

Water Quality Environmental Performance Partnership Agreement

Calendar Year 2020

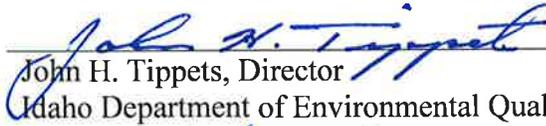


Idaho Department of Environmental Quality
US Environmental Protection Agency, Region 10
December 2019



Water Quality Environmental Performance Partnership Agreement

The following Performance Partnership Agreement (PPA) between the US Environmental Protection Agency (EPA) Region 10 and the Idaho Department of Environmental Quality (DEQ) will serve as the work plan for DEQ's Surface and Wastewater Division and Drinking Water Protection and Finance Division. This PPA is effective for calendar year 2020 and covers the period from January 1 through December 31, 2020. The agreement aligns DEQ and EPA Region 10 priorities and defines expected environmental outcomes. Through this agreement, DEQ and EPA can work together more efficiently in managing Idaho's water resources.



John H. Tippetts, Director
Idaho Department of Environmental Quality

12/19/2019
Date



Chris Hladick, Regional Administrator
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1/13/2020
Date

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Introduction

The US Environmental Protection Agency (EPA) and states share responsibility for environmental protection. This Performance Partnership Agreement (PPA) describes how the Idaho Department of Environmental Quality (DEQ) water quality divisions and EPA Region 10 will work together to protect Idaho's water quality.

The goal of a PPA is to bring more flexibility, accountability, and innovation into the state and federal relationship. In particular, these agreements are intended to increase environmental protection by focusing on overall environmental goals and results of government programs. In the PPA process, DEQ and EPA discuss environmental conditions and program needs, agree on priorities, develop approaches to address priorities, determine roles and responsibilities, and choose program measures.

This agreement details how DEQ and EPA will work together to accomplish common water quality goals. The two agencies will continue to focus on integrating key program areas that form the foundation of Idaho's water quality programs. DEQ is the lead agency for the following core programs: safe drinking water, ground water, water quality standards, water quality monitoring and assessment, water body and watershed restoration, wastewater and drinking water infrastructure, and National Pollutant Discharge Elimination System (NPDES) permits and compliance. DEQ is the lead for municipal and industrial Idaho Pollutant Discharge Elimination System (IPDES) activities, and EPA is the lead for other NPDES activities. This year DEQ will continue the process of seeking NPDES delegation and implement the IPDES Program. Each water quality program component identifies the expected environmental results as well as the DEQ and EPA work commitments to be completed during calendar year (CY) 2020.

In May 2019, DEQ formally separated the Water Quality Division into two divisions to better accommodate the workload associated with implementing the Safe Drinking Water and Clean Water Acts. These two new divisions are the Surface and Wastewater Division and the Drinking Water Protection and Finance Division. The Surface and Wastewater Division houses the wastewater engineering, IPDES, and surface water bureaus. The Drinking Water Protection and Finance Division houses the drinking water, ground water and source water protection, and grants and loans bureaus. Figure 1 shows the organizational charts for the two divisions.

To present a comprehensive overview of DEQ's efforts to protect water quality, this PPA describes additional DEQ activities funded by other federal and nonfederal funds. In CY 2020, federal grant work plans will continue to focus on optimizing the use of DEQ staff to perform more critical water quality work in-house.

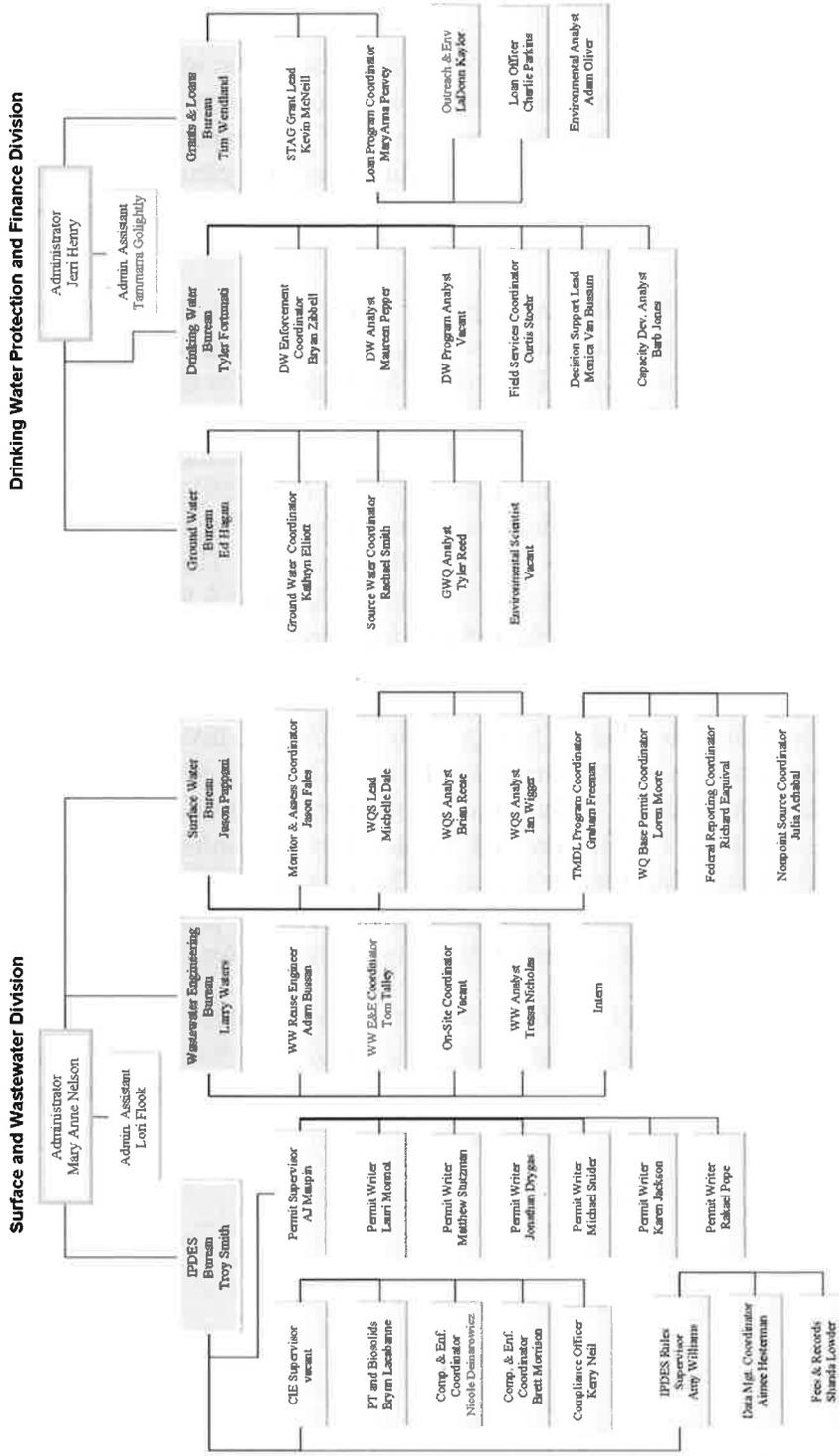


Figure 1. Surface and Wastewater Division and Drinking Water Protection and Finance Division.

Strategic Priorities

EPA and DEQ were guided in these PPA negotiations by their respective strategic plans and priorities. Available for review on each agency's website, these strategic plans are broad based and address more than just water quality strategies and priorities. Figure 2 illustrates DEQ's and EPA's planning processes for the PPA, including strategic priorities. The PPA offers an opportunity to identify common ground among these priorities and for the agencies to identify opportunities to work collaboratively on some priorities. The following sections describe each agency's strategic priorities, which establish the framework for developing this PPA. Specifically, this PPA incorporates EPA's priorities and targets that correspond to DEQ's priorities and objectives.

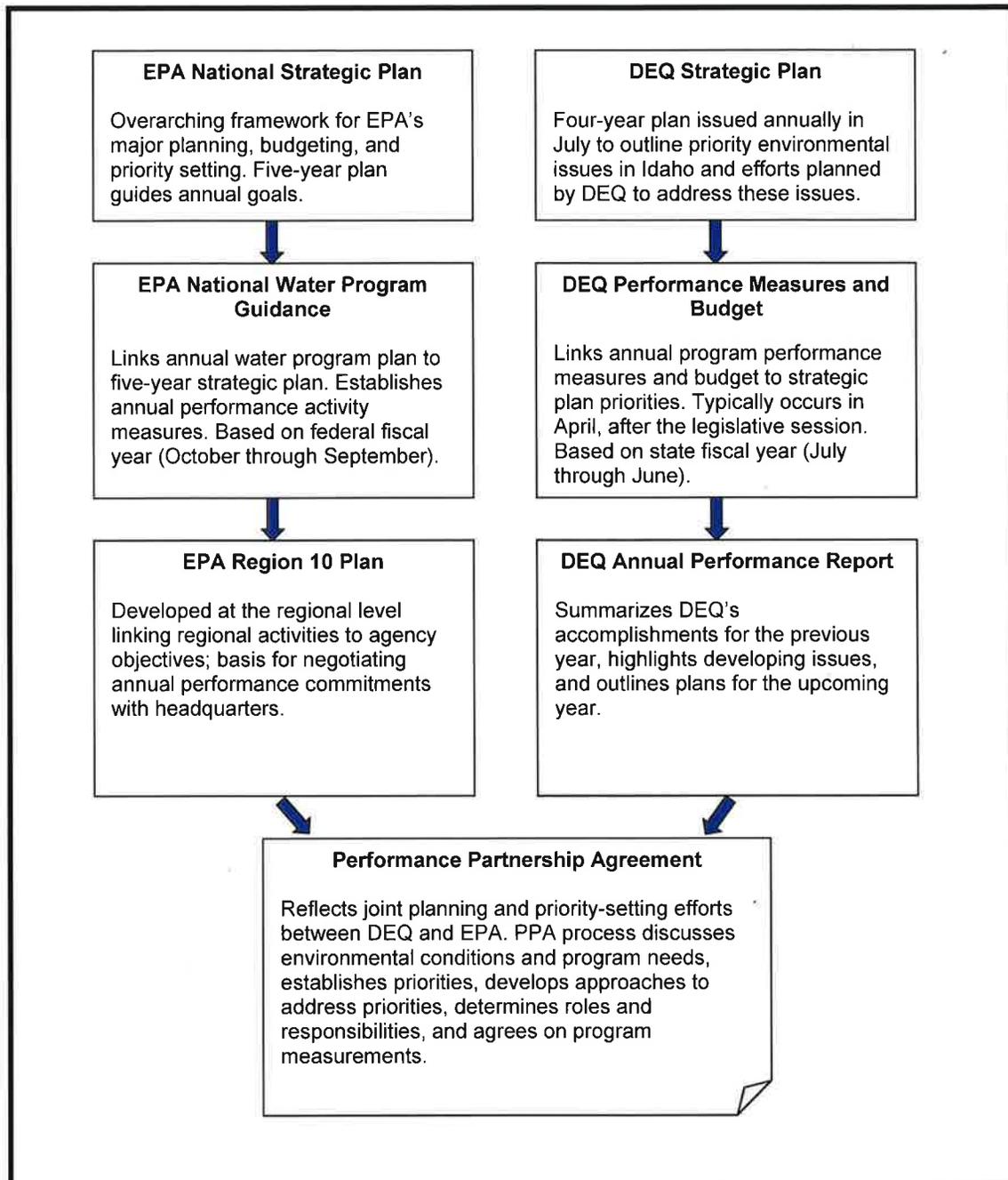


Figure 2. DEQ's and EPA's planning processes for the Performance Partnership Agreement.

