



NATIONAL WATER PROGRAM GUIDANCE FY 2020-2021

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INTRODUCTION FROM THE U.S. ENVIRONMENTAL PROTECTION AGENCY ASSISTANT ADMINISTRATOR OF WATER: DAVID P. ROSS

Clean water and a strong economy are inexorably linked. No significant economic activity is possible without clean water to drink and a functional wastewater management system. Since the Environmental Protection Agency (EPA) was founded, the environment is significantly better by all measures. For example, in 1962, prior to the formation of the EPA, approximately 40 percent of the public water systems did not meet standards and over 50 percent had major deficiencies. Today the compliance rate for community water systems has risen to 92 percent. The Office of Water's goal is to continue this trend implementing effective programs to monitor, protect, and improve America's water while fostering economic growth. The FY 2020-2021 National Water Program Guidance (NWPAG) is a tool that states, tribes, and local partners can use to help the EPA realize this goal.

The President's FY 2020 budget requests robust funding to further the President's ongoing commitment to the Nation's water infrastructure repair and replacement. The budget also requests significant resources to implement the recently enacted America's Water Infrastructure Act of 2018 (AWIA).¹ This new Act requires the EPA to initiate 32 new programs and strengthens many existing programs that address significant public health and environmental needs. America's Water Infrastructure Act of 2018 mandates include the creation of several new grant programs, authorizes assistance to areas affected by natural disasters, promotes water utility workforce development, improves community system risk and resilience, and improves consumer confidence drinking water reports. The Office of Water looks forward to working in partnership with states and tribes to integrate the implementation of AWIA into the national water program.

The EPA recognizes the limits of federal authority and the program structures of both the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA) in implementing the national water program. Under both statutes, the Office of Water relies on state and tribal co-regulators and partners to implement EPA programs effectively. The hope is that by providing reliable and consistent guidance and oversight – while also maximizing flexibility to leverage state and tribal expertise – the EPA can help make positive improvements to provide clean and safe drinking water and healthy waterways.

The "[EPA Overview to the National Program Guidance](#)"² communicates important background and Agency-wide information, and should be read in conjunction with this guidance.

¹ AWIA bill: <https://www.congress.gov/115/bills/s3021/BILLS-115s3021enr.pdf>.

² The EPA Overview of National Program Guidances: <https://www.epa.gov/planandbudget/national-program-guidances>.

SECTION I: EXPLANATION OF KEY CHANGES

Performance Measure Streamlining

A priority of this Administration is identifying opportunities to improve how the EPA delivers environmental and public health results to the American public. In support of this priority, the EPA has been working to implement the EPA Lean Management System (ELMS) for more than a year. Through its ELMS efforts, the EPA is tracking, measuring, and improving vital Agency processes, such as reducing the Agency's backlog in issuing permits.

Recently, the Office of Water undertook an effort to streamline the 100+ performance measures for the national water program. Through outreach, consultation, and coordination with states and tribes in August 2018, the Office of Water sought to better understand state and tribal priorities and seek input from states and tribes on the most targeted set of performance measures for the national water program.

With stakeholder input, the EPA identified 29 core measures that will be tracked. These core measures represent a more concise set of measures than the Office of Water has tracked in the past. This narrower set of measures focuses on key Office of Water processes and procedures. They will be tracked on a regular basis with the goal of identifying and introducing program and process efficiencies across the national water program. These measures can be found in Appendix A.

NWPG Format Change

The Office of Water is committed to providing clear, concise guidance to states and tribes. After robust engagement with states and tribes, the FY 2020-2021 NWPG has been streamlined to focus on achieving the long-term performance goals laid out in the FY 2018-2022 EPA Strategic Plan and Assistant Administrator priorities that support the Agency's drinking water, infrastructure, and watershed health goals within the strategic plan.

The 'Grant and Loan Guidance' section has remained but is streamlined in scope and format. In effect, the EPA provides guidance only on those programs with grant or loan components. Directional guidance relating to the rest of the national water program is included in the context of the long-term performance goals in Section II.

