



Stream Health Initiative (Phase II)

Table 2. Additional Strategies not Recommended for Further Consideration

Strategies listed here are not recommended for further consideration at this time, as they have been determined to i) have a low impact on stream health, ii) not be broadly supported by the stakeholders and community representatives that participated in the Stream Health Initiative; and/or iii) have associated constraints that would significantly decrease their likelihood of success.

Section I - New or revised regulations		
Strategy	Analysis & Discussion	
A	Explore ways to strengthen Zoning Ordinance 4.3 (Tree Cutting) - (prohibits cutting of trees within 15' of a perennial stream or water supply impoundment in all zoning districts, except for a permitted use), and enforcement of this provision.	The comprehensive review and update of the stream buffer provisions in the Zoning and Water Protection Ordinance recommended in Table 1 (Section 1A) would involve aligning and developing consistency throughout the ordinances, including Section 4.3, and is recommended over standalone updates to individual sections.
B	Require consideration of downstream impacts when new hardscapes are installed.	This is already required by current regulations.
C	Add protection to County recreational lakes (e.g. Chris Greene) and waterways that drain to them.	Recreational lakes are subject to the 100' buffer and are surrounded by publicly owned land. Few issues around recreational lakes have been identified. Potential opportunities for cross-departmental collaboration to minimize impacts to lakes can be explored (e.g. work with ACPR to relocate the dog park at Chris Greene).
D	Adopt the full Chesapeake Bay Preservation Act (CBPA).	This would introduce regulatory measures, such as requirements for stream buffers and soil and water conservation plans, on agricultural lands (see Code of VA 9VAC25-830-140. Development criteria for Resource Protection Areas). The agricultural community is strongly opposed to regulations for agricultural lands. Implementation of this strategy would also be staff time and resource intensive. However, opportunities exist for better alignment with some of the provisions of the CBPA (see Table 1, Section 1D).
E	Reinstate 25' buffers for perennial streams on cropland.	This is consistent with the CBPA and was required in the WPO prior to 2014. A soil and water conservation plan was also required. TJSWCD worked with farmers on this. The agricultural community is strongly opposed to regulations for agricultural lands. Staff for enforcement and coordination with TJSWCD for implementation would be required. Only a small percentage (4.2%) of farmland in Albemarle County is cropland.

Section I - New or revised regulations		
Strategy		Analysis & Discussion
F	Explore adoption of designated 'Resource Management Areas' consistent with the CBPA.	Resource Management Areas (RMA) are areas contiguous to Resource Protection Areas (WPO 100' buffers) on floodplains, highly erodable soils, highly permeable soils, wetlands, etc. This concept could be further explored; however, initial analysis has determined that it would 1) be staff and resource intensive; 2) impact a small percentage of land, as many areas included (floodplains, steep slopes, wetlands) already have protection within the County's ordinances; 3) introduce requirements for agricultural land to have conservation plans (not supported by the agricultural community).
G	Create an overlay for water supply reservoirs (or a different zoning) that limits intensive uses and/or has increased setbacks for certain activities.	Low impact, staff time and resource intensive. This would only apply to a very small percentage of land.
H	Develop standards for construction of new roads that if exceeded, would require implementation of VDOF BMPs for roads until they are stabilized, in order to remain an exempt activity.	This strategy is intended to apply only to situations where forestal land is being converted to pasture, but the roads installed are exceeding standards and what is typically required for agricultural and forestry activities. Regulating agricultural roads is strongly opposed by the agricultural community.

Section II - Incentives and Voluntary Opportunities		
Strategy		Analysis & Discussion
A	Provide support to existing conservation easement programs to incentivize permanent protection of stream buffers.	This might involve offering an incentive to landowners willing to include additional provisions for stream protection beyond the standard requirements for new conservation easements held by the County and other organizations. Additional provisions could include expanded buffer widths, intermittent stream buffers, livestock exclusion and other BMPs. This strategy was determined to 1) be low impact as most programs currently have strong buffer protections; and 2) have less community support than a standalone buffer easement program (see Table 1, Section IIA), which could be more focused on water quality and riparian habitat benefits and have a higher likelihood of success than altering existing programs.
B	Provide support to TJSWCD's buffer easement program to help increase permanent protection of stream buffers.	Stakeholder conversations revealed that due to high transactional costs for TJSWCD easements and a lack of capacity and support for expanding the program, supporting a buffer easement program administered by the County would be a better approach (see Table 1, Section IIA).