DEQ's Strategic Priorities

DEQ's mission is to protect human health and the quality of Idaho's air, land, and water. As described in the *2020–2023 strategic plan*, DEQ uses environmental outcomes as one method to evaluate the effectiveness of its programs. The water quality objectives include the following:

- Maintain and improve surface and ground water quality.
- Monitor and assess water quality conditions to determine compliance with standards and support of beneficial uses.
- Implement pollution reduction actions needed to meet water quality standards and support beneficial uses. The associated benchmark performance measure is to increase the percentage of assessed rivers and streams supporting beneficial uses.
- Develop the IPDES Program.
- Ensure delivery of safe and reliable drinking water from public water systems.
- Provide financial assistance to public water systems for facility improvements and source water protection.

EPA's Strategic Priorities

The EPA National Water Program Guidance provides overarching national goals, priorities, and performance measures aimed at making significant progress toward protecting human health and improving water quality. This national program guidance is augmented by the National Program Manager Guidance for enforcement activities in all media. Both documents are available at www2.epa.gov/planandbudget.

EPA's fiscal year 2018–2022 strategic plan captures national goals and describes priorities, strategies, and expectations (<https://www.epa.gov/planandbudget/strategicplan>). Over the next 5 years, EPA will work with states, tribes, territories, and local communities to better safeguard human health; maintain, restore, and improve water quality; and make US water systems sustainable and secure, supporting new technology and innovation wherever possible. EPA Region 10 strives to integrate state and regional priorities with EPA's national strategic planning objectives.

EPA Region 10 identifies the following priorities specific to Idaho water quality for 2020:

- Work with DEQ to facilitate the continued, smooth transition of the NPDES Program to Idaho.
 - Collaborate to support IPDES rule and guidance development.
 - Assist in building Idaho's capacity for IPDES implementation through training and collaborative work in permits and inspection efforts.
 - Issue final NPDES permits and work with DEQ to receive final §401 certifications before these sectors transfer to the IPDES Program.
- Coordinate with DEQ on water quality standards litigation, rulemakings, and backlog.
- Work with DEQ to meet the national health-based measure and address any implementation challenges with drinking water standards, particularly the Lead and Copper Rule.
- Coordinate with DEQ, Idaho Department of Lands, and Idaho Department of Water Resources (IDWR) to ensure draft Underground Injection Control (UIC) Class II permits,

developed by EPA for Idaho facilities, consider state input related to Idaho ground water protection authorities.

General Water Quality Agreements

Information and Document Sharing Expectations

DEQ will submit annual reports to EPA that provide data on the measures indicated in the PPA, unless this information is provided in grant reports. DEQ and EPA will inform each other regarding correspondence about grants, agreements, or products or services rendered from other local, state, and federal agencies or private entities that concern activities covered under this agreement.

Training and Technical Assistance

Each agency, within its resource limitations, will provide training and technical assistance to the other agency upon request.

Joint Evaluation of Performance

Unless stipulated otherwise in the PPA or individual grant conditions, DEQ and EPA will perform semiannual reviews for all PPA commitments. These reviews are planned for midyear in May 2020 and near the conclusion of the annual PPA. This joint evaluation of performance will discuss program accomplishments as measured against work plan commitments, existing and potential problem areas, and suggestions for improvement. As a result of these performance evaluations, DEQ and EPA will collaborate on preparing brief progress reports covering their respective commitments in the PPA.

Roles and Responsibilities

Roles and responsibilities for EPA and DEQ are specified in the Program Commitment sections of this PPA.

Terms and Conditions

DEQ and EPA will follow all terms and conditions outlined in the operating agreements, yearly grant agreements, and federal and state statutes and regulations. To quantify effort, 2,080 person hours is one *full-time equivalent* (FTE), also known as one *work year*. As required by 40 CFR 35, the following federal sources of funding have been identified in this PPA:

- Surface Water §106 Reuse Permit Program; NPDES inspections/capacity development/certifications; wastewater plans/specifications; monitoring initiatives
- Ground Water §106 Ground Water Program-related activities
- Nonpoint Source (NPS) §319 Total maximum daily load (TMDL); NPS; restoration and management plans
- §604(b)/205(j) On-Site Wastewater Program
- EPA TMDL contract Key watershed TMDL projects
- Drinking Water—Public Water System Supervision (PWSS) Drinking Water Program administration
- Drinking Water State Revolving Fund (SRF) capitalization grant Drinking Water Loans; Loan Program administration; and eligible set-aside activities
- Clean Water State Revolving Fund (CWSRF) capitalization grant Wastewater Loans and Loan Program administration

Outcomes

Environmental outcomes are described in the individual program sections.

Component 1. Surface Water Assessment and Protection Programs

Program Goal

The goal of DEQ's Surface Water Program is to restore impaired water bodies to conditions supporting designated and existing beneficial uses. DEQ also works to improve surface water quality in areas with endangered species issues. These goals are accomplished through the following activities: monitoring and data collection, assessment, Integrated Report publication (formerly called the §305(b) report and §303(d) list), water quality standards development, total maximum daily load (TMDL) development, and collaboration with designated management agencies (DMAs) to develop and implement water quality restoration plans. Monitoring and data collection are proposed to continue in CY 2020 at levels similar to CY 2019 but without EPA funding for monitoring to support TMDL 5-year reviews.

Program Activities

Where possible, complete remaining TMDLs per the 2002 Idaho TMDL Settlement Agreement. Perform 5-year reviews of completed TMDLs. Continue monitoring and assessment activities as budget allows; develop water quality standards. Develop use designation/attainability guidance and selenium fish tissue criterion implementation guidance. Fund NPS projects.

Program Contacts

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David Croxton, EPA, (206) 553-6694
Hanh Shaw, EPA, (206) 553-0171

Program Commitments

Priorities

- Complete approximately 88 TMDLs counted as assessment unit/pollutant combinations (listed below). TMDLs covering waters identified in the 2002 Settlement Agreement will be noted in the submittal letter to EPA.
 - Upper Spokane River (metals) (6)
 - Lochsa River main stem (temperature) (6)
 - Brownlee Reservoir-Weiser Flat (bacteria) (7)
 - Middle Salmon River-Panther Creek (copper, sediment, and temperature) (16)
 - Lemhi River (bacteria and sediment) (4)
 - Beaver-Camas subbasin (bacteria and sediment) (16)
 - Middle Snake River-Succor Creek (bacteria and sediment) (11)
 - Boise-Mores Creek (temperature and potential natural vegetation update) (10)
 - Upper and Lower Henrys Fork (combined biota and bacteria) (7)
 - Lower Boise River tributaries (Category 4b) (5)

- DMAs, with watershed advisory group (WAG) input, will develop implementation plans as their budget allows to implement approved TMDLs.
- Identify priority watersheds for restoration, consistent with EPA’s TMDL vision (Water Quality Measure 27).
- Coordinate with WAGs, EPA, and DMAs regarding 5-year reviews as appropriate.
- Coordinate monitoring activities with other state, federal, and private entities. Provide necessary information, including monitoring data, to demonstrate meeting EPA National Management Measures (SP-12).
- Continue to update and modify water quality standards as needed.
- Continue response to harmful algal blooms by posting public advisories, as resources allow, in coordination with Idaho’s seven health districts.

Outcome

Surface water assessment and protection outcomes will increase the percentage of waters that support beneficial uses and decrease the percentage of waters that do not support beneficial uses.

Total Maximum Daily Loads

1.1.a Identify pollutant loads expected to restore beneficial uses and meet water quality standards in water quality limited water bodies.

Outputs

- a. Complete approximately 88 TMDLs (listed under priorities above). Settlement TMDLs will be noted in the submittal letter to EPA.
- b. Share prepublic comment period drafts of TMDLs with EPA.
- c. EPA will provide comments to DEQ on prepublic drafts generally within 30 days to allow DEQ to inform and discuss EPA concerns with WAGs.
- d. Share draft of the TMDL data entry form with EPA before final TMDL submittal.
- e. Continue to perform pre- and post-TMDL monitoring visits, as the budget allows, to support TMDL development and adaptive management.
- f. Continue revision of Upper Snake Rock total phosphorus TMDL to address critical conditions.
- g. Engage in EPA-led regional efforts to revise 2003 draft temperature TMDL for main stem Columbia and Snake Rivers.
- h. Continue discussion with EPA on how best to address industrial stormwater in TMDLs.
- i. Participate in Columbia River Systems Operation Environmental Impact Statement development.
- j. DEQ and EPA will work together to draft a report on elevated stream temperature under potential natural vegetation.
- k. Update TMDL template language to address frequently received comments.

Schedule

Subbasin assessment and TMDL completions for CY 2020 are as outlined above.

Funding

These activities are funded by state monies appropriated through the Idaho Legislature. Presently, DEQ devotes approximately 23,844 person hours (approximately 11.5 work years) and \$144,520 in operating funds to support this effort. Successful achievement of these activities will depend on additional funding and collaborative efforts with other agencies. TMDL implementation plan development efforts conducted by DEQ staff are funded by state general funds and some federal §319 funds. Assessment of natural stream temperatures across the state is funded via an EPA contract with Tetra Tech.

Contacts

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1.1b Work with EPA, WAGs, and DMAs to facilitate implementation of TMDL pollutant load.

Approach

Idaho Code §3601 et seq. advises DEQ to complete TMDLs, 5-year reviews for selected TMDLs, and work with DMAs to implement TMDLs. DEQ will coordinate with EPA and the IPDES Program to ensure wasteload allocations are incorporated in discharge permits and work with DMAs and WAGs to identify projects and sources of funding to address load.

Outputs

- a. Complete remaining subbasin assessments and TMDLs pursuant to the 2002 Idaho TMDL Settlement Agreement.
- b. Prioritize existing TMDLs for completing 5-year reviews. Complete six TMDL reviews during CY 2020 as resources allow.
- c. Consult with WAGs on 5-year review as required by Idaho Code §39-3611(7). Share drafts with EPA and consider EPA-provided comments within 30 days.
- d. If a 5-year review indicates a lack of progress towards meeting the allocations and water quality targets established in a TMDL or a fundamental change in the TMDL's premise, DEQ will work with the DMAs and WAGs to determine the next steps. DEQ may initiate a process consistent with Idaho Code §39-3611(7) to consider revisions to the TMDL as funding, technical resources, and workload priorities allow.
- e. To the extent resources allow, conduct monitoring in CY 2020 to support developing TMDLs and 5-year TMDL reviews to be completed by CY 2021.
- f. Work with the University of Idaho to complete statistical analysis and reporting of study results evaluating the Idaho Department of Lands new shade rule.

Schedule

Idaho Code §39-3611(7) directs DEQ to review EPA-approved TMDLs every 5 years. During CY 2020, DEQ expects to complete reviews of six EPA-approved TMDLs. During CY 2020, DEQ will also, to the extent resources allow, conduct monitoring to support TMDL development and 5-year reviews to be completed in CY 2020.

Funding

DEQ has budgeted approximately 9,616 person hours (approximately 4.6 work years) and \$23,519 in operating funds to support this effort. Successful achievement of these activities will depend on additional funding and collaborative efforts with other agencies. TMDL implementation plan development efforts conducted by DEQ staff are funded by state general funds and some federal §319 funds.

Monitoring and Assessment

1.2a Monitor water quality throughout the state.

Approach

Continue ambient monitoring of Idaho waters to support development of the Integrated Report. Develop a data management system to store and display monitoring data.

Outputs

- a. Implement at least six regional Beneficial Use Reconnaissance Program (BURP) ambient monitoring crews during the 2020 field season, as resources allow.
- b. Continue to work on the Water Quality Exchange Network node to move BURP and related monitoring data to the STORET data warehouse.

Schedule

Scheduling and logistics are key aspects in successfully completing BURP monitoring. While actual monitoring takes place July through August, field season planning starts in February with advertising for seasonal hires and site selection, continues through provisioning and training, and winds down in late fall with data entry quality assurance/quality control. Timely receipt of semiannual reports prescribed by the terms and conditions of the §106 monitoring initiative strategy grants is necessary to effectively manage grant funds.

