

August 27, 2020

Memorandum #2020-102

TO: Regional Environmental Committee Members

BY: Whitney Katchmark, HRPDC Principal Water Resources Engineer

RE: Regional Environmental Committee Meeting – September 3, 2020

The next meeting of the **HRPDC Regional Environmental Committee** will be held at **10:00 a.m.** on **Thursday, September 3, 2020**. The agenda and related materials are attached.

Pursuant to the declared state of emergency in the Commonwealth of Virginia in response to the COVID-19 pandemic and to protect the public health and safety of the committee members, staff, and the general public, the Regional Environmental Committee meeting will be held electronically via Webex. Participants can join using the following information:

Join by computer: <https://pdc-tpo-staff.my.webex.com/pdc-tpo-staff.my/j.php?MTID=m44027555c08301584d36131b876981d7>

-or-

Join by phone: 408-418-9388

Meeting Number / Access Code: 126 722 1033

Password: JAcmXA3mn69 (52269236 from phones)

If you have any questions or need further information, please do not hesitate to contact me.

KCF/cm

Attachments

**AGENDA
MEETING OF THE
HAMPTON ROADS REGIONAL ENVIRONMENTAL COMMITTEE
SEPTEMBER 3, 2020
10:00 A.M.**

1. Summary of the August 6 2020 Meeting of the Hampton Roads Regional Environmental Committee (REC).

The summary and attendance sheets of the above meeting are attached.

Attachments: 1A_AugustMeetingSummary_REC_03Sep2020
1B_AugustMeetingAttendance_REC_03Sep2020

ACTION: Accept the Meeting Summary

2. Public Comments

3. Chesapeake Bay Preservation Outreach and Map Application

HRPDC staff are developing materials and tools to help inform residents about the importance of Chesapeake Bay Preservation Act (CBPA) areas. Draft materials include information for development of a CBPA webpage on askHRgreen.org and an [interactive mapping application](#) residents can use to help determine if their property is in the CBPA. Staff will review the outreach materials and draft application.

Attachment: 03_Attachment_CBPAOutreach_REC_03Sep2020

ACTION: None required

4. Regional Department of Environmental Quality (DEQ) MS4 Update

Hampton Roads is home to eleven MS4 localities, including six Phase Is and five Phase IIs. These permittees are working on their FY20 Annual Reports, which are due to DEQ by October 1, 2020. Mr. David Taylor, Regional MS4 Coordinator at the Tidewater Regional Office, will provide updates on the Annual Reports and the MS4 program from DEQ's perspective.

ACTION: None required

5. Elizabeth River Project's (ERP) Resiliency Lab on Colley Ave

Joe Rieger (Elizabeth River Project) and Sam Bowling (Work Program Architects) will brief the Committee on ERP's new building, the Resilience Lab, a state-of-the-art facility that will demonstrate adaptation to sea level rise. The Learning Park behind the building will include a living shoreline, upland vegetated buffer, rain gardens, and other innovative stormwater features. The Park will provide outreach to businesses and homeowners seeking to redevelop in the urban floodplain. The $\frac{3}{4}$ acre landscape and grounds will serve as a changing display of experiments, art, and research in

collaboration with the City of Norfolk, RISE, Lafayette Wetlands Partnership, Old Dominion University, and Norfolk State University showcasing to the public emerging practices in urban coastal resilience.

ACTION: None required

6. Legislative and Budget Update from Special General Assembly Session

The General Assembly is meeting for a special session to discuss budget amendments and new bills as a result of the COVID-19 pandemic. HRPDC staff will brief the Committee on any new developments coming out of this special session.

ACTION: None required

7. Regional Stormwater FY22 Budget

The Committee will review FY22 budget for the Regional Stormwater Program. The guidelines for Committee actions related to budget planning are listed below:

Recommendations related to budget planning require unanimous agreement by the Committee. Committee members will have opportunities to review and comment on proposed budgets at monthly meetings or via email. Committee members may express their support of proposed budgets either in-person at Committee meetings or via written communication to HRPDC staff.

Any Committee decision regarding budget planning is an endorsement by the Committee and amounts to a commitment by the locality to include recommending the agreed-upon budget in the locality departmental budget as input to the locality's budget.

Attachment: 07_Attachment_RegionalStormwaterFY22Budget_REC_03Sep2020

ACTION: Endorse the FY21-FY22 Regional Stormwater Program budget, HRPDC staff will email the budget to voting members. Votes need to be submitted no later than October 1, 2020.

