COLORADO
Department of Public Health & Environment

Colorado TMDL Prioritization Framework

Summary

Rivers, lakes and streams that do not meet Colorado's water quality standards are included in the Water Quality Control Commission's Regulation 93 Colorado's Section 303(d) List of Impaired Waters and Monitoring and Evaluation List. The prioritization framework is the Water Quality Control Division's general strategy for prioritizing impaired waters for development of Total Maximum Daily Loads (TMDLs) and Advance Restoration Plans (ARPs) to be completed between 2024-2032. For this planning cycle, TMDLs and ARPs will be prioritized to address impairments on the 2024 version of the 303(d) List.

The prioritization framework provides the rationale for determining priorities during this time period. The 8-year planning horizon enables stakeholders who are interested in participating in data collection or other aspects of TMDL development to engage with division staff early in the process of planning and developing TMDLs and ARPs. The division's process for establishing priorities will be re-evaluated in 2032, and different factors may be used to establish priorities following this 8-year plan.

TMDL and ARP Priorities for 2024-2028

The division is prioritizing impaired waters where significant resources have already been invested for TMDL and ARP development between 2024-2028:

- Lower Arkansas River Segment 1b and Tributaries Selenium TMDL Assessment
- Bear Creek Reservoir Phosphorus and Chlorophyll *a* TMDL Assessment
- Lower Arkansas River Segment 1c Selenium ARP
- Lower Bear Creek *E. coli* TMDL Assessment
- Cache la Poudre River and Tributaries *E. coli* TMDL Assessment
- Upper Clear Creek Watershed Metals TMDL Assessment
- DeWeese Reservoir Dissolved Oxygen and Total Phosphorus TMDL Assessment
- Sand Creek (Upper South Platte Basin) *E. coli* TMDL Assessment
- Clear Creek *E. coli* TMDL Assessment
- Fountain Creek *E. coli* TMDL Assessment
- Monument Creek *E. coli* TMDL Assessment
- Middle South Platte Segment 1a *E. coli* TMDL Assessment
- Cherry Creek *E. coli* TMDL Assessment

- Uncompahgre Watershed Metals TMDL Assessment

The division is already working on TMDL Assessments and ARPs for the 14 watersheds listed above. Each TMDL assessment may include between 1-40 calculated TMDLs for specific Assessment Unit IDs (AUIDs). For the complete list of AUIDs included in each report, please see the TMDL prioritization website. Specific AUIDs will be updated on this website every 2 years to align with changes to Regulation 93 and segmentation changes in the basin regulations (Regulations 32-38). The division may include additional AUIDs that are tributary to the prioritized AUIDs and impaired for the same pollutant. The division is not planning to add any additional pollutants to the TMDL Assessments prioritized for 2024-2028, except in the event that there is a new listing for a closely related pollutant, e.g. a new listing for chlorophyll *a* on Deweese Reservoir would be very practical and efficient to address with the phosphorus TMDL that is currently in development.

TMDL and ARP Priorities for 2029-2032

This framework describes the selection criteria for impaired waters to be prioritized for completion between 2029-2032. The division will prioritize a set of candidate waters for further evaluation. The division will use the criteria to select:

- Up to 4 nutrient-related TMDL Assessments
- Up to 3 sediment TMDL Assessments
- Up to 3 selenium TMDL Assessments
- Up to 3 uranium TMDL Assessments
- Up to 3 additional *E. coli* TMDL Assessments

Candidate waters will be identified later in 2025. The division will work with interested stakeholders to further evaluate candidate waters for potential TMDL or ARP development. Commitments will be established between 2026-2030.

TMDL Revisions

The division is not proposing to revise any existing TMDLs at this time. The division will evaluate revising existing TMDLs following changes to water quality standards. For example, if a site-specific standard is adopted on a segment, the division will evaluate how the TMDL is being implemented and the urgency of revising the TMDL.

The division proposes to prioritize revision of existing TMDLs in circumstances where all of the following occur:

- The commission revises the water quality standard
- An existing TMDL includes a wasteload allocation for one or more entities with an active Colorado Discharge Permit System (CPDS) discharge permit.
- Changing the TMDL would authorize a change to permit requirements, because the wasteload allocation is the most stringent applicable requirement for calculating WQBELs. In other words, other applicable requirements (e.g. antidegradation requirements, anti-backsliding requirements, Control Regulations, etc.) result in WQBELs that are less stringent than the wasteload allocation in the TMDL.

