

Attachment 1A
MEETING SUMMARY
CHESAPEAKE BAY TMDL STEERING COMMITTEE
July 14, 2011
1:30 P.M.

1. Introductions and Purpose of Committee

Mr. John Carlock, Hampton Roads Planning District Commission (HRPDC) Deputy Executive Director, opened the meeting. Following introductions by those in attendance, Mr. Carlock reviewed the responsibilities of the Steering Committee, the presentations on the agenda, and the discussion session to be facilitated by Ms. Julia Hillegass, HRPDC, who explained the ground rules for the facilitated discussion.

2. Review of Phase I WIP and overview of Phase II WIP Process

Ms. Joan Salvati, Virginia Department of Conservation and Recreation (DCR), provided a presentation focused on the status of the Phase II WIP, the expectations of the U.S. Environmental Protection Agency (EPA), potential funding sources, and the planning schedule. A copy of the presentation is attached.

The first portion of the presentation reviewed Virginia's Chesapeake Bay TMDL planning components including: the Phase I WIP; Phase II objectives, project elements, and process, and EPA expectations for Phase II. Ms. Salvati reviewed Virginia's Phase II approach, and emphasized that the State is seeking local government input on the BMPs (by type) and the acres treated that are listed for each locality to verify. She emphasized that DCR also requests that localities identify resource needs for future BMP implementation and local water quality efforts that are not credited in the watershed model. Ms. Salvati concluded by outlining DCR's local engagement and outreach process and State assistance with the forthcoming BMP assessment tool, pass-through EPA contract assistance, possible grants, and other potential sources of funding.

The post-presentation discussion is summarized as follows:

- When asked to explain, in terms of timeframe and technical requirements, how the State intends to apply an "adaptive strategy," as indicated by Assistant Secretary Moore, to develop the Phase II WIP, Ms. Salvati noted that EPA promotes the adaptive approach. She provided the example of eventually revisiting the Phase I and II WIP strategies to identify those strategies that did not work and remove them from the "tool box," and/or bringing to EPA's attention innovative strategies for credit. DCR staff will also be looking at adequate credit for no discharge zones.
- Ms. Salvati clarified that the spreadsheets with the revised locality subsurface goals have not yet been distributed.

- When asked how DCR would like to receive locality BMP information and strategies, Ms. Salvati noted that DCR is creating a guidance document regarding the format for BMP information submittals. The forthcoming BMP assessment tool will have an output function that will summarize BMP information. As for strategies, DCR is flexible as to format, but requests that localities provide enough information to clearly describe the strategy. DCR will aggregate all strategies in the WIP document.
- The comment was made that the timeframe is very short to move the locality submittals through the local approval processes. Ms. Salvati acknowledged this and stated that DCR has conveyed this concern to EPA.

3. Overview of Phase II Process for Hampton Roads Localities

Ms. Whitney Katchmark, HRPDC, briefed the Committee on the proposed process for coordinating the Phase II WIP development, reasons why localities should participate, and what actions localities can begin working on. A copy of the presentation is attached. Ms. Katchmark emphasized the following points:

- The assumptions in the Phase I WIP do not take advantage of local knowledge, and cannot be refined without input from localities.
- As cost is a major obstacle to implementation of the TMDL, localities should develop detailed cost estimates to help negotiate funding and scheduling needs and to explain costs to citizens.
- The Steering Committee structure provides for participation and supports buy-in from all stakeholders, including the regulators, the permit holders, and the agriculture sector.
- The multi-departmental team in each locality should include all departments that may have a say in executing nutrient management strategies.
- Localities are urged to begin groundtruthing BMPs, conduct locality team meetings, evaluate land use data and translate locality information into model-relevant categories, and assess technical assistance needs.

4. Key Regional Issues to be Addressed

Ms. Jennifer Tribo, HRPDC, presented the key issues that need to be addressed by the Regional Steering Committee. A copy of the presentation is attached. Ms. Tribo outlined three key issues and priority actions to address each issue. Ms. Tribo noted the following points:

- Land area issue: Regarding federal properties, the Department of Defense is currently reviewing the updated loads (August) that accounted for federal lands. Localities will need to be able to track loads and reductions attributed to federal lands, industrial permit holders, and general permit holders.

