

Category 4b Determinations

40 CFR 130.7 (b)(1) provides that segments are not required to be listed on the 303(d) list if “other pollution control requirements (e.g. best management practices) required by local, State, or Federal authority” are stringent enough to implement applicable water quality standards within a reasonable period of time. The Illinois River, Buffalo River, and Beaver Lake watersheds have alternative management plans in place; therefore several AUs were placed in Category 4b.

Buffalo River Watershed

Arkansas is placing two segments of Big Creek, one for pathogens (AR_11010003_022) and one for dissolved oxygen (AR_11010003_020), and two segments of Buffalo River (AR_11010005_011, AR_11010005_010) for pathogens in Category 4b. In August 2016, Arkansas Governor Asa Hutchinson formed the Beautiful Buffalo River Action Committee (BBRAC) to establish an Arkansas-led approach to identify and address potential issues of concern in the Buffalo River watershed. BBRAC comprises the Arkansas Department of Environmental Quality, Arkansas Natural Resource Commission, Arkansas Game and Fish Commission, Arkansas Geographic Information Systems, Arkansas Department of Health, and Arkansas Department of Parks and Tourism. One of the most significant charges for BBRAC to date was to develop a nonregulatory, watershed management plan for the watershed. On January 15, 2018, Arkansas Natural Resource Commission finalized the Buffalo River Watershed Management Plan, and it was accepted by EPA June 2018. The Buffalo River WMP outlines voluntary measures to reduce nonpoint source runoff as well as makes recommendations for water quality monitoring and studies within the watershed. ADEQ believes stakeholders and BBRAC partners are necessary for successful strategy and milestone development. ADEQ and BBRAC are committed to revising the strategy as necessary to achieve ultimate attainment of water-quality standards in the Buffalo River.

Beaver Lake Watershed

Arkansas is placing in Category 4b three AUs of Beaver Lake for pathogens and turbidity (AR_11010001_4040 & AR_11010001_4042), and one AU of Beaver Lake for pH, pathogens, and turbidity (AR_11010001_4041). In May 2012, Beaver Watershed Alliance prepared a revision to Northwest Arkansas Council’s Beaver Lake Watershed Protection Strategy. Beaver Lake Watershed Protection Strategy outlines voluntary measures to reduce nonpoint source runoff including Best Management Practices for construction, farming, unpaved roads, stormwater management, stream buffer implementation, and stream bank stabilization. Beaver Watershed Alliance and stakeholders will continue to lead the implementation of strategies, timelines, and schedules to achieve standards as well as track progress.

Illinois River Watershed

Arkansas is placing pathogen listings in the following Illinois River watershed stream segments (Assessment Units) in Category 4b:

- Illinois River (AR_11110103-023) Pathogens
- Illinois River (AR_11110103_024) Pathogens
- Moores Creek (AR_11110103-026) Pathogens
- Muddy Fork Illinois River (AR_11110103_027) Pathogens
- Illinois River (AR_11110103-028) Pathogens
- Little Osage Creek (AR_11110103_630) Pathogens
- Little Osage Creek (AR_11110103_933) Pathogens
- Muddy Fork Illinois River (AR_11110103_025) Pathogens

The 2012 Illinois River WMP outlines voluntary measures to reduce nonpoint source contributions of bacteria to the watershed WMP (<http://www.irwp.org/assets/PDF/UIRW-Watershed-Based-Plan-2012-11-30-Final.pdf>). The WMP specifically identifies BMP's affecting bacteria contamination for rural, pasture/field runoff, and grazing sources. Administration and implementation of the 2012 Illinois River WMP has primarily been through efforts of the Illinois River Watershed Partnership and assisted funding efforts from multiple partners. The WMP was developed following the adaptive management concept to allow for iterative revisions as watershed conditions change.

Arkansas is committed to developing strategies for tracking progress of alternative pollution control requirements related to pathogens, identifying appropriate milestones, as well as working with partners to revise strategies as necessary.