

AGENDA NOTE – HRPDC QUARTERLY COMMISSON MEETING

ITEM #14: FOR YOUR INFORMATION

- A.** The Sanitary Sewer Consent Order has been signed and finalized effective December 19, 2014. This order replaces the existing orders and limits local requirements to the implementation of maintenance, operation and management (MOM) programs. Approving this Consent Order was a critical requirement of the hybrid solution for the regional Consent Decree. Under the hybrid solution, HRSD will be responsible for the Regional Wet Weather Management Plan.
- B.** The HRPDC Directors of Utilities Committee approved support for Mission H2O's lobbying effort to pursue legislation requiring formation of a Groundwater Advisory Committee to evaluate regional solutions to groundwater management in the Eastern Virginia Groundwater Management Area, and prohibiting DEQ from requiring individual permit reductions while this evaluation is taking place. This proposal is in response to DEQ's proposed cuts to the largest groundwater permit holders in the region. Ms. Andrea Wortzel with Troutman Sanders is leading this effort. This effort will be supported by the existing HRPDC Water Program funds and does not require additional funding. The HRPDC staff will coordinate with Ms. Wortzel and provide updates to the Directors of Utilities Committee on this initiative.

Attachment 14-B

Proposed Legislation – Groundwater Permits / Advisory Committee

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 62.1-___ as follows:

62.1-44. ___ Eastern Virginia Groundwater Management Advisory Committee established.

A. The Eastern Virginia Groundwater Management Advisory Committee (the Committee) is hereby established as an advisory committee to assist the Department of Environmental Quality in developing, revising, and implementing a management strategy for groundwater in the Eastern Virginia Groundwater Management Area. The Committee shall be appointed by the Director of the Department of Environmental Quality and shall be composed of nonlegislative citizen members representing industrial and municipal water users; public and private water providers; developers and representatives from the economic development community; agricultural, conservation and environmental organizations; state and federal agencies; and university faculty with expertise in water resources-related issues. The Committee shall meet at least four times each calendar year.

Members of the Committee shall receive no compensation for their service and shall not be entitled to reimbursement for expenses incurred in the performance of their duties.

B. The Committee shall examine (i) options for developing a long term alternative water source, including but not limited to water reclamation and reuse, groundwater recharge, desalination and surface water options, including creation of storage reservoirs; (ii) local and regional water supply plans within the Eastern Groundwater Management Area for purposes of determining water demand and possible solutions for meeting that demand; (iii) potential funding options both for study and implementation of management options; (iv) alternative management structures including but not limited to a water resource trading program, formation of a long-term groundwater water management committee, and formation of a commission; (v) additional data needed to more fully assess aquifer health and sustainable groundwater management strategies; (vi) current groundwater permitting criteria; and (vii) other policies and procedures that the Director of the Department of Environmental Quality determines may enhance the effectiveness of groundwater management in the Eastern Virginia Groundwater Management Area.

C. The Department shall take no action to require reductions to permitted groundwater withdrawal volumes until the reports required by Subsection D have been presented at a meeting of the State Water Commission.

D. The Committee shall issue a report including the results of its examination and related recommendations on or before July 31, 2017. The Department shall issue a report responding to the Committee's recommendations on or before October 31, 2017.

2. That this act shall expire on December 31, 2017.