

REGIONAL COOPERATION IN STORMWATER MANAGEMENT

FISCAL YEAR 2015-2016

A STATUS REPORT

This report was included in the HRPDC Work Program for FY 2015-2016, approved by the Commission at its Executive Committee Meeting on June 18, 2015

**Prepared by the staff of the
Hampton Roads Planning District Commission
in cooperation with the
Regional Stormwater Workgroup**

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ABSTRACT

This document describes cooperative activities related to stormwater management undertaken by Hampton Roads local governments during Fiscal Year 2015-2016. Activities described include the regional information exchange process, public information and education, legislative and regulatory issues, cooperative regional studies and related programs. This document is used by the region's eleven localities with stormwater permits to assist them in meeting their permit requirements.

ACKNOWLEDGMENTS

The Hampton Roads Planning District Commission, in cooperation with the regional Stormwater Workgroup, prepared this report.

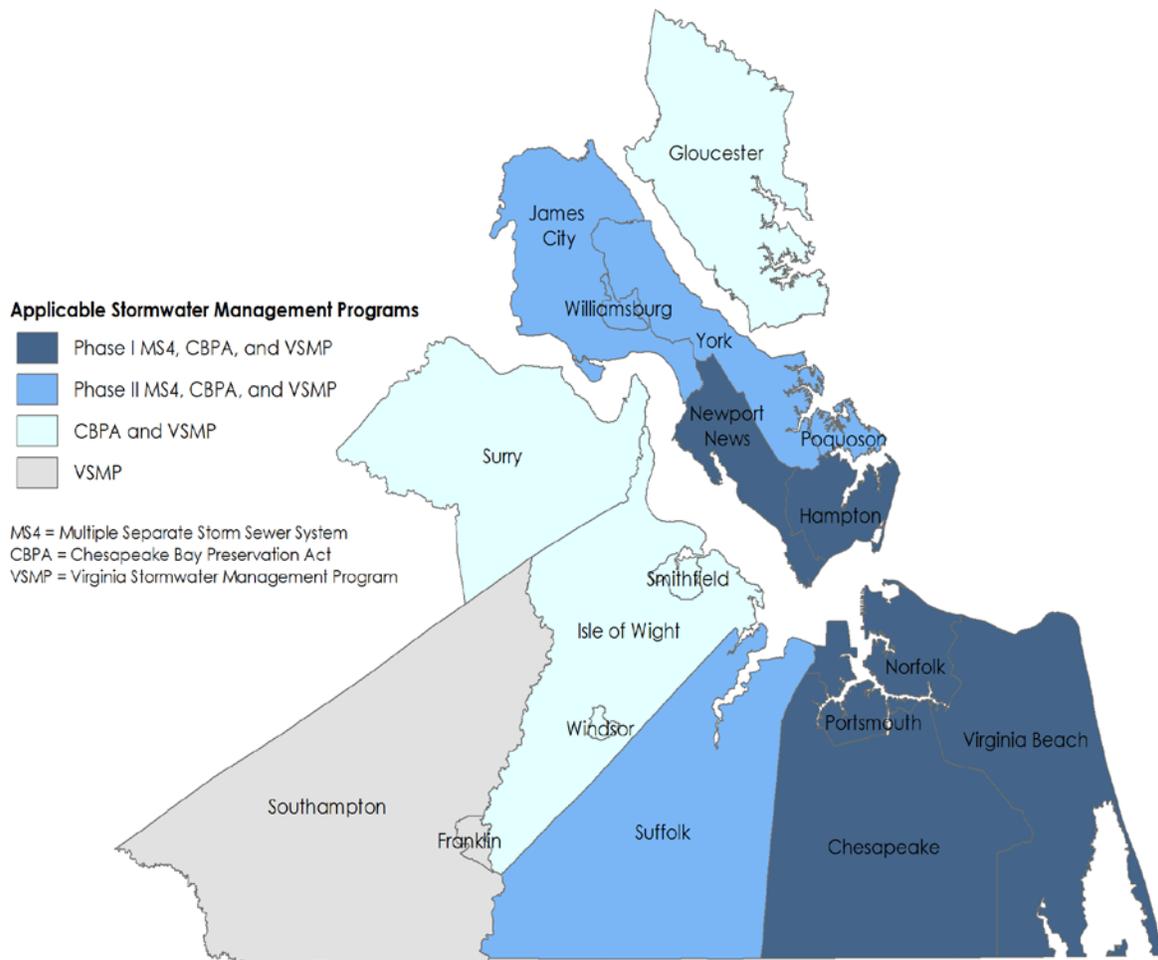
Preparation of this report was included in the HRPDC Unified Planning Work Program for FY 2015-2016, approved by the Commission at its Executive Committee Meeting of June 18, 2015.

