

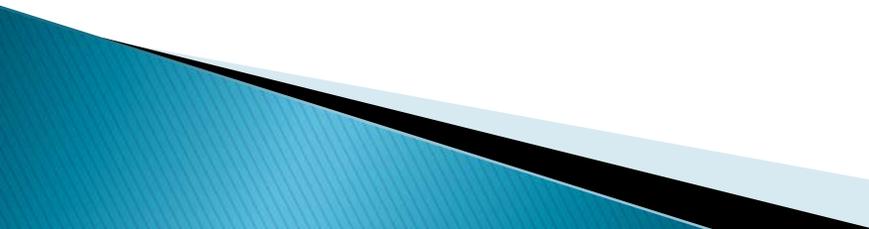
Washington State: Nonpoint Plan Update

Ben Rau
Washington State Department of Ecology
319 program policy lead





History

- ▶ 1899—Rivers and Harbors Appropriations Act
 - ▶ 1948—Federal Water Pollution Control Act
 - ▶ 1972—Sweeping amendments—the law became commonly known as the CWA (CWA)
 - ▶ Section 319 added in 1987
 - ▶ Current version of Washington State plan was first published in April 2000
 - ▶ Last update was published in June 2005.
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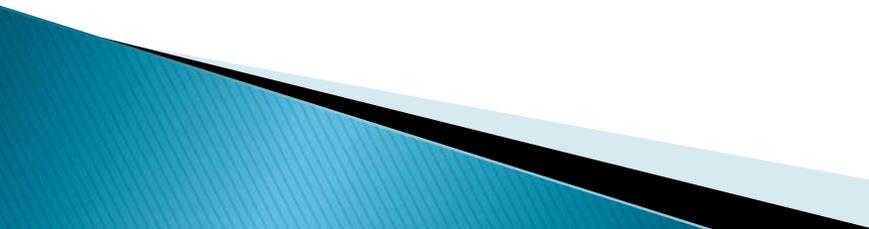
Federal Funding

To continue receiving federal funds to implement the State's NPS pollution control program, the State was required to obtain approval of the NPS Program Plan from the U. S. Environmental Protection Agency

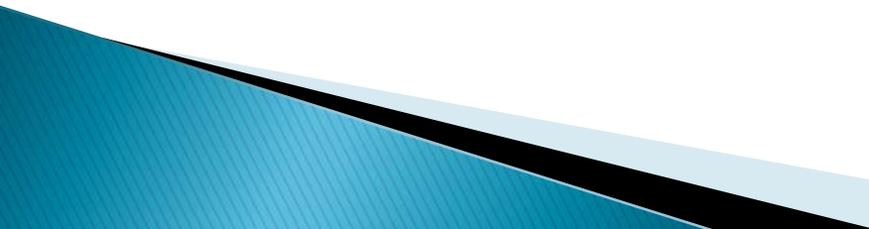
Why are we updating now?

- ▶ EPA expects all states to review and, as appropriate, revise and update their NPS management programs every five years.
- ▶ 50% of NPS management programs will be updated by September 2013, and all management programs will be up-to-date by September 2014. See *Nonpoint Source Program and Grants Guidelines for States and Territories* (April 12, 2013)

What is EPA looking for with these updates?

- ▶ Explicit short and long-term goals, objectives and strategies.
 - ▶ Focus on Implementation.
 - ▶ Strengthening Partnerships.
 - ▶ Better coordinate state programs
 - Alignment of TMDL program with nonpoint efforts
 - Other programs—i.e. CZARA/CWSRF/Groundwater protection/point sources
 - ▶ Review and evaluate NPS management program and update every five years.
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Under section 319(b) state NPS management programs include all of the following components:

- (A) An identification of the best management practices and measures which will be undertaken to reduce pollutant loadings resulting from each category, subcategory, or particular nonpoint source designated under paragraph (1)(B), taking into account the impact of the practice on ground water quality.
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Under section 319(b) state NPS management programs include all of the following components:

(B) An identification of programs (including, as appropriate, nonregulatory or regulatory programs for enforcement, technical assistance, financial assistance, education, training, technology transfer, and demonstration projects) to achieve implementation of the best management practices by the categories, subcategories, and particular nonpoint sources designated under subparagraph (A).