A TMDL assessment revision does not necessarily involve a complete revision of the underlying analysis. If the overall conditions in the watershed are essentially the same (flow regime, sources, etc.) then the TMDL revision might be limited to updated calculations based upon the new standard. The division will conduct outreach with stakeholders in watersheds where a revision is considered. Revised TMDLs are posted on Public Notice for public comment and require EPA approval.

Special Studies

The division proposes to complete modeling analysis for a few segments currently impaired for temperature in order to identify sources of heat contributing to the impairment and to evaluate potential scenarios for reducing heat through implementation of BMPs for nonpoint sources (e.g. riverbank channelization, loss of riparian shade, grazing, loss of forest cover in the watershed). The division is not proposing to complete any TMDLs for temperature at this time, but expects that the results of these studies will help inform whether a TMDL, Advance Restoration Plan or another plan is the best next step for these impairments.

1. Purpose and Scope of Prioritization Framework

The prioritization framework has two purposes. The first is to establish the rationale for prioritizing division resources to select impaired waters to be addressed within the 8-year planning time horizon. The other purpose of the prioritization framework is to communicate the division's longer-term plans with interested stakeholders who are interested in participating in data collection or other aspects of TMDL development.

A TMDL assessment is a planning-level watershed study that evaluates sources of pollution contributing to water quality standards impairment. The objective of a TMDL assessment is to determine the loading capacity of the waterbody and to allocate that load among different pollutant sources so that the appropriate control actions can be taken and water quality standards achieved. The TMDL process is

important for improving water quality because it serves as a link in the chain between water quality standards and implementation of control actions designed to attain those standards.

For point sources Colorado Discharge Permit System (CDPS) permits are required to implement requirements that are consistent with the wasteload allocation in an EPA-approved TMDL. For nonpoint sources, implementation of the load allocations and reductions specified in the TMDL is entirely voluntary. The nonpoint source program provides financial and technical assistance to promote implementation of load allocations. A TMDL also forms the technical basis for a nonpoint source 9-element watershed plan.

States are required to develop TMDLs for all impaired waters (Category 5) included on the 303(d) list. There are currently over 400 impaired waters listed in Category 5 in Colorado for one or more pollutants. Over half of these are assigned a “high priority” ranking by the Water Quality Control Commission (commission) for TMDL development. As a point of comparison, the division currently has TMDLs under development for 35 impaired waters.

The division also has the option of developing ARPs for impaired waters. Like TMDLs, ARPs must also establish a plan to attain water quality standards. ARPs include a description of actions, with a schedule and milestones to attain water quality standards. Impaired waters with ARPs remain on the 303(d) list and continue to be identified as Category 5 waters in the Integrated Report. If the implementation of the ARP does not result in attainment, a TMDL is still required.

The division is currently developing an ARP for Lower Arkansas Segment 1c for selenium. In most cases, impaired waters will warrant TMDL development, but the ARP option might be viable in watersheds where the majority of sources are nonpoint sources and/or where another entity has already identified actions that will result in attaining standards and has acquired or committed funding to implement those actions.

The scope of the prioritization framework defines, at a high level, which watersheds and pollutants will be prioritized for TMDL development. This does not mean that other AUIDs or pollutants will not also be included. TMDL assessments for each watershed may include other AUIDs (e.g. tributaries) or other parameters which are related to the impairment prioritized and which can be efficiently included. For example, a sediment TMDL may also include iron, if additional data collection shows that iron also exceeds WQS and the AUID becomes listed for iron while the TMDL is in development. Since the source of excess iron is often excess sediment, it would be most practical to address both impairments together in the same TMDL assessment.

2. Rationale for Determining Priorities for 2024 – 2028

The division is prioritizing impaired waters by first completing TMDLs that are existing commitments, then completing TMDLs where significant resources have already been invested in collecting data specifically for TMDL development.

The following list includes TMDLs and ARPs that the division has already committed to completing and which are already under development. These TMDLs were prioritized during the last long-term planning cycle:

- Lower Arkansas River Segment 1b and Tributaries Selenium TMDL
- Bear Creek Reservoir Phosphorus and Chlorophyll *a* TMDL
- Lower Arkansas River Segment 1c Selenium Advance Restoration Plan
- Lower Bear Creek *E. coli* TMDL
- Cache la Poudre River and Tributaries *E. coli* TMDL
- Upper Clear Creek Watershed Metals TMDL
- Deweese Reservoir D.O. and TP TMDL

There are six watersheds where the division had prioritized developing *E. coli* TMDLs during the last long-term planning cycle, but decided to delay these in order to focus limited resources on other TMDL priorities. These watersheds will be prioritized for TMDL development between 2024-2028:

- Sand Creek *E. coli* TMDL
- Clear Creek *E. coli* TMDL
- Fountain Creek *E. coli* TMDL
- Monument Creek *E. coli* TMDL
- Middle South Platte Segment 1a *E. coli* TMDL
- Cherry Creek *E. coli* TMDL

Finally, Colorado Parks and Wildlife (CPW) Riverwatch volunteers coordinated with the division in 2020 and offered to collect data in the Uncompahgre Watershed to support development of a future TMDL. Volunteers have collected several years of data at sites requested by division staff, and there may be sufficient data to develop TMDLs on 10-12 AUIDs for metals within the Uncompahgre River Watershed.

