Arkansas Natural Resources Commission

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Asa Hutchinson
Governor

Arkansas Natural Resources Commission's Development of the Buffalo River Watershed Management Plan
First Stakeholder Meeting
December 8, 2016: Marshall, AR
Meeting Summary

The Arkansas Natural Resources Commission (ANRC) recently sponsored a stakeholder meeting as part of the development of the watershed management plan for the Buffalo River. The meeting was held in Marshall on December 8, 2016. The meeting agenda is included as Attachment 1. Approximately 130 individuals attended the meeting, including farmers, landowners, and political representatives, as well as individuals from agricultural, conservation, recreational, and other interests groups, and employees from state and federal agencies.

At the direction of Governor Asa Hutchinson, the Beautiful Buffalo River Action Committee was organized to establish an Arkansas led approach to identify and address potential issues of concern in the Buffalo River watershed, including the development of a non-regulatory watershed management plan for the Buffalo River watershed.

The meeting was facilitated by FTN Associates, Ltd. (FTN), an engineering and environmental consulting firm headquartered in Little Rock, with a branch office in Fayetteville. The Arkansas Natural Resources Commission contracted FTN to assist the agency with the development of the Buffalo River Watershed Management Plan. The process will be completed by June of 2018.

Basic information on the watershed-based management plan for the Buffalo River Watershed was presented at the Marshall meeting. A copy of the presentation can be found in Attachment 2 below. Significant points about the plan that were stressed repeatedly were:

- The plan will provide a framework for landowners, communities, and organizations to voluntarily undertake water quality projects in the watershed and improve the ability to solicit and secure funding and assistance for these projects from various government and private sources.
- This plan will not recommend or directly lead to additional regulations in the watershed.
- This plan will not result in recommendations regarding land ownership rights.
- The plan will not address facilities that are already permitted by the Arkansas Department of Environmental Quality because those entities are required to meet certain regulations. The watershed plan is nonregulatory.

Following the introductory presentation, attendees broke into two large groups to allow meeting participants to identify issues and/or express their concerns about activities occurring within the

Buffalo River watershed. The emphasis was on water quality concerns or issues, but participants were free to also identify other issues. The two groups consisted of agriculture/commerce/governance and tourism/recreation/environment interests. Individuals could stay in one group or participate in both groups. In some instances, potential management practices, measures, or actions were raised. These topics were also noted.

After about one hour of the group sessions, attendees came back together and FTN personnel reported on the issues identified by each group. Concerns and/or issues identified by participants in the two groups are listed in Attachments 3 and 4.

Attendees were also encouraged to provide information on issues in the watershed to FTN or ANRC any time after the meeting or at a later date. Contact information for FTN and ANRC project personnel was provided (See contact information below).

There were two question and answer sessions: one after the introductory presentation of the watershed management plan process during the first portion of the meeting; and a second after the issues identified by the attendees were reported.

A summary of the questions and responses is included in Attachment 5. Not all questions raised are listed because several questions addressed the same subject. In addition, responses are included for questions whose answers were unknown when asked at the meeting.

The information gathered at the Marshall meeting will be integrated with additional information obtained through analysis and research and used to develop a draft watershed management plan for the Buffalo River watershed. This process will occur over the next 12 to 18 months.

The next watershed meeting will be held in about 3 months and is currently scheduled to be in Jasper, AR. Its purposes will be to:

1. Reiterate the issues raised during the first stakeholder meeting;
2. Present the current status and trends in water quality within the Buffalo River watershed;
3. Elicit information from stakeholders on potential management practices, measures and actions to address the water quality issues raised in the first meeting; and
4. Describe the next steps in the planning process.

