

From: [Jeff Ingram](#)
To: comments@whiteriverwaterkeeper.org; [WaterbodyComments](#); jmingram@ualr.edu
Subject: Jeff Ingram Comments re: Draft 2018 303(d) List
Date: Wednesday, August 29, 2018 9:09:26 PM
Attachments: [Public Comments on Arkansas's Draft 2018 303\(d\) List of Impaired Waterbodies 2018 303d Comments.pdf](#)

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

Email address	jmingram@ualr.edu
Full Name	Jeff Ingram
Mailing Address	916 Washington St. Little Rock, AR 72204
Your connection to Arkansas waters	I get my water from Hot Springs public fountains and my well. I try to keep the area around my well clean and encourage close neighbors to do the same.
Has nuisance algae affected your recreation experiences?	Yes
How are you affected by Arkansas Water Quality	I am an Arkansas resident. I have a business or property in Arkansas. I own property near a river, stream, lake, or spring. I recreate on or near a river, lake, or stream.
Nuisance Algae	
Provide specific information about the waterbody or waterbodies where nuisance algae have been observed.	In the past 10 years I've seen all water bodies in Arkansas degrade significantly
In the examples you described above, would you consider observed algal densities to be "objectionable?"	Yes, all were objectionable in my opinion.
Habitat Degradation	
Have declines to physical habitat	

impacted your recreation experiences?	Yes
Please describe your observations of water quality degradation due to changes in habitat.	I've seen the Little Buffalo get dirtier each year as well as Lakes DeGray and Ouachita and the Little Red River. Fourche Creek continues to be nasty and several smaller creeks (Richland, Tomahawk, Bear, Lorraine, Rock, Coleman, etc.) are all visibly nastier than 10 years ago.
How are you impacted by water quality degradation attributed to habitat declines?	At this point mostly just depressing as I drink from Hot Springs and my well which still seem decent.
Categorical Determinations	
Do you believe in state-led local approaches?	Governmental bodies and regulators in Arkansas are too crooked to trust. Sadly, Feds not much better
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?	They are not strong enough
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	Yes

IRG) and met all legal requirements (40 CFR 130.7)?

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?

ADEQ should be proactive and protective when making assessment decisions. EPA does not approve Assessment Methodologies, just that whatever rationale is provided for an assessment be scientifically valid. ADEQ employs nearly a dozen biologists and ecologists in the Water Division. I trust that they can apply themselves to develop a sufficient rationale to justify decisions when defined methodologies are absent.

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

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

think the state should proceed with assessments?

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

ADEQ is a disgrace

303(d) List of Impaired Waterbodies.

Will you be submitting pictures to ADEQ in a separate email or have you already?

Maybe

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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