The seventeen member local governments through the HRPDC Regional Stormwater Management Program provided funding.

INTRODUCTION

Working through the Hampton Roads Planning District Commission (HRPDC), the region's seventeen member cities and counties and town (Figure 1) cooperated on a variety of stormwater management activities during Fiscal Year 2015-2016. This cooperative effort has been underway as a formal adjunct to the Virginia Pollutant Discharge Elimination System Permits (VPDES) for Municipal Separate Storm Sewer Systems (MS4) held by the Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth and Virginia Beach since Fiscal Year 1995-1996. The Cities of Suffolk, Poquoson, Williamsburg, and James City County, Isle of Wight County, and York County joined in 2002 to coordinate Phase II MS4 permit applications. Cooperative activities documented in this report represent a continuation of an ongoing effort, which has involved concerted activity since 1992.

As of April 19, 2016, the Phase II MS4 permit for Isle of Wight County was terminated by the Department of Environmental Quality (DEQ). It was determined that the County does not own or operate a MS4 within the Census Urbanized Area.



REGIONAL STORMWATER MANAGEMENT PROGRAM GOALS

The HRPDC and local stormwater staffs undertook a comprehensive effort in FY 1998-1999, called the Regional Loading Study. The project included developing a set of regional stormwater management goals to guide the regional program. The goals were presented to and adopted by the HRPDC at its Executive Committee Meeting in September 1999. They were reaffirmed in the January 2003 approval of the “Memorandum of Agreement (MOA) Establishing the Hampton Roads Regional Stormwater Management Program” and the renewal of the MOA in 2008 and 2013. The adopted Regional Stormwater Management Program Goals, which guide the regional program, are:

- Manage stormwater quantity and quality to the maximum extent practicable (MEP).
 - Implement best management practices (BMPs) and retrofit flood control projects to provide water quality benefits.
 - Support site planning and plan review activities.
 - Manage pesticide, herbicide and fertilizer applications.
- Implement public information activities to increase citizen awareness and support for the program.
- Meet the following needs of citizens:
 - Address flooding and drainage problems.
 - Maintain the stormwater infrastructure.
 - Protect waterways.
 - Provide the appropriate funding for the program.
- Implement cost-effective and flexible program components.
- Satisfy VPDES stormwater permit requirements.
 - Enhance erosion and sedimentation control.
 - Manage illicit discharges, spill response, and remediation.

THE REGIONAL PROGRAM

The Regional Stormwater Management Program initially focused on activities that supported the permit compliance efforts of the six communities with Phase I VPDES Stormwater System Permits, technical assistance to the region’s non-permitted communities and regional education and training to support all of the communities. The program has expanded to include the needs of the five communities with Phase II VPDES MS4 permits and the development of locally administered Stormwater Programs which were required starting July 1, 2014.

Phase I Localities

The efforts of the Phase I Localities this year were focused on negotiating their new Phase I MS4 permits with the DEQ. The Phase I Localities have met multiple times, sought legal counsel, and submitted regional and individual comment letters to the DEQ. The timeline for permit negotiations was as follows:

- January 26, 2015 – Received first draft of the permits from DEQ
- March 25, 2015 – Phase I Localities submitted a regional comment letter to DEQ
- April 13, 2015 – DEQ and Phase I Localities met at HRPDC
- April 24, 2015 – Phase I Localities submitted a letter to DEQ summarizing the April 13, 2015 meeting
- August 6, 2015 – DEQ submitted a letter to the Phase I Localities
- October 9, 2015 – Phase I localities submitted a regional comment letter to DEQ
- November 24, 2015 – Received the second draft of the permits from DEQ
- January 29, 2016 – Phase I Localities met with DEQ at the Central Office
- February 5, 2016 – Phase I Localities submitted a regional letter to DEQ
- February 18, 2016 – DEQ sent a table with proposed permit language to the Phase I Localities
- March 7, 2016 – Received third draft of the permits from DEQ
- March 9, 2016 – April 8, 2016 – Public comment period was open on draft permits
- June 2, 2016 – Final Phase I permits were issued with an effective date of July 1, 2016

Phase II Localities

The Phase II General Permit was reissued on July 1, 2013. FY 2015-2016 represents the third year in the permit cycle. The permittees began implementing their first Chesapeake Bay Action Plans, which were submitted in FY 2014-2015. The Phase II Localities also focused on implementing their local Stormwater Programs, training staff on stormwater issues, and meeting education and outreach requirements. HRPDC staff organized two regional training events and hosted various webcasts to assist with these efforts. More detailed descriptions are available in the *Training* section of this report. askHRgreen.org conducted regional media campaigns for pet waste reduction, proper lawn maintenance, and reduction of fats, oils, and grease. These campaigns will serve to meet Phase II permit requirements for education and outreach for the remainder of this permit cycle.

INFORMATION EXCHANGE

The cornerstone of the Regional Stormwater Management Committee's activities continues to be the exchange of information. This is accomplished through regular monthly meetings to address topics of regional importance, as well as crosscutting issues that affect local stormwater, planning, public works and public utilities staff. In addition, various agencies and organizations utilize this regional forum to engage and inform local governments, as well as to gather feedback.

Monthly Meetings

The seventeen communities participate in the HRPDC Regional Stormwater Program and their staffs meet twice a month. The Stormwater Workgroup meetings provide an opportunity for local stormwater managers to exchange information about successful program activities, utility structures and policies, and technical challenges. The HRPDC Regional Environmental Committee meetings include local stormwater and planning staff plus cooperating agencies such as the Department of Conservation and Recreation (DCR), the DEQ, the Virginia Department of Transportation, the Hampton Roads Sanitation District (HRSD), and the US Navy.

State and Federal Agency Program Briefings

Representatives of state and federal agencies frequently brief the Committee on developing issues, regulatory guidance and technical programs. During the year, the Committee was briefed by representatives of the Department of Game and Inland Fisheries on the final Wildlife Action Plan, the Virginia Fish and Wildlife Information Service on the northern long-eared bat, the US Army Corps of Engineers on the Multi-Hazards Tournament, NAVFAC on the Mid-Atlantic's Chesapeake Bay TMDL Action Plan, the Virginia Marine Resources Commission on living shoreline permitting, and the Virginia Department of Transportation on their Bay TMDL Action Plan.

Regional Water Quality Technical Workgroup

In FY 2015, the HRPDC established the Regional Technical Environmental Workgroup in order to provide a forum for local government staff from various departments and consultants to discuss technical details of the implementation of the Chesapeake Bay TMDL as well as local TMDLs. In FY 2016, the name of the Workgroup was changed to the Regional Water Quality Technical Workgroup to more accurately reflect the topics of discussion.

The objectives of the Workgroup are to discuss technical aspects of restoration projects and research, discuss research and development of alternative BMPs, help set regional priorities for approval of BMPs for the Bay TMDL, and develop research priorities for filling data gaps. Meetings are open to the public and are held quarterly. The Workgroup serves an advisory role to the Regional Environmental Committee. In FY 2016, meetings were held in October 2015, December 2015, March 2016, and June 2016. The Workgroup was briefed by representatives from the HRSD, the DEQ, the U.S. Geological Survey (USGS), and the Virginia Institute of Marine Science (VIMS).

