
CURBING WATERSHED POLLUTION SOURCES

A Survey of Actions by Chesapeake Bay Watershed Groups to Support Clean Water Law Enforcement

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SUMMARY

Community & Environmental Defense Services (CEDS)¹ conducted a survey to determine the extent to which nonprofit watershed advocacy groups are seeking to identify and correct the leading causes of pollution within the Chesapeake Bay basin. We also wanted to know of factors that impede the efforts of these groups.

An e-mail was sent to nearly 2,000 organizations and individuals which may be active in watershed restoration activities in the Chesapeake watershed. They were asked to complete a brief, seven-question online survey. The survey focused on how often the groups participated in the seven most common activities to reduce pollution from the greatest sources threatening the Bay.

A total of 51 responses were received, 39 of which were from the target population: citizen-based, advocacy-oriented, nonprofit groups. While the following results are by no means representative of all groups it does give an indication of the tremendous reductions in Bay pollution some groups are achieving and how we could help them accomplish even more.

- 88% of the respondents felt that curbing pollution through the activities was very important to achieving the mission of their group;
- 82% of the groups participated in at least one of the activities;
- Three groups (all RiverKeepers) pursued all activities;
- Evaluating ponds and other stormwater BMPs for maintenance needs was the most common activity, followed by construction site sediment pollution evaluation, then water quality sampling to detect pollution sources;
- The least common activities were evaluating pastures and cropfields for indicators of excessive pollution, but then a number of groups indicated neither was present in their watershed;
- Problems were found on about half the activity sites evaluated by the groups;
- The fewest problems were found on pastures and cropfields while problems were most frequently found at point-source discharges, followed by construction sites, proposed development projects, then stormwater BMPs;
- The groups pursued corrective action for most of these problems;

¹ For further background on CEDS visit: ceds.org and ceds.org/audit.

- While a mere 17% of the problems were fully corrected, nearly half were partially resolved, which represents a large quantity of pollution kept out of local waterways and the Chesapeake;
- The impediments to identifying and/or correction of these pollution sources were (from most frequent to least):
 - Lack the training to investigate a specific pollution source;
 - Lack of volunteers-staff willing to do this field work;
 - Lack of time to investigate this pollution source;
 - Don't know how to pursue corrective action;
 - Cannot obtain funding to pursue this source;
 - Concerned about alienating watershed property owners;
 - Don't know how to determine if activity is present;
 - Assumed trespass onto private property required (which usually isn't);
 - Concerned about alienating government officials; and
 - Concerned about alienating foundations-other funders.
- The respondents reported spending a median of 20% of their organizations resources (funds and hours) on the identification and correction of pollution sources.

INTRODUCTION

A major gap in the Chesapeake Bay restoration effort has been a shortfall in public support for the enforcement of clean water laws. This support must take three forms.

First, there must be someone out there doing independent evaluations of compliance levels so the larger environmental community and the general public can learn of deficiencies which threaten to undue restoration efforts and jeopardize their quality of life.

Second, once a failing enforcement effort is found the environmental community and the public must provide enforcement officials with the political backing needed to get the resources and mandate required to achieve full compliance.

Third, it is unlikely we'll ever have enough inspectors to quickly spot all pollution problems. A large number of volunteers trained in simple methods to identify opportunities to curb pollution (without trespassing onto private property) may be the best hope we have for achieving something close to 100% compliance.

One can make a reasoned argument that had all three forms of support been there since the 1970s, when the Bay restoration effort first started, the Chesapeake would be far healthier than today. So instead of just "celebrating" the existence of a Bay restoration effort, we'd be enjoying more of the benefits of a restored estuary.

This survey was initiated as a first step in understanding:

- how frequently local watershed groups, kindred organizations and individual advocates engage in activities to determine if the most critical clean water laws are being enforced;
- the success of these folks in getting problems solved; and
- the factors which make success easier or impede their pollution-reduction activities.

The survey focused on the following seven activities which are among the easiest to pursue if a group or individual wishes to learn how well the most critical clean water laws are being enforced in a given watershed.