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Lil Herger, EPA National Stream and Lake Assessment Surveys, (206) 553-1074

Annie Whitley, EPA National Wetland Assessment Survey, (206) 553-0058

Bevin Horn, CWA 106 Monitoring Grants Project Officer, (206) 553-1566

Jill Fullagar, EPA Data Coordinator, (206) 553-2582

1.2b Assess monitoring data for beneficial use status.**Approach**

Continue to develop and maintain capacity for reporting §305(b) information in the Integrated Report. Continue electronic reporting of integrated reports using EPA's assessment database, ATTAINS.

Outputs

- a. Continue to implement outcome of October 2018 Assessment LEAN event.
 - 1) DEQ will provide EPA with prepublic draft for informal review.
 - 2) EPA will provide DEQ with comments from informal review within 60 days.
 - 3) DEQ will consider EPA comments, and post the draft Integrated Report for public comment.
- b. Determine disposition of unlisted waters in the *Lochsa River Subbasin Temperature TMDL Approval Letter* for future reporting.
- c. Continue use recommended thresholds from the final N-STEPS report (October 2017) to inform potential narrative nutrient criteria exceedances.
- d. Complete assessments of recent BURP data and other readily available and relevant data, using the *Water Body Assessment Guidance* (2016). Prepare a public draft of the 2018/2020 Integrated Report.
- e. Develop strategy for accessing external data for use in assessments for the 2022 Integrated Report
- f. Implement the policy to address tribal waters and their status as part of the 2018/2020 Integrated Report.

Schedule

Integrated Report development follows a 2-year cycle. The formal Integrated Report process begins with a call for data, followed by specific water body assessments. A preliminary draft report is produced with the state Basin and Watershed Advisory Group's consultation. After consultation, EPA provides an informal review before the draft report is released for public comment. DEQ considers public comments and completes revisions before submitting the report to EPA for approval.

For CY2020, DEQ will provide EPA with a prepublic draft of the 2018/2020 Integrated Report for informal review. EPA will provide DEQ comments within 60 days, and DEQ will prepare a public comment draft.

Contacts

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Miranda Magdangal, EPA, (206) 553-0692

Funding

DEQ estimates approximately 32,707 person hours (equivalent to 15.7 work years) and \$344,116 in operating funds to support the effort in this PPA cycle. Funding sources are state general fund dollars and EPA §106 monitoring initiative grants.

Contacts

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Water Quality Standards

1.3 Develop scientifically-based functional water quality standards to address program needs and to ensure protection of Idaho water.

Approach

DEQ and EPA will work collaboratively to develop revised water quality standards and implementation guidance. DEQ will request applicant status, participate in Endangered Species Act (ESA) consultations, and submit rulemaking dockets approved by the Idaho Legislature for EPA action.

Outputs

Rulemaking—As information becomes available, DEQ will update EPA on the status of revised water quality standards for bacteria criteria for recreation use and aquatic life criteria for acrolein, carbaryl, and diazinon.

Other Work—DEQ and EPA will collaborate on the following.

- a. Exchange information on federal lawsuits involving Idaho's water quality standards.
- b. As resources allow, participate in a watershed approach to water quality criteria for Kootenai River and Lake Kootenai.
- c. Prepare a use attainability/designation guidance to be finalized in the first quarter of 2020.
- d. Prepare a use attainability analysis and recommended use designation category for the Jacks Creek water body unit.
- e. Finalize antidegradation implementation guidance.
- f. Participate in rulemaking to update arsenic human health criteria, including monitoring to establish Idaho-specific bioaccumulation factor (BAF) and background concentrations, and revising Idaho's Natural Background Guidance throughout CY 2020. DEQ will share preliminary monitoring results and the guidance document with EPA. EPA will coordinate with DEQ while revising the arsenic human health recommendations and toxicity assessment.

- g. Address the legacy backlog submittals: seasonal cold, thermal treatment requirements. and bull trout temperature.
- h. Participate in ongoing ESA consultation on Idaho’s water quality standards throughout CY 2020, and seek coapplicant status as backlog actions and new rules proceed to consultation.
- i. DEQ, EPA, and stakeholder groups—Develop the draft selenium fish tissue criterion implementation guidance document.
- j. 2020 Triennial Review—DEQ will draft issue papers and post for review in early 2020, hold public workshops in spring 2020, and develop priorities and a triennial review report by late summer 2020. DEQ will share materials and draft report with EPA.
 - 1) Discuss data/information needs to develop and derive a protective aquatic life criteria for mercury.
 - 2) Per the Reasonable and Prudent Measure #1 from the National Marine Fisheries Service Biological Opinion for the Snake River Hells Canyon Site Specific Temperature Criterion (NMFS No: WCRO-2019-00175, September 25, 2019), DEQ will review the available data and consider designating salmonid spawning in the following segments of the Snake River through rulemaking: ID17060103SL004_08; ID17060103SL003_08; and ID17060103SL002_08, and ID17060103SL001_08. DEQ will share the data with EPA and provide updates of progress on its review during the regular PPA check-ins.

EPA Commitments

- a. To the extent possible, participate in the water quality standards stakeholder meetings and workshops hosted by DEQ.
- b. In a timely manner, provide input on draft guidance documents shared by DEQ.
- c. Take timely action on water quality standards submitted by DEQ, including ESA and tribal consultations, as needed.
- d. Continue to provide timely updates on EPA lawsuits and settlement agreements involving Idaho’s water quality standards.
- e. Finalize the Clean Water Act action on the Mixing Zone Rule upon completion of ESA consultation with the US Fish and Wildlife Service.

Schedule

DEQ anticipates the items in Outputs will be completed and submitted to EPA no later than by December 2020. DEQ will provide status updates of the items listed in Outputs above during the regular monthly check-in meetings with EPA.

Funding

These water quality standards activities will be funded by monies appropriated through the Idaho Legislature. DEQ estimates approximately 6,360 person hours (equivalent to 3.1 work years) and \$7,142 of operating funds to support this effort. Achieving future goals depends on the availability of additional resources and collaborative efforts with other agencies.

Contacts

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Hanh Shaw, EPA, (206) 553-0171

1.4 Component commitments.

DEQ Commitments

Refer to sections 1.1, 1.2, and 1.3 regarding TMDL, monitoring and assessment, and water quality standards activities.

- a. Continue to coordinate with EPA on current lawsuits and settlement agreements.
- b. Continue dialogue with EPA on including Idaho mercury fish tissue criterion in NPDES permits and TMDLs.
- c. Share prepublic comment period drafts of TMDLs.
- d. Share drafts of each 5-year review with EPA for review and comment.
- e. Continue efforts to complete a nutrient TMDL for Lower Boise River's listed tributaries.
- f. Implement BURP ambient monitoring across the state.
- g. Strengthen working relationship by regularly discussing issues as they arise.
- h. Both EPA and DEQ will make appropriate staff assignments to each TMDL.
- i. Report overall Surface Water Program progress semiannually to EPA, including water quality standards submittal and approval actions, TMDLs, Integrated Report, monitoring, and PPA commitments.
- j. Coordinate review and selection of NPS projects and activities directed to priority watersheds, taking into account multiple available funding sources.
- k. Continue support of the watershed approach, using basin monitoring efforts, state program integration, and stormwater planning to emphasize NPS program results.
- l. Work together on policy for tribal waters and their status for the 2018 Integrated Report, once the transition to ATTAINS is complete.
- m. Identify priority watersheds for restoration, consistent with EPA's TMDL vision (Water Quality Measure 27).

EPA Commitments

TMDL and Assessment Program Commitments

- a. Issue Jordan Creek mercury TMDL.
- b. Approve or disapprove all TMDLs and water quality standards submitted by DEQ on a timely basis.
- c. Act on the 2016 Integrated Report within statutory time frames.
- d. Continue to review and act on DEQ-submitted TMDLs and provide Idaho TMDL Settlement Agreement parties with copies of EPA-approved TMDLs and corresponding action letters on a timely basis.
- e. Improve coordination of NPDES permitting with DEQ mixing zone authorization and TMDL completion.
- f. Provide DEQ with a checklist of required elements of an integrated report.

Component 2. Watershed Protection Program

2.1 Manage §319 Nonpoint Source Program.

Approach

Implement the §319 NPS Program through the EPA-approved 2015 Idaho NPS Management Plan and 2004 EPA §319 guidance. The Idaho NPS Management Plan is available at www.deq.idaho.gov/media/60153107/idaho-nonpoint-source-management-plan.pdf.

Outputs

- a. Successfully award §319 project implementation subgrants. These grants are contingent upon approved TMDLs and other water quality priorities based on the amount of funding available and the amount of time it takes before funds are released to the state. The §319 Idaho NPS Management Plan will be used as a guidance document for this activity.
- b. Administer subgrants according to relevant grant conditions and use the Grant Reporting and Tracking System (GRTS) to report on mandatory program activities, including estimated project load reductions (for nitrogen, phosphorus, and sediment, as applicable). DEQ will enter all GRTS load reduction estimates for all active and recently completed projects by February 15, 2020, and all other mandatory GRTS elements by April 3, 2020, or as otherwise directed by national guidance.
- c. Complete and submit an annual performance and progress report for the NPS Management Program as required by the §319 NPS Program grant agreement.
- d. Update NPS memoranda of understanding as necessary.
- e. Perform §319 project evaluations under the guidance of the Idaho NPS Management Plan. DEQ and EPA will continue to work together on the process for using §319 funds and implementing the nine-element watershed-based plan (including qualifying TMDL implementation plans) for impaired waters.
- f. With EPA assistance, work to identify and integrate other sources of funding with §319 program funds to increase opportunities for implementation work in priority watersheds, per DEQ's 2020–2023 Strategic Plan.
- g. As requested by EPA, provide information on success stories, per EPA criteria. Success stories document national NPS program measure WQ-10 (if partial or full water body restoration is achieved) or progress toward restoration (non-WQ-10). For stories that qualify and with EPA's support, the Surface Water Program will seek to develop a minimum of two WQ-10 success stories each year. DEQ and EPA will continue to work together to assess and acquire monitoring equipment and resources to document water quality improvements under the strategic plan measures.
- h. Continue to ensure that approved §319-funded project work plans have evaluated and considered using alternative designs or measures that better address the proposed long-term water quality objectives.
- i. Complete the update of the 2020 Idaho NPS Management Plan, due in CY 2020.
- j. Surface Water and Grants and Loans will work together to transfer management of the §319 NPS Program to the Surface Water Program.

Schedule

Activities conducted under the §319 NPS Program will align with milestones and other responsibilities identified in the §319 NPS grant work plan.

Funding

EPA will continue to fund approximately 60% of the §319 NPS Program, while 40% will come from eligible state and local sources as matching funds. DEQ estimates that approximately 10,700 person hours (approximately 5.16 work years) and \$561,000 will be needed and funded from the federal §319 grant to support §319 DEQ administrative activities. DEQ and EPA agree to partner and work in a timely manner to address any priority funding issues.

Contacts

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Krista Mendelmen, EPA, (206) 553-1571

2.2 Component commitment.

EPA Commitments

EPA will work with DEQ to identify ways to best use the state's §319 allocation in a timely manner and minimize the need to request carrying over funds between grants.

Component 3. Wastewater Program

Program Goal

The Wastewater Program's goal is to ensure wastewater, recycled water, and on-site wastewater are used in a manner that protects surface water and ground water as well as human health. The program will review plans and specifications for wastewater facilities construction and coordinate responses to questions on the Biosolids Program with EPA, other state agencies, and the regulated community. DEQ supports and encourages the IPDES Program's goal of eliminating pollutant discharges to waters of the United States.

