

**FY 2015 National Water Program Guidance Addendum
Office of Water
Summary Response to Comments**

Comment from State, Tribe, or Other Stakeholder	Commenter	Location in Draft Addendum	Office of Water Response	Action Taken in Final Addendum
General and Multi-Program				
<i>1. States very much appreciate the opportunity to review and provide comments on the NPM Guidance. We also appreciate EPA's efforts to streamline this effort. However, the process seems a little cumbersome and difficult to navigate for effective review and feedback, especially with the use of the "addendums". The explanation of changes were also sometimes cryptic.</i>	<i>Association of Clean Water Administrators (ACWA)</i>	<i>General Comment</i>	Thank you for your feedback. We will evaluate the addendum process and content for improvement.	<i>No change</i>
<i>2. ACWA generally avoided commenting on regionally-specific portions of the Guidance. ACWA recommends EPA work directly with states in the affected regions for changes that do not impact state programs nationally.</i>	<i>Association of Clean Water Administrators (ACWA)</i>	<i>General Comment</i>	Thank you for your comment. EPA is committed to working with states on regional issues.	<i>No change</i>
<i>3. EPA appears very committed to new initiatives. ACWA wishes to stress the need for continued investment of resources for the core programs. The success of the CWA programs relies on continued investment in the basic program elements.</i>	<i>Association of Clean Water Administrators (ACWA)</i>	<i>General Comment</i>	Thank you for your comment. EPA is committed to the success of CWA core programs.	<i>No change</i>
Resources				
<i>4. In the upcoming year (or two), ACWA plans to assist EPA with updating a survey tool that will help identify the national fiscal resource gap associated with state Clean Water Act program implementation. Since 2000-2001(date of the original State Resources Analysis (GAP), the CWA programs have</i>	<i>Association of Clean Water Administrators (ACWA)</i>	<i>General Comment</i>	EPA looks forward to conversations with ACWA on the resource study project.	<i>No change</i>

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<i>continued to grow and in many ways has gotten more complicated. ACWA looks forward to future conversations on the resources gap.</i>				
<p>5. ACWA appreciates the Administration’s request for an additional CWA Section 106 funds. 106 funds are used by states/interstates to “operate” the CWA’s many programs – from enforcement and compliance, to permitting, inspections, and on the ground CWA implementation. Any increase in 106 funding is essential, given the growth in the number of CWA programs states must administer (see comment on resource gap issues, above). Over the last decade, EPA has tied the proposed increases to very specific initiatives such as monitoring, fee programs, enforcement, and nutrient reduction efforts. We strongly believe that EPA should allow states to direct 106 increases to the “top water quality challenge” in the state/interstate – in many cases this will be nutrients, but in some places the top challenge could be in a non-nutrient area (e.g., temperature, metals, salinity).</p>	<p align="center"><i>Association of Clean Water Administrators (ACWA)</i></p>	<p align="center"><i>General Comment</i></p>	<p>EPA thanks ACWA for their support of the programs Section 106 grants help fund. We recognize how important these funds are to states and the need to provide enough flexibility for states to address their most pressing needs.</p> <p>The FY 2015 President’s Budget requests an approximate \$18 million increase in Section 106 funds. These funds are to support base program activities and state and tribal nutrient reduction activities. Nitrogen and phosphorus pollution is one of the most serious and pervasive water quality problems and one of the five national water program areas of focus. However, any increase in Section 106 funding for nutrient reduction activities will not be a set-aside. Instead, EPA will work with states to prioritize inclusion of nutrient reduction activities in their Section 106 grant workplans.</p>	<p align="center"><i>No change</i></p>
Permitting & Compliance				
<p>6. With respect to integrated wastewater and stormwater planning (IP), ACWA is generally supportive of this effort, but also recognize it has resource implications.</p>	<p align="center"><i>Association of Clean Water Administrators (ACWA)</i></p>	<p align="center"><i>FY2014 OW NPM, Section III-C-1-a-iv, Page 45</i></p>	<p>EPA does recognize that the Integrated Planning process may create an additional work load on some States. The Agency will continue to work with states on Integrated</p>	<p align="center"><i>No change</i></p>

