



# Arkansas Water Primer Series: Arkansas State Water Plan Compliance Certification

## Introduction

In 1969, the Arkansas General Assembly passed Act 217, which made the Arkansas Natural Resources Commission (ANRC) responsible for water planning at the state level and the development of the Arkansas State Water Plan. The first plan was published in 1975. In 1985, the legislature enacted Act 1051, which directed ANRC to update the plan so it would remain a valid and reliable document.

## Components of the Arkansas State Water Plan

The Arkansas State Water Plan consists of 12 basin reports and an executive summary. Each basin report contains a:

- Land resource inventory (land use and soil resources)
- Surface water identification (quantity, quality, problems and solutions and recommendations) and
- Groundwater identification (geology, hydrology, quality, problems and solutions and recommendations).

## Water Plan Compliance Certification<sup>1</sup>

Section 3 of Arkansas Act 469 of 1989 mandates that all water development projects

(not only those receiving state funding) obtain a certification of compliance with the Arkansas Water Plan from ANRC.

Applicable projects include those:

- Involving the development of a new water supply source
- Utilizing a new or different place of withdrawal
- Increasing water treatment plant capacity
- Involving system expansion that would result in an aggregate increase of existing and additional water demand being greater than 80 percent of existing water treatment capacity
- Involving an expansion that would result in an increase of more than 20 percent of the current average water usage and
- Involving flood control or drainage.

Additionally, an applicant of any proposed water project that will have any part of its structure near enough to an existing system to cause that system concern must send the neighboring system notice that it has applied to ANRC for Water Plan Compliance Certification. This provides the notified system an opportunity to file an objection to the proposed water project with the Commission.

## The Certification Process

To receive certification, a project proposal and narrative, a preliminary engineering report and an application fee must be submitted to ANRC. All applications must contain the following information:

- Project location
- Water source
- Firm yield
- Summary description
- Purpose
- Benefits
- General nature of improvements
- Anticipated usage
- Number of customers
- Plant capacity
- Necessity
- Feasibility
- Estimated cost and
- Anticipated start date.

Once the required information and fees are received, ANRC staff review the project proposal to determine the accuracy of the data contained in the

application. A public hearing is conducted in order to receive additional information and comments concerning the proposal. If the project is approved by ANRC staff, the applicant receives a final determination letter stating the project complies with the Arkansas State Water Plan.

Applicants may also receive an exemption letter for projects that do not require Water Plan Compliance Certification. Such projects may include:

- Local drainage facilities for recreational developments of less than five acres
- Drainage facilities associated with street construction or improvements or
- Installation of new water services from existing mains.

## Additional Resources

More information about water development compliance with the Arkansas Water Plan can be found at ANRC's web site at <http://www.anrc.arkansas.gov/WaterCompliance.htm>.

Fact Sheet 109 (FSPPC109) – *Glossary of Water-Related Terms* – contains a comprehensive list of terms used in the Arkansas Water Primer Fact Sheet Series.

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<sup>1</sup>Arkansas Natural Resources Commission Rules Governing Water Development Project Compliance with the Arkansas Water Plan (2007).

The University of Arkansas Division of Agriculture's Public Policy Center provides timely, credible, unbiased research, analyses and education on current and emerging public issues.

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