

**Include with Scanned Document. Best Copy Available :
Contact Division Director For More Information**

REGIONAL GUIDANCE FOR DEVELOPMENT OF STATE-BY-STATE WATERSHED PROTECTION ASSESSMENTS AND ACTION PLANS

Executive Summary

EPA's Office of Water (OW) recently issued the NPDES Watershed Strategy to ensure that the NPDES program is fully integrated into the Watershed Protection Approach. The NPDES strategy was developed with the detailed input and participation of Regions, States and Office of Water program offices, and was signed by the Assistant Administrator for Water on March 21, 1994. The purpose of the Strategy is to outline national objectives and implementation activities for the NPDES program to (1) integrate program functions into the broader Watershed Protection Approach and (2) support development of State-wide basin management approaches (BMA)¹. Basin management is a State-wide approach designed to meet the objectives of the broader Watershed Protection Approach.

Regional assessments of existing watershed protection efforts in each State and **Regional action plans** to support State's in this area are among the important first steps to ensuring that the Strategy purpose is achieved. Through these Regional assessments, EPA Regions will gain information about the watershed protection efforts in each of their States, including participating programs, short-and long-term goals, needs, and impediments. The goal of the assessment process is to provide EPA Regions with a detailed range of watershed protection needs and existing or potential impediments to be addressed through the Regional action plans.

Action plans should describe specific actions that the Region will take to support and facilitate watershed protection in each State. The choice of action items will be unique to each Region and State. In States that are currently developing or implementing basin management approaches (BMAs), Regional action plans may focus on opportunities for the Region to provide assistance and guidance in areas such as monitoring and NPDES permitting strategies, development of environmental indicators, and pollutant trading. Where States are not developing or implementing BMAs, Regional action plans may focus on conducting educational workshops, assisting States in basin delineation and

¹ *For the purposes of this document, the terms State-wide basin management approach (BMA) and State-wide Watershed Protection Approach (WPA) are intended to refer to the same concept which is a comprehensive state-wide approach to managing water resources on a geographic basis.*

sequencing, and working with States to identify the potential benefits of basin management. In either case, each action plan should include methods by which the action items will be implemented and evaluated, and a timeline with quarterly milestones for fiscal year 1995.

EPA Regions have been asked to complete these State-by-State assessments and FY 95 watershed action plans by September 1, 1994. These documents should be submitted to Mike Cook, Director of the Office of Wastewater Enforcement and Compliance, at EPA Headquarters, 401 M Street, S.W., Washington, DC 20460.

This document provides guidance to EPA Regions in preparing State-by-State assessments and action plans. Section 1 offers suggestions on key areas to address in preparing a Regional assessment of State watershed protection efforts. It also includes model questions to help Regional staff identify important information for assessing the status of watershed protection activities in each State. Section 2 discusses how these assessments can be used to prepare Regional action plans to support watershed protection efforts. Finally, Appendix A contains detailed suggestions for potential action items that Regions can include in their action plans. Finally, Appendix B is a final Region 10 assessment of watershed activities in the State of Idaho, which may be used as a model to assist other Regions when conducting their State assessments.

1.0 Completing State-by-State Assessments

1.1 Objectives

Each Region should assess existing watershed protection activities for each State within its jurisdiction to obtain sufficient information for developing Regional action plans that effectively support and facilitate State efforts to establish a basin management approach (BMA). An assessment of current State water quality program organization, procedures and capabilities will provide sufficient information to identify the needs, opportunities and existing or potential impediments, developing comprehensive State-wide approaches. Regional assessments are not intended to be compliance audits, rather they are careful and thoughtful reviews of current state watershed/basin management activities and needs—upon which to base Regional support activities.

Regions are encouraged to perform comprehensive assessments that will provide both a strong basis for action plan development and a baseline against which to measure progress. A few States have already begun implementing State-wide basin management effort and several others are currently developing management frameworks for implementing BMAs. Regional assessments of these States will lead to Regional action plans that focus on activities which the Region can take to assist and further State-wide efforts. Where a State assessment indicates that a comprehensive BMA is not being developed or implemented, action plans may focus on conducting educational workshops at the State level, and working with the State to identify potential benefits of a state-wide approach.

1.2 Assessment Methodology

The following sub-sections provide a step-by-step guide for collecting information about a State's watershed protection activities and needs. Sub-sections 1.3-1.8 cover each of the specific components of the NPDES Watershed Strategy. At the beginning of each of these sub-sections, a brief explanation is provided on the relationship of that component to a BMA, and the particular areas in which the Region should focus the assessment. A final sub-section suggests how to compile the individual component assessments into an overall assessment for each State and identify items for consideration in Regional action plan development.

