

**Attachment 3A
Meeting Summary
MEETING OF
DIRECTORS OF UTILITIES COMMITTEE
May 6, 2015
Newport News**

1. Summary of the February 4, 2015 Meeting of the Directors of Utilities Committee

There were no comments on, or revisions to the summary of the December 3, 2015 joint meeting of the Directors of Utilities Committee and Health Directors.

ACTION: The February 4, 2015 meeting summary was approved.

2. Public Comment

There were no public comments.

3. State Water Resources Plan

Ms. Tammy Stephenson, DEQ, briefed the Committee on the draft State Water Resources Plan. She reviewed the plan contents and highlighted the challenges and recommendations of interest to Hampton Roads utilities:

- Unpermitted withdrawals: DEQ will look at historic withdrawals and work with users to preserve the source.
- Gaps in annual water withdrawal reporting: DEQ will assist localities in obtaining information from agricultural users and other community water systems.
- Reservoir site development: DEQ will not dictate the siting of reservoirs, but will share any available information to assist in storage development.
- Sea level rise, changes in precipitation patterns, and land subsidence: DEQ acknowledged these issues and intends to examine the potential impacts to water supply through a Cumulative Impact Analysis and the development of a subsidence monitoring plan.
- Source Water Protection: DEQ will coordinate with VDH to encourage the development and implementation of Source Water Protection Plans (SWPPs). Only 15 of the 48 water supply plans cite having SWPPs in place.

The Committee's comments and questions on the presentation and the discussion with DEQ staff is summarized below:

- The draft plan's charts, maps, and graphics are not legible. Utilities may submit requests for copies of items of interest to Ms. Stephenson.
- It was noted that the decreasing trend in per capita demand does not appear to be reflected in the plan's projections. Ms. Stephenson explained that locality demand projections were made using various methods, as indicated in locality snapshots in Appendix D. DEQ applied assumptions to develop the statewide summary.
- Ms. Stephenson acknowledged that it was difficult to develop recharge rates for each locality and that DEQ hopes to improve this information.
- Regarding the Plan's recommendations for conflict resolution, Ms. Stephenson clarified that DEQ will help facilitate resolution at the local level and work within the regulatory framework using existing tools for permitting and regulation of groundwater and surface water management areas.
- The plan's discussion of critical infrastructure deficiencies seems narrow and limited to water loss. The Committee asked whether DEQ considered other deficiencies such as system interconnections. Ms. Stephenson noted that interconnections have greater benefits for larger systems and that supply deficiencies may be addressed through alternative sources.
- When asked if Regional Water Supply Plans simplified or complicated the state's planning process, Ms. Stephenson noted that regional plans were helpful in looking at some issues like drought planning and water supply alternatives. For the next iteration of the state plan, direct data entry into DEQ's content management system will eliminate many of the difficulties encountered in "rolling up" local data.
- DEQ was asked to extend the deadline for comments. Ms. Stephenson recommended sending a formal request via email. It was clarified that DEQ voluntarily released the draft for public comment, as the regulation does not require the agency to do so.
- Regarding the compliance letter requirement for submittal of data not readily available such as well construction data, Ms. Stephenson clarified that DEQ is working with VDH to review well records. If the data cannot be collected from VDH's records, the agency may take additional steps to collect the information.
- The Committee noted that the document places a great deal of emphasis on instream uses and less emphasis on supplying water for human consumption. On the first page of the Executive Summary, human consumption has been left off the list of beneficial uses. The plan was expected to be a State Water Supply Plan. Ms. Stephenson asked that written comments articulate these expectations for DEQ to address. The agency wants to document to be useful.

- The Committee asked for clarification on the next steps and noted that the plan was expected to present recommendations on how to address water supply deficits. Ms. Stephenson clarified that DEQ will complete the Cumulative Impact Analysis, which will allow the agency to identify and eliminate non-viable alternatives. This will help DEQ and localities identify regional sources and avoid potential issues before permit applications are submitted.

