



Missouri
Department of
Natural Resources

WATER QUALITY COORDINATING COMMITTEE

DNR Conference Center
Roaring River Conference Room
1730 E. Elm Street
Jefferson City, Missouri

May 21, 2013

10:00 a.m.

MEETING AGENDA

National 319 Program Reform and Resulting Federal and State Guidance Changes –
Steve Kovac, U.S. EPA Region 7

A Reformed State Approach – New RFP and New Nonpoint Source Management
Program – Greg Anderson, Department of Natural Resources, Water Protection
Program

Other

Agency Activities

Meetings & Conferences



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MINUTES

Attendees:

Greg Anderson	DNR, Water Protection Program	Bob Broz	University of Missouri Extension
Miya Barr	USGS	Terri Brink	EPA Region 7
Brian Kelly	USGS	Ken Struempf	DNR, Soil & Water Conservation Pgm
Valerie Hentges	DNR, Water Protection Program	Darlene Schaben	DNR, Water Protection Program
Becky Cripe	DNR, Water Protection Program		

Introductions were made.

National 319 Program Reform and Resulting Federal and State Guidance Changes – Steve Kovac,
U.S. EPA Region 7

(Due to a family emergency, Mr. Kovac was unable to attend.)

Greg gave an overview of the new 319 guidance. Government Accountability Office (GAO) and Office of Management & Budget (OMB) from Washington, D.C., did thorough reviews of the 319 Nonpoint Source Program. The recommendation was that a national reform to the program was needed. So, Missouri and most other states will be making changes. Changes include fund use and accountability. Last guidance was dated from 2003. At the state and federal nonpoint source coordinator's meeting, the agenda included the program evaluations and GAO reports and how states would handle these with the new guidance. One of the recommendations is a very strict annual program progress determination. This will aid in determining if states are making satisfactory progress in order to receive 319 funding for the following year.

Greg mentioned the watershed based plans are difficult to write because it involves a lot of partnerships and expertise. From the national meeting, they found, along with other inconsistencies, that not all states are writing nine-element plans. States are required to annually write a success story where one water body was removed from the 303(d) list. Greg said Missouri asked EPA if they would allow an alternative to a nine-element watershed plan; for example, implementing a total maximum daily load (TMDL) implementation plan or an in-depth watershed study. They approved an alternative plan as long as it included the nine elements in some fashion.

Another issue from GAO and OMB was project selection. States were not selecting the best projects. Greg said some applications look like good projects but in the end they fall behind. EPA has stated that protection is as important as restoration. Greg said that EPA is now looking at protection of high quality state waters as eligible for 319 funding.



EPA has a Grants Reporting and Tracking System (GRTS) to measure progress where staff enters data and track load reductions. GRTS does not allow entry of all data, like stream team data, riparian buffer change, soil & water conservation practices, etc. Greg felt that this doesn't show the full picture of load reductions for Missouri.

The National Water Quality Initiative (NWQI) is a Natural Resources Conservation Service (NRCS) program, targeting Hydrologic Unit Code (HUC) 12 watersheds. It will be important for 319 to work with NWQI over the next few years. Work could include planning, monitoring, information/education, or any other missing component. There is a bigger focus on partnerships. EPA wants 319 to work closer with the TMDL water quality section too.

Every state must have a Nonpoint Source Management Plan (NPSMP) in order to receive a 319 grant allocation. This plan must address the new eight (previously nine) elements for an effective state program. Greg listed those. The NPSMP is to be updated every five years and EPA regions will review and approve the updates. EPA has a priority that 50% of the states will have new NPSMPs by the end of 2014. Progress will need to be more clearly demonstrated.

The funding structure will be revised--now using program and project funds instead of base and incremental. Protection projects will be included with implementation projects. The states can now use more funding for (nine element) planning, whereas there was a 10% cap. Alternative plans will be allowed in very limited circumstances and should contain the same core planning elements. Continued emphasis will be on restoring impaired waters. In regard to flexibility, if a state could demonstrate that 50% of watershed project funding is taken care of through other programs, then that portion of the 319 funding could be used for other aspects of their water quality programs.

