



The League of Women Voters of Washington County, AR

www.lwvarwc.org

MARCH 2011 VOL. 58, ISSUE 2

Calendar

MAR. 14, Mon., 5:30 pm, LWVWC Officers meet for dinner to greet Peter Byck . He is the producer of the documentary, *Carbon Nation*. Joyce Hale's home 285 W. Cleburn.

MAR. 15, Tues., 2:00 pm and 6:30 pm, *Carbon Nation*, a documentary. U of A Global Campus theater on the square at 2 E. Center, Fayetteville.

MAR. 16, Wed., 5:30 pm, Program Planning for 2011-2012 and short board meeting. Joyce Hale's home 285 W. Cleburn.

MAR. 28, Mon., 5:30 pm, Women's History Banquet.

From Joyce's Desk

Little did I think when agreeing to help League members from Fairfield Bay in 2007, that their suggestion for a state study of the environmental aspects of the Fayetteville Shale Play would overtake my life. It set me on a path around the state, to the LWVUS National Convention, and to Washington D. C. last week. The fact that our League was early in analyzing development of natural gas in Arkansas and that we have stayed with the issue as it evolves has caused others to seek our input. The Clean Water Network, an alliance of water protection organizations, sponsored my trip. I was invited to attend the section on fracking and discuss with other states where we are headed with this practice.

After arriving back in Little Rock, I went to the town of Greers Ferry and met with the same two League members who introduced this topic years ago along with others who have organized a citizen's group to protect Greers Ferry Lake. I presented a program to 250 people whose concerns are growing now that earthquakes are increasing in number and strength. High pressure injections of the waste fracking fluids appear to be the contributing factor. I also met with community leaders who are developing baseline water testing that volunteers are conducting. This information is essential if any claims of damage are to be proven in court. An additional concern is seismic testing being done on the lake itself where the mineral rights are held by the Federal Bureau of Land Management. The Corp of Engineers, who has management authority around the lake, has stated that it will not allow wells within their holdings, but private land adjacent could be developed with horizontal drilling going under the lake.

Now is the time to support our consensus positions where it really can make a difference. I urge you to read about the ambitious reforms that are proposed and then speak out in support of protection for water, air, surface owners' rights, and public health. See the talking points and bill numbers in this *Voter*. Share your information with others around the state in order to contact as many legislators as possible. Requiring greater protection where natural gas is developed should be seen as a statewide issue and not limited to north central Arkansas.

LWVWC Co-Sponsors the Documentary, *Carbon Nation*

Two **FREE** screenings are scheduled on a first-come-first-serve basis. This documentary will be shown at 2:00 pm and 6:30 pm on Tues., March 15 at the University of Arkansas Global Campus Theater (formerly Continuing Education Center) at 2 East Mountain on the Square. **Call to reserve a FREE ticket at 1-800-952-1165.**

Carbon Nation is a documentary movie about climate change SOLUTIONS. Even if you doubt the severity of the impact of climate change or just don't buy it at all, this is still a compelling and relevant film that illustrates how SOLUTIONS to climate change also address other social, economic and national security issues. You'll meet a host of entertaining and endearing characters along the way.

Carbon Nation's optimism and pragmatism are appealing across the political spectrum. While other good films have been about problems, blame and guilt, **Carbon Nation** is a film that celebrates solutions, inspiration and action.

Explore the Carbon Nation Website and view the movie clip at: <http://www.carbonnationmovie.com/>

Fayetteville City Council Approves Riparian Protection Ordinance by Dot Neely

On Tuesday, March 1, 2011 the Fayetteville City Council voted 7 to 1 in favor of the Streamside Protection Ordinance (SPO). The groundbreaking and controversial Ordinance presents Best Management standards for new (future) development, land use changes, and property maintenance activities within Riparian Zones (stream banks and flood plains) and specified adjoining areas. This legislation sets a precedent for NW Arkansas.

“The Streamside Protection Ordinance provides a list of land uses that help to define riparian buffer zones. A riparian buffer zone is an area of *trees, shrubs, and other vegetation adjoining and up-gradient of streams* and other surface water bodies. It intercepts surface runoff, subsurface flow, and deeper ground water flows and thereby buffers the effects of nutrients, sediment, organic matter, pesticides or other pollutants before they enter a stream (Welsch, 1991).” (Streamside Ordinance Fact Sheet - www.accessfayetteville.org)

The SPO, in complement with City of Fayetteville’s Best Management Practices (BMP) Manual, has been enacted to mitigate erosion, flood, and non-point source pollution impacts by allowing the strategic emplacement of land resource and water supply source stream safeguards. The SPO and BMP are two of many Administrative and Planning policy tools to be implemented to establish an “Enduring Green Network”, in accordance with the Fayetteville 2030 Plan.