The Middle Peninsula Planning District Commission (MPPDC) submitted comments to DEQ on May 6, 2015 and shared their letter with the HRPDC. The Committee's discussion of the MPPDC's letter with DEQ staff is summarized below:

- The MPPDC's comment on the need for permit parity resonates with municipal water systems that rely on groundwater sources subject to proposed cuts.
- Recommendation 1.1 regarding operational rules and policies for surface water withdrawals should not be applied to municipal sources. It is not in the interest of municipal water utilities to voluntarily negotiate restrictions to limit safe yield. Municipal water utilities with grandfathered surface water withdrawals do not support this recommendation.
- The concern with the development of voluntary operational rules and policies is that there is a tendency toward greater regulation, not partnership. Recommendation 1.1 implies that all withdrawals will eventually be under permits.
- The draft State Water Resources Plan is more of a "report" that rolls up information for the state. The document is missing a "plan" and recommendations to optimize sources for Virginia. Until the state acts as a partner for water supply, the state will continue to be perceived as the regulator. Municipal water utilities provide an essential service. If there truly is a need for 450 million gallons per day, the state needs to chart a path forward. Localities cannot invest millions of dollars toward potential water sources without the guarantee of access to water.
- The plan indicates that additional water supply is needed for projected growth, but the plan does not speak to how to accommodate growth through alternative sources.
- The state must take ownership of the planning effort for future water sources.
- The state should be an advocate for water supply projects and facilitate and support projects.
- Municipal water infrastructure investments require long-term debt financing. A 10-year permit term is too short for utilities to site and plan new sources, receive environmental permits and approvals, and construct new infrastructure. As long as municipal utilities are in compliance, the permit should be in perpetuity.

- Utilities need certainty of access to sources. Utilities have incurred debt and built existing infrastructure based on the current permitted withdrawals. There is increased reluctance to discuss “partnering” in light of the state’s proposed groundwater permit cuts; the state is not offering any assistance to localities to develop new sources or to address remaining debt for assets stranded by permit cuts. The assistance “piece” is missing from the plan.
- From the perspective of a municipal water utility, the plan prioritizes instream uses over public water supplies and off-stream uses. The plan should identify human consumption as the highest priority.

The Committee agreed to submit a comment letter by the May 8, 2015 deadline and to request that DEQ extend the comment deadline. HRPDC staff will circulate a draft letter for Committee review.

ACTION: Submit comment letter by May 8, 2015. Request that DEQ extend the comment deadline.

4. Proposed Amendments to the Virginia Water Protection Permit Regulations

The Committee discussed the proposed amendments to the Virginia Water Protection Permit Program Regulation (9 VAC 25-210), including concerns about the definition of “safe yield” as agreed upon by the DEQ and the VDH (see Attachment 1C). The Committee agreed to continue to monitor the development of the proposed amendments.

ACTION: No action.

5. Guidelines for Committee Actions

The Committee considered a proposal to amend the 2011 Guidelines for Committee Actions to provide a decision-making procedure for the expenditure of reserve funds. After discussing the proposed language, it was agreed that a minimum of 12 affirmative votes from member localities (one vote per locality) will be required to approve such expenditures. The Committee voted unanimously in favor of amending the Guidelines to reflect this change. HRPDC staff will distribute the revised Guidelines to the Committee.

ACTION: Amend the Guidelines for Committee Actions to require a minimum of 12 affirmative votes from member localities to approve the expenditure of reserve funds.

6. Hampton Roads All Hazards Advisory Committee

At the request of the newly formed Hampton Roads All Hazards Advisory Committee (AHAC), the Committee appointed a public utilities sector representative and alternate representative to serve as a non-voting member on AHAC:

Representative: Reed Fowler, Newport News Public Works Director

Alternate: Everett Skipper, Newport News Engineering Director

ACTION: The Committee appointed a public utilities sector AHAC representative and alternate representative.

7. Regional Source Water Protection Plan

The HRPDC staff briefed the Committee on the status of the Regional Source Water Protection Plan. On March 26, VDH provided maps and summaries of potential contamination sources and surrounding land uses for approximately 90 sources (see presentation provided as Attachment 1D for examples of maps). This was in addition to the maps and summaries for 22 sources provided on January 23, 2015. HRPDC inventoried the source data and flagged discrepancies for VDH clarification on April 7, 2015. The next steps include verifying sources with utilities and the VDH Office of Drinking Water Southeast Virginia Field Office and compiling a regional geodatabase. Additional GIS data is pending from VDH. HRPDC staff will schedule a subcommittee meeting after data is received.

ACTION: No action.

8. Future Participation in Mission H2O Groundwater Subgroup

The Committee discussed interest in future participation and funding of Mission H2O and the Groundwater Subgroup. Ms. Whitney Katchmark, HRPDC, recapped past work tasks and funding. It was noted that there is value in participating in the Groundwater Subgroup and that past levels of funding are acceptable. The Committee agreed to table the discussion pending the outcome of the May 7, 2015 Mission H2O Annual Meeting work plan and budget discussion.

ACTION: No action.

9. Staff Reports

HRPDC staff updates are summarized below. A copy of the presentation is provided as Attachment 1E.