8. Other Matters

Regional Environmental Committee – Voting:

Chesapeake
Barbara Brumbaugh

James City
Toni Small
Michael Woolson

Smithfield
Tammie Clary

Windsor
Vacant
Vacant

Franklin/Southampton
Donald E. Goodwin
Beth Lewis

Newport News
Angela Hopkins
Allison Watts

Suffolk
Erin Rountree

York
Anna Drake

Gloucester
Mike Hudgins
Kevin Landry

Norfolk
Justin Shafer
June Whitehurst

Surry
Vacant

Hampton
David Imburgia
Greta Hawkins

Poquoson
Dannan O’Connell
Ellen Roberts

Virginia Beach
Melanie Coffey
Diana St. John

Isle of Wight
Kim Hummel

Portsmouth
Meg Pittenger
Thomas Quattlebaum

Williamsburg
Heather Markle
Aaron Small

Regional Environmental Committee – Non-Voting:

HRSD
Jamie Mitchell
Kevin M. Parker
Jennifer Reitz

NAVY
Tara Fisher
Brian Powell
Phillip S. Winslow, Jr.

SWCD
Stacey Bradshaw
Tara Outland-Williams
Jim Wallace

VDEQ
Noah Hill
John Kennedy

VDOT
Jennifer Dail
Andrew B. Scott

VDOF
Bryant Bays
Meghan Mulroy-Goldman

USGS
Mark Bennett

NOAA
Andrew Larkin

James City
Trevor Long

Virginia Beach
Shawn Fluharty

**SUMMARY OF THE MEETING OF THE
HRPDC REGIONAL ENVIRONMENTAL COMMITTEE
August 6, 2020**

Pursuant to the declared state of emergency in the Commonwealth of Virginia in response to the COVID-19 pandemic and to protect the public health and safety of the committee members, staff, and the general public, the Regional Environmental Committee meeting was held electronically via Webex. These electronic meetings are required to complete essential business on behalf of the region. A recording of the meeting is available on the website.

1. Attendance

A complete attendance list is available. In addition to several non-voting committee members and other interested parties, the following members participated electronically:

Regional Environmental Committee Voting Members:

Barbara Brumbaugh, CH

Meg Pittenger, PO

Melanie Coffey, VB

Erin Rountree, SU

Angela Hopkins, NN

Justin Shafer, NO

David Imburgia, HA

Diana St. John, VB

Kevin Landry, GL

Allison Watts, NN

Melissa Lindgren, IW

June Whitehurst, NO

Heather Markle, WG

2. Summary of the July 2, 2020 Meeting of the Regional Environmental Committee

There were no comments on the July meeting summary.

3. Public Comments

There were no public comments.

4. ConserveVirginia 2.0

The Virginia Department of Conservation and Recreation (DCR) released an updated version of [ConserveVirginia](#) on June 12, 2020. Mr. Joe Weber (DCR) provided an overview of the mapping application and explained the changes included in the update. The ConserveVirginia tool targets 6 million acres that represent the high priority lands for Virginia to conserve based on themes such as ecological integrity, forestry, watersheds, recreation, and vulnerability to development. The lands were identified based on data from 21 different map layers provided by state and federal agencies, conservation organizations such as The Nature Conservancy, and land trusts.

The new Water Quality Improvement Opportunity Areas input identifies nearly 800,000 acres of the highest priority lands for conservation in the interest of water quality improvement in general. Most of the areas are agricultural lands in the headwaters of Virginia's primary watersheds. Some of the areas identified are in Hampton Roads, specifically in the Cities of Chesapeake and Suffolk and in Isle of Wight, Southampton, and Surry Counties. DCR and the Department of Environmental Quality (DEQ) worked together to create the layer based on data from the Phase 6 Chesapeake Bay Program Watershed Model (CAST) and the Virginia Water Quality Assessment, in consideration of the goals outlined in the Phase III Chesapeake Bay Watershed Implementation Plan. The focus of this layer in ConserveVirginia is buffers along the waterways in the watersheds with the highest loads (90th percentile) of N, P, and sediment. Generally, wider buffers were mapped for headwater streams and those with steeper slopes. Conservation easements including deed requirements for these vegetated buffers will qualify as a ConserveVirginia success.

Mr. Weber also presented three proposed water quality inputs for ConserveVirginia 3.0: 1) Healthy Waters Conservation Opportunity Areas, 2) Interactive Stream Assessment Resource (INSTAR) Reaches Quality Improvement Opportunity Areas, and 3) Aquatic Life Conservation Opportunity Areas. ConserveVirginia is scheduled to undergo annual updates, so these proposed water quality inputs would be expected in Spring 2021.

