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State and Tribal Recommendations and Special Concerns

In their 2000 Section 305(b) reports, most states, territories, and commissions (hereafter referred to as states) and tribes included a section that focused on priority challenges and recommendations for improving water quality management programs. A wide and diverse array of concerns and suggestions were expressed, ranging from immediate technical needs to broad, long-term programmatic and policy directions. This discussion briefly summarizes key recommendations made by these organizations. No attempt is made to prioritize or critically assess these recommendations, and the discussion does not reflect EPA endorsement. Many of the directions mentioned, however, do coincide with current EPA program concerns and priorities.

The most commonly stated recommendations and issues of concern fell within seven general topic areas:

- Controlling nonpoint source (NPS) pollution
- Toxic contamination
- Protecting ground water
- Financial/resource needs
- Monitoring and data management
- Protecting ecological integrity
- Regulatory/legal concerns.

Controlling Nonpoint Source Pollution

Most states and tribes expressed a need for the continued and accelerated identification, prevention, and control of NPS pollution. These sources included both urban and rural sources and associated nutrients, mud and silt, litter, bacteria, pesticides, metals, oils, suds, other pollutants, and associated impacts to aquatic habitats. Water resource issues, primarily involving hydrologic modification, were also highlighted by several states.

The need for more public participation and outreach was seen by several jurisdictions as a fundamental challenge. Of particular interest was educating the public about NPS pollution and developing guidelines for best management practices. Some reports mentioned a need to emphasize pollution prevention, education, and voluntary efforts (in addition to regulatory efforts) to improve water quality. Examples of approaches included water use and conservation, pollution prevention demonstration projects, volunteer water quality monitoring efforts, wetland protection, and community assistance.

The most frequently reported recommendations address several major concerns:

- *Controlling nonpoint source pollution*
- *Toxic contamination*
- *Protecting ground water*
- *Financial/resource needs*
- *Monitoring and data management*
- *Protecting ecological integrity*
- *Regulatory/legal concerns*

Recommendations often cited by the states, tribes, and territories concern NPS pollution.

States would like better coordination of ground water protection programs such as data collection, analysis, and research.

Better monitoring is needed as well as better coordination of monitoring programs.

Toxic Contamination

Problems in the cleanup and prevention of toxic contamination remain a priority concern for many jurisdictions. Sources of toxics were noted as being widespread, and included both point (municipal and industrial treated wastewater) and nonpoint (urban stormwater and agricultural runoff) sources. Some sources of toxic pollutants are ongoing—e.g., atmospheric deposition was suspected as the source of increasing levels of mercury in fish—while in other cases, toxic chemicals continue to persist in the environment even though they are no longer being used. The states cited a lack of understanding of sources of toxics in sediments, high expense and difficulties associated with cleanup, and other issues such as problems finding dredge and disposal sites or concerns about impacts of wetland creation with toxics present in the sediment. Several reports mentioned a lack of monitoring data and the need for an assessment framework to help determine impairments. Toxic pollutants in fish tissue have resulted in fish consumption advisories for persistent and carcinogenic organic compounds and highly bioaccumulating compounds that need improved detection limits. Several jurisdictions cited concerns about whether monitoring data that are based on total recoverable metal analyses and detection limits above aquatic life criteria accurately represent conditions toxic to aquatic life.

Protecting Ground Water

Several reports mentioned lack of coordination among the many federal, state, and local agencies responsible

for various components of ground water protection programs such as data collection, analysis, and research. Sometimes this lack of coordination resulted in poor or incompatible data and lack of information sharing and, at other times, programs operating at cross-purposes. Resource constraints added to the problem of consistently preventing or dealing with standard violations. Finally, the absence of comprehensive ground water monitoring networks and the need for better educational programs for those involved in the application of farm chemicals, for transporters of hazardous waste, and for the general public were seen as a hindrance to ground water protection programs.

Financial and Resource Needs

Many states and tribes expressed the need for additional funds to meet priority needs or even maintain current levels of effort. The most commonly cited funding needs were for enhancing NPS management programs, monitoring and data management, “on-the-ground” pollution control construction and maintenance, controlling urban stormwater and combined sewer overflows, and toxics cleanup.

Typical suggestions to remedy funding problems included increased Congressional appropriations, increased State Revolving Fund (SRF) resources, and the removal of disparities in matching funds requirements. Other suggestions included additional general fund appropriations, authorizing increased discharge fees, full funding of Safe Drinking Water Act amendments, and use of federal highway funds to include stormwater treatment structures.

Monitoring and Data Management

A frequently cited recommendation was the need for increased quality and quantity of water data as well as better coordination and management of existing data among water quality programs at all levels. State recommendations for improvements in information and data were closely tied to needs for additional funding and priorities for monitoring programs. Some states noted a particular need for attention to better ground water data. Current ground water data are scattered and not readily accessible, impeding efforts to standardize and integrate ground water into assessment efforts.

Some states and tribes continued to recognize the need for improved data management capabilities. In some cases, training and technical transfer were seen as priorities. States also recommended improved hardware and software standards to aid data exchange across programs. Several states identified support for modernized STORET implementation and improved access to other federal databases as high priorities.

Protecting Ecological Integrity

Protection and restoration of aquatic life and ecological integrity was a common theme of many state and tribal comments. Topics raised included concern over habitat and riparian impacts, need to maintain biodiversity, need to strengthen wetlands protection and restoration, concern over fish and shellfish contamination, and concern over the Gulf of Mexico “dead zone.”

Regulatory, Legal, and Jurisdictional Concerns

Several recommendations and challenges were provided in the 2000 305(b) reports that focused primarily on issues that are fundamentally regulatory, legal, or jurisdictional in nature. Many of these focused on either TMDLs and ongoing implementation of Section 303(d) of the Clean Water Act, or the need to develop new and improved water quality criteria and standards.

Conclusions

A considerable variety of challenges and recommendations were discussed in the 2000 reports. Many pressing problems seem to have root causes in resource constraints, lack of adequate monitoring data, or lack of coordination among multiple agencies responsible for the same issue areas. The states and other governing entities recommended that Congress address financial/resource problems so that, at the minimum, basic and priority activities can be implemented. The reports also indicated the need for proper coordination and data integration among different programs to improve efficiency and fully use scarce resources. The states recommended flexibility in developing programs tailored to individual conditions and needs, especially for issues that can vary widely between regions, such as ground water and NPS pollution management. And finally, the importance of wider public involvement was a common theme, especially for dealing with complex problems like NPS pollution, where control options are difficult or expensive.

Improved public outreach and education is needed, particularly concerning NPS pollution management, wastewater operation and maintenance, and general water quality and resource management.