PUBLIC EDUCATION

askHRgreen.org

To support development and operation of the stormwater education program, the HR STORM committee consisting of local stormwater education/public information staff was established in 1997. Beginning in FY 2011, the HRPDC environmental education programs were combined into a single public awareness program and central resource for environmental education in

Hampton Roads known as askHRgreen.org. In June 2011, the askHRgreen.org website launched. The website contains information on earth-friendly landscaping ideas and pointers for keeping local waterways clean, recycling tips, and simple steps to make local living easy on the environment. It also includes a blog written by a team of local experts who work in the region’s municipal utility and environmental divisions.

The stormwater education subcommittee of askHRgreen.org continues to meet on a monthly basis to discuss education priorities for stormwater. In FY 2016, the subcommittee focused on ensuring that the regional education campaign fulfills the outreach requirements of the current Phase II General Permit issued July 1, 2013. The subcommittee also continued the program to distribute pet waste stations to interested community members throughout Hampton Roads. The activities conducted through the askHRgreen.org campaign for the year are summarized in the askHRgreen.org Annual Report.

TRAINING

Since 2004, HRPDC staff has worked with the MS4 permittees to develop and conduct training programs for local government staff. The table below provides a summary of the FY 2016 programs. This year HRPDC staff organized two regional training events addressing erosion and sediment control (ESC) and illicit discharge detection and elimination (IDDE).

Training Topic	Date
SMART Tool Workshop	Dec 2015
ESC and Stormwater Management for Contractors	Feb 2016
Surviving a MS4 Compliance Audit (webcast)	Mar 2016
Center for Watershed Protection - National Stormwater Conference (webcast)	Apr 2016
Education Program to Enhance Pollutant Removal (webcast)	May 2016
Tidewater Stormwater Forum	June 2016
IDDE Workshop	June 2016

The City of Norfolk and the Alliance for the Chesapeake Bay partnered to offer a local Workshop on the SMART tool, which is an application (app) that can be used by residential BMP owners to report their BMPs to the their locality. The Workshop was held in December 2015 at the HRPDC and staff advertised the event and tracked registrations. It was attended by nearly 20 local government and non-governmental organization staff.

ESC and Stormwater Management Training for Contractors was held at the HRPDC on February 10, 2016. Local government and DEQ representatives gave presentations covering common ESC violations and remedies, an overview of the laws and regulations, stormwater pollution prevention plans, and DEQ inspections. Nearly 90 participants attended the training, including 20 local government staff and 68 contractors.

The Chesapeake Stormwater Network (CSN) led the Tidewater Stormwater Forum on June 9, 2016, which was focused on the challenges of meeting stormwater requirements in the coastal plain. Local government representatives, CSN staff, academic researchers, consultants, and representatives from the Chesapeake Bay Program Office gave presentations covering new BMPs, BMP maintenance concerns, recent research, and the Bay TMDL. The Forum was held at the HRPDC and was attended by nearly 100 local stakeholders.

The IDDE Workshop was held on June 13, 2016 at the HRPDC. The Workshop was led by Mr. Dave Hirschman and Ms. Laurel Williamson from the Center for Watershed Protection (CWP) along with Ms. Lori Lilly of Environmental Solutions. The Workshop was funded through a National Fish and Wildlife Federation (NFWF) grant. It was geared towards program management and environmental field staff. It was attended by 55 local government staff, state representatives, and consultants from across the region. The providers are also working on two short training videos and a field manual as part of the grant.

The Stormwater Regional Workgroup also purchased a series of webcasts from the CWP to view throughout calendar year 2016. HRPDC hosted the webcasts so that one subscription could be shared.

LEGISLATIVE & REGULATORY MONITORING

This element of the program involves monitoring state and federal legislative and regulatory activities that may impact local stormwater management programs. Based on this monitoring, HRPDC staff develops briefing materials for use by the localities. As appropriate, HRPDC staff in cooperation with the Committee develops consensus positions for consideration by the Commission and local governments. The level of effort devoted to this element has increased significantly over the past six years. During 2015-2016, the regional emphasis was on streamlining the stormwater legislation and regulations, developing guidelines for the use of proprietary BMPs for stormwater regulation compliance, the federal National Pollutant Discharge Elimination System (NPDES) MS4 General Permit Remand Rule, the state nutrient trading regulations, and development of Virginia's Phase III Watershed Implementation Plan for the Chesapeake Bay TMDL. For each issue, HRPDC staff provided updates to the Regional Stormwater Workgroup or the Regional Environmental Committee, collected input, and submitted comments on behalf of the Region. If a stakeholder group was assembled for a particular issue, then the Region elected a representative to serve on behalf of the localities.

