

From: [Nancy Baxter](#)
To: [WaterbodyComments](#)
Subject: Impaired water bodies: Big Creek and the Buffalo River
Date: Thursday, September 6, 2018 4:19:23 PM

In July, Arkansas Department of Environmental Quality (ADEQ) released a proposed list of impaired water bodies in Arkansas. Their designation as Category 4b on the list allows voluntary plans (like the Buffalo River Watershed Management Plan, or BRWMP) to be used. ADEQ identifies BRWMP as the “alternative plan in place” to justify inclusion of the impaired segments in Category 4b.

Two segments of Big Creek are listed as 4b. This categorization fails to effectively deal with Big Creek as it does not consider point-source and permitted facilities like the C&H Hog Farm, which are expressly excluded from regulation under 4b. Millions of gallons of waste from hogs at C&H are spread on farmlands adjacent to Big Creek, leading to nutrient loading, pollution and algae build-up in Big Creek, a tributary of the Buffalo River.

Two segments of the Buffalo River exceeded federal limits for E coli. Their inclusion as 4b means the state is *not* required to develop Total Maximum Daily Loads (TMDL) for these waters. TMDLs are maximum amounts of a specific pollutant allowed to enter a water body. TMDLs target how much reduction is needed for water to be fit for designated uses such as recreation.

BRWMP has no investigative or enforcement authority. It prioritizes six tributaries, NOT including Big Creek or the Buffalo River. Without more proactive, stringent and enforceable measures, the water quality of Big Creek and Buffalo River will continue to deteriorate. In fact, I am informed by area residents that the pollution has already extended all the way to the White River.

I am writing to plead with the ADEQ and the Pollution Control and Ecology Commission to include Big Creek and the Buffalo River in Section 5 so that the egregious pollution of these streams can be remediated and dealt with by a regulatory body that has authority to act in defense of these waters. The Buffalo River was not declared a federally protected river only to be polluted and degraded by industrial agricultural operations that should never have been permitted in the karst geology of the Buffalo watershed. Furthermore, I beg you to stand firm in denying C&H Hog Farm a category 5 permit allowing it to continue to operate and threaten the the health and the livelihoods of all who love the Buffalo River.

The algae blooms now spreading on these streams are toxic health hazards to residents, tourists, fish and wildlife alike and must be dealt with before they destroy the viability of these waters and the important regional tourist trade that provides jobs and incomes to hundreds of Arkansans, whereas the C&H Hog Farm benefits only a single family and provides fewer than ten jobs, as I understand it. **Is it not your job to prevent such environmental catastrophes from occurring, and to act to find the true sources of such pollution and deal effectively with them to restore the purity of our waters?** I call upon you to do the job you are sworn to do, to respond to the outcry from Arkansans like me who are outraged by your apparent fealty to the Farm Board, and to stand fast in denying the C&H permit and any others for factory farms for which they apply.

Thank you.

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