

**THE DRAFT SUMMARY OF THE MEETING OF THE  
REGIONAL ENVIRONMENTAL COMMITTEE  
January 8, 2015**

**1. Summary of the December 4, 2014 Meeting of the Hampton Roads Regional Environmental Committee**

The Summary of the December 4, 2014 Meeting of the Hampton Roads Regional Environmental Committee was approved as distributed.

**2. Public Comments**

There were no public comments.

**3. Economic Report on the Bay TMDL**

Mr. Chris Moore, Chesapeake Bay Foundation, gave a presentation to the Committee on analysis of the economic benefits of cleaning up the Chesapeake Bay. The analysis, which is based on land cover data, focuses on benefits to eight ecosystem services from following through with the Chesapeake Bay Total Maximum Daily Load. These ecosystem services include waste treatment, water supply, water regulation, recreation, food production, climate stability, air pollution, and aesthetics. The analysis estimated the current annual value of the Bay at \$108 billion, with a business-as-usual approach resulting in a loss of \$6 billion by 2025. Implementing the TMDL will increase the value of the Bay to \$130 billion, providing an estimated 4 to 1 return on investment. The analysis was completed by Dr. Spencer Phillips and reviewed by Dr. Gerald J. Kauffman.

Mr. Brian Swets, Portsmouth, asked how the cost of the blueprint was calculated. The authors looked at five agricultural BMPs and estimated the implementation costs of various urban stormwater BMPs.

Ms. Erin Rountree, Suffolk, asked about the difference between the business-as-usual scenario and the baseline. The BAU scenario accounts for the decline in the Bay's health from some sectors, including agriculture and urban stormwater.

Mr. David Kuzma, Newport News, asked what methodology was used to calculate the aesthetic benefits of the Bay cleanup (which accounted for most of the gains). Mr. Moore stated that that would be best answered by Dr. Phillips and that he would follow up.

**4. Historical BMP Funding Opportunity**

Mr. James-Davis Martin, DEQ, briefed the Committee on a funding opportunity for collecting or improving historical stormwater BMP data for the next update of the Chesapeake Bay Model. There is currently approximately \$1.5 million in the state budget to fund local governments, who can apply for a maximum of \$25,000. No match

is required, and collaborative efforts are encouraged. Eligible applicants include counties, cities, towns, and planning district commissions in the Chesapeake Bay Watershed. Applicants will be required to collect data on eligible BMPs installed on developed/urban lands between July 1, 1999 and June 30, 2015, and to document QA/QC measures for the data. Optional items include collecting data on eligible BMPs installed between January 1, 1985 and June 30, 1999 and providing ancillary data, such as land cover, land use, parcel boundaries, service area polygons, and zoning data. Eligible activities include digitization of records, field data collection, field verification, QA/QC, submission of local land use data, and production of the deliverables.

DEQ expects to issue the RFA around January 15, 2015, with submissions required by the middle of February. A notice of intent to award is targeted to be issued on February 27, 2015, and project agreements are expected to be finalized by April 1. All projects must be complete by September 1, and final reports and deliverables will be due October 1.

Proposals must include the following components: project summary, background information, approach and methodology descriptions, timeline, milestones, payment schedule, and project budget. Funds will be reimbursed for work completed.

Mr. Deva Borah, BHEM, asked if this included efforts to collect more monitoring data to calibrate the model. Mr. Martin stated that that was an ongoing effort but not part of this program.

Mr. John Paine, AECOM, asked if the BMPs to be identified were from the clearinghouse. Mr. Martin stated that definitions from either the CBP or the clearinghouse are acceptable. This RFA is intended to provide data for the Bay Model first, not permits.

Ms. Ellen Roberts, Poquoson, asked if the data would be used to create local requirements. Mr. Martin stated that Virginia is pressing for an uncertainty analysis as part of the Phase 6 model update, which will help determine the appropriate scale at which the data should be used.

Ms. Barbara Brumbaugh, Chesapeake, asked if there was enough funding for all localities, what would happen if data is not received from some localities, and if this RFA covered agricultural BMPs. Mr. Martin stated that the state is collecting agricultural data as part of a different federal/state cost-share program. If no data is collected from a locality, then no BMPs from that locality will be included in the model. The intent is to apply the data at the scale that it is provided. Ms. Brumbaugh asked if other states were conducting similar efforts. Mr. Martin stated that other states are working on the Phase 6 update, but may be using different approaches.

Ms. Rountree asked how the new data would affect permits. Mr. Martin stated that individual allocations for localities will likely change as a result of the new model run.

Mr. Bill Johnston, Virginia Beach, stated that there did not appear to be an incentive for communities to collect the data if it is going to be removed from the model anyway, and that the funds were relatively small for larger communities.

