

**FINAL Meeting Minutes**  
**Rivanna River Basin Commission**

August 9, 2010

12:00 pm – 2:00 p.m.

Albemarle County Office Building – McIntire Rd, Room 241

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**Attendance**

***Rivanna River Basin Commission (Commission) Members***

***Present:***

Dr. David Brown, RRBC Chair, Charlottesville City Council  
Dr. Rich Collins, Thomas Jefferson Soil and Water Conservation District Director  
Mr. Robert Runkle, Culpeper Soil and Water Conservation District Director  
Mr. Joe Chesser, Fluvanna County Board of Supervisors  
Mr. John Gooch, Fluvanna County Board of Supervisors, Treasurer  
Mr. Marvin Moss, Fluvanna County Citizen  
Dr. Liz Palmer, Albemarle County Citizen  
Ms. Roberta Savage, Greene County Citizen  
Mr. Carl Schmitt, Greene County Board of Supervisors  
Ms. Ann Mallek, RRBC Vice-Chair, Albemarle County Board of Supervisors

***Absent:***

Mr. Lindsay Dorrier, Albemarle County Board of Supervisors  
Ms. Holly Edwards, Charlottesville City Council, Vice Chair  
Mr. Jim Frydl, Greene County Board of Supervisors  
Mr. Keith Lancaster, City of Charlottesville Citizen

***Rivanna River Basin Commission Technical Members***

Mr. Sam Austin, Chair (USGS)  
Ms. Tamara Ambler (RWSA)

***Others present:***

Ms. Leslie Middleton, RRBC Executive Director  
Ms. Nicola McGoff, RRBC Program Coordinator  
Mr. Steve Williams, TJPDC, Executive Director  
Ms. Bridgett Lynn, Charlottesville Tomorrow  
Mr. Brian Wheeler, Charlottesville Tomorrow  
Mr. Ian Whitlock, Citizen

**1. Call to order**

Dr. Brown called the meeting to order at 12.06pm.

**2. Roll call and brief introductions**

Roll call was conducted and introductions were made.

**3. Determination of quorum**

A quorum was determined.

#### **4. Approval of the Agenda**

Ms. Mallek requested adding an item of discussion to the agenda, in regards to her meeting with DCR director David Johnson. Ms. Mallek moved to approve the agenda, and Mr. Schmitt seconded the motion. All were in favor, and the motion passed.

#### **5. Comments from the public**

There were no comments from the public.

#### **6. Response to comments from the public**

There were no responses from the public.

#### **7. Consent Agenda**

**Action:** Approve RRBC minutes of June 14, 2010. Mr. Moss requested a change on page five of Ms. Dorrier to Mr. Dorrier. With this correction, the minutes were approved with Mr. Moss abstaining.

#### **8. Report of the Chair**

##### **a. Welcome**

Dr. Brown extended a welcome to Mr. Moss and Dr. Collins as the two new commissioners at the meeting.

##### **b. Strategic planning for the RRBC**

Dr. Brown began the meeting with a discussion of the strategic planning noting that Technical Advisory Committee (TAC) members will be included. Ms. Middleton added that Sam Austin, Todd Scanlon and Darren Coffey would represent the TAC to help plan the retreat.

##### **c. Legislator Meetings update**

Dr. Brown updated the RRBC on the plans to meet with each of the state legislators to introduce them to the RRBC and provide advance notice on what the Bay TMDL. Ms. Dr. Brown, Ms. Mallek, and Ms. Middleton met with Delegate David Toscano and found this meeting to be very productive. Delegate Toscano encouraged the RRBC to work proactively with known possible opposing groups to the TMDL's, and to attain a working relationship now in order to create less opposition and a greater understanding of each others positions. A similar meeting is planned with Congressman Tom Perriello on August 11, 2010. Mr. Schmitt asked if there was a list of all the delegates and state senators whose districts overlap with the Rivanna watershed. Ms. Middleton said she would be able to send this out to everyone.