3. Rationale for Determining Priorities for 2029 - 2032

Division staff developed the rationale for determining priorities after coordinating with each of the Clean Water Programs and after discussions with stakeholders

between 2022 - 2024, as further described in Section 5. Additional opportunities for stakeholder input are also described in Section 5. The prioritization framework utilizes many factors to determine priorities for ARP and TMDL development between 2029-2032. Colorado's prioritization framework is a step-wise process. First, the factors for determining which pollutants to prioritize are described below in Section 3.1. Next, the factors for prioritizing specific impaired waters are described below in Section 3.2.

The selection criteria described in this section will be used to identify "Candidate Waters" for potential TMDL or ARP development. An initial proposed list of candidate waters will be published on the TMDL website later in 2025. The division will meet with interested stakeholders in watersheds with "candidate waters" between 2025 – 2026. These candidate waters would not become established commitments with EPA until 2026 at the earliest. Please see Section 4 for more information on how to provide input to the division on candidate waters. The criteria included in this section apply only to prioritizing candidate waters for ARP and TMDL development starting in 2029. These criteria were not applied to the ARPs and TMDLs already prioritized for development between 2024-2028 (discussed in Section 2).

3.1 Rationale for Prioritizing Pollutants

Pollutants were prioritized considering multiple factors, including 1) alignment with existing Clean Water Program and department priorities, 2) opportunities to develop the division's capacity to address emerging challenges and 3) opportunities for partnerships in restoring water quality.

First, existing Clean Water Program and department priorities that inform TMDL prioritization include:

- Protecting public health is a long-standing department priority.
- Reducing point sources and nonpoint sources of nutrients is a Clean Water Program priority. See the division's webpage on Current Division Nutrients Work for more info.
- Colorado's 2022 Nonpoint Source Management Plan establishes five priorities for the nonpoint source program:
    - Implement annually targeted restoration and protection projects;
    - Implement the NPS provisions in the Water Quality Roadmap;
    - Implement disaster related projects (wildfires and flooding);

- Provide technical and financial assistance to disproportionately impacted communities; and
- Provide technical and financial assistance for unregulated stormwater runoff management.

Second, opportunities to develop the division's capacity to address emerging challenges include:

- Addressing challenges from climate change
- Increasing the use of hydrologic and water quality modeling to support TMDL development in order to evaluate various possible future scenarios
- Coordinating with strategic growth initiatives

Third, opportunities for partnerships in restoring water quality:

- The Colorado Nonpoint Source Alliance includes a coalition of government agencies that collaborate with the division's Nonpoint Source Program.
- The Arkansas River Water Quality Interstate Network is a collaborative effort between the State of Colorado and the State of Kansas for addressing water quality in the Arkansas River in both states, with a special focus on selenium.
- The designated planning agencies that develop regional water quality management plans (208 plans) that can assist in TMDL and ARP implementation.
- Other partners include many local water conservation, conservancy districts, and watershed organizations throughout Colorado.

Table 1. Rationale for Prioritizing Pollutants

Prioritized Pollutants	**Rationale**
Nutrients	• Public health protection (Direct Use Water Supplies, Recreation in lakes and streams) • Align with Nonpoint Source Program Priorities (support implementation of nonpoint source projects for nutrients). • Support Clean Water Program goal to reduce point sources and nonpoint sources of nutrients • Opportunities to partner with NPS Alliance members and other partners in restoring water quality • Expand staff capacity for addressing more parameters and utilizing hydrologic modeling

