


# THE ALBEMARLE-PAMLICO NATIONAL ESTUARY PROGRAM

Public Involvement Office

## MEMORANDUM

TO: Chowan River Basin Regional Council Members

FROM: Joan Giordano  Outreach Coordinator

SUBJ: Minutes and Meeting Notice

DATE: March 23, 2001

Hi folks! Attached are the minutes from our last meeting (January 25, 2001) which were again beautifully done by our Secretary Nan Laughton. I know y'all appreciate Nan's help in capturing our meeting proceedings almost as much as I do! Thank you Nan.

Please note, in the minutes, the paragraph that deals with the date and arrangements for our next meeting, which is being held on May 3<sup>rd</sup> at the Nucor plant. I'll let you know any specifics about how to get there, or where we may be gathering to go as a group, when the time for the meeting draws closer.

I also want to take this opportunity to thank all of you who were able to attend the Chowan River basinwide-planning workshop held last night at the Roanoke-Chowan Community College in Ahoskie. I have already heard good things this morning about the meeting, and a lot of it pertains to the interest and input y'all contributed. I'll be attending the Tuesday night session being held in Edenton, and hope to see any of you who found it inconvenient to attend last night. This participation is what makes things happen!

Again, thanks for your dedication, and I hope to see you soon.



CHOWAN RIVER BASIN REGIONAL COUNCIL  
MARTIN COMMUNITY COLLEGE – WINDSOR CENTER  
JANUARY 25, 2001

MINUTES

Chairman Brewster Brown called the meeting to order at 4:00 PM. Joan Giordano conducted the roll call and self-introductions were made around the table. A quorum was present (see attendance list).

A motion was made by Roger Spivey to accept the minutes of the October 12, 2000 meeting as mailed. Second was made by Gary Purvis, motion passed.

**DWQ/Basinwide Plan Update**

Chairman Brown introduced Darlene Kucken and Kate Moore with the Division of Water Quality. They discussed the Basinwide Plan Update. The Chowan plan (1997) is up for renewal in 2002. Public meetings will be held in each NC river basin with a Chowan Basin meeting/workshop planned for March in Ahoskie. Workshop structure and tentative agenda was reviewed. Basinwide plans include water quality problems and issues, maps (which show permit to discharge and animal operation sites - among other things), funding availability and funding sources, and resources for help and information. The format is being updated to make it more "reader friendly". Marjorie Rayburn recommended that a second workshop be held in Edenton to provide more opportunity for attendance by residents of the southern/eastern side of the Chowan River. This recommendation was met with approval and Marjorie agreed to be the contact person for DWQ to secure a location. Marjorie Rayburn made a motion that the Council co-sponsor both Chowan River Basin Planning Workshops. Motion received a second from Roger Spivey and passed. Chairman Brown asked that an informational flyer be mailed to each council member for distribution. Chairman Brown also requested that representatives from Virginia be invited and included on the agenda.

**Demo Project Updates**

*Subsoiler* - David Hodges and Dave Lindbo continue to work on this project. \$4,000 will be paying for tractor rental because sites have subsoilers but nothing big enough to pull them. Because this project is very weather dependent and it got a late start, an extension will be needed to complete the work. John Stallings motioned that the project be extended for up to one year. Motion received a second from Billy Griffin and passed.



*Precision Ag* - Billy Griffin reported that all but two farms are complete. All the data still needs to be compiled. Once this is done, meetings can be held to share results of the project.

## NEW BUSINESS AND PUBLIC COMMENT

Joan Giordano relayed a concern from Capt. Al Howard. He has noticed that the coot and goose population is down considerably. He is not sure what came down the river from Franklin, VA during the flood (Hurricane Floyd). He feels that it might be appropriate and necessary to conduct some monitoring above and below the state line. Darlene Kucken and Noah Hill will look into this.