Internal coordination at the Regional level is essential to assessing watershed protection activities and needs within each State. Availability of information for assessments may vary greatly from Region to Region and State to State. Some information on current State watershed protection efforts has been compiled at OW Headquarters and has been provided to each Region for review. The Office of Wetlands, Oceans, and Watersheds (OWOW) has also produced fact sheets for specific State watershed protection projects which have been

sent to the Regions, as well. Additionally, a few States have developed BMA framework documents that describe in detail how water quality management programs can operate in an integrated and coordinated manner. Regions are encouraged to use all these resources in preparing their assessments, in addition to analyzing any relevant information that may already have been collected in connection with § 303(d) or 305(b) reports on programs such as 303(e), NPDES, Nonpoint Source, Clean Lakes or National Estuary Programs.

1.3 State-Wide Coordination

Successful watershed management efforts depend on coordination of resources among different levels of government and stakeholders. Each Region should know if and how watershed protection efforts are coordinated in their individual States. A key step to building a BMA is development of a basin management framework. Two of the critical elements under a basin management framework are basin/watershed delineation and establishment of a schedule for periodically evaluating the environmental condition of each basin to determine which management activities will occur in the basin.

Delineation of management units (basins/watersheds) across an entire State provides a geographic basis for focusing and coordinating watershed protection efforts and activities. Establishing a common set of basins that all participants agree to use is a critical step for development of a BMA. Some States have established a "nested" hierarchy of management units that provide various levels of resolution that are fully compatible with one another. For example, SCS 14-digit watersheds nest within USGS hydrologic units, which nest within State river basin units. This nested approach facilitates information exchange across all levels of government, particularly where data are maintained in a geographic information system (GIS) format.

A basin management framework provides the context for coordinating management activities over time. It identifies roles/responsibilities of participating programs, divides an entire State into basins to coordinate management activities, and establishes a schedule for evaluating the environmental condition of each basin. The schedule for review of basins is State-specific, but most States are using a 5-year cycle to coincide with NPDES permitting requirements. Establishing a schedule for regular evaluations of each basin allows the States to reassess needs and balance workloads across programs and over time.

Regions should look for the presence of or potential for these coordinating mechanisms in their assessments for this component. The following informational format is offered to guide review of State-wide coordination efforts for each State:

- A. Identify all departments within the State that oversee components of the water program and the components for which they are responsible.
- B. Is the State implementing, developing, or considering a BMA?
 - 1. If yes, then:
 - a. Describe what programs and stakeholders are involved and the status of the effort, including when it began, its progress to date, and when the BMA is expected to be completely implemented.
 - b. How has the State defined "watershed protection" and how is this effort coordinated among programs (i.e., determine whether the State's approach includes State-wide coordination of baseline water management activities or whether efforts are confined to a limited number of "targeted" watersheds)?
 - c. Describe any methods that the State uses to prioritize watershed management efforts?
 - d. What potential or existing benefits/incentives have been identified for moving to a BMA?
 - e. What impediments or gaps have been identified that impede or affect, or have the potential to impede or affect, a BMA effort?
 - 2. If no, then:
 - a. Does the State use a targeted watershed approach?
 - b. What indications are there that the State is aware of and understands the BMA?
 - c. What, if any, potential barriers have been identified for moving to a BMA?
- C. Describe any Region/State watershed protection partnership that has already been established. Be sure to address the following:
 - 1. Scope of the partnership (e.g., EPA/State roles, program components, purpose, agenda, etc.).

2. Type and breadth of watershed protection training that has been provided to Regional and State staff.
 3. Mechanisms that are used for coordination (e.g., MOUs, MOAs, §106 work plans, etc.).
 4. Progress and status of any watershed protection efforts.
 5. Program gaps or needs that have been identified and whether they are being addressed.
- D. If no Region/State watershed protection partnership currently exists, list any indications of interest or disinterest by the State in a Region/State.
- E. List ways that the State water program is working with other State and Federal authorities (e.g., BLM, USFS, NEPs, SCS, USGS) regarding watershed protection.
- F. Describe the level of coordination that occurs with local planning authorities regarding watershed protection, and include descriptions of mandates or State regulations that make coordination possible.
- G. Describe any efforts in response to environmental assessments that are made to prioritize management needs and resource allocations across multiple programs or agencies.
- H. Describe the current level of coordination regarding grants administration activities for State programs operating under Federal grants. Include a discussion of any State interest in coordinating grants application and reporting.

1.4 NPDES Permits

A State-wide basin management approach provides the mechanism for issuing NPDES permits on a watershed basis. The NPDES Watershed Strategy outlines two methods for issuing NPDES permits on a watershed basis. These methods are 1) development of a basin management plan and synchronization of permit issuance within basins or 2) development of a basin management plan and assuring that permits are issued in accordance with it.

For many States, or
them to implement it.
or Michigan, this is
general basis of
strategically setting
permit conditions is
set forth in the plan.
time allows for certain

ken by
Carolina
he
s often
o that
MDLs)
same
etings.

The Regional agency
and level of effort
assessment will
could be addressed if
offered to guide

sources
at
is

Regions should
permit develop

DES

A. Permit

L.

CDM

L.

L.

teen

L.

L.

L.

L.

L.

rogram
is of
ating,

L.

L.

L.

L.

L.

L.

