

Response to Comments Document

Total Maximum Daily Load (TMDL) Development for the Rivanna River Watershed

Introduction

A final public meeting was held for the Rivanna River TMDLs on February 11, 2008. This project included a sediment TMDL to address a benthic impairment in the Rivanna River and bacteria TMDLs for the Rivanna River mainstem, North Fork Rivanna River, Preddy Creek, Meadow Creek, Mechums River, and Beaver Creek. The draft TMDL reports (*Benthic TMDL Development for the Rivanna River Watershed; and Bacteria TMDL Development for the Rivanna River, Preddy Creek and Tributaries, Meadow Creek, Mechums River, and Beaver Creek Watersheds*) were presented at the meeting and made available on the Virginia Department of Environmental Quality (DEQ) website. A public comment period on the draft TMDL report was held from February 11, 2008 until March 12, 2008. During the public comment period, three organizations submitted comments. Comments were received from Sally Thomas, Chair of the Rivanna River Basin Commission; Alyson Sappington, District Manager of the Thomas Jefferson Soil and Water Conservation District; and Angus Murdoch, President of the Rivanna Conservation Society. The full text of the original comments is attached, and a summary of the comments is provided below, followed by DEQ's response.

Summary of Comments

All three commenters were supportive of the TMDL efforts in the Rivanna watershed. Each commenter described how the mission and conservation activities of their organization complement the TMDL process and goals. The main focus of each submittal was to recommend that the Rivanna River watershed be given high priority for TMDL Implementation Plan (IP) development and implementation funding. To support this recommendation, commenters cited the unique nature and value of the Rivanna River to the Commonwealth. Commenters also pointed out that timely development of a Rivanna River IP would produce cost efficiencies and leveraging opportunities with ongoing conservation activities and existing funding within the basin.

Response to Comments

DEQ thanks the commenters for their support of the TMDL and for their conservation efforts in the Rivanna River basin. DEQ considers each of the commenting organizations a valued partner in restoring and maintaining environmental quality in the Commonwealth. DEQ agrees with the commenters that the Rivanna River is a valuable natural resource worthy of protection. DEQ also agrees that ongoing initiatives and funding within the basin may create leveraging opportunities for TMDL IP development and implementation. DEQ will consider these factors and the commenters' recommendations when developing the next prioritization schedule for TMDL IP development and implementation. Several of the ranking criteria used in developing the schedule involve the level of public support, interest, and activity in the watershed. Through the comments submitted, Rivanna stakeholders have documented these elements.



Rivanna Conservation Society

Our Heart is With Our River

March 6, 2008

Charles Martin
Department of Environmental Quality
629 East Main
Richmond, VA 23218

Dear Mr. Martin:

The Rivanna Conservation Society (RCS) asks that the Virginia Department of Environmental Quality and the Virginia Department of Conservation and Recreation give high priority to the development and implementation of the Rivanna River TMDL. The RCS is delighted that the Commonwealth is among the few states to require TMDL implementation. The Rivanna is at the headwaters of the James River which drains to the Chesapeake Bay. The Rivanna River provides water supply and community recreation. It also supports crop and animal agriculture, and serves as a protected habitat for the endangered spiny mussel.

For these and many other reasons the Rivanna has been identified as one of the finest Piedmont river systems remaining in Virginia and is deserving of special attention and TMDL implementation funding.

The RCS was created in 1991 to represent the public interest throughout the watershed. The Board of Directors is comprised of community leaders from Albemarle County, Fluvanna County, Greene County and the City of Charlottesville. RCS also chairs the Rivanna River Coordinating Group and has members serving on the Rivanna River Basin Commission.

Local scientists and environmental professionals acknowledge that the watershed has shifted from a forested to a non-forested environment as urban water which used to infiltrate into the ground and recharge our groundwater is now racing across the landscape and into streams, where it tears apart streambanks and buries the streambed in sediment. In addition to suffocating the life out of our rivers and streams, the sediment also fills the region's reservoirs.

The TMDL process and the recently completed TMDL study dovetails with the community's collective efforts to work on altered hydrology and sedimentation. An example of the community's concern is reflected in the recently passed ordinance in Albemarle County which expands existing requirements to 100 feet of buffer.

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The TMDL study identifies sedimentation caused by higher runoff flows "as a primary stressor impacting benthic invertebrates in the biologically impaired segments of the Rivanna River." The study also states that "improvement of the benthic community in the biologically impaired segment of the Rivanna River watershed is dependent upon reducing sediment loadings through stormwater control, as well as restoring instream and riparian habitat to alleviate the impacts of urbanization on the river."

Our community is uniquely positioned to protect and restore our watershed and serve as an example for others faced with similar threats. As a result, giving the Rivanna watershed high priority for Implementation Plan development and implementation funding will ensure that the state's resources will result in demonstrable results.

Working together, the citizens and organizations within this watershed can, if supported by the DEQ and the DCR can make great strides in abating the threat of sedimentation and achieving our mutual goal of protecting and restoring the rivers and streams throughout the Rivanna River watershed.

Sincerely,

/S/

Angus Murdoch
President

Cc: Robbi Savage, Executive Director
Sally Thomas, Chair, Rivanna River Basin Commission
Robert Brent, DEQ

"Protecting the Rivanna River Watershed: A Confluence of Interests"

March 6, 2008

Robert Brent
DEQ
PO Box 3000
Harrisonburg, VA 22801

DEQ

MAR 07 2008

TO: _____
FILE: _____

Dear Mr. Brent:

I am writing, on behalf of the Rivanna River Basin Commission, to recommend and request that the Rivanna watershed be given high priority for TMDL Implementation Plan development and implementation funding. The Rivanna watershed has been identified by The Nature Conservancy as one of the finest Piedmont river systems remaining in Virginia. The Rivanna River Basin Commission was formed to provide guidance for the stewardship and enhancement of the watershed's natural resources.

