

9 Key Element Watershed Plans

What are they and why are they important?

Presented by: Andrew Craig
DNR Nonpoint Source Planning Coordinator
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"Nonpoint source pollution continues to be the leading source of water quality impairments throughout the United States." Draft Nonpoint Source Guidelines - November 2004

What are 9 Key Element Plans?

- Watershed based (HUC 12 size – 35 square miles)
- Goal: Restore impaired waters by reducing nonpoint runoff sources (agriculture and urban)
- Can also protect non-impaired waters
- Mimic TMDL's – Reduce pollutant amounts so waterbody can meet uses (fishable, swimmable, drinkable)
- **Framework to incorporate existing activities/plans:**
 - County LW plans, Farmland Preservation Program
 - NR 151 implementation, Ordinances
 - Grants – state and federal – TRM, NOD
 - Water Quality and Habitat Monitoring

9 Key Elements

- **Identify the causes and sources** that need to be controlled to achieve pollutant load reductions
 - Maps
 - Accounting of significant sources and background levels
- **Describe management measures that need to be implemented** to achieve load reductions
- **Estimate the load reductions expected from selected management measures**
 - SNAP+, STEPL, EVAAL, BARNY
 - Map priority areas and practices

9 Key Elements

- **Estimate amounts of technical and financial assistance, costs and authorities relied upon to implement the plan**
 - Long Term Operation and maintenance of BMPs
 - Monitoring and Evaluation
- **Information/education component** to encourage participation and plan implementation
- **Schedule** for implementing the management measure
 - 5, 10, 15 or 20 years?
 - Include plan milestones

9 Key Elements

- **Interim, measurable milestones** to assess if plan is being implemented
- **Set of criteria to determine whether plan objectives are or are not being achieved over time**

If little progress, how and when will plan be revised?
- **Monitoring component** to evaluate the effectiveness of the implementation efforts over time using criteria from above
 - Integrate with schedule and milestones

EPA Handbook for 9 Key Element Watershed Plans

Handbook for Developing Watershed Plans to Restore and Protect Our Waters

2.6 **Nine Minimum Elements to Be Included in a Watershed Plan for Impaired Waters Funded Using Incremental Section 319 Funds**

Although many different components may be included in a watershed plan, EPA has identified nine key elements that are critical for achieving improvements in water quality. Go to www.epa.gov/owow/sp3/sect319/watershed.html for a copy of the FY 2004 Guidelines for the Award of Section 319 Nonpoint Source Grants to States and Territories.

What Does This Mean?

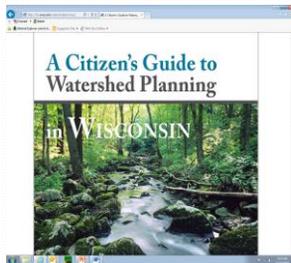
Shows you where one or more of the nine minimum elements are specifically discussed.

EPA requires that these nine elements be addressed in watershed plans funded with incremental Clean Water Act section 319 funds and strongly recommends that they be

included in all other watershed plans intended to address water quality impairments. In general, state water quality or natural resource agencies and EPA will review watershed plans that provide the basis for section 319-funded projects. Although there is no formal requirement for EPA to approve watershed plans, the plans must address the nine elements discussed below if they are developed in support of a section 319-funded project.

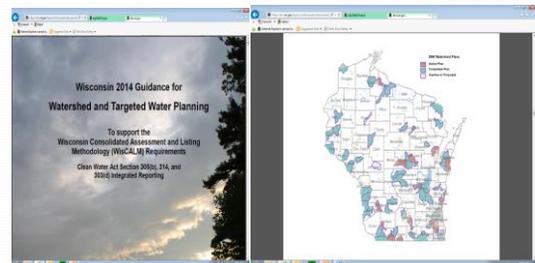
In many cases, state and local groups have already developed watershed plans for their rivers, lakes, streams, wetlands, estuaries, and coastal waters. If these existing plans contain the nine key elements listed below, they can be used to support section 319 work plans that contain projects extracted from the plan. If the existing plans do not address the nine elements, they can still provide a valuable framework for producing updated plans. For example, some watershed management plans contain information on hydrology, topography, soils, climate, land uses, water quality problems, and management practices needed to address water quality problems but have no quantitative analysis of current pollutant loads or load reductions that could be achieved by implementing targeted management practices. In this case, the plan

UW Extension Wshed Plan Guidance



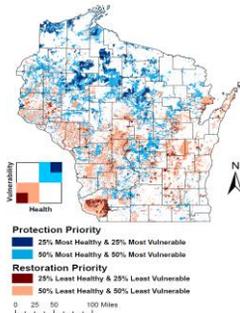
<http://fyi.uwex.edu/watershedplanning/>