SECTION II: OPERATIONALIZATION OF STRATEGIC MEASURES

The Office of Water's long-term performance goals are long-term measurable results the Agency is working to achieve over the life of the FY 2018-2022 EPA Strategic Plan. These long-term performance goals are supported by annual performance goals (budget measures) included in the annual performance plans and budgets the Agency submits to Congress.

LONG-TERM PERFORMANCE GOAL

By September 30, 2022, reduce the number of community water systems out of compliance with health-based standards to 2,700.

Key Strategies: The EPA's national drinking water program will actively collaborate with states and tribes by providing nationally consistent data analysis and evaluation tools; taking specific actions to address health-based violations; supporting public water systems by providing tools to achieve financial and managerial viability; strengthen program collaboration among the Public Water System Supervision (PWSS), Drinking Water State Revolving Fund (DWSRF), and the Capacity Development programs; and boost the EPA's direct implementation in tribal communities by coordinating with other federal agencies (e.g. Indian Health Service and Bureau of Indian Affairs) to include implementation of distinct tribal drinking water programs. Also, the EPA will develop or sustain national forums³ to help coordinate work in infrastructure program implementation. The EPA will identify non-compliance trends and develop actions to address the trends including training, peer-to-peer discussions, and other resources.

Priority Actions for EPA/State/Tribal collaboration:

- **Ensure data accuracy and completeness** – Once per quarter, the EPA will generate a national dataset on health-based violations and develop data-driven strategies to facilitate discussions between states, tribes, and regions to address health-based violations. The data will be analyzed to identify rule implementation challenges that may help identify appropriate targeted training, technical assistance, and capacity development activities.
- **Provide targeted national training and technical assistance to address common challenges identified via the Safe Drinking Water Information System (SDWIS) compliance data, state file reviews, and annual program reviews** – As part of this cooperative oversight, the EPA will develop targeted technical training and outreach efforts on drinking water regulations that represent the largest percentage of violations impacting public water system compliance (e.g. the Lead and Copper Rule and the Stage 2 Disinfectants and Disinfection Byproducts Rules). The EPA will develop tools and resources that not only address technical challenges, but also coordinate with other programs that provide managerial and financial viability to public water systems such as the DWSRF program and the Capacity Development program. In addition to the SDWIS compliance data, the EPA will analyze challenges identified during state file reviews and annual program reports to tailor state training needs and resources. The EPA will track and follow up on recommendations and findings from state file reviews that should be addressed by the primacy agencies.
- **Enhance program collaboration among PWSS, DWSRF, and Capacity Development implementation and their tribal components to ensure that vulnerable systems remain in compliance** – The EPA will identify opportunities to enhance the use of funding sources to target

³ Examples of national forums may include Capacity Development and Operator Certification Workshops and Office of Research and Development/Office of Water Small System Workshops.

priority systems that lack compliance with health-based violations. The EPA will work collaboratively with the PWSS, DWSRF, and the Capacity Development program to adopt best practices and educate systems regarding the benefits of water system partnership to reduce operation and maintenance costs. The EPA will continue to collaborate with other federal agencies and tribes through the Infrastructure Task Force to address tribal community drinking water and wastewater infrastructure.

LONG-TERM PERFORMANCE GOAL

By September 30, 2022, increase by \$40 billion the non-federal dollars leveraged by EPA water infrastructure finance programs (CWSRF, DWSRF, and WIFIA).

Key Strategies: Repairing and modernizing outdated drinking water, wastewater, and stormwater infrastructure to spur environmental benefits and economic growth is a top priority of the national water program. Combined, the three water infrastructure programs, Clean Water State Revolving Fund (CWSRF), DWSRF, and Water Infrastructure Finance and Innovation Act (WIFIA), are the largest federal source of funds to improve the Nation’s drinking water and clean water infrastructure. Maximizing the amount of non-federal dollars leveraged by these programs is critical to meeting the national need to repair and modernize outdated water infrastructure. The EPA Headquarters will lead implementation of the priority actions described below.

