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PAUL RIVIERE
SECRETARY OF STATE
LITTLE ROCK, ARKANSAS

TRANSMITTAL SHEET

PAUL RIVIERE, SECRETARY OF STATE
STATE CAPITOL
LITTLE ROCK, AR 72201

FOR OFFICE
USE ONLY:

EFFECTIVE DATE 11-23-82 CODE NUMBER 012.08.82-001

NAME OF AGENCY Arkansas Natural and Scenic Rivers Commission

DEPARTMENT Department of Arkansas Natural & Cultural Heritage

CONTACT PERSON Stephen Winters

TELEPHONE 371-8134

STATUTORY AUTHORITY FOR PROMULGATING RULES _____

Act 257 of 1979

INTENDED
EFFECTIVE DATE

DATE

☐ EMERGENCY

FILED WITH LEGISLATIVE COUNCIL

May 20, 1982

☒ 20 DAYS
AFTER FILING

LEGAL NOTICE PUBLISHED

May 10, 12, 16, 1982

FINAL DATE FOR PUBLIC COMMENT

June 9, 1982

☐ OTHER

DATE OF ADOPTION

Sept. 17, 1982

CERTIFICATION OF AUTHORIZED OFFICER

I HEREBY CERTIFY THAT THE ATTACHED RULES WERE ADOPTED
IN COMPLIANCE WITH ACT 434 OF 1967 AS AMENDED.

Stephen Winters
SIGNATURE

Director

TITLE

22 Oct 1982
DATE

QUESTIONNAIRE

ON PROPOSED ADMINISTRATIVE RULES

WHETHER NEW, AMENDATORY OR REPEALING

FROM:

AGENCY Department of Arkansas Natural & Cultural Heritage

DIVISION Arkansas Natural & Scenic Rivers Commission

CONTACT PERSON Stephen Winters

ADDRESS 500 Continental Building, Little Rock, AR 72201

PHONE NUMBER 371-8134

INSTRUCTIONS

- A. Make a supply of the front and back of this questionnaire for future use.
- B. Answer briefly, concisely and completely using layman's language. Use additional sheets if necessary.
- C. If you have a method of identifying your rules, give the proposed rule's citation after "THIS RULE" below.
- D. Submit four (4) copies of questionnaire attached to the front of four (4) copies of your rules.
- E. Your receipt will be a date stamped copy of this page.
- F. Send to the Arkansas Legislative Council, State and Local Government Committee, Room 315, State Capitol Building, Little Rock, AR 72201

THIS RULE Management Plan: Defined

1. State the subject of the proposed rule.
Clarifies the relationship between a Local Advisory Committee (Act 257 of 1979) and local landowners, restricting LAC authority to insure landowner representation.
2. Will this be a new rule or an amendment or repeal of an existing rule? If it is an amendment, state what is amended.

New Rule.
3. State what State or federal law, rule or regulation allows or requires this exercise of rulemaking authority. Be specific. (The Administrative Procedure Act is not a grant of rulemaking authority, except for certain structural and procedural rules required under Section 2; therefore, do not cite it unless it applies).

Act 257 of 1979
4. What is the purpose of this proposed rule? Why is it necessary?
To clarify existing gray areas in Act 257 of 1979, restricting Local Advisory Committee activity to dealing with individual riparian landowners; insuring their rights are protected by establishing the relationship between LAC and involved riparian landowners.
5. Will the proposed rule be controversial?
NO.
6. Will it cost, save or produce revenue either alone or in conjunction with other law, rules or regulations? If yes, state approximate amount per month or per year for what person, group, organization, agency, etc.

NO.
7. Public hearing will be held on (day) Wednesday (date) June 9, 1982
(time) 12:00 p.m. (place) 5th Floor Conference Rm., Continental Bldg.,
Little Rock, AR.
8. Proposed effective date of rule. Effective 29 June, 1982.

(See back of page)



Arkansas Natural & Scenic Rivers Commission

Suite 500 • Continental Bldg. • Main & Markham • Little Rock, Arkansas 72201 • (501) 371-8134

MANAGEMENT PLAN: DEFINED

A management plan shall be established for each river or segment being considered for designation in compliance with Act 257 of 1979. The Committee for the river shall act to advise and assist in the development of a management plan. The management plan shall take into consideration the economic effects of status quo and suggest best management practices to the landowner to apply as he sees fit. BMP's shall be recommended on a site by site basis. No management plan shall include specific BMP's not agreed upon by that individual landowner. A management plan must be approved by the Committee, the Quorum Court, and made available to comment by other concerned agencies before presentation to the General Assembly. No management plan shall be in effect until approved by the General Assembly.

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THIS RULE Local Advisory Committee: Defined

1. State the subject of the proposed rule.
Defining role, term, duty, and quorem for Local Advisory Committees as created by Act 257 of 1979.
2. Will this be a new rule or an amendment or repeal of an existing rule? If it is an amendment, state what is amended.
New Rule.
3. State what State or federal law, rule or regulation allows or requires this exercise of rulemaking authority. Be specific. (The Administrative Procedure Act is not a grant of rulemaking authority, except for certain structural and procedural rules required under Section 2; therefore, do not cite it unless it applies).
Act 257 of 1979
4. What is the purpose of this proposed rule? Why is it necessary?
To clarify apparent gray areas in ANSRC enabling legislation with regard to the role, term, duties and quorem of a local advisory committee to facilitate county quorem courts in the creation of such a body.
5. Will the proposed rule be controversial?
No.
6. Will it cost, save or produce revenue either alone or in conjunction with other law, rules or regulations? If yes, state approximate amount per month or per year for what person, group, organization, agency, etc.
No.
7. Public hearing will be held on (day) Wednesday (date) June 9, 1982
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LOCAL ADVISORY COMMITTEE: DEFINED

ROLE: The Local Advisory Committee (LAC) shall advise and assist the Commission and each interested riparian landowner in the development of the management plan for a candidate river.

TERM: Quorum Court appointees to a LAC are to serve until the Quorum Court approves the management plan, the Committee is disbanded, or the appointee resigns from the Committee. In the case of LAC resignation, a letter of resignation shall be presented to the county Quorum Court and Commission, and the Commission shall appeal to the Quorum Court to choose another representative to the Committee which fills the requirements of LAC local representation. A Quorum Court appointee shall forfeit and vacate his seat on the Committee if he misses two consecutive regular meetings unless for reasons of personal illness, death in the immediate family, extremely hazardous road conditions, or other serious reasons.

DUTIES: The Committee shall make reports to the Commission. These reports shall be given by the Committee Chairperson at each regular meeting of the Commission, and they shall consist of a progress report, as well as any findings or recommendations by the LAC. The Commission shall take the recommendations of the Committee under advisement. The Commission shall establish the goals of its LAC appointees. The Commission shall approve the Draft Management Plan of the Committee before sending it to the Quorum Court for approval.

QUORUM: A quorum of a LAC is defined as five LAC members being composed of no less than two (2) Commissioners and three (3) Quorum Court appointees. If the candidate river flows through more than one county, then a committee's quorum shall be defined as two Commission appointees and two Quorum Court appointees from each county.