

2022 - 2032 Vision for the Clean Water Act Section 303(d) Program

The Clean Water Act Section 303(d) program strives to strategically plan and prioritize activities, engage partners, and analyze and utilize data to develop water quality assessments, plans, and implementation approaches to restore and protect the Nation's aquatic resources.

The 2022 - 2032 Vision for the Clean Water Act Section 303(d) Program (“2022 Vision”) identifies opportunities to manage effectively Clean Water Act (CWA) Section 303(d) program activities to achieve water quality goals for the Nation’s aquatic resources such as streams, rivers, lakes, estuaries, and wetlands. This 2022 Vision comes as EPA, states, territories, tribes, local governments, and citizens mark the 50th Anniversary of the CWA and chart a path to promote continued improvements in water quality as we start the next 50 years. The purpose of this document is to articulate a renewal of the initial 2013 long-term Vision and associated Goals, as well as to introduce new Focus Areas for the CWA Section 303(d) program. The Goals outline aspirations and highlight opportunities to implement CWA Section 303(d) program activities in the following categories – Planning and Prioritization, Restoration, Protection, Data and Analysis, and Partnerships. Focus Areas provide four cross-cutting themes of national, regional, and local importance, consistent with EPA priorities, to consider in CWA Section 303(d) program implementation – Environmental Justice, Climate Change, Tribal Water Quality and Program Development, and Program Capacity Building. This Vision outlines a framework to organize program activities; it does not constitute regulation, policy, or new mandates.

The Vision is designed to help coordinate and focus efforts to advance the effectiveness of CWA Section 303(d) program implementation in the coming decade. The 2022 Vision builds on the experience gained from implementing the 2013 Vision outlined in *A New Long-Term Vision for Assessment, Restoration, and Protection under the Clean Water Act Section 303(d) Program*.¹ Like the 2013 Vision, the 2022 Vision is intended to encourage flexible and innovative approaches for states, territories, and authorized tribes² (“states, territories, and tribes”) to implement CWA Section 303(d), as well as to identify ways to best use limited resources to lead to restoration and protection, to leverage partnerships, and to encourage development of solutions to emerging and difficult waters quality issues.

The CWA Section 303(d) program made significant advances implementing the 2013 Vision. For example, states and territories engaged in a long-term planning and prioritization process, through meaningful public engagement, to develop support for and address challenging priorities through integrated assessment, planning, standards, and implementation processes. All states developed long-term frameworks that reflect their priorities for development of total maximum

¹ https://www.epa.gov/sites/default/files/2015-07/documents/vision_303d_program_dec_2013.pdf

² Several federal environmental laws authorize EPA to treat eligible federally recognized tribes in a similar manner as a state (TAS) for implementing and managing certain environmental programs (for more information go to: <https://www.epa.gov/tribal/tribal-assumption-federal-laws-treatment-state-tas>). This document will discuss tribes both as potential entities to be authorized to implement CWA Section 303(d), through TAS, and tribes that do not yet have TAS. When referring to entities that may implement CWA Section 303(d) this document uses “states, territories, and tribes.”

daily loads (TMDLs), other restoration plans, and protection approaches.³ As of the drafting of this document, states and territories were over three quarters of the way towards putting plans in place for priorities identified in implementing the 2013 Vision. States and territories were effective in using baseline assessments to inform priorities and in evaluating water quality effects of implementation of TMDLs and other plans. States and territories used the best planning tools for the task at hand; along with developing thousands of TMDLs, at least 24 states have pursued other restoration approaches, and 9 states have pursued protection plans in implementing the 2013 Vision. States and territories were particularly strong ensuring partnerships with other authorities and local stakeholders to enhance communication and drive water quality results.

For the past decade, EPA's national CWA Section 303(d) program has centered its trainings and work products around the Goals of the 2013 Vision. EPA has met with states, territories, and tribes on the Vision Goals at least annually during this time. EPA has worked with various program partners to put together training workshops and supporting documents that created a robust collection of information to advance the Goals of the 2013 Vision.⁴ Execution of multiple goals of the 2013 Vision and the development and use of enhanced data systems has improved information sharing and transparency and helped gain significant efficiencies in program execution. As indicators of improvement, the number of timely integrated reports submitted by states increased by five times in 2022 compared to earlier cycles, and EPA has maintained an effective elimination of backlog in acting on submitted CWA Section 303(d) lists and TMDLs.