Priority Actions for EPA/State/Tribal collaboration:

- **Engagement with the Water Infrastructure Community** – The EPA water infrastructure programs and the Water Finance Center will promote the leveraging of non-federal funds through engagements with the water infrastructure community to include states, tribes, municipalities, and associations. Engagements with the water infrastructure community should include outreach and marketing to potential borrowers and grantees, as well as participation in water sector meetings and conferences.
- **Tools, Training, and Resources** – The EPA will provide tools, training, and resources that promote innovative financing strategies to federal, state, tribal, and local stakeholders. The EPA will enhance the Water Finance Clearinghouse, deliver CWSRF and DWSRF programmatic and financial training to state programs, and promote innovative financing through webinars, fact sheets, and best practices.
- **Program Oversight** – The EPA will focus on how its oversight role of the CWSRF, DWSRF, and WIFIA programs can promote increased leveraging of non-federal dollars at the national level. This includes conducting state reviews of the SRF programs and performing robust oversight of WIFIA projects.

LONG-TERM PERFORMANCE GOAL

By September 30, 2022, reduce the number of square miles of watershed with surface water not meeting standards by 37,000 square miles.

Key Strategies: The EPA is committed to assisting states, authorized tribes, and territories to adopt updated water quality standards that support designated uses. The EPA will foster strong partnerships with federal, state, tribal, and other partners to protect and improve water quality. Documenting collective progress in reducing the number of waters not meeting standards is dependent on the timely submittal of electronic Integrated Reports on waters not meeting standards and the EPA’s timeliness of

reviewing state reports. Electronic submission will result in significant time savings for states in subsequent cycles, improve the EPA's review time, and allow for more transparency when presenting state water quality information to the public. This effort will help restore and maintain the health of the Nation's waters.

Priority Actions for EPA/State/Tribal collaboration:

- **Address Nonpoint Source (NPS) Pollution** – Nonpoint source pollution, including excess nutrient pollution, is one of America's most widespread, costly, and challenging environmental problems. The EPA works with its partners to protect and restore waters impaired by NPS pollution and provide technical support and opportunities to leverage federal funds. In addition, the EPA is working with the United States Department of Agriculture to invite states, tribes, and stakeholders to engage and reinvigorate the use of market-based and other collaborative approaches to improve water quality. As part of the effort to expand market-based approaches, the EPA issued a water quality trading policy memorandum to modernize the Agency's water quality trading policies.⁴ The EPA will engage with interested states and tribes to facilitate nutrient pollution reduction efforts, continue to support state Nutrient Reduction Strategies, and provide co-leadership for the Gulf of Mexico Hypoxia Task Force, among other actions.
- **Focus on Rule of Law and Process** – The EPA is reinvigorating the rule of law and process as it seeks to administer laws, while also refocusing the Agency on its basic statutory obligations. This includes modernizing Clean Water Act section 404 program assumption regulations; clarifying which waters can be assumed under an approved state or tribal program; reducing the delay of permitting major projects; and using efficiencies to avoid duplicative, sequential review processes, where practicable, for a more collaborative approach that entails earlier engagement and information-sharing by all relevant agencies.
- **Communicate with Partners** – Engage with the Association of Clean Water Administrators (ACWA), the Environmental Council of States (ECOS), the National Tribal Water Council (NTWC), National Tribal Caucus, and other relevant organizations in open, two-way communication throughout the lifecycle of new activities, actions, or projects to establish up-to-date standards and criteria for water quality and water treatment technologies that may affect states and tribes.

LONG-TERM PERFORMANCE GOAL

By September 30, 2022, reach all permitting-related decisions within six months.

Note: Though this is an Agency-wide measure, it has significant implications for the EPA-issued, Directly Implemented (DI) permits. This would include National Pollutant Discharge Elimination System (NPDES), Underground Injection Control (UIC), and other Office of Water permitting programs.