Joan discussed an E-auction being held on Ebay.com to benefit the Association of National Estuary Programs (ANEP). All proceeds will go to ANEP, but our National Estuary Program (NEP) will receive a percentage of the proceeds from the items donated by our NEP community. After some discussion, Charles Vaughan made a motion that proceeds generated from the Chowan River Basin Council be channeled back to our council, into our own checking account. Motion received a second from John Stallings and passed. Mr. Vaughan agreed to set up a non-profit to handle funds at no cost to the council. Joan explained that councils are not set up to handle money. If the other five councils want to do this as well, then some type of mechanism will have to be developed for distributing and handling funds. Joan will research this further.

Chairman Brown announced that Chad Pryor of Nucor was nominated and accepted to be a member of the council. Mr. Pryor stated that he would be happy to set up a tour of the Nucor plant for our next meeting. Joan stated that Capt. Howard has expressed concern to her about auxiliary buildings and businesses being situated near the Nucor site, as a result of Nucor's establishment. He feels there is a need for a monitoring system for water north and south of the site. John Stallings motioned that monitoring be done upstream and downstream of Nucor. Motion received a second by Roger Spivey and passed. Darlene Kucken stated that some benthic testing is being done.

Joan reported that she had researched the rumor that a Ford plant would be located in Hertford County to make steel bumpers from Nucor steel. This is just a rumor (refer to minutes of October 12, 2000 meeting).

Noah Hill, Watershed Field Coordinator for NC/VA, stated that there is no change in the status of the Memorandum of Agreement. It is still being batted back and forth in Richmond. He may have some word today from Ernie Brown. Noah stated that he is



working on forming "round tables" in Virginia (these would function much the same as our Regional Councils in NC); putting together a brochure to describe the VA/NC connection; and updating a list of agencies/contacts for NC and VA.

Chairman Brown stated that the Mid-East and Albemarle RC&D Councils are working on paddling trails and paddling trails brochures. There will be a Paddlers Symposium held at the Washington Civic Center in March. Chairman Brown will get information on the symposium to Joan. He feels that promoting recreational use may be a good way to get more citizen involvement.

Chairman Brown also mentioned that the Ahoskie Sewage Treatment Plant permit has been submitted to the State. They may have requested a permit for discharging into Ahoskie Creek. He will look into this and report at the next meeting.

Chairman Brown announced that the next meeting would be held April 24<sup>th</sup> at Nucor. Joan will work with Chad Pryor to set up the meeting. **PLEASE NOTE: THE NEXT MEETING HAS BEEN RESCHEDULED FOR MAY 3<sup>RD</sup> AND TENTATIVELY BOOKED AT THE NUCOR PLANT. JOAN HAS BEEN IN CONTACT WITH CHAD PRIOR AT NUCOR AND HE HAS PLACED THE MEETING ON THE BOOK. PLEASE MARK THE DATE OF THIS MEETING ON YOUR CALENDAR, BEGINNING AT 2:00 PM. SHOULD THE NUCOR TOUR NEED TO BE POSTPONED, MEMBERS WILL BE NOTIFIED.**

There being no further business or comments, Dennis Utt made a motion that the meeting be adjourned, seconded by John Stallings and passed. The meeting adjourned at 6:00 PM.

Respectfully submitted,

*Nan Laughton*

Nan Laughton  
Recording Secretary





Chowan River Basin Regional Council  
January 25, 2001

Meeting Attendance

Roger Spivey	Silviculture-Chowan County
Nan Laughton	Soil & Water Conservation-Chowan County
Marjorie Rayburn	Env. Science-Gates County
Brewster Brown	Conservation-Hertford County
Billy Griffin	County Representative – Bertie
Peter Bogus	Tourism – Chowan
Dennis Utt	County Representative – Gates
Gary Purvis	Business/Industry – Hertford
Charles Vaughan	County Representative – Northampton

APNEP Staff:  
Joan Giordano

Advisors:  
Victor Lui                      Crater Planning District – Virginia  
Noah Hill                      Watershed Field Coordinator – VA & NC

Guests:  
Darlene Kucken, DWQ  
Kate Moore, DWQ

Excused Absences:  
Capt. Al Howard, Chowan



## **Southern Watershed of Chesapeake and Virginia Beach Special Area Management Plan**

### **A. Summary of Coastal Management Problem**

The primary coastal management challenge facing the Southern Watershed Area (SWA) is the need to preserve its significant natural resources in the face of increasing development pressure. The population of the Cities of Virginia Beach and Chesapeake is projected to increase by approximately 224,000, or 40%, by the year 2018. The bulk of the new development associated with this population increase will take place in the SWA. The Southern Watershed SAMP seeks to minimize the adverse impact of continued urbanization on the natural resources of the SWA by improving the range of tools available to the cities to control new development. In addition, the Southern Watershed SAMP will highlight the economic value of the natural resources through the investigation of several sustainable economic development initiatives, including nature tourism and sustainable agriculture.

