

Minutes of the Nonpoint Source Liaison Workgroup Meeting
Rachel Carson State Office Building
400 Market Street, Room 105
Harrisburg, PA
October 23, 2003

Welcome and Introductions

Lynn Langer, Division of Watershed Protection, greeted everyone and thanked the workgroup members for attending. Summarizing Lynn's comments,

- It is important to document our accomplishments during the past year for the Nonpoint Source (NPS) Program and all partners so we can show the public and the EPA what our NPS program efforts are accomplishing.
- A new update to the NPS Management Program as required by the EPA will be initiated in early 2004.
- Many changes have taken place since the 1999 NPS Management Program Update including NPS program funding, a strong focus on impaired waters, and Pennsylvania's Growing Greener Initiative legislation.
- Suzanne Hall, EPA Region III NPS Program, and Pat Pingel, BWM Coastal NPS Program, were introduced.
- Lynn reviewed the meeting agenda. The NPS Management Plan update and handouts, workgroup goals for the meeting, and starting the NPS Plan update were explained.

Pa NPS Program

Russ Wagner mentioned the World Monitoring Day in October 2003 to celebrate the 30th Anniversary of the federal Clean Water Act. Pa. is one of the top five states nationally with 325 monitoring sites registered.

The budget for the EPA will be a difficult one this year and we are awaiting EPA's budget appropriation approval.

The EPA has completed the Water Program's Strategic Plan for 2003-2008. We will be working to develop our NPS Management Program update in conjunction with the Goals in the EPA's Strategic Plan

Russ mentioned several new people attending this liaison workgroup meeting and welcomed their participation.

EPA Region III NPS Update

Suzanne Hall, EPA Region III, provided some insights for Pa.'s FFY2003 NPS Annual Report. The recent federal Office of Management and Budget (OMB) and General Accounting Office (GAO) review of the NPS program emphasized results and how we are meeting our goals, i.e. delisting impaired streams, and documenting these in our NPS Annual Report. OMB recommended a passing grade for the NPS program through 2005. Success stories are being encouraged as part of the Annual Report.

It was not known when EPA will receive their FFY2004 budget or what it will be. The Senate has proposed budget cuts to some programs including Section 319. Suzanne was hopeful the results and goals documentation and success stories will help to keep Section

319 funding intact. The Senate supports increased use of Farm Bill funding and less through the Section 319 program to address agricultural NPS.

FFY2004 Section 319 guidance was passed on October 10, 2003, and will apply to FFY2004 and future years only. The FFY2003 guidance is being used for now. An Agriculture Initiative Grants Program is in place with \$24 million in funding. The application deadline is January 15, 2004.

The EPA's Water Program Plan is available on www.epa.gov/owow. Goal 2, pages 35, 42-43, 45-48, are specific to the NPS program. Long-term goals for Environmental Results are also discussed.

The Schuylkill Action Network partnership is an excellent example of a watershed-wide effort to make a significant improvement to the watershed. Several workgroups address abandoned mine drainage, agriculture, storm water management and bacteria/ sewage overflow issues.

Coastal Nonpoint Pollution Control Program (CNPP)

Patricia Pingel provided an overview of the CNPP as it came about through the Section 6217, Coastal Zone Act Reauthorization Amendment (CZARA). Funding is provided through the NOAA and Pa's Coastal Zone Management Program. A plan to address pollution to coastal waters was developed in 1995. The plan includes 56 management measures within Agriculture, Urban Runoff, Recreation Marinas and Boating, Hydromodification, Wetlands/Riparian Areas. Pa. is exempt from the Forestry measure. Tracking and monitoring the 56 CNPP management measures is required.

The CNPP covers the tidal Delaware River and Lake Erie watersheds. An Implementation Plan/Strategy was prepared connect with other NPS related programs. EPA/NOAA comments focus on coordinating with TMDL implementation and the Section 319 NPS program. The Plan has a 5-year update cycle.

The current round of proposals is due October 27, 2003. The grant includes a small base grant of \$157,000 plus a bonus. All projects funded will be locally sponsored. Restrictions apply to construction on private property. Pat asked for Liaison workgroup input on how to better integrate Section 319 with the CNPP Implementation Plan.

NPS Program Update

Lynn suggested we set goals for the NPS Management Program update that cover multiple work groups. We want to merge common goals, use website links more, and trim down statewide NPS program descriptions. We want to include more on Measurable Environmental Results and Indicators of Program Success. We must recognize that results will not show up in-stream right away and keep in mind what programs are doing to influence water quality in the future. Holding steady on water quality can be an improvement in developing areas.