Key Strategies: The EPA is committed to increasing the speed of permit processing and streamlining permit reissuance to incorporate up-to-date information and requirements more quickly, thus clarifying environmental protection objectives and decreasing burden on the regulated community. The Agency is employing business process improvement strategies, such as Lean Management, to increase efficiencies

⁴ The EPA's Water Quality Trading Policy: <https://www.epa.gov/newsreleases/epa-announces-new-water-quality-trading-policy-memorandum>.

in all permitting actions to meet the commitment by September 30, 2022, of reaching all permitting-related decisions within six months of submission to the EPA.

Priority Actions for the EPA:

- **ELMS** – The EPA will take actions identified through ELMS to reduce barriers to making permitting decisions in a timely manner, such as implementing the use of modified permit application forms that clarify requirements and increase the likelihood of applications being complete when submitted to the EPA and developing a NPDES clearinghouse with helpful resources for permit writers.
- **Improve Timeliness** – The EPA regions will continue to implement backlog reduction strategies like using visual management tools to track the progress of permit issuance and working to identify and address complex or time-consuming processes, such as Endangered Species Act consultation issues, to ensure permit timeliness goals are met.

SECTION III: OTHER CORE WORK

Providing Regulatory Certainty

The EPA is acting to reduce confusion and provide regulatory certainty across the Nation. This includes undertaking major rulemakings, including defining what waters are subject to federal regulation through the [Waters of the United States \(WOTUS\) Rulemaking](#)⁵ and providing clarity to publicly owned treatment works for [managing wet weather events](#).⁶ The Agency is also promoting nationwide consistency between federal and state water quality goals by considering changes to [section 401](#)⁷ and [section 404](#)⁸ of the Clean Water Act.

Improving The Way The Agency Does Business

The EPA is committed to maintaining robust engagement with all interests to better coordinate and focus resources on some of the Nation’s most challenging water resource concerns. This includes working across the federal family on several initiatives that look at water resources holistically (e.g. the EPA’s initiative to develop a Water Reuse Action Plan that will leverage the expertise of both industry and government to ensure the effective use of the Nation’s water resources⁹). The EPA will focus on reducing the backlog of permitting decisions and implementing ELMS into more processes so that challenges are responded to and resolved quickly and thoroughly. The EPA will also engage earlier and more frequently with key stakeholders on major rulemaking and policy development initiatives.

Rebuilding America’s Water Infrastructure

The EPA is supporting the President’s commitment to rebuild America’s infrastructure by providing states, tribes, and communities with a range of financing, tools, and resources they can use to

⁵ WOTUS Rule: <https://www.epa.gov/wotus-rule>.

⁶ Managing peak flows: <https://www.epa.gov/npdes/peak-flows-sewage-treatment-plants>.

⁷ Section 401 of the CWA: <https://www.epa.gov/cwa-404/overview-section-401-certification-and-focusing-wetlands>.

⁸ Section 404 of the CWA: <https://www.epa.gov/cwa-404/memo-updating-epas-regulations-implementing-clean-water-act-section-404c>.

⁹ Water Reuse Action Plan EPA press release: <https://www.epa.gov/newsreleases/epa-announces-development-water-reuse-action-plan>.

modernize outdated water infrastructure. The EPA estimates that more than \$743 billion is needed to maintain, upgrade, and replace the Nation's water infrastructure over the next 20 years.

Workforce Development

Roughly one-third of water and wastewater treatment facility operators will be eligible to retire in the next 10 years. While this is a community issue in many respects, there is a role for the federal government. The EPA is coordinating with federal, state, tribal, and industry partners to support water and wastewater workforce training and development for operators, state and tribal staff, and others. Activities include a partnership with the Veterans Administration that provides information on water careers to disabled veterans, and a partnership with the Department of Labor to promote tools like the Water Workforce Competency Model, which helps utilities develop apprentice programs.¹⁰

Investing in America's Water

All this work provides a foundation for the EPA to fulfill its core mission of ensuring that all Americans have access to clean, safe drinking water. The Agency is working in partnership with states, tribes, drinking water utilities, and other stakeholders to identify and address current and potential sources of drinking water contamination and to ensure that risk is effectively communicated within communities. This work includes [addressing per and polyfluoroalkyl substances \(PFAS\) chemicals](#)¹¹ and [improving the Lead and Copper Rule](#).¹² Additionally, the EPA is working with its co-regulators and stakeholders to address excess nutrients in source water. The focus of these discussions is to encourage creative problem solving and identify where the EPA can provide additional flexibility that may facilitate market-based and other collaborative pollutant reduction programs.

