

MEETING SUMMARY
CHESAPEAKE BAY TMDL STEERING COMMITTEE
January 5, 2012
1:00 P.M.

1. Meeting Summary

The summary of the December 1, 2011 Steering Committee meeting was approved.

2. Phase II WIP Process Update

HRPDC staff briefed the Committee the latest developments in the Phase II WIP process (a copy of the presentation is available on HRPDC's website). Virginia submitted the draft WIP report on December 15 2011. Staff reviewed the schedule for completion of the regional submittal to be appended to local government strategies for the final WIP. Comments on the draft regional narrative are due to HRPDC staff on January 10, 2012. The revised regional appendix (narrative and preferred scenarios) will be provided for Committee review by noon on January 12, 2012; comments are due January 17, 2012 at 9 a.m. The final regional appendix will be distributed to HRPDC on January 17, 2012 by 3 p.m. for consideration at the January 19, 2012 Commission meeting. Pending any revisions per the Commission meeting, staff will provide the final package to localities on January 23, 2012. Local submittals are due to DCR on February 1, 2012.

Committee members clarified the use of local submittals with DCR's representative. DCR indicated 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. DCR staff agreed to memorialize this position in a forthcoming written statement to Hampton Roads localities. DCR also noted that Virginia, unlike Maryland, will not be attaching individual local and regional plans to the final Phase II WIP submittal to EPA.

3. Review of Draft Regional Narrative

The Committee discussed the review draft of the narrative portion of the regional appendix, which was distributed for review on January 4, 2012 (a copy of the presentation is available on HRPDC's website). HRPDC staff collected comments for incorporation in four key areas of the report. The Committee provided comments and suggestions as summarized below:

- Recommend that Virginia or Bay modelers provide justification to support basin assignments for segmentsheds, specifically, the assignment of the Lynnhaven River to the James River basin and the assignment of portions of the City of Poquoson to the Mobjack Bay basin, and consider model revisions to accommodate all segmentsheds that discharge directly to the Chesapeake Bay.
- Recommend that the Bay Program incorporate locality corrections for pre-2006 BMPs and address equity issues/credit for these practices.
- Recommend that the Bay Program incorporate local land use data into the Bay model as soon as possible and, at a minimum, ensure that the information is incorporated into the 2017 model calibration.
- Revise language in Section 1.1 to say that the information in the report *is* representative of local government strategies and should not be interpreted to constitute local-level commitments.
- Recommend the expansion of septic system pump-out requirements statewide.
- Under alternative BMPs, discuss the reduction of air deposition.
- Under alternative BMPs, discuss the nutrient and sediment captured by existing reservoirs and dams.
- The Bay Program should gather data from tidal zones to validate loading rates and measure the ratio of nitrogen, phosphorus, and sediment in urban runoff from Virginia's Coastal Plain.
- Recommend revising the Bay model to track wetlands as a separate land use category with an appropriate loading rate.
- Revise the stormwater reuse recommendation to specify voluntary reuse where appropriate.
- Recommend streamlining the Resource Protection Area (RPA) process to facilitate BMPs that provide nutrient reductions from urban waterfront or coastal areas.
- Recommend state funding support for projects that engage multiple local governments in BMP projects such as shoreline restoration and stream restoration.

Additional written comments will be accepted by HRPDC staff until January 10, 2012.

4. Review of Preferred Scenario Data submitted to HRPDC

HRPDC staff updated the Committee on the effort toward developing a regional scenario which meets the Phase I WIP level of effort (a copy of the presentation is available on HRPDC's website). Staff summarized the data received thus far from local governments. Staff will be following up with individual localities regarding questions or missing data and requested that localities advise HRPDC if they will be submitting outstanding information and when they expect to provide their data.

HRPDC staff reviewed the methodology and assumptions being applied in development of the regional scenario (see staff's presentation). Questions and clarifications were discussed, and the Committee provided feedback on decision points identified by HRPDC staff for inclusion of information in the regional narrative and scenario. In response to the question from staff, the Committee agreed that they were generally satisfied with the development of the regional narrative and scenario thus far.

The Committee agreed to cancel the meeting scheduled for February 2, 2012 and to tentatively reserve the morning of February 15, 2012 for a special Committee meeting if necessary.

5. Facilitated Discussion/Roundtable

Updates provided by Steering Committee members are summarized below.

Chesapeake: The City Council will be reviewing the local submittal at a work session on January 24, 2011. Corrected land use and BMP information is contributing significantly towards meeting the City's targets. The City will be providing information to HRPDC for the regional scenario.

James City: The County has also fund land use corrections of critical importance and supports the recommendation for the State to incorporate locality corrections for pre-2006 BMPs and address equity issues/credit for these practices.

Poquoson: The City is continuing to develop land use corrections and information to support the local submittal.

