

The 303(d) Program VISION

And What You Need to Know About It

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What is a TMDL?

- ❑ **Total Maximum Daily Load**
- ❑ It's a pollution BUDGET, or a clean up TARGET
- ❑ The maximum amount of a pollutant that a waterbody can receive and still meet water quality standards
- ❑ States are required to develop a '303d' list of impaired waters that do not meet state water quality standards
- ❑ TMDLs required for impaired waters

The TMDL Itself

$$\text{TMDL} = \text{WLA} + \text{LA} - \text{MOS}$$

Waste load allocation: Point Sources

Load allocation: NonPoint (Diffuse) Sources

Margin of Safety: Uncertainty

Completed for each waterbody/pollutant combination

Why the Change?

0 (zero)

70,000

600

Going ... going...

The States wanted flexibility to restore and protect
their waters in more effective ways

We developed the 303(d) Vision!

EPA: A Long-Term Vision for Assessment, Restoration, and Protection under the Clean Water Act Section 303(d) Program

The Clean Water Act Section 303(d) Program provides for effective integration of implementation efforts to restore and protect the nation's aquatic resources, where the nation's waters are assessed, restoration and protection objectives are systematically prioritized, and Total Maximum Daily Loads and alternative approaches are adaptively implemented to achieve water quality goals with the collaboration of States, Federal agencies, tribes, stakeholders, and the public

The Vision: An Opportunity

- The States are still required to do TMDLs, but...
- States can pursue other approaches to water quality
- States Focus on their Water Quality Priorities
- Develop a Strategy
- Emphasize results: Restoration and Protection
- Provide Flexibility
- Take the Long View if Needed
- Embrace Efficiencies

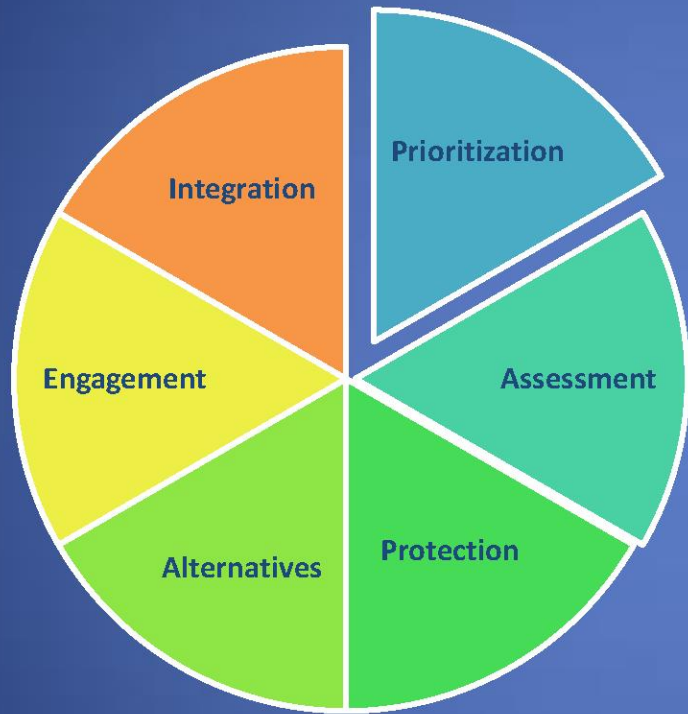
303d Vision for Restoration & Protection

6 Goals



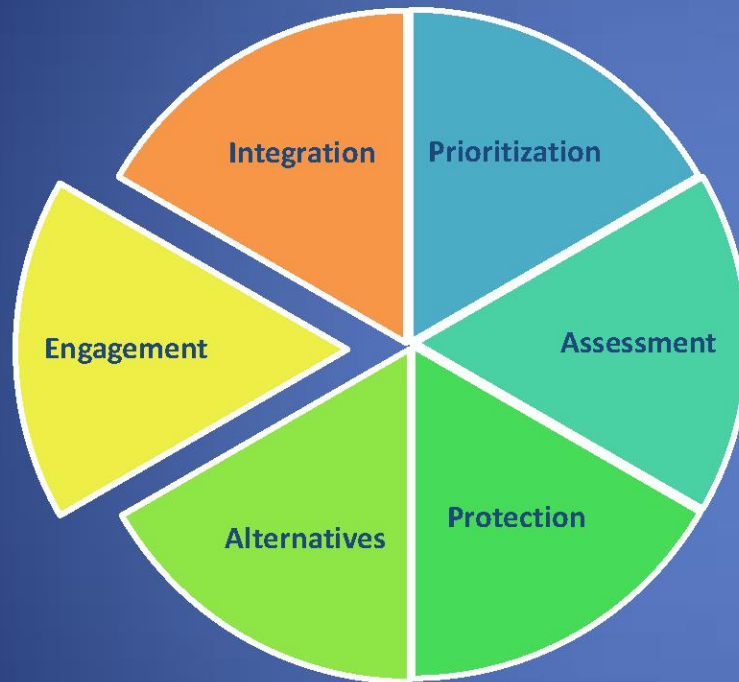
- **Renewed approach to focusing existing programs to achieve water quality goals**
- **Works within existing framework**

