

Summary of July 12, 2012 EPA and West Virginia State Agencies Meeting with Local West Virginia Partners

Romney, West Virginia

Challenges and Opportunities Facing Implementation of West Virginia's Phase II WIP

Challenges:

- Training for urban stormwater BMP maintenance
- Costs associated with wastewater treatment facility upgrades
- Improved stormwater management leading to decreases in costs for wastewater treatment
- Grants for cost sharing the building of CAFO waste storage facilities
 - One of the participants commented that EQIP and WV's Ag Enhancement Program are currently available for this.
- Growth of suburban lawns in the I-81 interstate corridor from Martinsburg and Hagerstown
- Tracking, verification, and reporting of BMPs
- More effectively tracking and reporting non-cost shared conservation tillage acreage
- Getting credit from the Bay watershed model for non-cost shared BMPs
- Getting tracking & reporting information and needs communicated at the municipalities, conservation districts, and producers levels
- High level of frustration on practice documentation and differences between EPA and NRCS BMP definitions

Opportunities:

- Improve the quality of local waters in West Virginia
- Work with NRCS to prioritize agricultural practices and locations
- New funding for wastewater treatment facility upgrades
- Improving stormwater management
- Addressing faulty septic systems
- Better use and redistribution of poultry litter within the Potomac watershed and providing for incentives to support the redistribution of that resource (recognizing there are areas of the watershed which require nutrients, displaces use of commercial fertilizer, adds organic material to the soils enrich soil quality and helping reduce surface runoff)
 - Expanding nutrient management planning to more farms will ensure they are aware if their fields do need the nutrients in the litter
- Communicating the opportunity to convert turf to trees in the Martinsburg-Hagerstown urbanizing corridor
- Developing consistent messages and communicating local success stories; potentially utilizing the Chesapeake Bay Program Communications Office's videographer
- More multi-agency training (for example, recent CREP training) with an aim to better direct the landowner to specific resources

Supporting Expanded Local Engagement

What opportunities exist for further organizing local watershed organizations and others?

- Set up a mentoring organization/system to assist in the process of establishing new organizations and getting them functioning—existing watershed organizations like Sleepy Creek could play an important role here.
- Existing watershed organizations need direct professional local/state/federal agency staff involvement in their organizations' activities to help provide the necessary technical expertise and how to take full advantage of these local, state, and federal agency resources.
- Need to recognize there are real and perceived liability issues with implementation of the best management practices on private lands by watershed organizations.
- There are also real/perceived liability issues with members participating in watershed organizations.
- There needs to be training for watershed organizations directed towards how to best work effectively with local governments.
- Focus state and federal agency assistance toward helping the watershed organizations make real world impacts—less focus on how to organize or run a meeting.
- Need to get watershed organizations to focus on the positive aspects of their watershed, their watershed neighbors, what's working within their watersheds, reaching a goal and leaving a legacy, and not on what their neighbors are doing wrong—people respond to positive messages as well as facts about the condition of their watershed, not finger pointing.
- Creation of a website focused on illustrating “what's right in my watershed”.
- Put forth a challenge to the watershed organizations to focus and report on the positive things that are working in their watershed and present the results through the internet.
- Need a clear fact sheet on the CAFO program, with a focus on what constitutes a CAFO, developed collaboratively by EPA, West Virginia Department of Environmental Protection (WVDEP), West Virginia Department of Agriculture (WVDA), West Virginia Conservation Agency (WVCA), and the farming community, so that watershed organizations can understand the basics about CAFOs. One was developed by DEP that may suffice.
- There is a clear role for watershed organizations in helping track and report BMPs being implemented within their respective watershed. What better people to track and report progress than one's neighbors? Ideally, a list of acceptable BMPs would be posted to create opportunities for new partners to be involved in the WIP implementation.
- The financial burdens of starting/initiating watershed organizations need to be addressed through some type of funding source(s). Stream Partners program through the WV Watershed Network is ideal for this purpose.
- Need to address the administrative burdens of running a watershed organization in terms of managing grants, particularly if you are not a 501(3)c organization—explore opportunities for watershed organizations to partner with others (e.g., local and state agencies, other watershed organizations) in the grants administration process.
- Distill the WIP to a one-page fact sheet so all the partners can agree on a consistent message. Engage groups like the Cattlemen's Association and the progressive forest management folks. It would be easier to promote than the full WIP itself.

What additional tools, funding (Chesapeake Bay stewardship grants, Bay Funders Network, financing workshops), resources, support, etc. can EPA help bring to support expanded local engagement?