Program Activities

Process reuse permits; perform compliance oversight of reuse-permitted facilities; develop program guidance materials and ensure statewide consistency; provide annual performance measures report; perform other wastewater activities (review plans and specifications for wastewater facilities construction and coordinate biosolids activities); assist public health districts in managing the On-Site Wastewater Program; and encourage water reuse as an alternative to discharge to the waters of the United States.

Program Contacts

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Bevin Horn, EPA, (206) 553-1566
Mathew Martinson, EPA, (206) 553-6334
Maria Lopez, EPA, (208) 378-5616

Program Commitments

Priorities

- Conduct 45 reuse permit inspections.
- Issue 22 protective reuse permits/major permit modifications.
- Conduct timely review of reuse permit annual reports.

Outcome

The Wastewater Program's outcome will ensure wastewater, including on-site wastewater, and recycled water are used in a manner that protects human health and the environment with respect to surface water and ground water and decrease the number of wastewater facilities that discharge to waters of the United States.

3.1 Process 22 reuse permits/major permit modifications by December 31, 2020.

Approach

Priority will be given to new facilities, facilities with expired permits, facilities with inadequate reuse permit limits, and facilities with the potential to impact impaired water bodies.

Outputs

- a. Issue 22 reuse permits/major permit modifications.
- b. Transmit to EPA, on a semiannual basis, a list of new permits, permit renewals, and major permit modifications issued.

Schedule

DEQ will report on the number of reuse permits/major permit modifications issued from January 1 to June 30, 2020, by July 31, 2020.

DEQ will transmit to EPA a list of all reuse permits/major permit modifications issued in CY 2020 within 30 days of the end of the calendar year.

Funding

State monies and federal (EPA) grants, including Surface Water §106, fund this activity. Surface and Wastewater Division staff in DEQ’s state office and six DEQ regional offices will complete this activity.

Activity	Level of Effort
Reuse Permitting	7.5 FTE

Contacts

- Larry Waters, DEQ, (208) 373-0151
- Bevin Horn, EPA, (206) 553-1566
- Mathew Martinson, EPA, (206) 553-6334
- Maria Lopez, EPA, (208) 378-5616

3.2 Provide compliance oversight of reuse permitted facilities.

Approach

Provide oversight of permits for compliance with permit conditions by conducting field inspections and reviewing annual reports. Perform enforcement and compliance actions as needed.

Outputs

- a. Complete 45 inspection reports.
- b. Conduct timely review of reuse permit annual reports.

- c. Report progress semiannually on the number of inspections and annual report reviews completed.
- d. Report semiannually on the number of permit compliance activities reviewed.

Schedule

All performance measures will be met by the end of the calendar year.

Funding

This activity is funded by state funds and federal (EPA) grant monies, including Surface Water §106 funds. Staff in DEQ’s Technical Services Division, state office Surface and Wastewater Division, and six regional offices will complete this activity.

Activity	Level of Effort
Compliance activities	4.0 FTE

Contacts

- Larry Waters, DEQ, (208) 373-0151
- Bevin Horn, EPA, (206) 553-1566
- Mathew Martinson, EPA, (206) 553-6334
- Maria Lopez, EPA, (208) 378-5616

3.3 Develop program guidance materials and ensure statewide consistency.

Approach

Staff in DEQ’s state office will be responsible for developing materials for regional offices to use in implementing the Reuse Permit Program in the field, including direction, guidance, and tracking systems. A guidance development work group is currently revising the guidance. Higher priority items are being revised first. The effort is expected to be completed in CY 2020. Quarterly permit writer workshops are held with DEQ staff to ensure statewide consistency. Additionally, DEQ coordinates a biennial water reuse conference to inform the regulated community and consultants about the latest trends in Recycled Water Rules, implementation, and case studies.

Outputs

- a. Upon request, provide copies of the most current draft guidance and final guidance once finalized.
- b. Provide reuse training to new and existing staff as funding is available.
- c. Hold quarterly reuse permit writer workshops.
- d. Sponsor, host, or participate in the biennial water reuse conference and related workshops.

Schedule

All performance measures will be met by the end of the calendar year.

Funding

This activity is funded by state funds and federal (EPA) grant monies, including Surface Water §106. Primarily staff in DEQ’s state office Surface and Wastewater Division will complete this activity with support from DEQ’s Technical Services Division and the six regional offices.

Activity	Level of Effort
Develop guidance and ensure consistency	1.7 FTE

Contacts

Larry Waters, DEQ, (208) 373-0151
 Bevin Horn, EPA, (206) 553-1566
 Mathew Martinson, EPA, (206) 553-6334
 Maria Lopez, EPA, (208) 378-5616

3.4 Water Quality §106 grant performance measures—provide annual performance measure report.

Approach

An annual performance measure report will be provided by DEQ to indicate progress in eliminating pollutants from surface water by Reuse Permit Program activities. Overall, surface water is improved by reducing pollutant discharges, which contributes to the goal of the IPDES Program.

Outputs

- a. Total gallons annually of wastewater with pollutants eliminated from discharge to surface water by reusing water. Pounds of pollutants removed will also be provided if available for the following constituents: nitrogen, phosphorus, and chemical oxygen demand. A qualitative description will be provided for the various types of reuse permits issued by DEQ to address public health risks.
- b. Total number of facilities that reuse water, reducing the number of new facilities requiring IPDES permits and reducing the backlog of expired and new IPDES permits issued by DEQ.

Schedule

The annual performance measure report will be provided within 60 days after the end of the calendar year.

Funding

Funding for this activity consists of 208 person hours (0.1 work years) from Water Quality §106 funds.

Contacts

Larry Waters, DEQ, (208) 373-0151
 Bevin Horn, EPA, (206) 553-1566
 Mathew Martinson, EPA, (206) 553-6334
 Maria Lopez, EPA, (208) 378-5616

3.5 Wastewater activities—review plans and specifications for wastewater facilities construction and coordinate biosolids activities and work in partnership with EPA to develop and implement the water reuse action plan.

Approach

To review plans and specifications for wastewater facilities construction and coordinate responses to questions on the Biosolids Program with EPA, other state agencies, and the regulated community; and work in partnership with EPA to develop and implement the water reuse action plan.

Outputs

- a. Provide plan and specification approval letters for wastewater treatment facilities construction and copy Maria Lopez, EPA, and Idaho Operations Office on these letters.
- b. DEQ will review proposals for land application of biosolids and domestic septage and will approve or disapprove land application sites according to state regulations (IDAPA 58.01.16.650 and IDAPA 58.01.15).

Schedule

Engineering plans and specifications will be reviewed as outlined in IDAPA 58.01.16.400 and 401.

Funding

This activity will be funded by state and federal (EPA) grant monies, including Surface Water §106 funds. Staff in DEQ’s Technical Services Division, state office Surface and Wastewater Division, and six regional offices will complete these activities. The level of effort projected for this activity is 12,792 person hours (approximately 6.15 work years).

Activity	Level of Effort
Review wastewater plans	5.4 FTE
Biosolids	0.75 FTE
Water reuse action plan	Not budgeted as separate line item

Contacts

Larry Waters, DEQ, (208) 373-0151
 Bevin Horn, EPA, (206) 553-1566
 Mathew Martinson, EPA, (206) 553-6334
 Maria Lopez, EPA, (208) 378-5616

3.6 Manage the On-Site Wastewater Program—revise the *Technical Guidance Manual for Individual and Subsurface Sewage Disposal Systems*, assist the public health districts in issuing on-site permits, review large soil absorption system plans and specifications, and perform nutrient-pathogen evaluations.

Approach

DEQ’s state office provides guidance materials and overall management activities related to this program through funding of the §604(b) grant. The state office and regional offices will be responsible for reviewing plans and specifications and ground water impact studies.

Outputs

- a. Revise the Technical Guidance Manual.
- b. Provide public health district training, audits, and program reviews.
- c. Review plans and specifications for large soil absorption systems and septic tanks.
- d. Assist in the review of nutrient-pathogen evaluations.

Schedule

Activities will be completed on an as-needed basis. Plans and specifications and nutrient-pathogen evaluations will be completed within 42 days of submittal if possible.

Funding

Funding for this activity includes federal (EPA) §604(b) grant and state funds.

Activity	Level of Effort
On-site coordination, plan reviews, other guidance, and training	2.22 FTE

Contacts

Larry Waters, DEQ, (208) 373-0151
 Bevin Horn, EPA, (206) 553-1566
 Maria Lopez, EPA, (208) 378-5616

3.7 Component commitment.

EPA Commitment

Encourage water reuse where it is a preferable alternative to wastewater discharge to waters of the United States.

Component 4. Ground Water Program

Program Goal

The goals of the DEQ Ground Water Program are to protect and improve the quality of the state's ground water and ensure that existing and future beneficial uses including drinking water, agricultural, industrial, and aquaculture water supplies are met. All ground water must be protected against contamination as a valuable public resource per Idaho's "Ground Water Quality Rule" (IDAPA 58.01.11). The quality of degraded ground water must be restored where feasible and appropriate to support designated beneficial uses.

Since October 2005, the Ground Water Program also coordinates source water assessment and protection activities to protect public sources of drinking water.

Program Activities

Coordinate all ground water and source water protection-related programs funded by EPA in Idaho, develop and implement Ground Water Quality Improvement Plans (GWQIPs) in priority areas of the state, develop guidance for interpreting the Ground Water Quality Rule, and implement Idaho's source water protection strategies.

Perform other activities related to the Ground Water Program and source water protection such as rule interpretation and implementation, project and contract management, policy development and implementation, public education and outreach, regional/local ground water monitoring, source water assessments for new sources, and source water protection plans and projects.

The number of staff allocated to the Ground Water Program (including state general funds, federal Ground Water §106 funds, and federal SRF set-aside funding) during state fiscal year (SFY) 2020 and 2021 is estimated to be 16.05 FTEs each year. State general-funded FTEs is estimated to increase from 6.3 FTEs to 6.5 FTEs each year. FTEs funded with federal Ground Water §106 funding is estimated to decrease from 2.0 FTEs to 1.9 FTEs each year. The number of FTEs funded by the SRF set aside to fund source water protection is estimated to decrease from 7.75 FTEs in SFY 2019 to 7.65 FTEs in SFY 2020 and SFY 2021.

Program Contacts

Ed Hagan, DEQ, (208) 373-0356
Michelle Tucker, EPA, (206) 553-1414

Program Commitments

Priorities

- Coordinate and integrate development and implementation of GWQIP in nitrate priority areas (NPAs) with source water protection plans to more efficiently use limited resources.

- Continue ground water monitoring in NPAs and other areas of concern throughout the state to determine the nature and extent of contamination, set a baseline for best management practice (BMP) effectiveness, and evaluate ground water quality improvement activities.
- Implement Idaho's Ground Water Quality Rule and the Idaho Ground Water Quality Plan with other designated agencies by participating in the Idaho Ground Water Protection Interagency Agreement. Signatory parties to the agreement include DEQ, IDWR, Idaho State Department of Agriculture (ISDA), Idaho public health districts, and Idaho Soil and Water Conservation Commission (ISWCC).
- Populate DEQ's ground water quality database with new ground water quality data. Continue refinements to DEQ's online mapping applications for the ground water quality database and technical reports to increase accessibility for the public.
- Approve ground water quality monitoring programs at managed aquifer recharge sites according to "Land Application of Wastewater(s) or Recharge Water" (IDAPA 58.01.16.600).
- Assist interested parties with implementing source water protection efforts, including distributing source water protection grants to organizations such as the Idaho Rural Water Association to assist communities with developing and implementing source water protection plans.
- Provide education and outreach, including general ground water education to the public. Promote ground water BMPs to landowners and stakeholders, educate local governments about the responsibilities for ground water protection, and assist with developing ordinances for source water and ground water protection.
- Provide technical hydrogeological support and regulatory assistance to other DEQ programs and state agencies. Develop guidance, as needed, to facilitate consistent implementation of Idaho's Ground Water Quality Rule.