2022 Vision Development Process

States and territories have been using the Goals outlined in the 2013 Vision to guide program management for the past ten years. The 2020 National CWA Section 303(d) Training Workshop⁵ served as a catalyst for collective reflection on the successes and challenges of the 2013 Vision. The Association of Clean Water Administrators (ACWA) led a series of meetings with program representatives to further capture perspectives on the content and implementation of the 2013 Vision, culminating in support for and recommendations to help shape a subsequent long-term Vision.⁶ In a parallel effort, EPA developed and distributed proposed principles to guide program management into the future and discussed them with state, territorial, and tribal representatives. In October 2021, the Environmental Law Institute (ELI), under a cooperative agreement with EPA, hosted a Vision Writing Summit where state, tribal, and EPA staff worked together to develop language that would become the foundation for this 2022 Vision.

EPA and ELI jointly hosted two workshops in April 2022 with states, tribes, and stakeholders from multiple nonprofit environmental organizations, agricultural organizations, and water utilities. The workshop objectives were to train a diverse group of participants on the CWA Section 303(d) program and to gain perspective from individual participants on specific aspects

³ <https://www.eli.org/freshwater-ocean/state-and-territorial-prioritization-frameworks>

⁴ <https://www.epa.gov/tmdl/vision>

⁵ <https://www.eli.org/freshwater-ocean/cwa-303d-training-workshops>

⁶ <https://www.acwa-us.org/wp-content/uploads/2021/09/ACWA-Recommendations-for-Updating-the-2013-Long-Term-Vision-for-the-CWA-303d-Program.pdf>

of this Vision – climate change and environmental justice. A similar workshop in May 2022 consisted of participants from dozens of tribes across the country focusing on the 2022 Vision and aspects of tribal engagement in the CWA Section 303(d) program.

EPA received and addressed comments from states, ACWA, National Tribal Water Council, and several non-governmental organizations. The draft 2022 Vision was presented at the ACWA Annual Meeting in August 2022. The product of these collaborative efforts is this 2022 Vision.

Relationship to EPA Performance Metrics for the CWA Section 303(d) Program

CWA Section 303(d) program implementation of the 2013 Vision and enhanced data systems helped to provide the superstructure for the larger Office of Water metric for improvements in the Nation’s surface waters. For several years, EPA’s strategic plan has featured a metric that tracks watersheds with surface water meeting standards that previously did not meet standards. CWA Integrated Reports (IRs) provide key water quality information for this metric. Further, TMDLs and other restoration and protection plans are important tools for restoring water quality.

EPA will continue to track and share key CWA Section 303(d) program activities, consistent with the Vision, through a suite of CWA Section 303(d) program-specific metrics. Beginning in January 2021, EPA initiated a workgroup with several states to discuss development of measures that would help continue to track the CWA Section 303(d) program’s success in light of the forthcoming Vision and Goals. The workgroup was tasked with identifying options for a set of metrics that would promote accountability by tracking development of plans over the period of long-term planning and consider additional ways to show program progress and success. EPA led discussions with states through the ACWA Watersheds Committee and at the Vision Writing Summit where states provided additional feedback on metrics.

In response to this work and discussion, EPA is taking several steps to utilize new and improved metrics. EPA has coordinated with states to develop a metric as a “bridge” between the 2013 Vision and this 2022 Vision that will measure state priority plans in place or in development during fiscal year (FY) 2023 and FY24. Further, EPA is developing – in coordination with states, territories, and tribes – a metric that would be in place starting in FY25. The metric would be in place from FY25-FY32 and would measure the extent of state, territorial or tribal priority waters addressed by TMDLs and other restoration plans in impaired waters or by protection approaches in healthy waters. States, territories, and tribes would have the flexibility to begin and complete plans over the course of multiple metric reporting cycles. EPA is also working on additional metrics to communicate overall program progress.

Goals

The 2022 Vision Goals outline aspirations and highlight opportunities to implement CWA Section 303(d) program activities. Goals are presented beginning with the cornerstone Goal of *Planning and Prioritization* as the foundation to guide organization and implementation of the other Goals. The next two Goals of *Restoration* and *Protection* recognize that CWA Section 303(d) programs may utilize different types of plans to advance their water quality objectives. The *Data and Analysis* Goal is a key means to inform water quality assessment and listing, TMDL development, and implementation activities. Finally, under the *Partnerships Goal*, coordination of CWA Section 303(d) and other water quality program objectives and involvement of stakeholders around mutually identified priorities are key themes to promote water quality restoration and protection.

