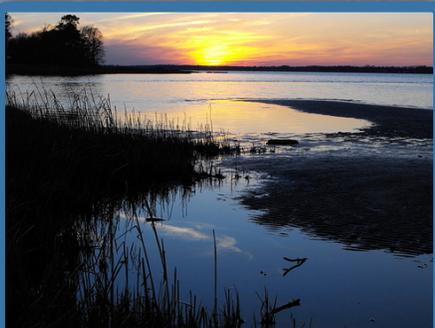


Hampton Roads Watershed Roundtable

Final Report 2010



February 2011

PEP11-01

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SARA KIDD	SENIOR ENVIRONMENTAL PLANNER
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BRIAN MILLER	COMMUNICATIONS DESIGNER
CHRISTOPHER W. VAIGNEUR	REPROGRAPHIC COORDINATOR

HAMPTON ROADS PLANNING DISTRICT COMMISSION

**HAMPTON ROADS WATERSHED ROUNDTABLE
FINAL REPORT 2010**

This project was funded, in part, through a grant from the U.S. Environmental Protection Agency's Chesapeake Bay Program at the Virginia Department of Conservation and Recreation (DCR) via grant number BAY-2008-11-PT. The views expressed herein are those of the authors and do not necessarily reflect the views of DCR.

Preparation of this report was included in the HRPDC Unified Planning Work Program for FY 2010 – 2011, approved by the Commission at its Executive Committee Meeting of June 17, 2010

**Prepared by the staff of the
Hampton Roads Planning District Commission**

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AUTHORS:

Jimontanae McBride
Ben McFarlane

ORGANIZATION NAME,**ADDRESS AND TELEPHONE**

Hampton Roads Planning
District Commission
723 Woodlake Drive
Chesapeake, Virginia 23320
(757) 420-8300
<http://www.hrpdcva.gov>

ABSTRACT

This report describes the Hampton Roads Watershed Roundtable activities conducted by the Hampton Roads Planning District Commission during 2010 under a grant from the Virginia Department of Conservation and Recreation. This program encompasses the development of the current Hampton Roads Watershed Roundtable and meetings of the Roundtable and the Hampton Roads Joint Environmental Committee, which addresses technical issues related to the work of the Roundtable. This report contains minutes from the Roundtable meetings and copies of presentations made to the Roundtable throughout the grant year. It recommends ongoing Roundtable activities for FY 2011.

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TABLE OF CONTENTS

INTRODUCTION.....1

PROGRAM OBJECTIVES2

PROGRAM ACCOMPLISHMENTS.....2

 Watershed Technical Work.....2

 Roundtable Meetings.....6

 HRPDC Staff Activities.....7

CONCLUSIONS.....8

APPENDIX A – Roundtable Meeting Agenda Materials and Minutes

INTRODUCTION

In 2001, watershed roundtables were being established in each of the major watersheds in Virginia. Roundtables were comprised of representatives of local governments and representatives of business and industry, agriculture, forestry, fishing and environmental organizations, as well as other groups that are of special importance to the various watersheds. The purpose of the roundtables was to advise agencies of the Commonwealth of Virginia on refinement and implementation of Tributary Strategies for Nutrient and Sediment Reduction and related water quality initiatives. Moreover, the roundtables were to provide a mechanism for educating the participants on water quality issues, funding opportunities and technologies, and techniques for achieving water quality and living resource goals. The Roundtables were designed as a forum for exchange of information among the participants on water quality and related issues, including planning, implementation, and funding. The goal of these efforts was to build consensus among the Roundtable participants.

In 1995, the Hampton Roads region's sixteen (16) local governments established the Hampton Roads Tributary Strategies Project Steering Committee, under the auspices of the Hampton Roads Planning District Commission. That Committee included representatives of the region's local governments, Soil and Water Conservation Districts, and the Hampton Roads Sanitation District, and invited participation from several environmental organizations. The Committee worked for six years to build consensus among the region's localities on water quality issues and potential management strategies and to advise local and state government on implementation issues. Through this process, the HRPDC and local government staff analyzed local government programs to determine their ability to achieve nutrient and sediment reduction goals, developed a preliminary set of local government management options to assist in future implementation, conducted educational workshops and developed regional consensus on a number of Chesapeake Bay-related issues. In response to state direction and in part as a successor to this Committee, formation of a roundtable for the Hampton Roads portion of the James River Watershed was proposed in February 2001. The HRPDC and its partners in the establishment of the Lower James River (Hampton Roads) Watershed Roundtable – the region's localities and Soil and Water Conservation Districts and the Virginia Departments of Conservation and Recreation (DCR) and Environmental Quality (DEQ) – intended for the Roundtable to enhance existing efforts by broadening involvement and striving for a broader consensus.