Under section 319(b) state NPS management programs include all of the following components:

- (C) A schedule containing annual milestones ...
 - (D) A certification of the attorney general of the State or States (or the chief attorney of any State water pollution control agency which has independent legal counsel) that the laws of the State or States, as the case may be, provide adequate authority to implement such management program or, if there is not such adequate authority, a list of such additional authorities as will be necessary to implement such management program. A schedule and commitment by the State or States to seek such additional authorities as expeditiously as practicable
 - (E) Sources of Federal and other assistance and funding...
 - (F) An identification of Federal financial assistance programs and Federal development projects for which the State will review individual assistance applications or development projects for their effect on water quality pursuant to the procedures set forth in Executive Order 12372 ...
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Key Elements

- **1. The state program contains explicit short- and long-term goals, objectives and strategies to restore and protect surface water and ground water, as appropriate.**
 - The state's long-term goals reflect a strategically focused state NPS management program designed to achieve and maintain water quality standards and to maximize water quality benefits. The shorter-term objectives consist of activities, with annual milestones, designed to demonstrate reasonable progress toward accomplishing long-term goals as expeditiously as possible.
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Key Elements

- **2. The state strengthens its working partnerships and linkages to appropriate state, interstate, tribal, regional, and local entities (including conservation districts), private sector groups, citizens groups, and federal agencies.**
 - The state NPS lead agency works collaboratively with other key state and local NPS entities in the coordinated implementation of NPS control measures in high priority watersheds.



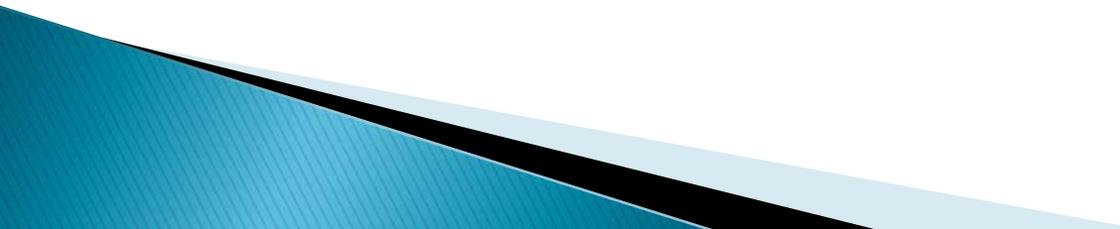
Key Elements

- **3. The state uses a combination of statewide programs and on-the-ground projects to achieve water quality benefits; efforts are well-integrated with other relevant state and federal programs.**
 - The state NPS management program is well integrated with other relevant programs to restore and protect water quality, aligning priority setting processes and resources to increase efficiency and environmental results.

Key Elements

- **4. The state program describes how resources will be allocated between (a) abating known water quality impairments from NPS pollution and (b) protecting threatened and high quality waters from significant threats caused by present and future NPS impacts.**
 - The program describes its approach to addressing the twin demands of remedying waters that the state has identified as impaired by NPS pollution and preventing new water quality problems from present and reasonably foreseeable future NPS impacts, especially for waters which currently meet water quality standards.

Key Elements

- **5. The state program identifies waters and watersheds impaired by NPS pollution as well as priority unimpaired waters for protection. The state establishes a process to assign priority and to progressively address identified watersheds by conducting more detailed watershed assessments, developing watershed-based plans and implementing the plans.**
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Key Elements

- **6. The state implements all program components required by section 319(b) of the Clean Water Act, and establishes strategic approaches and adaptive management to achieve and maintain water quality standards as expeditiously as practicable. The state reviews and upgrades program components as appropriate. The state program includes a mix of regulatory, nonregulatory, financial and technical assistance, as needed.**
- **In addition, the state incorporates existing baseline requirements established by other applicable federal or state laws to the extent that they are relevant. (e.g. CZARA)**

Key Elements

- **7. The state manages and implements its NPS management program efficiently and effectively, including necessary financial management.**

Key Elements

- **8. The state reviews and evaluates its NPS management program using environmental and functional measures of success, and revises its NPS management program at least every five years.**

Questions?

Ben Rau

ben.rau@ecy.wa.gov

360-252-0294

See Also:

- ▶ *Section 319 Program Guidance: Key Components of an Effective State Nonpoint Source Management Program (November 2012).*
- ▶ *Nonpoint Source Program and Grants Guidelines for States and Territories (April 2013)*