Preservation of the natural resources in the SWA is further complicated by use conflicts. The Northwest River is the primary drinking water supply for the City of Chesapeake. The North Landing River contains a segment of the Intracoastal Waterway and is heavily used by both recreational and commercial vessels. Back Bay is host to a National Wildlife Refuge that is focused on providing habitat for migratory waterfowl. Recreational uses of the water bodies include canoeing, kayaking, windsurfing, jet skiing, water skiing, hunting and fishing. Land use conflicts include increasing intrusion of residential and commercial uses into agricultural areas, encroachment of residential development into conservation areas and adverse impact of agricultural activities on conservation areas. In addition, agricultural, residential and commercial uses all have the potential to adversely impact water quality. All components of the SWA are classified by the state's Nonpoint Source (Section 319) Assessment as High Priority watersheds for nonpoint source pollution management.

An additional complicating factor is the large number of local, state and federal entities that play a role in the management of the SWA. On the local level, the Cities of Virginia Beach and Chesapeake are responsible for land use decisions. On the state level, the Department of Conservation and Recreation's (DCR's) Division of State Parks manages False Cape State Park, DCR's Division of Natural Heritage manages land holdings on the North Landing and Northwest Rivers, and the Department of Game and Inland Fisheries manages the Pocahontas and Trojan Wildlife Management Areas. On the federal level, the USFWS manages the Back Bay, Dismal Swamp and Mackay Island National Wildlife Refuges, and the U.S. Navy operates Fentress Auxiliary Landing Field and Oceana Naval Air Station. To be effective, management of the SWA must involve coordination and cooperation among these groups.

### **B. Identification of Implementation Activities**

1. Adopt ordinance changes and educate developers: Implementation activities will include zoning and subdivision ordinance updates and PDR program education in Chesapeake. Virginia Beach activities will include adoption of the conservation



- subdivision ordinance and enhancement of the open space requirements in the site plan review process.
2. Identify specific mitigation sites: The current work on the Mitigation Strategy will yield a map of multiple benefit mitigation sites, a decision matrix and an agreement between participating agencies to use the information in managing the site selection process. The proposed implementation work will involve education of permit writers and others involved in the mitigation process and evaluation of the utility of the information provided. In addition, it may be necessary to enhance some of the GIS maps providing information on multiple benefits sites based on initial attempts to utilize the system.
  3. Implement the Strategic Plan for Agriculture: The Strategic Plan for Agriculture will contain a set of recommendations to preserve the viability of agriculture in the Southern Watershed. The focus of this task will be the incorporation of the recommendations into the Comprehensive Plans and Economic Development Plans in Chesapeake and Virginia Beach. Chesapeake has just begun its comprehensive plan update and Virginia Beach is scheduled to start in 2002.
  4. Install a range of management and preservation tools from the Conservation Plan: This task will involve working with federal, state and local agencies and local property owners to implement a range of protection mechanisms in the identified riparian corridor system. Protection mechanisms are likely to include conservation easements, zoning changes and best management practices.
  5. Educate Public: Implementation of the Waterway Use Conflict MOA for Back Bay includes education and public involvement.

### **C. Anticipated Effect of Implementation Activities**

The primary objective of the Southern Watershed SAMP is to minimize the ramifications of continued development in the SWA. Since the inception of SWAMP, much work has been undertaken and accomplished to achieve this objective, including: water quality data analysis; GIS development; mitigation strategy; agriculture plan; water use conflict MOA for the North Landing River; rural area preservation program and conservation plan. In the future, several of the proposed program changes and subsequent implementation plans will directly address cumulative and secondary impacts of development and protection of wetlands through the development of new ordinances, the modification of existing ordinances and refinement of design review policies.

