

New CWA 303(d) Program Vision

Region 3 TMDL/NPS/Monitoring Meeting

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A long-term Vision for Assessment, Restoration, and Protection under the Clean Water Act (12/5/13)

- ▶ Announced on December 5, 2013
- ▶ Collaboration with States (ACWA) to allow adaptive management, more flexibility, and incorporation of State priorities
- ▶ Provides for a new measure of success for the 303(d) Program by 2022
- ▶ *Not just implementation of existing TMDLs*
- ▶ *Still requires that TMDLs or TMDL alternatives be completed for impaired waters*

303(d) Vision Overview

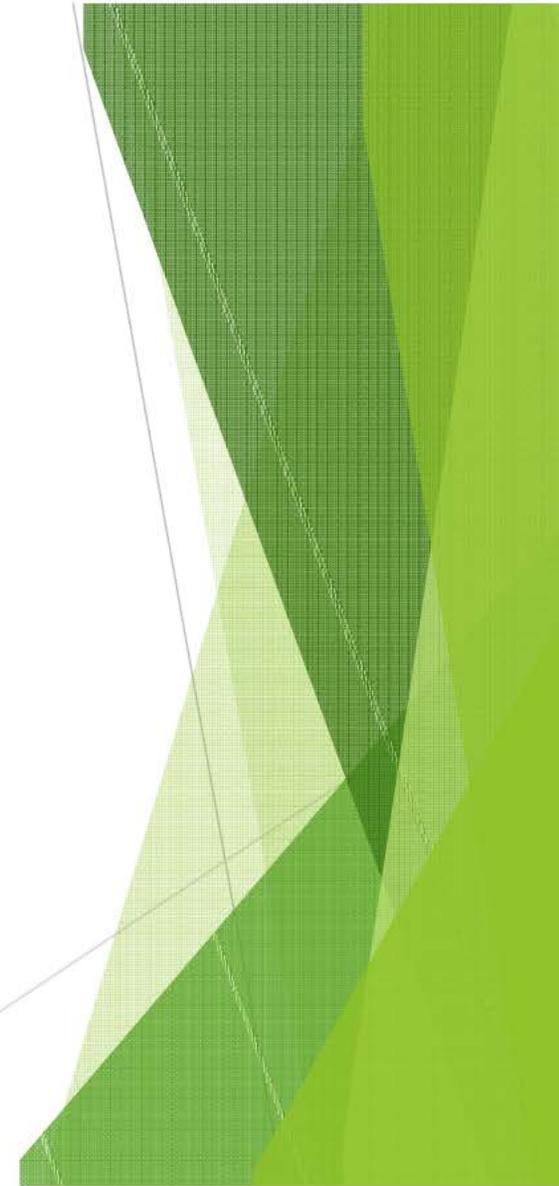
- ▶ 2014 - Engagement
 - ▶ EPA and the States engage the public and other stakeholders
 - ▶ States use a public process to roll out how they will set priorities
- ▶ 2016 - Prioritization
 - ▶ States identify priority watersheds for restoration and protection in their biennial reports
- ▶ 2016 - Integration
 - ▶ EPA and the States identify key point and nonpoint source control actions to achieve water quality goals
- ▶ 2016 - Protection
 - ▶ States identify activities to prevent impairments in healthy waters

303(d) Vision Overview (cont.)

- ▶ 2018 - Alternatives
 - ▶ States use alternative approaches, *in addition to TMDLs*, to implement actions needed to restore water quality in priority watersheds
 - ▶ Allows actions to be customized individual watersheds
 - ▶ “Just do it” where actions are known
 - ▶ Still emphasizes that WQS need to be attained
- ▶ 2020 - Assessment
 - ▶ States identify the extent of healthy and impaired waters in each State’s priority watersheds assessments
- ▶ 2022 - Evaluate Accomplishments
 - ▶ Identify where WQS have been attained in priority watersheds

Proceed with creativity but exercise caution

- ▶ Need to maintain a credible 303(d) Program
 - ▶ Consider the number/mileage of impaired waters in the State
 - ▶ How much are you able to capture?
- ▶ Focus on success, not just bean counts
- ▶ Adaptive management allows some trial and error, with correction when needed
- ▶ Take lessons learned from other TMDLs to move forward
- ▶ Prepare to report on the new measure



TMDL - Mining Issues

- ▶ Information on minor mining permits is not captured by EPA data systems
- ▶ Inaccurate inventory of existing mining permits
- ▶ Lack of capacity allowed for future permits, i.e. no allowance for future growth
- ▶ Discharge of pollutants by non-mining activities not acknowledged
- ▶ “Guessing” the level of pollutants being discharged by a given facility
- ▶ Oldest TMDLs are 16 years old.