

FINAL

April 16, 2009

To: Rivanna River Basin Commission  
From: RRBC Technical Advisory Committee  
Subject: TAC March 17, 2009 meeting summary

Introductions. Committee members did a round of introductions. Present at the meeting: Tamara Ambler (RWSA), Nick Rogers and Missy Creasy (Charlottesville NDS), Bill Kittrell (TNC), Rochelle Garwood (TJPDC), Joanna Curran and Todd Scanlon (UVA), John Martin (RRBC), Robbi Savage (RRBC/RCS), Alyson Sappington (TJSWCD), Christine May (JMU), Stephanie Golon and Dan Ratzlaff (Greene County), John Murphy (StreamWatch), Sam Austin (USGS), Rick Hill (DCR), Leslie Middleton (RRBC).

Review and approve meeting summary from January 12, 2009. The report from the Monitoring Subcommittee was corrected (spelling of Tamara Ambler's name) and to include Stephanie Golon on the sub-committee.

Coordination with RCS/SELC/UVA Scorecard project. Robbi Savage, Executive Director, outline the Scorecard Project that RCS has been working on for the last year and a half with UVA's Environmental Law Clinic and SELC. The project has reviewed codes and ordinances of the City and Charlottesville and Albemarle County that may impose unnecessary impediments on creative stormwater management that encourages infiltration on building sites (based on original Codes and Ordinance review by the James River Association of the entire James River watershed, in turn based on the Center for Watershed Protection's Codes and Ordinance Worksheet methodology).

RCS has issued reports of their findings for these two jurisdictions and is in the process of working with Fluvanna and Greene counties. Using the issued reports, RCS is working with the planning staff of the localities (Albemarle and Charlottesville) to make specific recommendations for changes that will then be proposed to the elected officials. The four areas that RCS and its partners are focusing on with the County are: residential streets and parking lots, residential lot development, conservation of natural areas, and stormwater and erosion control.

Leslie reminded the TAC that the RRBC's grant proposal to NFWF includes two components (strategies) that involve working with Rivanna locality staff to implement changes or develop incentives to reduce stormwater runoff. Component #4 includes hosting a series of local workshops culminating in a watershed wide symposium to bring together developers, engineers, planners, and regulators to identify widespread barriers to implementation of BMPs (among other outcomes). Strategy #5 includes development of incentive programs to encourage private developers to include innovative stormwater management practices. If funded by NFWF (or DCR in the Healthy Waters project, see

below), this will result in a separate round of discussions with locality planning staff. Leslie encouraged ongoing coordination between RCS and RRBC so that staff is not having to respond to overlapping – or even contradictory – guidance.

Rivanna River Coordinating Group (RRCG). Robbi Savage presented the results of conversations she and Leslie Middleton have had over the last month about the role of the Rivanna River Coordinating Group (RRCG). At the original urging of Carl Schmitt, this group met originally under the auspices of TNC with staff support (for coordinating and minutes) by Diane Frisbee as a way to help different watershed groups and projects stay informed and coordinated. In early 2008, RCS took over the function of convening the group, which now meets every four to six months. The group consists of many of the same people who are on the RRBC TAC, but often also includes participants who are heavily involved in environmental education, parks and recreation, and trails and greenways. The RRCG discussed at its last meeting whether it might become a "committee of the RRBC," separate from the TAC, and staffed by the RRBC. The Coordinating Group endorsed this concept, so Robbi agreed to bring the idea before the TAC for its consideration. Robbi presented a couple of different options (memo attached) for configuring the committee, including the possibility of adding a third committee that would be comprised on business interests.

The TAC agreed that it was not its place to make such a decision, but could discuss the matter and make a recommendation for the full RRBC. Some expressed the opinion that including a separate committee under the RRBC might streamline things between groups and activities as well as insure open lines of communication (through RRBC staff), and John Murphy said that it might be a natural evolution of the RRBC to develop a public outreach component. Later in the meeting, the TAC discussed the matter further and decided to make the following recommendation to the RRBC:

"The RRBC TAC can see the merits of forming additional committees of the RRBC as suggested by RCS and the Rivanna River Coordinating Group and suggests that the form and function of such committees should be defined and determined by the Commission."