### **D. Appropriateness of Implementation of Program Changes**

The City of Chesapeake will begin its Comprehensive Plan update process in the spring of 2001, with the entire process likely to take approximately 18 months. Follow up activities will probably include overhaul of the zoning ordinance and subdivision ordinance. Thus, the timing is appropriate to integrate the policy recommendations from SWAMP into this process. Virginia Beach's timetable is different for its Comprehensive Plan update. While firm plans are not yet in place, it is likely that Virginia Beach will begin its Plan update process in 2002 or 2003. Thus, ordinance change work under SWAMP will have to precede the Plan update process. However, the implementation work in FY 2002 will be oriented toward integration of the SWAMP policy recommendations into the Plan update.



Also, the research and analysis that has taken place over the last four years has set the stage for the implementation of the program changes. The technical work has been targeted to answer key policy questions and offer a range of possible solutions to Chesapeake, Virginia Beach and other federal, state and local stakeholders. Hopefully the logical structure of this information will enhance the likelihood of its incorporation into new management policies in the Southern Watershed. In addition, the Southern Watershed SAMP will address public access and use conflicts through the development of Memoranda of Agreement.

## **E. General Work Plan**

### **Fiscal Year 2002 (October 2002 - September 2003)**

The PDC staff will continue to coordinate work among federal and state agencies and the localities to adopt the recommended policy changes. When needed, the PDC staff will analyze the overlap and conflict between proposed changes and recommend possible solutions. The PDC staff will work with Chesapeake and Virginia Beach city staff to perform quantitative analysis of policy options in conjunction with their Comprehensive Plan update efforts. In the case of MOAs among federal, state and local agencies the PDC will take the lead role. The Cities of Chesapeake and Virginia Beach will take the lead in Comprehensive Plan, zoning and ordinance updates.

#### **Task 1: Ordinance adoption and developer education**

Implementation activities will include the adoption of revised ordinances in Chesapeake and Virginia Beach and workshops with developers. Chesapeake: Zoning and subdivision ordinance update, PDR program education. Virginia Beach: Adoption of the conservation subdivision ordinance and enhancement of the open space requirements in the site plan review process.

#### **Task 2: Identification of specific mitigation sites**

The preceding Mitigation Strategy work will yield a map of multiple benefit mitigation sites, a decision matrix and an agreement between participating agencies to use the information in managing the site selection process. The implementation work proposed under this task will involve education of permit writers and others involved in the mitigation process and evaluation of the utility of the information provided. Also, it may be necessary to enhance some of the GIS maps providing information on multiple benefits sites based on initial attempts to utilize the system.

#### **Task 3: Implementation of the Strategic Plan for Agriculture**

The Strategic Plan for Agriculture will contain a set of recommendations to preserve the viability of agriculture in the Southern Watershed. The focus of this task will be the incorporation of the recommendations into the Comprehensive Plans and Economic Development Plans in Chesapeake and Virginia Beach.

#### **Task 4: Install a range of management and preservation tools**





This task will involve working with federal, state and local agencies and local property owners to implement a range of protection mechanisms in the identified riparian corridor system. Protection mechanisms are likely to include conservation easements, zoning changes and best management practices.

**Task 5: Public education and analysis**

This task will involve education and public involvement to implement the Waterway Use Conflict MOA for Back Bay.

