Re: Index to Final Administrative Record National Pollutant Discharge Elimination System (NPDES) NPDES Permit Renewal

NPDES PERMIT NUMBER: DC0000221

PERMITTEE NAME and MAILING ADDRESS: Government of the District of Columbia The John A. Wilson Building 1350 Pennsylvania Avenue, N.W. Washington, D.C. 20004

FACILITY LOCATION: Municipal Separate Storm Sewer System (MS4)

RECEIVING STREAM:

Potomac River, Anacostia River, Rock Creek and stream segments tributary to each such water body

- 1. Center for Watershed Protection (prepared for DDOE Watershed Protection Division). "Stormwater Management Guidebook." 19. July. 2013. http://doee.dc.gov/swguidebook. 14. Nov. 2016.
- "Communities for a Better Environment v. State Water Resources Control Board." *132 Cal. App. 4th 1313*. 29. Aug. 2005. http://caselaw.findlaw.com/cacourt-of-appeal/1305193.html. 7. Nov. 2016.
- The Council of the District of Columbia. "Comprehensive Stormwater Management Enhancement Amendment Act of 2008, DC Law 16-51; DC Official Code §8.151.01 et seq." 2001. http://doee.dc.gov/sites/default/files/dc/sites/ddoe/publication/attachments/200901 15095146.pdf. 14. Nov. 2016.
- 4. District of Columbia Government. "Memorandum of Understanding between DC Department of Public Works and DOEE." 14. Sept. 2015.
- 5. District of Columbia Government. "Memorandum of Understanding between DC Department of General Services and DOEE." 12. May 2014.
- 6. District of Columbia Government. "Memorandum of Understanding between DOEE and DC Water." 10. Sept. 2014.
- 7. District of Columbia. "Chesapeake Bay TMDL Watershed Implementation Plan with Cover Letter." 30. Mar. 2012.

http://doee.dc.gov/sites/default/files/dc/sites/ddoe/publication/attachments/FINAL %20DC%20WIP%20March%2030%202012.pdf. 14. Nov. 2016.

- District of Columbia State Historic Preservation Officer. Letter from C. Andrew Lewis to Dominique Lueckenhoff. "Response to Initiation of Section 106 Consultation for the Proposed NPDES Permit for Discharges from the DC MS4." 29 Mar. 2016.
- 9. District of Columbia State Historic Preservation Officer. Email from C. Andrew Lewis to Kelly Gable. "Confirmation of Fulfillment of the NHPA Section 106 Requirements." 25 July 2017.
- District of Columbia. "Water Quality Standards." 1. Nov. 2013. https://www.epa.gov/sites/production/files/2014-12/documents/dcwqs-2014.pdf. 14. Nov. 2016.
- District of Columbia. "D.C. Municipal Regulations and D.C. Register- Rule 21-566 – Stormwater Fees." 29. Oct. 2010. http://www.dcregs.dc.gov/Gateway/RuleHome.aspx?RuleID=474056. 14. Nov. 2016.
- 12. District of Columbia. "Stormwater Management, and Soil Erosion and Sediment Control, amendments to Chapter 5 (Water Quality and Pollution) and Title 21 (Water and Sanitation) of the District of Columbia Municipal Regulations, Final Rule." 2013. http://doee.dc.gov/sites/default/files/dc/sites/ddoe/page_content/attachments/2013 %20SW%20Rule.pdf. 14. Nov. 2016.
- 13. District of Columbia Water and Sewer Authority. Letter from Gregory Pope to Elizabeth Ottinger. "DC Water and Sewer Authority Comments on Draft Phase I MS4 NPDES Permit No. DC0000221." 17. Jan. 2017.
- DDOE. "2015 District of Columbia Wildlife Action Plan." July 2015. http://doee.dc.gov/service/2015-district-columbia-wildlife-action-plan. 14. Nov. 2016.
- 15. DDOE. "The District of Columbia Water Quality Assessment, 2014 Integrated Report to the US Environmental Protection Agency and Congress Pursuant to Sections 305(b) and 303(d) Clean Water Act (P.L. 97-117)." 2014. http://doee.dc.gov/sites/default/files/dc/sites/ddoe/publication/attachments/Integra ted%20Report%20to%20EPA%20and%20US%20Congress%20regarding%20DC %E2%80%99s%20Water%20Quality%20%E2%80%93%202014_0.pdf. 14. Nov. 2016.
- 16. DDOE. "Draft MS4 Report on Optimal Plan for Catch Basin Cleaning, Inspection, and Repair." June 2013.

