

**THE DRAFT SUMMARY OF THE MEETING OF THE
REGIONAL ENVIRONMENTAL COMMITTEE
September 4, 2014**

1. Summary of the August 7, 2014 Meeting of the Hampton Roads Regional Environmental Committee

The Summary of the August 7, 2014 Meeting of the Hampton Roads Regional Environmental Committee was approved as distributed.

2. Public Comments

There were no public comments.

3. Upcoming Chesapeake Bay Preservation Act Compliance Reviews

Ms. Joan Salvati, DEQ, briefed the Committee on DEQ's plan for restarting compliance reviews for the Chesapeake Bay Preservation Act. DEQ is also looking at picking up Erosion and Sediment Control compliance reviews. Chesapeake Bay Local Assistance is now part of the Office of Local Government Programs, which has four primary responsibilities:

- 1) Oversight of the Chesapeake Bay Preservation Act
- 2) Oversight of local stormwater programs
- 3) Technical assistance and training
- 4) Local assistance to Bay Act localities and VSMPs

Products under development by the new office include:

- 1) An updated Erosion and Sediment Control Model Ordinance (should be out next month)
- 2) A decision table for when construction general permits, E&S plans, and SWM plans are required (drafted, will be sent to some local governments for review)
- 3) A table of needed changes to local CBPA ordinances (drafted)
- 4) Possible guidance on CBPA land-disturbing activities

Due to recent legislation, the Chesapeake Bay Preservation Act and associated regulations are now located in different parts of the Code of Virginia (now Sec. 62.1-44.15:67 - 79 and Virginia Administrative Code (now 9VAC25-830). Compliance with the CBPA is now administered by DEQ staff, not the State Water Control Board. Issues with local programs will be handled first by DEQ's Bay Act liaisons. If compliance issues are not addressed they will be referred to compliance and/or enforcement staff.

For the next round of CBPA compliance reviews DEQ is planning on conducting a broader sampling of plans and field inspections by liaisons. The timeline for each review expected to be approximately 1-3 months for inspections and 6 months total. Field visits will include assessments of where development is happening, how well

RPA's are being protected, and how well localities are protecting indigenous vegetation and minimizing impervious cover.

Mr. Brian Swets, Portsmouth, asked if DEQ is considering locating a liaison in Hampton Roads. That has been considered in the past, but is not under consideration right now.

DEQ will not be including new regulations and requirements in the compliance evaluations.

Ms. June Whitehurst, Norfolk, suggested that DEQ coordinate its compliance reviews for various programs so that localities are not constantly being evaluated. Ms. Salvati indicated that DEQ will be coordinate compliance reviews.

Ms. Connie Bennett, York, asked if the 16% impervious cover default for single-family detached lots still applied. Ms. Salvati stated that if a lot is in a subdivision planned before 2004, the common plan of development requirement does not apply, and lots less than an acre in size will not require a stormwater permit.

4. Draft Comments on Waters of the U.S. Definition

Ms. Jenny Tribo, HRPDC, briefed the Committee on draft regional comments on the EPA's proposed new definition of "Waters of the United States." Regional comments will be considered by the Commission at its October meeting. In general, the Committee agreed with the draft comments. Several committee members asked for more time to review. Specific issues identified included:

- 1) Avoiding multiple agencies having oversight
- 2) The definition of floodplain

Chesapeake staff requested that the HRPDC's comments reference the city's comments. Newport News staff will be sending separate comments. Any additional comments should be sent to Ms. Tribo by September 12 so they can be incorporated into the regional comments for a vote in October.

5. Stormwater Budget

Ms. Whitney Katchmark, HRPDC, and Ms. Julia Hillegass, HRPDC, briefed the Committee on the proposed FY16 Regional Stormwater Program budget. The budget includes a slight increase for salaries. No additional money has been allocated for PARS. Legal fees will be billed separately if needed. The Committee asked for additional information on the proposed increases for the education programs.

Comments on the budget should be sent to HRPDC staff by September 12.

6. Regional Stormwater Cooperation Summary

Ms. Tribo briefed the Committee on the FY14 Regional Stormwater Cooperation Summary. One comment, a suggestion to add in outreach for Phase II communities, was received by HRPDC staff. The Committee voted to recommend that the Commission approve the report for distribution.

7. askHRGreen.org Final Report

Ms. Katie Cullipher, HRPDC, briefed the Committee on the askHRGreen.org annual report. The Committee received a detailed presentation on the report at the August meeting. The Committee voted to recommend that the Commission approve the report for distribution.

8. Virginia Beach Sea Level Rise Final Report

Mr. Ben McFarlane, HRPDC, updated the Committee on the HRPDC Virginia Beach Sea Level Rise Final Report. There have been three major changes made to the report since the August meeting:

- 1) The national case studies previously in the first section have been moved to a new section.
- 2) Recommendations are now included at the end of each section.
- 3) New maps showing storm surge vulnerability by category over time have been added.

The Committee asked for additional time to review the report, so the report will be considered for a recommendation at the Committee's October meeting. Comments should be sent to Mr. McFarlane no later than September 19.

9. Envision Hampton Roads Visioning Session

Ms. Jai McBride, HRPDC, and Ms. Hillegass led a Visioning Session for the Envision Hampton Roads strategic planning effort with the Committee. Committee members provided input on what issues would or should be important for the region over the next thirty years.

10. Status Reports

Mr. McFarlane made three announcements:

- 1) HRPDC staff now has the new LIDAR data and is in the process of organizing it for localities to use. Interested localities should contact Mr. McFarlane to obtain the data.
- 2) The next Hampton Roads Sea Level Rise and Flooding Adaptation Forum will be held September 19 at VMASC.
- 3) The next meeting of the HRPDC Special Committee on Recurrent Flooding and Sea Level Rise will be held September 26 at the HRPDC office in Chesapeake.

Mr. Bill Johnston, Virginia Beach, stated that he would like the Committee to reopen discussion on the Bay TMDL Guidance, specifically issues with grandfathered developments.

Ms. Melissa Lindgren, Isle of Wight, announced that several positions are available, including an environmental program manager for the county's stormwater program.

Mr. David Imburgia, Hampton, announced that there will be a meeting of the Virginia Association of Wetlands Professionals at the Wakefield Airfield Conference Center on September 26. There is also an upcoming seminar of the Virginia Association of Surveyors that will focus on sea level rise and subsidence. The seminar will be held September 19.

Ms. Beth Lewis, Franklin/Southampton, announced that the city and county's stormwater manager position is open.

Ms. Shannon Hulst, Wetlands Watch, announced that Wetlands Watch is holding a training on a new flooding app at 5pm today at the Larchmont Library.

Mr. Clay Bernick, Virginia Beach, made several announcements:

- 1) Listening sessions for the city's comprehensive plan update will begin in the fall.
- 2) The city expects to adopt new flood maps and changes to its floodplain management ordinance in January.
- 3) The city is working with Currituck County and Chesapeake on the Green Sea Blueway and Greenway Management Plan.
- 4) EPA Trash Free Waters Program

Water Jam will be held September 8-11 at the Hampton Roads Convention Center in Hampton.

11. Other Matters

The next meeting of the Regional Environmental Committee is scheduled for October 2, 2014 at the HRPDC office in Chesapeake, Virginia. Materials will be sent in advance for review.