

**THE SUMMARY OF THE MEETING OF THE
HRPDC REGIONAL ENVIRONMENTAL COMMITTEE
December 7, 2017**

1. Summary of the December 7, 2017 Meeting of the Hampton Roads Regional Environmental Committee.

There were no comments on the November meeting summary.

2. Public Comments

There were no public comments.

3. City of Norfolk Stormwater Local Assistance Fund (SLAF) Projects

Mr. Justin Shafer, City of Norfolk, and Mr. Stephen Thun, a professional engineer with Kimley-Horn and Associates, Inc., presented highlights from a few of the City of Norfolk's projects.

Mr. Thun summarized the City's SLAF awards from FY 2014-2016 totaling \$2.4 million. Kimley-Horn assisted with seven of twelve projects totaling \$1.6 million from that time period, including four wet pond retrofits, two constructed wetlands, and one stream restoration. Mr. Thun explained the approach to each of the projects, including identification of potential and preferred sites, then completion of feasibility studies and design plans. He also listed some notable design components of the City's projects, including ensuring efficiencies, conducting geotechnical investigations, sheet pile cell divisions, and partial treatment/flow diversions. The initial estimated costs for pollutant removal were between \$6,365 and \$23,070 per pound of total phosphorous.

Mr. Thun highlighted some of the lessons learned from the projects. These included involving DEQ early with the design process, encouragement of innovation, the importance of contingency, awareness of environmental sensitivities, and ensuring accuracy of funding estimates. Mr. Thun emphasized the importance of completing geotechnical investigations prior to submitting an application, because the potential for exposing hazardous materials can be high for projects with a dredging component.

The City was able to maximize state dollars for their water quality projects. Once the projects were completed, the cost efficiencies ranged from \$3,674 to \$33,770 per pound of total phosphorous removed. The City included the costs for geotechnical investigations and engineering design in their SLAF applications. In addition to SLAF, the City also took advantage of the Virginia Clean Water Revolving Loan Fund to move the projects from design to construction.

Ms. Whitney Katchmark asked about the ease of constructing wetlands versus pond retrofits. Mr. Thun answered that constructing wetlands was more challenging than pond retrofits because they require more acreage, and there continue to be many opportunities for pond retrofits in Hampton Roads.

Ms. Ellen Roberts, City of Poquoson, asked about baffling for the pond retrofits, and Mr. Thun replied that they found the inter-locking single wall piles to be the most cost effective.

Mr. Ben McFarlane asked about the swale improvement project on residential property to relieve nuisance flooding. Mr. Shafer coordinated with the property owner on a project design. He added that there are additional opportunities throughout the City to make drainage improvements on private property where the property owners are willing partners.

Mr. Ed Heide, City of Suffolk, asked about the level of work completed before the City submitted a SLAF application. Mr. Shafer noted the importance of completing geotechnical investigations, proper mapping, and survey work early for accurate cost estimates. He suggested reaching 30% design before submitting a SLAF application to balance the risk of making the proposal as attractive as possible without over committing City funding up front. Ms. June Whitehurst also suggested ensuring cost estimates are completed closer to when the project will begin construction for better accuracy.

Dr. Sharon Surita, City of Hampton, asked whether the cost of ongoing maintenance was included in cost estimates. Ms. Whitehurst responded that the City did not account for ongoing maintenance in its metrics. The City was already responsible for maintaining the ponds, so no additional maintenance expenses are associated with the retrofit projects.

Mr. Heide asked which method the City used to calculate the removal efficiencies for the pond retrofits, the DEQ Clearinghouse specifications or the Chesapeake Bay Program retrofit curves. Mr. Shafer found that using the Level 2 Clearinghouse specifications lowered the initial efficiency, which allowed for more credit to be attributed to the retrofit project.

4. Planning for Public Access to Waterways in Gloucester County

Ms. Carol Steele, Parks, Recreation, and Tourism Director for Gloucester County, discussed the County's planning efforts to improve public access to waterways. She explained the importance of public access to the County's economy, as well as greater interest from the community. Ms. Steele reviewed types of public access in Gloucester (those owned/maintained by VDOT/DGIF, Gloucester County, and MPPAA), as well as the presence of FEMA sites not currently open to the public.

Ms. Steele reviewed some of the challenges to public access, such as lack of information on property boundaries and ownership; size of sites to account for parking space; ramp conditions; encroachment on private property; and illegal dumping and maintenance. She also outlined many opportunities, such as the expansion of Gloucester Blueways; use of properties owned by Virginia State Parks and the National Park Service; Governor McAuliffe's Executive Order for the review of bridges and end of state roads;

grant funding from the Virginia Marine Resources Commission; and fee systems to offset operating and capital expenses.

Ms. Steele explained next steps Gloucester County would like to take to increase public access. These include a review of the inventory of sites and a discussion of goals and objectives. She also offered two initiatives for public access, including a grant to allow residents to adopt a landing and anti-litter campaign ideas. The County intends to target school children, driver's education classes, and families using new cartoon animal mascots.