- Chesapeake Bay Model and BMPs issue: There is a need to identify practices that are not reported, develop a means to track and report these practices, and coordinate with DCR on interim efficiencies for new BMPs for use in local WIP development.
- Regulatory and Funding Gaps issue: Locality teams should identify gaps and bring these issues to the Steering Committee for discussion and forwarding to legislative priority lists. Cost estimates for management actions are being developed. Localities are urged to track staff time and other resources committed/expended for WIP development, as it will assist with justifications for funding requests later.

5. Facilitated Discussion

Localities were asked to provide feedback as to how HRPDC could assist in locality WIP development. Ms. Hillegass facilitated the discussion as summarized below.

- Mr. John Hudgins, York County, commented that regarding the land area issue, a regional effort to speed up the process of isolating loads from federal lands and other permit holders would be helpful. Localities would appreciate information on what guidelines are being given to federal agencies and other permit holders, what they are doing, which facilities are developing Federal Facility Implementation Plans and which facilities intend to work through localities, and how federal facilities and other permit holders will be held accountable.
- Mr. Mark Bennett, USGS, shared that he had heard a presentation from the Army Corps of Engineers that the Army is developing detailed BMP implementation plans for each base in the Chesapeake Bay.
- Ms. Sarah Diebel, U.S. Navy, indicated that the Navy is reviewing the current BMP inventory developed by the Army. The Navy plans to expand on this work and look at baseline loads using EPA modeling techniques. Most Navy facilities have gone through BMP assessment and the Navy is looking for opportunities to install BMPs. Ms. Diebel noted that some installations may not have time to develop their own plan, so the Navy is looking to work with localities and provide information for those facilities to local governments.
- Mr. Hudgins expressed concern that York County's load allocations include federal lands and that the local planning process cannot progress until those loads are isolated.
- Ms. Connie Bennett, York County, asked if parks are included in federal lands. The group confirmed the inclusion of parks.
- Ms. Fran Geissler, James City County, stated that the locality intends to estimate federal land loads based on impervious cover. However, she requested assistance in determining loads attributable to surface mining operations, and

emphasized that the locality has no means to hold these mining operations accountable.

- Ms. Cindy Linkenhoker, Portsmouth, indicated that localities need assistance with determining loads attributable to schools and all state properties.
- Mr. Brian Lewis, Newport News, asked how the State intended to handle Virginia Department of Transportation (VDOT) properties. Ms. Salvati indicated that VDOT is participating as part of the State's interdepartmental team; parking lots and maintenance facilities will be included in the assessment of VDOT's properties and urban stormwater loads.
- Ms. Ellen Roberts, Poquoson, asked for HRPDC assistance with taking a regional approach to identify and include potential treatment measures and interim efficiencies. A regional stance on efficiencies seems reasonable if the region is applying alternative BMPs. Ms. Salvati commented that, although the State may find the region's approach acceptable, the EPA has not provided feedback as to whether alternative BMPs will be accepted. Ms. Tribo noted that this issue will be discussed by the Regional Steering Committee.
- Ms. Bennett asked for clarification of the handout titled "Non-Point Source Best Management Practices and Efficiencies currently used in Scenario Builder" and why certain BMP efficiencies are listed as "N/A". Ms. Tribo explained that not all BMPs have removal efficiencies, because those BMPs are modeled as systems changes or land use changes. Ms. Tribo also noted that HRPDC is working with the State to have the forthcoming BMP assessment tool account for those efficiencies that are credited in the watershed model, as well as efficiencies for practices such as oyster restoration that are only credited in the water quality model after monitoring indicates an increase in population.
- Ms. Geissler noted that there are questions as to how localities should handle short-term practices such as 3-year nutrient management plans and annual agriculture plans. Guidance on these issues would be helpful.
- Mr. Brian Noyes, Colonial SWCD, commented that disparities need to be resolved between efficiencies for practices encouraged on urban lands and agricultural lands. Also, guidance on stacking BMPs is needed. Ms. Salvati acknowledged the need for guidance on stacking and indicated that DCR may coordinate with the Virginia SWCDs on this issue.
- Mr. Joe DuRant, Newport News, asked for clarification on the relationship between the locality loads and compliance with future MS4 permits. Ms. Salvati indicated that the Phase II WIP target loads are separate from the permit process, and that she did not think the locality loads would be enforced through MS4 permits. She explained that new permits would probably identify a reduction level, and that the locality would adopt a management program to achieve the reduction.
- Mr. Bill Johnson, Virginia Beach, noted that HRPDC assistance would be helpful regarding legislative priorities for BMPs on private property.

