

Rules by Subject Matter Interim Committee Recommendations

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Arkansas Natural Resources Commission				
Refer for Group Consideration				
Arkansas Water Well Construction Commission Rules and Regulations				ID#: 1325
Statutory Authority: § 17-50-204(a)	03/02/1970	03/02/1970	03/02/1970	06/01/2018
<input checked="" type="checkbox"/> Required under State or Federal Law: § 17-50-204(a)				
Requirement Statement: The Commission on Water Well Construction is responsible for the installation, construction, repair, and abandonment of water wells and pumping equipment. The General Assembly did not approve a budget for the AWWCC in 1995. Because ANRC's executive director held a statutory position on the AWWCC board, the Governor decided that ANRC would provide administrative, technical, and investigative support to preserve the functions of the AWWCC. ANRC continues to provide these services.				
Enforce: These rules protect consumers by insuring that licensed and certified constructors of water wells have knowledge of and use safe construction techniques. These rules also protect consumers by requiring contractors to be bonded.				
Subject Matter Committee: Agriculture, Forestry & Economic Development Committees				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1325/Final/AWWCC effective June 2018.pdf				
Title 1 Rules of Organization and General Operation of the Arkansas Natural Resources Commission				ID#: 1296
Statutory Authority: § 15-20-206(a)	06/21/1989	09/20/1989	09/21/1989	12/23/2005
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: These rules provide general guidance to the Commission, its officers, and the public regarding ANRC business, meetings and appeals.				
Subject Matter Committee: Agriculture, Forestry & Economic Development Committees				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1296/Final/Title 1.pdf				
Title 2 Rules Governing Conservation Districts				ID#: 1297
Statutory Authority: § 14-125-108(a)	06/07/1973	10/01/1993	10/01/1993	07/01/2018
<input checked="" type="checkbox"/> Required under State or Federal Law: § 14-125-108(a)				
Requirement Statement: Chapter 125, describing the relationship between ANRC and the conservation districts, has been law since 1937. This chapter describe district formation, governance, purpose, and ANRC oversight of the districts.				
Enforce: ANRC should continue to enforce these rules because these rules establish procedures necessary for appointment and election of conservation district directors as well as for efficient conservation district operation.				
Subject Matter Committee: Agriculture, Forestry & Economic Development Committees				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1297/Final/July 1 2018 Title 2.pdf				
Title 3 Rules for the Utilization of Surface Water				ID#: 1298
Statutory Authority: § 15-22-205(b)	06/01/1992	10/08/1992	09/18/1992	02/01/2016
<input checked="" type="checkbox"/> Required under State or Federal Law: § 15-22-205(b)				
Requirement Statement: ANRC is required to promulgate rules to administer its surface water management programs.				
Enforce: These rules establish important procedures for protecting and efficiently developing surface water usage. These rules establish procedures for surface water diversion registration, authorization of intrabasin and interbasin diversion by non-riparian owners, allocations during times of water shortages, and procedures for granting dam construction and operation permits.				
Subject Matter Committee: Agriculture, Forestry & Economic Development Committees				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1298/Final/Title 3.pdf				

