



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 03 2016

OFFICE OF WATER

The Honorable Bob Dixon
Chairman
Local Government Advisory Committee
300 S. Main
Greensburg, Kansas 67054

Dear Mayor Dixon:

Thank you for your December 11, 2015, letter, written on behalf of the Local Government Advisory Committee, to the U.S. Environmental Protection Agency regarding harmful algal bloom (HAB) prevention and management. In that letter, you identify specific findings and you provide several recommendations on how the EPA can assist local, state and tribal organizations in preventing blooms and protecting public health from algal toxin exposures.

The Agency appreciates your input as we determine how to best confront the challenges HABs pose to our waters. The Agency is leading several initiatives and research projects, partnering with local governments, tribal organizations, state and federal agencies, and planning future efforts that are consistent with your findings. These efforts include emphasizing the importance of using the statutory authorities of the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA) to protect source waters from algal toxins, focusing nonpoint source pollution controls in high priority areas identified by states to aid in HAB management, and developing clear and effective risk communication materials for the public and water providers.

Protecting Source Waters and Addressing Nonpoint Source Pollution

In your letter, you recommend that the Agency protect source waters from nutrient pollution and HABs by utilizing the regulatory tools of the CWA and SDWA, coordinating with the U.S. Department of Agriculture's Natural Resources Conservation Service programs, promoting the use of local integrated planning, utilizing the EPA Water Finance Centers and the CWA 319 program and distributing information on effective source water protection practices. Consistent with your recommendations, the Agency is investing significant resources in protecting source waters and addressing nonpoint source pollution in many of these areas, for example:

- The Agency agrees with your recommendations that it is essential to continue building partnerships with and leveraging resources from other federal agencies, including conservation initiatives at USDA. To that end, the EPA is working alongside state and utility associations, non-governmental organizations, federal agencies like the USDA and other partners in the national Source Water Collaborative (SWC), a group of 26 organizations dedicated to protecting sources of drinking water. The SWC provides planning resources and technical support for local, state and regional source water partnerships, with a focus on reducing nutrient pollution. These resources include online guides and toolkits such as those for understanding conservation programs that can protect source water, and options for how public water systems can use the

strengths of the CWA and SDWA programs to protect drinking water (e.g. the Conservation Partners toolkit, found at <http://sourcewatercollaborative.org/connect-with-others/>; and the “Opportunities to Protect Drinking Water Sources and Advance Watershed Goals through the Clean Water Act” toolkit, found at http://www.gwpc.org/sites/default/files/CWA-SDWA_11_10.pdf, respectively).

- The EPA’s Office of Water has invested significantly in recent years to strengthen relationships with USDA conservation programs, both at the federal level and at the state level where these programs are implemented. This includes regular meetings among senior agency leadership, coordinated implementation of water quality focused conservation by the states using funding available via the National Water Quality Initiative (<http://www.epa.gov/polluted-runoff-nonpoint-source-pollution/nonpoint-source-national-water-quality-initiative>) and facilitating state-level dialogue between water quality agencies and the Natural Resources Conservation Service. These efforts will continue into the future.
- Additionally, the Agency has recently worked with states to create and update Nonpoint Source Management Plans and Watershed-Based Plans. Tribes that receive Section 319 funding must also have a Nonpoint Source Management Plan. Nonpoint Source Management Plans outline state or tribal priorities and efforts to restore impaired waters and protect healthy waters against nonpoint source pollution; many of these plans include an emphasis on controlling excess nutrients. Nonpoint Source Management Plans often form the basis for state and/or tribal regulatory and voluntary initiatives to curb nutrient pollution. Watershed-Based Plans are required for Section 319 watershed projects and provide a roadmap at the local watershed level to guide cost-effective, well-informed restoration and protection efforts with the greatest chance at protecting source waters from excess nutrients that can lead to HABs.
- The Agency has brought more attention in its programs to the protection of unimpaired (or healthy) waters. In fall 2015, the EPA awarded the Healthy Watersheds Consortium Grant (<http://www.usendowment.org/healthywatersheds.html>), which will sponsor local projects to protect healthy watersheds. The Section 303(d) (or TMDL) program enables states to identify protection of unimpaired waters as a priority, and the EPA’s Section 319 program similarly allows 319 funds to go to protection projects when they are identified as a priority in a Nonpoint Source Management Plan.
- This month, the EPA released the Drinking Water Mapping Application for Protecting Source Waters. The application is a GIS-based mapping tool that can be used to identify 1) watersheds critical to drinking water and 2) the impairment status of those critical watersheds, so that states can easily locate impaired source waters and take protective action (e.g., TMDL development); it also allows users to easily inventory potential sources of contamination to water supplies. This tool can help identify areas that are vulnerable to HABs in order to target resources to those watersheds. This type of information is important in order to focus limited resources on watershed cleanup activities or nutrient reduction strategies at the local level.

