





DEQ program updates

Water Monitoring and Assessment Program

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Water Quality Assessments

- Every two years: Water Quality Assessment **Integrated Report (IR)**
 - required under the federal and state law
 - describes the extensive efforts to monitor, assess and improve water quality
 - **2022 IR** data window: Jan 2015 – Dec 2020
- IR cycle begins with the issuance of Assessment Guidance for public comment.
 - Assessment Guidance contains the assessment procedures and methods to be used for the development of the IR.
 - 2022 IR Guidance release: DEQ hosted a public webinar and held a formal public comment period.
 - <https://www.deq.virginia.gov/water/water-quality/assessments/wqa-guidance-manual>

Water Quality Assessments

- Notable change for 2022 IR: Recreation use assessment determinations will also be made using Virginia Department of Health harmful algal bloom notices.
- Authority for using VDH advisories in assessment determinations is the Water Quality Monitoring Information and Restoration Act, or WQMIRA
 - <https://law.lis.virginia.gov/vacodefull/title62.1/chapter3.1/article4.01/>

Harmful Algal Blooms (HABs)

The Virginia Department of Health (VDH) is the agency responsible for issuing notices and swimming advisories due to HAB complaints. Advisories are issued based on the Virginia Department of Health's "Guidance for Cyanobacteria Bloom Recreational Advisory Management" which is posted to the VDH website: <https://www.vdh.virginia.gov/waterborne-hazards-control/harmful-algal-blooms/>.

A VDH swimming advisory that was issued in the two most recent years of the assessment window and the HAB event persisted for at least a 30-day period and confirmed through follow-up monitoring, would constitute an impairment of the recreation use. The regional assessor should delineate the impairment using the boundaries included in the VDH advisory.

If a VDH swimming advisory was issued in the two most recent years of the assessment window and was lifted after the minimum required follow-up sampling events, this waterbody would be assessed as insufficient information with an observed effect for the recreation use. The regional assessor should delineate the observed effect using the boundaries included in the VDH advisory. No swimming advisories issued within the most recent two years of the assessment window would constitute a delisting in a waterbody where advisories were issued in the past which resulted in an impairment determination. If a waterbody had previously been assessed with an observed effect, no swimming advisories issued within the most recent two years of the assessment window would result in removal of the observed effect for the recreation use.

- Assessment processes will be revisited prior to the issuance of the 2024 IR Guidance (expected in early 2023)

2021 General Assembly: Budget Amendment, HAB Study

- Item 377 P. in Chapter 552 of the 2021 Special Session I Acts of Assembly directed the Virginia Department of Environmental Quality (DEQ) to convene a workgroup, in conjunction with the Virginia Department of Health (VDH) and the Virginia Department of Agriculture and Consumer Services (VDACS), to conduct research and complete a single collaborative report that provides findings and recommendations related to:
 - (i) the location, frequency, and severity of harmful algae blooms in Virginia waters;
 - (ii) the factors that lead to the formation and occurrence of harmful algae blooms; and,
 - (iii) plans and strategies for state agencies to lead or support appropriate mitigation efforts.
- RD411: Harmful Algae Blooms in Virginia – September 2021
 - <https://rga.lis.virginia.gov/Published/2021/RD411>

2022 GA Session

- Session began Jan 12
- Cross-over was Feb 15
- Session ends ~ March 12
- Updates: General Assembly's Legislative Information System website
 - <https://lis.virginia.gov/lis.htm>
- It's still too early to determine the outcome on Bills (including Budget amendments)
- Any questions regarding legislation that impacts DEQ programs should be directed to DEQ's Policy Division (Angie Jenkins or Brandon Bull)