



# **SURRY COUNTY, VA**

## **LOCAL PHASE II WATERSHED IMPLEMENTATION PLAN**

### **INTRODUCTION**

We appreciate this opportunity to participate in the Bay TMDL Phase II WIP Planning Process. Surry County's participation affords us an opportunity to demonstrate local support for the Bay TMDL and its success. In support of this effort the County has partnered with the Hampton Roads Planning District Commission to prepare a local Phase II WIP coupled with a regional Phase II WIP, copy attached. The approach recognizes that it is the cumulative impact of activities in the Hampton Roads metropolitan area that most significantly impact water quality. The local narrative outlines Surry County's current and proposed implementation efforts and plans to comply with the Bay TMDL Phase II planning process.

### **LOCALITY OVERVIEW**

Surry County is located in the Hampton Roads region of the state across the James River from Jamestown and Colonial Williamsburg and bounded by Isle of Wight County to the east, Prince George County to the west and Sussex County to the south. *(See attached vicinity map)* The County is a member of both the Hampton Roads and Crater Planning District Commissions. The County is rural and agrarian in nature and therefore largely undeveloped. The County has approximately 280 square miles of land area and 26 miles of inland water ways. The land varies from flat to undulating to rolling, with elevations ranging from 100 to 120 feet above sea level in the western portion.

Considerable acreage within the County is occupied by private recreational camps, public recreational facilities, Chippokes Plantation State Park, Hog Island Wildlife Management Area and numerous historical sites. Densely developed areas with frontage along the James River include Claremont, Sunken Meadow and Scotland Wharf, all developed prior to the Bay Act and consequently not in compliance with the current regulatory requirements.

The northern boundary of the County is the James River which is a part of the Chesapeake Bay System. Surry County's drainage is divided into the James River drainage basin, 25% of the County, and the Blackwater River drainage basin, 75%. The Surry County Land Development Ordinance designates all properties within the James River drainage basin in the Resource Management Area.



The County's Resource Protection Areas include lands adjacent to the James River and the six creeks that serve as tributaries to the James. Namely, Lawnes Creek, Upper Chippokes Creek, College Creek, Couch Creek, Gray's Creek and Lower Chippokes Creek. The central and southern most areas of the County, approximately 75%, are within in the Chowan River Basin and drain to the Blackwater River and Albemarle Sound. *(See attached Watershed Map)*

Surry County adopted an amendment to the local Chesapeake Bay Preservation District Ordinance in 2004, the original Ordinance was adopted in 1989. The Virginia Department of Conservation and Recreation Chesapeake Bay Local Assistance Board found the County's Bay Act Program Phase One Compliant in September 2000, Phase Two Complaint in September 2004 and December 2009.

Routine program elements include evaluation of all development projects within the James River Watershed for compliance with Bay Act Requirements. Specifically, Erosion and Sediment Control measures, adherence to buffer area requirements and impervious cover limitations, notification of septic tank pump out requirements and evidence of VSMP registration prior to issuance of land development permits.

## **LOCAL WIP DEVELOPMENT PROCESS**

Surry County partnered with the Crater Planning District Commission and the Hampton Roads Planning District Commission to develop the Phase II WIP response. This occurred over many months and included active participation in Steering Committees tasked with developing a regional response and submitting input data for the TMDL model. Specific activities included monthly meetings of the Hampton Roads Chesapeake Bay TMDL Phase II Watershed Implementation Steering Committee and Regional Stormwater Management Committee, and participation in VAST Teleconferences. Additionally, since 2000 the Hampton Roads jurisdictions in the Chesapeake Bay watershed, EPA, and the Chesapeake Bay Commission, have been actively planning for a Chesapeake Bay TMDL.

Please be advised that Surry County's Chesapeake Bay TMDL Phase II WIP has not been approved by the Board of Supervisors, rather prepared by staff in compliance with agreements reached in collaboration with colleagues and cohorts participating with the Hampton Roads Planning District Commission. As such, recommendations contained herein related to Best Management Practices and activities having potential budgetary impacts are not endorsed by the County Board of Supervisors at this time. Subsequent action by the Surry County Board of Supervisors in the regular budget hearing and adoption process is a required subsequent action to vest any of the recommendations contained herein.

## **BMP INVENTORY / IMPLEMENTATION PROGRESS**

Attached to this submittal as Exhibits "A" and "B" are inventories of existing and proposed BMP's from 2005 to the present. Please note, that when Surry County staff compared our inventory with the inventory currently reported in the VAST model, significant discrepancies are evident. We are advised that the source for the VAST inventory is a combination of MS4 reporting, Bay Act reporting or estimates of implementation based on the best professional



judgment of DCR stormwater staff. We were further advised by current DCR staff based on our inquiry that because the County's 2005 and 2009 numbers are the same, it suggests that there have been no new BMPs reported into the system since 2005. Consequently, the current BMP inventory is likely based on DCR stormwater staff estimates.