In 2007, the Lower James River (Hampton Roads) Watershed Roundtable was restructured to promote participation from groups outside of state and local government and to meet HRPDC goals for citizen input. The reorganized roundtable includes representatives from the agricultural community, the development community, chambers of commerce, and industry and civic organizations, in addition to local and regional environmental organizations. Additionally, the Hampton Roads Watershed Roundtable now encompasses all the watersheds found in the region, including the James, York, Chowan, and Southern Rivers and Atlantic Coastal Basins. Coordination with the York River and Albemarle-Chowan Roundtables occurs on a regular basis. As the structure of the group continues to evolve, the Hampton Roads

Watershed Roundtable is providing greater value to the region as a vehicle for broad stakeholder interaction and discussion of topics of mutual interest.

PROGRAM OBJECTIVES

The purpose of the restructured Hampton Roads Watershed Roundtable is to serve as a viable regional mechanism for improving dialogue between the private sector and state, local, and regional agencies on environmental issues. The focus of the Roundtable is on a broader community representation. Previous iterations of the group functioned primarily with representation from state and local government organizations with a few regional environmental representatives.

The Hampton Roads Roundtable provides stakeholder input to the HRPDC technical staff committees and to the HRPDC, which is the regional policy entity. The functions of the Roundtable include education, capacity building, information exchange, and dialogue between the private and public sectors.

PROGRAM ACCOMPLISHMENTS

Watershed Technical Work

The HRPDC Joint Environmental Committee, which is funded separately under the Virginia Coastal Zone Management Program and the locally-funded Hampton Roads Stormwater Management Program, undertook activities to support the Hampton Roads Watershed Roundtable effort and to address the technical aspects of regional environmental issues. Issues of mutual interest identified by the Roundtable were researched by HRPDC staff and items requiring additional information and action were brought to the Committee for review. Issues addressed included implementation of regulatory programs, Total Maximum Daily Load (TMDL) and implementation plan development, and green infrastructure issues. HRPDC staff pursued continued development of TMDL implementation plans under separate funding sources and presented information on the process and content of the plans to the Roundtable. Roundtable members provided reaction on the potential impact of the plans on various regional efforts and constituencies. In addition, HRPDC staff began the process of updating the regional green infrastructure plan and provided the Roundtable with an opportunity to review the work and to help identify areas that might be considered for inclusion.

Exchange of information between the Roundtable and the Joint Environmental Committee allowed for the inclusion of a greater range of stakeholders and provided direction for future work. In order to provide a full understanding of the Committee's role, complete summaries of its meetings over the grant period are provided below.

- January 7, 2010 - This was a meeting of the Joint Environmental Committee.
 - The Committee received briefings on the following:

- HRPDC staff briefed the Committee on the status of the Chesapeake Bay TMDL and the Virginia WIP.
 - HRPDC staff discussed the potential of developing a regional land use/land cover data to help with tracking of Chesapeake Bay TMDL reduction requirements.
 - HRPDC staff updated the Committee on the status of Virginia's storm water regulations.
 - City of Norfolk staff provided an overview of Norfolk's educational efforts and discussed the possibility of a regional effort on Social Marketing Campaign for Wetlands Education.
- February 4, 2010 - This was a meeting of the Joint Environmental Committee.
- The Committee received briefings on the following:
 - Coastal and Estuarine Land Conservation Program Grant Process
 - Federal Stormwater and TMDL Legislation Regulations
 - HRPDC Green Infrastructure Program Report
 - HRPDC Climate Change Project Report
 - HRPDC Hampton Roads Roundtable Report
 - HRPDC Commission Retreat discussions and actions
- March 4, 2010 - This was a meeting of the Joint Environmental Committee.
- The Committee received briefings on the following:
 - Coastal and Estuarine Land Conservation Program Grant Process
 - Federal Stormwater and TMDL Legislation Regulations
 - HRPDC Green Infrastructure Program Report
 - HRPDC Climate Change Project Report
 - HRPDC Hampton Roads Roundtable Report
- April 1, 2010 - This was a meeting of the Joint Environmental Committee.
- The Committee received briefings on the following:
 - DCR & DCBLA Staff briefed the Committee on CBPA Compliance Evaluations.
 - HRPDC staff briefed the Committee on the status of the Federal Sustainable Communities Planning Grant Program and potential regional proposal for funding under that program.
 - HRPDC staff briefed the Committee on the status of the Chesapeake Bay TMDL and the Virginia WIP.
 - HRPDC staff updated the Committee on the status of Virginia's storm water regulations.
- May 6, 2010 - This was a meeting of the Joint Environmental Committee.
- The Committee received briefings on the following:

