

303(d) and TMDLs/Clean Water Act: Association of Clean Water Administrators Report



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The Association of Clean Water Administrators (“ACWA”) published a report titled:

303(d) and TMDLs: State of the States (“Report”)

The *Report* is based on interviews conducted with various state agency personnel in 2018 addressing the Clean Water Act 303(d)/TMDL program.

The interviews were conducted by ACWA’s Watershed’s Committee Co-Chairs Jeff Berckes and Traci Lott, along with staff member Julian Gonzalez.

A waterbody can only assimilate a finite amount of “load” of certain pollutants before it will fail to attain the applicable water quality standard. This pollutant loading limit is referred to as the Total Maximum Daily Load (“TMDL”).

The United States Environmental Protection Agency defines a TMDL in part as:

A written quantitative plan and analysis for attaining and maintaining water quality standards in all seasons for a specific waterbody and pollutant. . .

Section 303 of the Clean Water Act requires each state to identify those jurisdictional waters within its boundaries for which the technology-based effluent limitations required by the statute and defined by EPA are not stringent enough to attain the applicable water quality standards. Waters so designated are known as “water quality limited segments” or “impaired waters.” Each state is required to periodically submit this list of waters to EPA.

The development and implementation of TMDLs provides a link between water quality standards and effluent limitations. A TMDL quantifies the maximum allowable loading of a pollutant to a waterbody and allocates this maximum load to a contributing point and nonpoint sources. The purpose of such allocations is to ensure water quality criteria are not exceeded, thereby protecting the waterbody’s designated uses. A margin of safety is included to account for uncertainty about the relationship between pollutant loads and water quality.

The ACWA *Report* addresses the following questions:

1. What are the current focus areas/priorities for your 303d Program?
2. Have you made changes to your program priorities under any of the open seasons? What changes and why?
3. Are you working on TMDL alternatives or protection plans?

4. Now that we are several years into the 303d Vision changes, how is the Vision approach working for you? Are there changes that are needed for the program in the future?
5. Does your program use models? Which ones? For what types of projects?
6. Many states worked to strengthen partnerships through the Vision process. How have the partnerships within and outside your agency been going?
7. What strategies has your program used to improve communication? (web page development, fact sheets, social media, story maps, etc...)
8. Nutrients and Bacteria have been identified as issues that many states are dealing with. Have you developed any strategies to address these issues?
9. Are you working with the new ATTAINS? What feedback do you have on your experience so far?
10. What does your program do well? What challenges do you face?
11. What does your program need to meet your 2022 commitments?

A copy of the Executive Summary can be found [here](#).