



NORTHERN SHENANDOAH VALLEY
REGIONAL COMMISSION

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February 1, 2012

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Director David A. Johnson
Virginia Department of Conservation and Recreation
Dam Safety and Floodplain Management
203 Governor Street
Richmond, VA 23219-2094

Dear Mr. Johnson:

The U.S. Environmental Protection Agency (EPA) completed a Total Maximum Daily Load (TMDL) for the Chesapeake Bay watershed on December 29, 2010. The TMDL identified the nitrogen, phosphorus, and sediment reductions to be achieved by each Bay State by 2025. In response, each Bay State prepared a Phase I Watershed Implementation Plan (WIP). Subsequently, in July 2011, the Commonwealth invited the localities to respond to the WIP I allocation of pollutant load reductions and BMPs placed in various pollutant sectors including wastewater, urban/stormwater, agriculture, and sewage, and forests. This submittal is in response to Department of Conservation and Recreation's (DCR's) invitation to verify data and provide an alternative scenario of BMPs that would achieve similar results as those in the WIP I to meet the targeted pollutant reduction goals.

On behalf of the Counties of Clarke, Frederick, Page, Shenandoah, and Warren, this submittal transmits to DCR, Bay TMDL information that the Commonwealth will consider in the Phase II WIP response. The five counties in the planning region requested the Northern Shenandoah Valley Regional Commission regionalize their responses to DCR. The localities are grateful for this opportunity to provide the Commonwealth with input to the upcoming Virginia WIP II that will be submitted to the U.S. EPA and we remain committed to the importance of enhancing water quality within the Chesapeake Bay watershed. The regional scenario was collaboratively developed to meet the 2025 targeted goals and represents the best available information to date.

In response to DCR's data request the following five items are listed below with their submittal format:

In Response to DCR's Invitation to WIP II Planning	
Item Requested	Submittal Format
Corroboration of Land Use Data	VAST and NSV Regional WIP II Report
Verification of BMPs from 2006 to present	VAST and attached NSV Regional WIP II Report
2025 Scenario	VAST and NSV Regional WIP II
Strategies/Resources	DCR's Strategies Spreadsheet

As noted above, the responses were submitted regionally through the Virginia Assessment Scenario Tool (VAST) and in a separate report entitled the Northern Shenandoah Valley Regional WIP II Report. The NSV Regional WIP II Report includes regional land use data sets, current BMPs, a scenario of BMPs that meet the 2025 targeted pollutant reduction goals, strategies and resources, and fleshes out information submitted in VAST and should be viewed by the DCR as the formal submittal to DCR by the localities of the planning region. In addition, the NSV Regional WIP II Report includes a list of next steps for the DCR to consider in future TMDL reporting metrics and forecasting by localities.

The proposed 2025 scenario of BMPs was based on collaborative efforts between the NSVRC, localities, the Agricultural Extension office, the Lord Fairfax Soil and Water Conservation District (SWCD), the Shenandoah Valley SWCD, the DCR WIP Liaison coordinator, and other state agencies including the Virginia Department of Forestry, Department of Health, Department of Environmental Quality, Department of Mines, Minerals and Energy, and Department of Transportation. The preferred 2025 scenario was based on multiple meetings, regional coordination, and planning efforts of both regional and local stakeholders throughout this process. The regional and local stakeholders involved in the development of BMP scenarios and corroboration of the data are listed in the NSV Regional WIP II Report. The preferred water quality management scenario of BMPs for the Counties of the Northern Shenandoah Valley provides or exceeds a similar level of treatment to the Virginia Phase I WIP.

The regional 2025 water quality management scenario represents aggregate information for the Counties of the Northern Shenandoah region. Neither the northern Shenandoah Valley localities nor the NSVRC are able to make unconditional commitments at this time given a host of factors, including Phase II WIP submittal time constraints, funding limitations, and competing demands for finite resources in a poor economy, incomplete and inaccurate land use data from the Bay Model, the absence of an approved cost estimating methodology and approved alternate BMPs, limitations in the VAST model calculations, and the absence of an authorized expanded nutrient credit exchange. Therefore, while the information in this report is representative of local government planning efforts, it does not reflect unconditional local government commitments and should not be interpreted to constitute unqualified local-level actions or future programs. The planning approach and assumptions applied by NSVRC staff were developed for the purposes of providing the preferred 2025 regional management scenario only. In summary, the regional scenario proposed herein is expected to change as new information and data, management tools, and sources of funding are made available to the localities.

The regional scenario generally reflects the BMPs and programs that have proven to be effective in the region. Although not yet approved, alternate BMPs that will be cost effective and support other locality goals are proposed herein. However, the regional scenario is just one possible solution to meeting the Phase I WIP level of effort. Changes in state policies and funding would influence BMP selection. Most importantly, the scenario cannot be implemented by 2025 without additional research to support alternate BMPs and the creation of new funding sources to assist the localities with their implementation. It should be noted that throughout the Phase II WIP development process Virginia has repeatedly expressed to localities that the Phase II WIP process and the Municipal Separate Storm Sewer Systems (MS4) permit process are being handled separately by the agency, and that it is not DCR's intent to apply Phase II WIP strategies to the negotiation of MS4 permits or relate the Phase II WIP strategies to local government compliance with MS4 permit requirements.

Attached please find the Northern Shenandoah Valley Regional WIP II Report. If you have any questions or concerns please contact either Martha Shickle, our Executive Director, or me.

Again, thank you for this opportunity to provide comment and input to the watershed implementation program for the Bay TMDL program.

Sincerely,



Jill Keihn
Natural Resources Program Manager

CC:

Joan Salvati, TMDL Coordinator, Virginia Department of Conservation and Recreation
James Davis-Martin, Chesapeake Bay WIP II Coordinator, VA Dept. of Conservation and Recreation
Martha Shickle, NSVRC Executive Director
David Ash, Clarke County Administrator
John Riley, Frederick County Administrator
Mark Belton, Page County Administrator
Doug Walker, Shenandoah County Administrator
Doug Stanley, Warren County Administrator
Alison Teeter, Clarke County Natural Resources Planner
Ed Strawsnyder, Frederick County Director of Public Works
Joe Wilder, Frederick County Deputy Director of Public Works
Charles Newton, Page County Water Quality Advisory Committee
Brandon Davis, Shenandoah County Director of Planning and Zoning
Taryn Logan, Warren County Planning Director
David Beahm, Warren County Building Official

Attachment: Northern Shenandoah Valley Regional WIP II Report