Streamlining Virginia Stormwater Laws

In FY 2015 and FY 2016, HRPDC served on the Stormwater Stakeholders Advisory Group (SAG). The SAG was charged with streamlining the Virginia stormwater laws (Stormwater Management Act, Erosion and Sediment Control Law, Chesapeake Bay Preservation Act, and the State Water Control Law). The new streamlining law, referred to as SB 673/HB 1250, passed the 2016 General Assembly session will go into effect on July 1, 2017.

Proprietary BMPs for Stormwater Compliance

The new post-construction water quality requirements require approval from DEQ for use of proprietary BMPs in Virginia. The Stormwater BMP Clearinghouse Committee was established in order to provide guidance to the DEQ on BMP listing criteria, Clearinghouse website content, and database design. Regional input was focused on defining the proposed role of the Clearinghouse in approving non-proprietary BMP pollutant removal efficiencies.

At the end of FY 2014, the DEQ issued interim guidance that describes a process for approving these proprietary BMPs and assigning pollutant removal credits: “Interim Use of Stormwater Manufactured Treatment Devices (MTDs) to Meet the New Virginia Stormwater Management Program (VSMP) Technical Criteria, Part IIB Water Quality Design Requirements.” In FY 2015, the Clearinghouse Committee focused on the approval process for MTDs and discussed how and when the guidance should be updated or replaced with regulations. HRPDC staff has been involved with a cooperative effort to request that DEQ add sizing criteria to the Guidance. In FY 2016, DEQ began the process of revising the guidance and updating the BMP Clearinghouse to include sizing for MTDs.

NPDES MS4 Permit Remand Rule

The EPA proposed changes to the regulations governing Phase II MS4 permits in response to a remand from the U.S. Court of Appeals that was published on January 6, 2016. The remand identified two deficiencies in the regulations: 1) the need for the permitting authority to establish what constitutes MEP and other enforceable requirements; and 2) the need for the public to have the opportunity to review and comment on MEP requirements. The EPA proposed three options: Option 1 is the “traditional permit approach” where all requirements are in the permit; Option 2 is the “procedural option” where permittees are required to submit an Notice of Intent that includes specific BMPs, which would be open for a second round of public comment; and Option 3 is the “State choice” which would enable each permitting authority to determine which approach is best suited for them.

The Hampton Roads Phase II Localities support Option 1, which most closely aligns with the way Virginia has issued MS4 general permits. Option 1 ensures that the Phase II MS4 permits across the state are consistent and flexible so that permittees can use new BMPs as they are approved by the Chesapeake Bay Program or added to the BMP Clearinghouse tool box.

Virginia Nutrient Trading Regulations

In 2012, the Virginia General Assembly passed legislation requiring the State Water Control Board to adopt regulations for the certification of nonpoint source nutrient credits. Nonpoint

credits include credits generated from agricultural and urban stormwater BMPs, management of animal feeding operations, land use conversion, stream or wetlands restoration, shellfish aquaculture, and other established or innovative methods of nutrient control or removal. Virginia's current trading program involves exchanges between point sources. This regulation is another step towards a successful trading program because it will make additional nonpoint source nutrient credits available for point source or nonpoint source trades. This expanded trading program is part of the overall goal of meeting the reductions assigned by the Chesapeake Bay Watershed Implementation Plan and the Chesapeake Bay TMDL.

The regulation will establish the process for the certification of nonpoint source nitrogen and phosphorus nutrient credits and assure the generation of the credits. The regulation includes application procedures, baseline requirements, credit calculation procedures, release and registration of credits, compliance and reporting requirements for nutrient credit-generating entities, enforcement requirements, application fees, and financial assurance requirements. Nonpoint source nutrient credits must be certified by the DEQ prior to release, placement on the registry and exchange.