Rules by Subject Matter Interim Committee Recommendations

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Title 4 Rules for the Protection and Management of Groundwater				ID#: 1299
Statutory Authority: § 15-22-904(1)	06/21/1989	09/18/1992	09/18/1992	12/23/2005
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: The Arkansas Groundwater Protection and Management Act provides ANRC with water management duties. These rules are necessary to monitor ground water use, provide a process for designating critical ground water areas, and provide procedures for issuing groundwater rights if issuance ever becomes necessary.				
Subject Matter Committee: Agriculture, Forestry & Economic Development Committees				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1299/Final/Title 4.pdf				
Title 5 Administrative Rules and Regulations for Financial Assistance				ID#: 1300
Statutory Authority: § 15-20-206(a)	06/20/1990	08/15/1990	08/20/1990	09/20/2001
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: These rules establish procedures binding both ANRC and local governments applying for ANRC loans and grants to construct water and wastewater projects.				
Subject Matter Committee: Agriculture, Forestry & Economic Development Committees				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1300/Final/Title 5.pdf				
Title 6 Rules for Water Development Project Compliance with the Arkansas Water Plan				ID#: 1301
Statutory Authority: § 15-22-503 and § 15-22-505(7)(A)	06/07/1973	09/20/1989	09/21/1989	08/01/2012
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: ANRC is responsible for the proper distribution and allocation of the state's waters. These rules describe how political subdivisions can obtain approval from ANRC for water and wastewater service areas. Any political subdivision or agency of the state engaging in projects that meet the definition of a water project is required to obtain service area approval from ANRC.				
Subject Matter Committee: Agriculture, Forestry & Economic Development Committees				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1301/Final/Title 6.pdf				
Title 7 Rules Governing Design and Operation of Dams.				ID#: 1302
Statutory Authority: §15-22-205 and 15-22-210 – 15-22 214	05/14/1981	08/02/1981	07/13/1981	10/01/1993
<input checked="" type="checkbox"/> Required under State or Federal Law: §15-22-205				
Requirement Statement: ANRC requires all dam owners responsible for dams meeting a certain size threshold to obtain a construction and operation permit from ANRC to protect lives and property downstream from the dam.				
Enforce: These rules provide regulation of a program that is necessary to protect the lives and property of Arkansans living downstream from dams.				
Subject Matter Committee: Agriculture, Forestry & Economic Development Committees				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1302/Final/Title 7.pdf				

Rules by Subject Matter Interim Committee Recommendations

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Title 10 Rules Governing the Arkansas Water Resource Agricultural Cost-Share Program.				ID#: 1305
Statutory Authority: Ark. Code Ann. § 15-20-206(a)	01/09/1994	03/14/1994	02/22/1994	
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: These rules describe how cost share funds will be allocated to applicants desiring to construct water conservation and development practices that result in either water quantity or water quality benefits. These practices are locally approved by participating conservation district as practices needed to solve identified resource problems within the district.				
Subject Matter Committee: Agriculture, Forestry & Economic Development Committees				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1305/Final/Title 10.pdf				
Title 13 Rules Governing the Tax Credit Program for the Creation and Restoration of Private Wetlands Restoration Zones				ID#: 1308
Statutory Authority: § 26-51-1506	12/15/1995	03/04/1996	02/23/1996	02/01/2010
<input checked="" type="checkbox"/> Required under State or Federal Law: § 26-51-1506(a)(1)				
Requirement Statement: The Arkansas Natural Resources Commission is charged with the responsibility of promulgating and administering rules related to the creation, restoration, and conservation of wetlands and riparian zones with the intent of qualifying for the tax credits provided for in this subchapter. This rule encourages private landowners to restore and enhance wetlands and riparian zones and to create new wetlands and riparian zones.				
Enforce: These rules should be enforced to preserve and maintain Arkansas's wetlands and riparian zone footprint. These rules describe how applicants can obtain state income tax credits by either restoring and enhancing wetlands and riparian zones or donating a property interest in such lands.				
Subject Matter Committee: Agriculture, Forestry & Economic Development Committees				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1308/Final/Title 13.pdf				
Title 14 Rules Implementing the Water Resource Conservation and Development Incentive Act.				ID#: 1311
Statutory Authority: § 26-51-1010(a)(1)	07/17/1985	08/28/1985	08/28/1985	09/19/2011
<input checked="" type="checkbox"/> Required under State or Federal Law: § 26-51-1010(a)(1)				
Requirement Statement: Through this program, an approved applicant may claim up to 50% of his construction costs as tax credit for constructing water impoundments or other structures that conserve water.				
Enforce: ANRC should continue to enforce this rule because it encourages water conservation and provides procedures for ANRC to follow when awarding tax credits for installation of conservation procedures.				
Subject Matter Committee: Agriculture, Forestry & Economic Development Committees				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1311/Final/Title 14.pdf				
Title 15 Rules Governing Loans for the Safe Drinking Water Fund				ID#: 1313
Statutory Authority: Ark. Code Ann. §15-22-1103(a)(1) and 42 U.S.C. §300j-12.	01/21/1998	04/17/1998	04/23/1998	
<input checked="" type="checkbox"/> Required under State or Federal Law: The identified federal statute provides EPA with authority to enter into agreements with states to make capitalization grants to promote the efficient use of fund resources. To be eligible to receive a capitalization grant, each state has to establish a drinking water treatment revolving loan fund and otherwise comply with EPA requirements.				
Requirement Statement: These rules describe how Arkansas will administer these funds and what an entity must do to qualify for and legally spend these funds.				
Enforce: ANRC should continue to enforce these rules because they provide procedures for loan and grant disbursement to ANRC, borrowers, and grantees.				
Subject Matter Committee: Agriculture, Forestry & Economic Development Committees				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1313/Final/Title 15.pdf				

