

Agenda
Hampton Roads Planning District Commission
Executive Committee Meeting

SEPTEMBER 16, 2009

Call to Order 9:30 a.m.

HRPDC Headquarters, The Regional Boardroom, 723 Woodlake Drive, Chesapeake, Virginia

CALL TO ORDER

PUBLIC COMMENT

CONSENT AGENDA

1. Minutes of July 15, 2009
2. Treasurer's Report
3. Regional Reviews
 - a. PNRS Items Review
 - b. Environmental Impact Assessment/Statement Review
4. Request for Proposals – HR GREEN Media Consultant
5. Environmental Program Grants and Contracts
6. HRPDC Freedom of Information Act Statement
7. Memorandum of Understanding: Fiscal Agent for HRTPO
8. HR GREEN – eNewsletter
9. FY 2008 - 2009 Annual Report to DHCD



10. Implementation Plans for Bacterial TMDLs in the Back Bay and North Landing River Watersheds
11. Regional Bacteria Source Tracking Study
12. Deconstruction of NASA Wind Tunnels
13. Comprehensive Economic Development Strategy (CEDs)
14. Stormwater Management Regulations - Update
15. Project Status Report
16. For Your Information
17. Old/New Business

ADJOURNMENT

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #1: MINUTES OF July 15, 2009

Minutes of the July 15, 2009 meeting are attached.

Attachment

RECOMMENDED ACTION:

Approval.

Hampton Roads Planning District Commission
Quarterly Meeting
Minutes of July 15, 2009

The Quarterly Meeting of the Hampton Roads Planning District Commission was called to order at 9:36 a.m. at the Regional Boardroom, 723 Woodlake Drive, Chesapeake, Virginia, with the following in attendance:

COMMISSIONERS:

Bruce C. Goodson, Chairman (JC)	W. Douglas Caskey (IW)
Stan D. Clark Vice Chairman (IW)	Douglas L. Smith (PO)
James O. McReynolds, Treasurer (YK)	Tyrone W. Franklin (SY)
Sanford B. Wanner (JC)	John Seward (SY)
Dr. Alan P. Krasnoff (CH)	William D. Sessoms (VB)
William E. Harrell (CH)	James K. Spore (VB)
Clifton E. Hayes (CH)*	Harry E. Diezel (VB)
Ella P. Ward (CH)	Robert M. Dyer (VB)
Brenda G. Garton (GL)	Barbara M. Henley (VB)
Joe S. Frank (NN)	Jeanne Zeidler (WM)
Sharon Scott (NN)*	Linda T. Johnson (SU)
Molly Joseph Ward (HA)	Selena Cuffee-Glenn (SU)
Thomas Shepperd (YK)	Paul D. Fraim (NO)*
Jackson C. Tuttle II (WM)	Rosa M. Lawrence (FR)
	Barclay C. Winn (NO)

*Late arrival or early departure.

OTHERS RECORDED ATTENDING:

John Gergery (Citizen); Keith Cannady, Elizabeth Kersey & Mary Bunting (HA); Bryan Pennington, Al Riutort (NN); Del. Glenn Oder – General Assembly; Terri Boothe (VB); Earl Sorey (CH); Sherri Neil & George Brisbin (PO); Eric Nielsen (SU); Dana Dickens – HRP; Ellis W. James - Sierra Club Observer; Jeff Raliski, Ethan Talakin & Stanley Stein (NO); Randy Lougee – League of Women Voters–SHR; Ray Taylor – FHR; Henry Ryto - HRT User Citizen Advisory Comm. (VB); Tom Ballou – VADEQ; Richard Lockwood – VHB; Kristin Wells – Seventh Point–VB; Germaine Fleet – Biggs & Fleet; Matthew Simons – Student; Ron Hodges - HRT/TRAFFIX; Peter Huber – Wilcox & Savage; Staff: Dwight Farmer, Shernita Bethea, John Carlock, Rick Case, James Clary, Nancy Collins, Richard Flannery, Carlos Gonzalez, Kathlene Grauberger, Greg Grootendorst, Emilie Helms, Julia Hillegass, Frances Hughey, Jim Hummer, Rob Jacobs, Whitney Katchmark, Brett Kerns, Robert Lawrence, Ben McFarlane, Glynis Mitchell, Benito Perez, Kelli Peterson, Camelia Ravanbakht, Laura Surface, Jenny Tribo, Joe Turner, Chris Vaigneur and Eric Walberg.

CONSENT AGENDA

The Consent Agenda contained the following items:

Minutes of June 17, 2009

Treasurer's Report

Regional Reviews

A. PNRS Items Review

Commonwealth of Virginia Public Fleets Diesel Emissions Reduction Initiative; Hampton Roads Clean Cities Corporation (Virginia Clean Cities); EPA – ARRA Funding for the National Clean Diesel Funding Assistance Program

FY 2009 Drinking Water State Revolving Fund Program – Safe Drinking Water Act; VDH; EPA – Safe Drinking Water Revolving Fund

VADEQ Hazardous Substance Response Superfund Site – Atlantic Wood RA 1,2,3; DEQ; EPA – Superfund State Political Subdivision Site-Specific Cooperative Agreements

FY 2009 State Revolving Loan Fund Capitalization Grant; DEQ; EPA – Capitalization Grants for Clean Water State Revolving Funds

VA Diesel Emission Reduction Recovery Grant; DEQ, Office of Air Permit Programs; EPA – State Clean Diesel Grant Program

B. Environmental Impact Assessment/Statement Review

High Energy Mobile X-Ray Inspection Systems at the Port of Virginia; U.S. Customs and Border Protection; Norfolk, Portsmouth, Newport News

Oyster Restoration in the Chesapeake Bay Including the Use of a Native and/or Nonnative Oyster; US Army Corps of Engineers; Hampton Roads Planning District Commission

Judeo-Christian Outreach Center; U.S. Department of Housing and Urban Development; Virginia Beach

Construction of Garage D with Exit Plaza and Stormwater Pond Modifications (Norfolk International); USDOT/FAA; Norfolk

Demolition and Construction of New Library; Norfolk State University; Norfolk

Hampton Roads Economic Quarterly Report

Chairman Goodson introduced Mr. Greg Grootendorst to discuss his presentation on the Hampton Roads Economic Quarterly Report. Mr. Grootendorst stated media reports from the current recession consistently highlight the economic volatility that is present in the regional and super-regional economies. In 2008, HRPDC Economics staff included the *Hampton Roads Economic Quarterly* (HREQ) in the work program for the purpose of delivering timely regional economic information to the Commission and organizations throughout Hampton Roads. The HREQ was designed to include a feature editorial that was both timely and regionally significant. The quarterly also included a short narrative on the current economic outlook for Hampton Roads, accompanied by six graphs depicting GDP, retail sales, employment, unemployment, initial unemployment claims, and housing permit data. In keeping with the HRPDC's goal to deliver information that is both timely and relevant, Economics staff proposes releasing future HREQ in an electronic newsletter format on a quarterly basis to be received by Commissioners simultaneously. The recommendation is to approve the Hampton Roads Economic Quarterly for electronic distribution on a quarterly basis.