https://doee.dc.gov/sites/default/files/dc/sites/ddoe/page_content/attachments/CB %20Report%20Final%20062413%20BODY.pdf

- 17. DOEE. "Anacostia River Nutrients and Biochemical Oxygen Demand (BOD) TMDL." 5. June 2008. http://doee.dc.gov/publication/anacostia-river-nutrientsand-biochemical-oxygen-demand-bod-tmdl. 25. Oct. 2016.
- DOEE. "Anacostia Watershed Sediment and TSS TMDL." 24. July 2007. http://doee.dc.gov/publication/anacostia-watershed-sediment-and-tss-tmdl. 25. Oct. 2016.
- DOEE. "Anacostia Watershed Oil and Grease TMDL." 31. Oct. 2003. http://doee.dc.gov/publication/anacostia-watershed-oil-and-grease-tmdl. 25. Oct. 2016.
- 20. DOEE. "Anacostia Watershed Trash TMDL." 21. Sept. 2010. http://doee.dc.gov/publication/anacostia-watershed-trash-tmdl. 25. Oct. 2016.
- DOEE. "Annual Reports submitted to EPA." 2012-2016. http://doee.dc.gov/publication/ms4-discharge-monitoring-and-annual-reports. 14. Nov. 2016.
- 22. DOEE. "Application for Renewal of the District's National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System Permit (MS4) No. DC 0000221 with Form 1 General and Form 2F NPDES Permits, with attachments: Map, Outfall Location, Site Drainage Maps, Outfall Drainage Area, Location of Structural and Non-Structural Controls, Significant Leaks and Spills." 29. Mar. 2016.
- DOEE. "Climate Ready DC, The District of Columbia's Plan to Adapt to a Changing Climate." http://doee.dc.gov/sites/default/files/dc/sites/ddoe/service_content/attachments/C RDC-Report-FINAL-Web.pdf. 18. Oct. 2016.
- DOEE. Letter from Jeffrey Seltzer to Elizabeth Ottinger "Comments on the District of Columbia Draft Phase I MS4 Permit (Published 11/17/16)." 17. Jan. 2017.
- 25. DOEE. "Consolidated TMDL Implementation Plan revised draft." Aug. 2016. http://dcstormwaterplan.org/wpcontent/uploads/0_TMDL_IP_080316_Draft_updated.pdf. 14. Nov. 2016.
- 26. DOEE. "Consolidated Total Maximum Daily Load (TMDL) Implementation Plan Interim Report Final Comprehensive Baseline Analysis- revised." 8. May 2015. http://dcstormwaterplan.org/wp-

content/uploads/Final_Comp_Baseline_Analysis_2015-with-Appendices.pdf. 14. Nov. 2016.

