

**AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING**

**ITEM #20: PROJECT STATUS REPORTS AND ADVISORY COMMITTEE SUMMARIES**

**A. DIRECTORS OF UTILITIES COMMITTEE SUMMARY MINUTES**

The summary minutes of the February 2 and March 2, 2011 Directors of Utilities Committee Meetings are attached.

Attachment 20A

**B. HAMPTON ROADS CHESAPEAKE BAY COMMITTEE, THE REGIONAL STORMWATER MANAGEMENT COMMITTEE AND THE CHESAPEAKE BAY IMPLEMENTATION SUBCOMMITTEE SUMMARY MINUTES**

The summary minutes of the February 2 and March 2, 2011 Hampton Roads Chesapeake Bay Committee, Regional Stormwater Management Committee and Chesapeake Bay Implementation Subcommittee Committee Meeting are attached.

Attachment 20B

**C. PROJECT STATUS REPORT**

Attached are status reports on other HRPDC programs.

Attachment 20C

**Attachment 1A  
MEETING SUMMARY  
DIRECTORS OF UTILITIES COMMITTEE  
February 2, 2011  
HRPDC – Chesapeake**

**1. Summary of January 5, 2011 Meeting and Annual Retreat of the Directors of Utilities Committee**

The Summary of the January 5, 2011 meeting and annual retreat of the Directors of Utilities Committee was approved.

**2. Private Property Infiltration and Inflow (I/I) Abatement Program**

Mr. Richard Stahr, Brown and Caldwell, briefed the Committee on the Capacity Team's alternatives analysis for development of a private property I/I abatement program. The team explored two options as follows: (a) development of locality-specific ordinances, as presented at the October 13, 2010 Committee meeting; and (b) development of a regional program coordinated between localities and HRSD. Mr. Stahr provided a presentation on option (b). He noted that a similar presentation was also made to the HRSD Commission on January 25, 2011 and that DEQ has also been briefed. Following the presentation, Mr. Phil Hubbard, HRSD, and Mr. Stahr responded to questions. The Committee discussion and comments on are summarized as follows:

- An advantage to option (b) is that property rights issues may be addressed through HRSD's enabling act. HRSD will still require permission from the homeowner to perform work beyond inspection and monitoring.
- It is estimated that 20-30% of residential laterals require repair at an approximate cost of \$5000 per lateral. Cost estimates for option (b) are inclusive of program administration costs.
- In option (b), regarding future maintenance responsibilities for work done on private property, HRSD indicated that there will be no assumption of ownership or maintenance obligations. Homeowners would sign an agreement explicitly releasing HRSD from further responsibilities.
- The peak flow commitments to be made by localities and HRSD will apply indefinitely. Rehabilitation and maintenance issues will be revisited through MOM-related activities.
- In option (b), private property I/I abatement in non-SSES basins may be addressed through MOM plan activities.
- Would HRSD consider a monthly fee for lateral maintenance or build such a fee into the base rate? Would HRSD consider a maintenance program for sewer and water laterals?
- The HRSD Commission approved the concept of option (b). DEQ had some questions, but no objections.

- HRSD envisions the development of separate MOAs with each locality to facilitate option (b) and ensure program continuance. However, coordination of the technical work required to prepare for implementing this option should begin as soon as possible.
- Another idea would be for all localities to apply an enforcement approach consistently across the region. City and county councils may not support an enforcement program that causes the homeowner to incur costs.
- Work on private laterals may be prioritized using information from SSES reports, construction observations made during public-side rehabilitation, and general system information such as age and pipe material.
- The perception of equitable program implementation may be a potential public relations issue for option (b). The key message is that the cost of I/I abatement is less than the cost of expanding the conveyance and treatment system.
- Political issues will need to be addressed under either option through a public outreach program.
- Most of the concerns expressed apply to the implementation process for both options. In general, a regional approach is preferable.
- The regional approach of option (b) will require significant and continuing collaboration between HRSD and the localities.

Handout:

HRSD presentation: "Private Property Inflow/Infiltration (I/I) Abatement Program"

**ACTION:** The Committee unanimously agreed to endorse option (b) development of a regional program coordinated between localities and HRSD. This recommendation will be presented to the Planning District Commission for consideration in March 2011.

### 3. Committee Decision-Making Procedures

HRPDC staff requested input on the Committee's procedures for decision making and actions that impact budget planning and expenditures. The Committee's comments are summarized as follows:

- HRPDC should remain sensitive to the budget mechanism. The funding source may be endangered without strong consensus or unanimous support.
- Any action regarding budget planning by the Committee is ultimately an endorsement until locality budgets are finalized.
- Legislative recommendations and budget issues should be agreed to by consensus.
- Locality representatives or proxy representatives may vote.
- The Committee should consider whether action may be taken on items brought up as new business and therefore were not included on the advertised agenda.
- A less formal procedure is preferred for Committee activities.

**ACTION:** Staff will draft a proposal for consideration by the Committee in March 2011.

#### **4. Water Reuse**

The Committee discussed the DEQ Notice of Intended Regulatory Action (NOIRA) for Water Reclamation and Reuse Regulations and the nomination of a representative for the Regulatory Advisory Panel (RAP). It was noted that HRSD has offered a nomination to DEQ (Mr. Jim Pletl). The Committee felt a representative from a groundwater user/water supply background would complement the wastewater representative and agreed to nominate Mr. Eric Tucker, City of Norfolk Assistant Director of Utilities, with Mr. Craig Ziesemer, Assistant Director of Public Utilities to serve as alternate.

**ACTION:** HRPDC staff will submit the nomination to DEQ by the February 14, 2011 deadline (see copy of February 8, 2011 letter to DEQ, included as Attachment 1D to March 3, 2011 DUC agenda).

#### **5. UASI Grant – Request for Proposals (RFP)**

The Committee reviewed the draft RFP for the “Water Infrastructure Assessment and Emergency Response Training” distributed previous to the meeting (comments due February 11, 2011). The Committee had no comments on the draft RFP.

