

**FINAL Summary**  
**Technical Advisory Committee**  
**Rivanna River Basin Commission**  
July 14, 2009 9:00 am– 12:00 pm  
The Nature Conservancy  
490 Westfield Road, Charlottesville

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Present: Missy Creasy, Greg Harper, Dan Ratzlaff, Darren Coffey, Alyson Sappington, Rochelle Garwood, Sam Austin, Dave Hirschman, John Murphy, Bill Kittrell, Jeff Sitler, Dan Frisbee, Leslie Middleton, Steve Williams, Sally Thomas, John Martin, Rose Brown

**Review and approve minutes of 5/19/09 meeting**

Leslie Middleton changed the language under the heading “NFWF grant funding for localities” to reflect that the TAC discussed the allocation of resources from the NFWF grant, and made recommendations to the RRBC; but the TAC did not allocate any resources, because it lacks the authority to do so. Rochelle edited two grammatical errors. All TAC members agreed to approve the minutes.

**Welcome and introduction of Steve Williams, Executive Director of TJPDC**

Steve Williams introduced himself and described some of his previous work with water quality and environmental protection, including watershed management, monitoring, GIS data collection and management, and water contamination issues.

**Reports from sub-committees**

a. Monitoring

Leslie Middleton reported that the monitoring sub-committee has been focused on developing a plan/strategy for monitoring the four BMPs that will be funded by the NFWF grant. The sub-committee is still not entirely sure how to collect the data (nitrogen, sediment, and phosphorous) that are required by the grant. There is an on-going discussion about what monitoring techniques will be acceptable for this grant, and what techniques will further the work in the watershed, since volume and sediment are primary threats.

Jeff Sitler added that the monitoring sub-committee is trying to scale the project to meet the available funds. Automatic samplers will be used to cut down on some monitoring costs, but the committee is researching how to analyze all of the samples, and may have to narrow some of the parameters. Samples might be sent to the UVA lab. Another option would be to send samples to be analyzed by a private lab for approximately \$40 per sample. Steve Williams stated that he had grappled with the same issues in the past. In other jobs, he has used a public health agency that offered lab analysis at cost, which was well below the cost of a private lab. Jeff Sitler stated that he would find out if RWSA could offer a similar service.

Leslie Middleton added that although the grant term is two years, the monitoring sub-committee wants to make best use of the funds for the long term. The grant reporting will require a prediction of what will be done within five years, even though funds end after two years. Sally Thomas mentioned that RWSA has some funding that was put aside for this type of monitoring, and that the RRBC may want to pursue that.

b. Watershed modeling

Greg Harper gave a brief background summary of the watershed modeling committee. When the committee was formed, it focused on urban storm water, and wondered if better storm water management would eliminate stream impairment. The committee needed to understand better the relative contributions of land uses such as forestry, agriculture, development, etc. Meanwhile, John Murphy at StreamWatch had needed more land use data, and approached localities to ask about their interest in a detailed land cover map. StreamWatch wants to correlate stream assessments to different variables of land cover, and refine what the community knows about what is driving the impairments. When the land cover map is available, the watershed modeling committee will work with StreamWatch and report back to the TAC with more data.

Worldview, the company that is creating the map, is having some trouble with some of the details, such as distinguishing between pasture and lawns. This has opened discussions in the committee about how the data will be used, and which differentiations are most important. Worldview has no trouble distinguishing impervious vs. non-impervious surfaces.

c. Rainwater harvesting

Alyson Sappington reported that there has been no activity by the rainwater harvesting sub-committee since the last TAC meeting. Most of the rainwater harvesting issues are currently in the hands of the Virginia Health Department, and there are debates about guidelines. Dave Hirschman mentioned that some recommendations about rainwater harvesting were recently posted on the DCR storm water website. There is a spreadsheet, with different tank configurations. These are non-proprietary BMPs. In order to use rainwater to meet storm water requirements, there are no guidelines yet for tank size, uses, etc. This information does not include any VHD requirements for potable water.

## **Executive Director's Report**

### 1. Commission news

- Welcome Keith Lancaster, citizen representative from City of Charlottesville. Southern Development. Planning background. Formerly with Albemarle County Division of Zoning and Current Development
- John Martin (Albemarle) and Andy Wilson (Fluvanna) reappointed to 4-year terms (2013)
- Chair of RRBC will be elected on July 23
- July 23, 2009 Fluvanna RRBC meeting: 3 pm field trip, 6 – 8 pm meeting.