Other reform actions from OMB and GAO was that some states end up with funding being returned from projects or not spent at the end of a grant period. If that funding is not spent effectively and quickly, that funding is open for use by other states. EPA will assist by informing states earlier of available annual funding in order to get applications sent earlier. EPA will be monitoring project progress, through GRTS, for an interim progress determination on the program. States will need to have timely drawdown of funds. States need to have projects that are more prepared and ready to go.

With the new EPA reform, watershed planning funds will come from the "program" fund. Greg mentioned that we are finding that developing a watershed management plan is costing more than \$30,000. If projects are not using their funding timely and effectively, we will request the funding returned and provide that funding to another project. EPA is requesting reduction in administrative costs, both in-house and project, and smaller info/ed projects.

In answer to a question, Greg said the 319 funding has been declining over the last few years. Terri mentioned with the sequestration, it may be lower this year.

A Reformed State Approach – New RFP and New Nonpoint Source Management Program – Greg Anderson, Department of Natural Resources, Water Protection Program
PowerPoint Presentation

The NPS Mission is to "Preserve and protect the quality of the water resources of the state from nonpoint source impairments." Due to the new NPS program changes, the program goal is to achieve designated



aquatic life use at 50% of impaired waters by 2030. In a graph from EPA, the top ten sources of impairment are shown as: agriculture, hydromodification, unknown/unspecified, habitat alteration, natural/wildlife, municipal discharges/sewage, unspecified nonpoint source, atmospheric deposition, resource extraction, and urban runoff/stormwater. Greg said 319 would be looking at hydromodification and habitat alteration. There will still be an agriculture component since state cost share and NRCS will be handling most of it. Aquatic life use was selected because it is an exceptional indicator of water quality changes; sensitive to threshold pollutant concentrations, biomagnification, or bioaccumulation of most major nonpoint source contaminants; and affected by changes in hydrologic dynamics. Of the eight significant threats to water quality as listed in the 2012 305(b) Missouri Water Quality Report (<http://www.dnr.mo.gov/env/wpp/waterquality/305b/2012-305b.pdf>), at least three are related to aquatic life use. Those are suburban shortening and culverting of channels, channelization in streams caused habitat degradation in about one-third of Missouri streams, and degraded habitat. In the report, of those waters listed as impaired or potentially impaired, more than one-half are shown as impaired for aquatic life use. Greg felt this more than justified for this approach.

The Section 319 Request for Proposals (RFP) is now available and on the web (<http://www.dnr.mo.gov/env/wpp/nps/319nps-proj-req.htm>). It is consistent with the new Nonpoint Source Program. Project priorities include the Department's Our Missouri Waters (Lower Grand River, Big River, Spring River); projects that eliminate impairments or restore nonpoint impaired water and implement an accepted watershed based plan, alternative plan, or TMDL; and innovative high visible nonpoint source stormwater or riparian demonstrations. With EPA's changes, there will be stricter eligibility requirements. Applicants must demonstrate financial capabilities, have a good track record, have documented partner commitments, demonstrate technical abilities, have a low cost info/ed component, and low cost admin (including salaries). Also, Greg said they are discouraging applicants from applying for multiple subgrants. Terri stated that not all plans need nine elements, just be effective projects.

Greg talked about some of the new subgrant requirements: only specific agriculture practices that impact riparian or stream improvements; education is part of a specific implementation project; matching funds must be provided on schedule; must be ready to proceed with implementation and have a reasonable schedule; more project oversight from EPA and the Department; and demonstrate trackable environmental results and successes. They will try to keep a list of projects that are ready to go.

Preferred projects types include stream and riparian restoration and protection; dam and obstruction removal/modification; wetland restoration or renaturalization; innovative stormwater demonstrations; lake management and restoration; abandoned mine land projects; and agriculture best management practices (BMPs) (high impact BMPs, riparian and habitat related). Greg showed maps of the general areas of focus, which is included with the RFP. Although these watersheds are being targeted, projects can be anywhere in the state if it is a protection project, has a watershed based plan, and has a good chance of success.

In looking at other methods to show success, they will use more monitoring and modeling. To ensure the project is going in the right direction, more volunteer data will be used as well as using existing fixed stations to determine major water quality changes; department may perform project monitoring; use of other measure to indicate progress; and use of models, journal articles, spreadsheet calculators to estimate load reduction.