Staff will distribute a final draft to be approved at the Directors of Utilities Committee meeting on March 2nd.

#### **6. Staff Reports**

A. Capacity Team Update: As directed by the Committee at the December 1, 2010 meeting, the Capacity Team completed an alternatives analysis for development of a private property I/I abatement program (see agenda item 2). In February 2011, the Capacity Team will return to developing business rules to address system rehabilitation and peak flow reduction. The Team will also develop estimates for effectiveness of various I/I abatement methods, which tend to be technology- and contractor-dependent. Mr. Hubbard provided an update on the development of the hydraulic model, summarizing the EPA workshop held on January 24, 2011 and the first of three rounds of locality meetings toward model calibration and verification (EPA submittal due July 31, 2011).

B. Regional Water Supply Plan: The Committee discussed the fulfillment of requirements for plan development and submission, and the scheduling of public hearings for local program adoption.

The Committee agreed that the plans should include estimated ranges of water volumes potentially generated by alternative water sources (desalination, UAW reduction, reuse, etc.).

Regarding local program adoption procedures, it was noted that city and county councils may vote on a proposed resolution at the same council meeting during which the public hearing is held. The Committee clarified that the required response letters to any written comments received will be reviewed by the DUC and that copies of the final response letters may be provided to city and county councils for information purposes.

Committee members were asked to consider targeting a timeframe for holding local public hearings. It was noted that such hearings would likely be placed on city and county council agendas no sooner than June 2011. As for HRPDC staff support for public hearings, it was expressed that presentation materials would be helpful, but localities are not likely to require HRPDC staff at the public hearings.

HRPDC staff reviewed the tentative schedule for plan completion. The remaining portions of the plan will be distributed for review in February, with DUC plan review and revisions through March/April, and a final packaged plan completed in April for use in briefing city managers. The local program adoption process may occur over the summer months, and staff will compile the final package in September/October. The deadline for final plan submittal to DEQ is November 2, 2011, including all records of public hearings, written comments and responses, and resolutions and meeting minutes reflecting adoption of local programs.

**ACTION:** HRPDC staff will email Committee members to poll them on potential hearing dates and support needs. Staff will prepare general presentation materials, a hearing announcement, and a resolution for plan adoption.

- C. Committee meeting minutes, Retreat topics: HRPDC staff provided a courtesy advisory that beginning in January, draft Committee meeting minutes are being included in the HRPDC agenda packet. No concerns were expressed regarding this distribution of draft minutes prior to Committee review.

HRPDC staff briefed the Committee on the Water Resources department's topic for the PDC retreat on February 17, 2011. Staff presentation will describe a proposal to develop a regional policy for groundwater use, with the intent of eventually informing revisions to groundwater regulations. The development of such a policy would engage the HRPDC economic development staff and planning staff. There were no comments on the retreat topic.

## 7. Other Business

There was no other Committee business.

**ACTION:** No action taken.

**Attachment 1A**  
**MEETING SUMMARY**  
**DIRECTORS OF UTILITIES COMMITTEE**  
**March 2, 2011**  
**Newport News**

**1. Summary of February 2, 2011 Meeting of the Directors of Utilities Committee**

The Summary of the February 2, 2011 meeting of the Directors of Utilities Committee was approved.

HRPDC staff announced that the H2O - Help To Others - Program received the IRS determination that the program is exempt from Federal Income Tax under 501(c)(3) of the IRS Code. HRPDC staff will proceed with coordinating the advisory committee and fund raising and public education campaigns.

**2. UASI Grant - Request for Proposals (RFP)**

The revised draft RFP for the “Water Infrastructure Assessment and Emergency Response Training” project was approved, and the schedule for RFP release and contract award was updated to include the RFP pre-proposal conference on March 25, 2011 (instead of March 24, 2011). HRPDC staff will proceed with the follow-up actions described in the schedule. It was noted that release of the UASI grant funds is still pending.

The Committee agreed that the RFP selection panel will be comprised of four locality representatives and one HRPDC representative. The selection panel will participate in the pre-proposal conference on March 25, 2011 and the vendor interviews on April 28, 2011.

- ACTION:**
1. The revised draft RPF was approved for finalization and release.
  2. The Committee agreed to the RFP selection panel membership as follows:
    - Suffolk representative
    - Norfolk representative
    - Mr. Parimal Patel, Newport News Waterworks
    - Mr. John Edwards, Surry
    - HRPDC representaive

**3. Committee Decision-Making Procedures**

The Committee discussed the Draft Guidelines for Committee Actions, specifically the number of Committee members required for a quorum and agreed to revise the guidelines to specify that six members or their designated representatives will

constitute a quorum. The Committee also considered a formal public comment period for meetings; it was clarified that although public meetings are open, they differ from public hearings in that there is no requirement to provide for an oral comment period. A formal comment period will not be included in the agendas. There were no further comments on the document.

**ACTION:** Staff will email the revised document to the Committee for comment. Any further revisions will be discussed at the April meeting. Otherwise, the document will be considered approved by the Committee.

#### 4. Uranium Mining

Mr. Tom Leahy briefed the Committee with a presentation on the “Preliminary Assessment of Potential Impacts of Uranium Mining in Virginia on Drinking Water Sources” initiated by the City of Virginia Beach. Committee questions (*italicized*) and discussion are summarized as follows:

- *Following a flood/containment cell failure event, would VDH deny use of the source? Would VDH allow pumping from Lake Gaston when radiation levels in the water column are near the Maximum Contaminant Level (MCL)?*  
It is unclear how VDH would respond to such a situation. Current, radiation levels in drinking water are 5-10% of the MCL. With a flood/failure event, levels could increase but remain below the MCL. Approximately 50% of the radiation could be removed by water treatment plants (WTPs); although the water would be safe, the public relations and public perception issues remain. Additionally, the disposal of the contaminated sludge from the WTP could be very costly and problematic. All WTPs that receive water from the Norfolk system would be affected by the sludge disposal problem.
- *Has the Nuclear Regulatory Commission provided guidance on catastrophe response?*  
Their position is that containment cells will not fail. They provide design specifications, with safety features stipulated to withstand probable maximum precipitation (PMP) events.
- *Has the City of Virginia Beach done any analysis of the financial impacts to the region?*  
No, not at this point. Compared to other communities closer to the source, Virginia Beach is well positioned to shut down the Lake Gaston source for a few months, but not for 2 years should drought conditions prolong the presence of radiation in the water column. If a flood/failure event were to occur, the radiation levels would be temporary and the utility would not have to abandon the pipeline and water treatment plant.