- **Affordability:** The HRPDC staff is completing affordability “data packages” for each locality, including the regional cost scenarios, socio-economic indicator data tables,

and residential rates affordability assessment tool. Packages will be distributed in May/June, pending receipt of some data components.

- **HRPDC RFP for FY16 Professional Services:** The proposal evaluation committee's recommendations for contract award will be presented for action at the June 18, 2015 HRPDC Executive Committee Meeting.
- **June 3, 2015 Joint Meeting of the Directors of Utilities Committee and Health Directors:** The meeting will be held at the Chesapeake Bay Foundation's [Brock Environmental Center](#) (12:30 p.m. lunch; 1:00 meeting). Details will be provided with the meeting agenda.

ACTION: No action.

10. Other Business

There was no discussion of other business.

Directors of Utilities Committee Meeting Sign-In Sheet
 May 6, 2015

Attachment 3B

Locality/Agency	Representative	Representative	Representative	Representative
HRSD	Ted Henifin			
Chesapeake	David Jurgens			
Franklin				
Gloucester	Arnie Francis			
Hampton	Barry Dobbins			
Isle of Wight	Donald Jennings			
James City County	Doug Powell	Michael Vergakis	Bruce Capps	
Newport News	Everett Skipper			
Newport News	Scott Dewhirst	Dave Morris		
Newport News				
Norfolk	Kristen Lentz			
Poquoson	Bob Speechley			
Portsmouth	Bryan Foster			
Smithfield				
Southampton				
Suffolk	Craig Ziesemer			
Surry				
Virginia Beach	Bob Montague			
Williamsburg				
Windsor				
York				
HRPDC	Randy Keaton	Whitney Katchmark	Tiffany Smith	
HRPDC				
New Kent				
DEQ	Tammy Stephenson	Heather Mackey		
EPA				
USGS				
VDH				
VDH				
VDH				
Emergency Managers				
Emergency Managers				
Emergency Managers				
AECOM				
AquaLaw				
Arcadis				
Brown & Caldwell				
CH2M-Hill				
Christian Barton				
Golder Associates				
HDR				
Hurt & Proffitt, Inc.				
McGuire Woods				
Rice Associates				
REMSA				
Troutman Sanders				
Virginia Fusion Center				
Virginia WARN				
URS				
Whitman, Requardt & Assoc.				
Private citizens				

VDH Waterworks Regulations

12VAC5-590-830. Surface water sources; quantity; quality; development structures.

A. A surface water source includes all tributary streams and drainage basins, natural lakes, and artificial reservoirs or impoundments above the point of water supply intake.

2. The safe yield of the source shall be determined as follows:

a. Simple intake (free-flowing stream). The safe yield is defined as the minimum withdrawal rate available during a day and recurring every 30 years (30 year - one day low flow). To generate the report for this, data is to be used to illustrate the worst drought of record in Virginia since 1930. If actual gauge records are not available for this, gauges are to be correlated from similar watersheds and numbers are to be synthesized; and

b. Complex intake (impoundments in conjunction with streams). The safe yield is defined as the minimum withdrawal rate available to withstand the worst drought of record in Virginia since 1930. If actual gauge records are not available, correlation is to be made with a similar watershed and numbers synthesized in order to develop the report.

DEQ VWP Permit Program Regulations

9VAC25-210-300. Definitions for surface water withdrawals.

“**Public water supply safe yield**” means the highest volumetric rate of water that can be withdrawn by a surface water withdrawal during the Drought of Record in Virginia since 1930, including specific operational conditions established in a Virginia Water Protection permit, when applicable.

Regional Source Water Protection Plan

Project Update

Directors of Utilities Committee
May 6, 2015

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Milestones

- December 3, 2014 – Committee agreed to develop SWPP
- January 20-30, 2015 – SWPP Subcommittee reviewed draft table of contents and working draft.
- ~~January 2015 – VDH provide GIS data~~
- March 26, 2015 – VDH risk and land use maps (102 sources)
- April 7, 2015 – HRPDC source inventory/review completed (discrepancies pending VDH clarification)
- **May 2015 – Verify sources with utilities and VDH field offices**
 - **Subcommittee input on SWPP geodatabase**

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VIRGINIA DEPARTMENT OF HEALTH - OFFICE OF DRINKING WATER
Potential Sources of Contamination Inventory

County/City: NEWPORT NEWS	Waterworks: NEWPORT NEWS, CITY OF	PWSID: 3700500	Source ID: WL01B	Facility: WELL 1B
Evaluated by:	Date:	Reviewed by:	Date:	