Studies of riparian protection-, stormwater control-, and non-point source pollution- mitigation methods and policies that have been utilized by and in other U.S. communities or counties (See Resources and References) show that stream banks and floodplains, which are restored or maintained and allowed to function in their natural state, provide a more efficient and cost-effective means for controlling or reducing erosion, flood, and non-point source pollution, as compared to engineered concrete-and-conduit stormwater control structures.

All of NW Arkansas is experiencing and will continue to be subjected to the increasing pressures and impacts associated with recent and projected expansion of the human population, along with development to accommodate growth.

In 1960, the combined population of Benton and Washington counties was approximately 92,000.

As of 2009, the NW Arkansas population had exceeded 400,000 (See Resources and References: BWD).

According to 2010 U.S. Census, in the last ten years the population of Washington County increased by 45,350 (a growth rate of 29%). Rural areas added 4818 people; Fayetteville grew by 15,533 and Springdale by 24,999 (See Resources and References: Craft and Henry, 2011; Day, 2011).

Benton County experienced a 44.3% growth rate from 2000 to 2010 which translates to a population increase of 67,933.

Census projections indicate that in the next 14 years the NW Arkansas populace will increase to over 800,000 and will exceed 1.2 million by 2050.

This magnitude of change requires greater public understanding of the human-environmental dynamic, as well as the application of new means and measures for protecting all the resources (agricultural, historic, natural, etc. . .) that define our culture and contribute to the quality of life,

Information resource links and references pertaining to Streamside (Riparian Zone) Protection and Stormwater Management are provided below.

Resources and References:

Beaver Water District (BWD) Website – www.bwdh2o.org

Beaver Water District (BWD) Source Water Protection Webpage:
<http://www.bwdh2o.org/index.php?fuseaction=p0004.&mod=18>

City of Fayetteville Website (Search “Streamside Protection Ordinance” and “2030 Plan”) -
www.accessfayetteville.org

Craft, D. and Henry, L. “Region Records Growth: Northwest Arkansas Added 113,283 Residents in Last Decade.” *Northwest Arkansas Times* 11 Feb. 2011: Volume 144, Number 208, A1-2.

Day, C. “Heads Counted, State is up 9.1%: ’10 Census: Delta Lost; NW Gained.” *Arkansas Democrat Gazette* 11 Feb. 2011, Northwest Arkansas ed.: Volume 192, Issue 84, A1, A4-5.

EPA 2005 Riparian Buffer Zone Effectiveness Study -
www.epa.gov/nrmrl/pubs/600R05118/600R05118.pdf.

EPA (Search “Stormwater Case Studies” and “Riparian Ordinance Case Studies”) - <http://www.epa.gov/>

Etowah Watershed Metropolitan North Georgia Water Planning District -
http://www.etowahhpc.org/research/documents/tech_rpt_stream_buffers_4-30-07.pdf

Illinois River Watershed Partnership Website - <http://www.irwp.org/>

Washington County Cooperative Extension Service (Search “Riparian” and “Stream”) -
<http://www.uaex.edu/washington/>

Welsch, D.J..July 1991. Riparian Forest Buffers: Function and Design for Protection and Enhancement of Water Resources.USDA Forest Service.No. NA-PR-07-91

**Legislative Package of Gas Drilling Bills
by Joyce Hale**

There are many problems regarding the way agencies oversee natural gas development in Arkansas. As the League has recognized for years, the lack of a centralized water authority has created divisions with sometimes overlapping jurisdictions. This causes problems for oversight and regulatory responsibility. A single bill to address all problems would have been too big and vulnerable because of many areas for criticism. The Arkansas Public Policy Panel had drawn on information and participation from many sources to craft seven bills, each addressing a single concern with the hope of at least getting something passed. They have also just released a very important report that gives a comprehensive picture of gas development in Arkansas. <http://arpanel.org/content/index.php/Environment/Arkansas-in-the-Balance-Managing-the-Risks-of-Shale-Gas-Development-in-the-Natural-State.html>

Here are the bills that will be introduced very soon:

1. HB 1392 – Improving Inspections and Enforcement at Gas Drilling Sites

Gas wells are not inspected often enough and there are far too many cases where violations have gone unremediated and unpunished.

- a. Gas wells should be inspected at least annually and more often during drilling or fracking, when millions of gallons of chemicals and contaminated water are handled on site.
- b. More must be done to hold polluters accountable for correcting problems they've created and to prevent them from repeating mistakes again.

2. HB 1393 – Increase Bonding to Protect Arkansas from Holding the Toxic Bag

Gas wells will remain productive for 10 to 30 years, but then they will need to be closed and remediated. Some of the toxins injected into wells will remain poisonous for years to come. We must protect Arkansans from companies who may go bankrupt or fail to meet their obligations to clean up their mess.