5. What's in your floodplain?

Dr. KC Filippino and Ms. Katie Kreuger (HRPDC) provided an overview of ongoing research to evaluate the potential risks in Hampton Roads associated with storing hazardous materials in facilities located in flood prone areas. The objectives of the project are as follows: 1) identify the location of the hazardous materials, 2) assess the risk related to sea level rise, climate change, and flooding, 3) evaluate social vulnerabilities, and 4) offer policy suggestions for risk minimization. This effort stems from the Center for Progressive Reform's report entitled, "Toxic Floodwaters: The Threat of Climate-Driven Chemical Disaster in the James River Watershed."

The regulatory mitigation strategies that HRPDC staff intend to evaluate include state regulations, local ordinances, and legislative action. The state regulations that could help in risk mitigation include storage tank management provisions, septic tank regulations, and also the Virginia Pollutant Discharge Elimination System program. Staff is also interested in whether existing local zoning ordinances and the policies in place to manage the storage of hazardous materials are protective in terms of existing and future flooding conditions.

HRPDC staff asked for input from the Committee members, including whether their localities are already looking into these concerns. It was suggested that staff look to other regional entities in Virginia or neighboring states to see if they have done a similar analysis.

The next steps will be to develop a report of preliminary findings, then coordinate a group of regional partners, and then seek funding for a more robust analysis. It was suggested that DEQ's Brownfields remediation program could be a good fit for potential funding.

6. Overview of Regional Solid Waste Management Planning

Mr. Matt Smith (HRPDC) discussed the structure and purpose of solid waste management plans and how the region can use the plan to further some of its environmental goals.

Solid waste includes municipal trash, construction debris, medical waste, industrial waste, etc. On the southside in Hampton Roads, waste that is generated in Portsmouth and the eastward localities is collected and transported to the Wheelabrator waste-to-energy plant to be incinerated. The ash from that process is then transported to the landfill in Suffolk. It is not cost effective to transport the waste from localities west of Portsmouth to the facility, therefore, the waste is taken directly to the landfill.

The purpose of a solid waste management plan is to provide for environmentally sound solid waste management with the most effective and efficient use of available resources. The most preferred management techniques are source reduction and reuse, while incineration and disposal are the least preferred management methods. The plans require public participation, justification for expanded waste facilities, and documentation for minimum recycling rates. As part of solid waste management planning, local governments are to encourage an ethic of resource conservation and waste minimization. Several of the outreach campaigns developed by askHRgreen are designed to promote this message.

Mr. Smith noted the challenge in Hampton Roads because the planning units do not align with existing political or operational boundaries. There are opportunities to coordinate regional stakeholders, particularly when it comes to policy concerns.

The Committee members asked several questions following the presentation.

There was interest in the waste generation trends related to the COVID-19 pandemic. Though local jurisdictions have seen a spike in residential bulk waste, it is not expected to be more significant than spikes that generate from storm-related debris. The increase in residential waste could also be offset by the reduction in commercial waste during the economic slowdown.

In years past, the Southeastern Public Service Authority (SPSA) used to coordinate a pre-selection process for contractors for emergency storm debris collection and disposal. Ms. Whitehurst (NO) requested additional information, and HRPDC staff will follow up.

7. Other Matters

- a. Ms. Mulroy-Goldman (VDOF) announced that they have a 50/50 cost-share program available for the treatment of ash trees threatened by Emerald Ash Borer (EAB). The applications are due August 14, 2020.

- b. Ms. Melanie Coffey (VB) noted that the City has a new City Manager, Mr. Patrick Duhaney.
- c. Mr. Matt Smith (HRPDC) announced that he has accepted a new position with the Hampton Roads Alliance to be their Director of Offshore Wind Development.

The next meeting of the Regional Environmental Committee will be held on Thursday, September 3, 2020 and it will be held virtually via WebEx.