Outcomes

- Reduced population and land area located within an NPA.
- Decreased nitrate concentration trends in NPAs.
- Minimized risk to public health by implementing measures defined in rules related to ground water protection, managed aquifer recharge, mining, and oil and gas activities.
- Minimized risk to public health for populations served by community water systems by implementing Idaho's source water protection strategies.
- Increased availability of source water assessment information and ground water quality data through online applications and education and outreach to increase public awareness of the source of drinking water and importance of ground water protection to protect drinking water quality.

Program Indicators

Program indicators are the number of improvement plans/strategies implemented in areas with degraded ground water quality, as well as percentages of community water systems and/or populations served by community water systems implementing ground water/source protection strategies.

4.1 Manage, oversee, and provide administrative support for the Ground Water Program.**Approach**

DEQ will administer Idaho's Ground Water Program to ensure statewide consistency with the DEQ state office and regional offices.

Outputs

- a. Coordinate Ground Water §106 grant and PPA activities with regional offices during development of their annual work plans and budgets.
- b. Coordinate with EPA to develop the ground water tasks and language in the 2020 and 2021 PPAs and annual Ground Water §106 work plans and budgets.
- c. Conduct monthly program conference calls with DEQ's regional office Ground Water Program and Technical Services Division staff.
- d. Organize and conduct Ground Water Program statewide staff training.
- e. Ensure Ground Water Program staff receives training as needed.
- f. Prepare midyear and annual Ground Water §106 grant and PPA reports.
- g. Provide input into the ground water portion of DEQ's strategic plan.

Schedule

DEQ will submit semiannual grant reports to EPA. DEQ will contact EPA's project officer to discuss any issues that will affect the successful completion of the grant commitments as soon as DEQ becomes aware of issues.

Funding

This activity will be funded with EPA Ground Water §106 and state funds. DEQ's state office program manager, regional office managers, regional office technical leads, and administrative support will work on this activity. The projected level of annual effort for this activity is estimated to be 1.1 work years (approximately 0.4 work years funded annually from the federal Ground Water §106 grant). State general funds will fund 0.7 work years of effort on an annual basis.

Contacts

Ed Hagan, DEQ, (208) 373-0356
Michelle Tucker, EPA, (206) 553-1414

4.2 Coordinate ground water implementation strategies for a comprehensive program with other DEQ programs and divisions, state and federal agency partners.**Approach**

DEQ will coordinate activities with other agencies for protecting ground water.

Outputs

- a. Chair the Ground Water Monitoring Technical Committee and education workgroup.

- b. Implement the 2008 (or more recent) Idaho Ground Water Protection Interagency Cooperative Agreement and other existing cooperative agreements. Signatory parties to the Idaho Ground Water Protection Interagency Cooperative Agreement include DEQ, IDWR, ISDA, Idaho public health districts, and ISWCC. Participate in interagency coordination efforts with agencies not included in the agreement such as the Idaho Department of Lands and the Idaho Department of Health and Welfare.
- c. Complete revisions to the 2008 Idaho Ground Water Protection Interagency Cooperative Agreement.
- d. Participate in the concentrated animal feeding operation (CAFO) site advisory team comprised of members from DEQ, ISDA, and IDWR. The CAFO site advisory team provides suitability determinations for counties to use when considering conditional use or livestock confinement operation permits.

Schedule

Ground Water Monitoring Technical Committee meetings are held approximately every 6 months. Education workgroup meetings are held on a quarterly basis. Other interagency meetings do not occur on a regular basis.

Funding

This activity will be funded with EPA Ground Water §106. DEQ's state office program manager and staff, regional office managers, and regional office technical leads will work on this activity. The projected level of annual effort for this activity is estimated to be 0.4 work years (funded from the federal Ground Water §106 grant).

Contacts

Kathryn Elliott, DEQ, (208) 373-0191
Michelle Tucker, EPA, (206) 553-1414

- 4.3. Interpret and implement Idaho's Ground Water Quality Rule, develop guidance, and develop policy. Provide hydrogeological support to other DEQ programs and agencies as needed. Provide support for DEQ Quality Management Plan implementation.**

Approach

Continue implementing the Idaho Ground Water Quality Plan. Coordinate Ground Water Quality Rule interpretation and implementation with DEQ's state office and regional offices.

Outputs

- a. Develop or modify guidance documents for interpreting Idaho's Ground Water Quality Rule as needed. Activities may include finalizing guidance for preparing applications for points of compliance on mining activities.
- b. Continue to provide hydrogeological support for implementing and enforcing the Ground Water Quality Rule to DEQ staff in other programs and in the regional offices. Assist other state agencies, the general public, and the regulated community

as needed. Activities may include setting mining points of compliance and reviewing permit applications, UIC Class II permit applications, and fresh water protection plans for oil and gas activities.

- c. Continue to provide revisions to DEQ’s Quality Management Plan, data validation forms, and assist with developing and revising statewide generic quality assurance project plan and project-specific field sampling plans.

Schedule

Activities are ongoing and may be subject to change, depending on allocation of state resources and priorities.

Funding

This activity will be funded with EPA Ground Water §106 and state general funds. DEQ’s state office program manager and staff and, to a lesser extent, regional office technical leads will work on this activity. The projected level of annual effort for this activity is estimated to be 1.0 work years (approximately 0.3 work years funded annually from the federal Ground Water §106 grant). State general funds will fund 0.7 work years of effort annually.

Contacts

Ed Hagan, DEQ, (208) 373-0356
Michelle Tucker, EPA, (206) 553-1414

4.4 Implement ground water quality improvement activities, including improvement plans, in priority areas of the state.

Approach

DEQ continues to focus on combining GWQIPs with source water protection efforts at the county level. By developing county-level information, multiple NPAs within a county can be addressed. DEQ will continue to work with the public and relevant agencies in the area to develop ground water quality improvement strategies. DEQ is educating local governments about their authorities and responsibilities for implementing source water and ground water protection activities.

Output

Implement GWQIPs that are consistent with the Idaho Ground Water Quality Plan, Ground Water Quality Rule, and DEQ’s “Policy for Addressing Degraded Ground Water Quality Areas” (PM-004) and contain effective strategies for restoring degraded areas. Implementation efforts will be directed toward more populous counties containing a large number of source water protection areas and NPAs. Counties exhibiting a desire to implement protection activities will also be prioritized for assistance. Efforts will be directed toward areas where public water systems with high susceptibility scores are clustered.

Schedule

Activities are ongoing and may be subject to change, depending on allocation of state resources and priorities.

Funding

This activity will be funded with state funds. DEQ regional office managers and regional office technical leads will work on this activity. The projected level of effort for this activity is estimated to be 0.5 work years of effort each year.

Contacts

Ed Hagan, DEQ, (208) 373-0356
Michelle Tucker, EPA, (206) 553-1414

4.5 Conduct ground water quality monitoring projects and manage ground water quality data.**Approach**

DEQ will work with the public and coordinate with relevant agencies in the area to develop and implement ground water quality monitoring studies. Ground water quality monitoring projects will be coordinated with existing projects underway by other agencies.

Outputs

- a. Develop and conduct local or regional monitoring projects to determine baseline ground water quality, follow up on detections of concern or complaints, or evaluate impacts of BMPs or land-use changes on ground water quality.
- b. Continue to populate the DEQ ground water quality database with new ground water quality data. Implement improvements to the database to increase efficiency of data entry. Continue improvements for DEQ's online mapping application to include greater constituent query capabilities and increased data download features. Continue to provide data to IDWR environmental data management system.
- c. Prepare annual reports of ground water quality data collected by DEQ or DEQ contractors with public funds during calendar years 2019 and 2020.
- d. If not completed, finalize updated NPA rankings using ground water nitrate data collected from CY 2011 through CY 2016.
- e. Maintain and update spreadsheet containing ISDA dairy inspection ground water monitoring results of samples with nitrate at or above 10 milligrams per liter.

Schedule

The annual summary report for data collected during CY 2019 is anticipated to be complete by December 31, 2021. The annual summary report for data collected during CY 2020 is anticipated to be completed by December 31, 2021. Monitoring projects are not yet identified for CY 2019 or CY 2020.

Funding

This activity will be funded with EPA Ground Water §106 and state funds. DEQ state office program staff, regional office staff, and technical services staff will work on this activity. The projected level of annual effort for this activity is estimated to be 2.8 work years (approximately 0.5 work years funded annually from the federal Ground Water §106 grant). State general funds will fund 2.3 work years of effort on an annual basis.

Contacts

Kathryn Elliott, DEQ, (208) 373-0191
Michelle Tucker, EPA, (206) 553-1414

4.6 Manage and implement ground water quality protection strategies for managed aquifer recharge.**Approach**

Continue oversight of ground water quality monitoring activities at managed aquifer recharge sites. Coordinate with DEQ regional offices and other agencies to interpret the Ground Water Quality Rule and authorities under the “Wastewater Rules” (IDAPA 58.01.16.600) for land application of recharge water. Recharge activities are increasing due to continued state funding for statewide aquifer stabilization and infrastructure development for managed aquifer recharge activities.

Outputs

- a. Continue to work with IDWR to improve coordination and ensure managed aquifer recharge activities are conducted according to state water quality regulations.
- b. Review ground water quality monitoring plans for managed aquifer recharge projects submitted for approval. DEQ reviews approximately 15 monitoring plans or annual reports each year from proposed or existing managed aquifer recharge sites.
- c. Review and provide comments to the IDWR UIC Program on injection well permits related to aquifer recharge and tracer tests as requested. Work with the IDWR UIC Program to encourage using monitoring requirements that are consistent with DEQ requirements.

Schedule

Activities are ongoing and are subject to change depending on allocation of state resources and priorities.

Funding

This activity will be funded with EPA Ground Water §106 and state funds. DEQ state office program staff and regional office staff will work on this activity. The projected level of annual effort for this activity is estimated to be 1.0 work years (approximately 0.1 work years funded annually from the federal Ground Water §106 grant). State general funds will fund 0.9 work years of effort annually.

Contacts

Kathryn Elliott, DEQ, (208) 373-0191
Michelle Tucker, EPA, (206) 553-1414

4.7 Conduct public education and outreach activities, provide staff training, and implement program.

Approach

Continue education and outreach activities to encourage voluntary implementation of ground water protection activities.

Outputs

- a. Provide informational presentations and technical assistance to elected officials and the public.
- b. Participate in fairs, open houses, and other community events.
- c. Participate in ground water quality education activities geared toward school teachers and students.
- d. Promote adoption of BMPs for ground water and continue to work closely with the ISWCC to provide information to the agricultural community.
- e. Promote use of online mapping applications for ground water quality database, technical reports, and NPAs. Direct public records requests for such data to online applications.

Schedule

Final outputs will be reported for calendar years ending December 31, 2020, and December 31, 2021, and are dependent on allocation of state resources and number of requests for DEQ participation.

Funding

This activity will be funded with EPA Ground Water §106 and state funds. DEQ state office program staff, regional office managers, regional technical leads, and administrative support will work on this activity. The projected level of annual effort for this activity is estimated to be 1.6 work years (approximately 0.2 work years funded annually from the federal Ground Water §106 grant). State general funds will fund 1.4 work years of effort annually.

Contacts

Tyler Reed, DEQ, (208) 373-0186
Michelle Tucker, EPA, (206) 553-1414

4.8 Conduct source water protection activities.

Approach

As part of the federal FY 2019 Source Water Protection Program Work Plan, DEQ will assess all public drinking water sources to determine its susceptibility to contamination; provide assistance to public water systems to develop source water protection plans; develop source water protection partnerships and integrate source water protection into existing state and federal programs; implement source water protection projects and develop tools and resources to facilitate source water protection implementation efforts; provide source water protection education, outreach, training, and technical assistance to public water systems, local governments, schools, businesses, and the public; and manage and administer Idaho's Source Water Program.