SECTION IV: GRANT AND LOAN GUIDANCE

The EPA promotes flexibility in grant work planning necessary to address the environmental and health priorities of states, tribes, and territories. Through the National Environmental Performance Partnership System (NEPPS), the EPA encourages the use of Performance Partnership Agreements (PPAs) and Performance Partnership Grants (PPGs)¹³ as vehicles for continuous collaboration and for increasing administrative, financial, and programmatic flexibilities for states, tribes, and territories.¹⁴ In addition, regions can consider established EPA-Tribal Environmental Plans (ETEPs) to assist in conducting federal environmental program activities in Indian country, including direct implementation and technical and financial assistance.

PWSS Grant Guidance

The PWSS grant program is fundamental to the implementation of the national drinking water program and is a key oversight tool utilized in partnership with the states and tribes to provide safe drinking water to the American public. Grants are provided to states with primary enforcement authority to

¹⁰ Workforce Development: <https://www.epa.gov/sustainable-water-infrastructure/water-sector-workforce>.

¹¹ PFAS: <https://www.epa.gov/pfas>.

¹² Lead and Copper Rule: <https://www.epa.gov/dwstandardsregulations/lead-and-copper-rule-long-term-revisions>.

¹³ NEPPs, including grants eligible for PPGs: <https://www.epa.gov/ocir/national-environmental-performance-partnership-system-nepps>.

¹⁴ Reference the Office of Congressional and Intergovernmental Regulations FY 2020-2021 National Program Guidance for information on NEPPS, PPA and PPG FY2020-2021 priorities: <https://www.epa.gov/planandbudget/national-program-guidances>.

implement and enforce National Primary Drinking Water Regulations (NPDWRs). The NPDWRs set forth monitoring, reporting, compliance tracking, and enforcement elements. Grant funds are used by states to:

- Maintain compliance data systems;
- Compile and analyze compliance information;
- Respond to and enforce against violations;
- Certify labs;
- Conduct lab analyses;
- Conduct sanitary surveys; and
- Draft new regulations and legislative provisions where necessary.

PWSS Grant Activities for FY 2020-2021

Building on the ongoing efforts of grantees to implement the PWSS program, FY 2020-2021 priority activities for the PWSS grantees, including those directly implementing programs in Indian country, should include the following:

- Taking targeted actions, such as training and technical assistance, to support efforts to reduce the number of health-based violations;
- Submitting primacy packages for all NPDWRs to reduce the backlog of unsubmitted or unapproved packages;
- Completing sanitary surveys in a timely manner to meet the requirements of the law;
- Seeking opportunities to implement policies that will enhance program collaboration with the DWSRF and the Capacity Development program to address noncompliance among vulnerable systems;
- Ensuring that compliance data submitted to the Agency is accurate, complete, and submitted in a timely manner;
- Addressing rule implementation of the Microbial, Disinfectants, and Disinfection Byproducts Rule, which represents the largest number of health-based violations, including the Revised Total Coliform Rule, Ground Water Rule, the Stage 2 Disinfectants and Disinfection Byproducts Rule, and the Long-term 2 Enhanced Surface Water Treatment Rule;
- Continuing to address simultaneous compliance challenges with the Lead and Copper Rule; and
- Devoting a proportion of each PWSS grant to ensuring that data are effectively managed, and that required data are submitted to the EPA such that 1) water system compliance determinations are consistent with federal and state regulations; 2) corrective actions associated with data file reviews and annual program reviews are implemented; and 3) PWSS grantees submit to the EPA the required inventory, compliance, and enforcement data.