- a. Assurance bonds to pay for closing and remediating abandoned wells must be significantly increased

3. HB 1394 - Natural Gas Drilling Water Quality Protection

Many Arkansas lakes, rivers and streams such as the Little Red River, Cadron Creek and Greers Ferry Lake are threatened with pollution from gas development.

- a. Gas companies should be REQUIRED to follow best management practices when building roads, pipelines and drilling pads.
- b. More must be done to protect Arkansas's water from the toxins used in drilling and production.
- c. More must be done to ensure that landowners' private water supplies near drill sites are protected.

4. HB 1395 - Natural Gas Drilling Air Quality Protection –

Natural gas drilling, production and transportation releases a myriad of hazardous air contaminants that is unmonitored in Arkansas.

- a. Air quality from wells near homes and of wells concentrated in small geographic areas should be monitored.

5. HB 1396 - Natural Gas Drilling Disclosure

Gas companies should reveal to the public and state agencies:

- a. Volumes of water used and the source of the water;
- b. Chemicals and volumes of chemicals used;
- c. Quantity of fluid (water and chemicals) used in a well that remained in the well versus returned to the surface;
- d. Disposal methods for all drilling and fracking fluids.

6. HB 1399 - Rural Good Neighbor Noise Abatement

Imagine a 70 db vacuum cleaner in your house and everywhere on your property 24 hours a day.

- a. Technology exists to reduce the noise from gas fields to nothing more than 50dcb at 200 feet of distance.

7. HB1400 - The Landowners' Bill of Rights

Arkansas landowners should have:

- a. Adequate buffer zones between drilling sites and their homes;
- b. Full disclosure of all company activities on their property;
- c. Accurate information about their rights as mineral and/or surface owners and about the Best Management Practices the industry should follow on their land;
- d. Compensation for any surface impacts including diminished property values, lost crops, etc;
- e. Adequate notice of any gas company activity on their property.

Hot Off the Press: The 2011-2013 Guide to Elected Officials by Bettie Lu Lancaster

The Guide to Elected Officials for 2011-2013 is ready for distribution. Libraries, Schools, churches, even the County Clerk's office will want copies for their patrons. If you would like to have a batch to distribute to an organization, they are available at Joyce Hale's home. The *Guide* is also available on the League's website.

This year's Guide is the result of many hours of work by League volunteers, including Mary Alice Serafini, who did the tedious, labor intensive job of formatting the information, Libby Wheeler who helped research information, and Barbara Taylor who proof read the many drafts. Joyce Hale saved us several hundred dollars by printing the Guides. She will be able to print "on demand," so we will neither run out nor have left-overs.

The *Guide to Elected Officials* is a valuable public service to voters, widely used and appreciated. Many thanks to those who made it possible.

Local Program Selection By Libby Wheeler

Our League's annual local program selection for the 2011-2012 year will take place on **Wednesday, March 16th at 5:30pm** at the home of Joyce Hale, 285 W. Cleburn. This will be our traditional wine and cheese gathering, so please bring a favorite finger food if you'd like.

At the meeting we will review the Program for Action, which lists our League's current stands on issues and is the basis for advocacy work. **Please review this document, which is found in the issues section on our website, www.lwvarwc.org** . Note any changes or updates you'd like to see made, and we'll discuss them. Also come with ideas of new programs and topics you'd like to see the LWVWC tackle in the upcoming year.

**League of Women Voters of Arkansas
30th Convention
April 9th, 2011**

**Roosevelt Thompson Library
38 Rahling Circle
(West) Little Rock, AR 72223**

Please join League members from throughout the state for the League of Women Voters of Arkansas State Convention in Little Rock, April 9th, 2011 at the Roosevelt Thompson Library. Registration will begin at 9:30 a.m. followed by three speakers and a wrap up at 4 p.m. Stay tuned to your e-mail for information on speakers and topics.

Ms. Peggy Hill, Board of Directors Member of the LWVUS, will join us to provide insights and instruction on how to do a national study. Her project is the national study on education, a topic dear to us and quite hot in Arkansas. Not only will we all pick up skills, but we'll also be better informed and probably more likely to advocate following this Convention. In attempt to minimize costs, so that your lunch purchase will be your only expense, the registration for the Convention will be sent to you, personally, via e-mail. Stay tuned!

OLD

LEAGUE OF WOMEN VOTERS
OF WASHINGTON COUNTY
Post Office Box 4
Fayetteville, AR 72702

Nonprofit Organization
U. S. Postage Paid
Fayetteville, AR
Permit #461