L.

mits
es,

3. Efforts to consolidate public meetings/hearings on permits within the same geographic unit.
- E. Explain any efforts to issue permit issuance on a watershed basis other than through synchronization of permits.
- F. Regions should assess the existing program to determine potential areas of improvement or further development. Such an assessment may include the following questions:
 1. Does the State know the percentage of discharges to impaired or threatened waters that receive water quality-based limits? If so, what are they?
 2. What is the scope of wasteload allocation analyses—which parameters of concern is the State able to cover?
 3. Describe the basis for water quality-based limitations (e.g., does the State use full TMDLs or partial TMDLs, do they mostly rely on desktop/default assumption methods, etc.?).
 4. How does the State use the general permit mechanism to reduce workload? (If the State is developing or implementing watershed protection activities, describe any efforts regarding basin-wide or watershed general permits.)
 5. Determine whether the State assigns priorities for permit issuance and, if so, describe the prioritization criteria.
- G. Examine program operations for potential productivity improvements that could occur through a watershed approach to permitting.
 1. What is the current level of permit (majors and minors) backlog for the State? Is there a trend? (i.e., is the backlog increasing or decreasing?)
 2. How automated is the State permitting program (e.g., use of electronic expert systems and relational database software)? Are permits stored in a computer database that allows for quick editing and permit template development? How is information conveyed between field and central offices.

1.5 Monitoring and Assessment

The monitoring and assessment elements of a BMA help to drive the management process by providing the basis for identifying and prioritizing water quality concerns, and evaluating the success of implemented management strategies. Monitoring may cover a number of activities from obtaining water quality-related field data to analyzing samples and placing data into a database (e.g. STORET, local database, etc.). Environmental assessment is the process of determining levels of water quality and ecosystem quality, and includes "use support" determinations, identifying sources and causes of impairment, identifying existing or emerging problems, and preparing reports or lists required by the CWA or other laws and regulations.

The BMA framework provides the mechanism for bringing active management participants together to coordinate instruments such as State-wide strategic monitoring plans and procedures for prioritizing management concerns identified through environmental assessments. Regional assessments should focus on these and other related features. The following informational format is offered to guide review of monitoring and assessment activities for each State:

- A. Explain the State's monitoring coordination and collaboration.
 - 1. Identify the State agencies that oversee water quality and aquatic habitat monitoring and assessment. Indicate which of the agencies have biological monitoring programs. What federal agency information does the State use.
 - 2. Describe the responsibilities of the agencies and programs involved in monitoring and assessment (be sure to distinguish between central office and Regional office roles).
- B. Identify the State's monitoring objectives.
 - 1. Describe any efforts to establish a State-wide monitoring strategy. Determine if the strategy addresses the following:
 - a. status and trends,
 - b. existing and emerging problem identification,
 - c. design of management and regulatory programs (e.g., 305(b) reports, 303(d) lists, TMDLs, NPDES programs),

- d. evaluation of program effectiveness, and
 - e. emergency response.
2. What is the level of effort being devoted to monitoring and assessment activities by the various State agencies (FTEs, funding, other). What is the level of effort specifically identified for biological monitoring?

C. Review the State monitoring design program

1. Explain whether monitoring is coordinated around a watershed approach (e.g., sequenced by basin, targeted in selected priority watersheds).
2. Is there coordination/integration of monitoring data from various permittees in a watershed?
3. Is there coordination of application requirements from various permittees in a watershed?
4. Explain how data are collected (e.g., fixed stations, specific sites that change with needs, combinations).
 - a. How are sample sites picked?
 - b. How frequently is the sampling plan updated to reflect changing needs and priorities?
5. Identify and describe the data components of the State ambient and compliance monitoring program (e.g. physical and chemical, biological, habitat); also, identify the program responsible for the data (e.g. point source effluent, nonpoint source, storm water, etc).
6. Do the various State monitoring programs have consistent quality assurance requirements? If they differ, provide examples of how they differ.
7. Is there coordination/integration of ambient monitoring data from various permittees in a watershed?
8. Describe the coverage of the State agency monitoring programs, in terms of the percentages of State waters that are monitored each year, the scope of parameter coverage, and the frequency of sampling (e.g. the State is able to monitor 25% of its surface waters for standard physical/chemical parameters on a quarterly basis; heavy metals are sampled in 15% of State waters and 5% of sediments annually).
9. How is monitoring data from the various State programs integrated into the Water Quality Standards process?

- D. Describe monitoring program implementation.
1. In each agency, who actually performs the monitoring (e.g. staff personnel, other State and Federal agencies, volunteer groups, NPDES dischargers, contractors, consortia)?
 2. Does the State have its own laboratory?
 3. To what extent do State agencies use comparable monitoring protocols? If not, how do they differ?
 4. Describe State biological monitoring programs. Include information on:
 - a. the biological data components that are collected;
 - b. how the State assesses physical habitat;
 - c. the kinds of metrics the State uses;
 - d. whether ecoregions are a part of the State biological monitoring programs;
 - e. if NPDES dischargers collect biological data; and
 - f. the status of the biocriteria/biological water quality standards development program.
- E. Identify and describe types of assessment tools and techniques used by the State (e.g., statistical techniques, models, GIS).
- F. Discuss the evaluation of monitoring programs.
1. Does the State evaluate its monitoring program periodically and change it if necessary? When was it last evaluated?
 2. How is data on monitoring integrated into the States water quality standards process?
 3. Will the NPDES Watershed Strategy cause a change in monitoring?