##### **d. Executive Director Evaluation**

Dr. Brown asked for an update from Ms. Mallek on the Personnel Evaluation of the Executive Director. At the last meeting, Ms. Mallek had solicited comments from Commissioners, and having received none, suggested, "no news is good news." Though she did not hear from anyone, she hopes that the process can be modified in the future. Dr. Palmer requested that all future meetings be noticed to all Commission members,

especially the public notice meetings. Ms. Middleton said all RRBC meetings are noticed, with notification to RRBC and TAC members, and she apologized for any omission in this regard. Dr. Brown said at the close of the last RRBC meeting, it was agreed that there would be a smaller group of Commissioner and TAC members meeting to plan the retreat. When it became apparent that there would be three or more Commissioners attending, public notice was required. Ms. Mallek said even if one was not going to attend correct notification allows one to submit ideas for consideration.

## **9. Fiscal Report, John Gooch, Treasurer**

Mr. Gooch opened by complimenting Ms. Middleton on good work so far and deferred to her for the discussion and explanation of the fiscal reports.

### **a. Balance Sheet June 2010**

Ms. Middleton reviewed the Balance of June 2010 (FY10). This is very similar to that estimated for end of year balance and in preparing the FY 2011 budget. Ms. Savage asked if the late June income from NFWF had been deposited into the Sun Trust Money Market account, and Ms. Middleton affirmed that it had. Ms. Middleton clarified that RRBC spent approximately \$70,000 of the RRBC funds raised by TNC last year. Mr. Moss said he met with some of the donors to this fund last year and wondered if there was still active fundraising. Ms. Middleton said that TNC has the primary relationship with these donors, but that RRBC staff has included them on the distribution of RRBC e-newsletter, and TNC's philanthropy staff is also providing these donors quarterly updates from Ms. Middleton.

The Commission then reviewed the relationship between RRBC and TNC with respect to the funding. Ms. Middleton explained that when the RRBC was formed, TNC initiated fundraising from private donors to secure adequate funds to launch the Commission. Almost \$400,000 was raised, and these funds are held in trust for RRBC and dispersed as requested by the Commission. It is treated as a grant request on the RRBC books. In the first year, 2010, the RRBC requested a total of \$70,000. The 2011 fiscal year budgets required \$115,000 of additional funds.

Dr. Collins asked if he could learn who the donors are, and Ms. Middleton said she would ask on his behalf. Dr. Collins pointed out that he thinks that this is an unusual relationship whereby a public body uses funding from a non-profit. Ms. Middleton said that TNC have helped launched a number of new groups nationwide in this fashion. Dr. Collins said that, as a new member, he would like to know where the money came since as a Commissioner he is responsible for its allocation.

Mr. Moss said this funding relationship it is quite clear in statutory foundation for RRBC and that it took three out of the four jurisdictions to approve this. Mr. Moss continued that TNC got large amount of funding for the RRBC and that it is extremely important for the RRBC to fulfill its statutory requirements and get the jurisdictions to join in and that this was very carefully crafted. Dr. Collins stated that he thinks that this means that RRBC exists using a statutory authorization with conditions in it; no public appropriations, and the authority would not extend over government authority. Mr. Moss said the RRBC intends to increase its income from grants to a sustainable level. He continued that we have come a long way towards this as the current NFWF grant pays for some staff time.

Dr. Brown requested that we return to the fiscal report and revisit RRBC history at another time, possibly as an agenda item, if needed.

#### **b. Balance Sheet July 2010**

Ms. Middleton then reviewed the Balance Sheet with the Commissioners. She noted the non-grant funded expenditure of \$11 of overdraft charges on page 2 of the report. This was caused due to a lack of overdraft protection on the RRBC account, which has since been rectified. Ms. Savage asked if the insurance listed within TNC funds was from TNC. Ms. Middleton clarified that this is the RRBC policy covering liability paid for out of unrestricted funds, and its location on the balance sheet was not intended to imply a connection to TNC insurance. She suggested maybe a better naming convention for the columns could clarify this.

#### **c. Schedule of Financial Report**

Ms. Middleton moved on to the last item in the package, recommending a shift in the timing of the financial reporting to the group. She explained there simply was not enough time to complete all the necessary steps of review in time to provide the monthly reports in the packets for RRBC meetings that are now held on the second Monday of every other month and proposed deferring the reporting by one month. Mr. Schmitt moved to adopt this suggestion; Dr. Palmer seconded the motion, and it passed unanimously. Mr. Schmitt complimented Ms. Middleton on developing and meeting the FY2010 budget, saying it was remarkable how closely matched the income and expenditures were in FY 2010, especially for a new organization.