Prioritized Pollutants	Rationale
Sediment	• Nonpoint source program grant applications for erosions/sediment related projects are some of the most common • Opportunities to partner with NPS Alliance members and other partners in restoring water quality • Expand staff capacity for addressing more parameters and utilizing hydrologic modeling
Selenium	• Partnership with Kansas on selenium in the Lower Arkansas River • Partnership with Colorado State University on selenium fate and transport modeling • The NPS provisions in the water quality roadmap direct the division to prioritize projects that address the connection between nitrate and the mobilization of selenium, and also to increase partnerships in the Lower Arkansas River Basin to maximize reduction of nonpoint sources of nutrients and selenium through best management practices (Water Quality Control Division Implementation Policy Number CW-8)
Uranium	• Protect public health (water supplies)
E. coli	• Protect public health, especially in shallow urban streams where children play • Align with department goals for environmental justice by addressing water quality impairments in areas with disproportionately impacted communities • Keep pace with state-scale priorities and goals that support strategic growth

The priorities for 2024-2028 include two large watershed-scale TMDL Assessments that will address many 303(d)-listed AUIDs for metals. However, in order to allocate TMDL resources to address other priority-pollutants (*E. coli*, selenium, sediment, uranium and nutrients), no additional TMDLs for metals will be prioritized for TMDL development in the 2029-2032 timeframe. This includes listings for aluminum, arsenic, cadmium, chromium, copper, iron, lead, mercury, manganese, nickel, silver and zinc.

Many of the TMDLs developed in Colorado the last 25 years addressed impacts related to abandoned mine lands. While abandoned mine lands continue to severely impact water quality and the division values partnerships in working on addressing these sources, the division recognizes that many TMDLs to date have been located either in Colorado's Mineral Belt and near Colorado's Front Range. In order to utilize resources equitably during the 2024-2032 planning horizon, the division needs to address water quality impairments in other parts of Colorado, which are more commonly impaired for *E. coli*, selenium, sediment, temperature and nutrients. The division may prioritize additional metals impairments after 2032.

The division is not proposing to complete any TMDLs for chloride at this time. There is only one segment on the 303(d) list currently for chloride. CPW has expressed concern with chloride and has observed impacts to aquatic life. Impacts to aquatic life may be under-represented due to a lack of in-stream data and also because Colorado does not have a chloride standard for the protection of aquatic life, only for the protection of water supply. Chloride may be a priority for TMDL development in the future; the division will track national developments to address chloride through TMDLs during this planning cycle and will re-evaluate in the next planning cycle.

The division is not proposing to complete any TMDLs for sulfate at this time. The commission has assigned most sulfate listings as low priority. The division did not identify any opportunities to align with other program priorities or support goals in Table 1.

Mercury fish tissue – Mercury impairments are based on elevated mercury levels in fish tissue. Due to the human health risk associated with consuming fish with high levels of mercury, these listings were assigned a higher priority ranking by the commission. However, because of the complexity of mercury fate and transport through natural systems as well as the challenges associated with source identification and control, the division is identifying TMDL development for mercury impairments as lower priority while additional information is acquired and evaluated. As the division

prepares for this future TMDL development, fish consumption advisories are in place throughout the state to protect human health.

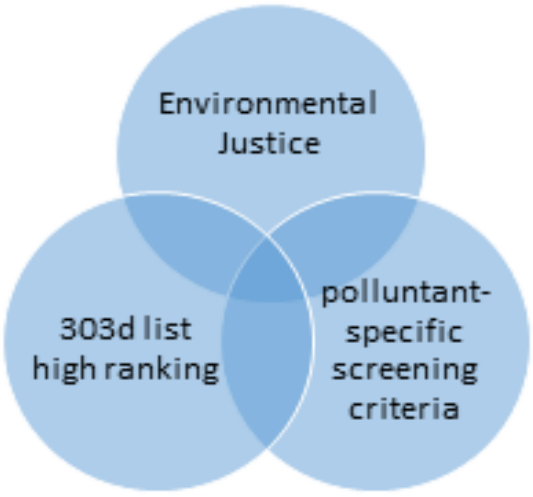
The division may prioritize TMDLs for pH listings where the impairment is associated with nutrients (e.g. lakes with elevated pH due to excess algae). The division may also prioritize pH listings in the two watershed-scale TMDLs for metals in the Upper Clear Creek Watershed and the Uncompahgre Watershed. The division is not proposing any additional TMDLs for pH.

Finally, the division is not proposing to develop any TMDLs or ARPs at this time for pollutants which do not currently have any listings, for example, per- and polyfluoroalkyl substances (PFAS).

3.2 Rationale for Prioritizing Specific Impaired Waters

Specific water bodies with impairments for *E. coli*, selenium, sediment, temperature and nutrients will be prioritized for "candidate waters" based upon:

- Commission "high" priority ranking
- Environmental justice
- Pollutant-specific screening criteria



Commission High Priority Ranking

USEPA regulations at 40 CFR Part 130.7(b)(4) require establishing a priority ranking of 303(d) listed waters for the development of TMDLs that accounts for the severity of

pollution and the designated uses. The commission assigns “high”, “medium”, or “low” priorities to all impaired waters included on the 303(d) list (Category 5). The commission establishes priorities based upon the severity of the impairment and designated uses as well as “secondary factors” that consider the utility of a TMDL and optimizing resources, described in the Section 303(d) Listing Methodology.

