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MEMORANDUM

TO: The Honorable Robert F. McDonnell and Members of the Virginia General Assembly

FROM: David K. Paylor

SUBJECT: Roanoke River Basin Bi-State Commission 2011 Annual Report

On behalf of the Roanoke River Basin Bi-state Commission and pursuant to VA. CODE ANN. § 62.1-69.44, the Virginia Department of Environmental Quality ("DEQ") forwards the attached 2011 Annual Report for the Roanoke River Basin Bi-State Commission. Additional copies of the report may be obtained by calling Scott Kudlas, Director, Office of Surface and Ground Water Supply Planning, at (804)698-4456. The report is also available on the DEQ website at: http://www.deq.virginia.gov/regulations/reports/html.

Should you require further information concerning this report, please do not hesitate to contact Jeff Reynolds, Water Policy Manager, at (804)698-4376.

A REPORT TO

THE HONORABLE ROBERT F. McDONNELL, GOVERNOR,

AND

THE GENERAL ASSEMBLY OF VIRGINIA

ROANOKE RIVER BASIN BI-STATE COMMISSION

2011 ANNUAL REPORT

Executive Summary

The Roanoke River Basin Bi-State Commission was established in the executive branch of state government. Duties and powers of the Bi-State Commission are established pursuant to Virginia Code § 62.1-69.37.

This report provides information regarding the Roanoke River Basin Bi-State Commission's activities during the 2011 calendar year.

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I. Introduction

The Roanoke River Basin Bi-State Commission was established as a bi-state commission composed of members from the Commonwealth of Virginia and the State of North Carolina. The duties and objectives of the Commission are established pursuant to Va. Code § 62.1-69.37. The Commission is composed of 18 members, nine from Virginia and nine from North Carolina. Composition of the membership is as follows: the six Virginia legislative members appointed to the Virginia Roanoke River Basin Advisory Committee and three non-legislative gubernatorial appointments. The North Carolina delegation is appointed in a similar fashion.

The purpose of the Commission is to:

Provide guidance, conduct joint meetings, and make recommendations to local, state, and federal legislative and administrative bodies, and to others as it deems necessary and appropriate, regarding the use, stewardship, and enhancement of the Roanoke River Basin's water and other natural resources;

Provide a forum for discussion of issues affecting the Basin's water quantity, water quality, and other natural resources;

Promote communication, coordination, and education among stakeholders within the Basin;

Identify Basin-related problems and recommend appropriate solutions; and

Undertake studies and prepare, publish, and disseminate information through reports, and other communications related to water quantity, water quality, and other natural resources of the Basin

II. Meetings and Locations

The Roanoke River Basin Bi-State Commission meets throughout the Basin in an effort to make the meetings available to all Basin constituents in both states. This year, the Commission held one meeting in Weldon, North Carolina. The meeting agendas are available upon request.

III. Organization

Edith Warren, Representative from North Carolina was elected by the membership to serve as Chair of the Commission. By-Laws were adopted in August 2009 and provide for the Chair to rotate annually between Virginia and North Carolina. Mike McEvoy from Virginia was elected by the membership to serve as 1st Vice Chair of the Commission.

IV. Current Membership of the Roanoke River Basin Bi-State Commission

There are currently 18 members on the Commission, nine from Virginia and nine from North Carolina, as permitted by the statute. A list of current members is provided below.

Virginia
Senator Roscoe Reynolds
Senator Frank M. Ruff
Delegate Kathy J. Byron
Delegate Thomas C. Wright, Jr.
Delegate Charles Poindexter
Delegate Onzlee Ware
Mike McEvoy
John H. Feild
Haywood J. Hamlet

North Carolina
Senator Douglas Berger
Rep. John May
Rep. Michael Wray
Rep. Edith Warren
Rep. James Crawford
John Slaton
Larry Yarborough
Nate Hall

V. Non-legislative Delegates to the Roanoke River Basin Bi-State Commission

Mike McEvoy, John Feild, and Haywood Hamlet are the Virginia non-legislative delegates to the Roanoke River Basin Bi-State Commission. They were recommended by the Virginia Roanoke River Basin Advisory Committee and appointed by the Governor.

VI. Committees

The Roanoke River Basin Bi-State Commission has five legislated standing committees: Agriculture and Forestry, Lake Interests, Municipal Interests and Permit Holders, River Interests, and Water. Pursuant to the enabling legislation, the Bi-State Commission shall establish the above-mentioned standing committees, but may also establish other standing and ad hoc committees the Bi-State Commission deems necessary and appropriate. Membership and guidelines for the committees are under development.

The Virginia Roanoke River Basin Advisory Committee, which has been meeting since 2002, established similar standing committees to those required by the Bi-State Commission, although none met in 2011. The Advisory Committees' standing committees are structured to support the Bi-State Commission standing committees. It is likely that Virginia membership to the Bi-State Commission committees will include representatives from the Advisory Committee standing committees.

The Commission created the Water Allocation Ad Hoc Committee to develop alternatives for allocating water supply storage from Kerr Reservoir. Committee work continues. Legislation was proposed in the 2011 Virginia General Assembly to establish a permitting process for interbasin transfers. The proposed legislation was referred to the Water Commission for further review. Similar legislation may be proposed in the 2012 General Assembly.

VII. Issues and Topics of Interest

Uranium Mining – There has been a moratorium on uranium mining in the Commonwealth since 1982, although approval for restricted uranium exploration in the state was granted in 2007. Virginia Uranium, Inc. has indicated an interest in initiating mining and processing operations in Pittsylvania County in the Roanoke River Basin watershed, should the moratorium be lifted.

The Virginia Coal and Energy Commission (VCEC) proposed that the Virginia Center for Coal and Energy Research conduct a study on the impact of uranium mining in the Commonwealth. The VCEC commissioned the National Academy of Sciences to conduct this study. The VCEC also commissioned a socioeconomic study on the impact of uranium mining. Both studies are expected to be completed by the end of 2011.

Citizens interested in this topic addressed the Commission at its meetings under public comment.

At the May 23, 2011 meeting of the Bi-State Commission, the following motion regarding uranium mining was approved:

As studies on uranium mining in Virginia will not be completed before December 2011, the Roanoke River Basin Bi-State Commission requests that no action be taken by the Virginia General Assembly on lifting the ban on uranium mining until the studies are completed and analyzed, and not before January 2013. Furthermore, the RRBBC requests that the issue not be considered by the Virginia General Assembly until the Roanoke River Basin Bi-State Commission takes action on the issue.

VIII. 2011 Presentations to the Roanoke River Basin Bi-State Commission

There were no formal presentations made to the Bi-State Commission in 2011.