Planning and Prioritization Goal

States, territories, and tribes develop a holistic strategy for implementation of Vision Goals, systematically prioritize waters or watersheds for TMDL and other plan development (restoration and/or protection), and report on the progress towards development of plans for priority waters.

The intent of the *Planning and Prioritization Goal* is to encourage states, territories, and tribes to coordinate program activities in the context of their broader water quality objectives and identify corresponding waters for plan development (priorities) that align with those objectives. The CWA Section 303(d) program has an inherent planning role because it applies water quality standards to develop pollutant loading targets for the point source permitting and nonpoint source management programs, as well as other programs under and outside of the CWA. Coordinating CWA Section 303(d) program activities with those of other programs can aid in strategically focusing limited resources to address broader water quality objectives most effectively. Furthermore, implementation of the 2013 Vision has demonstrated that establishing long-term CWA Section 303(d) program priorities as part of this planning process can lead to more efficient and effective program management and yield meaningful progress toward water quality restoration and protection.⁷

Carrying out CWA Section 303(d) statutory and regulatory obligations through the lens of a state, territory, or tribe's long-term priorities can help motivate partners and stakeholders to take the actions needed to implement TMDLs and improve water quality. Prioritization facilitates focusing the location and timing for developing and/or revising TMDLs and other restoration and protection plans in ways that are best suited to the broader water quality objectives of each

⁷ Under the 2013 Vision, “[a]ll states completed a new prioritization process, developed commitments for plan development under the Vision, improved coordination and collaboration and are continuing to complete development of plans for priority waters. Additionally, some programs embraced the concept of developing alternative planning approaches or working on water quality protection.” (ACWA Recommendations Document, 2021, [link](#))

state, territory, or tribe. Prioritization also provides the foundation to guide the planning and implementation of the other Vision Goals. EPA intends to continue to assist and collaborate with states, territories, and tribes in identifying their priorities.⁸ Important venues for such collaboration may include the Performance Partnership Agreement/Performance Partnership Grant (PPA/PPG) discussions and development of CWA Water Quality Management Plans and IRs.

Flexibility and adaptability are central to this Goal because each state, territory, or tribe is unique and subject to changing circumstances. Each state, territory, or tribe's planning objectives will be shaped by what is important to its public and stakeholders, the resources and information that are available, and many other factors. States, territories, and tribes can identify their long-term CWA Section 303(d) program priorities in their own unique manner using any of a myriad of approaches including, but not limited to, specific geographic areas, pollutants, designated uses, or pollutant-use combinations. Each state, territory, and tribe can express long-term priorities in its Prioritization Framework with as much detail as it deems appropriate, from narrative explanations of the geographic priority area(s), pollutant(s), etc. to specific priority waters or watersheds for the entire Vision period. It is then anticipated that states, territories, and tribes would identify and communicate specific waterbodies to be addressed over shorter increments. Each state, territory, and tribe is encouraged to involve an array of partners and stakeholders at all stages of the prioritization process as it finds beneficial. There are significant advantages in meaningfully engaging other CWA programs, statutory programs, government agencies, tribes, stakeholders, communities with environmental justice concerns, and the broader public on planning and prioritization.

A state, territory, or tribe's Prioritization Framework, including CWA Section 303(d) program long-term priorities and rationale for selecting those priorities, and its general strategy for implementing the Goals of the 2022 Vision over the next decade should be transparent to its stakeholders. The Prioritization Framework for each state, territory, or tribe should be shared with EPA by April 1, 2024 and may be updated if needed. States, territories, and tribes are encouraged to utilize the IR public process to develop and share their respective Prioritization Frameworks or use an independent public process (i.e., separate from the IR process). Regardless of how states, territories, and tribes choose to communicate their Prioritization Frameworks, the use of IRs to report on the progress towards development of TMDLs, other restoration plans, and protection plans is encouraged.

⁸ EPA has several tools to assist with prioritization, including the Watershed Index Online (<https://www.epa.gov/wsio>) and the Recovery Potential Screening Tool (<https://www.epa.gov/rps>).

