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**Comment Response Document
Regarding the Total Maximum Daily Load (TMDL) of Sediment in the Potomac River,
Washington County Watershed in Washington County, Maryland**

The Maryland Department of the Environment (MDE) has conducted a public review of the proposed TMDL of sediment for the Potomac River Washington County Watershed. The public comment period was open from August 23, 2010 through September 21, 2010. MDE received one set of written comments.

Below is a list of commentors, their affiliation, the date comments were submitted, and the numbered references to the comments submitted. In the pages that follow, comments are summarized and listed with MDE's response.

List of Commentors

| Author | Affiliation | Date | Comment Number |
|---------------|---|-------------|-----------------------|
| Brent Walls | Upper Potomac Coordinator, Potomac Riverkeeper | 9/17/2010 | 1-3 |

Comments and Responses

1. The commentor suggests a title change to the Potomac River Washington County Sediment TMDL to reflect that the actual TMDL is developed for the tributaries draining to the mainstem of the Potomac River Washington County and not the Potomac River Washington County mainstem itself. The commentor proposes the following, or something similar, *Tributaries to Potomac River, Washington County Sediment TMDL*. The commentor then states that he had to read the fine details of the report to realize that the actual TMDL only applies to the tributary streams within the watershed and not the mainstem. The title, as it is currently written, suggests otherwise.

Response: MDE has considered the commentor's suggestion and does not find it necessary to change the title of the sediment TMDL, as this document addressed both the mainstem and the tributaries of the Maryland 8-Digit (MD 8-Digit) watershed. The 2008 *Integrated Report of Surface Water Quality in Maryland* (Integrated Report) sediment impairment listing is for the entire MD 8-Digit watershed. The TMDL analysis, however, refines this listing to specify that the mainstem is not impaired for elevated sediment loads. This analysis, which indicates that the mainstem is not impaired, is described in Sections 2.4 and 3.0 and referenced in Sections 4.3, 4.5, and 4.6. It is also stated that the mainstem is not impaired for sediment within the Executive Summary of the report. Thus, while the mainstem is not deemed impaired, it is analyzed within the report. Based on this, the title is appropriate, as it captures the analysis that was conducted within the documentation for the entire MD 8-Digit watershed.

2. The commentor had the following concern, in reference to page 17 of the TMDL: can a aquatic health be accurately assessed based on two sample points on a 68 mile stretch of

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river. The Potomac River is highly dynamic from season to season and year to year. The commentor states that he does not see how MDE can make the claim that the mainstem of the Potomac River Washington County MD 8-Digit watershed is not impaired for sediment, with the only basis for this claim being two monitoring sites, since 1) sediment is one of the primary pollutants to the Chesapeake Bay, 2) nearly every tributary within Maryland discharging to the Potomac River has a sediment TMDL developed, or is listed on the Integrated Report as impaired for sediment, and 3) the Potomac River basin is the second largest delivery system of pollutants to the Chesapeake Bay.

Response: MDE understands the commentor's concerns regarding the limited data that is available for the Potomac River Washington County mainstem. The Maryland Biological Stream Survey (MBSS), however, only assesses the conditions of 1st through 4th order tributary streams. Therefore, the Maryland Department of Natural Resources (DNR) Core/Trend dataset was used as the basis for analyzing the mainstem, since it assesses the biological conditions of larger order mainstem rivers and streams.

As mentioned by the commentor, the two data points are quite far apart. This, however, is significant, since they are the most upstream and downstream points of the MD 8-Digit watershed's mainstem. Given that the data indicate "good" water quality at the most upstream and downstream points of the watershed's mainstem, MDE reasonably concluded that the entire mainstem within the watershed was good. Since there is limited data, and the only data available to MDE indicate that the mainstem water quality can be classified as "good", there is less of a justification to make the claim that the mainstem is impaired and subsequently develop a TMDL to assess its assimilative loading capacity.

The commentor is correct that the Potomac River is one of the largest delivery systems of sediment to the Chesapeake Bay. Reductions will be required for Maryland's portion of the Potomac River Tidal Fresh drainage area, once the forthcoming Chesapeake Bay Nutrient and Sediment TMDLs are completed by the end of 2010. Data indicate, however, that the increased sediment loadings have an effect on downstream tidal conditions but do not have an effect on the biological conditions in the mainstem of the Potomac River Washington County.

Lastly, the commentor mentions that, "the Potomac River is highly dynamic from season to season and year to year". As explained in the TMDL documentation, the DNR Core/Trend program is a long-term benthic macroinvertebrate monitoring program. Of the two monitoring stations on the Potomac River Washington County mainstem, one has 17 years of data and the other has 26 years of data. Also, as mentioned in Section 4.4 of the main TMDL report, biological monitoring data, such as that from the Core/Trend Program, integrates the stress effects over the course of time and thus inherently represents the seasonal dynamics of the river. Thus, MDE believes that the variability of the Potomac River has been adequately captured.

3. The commentor states that in light of the up the coming Chesapeake Bay Nutrient and Sediment TMDLs, a cooperative effort needs to exist between the States of Maryland and

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West Virginia. Since Maryland owns the Potomac River and would not want a State with land area draining to the river to contribute to its pollution, the commentor believes that MDE and the West Virginia Department of Environmental Protection (WV DEP) should start talking about their respective Watershed Implementation Plans (WIPs) and what West Virginia will be doing to reduce their load to the Potomac River. Maryland and West Virginia have vastly different methods for reducing non-point pollution and in assessing sediment and nutrient impairments.

Response: MDE understands the commentor's concerns regarding a cooperative effort between Maryland and West Virginia to address pollution sources in the Potomac River basin. Since the Chesapeake Bay Nutrient and Sediment TMDLs are a multi-jurisdictional effort being led by the U.S. Environmental Protection Agency (EPA), coordination between States, the District of Columbia, and the EPA relative to the implementation of the TMDLs is occurring via this process. Thus, specific to the implementation efforts to reduce nutrient and sediment loadings to the Potomac River, primarily the Potomac River Tidal Fresh Chesapeake Bay Segment (as delineated by the Chesapeake Bay Program), coordination between Maryland and West Virginia, in addition to the other States (Pennsylvania and Virginia) draining to the Potomac River as well as the District of Columbia, is occurring via the Chesapeake Bay Nutrient and Sediment TMDL efforts.