We recognize that there are no resources available now, but if there is such a thing as "getting in line," this is our official request to be at the front of the line.

The Commission was established in 2006 by the counties of Albemarle, Fluvanna, and Greene, and the city of Charlottesville. The Commission is comprised of two members from each governing body, one representative each from the Culpeper and Thomas Jefferson Soil & Water Conservation Districts, and one citizen from each of the four localities.

To ensure that we focus on the greatest threats facing the Rivanna, the Commission appointed a technical advisory committee in 2007 to help guide our work. The Commission requested that the technical advisory committee make a recommendation about which issues to tackle first. Following four two-hour sessions, the group of local watershed professionals advised the Commission that we should focus our resources on addressing the threat posed by altered hydrology. We believe that as the watershed has shifted from a forested to a non-forested environment, water which used to infiltrate into the ground and recharge our groundwater is now racing across the landscape and into streams, where it tears apart streambanks and buries the streambed in sediment. In addition to suffocating the life out of our rivers and streams, the sediment is also filling up the region's reservoirs.

The Commission supports the TMDL process and the recently completed TMDL study, which dovetails with the Commission's work on altered hydrology and sedimentation. The TMDL study identifies sedimentation caused by higher runoff flows "as a primary stressor impacting benthic invertebrates in the biologically impaired segments of the Rivanna River." The study also states that "improvement of the benthic community in the biologically impaired segment of the Rivanna River watershed is dependent upon reducing sediment loadings through stormwater control, as well as restoring instream and riparian habitat to alleviate the impacts of urbanization on the river."

Albemarle County	City of Charlottesville	Fluvanna County	Greene County	Culpeper SWCD	Thomas Jefferson SWCD
Sally H. Thomas (Chair)	Holly Edwards	Marvin F. Moss (Vice-Chair)	Clarence Peyton	Robert Runkle	John E. Easter, II
Lindsay G. Dorrier, Jr.	Satyendra Huja	John Gooch	Carl Schmitt		
John C. Martin	Paolo D'Odorico	Andy Wilson	Roberta Savage		

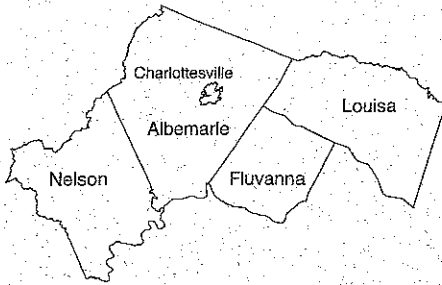
The Commission intends to begin work to implement strategies on the ground designed to stop this excessive sedimentation and recharge our groundwater in the Rivanna watershed. The Commission is currently researching the effectiveness of management practices to address these threats, including working to install and monitor practices in the field. In addition, the Commission has raised nearly \$300,000 in private funds to initiate our work, making the Commission ideally situated to multiply any funding received.

With the Commission in place, this community is uniquely positioned to protect and restore our watershed and serve as an example for others faced with similar threats. As a result, giving the Rivanna watershed high priority for Implementation Plan development and implementation funding will ensure that the state's resources are wisely spent. Together, we can make great progress toward abating the threat of sedimentation and achieving our mutual goal of protecting and restoring the rivers and streams of our community.

Sincerely,

A handwritten signature in cursive script that reads "Sally Thomas".

Sally Thomas, Chair



Thomas Jefferson Soil and Water Conservation District

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www.tjswcd.org

Louisa Office: 39 Industrial Dr., Louisa, VA 23093

Phone: 540-967-5940 Fax: 540-967-2557

March 11, 2008

Charles Martin, TMDL Program Manager
Virginia Department of Environmental Quality
629 E. Main St.
Richmond, VA 23240

DEPT. OF ENVIRONMENTAL QUALITY

MAR 12 2008

TO: _____
FROM: _____

Dear Mr. Martin:

I am writing this letter on behalf of the Thomas Jefferson Soil and Water Conservation District (TJSWCD) Board of Directors. A large portion of the land area of the TJSWCD is within the Rivanna River Watershed, and significant TJSWCD staff time is devoted to technical and educational activities that support improved water quality in the Rivanna River. These activities directly address both the benthic and bacterial impairments identified in the *Rivanna River Total Maximum Daily Load (TMDL) Study*.

In addition to the on-going activities of the TJSWCD in the Watershed, many other local organizations, and partnerships of organizations, focus on the clean-up and protection of the Rivanna River. StreamWatch, the Rivanna Conservation Society, the Rivanna Regional Stormwater Education Partnership, the Piedmont Program of The Nature Conservancy, and the Rivanna River Basin Commission, are all engaged in the protection of the Rivanna River.

At a time when there is an enormous amount of local time, resources, and energy already directed towards what are essentially "TMDL implementation activities", the timely development of a TMDL Implementation Plan, and subsequent funding of Implementation activities is crucial to maximize cost efficiencies and leveraging.

The TJSWCD therefore urges both the Department of Conservation and Recreation and the Department of Environmental Quality to give the Rivanna River high priority for the development of a TMDL Implementation Plan, as well as funding for Implementation activities.

Sincerely,

Alyson Sappington
District Manager

Cc. Robert Brent, DEQ Harrisonburg Regional Office