- Use 319 funds for tracking and reporting BMPs already on the ground.
- There are many sources of funding Stream Partners was mentioned, and a handout was provided regarding other opportunities. We need a funding clearing house that will inventory the multitude of funding sources that are available. The clearinghouse should be organized by the different programs and clearly show the main points (e.g. planning vs. implementation) without forcing someone to read through pages unless they wish to see more details (but need to avoid the use of acronyms and “agency speak” when communicating with public organizations and individuals).
 - The Region 3 Environmental Finance Center and the National Fish and Wildlife Foundation are interested in hearing this type of feedback. Lucinda Power will raise this feedback to these organizations.
- More flexibility is needed in using state and federal grants to ensure the funded organization can carry out the work it needs to do on the ground.
- Need to consider how to more creatively and effectively allocate the cost share/technical assistance program administrative burdens between the various state, federal and even local conservation oriented agencies. These burdens are currently borne by each individual agency, often duplicating efforts across these same agencies.
- Need to fund agricultural conservation practices which are not functionally equivalent with NRCS standards, as these practices will still achieve some level of nutrient and sediment load reductions.

What types of regional/local oriented training opportunities would prove most helpful?

- Need training directed towards engineers, developers, contractors, municipal managers, and inspectors in terms of green-oriented development and stormwater management practices and systems.
- There is a real gap in the single family home’s understanding of required septic system maintenance and knowing when their septic system is failing and needs to be maintained or replaced. A training program similar to “Master Well Owners” was suggested.
- There is strong disconnect between the regulatory and technical implementation agencies in terms of CAFOs, with the technical assistance/implementation agencies (NRCS, WVCA, WVDA) working with the producers on what they need to put in place on their lands, and the regulatory agencies (EPA, WV DEP) communicating that the practices the producer has put in place were not sufficient to meet the CAFO permit requirements. The situation may improve if inspection reports indicate which part of the farm has the issue.
- Need training for both the regulatory agencies and technical assistance/implementation agencies on addressing CAFO permit needs when working with producers.
- Need training directed towards producers to educate them about the CAFO regulations and what the implications are for their animal production operations.
- Need to find, document and then advertise real examples of BMPs implemented at agricultural animal production operations to bring them into compliance with their CAFO permits.

- Providing travel costs, meals, and continuing education credits will help ensure greater participation in the actual training sessions themselves.
- Provide training in the actual management and running of a watershed association, e.g. business skills, getting started
- Conduct training workshops for homeowners so that they understand the impacts of their individual actions, including not spraying sidewalks and driveways [with herbicide/fertilizer].
- Bring in recognized experts for training events at a reasonable cost.
- Training directed at small ‘hobby’ farmers.
- Develop training sessions in such a way so you actually get all the different groups—agencies, conservation districts, producers—working together at the same training session, but ensure that the training session is structured towards each of these different groups.
- Need interagency training on tracking, verification, and reporting on BMPs, including the WV University cooperative extension service.
- Support cost effective implementation training, starting with contractors, municipalities, and inspectors (e.g. teaching them what to look for when inspecting a site).
- Focus on developing training sessions which are more modular in nature so that they can be repeated time and time again.

Where and when would increased visibility of EPA in the watershed help with local engagement?

- Protect or restore EPA and NOAA funds and other CBP partners’ programs directed towards promoting environmental education in K-12 classrooms.
- Need EPA’s assistance with delivering positive messages with no regulatory overtones.
- Need EPA to stand in support of local officials who are moving forward with WIP implementation actions.
- Promote success stories where a local problem has been solved (e.g., grant recipient being an advocate within their community).
- EPA can help in communicating the regional approach and the regional connections of the locally focused work underway in West Virginia.
- Clarity on how/what to track on farms will preserve agency relationships with landowners. Having to go back to farm repeatedly to get it right will degrade that trust.

What communications support would be most helpful?

- Provide funding for the development of outreach materials (e.g., West Virginia’s Chesapeake Bay Implementation Grants).
- Identify local spokespersons/champions to speak on and promote action on specific issues. A local nutrient management specialist was one suggestion.
- Have already developed a brochure, looking into billboard advertising, but can’t find the funding sources. Participant said billboard companies might offer short-term free space but you need to pay for the artwork.
- Need support for developing, delivering, and placing message-oriented advertisements geared towards specific target audiences.