- G. Describe monitoring program reports and communication efforts.
1. Describe the current State monitoring reports, their scales (e.g. watershed, ecoregion, basin, State) and their target audiences (e.g. public, managers, legislature).
 2. What is the status of State information management capabilities to support comprehensive assessments?
 - a. Does the State have its own database and/or does it use Federal databases? If Federal databases are used, please list them.
 - b. Does the State use GIS for water assessments?
 3. Identify documents that describe State monitoring strategies.
 4. Identify documents that describe State agency biological monitoring strategies.

1.6 Programmatic Measures and Environmental Indicators

Progress in watershed protection requires the use of measures that indicate if program efforts have been successful. *Programmatic measures* reflect administrative performance (e.g., number of permits issued in accordance with a basin management plan, percentage of impaired waters covered by TMDLs), whereas *environmental indicators* reflect performance in the ecosystem (e.g., change in chemical concentrations in sediments and water column; percent aquatic habitat area restored). A balance between the use of both types of performance measures is recommended.

Measures and indicators need to reflect specific criteria for success (e.g., a 40 percent reduction in phosphorus loading) and should be defined prior to implementation of management plans to ensure a performance evaluation capability. Measures of success provide important feedback to the public and stakeholders on progress made within a basin/watershed, which may be needed to justify expenditure of public resources and/or to shape future efforts.

The following informational format is offered to guide review of programmatic measures and environmental indicators for each State.

- A. Identify the agency(ies) responsible for measuring water program implementation and success and distinguish between their areas of responsibility.
- B. How is the State currently measuring program implementation and success?
 - 1. What specific measures are used (e.g., percentage of impaired or threatened waters, net wetlands/habitat gain or loss, biological indices, pollutant loading changes, percentage of impaired waters covered by TMDLs, permit backlog)?
 - 2. Determine which efforts are coordinated within a State's watershed protection activities.
 - 3. How are performance measurement data managed (e.g., computerized database, published reports, internal memos)?
- C. What level of effort is devoted to measuring program implementation and success (e.g., FTEs, funding, other)?

1.7 Public Participation

Active public participation is an important aspect of basin management. The BMA can be used to raise public awareness of water quality management issues and establish a basis for public support. Public "buy-in" to basin or watershed management strategies often depends on whether the public understands and supports the goals of the BMA and the methods used to implement it. Providing opportunities for the public to participate in goal development, priority setting, strategy development, implementation, and performance measurement can be the key to maintaining long-term public support for the BMA.

Traditional public participation in the NPDES program has involved public review and comment on point source permitting decisions. Basin management offers opportunities to expand on this tradition by utilizing it in the context of basin or watershed plans. For example, meetings could be held in strategic locations to discuss NPDES permit requirements for a particular watershed in the context of basin water quality assessments, priorities, and management plans. In addition to basin meetings, some States are looking to form citizen or stakeholder watershed advisory groups that will help the State set water quality goals and priorities for management activities in a given basin or watershed. Volunteer monitoring programs are another way that the public can become involved, and the BMA often provides the State with a better mechanism for advising and coordinating with such efforts.

Regions should assess whether each State has an approach to promote public awareness of watershed protection related issues and what opportunities are provided for public participation. The following informational format is offered to guide review of public participation mechanisms for each State:

- A. Identify the agency(ies) responsible for existing public participation activities in the water program, and describe their respective roles(i.e NPDES program, WQ standards program, TMDLs program, Nonpoint Source program).
- B. What unique opportunities are made available by the State for public participation in the permitting and watershed management process (e.g., special meetings, hearings, festivals, seminars, workshops, citizen advisory committees, citizen monitoring)? Explain how these methods promote public involvement.
- C. Determine whether any public participation activities are coordinated based on watershed protection efforts? If yes, how are the activities coordinated?
- D. Describe whether State rules or administrative codes regulate, impact, or facilitate the public participation process and how they do so.
- E. What level of effort is devoted to providing public participation opportunities (e.g., FTEs, funding, other)?

1.8 Enforcement

Watershed management efforts attempt to address all significant sources and causes of problems regardless of administrative designations (e.g., "major" and "minor" NPDES permit distinctions). Enforcement activities can be tied to watershed management by using CWA §308 authorities, compliance inspections, and other means to support watershed assessment, planning, restoration, and pollution prevention activities. Use of the national Permit Compliance System (PCS) can provide critical information on historical pollutant loading rates as well as compliance for tracked facilities in priority waterbodies. In addition, inspections done on a watershed basis can be coordinated to identify key sources for follow-up enforcement (e.g., POTWs, industries, animal operations, forestry operations).

