

**SUMMARY OF THE MEETING OF THE
HRPDC REGIONAL ENVIRONMENTAL COMMITTEE
February 4, 2021**

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.

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	Thomas Quattlebaum, PO
Anna Drake, YK	Erin Rountree, SU
Greta Hawkins, HA	Justin Shafer, NO
Kevin Landry, GL	Diana St. John, VB
Beth Lewis, SH	Allison Watts, NN
Heather Markle, WG	Michael Woolson, JC

1. Summary of the January 7, 2021 Meeting of the Regional Environmental Committee

There were no comments on the January meeting summary.

2. Public Comments

There were no public comments.

3. NASA DEVELOP Program

Ms. Amanda Clayton, Projects Manager for the NASA DEVELOP National Program, provided an overview of the DEVELOP Program and how localities can benefit. DEVELOP is designed to build capacity among the program participants, typically students or recent graduates, and partner organizations by providing decision-support tools based on NASA Earth observations. Partners request projects that are conducted by interdisciplinary teams under the guidance of NASA mentor. DEVELOP operates three 10-week project terms each year and completes 45 to 60 projects per year. DEVELOP recently completed a couple of projects for the City of Hampton, where participants used NASA's data to develop a coastal erosion risk map and a classification map that identifies

percent impervious surface by Census block. The program participants had the opportunity to present their projects to Hampton's City Council.

The Committee asked for examples of other projects with locality partners. Ms. Clayton noted that their urban development projects are usually for localities. For example, they completed an urban heat island analysis for Tempe, AZ and are working with Fairfax County to assist with flood mapping. Because of the limitations of older satellite imagery, they are not able to analyze historical flooding events; however, they are using more recent radar to map flooding. Previous projects completed through DEVELOP can be reviewed at this site: <https://develop.larc.nasa.gov/>.

4. askHRgreen.org Program Update

The regional environmental education campaign, askHRgreen.org, is comprised of four committees with all 17-member jurisdictions of the HRPDC and the Hampton Roads Sanitation District. The campaign focuses on: 1) stormwater outreach, 2) litter prevention and recycling, 3) water conservation and awareness, and 4) fats, oils, and greases.

Ms. Cullipher highlighted two new initiatives for this year, *Start Smart Recycle Right* and *No Butts About It*. Start Smart Recycle Right is a back-to-basics program that focuses on reducing recycling contamination by emphasizing paper, bottles, and cans. There are several ways in which askHRgreen.org is promoting this message, including short videos designed for social media platforms, brochures, and additional content on the askHRgreen.org website. The No Butts About It cigarette litter reduction campaign has garnered attention with large scale model cigarette butts that have been placed in public spaces with educational signage explaining how cigarette butts are the number one most commonly littered item in the U.S. The campaign also includes a mini-grant program where askHRgreen.org will provide a cigarette waste receptacle as long as the recipient agrees to maintain it.

Several Committee members expressed support for the new campaigns and offered a couple of suggestions, including to produce magnets for the Start Smart Recycle Right initiative and to consider marketing the No Butts About It campaign to local universities and community colleges.

5. James City County - New Class 5 in the Community Rating System

Mr. Darryl Cook, Assistant Director of the Stormwater and Resource Protection Division for James City County, provided an overview of how the County became the first Class 5 community in the Commonwealth. The County has been part of the Community Rating System (CRS) since 1992, as a Class 9. Communities are reviewed every five years to determine their classification. During the 2018 visit from FEMA, the County presented additional programs and documentation for credit, including: 1) open space preservation and 2) higher regulatory standards.

The County has protected floodplains for years using several policies, including the Chesapeake Bay Preservation Ordinance, the floodplain ordinance, provisions in the

subdivision ordinance, and other environmental policies. They provided a map and database of the protected properties, which demonstrated that 85% of the Special Flood Hazard Area is protected (70% of that has been designated as Resource Protection Area). For points in the higher regulatory standards category, the County cited their freeboard standards (2' above BFE), building code enforcement, and adoption of the full International Building Code. The County received credits for a variety of other activities as well, including floodplain management planning, flood warning and response, outreach, flood data maintenance, and stormwater management.