Attachment 1B
Committee Meeting Sign-In Sheet

Locality/Agency	Representative	Representative	Representative	Representative	Representative	Representative	Representative	Representative	Representative	Representative
Chesapeake	Barbara Brumbaugh	Lucy Stoll								
Franklin/Southampton										
Gloucester	Kevin Landry									
Hampton	David Imburgia									
Isle of Wight	Melissa Lindgren									
James City	Trevor Long									
Newport News	Allison Watts	Angela Hopkins	Joe DuRant							
Norfolk	June Whitehurst	Justin Shafer	Gina Shaw							
Poquoson										
Portsmouth	Brian Swets	Meg Pittenger								
Smithfield	Tammy Clary									
Suffolk	Erin Rountree	Matt Fanghella	Heather Baggett							
Surry										
Virginia Beach	Diana St. John	Melanie Coffey	Jim Miliken							
Williamsburg	Heather Markle									
Windsor										
York	Kent Henkel									
HRPDC	Ashley Gordon	KC Filippino	Ben McFarlane	Whitney Katchmark	Jill Sunderland	Matt Smith	Greg Grootendorst	Keith Cannady	Rebekah Eastep	Sara Kidd
HRSD										
HRTPO										
DCR	Joe Weber									
DEQ	Amber Foster	David Taylor	James Martin	Melinda Woodruff						
DGIF										
DHCD										
SWCD										
VDEM										
VDOF	Meghan Mulroy	Robbie Lewis								
VDH										
VDOT										
VMRC										
Port of Virginia										
Jefferson Lab										
NASA										
Navy										
NRCS										
USACE										
USGS										
USFWS										
ODU										
VIMS										
W&M										
Virginia Sea Grant										
CBF	Tanner Council									
Elizabeth River Project										
James River Association										
Living River Trust	John Harbin									
Lynnhaven River Now	Karen Forget									
Wetlands Watch	Madison Teeter									
AECOM										
AMT Engineering	Ginny Snead									
Arcadis										
Bay Environmental										
Brown & Caldwell										
Cardno										
CH2M										
Clark Nexsen	Chris Stone									
Contech ES										
Dewberry										
F&R										
Geosyntec	Amelia DeCruz									
GKY										
Hazen & Sawyer										
Jacobs	Shelly Frie									
Kerr Environmental										
Kimley-Horn										
Louis Berger										
Michael Baker										
Opti RTC										
Parsons Brinckerhoff										
RK&K										
Timmons Group	Liz Scheessele									
Stantech										
Whitman Requardt	Mike Barbachem									
Woolpert										
Guests										
Public										

Living on the water. What's best for the river and your yard?

Do you live on or near the water? Do you have a beautiful water view and want to enhance it? Do you have a stream flowing through your yard? If so, we have some good news to share. There are simple ways you can protect your view, preserve your yard, not harm any birds, plants, or animals that live near your waterway, and improve local water quality with some simple best practices.

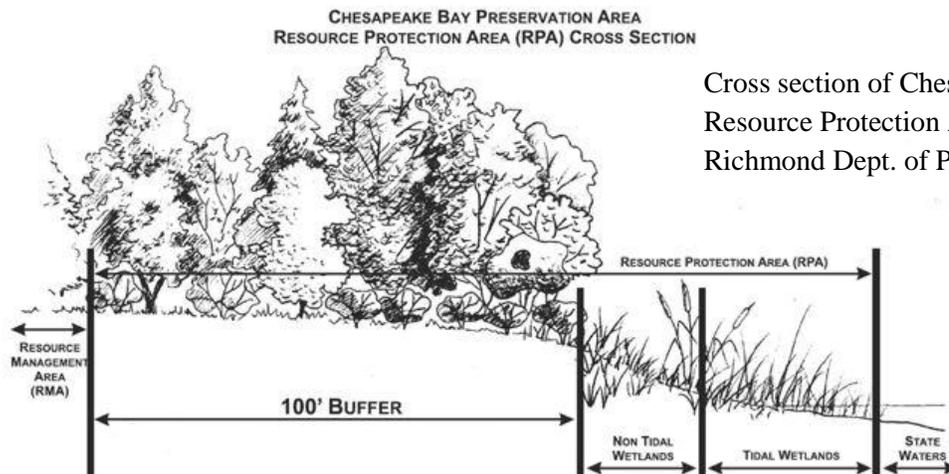
If your home is along a tidal creek or river, the area beside the waterfront in your yard is likely protected by the Chesapeake Bay Preservation Act, or CBPA. Since 1988, the CBPA has protected waterways by safeguarding the trees, grasses, bushes, and shrubs living close to the water. These natural features of the shoreline protect local water quality and should not be disturbed by new development or certain landscaping practices.

It's understandable you want to create your backyard escape. It's also important to understand how what you do in your backyard affects the fish, crabs, birds, and other important animals and plants that live in your waterway and the Chesapeake Bay. Activities such as mowing down to the waterway, removing trees, building a shed, adding a pool, or some landscaping practices can be harmful to local water quality and marine habitats.

