



Virginia Department of Conservation and Recreation

Briefing to Senate Finance Committee

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DCR Management Study -- Background--

- Recognized need early
- JLARC did last review in 1985
- Added many new responsibilities
- New Administration offered perfect timing

DCR Management Study -- Concerns --

- Structural silos
- Distributed vs. centralized functions
- Perceived process inefficiencies

Decision to move ahead with study...

- Request for Proposal issued July 2010
- Awarded contract to Allison Partners in Sept. 2010 (Had done recent similar study for DGIF)
- Announced changes to agency April 2011
- Changes effective June 1, 2011

Summary of findings... 7 themes

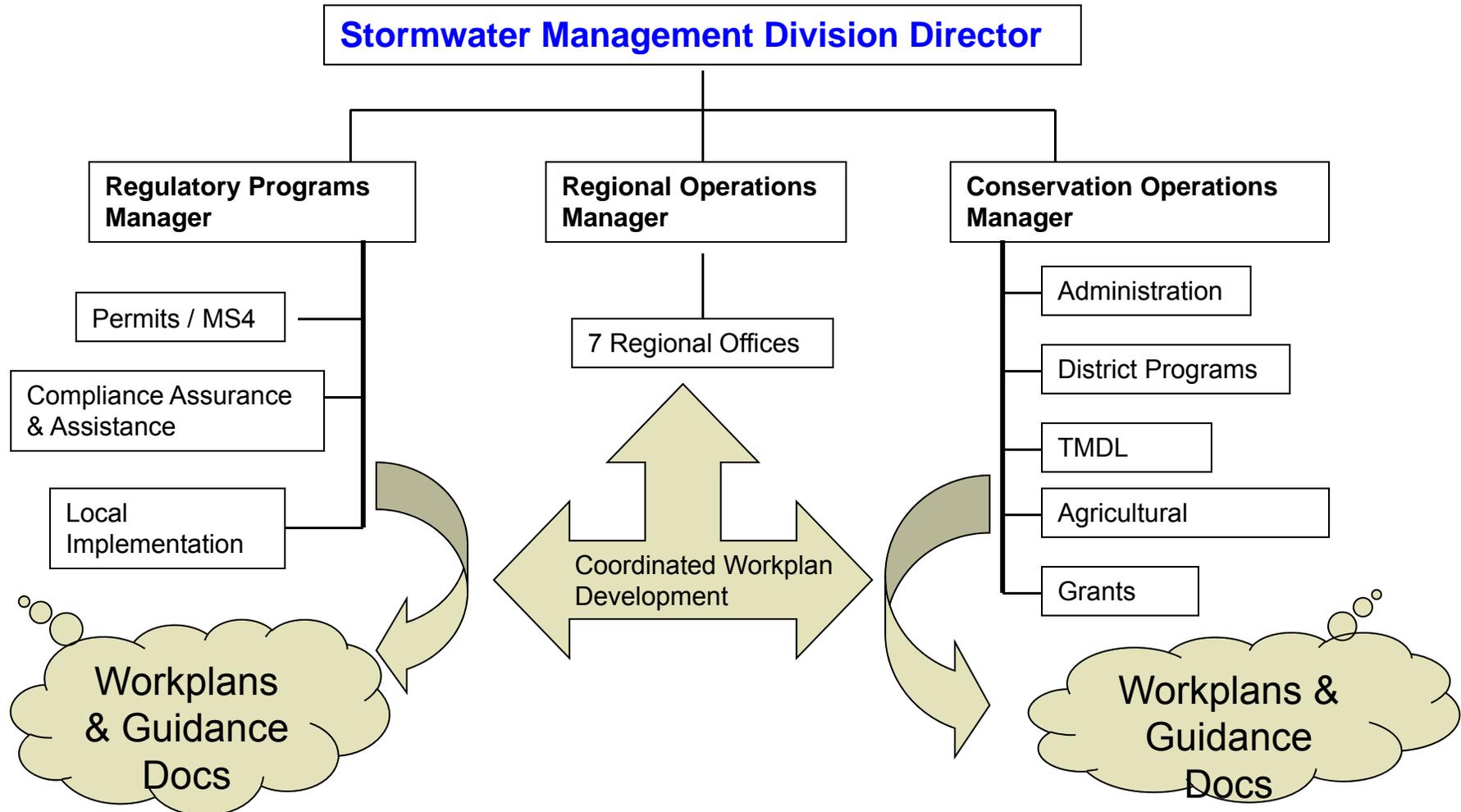
1. Vision and Strategy
2. Governance
3. Culture
4. Structure
5. Processes and operations
6. Infrastructure
7. Roles and competencies

Areas of improvement needed

- Accountability- metrics and workplans
- Internal and external Customer service
- Internal and external collaboration
- Internal and external Communications

Agency focus / goals...

- Regulatory operations identified as highest area of risk
- Restructure by function
 - Consolidation of resources
 - Achieve efficiencies
- Combined the divisions of soil and water conservation and Chesapeake Bay local assistance



Reorganization of "Soil & Water Conservation Division" to
"Stormwater Management Division"

Expected results...