Rick Hill (DCR) on Healthy Lands, Healthy Waters Initiative. Rick Hill from DCR presented an overview of a program that he is leading at DCR called Healthy Lands, Healthy Waters Initiative. Rick explained that this is a DCR staff-driven program that has gained some traction at Region III EPA (Jon M. Capacasa, Director of the Water Protection Division for EPA's Mid. Atlantic Region 3). The program is promoting the anti-degradation components of the CWA by encouraging keeping healthy waters healthy – a more cost-effective way to conserve and protect than focusing resources mostly on degraded streams through the TMDL process. The program has been included in the Chesapeake Bay clean-up guidance documents and has been touted by Governor Kaine at the last CBP Executive Council meeting.

The program is defining a methodology to identify "healthy waters" across Virginia, using a database developed in conjunction with VCU (Dr. Greg Garmin, of the Rice

Center) called INSTAR. At present, this online interactive database has data from the Tidewater and Northern Virginia areas, but data are much sparser above the fall line. INSTAR utilizes a probabilistic approach to interpolating data to define "virtual reference streams" – because many areas do not have high quality reference streams. DCR/Rick Hill is looking for a watershed in which to pilot obtaining dense data that can be used by the program to identify healthy waters and then develop the local buy-in (through a consistent message and appropriate planning/protection tools) to "keep healthy waters healthy." The message itself is simple: "Here are your healthy waters. You cannot ever restore the degraded streams (only rehabilitate them), so it is important that you protect the still healthy ones for recreation and habitat." One can make the analogy between troublemakers in a classroom getting all the attention, while smart kids do not. Why should the dirty streams get all the funding and remediation, when it is just as important (and more cost effective) to maintain healthy streams?

In order to further explore the possibility that the Rivanna watershed could become a pilot watershed for the Healthy Waters Initiative, John Murphy and Leslie Middleton met with Rick Hill and Greg Garmin earlier in the week to determine data needs for INSTAR and compatibility of StreamWatch data. John reported that there would likely be a need to collect new benthic data for the INSTAR program (INSTAR samples reaches and watersheds versus the StreamWatch approach of sampling at discrete sites. There would be, however, potential benefits to StreamWatch in that additional data could be obtained (specifically fish population data gathered by DGIF/VCU), while the DCR program would be adding to its inventory of watershed data, using a "common currency" of data and analysis used to identify healthy waters. John suggested that it would be important to make sure that the message of "healthy streams" be consistent with the communications from StreamWatch regarding findings of the StreamWatch program.

In addition to data gathering, DCR would want the pilot program entity (e.g. RRBC) develop "shovel-ready" language for comp plans, ordinances, and other planning tools that could be used to magnify protection for identified healthy waters. EPA would like to see (as a deliverable for its funding) a working watershed plan that helps preserve healthy waters and can be replicated in other watersheds. There is about \$35k in available funding for project work that must be completed by June 30, 2010. The TAC discussed this opportunity to work with DCR on this project with generally favorable response.

Developer's Roundtables. Alyson Sappington and Dave Hirschman gave updates on the process for adopting the new stormwater regulations. 2009 legislation pushed back the date for implementation to July 2010, giving localities in turn another 12 to 15 months to implement. The public comment period is likely not to start before mid-May. HB 2168, also passed this year, allows for nutrient criteria not achieved on-site to be purchased through offset fees that can be used to fund offsets in other watersheds/localities unless a locality is proactive and sets up a program to ensure that credits are spent within the watershed/locality. Dave suggested that a role of the RRBC could be to review any watershed trading plans that might be developed within the Rivanna basin and/or maintain an official list of sites suitable for remediation within the watershed.

Alyson went through a "dry run" of the PowerPoint presentation (for the Greene County Roundtable on March 18). John Murphy also gave his 5-minute presentation on StreamWatch results, which was planned to kick-off the discussion. Plans are well underway for the Developer Roundtables in Fluvanna on March 31 (Darren Coffey) and April 15 (City/Albemarle).