Approximately 10–12 source water protection grants are anticipated to be awarded in CY 2020.

Outputs

- a. Number of source water assessments completed for new sources.
- b. Number of source water protection plans completed and/or recertified.
- c. Number of source water protection projects completed.
- d. Number of outreach or educational events.

A comprehensive list of outputs is included in the FY 2019 Source Water Protection Program Work Plan submitted to EPA. DEQ will annually provide EPA with a list of completed tasks identified in the work plan including the number of source water assessments and certified and recertified source water protection plans, examples of outreach events, and a list of projects completed by DEQ staff or awarded through subgrants or contracts.

Schedule

Final outputs scheduled for June 30, 2020.

Funding

This activity will be funded by the EPA SRF wellhead 10% set aside (1452(k)(1))(D). DEQ state office program staff and regional office staff (approximately 7.65 FTEs) will work on this activity.

Contacts

Rachael Smith, DEQ, (208) 373-0249
Michelle Tucker, EPA, (206) 553-1414

4.9 Component commitments.

DEQ and EPA Commitments

- a. Review Ground Water Program progress on a semiannual basis. DEQ will contact the EPA project officer to discuss any issues affecting the successful completion of the grant commitments as soon as DEQ becomes aware of issues.
- b. Continue to improve, maintain, and protect the quality of ground water in Idaho and seek additional resources to implement actions to accomplish that goal.
- c. Continue coordination and communication across program boundaries.
- d. Focus resources in prioritized areas with significant ground water quality degradation and in areas with a high density of public water system wells with high source water assessment susceptibility scores.
- e. Continue to share strategies on successful BMP implementation to reduce nitrate concentrations in areas with degraded ground water.

Component 5. NPDES Program

Program Goal

The goal of the NPDES Program is to maintain or improve the waters of the United States, including surface waters of the state, and eliminate pollutant discharge. During CY 2020, EPA will transfer the third of four phases of NPDES permitting authority to DEQ—nonstorm water general permitting. EPA retains primacy for the remaining NPDES sectors in Idaho, and all facilities operating in Indian Country, and is responsible for issuing and enforcing those NPDES permits. Upon transfer of the permitting authority, DEQ is responsible for issuing and enforcing the individual municipal, pretreatment, and industrial permits and nonstorm water general permits transferred per the memorandum of agreement with Idaho and certifying compliance with water quality standards of any NPDES permits issued by EPA. DEQ will perform a negotiated number of compliance inspections for EPA. DEQ will continue conducting IPDES inspections according to Compliance Monitoring Strategy (CMS) goals. DEQ will continue to maintain the capacity to perform tasks identified in the PPA.

Program Activities

- Implement the IPDES Bureau.
- Perform NPDES compliance inspections.
- Review and provide Clean Water Act §401 certification for NPDES permits under EPA's authority.
- Track and communicate NPDES-related enforcement actions with EPA.
- Maintain DEQ capacity to perform NPDES compliance inspections.
- Implement the authorization agreement between DEQ and EPA on issuing EPA inspector credentials under the federal Clean Water Act.

Program Contacts

Troy Smith, DEQ, (208) 373-0488
Brynn Lacabanne, DEQ, (208) 373-0289
Jason Pappani, DEQ, (208) 373-0515
AJ Maupin, DEQ, (208) 373-0167
Mathew Martinson, EPA, (206) 553-6334
Jeff Kenknight, EPA, (206) 553-6641
Susan Poulosom, EPA, (206) 553-6258
Brian Levo, EPA, (206) 553-1816

Program Commitments

Priorities

- Use EPA's plan and DEQ's §401 guidance to prepare §401 certifications.

- Develop the IPDES Bureau with an anticipated transfer date of July 1, 2020, for nonstorm water general permittees.
- Perform 11 (6 assigned and 5 complaint tips) quality assurance (QA)-reviewed NPDES compliance evaluation inspections in CY 2020.
- Submit the EPA/DEQ-approved postinspection follow-up letter template to NPDES-permitted facilities after inspection reports have been QA reviewed and finalized.
- Review and complete QA complaint response inspections as directed by EPA in CY 2020.
- Implement the authorization agreement between DEQ and EPA on issuing EPA inspector credentials.
- Complete IPDES compliance evaluation inspections in CY 2020 according to Idaho's CMS.
- Develop and post the IPDES permit issuance plan.
- Draft and issue IPDES permits according to Idaho's permit issuance plan.
- Participate in the SRF assessment scheduled for 2020.

5.1 NPDES activities—certify NPDES permits and coordinate stormwater activities.

Approach

To improve waters of the United States, including surface waters of the state, provide water quality certifications and coordinate responses to questions on the Stormwater Program with EPA, other state agencies, and the regulated community.

Commitments

DEQ

- a. Provide comments on preliminary draft permits and draft §401 certifications as appropriate and final §401 certifications for proposed final permits.
- b. Continue to provide compliance assistance to EPA's permit writers, particularly related to the stormwater construction general permit, the multisector general permit, and assistance to local municipalities complying with municipal separate storm sewer system NPDES permits.
- c. Provide basic information and referrals on stormwater issues.

EPA

- a. Work with DEQ on scheduling §401 certification requests and ensuring permits have sufficient information for DEQ to complete a timely certification.
- b. Implement EPA's CY 2020–2021 operating plan to reduce the backlog of expired NPDES permits and issue permits to new sources. This plan, with the list of targeted permits, will be shared with DEQ and updated yearly so DEQ can properly manage §401 certification and mixing zone evaluation responsibilities.

Schedule

Water quality §401 certifications will generally be issued within 60 days.

Contacts

Jason Pappani, DEQ, (208) 373-0515
 Troy Smith, DEQ, (208) 373-0488
 AJ Maupin, DEQ, (208) 373-0167
 Mathew Martinson, EPA, (206) 553-6334
 Misha Vakoc, EPA, (206) 553-6650

5.2 NPDES activities—perform NPDES inspections.

Approach

To improve waters of the United States, including surface waters of the state, DEQ will perform compliance inspections for EPA.

Commitments

DEQ

- a. Participate in monthly coordination calls with EPA on compliance and enforcement topics for NPDES permittees in Idaho. Brynn Lacabanne will represent DEQ, and Brian Levo will be the point of contact for EPA during these calls. Other key EPA staff may be invited depending on the agenda for the monthly call.
- b. Perform 11 inspections (6 assigned and 5 tip holds) consistent with the negotiated annual inspection list. To the extent practicable, the 6 assigned inspections would be spread across the 6 DEQ regions and focus on the upcoming IPDES sectors (i.e., multisector general permit, municipal separate storm sewer system, biosolids, and federal facilities).
- c. Perform complaint response inspections as needed and directed by EPA, and submit reports and associated forms as required for all NPDES inspections. These complaint inspections may be completed by qualified DEQ staff.
- d. Finalize and transmit postinspection follow-up letters to facilities. Postinspection follow-up letters will be sent to NPDES facilities after completing the QA-reviewed inspection report. Copies of postinspection follow-up letters will be submitted to Maria Lopez who will forward the letters to appropriate EPA Region 10 staff.
- e. Provide quarterly reports including a list of inspections conducted and a list of inspection reports completed during the period. The lists shall include the facility name, permit number, report date, and inspection date. DEQ's state office shall email quarterly reports to Maria Lopez, lopez.maria@epa.gov and Brian Levo, levo.brian@epa.gov.
- f. Conduct QA review of all NPDES inspection reports, including complaint response inspection reports, by an EPA-credentialed inspector located in DEQ's state office.
- g. Work with EPA to obtain and maintain EPA credentials for Idaho inspectors who conduct inspections on EPA's behalf. This output will include submittal of training documents as specified in EPA Order 3500.1 in their entirety for new inspectors seeking credentials. After applying for inspector credentials, the training documents, including certificates, shall be submitted to Rachel Stephenson, stephenson.rachel@epa.gov. Additionally, inspectors who already possess credentials shall complete the following annual refresher requirements by December 31 of each

calendar year: 8-Hour Health and Safety Refresher, 3500.1 Program-Specific Refresher Training, and 3500.1 Inspection Skills Refresher Training. A certificate or other proof of completion is required for all the annual refresher training requirements. The certificates must be submitted in their entirety to Rachel Stephenson, *stephenson.rachel@epa.gov*, by December 31 of each calendar year. DEQ will also provide a current list of credentialed inspectors and staff seeking to become qualified to receive credentials to Maria Lopez, *lopez.maria@epa.gov* and Brian Levo, *levo.brian@epa.gov* no later than August 31, 2020.

Schedule

NPDES compliance evaluation inspections will be conducted within the period scheduled, and NPDES compliance evaluation inspection reports will be completed within 60 days after the inspections are completed and, if possible, within 30 days.

Contacts

Troy Smith, DEQ, (208) 373-0488
 Brynn Lacabanne, DEQ (208) 373-0289
 Brian Levo, EPA, (206) 553-1816
 Maria Lopez, EPA, (208) 378-5616
 Jeff Kenknight, EPA, (206) 553-6641
 Rachel Stephenson, EPA (206) 553-6366

5.3 IPDES activities—develop and implement the Idaho Pollutant Discharge Elimination System Bureau.

Approach

DEQ will continue developing the IPDES Bureau consistent with the requirements of the Clean Water Act, federal regulations, federal guidance, and state authority.

Commitments

DEQ

- a. Coordinate a technical advisory committee to develop guidance documents necessary for implementing the IPDES Bureau. DEQ will develop standard operating procedures for internal processes to assist in program implementation.
- b. Work with EPA headquarters and Region 10 to upload basic general permitted nonstorm water facility information (e.g., facility name, mailing address, and permit numbers) from EPA's Integrated Compliance Information System into the IPDES database, CRIPS, before July 1, 2020.
- c. Request from EPA relevant information for current nonstorm water general-permitted facilities that was previously submitted to EPA. After receiving the information from EPA, DEQ will complete the following:
 - 1) Archive the information in Content Manager, as appropriate, and/or
 - 2) Ask applicants/permittees to enter information into the IPDES E-Permitting System, as appropriate.

EPA

- a. Provide development support for the work products cited above by reviewing draft documents for consistency with national regulations and policy, providing examples of work products used in Region 10 and nationally as necessary, and providing other input as requested by DEQ.
- b. Involve appropriate EPA headquarters offices, including the Office of Water, Office of General Council, and Office of Compliance and Enforcement, to produce complete work products.
- c. Provide requested information in an electronic format as possible.

Schedule

IPDES rules and guidance development began in 2015 and will continue through 2020 and beyond.

Contacts

Troy Smith, DEQ, (208) 373-0488
 Amy Williams, DEQ, (208) 373-0115
 Mathew Martinson, EPA, (206) 553-6334
 Susan Poulson, EPA, (206) 553-6258
 Brian Nickel, EPA, (206) 553-6251

5.4 IPDES activities—draft and issue IPDES permits.**Approach**

During the second half of CY 2020, DEQ will have authority and begin issuing nonstorm water general permits. As a delegated program, DEQ's IPDES-permitting activities are subject to EPA oversight. Effective implementation of the program is required for continued delegation. DEQ will focus on transferring, drafting, and issuing nonstorm water general permits and maintaining the industrial, municipal, and pretreatment programs.

