

303(d) Prioritization Strategy

In December 2013, EPA announced a new framework for implementing the CWA Section 303(d) Program — *A Long-Term Vision for Assessment, Restoration, and Protection under the Clean Water Act Section 303(d) Program*. The new Vision encompasses all facets of Section 303(d) from the assessment and listing process through the development of a TMDL or alternative water quality analysis. It is important to note that while the Vision provides a new framework for implementing the CWA 303(d) program, it does not alter state and EPA responsibilities or authorities under the CWA 303(d) regulations.

The new 303(d) implementation framework focuses on several broad areas. The three receiving the most focus being:

- 1) **Prioritization** – Setting strategic priorities not only for TMDL/alternative restoration development, but also for assessments and monitoring if existing data are not up to date
- 2) **Public engagement** – increased emphasis on sharing not only information, but the process with stakeholders, and
- 3) **TMDL or Restoration Alternative Development** – A restoration alternative may include many of the same steps as a normal TMDL, but the alternative could provide more flexibility in the implementation phase. This public/stakeholder-friendly process will hopefully lead to more successful implementation in both the point and nonpoint source sectors.

DEP has chosen to take a step-wise approach to the Prioritization process. The first step in the process of narrowing the universe of impaired waters in which to work was to prioritize water bodies/watersheds with sediment-related impairments (e.g. siltation, Total Suspended Sediment). Siltation related impairments affect the most stream miles in the state and will allow DEP to address many pollutant sources (urban runoff, agriculture and mining) and work in all regions.

There over 8,000 miles of siltation-impaired streams in the Commonwealth, thus, another filter was necessary in the prioritization process. A ranking process performed by each of the six DEP Regional Offices (RO) was applied as that next filter. Watersheds containing concentrated siltation impairments were evaluated by each of the ROs to generate a list of their top candidates.

Regional prioritization considered any factors they see as important for their region; however, active stakeholders (both permittees and nonpoint sources) are key to implementation and represent a core component in the 303(d) Revisioning process. Therefore, it was determined that an active stakeholder community is needed to implement the restoration plan. Coordination from the outset between Central Office and regional Non-Point Source (NPS) grant (Federal 319 and state Growing Greener)

groups is critical to ensure that the proper planning horizon is provided for future access to funds. Development of RO prioritization strategies considered input from the NPDES program, NPS program, TMDL program and regional biologists. The final list of priorities includes waters that met one or more of the following considerations:

- Watersheds for which there is an existing approved 319 Watershed Implementation Plan could also serve as priorities as the implementation plans can be adjusted to conform with restoration alternative requirements.
- Watersheds previously identified as Regional Targeted Watersheds
- Other candidates for a restoration alternative may be areas where urban runoff (MS4) related impairments are prevalent, but there is nothing in place to drive pollutant reductions.
- Additional priority watersheds may include those that were not in the universe of siltation related impairments sent to the RO, but have been prioritized previously for another purpose.