- Evaluating construction sites for compliance with erosion and sediment control requirements?
- Review of plans for a proposed development project to ensure that full use would be made of highly-effective aquatic resource protection measures?
- Evaluating stormwater ponds and other runoff Best Management Practices (BMPs) for maintenance needs?
- Assessing wastewater treatment plants or other point pollution sources for compliance with discharge permit requirements?
- Surveying cropfields (from adjoining public roads) for conservation practices such as winter cover crops, minimum tillage, contouring, etc?
- Evaluating pastures (from adjoining public roads) for overgrazing, buffer adequacy or livestock access to waterways?
- Sampling waters above and below other potential pollution sources, such as CAFOs, mining, landfills, etc., to determine if aquatic resource degradation has occurred?

These seven activities also address the source sectors² contributing the largest volumes of pollution to the Chesapeake and her 100,000 miles of tributary waters: agriculture, suburban-urban stormwater and point-source discharges. Extensive guidance material is available online to anyone wishing to pursue these activities.³ In other words, if a group or individual has ever done

² See the following USEPA webpage for a detailed description of Source Sectors: http://www.epa.gov/reg3wapd/pdf/pdf_chesbay/TradingTMs/SectorLoadDemonstrationsTMfinalJune520132.pdf

³ For example see: ceds.org/audit, cwp.org, and epa.gov/oaintmt/stormwater.

anything to assess clean water law compliance in their watershed then it probably involved one of these seven activities.

SURVEY METHODS

An e-mail was sent to nearly 2,000 organizations and individuals active throughout the 64,000 square-mile watershed in efforts related to restoration of the Chesapeake Bay. Recipients were asked to complete a brief, seven-question survey which you will find at the end of this report. The survey is still open at: <https://www.surveymonkey.com/s/WatershedSurvey>.

RESULTS BY SURVEY QUESTION

The survey was completed by 51 individuals on behalf of various organizations. Some of the respondents were employed by government agencies so were not part of the population targeted by this survey. A response was received from a national organization which operates at the policy level and rarely assesses clean water law compliance in the field, so this response was excluded. Of the 51 responses, 39 were from the target population: citizen-based, advocacy-oriented, nonprofit groups or individuals. The respondents hail from the following parts of the Bay watershed: Delaware (3), Maryland (22), Pennsylvania (5), Virginia (6), Washington, D.C. (1), and Unknown (2).

1. While your responses will be kept confidential, could we get your contact information to send you a summary of the results and in case we have follow-up questions?

Of the 39 respondents all but one provided their name, organization and e-mail address. We promised to keep responses anonymous. Of course this is a promise we'll keep.

2. During the past five years, has your organization engaged in any of the following activities in your watershed?

All 39 respondents answered this question. Seven respondents did not engage in any of the activities. Three engaged in all activities and all three are RiverKeepers. The rest participated in one or more activities, but not all. Several respondents offered comments regarding this question, which appear on page 11.

The table on the next page shows that evaluating ponds and other stormwater BMPs was the most common activity, followed by construction site sediment pollution evaluation, then water quality sampling to detect pollution sources. The least common activities were evaluating pastures and cropfields for indicators of excessive pollution. In the responses to Question #4, below, you'll see that pastures and cropfields were also absent more frequently than the other source sectors.

DID YOU PARTICIPATE IN ANY OF THESE ACTIVITIES?	YES	NO
Evaluated construction sites for compliance with erosion and sediment control requirements?	48%	52%
Reviewed plans for a proposed development project to ensure that full use would be made of highly-effective aquatic resource protection measures?	40%	60%
Evaluated stormwater ponds and other runoff Best Management Practices (BMPs) for maintenance needs?	53%	47%
Assessed wastewater treatment plants or other point pollution sources for compliance with discharge permit requirements?	28%	72%
Surveyed cropfields for conservation practices such as winter cover crops, minimum tillage, contouring, etc?	18%	82%
Evaluated pastures for overgrazing, buffer adequacy or livestock access to waterways?	13%	87%
Sampled waters above and below other potential pollution sources, such as CAFOs, mining, landfills, etc., to determine if aquatic resource degradation has occurred?	43%	57%
Have you evaluated other potential pollution sources not listed above?	14 responses	

3. If you answered YES to any of the questions posed in #2 above, did you find a problem? If yes, did you have an opportunity to pursue corrective action such as reporting it to an enforcement agency, working directly with the responsible party, etc.?