From FY 2013 to FY 2016, HRPDC staff has served on the Regulatory Advisory Panel established to assist the DEQ in developing the certification regulations. The DEQ proposed the Regulations for public comment in the Virginia Registrar on December 29, 2014. The HRPDC submitted comments to the DEQ in March 2015 that: supported the definition of management area; requested that a public hearing be held for nutrient certification requests; asked for clarification of credits purchased within MS4s by private parties; and suggested revisions to ensure that the regulations are protective of local water quality.

In FY 2016, the DEQ reconvened the Regulatory Advisory Panel to discuss "Innovative Practices, Perpetual Nutrient Credits/Permanence, Stream Restoration/Mitigation Banking, and Term Nutrient Credits" based on the number of comments received during the public comment period. HRPDC staff continues to serve on the Regulatory Advisory Panel.

Virginia's Phase III Watershed Implementation Plan for the Chesapeake Bay TMDL

The EPA established the Chesapeake Bay TMDL on December 29, 2010 that included a Phase I Watershed Implementation Plan (WIP) developed by Virginia that outlined the statewide strategies that would be implemented by each source sector. In March 2012, Virginia submitted its final Phase II WIP to EPA that outlined the management actions that will be implemented by local governments. The HRPDC participated in both efforts on behalf of the local governments and submitted regional input for the Phase II WIP entitled, *Hampton Roads Regional Planning Framework, Scenario, and Strategies*.

Virginia will be required to develop a Phase III Watershed Implementation Plan by 2018 that will describe how Virginia will achieve the required nutrient and sediment reductions from 2017 through 2025. In FY 2015, Virginia began the development of this plan with the establishment of the Chesapeake Bay Stakeholder Advisory Group. HRPDC staff continues to participate in the Stakeholder Advisory Group and attended the meetings in September 2015 and May 2016. Meetings included reviewing the schedule for the Bay model and Phase III WIP,

assessments of progress toward Phase II milestones, availability of funding, and evolving data inputs like historic BMPs and land cover.

REGIONAL STUDIES

Water Quality Monitoring Study

In FY 2014, the HRPDC and the Phase I localities partnered with the USGS and the HRSD to create the Hampton Roads Regional Water Quality Monitoring Program (HRRWQMP). The purpose of the study is to characterize the sediment and nutrient loadings from the major urban land-uses in the Hampton Roads region. The data collected during the first three to five years will serve as a baseline for nutrient and sediment loads from the MS4s prior to implementation of BMPs to comply with the Chesapeake Bay TMDL. In addition these measured sediment and nutrient loads will be compared to the loading rates in the Chesapeake Bay Watershed Model and used to improve the accuracy of the model in the Coastal Plain. In FY 2015, the locations of the 12 stations (2 per Phase I locality) were selected. Seven stations were installed. In FY 2016, three additional stations were installed. A total of ten stations are currently collecting storm event samples, which are analyzed for nutrients and sediments. The active stations are also continuously monitoring for flow, turbidity, and conductivity. Additional information on the project objectives, site locations, and data collected can be viewed here: <http://va.water.usgs.gov/HRstormwater/index.html>.

The HRRWQMP was incorporated into the new Phase I MS4 permits. The list of monitoring stations, a summary of available data, and an interpretation of the data will be submitted with the Annual Reports beginning in 2017.

Stormwater Program Matrix

A comprehensive stormwater program matrix, including Phase I and Phase II communities, was developed in FY 2000 to address both utility and programmatic issues. HRPDC staff coordinates with local government stormwater program staff to update the information in the matrix annually.

Local TMDL and Implementation Plan Development

The state has developed a substantial number of TMDL Studies and TMDL Implementation Plans. This work follows the classification of the waters by the state as meeting or failing to meet water quality standards. Water bodies that fail to meet water quality standards are classified as “impaired,” triggering the requirement to prepare the TMDL study. HRPDC staff has coordinated regional involvement in the “impaired waters” listing and TMDL development process. This has entailed providing opportunities through the Regional Environmental Committee for education of local government staff on the TMDL process, response to the development of TMDLs themselves, and participation in the development of implementation plans.