- *Everyone in the region benefits from Virginia Beach being proactive in this effort.* It has been the public's perception that water quality impacts from uranium mining would only occur in Virginia Beach. Other localities that use water from the Norfolk system should co-advocate Virginia Beach's position, and the City is available to discuss the issue with other localities.
- *The Sierra Club is also interested in the issue and the interconnections between area water systems. Should a flood/failure occur, there will be ample warning time to stop pumping Lake Gaston water and to prevent radioactivity from entering area reservoirs.*

The model indicates that after a flood/failure event, it would take one year for water quality to recover under normal precipitation and two years in drought conditions. Currently, there are six-month periods where rainfall is such that Lake Gaston water is not required. Virginia Beach may not have to use the Lake Gaston source at all following a flood/failure event, and the City would have adequate time to conduct testing and prioritize water use.

The mining company is considering deep shaft mining techniques where mine tailings are mixed with concrete and returned to the bore hole. This adds to costs and the company is not required to use such techniques. This technique would decrease the risks of a failure occurring and impacting water supplies.

- *Who in the General Assembly has been the most interested in this issue?* Dominion Power supporters advocating energy independence have expressed their support. There has been talk that the moratorium on uranium mining will likely be lifted in 2012 if Republicans have a majority in the State Senate.

Handout:

City of Virginia Beach Presentation: "City of Virginia Beach Uranium Mining Impact Study, Lake Gaston Water Safety Council, February 23, 2011"

**ACTION:** No action.

## 5. Interbasin Transfers

The Committee discussed legislation introduced during the 2011 session by Senator Frank M. Ruff, Jr. (Senate Bill No.1307) and Delegate Thomas C. Wright, Jr. (House Bill No. 2402) regarding the regulation of interbasin transfers of water. SB 1307 was withdrawn, however it will likely be resubmitted next year.

Ms. Kristen Lentz recommended that Hampton Roads localities stand uniformly against such legislation, as regulations for interbasin transfers are unnecessary and onerous. During the discussion, it was noted that North Carolina has regulations in place regarding interbasin transfers and that Senator Ruff and Delegate Wright represent areas near Kerr Reservoir. Other areas of the state are fearful that Hampton Roads and

Richmond represent future water transfers. However, Virginia Beach is bound by the Federal Energy Regulatory Commission (FERC) license until 2044 which stipulates that the City cannot request additional withdrawals from Lake Gaston. The Committee commented that the definition of a “basin” is not clear; that there should be state support for streamlining the development of new sources. It was noted that the Virginia Water Protection (VWP) Permit Program already provides regulatory oversight, and that language could be added to the VWP Program to clarify what constitutes an interbasin transfer and what criteria should be applied in considering such transfers.

The Committee agreed to take a position against any new regulations for interbasin transfers. As the proposal is anticipated to be a topic of discussion at the next Water Supply Advisory Committee meeting, the Committee agreed that that HRPDC Deputy Director John Carlock, Hampton Roads representative on the State Advisory Committee, should communicate the Utility Director’s position to the state committee.

Handout:

City of Norfolk Department of Utilities: “Public Water Supply System Concerns Related to Interbasin Transfers as Part of State Water Supply Planning (Draft 2/10/2011)”

**ACTION:** The State Advisory Committee will be advised of the Directors of Utilities Committee’s position against any new regulations relating to interbasin transfers.

## 6. Staff Reports

A. Capacity Team Update: Mr. Craig Ziesemer summarized the Capacity Team’s continuing efforts to develop business rules, providing a benchmark standard for evaluation of rehabilitation plans. The proposal, which is in the draft stage, provides for consistency in scope development, reduction of I/I flows, and investment by the utilities. Mr. Ziesemer noted the expectation that the peak flow commitments made per the rehabilitation plans are to be maintained.

It was clarified that the impacts of new development should be addressed through 2030 in basin-level growth plans for both existing and potential basins; therefore, the peak flow commitment should anticipate planned growth through 2030. New development or redevelopment must be jointly approved by HRSD and localities for flow acceptance and capacity assurance. Once projects are approved, the locality base flow, as well as peak flow, is increased. Ziesemer emphasized that it is in the interest of the utilities to send representatives to Capacity Team meetings to participate in the planning process.

B. Private Property Inflow/Infiltration (I/I) Abatement Program: HRPDC staff previewed a draft of the brief to be presented at the March 17th meeting of the Commission and requested input from the Committee. Comments are summarized as follows:

- It was noted that the peak flow commitment is married to private property rehabilitation work. Large I/I contributors were identified through the SSES process. While work on the public side can be planned, the question remains as to how to address the I/I contribution from private property.
  - The group discussed the typical private property I/I contribution and estimated ranges from 30-50% and from 1/3 to 2/3.
  - Slide 2: It was clarified that the area affected by the Consent Order does not extend past Gloucester.
  - Slide 8: P3 enforcement should be clarified. Reduction of public and private I/I flows is typically more cost effective than conveying and treating flows. HRSD's capital plan incorporates the work to be done under the Regional Private Property I/I Abatement Program. It is possible that the general rate structure will be adjusted to accommodate costs.
- C. Regional Water Supply Plan: Staff updated Committee members, as work on the plan continues with the review draft of Section 6/7 forthcoming.
- D. HRPDC Retreat Summary: HRPDC staff provided a summary of the Water Resources and Regional Planning Departments' February presentations at the HRPDC retreat. The Commission was supportive of the development of a regional groundwater policy and the project will be included in the work plan for FY2012. The Commission was also receptive to the Planning Department's regional priority data needs and development of land use categories. Staff noted that the delineation of land use categories may help with source water protection.

