

**THE DRAFT SUMMARY OF THE MEETING OF THE
REGIONAL ENVIRONMENTAL COMMITTEE
June 5, 2014**

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

The Summary of the May 1, 2014 Meeting of the Hampton Roads Regional Environmental Committee was approved as distributed.

2. Public Comments

There were no public comments.

3. AskHRGreen.org Proposed Budget Amendment

Ms. Katie Cullipher, HRPDC, briefed the Committee on a proposal to allocate stormwater program reserve funds to the regional pet waste station program. The Committee voted to allocate \$10,000.00 to the program to purchase additional pet waste stations.

4. Hazard Mitigation Assistance Grants

Mr. Ben McFarlane, HRPDC, briefed the Committee on two opportunities for Hazard Mitigation Assistance Grants for FY14 that are available from the Federal Emergency Management Agency. There are two types of grants available. Pre-Disaster Mitigation grants are available for mitigation planning and projects that reduce the overall risk to people and buildings from hazards. A total of \$63 million is available for these grants. Flood Mitigation Assistance grants are available for planning and projects that reduce or eliminate the risk of repetitive damage to buildings and structures insurable under the National Flood Insurance Program (NFIP). A total of \$89 million is available for these grants. Localities must apply through the Virginia Department of Emergency Management. Applications are due to VDEM by June 27, 2014.

5. Draft Comments on Waters of the U.S. Definition

Ms. Jenny Tribo, HRPDC, updated the Committee on the status of the proposed change to the definition of "waters of the United States." HRPDC staff contacted the Corps for comments, but the Corps elected not to provide any. They may answer specific questions, but that is only a possibility. Ms. Tribo stated that she will put together draft regional comments based on the comments from NACO and David Mergen's presentation from the May REC meeting.

Ms. Ellen Roberts asked about seasonal flooding in the definition and suggested that the FEMA definition was vague (areas "reasonably expected to flood at least once a year"). Ms. Tribo stated that NACO also commented on the floodplains issues. Ms. Roberts stated that she would keep looking into the season flooding issue.

Mr. Joe Du Rant, Newport News, stated that he would send out his legal comments on the proposed change.

Chesapeake staff stated that they are putting together comments but are not ready to share them yet. They will likely brief their council on the comments first.

Mr. Scott Rae, Gloucester, stated that NACO has a web page up on the issue.

Ms. Roberts asked if the existing regional permits would still be used or if additional permits would be required.

Mr. Clay Bernick, Virginia Beach, asked how DEQ will respond and enforce the tidal wetlands regulations.

Ms. Barbara Brumbaugh, Chesapeake, suggested talking to EPA directly since that agency is proposing the new definition.

Ms. Tribo stated that she would send out a final draft of regional comments for the next REC meeting in order to get Commission approval in July.

6. Subcommittee Structure Discussion

Ms. Tribo updated the Committee on a staff proposal to convert the existing Elizabeth River Steering Committee into a regional environmental technical subcommittee for the REC.

Mr. Du Rant asked how many members of the subcommittee would be local staff and suggested inviting the Tidewater Builders Association and the Farm Bureau to attend.

Ms. Roberts suggested inviting consultants.

Ms. Brumbaugh suggested that only local staff members should vote on subcommittee matters.

Ms. Trio stated that the subcommittee would not be voting on matters; summaries of discussions would be delivered to the REC.

The Committee discussed having a working group as opposed to a subcommittee. If it is a working group, there would be no set membership.

Ms. Roberts suggested inviting contractors and HOA representatives.

Mr. Bernick suggested that the subcommittee or working group's report should include the topics discussed, a summary of the discussion, and who was in attendance.

Mr. Justin Shafer asked if the working group/subcommittee would meet quarterly as opposed to monthly.

Mr. Bill Johnston, Virginia Beach, asked if there were any concerns from the ERSC members that the focus on the Elizabeth River would be lost. Ms. Tribo stated that the ERSC hasn't been very active lately since much of its work has been completed. Most of the discussion lately has been about Chesapeake Bay TMDL issues.

Based on the discussion, HRPDC staff recommended two actions for the Committee:

- 1) Recommend to the Commission that the Elizabeth River Steering Committee be dissolved.
- 2) Create an environmental technical working group.

The Committee voted unanimously (with one abstention) in favor of both recommendations.

7. Environmental Education Update

Ms. Julia Hillegass, HRPDC, updated the Committee on several environmental education projects and events. The Hampton Roads Watershed Roundtable held a meeting recently. Topics discussed included the Riverwise program, soil samples, urban nutrient management pledges and education, and ideas for how to address "nutrient hotspots" such as garden centers and pop-up gardens. The group also discussed possible training opportunities, such as the "Water Words That Work" program as a way to break through barriers.

Ms. Brumbaugh asked who the target audiences were for the training. Ms. Hillegass stated that the group primarily consists of non-governmental organizations.

