

## **DISTRICT OF COLUMBIA**

As articulated in the February 17, 2012 letter transmitting EPA's final assessment report of the District of Columbia's (DC) trading and offset program, EPA expects the District of Columbia to develop a plan of action to address all unresolved, jurisdiction-specific Tier 1 and Tier 2 recommendations from EPA's final offsets and trading program assessment final report by the end of calendar year 2012. Additionally, EPA expects the District of Columbia to address all unresolved recommendations common to all jurisdictions by the end of calendar year 2013. These recommendations are as shown below in bold text, with a summary of EPA's current understanding of the recommendation status based on ongoing communications with the State to follow:

### **Tier 1 and 2**

**Appendix S of the TMDL expects pollutant loads from new or increased discharges to be offset in the event that the jurisdiction did not set aside allocations for new growth. The District of Columbia's final Phase I WIP did include an allocation for new growth.**

### **District's Response:**

The District anticipates growth in population between 2010 and 2025, but does not expect significant new development on currently undeveloped lands because much of the District is built out already and a greater rate of re-development is anticipated, rather than development.

The District's plan to provide for new growth and additional flows is as follows:

#### **1. Accounting for Growth in Population**

The District's final Phase I WIP included load allocations to Blue Plains' Outfall #002 to allow for future growth and additional flows<sup>1</sup>.

Scheduling and tracking considerations:

- a. This will be complex, but will depend in part on:
  - i. How the proposed Blue Plains Intermunicipal Agreement of 2012 is managed;
  - ii. The Chesapeake Bay TMDLs "Progress Run" results;
  - iii. Blue Plains' current<sup>2</sup> and future NPDES permit specifications;
  - iv. Progress mandated by the 2005 Long-Term Control Plan Consent Decree Agreement between DC Water and the United States Environmental Protection Agency (USEPA)<sup>3</sup>.

---

<sup>1</sup> District of Columbia's Watershed Implementation Plan Phase I (see Table 4; footnote 1(page 19)); (Section 7.1.4(page 34)); (section 9 (page 76)); (section 12(page 82)); (section 13(page 83)), available at <http://green.dc.gov/service/watershed-implementation-plans-chesapeake-bay>.

<sup>2</sup> Blue Plains' Final NPDES Permit (DC 20021199), available at: <http://www.epa.gov/reg3wapd/npdes/pdf/blueplains/BluePlainsPortfolio.pdf>.

<sup>3</sup> The 2005 Consent Decree Agreement DC Water between DCW and (USEPA), available at: <http://www.epa.gov/compliance/resources/decrees/civil/cwa/dcwas-cd.pdf>.

## 2. Accounting for Growth from Development/Redevelopment

Development in the ultra-urban DC is almost entirely redevelopment of existing impervious surface with little or no stormwater runoff retention. Under the planned 1.2 inch retention standard, it is expected that redevelopment will bring significant reductions in stormwater runoff volume and pollutant loadings, as compared to the exiting conditions.

Scheduling and tracking considerations contemplated under the 1.2 inch stormwater runoff retention standard are as follows:

- a. The 1.2 inch retention standard is contained in the revised *Stormwater Management Regulations*, which the current MS4 (NPDES permit DC0000221) requires to be finalized by July 2013.

The regulations will require all new development and re-development sites greater than 5,000 square feet to retain the runoff from a 24-hour, 1.2 inch storm. Sites can also achieve off-site retention by acquiring stormwater retention credits or paying an in-lieu fee.

- b. Development and redevelopment plans submitted for purpose of complying with the revised *Stormwater Management Regulations* will be tracked using DDOE's *Plan Review Database*, which will allow the District to track the amount of area being managed with the 1.2 inch retention standard.

Currently, there is no tracking because the database is not yet established to facilitate any translation of *Plan Review* records as offsets.

## 3. Efforts by Federal Facilities.

---