

**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**  
**September 1, 2011**

**1. Summary of the August 4, 2011 Meeting of the Hampton Roads Chesapeake Bay and Regional Stormwater Management Committees and Chesapeake Bay Implementation Subcommittee**

The Summary of the August 4, 2011 Meeting of the Hampton Roads Chesapeake Bay and Regional Stormwater Management Committees and Chesapeake Bay Implementation Subcommittee was approved as distributed.

**2. Septic Tank Systems Presentation**

Mr. David Tiller, Virginia Department of Health, gave a presentation to the Committee on regulations concerning septic tank systems. The final regulations for Alternative Onsite Sewage Systems (AOSS) have been sent to the Governor for his approval. There are several key differences between the final regulations and the emergency regulations currently in use:

- 1) Spray irrigation and any systems in wetlands are specifically excluded
- 2) New nitrogen requirements for the Chesapeake Bay watershed
- 3) Additional requirements for systems with direct dispersal to groundwater
- 4) Phosphorus requirements for AOSS with direct dispersal to groundwater

The final regulations contain new definitions for state waters, point source discharge, general approval, large AOSS, project area boundary, relationship with an operator, reportable incident, small AOSS, soil treatment area, treatment level 2 effluent, and wetlands.

A new Part V has been added to allow professional engineers to waive certain performance requirements for AOSS. The regulations also contain different requirements for systems within and outside the Chesapeake Bay watershed and for large (over 1,000 gallons per day) and small AOSS.

In response to questions from the Committee, Mr. Tiller stated that annual inspections will be required. For systems with general approval, samples will be required once every five years, while for other systems, samples will be required quarterly. Sampling guidance can be found in Part V of the regulations.

**ACTION:** None taken.

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

Ms. Jenny Tribo, HRPDC, updated the Committee on the region's efforts concerning the Chesapeake Bay TMDL Phase II Watershed Implementation Plan. The Chesapeake Bay TMDL Steering Committee will be meeting in the afternoon. A response was received from DCR to the letter HRPDC sent with questions about the WIP. Mr. James Davis-Martin from DCR will be at the steering committee meeting to answer questions. At this point it is not known when new nutrient loads will be received from EPA or DEQ.

**ACTION:** None taken.

**4. Stormwater Subcommittee Update**

Ms. Tribo reported to the Committee on the Stormwater Subcommittee's last meeting. HRPDC staff is working on new spreadsheets that will focus on urban best management practices (BMPs). If Committee members have questions please contact Ms. Tribo or Ms. Tiffany Smith.

Committee members suggested that a summary of technical needs and financial costs would be useful for elected officials. A common presentation for all local governments was also suggested, preferably by the end of December.

**ACTION:** None taken.

**5. Aquaculture Update**

Mr. Benjamin McFarlane, HRPDC, updated the Committee on recent events concerning changes to the Right to Farm Act to include aquaculture as an agricultural practice. The staff of the Middle Peninsula Planning District Commission completed its work aggregating zoning data from all eight Coastal Zone PDCs to produce a single map showing areas that are zoned for agricultural use. Areas that allow some agricultural by permit are not necessarily included. In addition, an official advisory opinion was sent to Senator Norment by Attorney General Cuccinelli. This advisory opinion stated that the Right to Farm Act applied to areas zoned under an agricultural classification, areas designated as agricultural districts, and areas zoned as other classifications that may allow agriculture. HRPDC staff will continue to monitor any developments related to this discussion.

**ACTION:** None taken.

**6. Coastal Zone Management Grant Update**

Mr. McFarlane updated the Committee on developments related to the Virginia Coastal Zone Management Program (VCZMP). VCZMP made available a pool of funds to coastal zone PDCs for competitive focal area grants. HRPDC staff submitted two

grant applications. The first was for policy and economic analyses to inform Chesapeake Bay Phase II WIP strategies. The second was for a project to continue HRPDC's climate change adaptation work with a focus on developing adaptive management strategies for various sectors. Grant awards are expected to be announced in early October.

**ACTION:** None taken.

## **7. HUD Sustainable Communities Grant Update**

Mr. McFarlane updated the Committee on a regional proposal for a Sustainable Communities Regional Planning Grant from the Department of Housing and Urban Development. HRPDC is developing a proposal with HRTPO and local governments. HRPDC staff met with local government planning directors from Hampton Roads localities on Wednesday, August 31 to gather feedback and suggestions for the proposal. HRPDC staff is currently developing a proposal draft that will be submitted to localities for comment when it is completed.

**ACTION:** None taken.

## **8. Status Reports**

### **A. Hampton Roads Planning District Commission**

HRPDC staff reported that a meeting of the Hampton Roads Watershed Roundtable will be held September 14, 2011. The focus of this meeting will be on locality sustainability initiatives and the HUD Sustainable Communities Regional Planning Grant proposal. Materials will be sent out in advance for review.

### **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 the new organization has established managers over programs rather than deputy directors. The regulatory program manager is Darryl Glover. In addition, the Erosion and Sediment Control Program review schedule for this fiscal year has been established. Virginia Beach will be first, followed by Hampton, with Southampton and Sussex Counties being reviewed before July 2012.

E. Department of Environmental Quality

DEQ representatives have relayed concerns to Richmond about difficulties with local implementation plans for TMDLs.

F. U.S. Geological Survey

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

G. Department of Transportation

VDOT representatives announced that VDOT has open positions for engineers.

H. U.S. Navy

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

I. Local Programs

Virginia Beach is working with the Virginia Institute of Marine Science to study their beach nourishment program and dune ordinance to develop a better nexus between the two initiatives. One goal is to promote dune restoration as part of beach nourishment.

Portsmouth is currently groundtruthing BMPs.

Norfolk staff reported that they have received EPA's audit report. Overall, the city performed well.

Hampton staff reported that they continue to meet with the city's stormwater committee. The city is also groundtruthing its BMPs. Mr. Westin Young was announced as the city's new stormwater engineer.

Chesapeake staff announced that Mr. Mark Woodward is the new principal planner in their Planning Department.

**9. Other Matters**

The next meeting of the Joint Environmental Committee is scheduled for October 6, 2011 at the HRPDC office in Chesapeake, Virginia. Materials will be sent in advance for review.