Environmental Justice

In 2021 Colorado adopted the Environmental Justice Act (HB21-1266) and created the Environmental Justice Action Task Force. In 2022, CDPHE developed an interactive environmental justice mapping tool called Colorado EnviroScreen that identifies areas with current and past environmental inequities, and identifies areas where disproportionately impacted communities have a greater health burden and/or face more environmental risks.

There are many metrics available within Colorado Enviroscreen. The division proposes to use the two following specific metrics to prioritize impaired waters:

1) EnviroScreen Score: The EnviroScreen Score combines population characteristics and environmental burdens. The score goes from 0 to 100, with the highest score representing the highest burden. The EnviroScreen score is a percentile or ranking. The number represents how many of the state’s counties, census tracts, or census block groups have a lower score than the area in question. The Enviroscreen Score for a community is a cumulative score that incorporates many risk factors, including the community’s environmental exposures to air pollution, lead exposure risk, proximity to impaired streams and rivers, climate vulnerability, asthma hospitalization rates, cancer prevalence, life expectancy and other factors.

2) Disproportionately Impacted Community: This term refers to areas that meet the definition of “Disproportionately Impacted Community” under Colorado law. House Bill 23-1233 adopted a definition that applies to all state agencies, including CDPHE. The definition includes census block groups where more than 40% of the population are low-income (meaning that median household income is at or below 200% of the federal poverty line), 50% of the households are housing cost-burdened (meaning that a household spends more than 30% of its income on housing costs like rent or a mortgage), 40% of the population are people of color (including all people who do not identify as non-Hispanic white), or 20% of households are linguistically isolated (meaning that all

members of a household that are 14 years old or older have difficulty with speaking English. Also included in this definition are mobile home communities, the Ute Mountain Ute and Southern Ute Indian Reservations, and all areas that qualify as disadvantaged in the federal Climate and Economic Justice Screening Tool. The definition also includes census block groups that experience higher rates of cumulative impacts, which is represented by an EnviroScreen Score (Percentile) above 80.

The division will consider the uses impaired and the relationship to environmental justice when determining how to apply the metrics. For example, for water quality impairments that impact the recreation use, considering the cumulative environmental burden of the community where the impaired watershed is located would address the public health risk to residents who live in the impaired watershed. For Direct Use Water Supplies, considering whether the water supply serves disproportionately impacted communities and/or communities with a relatively high cumulative environmental burden would be relevant. The communities that utilize a reservoir as a water supply are sometimes located outside of the reservoir's hydrologic watershed, so in these cases, the environmental justice scores for the communities served would be used, rather than the environmental justice indicators for the watershed that drains to the reservoir.

The division will also consider sub-basins where TMDLs have not yet been developed to date. Figure 1 shows the watersheds with existing TMDLs overlain with Enviroscreen Scores for the State of Colorado at the county scale.

