



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON JUNE 27, 2019

MINUTE 5 — James River Chlorophyll Water Quality Criteria Amendments

Prior to the staff presentation, Ms. Jasinski recused herself due to prior involvement in the James River Chlorophyll Study. Mr. John Kennedy, Director of the Office of Ecology, then introduced the presentation to the Board regarding final recommended amendments to the James River Chlorophyll Criteria and Assessment Method in Virginia's Water Quality Standards Regulation (9 VAC 25-260-310 (bb)). The Board was given a brief background on the James River Chlorophyll Study, with the primary purpose of examining the scientific defensibility of the criteria and their assessment methodology and to develop alternatives if deemed necessary.

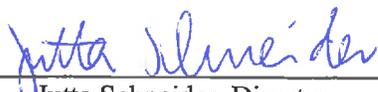
Dr. Tish Robertson then provided details on the criteria derivation, the revisions to the seasonal mean criteria and the new short-duration, summer-only criteria, as well as improvements to the assessment methodology. In response to a question from Mr. Lofton, Dr. Robertson explained the protectiveness of the criteria regarding "back-to-back" seasonal mean exceedances and the additional lines of evidence that would be examined to render an appropriate assessment determination for the aquatic life use.

Mr. Kennedy then completed the presentation, describing the improved water quality model developed for the James River and nutrient loading scenarios that had been run; a summary of the comments received during the Notice of Public Comment which ran from 1/21/19 – 3/22/19, along with the DEQ responses; and, the certification received from the Attorney General's Office that the Board had the authority to adopt the amendments. Nine speakers then addressed the Board, representing seven wastewater treatment facilities/authorities and VAMWA, along with two environmental organizations, supporting the amendments and thanking the Board and DEQ for the public involvement afforded throughout the study and rulemaking.

Decision:

Based upon the information provided to the Board and the staff recommendation, the Board approved, by a vote of 5-0 (with Ms. Jasinski recused and Ms. Jessee-Wallace absent), the following action:

- Adopt the final amendments to the Water Quality Standards Regulation at 9 VAC25-260-310 (bb), James River chlorophyll criteria and assessment method, as presented.



Jutta Schneider, Director
Division of Water Planning



Date