

**EPA INTERIM ASSESSMENT OF DISTRICT OF COLUMBIA’S 2012-2013
MILESTONES AND WIP PROGRESS**

The U.S. Environmental Protection Agency (EPA) is providing this interim assessment of the District of Columbia’s progress towards meeting its 2012-2013 sector-specific milestones to assist the District of Columbia (District) in meeting its short-term goals and maintaining progress on its Watershed Implementation Plan (WIP).

Load Reduction and BMP Implementation Progress

According to data provided by the District for the 2012 progress run, the District achieved its 2013 milestone nitrogen loading goal for all sources combined and is on track to meet its phosphorus and sediment milestone targets. From 2012 to 2013, the District will need to achieve an additional 9% reduction in phosphorus and 1.5% reduction in sediment to achieve the 2013 milestone targets. The District has already met its Watershed Implementation Plan (WIP) 2025 phosphorus target. EPA encourages the District to clarify the source of Best Management Practices (BMP) data and distinguish actual increases in implementation from improved reporting of existing implementation when reporting annually to the Chesapeake Bay Program Office. The following table contains a sample of BMPs that the District has implemented in 2012 to achieve progress towards its 2013 milestone targets, as well as 2012 delivered loads and 2013 target loads for wastewater.

Implementation of Select BMPs ¹ and Wastewater Loads				
		Unit	2012 Progress ²	2013 Milestone Target ²
Urban	Filtering Practices	Acres	1,406	1,174
	Impervious Surface Reduction	Acres	252	235
	Urban Tree Planting	Acres	227	186
	Urban Stream restoration	Feet	16,507	14,923
Wastewater	Nitrogen Loads	Pounds delivered to the Chesapeake Bay	1,557,476	2,263,671
	Phosphorus Loads	Pounds delivered to the Chesapeake Bay	49,974	44,612
	Wastewater Facilities Meeting Water Quality Standards in Chesapeake Bay as of December 31, 2012 ³	Facilities Meeting/ Total Facilities (Percent of Facilities)	0/1 (0%)	0/1 (0%)

Notes:

¹ Table only includes a subset of BMPs that were implemented as of June 30, 2012 and reported by jurisdictions in their 2012 progress runs and projected by jurisdictions in their 2013 milestone targets. At the end of the 2012-2013 milestone period, EPA will assess implementation based on achievement of the milestone target nitrogen, phosphorus and sediment loads. Therefore, jurisdictions may change the BMPs that they implement during the milestone period to achieve their milestone target loads.

² 2012 progress and 2013 targets represent the total acres, feet, or animal units that will have BMPs in place as of 2012 or 2013. Values do not represent a net increase in BMP levels compared to the start of the milestone period in 2011. 2012 actual loads and 2013 target loads are provided for wastewater.

³ Based on permits for significant facilities with effluent limits in effect that meet DO and SAV/clarity standards.

Urban/Suburban Stormwater – Ongoing Oversight

Achievements

- In August 2012, the District proposed stormwater regulations and is making progress on developing the final rule.
- In October 2012, the District published a second proposal of regulations to establish a stormwater discount fee program and is making progress on developing a final rule.
- The District implemented several BMPs as part of the Riversmart Communities program, which was launched in 2011.
- The District inspected 172 outfalls and performed 31 follow-up compliance inspections.

Improvements to Meet 2012-2013 Milestones and Maintain WIP Progress

- EPA expects the District to work with federal facilities to develop and implement an approach for submitting BMPs that avoids double-counting of implementation by federal facilities.

Wastewater Treatment Plants – Ongoing Oversight

Achievements

- In 2012 and in recent years, Blue Plains flows, total nitrogen concentrations and loads have continued a significant downward trend and are below the TMDL cap. The Blue Plains upgrade is due to be completed by 2015.

Improvements to Meet 2012-2013 Milestones and Maintain WIP Progress

- None

Offsets and Trading – Ongoing Oversight

Achievements

- District is on track to have a stormwater offsets program in place by July 2013.

Improvements to Meet 2012-2013 Milestones and Maintain WIP Progress

- A response to EPA's common recommendations that EPA made in its 2012 trading and offset assessment is due to EPA by the end of 2013. EPA is issuing Technical Memoranda to assist with this response as well as guide development and implementation of trading and offsets programs.
- EPA has expressed concerns about the District's failure to define the useful life of credits and asks the District to elaborate on the public accessibility and transparency of the stormwater offsets program. The District should incorporate all of EPA's previously submitted comments related to the stormwater offset program into its final regulations, as committed.
- The District should supplement its initial sector growth submittal with additional information to support how the District will offset new stormwater loads with the excess capacity designated for growth in the Blues Plains wasteload allocation. Information is needed on how loads will be determined, counted against excess capacity at Blue Plains and tracked.

Suggested Considerations for Development of 2014-2015 Milestones

- Consider milestones to increase the pace of phosphorus and sediment. EPA expects milestones to be on track for achieving the goal of having practices in place by 2017 that would achieve 60% of the necessary load reductions compared to 2009.

- Consider 2014-2015 programmatic milestones to address implementation support and/or data tracking and reporting related to practices for which significant increases in implementation are anticipated, such as urban tree planting and stream restoration.
- Consider including 2014-2015 programmatic milestones for the submittal of a retrofit program in January 2014 which will be fully implementable after EPA review and approval.
- Consider 2014-2015 programmatic milestones for the development and implementation of operation and maintenance protocols guidance in January 2014 for District-owned and operated on-site retention practices. The District should consider including maintenance needs, inspection frequencies, estimated maintenance frequencies, and a tracking system to document relevant information into this guidance.
- Consider 2014-2015 programmatic milestones for the publication of a revised Stormwater Management Plan in January 2015.

Summary Points and Next Steps

- EPA will continue to host quarterly calls with the District to track progress.
- The Chesapeake Bay Program partnership is developing verification protocols in order for nutrient and sediment controls to be more accurately credited by the Chesapeake Bay Program models. These protocols will address the source of BMP implementation data and under-reported and non-cost shared practices and will include guidelines for identifying and removing duplicate records and addressing expired, failed, or removed practices.