

Wellhead Protection Partnership Meeting Notes
October 4, 2001
University of Nebraska – Lincoln East Campus Union

I. Welcome

DeLynn Hay of the University of Nebraska Cooperative Extension hosted the meeting.

Meeting attendees included: Elbert Traylor; Nebraska Department of Environmental Quality (NDEQ); Russ Gierhart, Upper Big Blue Natural Resources District; Don Vogel, Nebraska Corn Growers Association; William Lukash, Nebraska Rural Water Association; McKenzie Barry, Lower Platte North Natural Resources District; Chuck Wingert, Nemaha Natural Resources District; Todd Falter, Nebraska Health and Human Services R&L; Rachael Herpel, The Groundwater Foundation; Bruce Hansen, NDEQ; Jackie Stumpff, NDEQ; Robert Peterson, NDEQ; John Heaston, The Nature Conservancy; Mike Onnen; Little Blue Natural Resources District; Dennis Kahl, Seward County Extension Office.

II. Agenda Review

The meeting began with a brief introduction and review of the agenda. Robert Peterson distributed copies of NDEQ's new Wellhead Protection Plan Guidance and Example Wellhead Protection Plan. McKenzie Barry distributed copies of Lower Platte North's *Viaduct* newsletter, which features an article on David City and Mead high school students conducting contaminant source inventories.

The group learned that Pawnee County included a wellhead protection component when they adopted their new zoning ordinance. The ordinance includes provisions for setbacks and to control agricultural practices and livestock operations. To obtain more information about the ordinance, contact Kevin Barneson or the Pawnee County Attorney.

III. Subgroup Meetings

Meeting attendees met in two sub groups: Community Education and Empowerment and Wellhead Protection Services and Advocacy. The groups were asked to identify work plans to advance the priority recommendations which were developed at the partnership's June 22 meeting. The subgroup reports are detailed later in the notes.

IV. Lunch Speaker

Luncheon guest speaker Leverne Barrett from the University of Nebraska Cooperative Extension Agricultural Leadership, Education, and Communication Department spoke to the group about leadership development. Barrett described the components of the university's Community

Leadership Accreditation and Certification Program, which “emerged in response to the growing need to identify community leadership standards and to guide professional development decisions for persons serving leadership roles at the community and organizational level.” The three levels of the program include -

- 1) Identifying leadership growth and competence at the personal level by:
 - a. Documenting personal leadership development and skills;
 - b. Demonstrating involvement by effectively leading groups; and
 - c. Demonstrating involvement in community/organization groups.
- 2) Demonstrating leadership competencies at the community or organizational level by:
 - a. Attending the Leadership Academy, or equivalent;
 - b. Demonstrate a continuing commitment to personal leadership development;
 - c. Document one’s involvement in and application of the academy’s core competencies at the community or organizational level.
- 3) Demonstrating “master leader” competence through curriculum development, policymaking, and/or community mobilization. This involves:
 - a. Completing a minimum fifteen hours of academic (or equivalent Continuing Education Unit) credits in Leadership Studies from an accredited institution or program;
 - b. Completing a track, including a practicum, to gain expertise as either a policymaker, educator, or community/organization leader.

V. Subgroup Reports

A. Community Education and Empowerment Subgroup:

1) Terrorist Activity and Right to Know – Early indications are that USEPA may scale back “Right to Know” efforts and control the availability of information that had previously been considered part of the source water assessment process. The group generally agreed that vandalism is more of a threat to Nebraska’s water systems than terrorist activity. However, in the event of a terrorist attack, infrastructure would more likely be the target, rather than the quality of the supply. When looking at the big picture, maintenance is much more of an issue than vandalism, terrorism and natural disasters combined.

While overall it’s better to keep everything low-key, the group recognized that the current events present a “teachable moment.” Water systems should be encouraged to write their emergency response plans down. Written plans are much easier to incorporate into a wellhead protection plan.

2) Terminology – The terminology used to describe wellhead protection is often a barrier to community representatives understanding the wellhead protection process. In some cases, the term “wellhead protection ordinance” is now being used as a catchall phrase to represent anything protective or that restricts encroachment. The terms source water protection, wellhead protection and drinking water protection need to be interchangeable.