**Action:** Accept Fiscal Report 2010

**Action:** Accept Balance Sheet July 2010

**Action:** Defer financial reporting by one month

### **10. Technical Advisory Committee Report**

Mr. Austin, Chair of the RRBC TAC, provided the update. He began stating that the TAC remains committed, interested and engaged in the RRBC process, and they are enjoying the opportunity to develop ideas for the commission.

#### **a. Rainwater Harvesting**

Mr. Austin reported that the TAC's Rainwater Harvesting Subcommittee continues to work with the Virginia Department of Health (VDH) and other state agencies towards the development of statewide guidelines. Ms. Mallek asked if the agencies have authority over rainwater harvesting. Ms. Middleton said that 1998 legislation required that VDH promulgate guidelines.

#### **b. Monitoring subcommittee**

Mr. Austin said Ms. Tamara Ambler chairs the TAC's Monitoring Subcommittee. There is a meeting scheduled for August 18<sup>th</sup> to explore comprehensive monitoring plan for the Rivanna. Dr. Brown asked what is meant by "comprehensive." Mr. Austin replied that there are a number of variables, such as the context of the data and decision-making tools, to consider when deciding what factors to monitor. Mr. Austin said that since the RRBC TAC has identified altered hydrology as a major element of concern in the

Rivanna, determining how to characterize conditions is important in order to see the result of actions or policy changes over time. Dr. Collins said the TJSWCD board has discussed before the need for this kind of comprehensive overview, but the criteria are not well communicated, and there has been little mention of altered hydrology. Mr. Austin said that the TAC and others have been talking for some time about how to assess change over time, using data such as geomorphology, channel shape, magnitude of storms, impacts of climate change, with a monitoring system that is robust enough to assess all of these factors.

Mr. Moss said that a fundamental question is developing a central place to collect all this information. He continued that such an information clearing house would help us all better understand the work of the various groups, such as EPA, StreamWatch, VCU, DEQ, and DCR, and be better able to understand the outcome of grants and determine what the next steps should be. He said this is a living not a static process. Mr. Austin replied that thinking of this we need to develop a system to have a stream of information to get through the decision process, a continual tracking of key elements, components of system, so can see what is affected and where policy changes are happening.

Mr. Moss suggested using the Rivanna land use map and ensuring that the four counties planners are informed and educated as to this resource. He suggested that maybe the RRBC play a role in getting planners together and demonstrate this powerful tool and how to use it. Ms. Middleton informed the Commission that John Murphy of StreamWatch is the final stages of the Land Use Effects Study (which is based on the new Rivanna map). When his study is completed in October 2010, John Murphy will be presenting to the four Boards (of the Rivanna watershed) and working with planning staff to help them use the study. Ms. Middleton said that the Rivanna Vicinity Land Use Map can now be downloaded from the RRBC website.

Mr. Schmitt said the idea of a database is good but multiple levels to this database are needed, from the technical level to the public and policy use level. He continued that planners need to know if it is a good or bad stream, why it is impacted, how badly it is impacted, and the land uses affecting it. Mr. Austin said something to remember in developing the baseline characterization of the Rivanna is how it can influence policy, what are the leverage points of the data, how can this affect the policy question of the day. He continued saying the database is a great idea, practical recommendations could come from it, and he will advocate for this with the TAC. Mr. Schmitt added that even though interpretation of data can be argued, it is necessary. Mr. Austin concluded saying he looks forward to increased interaction with the Commission. Dr. Brown added that the planning retreat would be beneficial in this regard. Mr. Chesser asked if other rivers have not been studied in this way and could use the findings of their studies. Mr. Austin replied that reviewing other river system studies can be useful, but often the findings do not translate to another river system due to specific conditions such as climate, land use, geology, geomorphology and other factors which create a unique setting for each river. Mr. Chesser suggested BLM and USDA datasets for interpretation to the Rivanna setting.

Dr. Brown thanked Mr. Austin for his report.