Restoration Goal

States, territories, and tribes design TMDLs and other restoration plans to attain and maintain water quality standards, facilitate effective implementation, and drive restoration of impaired waters.

The intent of the *Restoration Goal* is to encourage the identification, development, and implementation of the most effective approaches for restoring water quality. This Goal acknowledges how vital creativity and collaboration are for restoration plans to be successful in restoring waters. Restoration plans refer to TMDLs and other beneficial plans that address impaired waters. This includes, but is not limited to, waters assigned to Integrated Reporting Categories 5, 5r/5alt, 4b, and 4c.⁹

The *Restoration Goal* recognizes that TMDL development will continue to be a primary feature of the program. In addition to TMDLs, there are other types of plans that may be more immediately beneficial or practicable for restoring water quality. EPA notes that, while the CWA requirement to develop TMDLs remains for impaired waterbodies in Category 5, waterbodies may be given a lower priority for TMDL development while other restoration plans are pursued.

The 2013 Vision highlighted, and this 2022 Vision emphasizes that TMDLs and other restoration plans have a greater likelihood of yielding successful implementation when they involve enhanced engagement, coordination with stakeholders, integration among programs, and greater overall buy-in. TMDLs and other restoration plans can guide implementation in many ways to achieve their intended outcome. For example, TMDLs provide a target for restoring beneficial uses, identify pollutant sources and allocations with an appropriate level of detail; describe strategies or processes to be used to best achieve allocations and targets, including available regulatory controls; and present a structure for active review of implementation practices and monitoring data.

Plans and implementation activities that adjust to changing circumstances and new data (often referred to as “adaptive management”) can facilitate successful implementation. This Goal can serve to further explore and identify how principles of adaptive management can most effectively be applied to achieve water quality standards, regardless of the type of restoration plan used. Adaptive management may promote the monitoring of plan effectiveness and the incorporation of new data and information into plan implementation and revision. It could also build new opportunities and actions to pursue under the *Partnerships Goal*. The Water Quality Management Plan and Continuing Planning Processes are two possible tools that could be used by states, territories, and tribes to effectively track implementation activities and adjust implementation approaches, as well as inform revisions of TMDLs and other restoration plans, as needed. Under this *Restoration Goal*, states, territories, and tribes will continue to enhance use of these various techniques to improve the likelihood that plans will be successfully implemented, and water quality restored and maintained.

⁹ See EPA’s website on Integrated Reporting for discussion of EPA’s reporting categories (<https://www.epa.gov/tmdl/integrated-reporting-guidance-under-cwa-sections-303d-305b-and-314>).

Protection Goal

In addition to recognizing the protection benefits that TMDLs and other restoration plans can provide, states, territories, and tribes may develop protection plans to prevent impairments and improve water quality, as part of a holistic watershed approach.

The intent of the *Protection Goal* is to encourage a proactive and holistic consideration of management actions to protect healthy waters.¹⁰ Protection of waters is a specific objective of the CWA – “restore and maintain the chemical, physical, and biological integrity of the Nation’s waters” (CWA Section 101). Also, protection and restoration are interdependent goals regarding the “integrity of the Nation’s waters.” For example, protection of healthy headwaters and wetlands helps reduce downstream restoration challenges and costs, while restoration reduces risks to adjacent protected, healthy waters. Including protection in and alongside restoration planning and implementation contributes to a holistic watershed approach that uses resources efficiently.

Planning for protection can take many forms independent from or in combination with restoration. For example, healthy waters at risk of degradation can benefit from protection plans designed to hasten implementation of actions that will keep the waters from becoming impaired. For healthy waters not at immediate risk of impairment, the thresholds necessary to maintain those higher quality characteristics can be identified, and plans can be designed to retain those thresholds. TMDLs and other restoration plans can aid in the identification and protection of unimpaired or unassessed waters included within the broader watershed area by helping to ensure that segments do not degrade, as well as facilitating water quality improvements in impaired segments. After restoration, TMDLs remain in effect, helping to protect the waterbody from becoming impaired again.