## 7. Other Business

- A. Ms. Lentz inquired with the other localities as to the practice of allowing commercial entities to call in irrigation submeter readings to receive credits on wastewater bills. Most localities indicated that this was not permitted, although for existing submeters, Newport News Waterworks allows such crediting via call-in reporting to HRSD. Newport News Waterworks anticipates that this issue will come before the City Council.

**ACTION:** HRPDC staff will conduct an email poll of committee members and the issue will be included on the next Committee meeting agenda for further discussion.

- B. Mr. Leahy asked if any other localities besides Virginia Beach set their water rates in thousands of gallons. Gloucester and Isle of Wight indicated that they also do so.

- C. The Committee discussed the consistency of information reported for the annual water rate study. Portsmouth reports the water rate in terms of total cost to the customer, including the utility tax. Other localities have excluded the tax. For future reporting, HRPDC staff will request both the rate and tax information.

**ATTACHMENT 1A**  
**THE DRAFT SUMMARY OF THE MEETING OF THE**  
**HAMPTON ROADS CHESAPEAKE BAY COMMITTEE, THE**  
**REGIONAL STORMWATER MANAGEMENT COMMITTEE AND THE**  
**CHESAPEAKE BAY IMPLEMENTATION SUBCOMMITTEE**  
**February 3, 2011**

**1. Summary of the January 6, 2010 Meeting of the Hampton Roads Chesapeake Bay and Regional Stormwater Management Committees and Chesapeake Bay Implementation Subcommittee**

Ms. Barbara Brumbaugh asked for a modification to the January Summary. The distributed version read, under Local Programs,

“The offsets group is currently using 75% as the baseline for the required amount of onsite offsets.”

The requested change reads, “The offsets group is currently using 75% as the baseline for the required minimum amount for onsite treatment before offsets can be purchased.”

The Summary of the January 6, 2010 Meeting of the Hampton Roads Chesapeake Bay and Regional Stormwater Management Committees and Chesapeake Bay Implementation Subcommittee was approved as modified.

**2. Stormwater Regulations Update**

Ms. Jenny Tribo, HRPDC, updated the Committee on the status of state stormwater regulations. Initial RAP comments will be sent to DCR February 9. The next RAP meeting is February 28. The public comment period will be from March to April, with the proposal being sent to the SWCB in May. Regulations will become effective in fall of 2011, but will not be implemented until July 1, 2014 upon renewal of the general construction permit.

The water quality group recommends developing a single statewide standard of 0.41lbs P/year/acre, using the runoff reduction method. The standard will be reviewed in 2017. For redevelopment, sites less than one acre will need a 10% reduction, while sites greater than one acre will need a 20% reduction. If a site redevelopment will increase the amount of impervious cover, the site will have to meet the standard for new development.

Grandfathering would be possible through June 30, 2019, as long as the project meets of one five conditions.

Offsite compliance would be accomplished through: (1) stormwater management plans; (2) pro rata fees; (3) nutrient offset programs; and (4) negotiation with local programs.

Regarding nutrient offsets, some onsite requirements for reductions will be implemented if development is greater than 5 acres or required to reduce more than 8 lbs P/year.

Local programs will need to be in place by July 1, 2014. DCR will oversee local programs; these programs will implement the regulations by mirroring state criteria in their ordinances. DCR will be putting together model ordinances for localities to use. These new requirements will supersede the stormwater requirements contained in the Chesapeake Bay Preservation Act.

Relevant information on the stormwater regulations is available on DCR's website. Comments should be delivered to Ms. Tribo by February 8.

### **3. VDOT Presentation**

Staff from VDOT gave a presentation to the Committee on new guidelines the Department is using to address new stormwater regulations. IIM-195.7 has been rewritten to change how water quantity and quality must be addressed on VDOT roads and rights-of-way. Under the previous system, water quality features were not required if the net increase in impervious area was less than 16% of the project area, and if the area was greater than 16%, only the new impervious areas had to be treated. Under the new system, the requirement for a net increase of less than 16% remains the same, but if the net new impervious area exceeds 16%, the total impervious area must not be treated. In 2012, water quality features will be required for any increase in impervious area.

### **4. Chesapeake Bay TMDL Update**

Ms. Jenny Tribo, HRPDC, updated the Committee on the status of the Chesapeake Bay TMDL. Some BMPs are included in the model, but others still need to be. The deadline for Phase II WIPs is in flux. The original deadline was November 2011, but a decision is expected in February or March that will push that deadline back. EPA has stated, in response to comments received on the stormwater rulemaking, that they are going through survey responses and will propose a rule by September 2011 with a final rule being out by November 2012.

Chesapeake Bay Watershed Model 5.3, used for development of the TMDL, underestimated impervious cover. USGS has spent the last several months revising their methodology to better detect suburban and rural development. The revised impervious cover estimates will be included in the version 5.3.2 model that will be used to determine revised nutrient and sediment targets. Revised targets are expected to be released in spring 2011. It still underestimates impervious cover, but not by as much as previously.

There is some confusion about which BMPs are in the model. Street sweeping and stream restoration are in the model. Guidance is needed from EPA on how to document BMPs moving forward. Other BMPs to include are the runoff reduction approach to development and loading standards. Maryland is pushing for BMPs by era (using assumptions of BMPs based on contemporary development standards). Stream restoration is being reconsidered to reflect new research. Urban tree planting will have to be added as a BMP; it can be added now, but only as acres of trees planted. Urban nutrient management also needs to be looked at again. Soil and erosion control standards need to be added. Shoreline erosion is currently credited in the water quality model, but not in the watershed model.