The workgroup was asked to view the Annual Report and Accomplishments in terms of what they want it to look like several years from now. The proposed timeline for PA's NPS Management Program Update is to submit it to EPA by end of 2004. The work

groups will meet in January to start work on Goals and Objective, with a draft due in April.

Individual Work Group Feedback

Agriculture

The main issues / challenges are Environmental Results (MERs) and water quality (WQ) monitoring to identify improvements. The suggestion to work on smaller scale watershed monitoring might help us meet goals for MERs and WQ improvements. The S. 319 program must show results for implementation. The Tributary Strategy for the Chesapeake Bay Program is being refined with DEP Regional Office input. The CBP Sediment Workgroup can help with sediment load goals in conjunction with the Tributary Strategy. The impacts from atmospheric nitrogen deposition on water quality are a major concern. Many of the NPS Program 1999 Update Goals have already been met or exceeded while some are still being implemented. The workgroup summarized the year's progress.

Resource Extraction

There was probably a doubling in how much work was accomplished. There is need to contact some groups for information. A centralized data gathering point is needed for AMD projects, similar to the AMD Technical Clearinghouse www.amrclearinghouse.org that was developed. Resource Extraction legislation includes the Tipping Fee, AMR Trust Fund 2004 Reauthorization, and developing Full-Cost Bonding for permitted mining sites. Accomplishments include AMD Treatment software, Identifying Recovering Streams, and marketing Resource Recovery products. The AMR Conference in June 2003 was a success. Challenges include the AMR Trust Fund reauthorization, Operation & Maintenance costs, a market-based approach to development, and working on large discharges.

Construction/Urban Runoff

Stormwater management is the priority item. An update was provided on NPDES Stormwater Construction and Erosion & Sediment Pollution Control Programs – Phase I and II status, and the Comprehensive Stormwater Strategy. The integration of Phase II Municipal Separate Storm Sewer System (MS4) program into the existing state Act 167 Water Planning Program is ongoing. There is ongoing development of programs, i.e. Builders for the Bay and Technical Assistance Grants (TAG), which would encourage municipalities to adopt Low Impact Development (LID) techniques. The *BMP Handbook for Developing Areas* revisions continue. PENNVEST funding for small community systems and storm water in combined systems was discussed. We need to encourage market-based incentives; have they been successfully implemented for Construction and Urban Runoff? The Act 167 and Dirt and Gravel Roads Programs were not represented. Funding information is needed especially from the Act 167 and PENNVEST programs.

Silviculture

A summary was provided and new workgroup members were welcomed. Several new people were present and provided good information. Many NPS Program Silviculture goals have been met or exceeded. Two new Silviculture projects are being funded under Growing Greener and more forestry projects are being submitted now than in past grant rounds. Self-Evaluation forms for forestry BMP's are being completed and sent to the Sustainable Forestry Initiative (SFI) by landowners. Ninety-seven were completed in 2002-03. The Forest Land Enhancement Program (FLEP) is new to the 2002 Farm Bill. The Chesapeake Bay Program (CBP) riparian buffer goal of 600 miles for Pa has been increased to 3,300 miles under the new agreement. The Sustainable Forestry Initiative (SFI) has some budget constraints. There are several success stories to share: There is a Master Logger Certification Program, there are now 20 Forest Landowner Associations in Pa, a Portable Skidder Bridge demonstration project has proven successful in Bedford County, and the Wood-mobile education / outreach program is reaching the public. The next step is continuing these successful efforts in the 2004 Management Program Update.

Lakes

Many of the NPS milestones have been met. There are more to do in the next several years. The annual PALMS conference was held in October. PALMS would like to better coordinate with Penn State University Extension education / outreach efforts such as pond and lake workshops. There is a need for better informing permit applicants on all aspects of the permitting process. The Growing Greener grant for the *Pa BMP Handbook on Lakes* was scheduled for completion in Summer 2004. It includes an Agricultural BMP section; more information was requested here. The Consortium for Scientific Assistance to Watersheds (C-SAW) and PALMS coordinated their efforts in 2003 to provide lakes expertise through the C-SAW network. The Citizens Volunteer Monitoring Program (CVMP) is providing lake monitoring training, sample analysis, and equipment loans. PALMS wants to pursue a Lakes Classification section under Chapter 93 Water Quality Standards in the future, specifically for impounded lakes in special protection watersheds. The PALMS website www.palakes.org is up and running; it is a clearinghouse for lakes management information. A monitoring system was established for the control and identification of exotic aquatic species in Pa. waters. The Pa. DEP took part in this program to identify the presence and location of seven aquatic invasive species.

