

**THE DRAFT SUMMARY OF THE MEETING OF THE
REGIONAL ENVIRONMENTAL COMMITTEE
April 3, 2014**

1. Summary of the March 6, 2014 Meeting of the Hampton Roads Regional Environmental Committee

The Summary of the March 6, 2014 Meeting of the Hampton Roads Regional Environmental Committee was approved as distributed.

2. Public Comments

There were no public comments.

3. City of Virginia Beach Greenways Planning

Mr. Clay Bernick, Virginia Beach, gave a presentation to the Committee on the City of Virginia Beach's North Landing River Greenway Management Plan and other greenways planning efforts. This work builds on previous planning efforts for the Southern Watersheds. The plan covers recreation, public use, public access, and water quality. The purpose of the plan is to develop a unified management strategy to address all of these issues comprehensively. The plan documents existing natural resources in the area, surrounding influences, and recreational opportunities and demands. The city is planning to develop a similar plan for the Eastern Branch of the Elizabeth River.

Ms. Barbara Brumbaugh, Chesapeake, asked who from Chesapeake had been contacted by Virginia Beach staff. Mr. Bernick stated that they had been in touch with the planning and parks and recreation departments.

Ms. Whitney Katchmark, HRPDC, asked if private landowners were willing to have trails go through their property. Mr. Bernick stated that the city was using existing public lands as the start of the plan and was also looking at business opportunities for landowners along trails.

4. Recurrent Flooding Update

Mr. Jim Redick, Norfolk, briefed the Committee on the Secure Commonwealth Panel's Recurrent Flooding Sub-Panel. The sub-panel was established to follow up on the VIMS Recurrent Flooding Report, which was submitted to the General Assembly in January 2013, and to develop specific recommendations for the executive branch to consider and adopt. The goals are to leverage existing and previous efforts and share information between stakeholders while avoiding duplication of efforts. The sub-panel is using an "incident command system" approach; this approach has been used in responses to various crises and emergencies. The sub-panel is focusing on existing state law and executive orders. Four working groups have been set up:

- 1) Foundations – this group is looking at structures, policies, planning, finance, and project prioritization
- 2) Data and mapping – this group is assessing what data exists, what is needed, and what is wanted; it is also looking at what tools are available or needed to get information to end users and decision makers
- 3) Legal – this is mainly the Virginia Coastal Policy Clinic, but is also working with the Attorney General’s office; it is researching specific issues and developing recommendations
- 4) Outreach and education – this group is working with researchers and others to identify appropriate methods and needs to convey accurate information to the public and decision makers

The sub-panel will present its findings to the Secure Commonwealth Panel sometime in the next six months. Mr. Redick stated that he wants to get more people involved in the process and to keep constituencies informed.

Mr. David Imburgia, Hampton, asked what would be done in the next six months. Mr. Redick stated that the deliverable would be a report summarizing the work group’s recommendations to the Panel.

Mr. Scott Rae, Gloucester, asked if the sub-panel would be educating General Assembly members and executive branch staff to counter anti-sea level rise messages, and suggested that a homeland security approach helps. He also asked if the sub-panel had a website. Mr. Redick stated that they were looking at options, such as the USACE Silver Jackets or academic institutions, to get back on the web.

Ms. Ellen Roberts, Poquoson, asked how detailed the maps would be. Mr. Redick said they would be as detailed as possible.

Mr. Bernick asked if the Department of Defense was engaged in the process. Mr. Redick stated that there is a Navy representative on the sub-panel.

Ms. Roberts asked if there were other federal agencies on the sub-panel. Mr. Redick stated that there were.

Ms. Shereen Hughes, Wetlands Watch, asked about state agencies such as the Departments of Forestry and Game and Inland Fisheries. Mr. Redick stated that other state agencies beyond emergency management were participating. There is an emergency management focus, but it is not a dominating presence.

Ms. Katchmark asked about the recommendations for the executive branch and if the sub-panel was getting buy-in from stakeholders. Mr. Redick stated that the recommendations would be more specific in order to get action.

The Committee asked if there would be some chance for the public to review the report. Ms. Redick said he would send it out for review and that it would follow the established process for public review and comment.

Ms. Hughes asked if the sub-panel would publicize its meetings, since they are open to the public. Mr. Redick stated that the actual sub-panel has not met since last year; vacancies on the Secure Commonwealth Panel have yet to be filled by the new administration. The working groups continue to meet, and interested individuals can contact Mr. Redick to get on the list for announcements.