Rules by Subject Matter Interim Committee Recommendations

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Title 16 Rules Governing the Arkansas Clean Water Revolving Loan Fund Program				ID#: 1315
Statutory Authority:	Ark. Code Ann. § 15-5-902(a)(2) and Water Pollution Control Act, 33 USC 1251(e)	09/20/2001	02/04/2002	01/28/2002
<input checked="" type="checkbox"/> Required under State or Federal Law:	Public participation in the development, revision, and enforcement of any regulation, standard, effluent limitation, plan, or program established by the Administrator or any State under this Act [33 USCS §§ 1251 et seq.] shall be provided for, encouraged, and assisted by the Administrator and the States. The Administrator, in cooperation with the States, shall develop and publish regulations specifying minimum guidelines for public participation in such processes. 33 USC 1251(e).			
Requirement Statement:	EPA provides federal funding for state water pollution control revolving loan programs. ANRC distributes these funds, and these rules describe how to obtain and maintain these funds.			
Enforce:	ANRC should continue to enforce these rules to provide ANRC, borrowers, and grantees with procedures for loan and grant disbursement.			
Subject Matter Committee:	Agriculture, Forestry & Economic Development Committees			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1315/Final/Title 16.pdf			
Title 17 Rules Governing Water Authorities				ID#: 1316
Statutory Authority:	Ark. Code Ann. 4-35-105(d)	09/20/2001	10/01/2001	11/13/2001
<input type="checkbox"/> Required under State or Federal Law:	(none)			
Requirement Statement:	(none)			
Enforce:	ANRC should continue to enforce this rule because it establishes procedures for how water authorities are formed and dissolved.			
Subject Matter Committee:	Agriculture, Forestry & Economic Development Committees			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1316/Final/Title 17.pdf			
Title 18 Rules Governing the ANRC Floodplain Administrator Accreditation Program				ID#: 1317
Statutory Authority:	§ 15-24-102(a)(3) and § 15-24-109	09/17/2003	11/29/2003	11/19/2003
<input checked="" type="checkbox"/> Required under State or Federal Law:	§ 15-24-102(a)(3)			
Requirement Statement:	ANRC is charged with accrediting persons having requisite knowledge in floodplain management and in minimization and prevention of flood hazards and losses.			
Enforce:	ANRC should continue to enforce these rules because accreditation makes floodplain administrators better equipped to help communities become safer. Floodplain administrator refers to the person designated by a city, town, or county, to administer local, state, and federal law, ordinances, and regulations relating to the management of flood-prone areas.			
Subject Matter Committee:	Agriculture, Forestry & Economic Development Committees			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1317/Final/Title 18 June 1 2018.pdf			
Title 19 Poultry Feeding Operation Registration Program				ID#: 1318
Statutory Authority:	§ 15-20-904(c)	01/21/2004	08/05/2005	07/26/2005
<input checked="" type="checkbox"/> Required under State or Federal Law:	§ 15-20-904(c)			
Requirement Statement:	The Commission shall promulgate regulations that require a poultry feeding operation to submit information regarding its facilities to the commission. To encourage proper use of litter, ANRC needs to know where sources of litter are located and the amount of litter produced in Arkansas.			
Enforce:	ANRC should continue to enforce these rules so that it is able to track sources of nutrients that can adversely impact water quality.			
Subject Matter Committee:	Agriculture, Forestry & Economic Development Committees			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1318/Final/Title 19.pdf			