Hampton: The City will be providing HRPDC with information for incorporation into the regional scenario.

Suffolk: The City has provided HRPDC its information for the regional scenario.

Newport News: Following the January 6, 2012 meeting with the City Manager, information will be provided to HRPDC for the regional scenario.

Virginia Beach: The City will confirm with consultant that the regional scenario method/assumptions are consistent with City-developed data.

Lynnhaven River Now: It is valuable to track private property BMPs, and the organization is currently pursuing such an effort.

DCR: The following updates on Phase II WIP initiatives were provided:

- Model issues and path forward: EPA was not satisfied that Virginia did not include input decks with the draft and final milestone submittals. Therefore, DCR agreed to submit an input deck of what is on the ground and an input deck of a progress/scoping run to identify modeling problems.
- Alternative BMPs: DCR submitted alternative BMPs to EPA, however EPA has not been responsive regarding approval of these interim BMPs. DCR will provide localities with more information as it becomes available.
- VAST, technical, and BMP questions should be directed to James Davis Martin
- Strategy and planning questions should be directed to Joan Salvati
- Federal lands and facilities: DCR met with federal facilities on December 16, 2011 to review expectations for the Phase II WIP submittal. Federal facilities were given two options: 1) provide DCR with land use information and BMP strategies; or 2) provide their own facility plan. Federal facility information will be reflected in the Phase II WIP. DCR did not have information yet as to whether federal facilities will be providing strategies for L2 or L3 levels of treatment, but will advise HRPDC and localities as more information is available.

Meeting Attendance

Regional Steering Committee for the Chesapeake Bay Phase II WIP:

Chesapeake Bay TMDL Steering Committee members in attendance at the September 1, 2011 meeting are indicated by a “√” in the list below. Those represented by an alternate are indicated with a “Δ” (see list of alternate representatives below).

- | | |
|-------------------------|--|
| √ Amar Dwarkanath, CH | √ Ted Henifin, HRSD |
| √ Eric Martin, CH | Carl Hershner, VIMS |
| Stanley Stein, NO | Δ Marjorie Mayfield Jackson, Elizabeth River Project |
| √ June Whitehurst, NO | √ Christy Everett, Chesapeake Bay Foundation |
| √ Dave Hansen, VB | √ Karen Forget, Lynnhaven River NOW |
| Clay Bernick, VB | Bill Street, James River Association |
| Randy Wheeler, PQ | Tara Outland-Williams, Peanut SWCD |
| √ Ellen Roberts, PQ | Chuck Griffin, Peanut SWCD |
| Δ Mary Bunting, HA | √ Roy Flanagan, Virginia Dare SWCD |
| √ Lynn Allsbrook, HA | W. Brian Noyes, Colonial SWCD |
| √ Brian Lewis, NN | Laverne Calhoun, Tidewater SWCD |
| √ Dave Kuzma, NN | √ Joan Salvati, DCR |
| Richard Hartman, PO | Mark Sauer, DEQ - TRO |
| √ James Wright, PO | John Carroll, Forestry |
| Steve Martin, WM | Δ Robert Hicks, VDH |
| √ Carolyn Murphy, WM | √ Andrew Scott, VDOT |
| √ John Hudgins, YK | John Gordon, DOD – Air Force |
| √ Connie Bennett, YK | David Cotnoir, DOD - Navy |
| Fran Geissler, JCC | Mark Bennett, USGS |
| √ Darryl Cook, JCC | |
| √ Rhonda Mack, SY | |
| Patrick Roberts, SU | |
| √ L. J. Hansen, SU | |
| Frank Haltom, IW | |
| Peter Stephenson, SM | |
| √ Wayne Griffin, SM | |
| Brenda Garton, GL | |
| Martin Schlesinger, GL | |
| Δ Michael Stallings, WN | |

Alternate Steering Committee Representatives in Attendance:

- | | |
|-------------------|-------------------------------------|
| Pete Peterson, HA | Joe Rieger, Elizabeth River Project |
| Dennis Carney, WN | Noah Hill, DCR |
| | David Tiller, VDH |

Additional Attendees:

Barbara Brumbaugh, CH
Justin Schafer, NO
Weston Young, HA
Erin Rountree, SU
Joe DuRant, NN
Bill Johnston, VB
Shelly Frie, CH2M Hill
Tim Hare, CH2MHill

Greta Hawkins, Kimley-Horn
Robyn Niss, Kimley-Horn
Cindy Linkenhoker, Parsons Brinkerhoff
Mike Barbachem, URS
John Paine, URS
Claudia Cotton, Tidewater Builders Assoc.
Richard Phillips, College of William & Mary

HRPDC Staff:

Whitney Katchmark
Jennifer Tribo
Lisa Hardy

Ben McFarlane
Tiffany Smith