

**Planning and Coordination Council Quarterly Meeting
February 16, 2012; 2:00 p.m.
Room 241, Albemarle County Office Building at McIntire Road**

Council Members in Attendance: Tom Foley, Satyendra Huja, Maurice Jones, Ann Mallek, Michael Strine, Kristin Szakos,

Also in Attendance: Bryan Elliott, Bill Letteri, Mark Graham, Wayne Cilimberg, Steve Williams, Crystal, Riddervold, Jeff Sitler, George Shadman, David Neuman.

1. Call to Order/Election of Officers – Tom Foley

Tom Foley, County Executive for Albemarle County, called the meeting to order at 2:02 p.m.

Michael Strine, University of Virginia, nominated Ann Mallek as Chair for calendar year 2012; seconded by Maurice Jones. The motion was carried by a voice call vote of 6-0. Mr. Strine nominated Dennis Rooker as Vice-Chair for calendar year 2012; seconded by Maurice Jones. The motion was carried by a voice call vote of 6-0.

2. Approval of November 17, 2011 Meeting Minutes

Michael Strine moved approval of the November 27, 2011 minutes as written; Ann Mallek seconded. The motion was carried by a voice call vote of 6-0.

3. Three Party Agreement Map & Clarifications

Wayne Cilimberg, Director of Planning for Albemarle County, presented the following information:

Mr. Cilimberg said, over the life of the Three Party Agreement of 1986, there have been some minor discrepancies regarding the interpretation of the original map designating Areas A, B and C. He presented a map which has been updated by the Planning and Coordination Council Technical Committee (PACC-TECH) and, if approved by PACC, should be used in identifying these areas going forward. He provided a one-page document which speaks to how the three entities would continue their collaborative planning for the areas that are subject to the agreement through their respective Comprehensive Plans, specifically and most particular related to Area B. The City and County are in the process of updating their Comp Plans so the revised documents will provide the opportunity to clearly define how the areas are to be considered. PACC-TECH reviewed these documents and is recommending approval of both the clarifying document and the map. Mr. Neuman mentioned that, by using newer GIS technology, the boundary lines were easier to identify and sharpens up the map significantly.

Mr. Huja moved to adopt the clarifying document and revised map as presented; seconded by Ms. Szakos. Motion was carried by a voice call vote of 5-0.

4. Update – “Many Plans, One Community” Project

Steve Williams, Executive Director, Thomas Jefferson Planning District Commission presented the following information:

- Four community outreach activities have been held: Environment series - September 29th, Land Use and Transportation - October 27th; Housing/Economic Drivers - December 1st and Transportation - January 26th. Two more are scheduled: Community Facilities/Services - February 23rd; Historic Preservation/Natural Heritage/Historic Resources - March 29th.
- Current activities include a Housing and Economic Drivers Survey with over 500 responses; and that report will be shared with the County and City at an upcoming meeting. The Transportation Survey is scheduled to go on line next week and will provide direction on future transportation improvements.

- The Plan Goals and Recommendations database is a large access database that has all of the goals and recommendations from 77 plans that have been adopted for the area in the past 15 years, and amounts to over 12,000 goals and recommendations. Currently, TJPDC staff is tagging all of those goals and recommendations with a series of key words to facilitate searching. He said this database will be up and running within next month.
- Future outreach meetings will assist City, County and University staff in identifying issues that the community would like to see and how they would like those to be addressed through updates to respective planning documents.
- A joint City/Council Planning Commission work session is scheduled for April 17, 2012.
- The common map, the first product of the Many Plans, One Community project, depicts the future land use plans for the City and County and University. The map is intended to help citizens, elected officials and others understand the relationships of all the major plans and their provisions to one another. The Common Map will be updated at the end of the project to reflect changes made to Comprehensive Plans and the Long Range Transportation Plan, scheduled to take place over the next year or two as those documents are updated. The version presented today represents what is in the documents right now. A revised version will be completed after the adoption of the various plans. TJPDC worked closely with City, County and University staff to develop the map and it has already been reviewed several times by PACC-TECH.

