

more stringent regulations, better preparedness and more research regarding the effects of unregulated or under-regulated chemicals. The NPS Program's received many calls from concerned citizens and although not directly involved was able to provide some outreach assistance to the local community by partnering with the City of Charleston's Stormwater Utility and sponsoring several rain barrel workshops. Water re-recycling and re-use became and still is very popular and the local population is making connections to the drinking water and the water quality of our streams and rivers. A major outcome of this disaster was the recent passage of Senate Bill 373 (SB-373), a bill relating to water resources protection. The bill has three parts:

1. Development and submission of Source Water Protection Plans (SWPP);
2. Public Water Supply Protection Act; and
3. Above Ground Storage Tank Act.

Although no specific goals and objectives have been identified at this time SB-373 provides opportunities for § 319 resources to be used, especially to assist WVDHHRs SWAP Program expand their source water assessment and protection efforts, **and** engage citizens, which is a required element of the SWPP. Go to <http://www.wvrivers.org/> to download the Citizen's Guide to SB-373.

Stream Restoration

West Virginia has over 32,000 miles of streams. Its rugged terrain and steep mountains result in some of the most beautiful headwater streams on the east coast. Anthropogenic impacts, such as agriculture, timber harvesting, resource extraction, and urban development over the past 300 years have resulted in increased velocity of stormwater and instability in stream channels. This instability causes erosion and sedimentation, eliminates stream habitat, reduces the efficiency of nutrient processing, and contributes to nonpoint source pollution.

Stream restoration projects are a consideration in all nonpoint sectors and are accomplished in cooperation with many of the same partners and programs. WVCA provides technical assistance and project oversight on stream restoration in agriculture and urban lands. WV's ILF program and mitigation funds have been brought to bear to complement and enhance nonpoint source projects. Trout Unlimited, Canaan Valley Institute, USFWS and WVDNR have provided project planning and assistance for a variety of nonpoint source projects. Multiple opportunities exists for stream restorations projects in priority watersheds and statewide.

Chapter 5 – Administration and Coordination

The NPS Program manages and coordinates the statewide program through various cooperating agencies, non-profits such as watershed associations, colleges and universities, conservation districts, NGOs, municipalities and others. As implementation efforts are initiated, close coordination is necessary to insure that individual program elements are adequately being addressed. Because plans are never static, there may be a need to revise implementation elements. Any changes in implementation procedures must first receive approval from the NPS Program, and if approved, be reported to the US EPA project office.

The NPS Program provides funding directly to agency partners, watershed associations, other non-profits, NGOs, colleges and universities and others through sub-grants. Project proposals for WBP development, project and BMP implementation, monitoring, and education and outreach are reviewed and approved by the NPS Program. Management and oversight of the existing sub-grants related to NPS projects is a necessary aspect of the work load.

Responsibilities include preparing, reviewing and approving WBPs and watershed restoration project proposals; preparing program guidelines and policies; delegating program activities to state and federal agencies through negotiations of interagency agreements; oversight of agency and partners progress in implementing field work; analysis and evaluation of water quality impacts from NPS pollution; and managing financial budgets.

US EPA has mandated the use of GRTS for tracking 319 grants and submitting progress status reports. The NPS Coordinator is responsible for maintaining West Virginia's portion of GRTS. The NPS Coordinator is also responsible for providing guidance to our partners so that the necessary data elements that need to be reported are provided in the proposals and entered into GRTS. Coordination between the NPS Program and its partners is required in order to facilitate adequate and timely GRTS data entry and annual reporting.

A wide variety of training materials, mostly web-based, have been developed to provide information, guidance, facilitate reporting, and provide a means of submitting the necessary documents for watershed proposals. The next phase is the development of a tool to improve the submission of AGOs and watershed proposals. The NPS Program has developed an initial tool but the use of the tool has been slow to catch on thus far. Even with all the guidance manuals and the effort already provided we realize additional training is needed. Below are some thoughts for the next three years:

- The nuts and bolts of WBP developments
- The basics of how to read TMDLs, taking that information, and translating it to a WBP
- Nuts and bolts of reporting
- What is the most important and critical information needed for reporting?
- What is the best way to communicate the successes of your projects?
- How do we develop better and more sustainable partnerships?

These are just a few of the possible workshops. The focus for the next two years will be on reporting and sustainability.

Another goal is to have continuous submission of project proposals and a review process in place twice each year. We will develop a bank of proposals from which to choose from any given fiscal year, and communicate with the stakeholders so that they are fully aware of our plans for a particular project. For the last three years the number of watershed project proposals have far exceeded our § 319 allocations and we've had to either phase projects, not fund them, or look for other creative ways to cut back. This has been a challenge and impedes the implementations of WBPs. Over the years, our review processes have evolved, which allows us to make better decisions. The basic scoring rubric we use to help us decide on AGO funding is described below. We use a similar methodology to review watershed project proposals, except that the rubric is more intense.