- Use social media as a principal communication mechanism, particularly for organizations with limited resources for communication.
- Develop and promote West Virginia messages and success stories to other Chesapeake Bay Program jurisdictions and partners.
- Work with agribusiness to provide information in a banner format, brochures, etc. within their places of business to reach directly to local producers.
- Target folks going to the local county court house to pay their property tax and provide them with relevant information directly through the payment system.
- Provide a direct discount to local property owners reporting the implementation of specific best management practices when they are paying their annual property taxes, with state or federal agencies reimbursing the county for the discounted property taxes.
- Develop education materials for homeowners with septic systems – look into how these materials can be required reading for permit holders.
- Explore opportunities to work with and learn from the members of the Upper Susquehanna Coalition, a coalition of 10 counties in the New York portion of the Chesapeake Bay watershed and 3 counties in Pennsylvania focused on working cooperatively to seek funding and actively target and implement projects and practices for local water quality and natural resource benefits.

Helping Support Tracking, Reporting and Verifying of Implemented Practices/Treatments

What specific steps/actions can EPA take to support WV's efforts for expanded tracking and reporting across all sectors?

- West Virginia's Chesapeake Bay Regulatory and Accountability Program grants provide funds that can be used directly in tracking, verifying, and reporting BMPs. It is currently being used for, among other things, 1 Full-Time Equivalent staff for tracking, reporting and verification.
- Need a federal employee, from NRCS or FSA, totally dedicated to Chesapeake Bay issues within West Virginia, who can help represent West Virginia on key CBP committees and workgroups, work directly with NRCS and FSA to ensure full tracking and reporting of the federal cost shared data, and be West Virginia's state and local agencies 'go-to' person for issues related to USDA programs.
- Focus on how we can streamline the BMP data collection, verification, and reporting efforts and build on other ongoing activities.
- Work to minimize the number of visits to individual producers by multiple people.
- Recognize that follow up check-ups will be a lot less labor intensive than establishment of the initial baseline.
- There is a high level of frustration with the varying requirements for practice documentation and the differences between NRCS standards and the Chesapeake Bay Program partnership's accepted BMP names and definitions. Great example of data not routinely being collected is for fencing—NRCS is not collecting information on the location relative to a local stream nor the width of the buffer between the fence and the stream.
- In terms of the Regional Development Councils in Region 9 and Region 8, they could play an important role in the tracking and reporting of stormwater BMPs. Perhaps hire

staff dedicated to supporting these data collection and reporting efforts, especially for sites less than one acre. They could be informed of DEP's new framework for tracking stormwater BMPs for sites one acre or greater.

- Need to start conversations with the counties and the municipalities about their roles and partners' roles in tracking, verifying and reporting stormwater BMPs, and the progress documented from these actions. They are also interested in agriculture BMP progress and other sectors.
- Request that CAD drawings be provided for each new development from the developers for incorporation into the respective county's GIS system for use in helping track and report stormwater management BMPs and systems. Making developers provide the CAD drawings on a routine basis will require a change in local ordinances.
- Seek funds to support conservation district or RC&D efforts to conduct intensive farm by farm assessments in West Virginia's Potomac River watershed to establish a solid baseline of agricultural conservation practices.
- EPA challenged the West Virginia partners to draft up a comprehensive funding proposal to establish its farm by farm baseline of conservation practices in place as a one-time, intensive survey across all eight counties with the commitment to then work with West Virginia partners to market the proposal to potential funders (e.g., Bay Funders Network).
- Cacapon Institute has already drafted a proposal and submitted it to Urban Waters EPA grant, but it was not selected. The proposal outlined an approach to organizing the existing watershed organizations in the Eastern Panhandle.
- Reach out to the other Chesapeake Bay watershed jurisdictions and learn about the different approaches to BMP verification that have been tried and what worked/did not work, and then select what would work in West Virginia, tailor it, and adopt it.
- In building a database for MS4s, there is a need to understand exactly what sets of information the counties will need to collect/report/verify so that they, the counties, can build the database only one time.

What outreach/education opportunities could be explored to ease producers' concerns with expanded tracking and reporting, and verification process?

- Recommend the development of an integrated set of consistent messages and mechanisms for communicating the tracking, verifying and reporting processes, using existing newsletters (e.g., extension service, FSA) and other similar means, to the agricultural community.
- Clearly communicate that the producers' names and the GPS location of the individual conservation practices will not be shared—the data will be aggregated up to the small watershed scale or other larger scales to protect business confidential information.
- Farmer to farmer communications are very effective.
- The earlier described concept of a tax break for people reporting BMPs could also apply here.
- Need to look into a state agricultural cost share program for West Virginia to provide the opportunity for covering/reimbursing the above described tax break.
- Need to target communications efforts towards specific geographical areas—e.g., Warm Springs watershed with over 300 septic systems operating in very poor soil conditions with many old systems—where attention and action is really needed.