For existing BMPs, 2009 progress loads are the baseline. Localities need to know what was already credited in the model. BMPs put in place after 2005 may still be credited.

## **5. Regional Land Cover Discussion**

Mr. Benito Pérez, HRTPO, gave a brief presentation to the Committee on HRTPO's regional land use data project. HRTPO is developing a set of regional maps covering current land use and zoning and future land use for transportation planning purposes. Mr. Pérez requested feedback from the Committee on the project's proposed regional land use classification system. Committee members had several comments on the proposed system:

- 1) Localities use different timescales for future planning purposes, so the map and documentation should reflect different planning horizons.
- 2) Several members cautioned against using zoning and land use data on the same map.
- 3) Different types of agriculture require different services or place different strains on the surrounding environment; several of the more rural localities were not comfortable with classifying all agricultural areas under a single designation.
- 4) The classification system as currently envisioned will not be a very useful environmental planning tool.
- 5) The system needs a Rural Residential classification that would identify residential areas where there is less than one unit per acre.
- 6) Committee members suggested looking at designations used by locality real estate assessors, as well as a land use designation system developed by Maryland.

HRPDC staff is still in the process of looking at land cover options and methodologies. A meeting of Committee staff and locality GIS staff will be held February 16.

**6. Preview of HRPDC Annual Retreat**

HRPDC staff informed the Committee of the agenda for the HRPDC annual retreat. Each department will give a brief summary of their past, current, and ongoing work, as well as a focused presentation on a specific subject. The Water Resources Department will give a presentation on groundwater issues, while the Planning Department will give a presentation on regional data needs, including LiDAR. Mr. Dave Evans will also give a presentation on issues with appealing the Chesapeake Bay TMDL.

**7. Legislative Update**

Ms. Jenny Tribo, HRPDC, led a brief discussion of legislative agenda items. HRPDC opposes the offsets bill currently being considered. HRPDC staff is monitoring SB1055, which prohibits the sale of lawn maintenance fertilizer that contains phosphorus. Under the bill, the state will be responsible for enforcement, as well as for certification and licensing requirements.

**8. Status Reports**

**A. Hampton Roads Sanitation District**

In the absence of a HRSD representative there was no report.

**B. Hampton Roads Planning District**

HRPDC staff had several updates.

- a) Individual waste allocations for Phase I permits were included in the Chesapeake Bay TMDL; Dave Evans and Chris Pomeroy are setting up a meeting to discuss.
- b) The draft protocol for the BMP Clearinghouse is out; the final should be finished by spring 2011. It will be taken to the director at the end of February. Only removal of phosphorus is certified.
- c) There will be a Center for Watershed Protection webcast in March covering stormwater issues; they have requested a speaker to cover stormwater wetlands maintenance for the webcast. If interested, please contact Ms. Tribo.
- d) HR Storm is updating its fact sheets.
- e) There will be a PARS user group meeting on February 18 in the morning.

**C. Soil and Water Conservation Districts**

In the absence of a SWCD representative there was no report.

**D. Department of Conservation and Recreation**

DCR staff reported that the second round of CBPA compliance evaluations is underway; Gloucester County, James City County, and Williamsburg are currently being evaluated. An RFP was distributed for Chesapeake Bay Implementation Grants in January; applications are due February 21. A DCR workshop that was planned for the spring will not be held in the fall because of compliance evaluations.

Norfolk asked DCR representatives for state guidance on developing responses to the Phase II WIP. Poquoson suggested that localities have input in the development of the WIP.

E. Department of Environmental Quality

DEQ representatives reported that Frank Daniels, former Director of the DEQ Tidewater Regional Office, retired at the end of December, 2010.

F. U.S. Geological Survey

In the absence of a USGS representative there was no report.

G. Department of Transportation

VDOT representatives had nothing to report.

H. U.S. Navy

U.S. Navy representatives had nothing to report.

I. Local Programs

Chesapeake: The City Council unanimously passed the update to the City's Sustainability Plan. Brian Ballard is leaving his job as Senior Planner for the City of Chesapeake to become a Community Planning Liaison for the Department of the Navy.

Poquoson: The mayor of Poquoson is a candidate in the special election for the House of Delegates seat representing the 91<sup>st</sup> House District.

Norfolk: A new city manager started working February 1, 2011. The director of public works has been designated an acting assistant city manager. Alice Kelly is serving as acting director of public works.

Gloucester: County staff is concerned with the classification system proposed by HRTPO for their land use map. County staff appreciated recent information sent by DCR to consultants regarding construction standards. Gloucester is putting together comments regarding Alternative Onsite Sewage Systems.

**9. Other Matters**

The next meeting of the Joint Environmental Committee is scheduled for March 3, 2011 in the HRPDC Regional Board Room. Materials will be sent in advance for review.

DRAFT

**ATTACHMENT 1A**  
**THE DRAFT SUMMARY OF THE MEETING OF THE**  
**HAMPTON ROADS CHESAPEAKE BAY COMMITTEE, THE**  
**REGIONAL STORMWATER MANAGEMENT COMMITTEE AND THE**  
**CHESAPEAKE BAY IMPLEMENTATION SUBCOMMITTEE**  
**March 3, 2011**

**1. Summary of the February 3, 2010 Meeting of the Hampton Roads Chesapeake Bay and Regional Stormwater Management Committees and Chesapeake Bay Implementation Subcommittee**

The Summary of the February 3, 2010 Meeting of the Hampton Roads Chesapeake Bay and Regional Stormwater Management Committees and Chesapeake Bay Implementation Subcommittee was approved as distributed.

**2. Chesapeake Bay TMDL Update**

Ms. Jennifer Tribo, HRPDC, updated the Committee on the status of the Chesapeake Bay TMDL. A Principals Staff Committee (PSC) meeting was held in February, as was a meeting of the Local Government Advisory Committee (LGAC). Hampton Roads is now represented by three local elected officials on the LGAC: Sheila Noll of York County, Debbie Ritter of Chesapeake, and Rosemary Wilson of Virginia Beach.

