

# Region 3 Nonpoint Source Program Annual Report Guidance (7/11/02)

## A. INTRODUCTION

Section 319 of the 1987 amendments to the Clean Water Act required States to establish a Nonpoint Source (NPS) program by identifying their NPS impaired or threatened water resources, and to develop and implement controls to improve or prevent water quality impacts to those specified waters. States were to report progress and success in implementing these programs and controls, and to the extent possible, report on water quality improvements.

Specifically, three subsections of 319 confirm the requirement to report on the program:

1. §319(h)(8) - Progress in meeting schedule of annual milestones specified in the States NPS Management Program;
2. §319(h)(10) - request for information, data and reports;
3. §319(h)(11) - Annually report nonpoint source pollutant loading and water quality improvements.

With the substantial increases in EPA 319(h) funding, as well as other federal and state initiatives to fund efforts to address NPS impairments, it has never been more important for state NPS agencies to highlight the progress of their programs by outlining the major goals/objectives, progress towards achieving the goals/objectives and future challenges meeting any goals.

To assist states in meeting these requirements, and to document to Congress and to the general public the usefulness and need to continue federal, state and local support of states NPS Programs, we have outlined below simplified guidelines for the development of a State NPS Program Annual Report.

With the encouragement and support of states, EPA, began an initiative to improve the process for reporting state NPS Programs in 1998. This initiative focused not only on the objectives of reporting on the state NPS Programs, why reporting was necessary and how it could be improved, but also on how it could be beneficial to the state by improving legislative support and gaining support and participation from new and growing watershed stakeholders.

This guidance focuses on the content and format for a state's NPS Program Annual Report. The content guidelines will focus on clarity, brevity and conciseness. We intend to embrace many of the concepts contained in "Corporate" style annual reports. This format is summarized in below.

## **B. STATE NONPOINT SOURCE ANNUAL REPORT**

The objective of the NPS annual report is to communicate to investors. Investors include not only Federal and State government, but also all stakeholders that have an interest and desire in the watershed to have fishable/swimable water. The report must clearly identify the problem and display progress in achieving priority goals and objectives established in state NPS Management Plans.

The Report should also outline a vision of the future, identifying priority goals and objectives of the program for the year to come. As such, the report provides insight and leadership to those who *invest* in the program, and thus continue to invest and support the program.

The Report shall be limited to reporting on progress on priority goals/objectives that show a clear path towards achieving clean water goals and include progress for all ongoing activities supported with State, local and other Federal funds. The Report shall highlight other areas of emphasis such as:

1. Success stories supported with §319(h) funding that show how program goals are being achieved.
2. The growth of volunteer efforts as an indicator that the ongoing nonpoint source activities are beginning to change behavior in watersheds.

States' lead NPS agencies are encouraged to communicate with other agencies, organizations, and private citizens to gather as much relevant information as possible to prepare the report. The NPS program involves many players from several different levels of government and private organizations that contribute to total program success, and consequently to success in improving and protecting water quality.

EPA's objective is to not only document the application of statutory requirements, but to allow for additional information that provides a full and accurate accounting of NPS activities, successes, and needs. Congress, State and local governments rely heavily on this information to determine practicality, feasibility and viability of the program for future funding support.

## **C. ANNUAL REPORT FORMAT**

The annual report format should provide information vital to the NPS program in a clear and concise manner. In general the document should not exceed 30 pages not including appendices. The use of charts, maps, photos special fonts and graphics are highly encouraged. The following format guidance attempts to meet these objectives.

## **I. Mission and Goals of the State's NPS Program**

The State could highlight priority goals of the NPS Management Program. Describe what the overall mission/goal is of the State's NPS program. Tell how this mission and these goals will reduce or prevent impact to water quality from nonpoint sources. Be short and to the point.

Other goal statements should be mentioned as well, but should not exceed one page.

## **II. Executive Summary**

This section should be a rallying for the program. It provides information on program progress in the previous year and outlines what is needed in the coming year. The Executive Summary is where *investors* will get most of their information, and is where they will ultimately decide if and how they want to participate in efforts to address NPS impacts. This section is an opportunity for the State to highlight areas of its program that have been successful, but it is also the section to note areas of concern (why some shortcomings occurred; e.g. the state legislature cutting funding for NPS monitoring efforts).

The Executive Summary may also summarize policies that have had either negative *or* positive implications for the program.

Finally, the executive summary should indicate areas of program needing improvement, and what the agency is going to do to increase visibility of the NPS program.

## **III. Overview**

A description of the nonpoint source problem facing the state and a brief description of the state's program, not to exceed 2 pages.

## **IV. Major Accomplishments**

This section should be brief, and only highlight those programs, projects, and watershed initiatives that help achieve goals and objectives in the management plan. This section should be organized similarly to the management program sections with a focus on the priority goals, objectives and milestones that were identified in the prior year's executive summary. A separate category/subsection can be included for watershed initiatives that support achieving goals in multiple NPS categories. Links to web sites for further information on program success and water quality is encouraged. Every effort should be made to directly link each major accomplishment towards achieving specific priority goals and/or objectives/milestones.

In addition, states must report on their load reductions achieved through program implementation. States are also encouraged to use best professional judgment as to

the contribution their programs have made towards improving water quality. Of course, they might not think the program has not done much at all to improve water quality in the last year -- in that case, States should say why that is the case (and not just ignore the question, even if the news is not good).

## **V. Areas of Concern/Recommendations/Future Actions**

This section should identify the challenges the state faces in achieving its goals and objectives in the future. It should also include a summary of state priorities for the next year, as well as future years. The state may decide how far in the future it wants to go; however, EPA recommends that no more than five years be used, as per state NPS management programs.