Although not all states, territories, and tribes may ultimately choose to use protection planning approaches, opportunities for protection within the context of the state, territory or tribe’s water quality goals can be an important component to achieving water quality objectives. Protection can be less costly, both fiscally and ecologically, than restoration. Proactively protecting watersheds and waterbodies can help with future threats such as emerging water quality problems, loss and fragmentation of aquatic habitat, altered water flow and availability, invasive species, and climate change, and can protect the surrounding communities impacted by these threats. Examples of waters that could benefit from protection plans include, but are not limited to:

- Outstanding National Resource Waters or other specific category of high-quality waters;
- Waters with unique, valuable, or threatened species or their habitats;
- Waters and watersheds that constitute a public drinking water supply;

¹⁰ For a specific waterbody, protection as described in this Vision is the sustained minimization or avoidance of water quality degradation due to stressors and/or watershed alterations that would present threats to its current condition. Under the Vision, protection is oriented toward healthy waters, including, but not limited to, those of high quality, simply unimpaired, or with limited impairments (to uses other than those for which protection is being sought). See EPA’s website for details (<https://www.epa.gov/tmdl/protection-approaches>).

- Healthy segments in watersheds with impaired segments, including headwaters above downstream waters that are impaired;
- Healthy waters near areas with rapid land use changes;
- At-risk waters that are not yet impaired but showing signs of degradation;
- Other waters facing elevated risks of degradation.

Intergovernmental and external partnerships, as well as leveraging additional watershed program authorities (e.g., CWA Section 319, CWA Section 401 certification, antidegradation policies, Clean Water State Revolving Fund, Drinking Water State Revolving Fund, Natural Resources Conservation Service, Wild and Scenic Rivers System), can be valuable in protecting healthy waters and habitats. EPA's Healthy Watersheds Program can support the efforts of CWA Section 303(d) programs to identify, protect and maintain healthy watersheds across the United States.

Data and Analysis Goal

The CWA Section 303(d) program coordinates with other government and non-governmental stakeholders to facilitate data production and sharing, and effectively analyzes data and information necessary to fulfill its multiple functions.

The *Data and Analysis Goal* highlights multiple ways that states, territories, and tribes can expand on and improve the data and information available for CWA Section 303(d) functions. In the context of this Goal, such functions include:

- Determining the water quality condition for use in categorizing waters in the Integrated Report (i.e., Categories 1-5);
- Supporting the development of TMDLs, other restoration plans, and protection plans; and
- Evaluating the effectiveness of plan implementation in restoring and protecting water quality, thereby facilitating adaptive management so that plans remain productive.

State, territorial, and tribal CWA Section 303(d) programs are encouraged to collaborate and foster effective data sharing processes internally to develop and gather the data and information needed for CWA Section 303(d) functions. States, territories, and tribes also are encouraged to coordinate and foster effective data sharing processes externally to develop and gather data and information at different geographic scales from other agencies, universities, volunteer groups (e.g., local watershed groups), other interested organizations, and communities. States, territories, and tribes are encouraged to work with outside parties interested in submitting data or information to ensure they are aware of data quality and format expectations. EPA understands there may be challenges associated with compiling data with different requirements and in different formats coming from various sources and will continue to work to improve data tools that help with this task.

States, territories, and tribes will continue to enhance data consideration and analysis practices that support the multiple CWA Section 303(d) functions. Practices include:

- Applying appropriate geographic and temporal scales for the implementing programs' functions;

- Working towards evaluating water quality standards attainment in previously unassessed waters and waters where there is insufficient information to make an attainment decision, such as those in Category 3;
- Supporting development of water quality models for TMDL and other restoration and protection plan development;
- Addressing emerging program priorities (e.g., areas with environmental justice concerns and the effects of climate change); and
- Enabling a demonstration of program successes (e.g., supporting the conclusion that a particular waterbody is no longer impaired).

Advances in science, technology and data transmission offer potential for improvements in the amount of data available and the efficiency of data integration and interpretation. Each biennial CWA Section 303(d) listing cycle provides an opportunity for states, territories, and tribes to develop or revise assessment methodologies as needed to reflect the latest standards and science. As a general matter, ambient monitoring (which may include targeted monitoring and statistical surveys with a reasonably high level of confidence) provides essential water quality data for the CWA Section 303(d) assessment and listing process. For TMDL development, water quality models and other assessment tools provide essential information linking pollutant sources to water quality impairment. Other information sources such as satellite imagery, geospatial analysis, and climate forecasting may provide important information for watershed characterization.