DCR continues to develop the process to be used for Phase 2 WIP development and implementation. Mr. James Davis Martin is the project manager. Ms. Tribo described the process and schedule so far. Community conservation profiles will be included in the WIP. There has been no official change to the schedule as of the PSC meeting, though with the current three-month delay in the process it is expected that the Phase 2 WIP will be due in February 2012.

Ms. Tribo presented answers to a LGAC questionnaire that were developed by HRPDC staff and Hampton Roads LGAC members. Ms. Tribo asked for comments on the answers. These answers will eventually be used to design a survey to be sent to local governments.

Mr. David Sacks, DCR, stated that the Office of the Secretary of Natural Resources will be sending letters to PDC executive directors, seeking to have its staff brief the Commissions on the Phase 1 and 2 WIPs and the expected/desired role for PDCs in their development.

**3. Regional Land Use/Cover Discussion**

Ms. Sara Kidd, HRPDC, briefed the Committee on a meeting that was held with HRPDC staff and locality GIS representatives. Several localities have planimetric data to various degrees, including building footprints, driveways, parking lots, and

other datasets. Data availability is not consistent across the region, but building footprint and parking lots are the most widely available. Several localities possess some land cover data, but it is not standard.

Mr. L.J. Hansen, Suffolk, stated that regionally consistent land use and land cover standards would be the most useful.

Due to the timing of the Chesapeake Bay TMDL process, any data acquired would not be included in load allocations now, but could be used in the calibration of the next model.

HRPDC staff will develop several alternatives for the Committee to consider at a later meeting.

#### **4. Local Program Presentation**

Chuck Fleming, Hampton, described collaboration by the City of Hampton and Kimley-Horn and Associates to develop a more precise dataset of impervious cover to help the city respond to the Chesapeake Bay TMDL. Mr. Karl Mertig, described the project. The analysis included both water quality and water quantity, and consisted of two parts. The first was an analysis of impervious cover in the city. The second was an overlay of the impervious cover layer with parcels to use to make stormwater utility charges more accurate.

The analysis combined 4-band imagery (1-foot) from the Virginia Base Mapping Project with Hampton's planimetric data (pavement, parking, building footprints). The imagery was classified into six classifications: impervious cover, turf, water, wetlands, and other (which included shadows, hard packed soil, bare soil, and Bermuda grass).

The proposed next steps for the project are: (1) to use the Virginia Runoff Reduction model to calculate stormwater pollutant loads from individual properties; (2), to review stormwater billing; and (3), to recalculate the ERU value for residential properties.

#### **5. Upcoming Local TMDLs**

Ms. Jennifer Tribo, HRPDC, informed the Committee of the schedule for local TMDLs over the next year. The presentation included a map of bacteria TMDLs that will be needed by May 2012. Chesapeake, Virginia Beach, Portsmouth, Suffolk, and Southampton all have water bodies on the list, with the order of priority to be determined.

A meeting for the Hoffer Creek TMDL will be held at Northern Shores Elementary on March 9, 2011 at 7pm.

## **6. Coastal Zone Management Program**

Mr. Benjamin McFarlane, briefed the Committee on several grants from the Coastal Zone Management Program. The annual Coastal Technical Assistance program report includes descriptions of HRPDC's Coastal Zone work, including coordination with local government staff, training, data collection and analysis, environmental impact review, and public education and outreach. The Committee recommended approval of the report, pending distribution to the Committee for review.

Several CZMP grant applications are due soon. The Coastal Technical Assistance program grant is due to CZM March 15, 2011. Applications for Focal Area Grants are due April 1, 2011. HRPDC is eligible for a focal area grant in four areas: coastal resiliency, water quality, public access, and working waterfronts. HRPDC staff is currently working on proposals for coastal resiliency and water quality, and will submit one. HRPDC staff is also developing a proposal for a Section 309 grant that will focus on implementable policies and regulations for improving water quality in response to the Chesapeake Bay TMDL. The Committee recommended the Commission approve HRPDC applications for all three grants.

## **7. Hampton Roads Watershed Roundtable Report**

Ms. J. McBride, HRPDC, gave a presentation to the Committee on the annual Hampton Roads Watershed Roundtable Report. The report includes a description of the Roundtable and its history and meetings and activities that have been held in the last year. Ms. McBride also described future plans for the Roundtable, including some potential meeting topics and holding regular quarterly meetings.

## **8. Review of HRPDC Annual Retreat**

HRPDC staff briefed the Committee on the annual HRPDC Retreat that was held in February. Senior HRPDC staff presented potential future projects to the Commission. Ms. Whitney Katchmark briefed the Commission on regional groundwater policies, and Ms. J. McBride briefed the Commission on regional data needs, including LiDAR and land cover. The Commission also saw presentations on existing programs. Overall, the program was well-received by the Commission.

## **9. Joint Environmental Committee (JEC) Structure and Future Meeting Schedule**

Ms. Jennifer Tribo, HRPDC, led a discussion by the Committee on potential changes to its structure. There is a proposal to hold separate meetings of stormwater and planning committees, with Joint Environmental Committee meetings being held to hear presentations of interest to both committees and to discuss regional positions and make recommendations to the Commission. HRPDC staff will put together some alternatives for the Committee to consider. Committee members offered some suggestions, including using conference calls for committee meetings and having the

Joint Environmental Committee reduced in size to focus solely on discussing recommendations to the Commission.

## 10. Status Reports

### A. Hampton Roads Sanitation District

HRSD representatives had nothing to report.

### B. Hampton Roads Planning District

HRPDC staff had several updates.