Ms. Szakos moved to adopt the common map; Ms. Mallek seconded and the motion carried by a voice call vote of 5-0.

5. Chesapeake Bay TMDL

Steve Williams, Executive Director, Thomas Jefferson Planning District Commission presented the following information:

Mr. Williams reported that Phase I of the Chesapeake Bay TMDL Watershed Implementation Plan focused on strategies for statewide improvements in reducing pollutants flowing into the Chesapeake Bay. Phase I also focused on best management practices in an effort to meet pollution reduction goals for individual sectors including wastewater, agriculture and forestry, onsite sewage treatment, building and construction and urban storm water, and that applied to all MS4s which include the University, City of Charlottesville and Albemarle County. In the Phase II Watershed Implementation Plan, the Department of Conservation and Recreation (DCR) provided opportunities for local governments within the watershed to voluntarily review and revise any of the following: the land cover data used to calculate pollutant loads at the local level, a list of best management practices implemented since 2006, and best management practice strategies in meeting part of load reductions. Local governments were allowed to voluntarily submit implementation strategies and also to identify resource gaps in order to implement the Chesapeake Bay TMDL. The Chesapeake Bay TMDL sets a laudable goal and Virginia will experience a benefit if it is achieved, but there are some concerns that remain about the model and the analytical methods being used. There are concerns about the economic impact of implementing the Chesapeake Bay TMDL over the course of the next 15 years and also a concern by the MS4 permittees that their voluntary efforts to date will ultimately become legal requirements if targets are not being met.

Jeffrey A. Sitler, CPG, Director of Environmental Compliance Programs, University of Virginia, presented the following information:

As part of the TMDL, the University was required to develop a listing of everything that had been done related to stormwater. The City and County have the responsibility of reporting; however, since the University is located within the City and the County UVA staff reviewed all of their activities installed to date, divided those up and provided a breakdown of TMDL-related data to both the City and County.

He reported that the University has instituted a number of stormwater controls over the years and staff wanted to make sure the state understood those were in place and the University received credit for those efforts. UVA has a good accounting of all the BMPs that have been installed and provided that information to the City and the County as well. That information included how much was impervious area, the total area covered in terms of street sweeping, and stream restoration efforts that have been done. In addition, the University instituted nutrient management plans for all the areas where nutrients are applied

and has provided information on the number of septic systems with detailed mapping to both the City and County. He added that the University's GIS staff was critical in developing a map with this information.

The University began looking at stormwater issues in the mid-1990s when the Architect's Office initiated some very early and detailed studies of water resources at the University. In the last several years, UVA has put forth a very strong program for sustainability of which stormwater is a very integral part. The goal is to improve what is already in place. UVA is a MS4 permittee which states that the University must improve stormwater quality. The University is looking at moving into more low impact development type growth. Current efforts are to keep the water on site as long as possible, and perhaps reuse it through the use of cisterns. Staff is involving students in research projects on how the University is managing all of its stormwater and giving them an opportunity to provide input. The University is looking at trying to be a leader, trying to take a proactive approach, doing some different things, because there is some regulatory framework behind this effort. There are new regulations that have come out within the last several years that focus on construction activities and new development, so staff is looking at trying to go beyond what those regulations are requiring. Their stormwater management master plan is very specific in looking at infrastructure, at the BMPs that have been installed and everything in the two watersheds to identify areas where improvement is possible.

Once TMDL standards are established, there is concern that the next MS4 permits will have specific limits related to the TMDLs. It is very important that staff be able to understand what those limits will be and prepare for those in advance. He said there is a TMDL for Moore's Creek and for Meadow Creek. Workshops have been held to educate the University community. University staff members participate on the Rivanna River Basin Commission which is looking at the Rivanna River Basin in terms of water quality, development, and any other issues that affect water quality in the Chesapeake Bay.