- 27. DOEE. "Consolidated Total Maximum Daily Load (TMDL) Implementation Plan Interim Report Scenario Analysis." 8. May 2015. http://dcstormwaterplan.org/wpcontent/uploads/FinalScenarioAnalysisReport_May2015.pdf. 14. Nov. 2016.
- 28. DOEE. "Proposed District of Columbia NPDES Compliance Monitoring Strategy for Fiscal Year 2017." 30. Nov. 2016.
- 29. DOEE. "District DOT Memorandum of Understanding." As amended 28. Sept. 2014.
- DDOE. "District of Columbia Urban Tree Canopy Plan." Jan. 2013. http://doee.dc.gov/sites/default/files/dc/sites/ddoe/page_content/attachments/Draft _Urban_Tree_Canopy_Plan_Final.pdf. 14. Nov. 2016.
- DOEE. "Fecal Coliform Bacteria TMDL and E. coli Revision Anacostia Watershed." 25. July 2014. http://doee.dc.gov/publication/fecal-coliform-bacteriatmdl-and-e-coli-revision-anacostia-watershed. 14. Nov. 2016.
- DOEE. "Fecal Coliform Bacteria TMDL and E. coli Revision C and O Canal."
 25. July 2014. http://doee.dc.gov/publication/fecal-coliform-bacteria-tmdl-and-ecoli-revision-c-and-o-canal. 14. Nov. 2016.
- DOEE. "Fecal Coliform Bacteria TMDL and E. coli Revision- Kingman Lake."
 25. July 2014. http://doee.dc.gov/publication/fecal-coliform-bacteria-tmdl-and-ecoli-revision-kingman-lake. 14. Nov. 2016.
- 34. DOEE. "Fecal Coliform Bacteria TMDL and E. coli Revision Potomac River and Tributaries." 31. Dec. 2014. http://doee.dc.gov/publication/fecal-coliformbacteria-tmdl-and-e-coli-revision-potomac-river-and-tributaries. 14. Nov. 2016.
- DOEE. "Kingman Lake Organics and Metals TMDL." 31. Oct. 2003. http://doee.dc.gov/publication/kingman-lake-organics-and-metals-tmdl. 14. Nov. 2016.
- DOEE. "Kingman Lake Total Suspended Solids, Oil, Grease and Biochemical Oxygen Demand TMDLs." 31. Oct. 2003. http://doee.dc.gov/publication/kingman-lake-total-suspended-solids-oil-greaseand-biochemical-oxygen-demand-tmdls. 14. Nov. 2016.
- 37. DOEE. "Letter from Jeffrey Seltzer to Elizabeth Ottinger regarding proposal of new monitoring approach for trash to meet current and future MS4 permit requirements" 4. Mar. 2016.

- DOEE. "Oxon Run Organics, Metals and Fecal Coliform Bacteria TMDL and Revised E. coli Revision TMDL." 9. Jan. 2015. http://doee.dc.gov/publication/oxon-run-organics-metals-and-fecal-coliformbacteria-tmdl-and-revised-e-coli-revision. 25. Oct. 2016.
- 39. DOEE. "Potomac Tributaries Organics and Metals TMDL." 20. May 2004. http://doee.dc.gov/node/1112842. 25. Oct. 2016.
- 40. DOEE. "Response to EPA's District of Columbia Municipal Separate Storm Sewer System (MS4) Program Inspection Report (with attachment)." July 2014.
- 41. DOEE. "Revised Metals Allocations and Daily Loads for Rock Creek." Sept. 2016.
- 42. DOEE. "Revised Monitoring Strategy." July 2016.
- 43. DOEE. "Revised Stormwater Management Plan NPDES Permit No. DC0000221." 22. Jan. 2016. http://doee.dc.gov/sites/default/files/dc/sites/ddoe/publication/attachments/Final% 20SWMP%201-15-16.pdf. 14. Nov. 2016.
- 44. DOEE. "Rock Creek Fecal Coliform Bacteria TMDL and Revised E. coli Revision TMDL." 25. July 2014. http://doee.dc.gov/publication/rock-creek-fecalcoliform-bacteria-tmdl-and-revised-e-coli-revisiontmdl. 15. Nov. 2016.
- 45. DOEE. "Rock Creek Metals TMDLs." 27. Feb. 2004. http://doee.dc.gov/publication/rock-creek-metals-tmdls. 15. Nov. 2016.
- DOEE. "Rock Creek Tributaries Organics and Metals TMDLs." 27. Feb. 2004. http://doee.dc.gov/publication/rock-creek-tributaries-organics-and-metals-tmdl. 15. Nov. 2016.
- 47. DOEE. "Stormwater In-Lieu Fee Special Purpose Revenue Fund Fiscal Year 2015 Summary Report." 17. Feb. 2016. http://doee.dc.gov/sites/default/files/dc/sites/ddoe/publication/attachments/Storm water%20In-Lieu%20Fee%20Special%20Purpose%20Revenue%20Fund%20FY2015%20Sum mary%20Report_0.pdf. 15. Nov. 2016.
- 48. DOEE. "Tidal Basin and Washington Ship Channel Fecal Coliform Bacteria TMDL and Revised E. coli TMDL." 25. July 2014. http://doee.dc.gov/publication/tidal-basin-and-washington-ship-channel-fecalcoliform-bacteria-tmdl-and-revised-e-coli. 15. Nov. 2016.