Communicating Risk

In your letter, you recommend that the Agency focus on developing additional risk communication materials for local communities. Those recommendations include collaborating at the local level for *community-specific and timely* algal toxin risk notification and action plans, utilizing the SWC to distribute outreach materials to local governments, conducting more monitoring of algal toxins in drinking water and source water, and performing cumulative risk analyses of algal toxins. Consistent

with your recommendations, the Agency is investing significant resources in filling HAB-related human health risk information gaps and in developing risk communication materials to be used at the local level, for example:

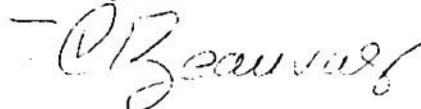
- In 2015, the Agency released health advisories for microcystins and cylindrospermopsin. To help utilities and others manage and communicate the health risk from these two toxins in drinking water, the EPA released recommendations for public water systems, including recommended language for public communication that can be found in the 2015 document, “Recommendations for Public Water Systems to Manage Cyanotoxins in Drinking Water”. (<http://www.epa.gov/sites/production/files/2015-06/documents/cyanotoxin-management-drinking-water.pdf>).
- Currently, the Agency is also working with the Centers for Disease Control and Prevention and other stakeholders on updating the Drinking Water Advisory Communication Toolkit to include cyanotoxin-specific information (<http://www.cdc.gov/healthywater/emergency/toolkit/drinking-water-outbreak-toolkit.html>). The Agency will continue to invest resources in developing cyanotoxin risk communication tools, including updating the “recommendations” document mentioned above, evaluating the health risks from exposure to other cyanotoxins in drinking water and preparing other materials, or working with states and public water systems, as appropriate.

Your letter also recommends that the Agency work with environmental justice stakeholders and community and tribal leaders to determine the best modes and strategies of communication on how to avoid ingestion or other exposure to algal toxin-contaminated water and fish. Consistent with this recommendation, the Agency is engaged in the following activities:

- Currently, the Agency is coordinating with the Northwest Indian Fisheries Commission and their technical workgroups and will also coordinate with the Native American Fish and Wildlife Society and the Bureau of Indian Affairs to facilitate the communication to tribal members about the human health risks from ingestion or other exposure to algal toxin-contaminated water and fish. The Agency will also partner with the Northern Arizona University Institute for Tribal Environmental Professionals and will provide information through their Tribes and Climate Change website, which has proven effective in the past for wide distribution of training and outreach materials.
- Additionally, the Agency is developing recreational ambient water quality criteria for the protection of human health during recreational activities. Recognizing that tribal members may have differing risks associated with the recreational exposure to toxins than the general population, the Agency is reaching out to other federal agencies and tribal organizations, including regional leaders at the Native American Fish and Wildlife Society to understand tribal consumption patterns of fish and other aquatic subsistence resources.
- The Agency is also investing resources through grants to build tribal environmental capacity and to reduce the risk of exposure to toxin-contaminated water or subsistence fish and shellfish. Programs such as the EPA Star Grant and the EPA’s Indian General Environmental Assistance Program, and partnerships, including those with the Sitka Tribe of Alaska in the South East Alaska Tribal Toxins Network, are examples of how the Agency is working with the tribes to aid in toxin analysis in subsistence food and water and tribe-specific risk toxin exposure analysis, as well as training workshops for toxin monitoring.

Once again, the Agency appreciates the recommendations that the LGAC has provided to address HABs in drinking water. The Agency is committed to working with the LGAC, states, federal agencies, tribal organizations and intergovernmental networks to reduce HABs and their negative impact to the environment and public health. If you have further comments or questions, you may contact me at (202) 564-1684 or Katherine Foreman of my staff at foreman.katherine@epa.gov or (202) 564-3403.

Sincerely,

A handwritten signature in black ink, appearing to read "Joel Beauvais". The signature is written in a cursive style with a large initial "J" and "B".

Joel Beauvais
Deputy Assistant Administrator