Of the 39 respondents, 32 answered this question. The table on the next page provides the responses.

Overall, problems were found at about half the activity sites and corrective action was pursued for most of these incidents. However, only 17% were fully corrected while nearly half were partially corrected.

The fewest problems were found on pastures and cropfields while problems were most frequently found at point-source discharges followed by construction sites, proposed development projects, then stormwater BMPs. Corrective action was pursued a third to half the time with regard to all activities exhibiting problems. This action was fully successful 20% of the time or less. However, partial correction occurred nearly half the

Question 3: If you answered YES to any of the questions posed in #2 above, did you find a problem? If yes, did you have an opportunity to pursue corrective action such as reporting it to an enforcement agency, working directly with the responsible party, etc.?

Activity	No problem found	Problem found	Pursued corrective action	Problem fully corrected	Partially corrected	No correction	Total Respondents
Construction Sites:	15% 3	50% 10	55% 11	20% 4	45% 9	25% 5	20
Proposed Development:	17% 3	50% 9	39% 7	0% 0	44% 8	6% 1	18
Stormwater BMPs:	17% 4	48% 11	43% 10	13% 3	52% 12	9% 2	23
Point Source Discharges:	19% 3	56% 9	31% 5	13% 2	31% 5	19% 3	16
Cropfields:	42% 5	25% 3	42% 5	17% 2	25% 3	17% 2	12
Pastures:	50% 5	20% 2	40% 4	0% 0	20% 2	20% 2	10
Sampling Other Sources:	42% 5	33% 4	42% 5	8% 1	0% 0	8% 1	12
Other Not Listed Above	38% 3	63% 5	63% 5	25% 2	25% 2	38% 3	8
Overall Percentage	32%	48%	45%	17%	42%	21%	

time at construction sites, proposed development projects, and stormwater BMPs. See page 12 for the *Others Not Listed Above* category.

4. If you answered NO to all the questions in #2, above, then may we ask why?

Of the 39, respondents, 17 answered this question. The results are presented in the table on the next page of this report.

Nearly half the respondents noted that one or more of the activities was not present in their watershed, with cropfields and pastures being the most commonly absent. Stormwater BMPs was the only one never absent.

The impediments cited from most frequently to least were:

- Lack the training to investigate this pollution source;
- Lack of volunteers-staff willing to do this field work;
- Lack the time to investigate this pollution source;
- Don't know how to pursue corrective action;
- Cannot obtain funding to pursue this source;
- Concerned about alienating watershed property owners;
- Don't know how to determine if activity is present;
- Assumed trespass onto private property required;
- Concerned about alienating government officials; and
- Concerned about alienating foundations-other funders.

Several additional impediments were provided in the comments section of this question. These impediments are presented verbatim on page 13 of this report.

5. The six sources listed above (construction, stormwater, etc.) are the most common causes of degraded water quality. Minimizing pollution from each source is frequently the quickest, cheapest way of improving water quality. It is also essential to maintaining water quality at a level suited to human uses and sensitive aquatic communities. With regard to the mission of your organization, how would you rate the importance of curbing pollution from these and other sources?

Of the 39 respondents, 37 answered this question. Most (88%) felt it was very important to curb pollution from these sources and another 11% thought it was somewhat important. Only one respondent was undecided.

6. What portion of your organization's resources are devoted to identifying and correcting pollution sources in your watershed? By resources we mean staff and volunteer hours as well as funds. A general, off-the-cuff guesstimate will do fine.

Of the 39 respondents, 33 answered this question. The overall response was that a median of 20% of organization resources are devoted to identifying and correcting watershed pollution sources. A breakdown of the percentages shows that 39% of the respondents devote 0% to 10% of their resources to these activities, 18% devote 11% to 20%, another 18% devote 21% to 50%, and 24% devote 51% to 100%.

