

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
April 5, 2012

1. Summary of the March 1, 2012 Meeting of the Hampton Roads Chesapeake Bay and Regional Stormwater Management Committees and Chesapeake Bay Implementation Subcommittee

Chesapeake staff asked that the City's status report at the March meeting be changed in the summary. Staff requested the phrase "has set up" be replaced with "is developing".

The Summary of the March 1, 2012 Meeting of the Hampton Roads Chesapeake Bay and Regional Stormwater Management Committees and Chesapeake Bay Implementation Subcommittee was approved as modified.

2. Chesapeake Bay Phase II Watershed Implementation Plan Update

Ms. Jenny Tribo and Ms. Whitney Katchmark, HRPDC, updated the Committee on the status of the Chesapeake Bay Phase II Watershed Implementation Plan (WIP). HRPDC staff is developing comment for the state WIP. The Commission will approve draft comments at its April meeting (since it will not meet in May). Final comments from local governments must be submitted to HRPDC staff by May 24th to be included in the regional comment package sent to DCR.

The Notice of Intended Regulatory Action (NOIRA) has been issued for the Phase II General Permit. The comment period closes April 25th.

Ms. Barbara Brumbaugh, Chesapeake, Mr. Bill Johnston, Virginia Beach, and Ms. Tribo are on the state's Stormwater Local Government Advisory Committee (SLGAC). Localities will need to have stormwater programs in place by July 1, 2014. The SLGAC asked DCR to discuss the review process for local programs at the next SLGAC meeting. The process for reviewing local compliance with the Chesapeake Bay Preservation Act is a possible model. Ms. Brumbaugh mentioned that DCR has developed a flow chart of the development process and is developing a process for new ordinances. There are concerns over differences between model ordinances and enabling legislation. There are also concerns over fees and permitting, as well as the implementation timeline. A checklist such as that used for erosion and sediment control ordinances is another possibility. The representatives will bring relevant general material to future Committee meetings; technical material will be discussed at Stormwater Committee meetings.

Mr. Scott Rae, Gloucester, mentioned that David Dowling, DCR, has stated that DCR reserves the right to change the stormwater fee structure.

The Committee feels that more training for the new regulations should be available.

3. askHRgreen.org Update

Ms. Lisa Hardy and Ms. Katie Cullipher, HRPDC, updated the Committee on the activities of askHRgreen.org, the region's comprehensive environmental education committee. A new website, www.askHRgreen.org, is up that contains a wealth of information including events, blogs, and promotions. The target audience of the website is the general public, with a focus on useful, practical information. The committee is using web analytics to see what visitors to the website are looking at. Local governments can send suggestions or materials for content. askHRgreen.org has also been running several media campaigns to educate the public on issues such as appropriate use of fertilizer, fats, oils, and grease disposal, and the Great American Cleanup. Upcoming campaigns will focus on garbage disposals and drinking water week. A newspaper insert, the Green Living Guide, will be included in area newspapers soon, and the committee will be developing an education news insert in Fall 2012 for area 6th-graders. A new program, Tap It, is kicking off regionally that will promote locations where the public can refill water bottles.

4. Hampton Roads Watershed Roundtable Report

Ms. Jai McBride, HRPDC, briefed the Committee on the 2011 Hampton Roads Watershed Roundtable Report. The report covers meeting summaries, topics, and attendance. HRPDC staff is currently considering possible alternatives to the existing Roundtable format, including restructuring. More information will be presented at future Committee meetings.

5. Aquaculture Update

Mr. Benjamin McFarlane, HRPDC, updated the Committee on developments with local government regulation of aquaculture. Attorney General Cuccinelli sent an Official Advisory Opinion to Delegate Brenda Pogge, Yorktown, stating that "aquaculture does not constitute an agricultural operation under the Virginia Right to Farm Act", based on the act's stated mention and definition of animals.

