

U.S. Environmental Protection Agency Office of Water/FY 2022-2023 National Program Guidance: Association of Clean Water Administrators Comments



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The Association of Clean Water Administrators (“ACWA”) submitted October 15th comments on the United States Environmental Protection Agency’s (“EPA”) Office of Water (“OW”) document titled:

FY 2022-2023 National Program Guidance (“Guidance”)

The comments were transmitted to Benita Best-Wong, EPA Deputy Assistant Administrator.

The *Guidance* is described as:

. . . key planning documents used by the different program offices to set forth strategies and actions that will be undertaken to protect human health and the environment.

ACWA describes itself as a national, nonpartisan professional organization whose members are the state, interstate and territorial officials responsible for the implementation of surface water protection programs throughout the nation.

By way of introduction, ACWA notes that early engagement on the *Guidance* is an important process step to ensure states are “aware of how EPA intends to implement its strategic plan goals and collaborate with the states on implementing the Clean Water Act.” What is described as “early engagement” is intended to provide both EPA and the states the necessary time to discuss:

- Implementation challenges
- Performance measures
- Other related priorities that may need to be considered as part of the *Guidance*

Topics addressed by the ACWA comments include:

- Confusion regarding the *Guidance* and current Strategic Plan End Year
- EPA (in conjunction with states) should develop a priority-setting process that recognizes the need to deemphasize/deprioritize certain program areas/initiatives where state/interstate resources are not sufficient to continue that work
- Noting challenges for states to continue to prioritize all federal strategic goals without increased program funding
- Cited are challenges like PFAS and harmful algal blooms
- States have reduced funding due to impacts of COVID-19

- Provide states guidance that explains how the narrowing of the Clean Water Act definition of Waters of the United States may impact state priorities or commitments (as well as impact metrics and measures)
- Noting impacts may distort state progress
- Are there metrics/measures that might benefit from a baseline reset due to a new jurisdictional interpretation?
- EPA should continue to provide the full suite of available support options
- Requests additional guidance and resources for identifying and providing services to disadvantaged communities to address inequities in environmental and public health impacts
- Requests additional support to modernize outdated infrastructure at domestic wastewater treatment plants nationwide through the Clean Water State Revolving Fund and Water Infrastructure Finance and Innovation Act programs
- Requests better understanding of how EPA intends to measure and articulate success in Clean Water Act programs such as 319/non-point source, TMDLs, and assessment programs
- Requests understanding on how EPA plans to measure progress toward addressing PFAS and harmful algal blooms
- EPA should take the time to fully explain methodology and share with states how data is being pulled from the systems so that they understand how their progress is being measured and can help verify data quality (referencing ECHO, ICIS, GRTS, and ATTAINS)
- Encourages EPA to not establish metrics that lead to state-by-state comparisons or rankings

ACWA asks that EPA also consider recommendations that come directly from individual states, interstates and territories.

A copy of the comments can be downloaded [here](#).