



ENVIRONMENTAL LAW INSTITUTE®

AN INDEPENDENT, NON-PARTISAN ENVIRONMENTAL EDUCATION AND POLICY RESEARCH CENTER.

2014 NATIONAL TRAINING WORKSHOP ON CWA 303(d) LISTING & TMDLS

IMPLEMENTING THE PRIORITIZATION GOAL OF THE NEW LONG-TERM VISION

National Conservation Training Center
Shepherdstown, West Virginia
May 6-8, 2014

TRAINING WORKSHOP AGENDA

**This project made possible through a cooperative agreement with the
United States Environmental Protection Agency**

PURPOSE OF THE TRAINING WORKSHOP

To provide an opportunity for state, tribal, and territorial participants from Clean Water Act Section 303(d) Listing and TMDL Programs —along with their federal counterparts—to learn about and discuss approaches for implementing the Prioritization Goal of the new Long-Term Vision for Assessment, Restoration, and Protection under the Clean Water Act Section 303(d) Program.

WORKSHOP OBJECTIVES

- Advance **mutual understanding** among participants of what the Vision, and particularly the Prioritization Goal, may mean for the path of the CWA 303(d) program.
- Learn how **states, tribes, and territories are implementing** the Prioritization Goal.
- Learn about **state, tribal, and territorial needs** for implementing the Prioritization Goal, and about ways to address those needs.
- Explain **strategies and tools** for prioritizing waters and watersheds for restoration and protection.
- Present the new **CWA 303(d) program measures** as they relate to systematically prioritizing (and re-prioritizing) waters and watersheds.
- Identify and discuss how water and watershed prioritization by the CWA 303(d) program **influences and can be influenced** by other CWA programs, other agencies, and the public.
- Discuss and inform what **clarifications in guidance** would help the states, tribes, and territories meet the Prioritization Goal.
- Enhance the **network of listing and TMDL professionals** by expanding and improving communication among the states, tribes, and territories and with EPA regions and headquarters.

OUTPUTS

No. 1: A final report summarizing presentations and discussions from the training workshop. The report will include a summary of individual input from workshop participants and may serve as a reference for program personnel implementing the Prioritization Goal.

No. 2: A menu of talking points to assist state, tribal, and territorial CWA 303(d) listing and TMDL program staff in informing management and other relevant programs of the expectations of the Vision and its Prioritization Goal.

No. 3: An updated list of approaches to implementing the Prioritization Goal and other goals, including states, tribes, and territories that are using or intending to use each approach and contact information for staff in those jurisdictions who can speak about the experience.

AGENDA

Monday, May 5

Arrival, Check-In, and Registration

- 3:00 pm – 8:00 pm NCTC Check-In and Training Workshop Registration
Main Lobby
Ding Darling Lodge, Lounge Area
- 6:00 pm – 7:30 pm Dinner
Commons Dining Room
- 8:00 pm – 9:00 pm Informal Welcome
Ding Darling Lodge, Lounge Area

Tuesday, May 6

Training Workshop Day 1

6:30 am – 8:15 am

Breakfast
Commons Dining Room

8:30 am – 9:30 am

Welcome, Introductions, and Training Workshop Overview
Auditorium

Greeting and Introductions

Bruce Myers, ELI

Opening Remarks

Alexandra Dunn, ECOS

Training Workshop Overview

Adam Schempp, ELI

9:30 am – 10:00 am

Session #1
Status of the Ten-Year Vision for the CWA 303(d) Program
Auditorium

The What, Why, and When of the Vision, and Progress Since the Last Workshop

Tom Stiles, KS

The Ripple Effect of the Vision at the Federal Level

John Goodin, EPA HQ

Session #1 Outcome:

- *Participants will learn about the Vision as the new framework for implementing the CWA 303(d) program.*

10:00 am – 10:30 am

Morning Break

10:30 am – 11:30 am

Session #2
The Basics of the Prioritization Goal
Auditorium

Prioritization Goal: For the 2016 integrated reporting cycle and beyond, States review, systematically prioritize, and report priority watersheds or waters for restoration and protection in their biennial integrated reports to facilitate State strategic planning for achieving water quality goals.

