

Charlottesville Tribes TMDL TAC Meeting

DRAFT NOTES

October 21, 2014 at 3.30pm

Attendees: Jeff Sitler (UVA), Jess Wenger (UVA), Alyson Sappington (TJSWCD staff), David Hannah (StreamWatch), Dan Frisbee (City of Charlottesville), Gregor Patsch (Timmons Group, consultants for the City), Greg Harper & Elizabeth Chuduba (Albemarle County), Lonnie Murray (TJSWCD), Wood Hudson (TJPDC), Ashley Hall (EEE on behalf of VDOT), Gene Yagow & Sang Min Kim & Karen Kline (VT-BSE), Will Isenberg & Craig Lott & Jaime Bauer (DEQ-CO) and Tara Sieber & Nesha McRae & Don Kain (DEQ-VRO)

Notes: Tara Sieber (DEQ Regional TMDL Coordinator) opened the meeting by welcoming everyone back to the TJPDC and thanking the PDC for hosting the meeting. All attendees went around the room and introduced themselves and which organization they were from. Tara then reviewed the agenda for the meeting: 1) Welcome and introductions, 2) Land use and model comparisons (Gene), 3) MS4 Issues (Gene), and 4) Next Steps.

Tara and Gene gave brief overviews of the project so far. Gene briefly summarized the AllForX Method and its use of GWLF to determine the multiplier for the proper sediment loading calculation. The TMDL and sediment endpoints have been calculated but are still draft due to the MS4 boundaries still being in flux. There have been several revisions to the AllForX model including the following: boundary corrections (ongoing!), changes to Low Density Residential (LDI) pervious and impervious landuses, and the inclusion of channel erosion since that was missing from the Bay Model. The question was raised: can we see these new boundary corrections? Gene said that he had made them and would look at the maps to see if they were able to be shared in the current form. Another attendee asked where the channel erosion estimate came from. Gene explained that he used an empirical equation.

Next, Gene went into detailed explanations of the differences and updates he had made to the model. He changed the land use and decreased the LDI_impervious, the sediment loads, the Unit-Area loads (used Best Professional Judgement if they were too high/low), and the reductions needed for each source sector. AllForX existing and target loads were lower than for the original TMDL in 2012, but percent reductions were a bit higher than the 2012 iteration. The group discussed the union of the 2010 and 2000 Census Urbanized Areas (CUA) and how this can be used within the MS4 areas and the larger watersheds to determine sediment loads from the HDI and MDI land uses. This is based on DEQ Northern Regional Office advice and precedent. An attendee asked what could be included in excluded land from MS4 regulated areas for these permit holders? Jaime Bauer answered that other permit holders had excluded forest, Industrial Stormwater permits and cropland. Another question was raised regarding the outlier HDI/MDI landuses that were not in MS4 areas. Gene answered that the CUA was determined by the US Census. A participant asked whether approved developments in these watersheds had been included in the future growth allocation. Gene said that we would be

looking at that. Folks were interested in discussing the landuse source and Gene reminded folks that the landuse for this project (both in 2012 and 2014) was from the Rivanna River Basin Commission (RBCC) and the National Agricultural Statistics Service (NASS). Gene also remarked that the Bay TMDL Action Plan required from all MS4 permit holders requires impervious and pervious landuse designations. Gene then progressed through an example of how each watershed's allocations would look using these assumptions and calculations. There was a comment made that in Moores Creek, even if the reductions were made by BMPs already planned, the MS4 permit holders should have to do something. Gene and Jaime assured folks that MS4 entities are regulated and have a great deal of reporting to do. The differences between the watersheds used in the example was remarked upon: Moores Creek is the largest watershed with multiple landuses and has the largest change in reductions needed between the AllForX and the DM methods. Meadow Creek was the next example Gene progressed through, but the TMDL was able to be met through planned BMPs. Schenks Branch, however, does not have a lot of implementation practices planned in it, and has a great deal of reductions still needed to meet the allocations.

Gene next began showcasing the TMDL Components and broke down the TMDL equation into the Margin Of Safety (MOS), TMDL, WLA (Waste Load Allocation or point sources) and Load Allocation (LA or Nonpoint sources). MS4 loads were aggregated into one lumped amount for each watershed based on regulated area. Gene also explained that 1% of the TMDL was allocated to Future Growth in the total WLA and construction WLA is aggregate. The question arose whether MS4 permittees were allowed to change their regulated area. Jaime answered that the regulated areas reported for the Bay TMDL and local TMDLs should match across the board. A participant asked about the lack of reference in the Chesapeake Bay TMDL for HDI/MDI and whether that was helpful to know with regards to the conveyance area for the MS4 permittees. Another attendee asked Gene if the map underestimated the regulated area in the City? Gene said that was possible. Jaime also acknowledged that there is the possibility of forested land being subtracted out of MS4 area because that landuse was not simulated in the Bay model. Several MS4 entities in Northern VA are taking this approach. The question was raised if DEQ plans to reopen and remodel all of the TMDLs with MS4 WLAs in the future to ensure consistency. Craig Lott from TMDL Program in DEQ's Central Office responded that discussions were still ongoing but perhaps updating the TMDLs would be possible in the future. Several folks discussed the applicability of sediment and MS4 aggregation to the benthic community. Next, participants wanted to discuss the new stormwater and erosion and sediment control regulations for construction and barren lands. Much of this is supposed to be net neutral, Jaime reminded folks, though some people expressed concern that even additional indirect impacts will cause harm.

Next topic on the agenda was that of Next Steps. Gene identified a few key topics that need to be clarified including the following:

- Determination of Regulated Area – Consensus was that entities would like to define their regulated area before moving forward. Gene asked for a clarified timeline and the goal of two months was put forward as a possibility. Jaime also identified that the Chesapeake Bay Action Plans were in progress and will be due 10/1/2015. Also, DEQ

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Central Office is working on a TMDL Action Plan guidance document (an inter-agency document).

- Clarification of the “once a CUA, always a CUA” directive from EPA (using the union of 2000 and 2010 together)

Folks agreed to meet again in 2015 when hopefully a few of the MS4 issues were working themselves out. Gene and DEQ will discuss timeline and contractual obligations. Gene will touch base with TAC members to get a status report after the first of the new year. Tara thanked everyone for coming and enjoy the rest of the year!