



LAND USE & ENVIRONMENT COMMITTEE

Meeting Minutes – August 14, 2014

Attendees:

Jenny Biche'	Rappahannock-Rapidan Regional Commission
Deirdre Clark	John Marshall Soil and Water Conservation District
Brian Daniel	Madison County
Neil Drumheller	Culpeper County
Michelle Edwards	Rappahannock-Rapidan Regional Commission
Richard Jacobs	Culpeper Soil and Water Conservation District
Patrick Mulhern	Town of Culpeper
Carl Stafford	VA Cooperative Extension
Debbie Switzer	VA Department of Environmental Quality
Michael Trop	John Marshall Soil & Water Conservation District
Kelly Vanover	VA Department of Environmental Quality
Greg Wichelns	Culpeper Soil and Water Conservation District

Virginia Stormwater Program Update

Kelly Vanover, Virginia Department of Environmental Quality (DEQ)
Debbie Switzer, DEQ

Michelle Edwards informed attendees that Greene County hosted a workshop for the development community on its new stormwater program with the Culpeper Soil and Water Conservation District and the Rappahannock-Rapidan Regional Commission (RRRC). Thirty-four people attended.

Kelly Vanover and Debbie Switzer from the DEQ Northern Regional Office provided an update on the state's stormwater program roll-out. Statewide, every locality has declared their intention as to whether or not they will be opting into or out of developing their own storm water ordinances. All MS4's must participate. Debbie Switzer oversees the Virginia Stormwater Management Permit (VSMP) Programs in Fauquier, Rappahannock, Stafford, Prince William, and Fairfax Counties, as well as Fredericksburg – a total of thirty local storm water programs. Of those thirty, seventeen are considered an MS4 and are required to participate. Of the remaining thirteen, nine have chosen to opt out and let DEQ oversee the programs in their localities and four have opted in and will develop their own programs. Within our region,

Fauquier County must implement a program as an MS4 while the remaining four counties opted out.

There is much overlap between the storm water programs and localities erosion and sediment control programs, so those localities that opt out still have to work closely with DEQ. DEQ will not be taking over localities erosion and sediment control programs and those programs will not change. In opt-out localities, the Stormwater and Erosion and Sediment Control Plans will be reviewed by the locality and DEQ simultaneously. An increase in communication and collaboration between DEQ and local programs will be needed, and many of the details on that process still need to be worked out.

In the past, the state's VSMP program had no front-end review, and inspections were generally complaint-based. With recent revisions to the stormwater regulations, DEQ will now handle all facets of the VSMP program for opt-out localities, including regular inspections. DEQ will be hiring eight new staff statewide to assist with the stormwater program. Northern Virginia will receive two of those positions. Four DEQ staff will be centralized in Richmond and will be responsible for all stormwater plan review statewide. Greg Wichelns inquired whether or not DEQ will contract aspects of the storm water program out, to which Kelly Vanover replied that currently DEQ is looking to keep everything in-house.

'09 General Permits can apply to be grandfathered and those '09 General Permits that apply for a '14 General Permit will not need to be reviewed. DEQ only reviews plans for new projects under the '14 General Permit. DEQ has a list of '09 General Permits that have been grandfathered on their website. Those with an '09 General Permit that has been grandfathered still need a '14 General Permit in order to get a Land Disturbance Permit.

For single-family homes that disturb greater or equal to an acre, and those disturb less than an acre but are part of a common plan of development require coverage under the Construction General Permit. An Agreement in Lieu of Plan can be used instead of a full Stormwater Plan for these projects. There are no DEQ VSMP fees for single-family homes, and no registration statement needs to be completed. However, a Coverage letter must be printed and posted on-site with the Agreement in Lieu. Both forms can be downloaded on the DEQ website at. The documents do not need to be submitted to DEQ, even in opt-out localities.

The question was asked whether single-family homes with greater than five acres of disturbance can use the Agreement in Lieu of Plan and if there are any fees required for these projects. Debbie responded that she will forward the question to central office staff and let everyone know (see her response attached). The question was also raised whether a builder with multiple lots in one subdivision can submit a single Stormwater Pollution Prevention Plan (SWPP) that addresses all lots. In opt-out localities, DEQ will allow builders to submit one SWPP for multiple lots. Debbie will check whether opt-in localities have the option to require individual SWPPs and charge permit fee for each lot in that scenario (see her response attached). Debbie also agreed to put together a flow chart of steps that contractors need to complete for the VSMP program.

An inquiry was made as to when the permit coverage ends; to which Debbie replied that it would end when the permit expired or when the project termination letter is submitted to DEQ. If a project termination letter is submitted to DEQ, DEQ has 30-60 days to do a final inspection before the permit is terminated.

