

**Chesapeake Bay Local Assistance Board
September 14, 2009
Stafford County Government Center
Stafford, Virginia**

Chesapeake Bay Local Assistance Board Members Present

Donald W. Davis, Chairman	William E. Duncanson, Vice Chairman
Gregory C. Evans	Barry L. Marten
Rebecca Reed	Richard B. Taylor
Charles B. Whitehurst	John J. Zeugner

Chesapeake Bay Local Assistance Board Members Not Present

Beverly D. Harper

DCR Staff Present

Joseph H. Maroon, Director
Russell W. Baxter, Deputy Director
Joan Salvati, Director, Division of Chesapeake Bay Local Assistance
David Sacks, Assistant Director, Division of Chesapeake Bay Local Assistance
Michael R. Fletcher, Board and Constituent Services Liaison
Shawn Smith, Principal Environmental Planner
Melissa Doss, Senior Environmental Planner
Adrienne Kotula, Principal Environmental Planner
Elizabeth Andrews, Office of the Attorney General

Call to Order

Chairman Davis called the meeting to order and asked for the calling of the roll. A quorum was declared present.

Consideration of Minutes

MOTION: Mr. Evans moved that the minutes of the June 15, 2009 Board Meeting and the June 15, 2009 Policy Committee Meeting be approved as submitted by staff.

SECOND: Ms. Reed

DISCUSSION: None

VOTE: Motion carried unanimously

Mr. Davis called on Mr. Duncanson for the purpose of a motion.

Mr. Duncanson moved the following:

Mr. Chairman, I move that the Chesapeake Bay Local Assistance Board convene a closed meeting pursuant to §2.2-3711 (A) (7) of the Code of Virginia for the purpose of consultation with legal counsel regarding specific legal matters requiring the provision of legal advice, namely the lawsuit filed by Chesterfield County against CBLAB.

This closed meeting will be attended only by members of the Board. However, pursuant to §2.2-3712(F) of the Code, the Board requests counsel, the Director of the Department of Conservation and Recreation (DCR), the Deputy Director of DCR, the Director of the Division of Chesapeake Bay Local Assistance, the Assistant Director of Chesapeake Bay Local Assistance and Ms. Adrienne Kotula, Principal Planner, to attend because it believes that their presence will reasonably aid the Board in its consideration of the topic that is the subject of this closed meeting.

SECOND: Mr. Evans

DISCUSSION: None

VOTE: Motion carried unanimously

Mr. Davis called upon Mr. Duncanson for the purpose of a motion.

Mr. Duncanson moved the following:

WHEREAS, the Chesapeake Bay Local Assistance Board has convened a closed meeting on September 14, 2009 pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, § 2.2-3712(D) of the Code requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, the Chesapeake Bay Local Assistance Board hereby certifies that, to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification applies, and only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

SECOND: Mr. Taylor

DISCUSSION: None

ROLL CALL VOTE: Aye – Davis, Duncanson, Reed, Evans, Zeugner, Taylor, Martin
Whitehurst

No – none

Not voting/not present - Harper

Director's Report

Mr. Baxter gave the Director's report.

Mr. Baxter said that recent news reports had addressed increased federal involvement in the Chesapeake Bay Program. He said that President Obama issued an Executive Order in May. One of the first responsibilities of that was for federal agencies to put together a series of reports that were released last Thursday.

Mr. Baxter said that two of the reports were of particular interest. He said that the reports were on the Chesapeake Bay program website; <http://www.chesapeakebay.net> to get copies of the reports.

He said the reports were titled based on their particular section of the Executive Order. The first was the 202A report. He said that the first was more about the general water quality and some of the actions the federal government will be taking regarding the Bay TMDL.

He said that the federal government was considering sanctions to states that do not properly prepare and implement TMDLs. In addition they were discussing a reasonable assurance standard which was the standard that what is included in the TMDL implementation plan will actually be implemented.

Mr. Baxter said that the full impact will not be known until the Bay TMDL is issued, which is scheduled to be in December 2010. He said the assumption was that there would be very specific load allocations given to the various point sources, including the MS4 permits.

Mr. Baxter said that the 202B report specifically dealt with agricultural BMPs. There was a series of recommendations for better accounting for agricultural BMPs, improving technology. This dealt most specifically with manure issues and land application of manure.

Mr. Baxter said that taken together both reports addressed the non point source issues addressing the Bay.

Mr. Baxter said that there could be some fairly serious sanctions for the states charged with implementing the Bay TMDL if requirements are not met. He said the official public comment period would start in November. That would include the reports and the implementation plans available for public comment.