For additional information or to provide additional questions, contact:

- ANRC, Allen Brown (allen.brown@arkansas.gov) or (501) 682-1611)
- FTN Associates, Terry Horton (twh@ftn-assoc.com) or (501) 225-7779)

ATTACHMENT 1
Arkansas Natural Resources Commission
Buffalo River Watershed Management Plan:
A Voluntary, Non-Regulatory Project
Civic Center, Marshall AR
8 December 2016
Agenda

Time	Topic	Individual
9:30 am	Welcome, Meeting Purposes: • Provide background on the Beautiful Buffalo River Action Committee & watershed plan • Describe the watershed management planning process • Elicit stakeholder input on issues within the Buffalo River watershed • Discuss next steps	K. Thornton, FTN
9:35	Background and WMP Planning Process • Beautiful Buffalo River Action Committee's function • Watershed Management Plan and planning process	K. Thornton
10:00	Breakout Groups • Dialogue on watershed issues • Two Groups - Agriculture/Commerce/Governance - Tourism/Recreation/Environment	ALL
11:00	Report Out • Agriculture/Commerce/Governance (10 min) • Tourism/Recreation/Environment (10 min)	ALL
11:20	General Discussion	All
11:50	Next Steps	K. Thornton
11:55	Remaining Questions	All
12:00	**Adjourn**	

Contacts:
Allen Brown, ANRC – Allen.Brown@arkansas.gov
Terry Horton, FTN – twh@ftn-assoc.com

Buffalo River Watershed Management Plan: A Voluntary, Non-Regulatory Project

1st Stakeholder Meeting
Marshall, AR
8 December 2016

Meeting Purposes

- Provide Background on the Beautiful Buffalo River Action Committee & Watershed Plan
- Describe the Watershed Management Planning Process
- Elicit Your Input On Issues Within The Buffalo River Watershed
- Discuss Next Steps

Beautiful Buffalo River Action Committee (BBRAC)

- Established by Exec. Memo
  - 30 September 2016
- Mission – Identify and address potential issues of common concern in the Buffalo River Watershed

BBRAC

- Five Agencies
  - DEQ (Co-Chair)
  - ANRC (Co-Chair) - WMP
  - Agriculture
  - Health
  - Parks and Tourism
  - AG&FC, AGISO - Partners

BBRAC

- First Year Priorities
  - Stakeholder engagement
  - Develop Buffalo River Watershed Management Plan
  - Identify and implement early actions
  - Identify research needs and opportunities

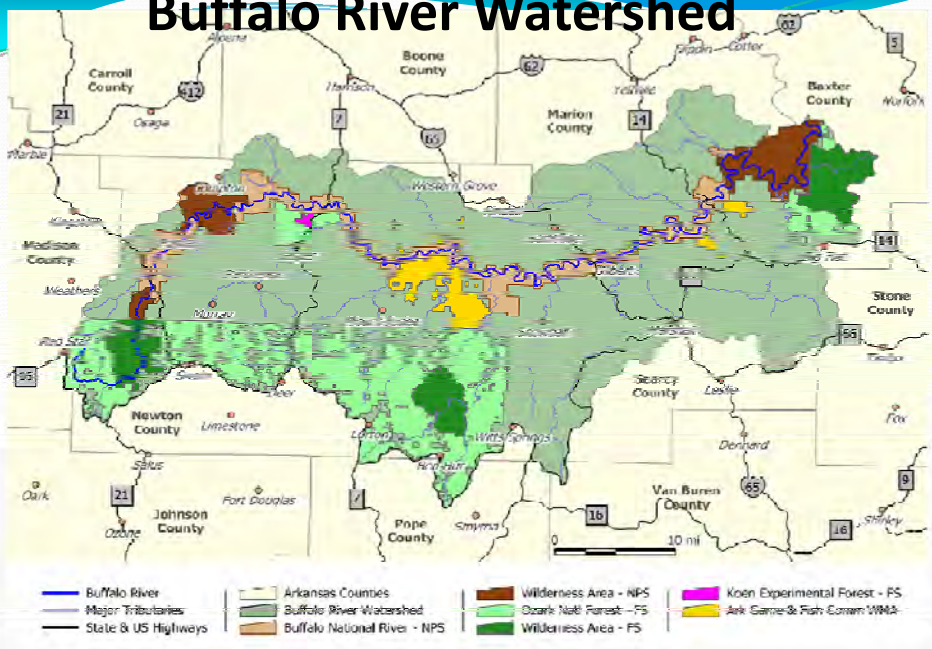
Watershed Management Plan

- Three Key Features:
  1. Water Quality Emphasis
     - Extraordinary Resource Water
  2. Nonpoint Sources – non-regulatory
  3. Voluntary participation

Watershed Management Plan

- **Implications:**
  - Focus on sustaining, not restoring, water quality
  - Acknowledges, but does not address, hog farm => permitted, regulated facility (BBRAC Issue)
  - No requirement to participate
    - Are benefits of participating

Buffalo River Watershed



Watershed Planning Process

- **Six Steps**
  1. Building partnerships
  2. Characterizing the watershed
  3. Mgt goals, practices, measures, actions
  4. Design implementation program
  5. Implement the WMP
  6. Measure progress – adaptive mgt.