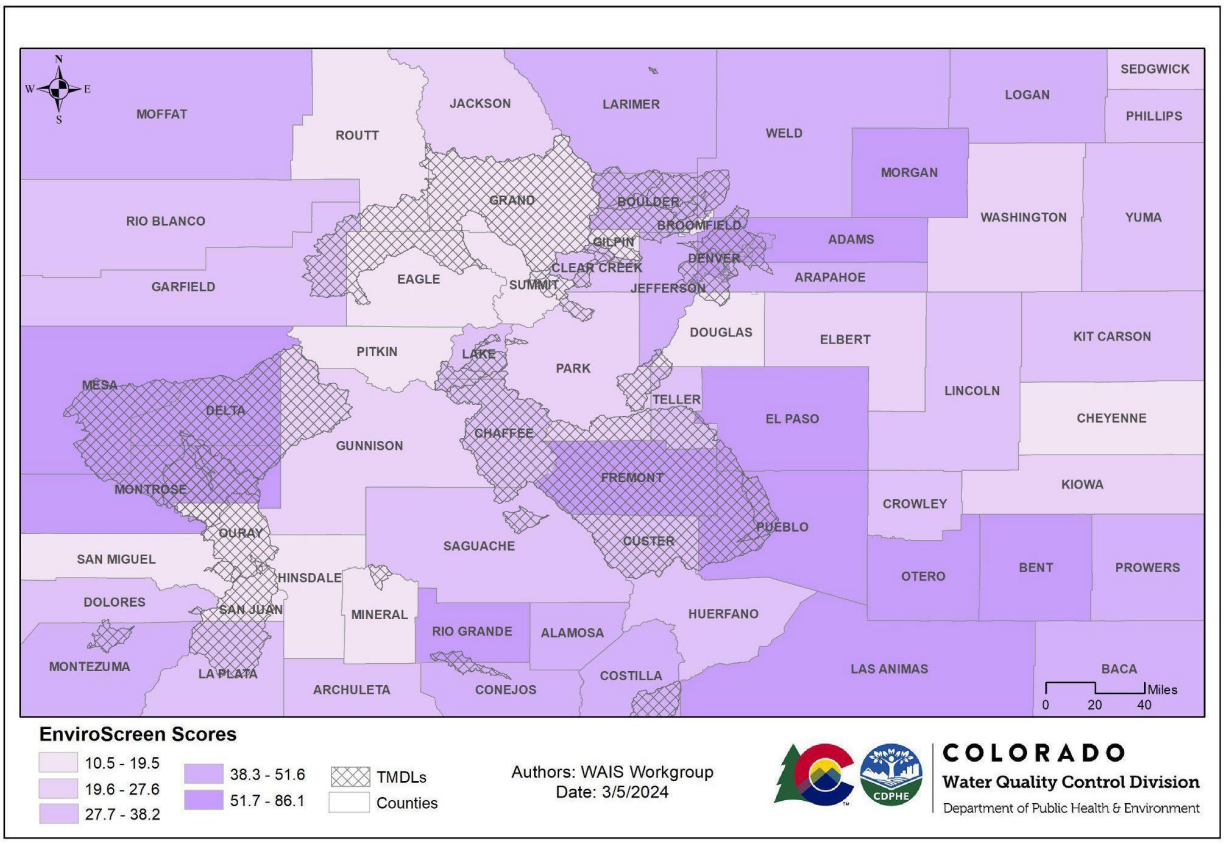


Figure 1. Map of Existing TMDLs overlaid against Enviroscreen Scores at the county scale

3.2.1 Pollutant-Specific Selection Criteria for Nutrients

Up to 4 nutrient-related TMDL Assessments will be prioritized based upon:

- Commission "high" priority
- Environmental Justice factors

And at least one of the following factors:

- Direct Use Water Supplies
- Recurring hazardous algal blooms (HABs)
- Chlorophyll *a* or TP impairment
- Location in a sub-basin with no TMDLs to date

"Nutrient-related" TMDLs and ARPs would include plans developed to address streams or lakes currently on the 303(d) list for ammonia, chlorophyll *a*, D.O., pH, nitrate, or

phosphorus. For lakes and reservoirs with D.O. or Chlorophyll *a* impairments, the TMDL or ARP would be developed for total phosphorus.

3.2.2 Pollutant-Specific Selection Criteria for Sediment

Up to 3 sediment TMDL Assessments prioritized for:

- Commission "high" priority
- Environmental Justice factors

And at least one of the following:

- Opportunity to partner with data collection or restoration
- Opportunity to combine with another TMDL for a prioritized pollutant
- Location in a sub-basin with no TMDLs to date

3.2.3 Pollutant-Specific Criteria for Selenium

Up to 3 selenium TMDL Assessments prioritized for:

- Commission "high" priority
- Environmental Justice factors

And at least one of the following:

- Opportunity to partner with data collection or restoration
- Opportunity to combine with another related TMDL for a prioritized pollutant
- Water bodies with relatively high selenium fish tissue concentrations, compared with available fish tissue statewide
- Location in a sub-basin with no TMDLs to date

3.2.4 Pollutant-Specific Criteria for Uranium

Up to 3 uranium TMDL Asessments prioritized for:

- Commission "high" priority
- Environmental Justice factors

And at least one of the following:

- Opportunity to partner with data collection or restoration
- Opportunity to combine with another related TMDL for a prioritized pollutant
- Location in a sub-basin with no TMDLs to date

3.2.5 Pollutant-Specific Criteria for E. coli

Up to 3 additional E. coli TMDL Assessments prioritized for:

- Commission “high” priority

And at least one of the following:

- Environmental Justice factors, e.g. addresses a public health risk for a disproportionately impacted community
- Opportunity to combine with another related TMDL for a prioritized pollutant
- Opportunity to coordinate with strategic growth initiatives
- Location in a sub-basin with no TMDLs to date

3.3 Other Considerations

For all pollutants, the division will also evaluate site-specific considerations which would indicate that an impaired waterbody is not the best candidate for TMDL development before 2032. One scenario where the division would likely not prioritize a waterbody for TMDL development would be a scenario where the only sources of pollution causing the impairment are wastewater treatment plants (POTWs or industrial) with individual permits and implementation of WQBELs in permits is expected to result in attainment of water quality standards. In this scenario, developing a planning-level study, such as a TMDL or ARP may not provide any additional information compared with the Water Quality Analysis (WQA) report developed by permit writers for individual permits. There are a limited number of impaired waters where this is the case. Based upon experience, the division expects the majority of impairments are due to a combination of point and nonpoint sources.

