

ATTACHMENT 1A
THE DRAFT SUMMARY OF THE MEETING OF THE
HAMPTON ROADS CHESAPEAKE BAY COMMITTEE, THE
REGIONAL STORMWATER MANAGEMENT COMMITTEE AND THE
CHESAPEAKE BAY IMPLEMENTATION SUBCOMMITTEE
July 7, 2011

1. Summary of the June 2, 2011 Meeting of the Hampton Roads Chesapeake Bay and Regional Stormwater Management Committees and Chesapeake Bay Implementation Subcommittee

The Summary of the June 2, 2011 Meeting of the Hampton Roads Chesapeake Bay and Regional Stormwater Management Committees and Chesapeake Bay Implementation Subcommittee was approved as distributed.

2. Sustainable Communities

Mr. Benjamin McFarlane updated the Committee on the U.S. Department of Housing and Urban Development's (HUD) Sustainable Communities Regional Planning Grant (SCRPG). HUD issued an Advance Notice of Funding Availability for the FY11 SCRPG program. There will be \$67 million available for the FY11 program, of which not less than \$17.5 million is reserved for regions with populations less than 500,000. This year's program will require a pre-application and an application. Applications will be due 30-45 days after the pre-applications have been approved. A change in the rules for this year's program allows boundaries to be set using state definitions rather than just federal definitions as was the case last year. HRPDC can apply for a grant between \$1 million and \$5 million for a Category 1 project to develop a Regional Plan for Sustainable Development. HRPDC staff will be meeting with regional Planning Directors on Friday, July 8 to discuss how the region may proceed with putting together a proposal. Committee members with suggestions for the proposal should send them to Mr. McFarlane (bmcfarlane@hrpdcva.gov).

ACTION: None required.

3. Aquaculture

Mr. McFarlane gave a brief presentation to the Committee on the possibility of amending the Right to Farm Act to include aquaculture as a permitted use. The General Assembly has formed a study committee to look at local governments' authority to use zoning to manage aquaculture. The Middle Peninsula Planning District Commission (MPPDC) is coordinating data gathering and discussion between PDCs in the Coastal Zone. HRPDC staff participated in this effort by providing zoning data from Hampton Roads localities and producing a map showing areas zoned for agriculture in the region. Maps from each Coastal Zone PDC were combined into a single map by MPPDC staff to compare coastal areas that are

appropriate for aquaculture with areas that fall under the Right to Farm Act's requirements. The analysis showed that many of the areas appropriate for aquaculture, such as along the York River, are not currently zoned for agriculture, so amending the Right to Farm Act would not promote aquaculture in those regions.

Committee members requested to be informed of the study's progress and results when available, potentially for legislative packages. Promoting aquaculture in coastal areas may cause conflicts with other uses. In addition, the Right to Farm Act does not distinguish between coastal and inland agricultural areas, so some aquaculture processes that do not require access to the coast may end up inland. Another solution for promoting aquaculture in coastal areas may be needed if the proposed amendment will not work. HRPDC staff will continue to monitor the situation and update the Committee as needed.

ACTION: None required.

4. Client Survey

Mr. John Carlock, HRPDC, gave a brief presentation to the Committee on a client survey that HRPDC is pursuing to gauge the effectiveness of its programs and whether local governments and others may want changes to HRPDC processes, services, and communication strategies. A similar survey was conducted about ten years ago. This new survey will focus on committee processes, technical assistance, programs, staff assistance, and communication, with a particular focus on communication. HRPDC staff is considering methods for distributing information to different audiences such as staff and elected officials.

The Committee suggested distributing the survey through several means, including a web survey (such as SurveyMonkey), printing and mailing copies, or emailing copies. The Committee also suggested, for future meetings, maintaining agenda attachments in the emailed packets, while also posting public documents online. In addition, at future meetings of the Committee, Committee members (local government staff and agency representatives) will have priority for seats at the table, with other seating available for guests.

ACTION: None required.

5. Living Shorelines Presentation

Ms. Pamela Mason of the Virginia Institute of Marine Science (VIMS) gave a presentation to the Committee on living shorelines. VIMS has a program focused on living shoreline research and implementation. The presentation described the benefits of living shorelines and which forms of shoreline stabilization are preferred. Living shorelines are preferred because they do not cause the negative impacts that traditional shoreline hardening projects do. The VIMS Center for Coastal Resources Management (CCRM) is developing decision trees for shoreline

stabilization project implementation as well as a website that will contain data and information useful for localities in making shoreline decisions.

The presentation also covered SB964. This bill will result in new permits being required for a shoreline stabilization projects as well as comprehensive shoreline management plans for localities as part of their comprehensive plans. VIMS and VMRC will conduct listening sessions with localities to gather input on what should be incorporated into the new permits. Guidance for comprehensive shoreline management plans will start with existing draft guidance, but will be driven by the Virginia Marine Resources Commission. VIMS will help localities develop plans through providing universal datasets for localities to use in combination with local data.