EPA 9 Planning Elements

1. Sources and causes of known impairment
2. Mgt measures, expected benefits
3. NPS mgt practice descriptions, potential areas
4. Technical and financial assistance needs, cost est., possible funding sources & partners
5. Education and outreach
6. Implementation schedule
7. Interim, measureable milestones
8. Evaluation criteria
9. Monitoring program and review process

Stakeholder Input

- **Meetings:**
  - Watershed Issues (Today's Topic)
  - Management practices, measures, actions, awareness, outreach suggestions
  - Costs, financial/technical assistance, benefits,
  - Draft plan recommendations, comments
  - Final plan and implementation
- **Correspondence, BBRAC, reports, studies, etc.**

Schedule

- **12-18 months – WMP**
- **Series of Stakeholder meetings ~ quarterly**
  - Meet in watershed
- **BBRAC meetings ~ quarterly**
  - First meeting – January 2017
  - Meet in Little Rock

Meeting Ground Rules

1. One speaker at a time
2. Request acknowledgement
3. Listen first to understand, then to be understood
4. Please don't interrupt
5. Respect others ideas, thoughts
6. Ok to disagree – respectfully, openly
7. No side conversations

Cell Phones off/on vibrate

Questions on the WMP Planning Process?

Today's Activity

- Watershed Issues
  - Emphasis on Water Quality, but
  - Raise other issues of concern
  - BBRAC multiple agencies
- Breakout Groups
  - Facilitated dialogue

Breakout Groups

- Two Breakout Groups for Dialogue
  - Agriculture/Commerce/Governance
  - Tourism/Recreation/Environment
- Dialogue for 1 hr
- Report out and discuss issues

Breakout Groups

- **Agriculture/Commerce/Governance**

  Northeast Corner of Civic Center

- **Tourism/Recreation/Environment**

  Southwest Corner of Civic Center

Report Out

Next Steps

- Meeting Summary – distributed to everyone attending and on email list
- Continue to elicit your input
- Characterize the watershed
- Schedule next meeting; likely in March
- Next meetings topic
  - Practices, measures, actions, awareness, outreach ideas, suggestions to address issues

Questions?

Final Comments?


Thank You
Happy Holidays

ATTACHMENT 3

Agriculture/Commerce/Governance Break-Out Group
Issues Mentioned by Participants

Water Quality Issues

1. Hog farm
2. Feral hogs - -no information on population numbers or locations
3. Manure & fertilizer application
4. Groundwater study – where the water comes from & goes – Karst recharge zones
5. Wellhead protection for drinking water
6. Utility companies and Department of Transportation right of way management – use of pesticides and fertilizers
7. Sanitary waste into the Buffalo River
8. Privies in floodplain
9. Erosion inputs – sedimentation and streambanks.
10. Gravel road management and sediments
11. Timberland management
12. Livestock in streams
13. Algal bloom in Buffalo River; both human & animals, fish, etc health issue
14. Failing septic systems
15. Manure import to Buffalo watershed from Nutrient Surplus Area
16. In-stream gravel mining
17. Fracking for natural gas when prices increase

Other Issues

1. Sustain the family farm & use
2. Diversification of economic opportunities without impairing water quality
3. Governments working together or against each other, i.e. inter-governmental cooperation, communication
4. Drug resistant bacteria
5. Over-use of Buffalo River; exceeds capacity
6. Technology Best Management Practices for waste management
7. Increased cooperation between National Park Service & local government
8. Education & cooperation among stakeholders
9. Economic development funding

Management Practices/Actions for Issues

1. Zero discharge to watershed
2. Source tracking – natural or man-made
3. Nutrient management zone – plans, voluntary
4. Agri-tourism