DNR Watershed Plan Guidance



http://dnr.wi.gov/topic/surfacewater/documents/Watershed_Planning_Guidance_final_2013.pdf

DNR Healthy Watersheds Assessment



<http://dnr.wi.gov/topic/watersheds/hwa.html/>

Importance of 9 Element Plans

- ATCP 50 revised in 2014
- Revision to 50.12 LW plan **content and development**
- Revisions consistent with the 9 Key Elements
 - refer to handouts
- DATCP LW Plan checklist contains 9 Key Element question

ATCP 50.12 - Content

(2) PLAN CONTENTS. A land and water resource management plan shall describe all of the following in reasonable detail:

(a) Water quality and soil erosion conditions throughout the county, including identification of the causes of water quality impairment and pollutant sources. The plan shall include water quality assessments for each watershed in the county available from DNR, if any.

(b) State and local regulations that the county will use to implement the county plan. The department may require the county to provide copies of relevant local regulations, as necessary, and may comment on those regulations.

Note. See state rules under ch. ATCP 48, ATCP 50, NR 151, and NR 243.

(c) Water quality objectives for each watershed, including any available pollutant load reduction targets, consistent with conditions identified in par. (a). The county shall consult with DNR to determine water quality objectives and to identify pollutant load reduction targets.

(d) Key water quality and soil erosion problem areas. The county land conservation committee shall identify key water quality problem areas in consultation with DNR.

(e) Conservation practices needed to address key water quality and soil erosion problems.

(f) A plan to identify priority farms in the county.

Note. The identification of priority farms may vary between counties, depending on local conditions, strategies, and information. A county should focus on identifying or working with the following farms, or other categories of farms that the county identifies as an plan:

- Farms subject to a DNR notice of intent under s. 281.30, Stat., or notice of discharge under ch. 283, Stat.
- Farms located in watersheds draining to waters that DNR has listed pursuant to s. 283.13(1). This is also known as the "30%60 list of impaired waters."
- Farms that have large numbers of livestock, or significant watersheds management.

ATCP 50.12 Content - Development

(g) County strategies to encourage voluntary implementation of conservation practices under s. ATCP 50.04. A county shall estimate the amount of information and education, cost-sharing and other financial assistance, and technical assistance needed to implement its plan.

(h) Compliance procedures, including notice, hearing, enforcement, and appeal procedures, that will apply if the county takes action against a landowner for failure to implement conservation practices required under this chapter, ch. NR 151 or related local regulations.

Note. See ss. ATCP 50.04 to 50.08 and subch. VII.

(i) The county's multi-year workplan to implement the farm conservation practices under s. ATCP 50.04, and achieve compliance with performance standards under ch. NR 151. The plan shall identify priorities, benchmarks for performance, and expected costs, including an estimate of costs to implement conservation practices to achieve the objectives identified in par. (c).

Note. The county workplan under par. (i) should be based on a reasonable assessment of available funding and resources.

(j) The measurable annual and multi-year benchmarks the county will utilize to periodically monitor and measure its progress in meeting performance targets and achieving plan goals and objectives under the workplan in par. (i).

(k) How a county will meet its responsibilities for monitoring conservation compliance of landowners claiming farmland preservation tax credits.

(l) How the county will provide information and education related to land and water conservation, including information related to farm conservation practices and cost-share funding.

(L) How the county will coordinate its land and water conservation program with federal, state, and local agencies.

Note. The department and DNR will work with counties to develop more detailed guidelines and regulations for county land and water resource management plans, but individual counties have more flexibility and discretion to prepare plans that are appropriate for their local conditions.

(3) PLAN DEVELOPMENT. A county land conservation committee, when preparing a land and water resource management plan, shall do all of the following:

(a) Appoint and consult with a local advisory committee of interested persons.

Note: A local advisory committee should reflect a broad spectrum of public interests and perspectives. For example, it could include:

- Affected farmers, business, and landowners.
- Agricultural, business, environmental, civic, and recreational organizations.
- Federal, state, local, and tribal officials.
- The University of Wisconsin and other educational institutions.

(b) Assemble relevant data, including relevant land use, natural resource, water quality, and soil data.

(c) Consult with DNR.

Note: The county land conservation committee should normally consult with the appropriate DNR staff to obtain needed planning information, effectively address resource management concerns, and ensure that its plan incorporates elements that satisfy planning requirements under section 319 of the Clean Water Act.

(d) Assess resource conditions and identify problem areas.