- Other candidates who may be interested in serving on the TAC or one of its subcommittees:  
*Alex Foraste*, Project Manager, Senior Civil Engineer, McKee Carson, rainwater harvest  
*Eugene Ryang*, Water Street Studio, certified Landscape Architect, storm water, and LID  
*Jeff Werner*, Land Use Field Officer for PEC, certified planner, transportation, water supply

## 2. Funding update

- Mini-grant from DCR to cover the non-Rivanna portion of Greene County
- NFWF grant agreement due to be executed with 1-2 weeks
- Healthy Waters initiative: executing grant agreement with DCR to include contracts with VCU and StreamWatch, presently under intense scrutiny due to 10-15% budget cut. Meanwhile, EPA (Healthy Watersheds Initiative) notes Rivanna River Basin Commission on its Fact Sheet

## 3. NFWF project update

- Task 1 - "grants" to localities will require certification that BMPs were constructed according to specifications and other documentation and inspection requirements
- Task 2 - StreamWatch will provide project management and coordination of monitoring of BMP task
- Task 4 - collaboration meetings underway between UVA/SELC/RCS, TJPDC, and RRBC regarding watershed planning tools and recommendations to localities in the watershed. Looking for areas of overlap and collaboration, most likely to include developing incentive tools and staff education. Starting to envision a watershed-wide workshop or symposium.

Rochelle Garwood asked about task 3. Leslie Middleton replied that it involves looking for opportunities in Fluvanna County and Greene County for BMP retrofits.

## 4. Land Cover Map project

- Need RRBC TAC representative to provide technical oversight of mapping project

Greg Harper pointed out that several TAC members are on that committee. Leslie replied that with respects to the land cover map, John Murphy has been explicit that he is representing StreamWatch interests, which may not always be the same as RRBC interests. Greg said that he could represent RRBC instead of Albemarle County, as there are other representatives from Albemarle County. Darren Coffey also agreed to help as much as possible.

## 5. Developer Roundtables

- Working on a compilation and *draft letter* from RRBC to DCR re: storm water regulations
- Public comments due by August 21 to DCR

The RRBC has committed to forwarding the compilations to DCR. The comments will not reflect the opinion of the RRBC. Greg Harper asked if the RRBC would make comments. Sally Thomas replied that there is a division of opinions, and if a meaningful consensus cannot be

made, then a comment will not be submitted. Greg Harper said that Albemarle County is making comments, which are generally critical of the program. The TAC discussed some possible comments and issues with the DCR regulations, including contribution to sprawl and low-density development, and nutrient trading.

Dave Hirschman pointed out that if a nutrient trading program is established, it is important to know where the funds would be directed. As the program stands now, the impact could be in downtown, but the funds could be put into nutrient banks. The community would not get the money for local restoration projects. Leslie Middleton suggested that the Rivanna watershed could establish a local program, and that this may be an opportunity for the RRBC. Leslie proposed a new sub-committee. The subject of nutrient trading was added to the agenda for discussion (see below).

6. RRBC undergoing legal and fiscal evaluation of procedures and policies, including:
  - Conflict of interest and FOIA
  - Procurement policy (contracting with TAC members, sole source)
7. TAC hours match (please fill out spreadsheet with your best estimates)
8. New TAC meeting location suggestions  
DOF (Fontaine Avenue) CCDC, 5<sup>th</sup> Street Extended, others?

Leslie Middleton suggested moving the TAC meeting location to make it more publicly accessible. The TAC members discussed different options, and agreed that Leslie could choose a new location based on availability.

### **Discussion about Nutrient Trading program**

The TAC considered whether or not the RRBC could or should coordinate a nutrient trading program. Dave Hirschman stated that it would be helpful for the TAC and the RRBC to be more educated about the subject. The TAC members could begin by educating themselves, form a sub-committee, report to the RRBC, and then move toward educating the localities and community. Alyson Sappington stated that this would only be necessary if the regulations are adopted. Leslie Middleton said that the TAC could address this issue during the November meeting. It was agreed that this issue would be placed on the November agenda, starting with a presentation by Dave Hirschman, to educate the TAC members on the subject. Sally Thomas pointed out that officials might have a different approach to the regulations if they knew a local program could be created/adopted.