Mr. Rae endorsed the "Water Words That Work" program.

The Native Plants working group also met, with attendance from many different groups and sectors. The plan for the next meeting is for representatives from other PDCs working on native plants efforts to come and present about their efforts. The discussion was focused on market needs and issues, such as supply and demand and obtaining commitments from localities or large scale users to provide a baseline level of demand for native plants.

8. Sea Level Rise Update

Mr. McFarlane updated the Committee on events and efforts related to recurrent flooding and sea level rise. The new Special Committee on Recurrent Flooding and Sea Level Rise will be having its first meeting on June 20. Most localities have submitted representatives for the committee. The LIDAR data may be available by the end of the month. HRPDC staff is working on two grants from the Virginia Coastal Zone

Management Program, one with Virginia Beach and one for regional sea level rise technical assistance. Hard copies of the USGS subsidence circular that HRPDC assisted with are available. If any localities are interested in the tide gauges mentioned at an earlier meeting, please let staff know.

9. Coastal Zone Program Update

Mr. McFarlane briefed the Committee on two grant opportunities for Coastal Zone PDCs from the Virginia Coastal Zone Management Program. \$140,000 is available for Competitive Grants for projects related to water quality, coastal resiliency, working waterfronts, habitat restoration, and public access. Each PDC can apply for up to two grants totaling up to \$40,000 in federal funds, with a required match of 3.5:1 (federal: local). \$138,000 is available for Section 309 Water Quality grants that build on the work completed by HRPDC and MPPDC from 2011-2014. Each PDC can apply for up to two grants totaling up to \$40,000 in federal funds, with no match required. Proposals and ideas should be submitted to HRPDC staff by COB June 20, 2014, and will be sent out in the agenda packet for the July meeting for the Committee's vote. Proposals are due to VCZMP by 5:00 PM Friday, July 11, 2014.

10. Retreat Summary

Mr. Randy Keaton, HRPDC, briefed the Committee on the Commission retreat held on May 15. The retreat had a different focus than in previous years. The Commission was divided into small groups that participated in facilitated discussions to identify top priorities, which were then combined to form overall priorities, which included sea level rise and flooding, vulnerable populations, and the regional legislative agenda. The Commission also discussed some process ideas, including changing the seating arrangements at meetings and recording presentations ahead of time so that they can be viewed before meetings, leaving the meetings for questions and discussions.

11. Status Reports

Ms. Brumbaugh reported that the Chesapeake City Council on May 27 approved the new stormwater ordinance and amendments to the erosion and sediment control and CBPA ordinances.

Mr. John Harman, VDOT, reported the VDOT had its MS4 audit in the fall and is now dealing with the comments they just received from EPA.

Mr. Du Rant reported that the city's new stormwater ordinance was approved by its regulations committee and will go to the Planning Commission in early June and then to City Council.

Ms. Roberts reported that Poquoson City Council adopted the new stormwater ordinance on May 27, with amendments to follow at a later date.

Ms. Beth Lewis, Franklin-Southampton, reported that both Franklin and Southampton have adopted new stormwater ordinances.

Mr. Rae reported that the Gloucester County Board of Supervisors adopted the new stormwater ordinance with the state fee schedule on June 3. The board anticipates modifying the fee schedule at a later date.

Mr. Bernick reported that Virginia Beach adopted its stormwater ordinance in May. Additional stormwater program positions will be advertised starting July 1. The North Landing plan presented at a previous meeting is almost complete, and the city is working with Chesapeake and Currituck County, North Carolina on a proposal for a similar plan for the southern watersheds.

Mr. Chris Moore, Chesapeake Bay Foundation, reported that Stantec has been hired to help localities with MS4 issues and will be offering two webinars, one on local record-keeping and one on outreach.

Mr. Skip Stiles, Wetlands Watch, reported that they are working with Virginia Sea Grant and several other groups to set up a design charrette for sea level rise adaptation.

Mr. Rae reported that he attended a stormwater session at a meeting of the Home Builders Association of Virginia. He was impressed with the knowledge and interest by the contractors in the stormwater management changes. Ms. Brumbaugh thought they should have larger rooms for those sessions, since it did not seem to her that everyone could hear. Ms. Tribo stated that she would try to coordinate with TBA on training.

Ms. Roberts stated that her impression from project consultants is that most are working very hard to get permit applications in before July 1.

The Tidewater Regional Office of DEQ will host a meeting on e-permitting from 10am to 1pm on June 18 to review where DEQ is; registration for the event is online. Similar meetings will be held in Glen Allen and Spotsylvania County.

A meeting of the Phase I localities will be in Room D following this meeting.

Mr. Keaton announced that, assuming the Commission approves it on June 19, Smithfield will be joining the HRPDC as a full member effective July 1.

12. Other Matters

The next meeting of the Regional Environmental Committee is scheduled for July 3, 2014 at the HRPDC office in Chesapeake, Virginia. Materials will be sent in advance for review.