- HRPDC Staff briefed the Committee on Stormwater Management Issues, including the pending state regulations, proposed federal legislation and the recent EPA audits of local stormwater management programs.
 - HRPDC Staff briefed the Committee on the Chesapeake Bay TMDL.
 - HRPDC Staff briefed the Committee on the Federal Sustainable Communities Planning Grant Program and potential regional proposal for funding under that program.
 - HRPDC Staff briefed the Committee on Offshore Energy Development activities, including wind and oil and gas.
- June 3, 2010 - This was a meeting of the Joint Environmental Committee.
- The Committee received briefings on the following:
 - HRPDC Staff briefed the Committee on Stormwater Management Issues, including discussion of participation in state level Technical Advisory Committees.
 - James City County discussed potential changes to Perennial Flow Guidance by DCR-CBLA, including the results of testing conducted in several localities on the Peninsula and further west and how those results may affect Hampton Roads localities.
 - HRPDC Staff updated the Committee on the status of the Sustainable Communities Planning Grant Program.
- July 1, 2010 - This was a meeting of the Joint Environmental Committee.
- The Committee received briefings on the following:
 - An update from HRPDC Staff on the status of the Chesapeake Bay TMDL.
 - A briefing from HRPDC Staff on a Notice of Intended Regulatory Action for Pesticide Discharges to Surface Waters.
 - A presentation from HWR, on technologies for modeling stormwater and water quality impacts.
 - A discussion of a change to the regional stormwater budget.
 - An update from HRPDC staff on various grants being looked into or pursued, including a Green Infrastructure education grant from the National Association of Regional Councils, and Community Challenge Grants and the Sustainable Communities Planning Grant Program from HUD.
 - A discussion of steps to be taken to complete the transition to a public advisory committee, including the establishment of bylaws. A subcommittee of representatives of the Regional Stormwater Management and Chesapeake Bay Committees was established to work with representatives of the Directors of Utilities Committee in drafting Committee Bylaws.

- A briefing on the potential sale to private industry of satellite bandwidth currently used by weather and environmental data transmissions by USGS and NOAA.
 - An update from DCR-CBLA on recent actions by the Chesapeake Bay Local Assistance Board.
- The August meeting of the HRPDC Joint Environmental Committee was cancelled.
- September 2, 2010 - This was a meeting of the Joint Environmental Committee.
- The Committee received briefings on the following:
 - HRPDC staff gave a presentation on developments concerning the Chesapeake Bay TMDL, including the Virginia Watershed Implementation Plan (WIP).
 - An update from HRPDC, Chesapeake and Virginia Beach staff on the Virginia state stormwater regulations. This included discussion on the work being done through the reestablished Stormwater Regulatory Advisory Panel (RAP) and several subcommittees of the RAP, established by the Department of Conservation and Recreation (DCR).
 - HRPDC staff gave a presentation on the regional application for the Sustainable Communities Regional Planning Grant program. The presentation described the process used to develop the grant proposal, the content of the proposal, and potential next steps.
 - HRPDC lead a discussion of potential bills, related to environmental matters, to be included in locality legislative packages and bills.
 - DCR staff updated the Committee on several issues related to stormwater management, grant funding, and Chesapeake Bay Preservation Act compliance.
- October 7, 2010 - This was a meeting of the Joint Environmental Committee.
- The Committee received briefings on the following:
 - HRPDC staff gave a presentation on Virginia's Coastal Zone Management Section 309 Program Enhancement Strategy.
 - Presentation from HRPDC staff and local government representatives, serving on the Department of Conservation and Recreation Regulatory Advisory Panel, concerning the process to revise the state's Stormwater Management Regulations.
 - Presentations from HRPDC staff on the HRPDC Climate Change Study and the Sustainability Grant Proposal.
- November 4, 2010 - This was a meeting of the Joint Environmental Committee.
- The Committee received briefings on the following:
 - HRPDC staff gave a presentation to the Committee on the status of the Chesapeake Bay TMDL and the Virginia Watershed Implementation Plan,