Mr. Baxter said that this may be the most aggressive the federal government has ever been with regard to the Bay. He said that it would certainly affect DCR, including MS4 permits and the Board.

Mr. Marten asked how this would fit in with the proposed stormwater regulations.

Mr. Baxter said that the way TMDLs had traditionally been done in terms of implementation plans is that people that have permits are the ones given wasteload allocations. He said that the stormwater regulations were being built on standards that are protective of the Bay.

Mr. Davis asked for an update with regard to the stormwater regulations.

Mr. Maroon said that the public comment period had ended. He said that DCR had engaged in what had been termed the most open and inclusive process for the last four years working on stormwater. He said that the public comment period ended on August 21st. DCR had received over 3,400 comments.

Mr. Maroon said that DCR had called together a group of twenty or so key stakeholders in two meetings in an attempt to address additional concerns. He said that the Soil and Water Conservation Board would be briefed at their September 17, 2009 meeting on the recommended changes. This would be a briefing from the staff and would also allow for public comment.

Mr. Maroon said that if the regulations move forward they would go to the Board for a final vote on October 5, 2009. Following that vote they would go to the Governor and to EPA for review. He said that the hope was that by the end of the calendar year, DCR would have received final approval from both the Governor and the EPA.

Mr. Maroon said that if that approval is received and there are no changes directed by the General Assembly, the regulations would go into effect on July 1, 2010. He said that at that point localities would have up to eighteen months to implement their programs.

Mr. Maroon said that at some point the staff could provide a more in depth review.

Mr. Baxter noted that any locality subject to the Chesapeake Bay Preservation Act would be required to have a local stormwater program. If a locality opts not to have a program, DCR would run the program.

Ms. Salvati noted that for the Bay Act localities a structure was already in place to address stormwater requirements as this has been required by the Bay Act regulations for twenty years.

Mr. Davis asked Mr. Maroon to continue to keep the Board updated on the Stormwater Regulations. Mr. Maroon indicated he would follow up.

Mr. Maroon said that Board members were invited to the event at Crow's Nest Natural Area Preserve that afternoon. He said that this was a dedication of Phase II which is an acquisition of an additional 3,000 acres for the property.

At this point Mr. Maroon left the meeting.

Mr. Baxter noted that on September 8 Governor Kaine had announced the budget reductions he was proposing. He said that DCR was absorbing approximately a \$4.5 million cut in general funds.

Mrs. Salvati indicated that she had asked David Sacks to compile and report on information regarding annual performance indicators including local compliance status, services provided to local governments and the results of the 2009 Annual Implementation report. Mrs. Salvati noted that significant progress has been made in ensuring local compliance with the Bay Act regulations. Mr. Sacks proceeded with this report.

Annual Performance Indicators

Mr. Sacks reviewed the Annual Performance Indicators.

As of June 15, 2009:

Localities Found Compliant: 68

Localities Found Noncompliant: 1

Localities Addressing Compliance Conditions: 14

Expected Status as of September, 2009:

Localities Phase I Consistent: 84

Phase II Consistent: 84

Compliance Reviews Completed: 83

Localities Compliant: 72

Localities Noncompliant: 1

Localities Addressing Compliance Conditions: 10

Compliance Reviews in Progress: 1

Local Program Compliance Evaluation

Mr. Sacks gave a review of the 2008-2008 Compliance Evaluations

- Localities Determined Compliant prior to FY 2008: **48**
- Determined Compliant during FY 2008: **20**
- Determined “Noncompliant”: **1**
- Determined by Board to “not fully comply” and given conditions necessary for full compliance: **11**

Next, Mr. Sacks reported that 71 of the 84 localities now had fully compliant septic pump out programs and that 78 of the 84 were compliant with the BMP maintenance provisions of the Regulations.

Mr. Sacks next reported on the initial results of the Annual Implementation Report Surveys for 2009. He stated that 53 local governments were required to submit reports, because they have been fully compliant for a minimum of nine months. Four other localities voluntarily submitted reports, for a total of 57 reports. In response to questions regarding the local septic tank programs, the reports indicate that for the '08-'09 fiscal year, a total of 18,461 septic systems were pumped, inspected or had a plastic filter installed by the reporting localities. The cumulative total for systems pumped is 91,511 as of June 2009.

Mr. Sacks stated that the reports also indicated that 30 local governments reported that 787 water quality BMPs were installed treating a total of 7,255 acres. The totals for the 2008 and 2009 annual reports combined showed that there was a total of 1381 new water quality BMPs treating 17,853 acres.