- More defined roles
- Better accountability
- Enhanced and improved partner relations
 - Soil & Water Conservation Districts
 - Local governments
- More effective / efficient agency
- Greater compliance by regulated community with stormwater rules

Virginia Stormwater Management Regulations Review

Virginia Stormwater Management Regulations: 2010 Legislative Mandates

HB1220 and SB395

- Regulations to be completed within 280 days after the establishment of Chesapeake Bay TMDL, but no later than December 1, 2011
- Directed to reconvene advisory panel to review and make recommendations on regulations

Regulatory Advisory Panel (RAP)

- 35 members
- Home builders, consultants, engineers, local governments, state and federal agencies, environmental groups, agriculture, offset bank, commercial real estate
- Five full meetings between July 23 and March 9
- Much of the work done in standing subcommittees:
 - Grandfathering
 - Local Program Delegation
 - Offsets
 - Water Quality
 - Water Quantity

Guidelines to RAP

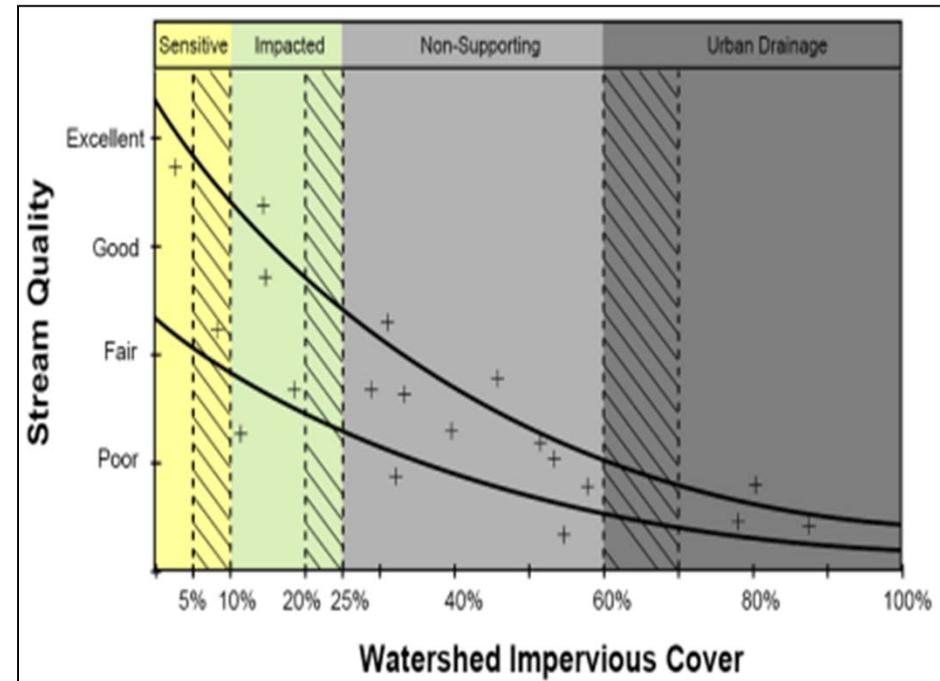
- Regulations must be science-based
- Start with next general permit cycle; July 2014
- Local governments develop and adopt programs
- Develop statewide water quality standard
- Recommendations on Parts 1 (definitions), 2 (water quality and water quantity), and 3 (local program delegation)

Water Quality Standard

(new development)

Water Quality Standard

- Based on impervious cover
- Science shows correlation between impervious surface and local stream water quality
- Impervious cover values of as little as 5-10%, local stream health begins to be affected
- Serious impacts as low as 25% impervious
- Applicable statewide
- Compromise reached at 0.41 lb of phosphorus/ac/yr (generally equates to 10% impervious cover)



Schueler, T., Fraley-McNeal, L., and Capiella, K. "Is Impervious Cover Still Important? Review of Recent Research." *Journal of Hydrologic Engineering*, April, 2009

Other Key Components of the Regulations

- **Water Quality (redevelopment):** In general:
 - Sites ≥ 1 at least 20 percent reduction
 - Sites < 1 acre at least 10 percent reduction
- **Water Quantity:** Includes stream channel and flood protection.
- **Grandfathering:** Projects with VSMP permit coverage will have current permit plus two more permit cycles to complete project; Several other special grandfathering conditions related to:
 - Projects with approved locality plan or plats;
 - Locality, state and federal projects where funding has been obligated;
 - For projects with governmental bonding or debt-financing issued.

Other Key Components of the Regulations

- **Offsite Compliance Options:** Based on 2011 Legislation
 - Requires offsite options prior to land-disturbing activity.
 - Automatically available when:
 - Less than five acres
 - Post construction phosphorus requirement less than 10 pounds or
 - At least 75 percent of reductions on-site
- **Local Program Elements:**
 - “One-stop” shopping when localities adopt program.
 - Requirements the same for DCR and localities; may be implemented differently
 - Localities enforce ordinances; DCR enforces VSMP permit
 - Includes federal effluent limitation guidelines

Next Steps

- Assist localities with their development of approved local stormwater management programs by July 1, 2014.
- Work closely with localities to implement new regulations.
- Provide training to regulated community including contractors, engineers and state agencies
- Work with stakeholders, the General Assembly, and the Governor to integrate erosion and sediment control and Chesapeake Bay Act provisions into the stormwater law and regulations.
- Conduct consolidated local program reviews utilizing DCR's newly integrated Stormwater Division

Future Opportunities Its All Stormwater

- Work with stakeholders, the General Assembly, and the Governor to integrate erosion and sediment control and Chesapeake Bay Act provisions into the stormwater law and regulations.
- Regulations would be administered by localities using revenue from stormwater permit fees.
- DCR would conduct consolidated local program reviews utilizing DCR's newly integrated Stormwater Division.
- Would result in greater compliance and more efficient permitting

Questions??