7. Are there any other thoughts you'd like to add?

Of the 39 respondents, 16 provided the following additional comments.

- Anxious to have training in our area. Will spread word if training is planned. Thanks for all you do.
- I'm not sure your categories capture urban/retrofits... stormwater other than new development
- We haven't really addressed construction run-off as Montgomery County doesn't have good enforcement. It can be frustrating.
- We are an all volunteer organization funded by private donation only
- Our program focus is implementation, education and outreach for GI [Green Infrastructure], mostly within the City of Lancaster. We are not involved with enforcement or inspection.
- Most of the NPS of pollution are regulated activities in PA. Watershed organizations are geared more towards projects.
- With proper funding Birdsong Gardens would like to study duckweed in the field. Last year we subcontracted with Elcriton on a NSF SBIR grant and did a controlled study which showed great potential. If done in the field there is a possibility that in addit
- We raise awareness to the importance of water quality & quantity and offer opportunities for the public to take action rather than work on the regulatory side. So the resources stated above are for these activities NOT IDing or correcting specific sources
- I thought this survey was unclear
- Question # 5: I could not find any "six sources," so did not answer.
- thanks!

- My husband and I live right by the Gwynns Falls stream and are probably more concerned about water quality and presence of pollution than most of our community. I've been directly involved with organizing stream clean-ups, tree plantings, and other similar activities.
- We're a small volunteer group. Focus is on outreach and education. We haven't been involved in the technical aspects of water quality, yet.
- We are very small and just beginning. Money for paid personnel is a big problem as our volunteers who coordinate our program are over-committed
- We have provided anecdotal evidence and labor assisting local agencies to I.d. problem hot spots.
- Primarily our organization organizes trash cleanups and education events.
- Our volunteers are aging and we are having difficulty recruiting younger volunteers.

VERBATIM RESPONSES QUESTION 2

During the past five years, has your organization engaged in any of the following activities in your watershed?

Impervious surfaces of all sorts.

Monitoring stream bank erosion

Long term biomonitoring of streams subject to non-point pollution. Monitoring tests include: pH, dissolved oxygen, nitrate, nitrite, phosphate, E. coli.

Stream bank/channel erosion and sedimentation

Have applied for but denied phase II grant from NSF to test amount of nutrient reduction offered from using duckweed in a controlled system in our drainage system

Most of our water monitoring is tied to NPS pollution not point sources.

Yes

Stormwater outfalls and little streams

Litter, in a general sense.

Streamwatch activities: monitoring stream water for pollution from businesses (service stations, lumber yards, dry cleaning establishments) and/or debris blocking water flow.

We have an extensive, multi-decade acid rain monitoring program for Virginia's headwater trout streams call the Virginia Trout Stream Sensitivity Study.

We have evaluated stormwater runoff from homeowners and churches.

Stream erosion sites

Baseline water testing

VERBATIM RESPONSES QUESTION 3

If you answered YES to any of the questions posed in #2 above, did you find a problem? If yes, did you have an opportunity to pursue corrective action such as reporting it to an enforcement agency, working directly with the responsible party, etc.?

Worked with MNCPPC on review and requirements for site plan review - some of the planning staff were very cooperative and receptive to our comments.

Not applicable; we've pursued solutions to these problems (excepting, for the most part, for crops/pastures) thru policy etc

Storm Water Management in the Dundalk Area

Chief problems: 1)blocked storm drains causing storm water to overflow and cause erosion
2)failure to monitor silt fencing 3) city inspector enforcing nothing
construction compliance varies greatly; virtually no AG enforcement in Washington County

Only by our consultant on the Obrecht development, Sparks Residences

Some problems have been fixed while other have not. Too many situations to answer one way or another.

VERBATIM RESPONSES QUESTION 4

If you answered NO to all the questions in #2, above, then may we ask why?

We depend upon our County Conservation District for these measurements.