- HRPDC led a discussion of the Chesapeake Bay TMDL and Virginia Watershed Implementation Plan to gather comments to be sent from the HRPDC to EPA and DCR.
 - HRPDC staff updated the Committee on the status of Virginia's storm water regulations.
 - HRPDC led a discussion of potential priorities for the 2011 General Assembly session, including potential items to be included in locality legislative packages and potential positions to be taken by the HRPDC.
 - City of Virginia Beach staff gave a presentation on the City's proposed site design guide.
- December 2, 2010 - This was a meeting of the Joint Environmental Committee.
- The Committee received briefings on the following:
 - HRPDC staff briefed the Committee on the status of the Chesapeake Bay TMDL and the Virginia WIP.
 - HRPDC staff discussed the possibility of obtaining regional land use/land cover data to help with tracking of Chesapeake Bay TMDL reduction requirements.
 - HRPDC staff updated the Committee on the status of Virginia's storm water regulations.
 - HRPDC staff briefed the Committee on the status of the EPA stormwater rulemaking.
 - HRPDC staff gave a presentation to the Committee on the status of several regional trail projects.
 - U.S. Navy gave a presentation to the Committee on a recently completed green roof project at Naval Station Norfolk.
 - HRPDC led a brief discussion by the Committee on a potential regional response to impending replacement regulations for Alternative Onsite Sewage Systems.

Roundtable Meetings

The Roundtable held meetings in January 2010, December 2010, and February 2011. These meetings focused on areas of interest identified by the Roundtable and on the continuing evolution of the Roundtable structure and membership. Participants included representatives from local & state government, environmental groups, & citizens groups.

Summaries of Roundtable meetings over the grant period are included below. Complete minutes from these meetings are contained in Appendix A.

- January 29, 2010 - This meeting and training opportunity focused on public engagement, which was identified as a topic of interest by the Roundtable members attending the October meeting. Carlos Gonzales, Public Involvement/Community

Outreach Coordinator for the Hampton Roads Transportation Planning Organization, provided the Roundtable with an overview of public involvement and community outreach strategies. Karen Forget provided perspective on the evolution of an environmental non-profit and on the management and motivation of volunteers. Betsy, McBride, Hampton Roads Center for Civic Engagement, provided insight on strategies for increasing and sustaining public involvement. Discussion of local experiences and challenges followed. HRPDC staff also provided an update on the regional green infrastructure and climate change projects.

- December 3, 2010 – This meeting included presentation and discussion on HRPDC’s Regional Green Infrastructure Study and Climate Change Research. The meeting concluded with a discussion of direction for the Roundtable in 2011, and emphasized the need for outreach and information exchange with smaller and start-up groups throughout the region.
- February 3, 2011 - This meeting focused on the Chesapeake Bay TMDL and Virginia’s Phase I Watershed Implementation Plan (WIP). HRPDC staff briefed the group with a presentation outlining the Chesapeake Bay TMDL, a summary of Virginia’s Phase I Watershed Implementation Plan (WIP), and a Summary of the Phase II WIP Pilot Study. HRPDC staff began the roundtable discussions by asking the group to consider the following questions: Should Hampton Roads localities coordinate development of Phase II WIPs; What is an appropriate scale for “regional” coordination (watershed, SWCD, PDC); and Are other entities interested in coordinating WIP development? Additionally, HRPDC facilitated discussions between Roundtable attendees and DCR.

HRPDC Staff Activities

HRPDC staff provided the following support to the Hampton Roads Watershed Roundtable.

- Expanded and updated the membership roster for the Roundtable.
- Maintained contact with Roundtable members via telephone and email.
- Organized meetings based on Roundtable member suggestions. This includes contacting potential speakers and arranging for them to attend.
- Prepared agenda packets and distributed them to the Roundtable.
- Acted as meeting facilitator and chair; provided updates on pertinent issues.
- Provided updates on Roundtable activities to the Joint Environmental Committee.

- Represented the Roundtable at meetings of the Virginia Watersheds Association (VaWA); assisted with development of VaWA water policy statement.
- Attended and participated in the York Roundtable and Albemarle-Chowan Roundtable meetings.