(Cliff Hayes and Paul Fraim arrive)

In response to Chairman Goodson's inquiry if staff will monitor spending from federal stimulus in the region and try to make a correlation with jobs that are saved or gained, Mr. Grootendorst and Mr. Farmer agreed to add this information to the quarterly report.

Commissioner Garton Moved to approve the Hampton Roads Economic Quarterly for distribution in electronic format on a quarterly basis; seconded by Mr. Smith. The Motion Carried.

Stormwater Management Regulations – Regional Comments

Chairman Goodson recognized Ms. Julia Hillegass, HRPDC Senior Environmental Planner, to present the Stormwater Management Regulation Regional comments.

Ms. Julia Hillegass stated twelve of the region's localities are operating under Municipal Separate Storm Sewer System (MS4) Permits. All of the region's localities will also be affected by the proposed state stormwater management program regulations.

On June 22, 2009, the Virginia Department of Conservation and Recreation (DCR) published the draft Stormwater Management Regulations for public review. These proposed regulations modify the technical standards for stormwater management, establish the procedures that will govern local government administration of the stormwater program, including local government issuance of the General Permit for Stormwater from Construction Activities, and establish fees for permit applications and annual permit maintenance. A series of public hearings is being held across the state, with one being held in Hampton on July 9, 2009.

The HRPDC staff and Regional Stormwater Management Committee have been involved extensively in the nearly four year development process for these regulations. At its meeting on July 2, 2009, the Regional Stormwater Management Committee discussed the proposed regulations and the continuing concerns of the localities with

these regulations at great length. Based on this discussion, the Committee reached consensus on a number of points that DCR needs to consider in finalizing, including appropriate modifications, the proposed regulations prior to adoption by the Board of Soil and Water Conservation. Some of those concerns are the restrictions are getting tougher and the costs are going up. While the program targets phosphates as the keystone pollutant because of ties to the Chesapeake Bay program, most water quality impairments in the area stem from bacteria.

A letter to be submitted to DCR is being reviewed by the Committee. Assuming Commission concurrence with the bulleted list of concerns and recommendations, the letter will be submitted by the HRPDC staff prior to the end of the public comment period, which is August 21st. The recommendation is to endorse the listing of concerns and recommendations regarding the proposed Stormwater Management Regulations.

Mayor Frank voiced his concerns regarding a “one regulation fits all” statewide approach, which is more problematic in Hampton Roads than it would be in other areas of the state that do not have the same water table issues. He also stated HRPDC or State staff ought to take a look at specific conceptual pieces of land in different contexts, urban, rural, and suburban areas, and impose on them the BMPs that they define. He suggests completing a cost benefit and economic impact analysis since we do not fully understand how this will affect development, redevelopment and infill in our communities.

Chairman Goodson expressed concern about the feasibility of small businesses who want to upgrade their business and find they will not be able to because the regulations are so onerous.

Mayor Frank moved the staff amplify the comments that have been made taking into account the actual examples of impacts of these proposals on a variety of sizes and placed pieces of land, and that a letter is drafted in very clear terms about this Commission’s concerns about this without further investigation and research with regard to the economic impact and with regard to the cost benefit of these projects. Also he suggested authorizing the Chair to sign the letter in the absence of another meeting conferring with such members of the group as he chooses. He stated 40% of the impact comes from residential properties and the remaining 60% of the impact comes from farms, factories and energy plants. Therefore, these regulations will basically impact on 40% of the problem and do so in a very expensive and highly forceful manner.

Mr. Clark made an amendment to Mayor Frank’s motion to add rural areas and an urban case study on a piece of land. He also inquired about what the staff costs are going to be and if the new positions and requirements will require hiring of additional personnel.

Ms. Hillegass responded the fees associated with the general construction permit delegation would give 72% of those funds generated to a locality and 28% to the State. The assumption is that everyone will need to take on additional staff to deal with the

new requirements. She also stated DCR's analysis anticipates those fees will be adequate to handle the staff needs.

Mr. Shepperd discussed the debate over the issue of whether our state regulations focusing on the issue of phosphates are completely incorrect. His concern is building BMPs to filter phosphates when, in fact, phosphates is a natural element that occurs within our environment and bacteria is a bigger concern.

Mr. Smith stated the same type of joint effort that went into the Jordan Bridge proposal with regards to the coordination and letters from all jurisdictions be implemented with this issue.

Mayor Frank suggested engaging members of the legislature along with the Commission and the State will be valuable.

Mayor Frank Moved to draft a letter with the recommendations stated; seconded by Mr. Clark. The Motion Carried.

HRPDC Bylaws Amendment – First Reading

Chairman Goodson stated the reading of the Bylaws Amendment reflects the change in time for the Planning District Commission to begin at 9:30 a.m. on the same day as the HRTPO, which has been done for the last three months.

Mayor Frank Moved to adopt the new PDC meeting time; seconded by Mr. Hayes. The Motion Carried.

Memorandum of Understanding – TPO Staffing

Mr. Farmer stated the HRTPO Committee and Board have come to the conclusion there needs to be a Memorandum of Understanding between the two Boards on the use of the PDC staff to carry out the HRTPO function. This agenda item will be discussed in further detail during the HRTPO Board meeting.

The recommendation is to authorize the Chairman to execute the MOU between the HRPDC and the HRTPO concerning HRPDC provision of staff support to the HRTPO.