ATTACHMENT 4

Tourism/Recreation/Environment Break-Out Group
Issues Mentioned by Participants

Water Quality Issues

1. Permitted hog farm
2. Feral hogs
3. Trash in the river and on the banks
4. Excess nutrients, which lead to algae blooms
5. Human waste in the river
6. Failing septic tanks
7. Bacteria, E coli, etc. in the water
8. Developed areas, with greater impervious surfaces that increase runoff
9. Sedimentation in the streams
10. Road maintenance contributing to sedimentation
11. Erosion and sedimentation
12. Spraying/cutting of easements by utility companies
13. Livestock in streams
14. Failing/abandoned septic systems
15. Need wastewater treatment facilities upgrades
16. Groundwater transfer among watersheds because of karst geology
17. Gravel in the river and tributaries
18. Convert forest -> pasture and other land use conversion
19. Fertilization in the watershed and runoff
20. Pollutants in caves & springs
21. Facilities in floodplain flooded
22. ATV use in & around the stream contributing to erosion
23. Sawdust disposal in gullies

Other Issues

1. Credibility of agencies, organizations and individuals
2. Poverty/lack of jobs in the watershed
3. Prescribed burns in Wilderness Areas
4. Invasive Species (Hay w/weeds)
5. Limited industrial opportunities in the watershed
6. Need for education and better communication reflecting generational differences
7. Investment in tourism infrastructure for hotels and restaurants
8. Respect for local culture and lifestyle
9. Recognition of private land -private property rights
10. Interagency communication & collaboration
11. Need economic development plan

Management Practices/Actions for Issues

1. Additional trash/restroom facilities along the river
2. Construct farm ponds in natural drainage (sediment traps)
3. River use permits for the Buffalo River (National Park Service)
4. Increase monitoring in River & tributaries
5. Create a porta-potty fund for facilities along the river

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ATTACHMENT 5

Questions Raised at the Marshall Meeting and Responses

Question: Will it be possible to get 319 money even though there aren't impaired streams?

Response: Section 319 funds, which are administered by EPA and provided to the States for implementing nonpoint source management practices, are available for implementing management practices that can improve water quality. The funds are not restricted only to impaired stream segments.

Question: In some cases the Arkansas Department of Environmental Quality (ADEQ) apparently doesn't have the power to address a point source that is impacting water quality. How then can that source be addressed?

Response: ADEQ does have the authority to address permitted facilities if the discharge from that facility is impairing uses of the stream into which the point source discharges. Because it is a regulatory action, there are review procedures in place to ensure that appropriate actions are being taken. It might appear that no action is being taken because of the time required for review, but only ADEQ has the authority to address permitted facilities and point sources.

Question: How does the watershed management plan get updated? What part do/can citizens play?

Response: The WMPs are reviewed by ANRC every 5 years as part of the Nonpoint Source Management Section's update of priority watersheds throughout the State. Supplements are added to the WMPs each time financial or technical assistance is provided for the implementation of management practices in the watershed or its subwatersheds. In addition, success stories are prepared for those watershed management practices that have documented improvements in water quality following implementation of these practices. Individual landowners are critical in this process because implementation is voluntary. Little happens unless individual landowners voluntarily participate. Other citizens and organizations can play major roles in creating awareness of water quality issues, and supporting outreach and education efforts encouraging participation in watershed management practices, measures, actions, or programs. Landowner and citizen participation is essential and critical.

Question: If a landowner wants to apply nutrients (manure products or other fertilizer) to his or her permitted land, can they get assistance (including funds) to reduce the impact of the fertilizing on water quality?

Response: Yes, if they satisfy the requirements of the program for receiving technical or financial assistance.

Question: Are levels of bacteria (E. coli, fecal coliforms, Cryptosporidia, Giardia) increasing in the river?

Response: This question will be answered over the next several months as water quality data for the Buffalo River and its tributaries are analyzed. Both the current status, and trends, in water quality constituents, including these indicators of pathogens, will be assessed.

Question: Do the poultry companies hold their growers accountable for land applying chicken litter in the watershed?

Response: Some poultry companies require their growers to prepare nutrient management plans for the land application of poultry litter. During discussions with ADEQ, Peco indicated it will require its growers to prepare nutrient management plans for their land application of poultry litter.

