

303(d) RESTORATION PRIORITIZATION STRATEGY

In December 2013, EPA announced a new framework for implementing the CWA Section 303(d) Program – A Long-Term Vision for Assessment, Restoration, and Protection under the Clean Water Act Section 303(d) Program. The new Vision encompassed all facets of Section 303(d) from the assessment and listing process through the development of a TMDL or alternative water quality analysis. While the Vision provided a new framework for implementing the CWA 303(d) program, it did not alter state and EPA responsibilities or authorities under the CWA 303(d) regulations.

The Vision served as the 303(d) implementation framework from 2017-2022 and focused on several broad areas. The three receiving the most focus being:

1. **Prioritization** – Setting strategic priorities not only for TMDL/advance restoration development, but also for assessments and monitoring if existing data are not up to date.
2. **Public engagement** – Increasing emphasis on sharing not only information, but the process with stakeholders.
3. **TMDL or Advance Restoration Plan development** – An advance restoration plan (ARP) may include many of the same steps as a normal TMDL, but the ARP development process could provide more flexibility in the implementation phase and restore the waterbody prior to the development of a TMDL. This public/stakeholder-friendly process demonstrated successful implementation in both the point and nonpoint source sectors.

DEP chose to take a stepwise approach to the prioritization process. The first step in the process of narrowing the universe of impaired waters in which to work was to prioritize watersheds with sediment-related impairments (e.g., siltation). Siltation impairments affect the most stream miles in Pennsylvania, occur in all regions, and allow DEP to address many pollutant sources (e.g., urban runoff, agriculture, and mining). Addressing siltation impairments is critical because through this restoration there is potential to restore other causes of impairment such as nutrients and pathogens. These impairments threaten critical uses such as Aquatic Life, Recreation, and Water Supply. Consequently, siltation impairments on the 303(d) list are a high priority for TMDL or advance restoration development.

There are over 10,000 miles of siltation-impaired streams in Pennsylvania. Thus, another filter was necessary in the prioritization process. A ranking process performed by each of the six DEP Regional Offices (RO) was applied as that next filter. Watersheds containing concentrated siltation impairments were evaluated by each of the ROs to generate a list of their top candidates.

Regional prioritization considered any factors believed to be important for their region; however, active stakeholders (both permittees and nonpoint sources) are key to implementation and represent a core component in the 303(d) Revisioning process. Therefore, it was determined that an active stakeholder community is needed to implement the restoration plan. Coordination from the onset between Central Office and RO Nonpoint Source (NPS) grant (Federal 319 and state Growing Greener) program staff is critical to ensure that the proper planning horizon is provided for future access to funds. Development of RO prioritization strategies considered input from the NPDES, NPS, and TMDL programs and regional biologists. The final list of priorities includes waters that met one or more of the following considerations:

- Watersheds for which there is an existing approved 319 Watershed Implementation Plan could also serve as priorities as the implementation plans can be adjusted to conform with ARP requirements.
- Watersheds previously identified as Regional Targeted Watersheds
- Other candidates for an ARP may be areas where urban runoff (MS4) related impairments are prevalent, but there is nothing in place to drive pollutant reductions.
- Additional priority watersheds may include those that were not in the universe of siltation related impairments sent to the RO but have been prioritized previously for another purpose.

Priority Ranking

Through the additional filter process, DEP created a list of watersheds with the highest priority for TMDL or ARP development. The list of watersheds is found in the “RESTORATION PRIORITIES” subsection of the Integrated Report. This list includes the development status of each TMDL and ARP. It also identifies which TMDLs and ARPs are planned to be developed within the next two years. Watersheds that have ARPs are ranked low for TMDL development; however, ARPs do have a high priority for restoration implementation. Any watershed not ranked as a high TMDL development priority or a low TMDL development priority is ranked as a medium TMDL development priority.

Bridging the Gap

As mentioned above, the original Vision was in effect from 2016-2022 and a new implementation strategy will commence in 2025 and carry through 2032. The new implementation strategy will include a revised set of prioritization criteria that will be made available to the public comment through a notice in the *Pennsylvania Bulletin* at a later date. In the interim, DEP has prepared a list of priority waterbodies for TMDL/ARP development in 2023-2024 to bridge the gap as the transition is made from the original Vision to the new priorities and goals.