



OFFICE OF WETLANDS, OCEANS AND WATERSHEDS

WASHINGTON, D.C. 20460

July 1, 2025

MEMORANDUM

SUBJECT: Aligning the EPA's Clean Water Act Section 604(b) Guidelines with Recent Executive Orders and the EPA Administrator's *Powering the Great American Comeback Initiative*

FROM: Brian Frazer, Director **BRIAN FRAZER** Digitally signed by BRIAN FRAZER
Date: 2025.07.01 11:10:34 -04'00'

TO: EPA Regional Water Division Directors
State and Territorial Section 604(b) Program Managers

On June 29, 2022, the U.S. Environmental Protection Agency issued [Interim Implementation Guidelines for Clean Water Act Section 604\(b\) Water Quality Management Planning Grants for Fiscal Years 2022 through 2026](#), which provide information for states and territories regarding administration of water quality management and planning assistance agreements partially funded by appropriations enacted by the Infrastructure Investment and Jobs Act of 2021. This memorandum supersedes, in part, the above guidelines and provides direction consistent with recent executive orders, including [Initial Rescissions of Harmful Executive Orders and Actions](#) (EO 14148), [Ending Illegal Discrimination and Restoring Merit-Based Opportunity](#) (EO 14173) and [Ending Radical And Wasteful Government DEI Programs And Preferencing](#) (EO 14151), as well as the EPA's [Powering the Great American Comeback Initiative](#).

Consistent with the executive orders and EPA initiative listed above, states and territories should not use Clean Water Act Section 604(b) funds to undertake the following suggested activities related to environmental justice and climate change described in *Interim Implementation Guidelines for Clean Water Act Section 604(b) Water Quality Management Planning Grants for Fiscal Years 2022 through 2026*:

- Assessing the extent to which environmental justice and climate change considerations are integrated into water quality management and planning programs;
- Planning for or incorporating environmental justice and climate change related activities in annual workplans;
- Coordinating with or encouraging regional/interstate planning organizations to undertake environmental justice and climate change related activities with subaward funding (including the statutorily-required $\geq 40\%$ passthrough amount) or documenting in passthrough waivers

whether efforts were made to engage organizations with environmental justice and climate change expertise;

- Defining or identifying disadvantaged communities;
- Enhancing disadvantaged communities' access to Clean Water State Revolving Fund (CWSRF) resources;
- Undertaking special documentation of environmental justice and climate change related activities as described in Section 7.C. of the guidelines (i.e., documenting: planned environmental justice and climate change projects; benefits as they related to environmental justice and climate change; percentage of funds aimed at environmental justice and climate change related activities; efforts to advance disadvantaged communities' access to infrastructure funding)¹; or
- Aligning workplan activities with prior administration executive orders that have been rescinded by Executive Orders 14173 and 14148.

When using Section 604(b) funds, states and territories should also disregard any definitions of and indices or tools related to “environmental justice” and “disadvantaged communities”, as well as any examples of specific eligible activities that promote advancement of environmental justice and climate change goals noted in *Interim Implementation Guidelines for Clean Water Act Section 604(b) Water Quality Management Planning Grants for Fiscal Years 2022 through 2026*. At the same time, states and territories should ensure that federal water quality investments consider the impacts of natural hazards, such as drought, wildfires, floods and other severe weather in water quality management planning.

Funding provided by the EPA to the CWSRFs, including CWSRF appropriations that the EPA awards to states and territories as Section 604(b) grants and cooperative agreements, supports the principle and pillar of cooperative federalism. Under the longstanding SRF programs, states and territories have significant discretion to prioritize and fund projects using state statutory and other criteria and processes managed at the state level. This funding can and should be awarded immediately with the understanding that the EPA funding issued to the SRFs will comply with federal and/or state statutory, regulatory or other criteria and processes and is therefore considered consistent with executive orders issued on or after January 20, 2025.

Regional, state, and territorial Section 604(b) project officers, technical staff, grants management personnel, managers and other staff involved in the award and administration of Section 604(b) assistance agreements should coordinate as necessary to ensure that funding is awarded and expended in accordance with the above executive orders and initiative. Additional guidance may be issued by the Office of Grants and Debarment.

Contact Joseph Ziobro on my staff at Ziobro.joseph@epa.gov or 202-566-2995 with any questions. Additional information on Clean Water Act Section 604(b) assistance agreements is available on the EPA's [Water Quality Management Planning Grants webpage](#).

¹ States and territories are still expected to meet usual CWA section 604(b) and general grant program reporting requirements.