Mayor Fraim Moved to approve the recommendation to authorize the Chairman to execute the MOU between the HRPDC and the HRTPO; seconded by Mayor Frank. The Motion Carried.

Project Status Report

Chairman Goodson stated this agenda item does not require any action.

For Your Information

Chairman Goodson informed members the August meeting will be cancelled unless there is extremely important business to come before the Commission.

Adjournment

With no further business to come before the Hampton Roads Planning District Commission, the meeting adjourned at 10:16 a.m.

Dwight L. Farmer
Executive Director/Secretary

Bruce C. Goodson
Chairman

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #2: TREASURER'S REPORT

**FISCAL YEAR 2010
July 31, 2009
BALANCE SHEET**

ASSETS		LIABILITIES & NET ASSETS	
Cash & Cash Equivalents	218,503	Current Liabilities	618,352
Accounts Receivables	1,781,632	Net Assets	5,563,806
Investments	2,638,545		
Other Current Assets	664		
Net Capital Assets	<u>1,542,813</u>		
Total Assets	<u><u>6,182,157</u></u>	Total Liabilities & Equity	<u><u>6,182,157</u></u>

STATEMENT OF REVENUES AND EXPENDITURES

REVENUES	Annual Budget	Current Month	YTD
Grant and Contract Revenue	10,069,018	490,736	490,736
VDHCD State Allocation	253,879	-	-
Interest Income	25,000	4,615	4,615
Local Jurisdiction Contributions	1,346,171	336,543	336,543
Other Local Assessment	1,197,960	296,325	296,325
Sales and Miscellaneous Revenue	967,085	3,384	3,384
Total Revenue	<u><u>13,859,113</u></u>	<u><u>1,131,603</u></u>	<u><u>1,131,603</u></u>
EXPENDITURES			
Personnel	4,269,377	303,654	303,654
Standard Contracts	186,285	12,501	12,501
Special Contracts / Pass-Through	8,324,231	87,200	87,200
Office Services	862,152	28,846	28,846
Capital Assets	149,950	-	-
Total Expenses	<u><u>13,791,995</u></u>	<u><u>432,201</u></u>	<u><u>432,201</u></u>
Agency Balance	<u><u>67,118</u></u>	<u><u>699,402</u></u>	<u><u>699,402</u></u>

Executive Committee Meeting - September 16, 2009

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #2: TREASURER’S REPORT

**FISCAL YEAR 2010
August 31, 2009
BALANCE SHEET**

ASSETS		LIABILITIES & NET ASSETS	
Cash & Cash Equivalents	871,248	Current Liabilities	603,116
Accounts Receivables	1,036,621	Net Assets	5,327,185
Investments	2,483,545		
Other Current Assets	664		
Net Capital Assets	<u>1,538,223</u>		
Total Assets	<u>5,930,301</u>	Total Liabilities & Equity	<u>5,930,301</u>

STATEMENT OF REVENUES AND EXPENDITURES

REVENUES	Annual Budget	Current Month	YTD
Grant and Contract Revenue	10,069,018	210,480	701,216
VDHCD State Allocation	253,879		-
Interest Income	25,000		4,615
Local Jurisdiction Contributions	1,346,171		336,543
Other Local Assessment	1,197,960	61,775	358,100
Sales and Miscellaneous Revenue	967,085	182	3,566
Total Revenue	<u>13,859,113</u>	<u>272,436</u>	<u>1,404,040</u>
EXPENDITURES			
Personnel	4,269,377	309,303	612,957
Standard Contracts	186,285	4,609	17,109
Special Contracts / Pass-Through	8,324,231	131,818	219,018
Office Services	862,152	63,328	92,173
Capital Assets	149,950	-	-
Total Expenses	<u>13,791,995</u>	<u>509,057</u>	<u>941,257</u>
Agency Balance	<u>67,118</u>	<u>(236,620)</u>	<u>462,782</u>

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #3: REGIONAL REVIEWS – MONTHLY STATUS REPORT

A. PNRS Items (Initial Review)

The HRPDC staff is routinely involved in the review of applications for grants to support projects involving federal or state funding. To ensure that all Commissioners are aware of projects being reviewed, brief summaries of these projects and anticipated review schedules are included in the Agenda. The HRPDC staff will continue to request comments directly from staff in localities that appear to be directly affected by a project. Review and comment by more than one locality is requested when a project may affect the entire region or a sub-regional area. Attached is a listing and summary of projects that are presently under review. As of September 8, 2009, there were no outstanding comments on these projects.

B. Environmental Impact Assessment/Statement Review

The HRPDC staff is routinely involved in the review of environmental impact assessments and statements for projects involving federal funding or permits as well as state development projects. To ensure that all Commissioners are aware of projects being reviewed, brief summaries of these projects and anticipated review schedules are included in the Agenda. The HRPDC staff will continue to request comments directly from staff in localities that appear to be directly affected by a project. Attached is a listing and summary of projects that are presently under review.

Attachment

RECOMMENDED ACTION:

None required.

Project Notification and Reviews

Date **CH #**

Title

Applicant

State/Federal Program

Project Staff **Type of Impact**

Project Description

This funding will assist with the purchase of two police vehicles and equipment for the city of Franklin.

FUNDING

<input type="text" value="\$50,000.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$40,909.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Federal	Applicant	State	Local	Other	Program
TOTAL			<input type="text" value="\$90,909.00"/>		

Date 9/3/2009 **CH #** VA100827-0423760

Title VADEQ Water Quality Management Plan

Applicant Virginia Department of Environment Quality

State/Federal Program EPA - Water Quality Management Planning

Project Staff Claire Jones **Type of Impact** Statewide

Project Description

This grant will help DEQ to plan, develop, negotiate, and manage TMDL development projects. This project will include partial funding for outreach support, support for 19 TMDLs being developed, and in-house development of 2 shellfish implementation plans by the HRPDC.

FUNDING

\$140,669.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Federal	Applicant	State	Local	Other	Program
TOTAL			\$140,669.00		

Environmental Impact Reviews

Date Received

Number

Name

Sponsor

Description

Christopher Newport University submitted an environmental impact report on the proposed construction of a chapel on its campus in Newport News and the demolition of an existing parking lot. The proposed chapel is expected to be a multi-story masonry building on a 15,000 square foot parking lot that is currently covered with asphalt. The site is bordered to the north and west by University Place and to the south and east by asphalt parking. Additional roads and driveways are not anticipated to be constructed.

