

From: [John G Chamberlin](#)
To: ["Chris Gardner"](#); ["Ann Henry"](#); ["Wesley Stites"](#)
Cc: [Clem, Sarah](#); [Wise, Jim](#); [Moulton, Charles](#); ["Bekki White"](#); ["Joe Fox"](#); ["Joseph Bates"](#); ["Larry Bengal"](#); ["Miles Goggans"](#); ["Randy Young"](#); ["Ricky Chastain"](#); ["Robert Reynolds"](#); ["Rusty Moss"](#); [Benenati, Katherine](#); [Keogh, Becky](#)
Subject: RE: News release
Date: Monday, February 01, 2016 11:47:03 PM

I agree and think this is a specific example of a general need to better explain and present information and explanations. If the audience is the general public rather than specialists, the writing needs to serve the audience.

John

From: Chris Gardner [mailto:cgardner@cgardnerlaw.com]
Sent: Monday, February 1, 2016 10:01 AM
To: Ann Henry <henry.annhenry@gmail.com>; Wesley Stites <wstites@uark.edu>
Cc: clem@adeq.state.ar.us; wise@adeq.state.ar.us; Moulton, Charles <MOULTON@adeq.state.ar.us>; Bekki White <bekki.white@arkansas.gov>; Joe Fox <Joe.fox@arkansas.gov>; John Chamberlin <johngchamberlin@chamberlinresearch.com>; Joseph Bates <joseph.bates@arkansas.gov>; Larry Bengal <larry.bengal@aogc.state.ar.us>; Miles Goggans <goggansinc@icloud.com>; Randy Young <randy.young@arkansas.gov>; Ricky Chastain <ricky.chastain@agfc.ar.gov>; Robert Reynolds <robertreynolds@suddenlink.net>; Rusty Moss <mossfish@sbcglobal.net>; benenati@adeq.state.ar.us; keogh@adeq.state.ar.us
Subject: RE: News release

I concur with Wesley and Ann. I am very impressed with the level of work and information that is being made available, but I too have struggled to understand and assimilate it all. Anything that could assist in making it easier for a lay person to understand would be helpful.

Chris

From: Ann Henry [mailto:henry.annhenry@gmail.com]
Sent: Saturday, January 30, 2016 5:45 PM
To: Wesley Stites <wstites@uark.edu>
Cc: clem@adeq.state.ar.us; wise@adeq.state.ar.us; Moulton, Charles <MOULTON@adeq.state.ar.us>; Bekki White <bekki.white@arkansas.gov>; Chris Gardner <cgardner@cgardnerlaw.com>; Joe Fox <Joe.fox@arkansas.gov>; John Chamberlin <johngchamberlin@chamberlinresearch.com>; Joseph Bates <joseph.bates@arkansas.gov>; Larry Bengal <larry.bengal@aogc.state.ar.us>; Miles Goggans <goggansinc@icloud.com>; Randy Young <randy.young@arkansas.gov>; Ricky Chastain <ricky.chastain@agfc.ar.gov>; Robert Reynolds <robertreynolds@suddenlink.net>; Rusty Moss <mossfish@sbcglobal.net>; benenati@adeq.state.ar.us; keogh@adeq.state.ar.us
Subject: Re: News release

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> 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.adeg.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

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

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

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

Cc: Goff, Patricia <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

From: [Clem, Sarah](#)
To: [Barnett, Mary](#); [Wise, Jim](#)
Subject: FW: News release and upcoming Commission Meeting
Date: Friday, February 26, 2016 11:11:14 AM

See Chamberlins comments below.

-----Original Message-----

From: Osborne, Caleb
Sent: Friday, February 26, 2016 10:42 AM
To: Clem, Sarah
Subject: FW: News release and upcoming Commission Meeting

FYI

-----Original Message-----

From: Keogh, Becky
Sent: Thursday, February 25, 2016 3:37 PM
To: Osborne, Caleb; Blanz, Bob
Subject: FW: News release and upcoming Commission Meeting

Some additional feedback

Becky W Keogh
Director

-----Original Message-----

From: Ann Henry [<mailto:henry.annhenry@gmail.com>]
Sent: Thursday, February 25, 2016 02:01 PM Central Standard Time
To: john chamberlin
Cc: Keogh, Becky; Wesley Stites; Moulton, Charles; Bekki White; Chris Gardner; Joe Fox; Joseph Bates; Larry Bengal; Miles Goggans; Randy Young; Ricky Chastain; Robert M. Reynolds; Rusty Moss; Benenati, Katherine; Chapman, Julie
Subject: Re: News release and upcoming Commission Meeting

thanks, John, as I had a problem with looking at the 303d lists and seeing them as they are described. It isn't just Flint, Michigan; I see Jackson, Mississippi also has some issues. I don't want that to happen to arkansas...