Prioritization



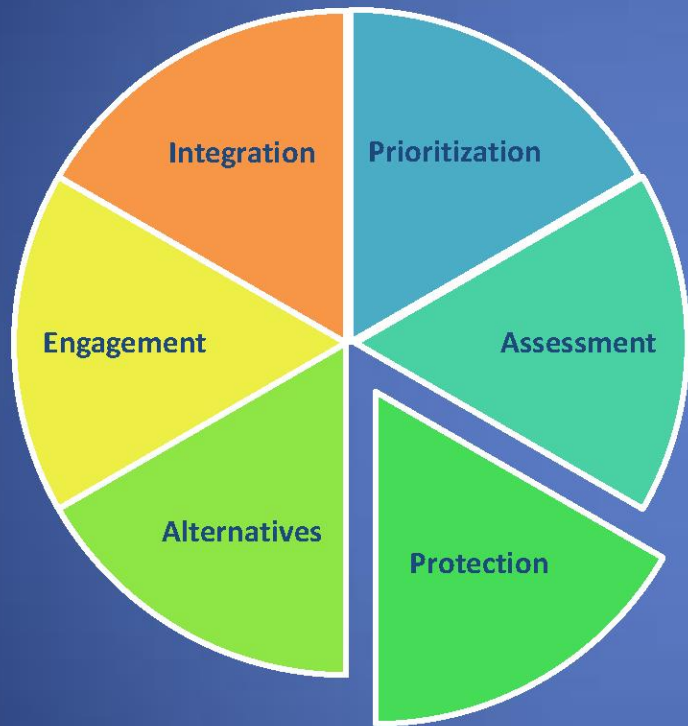
- State systematically prioritizes watersheds or waters for restoration and protection

Engagement



- Engage the public and stakeholders in meaningful ways and communicate transparently to build an effective partnership for WQ priorities

Protection

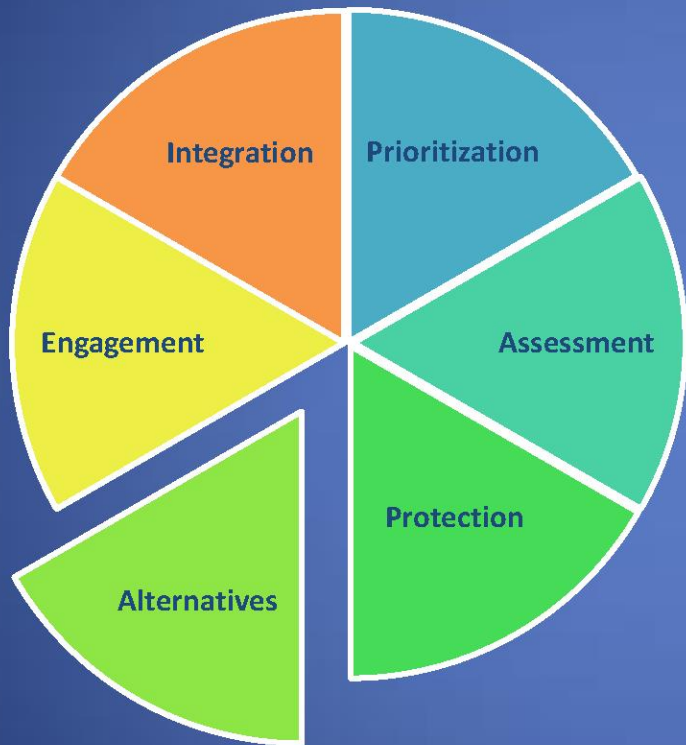


- States may establish priorities based on both restoration of impaired WQ and protection of un-impaired waters

What's a Protection Plan?

- ❑ Pollution prevention TMDLs (such as some on Cape Cod)
- ❑ Designate waters as Outstanding State and/or National Resource Waters (ONRWs)
- ❑ Acquire a permanent easement, or “Conservation Restriction (CR)”
- ❑ Restrict land use through an “Agricultural Preservation Restriction (APR)”
- ❑ Enact and implement water supply and aquifer protection laws
- ❑ Revise and implement land use regulations

Alternatives



- States may use traditional TMDLs or use TMDL alternatives to address state WQ priorities

What's a TMDL Alternative?