The PWSS grant allotments are based on factors such as population, geographic area, and PWSS inventory. The PWSS grant guidance, policy, and allotment formula can be found at:

<https://www.epa.gov/dwreginfo/public-water-system-supervision-program-water-supply-guidance-manual>.

State-by-state allotments and the total amount available to each region for its tribal support program will be available at: <https://www.epa.gov/dwreginfo/final-allotment-fy-2017-public-water-system-supervision-pwss-state-and-tribal-support>.

The *Guidance and Tentative Grant Allotments to Support Public Water System Supervision (PWSS) Programs on Tribal Lands* can be found at: <https://www.epa.gov/sites/production/files/2015-09/documents/fy2008-tent-tribal-pwss-prog-memo-guidance.pdf>.

DWSRF Guidance

This document for FY 2020-2021 includes guidance for state recipients of DWSRF program grants.¹⁵ Grant recipients are expected to conduct their programs to help achieve the goals, objectives, and measures specified in this guidance.

America's Water Infrastructure Act of 2018 contains specific requirements related to the State Revolving Loan Funds. AWIA:

- Codifies existing DWSRF provisions that authorize infrastructure rehabilitation or replacement activities for DWSRF assistance, and that apply Davis-Bacon requirements to the DWSRF;
- Increases the ceiling for states to offer DWSRF assistance to disadvantaged communities from 30 percent to 35 percent and adds a new floor of 6 percent (which only applies if enough applications for such assistance exist);
- Extends the maximum amortization period for DWSRF loans from 20 years to 30 years, increases the period for disadvantaged communities to 40 years, and extends the period for initial DWSRF repayments from 12 months after project completion to 18 months;
- Requires future EPA drinking water needs surveys to include an estimate of replacement costs for all lead service lines, both the portion owned by the public water system and the remaining portion;
- Reauthorizes the use of DWSRF assistance for delineating and assessing source water protection areas (for which authorization ended in 1997) and authorizes funding for updating existing assessments; and
- Requires the EPA to collect state best practices on DWSRF administration and disseminate them to states within three years.

Additional guidance is issued as necessary to address program implementation needs. States, at their discretion, may reserve up to approximately 31 percent of any DWSRF capitalization grant for "set-asides" to fund DWSRF program administration, small system technical assistance, state program management, and local assistance. This includes:

- Support for the state PWSS program;
- State wide operator certification programs;
- State wide capacity development planning;
- System source water protection; and
- System level capacity development actions.

To ensure the appropriate balance between financing capital projects to improve the delivery of safe water and funding non-capital set-aside assistance for water systems, the PWSS program in each state has the lead responsibility for determining the priority for providing these two forms of assistance to water systems. This balance of funding priorities is to be reflected in the state's intended use plan (IUP). The SDWA requires that states submit an annual IUP that details how the state will use DWSRF program

¹⁵ DWSRF grant programs: www.epa.gov/drinkingwatersrf.

funds, including new capitalization grants, as well as other grant funds, repayments, and other resources. The Project Priority List is a cornerstone element of the IUP and presents all the capital projects awaiting DWSRF assistance in priority funding order. The SDWA further requires states to include a “Fundable List” showing the specific projects that the state anticipates being ready to proceed to receiving assistance that year. Additionally, the SDWA requires states to submit set-aside work plans detailing how set-aside funds will be used. The SDWA also requires states to submit, biennially, a report that explains how DWSRF funds were used. Finally, the SDWA requires states to submit annual data on program performance. Auditing is required to the extent laid out in the Single Audit Act.

The EPA regions perform annual on-site reviews of state programs, including project file reviews and transaction testing. These reviews serve as the EPA’s baseline monitoring for the DWSRF.

The DWSRF grant allotments are based on the Drinking Water Needs Survey’s results. State-by-state allotments, territorial funds, and the total amount available to each region for tribes is available at: www.epa.gov/drinkingwatersrf.