At the conclusion of Mr. Sacks' report, Mr. Whitehurst indicated that this was very good information and that it should be shared with the Virginia Association of Counties and the Virginia Municipal League. Mrs. Salvati indicated that she would follow up.

Mr. Baxter commented that this information was very useful in demonstrating local progress toward compliance with the Bay Act.

Compliance Evaluations

City of Norfolk

Ms. Smith gave the report for the City of Norfolk.

The City's original compliance evaluation was undertaken in December 2007 and the Board established December 31, 2008 as the deadline for addressing 3 conditions. On March 31, 2009, the Board found that the city had addressed 2 of the 3 conditions, and set June 30, 2009 as the final deadline. The remaining condition required the City to provide documentation that the citywide stormwater management program achieves the 10 percent reduction for redevelopment within its IDA.

In June, the City provided documentation to show that their citywide stormwater program results in sufficient pollutant removal to accommodate the pollutant loads generated by typical residential development activities in their IDA. The required reductions are achieved by the excess removal capacity of larger, regional BMPs. Based on the documentation provided, staff opinion is that the City has addressed the condition and recommends that the Board find the City's implementation of its Phase I program be found compliant.

MOTION: Mr. Duncanson moved that the Chesapeake Bay Local Assistance Board find the implementation of the City of Norfolk's Phase I program to be in compliance with §§ 10.1-2109 and 2111 of the Act and §§ 9 VAC 10-20-231 and 250 of the Regulations.\

SECOND: Mr. Evans

DISCUSSION: None

VOTE: Motion carried unanimously

CHESAPEAKE BAY LOCAL ASSISTANCE BOARD
September 14, 2009

RESOLUTION

LOCAL PROGRAM COMPLIANCE EVALUATION
CITY OF NORFOLK

Local Compliance Evaluation - Compliant

WHEREAS § 10.1-2103 of the Chesapeake Bay Preservation Act states that the Chesapeake Bay Local Assistance Board shall take administrative and legal steps to ensure compliance by counties, cities and towns with the provisions of the Chesapeake Bay Preservation Act, including the proper enforcement and implementation of, and continual compliance with the Act; and

WHEREAS § 9 VAC 10-20-250 1 b of the Regulations required the Board to develop a compliance evaluation process for evaluating local Bay Act compliance; and

WHEREAS the Chesapeake Bay Local Assistance Board adopted a compliance evaluation process on September 16, 2002 for the purposes of reviewing local Bay Act compliance; and

WHEREAS on March 23, 2009, the Chesapeake Bay Local Assistance Board found that implementation of a certain aspect of the City of Norfolk's Phase I program

did not fully comply with the Act and Regulations and further that the City address the recommended condition in the staff report no later than June 30, 2009; and

WHEREAS in June 2009, the City provided staff with information relating to the City's actions to address the recommended condition which was evaluated in a staff report; and

WHEREAS on August 4, 2009 the Local Program Review Committee for the Southern Area considered and evaluated the information contained in the compliance evaluation staff report and concurred with the staff recommendation as outlined in the staff report; and,

WHEREAS after considering and evaluating the information presented on this date, the Board agrees with the recommendation in the staff report and of the Review Committee; now,

THEREFORE BE IT RESOLVED that the Chesapeake Bay Local Assistance Board finds the implementation of the City of Norfolk's Phase I program to be in compliance with §§ 10.1-2109 and 2111 of the Act and §§ 9 VAC 10-20-231 and 250 of the Regulations.

The Director of the Department of Conservation and Recreation certifies that this resolution was adopted in open session on September 14, 2009 by the Chesapeake Bay Local Assistance Board.

Joseph H. Maroon
Director
Department of Conservation and Recreation

City of Suffolk

Ms. Smith gave the report for the City of Suffolk.

The City of Suffolk's compliance evaluation was undertaken by the Board on June 18, 2008. The Board found the City's implementation of its Phase I program to not fully comply, set out 2 conditions for compliance along with a deadline of June 30, 2009. The two conditions were to:

Develop and implement a septic pump-out program. The City did this by developing a program that divides the city into 5 zones, with notices to be sent out by July 1 of each year. In addition, the City Council adopted an amendment that allows for the use of the plastic filter as an alternative to pumping.

And, to require a WQIA for any land disturbance, development or redevelopment within the RPA, specifically for wetlands projects. The City began addressing this condition as the compliance evaluation was underway and now requires WQIAs as part of their wetland project review package.