Regions should assess a State's capabilities to identify certain compliance and enforcement activities according to watershed priorities. For non-authorized States, assessment efforts should focus on existing State/EPA roles and needs that could be addressed through joint watershed protection efforts. The following informational format is offered to guide review of watershed-related enforcement mechanisms for each State:

- A. Identify the agency(ies) responsible for compliance and enforcement activities.
- B. Describe program roles and organization. Distinguish between central office and field or district office responsibilities, if appropriate.
- C. Provide an explanation of any enforcement activities that are coordinated with watershed protection efforts. Be sure to address the following:
 - 1. How §308 authorities are used to support watershed assessment, planning, restoration, and pollution prevention activities.
 - 2. Whether minor discharges in priority watersheds are targeted for enforcement.
 - 3. Methods for prioritizing compliance inspection activities according to watershed management priorities.

1.9 Assessment of Individual Components

Based on the information gathered above for each component, describe the current approach for that component; identify specific activities that could be enhanced for future efforts; identify State needs for the individual component; identify existing and potential impediments to basin management development, implementation, or enhancement for each individual component.

1.10 Miscellaneous Information on State WPA Activities

Note any additional observations that may fall outside of listed components.

1.11 Identified Needs, Issues, and Impediments

After completing the assessment of watershed protection activities in each of their States, the Region will need to focus on next steps for supporting and facilitating movement of their States toward development and implementation of a basin management approach. Before a Regional action plan can be developed from information in the State assessment, there are some initial steps the Region must take. The Region should compile a list of watershed protection needs, issues and impediments for the individual components into an overall description for that State. Items in this overall description should then be analyzed

to determine the order in which they will be addressed in the Regional Action plan. Example criteria for assigning the order for action items include:

- *Timing:* Issues which must be resolved before a BMA can be developed or implemented should be given higher priority. In some cases, it will be clear that one issue must be resolved before another can be addressed (e.g., basins must be delineated before they can become part of a basin management schedule).
- *Level of Importance:* Some issues will need to be addressed (in Regional action plan) to build fundamental components of a BMA. Also, areas where efforts will address significant problems or needs under current management methods may be viewed as priorities.
- *Resource Availability:* Opportunities may be available to utilize specific resources for specific projects related to BMA development, and the Region may want to take advantage of those opportunities.

The identified description of needs, issues, and impediments will form the basis for action plan development, which is covered in Section 2 of this guidance.

2.0 Developing Regional Action Plans

2.1 Objectives

Each Region is responsible for preparing action plans that identify anticipated Regional activities to support and facilitate each State in moving toward basin management. A separate plan should be developed for each State and tailored to that State's unique needs, institutional infrastructure, and current program status.

An action plan should generally contain the following components:

- A summary of the State program assessment, which indicates the basis for the selection of specific action items.
- A description of the specific actions to be taken by the Region to support and facilitate the State's basin management efforts, including the methods by which the actions will be implemented and evaluated.

- A timeline for implementation of action items, including quarterly milestones for FY95 together with objectives for FY96 and beyond, if possible.
- A description of how the Regional State-specific action plan fits within the internal Regional watershed protection strategy.

2.2 Methodology

2.2.1 Using State Program Assessments to Get Started

Development of Regional action plans can begin with a review of key findings from the assessment of each State's current watershed protection activities (described in Section 1). The State assessments should provide an accurate understanding of the status of the State's watershed protection efforts, the State's needs, and any potential impediments to a basin management approach. This section provides guidance on how to translate State assessments into State-specific Regional action plans.

The guidance is based upon classifying each State into one of the following three categories: States currently without a BMA, States developing a BMA, and States implementing a BMA. These categories are not meant to "pigeon-hole" each State; they are merely a device to help Regions begin development of action plans.

States currently without a BMA are those States that have not developed or implemented a BMA. This category also includes States which may target or implement partial watershed protection efforts, which focuses on a few priority watersheds/basins.

States developing a BMA are States that have initiated the development of a BMA framework. Under a State-wide management framework, for example, the State has begun to: identify the roles and responsibilities of participating programs; identify long-term programmatic and environmental goals as well as key interim milestones; divide the entire state into basins; and establish a methodology for issuing NPDES permits in each basin.

States implementing a BMA have developed a management framework, and have begun to operate under that structure. For example, the State may be implementing certain program activities in individual basins such as development of a monitoring strategy, development of phased TMDLs, issuing permits and developing nonpoint source controls.

2.2.2 Choosing Action Items for Specific States

The State program assessment summary can be used in conjunction with the recommendations in Appendix A (Suggested Regional Action Items) to help guide the

selection of action items for each State. This is demonstrated below through examples categorized by a State's watershed protection status.