Mr. Matt Smith and Ms. Sara Kidd offered to review data from Streetlight, which provides measurements on travel behavior. Mr. Smith also mentioned the askHRgreen.org Recycling and Beautification Subcommittee's Cigarette Litter Prevention Project.

5. Coastal Zone Management Program Update

Mr. McFarlane updated the Committee on matters related to the Virginia Coastal Zone Management Program. He noted a report would be available by end of the month regarding the Public Access Grant. Mr. McFarlane also noted a grant for first floor elevations is on hold until the HRPDC receives a contract.

The Coastal Partners Workshop in Richmond will be held November 14-15, 2018.

The DEQ headquarters in Richmond is moving to a different location downtown.

The Coastal PDC meeting highlights included a climate change roadmap from the resiliency group, dredging, maintenance of existing channels, and HB 1774.

6. Shallow Draft Channels – Navigation and Dredging

Mr. Lewis Lawrence, MPPDC Executive Director, provided a briefing on developments related to shallow water dredging and channel maintenance. He explained the responsibilities of federal, state, and local authorities related to dredging projects and the challenges associated with them, such as funding and managing navigation as a use.

Recently, Mathews County became responsible for Coast Guard aids to navigation since federal agencies no longer maintained specific channels that require shallow water dredging. This could become a burden to localities that do not have the funds to maintain these channels. Mr. Lawrence also described the impact on real estate values if dredging is not completed, as well as options to fund such projects on the local level. He noted that through a real estate assessment evaluation conducted by Gloucester County, there is a potential for a 14 percent decrease in real estate values for each foot of water lost as a result of less dredging. Using this type of analysis that identifies the economic impact to a locality could help prompt a discussion at the state level to fund shallow water dredging. After describing several draft dredging legislative bills, Mr.

Lawrence expanded on how tax increment financing (TIF) may be used to finance dredging projects.

Mr. McFarlane asked about the length of time a locality would have to manage and maintain the aids to navigation and Mr. Lawrence noted that he has never seen this happen before and believes that once the Coast Guard turns over the aids to the locality, they will not be taking them back.

Mr. Greg Grootendorst, HRPDC, asked about special financing used by the City of Virginia Beach. Mr. Lawrence suggested future TIF districts related to dredging could learn from some of the City's experience.

Dr. KC Filippino asked whether a study had been completed on locating or identifying dredge spoil sites for beneficial reuse. Mr. Lawrence indicated he focused on historical information and did not have this information, as most areas had not been dredged since the 1970's and 1980's.

Ms. Katchmark asked if this should be considered a federal issue and about the need for dredging in other states. Mr. Lawrence replied the need for dredging is manifesting all over the country, noting difficulties may arise with localities pursuing dredging projects on channels previously under the federal government's jurisdiction. He also noted federal agencies have not determined leadership on the issue.

Mr. McFarlane asked about public interest in the issue, particularly at a town hall discussion hosted by U.S. Congressman Rob Wittman. Mr. Lawrence noted the meeting generated high attendance and interest in the government taking a greater role in addressing dredging.

7. House Bill 1774 – Stormwater Management in Rural Tidewater, VA

Dr. Filippino updated the Committee on House Bill (HB) 1774, which directed the Commonwealth Center for Coastal Resiliency (CCRFR) to convene a workgroup to study the creation of rural development growth areas; development of a volume credit program to fulfill water quantity requirements; payment of fees to support regional stormwater BMPs; and allowance of the use of stormwater in highway ditches to generate volume credits. It is intended to address land disturbances between 2,500 square feet and 1 acre to address issues related to whether DEQ or a locality must administer a stormwater program. Partners of the study included William & Mary's VA Coastal Policy Center (VCPC), VIMS, and ODU.

The workgroup considered several options and moved forward with the following:

- Targeted BMPs that would address agricultural pollutant loads in ditches to address Chesapeake Bay water quality.
- Tiered approach to stormwater management based on the percentage of impervious surface.

- Authorization for rural Tidewater localities to accept stamped/sealed plans from a licensed professional in lieu of local plan review.
- Agreement in lieu of a plan (ALP) for non-residential sites more than 2,500 square feet and less than 1 acre.

Dr. Filippino outlined the next steps related to the report. The final four recommendations were submitted to Legislative Services and the State Water Commission was briefed on December 4, 2017. HRPDC staff will track these recommendations as they move through the General Assembly.

As a member of the workgroup, Mr. Lawrence clarified that the amount of projects in question is extremely small, but yet these localities are still required to adhere to statewide stormwater requirements.

Mr. Scott Whitehurst with the Port of Virginia asked whether water quality data derived from the Chesapeake Bay Program was used to drive proposed regulations. Dr. Filippino answered it was not, recommendations came from impervious data previously published.

8. Status Reports

DEQ – Mr. Matt Fanghella thanked permittees for submitting their MS4 annual reports. He has evaluated 9 out of 27 reports received and will be in touch with localities if any issues arise. He clarified DEQ headquarters in Richmond will be relocating to the Bank of America building.

CH – Mr. John Harbin announced the Chesapeake City Council would be considering two conditional use permits for solar farms at its meeting on December 19, 2018.

The next meeting of the Regional Environmental Committee will be held on February 1, 2018.