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MISSION
FORCE works to promote a healthy and sustainable Rock Creek Watershed through conservation, education, and restoration.

June 4, 2010

Mr. Jon Capacasa
Director, Water Protection Division
EPA Region 3
1650 Arch Street (3PM52)
Philadelphia, PA 19103-2029
Capacasa.jon@epa.gov

Dear Mr. Capacasa:

On behalf of FORCE – Friends of Rock Creek's Environment – and its hundreds of members and volunteers, I am writing to comment on the EPA's draft District of Columbia MP4 NPDES permit. FORCE is a nonprofit organization working to protect Rock Creek, one of the three DC watersheds impacted by the new proposed permit.

As an initial matter, I would like to thank you for the opportunity for FORCE to put forward its comments and concerns. I would also like to commend the EPA for its efforts in drafting a permit that recognizes many of the important actions that must be taken to improve the condition of Rock Creek.

We do, however, have concerns about the permit as it is currently drafted. While the draft permit sets out general, high objectives in its vision, it needs greater specificity that can be measured, monitored, and enforced. The final permit should set forth strong and meaningful standards and deadlines for realistic fulfillment of its generally stated goals.

All efforts to remediate the current state of the watershed and avoid future damage must be explicitly set forth with clear and strong regulatory requirements and affirmable milestones. For example, as to green infrastructure projects, specific benchmarks for tree plantings and a targeted number of green roofs should be stated. For new development and redevelopment projects, there must be stronger on-site stormwater retention standards established. There should be specifics as to numbers of new storm drain screens and trash traps required by a date certain. There must also be full incorporation of existing and future TMDLs and waste load allocations.

All the recommendations set forth in the draft permit must also have sound monitoring plans in place. This will allow D.C. agencies to check

on the progress of permit implementation and shape future actions to comport with specific requirements.

Finally, public participation in the implementation of this permit is essential. This should not be a permit where comments are only considered once prior to the issuance of a final rule. Instead, it should allow valuable public input during the process of implementation. It is often the case that members of the public are more aware of on-the-ground issues than local agencies. This is, first, because members of the public are walking, hiking or bicycling along Rock Creek and can immediately observe the results of implementation of permit requirements. Second, environmental groups and members of the public are also involved with monitoring programs based on targeted actions. Allowing the results of such monitoring to be discussed with all members of the community, D.C. agencies, and EPA will help maintain a stronger program to ensure the creation of healthy waters and healthy communities.

Thank you for your consideration of our comments.

Sincerely,

Beth Mullin

Beth Mullin
Executive Director