5. Coastal Zone Program Update

Mr. Ben McFarlane, HRPDC, updated the Committee on developments with the Virginia Coastal Zone Management Program. The Coastal Policy Team met in Richmond on March 26 and discussed several items of interest, including climate adaptation projects and the community rating system (which was mentioned as a possible candidate for the next round of Section 309 strategies). Several program changes were also discussed, including:

- Adding the Virginia Department of Emergency Management to the list of partner agencies
- Inland fisheries
- State threatened and endangered species
- Updating state code references to cover the shift of several enforceable policies from DCR to DEQ
- Incorporating non-Chesapeake Bay watershed areas into the Coastal Lands Management enforceable policy

Grants for FY15 were also discussed. The budget for PDC competitive grants is estimated to be \$140,000 with the list of allowable projects the same as previous years, covering projects addressing working waterfronts, water quality, public access, and coastal hazards. Approximately \$138,000 will be available for Section 309 grants, which will be available to all coastal PDCs for FY15. Proposals will likely be due to CZM in either June or July.

6. Sea Level Rise Update

Mr. McFarlane updated the Committee on developments related to sea level rise and flooding. The new LIDAR elevation data for some Hampton Roads localities is undergoing QA/QC with USGS and Dewberry. Most quality issues appear to have been addressed, and the data may be delivered by the end of the month.

At the March 20, 2014 HRPDC Executive Committee meeting, the HRPDC voted to establish a Special Committee on Recurrent Flooding and Sea Level Rise. This was done as a result of a request from Virginia Beach for a regional approach. Membership, at least initially, we consist of local staff. The mission of the new committee will be to:

- 1) Develop recommendations for local governments

- 2) Advocate for federal and state support
- 3) Serve as the primary regional contact for coordinating efforts in the region with federal agencies and academic institutions

HRPDC currently has a CZM grant to provide technical assistance related to sea level rise; this grant runs until December 31, 2014. The grant has four deliverables:

- 1) Updated sea level rise inundation maps
- 2) Bringing together a technical working group
- 3) Case study analyses
- 4) Providing adaptation technical assistance to localities

7. Discussion on forming subcommittees

Ms. Jenny Tribo, HRPDC, briefed the Committee on a proposal to establish official subcommittees with specific areas of focus. Two are currently proposed: a regional technical environmental subcommittee and turning the existing urban forest roundtable of Hampton Roads into a subcommittee. This proposal stems from discussions by the existing Elizabeth River Steering Committee, whose work is nearly finished. The current membership of the steering committee consists of the four cities in the watershed, the USACE, DEQ, NOAA, HRSD, and the Elizabeth River Project. The steering committee's members have expressed interest in expanding their focus to other technical issues, such as those related to implementation of local TMDLs and the Chesapeake Bay TMDL. Membership would be expanded to all Hampton Roads localities (or possibly those within the Chesapeake Bay TMDL watershed), and the new group would serve as an official subcommittee to the Regional Environmental Committee. A representative would be appointed from the subcommittee to attend REC meetings and provide quarterly updates. The proposed objectives of the subcommittee would be to:

- 1) Discuss technical aspects of local/regional restoration projects and research
- 2) Discuss research and development of alternative BMPs
- 3) Help set regional priorities for approval of BMPs for the Bay TMDL
- 4) Develop research priorities for filling data gaps
- 5) Assist in developing a framework for prioritization of restoration sites

Proposed members of the new subcommittee include local government representatives (such as environmental planners or those working on TMDLs and Bay TMDL Action Plan strategies), state agencies (such as DEQ, VDH, VMRC, ODU, and VIMS), federal agencies (such as the USACE and NOAA), and others (such as HRSD and NGOs).

The urban forest roundtable currently meets three times per year and includes locality arborists and other staff, such as parks and recreation or forestry, and the Virginia Department of Forestry. The mission of the roundtable is to enhance the quality of life and environment through responsible stewardship of urban forests and community trees. Topics that have been discussed at meetings include green infrastructure, the Chesapeake Bay TMDL, and tree canopy requirements. Ms. Tribo identified three options for working with the roundtable:

- 1) Adding it as a subcommittee to the REC
- 2) Adding it as a work group for the REC
- 3) Maintaining the status quo

HRPDC staff recommended that the Committee vote to change the Elizabeth River Steering Committee to the Regional Technical Environmental Committee and asked for discussion of the options for working with the urban forest roundtable.

Mr. Bernick expressed his support for adding the urban forest roundtable as a subcommittee of the REC.

Ms. Hughes suggested that there would be a lot of overlap between the groups.

Ms. Brumbaugh stated that the urban forest roundtable focuses on trees and that she did not think there would be that much overlap.

Ms. Tribo stated that the various agendas could be aligned or the groups could occasionally meet together, if needed.

Ms. Roberts also stated her concerns about potential overlap in the agendas.

Ms. Tribo stated that this was an attempt to avoid overlap by better defining the roles of the different groups. She stated that the ERSC really gets into the details on projects and research, which the REC does not.

Mr. Bernick suggested that this was an attempt to refocus the REC as an advisory committee to the Commission.

Ms. Roberts stated that having a subcommittee would just make for one more meeting to attend and that the voting body should have as much information as possible.