Affected Localities

Finding

Comments Sent

Final State Comments Received

Date Received

Number

Name

Sponsor

Description

The Tidewater Community College (TCC) of the Virginia Community College System proposes to acquire two parcels of land and then construct the Learning Resource Center and associated infrastructure. The two parcels to be acquired total 4.75 acres and are located adjacent to the TCC campus and along Rosemont Road in Virginia Beach. These parcels, along with approximately 10.2 acre of land the college already owns, are the proposed location of the new Learning Resource Center.

The construction of the Learning Resource Center is a joint project between the College and the City of Virginia Beach. The facility will be a multi-story library building, approximately 120,000 square feet, which will house not only the campus library, but a public library for the community. In addition, the building will include spaces for collections, computer labs, meeting rooms a café and open seating areas. Infrastructure construction includes a 200-space parking lot, sidewalks, utilities and landscaping.

Affected Localities

Finding

Comments Sent

Final State Comments Received

Date Received

Number

Name

Sponsor

Description

The Chesapeake Airport Authority proposes several construction projects at the Chesapeake Regional Airport. These projects will be developed in three phases on approximately 28-acres. The proposed construction is necessary to continue to maintain, upgrade and expand the Airport commensurate with the growing demand at the airport. The proposed projects are as follows:

- expand an existing corporate and t-hangar;
- construct an airport restaurant;
- install an aircraft washing area;
- construct a connector taxiway;
- relocate the security fencing;
- construct an access road; and
- install a fire suppression water storage tank.

Affected Localities

Finding

Comments Sent

Final State Comments Received

Date Received

Number

Name

Sponsor

Description

The U.S. Department of Housing and Urban Development (HUD) proposes to provide mortgage insurance under the HUD Section 221(d)(4) program to AGM Financial Services, Inc., for the construction of the proposed Lakewood Manor Apartments at Tidewater Drive and Roland Drive in the City of Norfolk. The HUD program provides mortgage insurance for multifamily rental housing for moderate-income families. The proposed apartment complex would consist of a two (2) building, 187-unit multi-family apartment complex. The 4.92-acre property currently contains (1) two-story convalescent center, one (1) two-story residential structure constructed in the 1930's, and one (1) two-story residential structure constructed in the 1920's, a garage and two (2) sheds. The existing structures will be demolished. On behalf of HUD, Dominion Due Diligence Group has submitted a federal consistency determination that finds the proposal consistent to the maximum extent practicable with the enforceable policies of the Virginia Coastal Resources Management Program (also called the Virginia Coastal Zone Management Program).

Affected Localities

Finding

Comments Sent

Final State Comments Received

Date Received

Number

Name

Sponsor

Description

The U.S. Department of Housing and Urban Development (HUD) proposes to provide mortgage insurance under the HUD Section 221(d)(4) program to Grandbridge Real Estate Capital, LLC, for the construction of the proposed Evergreens at Bethel multi-family apartment complex at 4358 Greenwood Drive in the City of Portsmouth. The HUD program provides mortgage insurance for multifamily rental housing for moderate-income families. The subject property and consists of approximately 13.789 acres of land which is proposed for the development of six (6) multi-family residential structures. The property is currently improved upon with eighteen (18) one-story multifamily apartment structures which were constructed in 1960, and are scheduled to be demolished prior to the construction of the proposed structures. Exterior property improvements were observed to include landscaped regions and asphalt parking areas. On behalf of HUD, Dominion Due Diligence Group has submitted a federal consistency determination that finds the proposal consistent to the maximum extent practicable with the enforceable policies of the Virginia Coastal Resources Management Program (also called the Virginia Coastal Zone Management Program).

Affected Localities

Finding

Comments Sent

Final State Comments Received

Date Received

Number

Name

Sponsor

Description

The Navy proposes to install approximately 2,166 linear feet of new steel sheet pile bulkheading no greater than two (2) feet channelward of an existing deteriorated bulkhead between Piers 7 and 11 at Naval Station Norfolk, Norfolk, Virginia.

Affected Localities

Finding

Comments Sent

Final State Comments Received

Date Received

Number

Name

Sponsor

Description

The Navy proposes to install approximately 300 linear feet of steel sheet pile bulkhead and 300 linear feet of riprap toe protection south and east of Pier 1 near CEP-I02 at Naval Station Norfolk, Norfolk, Virginia.

Affected Localities

Finding

Comments Sent

Final State Comments Received

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #4: REQUEST FOR PROPOSALS – HR GREEN MEDIA CONSULTANT

The HRPDC staff is working with the four education committees in developing its annual media campaign. Annually, the four committees select media outlets – print, radio and television – following presentations from the media vendors in the Hampton Roads market. Based on the presentations and available budgets, the Committees select the most cost-effective, value-added approach to their media presence on an individual basis.

The four committees are: HR CLEAN – Litter Control, Recycling and Beautification; HR FOG – Fats, Oils and Grease in the wastewater system; HR STORM – Stormwater Education; and HR WET – Water Conservation. The HRPDC staff and Committees are working on development of an umbrella brand – HR GREEN. To effect the transition to this new brand, while preserving the unique identities of the four existing and very successful education programs, a Media Subcommittee, consisting of representatives of the four primary education committees and HRPDC staff, is working to develop a transition plan and new media information. Based on the Subcommittee's recommendations, the HRPDC staff has developed the attached Request for Proposals for consultant assistance in developing the transition plan and implementing the FY 2009 – 2010 media component of the region's environmental education program.

The HRPDC staff and Program Committees recommend that the RFP be approved and that the Executive Director be authorized to contract with the selected firm to implement this initiative. Funding is available in the HRPDC Budget through the various educational program budgets.

Attachment

RECOMMENDED ACTION:

Approve the attached RFP for the HR GREEN Media Consultant and authorize the Executive Director to execute a contract with the selected firm.