Ms. Whitney Katchmark, HRPDC, asked if the Chesapeake Bay Program would consider running the model without any BMPs to get a baseline result. Mr. Martin stated that it has been discussed but not agreed on. The model will back-cast BMPs based on new data. Another data call will be issued for communities that do not receive grants.

Ms. Roberts expressed her concern that upstream communities would not submit data and that that would result in higher load reductions for downstream communities. Mr. Martin stated they have not yet figured out how to address the data gap.

Ms. Shereen Hughes, Wetlands Watch, asked if a data format standard had been developed. Mr. Martin stated a spreadsheet would be available once the RFA was sent out.

Ms. Connie Bennett, York County, suggested that there was a relatively short time window for spending the money, given local contracting procedures.

Ms. Liz Scheessele, Timmons Group, asked if DEQ's goal was to maximize the number of localities that receive grants if there were bonus points for matching funds.

Ms. June Whitehurst, Norfolk, asked if the funds shouldn't be prioritized for communities with greater need. Mr. Martin stated that the RFA would contain the scoring criteria and that bonus points would be offered for three categories: early completion of deliverables, communities subject to the Chesapeake Bay Preservation Act, and communities with MS4 permits.

Mr. Ed Heide, Suffolk, asked if the funds could pay for staff time. Mr. Martin stated that they could.

Ms. Katchmark asked the Committee if a regional approach would be useful. Based on the discussion, a regional approach did not appear to be preferable.

## **5. Sea Level Rise Update**

Mr. Ben McFarlane, HRPDC, updated the Committee on matters related to recurrent flooding and sea level rise. The Virginia Coastal Policy Clinic held a conference in December at William and Mary which included a meeting of the Governor's Climate Change and Resiliency Update Commission. Mr. McFarlane was appointed to the Commission and appointed as chair of the Land Use and Transportation Working Group. The conference included sessions on flood insurance, local government liability, market responses to promote adaptation, and social vulnerability.

The Recurrent Flooding and Sea Level Rise Committee met on December 19, 2014. The Committee discussed several issues, including land subsidence, new sea level rise inundation maps, the ODU pilot project, and a resolution freeboard. The Recurrent Flooding and Sea Level Rise Committee recommended:

- working with the U.S. Geological Survey to study ways to monitor subsidence and develop a plan
- using 1-foot increments instead of climate scenarios for the next set of regional inundation maps, and looking into incorporating probabilistic or historic storm surge data
- participating in the ODU pilot project
- that the Commission adopt a resolution encouraging localities to adopt or increase freeboard requirements

## **6. Quantifying the Economic Impact of Sea Level Rise**

Mr. James Clary, HRPDC, briefed the Committee on various study design options for performing economic analyses of the impact of sea level rise on Hampton Roads. Mr. Clary will be working with the HRPDC Water Resources staff to coordinate this work with other efforts on sea level rise. Mr. Clary described four potential options:

- 1) Direct estimation, which would use GIS to estimate the impacts of sea level rise to property, infrastructure, households, and employment. This would build on previous HRPDC work and require generally available data.
- 2) Property value analysis, which would use regression analysis to estimate the impact of various characteristics, such as being located in a flood zone, on property values. This would require collecting substantial property value and sales data.
- 3) Economic drag from sea level rise, which would attempt to estimate reduced investment as a result of sea level rise or flooding.
- 4) Economic impact from adaptation, which would look at the potential costs and benefits of various adaptation strategies.

Mr. Clary recommended proceeding first with the direct estimate option, then with the property value analysis.

Mr. Kuzma asked if the real estate analysis would rely on property assessment data. Mr. Clary stated that it would utilize transactions, which would provide a more accurate accounting of market value. However, it would not be able to account for things such as seller concessions, and whatever assumptions were made would still be important.

Mr. David Imburgia, Hampton, asked if positive feedback would be included in the analysis of various adaptation strategies. Mr. Clary stated that the primary positive benefit would be avoided impacts.

Ms. Roberts expressed her concerns with “moment of time” analyses that do not look at long-term impacts.

## **7. Coastal Zone Technical Assistance Report**

Mr. McFarlane briefed the Committee on the FY2013-2014 HRPDC Coastal Resources Technical Assistance Program Final Report. The report documents the work done under the program's six components: regional coordination, environmental impact review, public information and education, training, technical studies, and technical assistance. Items of note for the past year include several training opportunities (on Comprehensive Coastal Resource Management Plans (with VIMS), floodplain management (as part of the Hampton Roads Adaptation Forum), and Climate Adaptation for Coastal Communities (with NOAA)). Special projects completed this year included assistance to VACo regarding insurance impacts on coastal communities, new Tap-It maps for askHRgreen.org, and an update to the regional high-resolution seamless digital elevation model.

The Committee recommended that the Commission approve the report for publication and distribution.