To further greater understanding, the group suggests the following be considered when developing wellhead protection-related publications and programs:

- a. Make the connection between source water protection, wellhead protection and drinking water protection explicit;
- b. Avoid the use of acronyms; and
- c. Simplify the language and be more straightforward.

The general consensus within the group is that interest in wellhead protection is growing among community representatives; however, the perception among community representatives is that some expertise is needed to develop and implement a wellhead protection program. The language used often gives them that impression.

3) Developing, Implementing and Updating a Wellhead Protection Plan –

The group noted that:

- a. Communities should definitely use a template to help them develop their wellhead protection plan, but the plans should also be unique and reflect local buy-in.
- b. Communities do not always recognize the connection between best management practices and wellhead protection. This connection should be clarified when best management practices are contributing to wellhead protection.
- c. Continuing education is a must for local decision-makers, especially after a wellhead protection plan is adopted.
- d. Triggers are needed to prompt communities to update their wellhead protection plan at least every five years; it would be helpful if NDEQ could prompt this review.
- e. An opportune time to encourage wellhead protection is when new wells are permitted. This is currently not a requirement unless it is part of an administrative order.
- f. Any type of paperwork should have a reminder to update a communities' wellhead protection program. For example, a sanitary survey asks, "Do you have a wellhead protection program?" They can check "no", but it reminds them that they should have a wellhead protection program in place.

B. Group Discussion following the Community Education and Empowerment Subgroup Report:

1) Any wellhead protection program guidance needs to be "short and sweet." The terminology used may not be as much of a barrier as the "immensity of the task."

2) To help make sure publications and programs use terminology that the average reader can understand, material should be reviewed by non-technical people or high school students.

3) In general, presentations and conversations describing wellhead protection need to involve more hands-on activities, models, displays, and visual aids. People are much more likely to understand wellhead protection-related concepts when they can visualize the process. Graphic examples can also spark interest in the subject. Even simple things like the geologic history of an area or well log information can be used to describe the unique nature of groundwater in a particular area.

4) Basic education is still needed to help people understand the water resources they have on the local level.

C. Wellhead Protection Services and Advocacy Subgroup:

1) A spreadsheet describing how various groups and agencies support community efforts to develop and implement wellhead protection programs will be made into a brochure. The descriptions will be organized according to the steps of the wellhead protection process. McKenzie Barry volunteered to develop the brochure.

2) A spreadsheet describing what each Natural Resources District offers to support community efforts to develop and implement wellhead protection programs will be developed by Mike Onnen.

3) There is a need for communities to provide information and educate landowners within a wellhead protection area. While partnership groups and agencies can provide support and resources, it is ultimately up to communities to do this kind of education.

4) Setbacks – The subgroup posed the question - what is the appropriate setback for fertilizers and pesticides?

D. Group Discussion following the Wellhead Protection Services and Advocacy Subgroup Report:

1) The Appropriate Setback for Fertilizers and Pesticides - Setbacks are recommended on the labels of fertilizer and pesticide containers. Group members asked if there were already any chemical storage setbacks on the books, and if not, could setback requirements be added to NDEQ regulations. Members of the group offered that the best thing to do right now is to recommend that communities follow the directions on the fertilizer and pesticide container labels. *

2) The Appropriate Setback for Fuel Tanks – The state fire marshal is in charge of enforcing the setback requirements for fuel tanks. These setback requirements focus on working with the tank owner to comply with the requirement. A more active approach would be to include a setback requirement for fuel tanks in the community's local ordinance.

3) People still need to be educated about the funding available to close abandoned wells.

E. General Group Discussion

Leadership is still a major issue. This group needs to reach out to municipal groups and get their perspective on wellhead protection and, more specifically, what it would take to generate interest and develop local leadership that would then champion wellhead protection efforts. It was also suggested that the group develop relationships with local leaders currently involved in wellhead protection who could share their perspectives with the group. Suggestions for local leaders and municipal groups that need to be contacted included Wayne Madsen, representatives from Valpraiso, Nebraska League of Municipalities, Nebraska Association of County Officials, Economic Development people, and the Nebraska Public Policy Group.