Appendix

### **A. Financial Information (from GRTS)**

	<u>Federal - 319(h)</u>	<u>Match</u>	<u>Other Sources</u>
Current year			
Total Cumulative since 1990			

### **B. List of Agency Cooperators**

1. State Lead Agency - Contacts
2. Other State Agencies - Contacts
3. Federal Agencies - Contacts
4. Local Agencies - Contacts

### **C. Detailed report on all milestones(optional)**

#### **Attachment**

Excerpts from existing and or slightly modified reports that showcase many of these elements.

## **Examples**

### **I. Mission and Goals of the State's NPS Program**

An example Mission Statement might be:

The State supports implementing a dynamic, effective Nonpoint source program designed to achieve and maintain beneficial uses of water resources.

A goal to achieve the mission statement could be:

Support effective cleanup and restoration in priority watersheds affected from nonpoint sources. The State has targeted four watersheds that have been determined to be most impacted or threatened. This year's efforts will target the Morgan Town, Boydston Point, Monahans, Wagoner and Brookville watersheds for extensive Federal, State, and local support to address NPS impacts.

Other goals could be:

Restoring and protecting the water quality of the State streams, rivers and lakes will require preservation of existing natural habitats and restoration of damaged areas not capable of restoring themselves. Strategies to meet this goal are outlined in the State's NPS Management Program.

Continued efforts to determine effectiveness of this program are necessary to reduce NPS impacts to water resources. Such continual monitoring and evaluation of water quality is essential to determining policies and regulations that discourage or eliminate NPS impacts.

The number of goal statement should not exceed one page.

### **II. Executive Summary**

Here is an example of the kinds of achievements a State might highlight in its Executive Summary:

This year we successfully completed a cooperative project in the Costilla Creek watershed that resulted in, for the first time in 25 years, a return of the Rio Grande cutthroat trout. Also, for the first time in the history of the NPS program, the State legislature increased funding for the NPS program to \$2 million annually. Financial support from local RC&D's increased 20%, totaling \$575,000 for the fiscal year.

As mentioned above, the Executive Summary may also summarize political policies that have had either negative *or* positive implications for the program:

Residents of the eastern part of the State are pressuring their representatives to support restoration of bottom land hardwoods in areas highly affected by soil erosion and sediment problems in local streams. In addition, State leaders are working with USDA/NRCS to identify ways to target EQIP funds for fencing cattle out of streams, and locating watering ponds in various locations. State legislators have proposed line item funding in the amount of \$400,000 to match EPA 319(h) funds of \$600,000 to support restoration of streambank buffer strips along the Arkansas River. In addition, the Natural Resources Conservation Service and the State Soil and Water Conservation Commission is providing financial support and resources in totaling of \$300,000 for technical assistance to row crop farmers to reduce the impact of farming practices detrimental to water resource quality.

A good current example of an Executive Summary included in an annual report can be found in Oregon’s FY 2001 report, which is located at: <http://www.deq.state.or.us/wq/nonpoint/nonpoint.htm>; pages 3-4.

**III. Overview**

Here is an example of how the Overview section might be constructed:

Like the preceding years in the State of Nirvana program, 2001 was extremely rewarding and productive. During the second year of implementing Nirvana’s Water Quality Plan to Control Nonpoint Source Pollution, several milestones were reached or exceeded that indicate successful momentum towards improving the State’s water quality. Improved communications and cooperation among Federal and State agencies, local governments, and non-government organizations (NGOs) plus increased monitoring and enforcement were hallmarks of the program this year. During 2001, Nirvana implemented water quality protection and enhancement programs both statewide and on specific or individual watershed basis. The statewide programs focused on agriculture, forestry, mining, urban storm water, hydromodification and education. Watershed programs were targeted within the Chesapeake Bay, Inland Bays, along with the Nice River and Super River Watersheds. Highlights from 2001 include: .....

This annual report and status is broken into [number] primary sections: a brief annual report highlighting significant achievements in meeting goals and milestones listed in the State NPS Management Program; TMDL status and implementation tracking in appendix --, detailed agency program implementation status and results in appendix --, etc.

Two good current examples of Overviews included in annual reports can be found in:

West Virginia's FY 2001 report, located at [web address]; pages 2 – 3  
South Carolina's FY 2001 report, located at [web address]; – page 1

#### **IV. Major Accomplishments**

Current examples of Major Accomplishments linked to goals included in annual report:

Delaware modified FY 01 Annual Report (attached)

Load Reduction Discussion example:

Part of the State's overall NPS Management Program is the Clean Water Act Section 319 program. A portion of the State's Section 319 project funding is used for implementation of practices on the ground that help mitigate NPS pollution. We estimate that from this subset of Section 319 projects, the State has achieved a reduction in FY 2003 of X pounds of nutrients, X pounds of phosphorus, and X pounds of sediment.

These numbers are rough estimates derived from a simple modeling approach, and for the most part have not been verified empirically. Although it is difficult to ascertain exactly how much improvement in water quality has resulted from these reductions (or how much degradation of water quality was attenuated), there were improvements in a small number of assessed watersheds where Section 319 projects were implemented.

or the second paragraph might be something like this:

These numbers are rough estimates derived from a simple modeling approach, and for the most part have not been verified empirically. The reductions from Section 319 implementation projects seem to have had a limited affect on improving water quality. This is probably because rampant development in the State continues to degrade many of our urban watersheds.

#### **V. Areas of Concern/Recommendations/Future Actions**

A good current example of Areas of Concern/Recommendations/Future Actions included in annual report can be found in Oregon's FY 2001 located at <http://www.deq.state.or.us/wq/nonpoint/nonpoint.htm>; pages 23-24.