The Results of the ACWA Survey on Prioritization

Traci Iott, CT

EPA Objectives and Expectations for Prioritization

John Goodin, EPA HQ

Facilitated Discussion

Session #2 Outcomes:

- *Participants will learn about the foundational role of the Prioritization Goal in implementing the Vision.*
- *Participants will learn about examples of processes and factors used to establish priorities consistent with the Vision.*
- *Participants will learn about the role of TMDL development in setting CWA 303(d) program priorities.*

Discussion Questions:

1. What should be the minimum expectations regarding CWA 303(d) prioritization of waters and watersheds?
2. What flexibility do states, tribes, and territories have in setting those priorities?
3. What influences the prioritization of waters and watersheds for restoration and protection?
4. What is the role of TMDLs in setting CWA 303(d) program priorities?
5. What is the potential role of efforts to address water quality problems not requiring a TMDL (non-pollutant stressors and the **protection** of high quality waters) in CWA 303(d) prioritization of waters and watersheds?

11:30 am – 12:30 pm

Session #3

CWA 303(d) Program Measures

Auditorium

Core Measure (WQ-27): The extent of priority areas identified by each State that are addressed by EPA-approved TMDLs or alternative restoration approaches for impaired waters that will achieve water quality standards. These areas may also include protection approaches for unimpaired waters to maintain water quality standards.

Complementary Measure (WQ-28): State-wide extent of activities leading to completed TMDLs or alternative restoration approaches for impaired waters, or protection approaches for unimpaired waters.

New CWA 303(d) Program Measures – Going Live in FY 2015!

Shera Reems, EPA HQ

Facilitated Discussion

Session #3 Outcomes:

- *Participants will learn about the proposed new program measures and how the CWA 303(d) priorities relate to them.*
- *Participants will learn what would need to be reported under the new program measures.*
- *Participants will learn how the proposed new measures will help communicate progress and show accountability in implementing the Vision.*
- *Participants will discuss and learn how shifts in priorities can be formalized.*

Discussion Questions:

1. How should measures count **alternative** restoration approaches for impaired waters? Should and how would incremental progress count?
2. How should measures count **protection** approaches for unimpaired waters?
3. How should progress on waters that are not included on the state, tribe, or territory's priority list be reported? Should and how would incremental progress count?
4. How should changes in priorities be accommodated and counted?

12:30 pm – 1:15 pm

Lunch
Commons Dining Room

1:30 pm – 3:00 pm

Session #4
Integration Across Programs and Agencies
Auditorium

**How the State Monitoring Strategies and State Probability
Surveys May Influence CWA 303(d) Program Prioritization**
Susan Holdsworth, EPA HQ

Permitting Priorities and Cross-Program Efficiencies
Deborah Nagle, EPA HQ

**The CWA 319 Program and NRCS as They Pertain to CWA
303(d) Program Prioritization**
Lynda Hall, EPA HQ

Integration Across Water Quality Programs in Louisiana
Chuck Berger, LA

North Carolina Water Resources and NCDOT
Andy Painter, NC

Facilitated Discussion

Session #4 Outcomes:

- *Participants will learn about and discuss the priorities of other CWA programs that may influence CWA 303(d) priorities.*
- *Participants will learn about and discuss opportunities to link CWA 303(d) priorities with those of other CWA programs and state, tribal, and territorial agencies.*
- *Participants will learn about and discuss opportunities to link CWA 303(d) priorities with those of other federal agencies.*

Discussion Questions:

1. How can CWA 303(d) prioritization of waters and watersheds be **integrated** with the priorities and efforts of other CWA programs?
2. How can CWA 303(d) prioritization be **integrated** with the priorities of other state, tribal, and territorial agencies?
3. How can CWA 303(d) prioritization be **integrated** with the priorities of other federal agencies?
4. How might water quality improvement efforts undertaken by other state, tribal, and territorial agencies and other federal agencies influence TMDL **alternatives** in priority waters and watersheds?

