

Coming Together for Clean Water

U.S. Environmental Protection Agency

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Blog Comment Summary

EXECUTIVE SUMMARY

Education. Coordination. Enforcement. These three words reflect what the public would like to see from the Environmental Protection Agency and its partners in taking on watershed protection, nutrient pollution, and stormwater runoff.

Throughout the comments comes a call for outreach, and helping individuals realize the impact of their actions—whether fertilizing the lawn or fertilizing their soybean fields—can have on our water. Helping create a sense of ownership among citizens for their water resources can also foster a motivation to keep them healthy.

To widen participation in EPA's Coming Together for Clean Water event, the Office of Water established an online discussion forum to gather public input on the conference's three main topics. In the two weeks the forum was open, we received hundreds of thoughtful, practical comments from a variety of water professionals and concerned citizens. The Agency has attempted to summarize as accurately as possible comments received in this report. This report does not represent the views to EPA. A list of the comments by category will be provided at the meeting.

Topic 1: The Watershed Approach

Commenters were prompted with the following questions:

- If you have experience with protecting watersheds, what has worked and what hasn't?
- How can we protect and improve watersheds given the challenges of various sources of pollution?
- What examples of effective practices and strategies can be "scaled up" to state and national levels for greater effectiveness and broader use?

The responses reflected a wide array of experiences with water issues, from engineers to state and local environment officials to geographically based activists. Many offered specific tactics for keeping watersheds healthy, such as mandating riparian barriers or corridors, or constructing drainage areas near developments. In addition to these specific suggestions, several themes arose. Many people expressed that the watershed approach, despite some flaws, was an effective way to protect our waters.

Many comments touched on the role of agriculture in keeping pollution out of watersheds. Most of these saw agriculture as a source of much pollution, both from soil nutrients and manure runoff. While several people pointed to large Concentrated Animal Feeding Operations (CAFOs) as the main source, others acknowledged that these operations were actually the most heavily regulated and suggested small and medium sized concerns should be treated similarly. Many people advocated to treat agriculture pollution as a point source in order to more thoroughly regulate and control it.

Another theme related to the unwieldy nature of watersheds, which often cross many political jurisdictions. Given their size, addressing watershed health on a county-by-county or even state-by-state basis is unrealistic. As several commenters mentioned, it's impossible to enforce one standard when developers in the next city over don't have to follow the same standards or are allowed to dump whatever they want into the river. Many pleaded for increased coordination of local, state, federal, and non-governmental policies and actions to allow for more cohesive planning and implementation.

A final common thread was for the need to instill a sense of ownership of a watershed in the people who live and work within its boundaries. Many commenters saw this as the key to sustained, realistic watershed protection. When people realize their actions affect the water they use and rely on, commenters argued, they will be more conscientious about their lifestyle choices. For all the common-sense suggestions and success stories, many people acknowledged keeping a watershed healthy or restoring one are vast, complicated tasks that require energy, resources, and commitment from a variety of entities to resolve.

Frequently mentioned specific topics: regulating/banning lawn chemicals, encouraging the use of riparian barriers, stopping application of sewage sludge, no-till farming, removing dams to restore natural hydrology

Topic 2: Managing Pollutants from Nutrients

Commenters were prompted with the following questions:

- What critical elements need to be included in an effective nutrient strategy?
- How should the strategies differ for protecting healthy and functioning watersheds versus those that need to be significantly restored due to previous pollution?
- What has worked for your organization, state, or tribe in controlling nutrient pollution? What hasn't?

One topic dominated throughout the discussion of nutrients: agriculture. While most commenters saw CAFOs and other large agriculture concerns as the prime source of nutrient pollution, some came to the defense of the farming community and lauded them as partners in environmental stewardship.

Many expressed a perception that the agriculture industry was treated differently from other polluting industries, or that it benefits from "loopholes" in Clean Water Act regulations. One such frequently mentioned exception involved the redistribution of manure. Many felt CAFOs should be accountable for the final use of any manure, even if sold to another party.

Several comments pointed out that large-scale farms operate much like any other factory or business and produce similar or even greater amounts of pollution, yet are not regulated as stringently. Many called for agriculture to be treated as a point source and regulated as such, or for stricter enforcement of current laws (and levy harsher fines as a result). Others, though, pointed out CAFOs are already highly regulated; smaller farms should be subject to similarly strict rules.

Some people argued for a more cooperative approach, one that sees farmers as stewardship partners rather than adversaries. Concerted outreach and education could help them realize the consequences certain practices have on water, and how alternative methods and best-

management practices would be better for their land and crops as well as our natural resources. Several people presented a different side of the “partner” theme, arguing that farmers have a vested interest in keeping nutrients in the soil and are already doing everything they can in that regard.

Other concerns regarding nutrients included the role of enforcement and making current regulations more effective. Many also touched on the importance of TMDLs (Total Maximum Daily Loads) for impaired waters. Many people complained EPA is good at developing TMDLs, but not so accomplished in assuring their implementation and monitoring them. With stringent and consistent use of TMDLs and other existing regulations, they argued, we could solve many nutrient-related problems.

Frequently mentioned specific topics: agriculture, require/promote phosphate-free fertilizer, repair/improve infrastructure, treat for nutrient pollution in wastewater

Topic 3: Stormwater Pollution

Commenters were prompted with the following questions:

- In light of the principles of smart growth, including green infrastructure, what practices or approaches have you seen in urban settings that have been effective in supporting achievement of the CWA goals?
- What additional practices or approaches do you believe hold potential to support achievement of CWA goals?
- What actions can EPA and others take to promote these practices or approaches in support of achievement of CWA goals?

Many contributors advocated prevention—through the use of green infrastructure and low-impact development—as the best way to deal with stormwater pollution. Again, greater variation was seen in how best to achieve this.

Many called for businesses to somehow account for the natural groundcover they remove or replace, and to more generally take responsibility for their stormwater. The use of specific techniques such as green roofs, rain barrels, or porous pavement were frequent suggestions. Commenters were split on whether businesses should be required or merely encouraged to adopt such practices. Those of the former opinion want to see cities incorporate stormwater regulations into their building codes and permits, while those advocating voluntary methods discussed cost-sharing or incentives and direct outreach.

Other commenters discussed what one referred to as “smaller laws”—those aimed at individuals, such as littering and pet waste removal. By reaching out to homeowners and community members, the water sector can help these groups understand their role in preventing stormwater pollution.

As in other sections, the permit process and enforcement was a frequent issue in managing stormwater. Several people commented that National Pollutant Discharge Elimination System (NPDES) permits were inconsistently and even unfairly enforced. One business owner and permit holder shared his frustrations over being a frequent target of enforcement officials, while a neighboring business that did not hold a stormwater permit was ignored.

Above all, contributors see stormwater as a local issue, one that cities and municipalities must control. They also see it largely as a positive opportunity, where businesses and homeowners can become partners in pollution prevention through outreach and education. By showing residents how their community benefits from controlling stormwater, more people will be willing to contribute to the effort.

Frequently mentioned specific topics: low-impact development, require developments to retain stormwater onsite, build stormwater requirements into building permits, demonstrate cost savings of LEED or low-impact development to businesses.