States Currently Without a BMA

If the assessment results indicate that a State does not currently have a BMA but is very interested in learning more about the approach and its potential benefits, the Region might first choose to focus on some of the educational and trouble-shooting actions listed in Appendix A under the *States Currently Without a BMA* category for the various watershed protection components. Potential actions might include:

- Conducting educational workshops and providing for transfer of information on watershed protection for State program staff as well as other interested stakeholders.
- Working with the State to identify and describe areas in which program coordination could enhance water quality management.
- Helping the State formulate goals and a strategy for moving toward basin management.
- Assisting the State in identifying and resolving potential impediments to developing and implementing basin management.

Additional actions could include addressing barriers that might affect start-up and progress. Examples include:

- Reduction in the "overhead" burden for grants administration by helping coordinate and streamline State grant application and reporting requirements.
- Assistance in pursuing additional financial or technical support.

Furthermore, for States that are able to quickly pursue development of a BMA, first year Regional actions could include:

- Technical assistance for the development of a BMA framework document that describes the approach and provides a long-term reference for all participating programs, agencies, and the general public.
- Assistance to the State in the delineation of geographic management units.

- Assistance developing a methodology for issuing NPDES permits that are consistent with a basin management plan; options include 1) synchronizing permit issuance within an overall basin management activity, or 2) assure that permits are issued in accordance with a basin management plan.

On the other hand, for States where impediments are preventing action, the Region may choose to place more emphasis on other tasks. For example, the Region could focus on identifying impediments, communicating the potential benefits of watershed protection (particularly where it appears that State program needs can be addressed through watershed protection efforts), providing general education on the watershed protection to a broad spectrum of State staff and stakeholders, and providing technical assistance. These activities would increase the knowledge of stakeholders and may stimulate movement toward basin management.

States Developing a BMA

If a State is already developing a BMA, the Region should review the State assessment to determine whether the direction of the State's approach addresses CWA goals and the individual needs of the State. If the State's approach appears to be overlooking important needs, or if progress appears to be slow, the Region might consider variations of the actions listed above for *States Currently Without a BMA*. For example, the Region could offer educational workshops to review the full range of benefits of watershed protection. In addition, the Region could explore any impediments that could be removed to expedite the process. A strategy could be developed to address those gaps and needs within the State's BMA development effort.

If the BMA is progressing well in the State, the Region could provide support to compliment the State's efforts. For example:

- Provide a forum for the State to share information on the development and implementation of basin management (e.g., newsletter, conference calls, conferences).
- Assist the State with the identification and recruitment of other Federal and State agencies to serve as partners for the BMA.
- Assist the State with the development of agreements/memoranda of understandings with other Federal and State agencies for the purpose of supporting the State's BMA.

If the State does not have a written framework document for its approach, the Region may be able to support this effort. Also, the Region may be able to assist in tailoring the State's

approach to address the problem areas noted in the assessment. For example, if a permit backlog exists, the following potential actions could be reviewed for their appropriateness:

- Assist the State with identification of the number and types of dischargers by basin or watershed.
- Assist the State in sequencing basins/watersheds to coordinate permit reissuance, ensuring that for any given year the permit workload is evenly distributed.
- Help the State resolve scheduling issues associated with synchronizing permit reissuance with the basin/watershed sequence schedule.
- Assist the State in developing a strategy to issue permits consistent with State basin/watershed management plans.
- Provide guidance on modifying individual permits (e.g., short-term permits, administrative extensions, expedited renewal procedures, basin general permits) to make the transition to a basin/watershed permitting schedule.
- Provide technical assistance to the State for evaluating and assigning priorities to permits within a basin/watershed. These procedures will help determine the appropriate level of effort and scrutiny that should be devoted to each permit.

There are many other options listed in Appendix A that address other components and issues. Each Region should feel free to choose the combination of actions, including alternatives to those listed in Appendix A, that is best suited to the specific State and which compliments or facilitates that State's watershed protection efforts.

States Implementing a BMA

States that are already implementing a basin management approach will be well ahead of those States that have not developed or are just initiating basin management efforts. However, there may still be opportunities for EPA to support the State's efforts. The State may be quite aware at this point in the process of significant gaps or needs that EPA could help address. The Region should review its assessment for needs that have already been identified, and select actions that will address those needs.

In addition, the Region could modify its operating procedures to compliment the State approach. The Region could:

- Conduct reviews of the State programs in a manner that is consistent with the scope and schedule of the State's programs and basin/watershed plans.
- Develop plans to reduce the "overhead" burden to the State in administering grants.
- Negotiate a consolidated reporting format for the State to satisfy CWA reporting requirements.
- Evaluate State basin/watershed plans in a manner that is consistent with the State framework while ensuring that the plans support the goals and objectives of the CWA.
- Develop an assessment approach for Regional oversight that is geographically targeted to measure the success of watershed protection activities and provide information to the decision makers when updating basin plans.
- Consider developing a new inspection type which evaluates ambient environmental quality in a given watershed.