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			Planning issues and evaluate appropriate ways to track state implementation of integrated planning.	
7. ACWA supports a new vision/strategic plan for the NPDES program. The program continues to grow while the resources have stayed static or even dwindled. Likewise, EPA may be able to do more to design regulations and permits that are easier to implement, and that will result in higher compliance and improved environmental outcomes.	Association of Clean Water Administrators (ACWA)	Page 6	The NPDES Program is committed to work collaboratively with states and tribes in this period of declining resources to achieve safe and clean water goals.	No change
8. PQR/SRF - Integrating PQR into the SRF process has been a challenge - not much efficiency has been realized. EPA should continue to look for ways to streamline the state review framework without undercutting the ability to fully and appropriately represent the programs.	Association of Clean Water Administrators (ACWA)	See comments on OECA NPM below.	Initial combined PQR and SRF reviews revealed that efficiencies of integrating these reviews were not realized in all regions. Therefore, EPA has provided flexibility to regions to conduct the reviews in either an integrated or separate fashion as they see fit in future years.	No change
Climate Change				
9. ACWA appreciates that EPA has considered its comments on its Draft Potential State Agency Clean Water and Drinking Water Climate Change Adaptation Actions (Appendix D). Moving forward, we encourage EPA to engage in dialogue with state water quality managers and staff to begin to implement these actions, and where appropriate, provide them with information, data sources, and/or resources to carry out	Association of Clean Water Administrators (ACWA)	Page 5	EPA looks forward to working with ACWA and other interested parties to develop effective responses to the impacts of a changing climate on water programs.	No change

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<i>these actions, especially where water quality or watershed modeling is necessary.</i>				
<i>10. The proposed actions for climate change adaptation will result in additional work for various groups in the Clean Water Program. Additional work will require either additional funding or a reallocation of existing funding from current EPA national priorities to implement these actions.</i>	<i>Colorado Department of Public Health & Environment, Water Quality Control Division</i>	<i>Appendix D</i>	EPA recognizes that resources are limited and is working to design climate change adaptation actions that are effectively integrated into existing program operations.	<i>No change</i>
Controlling Nutrient Pollution				
<i>11. EPA's Office of Water has multiple competing nutrient reduction initiatives which require significant state support. States urge EPA to adopt a goal surrounding the prioritization and timing of these efforts, in consultation with ACWA and its members, such that limited state and federal resources can be more productively leveraged.</i>	<i>Association of Clean Water Administrators (ACWA)</i>	<i>General Comment</i>	Thank you for this comment. Addressing nutrient problems is a complex undertaking involving many different EPA and state programs. The Office of Water has met a number of times with ACWA and other interested parties on these matters, and plans to engage on a more regular basis with meetings between EPA's senior managers and ACWA's nutrients subcommittee.	<i>No change</i>
<i>12. To meet this goal, states encourage EPA to continue engagement with ACWA's Section 319 Workgroup as states finalize their management plans and implement the new guidelines. Meeting this goal will also require continued and ongoing engagement with the U.S. Department of Agriculture (USDA), with the Natural Resource Conservation Service (NRCS), and with state agricultural groups to identify</i>	<i>Association of Clean Water Administrators (ACWA)</i>	<i>Page 4</i>	We agree and EPA will continue engaging in these activities.	<i>No change</i>

