

A Resolution  
By the  
Arkansas Chapter – American Fisheries Society  
Opposing the Petition to Alter the Designation  
Status for Extraordinary Resource Waters, Ecologically Sensitive Waters and Natural and  
Scenic Waterways in Arkansas

**Whereas**, the Arkansas Chapter of the American Fisheries Society promotes the wise management, conservation and use of the fishery and aquatic resources of Arkansas; and

**Whereas**, the River Valley Regional Water District has petitioned, and gained approval, by the Arkansas Pollution Control and Ecology Commission (APCEC) to initiate rulemaking to amend the APCEC Regulation No. 2, Section 2.304 standard that amends the designated use of Extraordinary Resource Waters (ERW), Ecologically Sensitive Waters (ESW), and natural and scenic waterways in Arkansas.

**Whereas**, the current petition approved by the APCEC duplicates efforts already underway by the Arkansas Department of Environmental Quality (ADEQ) through the triennial review process involving input from multiple stakeholders.

**Whereas**, the current standard does not allow significant alteration of hydrology for the above listed water bodies due to their scientific and recreational value.

**Whereas**, the petition is being submitted to facilitate the construction of the Pine Mountain Dam, for the purpose of drinking water, on Lee Creek, a designated ERW in Arkansas and an outstanding resource water in Oklahoma.

**Whereas**, the proposed changes to the Regulation No. 2 standards will allow significant alteration of hydrology, not only for Lee Creek, but in all ERWs, ESWs, and natural and scenic waterways in Arkansas.

**Whereas**, the current petition has broad language to allow significant alteration of hydrology in ERW, ESW, and natural and scenic waterways in Arkansas.

**Whereas**, the current petition could impact antidegradation policy under the Clean Water Act and set a future precedent to lower water quality standards in other states.

**Whereas**, the petition to initiate rulemaking was approved by the APCEC on January 27, 2006, with requests to deny approval filed by ADEQ, the Environmental Protection Agency, and the U.S. Fish and Wildlife Service.

**Whereas**, significant alteration of the hydrology, water quality and habitat in any ERW, ESW or natural and scenic waterway will have a significant impact on fisheries and aquatic habitat for multiple unique and sensitive species.

**Whereas**, significant alteration of hydrology in the above designated streams will impact the scientific value and unique recreational opportunities offered by these water bodies.

***NOW THEREFORE BE IT RESOLVED***, that the Arkansas Chapter of the American Fisheries Society urges the APCEC to continue to provide protection of the above listed water bodies through denial of the currently proposed language. The Arkansas Chapter of the American Fisheries Society opposes the language proposed by the RVWRD to modify the Regulation 2, Section 2.304 standard as it will significantly decrease the protection of water bodies that the state has previously determined are the most valued. Copies of this resolution will be sent to ADEQ and APCEC, Arkansas Governor Mike Huckabee, U.S. Army Corps of Engineers (Little Rock District, Vicksburg District, Memphis District), Ozark National Forest, Ouachita National Forest, National Park Service, U.S. Fish and Wildlife Service Arkansas Field Office, Environmental Protection Agency Region 6, U.S. Representatives Marion Berry, John Boozman, Mike Ross, Vic Snyder, U.S. Senators Blanche Lincoln and Mark Pryor, Arkansas State Representatives Bill Abernathy, Bob Adams, Pam Adcock, Keven Anderson, Stan Berry, Buddy Blair, Nancy Duffy Blount, Johnnie Bolin, Will Bond, Shirley Borhauer, Travis Boyd, Jay Bradford, Stephen D. Bright, Mike Burris, Linda Chesterfield, Marvin Childers, Booker T. Clemons, David Cook, Eddie Cooper, Ken Cowling, Dawn Creekmore, LeRoy Dangeau, Monty Davenport, Otis Davis, Tommy Dickinson, Sharon Dobbins, David Dunn, Marilyn Edwards, Joyce Elliott, David Evans, Lenville Evans, Curren Everett, Dwight Fite, Stephanie Flowers, Nathan George, Frank Glidewell, Kevin Goss, Rick Green, Horace Hardwick, Willie Hardy, Steve Harrelson, Eric Harris, Jeremy Hutchinson, Timothy Hutchinson, Phillip Jackson, Robert Jeffrey, David Johnson, Janet Johnson, Mike Kenney, Johnny Key, Ray Kidd, Michael Lamoureux, Sam Ledbetter, Wilhelmina Lewellen, Dewayne Mack, Jodie Mahony, Bruce Maloch, Jay Martin, Mark Martin, Doug Matayo, Bob Mathis, Allen Maxwell, Dustin McDaniel, Jim Medley, Wayne Nichols, James Norton, Charles L. Ormond, George Overbey, Daryl Pace, Mark Pate, Benny Petrus, Betty Pickett, Sandra Prater, Bill Pritchard, Beverly Pyle, Roy Ragland, David Rainey, Randy Rankin, Gregg Reep, Tommy G. Roebuck, J. R. Rogers, Sid Rosenbaum, Bill Sample, Rick Saunders, Susan Schulte, Preston Scroggin, Lindsley Smith, Bill H. Stovall, III, Scott Sullivan, Denny Sumpter, Chris Thomason, Robert Thompson, Chris Thyer, John Paul Verkamp, Shirley Walters, John Paul Wells, Arnell Willis, Robbie Wills, Jeff Wood, David Wyatt, Arkansas State Senators Denny Altes, Jim Argue, Gilbert Baker, Dave Bisbee, Jerry Bookout, Shane Broadway, Irma Hunter Brown, Steve Bryles, John Paul Capps, Jack Critcher, Steve Faris, Bobby Glover, Kim Hendren, Steve Higginbotham, Jim Hill, Jim Holt, Barbara Horn, Gene Jeffress, Jimmy Jeffress, Bob Johnson, Randy Laverty, Jim Luker, Sue Madison, Percy Malone, Paul Miller, Mary Anne Salmon, Terry Smith, Tracy Steele, Jerry Taylor, Sharon Trusty, Ruth Whitaker, Hank Wilkins, IV, Ed Wilkinson, Shawn Womack, Tim Wooldridge

Adopted by the Arkansas Chapter of the American Fisheries Society in official session in Degray Lake State Park on February 2, 2006.