

James City County Board of Supervisors
Reading File

December 13, 2005

For Your Information:

1. KPMG LLC Audit Reports
2. Builders for the Bay - James City County Roundtable Report
3. Umbrella Wetlands and Stream Mitigation Bank Report

121305RFbs.age

MEMORANDUM

DATE: December 13, 2005
TO: The Board of Supervisors
FROM: Michael D. Woolson, Senior Watershed Planner, Environmental Division
SUBJECT: Builders for the Bay – James City County Roundtable

On February 10, 2004, the Board adopted a resolution that accepted grant monies from the Virginia Department of Conservation and Recreation for the *Builders for the Bay – James City County Roundtable*. As a result, the roundtable process was started with representatives from parties having a stake in the development process and attending a series of meetings to discuss, to debate and ultimately to arrive at consensus over each development principle.

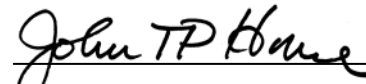
The roundtable is a coalition between the Center for Watershed Protection, the Alliance for the Chesapeake Bay, the Peninsula Housing and Builders Association and James City County Development Management to promote environmentally superior building practices for new development within the Chesapeake Bay Region. The consensus document that was developed from this process, *Recommended Model Development Principles for James City County, Virginia*, outlines model development principles and associated recommendations for implementation. The model development principles are guidelines that will help to reduce the impacts of development on the receiving waters of James City County and the Chesapeake Bay.

This roundtable initiative was a direct offshoot of both the Powhatan Creek and Yarmouth Creek Watershed Management Plans (WMPs). Priorities 13 and 14 within the Powhatan Creek WMP, adopted by the Board on February 26, 2002, and Priority 10 within the Yarmouth Creek WMP, adopted by the Board on October 14, 2003, outline the use of Better Site Design to further watershed protection by allowing more environmentally sensitive development possible.

Ms. Jennifer Zielinski from the Center for Watershed Protection will be providing a short presentation that provides some highlights of this successful process. Staff will be working towards implementation of the document and some items may have to go forward to the Board for adoption.

Michael D. Woolson

CONCUR:



John T. P. Horne

MEMORANDUM

DATE: December 13, 2005
TO: The Board of Supervisors
FROM: Michael D. Woolson, Senior Watershed Planner, Environmental Division
SUBJECT: Umbrella Wetland and Stream Mitigation Bank

On February 26, 2002, and October 14, 2003, the Board adopted the Powhatan Creek and Yarmouth Creek Watershed Management Plans (WMPs) respectively. One of the priorities of each of these plans is to stabilize and/or restore several stream channel segments within each watershed. The WMPs estimate the costs of these types of projects, which can be significant due to the specialized nature of the work. Development Management is currently in design development process of two stream restoration projects within the Powhatan Creek watershed.

Sometimes, as part of the normal design development process, unavoidable wetland and/or stream impacts are incurred by the development and are regulated by State and Federal agencies. As mitigation for these unavoidable impacts, the developer must provide some type of compensation, usually the creation of the same natural system that was impacted by the development. Another form of compensation would be purchasing 'credits' from a mitigation bank where those types of credits would be available.

The private sector has been successful in providing several wetlands mitigation banks near our County and developers of projects here have the option of buying credits from any of these banks. What has not been successful is the creation of any stream mitigation banks in our area due to various factors. When developers need stream mitigation, the permitting for their projects tends to take longer because of the lack of viable mitigation options available to them.

In order to help offset costs incurred by the County for the design and construction of the stream restoration projects outlined in the adopted WMPs and to provide another alternative to developers for their mitigation requirements, the Environmental Division proposes to start an umbrella stream mitigation bank. The bank would be regulated by the Mitigation Banking Review Team, which is composed of members from each of the involved wetland permitting agencies (US Corps of Engineers, US Environmental Protection Agency, US Fish and Wildlife, Virginia Department of Environmental Quality, Virginia Department of Game and Inland Fisheries, and Virginia Marine Resources Commission). Staff is in discussions with the agencies on starting a stream mitigation bank and will have the lead agency, the US Army Corps of Engineers, issue a public notice of our intentions in early 2006. Although some future Board action may be necessary, no Board action is required at this time.

Michael D. Woolson

CONCUR:

John T. P. Horne