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2025 ELI CWA 303(d) Workshop

# ADVANCE RESTORATION PLANS

# DISCLAIMER

This presentation does not...

- Impose any binding requirements
- Determine the obligations of the regulated community
- Change or substitute for any statutory provision or regulation requirement
- Represent, change, or substitute for any Agency policy or guidance
- Control in any case of conflict between this discussion and statute, regulation, policy or guidance

# WHAT IS AN ARP?

- Advance Restoration Plan = a plan for restoration, in advance of a TMDL
- An ARP is a restoration plan that may be more immediately beneficial or practicable to achieving applicable water quality standards under certain circumstances.
- When the ARP activities restore the applicable WQS, the waterbody can be delisted, which eliminates the need for a TMDL.
- In the meantime, states have some discretion to give an impaired waterbody a lower priority for TMDL development.

# WHAT IS AN ARP?

The plan should include:

- specific impaired water segments or waters addressed and identification of all sources contributing to the impairment,
- an analysis to support why the State believes that the implementation of the advance restoration approach is expected to achieve WQS,
- a schedule of actions designed to meet WQS with clear milestones and dates, which includes interim milestones and target dates with clear deliverables,

# WHAT IS AN ARP?

The plan should include: (con't)

- available resources, partners, and fundings to support plan implementation
- an estimate or projection of the time when WQS will be met, and
- a commitment to periodically evaluate the advance restoration approach to determine if it is on track to be more immediately beneficial or practicable in achieving WQS than pursuing the TMDL approach in the near-term, and if the impaired water should be assigned a higher priority for TMDL development.

# AN ARP IS *NOT*

an alternative to a TMDL

- It is a restoration plan implemented in advance of a TMDL

a regulatory action under 303(d)

- Waters remain on the impaired list and a TMDL is still required until WQS are restored.
- EPA does not approve ARPs as an action. EPA can accept ARPs as a “restoration plan in place” for purposes of the EPA 303(d) program measure.

an appropriate option for every case

- Case-specific evaluation of the circumstances are needed to determine which action (TMDLs, 4b, ARPs) will be most effective in restoring the WQS
- Some factors, such as type of pollutants, sources, waterbody conditions, or other restoration challenges may make an ARP inappropriate

# PAST EPA STATEMENTS ABOUT ARPS

## The Restoration Goal in the 2022-2032 Vision for the Clean Water Act Section 303(d) Program

- “In addition to TMDLs, there are other types of plans that may be more immediately beneficial or practicable for restoring water quality.”

## The 2016 Integrated Reporting Memo

- “EPA and States will work together to determine which is the most effective tool to achieve WQS — be it TMDL development or pursuing an alternative restoration approach in the near term — for waters that remain on the CWA 303(d) list.”

# NATIONAL STATS

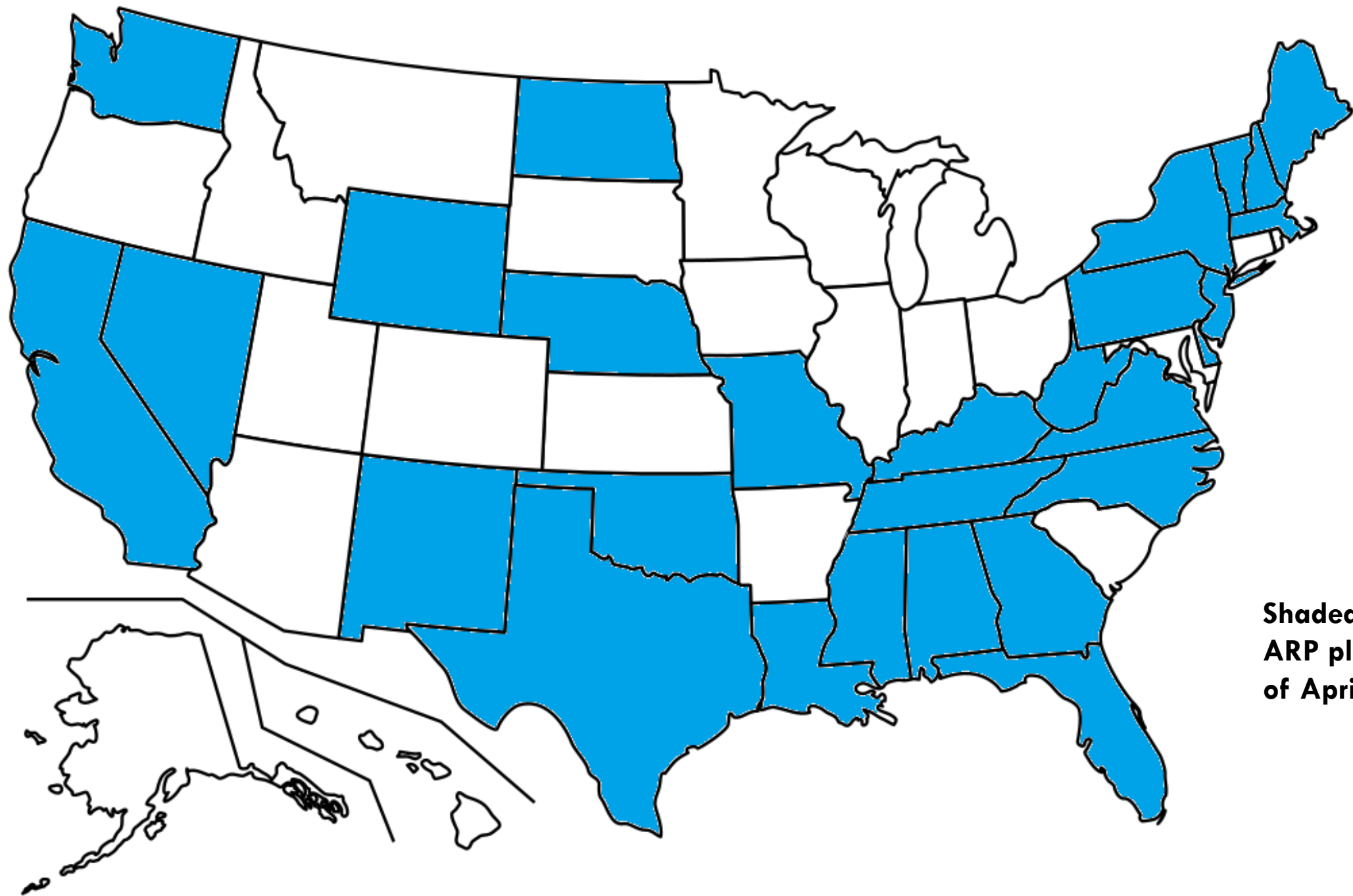
As of April 2025, 115 Advance Restoration Plans from 28 states have been accepted by EPA\*