3:00 pm – 3:30 pm

Afternoon Break

3:30 pm – 4:30 pm

Session #5
Interactions with EPA
Auditorium

The Respective Roles of EPA and States, Tribes, and Territories in CWA 303(d) Prioritization of Waters and Watersheds

John Goodin, EPA HQ

State – EPA Region Case Study: The Process and Dynamics of Prioritizing Waters in Florida

Julie Espy, FL

Greg DeAngelo, FL

Amy Feingold, EPA R4

Facilitated Discussion

Session #5 Outcomes:

- *Participants will learn about and discuss the roles of EPA and states, tribes, and territories in setting CWA 303(d) priorities.*
- *Participants will learn about and discuss opportunities for EPA regions and states, tribes, and territories to work together in the context of CWA 303(d) priority-setting.*

Discussion Question:

In what ways could EPA and states, tribes, and territories work together as the latter prioritize waters and watersheds?

4:30 pm – 5:30 pm

Session #6
Technical Tools and Assistance
Auditorium

EPA Support for Watershed Planning and Prioritizing: Data, Tools, and Services

Doug Norton, EPA HQ

WATERSCAPE: A GIS-based Framework for Identifying Priority Watersheds

Dwight Atkinson, EPA HQ

Facilitated Discussion

Session #6 Outcomes:

- *Participants will learn about and discuss tools and technical assistance that EPA has developed to aid the process of prioritizing waters and watersheds for restoration and protection.*
- *Participants will learn about a national online resource of multiple tools and data to assist in priority setting for waters and watersheds.*

Discussion Questions:

1. What do states, tribes, and territories need from EPA to prioritize waters and watersheds for restoration and protection?
2. Are existing prioritization tools and approaches flexible and applicable to the variety of topics that might be the subject of watershed prioritization?
3. How can prioritization tools help state, tribal, and territorial programs engage other water quality programs, other agencies, and the public?

5:30 pm – 6:00 pm

Open

6:00 pm – 7:00 pm

Dinner
Commons Dining Room

7:30 pm – 10:00 pm

Bonfire

6:30 am – 8:15 am Breakfast
Commons Dining Room

8:30 am – 9:00 am **Session #7**
Public Engagement Introduction
Auditorium

The Results of the ACWA Survey on Engagement

Traci Iott, CT

“I’m from the Government, and I’m Here to Help...”

Jeff Berckes, IA

Facilitated Discussion

Session #7 Outcome:

- *Participants will learn about and discuss strategies (and an overall framework) for engaging the public and other stakeholders in setting CWA 303(d) priorities, and implementing them.*

Discussion Question:

What has and has not worked to improve public understanding of what the CWA 303(d) program is and does, and to engage stakeholders and the public in its processes?

9:00 am – 10:00 am **Session #8**
Water Words That Work Part 1
Auditorium

The Perils of Preaching to the Choir

Eric Eckl, Water Words That Work

Session #8 Outcome:

- *Participants will learn to spot the signs of "preaching to the choir" and recognize when a message will miss its audience.*

10:00 am – 10:30 am Morning Break

10:30 am – 12:30 pm **Session #9**
Water Words That Work Part 2
Auditorium

The Environmental Message Method

Eric Eckl, Water Words That Work

Session #9 Outcome:

- *Participants will learn how to translate professional conservation writing into messages that are useful for the public.*

12:30 pm – 1:15 pm

Lunch
Commons Dining Room

1:30 pm – 3:00 pm

Session #10
Breakouts – Practical Implementation
Breakout Rooms, Various Locations

This session consists of ten breakout groups, one for each region, each with state, tribal, and territorial participants from that region as well as EPA regional and headquarters staff.