- 49. DOEE. "Tidal Basin and Washington Ship Channel Organics TMDL." 15. Dec. 2004. http://doee.dc.gov/publication/tidal-basin-and-washington-ship-channel-organics-tmdl. 15. Nov. 2016.
- 50. DOEE. "Tidal Potomac and Anacostia Rivers PCB TMDL." 31. Oct. 2007. http://doee.dc.gov/publication/tidal-potomac-and-anacostia-rivers-pcb-tmdl. 15. Nov. 2016.
- 51. DOEE. Excel Spreadsheet. "Acres Managed Metric Calculation Summary." 24. Aug. 2017
- 52. DOEE. Excel Spreadsheet. "TMDL IP Milestone Analyses FINAL."
- DOEE. "Washington Ship Channel pH TMDL." 15. Dec. 2004. http://green.dc.gov/publication/ph-tmdl-washington-ship-channel-final. 15. Nov. 2016.
- DOEE. "Watts Branch Total Suspended Solids TMDL." 19. Dec. 2003. http://doee.dc.gov/publication/watts-branch-total-suspended-solids-tmdl. 15. Nov. 2016.
- 55. EPA. "40 C.F.R. Parts 122 124." Updated Regularly. http://www.ecfr.gov/cgibin/textidx?SID=120d4fc2362d29ea00141d03740cd6b5&mc=true&tpl=/ecfrbrowse/Title 40/40cfrv24_02.tpl#0. 15. Nov. 2016.
- 56. EPA. "Chesapeake Bay Total Maximum Daily Load (TMDL)." 29. Dec. 2010. https://www.epa.gov/chesapeake-bay-tmdl. 15. Nov. 2016.
- 57. EPA. "Components of Credit Calculation EPA Technical Memorandum." 14. May. 2014. https://www.epa.gov/sites/production/files/2015-07/documents/creditcalculationtm_final_5_14_14.pdf. 16. Nov. 2016.
- 58. EPA. "Permanence of Credits Used for NPDES Permit Issuance and Compliance – EPA Technical Memorandum." 19. Aug. 2014. https://www.epa.gov/sites/production/files/2015-07/documents/creditcalculationtm_final_5_14_14.pdf. 16. Nov. 2016.
- 59. EPA. "National Pollutant Discharge Elimination System--Regulations for Revision of the Water Pollution Control Program Addressing Storm Water Discharge." 64 Fed. Reg. 68722. 8. Dec. 1999. https://www.gpo.gov/fdsys/pkg/FR-1999-12-08/pdf/99-29181.pdf. 15. Nov. 2016.
- 60. EPA. "National Pollutant Discharge Elimination System Permit Application Regulations for Stormwater Discharges; Final Rule, 77 Fed. Reg. 72970." 7. Dec. 2012. https://www.gpo.gov/fdsys/pkg/FR-2012-12-07/pdf/2012-

29688.pdfhttp://cfpub.epa.gov/npdes/regresult.cfm?program_id=6&type=1&sort= name&view=all. 15. Nov. 2016.