Regions may also be in a position to facilitate enhancement of State program methods and tools to implement basin management. For example, the Region could:

- Arrange for technical assistance through the Regional Environmental Support Division, EPA's Environmental Research Laboratories and the Environmental Monitoring and Assessment Program (EMAP) to develop improved environmental indicators and monitoring strategies.
- Support the development of an automated permitting system.
- Assist with the development of innovative permits that use the full potential of basin management (e.g., pollutant trading, innovative monitoring requirements, basin-wide general permits).

2.2.3 Timelines for Implementation of Action Items

Each action plan should state the time frame for implementation of each of the Regional action items. While FY95 actions should be clearly indicated, Regions can show longer-term plans, particularly where they compliment long-term BMA development strategies

established by the State. Showing long-term plans will be helpful where multi-year efforts are necessary to reach ultimate goals for the State.

Timelines will likely vary from State to State to account for different circumstances such as watershed protection status, needs, State infrastructure, etc. Schedules may specify particular dates or may be dependent on successful completion of previous steps. For example, a plan may indicate that step two is to begin within 60 days of completion of step one, etc. At a minimum, however, each action plan should establish quarterly milestones for FY95.

2.2.4 Implementation Methods, Tracking, and Evaluation

Each Region should describe the methods by which action items will be implemented. Descriptions should include details on how Regional staff and resources will be deployed, how implementation will be tracked, and how efforts will be evaluated. Evaluation methods should provide for incorporation of feedback with action plan updates as deemed necessary by the Region.

2.2.5 Action Plans and Internal Regional WPA Strategies

Regions are encouraged to evaluate the relationship between the State-specific action plan and the overall internal Regional watershed protection strategy. For instance, the action plan could describe whether its implementation will rely on certain Regional operating procedures.

Appendix A (Suggested Regional Action Items) to Regional Guidance Document

Regional action plans for facilitating State watershed protection approach (WPA) development must be based on State program assessments. A separate Regional action plan should be tailored for each State based on the State's status and needs to support progress in each of the six Strategy component areas.

The recommended action items listed below are specific tasks that can be included in a Regional plan. Regions should carefully consider each of these recommendations and choose those that are most appropriate for a given State or develop others based on the results of their State assessments. This State-specific approach will lead to a more rapid and effective implementation of the Watershed Protection Approach.

The list of recommended Regional action items is organized according to NPDES Watershed Strategy components, with the addition of a Funding Administration section. Within each component area, these recommendations are grouped into three categories which describe the status of State watershed programs: (1) States Without a State-wide Watershed Protection Approach; (2) States Developing a State-wide Watershed Protection Approach; and (3) States Implementing a State-wide Watershed Protection Approach. Action items that are listed in an earlier status category may be appropriate actions for States with more developed State-wide WPAs, as well.

State-wide Coordination

States Without a State-wide WPA:

- Conduct educational workshops for States as well as other stakeholders using information from other States that have developed and are implementing watershed protection approaches.
- Meet with the State to identify impediments to implementing a WPA.
- Identify and describe the areas in which program coordination will enhance water quality management activities (e.g., development of TMDLs, NPDES permit issuance efficiency).

States Developing a State-wide WPA:

- Provide a forum to States to share information on the development and implementation of a WPA (e.g., newsletter, conference calls, conferences).
- Work with States to delineate basin boundaries and establish inter-basin priorities, ensuring that wellhead protection and existing Comprehensive State Ground Water Protection Program (CSGWPPs) priorities are considered in the decision making process. Where appropriate, utilize existing analysis reflected in the 319, 303(d), 303(e), Clean Lakes, NEP, and NPDES programs.
- Assist States with the identification of stakeholders in basins (NEPs may be of assistance in coastal areas).
- Assist States with the development of agreements/memoranda of understandings with other Federal and State agencies for the purpose of supporting the State's watershed protection approach.
- Provide technical assistance for the development of a State-wide watershed protection approach framework document; such a document includes a program description for all participating programs, agencies, and the general public.
- Assist States with the identification and recruitment of other agencies to serve as partners for the State-wide basin management framework.
- Identify the mechanisms developed to implement the State WPA (e.g., policies, regulations).
- Describe the process for involving Federal agencies, Indian tribes, and local governments.

States Implementing a State-wide WPA:

- Conduct reviews of State programs which take into account the scope and schedule of State's programs and basin plans to the extent possible.

NPDES Permits

States Without a State-wide WPA:

- Work with States to identify the number and types of dischargers in each basin.
- Work with States to sequence basins, ensuring that the permit workload is evenly distributed in any given year.
- Work with States on scheduling issues associated with synchronizing permits by basin, or on issues associated with permit issuance under the basin management plan.
- Provide guidance on mechanisms and approaches for modifying individual permits (e.g., short-term permits, administrative extensions, expedited renewal procedures, basin general permits).

States Developing a State-wide WPA:

- Assist States in developing a strategy that defines the criteria and approach for issuing permits consistent with the basin plan.
- Provide technical assistance to States for evaluating and assigning priorities to permits within a basin. These procedures will help determine the appropriate level of effort and scrutiny that should be devoted to each permit.
- Support States in assuring that Best Management Practices (BMP) established in NPDES permits are designed to prevent contamination of the State's priority ground water.