Commitments**DEQ**

- a. Develop a permit issuance plan by October 31 of each year that identifies specific IPDES permits intended to be issued during the upcoming calendar year. The issuance plan will be transmitted to EPA annually.
 - 1) Work with EPA staff on drafting and issuing nonstorm water general NPDES permits during the first two quarters of CY 2020. AJ Maupin, DEQ, will coordinate with Susan Poulson, EPA, on which permits are most appropriate for this learning opportunity.
- b. Assume permitting obligations for facilities in its jurisdiction according to the permit transfer schedule presented in Appendix A of the memorandum of agreement. Permit transfer status may be delayed for the following:

- 1) EPA has substantially completed the permitting process or concluded a public review period. EPA will provide DEQ with a list of final permits that EPA developed and transfer jurisdiction for those proposed permits to DEQ to issue.
- 2) EPA and DEQ agree that EPA may perform the work up to drafting a proposed permit. EPA will transfer jurisdiction for the proposed permit to DEQ to issue.

EPA

- a. Work with DEQ staff on identifying and tracking priority permits.
- b. Review draft DEQ IPDES permits. EPA review may occur during the public notice process and proposed final permits consistent with the memorandum of agreement. EPA's goal is to average two permit reviews per month during this period.
- c. Provide DEQ with specific points of contact within the EPA Center for Excellence in Biosolids for technical assistance and guidance in addressing biosolid issues in Idaho.

Schedule

DEQ will continue developing NPDES permits not completed during the first two quarters of 2020. After July 1, 2020, when authority is transferred to DEQ, DEQ will process these permits through public comment period and issue the permits. DEQ will begin developing permits as prioritized in the permit issuance plan.

Contacts

Troy Smith, DEQ, (208) 373-0488
 AJ Maupin, DEQ, (208) 373-0167
 Mathew Martinson, EPA, (206) 553-6334
 Susan Poulosom, EPA, (206) 553-6258

5.5 IPDES activities—compliance monitoring and enforcement.

Approach

EPA and DEQ agree, upon transfer of permitting authority, DEQ's primary responsibility is to administer the IPDES Bureau and state regulations on a day-to-day basis. DEQ is the primary agency conducting inspections and initiating enforcement under Idaho laws and policies to deter noncompliance through appropriate compliance evaluations and consistent enforcement. Facility inspections, compliance monitoring, and enforcement are key elements of DEQ's IPDES Bureau. Targeting major and nonmajor facilities for compliance inspections is consistent with DEQ's CMS using EPA's Inspection Targeting Model.

EPA and DEQ agree that EPA's primary responsibility is to ensure compliance with and enforcement of federal statutes and regulations and federally approved state regulations and DEQ's compliance and enforcement efforts are consistent with federal laws and regulations and provide adequate compliance monitoring and timely and appropriate enforcement actions. Overseeing DEQ's Compliance and Enforcement Program may include direct compliance monitoring and enforcement by EPA, if necessary. EPA is also responsible for addressing environmental issues in Indian Country according to federal

laws, regulations, and executive orders and a trust relationship between the United States and Indian tribes.

DEQ and EPA will work together to meet EPA's strategic measures regarding environmental law compliance rates. EPA's significant noncompliance initiative over the next 3 years is to reduce the national percentage of permittees in significant noncompliance from 24% to 12%; DEQ is currently near the 12% rate.

EPA and the Environmental Council of States (ECOS) have developed a process and method, called the State Review Framework (SRF), for evaluating state compliance and enforcement programs for air, water, and hazardous waste. Each year, EPA reviews DEQ's enforcement programs under the SRF using data metrics. Full SRF reviews, with both data metric analysis and file reviews, occur about every 4 to 5 years. EPA works with DEQ to develop plans to address any necessary improvements to compliance assurance programs. In 2020, EPA will evaluate DEQ's IPDES Compliance and Enforcement Program using data from FY 2019.

DEQ will address areas needing improvement based on the information EPA identifies in their 2020 final report.

Commitments

DEQ

- a. Provide EPA with an enforcement confidential DEQ inspection list by November 15 of each year. The enforcement confidential list will include the facility name and permit number.
- b. Include a completed Office of Enforcement and Compliance Assurance (OECA)/Office of Compliance Annual CMS Plan and End of Year Report Chart.
- c. Perform IPDES inspections consistent with the annual inspection list and provide EPA with an electronic copy of enforcement actions, informal and formal, resulting from conducted inspections (e.g., compliance letters, notices of violation, and judicial actions).
- d. Finalize and transmit postinspection follow-up letters and inspection reports to permitted facilities. Postinspection follow-up letters and inspection reports will be sent to IPDES facilities after completing the QA-reviewed inspection report. Upon EPA's request, provide copies of postinspection follow-up letters and inspection reports.
- e. Depending on EPA-sponsored training, continue to develop inspection capabilities for other sectors (e.g., multisector general permit, municipal separate storm sewer system, federal facilities, and biosolids) during this PPA cycle.
- f. Participate in NPDES inspection training by shadowing EPA inspectors during 2020 NPDES inspections in Idaho. When practicable, shadowing shall include preinspection records review, on-site inspections, and review of postinspection reports.
- g. DEQ will review all relevant reports (e.g., DMRs and annual reports) submitted by general permittees after authority for that sector is transferred to DEQ.

- h. Participate in quarterly discussions with EPA Region 10 staff and others regarding the significant noncompliance initiative.
- i. Participate in the SRF assessment (e.g., file availability and coordination) scheduled for 2020.
- j. Review, comment and provide additional information, as warranted, on EPA's draft 2020 SRF results.

EPA

- a. Notify DEQ of shadowing opportunities as far in advance of the inspection as possible.
- b. Provide training to DEQ inspectors as resources allow.
- c. Complete the enforcement action for permits where EPA has pending or ongoing enforcement action under active federal enforcement cases. Resolution may be accomplished by the following:
 - 1) The permittee's compliance with the requirements of the compliance order, consent agreement, or court order
 - 2) Withdrawal of the EPA action
 - 3) Court decision dismissing the action
 - 4) If agreed to by EPA, impose an equivalent state enforcement action by DEQ
- c. Provide timely information on SRF guidance, training, and process to DEQ.
- d. Provide DEQ the opportunity to review and comment on draft SRF results and include those comments in the final SRF report associated with the 2020 SRF assessment.

Schedule

All performance measures will be met by the end of the calendar year.

Contacts

Troy Smith, DEQ, (208) 373-0488
 Brynn Lacabanne, DEQ, (208) 373-0289
 Brian Levo, EPA, (206) 553-1816
 Maria Lopez, EPA, (208) 378-5616
 Jeff Kenknight, EPA, (206) 553-6641
 Rachel Stephenson, EPA, (206) 553-6366

Outcomes

- Draft and final §401 certifications, provided in a timely manner, for NPDES permits as requested (see 5.1).
- 11 (6 assigned and 5 tip holds) QA-reviewed NPDES compliance evaluation inspection reports, completed in a timely manner and submitted to Maria Lopez, lopez.maria@epa.gov (see 5.2.b).
- QA-reviewed NPDES complaint response inspection reports as directed by EPA, completed in a timely manner and submitted to Maria Lopez, lopez.maria@epa.gov (see 5.2.c).

- Postinspection follow-up letters for NPDES compliance evaluation inspections completed for facilities using EPA and DEQ approved postinspection follow-up letter template (see 5.2.d).
- Report provided on a quarterly basis to Maria Lopez, *lopez.maria@epa.gov*, and Brian Levo, *levo.brian@epa.gov*, summarizing inspections conducted (see 5.2.e).
- Inspector credentialing as specified in EPA Order 3500.1 and a current list of credentialed inspectors and staff seeking to become qualified to receive credentials (see 5.2.h).
- Guidance documents and standard operating procedures for implementing the IPDES Bureau (see 5.3.a).
- DEQ permit issuance plan for CY 2021 completed by October 31, 2020 (see 5.4.a).
- EPA CY 2020–2021 plan to issue NPDES permits and an annual schedule for CY 2020 (see 5.4 EPA).
- Annual NPDES compliance inspection schedule by November 15, 2020 (see 5.5.a).
- End-of-year report chart and annual CMS plan by December 31, 2020 (see 5.5.b).
- IPDES compliance evaluation inspections consistent with Idaho’s CMS (see 5.5.c).
- Final postinspection follow-up letters and inspection reports (see 5.5.d).
- Review, comment, and provide additional information, as warranted, on EPA’s draft 2020 SRF results.

Funding

These activities will be funded by state general fund, state and federal (EPA) grant monies, including Surface Water §106 funds, and when implemented, dedicated fees. Staff in DEQ’s state office Surface and Wastewater Division and six regional offices will complete these activities.

Program Element	State 106	State General	Dedicated Fee	Level of Effort Hours (FTEs)
5.1 NPDES Activities—certification, stormwater	X	X		1,040 (0.5)
5.2 NPDES Activities—compliance evaluation inspections	X	X	X	3,120 (1.5)
5.3 IPDES Activities—development and implementation		X		7,280 (3.5)
5.4 IPDES Activities—permitting	X	X		13,520 (6.5)
5.5 IPDES Activities—compliance monitoring and enforcement		X	X	15,600 (7.5)

Component 6. Drinking Water and Wastewater Loan Programs

Program Goal

The goal of the Drinking Water and Wastewater Loan Programs is to improve environmental protection and public health through construction, operation, maintenance, and management of drinking water, NPS, and point source treatment facilities.

Program Activities

- Manage the Drinking Water and Water Pollution Control Loan Programs.
- Manage the state grant programs for drinking water and wastewater projects.

Program Contacts

Tim Wendland, DEQ, (208) 373-0439

Karen Burgess, EPA, (206) 553-1644

Sejal Soni, EPA, (206) 553-1798

Richard Green, EPA, (206) 553-1854

Program Commitments

Priorities

- Fully use capacity development set-aside resources made available to issue drinking water planning grants and loan funds to improve drinking water system infrastructure.
- Fully use wastewater loan fee resources made available to issue planning grants and loan funds to improve wastewater system infrastructure. Coordinate with the §319 NPS Program and TMDL Program.
- Report on environmental and public health outcomes by completing an environmental or public health benefits evaluation for each project in EPA's environmental benefits system for the Clean Water State Revolving Fund (CWSRF) or public health benefits system for the Drinking Water State Revolving Fund (DWSRF).
- Implement, monitor, and control procedural frameworks to achieve the following:
 - Provide facility planning grants that allow optional environmental assessments.
 - Develop and implement, to the extent that Intended Use Plan and legislative scheduling allows, necessary legal, policy, guidance, and procedural changes to meet new Safe Drinking Water Act requirements.
 - Develop outreach and assistance to systems challenged by lead risks.
 - Continue developing conduit relationship with Rural Community Assistance Corporation to provide funding assistance to individuals with failing septic systems.

6.1 Manage the Drinking Water and Wastewater Loan Programs.

Approach

For each loan program, execute loan commitments for at least an amount equal to that required and defined in federal statute. Maintain correct federal and state funding ratios by drawing federal funds for each loan program in the proper proportional amounts.

Outputs

- a. Negotiate loan agreements for projects listed on the Intended Use Plans in a timely manner for amounts consistent with federal requirements.
- b. Prepare annual reports for CWSRF and DWSRF.
- c. Gather and assess comments relating to web-based loan handbooks. Make minor corrections to the handbooks on an ad hoc basis, while collecting substantive comments for a follow-up public comment period.
- d. Support CWSRF and DWSRF administrative costs, planning efforts, and wastewater operator training efforts with CWSRF and DWSRF loan fee revenues.
- e. Transfer excess DWSRF set-aside funds into the loan fund.
- f. Report fee use in the annual reports.
- g. Negotiate changes to State Environmental Review Process and Operating Agreements to incorporate changes in the National Environmental Policy Act environment that have occurred since the State Environmental Review Process was originally crafted.

Schedule

Loans are negotiated throughout the SFY, which ends June 30. The CWSRF annual report is due 90 days after the end of the SFY, and the DWSRF annual report is due 120 days after the end of the SFY.

Funding

This activity will be funded by the administrative set-aside portion of SRFs, loan fees, and one-time state funds. Eight work years will be budgeted to the SRFs and will include DEQ's state office, Technical Services Division, and regional office staff.