I believe these questions are more appropriate for a watershed group; less so for us. My experience tells me that lack of knowledge, especially on corrections, less so on IDing problems but I admit I'm amazed how much fear of alienation does impact some people.

Not our mission

Our organization is focused on educational outreach & grassroots advocacy rather than on technical & regulatory aspects. So only stormwater BMPs fit within our focus.

If it weren't for help from consultant with development case, we wouldn't know how to evaluate potential problems.

We teach/fund individual homeowners to harvest & absorb stormwater on site using rain barrels, rain gardens, bayscapes & edible landscapes.

We simply do not have the volunteers or funding.

The purpose of this survey is to determine the factors that contribute to or impede the success of watershed organizations in minimizing pollution from the six most common sources in the Chesapeake Bay basin. We plan to use this information to design training materials and other forms of support which will resolve the impediments. For further detail visit ceds.org/audit or contact CEDS at 410-654-3021 or Help@ceds.org.

1. While your responses will be kept confidential, could we get your contact information to send you a summary of the results and in case we have follow-up questions?

Name:

Organization:

State:

Email Address:

2. During the past five years, has your organization engaged in any of the following activities in your watershed?

	Yes	No
Evaluated construction sites for compliance with erosion and sediment control requirements?	<input type="radio"/>	<input type="radio"/>
Reviewed plans for a proposed development project to ensure that full use would be made of highly-effective aquatic resource protection measures?	<input type="radio"/>	<input type="radio"/>
Evaluated stormwater ponds and other runoff Best Management Practices (BMPs) for maintenance needs?	<input type="radio"/>	<input type="radio"/>
Assessed wastewater treatment plants or other point pollution sources for compliance with discharge permit requirements?	<input type="radio"/>	<input type="radio"/>
Surveyed cropfields for conservation practices such as winter cover crops, minimum tillage, contouring, etc?	<input type="radio"/>	<input type="radio"/>
Evaluated pastures for overgrazing, buffer adequacy or livestock access to waterways?	<input type="radio"/>	<input type="radio"/>
Sampled waters above and below other potential pollution sources, such as CAFOs, mining, landfills, etc., to determine if aquatic resource degradation has occurred?	<input type="radio"/>	<input type="radio"/>

Have you evaluated other potential pollution sources not listed above:

3. If you answered YES to any of the questions posed in #2 above, did you find a problem? If yes, did you have an opportunity to pursue corrective action such as reporting it to an enforcement agency, working directly with the responsible party, etc.?

	No problem found	Problem found	Pursued corrective action	Problem fully corrected	Partially corrected	No correction
Construction Sites:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Proposed Development:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stormwater BMPs:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Point Source Discharges:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cropfields:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pastures:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sampling Other Sources:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Not Listed Above	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

4. If you answered NO to all the questions in #2, above, then may we ask why?

	ALL	Construction Sites	Proposed Development	Stormwater BMPs	Point Source Discharges	Cropfields	Pastures	Sampling Other Sources
None of the activities are present in your watershed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Don't know how to determine if activity is present	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lack the training to investigate this pollution source	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lack the time to investigate this pollution source	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lack of volunteers-staff willing to do this field work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cannot obtain funding to pursue this source	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Concerned about alienating government officials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Concerned about alienating watershed property owners	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Concerned about alienating foundations-other funders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Don't know how to pursue corrective action	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Assumed trespass onto private property required	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other impediments (noted in comments below)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

5. The six sources listed above (construction, stormwater, etc.) are the most common causes of degraded water quality. Minimizing pollution from each source is frequently the quickest, cheapest way of improving water quality. It is also essential to maintaining water quality at a level suited to human uses and sensitive aquatic communities. With regard to the mission of your organization, how would you rate the importance of curbing pollution from these and other sources?

- Very Important
- Somewhat Important
- Undecided
- Somewhat Unimportant
- Very Unimportant

6. What portion of your organization's resources are devoted to identifying and correcting pollution sources in your watershed? By resources we mean staff and volunteer hours as well as funds. A general, off-the-cuff guesstimate will do fine.

Percentage:

7. Are there any other thoughts you'd like to add?

Thank you