States Implementing a State-wide WPA:

- Support the development of automated permitting systems.
- Assist with the development of innovative permits that use the full potential of the basin-wide approach (e.g., trading, monitoring, pollution prevention and conservation, basin-wide general permits).
- Expand public notification to include information on permits in the basin plan.

Monitoring and Assessment

States Without a State-wide WPA:

- Help to develop a State-wide monitoring strategy involving State resources, discharger monitoring consortiums, and other Federal agencies. Assist with negotiations for shared monitoring resources.
- Assist with the development of assessment methods (consider biological and ecological criteria) and record keeping for targeting and ranking water quality problems. When assessing the status of a watershed, surface water, ground water, coastal waters, wetlands, sediments, and habitat are all factors that should be considered. The assessment of the watershed should determine if the waters are meeting their designated use, and also provide information on critical areas, endangered species habitats, and areas needing special protection.
- Identify how NPDES ambient monitoring can be incorporated with other monitoring efforts.

States Developing a State-wide WPA:

- Permits will contain ambient monitoring requirements as appropriate to support the basin monitoring plan.
- Support upgrades of information management systems, especially the use of geographic information analysis systems which facilitate analysis and display of environmental information in a geographic format.
- Help to refine and consolidate the monitoring objectives and reports of the CWA programs requiring monitoring resources (e.g., 305(b), 303 (e), CSGWPPs) to promote the targeting and ranking objectives of the watershed approach.
- Work with States to develop a State monitoring strategy that allows regions to fulfill cross program requirements through a single integrated monitoring system (e.g., stormwater, 319, TMDL, drinking water.)

States Implementing a State-wide WPA:

- Provide technical assistance to develop improved environmental indicators and monitoring strategies.

- Provide support for the development of a citizen/volunteer monitoring program
- Participate in basin water quality assessments and contribute to targeting and ranking of environmental issues.
- Design pollution prevention and restoration programs relying, where appropriate, on total maximum daily loads or permits to address impaired ecosystems. Design monitoring programs to gather additional data to allow program and project design.

Program Measures and Environmental Indicators

States Without a State-wide WPA:

- Identify areas of flexibility with existing program measures.

States Developing a State-wide WPA:

- Negotiate a consolidated reporting format for the State to satisfy CWA reporting requirements.
- Establish tracking measures to monitor implementation schedule for various components of the Watershed Protection Approach including: delineation and sequencing of basins, rescheduling of NPDES permits, development of a State-wide framework document.
- Establish key environmental indicators that will be used by State to measure progress toward achievement of both CWA and local goals and environmental objectives.

States Implementing a State-wide WPA:

- Evaluate State basin plans in a manner that is consistent with each State's watershed framework and also ensure that the plans support the goals and objectives of the CWA.
- Develop a strategy to use basin plans to implement phased TMDLs in all States.
- Develop an assessment approach for regional oversight that is geographically targeted which measures the success of watershed protection activities and provides information to the decision makers when updating basin plans.
- Encourage the development of innovative environmental indicators for each basin.

Public Participation

States Without a State-wide WPA:

- Identify and develop more efficient means of notifying the public.

States Developing a State-wide WPA:

- Promote outreach to educate the public about the NPDES program and the components of the WPA. Provide training on the inter-relationship between habitat protection, ground water contamination, drinking water source protection, nonpoint source impairment, and the point source program.
- Work with the State to establish a forum in which the public can help to identify water quality problems and establish goals for the preservation of high quality waters.

States Implementing a State-wide WPA:

- Encourage State linkages with local land use planning authorities to facilitate the use of water quality information in the planning process (e.g. EPA Region IX North Bay Initiative).
- Ensure that basin plans are written as educational documents that can be read by the lay public and which promote environmental stewardship in the basin.
- Target water quality standards hearings to watersheds.

Enforcement

States Without a State-wide WPA:

- To supplement the current information on major facilities, conduct an inventory of each priority watershed, as necessary, using traditional enforcement authorities (e.g. 308 letters or inspections) to identify minor facilities which will be required to have a permit.

States Developing a State-wide WPA:

- Use enforcement to correct violations at facilities which are causing the greatest degradation of a basin.
- Assist State in developing a State inspection strategy to support WPA. The Regions and States should develop criteria to evaluate which facilities should be inspected in a given year.

States Implementing a State-wide WPA:

- For majors and minors in priority watersheds, focus attention during report reviews and compliance screening on the completeness of the ambient quality information submitted by the permittee, as required by the permit.
- Use PCS to track loadings of pollutants in priority watersheds.

Funding Administration

States Without a State-wide WPA:

- Conduct an assessment of the funding sources. Develop plans to reduce the "overhead" burden to States in administering grants.

States Developing a State-wide WPA:

- Utilize flexible authorities to support the WPA.

States Implementing a State-wide WPA:

- Determine if basin ranking and priority setting criteria are effectively administered and allow for focusing the appropriate level of program resources to remediate the highest risk environmental problems.