CONCLUSIONS

For nearly twenty years, the Hampton Roads Planning District Commission has facilitated the work of the HRPDC Joint Environmental Committee, which is comprised of representatives of the region's sixteen member localities, the Hampton Roads Sanitation District, five Soil and Water Conservation Districts, two towns in Isle of Wight County, and a number of state and federal agencies. About ten years ago, representatives of regional environmental and business organizations were invited to join the Joint Environmental Committee for purposes of addressing the development of Tributary Strategies for reducing nutrient and sediment discharge to the Chesapeake Bay and its tributaries. The expanded group became known as the Lower James River (Hampton Roads) Watershed Roundtable. The Roundtable was successful in developing consensus among the participating governmental entities and the environmental organizations on a number of Chesapeake Bay and Tributary Strategies matters. However, it was less successful in engaging the region's business community in this discussion.

During 2007, the HRPDC identified the need for developing citizen involvement in the environmental planning activities of the Commission and its technical committees. The identified need was all-encompassing with respect to environmental issues and was not restricted to watershed issues. It was determined that the Roundtable was an appropriate vehicle for addressing these issues.

Based on the region's experience to date, as described in this report, the Hampton Roads Watershed Roundtable is a viable mechanism for developing community input to the HRPDC on a range of environmental issues. There is considerable interest on the part of community groups in participating in this process and a general agreement on issues, specifically water quality planning and green infrastructure/green building that should continue to be addressed. Participants in both the Roundtable and Joint Environmental processes are continuing to recruit new members and the evolving structure and focus of the Roundtable is providing greater value to the region as a whole.

Based on this experience, the HRPDC finds that the Hampton Roads Roundtable is a viable means of involving the Hampton Roads community in addressing environmental issues facing the region. Steps should be taken by the HRPDC, in cooperation with its member jurisdictions and the private sector, to continue strengthening this initiative.

APPENDIX A

HAMPTON ROADS WATERSHED ROUNDTABLE MEETING AGENDA MATERIALS AND SUMMARIES

**SUMMARY – MEETING OF THE
HAMPTON ROADS WATERSHED ROUNDTABLE
January 29, 2010**

1. Discussion of Public Engagement Strategies for Local Government and Non-Profits Groups

Mr. Carlos Gonzalez, Public Involvement/Community Outreach Coordinator for the Hampton Roads Transportation Planning Organization (HRTPO), began the discussion by providing information on public involvement and outreach strategies now being used by the HRTPO to increase awareness of and engagement with its programs. He also discussed the role of partnerships with community organizations, universities, neighborhood associations, and other entities. Developing trust, providing respect, and two-way communication are all key components in the any public involvement plan.

Ms. Karen Forget, Executive Director of Lynnhaven River NOW, provided a perspective from a non-profit that has been able to build community trust and respect. Building relationships and awareness has been important to Lynnhaven NOW's success; however, changing behavior is difficult and awareness is not enough to accomplish that. Ms. Forget explained that Lynnhaven NOW has employed a committee system to involve people in a more personal way. There are nine committees, each with a different focus area. Through them, the Lynnhaven message becomes the community's message. Additional ideas for increasing engagement include photography contests, focus groups, and pledges.

Mr. Jamie Weist, Kimley-Horn, noted that success with focus groups depends on establishing goals for those groups. People will not continue to attend meetings if they feel they are accomplishing nothing.

Ms. Jane Hill, Isle of Wight County, inquired about strategies for recruiting volunteers, particularly in rural areas. Roundtable members suggested the use of the committee structure, school programs, and partnering with community groups and organizations like the Chesapeake Bay Foundation. Understanding barriers to participation was also emphasized. Additional suggestions included identifying a small, focused goal that the community cares about and using groups like Ruritan and 4-H clubs, soil and water conservation districts, and resource conservation and development (RC&D) councils to reach farmers.

Mr. Dave Kuzma, Newport News, noted that government can be a partner if brought in at the early stages of a project. Relationships with government entities do not have to be adversarial. Open, two-way communication is key.

Ms. Betsy McBride, Hampton Roads Center for Civic Engagement, offered perspective on making government an inclusive concept – “us, not them.” For this concept to work, all interested citizens must feel welcome and discussion must work up to the level of public policy.

The Roundtable suggested strategies for identifying and engaging small, start-up groups and for including larger, more established groups in the conversation about regional water quality concerns. Use of media, such as the campaigns supported through the HRPDC's regional environmental education committees, was also discussed.