Rules by Subject Matter Interim Committee Recommendations

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Title 20 Nutrient Management Planner Certification Program.				ID#: 1319
Statutory Authority: § 15-20-1004(c)	01/21/2004	08/05/2005	07/26/2005	06/01/2018
<input checked="" type="checkbox"/> Required under State or Federal Law: § 15-20-1004(c)				
Requirement Statement: ANRC is required to promulgate rules that specify qualifications and standards for obtaining certification and how to maintain certification. Requiring nutrient planners working in nutrient surplus areas to be certified prevents further water quality degradation while maximizing soil fertility and proper plant growth.				
Enforce: ANRC should continue to enforce these rules to assure that nutrient management planning, especially for areas identified as having a surplus of phosphorus and nitrogen, allows maximum plant growth while not adversely impacting water quality.				
Subject Matter Committee: Agriculture, Forestry & Economic Development Committees				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1319/Final/Title 20.pdf				
Title 21 Nutrient Management Applicator Certification Program.				ID#: 1320
Statutory Authority: § 15-20-1005(c)	01/21/2004	08/05/2005	07/26/2005	06/01/2018
<input checked="" type="checkbox"/> Required under State or Federal Law: § 15-20-1005(c)				
Requirement Statement: ANRC is required to promulgate rules that specify qualifications and standards for obtaining certification and how to maintain certification. Requiring nutrient applicators working in nutrient surplus areas to be certified prevents further water quality degradation while maximizing soil fertility and proper plant growth.				
Enforce: ANRC should continue to enforce these rules to assure that nutrient management application, especially in areas identified as having a surplus of phosphorus and nitrogen, allows maximum plant growth while not adversely impacting water quality.				
Subject Matter Committee: Agriculture, Forestry & Economic Development Committees				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1320/Final/Title 21.pdf				
Title 22 Nutrient and Poultry Litter Application and Management Program.				ID#: 1321
Statutory Authority: § 15-20-1104(b)	01/21/2004	08/05/2005	07/26/2005	01/01/2010
<input checked="" type="checkbox"/> Required under State or Federal Law: § 15-20-1104(b) and § 15-20-1106				
Requirement Statement: ANRC is required to promulgate rules to define nutrient surplus area and to establish how nutrient applications may be lawfully made in nutrient surplus areas. This title covers who can apply nutrients in nutrient surplus areas, how nutrients may be applied, approval of nutrient management plans, and penalties for wrongful application of nutrients.				
Enforce: ANRC should continue to enforce these rules to protect waters of the state from adverse effects of excess nutrients while allowing maximum fertility and proper plant growth.				
Subject Matter Committee: Agriculture, Forestry & Economic Development Committees				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1321/Final/Title 22.pdf				
Title 23 Rules Governing Water and Wastewater Project Funding through the Arkansas Community and Economic Development Program.				ID#: 1322
Statutory Authority: 42 USCS 5301, Housing and Community Development Act of 1974, as amended; 24 CFR 570, Subpart I (State Community Development Block Grant Program)	08/09/2006	11/29/2006	11/14/2006	
<input checked="" type="checkbox"/> Required under State or Federal Law: 24 CFR 570.489(d)--A State shall have fiscal and administrative requirements for expending and accounting for all funds received under this subpart.				
Requirement Statement: The United States Department of Housing and Urban Development (“HUD”) provides federal grants through its Community Development Block Grant (“CDBG”) program. The portion of Arkansas’s CDBG program pertaining to water and wastewater funding was transferred to ANRC by the Arkansas Department of Economic Development through a Memorandum of Agreement dated June 10, 2004. The portion of the program related to water and wastewater grants was transferred to ANRC because ANRC could run the program more cost effectively and likely already had working relationships with the grantees through its other funding programs. These rules describe how grants will be distributed and administrative requirements for maintaining grants.				
Enforce: ANRC should continue to enforce these rules which apply to federal grant funds available to water and wastewater projects in the same manner that it enforces its other programs relating to funding of such projects.				
Subject Matter Committee: Agriculture, Forestry & Economic Development Committees				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1322/Final/Title 23.pdf				

Rules by Subject Matter Interim Committee Recommendations

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Title 24 The Arkansas Water Plan				ID#: 1323
Statutory Authority: § 15-22-503	01/21/2015	02/01/2016	01/04/2016	
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: Under such rules and regulations as it may adopt, ANRC is charged with the duty of preparing, developing, formulating, and engaging in a comprehensive program for the orderly development and management of the state's water and related land resources, to be referred to as the "Arkansas Water Plan". § 15-22-503				
Subject Matter Committee: Agriculture, Forestry & Economic Development Committees				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/124/Rules/1323/Final/Title 24.pdf				