Monitoring Subcommittee. Tamara Ambler reported that most of the work of this subcommittee was in support of putting together the NFWF proposal, specifically the proposal component that deals with monitoring BMP effectiveness. Sam Austin said that it will be helpful for the committee to step back at some point, sooner rather than later, and develop a synoptic monitoring plan for the entire watershed (beyond the StreamWatch program).

Rainwater Harvesting Subcommittee. Kristel Riddervold reported on activity of this committee, which has been to follow-up on the RRBC letter written to Virginia Department of Health to encourage a coordinated effort between the agencies to define requirements and restrictions for use of harvested rainwater. The Health Commissioner has directed Mr. Kleene of VDH to work with DCR, DEQ, and Department of Housing & Community Development to start working through these issues. Leslie agreed to post the correspondence to the RRBC web log.

Workshop Subcommittee. Leslie reported that the "workshop" subcommittee got overtaken by the plan to host Developer Roundtables. It was determined that future workshops might require this sub-committee to be reconvened, perhaps with different participants. Much will depend upon the sources of future funding, especially the success of NFWF Innovative Stormwater grant proposal, which includes hosting future workshops.

Modeling Subcommittee. Greg Harper reported that the Modeling Subcommittee has met recently and has new participants, including Todd Scanlon from UVA. Todd has a student, Dan Michaelson, who has been compiling available TSS from about 50 sites, including 40 sites with data from 1990 to the present. Working with GIS, the student is delineating catchment areas and climate data so that eventually discharge and date can be correlated. This information will enable the development of sediment rating curves and in turn sediment yield. The sediment yield data can then be related to land cover types with the Land Cover map that is being developed. With this analysis in hand, the subcommittee will be in a better position to address the question of the contribution of volume from urban versus open lands.

USGS Stream Gauges and Stimulus Funding. Sam Austin reported that there is a lot of internal conversation at USGS about revitalizing existing gauges and installing new ones. Sam reported that USGS may be able to cover the cost of installing new gauges in the Rivanna, but would only do so with the assurance of a cooperative partner that has base funding to help maintain gauges and continue the research. Long-term maintenance of gauges is something that needs to be planned and budgeted for.

If the Rivanna watershed (or RRBC) wants to recommend starting a dialogue with USGS about a mutually beneficial cooperative partnership to identify and place gauges, Sam is willing to explore this further and serve as an initial point of contact. Rochelle Garwood reported that at least 4 gauges have been decommissioned within the watershed, and the TAC agreed that we must answer the question of where to put new gages (replace old ones or find new locations). Presently, the USGS has gages on the Mechums River near White Hall, the Moormans River near Free Union, the North Fork of the Rivanna River near Earlysville, and on the Rivanna River at Palmyra.

Sam Austin agreed to work with Greg, John Murphy, Joanne Curran, and Todd Scanlon to identify where the modeling efforts overlap with monitoring plans in order to determine the best location(s) for stream gages. Sam also agreed to investigate further the process within USGS whereby recommendations for additional stream gages for the Rivanna would meet the greatest success.

Ridge Schuyler. Ridge Schuyler then joined the meeting and was asked by Bill Kittrell to explain certain founding principles of the RRBC, and then was asked by Tamara Ambler, "How will Virginia's share of stimulus funding dovetail with our minimum instream flow permit requirements such that the region's objectives towards building community support for green infrastructure can be realized?" When it became apparent that Ridge could not answer the question, the TAC shared a good-natured laugh and presented a thank-you T-shirt to Ridge, and the meeting was adjourned.

Items on the agenda that were not discussed and so were deferred to the next meeting:

- RRBC/TAC Narrative (Leslie)
- TAC terms and membership review (Sam)
- Chair term; need Vice-chair
- Albemarle Community Development representative
- Meeting place: Do we want to stay at TNC or move around the watershed (as the Commission will be doing)?

**Next TAC meetings:**

**May 19, 2009                    9 am – 12 pm                    TNC**

**July 21, 2009                    9 am – 12 pm                    TNC**

Next RRBC meeting: April 23, 2009 6-8 pm *in Greene County*.

**Attachments:**

- A. Stormwater Regulations 09Mar11
- B. RRCG Proposal 09Mar17
- C. Workshop subcommittee 09Feb04