## **11. Executive Director Report**

Ms. Middleton introduced Ms. Nicola McGoff as the new Program Coordinator for the RRBC and asked her to share some of her background with the Commission.

### **a. NFWF grant**

Ms. Middleton said that RRBC is now fully engaged in implementation phase of the NFWF grant project. She reviewed the BMP (stormwater management features) co-funded with each locality, reminding Commissioners that these projects serve as demonstrations for the County to use when talking with developers and other stakeholders.

Ms. Middleton reporting that the stormwater monitoring system of the bioswale at Charlottesville High School is installed and being utilized by a team from UVa to assist with the monitoring, sample analysis, and data generation. RRBC has contracted with TJPDC to plan and coordinate this part of the NFWF grant. Ms. Middleton complimented Ms. Erin Yancey on the completion of the monitoring plan and the development of the monitoring test bed that may be used well past the requirements of the NFWF grant.

Other updates of the NFWF grant were discussed and are outlined in the Executive Director's Report.

### **b. Healthy Waters**

This project has a completion date of September 30, 2010, rather than June 30 as previously noted. A final report will be generated that includes a discussion of some of the discrepancies resulting from the use of family level benthic macroinvertebrate data versus genus level macroinvertebrates data that VCU Healthy Waters assessments had previously used. RRBC, StreamWatch, VCU, and DCR are meeting this week to address this. Mr. Collins asked if StreamWatch and VCU monitored the same sites. Ms. Middleton clarified that StreamWatch was hired by RRBC to conduct the monitoring and bug identification specifically for this Healthy Waters study and that the methodology for selecting sites was based on VCU's protocols. The existing StreamWatch long term monitoring program uses sites that were carefully selected. The sites for this study were selected randomly and overlapped only occasionally with existing StreamWatch sites. Ms. Mallek asked if different streams or different indices were causing the problems. Ms. Middleton said that the VCU method had in the past used genus level "bug" ID and had also conducted most of its studies on the coastal plains. The Rivanna is the first such study watershed in the upper piedmont and has an elevation change of almost 3000 feet -- something not been previously encountered in Virginia Healthy Waters studies that may be impacting the results.

### **c. Other items**

Ms. Middleton reported that she has met several times with Mr. Steve William (TJPDC), sometimes with Ms. Robbi Savage of the Rivanna Conservation Society and Mr. John Murphy of StreamWatch, to help clarify who is undertaking what activities in the Rivanna basin. One topic the groups has discussed together is the power that could be achieved by fundraising together for funding for Rivanna initiatives that involve

components of funding for specific work for each of the groups.

Ms. Middleton reported that TJPDC is submitting a grant to the Department of Housing and Urban Housing Development to implement the Sustainability Accords from twelve years ago. RRBC has been asked to participate at a very nominal level of effort (\$10k of staff time spread out over three years). Ms. Middleton believes to partner with TJPDC on this effort is worth RRBC time, money and effort (partnership will involve matching that portion of funding that comes directly to the RRBC with a 1:1 equivalent effort.) Ms. Middleton said that this will be easy to accomplish through anticipated Chesapeake Bay TMDK involvement and the support for staff time to match would come either from RRBC/TNC grant or other grants.

### **Staff Recommendations:**

1. Approve letter of support from RRBC to the Perry Foundation on behalf of Greene County funding request for funding to build Comfort Station at Greene County Community Park.

Mr. Moss moved to approve this recommendation. Ms. Mallek seconded the motion, and the motion was passed unanimously.

2. Approve RRBC request to Luck Stone Corporation for donated materials for bioswale at Greene County Community Park.

Mr. Schmitt moved to approve this recommendation. Ms. Mallek seconded the motion, and the motion was passed unanimously.

3. Approve agreement with TJPDC-Charlottesville-Albemarle for HUD Sustainable Communities grant proposal with RRBC to match \$10K over three years (FY11-FY13).

Mr. Moss moved to approve this recommendation. Ms. Mallek seconded the motion, and the motion was passed unanimously.

### **11. New Business**

Dr. Brown proposed two dates for the Commission to consider for the fall joint RRBC and TAC retreat: November 5 or 19. Further details will be presented following the RRBC/TAC joint planning team meeting later in the week (August 11).