Map ID	Distance to Source (mi)	Contaminant Type	Facility Type	Property Owner/Business Name	Mailing Address
1	413	Site Specific	Hazardous and/or RCRA Site	NEWPORT NEWS INDUSTRIAL CORP - ENTERPRISE DR	182 ENTERPRISE DR
2	413	Site Specific	Industrial Site	NEWPORT NEWS INDUSTRIAL CORP - ENTERPRISE DR	182 ENTERPRISE DR
3	698	Site Specific	Hazardous and/or RCRA Site	SYNERJECT	201 ENTERPRISE DR
4	698	Site Specific	Hazardous and/or RCRA Site	CSSC VA LLC	201 ENTERPRISE DR
5	828	Site Specific	Hazardous and/or RCRA Site	PLANT CORPORATION	230 ENTERPRISE DR
6	933	Site Specific	Hazardous and/or RCRA Site	A A F E S NEWPORT NEWS DIST CENTER	231 ENTERPRISE DR
7	1,313	Site Specific	Hazardous and/or RCRA Site	KINYO VIRGINIA INC	290 ENTERPRISE DR
8	1,313	Site Specific	Industrial Site	KINYO VIRGINIA INC	290 ENTERPRISE DR
9	1,315	VOCs, SOCs, Inorganics	Closed Petroleum Storage Tank Release - Confirmed	FORT EUSTIS	1407 WASHINGTON ST
10	1,331	VOCs, SOCs, Inorganics	Closed Petroleum Storage Tank Release - Suspected	FORT EUSTIS	1407 WASHINGTON ST
11	1,337	Site Specific	Hazardous and/or RCRA Site	EVERCEL INCORPORATED	230 PICKENS ST
12	1,340	VOCs, SOCs, Inorganics	Closed Petroleum Storage Tank Release - Confirmed	FORT EUSTIS - BLDG 866	1407 WASHINGTON ST
13	1,347	VOCs, SOCs, Inorganics	Closed Petroleum Storage Tank Release - Confirmed	Fort Eustis - Building 231	1407 WASHINGTON ST

2700500 WELL 1B

VDH Maps

PWSID: 3700500
Source ID: WL01B
Facility: WELL 1B
Waterworks: NEWPORT NEWS, CITY OF

SWAP Zone 2
Date: 10/20/2015
TINWFS IS: 2670552.0
Jurisdiction: NEWPORT NEWS
District: DISTRICT 21

VIRGINIA DEPARTMENT OF HEALTH - OFFICE OF DRINKING WATER
POTENTIAL SOURCES OF CONTAMINATION SUMMARY

County/City: NEWPORT NEWS	PWSID: 3700500	Source ID: WL01B
Facility: WELL 1B	Waterworks: NEWPORT NEWS, CITY OF	

Facility Type	Zone 1 Count	Zone 2 Count	Total
Closed Petroleum Storage Tank Release - Confirmed	0	6	6
Closed Petroleum Storage Tank Release - Suspected	0	2	2
Hazardous and/or RCRA Site	0	7	7
Industrial Site	0	2	2
Sum	0	17	17

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VIRGINIA DEPARTMENT OF HEALTH - OFFICE OF DRINKING WATER
LAND USE COVERAGE SUMMARY

County/City: NEWPORT NEWS	PWSID: 3700500	Source ID: WL01B
Waterworks: NEWPORT NEWS, CITY OF	Facility: WELL 1B	

Class	Acres	Percent
Crop	325	16
Forest Harvest	59	3
Hardwood Forest/Pine Forest/Mixed Forest	791	39
Natural Barren	11	1
Pavement	124	6
Residential/Industrial	192	10
Salt Marsh	307	15
Water	201	10
Sum	2,011	100

VDH Maps

PWSID: 3700500
Source ID: WL01B
Facility: WELL 1B
Waterworks: NEWPORT NEWS, CITY OF

SWAP Zone 2 Land Use
Date: 10/20/2015
TINWFS IS: 2670552.0
Jurisdiction: NEWPORT NEWS

VIRGINIA DEPARTMENT OF HEALTH - OFFICE OF DRINKING WATER
POTENTIAL SOURCES OF CONTAMINATION SUMMARY

County/City: NEWPORT NEWS	PWSID: 3700500	Source ID: WL01B
Facility: WELL 1B	Waterworks: NEWPORT NEWS, CITY OF	

Facility Type	Zone 1 Count	Zone 2 Count	Total
Closed Petroleum Storage Tank Release - Confirmed	0	6	6
Closed Petroleum Storage Tank Release - Suspected	0	2	2
Hazardous and/or RCRA Site	0	7	7
Industrial Site	0	2	2
Sum	0	17	17

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