Project Ranking - Example

Initial proposals include the organizations contact information, and consist of a brief description, including an initial budget. NPS personnel evaluate the initial proposals to determine which organizations will be invited to submit formal grant proposals. The proposals are evaluated on the criteria below using a 1-10 scale. High and low outliers are removed and rankings are determined based on the total score. The rankings are then compared to the amount of funding available and the awards will be determined based on the ranks and funding.

Criteria and ranking

1	2	3	4	5	6	7	8	9	10
Poor			Fair		Good			Excellent	

1. Project is nonpoint pollution related.
2. Project fits the mission of the NPS Program, and will benefit the watershed and/or public.
3. The project is an activity that would qualify for § 319 funding based on the appropriate planning or listing qualifications.
4. The project will result in a substantial benefit to the watershed and/or community either through reducing NPS pollution through BMP implementation, providing outreach and education, monitoring sources and causes of NPS pollution or sustaining/improving capacity of organizations to develop and manage future 319 projects.
5. The organization is viable with the capability to successfully complete the project.
6. The budget and total funding request is reasonable.
7. The organization has proven it is capable of completing a project and can manage grant funds responsibly.

Organizations that are invited to submit a formal proposal (e.g. workplan) must do so within 30 days of the invitation. The workplan must be submitted to the NPS Program Coordinator.

Program Evaluation

§ 319(h)(8) of the Clean Water Act provides that no § 319 grant may be made to a state in any fiscal year unless EPA determines that the state has made satisfactory progress in the preceding fiscal year in meeting the schedule specified in its NPS management program. EPA regions determine, based on an examination of state activities, reports, reviews, and other documents, as well as discussions with the state in the previous year, whether the state's progress for the previous fiscal year in meeting the schedule set forth in its NPS management program was satisfactory.

In addition to the federal evaluation, West Virginia will evaluate this Management Plan every **two-years** through key performance indicators (KPIs). These monitor how well the organization is working towards fulfilling their objectives. Evaluating the outcomes helps to keep the process of change moving forward. If the original strategy needs to be revised, it allows managers to make decisions that enable future processes of change to be more effective.

KPIs include the following:

- Stakeholder engagement
- Outcomes and impacts
- Benefits
- Learning
- Effectiveness of the project

The focus of our evaluation will be on the questions that need to be answered to demonstrate success. We will ask BCs to engage their project teams in this process, and Program Managers as well as the remaining staff will provide input from their experiences working within the 319 Program. We will use the following list of evaluation questions to answer the important KPIs. Note: This list may be expanded and/or revised as the process evolves.

1. Are goals and objectives being achieved or not? If they are, then acknowledging, reward and communicate the progress. If not, then consider the following questions.
2. Will the goals be achieved according to the timelines specified in the plan? If not, then why?
3. Should the deadlines for completion be changed (Note: Great care goes into this decision, it is important to know why efforts are behind schedule before times are changed)?
4. Do personnel have adequate resources (money, equipment, facilities, training, etc.) to achieve the goals?
5. Are the goals and objectives realistic?
6. Should priorities be changed to put more focus on achieving the goals?
7. Should the goals be changed (Note: Know why efforts are not achieving the goals before changing the goals)?
8. What can be learned from our monitoring and evaluation in order to improve future planning activities and also to improve future monitoring and evaluation efforts?

Funding

West Virginia's NPS Program is supported by a variety of funding sources. Statewide program activities, watershed restoration and watershed protection are all important to the program's success. Coordinated efforts among a variety of partners help the nonpoint source program diversify and extend our limited resources. Below are the primary sources of funding used for nonpoint source activities in West Virginia.

Abandoned Mine Lands Set Aside Fund

WVDEP's OAMLR has established an AMD set aside fund to address AMD problems. Dollars from the fund including all interest earned are used to for the abatement of causes and treatment of the effects of acid mine drainage from abandoned mine lands. In the past, these funds have been used for project construction of both active and passive treatment systems as well as O&M. Several projects, though not all, have been constructed in 319 priority watersheds in cooperation with the NPS Program.

Administrative and Civil Penalties

From time to time, WVDEP pursues environmental enforcement actions through administrative and/or civil penalties. Violations of mining, oil and gas, and construction stormwater permits resulting in monetary payments are sometimes made available for use for nonpoint source outreach and education, planning, and/or nonpoint source projects in priority watersheds.

Chesapeake Bay Program grants and funding

West Virginia accesses a number of financial resources made available through the Chesapeake Bay Partnership. Chesapeake Bay Program implementation and regulatory and accountability grants include and complement the NPS Program efforts. National Fish and Wildlife Foundation grants have also been awarded to nonprofits in West Virginia that are conducting nonpoint source outreach, education and projects.

