National Ocean Council and Nonpoint Source Pollution

MR. EHRMANN: All right. Then, let's go to

National Ocean Council and nonpoint source pollution.

NATIONAL OCEAN COUNCIL (NOC) AND

NONPOINT SOURCE POLLUTION

(PowerPoint slide presentation in process.)

DR. SANDIFER: We have had numerous discussions about nonpoint source pollution or NPS, that "nasty polluting stuff." The purpose of this particular set of recommendations is to deal with what we think in the Stewardship Working Group the National Ocean Council could do, assuming that it is established at the upper levels of government as we are recommending as a Commission. First of all, we believe the Council should establish a national goal for reduction in nonpoint source pollution. It should be measurable improvement in reducing polluted runoff in impaired watersheds in the United States. We spent some time trying to
determine how much, and so forth. I think we came down
on "measurable" because we didn't know how much to say,
so if anybody has got a better number, a better measure
or a better method, we would be willing to consider it

The functions of the National Ocean Council as
we have suggested are to improve interagency
coordination/cooperation with regard to nonpoint source
pollution cleanup. As you know, there are quite a bit
of interagency efforts going on now, but there is no
place that we have found where it really all comes
together at the federal government level.

Secondly, the Council would ensure that
federal water quality protection programs are
coordinated at the regional and state levels as well as
at the national level including the coordination of
budget formulation on a multi-year basis and the
priority setting and assessment of success.

I think this goes back to what Admiral Gaffney
was talking about earlier, that to make the Council effective it has to have some degree of control over the dollars. It also needs to be able to at the top level determine whether or not you are actually making
progress in the direction you said you were going in.

It is not considered to be an annual review of agency
budgets. You are talking about having budget
formulation on a multi-year basis.

Go to the next one.

(PowerPoint slide presentation in process.)

DR. SANDIFER: Also, the Council could pay
specific attention to interagency coordination and
cooperation when a problem has sources in multiple
states, and that is in many cases. Perhaps, the best
examples we have heard of in our travels around the
country are the Dead Zone in the Gulf of Mexico and some
of the issues in the Chesapeake Bay.

However, virtually every coastal state also
receives some runoff from its neighboring states, and
therefore virtually all of us have to deal with things
that are outside our state borders. There is very
little formal mechanism to do that at present. The
National Ocean Council and our regional entities could really move us forward in this interagency cooperation. The Council could maintain a significant level of focus on funding for nonpoint source programs in
general, and help to develop public support through public education outreach and marketing efforts and influencing multiple national policies. I think I will stop there and we will get to farm bill in a moment.

Have I missed anything significant, staff?

THE STAFF: (Shaking heads.)

MR. EHRMANN: Commissioner Ruckelshaus?

MR. RUCKELSHAUS: Paul, I was wondering whether you had looked at, in your narrative that would accompany these recommendations, the fact that we have had in place now for over 30 years a Nonpoint Source Pollution Program administered by EPA as a part of the Clean Water Act? It clearly has not worked. The statistics are overwhelming that we are shifting from a major point-source problem to a major nonpoint source problem.

Those areas where, it seems to me, it has worked are where we have not relied on the national
standard setting enforcement process, which was created by the Clean Water Act back in 1972 and worked pretty well for point sources but not for nonpoint sources. What has worked are a combination of watershed
groups that assess the needs of all kinds of water uses
including water quality as well as water quantity in
their watersheds, the application of positive incentives
for moving people forward to produce nonpoint sources,
particulalrly agricultural kinds of incentives.

In those watersheds where there are watershed
groups that exist and where they are given the right
kind of incentives and where they are, particularly the
farm groups working very closely with the Department of
Agriculture agents that are in those areas, a lot of
progress is made.

It is not as though we do not know how to do
it. It is the question of, How do we give the proper
incentives to the people who live in those watersheds to
act in ways that are in their own interests as well as
in the interest of the water and therefore the public?

It may be that this in here, but I don't see
that we have got the emphasis on engaging the people who
are most dramatically affected by the change necessary
to improve the water in the process of determining what
kind of goals and techniques should be used in order to
reach those objectives.
DR. SANDIFER: Bill, the write-up will include a good bit of this. The reason this is presented this way is we have struggled at great length with the watershed issues and how watershed management should take place, and those will be dealt with or have been dealt with in part in previous recommendations, and others that will be forthcoming will deal with some of the incentives in another recommendation in just a moment. However, much of the watershed stuff has been dealt with.