Session #10 Outcomes:

- *Participants will learn about the current thinking of state, tribal, territorial and EPA staff in their respective EPA regions regarding prioritization.*
- *Participants will identify challenges to putting in place a prioritization framework.*
- *Participants will identify and discuss solutions to those challenges and assistance that they may need.*

Discussion Questions:

1. Where in the prioritization process is each state, tribe, and territory?
2. What factors and methods will each state, tribe, and territory use (or consider using) to prioritize waters or watersheds for restoration and protection?
3. If known, what are each state, tribe, and territory's priority waters or watersheds, or what has it considered as potential priorities?
4. What strategies is each state, tribe, and territory using (or considering using) to engage the public and stakeholders in setting priorities and to convey those priorities to the public?
5. What are the foreseeable challenges to putting in place a prioritization framework, and how might they be addressed?
6. What assistance (e.g., data, technical tools, policy development) will states, tribes, and territories require if they are to successfully identify priority waters or watersheds and meet the respective water quality standards?

3:00 pm – 3:30 pm

Afternoon Break

3:30 pm – 4:30 pm

Session #10 (cont'd)
Breakouts – Practical Implementation
Breakout Rooms, Various Locations

4:30 pm – 6:00 pm

Open

NOTE: The developers of EPA's Recovery Potential Screening tool and WATERSCAPE tool will be available during this time to discuss state-specific prioritization support needs and EPA assistance, in the Ding Darling Lodge, Lounge Area.

6:00 pm – 7:00 pm

Dinner
Commons Dining Room

7:30 pm – 8:30 pm

Informal Evening Session
Ding Darling Lodge, Lounge Area

Relating State Prioritization to Available Tools and Support

Dwight Atkinson, EPA HQ

Doug Norton, EPA HQ

6:30 am – 8:15 am Breakfast
Commons Dining Room

8:30 am – 10:00 am **Session #11**
Next Steps: Approaches and Needs
Auditorium

Breakout Summary: Paths, Hurdles, and Assistance Ahead

Menchu Martinez, EPA HQ
Adam Schempp, ELI

Facilitated Discussion

Session #11 Outcomes:

- *Participants will learn the variety of approaches to accomplishing the Prioritization Goal being considered by states, tribes, and territories.*
- *Participants will identify and discuss potential solutions to challenges they face in implementing the Prioritization Goal, including policy and resource needs.*
- *Participants will learn and discuss strategies for improving public engagement regarding the CWA 303(d) program, including prioritizing waters and watersheds.*

Discussion Questions:

1. What issues related to prioritization potentially should be clarified in guidance?
2. What should be done to maintain, let alone improve, accountability to the public and stakeholders, particularly in light of the noted challenges and shifting priorities?
3. What changes may be needed to more effectively communicate what the CWA 303(d) program is and does, and to assist the development of state, tribal, and territorial **engagement** frameworks as part of implementing the **Engagement** Goal?

10:00 am – 10:30 am Morning Break

10:30 am – 11:00 am

Session #12
Next Steps: Internal Communication
Auditorium

Developing Talking Points

Traci Iott, CT
Tom Stiles, KS

Facilitated Discussion

Session #12 Outcome:

- *Participants will learn about and discuss ways of communicating the Vision to management and other relevant programs.*

Discussion Question:

What talking points would aid CWA 303(d) listing and TMDL program staff in conveying the Vision and particularly the Prioritization Goal to management and other relevant programs?

11:00 am – 12:00 pm

Training Workshop Wrap-Up
Auditorium

Send-Off Remarks

Tom Stiles, KS

Closing Remarks: Summary, Prioritization & Other Goals, Next Steps

John Goodin, EPA HQ

12:00 pm – 12:45 pm

Lunch
Commons Dining Room

NCTC Check-Out & Departure

1:00 pm

Departure of Shuttle Bus for Dulles Airport
Ding Darling Lodge, Parking Lot