

Beaver Watershed Alliance Speaker Series: Allan Gates (Mitchell Williams)

February 22nd Nutrient Trading Presentation



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Mitchell Williams Law Firm Attorney Allan Gates will undertake a presentation on February 22nd as part of the Beaver Watershed Alliance (“BWA”) Speaker Series titled:

Nutrient Trading and Act 335

BWA states Allan will discuss the:

... proposed nutrient water quality trading regulation that would allow implementation of the concept as a tool to help improve the water environment in Arkansas.

Legislation enacted in the 90th Arkansas General Assembly provided ADEQ and the Arkansas Pollution Control and Ecology Commission the authority to establish and regulate water quality trading in the state. The legislation also provided for the establishment of a Nutrient Water Quality Trading Advisory Panel.

A number of areas in the country are utilizing water quality trading as one approach to address water quality goals. Clean Water Act National Pollution Discharge Elimination System (“NPDES”) permits issued at both the federal and state level are increasingly including more stringent limits applicable to the discharge of nutrients such as phosphorus or nitrogen.

The costs associated with removing nutrients from a point source can be significant. Non-point source discharges may often be reduced at a lower cost on a pollutant basis than the point source discharges. Therefore, trading programs may allow facilities facing higher pollution costs to meet that regulatory obligation by purchasing environmental equivalent (or superior) pollution reductions from another source at a lower cost.

The Speaker Series Program presentation will be at the Arvest Ballpark Community Room, 3000 Gene George Blvd. in Springdale, Arkansas. A free lunch and networking opportunity are scheduled from 11:30-12:00 p.m. with the program being from 12:00-1:00 p.m.

[A flyer containing information on the program can be downloaded here.](#)