- \*based on information uploaded to the ATTAINS database

Restoration plans designed to address pathogen, sediment, and nutrient impairments continue to be the most common types of accepted ARPs

All accepted plans can be found in ATTAINS, How's My Waterway? (<https://mywaterway.epa.gov/>) and at <https://www.epa.gov/tmdl/advance-restoration-plans>





**Shaded states show  
ARP plans in ATTAINS as  
of April 2025**

# USING THE RIGHT TOOL BASED ON THE SITUATION

- Generally, TMDLs are the best tool for addressing impairments.
- ARPs may provide a mechanism for restoration efforts and awareness of environmental issues but are not intended to take time/resources away from potential TMDL development.
- Where there are engaged partners and parties willing to contribute toward implementation, ARPs may provide an effective way to start restoration activities.

# OTHER CONSIDERATIONS

- Once a State decides to pursue an advance restoration approach for impaired waters, EPA requests that the State provide, or reference, in its Integrated Report a description of the approach.
- EPA recommends placing those waters targeted for restoration under an ARP into a subcategory of 5 (“impaired waters”) – such as 5r – in subsequent IR submissions. This will provide transparency to the public about the restoration activities that are ongoing and aid in tracking national ARP use.

# OTHER CONSIDERATIONS

- EPA does not expect that all of the activities or controls to carry out an ARP must be fully implemented before the ARP can be reported as a plan under the CWA 303(d) performance measures. **However, the ARP does need to clearly demonstrate how WQS will be achieved for EPA to include it under the CWA 303(d) performance measures.**
- States should periodically evaluate alternative restoration approaches to determine if such approaches are still expected to be more immediately beneficial or practicable in achieving WQS than pursuing a TMDL approach in the near-term. 5 If not, States should re-evaluate whether a higher priority for TMDL development should be assigned.

# COMMON QUESTIONS ABOUT ARPS

What information is required to submit an ARP?

Can EPA disapprove an ARP?

What timeframes are appropriate for an ARP to show for reassessment and restoration?

How much information is needed in an ARP proposal?

Has an outside entity challenged an ARP?

# ARPS AND NPS WATERSHED-BASED PLANS

- Many ARPs either were developed from existing WBPs or developed concurrently as WBP.
- Since many ARPs focus on primarily nonpoint source-based impairments, there can be a great degree of overlap in development and considerations between ARPs and WBPs.
- For the 303(d) program, the primary consideration is to ensure that the ARP clearly demonstrates that the activities will restore the impaired WQS, not just improve water quality.
- Many states and Regions have developed SOPs that align NPS and 303(d) program staff in the development or review of joint plans.

# SUMMARY KEY POINTS ABOUT ARPS

ARPs are an available tool to work toward restoration of impairments but not an alternative to TMDLs.

Because ARPs are not a regulatory action, there are not “requirements” in developing the plans, only considerations.

Partnerships and interested/involved stakeholders are essential to ARP development, implementation, and success.