

# Proposed Amendments to the CBPA Regs - Status of Regional Comments

Regional Environmental Committee  
February 4, 2021



# Schedule for Regional Comments

<b>Regional Env. Committee, Regional CBPA Workgroup, and Coastal Resiliency Committee</b>	<b>January - Early April</b>
<b>Introduction to HRPDC</b>	<b>February 18</b>
<b>Presentation to CAO Committee</b>	<b>Early March</b>
<b>Draft Letter Ready for Committees, Workgroups, and Planning Directors to Review</b>	<b>Mid-March</b>
<b>HRPDC to Vote on the Regional Comment Letter</b>	<b>April 15</b>
<b>If Approved, Submit Final Regional Comment Letter to DEQ</b>	<b>No Later than May 3</b>

# Concerns with Resiliency Amendment

- Riparian Buffer Manual - needs update
- Will VIMS tools be appropriate for local assessment of parcels?
- Need list of approved BMPs that are adaptation measures
- Recognition that no project “solely applies fill”
- Connection to CRS/NFIP - different building materials to be required for accessory structures? Implications for CRS points and NFIP audits?

# Concerns with Resiliency Amendment

- Locality or Applicant responsible for considering climate change impacts?
- Training for Local Staff: 1) impacts of climate change on a project and 2) impacts of an adaptation measure on water quality
- Why exempt an adaptation measure that is a BMP from a Water Quality Impact Assessment?
- Would a living shoreline that doesn't require a VMRC permit be exempt from a Water Quality Impact Assessment?

# Issues Lacking Consensus

- Consider the impacts of climate change or sea level rise on any proposed land development in the RPA
  - Less restrictive to integrate more easily into existing program **OR**
  - Prefer for DEQ or VIMS to provide tool or assessment so that they can be certain their programs will comply
- Consider the impacts for “no less than 30 years”
  - Appropriate because once approved, likely will always be **OR**
  - Too long because exceeds lifespan of typical project

# Concerns with Mature Tree Preservation Amendment

- Application to entire CBPA - “mature trees shall only be removed when deemed necessary”
- Define “mature tree” and who conducts assessment
- Timing for ordinance update

# Next Steps

- DEQ's Stakeholder Advisory Group
  - Notify DEQ of interest by March 15
  - Meeting to be held May 13 or May 14
- VIMS GIS Technical Workgroup
  - First meeting to be held mid-February