

**Minutes - James River Chlorophyll *a* Study
Stakeholder Advisory Group Meeting
Monday November 16, 2015
VCU Rice Center**

Agenda

- 1:00 Greetings & Introduction (John Kennedy)
- 1:15 JR Chl *a* Study: Progress, Upcoming Activity (Paul Bukaveckas)
- 1:45 Summary of the Fall SAP meeting (Anne Schlegel)
- 2:00 Assessment Method Evaluation (Tish Robertson)
- 2:30 Upcoming Timeline (John Kennedy)
- 3:00 Q & A

The Stakeholder Advisory Group (SAG) for the study on James River chlorophyll water quality standards met for the fourth time on 11/16/15. John Kennedy, Office of Ecology Director, greeted the attendees and made introductions., He then provided a brief background of the study. His presentation slides are available at the below web link:

http://www.deq.virginia.gov/Portals/0/DEQ/Water/WaterQualityStandards/James%20River%20Chl%20A%20Study/Kennedy_JR_ChL_Study_Status_SAG_pres_16NOV2015.pdf

Dr. Paul Bukaveckas, project manager for the study, presented a summary of the 2015 report delivered to DEQ that consolidates work of the SAP members entitled “Empirical Relationships Linking Algal Blooms with Threats to Aquatic Life Designated Uses in the James River Estuary”. The report brings together several lines of evidence, including bioassay results, phytoplankton community structure, literature review of similar studies, and other water quality indicators associated with elevated chlorophyll levels (e.g., pH, diurnal DO swings). The presentation for this portion of the meeting providing detailed information is located at:

http://www.deq.virginia.gov/Portals/0/DEQ/Water/WaterQualityStandards/James%20River%20Chl%20A%20Study/Bukaveckas_SAG_presentation_16NOV2015.pdf

Anne Schlegel, DEQ TMDL Watersheds Coordinator, provided the group with a summary of information presented at the November 6th Science Advisory Panel (SAP) meeting. This included Claire Buchanan’s “From Programmatic Goals to Chlorophyll ‘a’ Criteria” presentation and Clifton Bell’s presentation “Comments on September 2015 Empirical Relations Report”. Ms. Schlegel also presented of a ‘decision tree’ and SAP survey designed with the intent of informing DEQ staff of SAP members’ opinions regarding protectiveness of the current criteria. Detailed information is in Ms. Schlegel’s presentation found at the below web link.

http://www.deq.virginia.gov/Portals/0/DEQ/Water/WaterQualityStandards/James%20River%20Chl%20A%20Study/Schlegel_Update_SAG16NOV2015.pptx

Dr. Tish Robertson then presented a summary of the existing assessment methodology for the tidal James River. The pros and cons of the current assessment method were presented. The known methodological weaknesses of the assessment framework were shared with the group, as well as an alternative assessment framework for addressing these weaknesses.

Details of current assessment methodology and the alternative are presented here:

http://www.deq.virginia.gov/Portals/0/DEQ/Water/WaterQualityStandards/James%20River%20Chl%20A%20Study/Robertson_James_R_Ch1_a_Assess_Method_Eval_SAG_16NOV2015.pdf

The alternative method recommends an assessment period of 6 years. Dr. Robertson was asked what the was the Chesapeake Bay Program's (CBP) reasoning for keeping the current 3 year assessment period. She replied it is likely for the sake of consistency with other Chesapeake Bay criteria such as dissolved oxygen.

Mr. Kennedy brought the presentations to a close with a brief review of the general structure of the study. He provided an update of the current status of the study component schedules and future activities such as:

- Incorporating Dr. Buchanan's white paper on programmatic goals and criteria into the final SAP report. He then opened the floor for questions.
- Modeling efforts have been extended until the end of 2015.
- DEQ review of study findings, decisions on criteria and assessment method revisions – (now until early spring 2016).
- CBP Science & Technical Advisory Committee (STAC) review
- Develop regulatory proposal (Summer 2016)

Notes on Question & Answer Session.

Q (HRSD): Are DEQ questions regarding the final report going to the STAC?

A: No. Only the SAP report is going for peer review.

Q: (CBF) How will DEQ deal with any lack of consensus among SAP members?

A: DEQ will consider all the information and recommendations the final SAP report contains in making decisions about potential chlorophyll criteria amendments. This includes all SAP expert points of view, regardless of whether or not consensus is reached.

Q: (VMA) Will development of an alternative assessment methodology or any change to the way assessment is done be in-house or farmed out to to CBP?

A: The current assessment methodology is in the WQS regulation and any change would require a rulemaking. Development of the assessment alternative 'straw man' has been a collaborative effort between DEQ staff, SAP members, and other academics.

Q: (Dominion) Will there be an alteration to the Chesapeake Bay WIP process and if so, what would that look like?

A: There will be an extensive WIP III development process that will involve all stakeholders. The timeline for that effort spans outreach beginning in 2016 and concluding in 2018.

Q: (JRA) What will be the role of the SAG in the next month or so?

A: Any changes to the existing criteria and/or assessment methodology would necessitate restarting the rulemaking process. The SAG will function as the Regulatory Advisory Panel (RAP) to provide input as promulgation proceeds.

Attendees

NAME	AFFILIATION
Chris Moore	Chesapeake Bay Foundation (CBF)
Joe Wood	Chesapeake Bay Foundation (CBF)
Jason Ericson	Dominion Power
Rebecca Leprell	VA Dept. Health
Jamie Mitchell	Hampton Roads Sanitation District (HRSD)
Jamie Brunkow	James River Association (JRA)
Christian Volk	American Water - VA
Kelly Ryan	American Water - VA
Laura Bauer	American Water - VA
Patrick Fanning	Troutman Sanders
Gabe Retana	Brown & Caldwell
Ellen Snyder	VA Manufacturer's Association (VMA - Altria)
Andrew Parker	VA Manufacturer's Association (VMA - Honeywell Corp.)
Grace LeRose	City of Richmond
Aaron Bunch	VA Dept. Game & Inland Fisheries (DGIF)
Matt Ellinghaus	Hopewell Regional Wasterwater Treatment Facility
Arthur Butt	citizen
SAP MEMBERS	
Paul Bukaveckas	VA Commonwealth University
DEQ STAFF	
Jutta Schneider	Dept. Environmental Quality
John Kennedy	Dept. Environmental Quality
Alex Barron	Dept. Environmental Quality
David Whitehurst	Dept. Environmental Quality
Anne Schlegel	Dept. Environmental Quality
Tish Robertson	Dept. Environmental Quality