Mr. Moss said he had previously informed Ms. Middleton, Ms. Savage and Ms. Thomas of his suggestion that RRBC become involved with the development of facilitates at the new state park being developed Biscuit Run in Albemarle County. He suggested that this would be a golden opportunity for the RRBC to showcase good stream mitigation work, and stormwater management practices. He said he would like the TAC to discuss this for ideas to proceed. Ms. Mallek said there is a committee being formed by Virginia DCR to work on the park at Biscuit Run. He asked that his item be on the agenda of the next RRBC meeting and hopes staff in Albemarle County could provide ideas for the RRBC on this. Mr. Schmitt asked who controls this park, to which Ms. Mallek replied the state

parks department. Mr. Moss expressed a desire for a committee to direct the parks development, suggesting maybe the RRBC could obtain grant funding for this effort.

Ms. Mallek attended the meeting of the Environmental and Agricultural Committee of VaCO to work on a legislative agenda for 2011 with the new DCR director, David Johnson. Ms. Mallek reported that she believes that Mr. Johnson seems to want to postpone any meaningful work on the Chesapeake Bay TMDL and shift responsibility to the localities. She said this is a great reason for the RRBC to exist, and it is an opportunity for the RRBC to lead the way when it seems DCR in Richmond is unable to do so.

Dr. Collins asked if any actions should be taken with respect to the DCR director. Ms. Mallek stated that we should be watchful, possibly meet with him as he will be meeting with the county boards. Dr. Collins suggested a resolution to advance the TMDL's and send this on to the state from the RRBC, communicating the concerns and desires of the RRBC. Ms. Middleton said the draft TMDL's are due out for comment in September, which is the perfect opportunity for these comments from RRBC. Dr. Collins said a draft RRBC comment letter would allow us to discuss this. Ms. Mallek said the draft comment letter would need to be confirmed by each jurisdiction, and each locality should deal with it individually first.

Ms. Middleton invited all Commissioners, planners and staff, to join in a river paddle day in October hosted by RRBC and facilitated by the Rivanna Conservation Society. She said it should be a fun, educational and informative way to get to know the Rivanna.

## **12. Unfinished Business.**

There were no items discussed.

## **13. Presentations – Chesapeake Bay TMDL update**

### *a. Leslie Middleton: Update on the Chesapeake Bay TMDL*

Ms. Middleton gave an overview of the Bay TMDL process. She reviewed that Virginia DEQ and DCR are developing the Phase I Watershed Implementation Plan for Virginia's portion of the Bay TMDL for submission to EPA by September 1, 2010. This is being developed input from sector working groups of the Stakeholder Advisory Group (SAG), on which Ms. Middleton serves. EPA will develop the draft TMDL from input from Virginia and the other five Bay jurisdictions and submit for 45-day public comment starting September 24, 2010.

EPA has been working with Virginia and the other Bay states and Wash DC to develop the allocations of nitrogen, phosphorous, and sediment for each major Bay tributary. These are based on the Chesapeake Bay Watershed Model that predicts water quality results for the main stem of the Chesapeake Bay and the tidal James River based on input from pollution generating activities on land by agriculture, forestry, urban landscapes, wastewater treatment plants and other land uses. Virginia's draft Phase I Watershed Implementation Plan (WIP) will outline the strategies (including proposed legislation) for

achieving pollution reductions from each source sector between now and 2017 (when 60% of the final 2025 goal must be reached). The WIP will also identify the resources needed to achieve these goals. Nutrient and sediment reductions required in the James River watershed are significantly more than outlined in the 2005 Tributary Strategies and go well beyond the “low hanging fruit.” It will be necessary for all sectors to make substantial changes to meet the necessary reductions, which must also account for anticipated growth in the Bay watershed.

Ms. Middleton said that it is also true that we have local waters that are “impaired, “ (do not meet water quality standards for their designated uses, such as clean enough for human contact through recreation or for fish that are safe to eat). She said the RRBC is seeking funding to develop a Watershed Action Plan, which will be the signature product of the RRBC. This action plan will address pollutants and issues beyond those of concern in the Bay TMDL and will be more comprehensive than the Bay TMDL and the Watershed Implementation Plans.