Mr. Dave Kuzma, Newport News, asked what sorts of recommendations would be going to the Commission. Ms. Tribo suggested alternative BMPs that are not stormwater-focused, such as oysters, for example.

Ms. Roberts stated that she would like more time to think about the proposal.

Ms. Tribo asked if the Committee would like more information.

Ms. Brumbaugh asked what the ERSC has done in the past. Ms. Tribo stated that the steering committee has focused on updates related to the Elizabeth River restoration plan.

Ms. Roberts stated that the need for technical discussion is there, but offered an informal technical symposium as an alternative.

Mr. Kuzma asked about implementation plans. Ms. Tribo suggested that the subcommittee would discuss recommendations on actions and process.

Mr. Tim Hare, CH2M Hill, suggested combining the technical subcommittee with the stormwater workgroup. Ms. Katchmark responded that while that may work logistically, it may not work in terms of agenda.

Ms. Tribo stated that an initial focus of the technical subcommittee would be on the restoration prioritization process.

Mr. Bernick stated that the ERSC was looking at planning initiatives as responses to TMDLs, and suggested that both the technical subcommittee and stormwater workgroup were both needed, since they deal with different issues.

Ms. Katchmark stated that there is a need to make priorities.

Ms. Tribo stated that policy decisions (recommendations to the Commission) would continue to be made by the REC.

Ms. Brumbaugh suggested having technical subcommittee meetings after REC meetings.

Ms. Tribo asked how many Committee members would want to attend technical subcommittee meetings. (About five members indicated they would be interested.)

Ms. Roberts asked if there would still be a need for an Elizabeth River-focused group in the future? Ms. Tribo stated that there would not be, since the restoration plan was nearly implemented.

Ms. Tribo stated that Committee members should contact her with any thoughts and questions.

Ms. Tribo asked if any Committee members had any thoughts regarding the Urban Forest roundtable.

Ms. Brumbaugh stated that she could see a need for that since they address a number of issues that relate to policy, such as tree canopy legislation. The roundtable also gets more out-of-town speakers than the REC.

The Committee decided to hold off on making any decisions regarding establishing subcommittees.

8. Status Reports

Mr. Bill Johnston, Virginia Beach, asked if any other localities had received comments on their stormwater submittal packages. Poquoson has received a letter asking them to

number their ordinance. Ms. Tribo stated that Norfolk and Suffolk have gotten comments on their ordinances.

Ms. Brumbaugh stated that Chesapeake has an open position for an Environmental Specialist for their MS4 Program.

Isle of Wight staff reported that they had received comments on their new ordinance.

Hampton staff introduced Mr. Rob Gourley as a new engineer with the public works department. Mr. Gourley will be working on project management for capital projects.

Suffolk staff reported that they have received comments on their stormwater ordinance and are working on them.

Mr. Kuzma stated that he knows someone who would be a good candidate for a field technician position if anyone is looking/hiring.

Franklin/Southampton staff reported that they have responded to DEQ's comments on their ordinance already, but do not know what to do with more recent comments from DEQ. Hampton staff reported that they were able to replace their ordinance with the revised version before it went to council. Newport News staff reported that the council was notified prior to approval that additional changes would be needed.

Ms. Hughes reported that Ms. Joan Salvati, DEQ, stated at a meeting in Fredericksburg that DEQ was still committed to reviewing VSMP packages through April 15, and that provisional approval could be granted to those communities affected by recent legislative changes.

Ms. Shannon Hulst, Wetlands Watch, reported that Wetlands Watch has released new documents related to flood insurance reforms on their website. They are also working with the Virginia Coastal Policy Clinic to increase uniform minimum credit for state laws and regulations.

Mr. Rae reported that Gloucester County will be opting in and managing its own stormwater program. The county is moving forward with ordinance approval. Mr. Rae has received additional guidance from Melanie Davenport on erosion and sediment control; this guidance is available on Town Hall as well as Gloucester's stormwater page.

Mr. Bernick reported that Virginia Beach's new stormwater ordinance will be going before city council on April 22 and is going as is, without revisions. Council is also expected to consider an update to the city's floodplain management ordinance in November. City staff is expecting a letter from FEMA and DCR detailing required changes. The city continues to work on an update to its comprehensive plan; the update will include an emphasis on climate change and sea level rise. The city has also

completed interviews for an open deputy city manager position; a new hire is expected to be in place by the end of this month.

Ms. Tribo announced that DEQ has released draft guidance on manufactured BMPs and that she commented on the proposed guidance as a member of the BMP Clearinghouse committee. Ms. Tribo offered to share her comments with interested local staff.

9. Other Matters

The next meeting of the Regional Environmental Committee is scheduled for May 1, 2014 at the HRPDC office in Chesapeake, Virginia. Materials will be sent in advance for review.