Under this *Data and Analysis Goal*, states, territories, tribes, and EPA will continue to apply existing tools and explore new ones as appropriate. As states, territories, and tribes continue to gain experience utilizing these tools, they will be in a better position to employ them in the assessment and listing process, the development of restoration and protection plans, and the evaluation of the overall effectiveness of those restoration and protection efforts. Among other capacity building efforts, EPA plans to continue tribal Assessment and Total Maximum Daily Load Tracking and Implementation System (ATTAINS) trainings to facilitate tribal implementation of CWA Section 303(d) program functions.

Partnerships Goal

The CWA Section 303(d) program meaningfully communicates and collaborates with other government programs and non-governmental stakeholders to restore and protect water quality effectively and sustainably.

The intent of the *Partnerships Goal* is to encourage communication with governmental entities and non-governmental stakeholders in ways that lead to productive, sustained collaboration, and ultimately better water quality. The Goal consists of two distinct but related approaches: programmatic coordination, and stakeholder involvement and engagement. Both approaches rely on:

- Clear and effective communication that is appropriate for the target audience;
- Identification of work towards shared goals;
- Development and maintenance of strong working connections and relationships; and

- Creation of structures and processes to weave partnerships throughout CWA Section 303(d) program activities.

Programmatic Coordination

The CWA Section 303(d) program seeks to coordinate with and complement efforts across CWA programs, other statutory programs, and the water quality efforts of other governmental departments and agencies to identify and achieve shared goals. This coordination can include, among other approaches, organizing and aligning processes with partner entities working on CWA implementation; generating plans that are user friendly and broadly implementable across programs; and identifying and drawing in additional programs, authorities, and resources across government entities (including tribes) and the research community to achieve water quality goals.

Stakeholder Involvement and Engagement

The CWA Section 303(d) program seeks to facilitate engagement early and often with non-governmental entities and other stakeholders across various sectors and disciplines. Meaningful engagement aims to understand non-governmental stakeholders' values, learn from their data and knowledge, and use this input to inform water quality activities. Through this engagement, the program also seeks to: improve stakeholder understanding of matters such as the value of watershed management and the role of the CWA Section 303(d) program; encourage active involvement from those stakeholders in CWA Section 303(d) program activities; and empower the long-term contributions of stakeholders to water quality restoration and protection. This engagement should be fair and meaningful, identifying, and inviting input from all affected stakeholders, with particular attention to underrepresented communities and those with environmental justice concerns.¹¹ The engagement will also strive to support community efforts to value, protect, and advance water quality over the long-term, including facilitating watershed stewardship; assisting stakeholders in building capacity for meaningful involvement; and helping local champions and messengers. Communication is best when it is multi-directional and structured in a way that creates a feedback loop for iterative progress; builds and maintains trust and local champions; respects community knowledge and cultural and ecological values; and produces sustainable solutions that are community driven. Communication can also be most effective when the message is delivered in various ways using different media (e.g., in-person meetings, virtual, site visits).

¹¹ EPA defines “environmental justice” as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. EPA defines “fair treatment” as meaning that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental, and commercial operations or policies, and “meaningful involvement” as people have an opportunity to participate in decisions about activities that may affect their environment and/or health; the public's contribution can influence the regulatory agency's decision; community concerns will be considered in the decision making process; and decision makers will seek out and facilitate the involvement of those potentially affected. See [EPA's website](#) for more details.

Focus Areas

Focus Areas provide four cross-cutting themes of national, regional, and local importance to consider in CWA Section 303(d) program implementation. Highlighting these areas is one way to promote action and continue to make progress towards broader EPA priorities. Recognizing state, territorial, and tribal efforts already underway, EPA encourages further adoption and/or adaptation of these Focus Areas to tackle these important topics in the best manner according to individual state, territorial or tribal objectives. As with all other aspects of this Vision, these Focus Areas do not constitute regulation, policy, or new mandates.

Environmental Justice

It is essential that all individuals have fair and equitable access to the benefits of environmental programs. To facilitate this, EPA will work with states, territories, and tribes to assist in integrating environmental justice into EPA CWA Section 303(d) program activities. EPA continues to make achieving environmental justice part of its mission by developing programs, policies, and activities to address the disproportionately high and adverse human health, environmental, climate-related and other cumulative impacts on communities with environmental justice concerns.

The objective of the *Environmental Justice Focus Area* is to actively consider environmental justice in assessment, listing, TMDLs, and other restoration and protection plans to address disproportionately high and adverse environmental, water quality, climate-related, and other relevant impacts on underserved communities.