4. Special Studies for Temperature

There are over 70 temperature impaired AUIDs in Colorado. The division proposes to develop hydrologic models for evaluating temperature in up to three impaired waters. These special studies will identify sources of heat and strategies for reducing temperatures in a few watersheds will help inform regulatory and management options for addressing temperature impairments. These special studies will also provide the opportunity to develop staff capacity with modeling and staff capacity to address emerging challenges stemming from climate change.

Up to 3 watersheds with temperature impairments will be prioritized for special study based upon the following factors:

- Commission "high" priority
- Environmental Justice factors
- Temperature exceedances across multiple years
- Streams
- Nonpoint sources contributing to the impairment to some degree (reductions in riparian shade, channelization or riverbank instability)
- Sufficient data for modeling

5. Opportunities for Stakeholder Input on Candidate Waters

The division shared a conceptual-level framework for TMDL prioritization and solicited feedback from stakeholders across several public meetings between 2022 - 2024, including several Water Quality Roadmap Meetings, Colorado's Nonpoint Source Alliance program partners, the 2023 Sustaining Colorado Watersheds Conference, and representatives from Colorado's Regional Section 208 Designated planning areas. The division also hosted two public webinars in 2023 and 2024. The division posted the draft Prioritization Framework on the division's website on October 10, 2024 and accepted written and verbal comments through November 30, 2024. Stakeholders have offered the following recommendations to date:

- do not prioritize TMDLs for manganese
- do not prioritize TMDLs for iron, sulfate and manganese impairments based upon secondary drinking water standards
- do not prioritize chlorophyll-*a* listings in streams and rivers for TMDL development because these standards are based upon aesthetics and not human health.
- prioritize TMDLs for phosphorus only if accompanied by another exceedance

related to public health or aquatic life protection (e.g., chlorophyll *a* in lakes or reservoirs, dissolved oxygen, or pH).
- prioritize watersheds based upon environmental justice considerations
- prioritize TMDLs with hazardous algal blooms
- prioritize "special studies" for temperature
- prioritize TMDLs in watersheds that have not had a TMDL in recent years
- prioritize TMDL development to align with other ongoing watershed restoration projects to ensure that efforts are complementary
- prioritize watersheds where such cross-sector collaboration involving agriculture, forestry, urban planning, and recreational stakeholders could be easily initiated
- prioritize revising TMDLs following standards changes

The division invites stakeholders to provide input to the division on specific candidate waters for TMDL development. Recommendations for Candidate Waters accepted through June 1, 2026. The division will meet with interested stakeholders in watersheds with "candidate waters" between 2025 – 2026. If you would like to provide recommendations to the division for candidate waters, you can submit comments via email to TMDLinfo@state.co.us or provide your input via the survey form on the TMDL Prioritization website.

Recommending a TMDL or ARP: One of the selection criteria for prioritizing impaired waters is the opportunity to partner with data collection or restoration. To recommend an impairment be prioritized for TMDL or ARP development, please submit information to the division regarding the work that your organization is doing or is planning and your ideas on partnering on data collection or water quality restoration. The division is asking for recommendations for water bodies currently included on the 303(d) list for sediment, selenium, uranium, E. coli, ammonia, chlorophyll-A, D.O., pH, nitrate, or phosphorus. The Regulation 93 Dashboard makes it easy to search the 303(d) list for specific pollutants.

Recommending a TMDL or ARP be delayed: To recommend an impairment NOT be prioritized for TMDL or ARP development between 2024-2032, please submit information to the division regarding the work that your organization is doing or is planning to do between 2024-2032 to 1) make progress toward attaining standards or 2) develop a site-specific standards proposal.

6. Frequently Asked Questions

Q1) When is the division "committed" to developing a TMDL for a specific impaired water?

A1) The division submits commitments for TMDLs and ARPs in development to EPA every 2 years. The current commitments are included on the TMDL Prioritization website.