2. Regional Initiatives Update

HRPDC staff provided a brief update on the regional climate change and green infrastructure projects. The latter is expected to be completed in February 2010, and will identify an updated network of potential corridors and connections to protect water quality and wildlife habitat in Hampton Roads.

Attendees:

Betsy McBride, Hampton Roads Center for Civic Engagement

Carlos Gonzalez, HRTPO

Charles McKenna, Virginia Beach

Christy Everett, Chesapeake Bay Foundation

Chuck Frederickson, James River Association

Claire Jones, HRPDC

Dave Kuzma, Newport News

David Stromberg, Hampton

Eric Walberg, HRPDC

Fleta Jackson, Norfolk

Fred Adams, North Landing River/Sierra Club

Holly Miller, HRPDC

Jamie Weist, Kimley-Horn

Jane Hill, Isle of Wight

Jill Sunderland, Norfolk

Karen Forget, Lynnhaven River NOW

Noah Hill, DCR

Randi Strutton, Hoffler Creek Wildlife Foundation

Roy Flanagan, Virginia Dare SWCD

Todd Herbert, DCR

**SUMMARY – MEETING OF THE
HAMPTON ROADS WATERSHED ROUNDTABLE
December 3, 2010**

1. Discussion of Public Engagement Strategies for Local Government and Non-Profits Groups

Ms. Sara Kidd presented on the HRPDC regional green infrastructure study completed in February 2010. Mr. Benjamin McFarlane presented on HRPDC's climate change work.

The mission of the HRRT is to promote coordination between local governments, non-profits, state agencies, and private entities through networking and regular meetings. Suggestions to improve coordination were to create a HRRT website with a calendar of meetings and events, and to hold regular, potentially quarterly, meetings. Suggestions for others to invite to meetings included environmental groups, such as the Friends of Norfolk Environment, the Chesapeake Bay Foundation, and the Elizabeth River Project, as well as private business such as shipbuilders.

The proposal for next year's grant is due December 31, 2010.

An email will be sent to the list requesting ideas for future roundtable meetings. These could include the Chesapeake Bay TMDL and model ordinances for green infrastructure or other planning needs.

The group suggested that this could be a mechanism for justifying LIDAR.

The group discussed potential topics for regional discussions. These included:

- Siting mitigation banks using the regional green infrastructure plan
- Using green infrastructure to meet Bay TMDL requirements
- Looking at the potential for restoring natural areas
- Implementing fertilizer bans for both phosphorus and nitrogen
- Urban cost-share programs with the state for BMPs
- Small/micro conservation easements/buffer easements
- Climate change impacts on agriculture and aquaculture
- Impacts of climate change on uranium mining (precipitation)
- FEMA flood zone rules – 100-year flood zones and sea level rise
- Flood assistance policies
- Individual responsibility for natural hazards – requiring engineers (ASCE, state regs) to consider sea level rise in approving buildings

Attendees:

Brian Swets, Chesapeake
Noah Hill, DCR
Todd Herbert, DCR
Karen Forget, Lynnhaven River Now
LJ Hansen, Suffolk
Reed Fowler, Newport News
Lisa Hardy, HRPDC
J. McBride, HRPDC
Sara Kidd, HRPDC
Tiffany Smith, HRPDC
Benjamin McFarlane, HRPDC

**SUMMARY – MEETING OF THE
HAMPTON ROADS WATERSHED ROUNDTABLE
February 3, 2011**

1. Discussion of Public Engagement Strategies for Local Government and Non-Profits Groups

Ms. Jennifer Tribo briefed the group with a presentation (see attachment) outlined as follows:

- Summary of Chesapeake Bay TMDL
- Summary of Virginia's Phase I Watershed Implementation Plan (WIP)
- Summary of Phase II WIP Pilot Studies

As a starting point for the roundtable discussion, Ms. Tribo asked the group to consider the following questions:

- Should Hampton Roads localities coordinate development of Phase II WIPs?
- What is an appropriate scale for "regional" coordination (watershed, SWCD, PDC)?
- Are other entities interested in coordinating WIP development?

The group discussion and comments are summarized below:

1. Gloucester County noted the TMDL is attracting considerable public attention and that regional coordination of Phase II WIPs is preferable, pending any additional costs to localities.
2. In response to a question from the group, DCR's representative was asked to explain the agency's approach for WIP development. Ms. Joan Salvati indicated that DCR has not finalized the agency's approach for an engagement process. Many of the strategies listed in Ms. Tribo's presentation (regional engagement, use of planning districts) are consistent with DCR's thoughts; the agency is putting considerable effort toward strategizing and it is likely that the initial piece of the engagement process (a framework) will be released within the next month or so. DCR is interested in hearing what the localities feel would be good for the process and will weave these ideas into DCR's approach.