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Request for Qualifications and Proposals

BACKGROUND

The Hampton Roads Planning District Commission, on behalf of and in cooperation with its member local governments, is pursuing a cooperative regional environmental public education/information program. This regional program has been underway for several years under a four-committee structure (HR WET, HR STORM, HR CLEAN and HR FOG) that meets at least annually to discuss overarching issues and concerns. During the past year, momentum has increased enough to dovetail the messages under the umbrella of HR Green. The work of several of the committees are tied to federal and/or state programmatic and regulatory initiatives, making milestones and measures of success an issue of increased importance. Examples of these requirements include the Regional Special Order by Consent with the Department of Environmental Quality, Virginia Stormwater Management Program, HB 1177 (372 Acts of Assembly 2004), enacted by the Virginia General Assembly in 2004, water supply planning requirements as well as various existing and drafted laws on littering and recycling.

The HRPDC, on behalf of its member local governments and the above committees, is issuing this Request for Proposals in order to obtain assistance in further developing the transition to the HR Green brand.

OBJECTIVES

The following objectives have been established for this project:

Provide public relations, marketing and media buying services to the Hampton Roads Planning District Commission and the Regional Environmental Education Committees/HR Green for FY 2009-2010.

Provide public relations, marketing and media buying services to individual locality members of the Regional Environmental Education Committees/HR Green on a task-specific or as needed basis.

TIME OF PERFORMANCE

This Project will begin on October 1, 2009 and end on June 30, 2010. Annual extensions to a maximum contract period of five years or June 30, 2015 are possible based on continuing need, funding, and satisfactory performance by the selected firm.

SCOPE OF WORK

The HRPDC staff and the Regional Environmental Education Committees/HR Green are requesting a public relations, marketing and media buying services arrangement with detailed scopes of work to be developed and negotiated on annual basis. Potential tasks may include, but are not limited to:

Development of a comprehensive Communications Plan for HR Green, which incorporates the messages of HR WET, HR STORM, HR CLEAN and HR FOG.

A multi-media advertising strategy, including social media.

Detailed tracking of the reach, frequency and impact of the campaign.

An annual schedule of topical campaigns including existing materials such as Water—Use It Wisely, Scoop the Poop, Chesapeake Club, Hampton Roads is too Good to Waste and Fat Free Drains, as well as new initiatives.

Suggested updates and enhancements to existing websites, as well as development of a concept for an HR Green portal that pulls all of the existing sites together.

PROPOSAL REQUIREMENTS

The Proposal should document, at minimum:

1. The proposed approach to providing continuing planning and implementation services for the types of tasks specified in the Scope of Work section, as well as new recommendations.
2. The proposed approach to working with an Advisory Committee, representing the participating jurisdictions, the HRPDC and the Hampton Roads Sanitation District, the Virginia Departments Conservation and Recreation and Environmental Quality, as appropriate.
3. Prior experience with similar work.
4. List the individuals and their particular qualifications that will be assigned to this project.
5. Current workload as it may affect the firm's ability to complete this project within the confines of a monthly committee meeting structure.
6. Interest in undertaking specific components of the project, based on the representative project types noted above.

SELECTION CRITERIA

The HRPDC and the Regional Environmental Education Committees will give consideration to the following factors in their review of prospective consultants for this project:

1. Responsiveness to Scope of Work and Proposal Requirements.
2. Professional competence of the firm, including qualifications and competence of key personnel and joint venture or association participants.
3. Experience in the type of work required.

4. Record of the firm in accomplishing work on other projects with respect to such factors as the quality and adequacy of the work, resource allocations, ability to meet schedules, innovative approaches and cost control.
5. Accessibility of the firm and the ability of key personnel to visit the project area to meet with HRPDC staff and Regional Environmental Education Committee members.
6. Quality of work previously performed by the firm for the HRPDC or one of the participating jurisdictions.
7. Ownership of firm by a minority or participation of minority personnel on the project.
8. Cost factors, including billing rates for key personnel, overhead, etc. The ability to separate out or equally split proposal component costs by project (i.e. WET, STORM, CLEAN, FOG) for billing purposes is essential.

A Pre-Proposal Meeting to answer questions from prospective proposers will be held on _____ at 10:00 am in the HRPDC Board Room, The Regional Building, 723 Woodlake Drive, Chesapeake, Virginia.

Ten (10) paper copies of the Proposal and one electronic copy (MS WORD or PDF) are required to be submitted, by close of business on _____ to:

Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, Virginia 23320
ATTN: Julia B. Hillegass, Senior Planner

The Virginia Procurement Act and HRPDC Procurement Procedures will be followed in selecting a consultant for this project.

Questions should be addressed to Julia B. Hillegass, Senior Planner, at (757) 420-8300. A list of 3-5 finalists may be called upon to provide an additional presentation to the selection committee before a final decision is made. All contracts are subject to continued receipt of projected local government contributions or special project contributions.



AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #5: ENVIRONMENTAL PROGRAM GRANTS AND CONTRACTS

A. Energy Efficiency and Conservation Block Grant Program

The Virginia Department of Mines, Minerals and Energy (DMME) is responsible for managing the Energy Efficiency and Conservation Block Grant (EECBG) Program for non-entitlement communities. In Hampton Roads, this includes the Cities of Franklin, Poquoson and Williamsburg, the Counties of Isle of Wight, Gloucester, James City, Southampton, Surry and York and the Towns of Boykins, Branchville, Capron, Claremont, Courtland, Dendron, Ivor, Newsoms, Smithfield, Surry, and Windsor. The region's other localities are classified as Entitlement Communities and have previously applied for funding through this program. The non-entitlement portion of the EECBG Program is a competitive program.

Similar to the EECBG Program for Entitlement Communities, the competitive non-entitlement program encourages coordination among the participating localities. The HRPDC has been facilitating the regional coordination process since early in 2009 and many of the non-entitlement communities have been participating in that process. The EECBG Work Group met on September 8, 2009.

DMME requested that the states' twenty-one (21) Planning District Commissions assist it in managing this program. The Virginia Association of Planning District Commissions established a Management Team of PDC representatives, including Eric Walberg of the HRPDC staff, to assist in developing the application process and related materials, conducting outreach to the eligible localities, managing the application process and assisting with grants management after grants are awarded. Funding to support the PDC activities will be handled through a grant from DMME to the Northern Virginia Regional Commission, which in turn will execute Memoranda of Agreement with the other PDCs.