What we had not teased out was the portions of this that really need to move up to the NOC level. That was our attempt here at taking the Admiral's admonition from probably three or four meetings ago to heart, that we should be very careful as we work through these issues to determine what are the things that should really be done a the National Ocean Council level and what are the responsibilities at regional, state or
local levels.

The watershed clearly is a regional kind of activity. It could be many watersheds within a single state or multi-state watersheds in either case. The
focus here was on those things that probably should be

elevated to the National Ocean Council level or to some

subcommittee established under the National Ocean

Council. That is what we are trying to do here.

Clearly, I understand that you are absolutely

right that the regulatory standards established by EPA

have been in effect for a long time, but they have not

worked except when it has been done at a stakeholder

kind of basis.

I think I am correct, am I not, Malcolm? We

actually presented the watershed stuff last meeting, the

January meeting?

MR. WAYLAND: (No microphone.) Yes. In

January, we presented the watershed management and

watershed monitoring papers that described the domestic

approach to watershed management, which included a role

for the NOC in terms of national goals and objectives

and, further, coordination at the regional level,
watershed councils being the local implementing mechanism we outlined.

MR. RUCKELSHAUS: I applaud you for doing that. I mean, I think that is the right approach. I
guess it just seems to me that if we are going to define a role for the National Ocean Council we ultimately have to tie that into how that affects watershed council work.

DR. SANDIFER: What we missed here is that linkage directly back to the local level, to the watershed and regional level, and we need to pick it up here to make sure that there is no confusion. This is meant to be those things that we thought. Whether the Commission as a whole thinks it ought to be done at a national level, I don't know. However, that was the intent was to separate out what is done at the management watershed level and what is done at the national coordinating level.

MR. RUCKELSHAUS: I guess one thing I would add is the necessity of training, and by that I mean training public officials. If we don't train them how to interact with the watershed groups, it will not work.
Many of the public officials are trained to enforce and not to gain cooperation from people in watersheds. They can kill these groups before they get started, if they are not careful.
DR. SANDIFER: You are absolutely right. That is an excellent suggestion. We neglected to include it, and should.

MR. EHRMANN: Dr. Muller-Karger?

DR. MULLER-KARGER: Thank you.

I think that we come back to this. When we do treat the farm bill, and concentrate on that, the whole feeding operation, it ties a little bit to what you are saying. One of the things I want to highlight and it is also later on, although it is buried in a small bullet, is the international connections of nonpoint source pollution through the atmosphere that is a tie in with the list of things that we would like to have highlighted on international issues.

DR. SANDIFER: We have that in a paper tomorrow. This is another one of those examples where when you started trying to get your hands around it, it was so big that we simply couldn't do it. We were going
in circles, so we divided it up into pieces.

However, it is awfully hard for us all to even remember how many pieces go together until you get through the whole show. We have a jigsaw puzzle here.
We do have an idea of what the final product looks like, but we haven't got all the pieces together yet.

MR. RUCKELSHAUS: This is a nonpoint recommendation.

DR. SANDIFER: Yes.

(General laughter.)

MR. EHRMANN: Commissioner Coleman?

DR. COLEMAN: Paul, this is more a comment than a question. I liked your approach of saying this is at the national level. I worry a little bit about the use of the word "National Ocean Council doing this" and "National Ocean Council doing that." Before we even define the National Ocean Council, we are already assigning it areas.

I would urge you before you get to staff to start writing on this, let Governance come through with what the National Ocean Council is, where it sits, et cetera, then come back and decide if this is an
appropriate place to put this, now that is just a comment, even though we might approve these recommendations.

DR. SANDIFER: I don't disagree at all. I
would just again remind you that we were tasked to as we
were thinking about all of these issues what are those
things that should be done by a national coordinating
body. I think that is the term we used to begin with is
the "NCB."

Perhaps, we should use "national coordinating
body" or "entity," or NCE until we actually define it.

That was our intent in the working group was just trying
to sort out those things that could be done or should be
done at the national level, should be done at the
regional level, and local level.

MR. EHRMANN: Any other comments on nonpoint
in this context?

(No verbal response.)

MR. EHRMANN: All right. Staff? You are
happy? You are smiling over there. You are not happy?
Okay, you are happy.

All right. Let's go to the farm bill implementation.