3. DCR noted that EPA had sent out a WIP survey; DCR feels that EPA will use the survey to develop Phase II WIP guidance, which is anticipated at the end of March. In response to a question regarding funding to implement such guidance, DCR indicated that EPA may use existing funding sources, but is not sure what resources would be put toward implementation.

Ms. Salvati will forward the survey to Ms. Tribo for distribution to the group. DCR is interested in the localities' responses to survey questions about the Phase I WIP process and expectations for the Phase II WIP process.

4. Suffolk and the Navy noted that it would be helpful to know what was incorporated in the model and what specific information DCR has for each locality.
5. Gloucester asked what assistance DCR would provide to other agencies and if there would be partnerships with SWCDs.
6. Kimley-Horn asked if the EPA has shared any guidance yet. DCR indicated that no guidance has been provided; EPA is likely waiting on the results of the WIP survey. The Phase II WIP leads have been invited to a local government advisory committee meeting hosted by EPA on February 18, 2011 in Easton, Maryland. The survey results and this committee meeting may initiate guidance.
7. HRPDC noted that three new Hampton Roads representatives have been appointed to the local government advisory committee. HRPDC staff will be briefing the new committee members.
8. HRPDC offered that it would be helpful to know to what extent the model will be available for local government use (process to request access, how often the model may be used, desktop copies, etc.).
9. Suffolk and York commented that guidance is needed for submitting and tracking information across more than one watershed.
10. Suffolk and York also asked what tools will be provided by the State/DCR for implementing stormwater program requirements in non-MS4 regulated areas. The localities feel that, given the limits of their regulated areas, they have no authority over certain uses contributing to stormwater flows and, therefore, cannot commit to meeting target load reductions. DCR noted that, following the subdivision of the segment-shed

into local target loads, the vision is to facilitate a process where localities communicate to the State how targets can be achieved. DCR is still considering how to apply the model and afford localities control.

11. The Navy inquired as to the potential for State assistance if legislative authorizations are needed? DCR recognized that local governments can only do so much, and that partnerships will be needed with federal facilities and SWCDs. The thought is to use some body to convene such partners, and the PDC may be an appropriate body.
12. ERP asked if the State anticipated working out the nutrient trading component before development of the WIP, as it would be preferable to know all available options before deciding between structural improvement projects and nutrient trading. DCR noted that a study is underway, however, the agency does not know whether it would be completed prior to the start of Phase II WIPs. The current timeline puts draft Phase II plans due in December 2011, with final plans due in early 2012. DCR feels these deadlines will be pushed back into 2012 due to the local government engagement process. By that time, there should be more information on nutrient credit exchange.
13. The Chowan River SWCD asked whether the WIP is statewide and whether DCR anticipated any impacts to localities beyond the Chesapeake Bay watershed. DCR clarified that the Phase I and II WIPs address the Chesapeake Bay watershed, but the Stormwater Regulations apply statewide. DCR does not know that any TMDL-specific measures will eventually apply statewide.
14. The James River Riverkeeper commented that, from a water quality standpoint, a regionally coordinated process through the PDCs would be sensible and that a similar process worked well in developing tributary strategies.
15. HRPDC requested technical guidance from DCR on reconciling the HUC 6 and segment shed boundaries, as Phase I and II MS4 permits report BMPs on the HUC 6 scale.
16. The Navy requested guidance on how to report pre-2009 data that was not credited and incorporated into the model. DCR feels that an initial step and critical path issue is to execute an inventory on-the-ground BMPs that have not been reported.
17. Kimley-Horn commented that basic information about the contents and design of the model would be helpful. DCR indicated that the agency can share its list of creditable practices.