Ms. Smith said that it is staff's opinion that the City has addressed the 2 compliance conditions, and that staff recommends that the Board find that the implementation of the City's Phase I program be found compliant.

MOTION: Mr. Zeugner moved that the Chesapeake Bay Local Assistance Board find the implementation of the City of Suffolk's Phase I program to be in compliance with §§ 10.1-2109 and 2111 of the Act and §§ 9 VAC 10-20-231 and 250 of the Regulations.

SECOND: Mr. Whitehurst

DISCUSSION: None

VOTE: Motion carried unanimously

CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

September 14, 2009

RESOLUTION

LOCAL PROGRAM COMPLIANCE EVALUATION

CITY OF SUFFOLK

Local Compliance Evaluation - Compliant

WHEREAS § 10.1-2103 of the Chesapeake Bay Preservation Act states that the Chesapeake Bay Local Assistance Board shall take administrative and legal steps to ensure compliance by counties, cities and towns with the provisions of the Chesapeake Bay Preservation Act, including the proper enforcement and implementation of, and continual compliance with the Act; and

WHEREAS § 9 VAC 10-20-250 1 b of the Regulations required the Board to develop a compliance evaluation process for evaluating local Bay Act compliance; and

WHEREAS the Chesapeake Bay Local Assistance Board adopted a compliance evaluation process on September 16, 2002 for the purposes of reviewing local Bay Act compliance; and

WHEREAS on June 18, 2008, the Chesapeake Bay Local Assistance Board found that implementation of certain aspects of the City of Suffolk's Phase I program did not

fully comply with the Act and Regulations and further that the City address the two recommended conditions in the staff report no later than June 30, 2009; and

WHEREAS in June 2009, the City provided staff with information relating to the City's actions to address the two recommended conditions which was evaluated in a staff report; and

WHEREAS on August 4, 2009 the Local Program Review Committee for the Southern Area considered and evaluated the information contained in the compliance evaluation staff report and concurred with the staff recommendation as outlined in the staff report; and,

WHEREAS after considering and evaluating the information presented on this date, the Board agrees with the recommendation in the staff report and of the Review Committee; now,

THEREFORE BE IT RESOLVED that the Chesapeake Bay Local Assistance Board finds the implementation of the City of Suffolk's Phase I program to be in compliance with §§ 10.1-2109 and 2111 of the Act and §§ 9 VAC 10-20-231 and 250 of the Regulations.

The Director of the Department of Conservation and Recreation certifies that this resolution was adopted in open session on September 14, 2009 by the Chesapeake Bay Local Assistance Board.

Joseph H. Maroon
Director
Department of Conservation and Recreation

City of Colonial Heights

Ms. Doss presented the report for the City of Colonial Heights

On June 16, 2008, the Board found that Colonial Heights' implementation of its Phase I program did not fully comply with the Act and Regulations, and established a deadline of June 30, 2009 for the City to address two conditions.

The first condition was development and implementation of a septic pump-out program. The City provided CBLA staff with the information used to notify property owners with septic tanks within the Chesapeake Bay Preservation Area regarding the requirement to pump out and maintain their septic tank. The notifications were mailed on July 27, 2009. Provided this information, Ms. Doss said that it was evident the City had implemented a

pump-out program consistent with State guidelines. She said that it was staff's opinion that this condition has been addressed.

The second condition was the development of a program to ensure regular maintenance and tracking of all Best Management Practices (BMPs). City staff inventoried all the BMPs within its jurisdiction and implemented a process by which inspections of all said BMPs would be ensured. A database supporting this information was received by the Department. Based on these actions and the staff's review of the documentation provided by the City, Ms. Doss said that staff's opinion was that the City had adequately addressed this condition and the recommendation was that Colonial Heights be found to comply with the Act and Regulations

MOTION: Ms. Reed moved that the Chesapeake Bay Local Assistance Board find the implementation of the City of Colonial Heights' Phase I program to be in compliance with §§ 10.1-2109 and 2111 of the Act and §§ 9 VAC 10-20-231 and 250 of the Regulations.