DMME is still attempting to get guidance from the federal Department of Energy concerning the eligibility of PDCs to receive grant funding for projects directly through the competitive program. In any case, cooperative, multi-jurisdictional projects are eligible and PDCs are eligible to manage/conduct such projects through agreements with the participating localities.

RECOMMENDED ACTION:

Authorize the Executive Director to execute a contract with the Northern Virginia Regional Commission to manage the EECBG Program process in Hampton Roads and to pursue cooperative regional projects as appropriate.

B. Cooperative Project with Virginia Water Resources Research Center

The Virginia Water Resources Research Center (VWRRC) at Virginia Tech has applied for funding through the National Oceanic and Atmospheric Administration for a project to develop water management educational modules to prepare localities for climate change in urban environments. The VWRRC has requested that HRPDC staff work as a collaborator on this project and use Hampton Roads to pilot the educational modules.

This work builds on the regional climate change study, which is currently underway. One obvious conclusion from that study is the need for development of educational materials for local staff and elected officials. Similar conclusions can be drawn from discussions among the HRPDC staff and the members of the HRPDC Environmental Committees.

The proposed collaboration between the VWRRC and the HRPDC is a relatively modest effort, involving HRPDC facilitation of local government discussion of the issues and review of draft materials as they are developed. Funding in the amount of \$3,000 per year for the next two years, assuming VWRRC receives a grant, would support the administrative aspects of this effort.

RECOMMENDED ACTION:

Authorize the Executive Director to execute a contract with the Virginia Water Resources Research Center for the climate change education project if a grant is awarded to VWRRC for the project.

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #6: HRPDC FREEDOM OF INFORMATION ACT STATEMENT

The HRPDC staff has developed a Freedom of Information Act (FOIA) Statement for the Hampton Roads Planning District Commission. This Statement has been reviewed by the HRPDC/HRTPO attorney and meets all criteria required (see attachment).

Attachment

RECOMMENDED ACTION:

Approve the HRPDC Freedom of Information Act Statement for posting on the HRPDC website: www.hrpdcva.gov

Freedom of Information Act (FOIA) Statement Rights & Responsibilities:

The Rights of Requesters and the Responsibilities of the HAMPTON ROADS PLANNING DISTRICT COMMISSION (HRPDC)

Under the Virginia Freedom of Information Act

The Virginia Freedom of Information Act (FOIA), located § 2.2-3700 et seq. of the Code of Virginia, guarantees citizens of the Commonwealth and representatives of the media access to public records held by public bodies, public officials, and public employees.

A public record is any writing or recording -- regardless of whether it is a paper record, an electronic file, an audio or video recording, or any other format -- that is prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business. All public records are presumed to be open, and may only be withheld if a specific, statutory exemption applies.

The policy of FOIA states that the purpose of FOIA is to promote an increased awareness by all persons of governmental activities. In furthering this policy, FOIA requires that the law be interpreted liberally, in favor of access, and that any exemption allowing public records to be withheld must be interpreted narrowly.

Your FOIA Rights

- You have the right to request to inspect **or** receive copies of public records, or both.
- You have the right to request that any charges for the requested records be estimated in advance.
- If you believe that your FOIA rights have been violated, you may file a petition in district or circuit court to compel compliance with FOIA.

The HRPDC creates a number of studies, reports and public records (e.g., meeting agendas and minutes) that are available either on-line (www.hrpdcva.gov) or in print (request in writing to HRPDC, 723 Woodlake Drive, Chesapeake, VA 23320 or by phone 757 420-8300).

Making a Request for records from the HRPDC

- You may request records by U.S. Mail, fax, e-mail, in person, or over the phone. FOIA does not require that your request be in writing, nor do you need to specifically state that you are requesting records under FOIA.
 - From a practical perspective, it may be helpful to both you and the person receiving your request to put your request in writing. This allows you to create a record of your request. It also gives us a clear statement of what records you are requesting, so that there is no misunderstanding over a verbal request. However, we cannot refuse to respond to your FOIA request if you elect to not put it in writing.
- Your request must identify the records you are seeking with "reasonable specificity." This is a common-sense standard. It does not refer to or limit the volume or number of records that you are requesting; instead, it requires that you be specific enough so that we can identify and locate the records that you are seeking.
- Your request must ask for existing records or documents. FOIA gives you a right to inspect or copy **records**; it does not apply to a situation where you are asking general questions about the work of the HRPDC, nor does it require the HRPDC to create a record that does not exist.
- You may choose to receive electronic records in any format used by the HRPDC in the regular course of business.
 - For example, if you are requesting records maintained in an Excel database, you may elect to receive those records electronically, via e-mail or on a computer disk, or to receive a printed copy of those records
- If we have questions about your request, please cooperate with staff's efforts to clarify the type of records that you are seeking, or to attempt to reach a reasonable agreement about a response to a large request. Making a FOIA request is not an adversarial process, but we may need to discuss your request with you to ensure that we understand what records you are seeking.

To request records from the HRPDC, you may direct your request to Dwight L. Farmer, Executive Director, HRPDC/HRTPO, 723 Woodlake Drive, Chesapeake, VA 23320 office: 757 420-8300, fax: 757 523-4881, dfarmer@hrpdcva.gov. You may also contact Mr. Farmer with questions you have. In addition, the Virginia Freedom of Information Advisory Council is available to answer any questions you may have about FOIA. The Council may be contacted by e-mail at foiacouncil@leg.state.va.us, or by phone at (804) 225-3056 or [toll free] 1-866-448-4100.