To assist the region’s localities in addressing this requirement and ensuring that Implementation Plans are feasible, HRPDC staff is working with the DEQ through a cooperative

regional partnership to coordinate the TMDL study process with the localities and to develop the required Implementation Plans. In FY 2014, the HRPDC partnered with the DEQ, Hampton Roads localities, and the HRSD to develop a study plan to collect stormwater samples from the Elizabeth River watershed and analyze them for polychlorinated biphenyl (PCB) concentration in order to support the development of the Lower James and Elizabeth River PCB TMDL. Stations in Chesapeake, Norfolk, Portsmouth, and Virginia Beach were selected because they met the criteria for representative land uses and watersheds where PCBs could be monitored. In FY 2015, water samples were collected at these stations by the HRSD and sent to the DEQ selected laboratory for PCB analysis. The MS4 localities in Hampton Roads funded the data collection and the DEQ paid for the analysis. The PCB TMDL for the Lower James and Elizabeth River was expected to be developed in FY 2016; however, the DEQ experienced a number of staffing changes and other delays. It is expected sometime during FY 2017.

TECHNICAL ASSISTANCE

The HRPDC continues to serve as a clearinghouse for technical assistance to the localities, as well as a point of contact in arranging short-term assistance from one locality to another. The HRPDC Committee structure also provides a forum for state and federal regulatory agency staff to meet with the region's localities to discuss evolving stormwater management regulations and other emerging regulatory issues. In addition, HRPDC staff provides technical information and advice to all of the participating localities on a wide variety of issues upon request. In FY16, technical assistance to localities was focused on disseminating information related to implementation of and compliance with the Chesapeake Bay TMDL, providing training resources for locality stormwater staff, and evaluating the real world challenges of interpreting and implementing the local stormwater programs.

MEMORANDUM OF AGREEMENT

The Regional Stormwater Management Program was established in 1996 as a formal program of the Hampton Roads Planning District Commission with support and participation from the sixteen member local governments. An MOA was created that outlines the basic regulatory and programmatic premises for the cooperative program, incorporating the Regional Program Goals, described earlier in this report. The MOA establishes a division of program responsibilities among the HRPDC and the participating localities, addresses questions of legal liability for program implementation, and includes other general provisions. The MOA is reauthorized by the signatories every five years and was renewed in 2013.

PERMIT ADMINISTRATION AND REPORTING SYSTEM (PARS)

In an effort to streamline reporting and capture data more effectively for local governments, the permitted localities pooled resources to develop the Permit Administration and Reporting System, or PARS. The region contracted with URS Corporation to develop a web-based data tracking and reporting system. The system is being utilized by local governments to catalog development sites and their associated BMPs. The system also enables localities to capture

inspection information, catalog stormwater outfalls, document illicit discharge investigations and record public education information. Users can query a variety of reports to satisfy the reporting requirements of their stormwater permits. In FY 2016, the Regional Stormwater Workgroup agreed to retire PARS on June 30, 2016 for all users except Chesapeake, James City County, Norfolk, Suffolk, and Williamsburg as it no longer meets today's reporting and tracking needs. These five localities agreed to continue to support PARS through December 2016. Norfolk and Chesapeake are considering supporting the database through June 30, 2017 while alternative systems are under development in those localities.

RELATED PROGRAMS AND PROJECTS

In various combinations, the eleven MS4 communities, as well as their non-permitted counterpart communities, participate in a wide variety of related programs. These programs are noted here because of their relationship with stormwater management.

