



ENVIRONMENTAL LAW INSTITUTE®

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

THE CWA 303(d) AND 319 PROTECTION LEARNING EXCHANGE

July 11 – 14, 2022

VIRTUAL LEARNING EXCHANGE AGENDA

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

OBJECTIVES

- Bring together CWA 303(d) and 319 program staff to discuss approaches to protecting healthy waters.
- Facilitate peer-to-peer learning through the sharing of experiences, including successes and challenges, integrating protection into watershed plans, TMDLs and their implementation plans, and other planning documents.
- Identify protection-based measures of success that could be used to track water quality protection efforts in CWA 303(d) and 319 programs.
- Identify methods of communicating the progress and results (successful and unsuccessful) of water quality protection efforts.

OUTPUT

A proceedings document that identifies themes and key takeaways from learning exchange sessions, identifies existing resources that can help guide state and tribal protection work, and identifies opportunities to better integrate protection in CWA 303(d) and 319 programs. This document will serve as a resource for participants and the broader CWA 303(d) and 319 communities.

AGENDA
(All Times Eastern Daylight)

Monday, July 11

12:00 pm – 1:00 pm

Session 1: Welcome

An overview of the Learning Exchange will be followed by a keynote speech by Steve Landry of New Hampshire and a round of self-introductions by all participants.

1:00 pm – 2:00 pm

Session 2: The Many Meanings of “Protection”

Brief presentations of two relevant reports will lead into a facilitated discussion of the many ways that the term “protection” is used and how to be thinking about the term throughout the week.

Presenters:

1. Steve Epting (EPA HQ) and Sequoya Bua-Iam (EPA HQ - ORISE Fellow)
2. Adam Schempp (ELI)

Discussion Questions:

1. In your professional experience relative to water quality and the CWA 319 and 303(d) programs, how has ‘protection’ been defined or used?
2. What protection work do you have underway?
3. How do you and your colleagues target/prioritize protection work?

2:00 pm – 2:30 pm

Break

2:30 pm – 4:30 pm

Session 3: Watershed Planning with Protection in Mind, Part 1

Examples of watershed-based plans (9-element, etc.), TMDLs and their implementation plans, and other plans with a protection focus or protective elements will lead into breakout group discussions about how different types of plans can support and even prompt protection.

Presenters:

1. Jayne Carlin (EPA R10)
2. Tom Stiles (KS)
3. Julia Kirkwood (MI)

Discussion Questions:

1. In what ways have watershed-based plans and TMDLs (and their implementation plans) protected waters, or how could they?
2. What challenges exist to these approaches?
3. What would help reduce the challenges (including actions by EPA)?

Tuesday, July 12

12:00 pm – 2:00 pm

Session 4: Watershed Planning with Protection in Mind, Part 2

Examples of plans incorporating into protection evolving areas of consideration, including climate change/resiliency, environmental justice, and hazard mitigation (minimizing the impact of disasters like flooding), will

be followed by breakout group discussions about how those different issues can best be considered in protection planning.

Presenters:

1. Ashley Beranek and Pamela Toshner (WI)
2. Heidi Henderson (NM)
3. Ellie Flaherty (EPA HQ)

Discussion Questions:

1. In what ways has environmental justice been incorporated into watershed-based plans and TMDLs (and their implementation plans) to support protection, or how could it be incorporated?
2. In what ways has climate change and resiliency been incorporated into watershed-based plans and TMDLs (and their implementation plans) to support protection, or how could they be incorporated?
3. In what ways has hazard mitigation been incorporated into watershed-based plans and TMDLs (and their implementation plans) to support protection, or how could it be incorporated?
4. What challenges exist to these approaches?
5. What would help reduce the challenges (including actions by EPA)?

2:00 pm – 2:30 pm

Break

2:30 pm – 4:30 pm

Session 5: Protection Management Strategies

Examples of protection implementation, successes and challenges, from actions on the ground to water quality results, will provide the foundation for a facilitated discussion on plan characteristics and approaches to implementation that improve the chance for successful results.

Presenters:

1. Cam McNutt (NC)
2. Hannah Riedl (MT)
3. Laura Eldred (AK)
4. Karen Kesler (EPA HQ)

Discussion Questions:

1. What types of management strategies have you seen be effective in achieving water quality protection goals?
2. What are/have been challenges to implementing protective elements of plans?
3. What would help reduce the challenges (including actions by EPA)?
4. Does your CWA 319 program solicit protection-specific watershed project proposals?
 - a. If yes, how do you define “protection projects”? What criteria do you use to evaluate protection-specific proposals? Are they different from criteria used to evaluate restoration project proposals?
 - b. If no, are there other means of implementing watershed protection outside the CWA 319 program?