The consequence of the inventory information, pre 2006, currently loaded in the TMDL model is that changes are precluded until the next model calibration, approximately 2017. DCR staff advised Surry County staff for this WIP II planning process to simply add all Urban BMPs installed from 2006 through the present to the 2005 numbers to represent current progress. We have elected to not accept this guidance because the numbers reported prior to 2005 are not defensible by local staff members; whereas, the numbers reported in the attached Exhibits have been thoroughly verified and are accurately reported based on a review of development plans associated with approved projects from July 2005 to present.

We do respectfully request that the attached BMP data, and all EPA approved practices that are currently on the ground, but not yet reported in the model, be reported now and counted toward meeting the local Bay Act goals. Additionally, Surry County is interested in providing further BMP inventory updates in the future as we become aware of other BMPs not yet reflected in the Bay model.

## **LAND USE / LAND COVER CORRECTIONS**

The Bay model information reported for Surry County inaccurately reports land cover and land use data. The County's dominant land uses are agricultural and forestry. While Surry County is made up of approximately 280 square miles, the majority of this area is undeveloped or used for Agricultural and Timberland production, approximately 75%. Exceptions to this pattern include three major population centers within the County which include the Towns of Claremont, Dendron and Surry. The towns located in the County limits, Surry, Dendron and Claremont, represent 4/5, 3.6, and 2.5 square mile(s) respectively. Densely developed waterfront land also includes, Sunken Meadow and Scotland Wharf.

The model also does not provide ample credit for the significant acreage in the community committed to public and private recreational activities. Namely, Chippokes Plantation State Park, Hog Island Wildlife Management Area, Pipsico, Eastover and Chanco.

## **BMP SCENARIOS**

Surry County is not currently a MS4 permitted community and is not required to adopt a Stormwater Management Ordinance until 2014. At that time, if required, Surry County may develop a preferred BMP scenario when technical information, and additional resources and guidance become available.

Surry County wishes to express appreciation for the efforts thus far on the part of the Virginia Department of Conservation and Recreation and Environmental Protection Agency to develop a credit tool for reduction practices implemented outside the MS4 service area



toward meeting the MS4 waste load allocations. We are certain that these efforts will result in the development of an efficient and workable mechanism in 2012.

## **IMPLEMENTATION STRATEGIES FOR BMP SCENARIOS**

As stated above, Surry County is not a permitted MS4 community and is not required to adopt a Stormwater Management Ordinance until 2014. Adoption of a Stormwater Management Ordinance and implementation of publicly owned BMP's will likely occur at significant additional costs to the community related to construction and maintenance of costly capital improvements, and the employment of technical and operations staff.

Surry County commits to thoroughly investigate and consider preferred local funding mechanism(s) generated as a result of the WIP II planning process. Mechanisms to include local permit fees, stormwater utility fees, general fund allocations, etc., are a listing of some options that may be considered. However, such options will likely not be presented for consideration by the Surry County Board of Supervisors until the FY2012-2013 period.

Priority will be given to implementing the most cost-effective Best Management Practices to reduce nutrient and sediment runoff contributing to the impairment of the Chesapeake Bay.

The Surry County Board of Supervisors committed in 2005, with the adoption of the community's Comprehensive Plan, to advance the following objectives related to protecting the Community's environment and sensitive ecological assets.

- Encourage the preservation of existing and potential, flood plains, wetlands, valuable natural and scenic resources.
- Reserve ecologically fragile areas for open space, noncommercial forest, and agricultural uses.
- Ensure that the county has an adequate opportunity to provide input for all environment resource studies that potentially affect the county.
- Protect key sections of waterfront lands along the James River from incompatible uses.
- Coordinate with Crater Planning District and the Hampton Roads Planning District to determine the land use impact on the Blackwater River and James River drainage basins.

## **RESOURCE NEEDS**

At this time Surry County staff is unable to identify fiscal needs associated with Phase II WIP Implementation due to the uncertainty of multiple variables. The County, as are a number of Hampton Roads Planning District Commission member communities, is concerned about the magnitude of the cost as estimated and catalogued in the November 2011 report of the Virginia Senate Finance Committee. These estimated costs argue persuasively in support of both federal and state financial support for WIP Phase II implementation. Additional resource challenges include anticipated significant capital program costs, training needs for existing staff to support



program implementation and funding of same or recruitment of technical staff at significant additional human capital costs to the community.

## **GENERAL COMMENTS/CONCLUSION**

Please note that the recommendations outlined above, particularly those with budgetary impacts, have not been approved by the Surry County Board of Supervisors for implementation. Specifically but not limited to, adoption of local Stormwater Management Ordinance by 2014 or sooner, staff training and recruitment, acquisition of property for BMP implementation, and construction and maintenance of BMP's.

Additionally, Surry County respectfully requests authorization to amend in whole or in part the strategies outlined herein based on factors to include local preferences as articulated by our elected body, cost estimates, new technical information, and/or new or enhanced technologies.