- Mr. Dave Hansen, Virginia Beach, commented on the affordability of WIP implementation. He emphasized that the priority for stormwater management is flood control and that it is unaffordable for localities to create additional capacity to manage water quality. The City will participate in the process, but implementation of WIP strategies will be to the extent practicable given the recent increase in the City's stormwater fees for sustainment and maintenance of existing infrastructure.
- Ms. Salvati commented that it would be beneficial to assess to what extent stormwater management practices also improve water quality and how to demonstrate that flood management practices provide water quality improvements. In terms of new BMPs, it would be helpful to identify quantity practices with water quality management functions.
- Ms. Roberts suggested that HRPDC collect WIP-related questions and answers in a repository to serve as a reference throughout the process.
- Ms. Linkenhoker noted that planners need guidance and specifications on how trees are translated into BMPs and associated credits. She also requested clarification on how the BMP efficiency of erosion/sediment control programs, most programs of which are already in compliance, can be improved.
- Mr. Noyes commented that the largest pollutant loads are caused by large storms, however, the model is limited to certain storm constraints. Therefore, sustainable practices that are effective in large storms are lost or discounted in the modeling process.
- Ms. Roberts added that conflicting regulations from different State agencies can result in the discouragement of some management actions such as buffer restoration.

6. Schedule Future Meetings

The Committee agreed to meet monthly on the first Thursday of the month from 1:00 p.m. to 3:30 p.m. This schedule allows the Committee to meet on the same day as the Joint Environmental Committee. PDC staff will explore the possibility of rotating the meeting to a Peninsula location every other month.

The next meeting of the Regional Steering Committee is scheduled for 1:00 p.m. on August 4, 2011 at the HRPDC Regional Building.

Meeting Attendance

Regional Steering Committee for the Chesapeake Bay Phase II WIP:

Chesapeake Bay TMDL Steering Committee members in attendance at the July 14, 2011 meeting are indicated by a “√” in the list below. Those represented by an alternate are indicated with a “Δ” (see list below). See member lists below for the Regional Stormwater Management Committee and the Chesapeake Bay Committee for additional attendance.

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| √ Amar Dwarkanath, CH | √ Mark Bennett, USGS |
| √ Eric Martin, CH | √ Carl Hershner, VIMS |
| √ Stanley Stein, NO | √ Ted Henifin, HRSD |
| √ June Whitehurst, NO | Δ Marjorie Mayfield Jackson, Elizabeth River Project |
| √ Dave Hansen, VB | Δ Christy Everett, Chesapeake Bay Foundation |
| √ Clay Bernick, VB | √ Karen Forget, Lynnhaven River NOW |
| Randy Wheeler, PQ | Bill Street, James River Association |
| √ Ellen Roberts, PQ | Tara Outland-Williams, Peanut SWCD |
| √ Mary Bunting, HA | Chuck Griffin, Peanut SWCD |
| √ Lynn Allsbrook, HA | Roy Flanagan, Virginia Dare SWCD |
| √ Brian Lewis, NN | √ W. Brian Noyes, Colonial SWCD |
| √ Dave Kuzma, NN | Laverne Calhoun, Tidewater SWCD |
| Richard Hartman, PO | √ Robert Hicks, Virginia Health Department |
| √ Cindy Linkenhoker, PO | Δ Dwayne Roadcap, Virginia Health Department |
| √ Steve Martin, WM | John Carroll, Forestry |
| Carolyn Murphy, WM | √ Maria Nold, DEQ - TRO |
| √ John Hudgins, YK | √ Roger Everton. DEQ- TRO |
| √ Connie Bennett, YK | √ Joan Salvati, DCR |
| √ Fran Geissler, JC | √ Noah Hill, DCR |
| Darryl Cook, JC | John Gordon, DOD – Air Force |
| Rhonda Mack, SY | Ron Joyner, DOD – Air Force |
| √ Patrick Roberts, SU | √ David Cotnoir, DOD - Navy |
| √ L. J. Hanson, SU | √ Sarah Diebel, DOD -Navy |
| √ Frank Haltom, IW | John Harman, VDOT |
| √ Gretchen Gonzalez, IW | |
| √ Peter Stephenson, SM | |
| Δ Ron Peaks, GL | |
| Δ Scott Rae, GL | |
| Michael Stallings, WN | |

Alternate Steering Committee Representatives:

- | | |
|--------------------------|--|
| √ Brenda Garton, GL | √ Ann Jurczyk, Chesapeake Bay Foundation |
| √ Martin Schlesinger, GL | √ David Tiller, Virginia Health Department |
| | √ Joe Rieger, Elizabeth River Project |

HRPDC Staff:

- | | |
|--------------------|---------------------|
| √ Dwight L. Farmer | √ Whitney Katchmark |
| √ John M. Carlock | √ Jennifer Tribo |
| √ Julia Hillegass | √ Tiffany Smith |
| √ Lisa Hardy | |

Regional Stormwater Management Committee:

Regional Stormwater Management Committee members in attendance are indicated by a “√” in the list below (see also Regional Steering Committee attendance on previous page).