Thousands of communities and individuals can benefit from CWA Section 303(d) implementation through the work of state, territorial, and tribal programs. EPA recognizes that water quality and climate change impacts can disproportionately affect urban and rural communities that are predominately of color, indigenous, linguistically isolated, low-income, and/or impacted by other stressors. EPA applauds immediate and affirmative steps to improve the program's assessment, listing, plan development, monitoring, and engagement processes with a focus on pollution-burdened and underserved communities. The *Partnerships Goal* of this Vision speaks to some engagement approaches for integrating environmental justice into program work. EPA will collaborate with interested state, territorial, and tribal partners to further incorporate environmental justice into CWA Section 303(d) program activities. Opportunities to further integrate environmental justice into program implementation¹² may include, but are not limited to, the following:

- Actively engage the public and other stakeholders to improve and protect water quality as demonstrated by documented, inclusive, transparent, and consistent communication (e.g., requesting and sharing feedback on proposed approaches, providing equitable access to the public participation processes, and enhancing understanding of program objectives);

¹² See Environmental Justice Legal Tools for more opportunities across different programs including CWA Section 303(d): <https://www.epa.gov/system/files/documents/2022-05/EJ%20Legal%20Tools%20May%202022%20FINAL.pdf>

- Enhance understanding of the quality of more waterbodies near pollution-burdened, underserved, and tribal communities;
- Establish and communicate quality-controlled processes to use data and information more easily from community/watershed groups, universities, and other entities for assessment and listing;
- Consider prioritizing TMDLs, restoration and protection plans for development in areas most burdened by current and/or historical pollution;
- Consider environmental justice when assigning allocations to sources that would directly impact overburdened communities who may already be recipients of significant exposure to pollution, and possible constraints of low-income communities; and
- Integrate environmental justice into the implementation of water quality assessment, listing, and planning programs in Indian country and in other areas of interest to tribes, in partnership with federally recognized tribes.

EPA will promote opportunities through case studies, tools, and guidance as appropriate.

Climate Change

EPA is committed to integrating climate adaptation planning into the Agency's programs, policies, and rulemaking processes. The objective of the *Climate Change Focus Area* is to consider strategically how to account for the impacts of climate change, and address climate resiliency or vulnerability, in water quality assessment, impaired waters listing, and the development of TMDLs and other plans consistent with water quality standards. Examining the potential impact of changing climate conditions on CWA Section 303(d) program activities will often involve unique considerations depending on regional, local, or project-specific conditions. Actions taken to address climate change in CWA Section 303(d) program activities can be implemented with a focus on communities already experiencing disproportionately high adverse impacts (consistent with EPA's commitment to environmental justice) and considering efforts already underway by states, territories, and tribes.

EPA will collaborate with interested partners to further incorporate consideration of the impacts of changing climate conditions into program operations. Opportunities may include, but are not limited to, the following:

- Consider impacts of climate change on water quality in identifying impaired and threatened waters;
- Identify and utilize tools/resources that support prioritization of waters that may be particularly susceptible to changing climate conditions for protection and restoration;
- Consider the impact of changing environmental conditions when developing and implementing TMDLs, and other restoration and protection plans; and the ability of plans to achieve and maintain water quality standards;
- Build program capacity to highlight or develop products and/or approaches (including TMDLs, modeling methods, reasonable assurance, implementation plans, etc.) that are robust and adaptive when facing uncertain conditions;

- Target program resources and staff capacity towards areas and communities most impacted by changing climate conditions; and
- Engage the public and other stakeholders using available public processes to inform, solicit feedback, and enable constructive discourse to address impacts of climate change on CWA Section 303(d) program activities transparently and clearly.

EPA will promote opportunities through case studies, tools, and guidance as appropriate.

Tribal Water Quality and Program Development

EPA works closely with tribal partners to support tribal nations as they protect and steward their waters. The objectives of the *Tribal Water Quality and Program Development Focus Area* are to help interested tribes administer the CWA Section 303(d) program, assess waters, and plan for restoration and protection of tribal waters; ensure meaningful government-to-government consultation opportunities; and otherwise enable tribes to engage with EPA, states, and others on CWA Section 303(d) program activities relevant to tribal interests.

