could not figure it out.

Linking things to explain why and what and why would not only help the public but commissioners. Some have the expertise in certain areas . These comments are to help, not be critical. I concur with your comments and hope changes can occur.

Ann

Sent from my iPhone

On Jan 30, 2016, at 4:40 PM, Wesley Stites <[wstites@uark.edu](mailto:wstites@uark.edu)> wrote:

Ms. Clem and Mr. Wise-

I am not sure if you are the persons I should be directing these comments toward. If either of you are not the right person, please forward my comments to the appropriate individual.

As you can see in the email below, Judge Moulton forwarded this recent ADEQ public notice to the APCEC. I opened the link in the notice ([http://www2.adeq.state.ar.us/water/branch\\_planning/303d/303d.htm#2016](http://www2.adeq.state.ar.us/water/branch_planning/303d/303d.htm#2016)) and my comments are about the page that I landed on and the information included there. I think that this page suffers *severely* from being written by and for people who are immersed (no pun intended) in this issue and NOT for the public. For example, let me point out that the lists and maps very helpfully distinguish between streams and lakes in Category 5, 4a, and 1b. Unfortunately, not so helpfully, nowhere on the page nor in any of the links I tried there could I find a readily accessible definition of what Category 5, 4a, and 1b are. Another example. Perhaps the acronym most commonly used in these materials is TMDL; it is not defined in the 'List of acronyms'. A third example. If I were a general member of the public would I know what 303(d) refers to? That is explained in the press release, but not on the landing page.

I am not denigrating the work that went into compiling this list and collecting all the data presented there. Indeed there is good work and very usefully presented information there. For a positive example, the use of maps is excellently done in my opinion. And I am not arguing for dumbing it down. I am certainly all for having full technical detail available. I fully understand that this is a complicated issue to communicate. But, along those lines, I also understand how easy it is to talk over people's heads when you know the subject backward and forward and they don't. I have to struggle against it every day I lecture in class and my own personal problems with it may make me more sensitive to the issue.

Bottom line, for the main page that the public is directed to in a public notice to be

pitched at such a high level with little or no introductory or background material seems just plain wrong to me. A plain English explanation of what an “impaired” waterbody is and is not would seem to be a good starting point. There is a reasonable start toward explaining what is going on in the press release, but none of this is on the web page. I thought maybe it was elsewhere at ADEQ so I tried Google with the phrase “Arkansas impaired water” and the link above came up first on the list. None of the other top listings were particularly helpful at explaining these issues either. Look at the first paragraph of the equivalent Minnesota page:

<https://www.pca.state.mn.us/water/minnesotas-impaired-waters-list> Contrast that to our page.

A few lines laying out what ‘designated uses’ are and explaining the special criteria for ERW, ESW, and Natural and Scenic Rivers might be in order as well. And remember Category 5, 4a, and 1b? Washington state has a great page explaining what is going on there that I think we might steal as a template to improve upon:

<http://www.ecy.wa.gov/programs/wq/303d/WQAssessmentCats.html> Even links to Wikipedia might be appropriate or useful. A frank discussion of Arkansas’ unusual situation with regards to mineral limits and their history might be useful as well.

In short, I would suggest you read the page as if you were a lay person interested in but knowing next to nothing about the topic. Could you figure it out or at the very least follow bread crumb links to find the information needed to make it understandable? Let me put it another way. Your father or your aunt reads in the paper that they live next to an ‘impaired stream’. Would this page help them figure out whether or not they should be concerned? Would it help them figure out why the stream they live next to is listed? I submit that as it is currently written this is most definitely not the case. I strongly feel that we have an obligation to make at least the basics of these matters clear to the public (our bosses).

Maybe I am off base. If so, please let me know what I am missing.

Again, please don’t feel that I am beating up on you. These are hard things to get right and I am offering what I hope is constructive criticism. I want our web pages to be the ones that other states look to for inspiration and I am betting that you do too! Happy to discuss it further if you would find it useful.

Thanks for all your work for the people of Arkansas,  
Wes Stites

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**From:** Moulton, Charles [<mailto:MOULTON@adeq.state.ar.us>]

**Sent:** Thursday, January 28, 2016 3:01 PM

**To:** Ann Henry <[henry.annhenry@gmail.com](mailto:henry.annhenry@gmail.com)>; Bekki White <[bekki.white@arkansas.gov](mailto:bekki.white@arkansas.gov)>; Chris Gardner <[cgardner@cgardnerlaw.com](mailto:cgardner@cgardnerlaw.com)>; Joe Fox <[Joe.fox@arkansas.gov](mailto:Joe.fox@arkansas.gov)>; John Chamberlin <[johngchamberlin@chamberlinresearch.com](mailto:johngchamberlin@chamberlinresearch.com)>; Joseph Bates <[joseph.bates@arkansas.gov](mailto:joseph.bates@arkansas.gov)>; Larry Bengal <[larry.bengal@aogc.state.ar.us](mailto:larry.bengal@aogc.state.ar.us)>; Miles Goggans <[goggansinc@icloud.com](mailto:goggansinc@icloud.com)>; Randy Young <[randy.young@arkansas.gov](mailto:randy.young@arkansas.gov)>; Ricky Chastain <[ricky.chastain@agfc.ar.gov](mailto:ricky.chastain@agfc.ar.gov)>; Robert Reynolds <[robertreynolds@suddenlink.net](mailto:robertreynolds@suddenlink.net)>; Rusty Moss <[mossfish@sbcglobal.net](mailto:mossfish@sbcglobal.net)>; Wesley Stites <[wstites@uark.edu](mailto:wstites@uark.edu)>

**Cc:** Goff, Patricia <[GOFFPATTI@adeq.state.ar.us](mailto:GOFFPATTI@adeq.state.ar.us)>

**Subject:** FW: News release

Commissioners –

Attached is the public notice for ADEQ's updated 303(d) list. The notice also includes links to the databases supporting the list.

Best,

Charlie