The Chesapeake Bay is a national treasure and it deserves to be protected. It is the nation's largest estuary and one of the world's most productive. The Bay is home to over 3,700 species of plants and animals, draining 64,000 square miles of land. Your waterway is one of many that can help or harm the Bay.

So, how can you protect your waterway, enjoy your yard, and ensure you're following the CBPA? Your city or county has what you need to know, as well as staff to help ensure you're making the right decisions. All you need to do is call your local planning or environmental department for more information. [Link of contacts for localities to go on askHRGreen's Living Shoreline page.](#)

Here are some general guidelines and information to follow, but your local representative will have more detailed and tailored instructions for you.

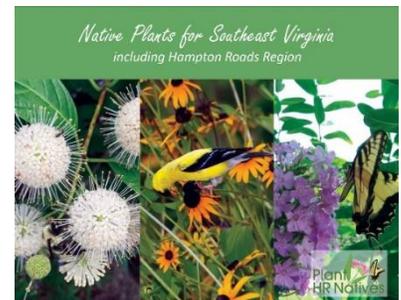


Good to Know:

- A **buffer** is a vegetated area within the RPA (~100ft) with trees, shrubs, and plants that protects the shoreline from erosion and improves water quality by filtering out pollutants from stormwater runoff.
- **Resource Protection Areas (RPAs)** are critical areas within the watershed. They are usually adjacent to waterways, the most important areas to protect, and are subject to more regulations.
- **Resource Management Areas (RMAs)** are adjacent to RPAs and may extend ~100 feet landward or include all remaining lands within a locality. RMAs include land types that have the potential for causing significant water quality degradation or for diminishing the functional value of a resource protection area if improperly used or developed.
- **Tidal wetlands** are vegetated and non-vegetated areas where the water meets the land, they are periodically inundated as the tide comes up twice a day.

Good to Do:

- Seek guidance before you set out to change your landscape by the water. It may be a violation to remove vegetation or build in the RPA without approval.
- Plant native species, this handy [Native Plant Guide](#) for the region will help.
- Don't mow, let it grow, for lawn near the water.
- Don't remove any trees, shrubs, or plants without talking to your city or county.
- Call a [Chesapeake Bay Landscape Professional](#) for guidance and to help with plans.



Want to know if you're home or property is located within the buffered area protected by the CBPA? Check out our interactive map [here](#).

STORMWATER MANAGEMENT PROGRAM
FISCAL YEAR 2021 - 2022 BUDGET

DRAFT FY22 (July 2020)