The HRPDC Responsibilities in Responding to Your Request

- The HRPDC must respond to your request within five working days of receiving it. "Day One" is considered the day after your request is received. The five-day period does not include weekends or holidays.
- The reason behind your request for public records from the HRPDC is irrelevant, and you do not have to state why you want the records before we respond to your request. FOIA does, however, allow the HRPDC to ask you to provide your name and legal address.
- FOIA requires that the HRPDC make one of the following responses to your request within the five-day time period:
 - 1) We provide you with the records that you have requested in their entirety.
 - 2) We withhold all of the records that you have requested, because all of the records are subject to a specific statutory exemption. If all of the records are being withheld, we must send you a response in writing. That writing must identify the volume and subject matter of the records being withheld, and state the specific section of the Code of Virginia that allows us to withhold the records.
 - 3) We provide some of the records that you have requested, but withhold other records. We cannot withhold an entire record if only a portion of it is subject to an exemption. In that instance, we may redact the portion of the record that may be withheld, and must provide you with the remainder of the record. We must provide you with a written response stating the specific section of the Code of Virginia that allows portions of the requested records to be withheld.
 - 4) We inform you in writing that the requested records cannot be found or do not exist (we do not have the records you want). However, if we know that another public body has the requested records, we must include contact information for the other public body in our response to you.
 - 5) If it is practically impossible for the HRPDC to respond to your request within the five-day period, we must state this in writing, explaining the conditions that make the response impossible. This will allow us seven additional working days to respond to your request, giving us a total of 12 working days to respond to your request.
- If you make a request for a very large number of records, and we feel that we cannot provide the records to you within 12 working days without disrupting our other organizational responsibilities, we may petition the court for additional time to respond to your request. However, FOIA requires that we make a reasonable effort to reach an agreement with you concerning the production of the records before we go to court to ask for more time.

Costs

- You may have to pay for the records that you request from the HRPDC. FOIA allows us to charge for the actual costs of responding to FOIA requests. This would include items like staff time spent searching for the requested records, copying costs, or any other costs directly related to supplying the requested records. It cannot include general overhead costs.
- If we estimate that it will cost more than \$200 to respond to your request, we may require you to pay a deposit, not to exceed the amount of the estimate, before proceeding with your request. The five days that we have to respond to your request does not include the time between when we ask for a deposit and when you respond.
- You may request that we estimate in advance the charges for supplying the records that you have requested. This will allow you to know about any costs upfront, or give you the opportunity to modify your request in an attempt to lower the estimated costs.
- If you owe us money from a previous FOIA request that has remained unpaid for more than 30 days, the HRPDC may require payment of the past-due bill before it will respond to your new FOIA request.

Types of records

The following is a general description of the types of records held by the HRPDC:

- Records of contracts which the HRPDC has entered into.
- Records of analysis, studies, reports, meeting agendas and minutes.
- Records and correspondence of awarded federal, state and local grants and contracts for work related to: Physical and Environmental Planning, Transportation, Economics, Emergency Management, GIS, Housing & Human Services, and the end report/project/plan/analysis that are not exempt from FOIA regulations by Virginia Code.

If you are unsure whether the HRPDC has the record(s) you seek, please contact Dwight L. Farmer directly at the address/phone/e-mails shown above.

Commonly used exemptions

The Code of Virginia allows any public body to withhold certain records from public disclosure. The HRPDC commonly withholds records subject to the following exemptions:

- Personnel records.

- Records subject to attorney-client privilege or attorney work product.
- Vendor proprietary information.
- Records relating to the negotiation and award of a contract, prior to a contract being awarded.
- Records relating to health and designation of specialty care.
- Contract negotiations.
- Working papers and correspondence of the CEO.
- Personal information filed with the Department of Housing & Community Development or the Virginia Housing Development Authority concerning individuals who have applied for or received loans or other housing assistance. However, access to one's own information shall not be denied.
- Plans and information to prevent or respond to terrorist activity.
- Records relating to citizen emergency response teams.
- Information and records collected from trauma and specialty care centers.
- Records, information and statistical registries.
- Records of persons receiving transportation services under Title II of the Americans with Disabilities Act.

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #7: MEMORANDUM OF UNDERSTANDING: FISCAL AGENT FOR HRTPO

According to Article VIII Section 3 of the HRTPO Bylaws: "All revenues and expenditures shall be received and disbursed by and through the established financial system of the Planning District Commission (PDC) as it applies to the TPO, subject to approval of the TPO Board, in accordance with PDC financial procedures. In addition to managing the TPO's transportation funding, the PDC shall serve as the fiscal and contracting agency for the TPO." During the June 18th TPO Committee meeting, staff was requested to draft a Memorandum of Understanding (attached) outlining the mutual agreement by which the HRPDC shall act as the fiscal and contracting agency for the HRTPO. The TPO Committee thoroughly reviewed the MOU during its July 23rd meeting and has recommended approval of the attached document.

Section 15.2-4205, B.3. of the Regional Cooperation Act, the state legislation enabling the establishment of PDCs indicates the Commission shall have the power to "make and enter into all contracts of agreements, as it may determine, which are necessary to incidental to the performance of its duties and to the execution of the powers granted under this chapter." This section provides the authority for the HRPDC to enter into an MOU with the HRTPO.

While the HRPDC Bylaws do not explicitly discuss an MOU between the HRPDC and the HRTPO, Article VII, Section 4 indicates that "the Executive Director, upon specific authorization by the Commission, shall have the power to sign on its behalf any agreement or other instrument to be executed by the Commission." Article V, Section 5 of the HRPDC Bylaws indicates that the Chairman ..."shall have all of the powers and duties customarily pertaining to the office of the chairman of the board, and shall perform such other duties as may be assigned to him by the Commission." Together, these two sections appear to provide adequate authority for the execution of the MOU by either the Chairman or the Executive Director, as authorized by the Commission.

The HRTPO will consider the attached MOU at its regular meeting on September 16, 2009. The HRPDC staff recommends that the Commission authorize the HRPDC Chairman to execute the Memorandum of Understanding with the HRTPO on its behalf.

HRPDC Executive Director Farmer will be available to address any questions that Commissioners may have.

Attachment

RECOMMENDED ACTION:

Approve the Memorandum of Understanding with the HRTPO providing for the HRPDC serving as the fiscal agent for the HRTPO. Authorize the Chairman to execute the MOU.

**Second
Memorandum of Understanding
Between
The Hampton Roads Transportation Planning Organization
And
The Hampton Roads Planning District Commission**

This Second Memorandum of Understanding is executed as of _____, 2009, by and between the Hampton Roads Transportation Planning Organization, hereinafter referred to as HRTPO, and the Hampton Roads Planning District Commission, hereinafter referred to as HRPDC.