SECOND: Mr. Zeugner

DISCUSSION: None

VOTE: Motion carried unanimously

**CHESAPEAKE BAY LOCAL ASSISTANCE BOARD
September 14, 2009**

RESOLUTION

**LOCAL PROGRAM COMPLIANCE EVALUATION
CITY OF COLONIAL HEIGHTS**

Local Compliance Evaluation - Compliant

WHEREAS § 10.1-2103 of the Chesapeake Bay Preservation Act states that the Chesapeake Bay Local Assistance Board shall take administrative and legal steps to ensure compliance by counties, cities and towns with the provisions of the Chesapeake Bay Preservation Act, including the proper enforcement and implementation of, and continual compliance with the Act; and

WHEREAS § 9 VAC 10-20-250 1 b of the Regulations required the Board to develop a compliance evaluation process for evaluating local Bay Act compliance; and

WHEREAS the Chesapeake Bay Local Assistance Board adopted a compliance evaluation process on September 16, 2002 for the purposes of reviewing local Bay Act compliance; and

WHEREAS on June 16, 2008, the Chesapeake Bay Local Assistance Board found that implementation of certain aspects of the City of Colonial Heights' Phase I program did not fully comply with the Act and Regulations and further that the City address the two recommended conditions contained in the staff report no later than June 30, 2009; and

WHEREAS in the Spring of 2009, City provided staff with information relating to the City's actions to address the two recommended conditions which were evaluated in a staff report; and

WHEREAS after considering and evaluating the information presented on this date, the Board agrees with the recommendation in the staff report; now,

THEREFORE BE IT RESOLVED that the Chesapeake Bay Local Assistance Board finds the implementation of the City of Colonial Heights' Phase I program to be in compliance with §§ 10.1-2109 and 2111 of the Act and §§ 9 VAC 10-20-231 and 250 of the Regulations.

The Director of the Department of Conservation and Recreation certifies that this resolution was adopted in open session on September 14, 2009 by the Chesapeake Bay Local Assistance Board.

Joseph H. Maroon
Director
Department of Conservation and Recreation

Town of Port Royal

Ms. Kotula gave the report for the Town of Port Royal.

On June 16, 2008 the Board found that Port Royal had not properly implemented a septic pump-out program as required and gave the town a deadline of June 30, 2009 to address one condition.

On June 1, 2009 the Town of Port Royal began their septic pump-out program by sending out notices to all properties owners within the Town's Resource Protection Areas. The Town provided a copy of this notice to the Department and accordingly, it was staff's opinion that this condition has been addressed.

Ms. Kotula said that staff recommended that the Town of Port Royal be found compliant.

MOTION: Mr. Marten moved that the Chesapeake Bay Local Assistance Board find the implementation of the Town of Port Royal's Phase I program to be in compliance with §§ 10.1-2109 and 2111 of the Act and §§ 9 VAC 10-20-231 and 250 of the Regulations.

SECOND: Mr. Whitehurst

DISCUSSION: None

VOTE: Motion carried unanimously

**CHESAPEAKE BAY LOCAL ASSISTANCE BOARD
September 14, 2009**

RESOLUTION

**LOCAL PROGRAM COMPLIANCE EVALUATION
TOWN OF PORT ROYAL**

Local Compliance Evaluation - Compliant

WHEREAS § 10.1-2103 of the Chesapeake Bay Preservation Act states that the Chesapeake Bay Local Assistance Board shall take administrative and legal steps to ensure compliance by counties, cities and towns with the provisions of the Chesapeake Bay Preservation Act, including the proper enforcement and implementation of, and continual compliance with the Act; and

WHEREAS § 9 VAC 10-20-250 1 b of the Regulations required the Board to develop a compliance evaluation process for evaluating local Bay Act compliance; and

WHEREAS the Chesapeake Bay Local Assistance Board adopted a compliance evaluation process on September 16, 2002 for the purposes of reviewing local Bay Act compliance; and

WHEREAS on June 16, 2008, the Chesapeake Bay Local Assistance Board found that implementation of a certain aspect of the Town of Port Royal's Phase I program did not fully comply with the Act and Regulations and further that the Town undertake and complete the recommended condition contained in the staff report no later than June 30, 2009; and

WHEREAS in the Spring of 2009, the Town provided staff with information relating to the Town's actions to address the one condition which was evaluated in a staff report; and

WHEREAS after considering and evaluating the information presented on this date, the Board agrees with the recommendation in the staff report; now,

THEREFORE BE IT RESOLVED that the Chesapeake Bay Local Assistance Board finds the implementation of the Town of Port Royal's Phase I program to be in compliance with §§ 10.1-2109 and 2111 of the Act and §§ 9 VAC 10-20-231 and 250 of the Regulations.

The Director of the Department of Conservation and Recreation certifies that this resolution was adopted in open session on September 14, 2009 by the Chesapeake Bay Local Assistance Board.