(e) Establish and document priorities and objectives.

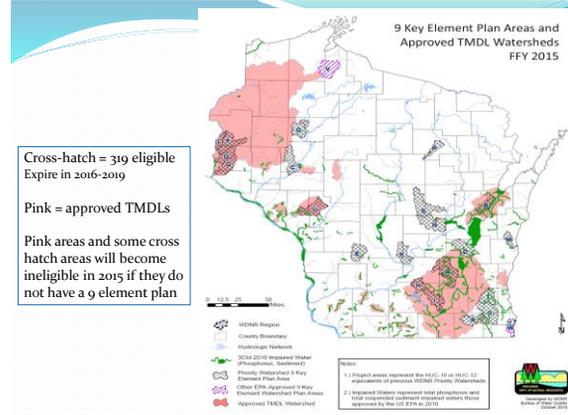
(f) Project available funding and resources.

(g) Establish and document a plan of action.

(h) Identify roles and responsibilities.

Importance of 9 Element Plans

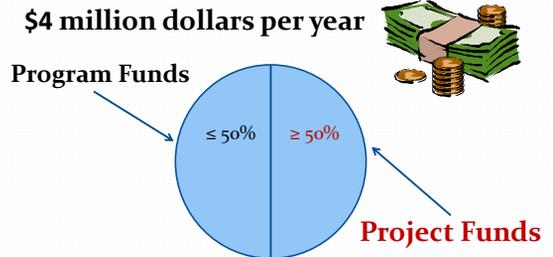
- EPA 2015 grant requirements - October 2014
- DNR Nonpoint activities funded with EPA 319 grant funds should be linked to **water quality outcomes**
- Focus on restoration of impaired waters via watershed based plans
- At least 50% of 319 funds **must be used in 319 eligible areas**
- 319 eligible area = has a plan consistent with EPA's 9 Key Elements - DNR/EPA review



EPA & DNR Review of 9 Element Plans

- “To achieve greater program consistency, EPA regions will annually review a sample of WBPs from each state and provide feedback and recommendations to help ensure the plans lay a good foundation for efforts to restore and/or protect waterbodies. **EPA will select the plan(s) for review** and conduct each review using a protocol that will be communicated with the states in advance of the reviews.”

319 Funds and Grant Structure



Program Funds (est. \$2 million)

- Implement Wisconsin *NPS Program Management Plan*
 - Program administration
 - NPS Monitoring
 - NPS Research
 - TMDL Development
 - All planning-related activities – NPS, TMDL, etc.
 - NPS-related staff time



Project Funds (est. \$2 million)

- Project #1 – Eligible DNR Staff (NPS Coord, Lakes, WQ Biologists)
- Project #2 – DATCP Contract (staff costs)
- Project #3 – TRM and NOD Grants
- Project #4 – Lake Protection Grants
- Project #5 – Tier I & III Monitoring (USGS/SLOH/LTE costs)

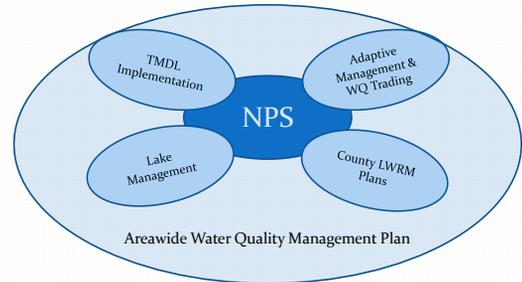


Measuring & Tracking Progress

- **National performance measures for NPS Program**
 - **WQ-9** - Estimate annual load reductions of nitrogen, phosphorus, and sediment achieved by § 319 funded projects
 - **WQ-10** - Number of waterbodies primarily NPS-impaired that are partially or fully restored
 - **WQ-SP12** - Improve water quality conditions in impaired watersheds using the watershed approach

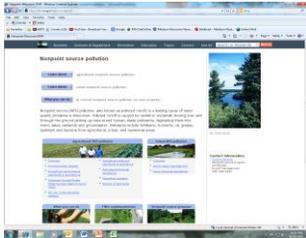
NPS Success Stories: <http://water.epa.gov/polwaste/nps/success319/index.cfm>

Multiple Planning Efforts with Something in Common



NPS Web Site

- dnr.wi.gov - keyword: **9 Key Element**



DNR Contact Info and other tools

- Andrew Craig – DNR Nonpoint Source Planning Coordinator
Andrew.craig@wisconsin.gov
 (608)267-7695
- Tools to develop LW plans
- dnr.wi.gov – keyword:
 - 9 Key
 - EVAAL
 - STEPL