There are concerns about how the recent changes to the Chesapeake Bay Preservation Act, which may result in more exceptions, could impact the points awarded for preserving the RPA.

6. 2021 Legislative Session

HRPDC staff shared updates on bills related to resiliency, stormwater funding, tree preservation, and wastewater that are continuing to move through the General Assembly. SB1350 incorporates resiliency into statewide transportation plans, and SB1389 requires a "Flood Risk Information" form and repetitive loss disclosure during real estate transactions. SB1404 would update the Stormwater Local Assistance Fund guidelines to include local fiscal stress and nitrogen removal into the project selection criteria. The tree bills (HB2402 and SB1393), which would enable localities to adopt higher tree conservation requirements, continues to have support, though the development community has pushed back. The bills modifying the wastewater Bay TMDL Phase III Watershed Implementation Plan requirements (HB2129/SB1354) have been successful in removing the floating wasteload allocations concept in favor of a nutrient trading program and additional funding. It was also noted that the General Assembly is seeking to address a variety of energy and climate change topics, such as carbon sequestration and a moratorium on new fossil fuel infrastructure, and environmental justice. Next week, the General Assembly will begin discussing budget amendments, and staff will provide an update during the March Regional Environmental Committee meeting.

7. Chesapeake Bay Preservation Area (CBPA) Designation and Management Regulation - Proposed Amendments

Continuing the conversation from the January meeting, Ms. Katchmark reviewed the schedule for developing regional comments on the proposed amendments for the CBPA regulations. Because of the significant nature of the changes, staff will brief the HRPDC and seek their approval of the letter before sending it to DEQ. A draft comment letter is expected by the end of February.

Staff recently met with the local CBPA staff, and Ms. Sunderland first summarized the concerns that were raised in regards to the proposed Section 155 with the guidance, vague language, implications with the CRS and floodplain ordinances, and the circumstances in which Water Quality Impact Assessments would no longer be required. There is significant interest in having the existing Riparian Buffer Modification and Mitigation Manual updated. Several stakeholders have questioned the purpose of the

tools VIMS is working on and whether they will be appropriate for use at the local level. More information is needed regarding the impact of the proposed amendments on local National Flood Insurance Programs.

There are also issues that lack regional consensus. For example, in terms of Subsection C of Section 155, some localities appreciate the flexibility of the language for considering the impact of climate change on proposed development in the RPA, while others would prefer for DEQ or VIMS to provide a tool for localities to more easily assess the impacts. There are also different perspectives on whether the planning horizon of 30 years is appropriate.

Ms. Sunderland also reviewed the concerns regarding the mature tree preservation amendments. As written, the requirement to only remove mature trees during development when deemed necessary applies to the entire CBPA, which is concerning for localities. It is unclear who would be responsible for identifying mature trees and which trees would be considered mature.

Mr. Skip Stiles indicated that he had been coordinating with the environmental community, and for the most part agrees with the concerns that were raised.

HRPDC staff is volunteering to serve on the stakeholder advisor group that DEQ is forming and also the GIS Technical Workgroup that VIMS is setting up.

8. Other Matters

- A. Chesapeake Bay Foundation** – Ms. Christy Everett announced that they are hosting an [expert panel](#) to discuss the changes to the CBPA on February 16 at 6:30pm and to contact CBF with possible clean-up sites for the upcoming Clean the Bay.
- B. Department of Forestry** – Mr. Robbie Lewis indicated that the Virginia Trees for Clean Water RFP closes on February 16, 2021.
- C. Department of Environmental Quality** – Mr. David Taylor indicated that the National Municipal Stormwater Alliance is offering technical assistance with private-public partnerships for green infrastructure.

The next meeting of the Regional Environmental Committee will be held on Thursday, March 4, 2021 virtually via WebEx.