Chesapeake Bay Program Participation

The Chesapeake Bay Program (CBP) is a regional partnership that has led and directed the restoration of the Chesapeake Bay since 1983. CBP partners include federal and state agencies, local governments, non-profit organizations and academic institutions. Partners work together through the CBP's goal teams, workgroups and committees to collaborate, share information, and set goals. Since the development of the Chesapeake Bay TMDL in December 2010, the Hampton Roads Region has devoted considerable attention to the ongoing CBP. HRPDC and locality staff have participated in the deliberations of many CBP committees and work groups dealing with urban stormwater, land development, watershed planning, land use development, modeling and local government's role in the Bay Program. HRPDC staff has continued to follow the activities of the CBP primarily through participation in the Urban Stormwater Workgroup, the Land Use Workgroup, and the Water Quality Goal Implementation Team. In FY 2016, local government stormwater staff served on the street and storm drain cleaning, impervious disconnection, and shoreline management BMP panels that develop Bay Program efficiencies for new stormwater BMPs. HRPDC staff serves on the Climate Resiliency Workgroup, which was established to evaluate the impacts of climate change on the CBP's goals and activities. HRPDC staff also participates in the Local Area Targets Task Force, which was charged to make recommendations whether the Phase III WIPs should include local area targets and if so, options for how these targets could be expressed in different jurisdictions.

Chesapeake Bay Preservation Act Program

Fifteen of the seventeen member localities continue to implement programs in response to the Virginia Chesapeake Bay Preservation Act (CBPA). Stormwater management is one component of those programs. Although the CBPA is not formally part of the multi-state CBP, described above, it serves as one element of local government implementation actions to comply with their MS4 Permits and to meet the goals of the CBP.

Development of Statewide Land Cover Data

During the 2014 General Assembly, HRPDC staff worked to allocate funds from the Water Quality Improvement Fund (WQIF) for the development of statewide high-resolution land use/land cover data. In FY 2015, HRPDC staff coordinated with the DEQ, the VGIN, and the CBP to define the scope of work for this project, identify the necessary land cover types, and issue an RFP through VGIN to select a contractor. WorldView Solutions was selected as the service provider at the end of FY 2015. The entire Bay Area land cover data was released in FY 2016, and the rest of the state should be completed by the end of 2016. HRPDC staff has processed the data and developed land use reports by locality.

This data will be utilized by the CBP to improve the representation of land use in the Bay Watershed Model. This effort was initiated because localities identified the need for better land cover data as a high priority after reviewing Virginia's Chesapeake Bay Phase II WIP.

Historic BMP Data

In 2015, the DEQ requested historic BMP data for practices installed since 1985 and offered grant assistance to support the effort. Eleven Hampton Roads localities applied and received state funds to collect and submit the data. Some localities also submitted data without grant assistance. The DEQ collected the data, performed quality assurance, and submitted it to the EPA for inclusion in the Phase 6 Bay model.

In FY 2016, HRPDC staff requested a spreadsheet from the DEQ to determine which of the BMPs submitted by the localities were submitted to the EPA. There were significant discrepancies. HRPDC staff met with Mr. James Davis-Martin and Mr. Bill Keeling of the DEQ to better understand the process for evaluating the BMPs and the reasons why so many were omitted. Mr. Keeling listed several reasons why BMPs were not submitted: data quality errors, such as inspection dates that predate installation dates; improperly formatted latitude/longitude coordinates; impervious acres that were greater than the total acres; wet ponds with drainage areas greater than 100 acres that were suspected to be reservoirs; and manufactured treatment devices that were submitted with their brand name.

After the meeting, Mr. Keeling agreed to provide each locality a color-coded spreadsheet to indicate which BMPs were not submitted to the EPA so that the locality could make corrections or provide additional explanation on those entries. As a result of this coordination, the difference in what the Hampton Roads localities submitted and what the DEQ submits to the EPA should be minimized.

CONCLUSION

Through the Hampton Roads Planning District Commission, the seventeen localities of Hampton Roads have established a comprehensive Regional Stormwater Management Program. This program provides technical assistance, coordination, comprehensive technical studies and policy analyses and stormwater education. The Regional Stormwater Management Program enables the region's localities to participate actively and effectively in state and

federal regulatory matters. It has enhanced the ability of the eleven localities with VPDES Permits for their Municipal Separate Storm Sewer Systems to comply with permit requirements.

The Regional Stormwater Management Program provides a mechanism through which the strengths of the seventeen local stormwater programs can be mutually supportive. It allows for cost-effective compliance with permit requirements, resolution of citizen concerns with stormwater drainage and water quality matters, promotes regional consistency, and achievement of improved environmental quality throughout the Hampton Roads Region.