Connie Bennett, YK	Todd Herbert, DCR	June Moser, NO
Mark Bennett, USGS	Jane Hill, IW	Theresa Owens, PQ
Richard Broad, III, CH	Lee Hill, DCR	Russell Pace, FR
√ Barbara Brumbaugh, CH	Noah Hill, DCR-SWCD	Kevin M. Parker, HRSD
William S. Bullard, Navy	William T. Hopkins III, SM	Ronald E. Peaks, GL
W. Keith Cannady, HA	Jennifer Howell, DEQ	Scott Rae, GL
Darryl E. Cook, JC	Will Hunley, HRSD	Jennifer Reitz, HRSD
David J. Cotnoir, Navy	Julien Johnson, SH	Amy Ring, IW
Sara Diebel, Navy	√ William J. Johnston, VB	Ellen W. Roberts, PQ
Ken Dierks, Kimley-Horn	John Kennedy, DEQ	Lee Rosenberg, NO
√ Joseph M. DuRant, NN	Arthur Kirby, DCR	Erin Rountree, SU
Sherry Earley, SU	David Kuzma, NN	Sam Sawan, CH
Roger Everton, DEQ	Kevin Landry, DCR	Andrew B. Scott, VDOT
Chuck Fleming, HA	Brian Lewis, NN	Gina Shaw, NO
H. Reed Fowler II, NN	Cindy Linkenhoker, PO	Bob Speechly, PQ
J. Arnie Francis, GL	Rhonda Mack, SY	Peter M. Stephenson, SM
Doug Fritz, DCR	Casey Magruder, CH	David Stromberg, HA
Fran C. Geissler, JC	Eric J. Martin, CH	Jill Sunderland, NO
Gretchen Gonzales, IW	Steve Martin, WM	Debbie Vest, PQ
√ Leroy Hansen, SU	James R. McConathy, DEQ	Beverly Walkup, IW
√ Tim Hare, CH2M	Stephen McLaughlin, VB	Gary Woodson, SU

Chesapeake Bay Committee:

Chesapeake Bay Committee members in attendance are indicated by a “√” in the list below (see also Regional Steering Committee attendance on previous page).

Mark Bennett, USGS	Paul D. Holt III, PO	Russell Pace, FR
H. Clayton Bernick, VB	William T. Hopkins, III, SM	Stacy Porter, PO
Erin Bradshaw, SU	Kim Hummel, IW	Scott Rae, GL
Stacey Bradshaw, SWCD	Will Hunley, HRSD	Amy Ring, IW
Laverne Calhoun, SWCD	David Imburgia, HA	Lee Rosenberg, NO
W. Keith Cannady, HA	Kathy James-Webb, NN	David M. Sacks, DCR
David Cotnoir, Navy	Thomas Jordan, HA	Joan Salvati, DCR
Sara Diebel, Navy	John Kennedy, DEQ	Jaleh Shea, CH
Ken Dierks, Kimley-Horn	Jacob Lacy, NN	Shawn Smith, DCR
Anna Drake, YK	Kevin Landry, DCR	Peter M. Stephenson, SM
Anne Ducey-Ortiz, GL	Rhonda Mack, SY	David Stromberg, HA
Roger Everton, DEQ	Jenny McPherson, VB	Brian Swets, CH
Michael Faulk, NCRS	Nancy Miller, DCR	Cynthia S. Taylor, SU
Roy D. Flanagan, III, SWCD	Scott Mills, SU	Debbie Vest, PQ
Emily Gibson, GL	Shepard Moon, DEQ	Beverly Walkup, IW
Chuck Griffin, SWCD	June Moser, NO	Jack Whitney, Jr., VB
Jonathon Hartley, PO	Carolyn Murphy, WM	
Todd Herbert, DCR	Brent Nielson, CH	
Noah Hill, DCR-SWCD	Brian Noyes, SWCD	
Karen Holloway, PQ	Tara Outland-Williams, SWCD	