- 61. EPA. "NPDES Electronic Reporting Rule." *80 Fed. Reg.* 64064. 22. Oct. 2015. https://www.gpo.gov/fdsys/pkg/FR-2015-10-22/pdf/2015-24954.pdf. 15. Nov. 2016.
- 62. EPA. "Nonpoint Source Program and Grants Guidelines for States and Territories."12. Apr. 2013. https://www.epa.gov/sites/production/files/2015-09/documents/319-guidelines-fy14.pdf. 15. Nov. 2016.
- 63. EPA. "Revisions to the November 22, 2002 Memorandum 'Establishing Total Maximum Daily Load (TMDL) Waste Load Allocations (WLAs) for Storm Water Sources and NPDES Permits Based on Those WLAs' memo J. Hanlon and D. Keehner." 12. Nov. 2010. http://www.epa.gov/npdes/pubs/establishingtmdlwla_revision.pdf. 15. Nov. 2016.
- 64. EPA. "Water Quality Trading Policy." 13. Jan. 2003. https://www.epa.gov/sites/production/files/2016-04/documents/wqtradingtoolkit_app_b_trading_policy.pdf. 15. Nov. 2016.
- 65. EPA-Region III. "Decision Rationale Total Maximum Daily Loads of Trash for the Anacostia River Watershed-Montgomery and Prince George's Counties, Maryland and the District of Columbia." 21. Sept. 2010. https://doee.dc.gov/sites/default/files/dc/sites/ddoe/publication/attachments/The_T MDL_Decision_Rationale.pdf
- 66. EPA- Region III. "District of Columbia Municipal Separate Storm Sewer System (MS4) Program Inspection Report." July 2014.
- 67. EPA-Region III. Public Notice. "Draft Permit No. DC0000221 with Accompanying Fact Sheet." 17. Nov. 2016.
- 68. EPA- Region III. "Final Revised Permit No. DC0000221 with Accompanying Final Fact Sheet and Final Responsiveness to Comments." 30. Sept. 2011. https://www3.epa.gov/reg3wapd/npdes/dcpermits.htm.pdf. 15. Nov. 2016.
- 69. EPA- Region III. "Final Signed Modification #1 to Permit No. DC0000221 with Accompanying Final Fact Sheet and Final Responsiveness Summary to Public Comments." 14. Nov. 2012. https://www3.epa.gov/reg3wapd/npdes/dcpermits.htm. 15. Nov. 2016.
- EPA-Region III. Letter from Dominique Lueckenhoff to C. Andrew Lewis.
 "Initiation of National Historic Preservation Act Section 106 Process." 23. Feb. 2017.

- 71. EPA-Region III. Letter from Dominique Lueckenhoff to C. Andrew Lewis. "National Historic Preservation Act Section 106 Process." 5. July. 2017.
- 72. EPA- Region III, "Proposed Biological Evaluation and Finding, (including all documents cited therein)." 17. Nov. 2016
- FPA- Region III. "Approval Letter of District of Columbia's Section 303(d) Impaired Waters List." 21. Jan. 2015. https://www.epa.gov/sites/production/files/2015-09/documents/dc_2014_ir_approval_letter_and_decision_rationale.pdf. 15. Nov. 2016.
- 74. "Federal Water Pollution Control Act." 33 U.S.C. §§ 1251 et seq, as amended through P.L. 107–303. 27. Nov. 2002. http://epw.senate.gov/water.pdf. 7. Nov. 2016. 15. Nov. 2016.
- 75. Maryland Department of Natural Resources. "Maryland Biological Stream Survey." http://dnr.maryland.gov/streams/Pages/mbss.aspx. 15. Nov. 2016.
- 76. NOAA-National Marine Fisheries Service. Letter from Kimberly B. Damon-Randall to Evelyn MacKnight. "Concurrence for Finding of Not Likely to Adversely Affect." 3. Feb. 2017.
- 77. NRDC. Letter from Becky Hammer to Elizabeth Ottinger "Comments on Draft MS4 Permit for the District of Columbia, NPDES Permit No. DC0000221." 12. Jan. 2017.
- 78. NRDC. Letter from Becky Hammer to Elizabeth Ottinger and Lori Kier. "Needed Points of Change for 2016 Renewal." 22. Sept. 2016.
- 79. President Barack Obama. "Executive Order 13653- Preparing the United States for the Impacts of Climate Change, Chesapeake Bay Protection and Restoration." 78 Federal Register 66819. 1. Nov. 2013. https://www.gpo.gov/fdsys/pkg/FR-2013-11-06/pdf/2013-26785.pdf. 15. Nov. 2016.
- 80. The Nature Conservancy. "New Investment Model for Green Infrastructure to Help Protect Chesapeake Bay: Business and conservation interests set to invest in Washington, D.C.'s stormwater management program." 7. Mar. 2016. http://www.nature.org/newsfeatures/pressreleases/new-investment-model-forgreen-infrastructure-to-help-protect-chesapeake-bay.xml. 15. Nov. 2016.
- United Nations. "UN report identifies innovative ways to boost investment for climate action in cities." 4. Dec. 2015. http://www.un.org/sustainabledevelopment/blog/2015/12/state-of-city-climate-finance/. 15. Nov. 2016.

82. United States Fish and Wildlife Service. Letter from Genevieve LaRouche to Margaret Green. "Concurrence for Finding of Not Likely to Adversely Affect." 5. Jan. 2017.

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