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<i>implementation issues. This goal can serve as an example of how early engagement with States produce positive outcomes.</i>				
Improve Water Quality Monitoring and Assessment				
<i>13. ACWA is very supportive of efforts to protect high quality watersheds. We look forward to participating in a new MOU with EPA and The Nature Conservancy to facilitate and highlight pilot projects which improve the integration of high quality water protection, state Clean Water Act programs, and climate change mitigation.</i>	<i>Association of Clean Water Administrators (ACWA)</i>	<i>Page 5</i>	EPA appreciates ACWA’s support for protecting high quality waters through various efforts including the new MOU between EPA and The Nature Conservancy.	<i>No change</i>
Improve Water Quality on a Watershed Basis				
<i>14. ACWA supports the replacement of the pace measures, WQ-8a & -8b with the new performance measures WQ-27 and WQ-28 featuring TMDL or other restorative efforts in priority areas as well as incremental progress toward completing those efforts. We look forward to working with EPA on the details of reporting on those two measures through the pilot measure effort. To date, states involved in that pilot effort have not seen how their individual reporting has been translated into a national measure through the use of catchments. The ease of that effort will dictate the success in reporting on TMDL progress in the future. Given that the new measures replace the pace measures, ACWA</i>	<i>Association of Clean Water Administrators (ACWA)</i>	<i>Page 9-10</i>	Thank you for your comment. The FY 2015 National Water Program Guidance Addendum does mention that the new 303(d) measures (WQ-27 and WQ-28) will replace WQ-08(a,b). See pages 6 and 9 of the Addendum.	<i>No change</i>

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<i>recommends that EPA explicitly state that WQ-8a and 8b are being removed as performance measures to avoid any confusion. A number of states continue to ask if the new measures are to be reported <u>in addition to the</u> traditional pace measures. Clarification by EPA that pace will no longer be reported on may hasten the acceptance of the new measure by the states.</i>				
15. As EPA converts reporting under measure WQ-SP13.N11 from streams to lakes, ACWA recommends that EPA brief states on the results of tracking changes in condition of the Nation's stream.	ACWA	Page 8	Thank you for your interest in EPA's National Rivers and Streams Report. We welcome the opportunity to brief the states.	No change
Watershed Standards Attainment Goals and Strategies NHDPlus				
<i>16. ACWA supports EPA developing and evaluating a new measure for local improvements in water quality, and particularly supports EPA's creation of a state-EPA workgroup to identify a new 303(d) program to better demonstrate interim progress in water quality improvements. However, it is important to note that that the new measure is still being piloted by states and further discussions are still in order to identify appropriate data analyses that accounts for variability in state priority settings across watersheds. For example, if a state has two separate "priorities" within one single watershed and it meets the first commitment, using EPA's current proposed</i>	Association of Clean Water Administrators (ACWA)	Page 7	EPA will continue to engage ACWA in the discussions about the results of the 303(d) measures pilot and subsequent changes that will be made to the computational guidance for the new 303(d) measures (WQ-27 and WQ-28). Also, EPA will continue to engage with ACWA on the development of new measures to replace SP-10 and SP-11. As part of these discussions, the workgroup is tasked with identifying ways to track incremental activities that lead to water quality standards attainment. These discussions are currently underway.	No change

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<p><i>method of data analysis there will be no recognition that any commitment has been met. The catchment will still show that no TMDL or alternative has been established until all necessary plans are firmly in place. One potential remedy for this would involve performing the GIS evaluation in an iterative manner, based on designated uses to how different levels of water quality or TMDL attainment or by identifying an “in-progress” category for places where some work has been done but not all plans have been completed. States will be better served to have such a discussion once the state examples from the pilot effort are processed and discussed with EPA.</i></p> <p><i>Additionally, with respect to the FY14 indicator measure tracking statewide progress using statistical survey results, it is important to note that the surveys do not adhere to listing methodologies under 303(d) and are not necessarily cause for listing, and any comparison of stream miles or lake acres between 2012 and 2014 or subsequent years should use the same criteria or thresholds for assigning support status to those waters.</i></p>			<p>Both state-wide probabilistic and site-specific monitoring approaches play a role in achieving the CWA 303(d) Vision. State-wide probability-based surveys can inform the selection of priority areas by identifying particular pollutants or geographical areas that warrant further State attention. Targeted site-specific monitoring can identify specific water quality issues, inform specific actions to pursue and determine progress in these priority areas. EPA expects states to employ a combination of monitoring approaches to guide the states as they implement their overall water quality objectives.</p>	