New Section 319 guidance has placed a greater importance on restoring and protecting waters from becoming impaired, especially high quality waters. The presence and quality of an accepted plan will play a role in selecting projects. RFP announcements will coincide with water quality reporting which is every



two years. Funding will be from multi-year 319 funding, meaning not only announcing new funding but any available from previous years. Qualified projects that do not make the initial funding will be kept on a list and as unobligated or other funds become available they may be offered funding at that time. Projects will be evaluated by a team according to specific adequacy criteria, ranked, and recommended to the Department and EPA for funding. The Department may award noncompetitive funds for some technical or highly specialized needs such as those for planning, monitoring, facilitation, or special needs in Our Missouri Waters initiative.

To avoid any appearance of preference or conflict of interest, staff will be available to answer questions about the RFP and application but may not answer project-specific questions. Conference calls will be held on May 30 and June 26. Applicants should not contact EPA direct. Any calls will be referred to DNR. Information will also be shared not only at this meeting but also on June 6 at the Water Protection Forum. Applications are due July 30, 2013.

The RFP is consistent with the new Nonpoint Source Management Program/Plan (NPSMP). GAO and OMB recommend the 319 nonpoint source program reform should include greater accountability and cost effectiveness. Fifty percent of all states must have a new program planning document in 2013. The NPSMP is a five-year plan and will have a narrower focus to address aquatic life use. Missouri is required to have an approved plan to receive Section 319 grant funding. Greg will present the information to the Water Protection Forum on June 6. There is further intent to prioritize OMW and watersheds that make effective use of funds through better planning and assessment and build stronger partnerships. In the past Greg has found that other agencies did not share the same watershed priority, but would agree on some practices. To form a partnership, they must work together to find common interests and goals; make binding commitments; have measurable milestones and environmental outcomes; leverage funds and resources; and seek trust and transparency.

Bob Broz and Ken Struempf discussed some of the challenges of talking with landowners and getting buy-in for conservation practices, monitoring, and preventive practices.

Greg said a new five-year NPSMP has been drafted and will go through the department for review. A stakeholder group will be formed to review as well. There will also be a public comment period. By the end of 2013, a draft should be submitted to EPA. In 2018, the plan will be reassessed by stakeholders and revised for the next five-year period. A link to the NPSMP can be found on the Nonpoint Source, WQCC, and Water Protection Forum web pages when approved.

Bob Broz mentioned that several years ago NRCS, Soil & Water Conservation Program, 319, and TMDL worked very close. But, based on several issues and changes, they became segmented. He felt this new reform has potential to be successful.

Agency Activities / Meetings & Conferences

Ken Struempf said the department is working on the Nutrient Reduction Strategy, updating future plans, and getting ready for renewal of the Soils Sales Tax that expires 2016. The drought program spent approx. \$22 million statewide; cost share program used \$20 million.

Bob Broz mentioned the OMW Spring River Summit will be held May 29-31, 2013. The Lower Grand River and Big River summits will be held Sept. 10. A webinar on How to Measure Social Indicators for



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Success will be June 11. July 22-25 is the National SWCS/WQ Conference in Reno, NV. Bob and Dan will do a presentation on getting local people involved in watershed planning. Bob also mentioned there is a multi-agency (DNR, DHSS, Dept of Ag, UMC) group working on blue-green algae information.

Terri Brink said EPA is currently dealing with the new guidance trying to make the information more clear and developing issue papers in order to be consistent with the Region 7 states. EPA is also dealing with furloughs.

Becky Cripe introduced herself as the newest member to the 319 Nonpoint Source Unit.

Valerie Hentges has been working on project management and the NPS program changes.

Brian Kelly was interested in hearing about the nonpoint source program changes as he may be assisting others in his area with applications for funding. Some staff had transferred so they are short staffed. They had to eliminate three gages, due to the sequestration—Little Osage; Petite-Saline; Brush Creek. Hopefully, they will be back online in October. They have also been working with monitoring in the Grand River Basin. This is an MRBI project.

Miya Barr is continuing to work on the Ambient Network. She is the project manager for Big River working on a sediment transport project. The field portion will wrap up in September then a report will be written. The nitrate real-time monitoring at Hermann had equipment failure but expected to be up and running next week. They are also putting in a new station in Cape Girardeau which should be online soon.

Meeting adjourned.