Clean Water Act Section 106 Funds

WVDEP uses § 106 funds to support a number of activities related to nonpoint source pollution. WVDEP's Watershed Management Framework's five year cycle including watershed sampling and assessment; TMDL development and implementation; and environmental permitting and enforcement are supported by the 106 Program. Currently, WVDEP's statewide Watershed Coordinator, who provides supervision for nonpoint program staff, administers the SPP, coordinates the WV Watershed Network (WVWN), Watershed Celebration Day (WDC), and CB Program funding; and the Western BC, who conducts nonpoint source program outreach, assistance to local watershed associations, and develops and implements watershed plans are funded by 106.

Clean Water Act Section 319 Funds

WVDEP is the primary recipient of § 319 funds in West Virginia. WVDEP provides program and watershed project funding to partner agencies, nonprofits, universities, local governments, watershed associations and others to undertake nonpoint source education efforts, monitoring, demonstration projects, and BMP implementation statewide and in watersheds with WBPs.

Clean Water State Revolving Fund (CWSRF)

The primary long term goal identified in West Virginia's CWSRF FY 2013 Intended Use Plan (IUP) is to expand CWSRF accessibility by creating new financial assistance programs to address nonpoint pollution control problems. A secondary long term goal is to integrate the CWSRF into WVDEP's Watershed Management Framework to increase program effectiveness by targeting CWSRF funds toward higher priority watersheds. In 1997, the CWSRF funded its first nonpoint water quality projects through the WVDEP's Agriculture Water Quality Loan Program (AgWQLP) in partnership with the WVCA. The AgWQLP provides a source of low interest financing match funds to implement best management practices that will reduce agricultural NPS impacts on water quality. In 2008, WV's CWSRF began a program to eliminate existing health hazards and water quality problems from direct sewage discharges resulting from failing septic systems or direct pipes to streams.

This program operates statewide in cooperation with the WV Housing Development Fund and local county sanitarians. In 319 priority watersheds, NPS Program staff also facilitates the use of these funds. The CWSRF also funds West Virginia's Project WET (Water Education for Teachers) Program through its administrative fee account. Project WET, housed within the NPS Program, provides education and outreach on water quality and nonpoint source pollution to teachers and students statewide.

Local Watershed Association/Nonprofit Partner/Local Government Funds

Local watershed associations and other nonprofits often bring a variety of resources to the program. Contributions from local businesses, contractors, association members, local governments and other stakeholders, as well as fundraising and grant writing have brought match and/or operation and maintenance to nonpoint source projects. Watershed associations have accessed EPA Brownfields and urban watershed funding for nonpoint source projects.

Office of Surface Mining Watershed Cooperative Agreement Program (WCAP) Funds

OSM WCAP funds are provided to watershed organizations to complete local AMD reclamation projects on abandoned mine lands. Funds are limited to 33% of total project cost up to \$100,000. WV's NPS Program relies heavily on WCAP to match § 319 funds in priority watersheds.

USDA Farm Bill Program Funds

WV's NPS Program cooperates with NRCS and FSA to access USDA Farm Bill programs and funding. EQIP, WHIP, CREP, RCPP, Farmland protection, and wetlands reserve programs are the primary resources available in West Virginia to address agricultural nonpoint source pollution statewide. In 319 priority watersheds, a combination of funds is used to achieve a comprehensive watershed approach. Special programs, such as USDA's Regional Conservation Partnership Program (RCPP) and National Water Quality Inventory (NWQI) are also coordinated in West Virginia to select priority watersheds and implement agriculture best management practices.

USFWS Partners for Wildlife

The USFWS Partners for Wildlife program is very active in West Virginia, constructing fence and planting trees in cooperation with CREP and other programs to restore and protect riparian corridors. In 2013, the Program hit a milestone of 1 million feet of fence installed in West Virginia.

West Virginia Conservation Agency Agriculture Enhancement Program Funds

The WVCA has funds available through its Ag Enhancement Program (AgEP) for technical assistance and agricultural practices identified as priorities in Conservation Districts. The purpose of the AgEP, administered by the WVCA through local conservation districts, is to increase farm productivity by conserving soil and making wise use of agricultural resources and to improve water quality in the state's streams and rivers. Each of the 14 Districts identifies their own practices for funding.

West Virginia General Revenue Funds and/or Permitting Fees

WV state agencies, including WVCA, WVDA, WVDOF, WVDEP and others are supported by state general and special revenue funds, including permitting fees. Programs within state agencies, such as NPDES CAFO permits, groundwater permits, oil and gas permits, logging sediment control act and others protect rivers and streams from nonpoint source pollution and are funded through general and special revenue. Nonpoint source environmental enforcement activities related to nonpoint source pollution are supported by these funds as well.