The TAC discussed BMP inspections, and the responsibilities of maintenance. The new regulations would put the burden on the locality to insure the inspections, but property owners are ultimately responsible. Dave Hirschman stated that it might be better to put funding toward local restoration projects instead of small BMPs that would need long-term maintenance. Dan Frisbee asked what comments would be useful for localities to make on the regulations, before the deadline of 8/21/09. Dave Hirschman suggested acknowledging that the DEQ has a program

that could be useful; acknowledging that the locality needs a program to manage nutrients and sediment; and asking for DEQ's assistance in the near-term to develop the guidance to make it happen. Greg Harper said that TAC members should forward this information to the people within each locality that are submitting comments. Jeff Sitler said that UVA has had a similar nutrient trading system for five years. Leslie Middleton reiterated that the RRBC might be in the position to take on or help create such a program.

### **Facilitated discussion of the TAC's role and next steps**

Sam Austin facilitated a discussion of the TAC's 1-year and 5-year goals. Alyson Sappington noted that the TAC should stay within the confines of what the RRBC needs from the TAC, which should lead to the RRBC helping localities to make informed decisions. The purpose of the commission was read. Sam Austin reviewed that the TAC had identified altered hydrology as a main threat to the watershed, and that the goal was to work toward achieving a forested condition with respect to flows and watershed health.

Sally Thomas said that the RRBC wants the TAC to suggest action items, and ways in which those action items could be carried out. Alyson Sappington said that the TAC needs the RRBC to begin this conversation by telling the TAC what is needed. Sally Thomas pointed out that the TAC should not just wait for an assignment. TAC members can see some aspects of issues that the RRBC does not know. The RRBC takes the leadership role, but the TAC is the scientific underpinning. The TAC can thus take a leadership role in educating the RRBC.

The discussion began with an assessment of the TAC composition. It is not just a technical group or a policy group; it is both. Sam Austin stated that the diversity of members has been, and can be, very productive. Other members thought that the mixture of technical and planning/implementation staff has been detrimental to the process.

Ideas for 1-year and/or 5-year goals:

- Form two TACs; one for science and one for policy recommendations.
- Form a policy sub-committee.
- Maintain communication between policy/implementation members and technical members.
- Work to improve recreational access to the river, and promote public access, which will in turn become public education about the watershed.
- The RRBC should associate itself with the Rivanna River Coordinating Group.
- The RRBC should act as an umbrella for the various groups working within the watershed, including policy groups, science groups and recreation groups).
- Gather a list of the top threats to the watershed from the localities. The RRBC could then engage multiple localities to influence decisions and negotiate how and where to protect.
- Take on a more "activist" role, moving toward a watershed scale.
- Continue to educate the community about the watershed, before there is a crisis that would force the community to manage the watershed more actively.
- Empower the RRBC to think and speak on a watershed scale.
- Emphasize scientific understanding of the threats: update the conservation strategies from TNC and update the State of the Basin Report.

- Establish a science-based Rivanna basin management plan, which could be integrated into locality comprehensive plans.
- Help localities update their comprehensive plans.
- Help increase awareness among localities of the importance of a comprehensive plan.
- Add technical staff to the RRBC, so it does not have to draw so much from the skills and time of the TAC members.

Note: after the discussion ended, Joanna Curran submitted more ideas for the list:

- Conduct an historical analysis of channel change in the watershed using aerial photos, land use, GIS and flow rates.
- Make a list of BMP locations and types, and prioritize them for monitoring.
- Begin some sub-watershed measurements at key locations, to help understand the processes operating in the watershed.
- Work with UVA and GIS classes to create one or more class projects.
- Collect data in order to understand better how the river reached its current state. This would help the RRBC to know what to advocate, how to change policy, where to focus restoration, and how to explain channel change.

Sam Austin commended the TAC for the excellent discussion. He suggested that the TAC should continue the discussion during the next meeting in September. Leslie Middleton suggested that the September meeting be focused on science, with a presentation and a discussion. Most of the scientists were not present in this meeting, and their thoughts and opinions could round out the discussion.

Future TAC meetings are scheduled for 9/15/09 and 11/17/09. Both meetings will be from 9am – noon, location to be announced.

**Attachments:**

A. RRBC TAC agenda 09Jul14