## **8. Update on Nutrient Credit Trading Regulations**

Ms. Katchmark updated the Committee on the status of nutrient trading regulations. The proposed regulations were published on December 29. Two public hearings have been scheduled (February 11 in Glen Allen and February 12 in Roanoke). The comment period ends March 16. The regulations cover:

- Application procedures
- Baseline requirements
- Credit calculation procedures
- Release and registration of credits
- Compliance and reporting requirements for nutrient credit-generating entities
- Enforcement requirements
- Application fees
- Financial assurance requirements

Ms. Katchmark identified five potential local government concerns:

- 1) "Management Area" is not clearly defined for projects on public owned lands.
- 2) Public notice requirements should be more robust.
- 3) Site visit should be required for new applications.
- 4) Technical advisory committees should be convened for new practices until DEQ develops a robust program for evaluating innovative BMPs.
- 5) Water Quality assurances allow trading up to the adjacent basin if no credits are available in a smaller area.

There are several issues where the RAP did not come to a consensus. These include the definition of management area, public notification for applications, retirement of credits, local water quality issues, baseline for agricultural lands, assurances that

certified credits meet changing baselines, credit modification allowances, and financial assurances.

In general, these regulations should help localities meet MS4 permit and Chesapeake Bay requirements. Localities will be able to use credits (either term or perpetual) and can also generate credits for trading. The regulations allow existing local government tax or rate authorities to meet financial assurances for structure BMPs. Regarding local water quality, allowing trading up to the adjacent basin scale could have negative impacts on local water quality, but localities could create credit generating facilities within their boundaries to counter those effects.

Committee members should send additional comments or concerns to Ms. Jenny Tribo by January 13. These comments will be discussed by the stormwater workgroup. HRPDC staff will draft a comment letter to be discussed at the February REC meeting, with approval scheduled for the March REC meeting. The letter will be submitted by the HRPDC staff due to the HRPDC board's schedule.

## **9. Land Subsidence Update**

Ms. Katchmark updated the Committee on a proposal to study and monitor land subsidence. The Directors of Utilities Committee and Recurrent Flooding and Sea Level Rise Committee discussed the two options (funding USGS to study various methods and develop a plan or issuing a request for proposals for InSar analysis). Both Committees recommended moving forward with the USGS study.

Ms. Brumbaugh asked how the study would be funded. Ms. Katchmark stated that the funding would come from existing per capita contributions from the localities.

## **10. Coastal Zone Management Program**

Mr. McFarlane briefed the Committee on matters related to the Virginia Coastal Zoen Management Program. The Virginia Coastal Partners Workshop was held at DEQ on December 10 and 11. The primary focus of the meeting was on reviewing the 2011-2015 Section 309 strategies and developing ideas for the 2016-2020 strategies. The current front runners for strategies to receive funding are:

- 1) Cumulative and Secondary Impacts of Development
- 2) Coastal Hazards
- 3) Special Area Management Plans

These will be further discussed by the Coastal Policy Team in February.

VCZMP staff have notified the coastal PDCs of two grant opportunities for FY15-16. Proposals will be due to VCZMP staff by February 13. For Section 309 grants, approximately \$138,000 is available. There is no match requirement, but proposals should build on the land and water quality protection work completed by the Middle Peninsula PDC and HRPDC. For Section 306 grants, approximately \$140,000 is available, and some match will be required. Eligible projects include studies,

construction, and restoration, and can be under five topics: water quality, coastal resiliency, working waterfronts, habitat restoration, and public access.

Each PDC is allowed to submit up to two proposals for each opportunity (Section 309 or 306), with a maximum total of \$40,000 in grant funds requested for each PDC.

Mr. McFarlane will send the RFP and associated materials out to the Committee once it becomes available. Interested localities should submit proposals to the HRPDC staff no later than Tuesday, January 27. The proposals will be included in the agenda packet for the February REC meeting. Committee members should rank the proposals and submit these rankings to the HRPDC staff by close of business on February 4. The HRPDC staff will then compile the results and present them to the Committee for its action.

The Committee concurred with the proposed selection process and recommended that the Commission authorize the Interim Executive Director, in consultation with the Regional Environmental Committee, to submit grant proposals to the Virginia Coastal Zone Management Program for FY15-16, and accept grant offers if and when they are made.

## **11. Status Reports**

Ms. Katchmark announced that the HRPDC would be issuing an RFP for a contract for continuing professional services on a wide range of services and asked for two volunteers from the Committee to serve on the review panel. Ms. Barbara Brumbaugh, Chesapeake, and Ms. Meg Pittenger, Portsmouth, volunteered.

Ms. Connie Bennett, York County, announced that she would be retiring at the end of the month.

Ms. Shereen Hughes, Wetlands Watch, announced that a meeting of the landscape professionals working group would be held at the HRPDC on February 20 from 9am to 1pm.

## **12. Other Matters**

The next meeting of the Regional Environmental Committee is scheduled for February 5, 2015 at the HRPDC office in Chesapeake, Virginia. Materials will be sent in advance for review.