What are some ideas for balancing time and resources between implementation and tracking, reporting, verification?

- There is already a system in place with the existing NRCS and FSA programs for accessing the cost share programs. These programs provide even more information that is directly relevant to BMP verification—need to take full advantage of these existing systems which will take us a long way down the road.
- We need to make better use of the entire nutrient management planning process for also gathering information on other practices being implemented on the farm.
- Once West Virginia establishes the initial baseline of conservation practices in place on farms, the follow up checks with the producers becomes that much more easier and a lot less expensive.
- We need to be asking NRCS field staff to collect a limited number of additional pieces of information—examples being width of the buffer—at the same time they are already gathering information they are required to collect as part of their cost share programs.
- EPA will work with NRCS and FSA to resolve the identified reporting issues regarding the cross walk between NRCS standards/codes and CBP BMP definitions, as well as ensuring NRCS captures and reports the additional data needed to ensure jurisdictions can report and get credit for a longer number of cost shared practices using a common set of units.

Setting the Agenda for Expanding Monitoring in West Virginia's Potomac River Watershed

- Is the ongoing monitoring by Jefferson County useable by the state and federal agencies? How can the county and others conducting monitoring ensure that they collected data is helping inform management decision making?
- How much of the other states' portions of the Chesapeake Bay watershed are currently covered by the existing monitoring stations?
- A top priority is to know the quality of the waters comes out of Virginia and into West Virginia.
- WV producers want to understand the quality of the waters of the Opequon Creek coming in from Virginia (and the same for the Shenandoah River) so they can fully understand what they are responsible for and that others are also being held accountable in order to clean up local creeks and rivers.
- Really need to hear the local partner priorities on the possible set of new stations—Sleepy Creek, New Creek, Warm Springs, station on the lower Opequon Creek, Opequon Creek on the border with Virginia, and the Shenandoah River on the border with Virginia.
- Conservation districts may have funds available for funding the establishment and continued operation and maintenance of the additional stream flow gauging stations paired up with the new proposed water quality monitoring stations.
- Does the collected monitoring data and its analysis of trends in concentration and loads trump assessments of progress conducted through the Bay watershed model?
- What is the lowest downstream station on the Opequon above the Potomac River? (Currently it is at Route 9)
- Are there opportunities for volunteers to operate the stream flow gauge stations?

- Need to place priority on establishing new stations on those creeks/ivers where there are clearly defined water quality problems.
- The current set of ten Chesapeake Bay Program partnership's funded water quality monitoring stations in West Virginia will capture flows and nutrient and sediment concentrations and loads from about 74 percent of West Virginia's watershed that flows into the Chesapeake Bay.
- From a June 21, 2012 meeting of USGS, University of Maryland, Interstate Commission on the Potomac River Basin, West Virginia Department of Environmental Protection, and West Virginia Department of Agriculture, colleagues focused on a holistic review of water quality monitoring underway and planned in the West Virginia Potomac River watershed. As a result, a set of recommended additional monitoring stations has emerged.
- Implementation of monitoring at these additional six water quality monitoring stations will ensure flows and nutrient and sediment concentrations and loads from about 85 percent of West Virginia's watershed that flows into the Chesapeake Bay will be directly monitored.
- Priorities for the establishment of new water quality monitoring stations based on two very informal rounds of voting by the assembled local partners were as follows:
 - 1) Opequon Creek station on the state line with Virginia
 - 2) Lower Opequon Creek station
 - 3) Sleepy Creek station
 - 4) Shenandoah River station on the state line with Virginia

Wrap Up and Summary of Key Decisions and Feedback

- EPA colleagues will write up a summary of all the feedback, recommendations, issues, concerns, and ideas voiced during the meeting and work with the West Virginia state agencies to distribute the meeting summary to all meeting participants.
- EPA also committed to follow up with a set of recommended follow through actions based on the compiled feedback from the meeting.
- EPA will work with the West Virginia state agencies to distribute the summary of the July 11, 2012 meeting with West Virginia state agencies (WV DEP, WVDA, and WVCA), WVUCEU, NRCS, and FSA senior managers to all meeting participants.
- All meeting presentations and handouts will be posted on West Virginia's Watershed Implementation Plan web site along with the meeting summary.
- EPA committed to using the collective feedback and direction from the meeting (and the July 11th meeting with West Virginia state agency senior managers) as its principal 'to do' list in working with West Virginia state, local, and federal partners in support of the implementation of West Virginia's Watershed Implementation Plan for the Potomac River watershed.

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