George Shadman, Albemarle County, presented the following information:

Mr. Shadman reported that Albemarle County met the most recent Department of Conservation and Recreation (DCR) milestone of February 1st. That data included: current local land use and land cover, existing BMPs (facilities and ordinances in place); future BMP scenarios that would meet the TMDL reduction requirements and the identification of strategies needed to implement preferred scenarios and resource needs.

Because staff did not feel they had enough information from DCR to make a broad, unfunded estimate on potential strategies, Mr. Shadman said the recommended FY 2013 budget includes funds to hire an environmental consultant who will study the TMDL mandates, look at the County's accomplishments to date and get options on where funding should be concentrated in order to meet the mandates down the road.

Challenges encountered to date include: limited staff resources, the very complex VAST program which is not fully developed or reliable at this time; and staff's reluctance in presenting a strategy that is not funded.

Benefits of the process: It helped staff organize their data better and complete the mapping of drainage areas. Despite the lack of certainty and precision, it provided some context for future expectations from EPA and DCR. It raised the level of awareness of the Board of Supervisors on the importance of a well funded water resource program, and CIP budgeting. Also, among the staff, a dialogue on alternative revenue sources, i.e., a stormwater utility enterprise fund was initiated.

Areas of concern: the Chesapeake Bay TMDL Model represents only about 20% of stormwater efforts that the County has put forth as of 2005. The County may not get all the credit it should for the BMPs that are in place. Staff will be looking at this very closely and discussing how to appeal any negative decision by EPA or DCR that short-changes the County's accomplishments to date.

Crystal Riddervold, Environmental Administrator, City of Charlottesville presented the following information:

Ms. Riddervold reported that the City's submittal met the deadline, was responsive but conservative, and demonstrated the City's understanding of the issues and its involvement in the process. The submittal conveyed a track record of proactive programs and policies, conveyed that the submittal should afford the City the flexibility to make adjustments as necessary and the City would not make any financial or programmatic commitments that had not been vetted by the organization first.

The quantitative component provided up to date data on acreage treated by BMPs, (for the City it is 128 BMPs) and accurate land use/land cover data. The qualitative or narrative component summarized concerns and uncertainties, and provided a rationale on why a preferred local scenario was not submitted. The City did submit a set of strategies to improve water quality based on programs, policies and projects that are in place and/or intends to continue. Adequate funding and adequate time to achieve and accomplish the work needed for very significant reduction goals was also addressed.

The general provision addressed the issue of adaptive management, which consists of continual improvement and making adjustments where necessary. City staff clearly stated that they do not endorse the proposed scenario nor do they commit to implementing it verbatim, however, there are a lot of good efforts that will contribute to water quality.

Benefits to the process included improved and enhanced data sets. She said the City did engage a contractor over the summer and also received some support from the Corps of Engineers to look at best management practices and delineate the drainage areas and understand their performance which was very valuable. It was an opportunity to look at all the things the City does related to water quality. Similarly, there were very helpful, productive and informative internal discussions in looking at this issue from an economic development, finance and environmental perspective.

Challenges with data: it arrived late; it kept changing; it was not very clear; how the output from the model applied to the local level was questionable; and lastly, the VAST tool could use some improvement.

Although the City did not offer any scenarios to DCR, staff did a fair amount of number crunching to get a better sense of scale and scope. It did help to have a baseline, and helped staff determine that some of the near term goals are not as impossible as they were the first day. In addition, it gives staff additional time to very strategically think about how to tackle the long term goals that include budgeting and planning.

6. Identify Future Agenda Items

Mr. Foley said that he, Mr. Jones and Mr. Strine talk several times between PACC meetings to develop the agenda for the next meeting, but input from all of the PACC members is very helpful.

- Mr. Huja suggested a future discussion on regional cooperation for economic development.
- Ms. Szakos suggested a future discussion on transit to include Rt. 29 North and perhaps some consideration of the idea of light rail and bus rapid transit.

7. Adjourn

Meeting was adjourned by Ms. Mallek at 3:15 p.m.

Respectfully submitted,

Diane Mullins