HRPDC Water Resource Dept							HRPDC Env Ed Dept												
Jurisdiction	Phase	Population	Percent	Tech Staff*	PARS Maint	Legal Consultant	Water Resources Total Budget	Water Resources Reserves	Water Resources Contributions	Env Ed Staff	STORM Direct (media, storage, printing & promos etc)	STORM Direct (base allocation for printing & promo items)	STORM Direct askHRgreen contribution	HR Storm Total	Env Ed Staff Reserves	HR STORM Contributions	New Funds Stormwater Total FY22	New Funds Stormwater Total FY21	Budget FY22
Chesapeake	I	245,745	14.21%	\$46,900			\$46,900	(\$5,685)	\$41,215	\$8,954	\$7,746	\$294	\$706	\$17,699	(\$426)	\$17,273	\$58,488	\$61,934	\$64,600
Franklin	NR	8,261	0.48%	\$1,577			\$1,577	(\$191)	\$1,386	\$301	\$260	\$294	\$706	\$1,561	(\$14)	\$1,547	\$2,933	\$3,076	\$3,138
Gloucester	NR	37,090	2.15%	\$7,079			\$7,079	(\$858)	\$6,221	\$1,351	\$1,169	\$294	\$706	\$3,520	(\$64)	\$3,456	\$9,677	\$10,294	\$10,599
Hampton	I	135,753	7.85%	\$25,908			\$25,908	(\$3,140)	\$22,768	\$4,946	\$4,279	\$294	\$706	\$10,225	(\$236)	\$9,989	\$32,757	\$34,889	\$36,133
Isle of Wight	NR	29,174	1.69%	\$5,568			\$5,568	(\$675)	\$4,893	\$1,063	\$920	\$294	\$706	\$2,982	(\$51)	\$2,932	\$7,825	\$8,259	\$8,550
James City	II	75,907	4.39%	\$14,487			\$14,487	(\$1,756)	\$12,731	\$2,766	\$2,393	\$294	\$706	\$6,158	(\$132)	\$6,026	\$18,757	\$19,949	\$20,645
Newport News	I	181,000	10.47%	\$34,544			\$34,544	(\$4,187)	\$30,357	\$6,595	\$5,705	\$294	\$706	\$13,300	(\$314)	\$12,986	\$43,342	\$46,255	\$47,843
Norfolk	I	245,054	14.17%	\$46,768			\$46,768	(\$5,669)	\$41,100	\$8,929	\$7,724	\$294	\$706	\$17,652	(\$425)	\$17,227	\$58,327	\$62,402	\$64,421
Poquoson	II	12,395	0.72%	\$2,366			\$2,366	(\$287)	\$2,079	\$452	\$391	\$294	\$706	\$1,842	(\$22)	\$1,821	\$3,900	\$4,078	\$4,208
Portsmouth	I	94,581	5.47%	\$18,051			\$18,051	(\$2,188)	\$15,863	\$3,446	\$2,981	\$294	\$706	\$7,427	(\$164)	\$7,263	\$23,126	\$24,725	\$25,478
Smithfield	NR	8,475	0.49%	\$1,617			\$1,617	(\$196)	\$1,421	\$309	\$267	\$294	\$706	\$1,576	(\$15)	\$1,561	\$2,983	\$3,109	\$3,193
Southampton	NR	17,855	1.03%	\$3,408			\$3,408	(\$413)	\$2,995	\$651	\$563	\$294	\$706	\$2,213	(\$31)	\$2,182	\$5,177	\$5,460	\$5,621
Suffolk	II	93,825	5.43%	\$17,906			\$17,906	(\$2,170)	\$15,736	\$3,419	\$2,957	\$294	\$706	\$7,376	(\$163)	\$7,213	\$22,949	\$24,166	\$25,282
Surry	NR	6,561	0.38%	\$1,252			\$1,252	(\$152)	\$1,100	\$239	\$207	\$294	\$706	\$1,446	(\$11)	\$1,434	\$2,535	\$2,645	\$2,698
Virginia Beach	I	452,643	26.18%	\$86,387			\$86,387	(\$10,471)	\$75,916	\$16,492	\$14,267	\$294	\$706	\$31,759	(\$785)	\$30,974	\$106,889	\$114,292	\$118,146
Williamsburg	II	15,383	0.89%	\$2,936			\$2,936	(\$356)	\$2,580	\$560	\$485	\$294	\$706	\$2,045	(\$27)	\$2,019	\$4,599	\$4,794	\$4,981
York	II	69,407	4.01%	\$13,246			\$13,246	(\$1,606)	\$11,641	\$2,529	\$2,188	\$294	\$706	\$5,716	(\$120)	\$5,596	\$17,237	\$18,172	\$18,963
Region		1,729,109	100.00%	\$330,000	\$0	\$0	\$330,000	(\$40,000)	\$290,000	\$63,000	\$54,500	\$5,000	\$12,000	\$134,500	(\$3,000)	\$131,500	\$424,500	\$448,500	\$464,500

Total authorized budget for Water Resources would be \$330K which equals \$290K of new revenue and \$40K of reserve funds.

Total authorized budget for Env Ed would be \$134,500 which equals \$131,500 of new revenue and \$3K of reserve funds.

As of July 2020, \$22K is available for Legal services.

As of July 2020, the Stormwater Program has approximately \$230K in reserve funding but \$33K of reserves are obligated in the FY21 budget. Remaining reserves would be \$197K.

As of July 2020, Env Ed STORM Direct has approximately \$18K in reserve funding.

As of July 2020, Env Ed Staff has approximately \$5K in reserve funding.

Water Resources increase from FY20 to FY22 includes 2% increase in salaries. No FY21 salary increase.

Tech Staff budget covers roughly 2 positions and all program costs (hospitality, webinars, training, travel). FY22 budget assumes DEQ grant will provide \$20K for stormwater staff.

Env Ed Staff increase from FY20 to FY22 includes 2% increase and covers a portion of 2 staff positions. No FY21 salary increase.

Budget is based on the July 1, 2019 population estimates for cities and counties from Weldon Cooper Center. (Published on January 27, 2020)

Smithfield's population based on United States Census Bureau 2019 Population Estimate.

Smithfield's population was subtracted from Isle of Wight County's population.