

From: [Cindy Jetton](#)
To: comments@whiteriverwaterkeeper.org; [WaterbodyComments](#); cindy_jetton@yahoo.com
Subject: Cindy Jetton Comments re: Draft 2018 303(d) List
Date: Monday, August 27, 2018 4:46:21 PM
Attachments: [Public Comments on Arkansas's Draft 2018 303\(d\) List of Impaired Waterbodies 2018 303d Comments.pdf](#)

Below are comments submitted by Cindy Jetton through White River Waterkeeper's public comment form. Please confirm receipt of this submission.

Email address	cindy_jetton@yahoo.com
Full Name	Cindy Jetton
Mailing Address	PO BOX 609 Marshall AR 72650
Your connection to Arkansas waters	<p>I live within a half mile of the Buffalo National River. Up to July 8th, I frequently was kayaking on the Buffalo River. The amount of algae has grown so thick, it makes it very difficult to navigate the river. And the smell of sewer while paddling is not what I want to experience. July 9th, my husband and I became very ill after being on the Buffalo River the day before. Tests were ran to attempt to find a cause, samples sent to find a cause, and supposedly water samples were to be taken from the river. The last press release I read on the topic was agencies were not sure what part of the Buffalo River we were on which is a total lie as I told 3 different national and state agencies where we were as well as the other individuals had given their location.</p>
Has nuisance algae affected your recreation experiences?	Yes
Have declines to physical habitat impacted your recreation experiences?	Yes
How are you affected by Arkansas Water Quality	I own property near a river, stream, lake, or spring.
Habitat Degradation	
	I no longer kayak on the Buffalo River due to the

Please describe your observations of water quality degradation due to changes in habitat.

algae and the smell. I simply cannot hand seeing or smelling it without becoming physically ill. Buffalo River has changed in the quality of water. With people saying it has always been that way, is a total lie. Before moving to be near the Buffalo River, we came frequently even in hot, low water conditions. We had never seen conditions like it is in its current state.

How are you impacted by water quality degradation attributed to habitat declines?

We do not go on the Buffalo River any longer for recreation nor do we recommend people in coming. Outfitters are seeing declines in people visiting which is hurting the local economy.

Categorical Determinations

Do you believe in state-led local approaches?

The state has failed in protecting the Buffalo River. They are continuing to allow loop holes for continued degradation of Buffalo River

Do you think it is important to ensure federal regulations are met when proposing a plan to restore significant state and federal natural resources, such as the Buffalo National River?

Yes

Do you believe it is important for any plan to include both point and nonpoint sources of pollution?

Yes

At this time, do you believe ADEQ should follow the Clean Water Act and federal regulations to prioritize impaired waterbodies for a TMDL until they have provided adequate recommended documentation (2016 IRG) and met all legal requirements (40 CFR 130.7)?

Yes

Federal Requirements

Do you believe ADEQ should consider peer-reviewed literature, tax-payer funded research, expert reports, and agency recommendations to identify and report water quality impairments?

Yes

35% of variable 106 Grant Funding received by the state each year is dependent on impairment listings. When assessment methodologies are lacking or absent, how should the state proceed with assessment decisions?

No ADEQ is not capable of doing this. They have continued to fail to stop contamination from happening by businesses influencing law makers

How strongly do you feel that designated Outstanding National Resource Waters (e.g., Buffalo, Strawberry, Spring, Eleven Point, and Mulberry Rivers) should be allowed to violate water quality standards LESS frequently than channelized streams (aka ditches)?

Very strongly. We have a limited number of waters with ONRW designations in the state. As "The Natural State" we should hold our most protected waters to a higher level of expectation.

When numeric criteria do not exist, and narrative descriptions of water quality standards are in place, how do you think the state should proceed with assessments?

Consider all relevant data and information and take a weight-of-evidence approach to developing a determination. The state must provide a rationale and supporting documentation with assessment decisions. As long as the state is forthcoming and transparent, I believe best professional judgement, supported with scientific evidence, has an appropriate place in this regulatory process.

States are required to develop their lists based on EPA approved Water Quality Standards. Although states may anticipate changes, states are not allowed to incorporate revised criteria until EPA has approved them for Clean Water Act purposes (e.g., development of list of impaired waters). Do you think this federal requirement is important to follow?

Yes. The EPA approval process ensures water quality standards are backed by defensible science. This is essential for protecting and restoring water quality.

Do you believe pictures should be considered for determining if water quality criteria are being met, such as determining whether algae have reached "objectionable" densities?

Yes

Do you think waterbodies should be listed as impaired when scientifically defensible research confirms population declines to federally threatened and endangered species?

Yes. Of course. Properly identifying waters is important to the recovery of imperiled species.

Additional Comments

Please provide any additional comments you may have on Arkansas's Draft 2018 303(d) List of Impaired Waterbodies.

Buffalo River is impaired much further than it has been stated.

Will you be submitting pictures to ADEQ in a separate email or have you already?	Yes
Do you wish to grant White River Waterkeeper permission to post your comments on our website?	Yes
Do you think ADEQ should post comments on their website as they come in, and as is standard protocol for other administrative procedures carried out by the Department?	Yes. This is important to public transparency, allows commenters to ensure their comments were received, and serves as a valuable resource to the public and press.
Do you have any scientific reports or studies that you wish to submit to ADEQ to supplement your comment record?	No

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