



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
WATER AND
WATERSHEDS

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. William W. Stelle, Jr.
Regional Administrator
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
7600 Sand Point Way Northeast, Building 1
Seattle, Washington 98115

AUG 26 2013

Re: Joint Base Lewis-McChord Municipal Separate Storm Sewer System
NPDES Permit #WAS-026638; NMFS Reference #NWR-2013-10009

Dear Mr. Stelle:

We have issued the National Pollutant Discharge Elimination System (NPDES) permit for Joint Base Lewis-McChord (JBLM) Municipal Separate Storm Sewer System (MS4). The enclosed final permit authorizes stormwater discharges from the Joint Base Lewis-McChord MS4 to Clover Creek, Puget Sound, and other receiving waters.

In your letter regarding this permit, dated July 12, 2013, NMFS made two essential fish habitat (EFH) conservation recommendations intended to avoid, mitigate or offset the impact of the permit issuance to coho salmon EFH.

As requested, and pursuant to 50 CFR 600.920(k)(1), we provide the following responses to these recommendations:

- 1) *Regarding the water quality recommendations:* the EPA has revised the required monitoring of the JBLM Stormwater Canal in Part IV.A.6 of the final permit to include requirements for more robust data collection regarding the quality and variability of water flowing through the Canal. The final permit also includes retrofit planning requirements which may be implemented by JBLM to improve stream flows throughout the entire military base.
- 2) *Regarding the habitat recommendations, including formal assessment of fish passage impediments and hydrologic processes in the Sequelitchew Creek watershed:* At this time, the EPA is not including permit provisions related to fish passage or restoration of Sequelitchew Creek. A 2011 settlement agreement between the Washington Department of Ecology (WDOE), CalPortland Company, and other parties describes a process to restore flows to Sequelitchew Creek using funds provided by CalPortland. In addition, the plan provides for permanent protection of Sequelitchew Creek and the ravine it flows through before emptying into Puget Sound. Coordination with Joint Base Lewis-McChord is part of this agreement. More detail about this 2011 Dupont Settlement Agreement can be found in a January 25, 2012, WDOE press release online at <http://www.ecy.wa.gov/news/2012/021.html>. Based on this information, the EPA is not including provisions in the permit related to fish passage or restoration of Sequelitchew Creek.

In conclusion, the EPA accepts one of the two NMFS recommendations related to coho salmon EFH conservation. Please feel free to contact me at (206)553-1855, or have your staff contact Misha Vakoc at 206-553-6650, or email vakoc.misha@epa.gov.

Please feel free to contact me at (206) 553-1855, or have your staff contact Misha Vakoc at 206-553-6650 or email at vakoc.misha@epa.gov.

Sincerely,



Daniel D. Opalski, Director
Office of Water and Watersheds

Enclosures

cc: Mr. Scott Anderson, National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Washington State Habitat Office