18. Chesapeake noted that the EPA has been unresponsive to repeated requests for information on what specific BMPs were reported for the City.
19. HRPDC commented that the localities need to be provided with the inputs for the BMPs so that the information may be verified against the local government data.
20. York commented that the County has requested guidance from the State and EPA as to preferred formats for data reporting.
21. ERP asked if localities will have another opportunity to provide input and if localities will receive Phase II WIP credit for projects that are initiated now. DCR confirmed that it is the intent that projects initiated now will be credited in Phase II.
22. James City County commented that it would be helpful to know how the State plans to implement the Phase II WIPs and how localities will be held accountable.
23. Malcolm Pirnie commented that some pressure would be relieved if the WIP were not so prescriptive and asked if the Phase II WIP could be fashioned broadly as to the type of activities implemented at the local level? DCR noted that agency staff had also recommended that the WIP be non-prescriptive and that DCR administration had accepted this recommendation; DCR will be conveying such recommendations to EPA.
24. In response to a question from the Chesapeake Bay Foundation as to whether it would be appropriate for stakeholders to fill out the WIP survey, DCR emphasized that stakeholder thoughts on the survey are welcome and that DCR will communicate local feedback to EPA.
25. The Navy asked if there had been further discussion on whether to use BMP efficiencies from the Bay model or the DCR model. DCR had no knowledge of further discussion on this matter, but noted that reports submitted previously have used the EPA efficiencies. The Navy commented further that, with respect to nutrient credit exchange programs, it would be helpful to know the relative values of BMPs. DCR noted that, since the EPA wants to model to be conservative, the lowest efficiencies may be applied. Malcolm Pirnie offered that the EPA responded to a past comment on efficiencies with a challenge to localities to report "well-maintained" BMPs and justify higher efficiencies.

26. Isle of Wight requested information on how urban areas may be redefined for the new Phase II MS4 permits and where expansion of urban areas will likely occur. HRPDC added that the EPA stormwater rulemaking may expand the program's authority and redefine boundaries, which would cause difficulties if Phase II MS4 urban areas were expanded after the Phase II WIPs were underway. DCR guidance would be appreciated as to how localities should prepare for anticipated urban area expansion for Phase II MS4 permittees and provide for accommodating expanded areas in the WIPs. Suffolk emphasized that localities have no authority beyond their Phase II MS4 permit areas, and that such localities cannot propose WIP waste load allocations without knowing the ultimate boundaries of the localities' authority. DCR asked if the City could use other mechanisms, such as their E&S program authority. Suffolk indicated that this is not feasible in rural areas and older subdivisions where the locality cannot require action by private property owners. Loads from these areas may prevent Suffolk from reaching waste load allocations.
27. Norfolk expressed concern that although it appears that Phase II WIP deadlines will be postponed, the ultimate 2017/2025 TMDL implementation deadlines remain set. Further delays in Phase II WIP development will be to the detriment of achieving TMDL requirements. Decisions on WIP development need to be executed now, as such guidelines should have already been in place. The effort required to develop a Phase II WIP is demonstrated by the 6-year data collection and planning period for Maryland's plan.
28. The Chesapeake Bay Foundation added that it would be helpful to have EPA and MS4 program representatives at the table for future meetings.
29. Chesapeake asked if the State will be providing any funding for coordination of Phase II WIPs. DCR is currently looking into this and hopes to share more information soon.
30. HRPDC summarized the discussion, noted that localities indicated interest in a regionally coordinated effort and that the HRPDC may play a role in coordination. Because this issue overlaps with several existing HRPDC programs, staff can move forward with coordinating Phase II WIPs to a certain extent.

Attendees:

Casey Magruder, Chesapeake
Gretchen Gonzalez, Isle of Wight

Barbara Brumbaugh, Chesapeake
LJ Hansen, Suffolk
June Whitehurst, Norfolk
Erin Bradshaw, Suffolk
David Kuzma, Newport News
Phillip Winslow, Navy
Joe DuRant, Newport News
Ken Dierks, Kimley-Horn
Karen Forget, Lynnhaven River NOW
Dave Cotnoir, Navy
Christy Everett, Chesapeake Bay Foundation
Jennifer Howell, DEQ-TRO
Lisa Jeffrey, Brown and Caldwell
Liz Scheessele, URS
Andrew Scott, VDOT
Scott Rae, Gloucester
Joe Rieger, ERP
John Paine, URS
Connie Bennett, York
Darryl Cook, James City
Wayne Griffin, Smithfield
Robert Davis, Virginia Beach
Billy Goodson, VA Port Authority
Leslie Bonilla, Virginia Beach
Clifton Bell, Malcolm Pirnie
Joan Salvati, DCR
Ben McFarlane, HRPDC
Jenny Tribo, HRPDC
Whitney Katchmark, HRPDC
Tiffany Smith, HRPDC
Sara Kidd, HRPDC
J. McBride, HRPDC
Lisa Hardy, HRPDC