Contacts

Tim Wendland, DEQ, (208) 373-0439
Sejal Soni EPA, (206) 553-1798

6.2 Fund nonpoint source projects.

Approach

In conjunction with the Surface Water Program, fund nonpoint source sponsorship projects and direct loans to improve surface water quality in areas where TMDLs have been developed and approved, and fund ground water quality improvement projects in areas where ground water is degraded.

Outputs

A priority list for SFY 2020 was prepared and issued for public comment.

Schedule

The Board of Environmental Quality will act upon the proposed SFY 2020 Intended Use Plan, May 2019.

Funding

DEQ staff time used for making NPS project loans will be charged against the CWSRF set-aside for administration and state appropriation.

Contacts

Tim Wendland, DEQ, (208) 373-0439
Sejal Soni, EPA, (206) 553-1798

6.3 Conduct planning grant programs for drinking water and wastewater projects.

Approach

Develop an annual wastewater and drinking water grant project priority list.

Outputs

- a. Compile priority lists of grant projects in May 2020.
- b. Review applications from potential applicants expected to submit grant applications during SFY 2020.
- c. Report DWSRF set-aside expenditures for this activity via the DWSRF program annual report.

Schedule

Grants are negotiated throughout the SFY, which ends June 30.

Funding

Funding for grant program's staff is provided through the CWSRF and DWSRF fee revenues and DWSRF set asides. Approximately 4.5 work years statewide is typically budgeted.

Contacts

Tim Wendland, DEQ, (208) 373-0439
Sejal Soni, EPA, (206) 553-1798

6.4 Monitor implementation of the Safe Drinking Water Act reauthorization passed by Congress as “America’s Water Infrastructure Act.”

Approach

Monitor implementation of America’s Water Infrastructure Act DWSRF passed by Congress during October 2018.

Outputs

Market changes to stakeholders.

Contacts

Tim Wendland, DEQ, (208) 373-0439
Sejal Soni, EPA, (206) 553-1798

6.5 Component commitments.

DEQ Commitments

- a. Follow all terms and conditions outlined in the operating agreements, yearly capitalization grant agreements, federal statutes, regulations, and published national guidance and policies for both SRF loan programs.
- b. Submit annual SRF reports to EPA as required.
- c. Complete annual development, review, and modification of the Intended Use Plans for both SRF loan programs.

EPA Commitments

- a. Conduct timely annual reviews and written reports of both SRF loan programs.
- b. Provide DEQ with advice and consultation as requested and updated program guidance from EPA headquarters as it becomes available.
- c. Provide DEQ with timely, informative, and accurate advice about SRF program implementation and development.

Component 7. Safe Drinking Water Program

Program Goal

The goal of DEQ's Safe Drinking Water Program is to assist and support public water systems to ensure the reliable delivery of safe drinking water.

Objectives

- Public water systems located, designed, constructed, operated, maintained, and protected to reliably meet drinking water health-based standards.
- Public water systems serving drinking water that meets all health-based standards.

Program Contacts

Tyler Fortunati, DEQ, (208) 373-0140
 Karen Burgess, EPA, (206) 553-1644
 Peter Contreras, EPA, (206) 553-6708
 Eric Winiecki, EPA, (206) 553-6904

Outcomes, Targets, and Activities

7.1 Public health outcomes and indicators.

- a. Successfully address statewide compliance issues according to EPA's 2009 Drinking Water Enforcement Response Policy (ERP).
- b. Absence of reported waterborne disease outbreaks.

7.2 Outcome and output targets.

- a. Reduce the number of community water systems out of compliance with health-based standards by 25% nationally by 2022 using 3rd-quarter federal FY 2017 as the baseline.
 - 1) Reduce the number of systems out of compliance with the Lead and Copper Rule nationally by 13% for 1 year and 50% by 2022.
 - 2) Increase the percent of community water systems with current sanitary surveys. National target is 92%.
- b. Ensure *timely* and *appropriate* response (2009 ERP) to 100 public water systems listed on the Enforcement Targeting Tool (ETT) (2009 ERP) between July 2019 and June 2020.

7.3 Activities/performance measures.

<p>Objective 1: Public water systems that are located, designed, constructed, operated, maintained, and protected to reliably meet drinking water health-based standards.</p>	<p>Objective 2: Public water systems serving drinking water that meets all health-based drinking water standards.</p>
<p>Activities/performance measures for contamination prevention and supporting activities:</p> <ul style="list-style-type: none"> • Number of sanitary surveys completed • Percentage of public water systems with current sanitary surveys • Percentage of community water systems (CWS) that have current sanitary surveys (3-year frequency, except 5-year frequency for outstanding performers) • Number of engineering projects completed 	<p>Activities/performance measures for compliance indicators and supporting activities:</p> <ul style="list-style-type: none"> • Count of CWSs with health-based violations • Percentage of public water systems in significant compliance with health-based drinking water standards • Percentage of systems with enforcement orders in compliance with the terms of their schedules • Number of systems out of compliance with the Lead and Copper Rule

Program Commitments

7.4 DEQ and EPA drinking water partnership commitments and schedule.

- a. Coordinate quarterly with EPA’s Enforcement and Compliance and Assurance Division (ECAD) to discuss the ETT and compliance issues.
- b. Coordinate at least quarterly to discuss Drinking Water Program performance. At least one of the meetings will be face to face. Timing of the face-to-face meeting usually coincides with the Idaho PPA schedule and DWSRF annual review (spring/fall).
- c. Coordinate and determine the best method for tracking and reporting on the new EPA measures. Establish a baseline and tracking method for measure B01.
- d. Maintain collaboration on state laboratory certification.
- e. Cooperate and coordinate on issues related to new rule implementation and the Unregulated Contaminant Monitoring Rule.
- f. Cooperate to resolve data quality issues.
- g. Consult in situations concerning imminent and substantial endangerment to public as outlined in 7.6.i below.
- h. Collaborate on requests for rule implementation such as *deep dives* and improve rule implementation. Follow most recent or most current guidance.
- i. Collaborate and cooperatively develop a plan and procedures for conducting EPA-assisted inspections under DEQ’s Sanitary Survey Program and other activities as determined by EPA’s national compliance initiative.

7.5 DEQ agrees to the following:

- a. Perform the primary responsibility to enforce the Safe Drinking Water Act and associated regulations where recognized through approval of state regulations, acceptance of state programs, and formal delegation of authority from EPA.
- b. Timely upload the Safe Drinking Water Information System (SDWIS/state) data to EPA.
- c. Provide EPA with performance measure reports for the new breakthrough measure quarterly.
- d. Implement new rules on schedule unless formal extension agreements are made according to 40 CFR 142.12.
- e. Take timely and appropriate enforcement actions to address Safe Drinking Water Act violations using the 2009 Enforcement Response Policy (ERP). Provide quarterly report on the status of public water systems identified as a priority for returning to compliance or an enforcement response. Provide copies of enforcement orders upon EPA's request.
- f. Respond to findings in the EPA annual program evaluation by addressing recommendations and implementing necessary actions as appropriate.

7.6 EPA agrees to the following:

- a. Notify DEQ of manganese and cyanotoxin data reported by small systems to EPA as part of the Fourth Unregulated Contaminant Monitoring Rule as soon as possible to allow the state time to notify the public water system.
- b. ECAD will consult with DEQ before issuing an information request or taking any enforcement action against any public water system under the jurisdiction of DEQ's primacy program. After consulting DEQ, if ECAD has determined additional information is needed or ECAD will be taking an enforcement action, ECAD will contact the owner or operator of the public water system and copy DEQ on the action taken.
- c. ECAD will provide DEQ quarterly ETT performance measure results for Idaho.
- d. Both the Drinking Water Program and ECAD will submit Drinking Water Program requests for information and work tasks through the DEQ state program office only.
- e. Both the Drinking Water Program and ECAD will reduce administrative demands on the state by limiting reporting requirements to semiannual reports, unless noted otherwise in this PPA, and obtaining necessary reports and information from SDWIS/Fed when possible.
- f. The Drinking Water Program will provide rule interpretation and assistance, advance notification of training opportunities, and updates of Unregulated Contaminant Monitoring Rule implementation and other relevant issues.
- g. The Drinking Water Program will attend Idaho Drinking Water Advisory Committee meetings via teleconference or in person as time permits.
- h. Both the Drinking Water Program and ECAD will annually review and evaluate Idaho's progress in implementing the provisions and requirements of this agreement and other agreements documenting delegations of responsibility from EPA to the state.

- i. ECAD may become involved in SDWA enforcement at public water systems when an imminent and substantial endangerment to public health exists (SDWA Section 1431); the state requests EPA’s enforcement support; or EPA deems that the state’s response to addressing a noncompliant public water system has not been timely or appropriate. After consultation with the state, EPA also reserves its right to consider enforcement against public water systems, which are not identified as a *priority* for enforcement under the ERP where the state has not taken timely or appropriate action.

7.7 Safe Drinking Water Program resources matrix.

Activities	PWSS Base Grant	DWSRF 2% Technical Assistance Set-Aside (1452(g))	DWSRF Capacity Development Set-Aside (1452(k))	PWSS 10% Set-Aside (1452(g)(2))	Hours (FTEs)
Report data to EPA using SDWIS/state	X	—	—	X	12,088 (5.81)
Submit primacy applications for, and implement requirements of new state rules	X	—	—	—	4,061 (1.95)
Address compliance for surface water systems	X	—	—	—	271 (0.13)
Conduct sanitary surveys	X	—	X	—	6,691 (3.22)
Implement capacity development strategy	X	—	X	—	2,106 (1.01)
Review plans and specifications	X	X	—	—	14,518 (6.98)
Provide drinking water engineering services and support	X	—	—	—	492 (0.24)
Perform drinking water primacy core activities (compliance assistance/enforcement, public education, fee assessments, public health district contract management, laboratory certification program, consumer confidence reports, drinking water security, system classification for operator licensing, and staff training).	X	—	—	X	28,904 (13.9)

Idaho DEQ	EPA Region 10
Tyler Fortunati, Drinking Water Bureau Chief (208) 373-0140	Karen Burgess, Office of Water Unit Drinking Water Manager (206) 553-1644
Curtis Stoehr, Field Services Lead/OpCert (208) 373-0542	Peter Contreras, Section Chief, Drinking Water Enforcement, Ground Water Unit Manager, EPA (206) 553-6708
Bryan Zibbell, Compliance/Enforcement Lead (208) 373-0343	Eric Winiecki, Compliance and Enforcement Measures and ETT List (206) 553-6904
Vacant, Rules Coordinator IOC, SOC, VOC, Lead and Copper Rule, Radionuclides Rule	Sejal Soni, Idaho PWSS and DWSRF Project Officer (206) 553-1798
Maureen Pepper, Rules Coordinator; Surface Water Treatment Rules and Disinfection Byproduct Rules, Public Notification, Consumer Confidence Rule (208) 373-0174	Rick Green, Grants and Loans DWSRF and Set-Asides Project Officer (206) 553-8504
Monica Van Bussum, Decision Support Lead (SDWIS); RTCR, GWR Lead (208) 373-0111	Ricardi Duvil, SWTRs including Filter Backwash, Disinfection Byproduct Rules, Lead and Copper Rule, Operator Certification, Capacity Development (206) 553-2578
Barbara Jones, Capacity Development (208) 373-0186	Vacant, SDWIS/Federal (206) 553-1096
Tamarra Golightly, Administrative Assistant (208) 373-0409	Chris Affeldt, Arsenic, Unregulated Contaminant Monitoring Regulations, Contaminant Candidate List (206) 553-6068
	Michelle Tucker, Groundwater Rule, Public Notification Rule (206) 553-1414
	Jenna Manheimer, Revised Total Coliform Rule, Consumer Confidence Report (206) 553-1189