> On Feb 25, 2016, at 12:11 PM, John G Chamberlin <johngchamberlin@chamberlinresearch.com> wrote:

>

> I appreciate the good work. One minor edit and a question raised by this version -

>

> TMDL is spelled out on the second use but not the first.

>

> Water quality data is from "... as well as private entities ..." Are the private entities on contract or is volunteer data accepted? I know of college classes doing monitoring, for example, and can also see how interested parties might want to submit data.

>

> I think Wes raised lots of good points in his initial note and the web page changes help. I think impaired streams are a topic people feel like they should understand, but still find difficult. It may be a topic where a video or a Powerpoint or other educational tool would be useful.

>

> The other problem I have is grasping the totality of the 303d list and understanding what it means. In the past I downloaded the data and got it put into a GIS system so I could look at color coded

maps. It feels like there should be a way to look at the priorities (easily) and a time the priorities get discussed. I looked at the Michigan impaired stream list and the Flint River was impaired - for temperature, e. Coli, and PCBs that I found in a quick look. Interestingly the designated water uses evaluated were for agricultural and industrial uses, not domestic water supply.

>

> We may not have Flint River situations, but I hope we would be better responders if we did.

>

> At the other end of things, there are impairments that are not really meaningful - like changes at state boundaries where the stream might be impaired in one state and not the other. We just worked on fixing that on parts of the Red River.

>

> There may be other categories where some cooperative action would be best. For example there are lots of impairments for turbidity. Sometimes this may have been the natural state but in other cases it may be the impact of poorly maintained roads and we now have a state program aimed at improving practices on unpaved roads.

>

> I look forward to further discussion.

>

> Thanks,

>

> John

>

> -----Original Message-----

> From: Keogh, Becky [<mailto:keogh@adeq.state.ar.us>]

> Sent: Tuesday, February 23, 2016 10:09 PM

> To: 'Wesley Stites' <wstites@uark.edu>

> Cc: Moulton, Charles <MOULTON@adeq.state.ar.us>; 'Ann Henry' <henry.annhenry@gmail.com>; 'Bekki White' <bekki.white@arkansas.gov>; 'Chris Gardner' <cgardner@cgardnerlaw.com>; 'Joe Fox' <Joe.fox@arkansas.gov>; 'John Chamberlin' <johngchamberlin@chamberlinresearch.com>; 'Joseph Bates' <joseph.bates@arkansas.gov>; 'Larry Bengal' <larry.bengal@aogc.state.ar.us>; 'Miles Goggans' <goggansinc@icloud.com>; 'Randy Young' <randy.young@arkansas.gov>; 'Ricky Chastain' <ricky.chastain@agfc.ar.gov>; 'Robert Reynolds' <robertreynolds@suddenlink.net>; 'Rusty Moss' <mossfish@sbcglobal.net>; Benenati, Katherine <Benenati@adeq.state.ar.us>; Chapman, Julie <Chapman@adeq.state.ar.us>

> Subject: RE: News release and upcoming Commission Meeting

>

> The Department appreciates the recent feedback you and others copied here provided on the 303(d) list webpage and suggestions for how to make it more accessible to the public. Revisions have been drafted to help address the concerns that were raised.

>

> Attached is a working draft of the webpage that incorporates suggested revisions including explanations of the 303(d) list, how the list is created, the 303(d) list categories, water quality standards, designated uses, and TMDLs. The "List of Acronyms" has also been updated. We will continue to work to improve the website and information content. We are asking you to review the revision and let us know how we can improve this page prior to posting.

>

> It is our sincere hope to receive feedback from you to assure any final revisions do make the 303(d) list webpage more user friendly thereby allowing the public to have a greater understanding of the impaired waterbodies list.

>

> I will be out of state on Friday for a delayed celebration of the birth of our newest grandson and to also participate in celebration of big brother's 4th birthday. Please feel free to discuss any further suggestions individually prior to or following the commission meeting.

>

> I have asked Julie Chapman, Associate Director, Office of Law and Policy to provide a brief Directors report at Friday's meeting. I look forward to seeing you all at the March Commission meeting!

>

> Best,

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> Becky W Keogh
> Director

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> -----Original Message-----

> From: Wesley Stites [<mailto:wstites@uark.edu>]
> Sent: Saturday, January 30, 2016 04:43 PM Central Standard Time
> To: Clem, Sarah; Wise, Jim
> Cc: Moulton, Charles; Ann Henry; 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

>
> Ms. Clem and Mr. Wise-

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> 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.

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> 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.

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

> Cc: Goff, Patricia <GOFFPATTI@adeq.state.ar.us>

> Subject: FW: News release

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> Commissioners –

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> Best,

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> Charlie

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