In FY 2020-2021, the EPA and states should take all appropriate and timely steps to ensure that all CWSRF and DWSRF funds move as expeditiously as possible from the EPA through states and into high priority projects, consistent with sound program oversight, achieving the public health protection objectives of the SDWA. This includes a continued emphasis on cash flow modeling and assisting drinking water systems in most need of financial and technical assistance.

Underground Injection Control (UIC) Grant Guidance

State and tribal grant recipients are expected to implement their programs to help achieve the goals, objectives, and measures specified in this guidance.

The overall objective of the UIC grant program is to protect public health by enforcing minimum requirements to ensure that:

- All injection is authorized under either general rules or specific permits;
- Injection well owners and operators do not site, construct, operate, maintain, convert, plug, abandon, or conduct any other injection activity that endangers an underground source of drinking water (USDW);
- Injected fluids stay within the well and the intended injection zone; and
- No injection occurs which allows for the introduction of any contaminant into an USDW if the presence of that contaminant may cause a violation of any primary drinking water standard or otherwise adversely affect public health.

To assist owners and operators of UIC facilities in meeting these objectives, grantees will need to adopt a variety of approaches and coordinate efforts with other groundwater protection programs. Fiscal Year 2020 priority activities for the UIC grant fund recipients should include the following:

- Maintaining program capacity to implement UIC program requirements for all classes of wells;
- Ensuring that Class I, II and III (salt solution) wells that lose mechanical integrity are returned to compliance;
- Addressing high priority Class V wells; and
- Submitting data through the EPA’s UIC Data Application.

CWSRF Guidance

State and local water managers should continue to focus on financing water infrastructure improvements through expanded use of the several types of assistance available to the CWSRF programs and through increased use of the program's broadened eligibilities under the Water Resources Reform and Development Act of 2014.

Nationally, the EPA will continue to strengthen oversight of the program through effective implementation of its federal requirements. The EPA will continue to work with states to increase demand through marketing and outreach, including providing technical assistance (e.g. surveys and focus groups) to CWSRF programs to identify state-specific marketing opportunities, and identifying exceptional projects for national recognition through the CWSRF Performance and Innovation in the CWSRF Creating Environmental Success program.

WIFIA Guidance

The WIFIA program will accelerate investment in the Nation's water infrastructure by providing long-term, low-cost supplemental loans for regionally and nationally significant projects. WIFIA credit assistance is available to state infrastructure financing authorities for a group of projects and individual project sponsors, which may include: a corporation; a partnership; a joint venture; a trust; or a federal, state, local, or tribal government (or consortium of tribal governments). In the case of projects carried out by private entities, such projects are to be publicly sponsored.

Section 106 Grant Guidance

Grant recipients are expected to conduct their programs to help achieve the goals, objectives, and measures specified in this guidance. In addition, the section 106 website¹⁶ includes specific guidance¹⁷ for state, interstate, and tribal grant recipients in these section 106 grant guidance areas.

Section 106 grant guidance covers water pollution control program activities including: water quality standards, water quality monitoring, impaired waters listing and total maximum daily loads (TMDL) development, NPDES permitting, and enforcement and compliance. New and high priority activities for FY 2020-2021 include:

- Coordination of states' and tribes' triennial reviews of their water quality standards with the EPA at critical points to enhance the quality of the reviews and increase the number of reviews completed on time;
- Collaboration with states and tribes to implement National Aquatic Resource Surveys (NARS) to assess the quality of the Nation's coastal waters, lakes and reservoirs, rivers and streams, and wetlands using a statistical survey design;¹⁸
- Support for implementation of the new Assessment TMDL Tracking and Implementation System (ATTAINS) data flow for submission of Integrated Reporting under CWA sections 303(d) and 305(b) through technical assistance and Exchange Network Grants. Work on state priority TMDLs and other plans, including state-identified priorities for TMDLs, alternatives, and protection approaches under the State-EPA 303(d) Program Vision; and

¹⁶ Section 106 grants: <https://www.epa.gov/water-pollution-control-section-106-grants>.

