

**THE SUMMARY OF THE MEETING OF THE
REGIONAL ENVIRONMENTAL COMMITTEE
June 4, 2015**

1. Summary of the May 7, 2015 meeting of the Hampton Roads Regional Environmental Committee

The summary of the May 7, 2015 meeting of the Hampton Roads Regional Environmental Committee was approved as distributed.

2. Public Comments

There were no public comments.

3. Local Innovative BMP Projects – James City County

Ms. Fran Geissler, Stormwater Director of JCC, provided an overview to the Committee on their regenerative stormwater conveyance (RSC) projects. RSC offers several advantages, including:

- Channel protection
- Flood mitigation by storing runoff
- Designed to be in groundwater; no separation required
- Easily permitted
- Can fit in tight spaces
- Not vulnerable to large storms

The Southpoint Drive RSC project is complete. It was built in a steep area with no vegetation in the pools. The project has been well-received by the neighbors. The James Terrace project is also in a residential area. There are channels that make the house an island during storm events. The RSC will connect the channels to the floodplain. The Clara Byrd Baker Elementary is the site of a failed detention pond. RSC was chosen to avoid installing a retention pond and the surrounding chain link fence.

Mr. Bill Johnston asked if Ms. Geissler had any warnings for other localities that may interested in installing RSC. She advised against installing it on steep slopes, and she encouraged involvement from the neighboring residents.

Ms. Shereen Hughes asked whether JCC would receive pollutant removal credit without including vegetation in the pools for the Southpoint Drive project. Ms. Geissler said they are receiving credit because it was funded through SLAF.

Ms. Whitney Katchmark asked what the anticipated maintenance concerns are for RSC. Ms. Geissler is hopeful that is it similar to stream restoration.

Mr. Justin Shafer asked whether they include forebays, and Ms. Geissler answered that they do.

Mr. Kevin DuBois mentioned that they may be considered wetlands, and Ms. Geissler mentioned that the USACOE was supportive of these projects because in many cases, such as both the James Terrace and Clara Byrd projects, they are increasing the wetland area.

4. Norfolk Zoning Update

Mr. Jeremy Sharp from the Norfolk Planning Department provided an update to the Committee on the status of the revision of Norfolk's Zoning Ordinance. The current ordinance is 180 pages and updating it is a big undertaking.

The City values resident input but finds it challenging to get a feel for what the majority of residents would like. For example, when civic leagues are asked for input, there are approximately 20 members who are present providing input that may or may not represent the opinion of all of the residents in a neighborhood. Ms. Hughes also explained the challenge that Wetlands Watch has experiences in low income neighborhoods, where many residents work nightshifts or other atypical work schedules.

Mr. Sharp went on to say that the City is identifying areas that are safe zones, meaning more resilient and protected from flooding and sea level rise, and encouraging development in those safe zones. Some of the wealthiest neighborhoods in Norfolk are some of the ones with the greatest risks.

Another aspect of the revision is to update the development standards for landscaping, parking, and open space. A one-size-fits-all approach will not work for a City with such a diverse character. The current ordinance encourages strip malls, and the City wants to get away from that kind of development.

Mr. Sharp explained the challenge of land owners mowing the grass right up to the shoreline and said there is a push to increase the 50 ft. buffer to 100 ft. Ms. Ellen Roberts said to be mindful of an unintended consequence of removing the IDA – discouraging redevelopment, which is an opportunity for increasing the vegetation near the shoreline.

Ms. Katchmark asked the Committee members whether redevelopment generates significant credit towards the Bay TMDL. Mr. Shafer responded that he had run some rough numbers and came up with about 10 percent. He said that a lot of redevelopment does not disturb the impervious area. Ms. Katchmark said that the challenge is predicting future redevelopment and tracking the acres. Mr. Shafer mentioned that current development is still based on the old stormwater regulations. Going forward, redevelopment will likely have a bigger impact.

Ms. Katchmark asked if Mr. Sharp could incorporate tree density into the ordinance. Mr. Ben McFarlane said there is currently a tree canopy requirement. Mr. Sharp said that the City would like to.

Mr. Sharp said that the City is trying to identify where to invest resources that increases resiliency. Mr. DuBois asked what rate of SLR will be in the 2100 Plan, and Mr. Sharp replied that they are including all four predicted rates rather than identifying one over another.