Examples of alternatives which have enforceable controls to ensure restoration progress and more rapid achievement of WQS

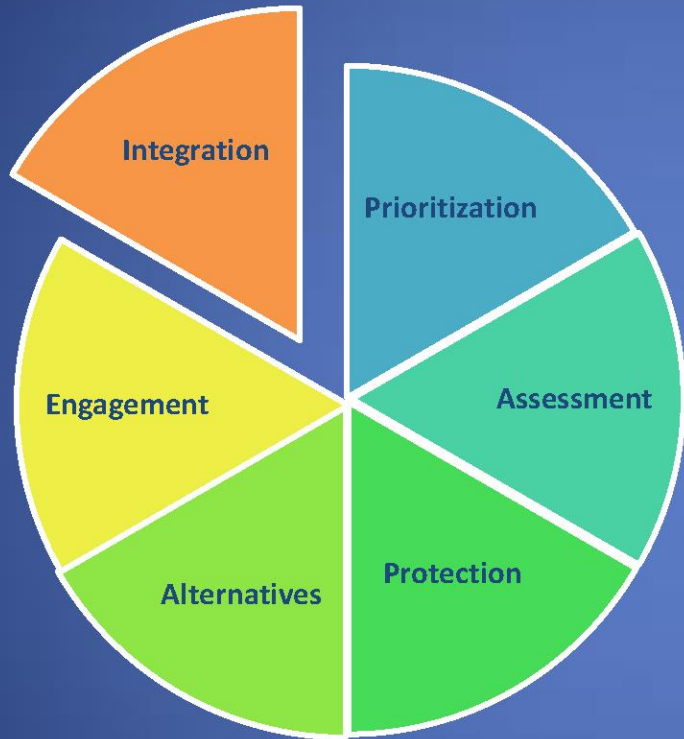
- Straight to Permitting
- Develop a CSO Master Plan designed to attain WQ Standards
- Issue other State permits that would result in WQ Standards being attained
- Exercise Residual Designation Authority (RDA)

What's a TMDL Alternative (cont.)?

Other examples of alternatives that can demonstrate they will lead to achievement of WQS

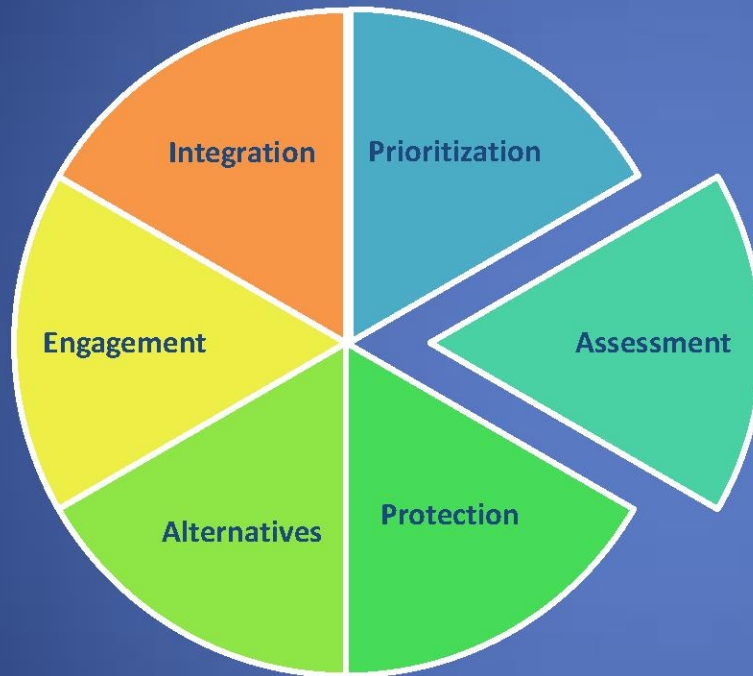
- Direct to Implementation: Dam removals
- Nonpoint Source Watershed-Based Plan designed to attain WQ Standards

Integration



- Coordinate across a broad range of state and federal programs to establish common implementation priorities in support of State's WQ goals

Assessment



- States assess the quality of waters in state priority areas

303d Vision: Recap

- A new framework applied to existing regulations
 - Allows for better focus on state's priorities
 - Creates no new requirements
 - Provides new flexibilities and tools
 - Extends timeframe to achieve goals
 - Provides a set of guiding principles
 - Identifies suggested milestones and timeline to integrate Vision approach into existing programs
 - Provides more value and accountability for States



QUESTIONS?