Land Disposal

The Milestones were reviewed. Some of the steps in the Milestones are no longer appropriate. For example, De-Nitrification Systems are not a viable technology. The workgroup decided that three of the five have been met. A program is in place to formalize a program for Sewage Enforcement Officer (SEO) and local government official training. The Pa DEP is looking at several alternative sewage management systems and how they are functioning, and looking at how to implement these systems. The Biosolids program was discussed. There are no research data or demonstration projects for biosolids use on timber harvesting operations in Pa, although biosolids have been used for post-mining reclamation. The Penn State University is doing some research in this area. County conservation district biosolids program agreements include

49 counties in 2002; Level 1 is Education and Level 2 is Education/Oversight. More districts are now involved. No information was available on the ChemSweep Program, the Used Oil/Recycling Program, and Boat and Marina Activities. Home-A-Syst education/outreach activities were accomplished in all counties. There is a need to fund Streamside Illegal Dump Cleanups under this NPS category.

Hydromodification

Overall, all of the hydromodification objectives and milestones have been addressed: some have been completed, many are on going. Accomplishments include: 27 watershed assessment/ restoration plans that consider the fluvial-geomorphology (FGM) of the stream in addition to the remediation of the other NPS problems; field assessments for Ridge & Valley Province completed, regional curves and associated report are being drafted; another six dams were modified or removed; the Keystone Stream Team's Guidelines for Natural Stream Channel Design for Pennsylvania Waterways are on the web. (www.canaanvi.org, choose "information" then "publications"); DEP watershed academies provide participants with an overview of the Natural Stream Channel Design (NSCD); the Conservation District Watershed Specialists annual meeting included a session on NSCD; Penn State University now offers a three-credit, semester-long class in stream corridor restoration taught by an interdisciplinary team; Mike Lovegreen and the Bradford Conservation District offered two three-day hands-on NSCD training sessions. Challenges yet to be addressed include: web-based database to store and share fluvial geomorphology (FGM) data; process to facilitate pre-project planning, peer review of projects and promote the transfer of technology; team to evaluate the functionality/success of existing NSCD projects; sustainability of the Keystone Stream Team; monitoring protocol for training volunteers; funding to continue the conservation districts' "community assisted visits and contacts" to municipalities; increase outreach efforts in the Floodplain Management program; continue education in stream corridor management; promote a general understanding of channel maintenance and its impact on channel function; alternative funding sources; and continue definition of regional characteristics related to sediment transport, regional curves, etc. The group agreed to meet Jan. 20, 2004 to work on the 2004 Update.

TMDL's and Watershed Restoration Planning Procedure

Steve Lathrop gave an overview of the S. 319 *Watershed Restoration Plan* process. The NPS Program is focusing more on this with its FFY2003 and FFY2004 projects. The focus is on Restoration Plans in TMDL approved watersheds. This is an EPA requirement. Quality and consistency are needed. Restoration Plans can be either Assessment or Implementation. This effort will help local groups to develop plans, focus on TMDL watersheds, address EPA's required planning elements, include a role for county conservation district watershed specialists, etc. Phase I selection criteria include being within a TMDL watershed; extensive NPS impairments; organized and committed local stakeholders; existing plans, strategies, studies, and projects; and a balance between AMD and non-AMD watersheds. Eleven watersheds were selected for Phase I. Essential elements of a *Watershed Restoration Plan* include identifying pollution sources; pollutant load reductions; the BMPs needed to achieve load reductions; financial and technical

assistance needs; public participation; an implementation schedule; a water quality monitoring component; and remedial actions. The NPS program is meeting with stakeholders in the Phase I watersheds to carry out the process.

Growing Greener (G2) Update

Approximately 577 applications requesting \$120 million were received in Round V. Approximately 200 projects were funded for a total of \$19 million in Restoration Projects. Mining and Oil/Gas contracts were also funded along with CDWS, and Innovative Technology grants. The Energy Harvest Grant Program received 177 applications for \$42 million in 2002. Next year, in Round VI, the emphasis will be on Nutrient Trading, Air-Water projects. Encourage these kinds of grant applications. Funding expected to be similar to 2002, in the \$19-20 million range. Stay tuned for the next announcement. Secretary McGinty is asking groups to meet with her in early November 2003 for input to Round VI. Measurable Environmental Results need to be documented using Goals and Accomplishments worksheets from project final reports. We want to eventually include this information in the G2 database. There is a need to distinguish between effectiveness of treatment systems (BMPs) and actual in-stream water quality improvements.

Next NPS Liaison workgroup meeting dates

The workgroup decided on June 2, 2004 and October 21, 2004. The RCSOB first floor conference room was reserved for these dates, and the PA Bulletin notice requirement was completed.