Q2) Will the division include additional AUIDs in the watersheds prioritized for TMDL assessments?

A2) The division may include additional AUIDs with related impairments in a TMDL assessment. For example, waters upstream or tributary to the prioritized AUIDs might also be included in a TMDL, in cases where these waters are contributing pollutant loading to the prioritized AUIDs. The division will apply this approach to all TMDLs and ARPs in the 2024-2032 cycle.

Q3) Will the division only complete TMDLs for 303(d) listings where the commission has assigned a "high" priority ranking in Regulation 93?

A3) The division will mostly prioritize TMDLs that the commission has ranked "high" priority in Regulation 93. The division may also include "medium" and/or "low" priority listings in the same watershed TMDL assessment for efficiency, especially if the sources of the pollutants are the same.

Q4) Why doesn't the division always prioritize TMDL revisions following a change to water quality standards?

A4) The division will prioritize a TMDL revision if a less stringent standard is adopted and if updating the TMDL will change what a permittee is required to achieve for compliance. Not all TMDLs impact permit limits. Some TMDLs only have load allocations for nonpoint sources or wasteload allocations for abandoned mines. For TMDLs that include wasteload allocations for permittees, sometimes the wasteload allocation is not the most stringent permit limit. In cases where the wasteload allocation is the most stringent limit and the revised standard would support a higher wasteload allocation, the division will prioritize a TMDL revision.

Q5) Will the division only develop TMDLs for impaired waters currently included on the 2024 version of the 303(d) list between now and 2032?

A5) All TMDL Assessments through 2032 will be prioritized to address impairments on the 2024 303(d) list. However, the division may include additional AUIDs that are related to the prioritized impairments that are listed after 2024 in order to use limited resources efficiently. The following are three examples where the division might include an impairment identified after 2024:

1. If the new impairment is located in the watershed and is impaired by the same pollutant sources, then the division will include it in the TMDL, because it would be more efficient than producing a subsequent TMDL at a later date. For example, the division has prioritized many E. coli TMDLs for river mainstems including Clear Creek, Fountain Creek and the South Platte. A new E. coli listing for a tributary to a prioritized impaired water may also be included in these TMDL Assessments.
2. The division has prioritized two large watershed scale TMDLs for metals in areas with abandoned mines (Upper Clear Creek and Uncompahgre). The division may include tributary AUIDs that are listed after 2032 for metals impairments related to abandoned mines within these prioritized watersheds.
3. The division has prioritized a TMDL for Deweese Reservoir, which is currently impaired for D.O. and phosphorus. The commission has already adopted standards for chlorophyll a for Deweese Reservoir, but not enough data has been available yet for 303(d) assessments. If the reservoir becomes listed for chlorophyll a during the development of the TMDL, the division will seek to develop a phosphorus TMDL for Deweese Reservoir that can attain the phosphorus standard, the D.O. standard and the chlorophyll a standard.

Q6) Will lake nutrient standards that become effective in the future be used as targets for TMDLs developed between 2029-2032?

A6) Since there is uncertainty about the timing of the adoption and implementation of statewide lakes nutrient standards, the division will need to evaluate options for TMDLs in development once new standards become effective.

Q7) If nutrient standards are expected to change in the near-future, does it make sense to prioritize water impaired for nutrients?

A7) Statewide nutrient standards for lakes and streams are planned to be adopted sometime after 2030, please see the division's Water Quality Roadmap meeting materials for more information. However, the commission has already adopted

nutrient standards for total phosphorus and chlorophyll a on a site-specific basis to some lakes and streams in Colorado. Furthermore, some lakes are on the 303(d) list for D.O. and/or pH due to nutrients. The division will prioritize impairments based upon existing standards and develop TMDLs or ARPs to attain these standards. In the event that nutrient standards change after a TMDL is developed, the TMDL may need to be revised, and the division will plan accordingly when developing these TMDLs and determining the timing of work plans. While it might be more efficient to postpone any nutrient TMDLs until all nutrient standards are finalized, doing so would be inconsistent with the division's overall strategy of implementing measures to reduce nutrients while continuing to work on the eventual adoption and implementation of statewide standards.

Q8) Will the division consider postponing selenium TMDL development if the division adopts revisions to selenium standards in 2029?

A8) The division plans to continue work on selenium TMDLs and ARPs during the 2024-2032 planning cycle. Once a rulemaking hearing date is on the commission's calendar for selenium standards revisions, the division may adjust the target date for finalizing any TMDLs or ARPs for selenium in progress at that time. At the time of the finalization of this framework (2025), it appears that selenium standards will most likely be considered for revision sometime between 2031-2033.