Section II - Incentives and Voluntary Opportunities

Strategy		Analysis & Discussion
C	Provide 'Enhanced Land Use' - an additional 25% reduction in property taxes for agricultural & forestal properties enrolled in the Use-Value Assessment program if they have livestock exclusion, 25' vegetative buffer on hay or cropland, and a forest management plan for forestal land.	This strategy was proposed by the Albemarle County Farm Bureau. Legal constraints were identified as a locality does not have the authority to make changes to the use-value assessment program outside of what is enabled in the state code. Updates to the VA state code would be required prior to consideration of this strategy. Exploring other ways to incentivize installation of BMPs on agricultural and forestal land was determined to be a more feasible alternative (see Table 1, Section IIC and IID).
D	Require stream buffers, livestock exclusion, and/or other best management practices in order to qualify for use-value assessment.	Legal constraints were identified as a locality does not have the authority to add additional qualifying standards for the use-value assessment program categories, outside of what is enabled in the state code. Updates to the VA state code would be required prior to consideration of this strategy.
E	Allow smaller acreages that have a buffer easement to qualify for use-value assessment in the open-space category.	Legal constraints were identified as a locality does not have the authority to change the minimum acreage for qualification; this must be consistent with the state code. Updates to the VA state code would be required prior to consideration of this strategy.
F	Allow properties with conservation practices installed to qualify for use-value assessment in the agricultural or open-space categories.	Properties with conservation practices installed already qualify in the agricultural category if they are enrolled in a state or federal conservation program, and if they also meet the minimum qualifying standards. Such properties could also qualify in the open-space category if they meet the minimum standards for open-space. If they do not meet the minimum qualifying standards for either category, permitting this would require a change to the state code.
G	Create a tax credit for buffer easements.	There are already state tax credits for land conservation (Land Preservation Tax Credit), installation of agricultural BMPs (Agricultural BMP Tax Credit Program), and protection of buffers during a forestry operation (Riparian Forest Buffer Tax Credit). Providing a grant to landowners to help cover transactional costs of easement donation was identified as a more effective approach (See Table 1, Section IIA, IIB, & IIC).
H	Reduce use of off-site nutrient credits from outside the County's watersheds.	The County is not enabled to restrict use of off-site nutrient credits per state law. New guidance from DEQ addresses this issue.

Section III - Monitoring, Restoration, Education, & Partnerships

Strategy		Analysis & Discussion
A	Provide support to encourage more volunteer monitoring in areas outside of the Rivanna watershed, like the Hardware.	RCA could help get a monitoring and training program started outside of the Rivanna Watershed; however, a water quality testing program that could serve as a screening tool to identify important long-term monitoring sites throughout the County was identified as a better approach (see Table 1, Section IIIA).
B	Recruit and train more volunteers to monitor streams in rural areas and engage non-profit groups for additional sources of volunteers.	RCA's existing monitoring programs fill this niche and creating a new County-led monitoring program would be redundant. Maintaining and potentially expanding the County's existing role of supporting these efforts would be a more efficient use of resources (see Table I, Section IIIA and IIIB).
C	Adopt a water quality standard for turbidity to capture sediment loading.	Virginia's water quality standards currently only have a narrative standard for turbidity. However, measuring turbidity is unpredictable, and is dependent on rainfall and size of the watershed, so a numeric standard is not widely supported at this time. This strategy was determined to be outside of the role of local government, and would require changes to the state code.
D	Establish a low/no interest loan program for people starting nutrient credit banks or wetland mitigation banks to help with the upfront costs.	This strategy was discussed in Phase I of the Stream Health Initiative and determined to be outside of the role of local government in Albemarle. An alternative approach of creating a fund to provide grants to projects that would improve stream health and water quality (see Table I, Section IIC), might include support of restoration, nutrient credit, or wetland mitigation banking projects.
E	Increase funding for stream restoration.	The County currently has some funding for stream restoration projects and has been successful in receiving additional grant funding. In order to meet pollutant reduction goals, these projects are primarily within the MS4 area, which largely overlaps the Development Area. The County has not yet supported stream restoration projects in the Rural Area, but could explore opportunities and public/private partnerships. For individual landowners, the upfront costs of stream restoration are typically too high; however Strategy IIC on Table 1 was identified as an option to support smaller scale restoration projects.
F	Dredge Lickinghole Basin.	A recent bathymetric survey of Lickinghole Basin determined that there has only been a 17% decrease in capacity, so dredging is not needed at this time. Per an agreement, RWSA is responsible for dredging when it is determined to be the appropriate time.
G	Create demonstration areas on County parks and properties educating the public about different kinds of BMPs, such as a lakeside riparian buffer.	This strategy was determined to be resource intensive, low impact, and low priority in comparison to other education-related strategies. However, opportunities to develop such demonstration sites can be explored with ACPR and in partnership with other organizations in the future.
H	Use radio and TV public service announcements to help educate the public about stream health.	This strategy was determined to be resource intensive, low impact, and low priority in comparison to other education-related strategies.
I	Work with utilities where easements impact streams.	Installation, maintenance, and repair of public utilities are exempt from the VESCP. Other opportunities to work with utilities to minimize impacts could be explored and developed.