6. Coastal Zone Management Program

Mr. McFarlane updated the Committee on recent developments with the Virginia Coastal Zone Management Program (VCZMP). HRPDC staff recently submitted applications for FY13 Coastal Technical Assistance and Section 309 grants, both of which will continue existing programs and projects. Competitive grants, such as for this year's HRPDC Water Quality and Coastal Resiliency projects, may become available, depending on the budget. VCZMP is encouraging PDCs to apply for funding for public access projects. HRPDC staff is also developing a survey on working waterfronts that will be sent to locality planning directors.

VCZMP has asked PDCs to identify local government staff that would be willing to provide testimonials on the value of CZM projects in the region. Testimonials can be loose or information and may have pictures. If you are willing to provide a testimonial, please contact Mr. McFarlane (bmcfarlane@hrpdcva.gov).

VCZMP is also assessing the performance of the Sustainable Communities Focal Area Grants. The metrics they have selected comprehensive plans that have been amended or adopted that incorporate or utilize HRPDC climate change work and findings between July 2010 and June 2012. Since many localities have not amended their comprehensive plans during this time frame, VCZMP is also considering the use of other plans and documents, such as hazard mitigation plans, floodplain management plans, etc. Localities that have adopted or amended any such plans or policies should contact Mr. McFarlane.

7. Climate Change

Mr. McFarlane briefed the Committee on the FY2011 Climate Change Final Report. This report is the final deliverable from HRPDC's three-year climate change focal area grant. The report describes projections of future sea level rise in Hampton Roads and the data, methodology, and results from a regional sea level rise vulnerability analysis. The report also documents HRPDC's outreach efforts during the grant period and makes some recommendations for area local governments. Included in the report is a discussion of guidance from the U.S. Army Corps of Engineers on how to incorporate future sea level rise into project planning. Mr. McFarlane demonstrated the use of a spreadsheet incorporating this methodology to the Committee. The results are summarized for each locality with a map depicting areas vulnerable to one meter of sea level rise above spring high tide and a table. The report makes three recommendations:

- 1) Localities should explicitly incorporate planning for climate change and sea level rise into their comprehensive and other long-term plans by, for instance, identifying area vulnerable to sea level rise using maps or by revising zoning ordinances to encourage development away from vulnerable areas.
- 2) Localities should incorporate sea level rise adaptation planning into their infrastructure planning and maintenance programs, taking advantage of regular maintenance procedures to identify system vulnerabilities or retrofit opportunities that will extend the lifespan of their infrastructure.
- 3) Public and private actors in Hampton Roads should consider the use of the U.S. Army Corps of Engineers guidance for incorporating sea level rise into projects (as found in EC 1165-2-212) when planning, designing, and building projects in vulnerable areas.

Comments on the report from localities are due May 24th, 2012. The report is expected to be presented to the Commission at its June meeting for approval. Questions or comments should be directed to Mr. McFarlane.

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 reported that DCR has made grant funds available from the Virginia Dam Safety, Floodplain Prevention and Protection Assistance Fund. A total of \$765,000 is available. The grants require a 50% match and are reimbursable. Applications are due to DCR by 5pm, June 1, 2012.

C. Soil and Water Conservation Districts

SWCD representatives had nothing to report.

D. Department of Conservation and Recreation

In the absence of a DCR representative, there was no report.

E. Department of Environmental Quality

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

F. U.S. Geological Survey

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

G. Department of Transportation

In the absence of a VDOT representative, there was no report.

H. U.S. Navy

In the absence of a U.S. Navy representative, there was no report.

I. Local Programs

York County staff reported that DEQ has issued the new Section 303(d) waters list.

James City County staff reported that the Virginia Water Monitoring Council will be holding its annual conference in Henrico on May 18, 2012. CEUs will be available.

Gloucester County staff requested informal emails from other localities on how they administer Chesapeake Bay Preservation Act Resource Management Areas.

Ms. Scheessele reported that the Virginia Water Environmental Association will be holding a Stormwater Requirements Seminar in Glen Allen on April 18th. CEUs will be available. The cost is \$60 for members until April 18th.

9. **Other Matters**

The next meeting of the Joint Environmental Committee is scheduled for May 3, 2012 at the HRPDC office in Chesapeake, Virginia. Materials will be sent in advance for review.

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