

Chesapeake Bay Local Assistance Board  
Local Program Review Committee for the Southern Area  
Chesapeake Bay Local Assistance Department  
101 N. 14<sup>th</sup> Street, 17<sup>th</sup> Floor, James Monroe Building  
Richmond, Virginia  
Tuesday, February 18, 2003

MINUTES

Members Present:

The Honorable Colin D. Cowling  
The Honorable Daniel B. Nice  
The Honorable Sue H. Fitz-Hugh  
The Honorable David C. Froggatt, Jr.

Members Absent:

The Honorable Anna Lee Bamforth

Staff Present:

Mr. C. Scott Crafton, Acting Executive Director  
Ms. Martha Little, Chief of Environmental Planning  
Ms. Shawn Smith, Principal Environmental Planner  
Ms. Robbie Rhur, Senior Environmental Planner

Local Government Officials Present:

Mr. Nice presided over the meeting, calling the Southern Area Review Committee Meeting to order at 1:00 p.m. He welcomed guests, called the role and noted that there was a quorum.

Mr. Nice noted that there were no Phase I Local Program Reviews, and asked Ms. Robbie Rhur to present Chesterfield County's Phase II Comprehensive Plan Final report.

Ms. Rhur advised that Ms. Joan Salvati had planned to attend the meeting. However, due to the weather and another meeting, she was unable to be present.

Ms. Rhur provided the members with a brief history of the County's program, noting that Chesterfield County first adopted "The Plan for Chesterfield" between 1983 and 1987 and updates to the Plan were adopted in early 2000. She said that at that time, Department and County staff discussed the limitations of this new Plan. Because the Plan lacked comprehensive information on water quality policy issues, the Chesapeake Bay Local Assistance Board found

the County's Phase II program consistent with eight conditions on September 18, 2000. She noted that a compliance deadline was established of June 30, 2001 to satisfy the conditions.

Ms. Rhur noted that on August 14, 2001, Chesterfield County requested a six-month extension of the compliance deadline, to December 31, 2001. The Southern Area Review Committee reviewed the County's reasons for the request and, after a brief discussion about the County's workload, recommended that the deadline be extended to June 30, 2002. The Board granted the one-year extension on September 17, 2001.

Ms. Rhur said that the County's staff drafted language that addressed the eight conditions and worked closely with CBLAD staff to evaluate the progress and direction of the update. She went on to say that due to the need to present the new language to several stakeholders within the County, Chesterfield missed the Board's deadline of June 30, 2002. She said that on August 13, 2002, Department staff presented a draft staff report to SARC with a recommendation that they find the County's Phase II program inconsistent. She said that SARC deferred action to the September 16, 2002 Board meeting, and then at the September meeting, after hearing a presentation from County staff saying that they expected to adopt the plan November of 2002, the Board deferred action on the County's Phase II program.

Ms. Rhur went on to note that County staff met with the development community to address their concerns and, in late August 2002, the Planning Commission voted to adopt the revised plan. Then on November 13, 2002 the Board of Supervisors adopted the revised plan. CBLAD staff has reviewed the plan's new revisions, and the staff report is based on the newly adopted Plan.

Ms. Rhur provided a brief analysis of the County's Plan. She explained that the County expanded the discussion of all physical constraints; focusing on how these physical constraints, if not properly managed during the development process, can negatively impact water quality. While most of the physical constraint maps have been generated and included in the plan, maps for steep slopes and the soil layers are currently being generated by the County's GIS department and will be included in the plan when they are complete.

She said that there is significant discussion of streambank erosion that outlines problems the County faces in older sections where extreme streambank erosion exists due to highly impermeable cover in the watershed. She said the County developed a stream monitoring program that is allowing County staff to assess water quality and stream characteristics. She also said the program is being used to help guide the County in their development decisions and determine how they develop a given watershed.

She added that their stream-monitoring program was created to help document existing points of river access, and staff suggest that when this aspect of the program is complete, points of river access should be mapped and the map be include in the Plan.

She also said that many policies have been added to the Plan that promote water quality protection. Examples of these policies are: (1) partner with the development community to create opportunities to use low impact design techniques; (2) limit the amount of land cleared,

grubbed and graded during large construction projects, thereby reducing the amount of erosion leaving the site during storm events; (3) promote the use of alternative BMPs and the use of retrofits for older BMPs that predate the Chesapeake Bay Act; (4) establish a review criteria whereby environmental constraints are considered as part of the technical analysis conducted prior to the development or revision to existing area plans; and (5) develop a program to further promote the preservation of naturally vegetated riparian corridors, including wetlands and intermittent streams.

Ms. Rhur concluded her presentation noting that the revisions made to Chesterfield County's Water Quality Protection Plan examined the relationship between land use and water quality to a satisfactory degree, and that based on the review of the revisions made to *the Plan*, staff believe the eight conditions set forth by the Chesapeake Bay Local Assistance Board on September 18, 2000 have been met. She said that staff believe the Chesterfield County's comprehensive plan should be found consistent with the Act and Regulations.

Mr. Nice thanked Ms. Rhur and asked if there were any questions. Mr. Nice then asked where the County is currently in their effort to map out the streams, and if this has actually begun.

Ms. Rhur responded that the County is currently looking at the health of the streams. She said they are looking at five major watersheds in the County that are developed to various degrees, and they are looking at characteristics by doing invertebrate sampling, noting streambank erosion issues and sediment loading. She also said that she had been on site and done some of the sampling with them. She also said the County is not going to literally map the streams.

Mr. Nice asked whether the concept of doing regional comprehensive Stormwater planning is being considered by other localities than Chesterfield and Henrico.

Mr. Crafton said that staff is encouraging local governments to understand that it is to their benefit to develop comprehensive Stormwater plans and policies and informing them which localities have already done this so that they can be in touch with these localities to see how it was done. He said the problem is that CBLAD no longer has a Stormwater engineer on staff, and doing those kinds of studies is fairly expensive and the agency does not have grants to give to the localities to offset this cost. He said that those who had been interested in moving in that direction have slowed down, waiting to see if they could find money.

Ms. Rhur noted that Ashland did have a meeting with staff on Friday and because they are highly impervious, they have a lot of challenges, and they are looking at both Chesterfield and Henrico's Stormwater programs to help guide them.

Mr. Crafton asked Ms. Rhur if she felt that the direction would be taken locality by locality, otherwise customized to that locality. Ms. Rhur agreed.

Mr. Nice called for a motion.

On a motion by Mr. Cowling, seconded by Mr. Froggatt, the Committee voted to approve the following:

**The Southern Area Review Committee recommends to the Chesapeake Bay Local Assistance Board that Chesterfield County's comprehensive plan adopted on November 13, 2002 be found consistent with §10.1-2109 of the Act and §9VAC10-20-60.3 of the Regulations.**

Mr. Nice called for Other Business. There was none.

Mr. Nice advised that the meeting was adjourned.