Question: After a WMP has been in place, does some entity do testing to determine if the practices improved the stream or not?

Response: Several ANRC watershed management projects have monitored water quality following implementation of management practices to document improvements in water quality. These success stories can be found at www.**arkansaswater.org** . In addition, ADEQ conducts a biennial review of water quality throughout the State. Improvements in water quality following implementation can sometimes be detected in this review. Water quality stations are generally not located at sites where management practices are implemented so improvements might not be detected. Improvements in water quality can also take from several years to decades to detect because of a lag in watershed response to the practices. Not detecting an improvement does not necessarily mean improvements have not or are not occurring, but simply that they cannot yet be detected.

Question: Do some WMPs fail to make a difference in water quality?

Response: Because implementing management practices is voluntary, if no landowners are interested in implementing management practices following the development of a WMP, then no improvements in water quality are likely to occur. However, a major part of the process of developing a WMP is building partnerships and relationships among landowners and communities within the watershed, making people aware of financial and technical assistance that is available for management practices, and the benefits that can accrue from implementing these management practices.

Question: Why is this program directed at my cattle farm, when the hog farm puts out a lot more pollution than my cows do?

Response: The WMP is not directed at any single entity, farm or land use practice, in the watershed. Management practices are recommended for selected subwatersheds, which represent areas of 30-40 square miles. A suite of criteria are used to screen subwatersheds to identify those in which water quality might be more sensitive to changes in land use activities or practices, but this does not result in recommending practices for individuals, nor will it in the future. Part of the analysis of water

quality data is to assess pollutant loadings from each of the subwatersheds, but these loadings are not apportioned to individual sources. Differences in loadings are part of the screening criteria.

Question: Why aren't the meetings at night?

Response: We have found participation in meetings to be greater during the day than at night. During the first two rounds of meetings held throughout the state as part of the Arkansas Water Plan Update process, we typically had from 50 to 100 people or more attending the meetings during the day, but from 0 to 10 people (maximum) attending evening meetings. People currently have such full lives that attending an additional meeting at night is no longer attractive.

Question: What can be done to attract more young people to these meetings?

Response: We don't have an answer to this question, but plan to pursue this as we proceed through both the Beautiful Buffalo River Action Committee and WMP planning process. This is an important question to address, because our younger people are our future leaders.

Question: Can there be meetings in Jasper also, since people from there and other parts of the watershed may have a hard time coming to Marshall?

Response: We currently are planning to hold the next meeting in Jasper with one option being alternate meetings in Marshall and Jasper to permit more individuals within the watershed to participate.

Question: After FTN is done with the WMP – where and how do we go from there?

Response: Developing the plan is not the goal; implementing the plan is the goal. Successful implementation of watershed management plans typically occurs when champions (leaders) emerge from stakeholders who take ownership of the plan and its recommendations and work with others for implementation. Some of these individuals have already indicated their interest. Identifying additional champions to work with these interested individuals is a critical part of the planning process.

Question: Is there a Twitter account or other social media account set up for this project?

Response: There is no Twitter or other social media account set up for this project. Currently, there are also no plans for establishing a Twitter account because of the need for at least daily review and response.

Question: You say this plan is voluntary and non-regulatory, but is that really true if an agency or political subdivision subsequently takes the completed plan and implements new rules and regulations? What keeps this "voluntary" WMP from becoming mandatory?

***Response*:** The recommendations in ANRC WMPs are only for voluntary practices, actions or measures.

Question: How can this be a comprehensive watershed management plan if it doesn't consider permitted facilities (i.e., the hog farm)?

Response: The WMP will identify all permitted facilities in the watershed, but it will not recommend practices, measures or actions related to the facilities. In many instances, the individual permits include required practices that must be implemented for issuance of the permit. The WMP addresses only those activities for which voluntary management practices could help improve water quality and identifies agencies or organizations that may provide financial and/or technical assistance for landowners who are interested in voluntarily implementing management practices.

Request: Please provide contact information other than just email – I don't have email.

Response: We will mail the meeting summaries, meeting announcements, and other pertinent information to anyone who does not have email if they will provide their name and address to either Allen Brown, ANRC, or Terry Horton, FTN Associates:

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