A Wellhead Protection Primer in-service for extension educators and others will be offered by satellite the afternoon of December 3. This in-service could be the first of a series (more information to follow). **

The group expressed a need for a community assessment tool. Rachael Herpel will bring to the next meeting the results of a study conducted by The Groundwater Foundation that assessed the conditions and practices that lead to citizen involvement in drinking water protection.

VII. Interim Activities

The group briefly talked about the main objectives of the Wellhead Protection Partnership. The general consensus of the group was that it preferred to serve as a coalition of agencies, organizations, and individuals who have an interest in promoting wellhead protection. The purpose of the coalition would be to provide a forum for agencies, organizations, and individuals who have an interest in promoting wellhead protection to share information, network, and learn about and discuss emerging issues. The agencies, organizations, and individuals who participate would then apply the information and lessons learned from coalition meetings to their own activities and programs. Agencies, organizations, and individuals would conceivably adjust and evolve their approaches to working with communities based on the lessons learned from coalition meetings. As a result, wellhead protection practitioners from across the state will develop a more comprehensive approach to working with communities as they develop and implement local wellhead protection programs.

VIII. Next Meeting Date and Time

A meeting will be scheduled to coincide with the Nebraska Association of Resources Districts Legislative Conference, which will be held January 28-30, 2002.

* Mike Onnen contacted Subhash Jha of the Nebraska Department of Health and Human Services about the issue of whether setback distances for pesticide applications could be included in the wellhead protection area setback requirements and if such setbacks wouldn't be appropriately placed in the state's minimum distance listing for water supply wells. The answer for the first question is "yes," the water supplier could establish a setback distance from their wells if impacted areas lie within the area of jurisdiction. If the concern exists for areas outside the jurisdiction, it is likely that the NRD would have to help enforce such setbacks because of the nonpoint nature of pesticide applications. For that reason, Subhash did not feel that pesticide setbacks are appropriate entries in the state's minimum setback charts. He stated that all other listings are point sources and the department has authorities to regulate such activities.

** More information about the Wellhead Protection Primer (excerpt from an email sent to the Wellhead Protection Partnership Monday, October 29):

When is it? Monday, December 3, 2001

When does it start? 1:00 p.m. CST

When will we be done? 5:00 p.m. CST

How can I access it? Satellite downlink facilities at Norfolk, Grand Island, Scottsbluff, and possibly North Platte

Where will it originate? The program will originate in the East Campus Union.

What satellite? More information will be provided as those details are arranged.

Who should attend? Anyone who might become involved in developing a city wellhead protection plan. A partial lists includes:

Extension Educators

City Council members and City Managers

County Commissioners and Zoning Board Members

City Attorney's and Engineers

City Water Works employees

Natural Resources District employees

Natural Resources and Conservation Service employees

Producers

City Residents

Others who might become involved.

Purpose: The purpose of this program is to provide information about the Wellhead Protection Plan development process to those who may become involved in developing a plan for Nebraska cities and towns.

Topics:

The Wellhead Protection Planning Process

The latest in Best Management Practices

Potential costs associated with changing land use

Potential costs to cities

Case Studies from cities currently in the process

Tools that might be useful in Contaminant Source Inventories

Panel Discussion about experiences

What we would like to see happen? We would like to see each of you make contacts with your local decision makers encouraging them to participate in the program. Then make arrangements to get the group together and travel to one of the downlink sites to participate in the program. We prefer attendance at these sites so that more can benefit from the thoughts of others.

Is there any aid available? Yes, the NREM team is dedicating \$250 to help offset some of the costs associated with travel to one of the downlink sites. On a first-come, first-serve basis we will provide up to \$50 to educators who bring the most people and/or travel the farthest to attend. Those who travel far and bring a lot of their local decision makers obviously have the advantage. The aid may not cover all your travel costs, but it will help.

How will the program be advertised? The first step in the advertising campaign is this note. It

will be followed with e-mail messages to as many groups as possible. We have access to e-mail lists for NRD's and NRCS employees. An announcement will be placed in Keeping Up. We will try to access city representatives through the League of Municipalities. I have tried to provide enough information here so that you could place this meeting in your weekly columns in the newspaper and/or write a separate news release. Finally, we will work with Jim Randall to develop radio clips for distribution across the state.

For more information contact Bill Kranz at 402-370-4012 or wkranz1@unl.edu.