EPA’s New Accountability Measure for TMDLs and TMDL Alternatives

Why now?
Most states have completed their TMDL lawsuit/settlement agreement requirements. EPA is accountable to OMB and Congress to show that the Clean Water Act is being implemented. States are willing to be accountable but need some flexibility. No one liked the old pace measure (certain number of TMDLs produced in a specific amount of time). States and EPA worked on this together.

What is it?
States will designate priority areas in which they will work to produce TMDLs and/or TMDL alternatives. Although EPA will ask for progress updates annually, the grand assessment of accomplishments will occur in 2022. The goal is to have “plans in place” for all priority waters by 2022.

EPA will assess progress using two measures:
WQ 27—tracks “plans in place” to address the long-term priorities of states.
WQ 28—tracks “plans in place” and progress towards “plans in place” within and outside of priorities.

Two things to note about the measures are that they overlap and that they are only designed to measure plans, not implementation. The TMDL alternatives that EPA has in mind include placement into Category 4b and placement into some other categories that Washington doesn’t use, such as 5m (which some states use for mercury listings) and 5alt (which we may be able to use for our STI projects when the workplan is completed and approved but implementation has not proceeded far enough to result in placement into Category 4b).

What do states have to do?
States must designate their priority areas and describe what work has already been done in those areas to establish a baseline from which EPA will measure future accomplishments.

As part of the TMDL workload assessment that we do each time a new Water Quality Assessment is issued, the regions have also proposed the projects they expect to complete by 2022. In general, these are projects that are already underway, since 2022 is not that far off, and any projects not started at this time have less chance of being completed by then. We have assumed that these projects define our priority areas at the present time.

PMT should discuss the list of projects and decide whether they agree that these define our priority areas for the EPA accountability measures.
<table>
<thead>
<tr>
<th>Region</th>
<th>Project name</th>
<th>Parameter</th>
<th># Beans</th>
<th>Start date</th>
<th>Completion date</th>
<th>Progress to date</th>
</tr>
</thead>
<tbody>
<tr>
<td>SWRO</td>
<td>Deschutes River Multiparameter TMDL</td>
<td>bacteria, pH, DO, temp, fine sediment</td>
<td>73</td>
<td>2003</td>
<td>2016</td>
<td>TMDL drafted, public comment period ended, responding to comments and finalizing to submit to EPA</td>
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<tr>
<td></td>
<td>Lower white River pH TMDL</td>
<td>pH</td>
<td>3</td>
<td>1990</td>
<td>2017</td>
<td>Data collected, modeling in progress</td>
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<tr>
<td></td>
<td>Cranberry, Johns, and Mill Creeks temperature TMDL</td>
<td>temperature</td>
<td>14</td>
<td>2008</td>
<td>2017</td>
<td>Modeling done, writing draft for public comment</td>
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<td>bacteria, pH, temperature, DO</td>
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<td>2008</td>
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<td>Weaver Creek</td>
<td>bacteria</td>
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<td>2016</td>
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<tr>
<td>NWRO</td>
<td>Lake Loma STI</td>
<td>phosphorus</td>
<td>1</td>
<td>2014</td>
<td>2015</td>
<td>STI now Implementing, STI workplan in progress</td>
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<td>Soos Creek Temp/DO, Aquatic Habitat TMDL</td>
<td>temperature, DO, biological indicators</td>
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<td>2014</td>
<td>2017</td>
<td>Data collected, developing model</td>
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<td>Soos Creek Fecal Coliform TMDL</td>
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<td>Padilla Bay Fecal Coliform TMDL</td>
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<td>2015</td>
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<td>Green-Duwamish Toxics Loading Assessment</td>
<td>multiple toxic pollutants</td>
<td>350</td>
<td>2014</td>
<td>? – phased completion – will have milestones</td>
<td>Sediment cleanup planned, implementing source control BMPs, data collection ongoing, developing model</td>
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<td>French/Pilchuck Temp/DO TMDL</td>
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<td>37</td>
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<td>2017</td>
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<td>2019</td>
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<td>Big Beef Temp/DO TMDL</td>
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<td>5</td>
<td>2018</td>
<td>2020</td>
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<td>South Whidbey Isl. FC/DO/pH TMDL</td>
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<td>Sunday Lake STI</td>
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<td>2019</td>
<td>2021</td>
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<td>ERO</td>
<td>Spokane River Regional Toxics Task Force</td>
<td>PCB; 2,3,7,8-TCDD; 2.3.7.8-TCDD TEQ</td>
<td>24</td>
<td>2012</td>
<td>2027</td>
<td>Task force identifying sources, fate, and transport of PCBs; performing data collection; implementing PCB removal and source control BMPs</td>
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<td>Little Spokane River DO/pH TMDL</td>
<td>DO, pH, temperature</td>
<td>35</td>
<td>2012</td>
<td>2017</td>
<td>Model built, doing additional data collection</td>
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<td>South Fork Palouse Multi-parameter TMDL</td>
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<td>34</td>
<td>2006</td>
<td>2018</td>
<td>Data collected, model run, may need UAA</td>
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<td>Hangman Creek DO/pH TMDL</td>
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<td>21</td>
<td>2017</td>
<td>2020</td>
<td>Data gathered, policy issues related to intermittent streams delaying project</td>
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<td>Pataha Creek TMDL</td>
<td>bacteria, DO, pH</td>
<td>15</td>
<td>2017</td>
<td>2022</td>
<td>Planning</td>
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<td>Region</td>
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<td>Parameter</td>
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<td>CRO</td>
<td>Upper Yakima Tributaries Temperature TMDL</td>
<td>temperature</td>
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<td>2013</td>
<td>2016</td>
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<td>Tieton and Lower Naches Temperature TMDL</td>
<td>temperature</td>
<td>12</td>
<td>2014</td>
<td>2018</td>
<td>Monitoring just started</td>
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<td>temperature</td>
<td>8</td>
<td>2014</td>
<td>2023</td>
<td>Existing data being collected and reviewed. In planning.</td>
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<td>Yakima River Basin Toxics Action Plan/TMDL</td>
<td>DDT, 4-4”DDT 4-4’DDD 4-4”DDE Chlorpyrifos Aldrin, Dieldrin Chlordane Dioxin, PCB Toxaphene</td>
<td>64</td>
<td>2012</td>
<td>2024</td>
<td>Organizing local work group</td>
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<td>Rock Creek temperature/DO STI</td>
<td>Temperature DO</td>
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<td>2014</td>
<td>2016</td>
<td>Some BMPs already implemented; CD and landowners involved in protection and restoration</td>
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<tr>
<td>BFO</td>
<td>South Fork Nooksack Temperature TMDL</td>
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<td>2012</td>
<td>2016</td>
<td>Modeling complete, TMDL being drafted, natural conditions issue</td>
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<tr>
<td>Drayton Harbor Bacteria TMDL</td>
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<td>2008</td>
<td>2017</td>
<td>Data collected, modeling finished, may need to re-analyze new data</td>
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<td>Whatcom Creek Fecal Coliform TMDL</td>
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<td>8</td>
<td>2001</td>
<td>2017</td>
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<td>Squalicum Creek Pilot TMDL</td>
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<td>6</td>
<td>2012</td>
<td>2016</td>
<td>Model being designed</td>
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</table>