Wednesday, July 13

12:00 pm – 2:00 pm

Session 6: Protection Goals, Milestones, and Metrics

Examples of setting protection goals at the program and project/waterbody level will be followed by facilitated discussion about reasonable protection goals as well as milestones and metrics to help identify whether a plan is being implemented and having the impact desired.

Presenters:

1. Steve Epting (EPA HQ)
2. Ali Dunn (CA)
3. Ashley Beranek and Pamela Toshner (WI)
4. Greg Johnson (MN)
5. Renee Thompson (Chesapeake Bay Program)

Discussion Questions:

1. From a programmatic perspective, what are other examples of protection goals?
2. For waterbodies/watersheds, how would you define the protection endpoint? How do you know when they are being sufficiently protected? What are appropriate timeframes for “success” in different situations?
3. Have you used or heard of metrics or milestones for evaluating protection (for implementation, outcomes, etc.)? If yes, what were they and how effective/accurate do you think they have been?
4. Beyond these examples, what do you think could serve as useful metrics or milestones for protection, and in what situations?

2:00 pm – 2:30 pm

Break

2:30 pm – 4:30 pm

Session 7: Tracking, Evaluating, Reporting, and Communicating Protection

Examples of approaches to tracking and evaluating protection progress will lead into facilitated discussion about existing and potential strategies for monitoring for protective purposes, evaluating the results of plan implementation, reporting on progress, and communicating protection efforts and their results.

Presenters:

1. Cam McNutt (NC)
2. Renee Thompson (Chesapeake Bay Program)

Discussion Questions:

1. What aspects of protection implementation can/should be monitored? (e.g., BMP implementation, easement development and enforcement, water quality)
2. What approaches to protection monitoring have been or could be used? Where does and could the data originate?
3. What methods have been used and could be used to evaluate the results of protection plans, on an interim basis and ultimately?
4. How has adaptive management been used in the protection context, or how could it be?
5. How can the results of protection plans be reported?
6. What lessons have you learned about communication regarding protection (with whom and concerning what types of threats)?

Thursday, July 14

12:00 pm – 12:30 pm

Session 8: Connecting Conservation Efforts with Outside Partners

Michael Eberle of the U.S. Forest Service will speak about linking forests and waters, specifically the coordination opportunities with the U.S. Forest Service and other federal partners.

12:30 pm – 2:00 pm

Session 9: Protection Partnerships

Examples of communicating and partnering with other programs, agencies, jurisdictions, and organizations on protection planning and implementation will provide the foundation for a facilitated discussion on partners to consider and characteristics of successful partnerships in the protection context.

Presenters:

1. Laura Eldred (AK)
2. Rebecca Schwartz (CTUIR)
3. Kathy Stecker (MD)
4. Amanda Pratt (ME)

Discussion Questions:

1. What can you not do in-house or what benefits notably from partners with regard to protection planning and implementation (generally speaking or in specific examples)?
2. What are you doing in-house that can be sold to partners (what do and can you offer)?
3. What entities have you found (or do you foresee) to be valuable partners for protection (concerning what types of threats)?

2:00 pm – 2:30 pm

Break

2:30 pm – 4:30 pm

Session 10: Resource Showcase

Brief presentations on tools, datasets, literature, and approaches that have aided protection planning and implementation will precede facilitated discussion of information and resource gaps and potential ways to fill those gaps.

Presenters:

1. Recovery Potential Screening Tool – Emily Cira (EPA HQ)
2. How's My Waterway – Steve Epting (EPA HQ)
3. Source Water Protection Tools – Kara Goodwin and April Byrne (EPA HQ)
4. Biological Condition Gradient – Susan Jackson (EPA HQ)
5. Clean Water State Revolving Fund – Alison Souders (EPA HQ)
6. Healthy Watersheds Consortium Grants and *Advancing Watershed Protection through Land Conservation: A Guide for Land Trusts* – Steve Epting (EPA HQ) and Sequoya Bua-Iam (EPA HQ - ORISE Fellow)

Discussion Questions:

1. What other resources (tools, datasets, literature, etc.) have you found useful for protection planning and implementation?
2. What additional EPA resources would help to better guide protection in CWA 303(d) and 319 programs nationally?

4:30 pm – 5:00 pm

Wrap-Up