Tribal, state, and EPA representatives recognize the importance of tribal perspectives in implementing the CWA Section 303(d) program. Tribal-related topics may include, but are not limited to, the following:

- EPA promoting and assisting tribes to adopt and implement CWA Section 303(d) programs for reservation waters (i.e., treatment in a similar manner as a state or TAS);
- Developing tribal capacity necessary for water quality assessment and planning, including sustained data management and reporting activities, and for meaningful involvement in TMDLs and other restoration and/or protection plans;
- Coordinating/integrating with other water programs to promote restoration and protection of tribal waters and state waters where tribes have rights related to water quality;
- Consulting/coordinating with tribes on EPA CWA Section 303(d) actions in state areas that are important to tribes in order to account for tribal priorities;
- Facilitating coordination between state and tribal programs to support collaboration on shared water quality goals;
- Encouraging state and tribal coordination on CWA Section 303(d) actions early and throughout the process; and
- Considering the appropriate scope of direct implementation by EPA of CWA Section 303(d) listing and TMDL functions.

Program Capacity Building

The abilities of staff (and resilience in the face of turnover) are vital to sustained program effectiveness. These abilities and resilience are developed through training new staff, supporting existing staff in expanding their technical skills and subject matter knowledge, providing an information-exchanging community of practitioners across jurisdictions and levels of government, and fostering diverse perspectives and an inclusive work environment.

The objective of the *Program Capacity Building Focus Area* is to expand and build upon existing activities and resources to improve understanding of CWA Section 303(d) program foundations, familiarity with tools and various approaches to regular tasks and complex circumstances, and ability to accomplish statutory responsibilities and Vision Goals more efficiently and effectively. For example, the CWA Section 303(d) Webinar Series and annual National CWA Section 303(d) Training Workshop will strive to reach more program staff and provide valuable and innovative content for all levels of practitioners. EPA's Water Modeling Workgroup will strive to continue its webinar series and annual national training workshops on water quality modeling. Forthcoming EPA training resources will be of particular value to newer practitioners, and a project focused on communicating success will yield examples, templates, and collaborative resources.

EPA also intends to develop new guidance and factsheets on topics highlighted by program staff, and work with partner organizations, including the ACWA Watersheds Committee, to collaboratively support program development. Activities might include expanding the collection of documents cataloging and summarizing program practices on specific matters and supporting additional stakeholder trainings to improve program implementation. With input from new and experienced practitioners alike, these and other activities could fill notable knowledge gaps, advance critical thinking on issues of widespread interest, and improve collaboration inside the CWA Section 303(d) program as well as with other programs and stakeholders. In sum, the CWA Section 303(d) program will promote exceptional programmatic knowledge and skills, enhance resilience, and equip practitioners to engage citizens and other partners to best achieve water quality results.

2022 - 2032 Vision for the Clean Water Act Section 303(d) Program Summary Page

Vision Statement

The Clean Water Act Section 303(d) program strives to strategically plan and prioritize activities, engage partners, and analyze and utilize data to develop water quality assessments, plans, and implementation approaches to restore and protect the Nation's aquatic resources.

Goals

Outline aspirations and highlight opportunities to implement CWA Section 303(d) program activities.

Planning and Prioritization Goal:

States, territories, and tribes develop a holistic strategy for implementation of Vision Goals, systematically prioritize waters or watersheds for TMDL and other plan development (restoration and/or protection), and report on the progress towards development of plans for priority waters.

Restoration Goal:

States, territories, and tribes design TMDLs and other restoration plans to attain and maintain water quality standards, facilitate effective implementation, and drive restoration of impaired waters.

Protection Goal:

In addition to recognizing the protection benefits that TMDLs and other restoration plans can provide, states, territories, and tribes may develop protection plans to prevent impairments and improve water quality, as part of a holistic watershed approach.

Data and Analysis Goal:

The CWA Section 303(d) program coordinates with other government and non-governmental stakeholders to facilitate data production and sharing, and effectively analyzes data and information necessary to fulfill its multiple functions.

Partnerships Goal:

The CWA Section 303(d) program meaningfully communicates and collaborates with other government programs and non-governmental stakeholders to restore and protect water quality effectively and sustainably.

Focus Areas

Provide four cross-cutting themes of national, regional, and local importance, consistent with national EPA priorities, to consider in CWA Section 303(d) program implementation:

Environment Justice
Climate Change
Tribal Water Quality and Program Development
Program Capacity Building