Ms. Mason answered questions from the Committee. The model does not explicitly include dunes (creation, restoration, or enhancement), but she will follow up with the modeler. The comprehensive management plans are to be incorporated into locality comprehensive plans in the next update after VIMS has completed the guidance. Some parts will be available directly from the guidance, while others will require local adaptation. VIMS will be working with local governments to develop the comprehensive management plans. Marcia Berman from CCRM will be leading the project and conducting outreach, including the integration of new data into management plans. Ms. Mason is the point of contact for the integrating process, listing sessions, and plans. At this point, there is no dedicated funding, but VIMS is trying to leverage money for wetlands inventories so that each local government can have a dedicated web page. Committee members with questions can contact Ms. Mason (mason@vims.edu).

ACTION: Request a presentation from the Virginia Marine Resources Commission for the August meeting.

6. **Chesapeake Bay Phase II Watershed Implementation Plan (WIP) Update**

Ms. Jenny Tribo, HRPDC, updated the Committee on the Chesapeake Bay TMDL Phase II Watershed Implementation Plan (WIP). EPA has revised allocations and sent them to the states. Final allocations will be distributed at the beginning of August. In general for Virginia, the sediment and phosphorus allocations have been increased, while the nitrogen allocation has been decreased.

Upcoming meetings include:

Date	Audience	Information
7/13/11	Local government staffs	Center for Watershed Protection webinar on what local governments can do now.

7/14/11	Assistant City Managers/County Administrators plus stormwater/technical staff	Invitations will go out this week followed by an agenda
7/18/11	Chesapeake Bay Stormwater Work Group	Conference call discussing how to get more BMPs into the model. Ms. Tribo will update at the next Stormwater and Joint Environmental Committee Meetings.
7/19/11	Local government staffs	Maryland webinar on the MAST tool. HRPDC will be hosting at 10:00am. Ms. Tribo will send out an email.

The Committee discussed the limitations of the Maryland tool for Virginia, but the tool could be adapted to overcome those problems. The tool will probably be available some time after CAST. The Committee also briefly discussed the Chesapeake Bay TMDL/WIP Q&A document issued by DCR in response to frequently asked questions.

ACTION: Follow up with Committee regarding meetings.

7. **Stormwater Subcommittee Update**

Ms. Tribo gave a brief report to the Committee on the latest Stormwater Subcommittee meeting. The meeting included a presentation from DEQ staff on the PCB TMDL for the James and Elizabeth Rivers. DCR and DEQ will follow up at a later meeting with information concerning next steps, guidance for monitoring, and how monitoring data will be used in the TMDL.

ACTION: None required.

8. **Rainwater Harvesting Presentation**

Mr. Dwayne Roadcap from the Virginia Department of Health (VDH) and Mr. Larry Brock from the Department of Housing and Community Development (DHCD) gave a presentation to the Committee on regulations and guidance concerning rainwater harvesting. VDH has recently issued new guidance on rainwater harvesting. The next edition of the state building code will also cover rainwater harvesting. VDH has the authority to regulate the construction of cisterns and reuse for public water systems, but its potable water regulations do not apply to small-scale service providers (less than 15 connections or 25 people). VDH can issue guidance for these providers, though it cannot enforce regulations for such things as filtration, treatment, design, or other matters. VDH's new guidance focuses on public health issues related to rainwater reuse. Localities can implement their own ordinances. Localities will have the opportunity to provide input for both VDH guidance and the

next statewide building code in the future. PDC staff will coordinate gathering information from VDH and DHCD and comments from localities.

ACTION: None required.

9. Status Reports

A. Hampton Roads Planning District Commission

HRPDC representatives had nothing to report.

B. Hampton Roads Sanitation District

HRSD representatives had nothing to report.

C. Soil and Water Conservation Districts

SWCD representatives had nothing to report.

D. Department of Conservation and Recreation

DCR staff reported that CBLAD is now in the regulatory section of the Stormwater Management Division of DCR. The new Division Director for Stormwater Management is Reese Peck.

E. Department of Environmental Quality

In the absence of a DEQ representative there was no report.

F. U.S. Geological Survey

In the absence of a USGS representative there was no report.

G. Department of Transportation

In the absence of a VDOT representative there was no report.

H. U.S. Navy

In the absence of a U.S Navy representative there was no report.

I. Local Programs

York County staff reported that they will be receiving their audit from CBLAD on July 15, 2011. York County has an opening for an Engineer I.

Gloucester County staff reported that their Division of Stormwater Management/ CBLAD audit has been completed. Gloucester's Chesapeake Bay ordinance needs to be amended to indicate that notes concerning reserve drainfields and septic pumpout requirements are on plats.

Suffolk staff reported that the City is developing a local government staff committee to work on issues related to the Chesapeake Bay TMDL.

10. Other Matters

The next meeting of the Joint Environmental Committee is scheduled for August 4, 2011 in the HRPDC Regional Board Room. Materials will be sent in advance for review.

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