- a) Mr. John Carlock presented a Resolution of Appreciation to Brian P. Ballard, Chesapeake, for his work with Hampton Roads localities and regional committees.
- b) Ms. Jennifer Tribo informed the Committee that:
  - a. a Stormwater RAP meeting will be held next Wednesday, March 9, at 10am. The location is to be announced.
  - b. Perennial stream training will be held at VIMS on March 24 and 25.
- c) Mr. Benjamin McFarlane informed the Committee that:
  - a. CELCP grant applications are due next Thursday, March 10, to CZM.
  - b. The Institute for Environmental Negotiation is looking for additional Hampton Roads localities to develop public outreach for sea level rise education and discussion.
  - c. Due to a change in guidance by the U.S. Department of Energy, the Regional Greenhouse Gas Emissions Inventory has been placed indefinitely on hold until alternative funding can be identified.

### C. Soil and Water Conservation Districts

SWCD representatives had nothing to report.

### D. Department of Conservation and Recreation

Mr. David Sacks, DCR-CBLA, reported that the second round of CBPA compliance evaluations is underway; James City County and Williamsburg are currently being evaluated. Applications for Chesapeake Bay Implementation Grants are due February 21.

Mr. Todd Herbert, DCR, announce that a Water Quality Implementation Fund grant has been awarded to the James River Association for Extreme Makeover BMP training in Newport News that will be held April 11 to 15. The Elizabeth River Project will be participating in Riverfest on April 30. They are also promoting a Riverstar Homes Program that aims to reduce pollutants in runoff from residential properties.

Mr. Noah Hill, DCR, reported that the next round of local program Erosion and Sediment Control reviews will begin July 1. He will bring the list of programs to be reviewed to the next meeting.

E. Department of Environmental Quality

In the absence of a DEQ representative there was no report.

F. U.S. Geological Survey

USGS representatives had nothing to report.

G. Department of Transportation

VDOT representatives had nothing to report.

H. U.S. Navy

U.S. Navy representatives had nothing to report.

I. Local Programs

Chesapeake: Chesapeake will be conducting its own greenhouse gas emissions inventory.

Virginia Beach: The Department of Interior will be entering wind lease blocks into the federal register sometime in the next few weeks. Virginia Beach staff has heard of between two and ten proposals, with the closest proposal about 15 miles offshore.

Mr. John Paine, URS, informed the Committee of the upcoming Virginia Water Conference, and encouraged Committee-members to attend.

Gloucester: There will be a continuing education course at VIMS for land surveyors on March 9 from 2pm to 6pm, with a focus on wetlands and the application of CBPA Resource Protection Areas. Contact Scott Rae if interested.

**11. Other Matters**

The next meeting of the Joint Environmental Committee is scheduled for April 7, 2011 in the HRPDC Regional Board Room. Materials will be sent in advance for review.

# Resolution of Appreciation

to

## Brian P. Ballard

**Whereas,** Brian P. Ballard has faithfully served the Hampton Roads Planning District Commission and its Joint Environmental Committee since 2003; and,

**Whereas,** he has provided leadership in encouraging the Committees and the HRPDC staff to pursue cooperative programs to address Chesapeake Bay stormwater management and environmental planning issues; and,

**Whereas,** he served in a variety of positions with the Cities of Chesapeake, Hampton, and Norfolk from 2003 through 2011; and,

**Whereas,** he played active roles in developing cooperative regional environmental planning and stormwater management programs to support local stormwater permits and initiatives, Chesapeake Bay and Elizabeth River restoration and provided ongoing advice to the HRPDC staff and the members of the Committees in program implementation; and,

**Whereas,** he has served the region on a number of environmental committees, including the Hampton Roads Chesapeake Bay, Regional Stormwater Management and Elizabeth River Restoration Study Steering Committees; and,

**Whereas,** he has provided leadership to the efforts of the HRPDC staff effort, in cooperation with the City of Chesapeake to develop a Watershed Management Plan for the Northwest River; and,

**Whereas,** he has completed important work, in cooperation with the City of Virginia Beach and the HRPDC, to preserve natural resource lands as buffers around the region's military airfields.

**Now Therefore, Be It Resolved** by the Hampton Roads Joint Environmental Committee that Brian P. Ballard is commended for his dedication and outstanding service, and presented this resolution as a token of the Committee's gratitude; and

**Be It Further Resolved** that the Hampton Roads Joint Environmental Committee expresses its hope that Brian P. Ballard will continue to serve the region and orders that a copy of this Resolution be spread upon the minutes of the Committee this 3rd day of March 2011.



Executed this 3rd day of March 2011

*John M. Carlock*  
Chairman

## **PROJECT STATUS REPORTS**

### **A. Regional Housing Program**

#### **Housing and Human Service Technical Support**

Staff routinely provides information and support to those seeking information on housing programs in the Hampton Roads region. Staff is also working with the Hampton Roads Housing Consortium (HRHC) to provide trainings for regional housing providers.

#### **Regional Housing Portal**

HRPDC staff members are continuing to work on the implementation of the Regional Housing Portal. Currently all known housing resources pertaining to foreclosure prevention and mortgage defaults services have been identified and a database has been created. Staff is currently planning meetings with community stakeholders concerning the development of the portal and working to complete the gap analysis of services and programs.

#### **Hampton Roads Loan Fund Partnership**

The FY11 allocation of HOME funds for the downpayment and closing cost assistance program has been announced for the HRPDC. Planning District #23 will initially receive \$180,000. Staff has begun to receive requests for funding from qualified first-time homebuyers in the region and is processing those requests.

### **B. Regional Economics Program Report**

#### **Technical Assistance**

Economics staff routinely provides technical assistance and support to member jurisdictions and regional organizations. Information from both the HRPDC Data Book and the Commission's Benchmarking Study provides easy access to a great deal of regional information. Over the past month, staff has responded to information requests from individuals, member localities, regional organizations, and the media.

#### **Regional Competitiveness**

Staff is working on a regional competitiveness study. The purpose of the study is to review the components of growth in competitive economies and evaluate the regional capacity for growth. This analysis will include an in-depth analysis of the

region's occupational and industrial composition, with a particular focus on the region's labor supply.