The TMDL allocations will say how much is to be reduced as measured by submerged aquatic vegetation (SAV), dissolved oxygen (DO), and water quality. There are 92 segment-sheds in the bay TMDL, each of which will have load allocations. Virginia has 35 of them, with each one playing a role in the model. The Rivanna watershed lies within the Upper James segment-shed. These loads will be divided among the source sectors, non-point and point (permitted) sources. The 2009 model estimated 30.4 million pounds of nitrogen per year entering the Bay, which will have to be reduced by 25%. This 25% will be very difficult, since many of the easier solutions have already been implemented.

Dr. Collins inquired as to why there were no sediment loads known yet. Ms. Middleton acknowledged that, although the model used to generate the loads for the Bay TMDL is very sophisticated, there are issues with the model, which have resulted in the lateness of EPA being able to provide allocations for sediment for each of the states and major tributaries.

Ms. Savage said the TMDL is seen as the “EPA’s TMDL,” and that if it is not successful, litigation will ensue against EPA for not enforcing them.

Ms. Mallek said that she thinks the sediment loads will have the largest push back due to the requirements for very good stormwater retention facilities to meet P and sediment goals.

Ms. Middleton said that the Farm Bureau is promoting the idea of individual management plans for each farm to enable farmers to implement the BMPs that work best for their land. She said that there is a lot of concern on wastewater treatment plants being held to higher standards and the requirements to be able to plan for necessary capital improvements. She says she is happy to talk to anyone further about her experience with the Stakeholder Advisory Committee and that the Bay TMDL isn’t going away and can be used by us locally to ensure that we preserve and protect local water quality. Ms. Middleton said that it is also true that we have local waters that are “impaired, “ (do not meet water quality standards for their designated uses, such as clean enough for human contact through recreation or for fish that are safe to eat).

She said the RRBC is seeking funding to develop a Watershed Action Plan, which will be the signature product of the RRBC. This action plan will address pollutants and issues beyond those of concern in the Bay TMDL and will be more comprehensive than the Bay TMDL and the Watershed Implementation Plans (WIPs).

b. Steve Williams (Executive Director, TJPDC): *Piedmont Regional Pilot Project for the Chesapeake Bay TMDL*

Ms. Middleton said RRBC proposed a Rivanna-centric pilot project to EPA and it was selected as one of seven pilot projects in the entire Bay watershed. However, once the Steering Committee started meeting, there was a strong push to include other watersheds and localities with the result that the pilot project region now includes all the TJPDC service area. There is now a strong Steering Committee, with meeting support from Institute for Environmental Negotiations (IEN) and technical support from TetraTech being provided at no cost to the project through existing EPA contracts. She introduced Steve Williams, one of the members of the Steering Committee pilot project. RRBC provides interface and coordination with EPA, DCR, the contractors, and the Steering Committee.

Mr. Williams began with a short history of how the pilot project came about, having been initiated by the RRBC following several meetings in late 2009 and early 2010 with EPA and state agency leaders. He said that a coordinated regional response would meet the requirements of Bay TMDL, but the big issue is how it will impact local governments? Allocations for pollution loads are being established for each major tributary (i.e. James), and discharge goals will then be established for each segment-shed. This will push down to finer levels geographically, and we may have some discretion on how this is done.

The Bay TMDL requires states to eliminate any additional pollutant loads from growth, which will need to be offset. Ms. Mallek asked if this in essence means 100% capture from now on. Ms. Middleton said the pollution loads from permitted dischargers have a growth factor built in to them, but growth from new development will have to be no net discharge.

Dr. Collins asked why there were no Fluvanna County representatives on this pilot project committee and said that that this was not just about sewage treatment but all non-point source pollution, including agriculture and development. Ms. Mallek said the gains of the last twenty years have been nullified by growth. Mr. Moss said a fundamental problem with the Chesapeake Bay is non-point source pollution undoing all the progress made in water quality by waste treatment plants.

Dr. Collins said the StreamWatch figures from the same locations over the years have shown no improvement, indicating that in spite of growth there is no decline in water quality. Mr. Moss said that StreamWatch says increased growth (concentration) leads to decreased water quality.