Mr. Dave Imburgia asked whether environmental concerns will be incorporated, specifically the Bay TMDL and green space. Mr. Sharp replied yes. He referred the Committee to the website www.zonenorfolk.com to keep abreast of updates. Ms. Barbara Brumbaugh asked that Mr. Sharp come back and discuss updates as they move through the process.

5. Manufactured Treatment Devices (MTD) Sizing Coalition

The Committee completed a voice vote and does support the letter explaining the importance of including sizing requirements for the MTDs included in the BMP Clearinghouse. The pollutant removal credit is not certain because of the lack of sizing requirements. The coalition supports specifics and wants to move away from the interim guidance. More oversight of the MTDs makes sense and keeps the localities from having to determine whether a MTD is appropriately sized.

6. Coastal Zone Program Update

Mr. McFarlane provided information on the CZM Program. The public access projects (Norfolk and IOW) have been submitted to NOAA but they have to complete the 306A checklist before funding is released.

There are three Section 309 Strategies for 2016-2020:

- Ocean management
- Coastal hazards – possible task include: changes to floodplain management regulations, required SLR review for federal and state projects, require or incentivize localities to participate in CRS, etc.
- Cumulative and Secondary Impacts of Growth and Development – stakeholder meeting 6/5, focus on Lower Chickahominy Rivershed.

Through the office of Coastal Management, NOAA provides online self-guided, online instructor-led, and classroom instructor-led training courses at no cost. Mr. McFarlane highlighted four classroom courses that may be of interest to the Committee members:

- Coastal Community Planning and Development – land-use planning processes, alternative options for development
- Coastal Restoration Project Design and Evaluation – provides knowledge, skills, and tools to design and implement projects that have measurable impacts

- Introducing Green Infrastructure for Coastal Resilience – fundamental green infrastructure concepts that can play a critical role in making coastal communities more resilient to natural hazards
- Planning and Facilitating Collaborative Meetings – two-day course that is designed to increase participants ability to plan and facilitate a meeting that minimizes conflict and enhances problem solving

Applications for the Regional Coastal Resilience Grants Program are due July 24, 2015. There is a total of \$5M available in FY15, with individual awards ranging from \$500,000 to \$1M. There is a required match of 2:1 of federal to non-federal contributions and a regional approach is strongly encouraged. Eligible activities include identifying and addressing priority data, information, and capacity gaps, development of tools which support regional efforts to plan for a resilient coastal community, development of information and approaches that improve risk communication, etc.

7. Sea Level Rise Mapping

Mr. McFarlane provided an update on the sea level rise (SLR) maps that have been developed using the 2014 LiDAR data. The SLR models have been tweaked, and aerial photos are used for verification purposes. The precision is greater than the accuracy with this data. The TPO is incorporating sea level rise into the 2015 Plan.

8. Dutch Dialogues

The Dutch Dialogues Workshop will be held on June 19-23, 2015 at the Slover Library in Norfolk. They will have three areas of focus – regional approaches, New Market Creek in Hampton, and Tidewater District in Norfolk. HRPDC staff will distribute an itinerary.

9. Legal Seminar Brief

Ms. Julia Hillegass briefed the Committee on emerging topics at the recent LUEP Legal Seminar coordinated by Plan VA. Two topics were likely to be of particular interest to the Committee:

- Fracking - The Attorney General's office released an opinion stating that localities can prohibit or regulate hydraulic fracturing to extract natural gas
- Eminent Domain – Discussing whether Dominion Power lines are for public good or profit

10. Other Matters

Ms. Jill Sunderland reminded the Stormwater Managers to please submit their updated utility information for FY16. Mr. Ed Heide asked for a reminder email.

Ms. Katchmark and Mr. McFarlane asked localities if they could provide information on what parts of their localities actually flood, and the type of flooding they would attribute it to.

Ms. Geissler asked if any localities would be willing to share their ordinances that require property owners to maintain their BMPs. She said about 25% of the BMPs in JCC were installed before maintenance agreements were required. Both Norfolk and Chesapeake representatives agreed to send theirs.

Mr. Drew Scott reported that VDOT held their first subcommittee meeting on their Bay TMDL Action Plan. They are achieving their first 5% reductions by verifying their tracking. Mr. Shafer asked if VDOT has estimates of their MS4 area. Mr. Scott responded that they do, but the methods are suspect.

The next meeting of the Regional Environmental Committee is scheduled for July 2, 2015 in the Regional Board Room in Chesapeake, VA. Materials will be sent in advance for review.