### **Analysis of Energy Development Strategies**

Staff is beginning work on an analysis of energy development strategies in Hampton Roads. At present, very little is commonly understood as to the ability for the region to capitalize on various forms of energy development. Staff will be collecting and compiling information on the region's capacity to develop energy and with research the potential economic benefits associated with energy development.

## **C. Emergency Management Project Update (March 2011)**

### **Hampton Roads Regional Jail and Inmate Evacuation Committee**

On January 13, 2011, this committee met and conducted a conference call with representatives from CSX, Amtrak and Norfolk Southern. Ken Jones (EM in Newport News) facilitated the call and proceeded to explain to the transportation representatives, the plan for potentially evacuating inmates using rail if circumstances warranted such an action. The intent described for this is to run from Newport News to Emporia (where track is in need of repair), then continue on to Lawrenceville, where there is a brickyard that could be used for unloading. Ken also described the plan for evacuating Southside, once Amtrak out of Norfolk is complete. Discussions and planning will continue at future meetings.

### **Hampton Roads Tactical Regional Area Network (HRTacRAN)**

The EM Administrator continues to work with the Hampton Roads Interoperability Communications Advisory Committee (HRICAC) Oversight Group in an effort to find a funding solution for sustainment of the system for follow-on service and maintenance procurement. The FY09 Port Security Grant Application that was submitted to VDEM in August 2010 as a potential temporary solution for sustainment. Awaiting DHS approval. Also, the FY08 UASI investment supporting ORION was modified to support HRTacRAN and is currently awaiting DHS approval.

### **Peninsula Local Emergency Planning Commission (PLEPC)**

The HRPDC continues to support the work for updating the Peninsula Local Emergency Response Plan. A draft of the new plan has been delivered and was reviewed and commented on by staff.

### **FY 2011 Healthcare Organization Emergency Preparedness Seminars (HOEPS)**

The HOEPS planning committee continues meeting on a monthly basis to advance the plans for this year's seminar. This year's seminar will include a scaled down tabletop exercise for participants. The exercise team members are working on the

development of the exercise component and are nearly complete. Dates for this year's event are May 4th on the Peninsula and May 5th on the Southside.

### **Hazard Mitigation Planning**

The HRPDC and Hazard Mitigation Planning Committee (for the Southside Hampton Roads Hazard Mitigation Plan, the Franklin Hazard Mitigation Plan and the Southampton Hazard Mitigation Plan) are on-going with the consultant. Data calls for required information, plans, and GIS files were initiated and well supported by all involved jurisdictions. Draft components of the Franklin plan have been delivered and reviewed by staff. Anticipate the draft components for the Southampton plan this month. Anticipate Hazard Mitigation Planning Committees to be meeting on these two plans in late March followed by a public meeting to review the draft components of the plans.

The Emergency Management staff continues to work with the City of Hampton's Fire Chief (Project Manager) by providing support to update the Peninsula Hazard Mitigation plan. Staff participated in the first of the jurisdictional Hazard Mitigation Planning Committee meetings for the update to the Hazard Identification and Risk Assessment review.

A website supporting this project for the staff, local agencies and future public participation has been established: [www.remtac.org/mitigation](http://www.remtac.org/mitigation). Currently, the Peninsula plan is not represented on this site. This will change in the near future as the consultant is working with the HRPDC to have the Peninsula section included at their (peninsula localities) request.

### **Regional Catastrophic Planning Grant Program (RCPGP) Support**

The Emergency Management staff continues to support the Regional Catastrophic Planning Team and the three workgroups to ensure existing projects and data is integrated. The project was re-scoped for consultant support with a contract recently awarded by VDEM. The existing workgroups and structure of the Regional Catastrophic Planning Team will be changing to reflect the new Scope of Work.

### **Urban Area Security Initiative (UASI)**

The Emergency Management staff continues to manage and support the Hampton Roads Urban Areas Security Initiative (UASI) Grant Program for the Urban Area Working Group (UAWG). FY11 UASI Grant planning continues in anticipation of grant guidance being released at any time. Unfortunately, until Congress approves the budget, DHS cannot release the new grant guidance. But we remain engaged and be ready to implement guidance once released.

The FY07 UASI grant is completed.

## **Hampton Roads Medical Special Needs and WebEOC Implementation Update (FY07 & FY08 UASI Project)**

The WebEOC Subcommittee continues to implement its plan for institutionalizing WebEOC in the region.

The Special Needs website and registry ([www.hrspecialneeds.org](http://www.hrspecialneeds.org)) continues to be populated by/for citizens with special needs in Hampton Roads.

## **Multi-Region Target Capabilities Assessment (FY08 UASI Project)**

The Emergency Management staff provides program management and implementation support for the Target Capabilities Assessment (TCA), through the UASI Grant program. A project kick-off meeting was held in February 2011 with the stakeholders (Public Health, Medical, EMS, Hospitals, EM's, etc.). The assessment process is now in the data gathering and review phase.

## **Pet Sheltering Support (FY09 UASI Project)**

The first of seven trailers with pet sheltering supplies and equipment is scheduled to be delivered by the end of March. Emergency Managers will be able to view the trailer configuration and make recommendations for adjustments before the rest are built.

## **First Responder Authentication Credential (FRAC)**

The FRAC Committee met on January 24, 2011 for an update from the project manager at the Governor's Office of Commonwealth Preparedness. Issuance stations were provided to stakeholders and will be connected over the next few months.

## **Hampton Roads Critical Infrastructure Protection Program (HR CIPP)**

Strategic planning by the Emergency Management staff for the development of a regional Critical Infrastructure and Key Resources (CIKR) program is on-going in coordination with the Office of Commonwealth Preparedness Critical Infrastructure Protection Coordinator.

The Regional Critical Infrastructure Protection Resiliency Strategy was delivered electronically on January 5, 2011 and staff has begun reviewing it. Additional efforts with the Governor's Office of Commonwealth Preparedness will be implemented to implement and manage the strategy. A website supporting this project has been established: [www.hrcipp.org](http://www.hrcipp.org)