Mr. Williams said that this is an enforcement issue, which can be shifted from the EPA to the state to the locality and back up, going round and round, but at some point it will be

enforced by the courts. This will be forced upon us at some point along the way.

Ms. Savage pointed out that if it is done by one locality and not by another there will be litigation.

Mr. Williams said that the Pilot Project is trying to determine if it is advantageous to work regionally together on this Bay TMDL, especially since implementation at the local level will require resources. The methods needed to reduce loads in Rivanna may be different than what is needed to reduce loads in the York or Rappahannock. The potential for pollution offsets could be good if we worked as a group. This Pilot Project is about exploring together how to provide assistance to the local governments, possibly to develop WIPs, training, or help with seeking funding to meet TMDL goals. The Pilot Project will inform DCR, DEQ and EPA what localities need in order to overcome known hurdles to WIP implementation.

Mr. Moss noted that the middle bullet on the handout was very important as it addressed giving resources to local governments. Mr. Schmitt said this is an evolving thing, defining the resources. Dr. Collins said he liked what this project does, as if we take the initiative at this level in cooperation to meet the goals set. It is this kind of thing that the RRBC should be doing. He continued that there may at times be disagreement amongst the groups on what is best to do but if we cooperate, we can show local support for our streams, not just the Bay.

Mr. Williams said DCR staff has been participating on the Steering Committee, which appears to be a learning experience for them in watching the localities wrestle with these problems. He said that most of the work to date has been on Task Two in educating and informing through the Focus Groups. Task Three, to develop support for a regional approach, is next. Outreach meetings have begun with stakeholders (local government staff on July 21 and elected officials September 8). These are “focus groups,” and thus by invitation only, to facilitate open discussion and frankness. The next meeting with the agricultural sector is being coordinated by Alyson Sappington, also on the Steering Committee, and will be held on August 31.

Mr. Moss said this is a complex issue and seems the meetings would need to provide the “TMDL101” short course to be effective. Mr. Williams answered saying Rich Parrish of the Southern Environmental Law Center (SELC) has been part of the presentations to help with giving an overview of the TMDL process.

Ms. Mallek asked it be circulated to the commissioners for their input on suggested attendees. Mr. Williams said there are more meetings to schedule with developers, permitted polluters, environmental groups and possibly also the public.

Dr. Collins asked who created the committee on this project. Mr. Williams answered that there was a meeting in January for anyone interested in TMDL issues to attend, and it was after this that an invitation was extended for a follow up meeting, from which the group coalesced.

Dr. Collins asked if the committee could be amended. He also noted that it appears from

the presentation materials that all the resisting groups have separate individual meetings, yet the public and environmental groups are all lumped together in our plan, and he wondered why this is. Should there not also be meetings for recreation, heritage, and other interests? Mr. Schmitt (member of the Pilot Project Steering Committee) replied that the meetings are trying to get input from those opposed and the environmental and recreation folks won't be opposed. Dr. Collins stated that he feels the lumping is inappropriate and that this lumping together makes the environmental groups appear less important to the others. Ms. Middleton said the focus is on the naysayers and that there is some room to change the meetings here. Dr. Collins suggested thinking of revising it.

Mr. Williams said once the focus groups are completed, the final product will be a report on stakeholder and steering committee work and possibly identifying resource needs. This will then be presented to the five county boards and Charlottesville City Council during November 2010.

Ms. Mallek asked then if implementation is from 2011 onwards. (Note: Watershed Implementation Plans, Phase 2, will be developed in 2011. Implementation of practices and solutions can and should be ongoing.)

Mr. Williams says the project and the report will leave us ahead of the game with good recommendations. Mr. Moss asked if the RRBC would stand behind the recommendations. Ms. Middleton said it would, being on the Steering Committee. Ms. Mallek said the recommendations then couldn't be ignored.

Mr. Moss asked if what was being done here was being done in other regions. Ms. Middleton said there is another pilot project in Prince William County and that many other localities are already grappling with this.

#### **15. Other Business of interest to Commissioners**

There was no other business.

#### **14. Adjourn**

Because Dr. Brown departed at 1:55 p.m., Vice-Chair Ms. Mallek adjourned the meeting at its conclusion at 2:45 p.m.