

Public Notice – Approval of Water Quality Management Planning Actions

Notice of action: The State Water Control Board (Board) is considering the approval of seven Total Maximum Daily Load Implementation Plans (TMDL IPs) and granting authorization to include the TMDL implementation plans in the appropriate Water Quality Management Plans (WQMPs).

Purpose of notice: The Board is seeking comment on the proposed approvals and authorizations. The purpose of these actions is to approve seven TMDL IPs as Virginia's plans for the management actions necessary for attainment of water quality goals in several impaired waterbodies. These actions are taken in accordance with the Public Participation Procedures for Water Quality Management Planning.

Public comment period: October 22, 2012 to November 26, 2012

Description of proposed action: DEQ staff intends to recommend 1) that the DEQ Director approve the TMDL IPs listed below as Virginia's plans for the management actions necessary for attainment of water quality goals in the impaired segments. No regulatory amendments are required for these TMDL IPs.

At previous meetings, the Board voted unanimously to delegate to the DEQ Director the authority to approve TMDL implementation plans, provided that a summary report of the action the Director plans to take is presented to the Board prior to the Director's approval. The TMDL Implementation Plans included in this public notice will be approved using this delegation of authority.

The TMDLs listed below were developed in accordance with 1997 Water Quality Monitoring, Information and Restoration Act (WQMIRA, §62.1-44. 19:4 through 19:8 of the Code of Virginia) and federal recommendations. The TMDL IPs were developed in

accordance with DEQ's Public Participation Procedures for Water Quality Management Planning. Extensive public participation was solicited during the development of the plans, and the public comment process provided the affected stakeholders with opportunities for comment on the proposed plans. The final TMDL IPs can be found at <http://www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/TMDL/TMDLImplementation/TMDLImplementationPlans.aspx>.

Affected Waterbodies and Localities:

In the Tennessee/Big Sandy River Basin:

1. *"A Plan to Reduce Fecal Bacteria, Sediment and Total Dissolved Solids in the Upper Clinch River Watershed"*
 - The IP proposes management actions needed to reduce bacteria and sediment and restore the recreation and aquatic life uses in the Upper Clinch River watershed, located in Tazewell County.

In the New River Basin:

2. *"Little River Total Maximum Daily Load Implementation Plan"*
 - The IP proposes management actions needed to restore the natural trout and stockable trout temperature water quality standards, and reduce bacteria and sediment to restore the primary contact (swimming) and aquatic life designated uses in the Little River watershed located in Floyd and Montgomery counties.

In the James River Basin:

3. *"TMDL Implementation Plan for Hoffler Creek"*
 - The IP proposes management actions needed to reduce bacteria and restore the primary contact (swimming) use in Hoffler Creek located in Suffolk and Portsmouth.

4. *“Implementation Plan for the Fecal Coliform TMDL for the Upper Nansemond River”*
 - The IP proposes management actions to reduce bacteria and restore the primary contact (swimming) and shellfishing uses in the Upper Nansemond River and Shingle Creek located in Suffolk and Isle of Wight counties.

In the Roanoke River Basin:

5. *“A Plan to Reduce Bacteria Sources in the Upper Banister River and Tributary Watersheds”*
 - The IP proposes management actions to reduce bacteria and restore the primary contact (swimming) use in Upper Banister River, Bearskin Creek, Cherrystone Creek, Stinking River, and Whitehorn Creek located in Pittsylvania County.

In the Rappahannock River Basin:

6. *“Upper Hazel River Bacteria Total Maximum Daily Load Implementation Plan”*
 - The IP proposes management actions to reduce bacteria and restore the primary contact (swimming) use in Upper Hazel River, Rush River, and Hughes River located in Rappahannock County.

In the Chesapeake Bay - Small Coastal - Eastern Shore Basin:

7. *“TMDL Implementation Plan for Mill Creek”*
 - The IP proposes management actions to improve dissolved oxygen and pH levels to restore the aquatic life use in Mill Creek located in Northampton County.

How to comment: The DEQ accepts written comments by e-mail, fax and postal mail. All written comments must include the full name, address and telephone number of the person commenting and be received by DEQ by 5 p.m. on the last day of the comment period.

How a decision is made: After comments have been considered, the Board will make the final decision.

To review documents: The TMDL implementation plans are available on the DEQ web site at

<http://www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/TMDL/TMDLImplementation/TMDLImplementationPlans.aspx> and by contacting the DEQ

representative named below. The electronic copies are in PDF format and may be read online or downloaded.

Contact for public comments, document requests and additional information:

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