Debbie showed attendees how to access the various documents she mentioned (Coverage Letter, In Lieu of Plan, etc.) on the DEQ website:

www.deq.virginia.gov/Programs/Water/StormwaterManagement/VSMPPPermits/ConstructionGeneralPermit.aspx. The webpage also lists all of the 2014 CGP registration statements, which are updated weekly.

Debbie stated that she will need to have a higher level of communication with land disturbance permit staff in the localities, and that once DEQ has determined specifics about their processes, she will share that information with them. EPA requires DEQ to inspect 10% of the General Permits issued. Both Kelly and Debbie would be happy to come back at a later date and provide more detailed information on the storm water program once it becomes available.

RRRC Initiative Updates

Homeowner Watershed Education: Backyard Rainscaping – Michelle Edwards

Three backyard assessments in Lake of the Woods, one in Culpeper and one in Warrenton were conducted this summer in conjunction with the Regional Commission's National Fish and Wildlife Foundation Small Watershed Grant. The project educates homeowners on practices they can implement in their backyard that will benefit their local watershed, incorporating aspects of Friends of the Rappahannock's Rainscape Retrofits Program and Virginia Cooperative Extension's Green Grass Program. We are still looking for a few additional sites in Culpeper and Warrenton or the surrounding counties for this fall. Next spring we will aim to move the pilot project to full speed with a much greater number of sites.

For further information on the Regional Commission's homeowner watershed education project, visit the project website at www.rrregion.org/rainscaping.html or contact Michelle Edwards at medwards@rrregion.org.

Living Lands Workshop: Water Planning – Michelle Edwards

RRRC will be hosting another event in its Living Lands Workshop series on November 18th 9:00am-3:00pm at Germanna Community College's Daniel Technology Center in Culpeper. This year's workshop will focus on local and regional water planning issues, such as water supply planning, floodplain management, dam safety, and groundwater. Further information, including fees, draft agenda and vendor information, is forthcoming.

Regional Food System Study – Michelle Edwards

This July, Culpeper County signed the contract for a \$40,000 Regional Planning Grant with the Department of Housing and Community Development (DHCD) to develop a food system plan for the region. The County is acting as the applicant on behalf of the region, while the RRRC will be responsible for completing deliverables and grant administration. The grant period runs

through December 31, 2015. As a first step in this effort, the County issued a Request for Proposals (RFP) for the Food System Economic Analysis on August 14, 2014. The RFP was posted on the County and Virginia procurement systems, the Star Exponent, and the County website (<http://web.culpepercounty.gov/CountyGovernment/Purchasing.aspx>), and closes September 11. The Commission's Agriculture Working Group, which has been instrumental in making this project possible, will be developing an assessment of the food system's assets over the next few months. The group's next meeting will be held August 19 at 1:30 (Update: subsequent meeting scheduled on September 24, 1:30-3:30 in the RRRC conference room). For further information, visit the Commission's Regional Food System webpage at www.rrregion.org/foodsystem.html or contact Michelle Edwards at medwards@rrregion.org.

Agro-artisan Trail – Jenny Biche'

The Regional Tourism Committee presented a draft participant list for the 'Tween the Rivers Trail to the RRRC Agriculture Working Group at their May meeting. The group reviewed the list and recommended some changes. The amended list was approved by the Working Group at their June meeting, and the Regional Tourism Committee has been compiling addresses and contact information. In addition, the Tourism Committee has developed a cover letter and membership form to accompany the invitation for potential participants to join the trail and are hoping to have forms returned by the end of September. Additional activities will include developing a logo and contracting with a vendor to design the brochure, website, window clings, signage, etc. Planning for the Regional Agro-Artisan event will begin in January with an anticipated event date planned for October 2015. The Regional Tourism Committee plans to request an extension from VDACS to extend the timeline for the AFID grant, as the project is taking longer than anticipated working out the details of the trail. For more information, contact Jenny Biche' at 540-829-7450 or at jkbiche@rrregion.org.

Member Roundtable

JMSWCD is hosting a Backyard Woods Workshop in conjunction with the Virginia Cooperative Extension on September 22, 2014 in Warrenton and on September 25, 2014 in Manassas. Everyone is encouraged to attend.

CSWCD has a full time position open. Contact Greg Wichelns for more information. CSWCD also has a grant to plant trees that ends in November 2014. The goal of the grant project is to encourage homeowners to have less lawn. The free trees require a 15 year no mow commitment.

Next Land Use & Environment Committee Meeting:

The next Land Use and Environment Committee meeting is scheduled for November 13, 2014, at 10:00 am – 12:00 noon.

Please provide any suggestions for future meeting topics to Michelle at medwards@rrregion.org.