West Virginia In Lieu Fee Program and/or Mitigation Funds

In some instances, it is possible for mitigation or ILF projects and funds to complement our nonpoint source projects in 319 priority watersheds. Long term operation and maintenance of passive AMD treatment projects and additional work on and/or feet of stream restoration using natural stream channel design has been obtained. WVDEP continues to look for opportunities where these programs can be coordinated to increase or enhance nonpoint source projects.

West Virginia Stream Partners Program

The Stream Partners Program (SPP) is a cooperative effort of the WVCA, WVDEP, WVDOF, and WVDNR. The Program is housed within the Nonpoint Source Program of WV DEP. The program provides \$100,000 annually to support the efforts of local watershed volunteers, many of whom partner with the Nonpoint Source Program on larger watershed planning and implementation efforts.

Other Funding Sources

Other funding sources used have included: US Army Corps of Engineers for watershed planning, USDA Rural Development programs for wastewater and failing septic, WVDHHR SWAP Program, WV Community and Development Block Grants, Regional Planning and Development Council funds, and EPA Clean Water Act § 604(b) funds.

Outreach

Accomplishing the goals and objectives of the NPS Program requires the maintenance of public awareness through the development of educational materials, public presentations, media, workshops as well as individual contacts. The NPS Program strives to promote the Program's efforts and educate the broader population regarding the need to reduce and control future impacts from nonpoint sources of pollution. By educating our citizens through training, workshops, informative materials, web-based information and the media, a climate of concern is built that will support strong polices, regulations and programs to restore water quality.

All NPS Program staff directly contributes to the accomplishments of the education component for agriculture, silviculture, wastewater, urban stormwater, acid mine drainage etc. We assist and participate in Project Wet activities, stream monitoring demonstrations, watershed outreach activities, and other environmental activities with academic institutions, 4-H, scouts, community groups and many others. As a supporter of the WV Watershed Network (WVWN) the NPS Program participates in

organizing and sponsoring Watershed Celebration Day (WCD). WCD is a two-day annual event that celebrates the accomplishments of watershed association volunteers. WCA provides an opportunity for these volunteers to network with other associations across the state as well as state and federal agencies, to share and learn new techniques. The volunteers are honored for their efforts with awards and recognition.

Two Statewide Programs are housed within the Nonpoint Source Section, Project WET and WV Save Our Streams, both promote the NPS mission statement **“To inspire and empower people to value and work for clean water”**. These programs are nationally recognized for their accomplishments and continue to inspire volunteers, teachers and students throughout West Virginia.

In addition, WVCA’s Watershed Resource Center (WRC) educates the public, watershed associations, and others on nonpoint source pollution and best management practices. The WRC houses an extensive website and disseminates information related to nonpoint source pollution. Assistance is also provided through a variety of efforts with targeted audiences ranging from one-on-one discussions to presentations made in large group settings. Education is delivered through distribution of brochures, fact sheets, conference presentations, watershed model demonstrations, hands-on field days, articles written on NPS topics and published in newsletters, project demonstration, presentations to school students, community groups, watershed associations, landowners, land/resource users, professionals, local farmers, developers, contractors, engineers, government representatives, the general public, and staff. The WRC also publishes its own newsletter quarterly, WaterNet, hosts Facebook and twitter sites, and provides desktop publishing as needed for agency staff and watershed associations.

Chapter 6 - Goals and Objectives

The NPS Program’s primary goal focuses on planning, development and implementation of comprehensive watershed restoration projects to remove streams from the state’s 303(d) list. The difficulty in coordinating a stakeholder driven process to implement voluntary compliance aimed at achieving mandatory water quality objectives is a special challenge. The development of realistic WBPs, effective project proposals, and the implementation of these projects is time consuming. The process requires a great effort and resources from all of the NPS partners and stakeholders.

Responsibilities include preparing, reviewing and approving watershed based plans and restoration project proposals; preparing program guidelines and policies; delegating program activities to state and federal agencies through negotiations of interagency agreements; oversight of agency and partners progress in implementing field work; analysis and evaluation of water quality impacts from nonpoint source pollution; and managing financial budgets. Actions involved in meeting these responsibilities include reviewing and managing U.S. EPA’s GRTS and NPS sub-grants; protecting water quality standards; assisting when needed in enforcement measures; coordinating with stakeholders and agencies the on AMD issues; with the NRCS and WVCA on agricultural issues; with a variety of agencies and stakeholders in the CBP; with WVDEP’s SRF Program to deliver loans to individuals to install agriculture BMPs and correct failing septic systems; with WVDEP’s ILF Program to align projects where feasible; with other agencies on the nonpoint aspects of developing and implementing TMDLs and WBPs, and designing technical measures to correct nonpoint source problems.