¹⁷ Section 106 grant guidance: <https://www.epa.gov/water-pollution-control-section-106-grants/final-section-106-supplemental-grant-guidance-states>.

¹⁸ NARS: <https://www.epa.gov/national-aquatic-resource-surveys>.

- Incorporation of new NPDES regulations and other programmatic changes and priorities, continued implementation of significant actions identified during permit and program quality reviews (PQRs), revision of NPDES permit application forms to incorporate changes to the existing EPA application regulations that were finalized on February 12, 2019 (84 FR 3324), or transition to the new EPA forms that become effective June 12, 2019, implementation of changes specified in the NPDES Municipal Separate Storm Sewer System (MS4) General Permit Remand Rule, and continued implementation of the NPDES Electronic Reporting Rule.
- Collaborate with states and tribes expressing an interest in assuming the section 404 dredged and fill permit program.

APPENDIX A – National Water Program Core Measures

Subject Area	Measure Language	FY 2020 Planning Target (Will be available summer of 2019)
Drinking Water	Community water systems out of compliance with health-based standards	
Drinking Water	Community water systems out of compliance with health-based standards in Indian country	
Drinking Water	Systems out of compliance due to Lead and Copper Rule violations	
Drinking Water	Strengthen the technical, managerial and financial capacity of drinking water systems	
Drinking Water	Drinking water sanitary surveys	
Infrastructure	Reviews of Drinking Water State Revolving (DWSR) Funds	
Drinking Water	State Public Water System Supervision (PWSS) rule primacy applications in backlog	
UIC	EPA permit backlog - New Underground Injection Control (UIC)	
UIC	EPA permit backlog - Existing UIC	
Infrastructure	Number (billions) of non-federal dollars leveraged by EPA water infrastructure finance programs - Clean Water State Revolving Fund (CWSRF), Drinking Water State Revolving Fund (DWSRF) and Water Infrastructure Finance and Innovation Act (WIFIA)	
Infrastructure	Reviews of state CWSRF	
NPDES	EPA permit backlog - Existing Non-Tribal National Pollutant Discharge Elimination System (NPDES)	
NPDES	EPA permit backlog - Existing Tribal NPDES	
NPDES	EPA permit backlog - New Non-Tribal NPDES	
NPDES	EPA permit backlog - New Tribal NPDES	
NPDES	Average process time for requests for coverage under NPDES general permits	
Water Quality	Watersheds with surface waters not meeting standards	
Water Quality	Watersheds with surface waters not meeting standards because of nutrients that now meet standards	
Impaired Waters	Electronic submission of state Integrated Reports	
Impaired Waters	Outstanding state submission of 303(d) lists	
TMDL	Progress in putting priority total maximum daily loads (TMDLs), alternative restoration plans, and protection approaches in place	
TMDL	Backlog of EPA action on TMDLs	
TMDL	Backlog of EPA action on priority TMDLs	
Impaired Waters	Backlog of EPA action on 303(d) Lists	
Water Quality	Number of primarily nonpoint source-impaired waterbodies partially or fully restored by nonpoint source (NPS) program actions	
Water Quality	Report on the quality of the Nation's waters - number of samples processed	
Water Quality Standards	Water Quality Standards actions in backlog	
Water Quality Standards	Number of states completing triennial reviews on time	
Water Quality	Number of states and territories with a methodology for notifying the public when a harmful algal bloom is present	

APPENDIX B – Key Contacts

Subject Area	Contact Name	Phone	Email
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	Lynn Stabenfeldt	(202) 564-0602	stabenfeldt.lynn@epa.gov
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	Jackie Clark	(202) 564-6582	clark.jackie@epa.gov
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Impaired Waters	Istanbul Yusuf	(202) 564-8811	yusuf.istanbul@epa.gov
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Grants Management	Tracey Miller	(202) 564-0783	miller.tracey@epa.gov