Joseph H. Maroon
Director
Department of Conservation and Recreation

DCR Phase III Review Approach

Mr. Sacks reviewed the approach to the Phase III Review.

Advisory Reviews of Local Ordinances using the *Checklist for Advisory Review of Local Ordinances* and the *Plan and Plat Consistency Review Checklist*. Results of the review will be summarized in a report to the locality.

Localities will be encouraged to adopt ordinance amendments as needed to incorporate plan and plat requirements and to add ordinance provisions to assist in implementing the three performance criteria.

CBLA Staff will provide assistance with ordinance provisions as needed.

CBLA compliance evaluations of local Bay Act programs will include an enhanced review of performance criteria implementation to gauge adequacy of ordinance standards.

- Initial notification of this approach was provided to all 84 localities in July 2009
- Six localities' review to initiate September 2009
- Reviews are expected to occur over a 12-week period
- Reviews will address:
 - Plan and plat requirement (using approved checklist)
 - Ordinance standards for general three general performance criteria (using approved checklist)
 - Ordinance conflicts
- Checklists have been provided to local governments and posted on the DCR website

- Discussions are currently underway with all localities regarding advisory reviews and compliance evaluations

Local Program Compliance Evaluations

Mr. Sacks reviewed the process for local program compliance evaluations.

- An evaluation of the **implementation** of the locality's Bay Act program
- Occur approximately every five years
- Formal Review by the Chesapeake Bay Local Assistance Board
- Review is based on requirements in the Regulations
- Staff is evaluating new or enhanced components

As of September 2009, 83 of 84 localities have completed a review; 72 localities will have been found fully compliant.

Local Program Compliance Evaluation Review Elements

- Adequate Implementation of the 11 land use and development performance criteria:
 1. Minimize land disturbance
 2. Preserve indigenous vegetation
 3. BMP maintenance
 4. Plan of Development review process
 5. Minimize impervious cover
 6. E & S for development > 2,500 sq. ft.
 7. Septic pump-out
 8. Stormwater management
 9. Agricultural conservation assessments
 10. Silviculture exemption
 11. Wetlands permits
- Use and application of local CBPA map
- Appropriate application of allowed exceptions
- Record of enforcement of violations
- Appropriate documentation for all types of development approved in RPA, RMA, and IDA (WQIA, stormwater calculations, etc.)

All review elements are based on specific requirements in the Regulations.

What's New:

Review for the implementation of Phase III program requirements, to include:

- A review of ordinances for plan and plat requirements

- A review of approved development plans and files with a stronger focus on the implementation of the three general performance criteria (minimize impervious cover, preserve indigenous vegetation, minimize land disturbance)

Where the combination of ordinances and approved plans do not address the Phase III requirements, the Board may be asked to impose compliance conditions

New or Enhanced Review Items Under Consideration

- Verification that local Comprehensive Plan is still compliant
- Requirement for Agricultural Assessments
- Agricultural Buffer Encroachments - review of local approval and enforcement
- Comprehensive Plan Implementation - review of compliance with Phase II provisions

Compliance Evaluation and Phase III Expected Schedule

June 15, 2009: CBLAB authorized proceeding with Phase III Advisory Code and Ordinance Reviews and use of compliance evaluation to formally review for consistency

September 2009: Begin advisory review of ordinances for all 84 localities

Sept - Oct 2009: Information sessions with locality staff

Nov 3, 2009: Policy Committee work session on Compliance Evaluation program and potential revisions

Dec 14, 2009 CBLAB Review/Discussion of Compliance Evaluation program (possible action)

March 2010 First compliance evaluation under revised program

March 2011 Complete Advisory Reviews

Ongoing: Local government outreach and technical assistance

Election of Officers

Mr. Davis turned to Mr. Baxter for the purpose of the election of officers.

Mr. Taylor nominated Mr. Davis to serve as Chair and Mr. Duncanson seconded. The nominations were closed and Mr. Davis was reelected unanimously.

Mr. Baxter turned the meeting back to Mr. Davis.

Mr. Marten nominated Mr. Duncanson to serve as Vice Chair and Mr. Whitehurst seconded. The nominations were closed and Mr. Duncanson was reelected unanimously.

Public Comment

There was no public comment.

Next Meeting

Mr. Davis noted that the Northern Area Review Committee and Southern Area Review Committee would meet on November 3, 2009. He suggested that a Policy Committee meeting be scheduled for the same day.

Adjourn

There was no further business and the meeting was adjourned.

Respectfully submitted,

Donald W. Davis
Chair

Joseph H. Maroon
Director