**F. Summary of Program Costs**

Task	FY 2002	Total
1. Rural Area Preservation Program for Chesapeake	\$20,000	\$20,000
2. Mitigation Strategy for Chesapeake and Virginia Beach	\$20,000	\$20,000
3. Implementation of the Strategic Plan for Agriculture	\$10,000	\$10,000
4. Conservation Easement MOA	\$10,000	\$10,000
5. Waterway Use Conflict MOA	\$10,000	\$10,000
6. Project Coordination	\$30,000	\$30,000
<b>Totals</b>	<b>\$100,000</b>	<b>\$100,000</b>

Category	Federal	Total	Narrative
<b>Personnel</b>	\$62,000	\$62,000	HRPDC Staff
<b>Fringe</b>	0	0	
<b>Equipment</b>	0	0	
<b>Travel</b>	\$3000	\$3000	Meeting and Conference Travel
<b>Supplies</b>	\$10,000	\$10,000	Education Materials, copying, etc.
<b>Contractual</b>	0	0	
<b>Construction</b>	0	0	
<b>Other</b>	0	0	
<b>Total Direct</b>	<b>\$80,000</b>	<b>\$80,000</b>	
<b>Indirect</b>	\$25,000	\$25,000	In accordance w/HRPDC approved Indirect Cost Allocation Plan: 40% of direct personal cost.
<b>Total</b>	<b>\$100,000</b>	<b>\$100,000</b>	



### **G. Likelihood of Attaining Implementation of Program Changes**

During the past four years, prior to the upcoming implementation phase of the project, substantial progress has been made toward the achievement of the program changes identified for this SAMP. Thus far the cities have adopted the North Landing Water Use MOA, Chesapeake has established a stakeholder group to develop a PDR program and Virginia Beach has used Randall Arendt's work on the Rural Area Preservation Program in establishing criteria for the review of rural subdivisions. Virginia Beach will participate in the development of a Water Use MOA for Back Bay this spring. Staff members in both cities are working to integrate the other program changes. Both Chesapeake and Virginia Beach City Councils have received briefings on the proposed program changes and will be invited to participate in future consensus-building efforts. Finally, both cities are preparing to update their comprehensive plans. The update process will provide an excellent opportunity to include the policy recommendations from the SAMP in the public discussion of planning issues in the two cities.

The implementation tasks that have been selected are tied to existing goals and initiatives that are under way in the two cities. Further grant funding available under the SAMP will, in the future, be used to support valuable education and implementation activities, which has been designed to directly support the proposed program changes. The opportunity to implement the SAMP comes at a critical time for the SWA. Both cities are continuing to grow and expand into the SWA. The way in which the new development occurs will have major ramifications on the rare and sensitive wetlands communities that comprise a large portion of the SWA.

### **H. Fiscal and Technical Needs**

1. *Fiscal Needs:* Without Section 309 funding a combined effort by Virginia Beach and Chesapeake to manage the SWA is impossible. Both cities currently face tight budgets due to high infrastructure and education costs. The budgetary constraints in Virginia Beach and Chesapeake prevent the funding of a project of this magnitude. The City of Chesapeake recently completed an analysis of its fiscal situation and found that it has a significant budgetary shortfall, which will preclude city support for this without Section 309 funds. The HRPDC, as the lead agency for the SAMP, is funded by per capita contributions from its member local governments. It has no revenue generating capability other than grant funding. The HRPDC is unable to fund this project without the Section 309 grant.

2. *Technical Needs:* Technical resources to undertake many aspects of the project are presently available in the participating agencies. Funding, however, is necessary to ensure the availability of those resources for this project. To ensure project completion in a timely and effective manner, a lead agency with project coordination, technical resources and conflict resolution abilities is necessary. That agency, the HRPDC, requires financial resources, as noted above, to undertake this project.



Attendance  
CRBRC  
1-25-01

NAME

Affiliation

~~Jan Leonard~~  
Mark Hill

APNEP/DWQ Staff  
VA DCR

Kate Moore

NC Division of Water Quality

Billy Griffin

N.C. COOP EXT SERVICE

Roger Spivey

Chowan - Forestry, Silviculture

Doreen Jackson  
~~Robert White~~

DWQ - Raleigh  
Northampton County

Nan Laughton

Chowan SWCD

DENNIS UTT

GATES SWCD

Allen D. Jones

Treeb House Inn

Marjorie Rayburn

NCCES, Gates Co. Center

Jeri Barry Lewis

Inclatex Inc Hertford Co.

Robert Ben

RCC Hertford Co.

VICTOR LIU

CRATER PLANNING DISTRICT, VA

~~John Stalling~~

Chowan Council

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NAME

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