WHEREAS, the HRTPO and the HRPDC are separate and distinct entities that have shared certain facilities, staff and equipment in the past; and

WHEREAS, the HRTPO is fully responsible for the conduct of its affairs and the establishment and oversight of its policies but has limited legal powers under existing laws of the Commonwealth of Virginia; and

WHEREAS, the HRTPO has determined to formally provide for the continued provision of certain services by the HRPDC, and

WHEREAS, by Memorandum of Understanding dated as of July 15, 2009, the HRTPO and the HRPDC set forth certain terms by which the HRPDC will provide planning and administrative staff support to the HRTPO; and

WHEREAS, the HRTPO desires that the HRPDC serve as fiscal agent for the HRTPO, the HRPDC is willing to act in that capacity, and the parties now desire to set forth certain terms and conditions that will govern the provision of those fiscal services by the HRPDC, and the related rights and responsibilities of the respective parties with respect to those services.

WHEREAS, the HRTPO is committed to expeditiously pursue through the legislative process the codification of the rights, duties, powers and responsibilities of Metropolitan Planning Organizations in Virginia and it is the expectation of the parties that this Memorandum of Understanding will be modified accordingly upon the successful enactment of that legislation;

NOW, THEREFORE, the parties hereby agree as follows:

1. All fiscal policies, practices and decisions of the HRTPO shall be established by and under the control and direction of its Board and authorized agents and officers.
2. The HRPDC shall receive, hold and disburse grant and other funds payable or belonging to the HRTPO. All funds and other assets of the HRTPO shall be separately identified in the books and records of the HRPDC.

3. Assets of the HRTPO shall be held and invested only in such accounts or in such form as are authorized for the investment of public funds under the laws of the Commonwealth of Virginia and any other applicable law, regulation or grant requirement.
4. Monthly, the HRPDC staff shall prepare and submit to the HRTPO Board a financial report reflecting all receipts and disbursements through the period covered by the report, and cash and cash equivalents on hand as of the date of the report. The books and records of the HRPDC relating to HRTPO funds and assets shall be open to review and inspection at all times by the officers and Board of the HRTPO, or their designee, upon reasonable notice.
5. To the extent requested by the HRTPO Board or required by any third party, the HRPDC shall serve as the applicant for and recipient of state, Federal and other grants for and on behalf of the HRTPO. The HRPDC shall submit grant applications on behalf of the HRTPO upon approval by the Boards of both parties.
6. In the provision of staff services to the HRTPO, HRPDC staff shall prepare and submit to the Board of the HRTPO for its approval a proposed annual budget. Allocable costs of HRPDC staff performing services for and on behalf of the HRTPO, costs of supplies and equipment to carry out the work of the HRTPO, and allocable costs of overhead and third party services shall be reflected in the proposed budget. Upon approval of the annual budget by the HRTPO, payments and disbursements of HRTPO funds shall be made only in accordance with the approved budget and any amendments thereto approved from time to time by the HRTPO.
7. The provision of all fiscal services by the HRPDC shall in all events conform to and comply with the requirements of all applicable regulations as determined by the Federal Highway Administration, the Virginia Department of Transportation, the provisions of state, Federal or other grants, and all other applicable law.

In Witness Whereof, the parties have caused this Second Memorandum of Understanding to be executed by their duly authorized officers as of the date first set forth above.

William D. Sessoms, Jr.
Chairman
Hampton Roads Transportation Planning Organization

Bruce C. Goodson
Chairman
Hampton Roads Planning District Commission

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #8: HR GREEN E-NEWSLETTER

The HRPDC staff is working with the four education committees in developing mechanisms to facilitate communication among the four committees and other local environmental program staff. The four committees are: HR CLEAN – Litter Control, Recycling and Beautification; HR FOG – Fats, Oils and Grease in the wastewater system; HR STORM – Stormwater Education; and HR WET – Water Conservation.

To assist in this effort, the HRPDC staff has developed an e-newsletter “Regional Greenings.” A sample template for the newsletter is attached. Information for this communication tool will cover regional and local program activities, environmental tips and information about state and federal regulatory issues. It will be compiled by HRPDC staff from a number of sources including Committee members. The primary audience for the e-newsletter will be local government staff members of the four education committees, the Directors of Utilities Committee, Regional Stormwater Management Committee, Hampton Roads Chesapeake Bay Committee, Environmental Planning Committee and others. It is expected that other local staff and interested parties will be added over time.

The HRPDC staff and education committee members will evaluate the effectiveness of this communication tool after some experience is gained with its use.

Attachment

RECOMMENDED ACTION:

Approve the HR GREEN e-newsletter, “Regional Greenings,” for regular distribution.

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April 2009

Regional Greenings

great green tips & stories from across the region

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[Isle Be Green Kickoff](#)

[Rain Gardens & Rain Barrels](#)

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Dear Joe,

We are pleased to send you the inaugural issue of our HR Green e-newsletter, Regional Greenings, to help you stay up to date and in the know on environmental issues which impact Hampton Roads. We hope you find the features interesting and informative and we'd love to hear from you about great greenings going on across the region. Contact me at jhillegass@hrpdcva.gov.

HR Green is a collation of regional environmental education committees sharing information about upcoming environmental events, best practices information and tips for residents and businesses to help us all do a little more to make Hampton Roads greener. These regional programs in wastewater, stormwater, drinking water, and litter control and recycling are developed and funded through a regional coalition of area local governments, with coordination and project management handled by the Hampton Roads Planning District Commission staff.

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Only Tap Water Delivers

Health, Safety, Economic Development & Quality of Life



Water---we take it for granted, but what if this life-sustaining fluid was priced according to its true value? What if you had to pay as much for a gallon of drinking water as you do for a gallon of gas? What if 8 ounces of water was the same price as a tube of toothpaste? What if a glass of water cost the same as your favorite latte? Hampton Roads is extremely fortunate to reap the benefits of safe and affordable public water. Tap water delivers what no other water can.

Only Tap Water Delivers:

- public health protection
- fire protection
- economic development
- quality of life

This article is the first in an ongoing series exploring the value of our public water. This month we focus on Public Health Protection.

Protecting public health is the number one priority of water suppliers in North America.

What you may not know about the health benefits your tap water delivers: In North America, you can drink from virtually any public tap, while in the developing world an estimated 3 million people die every year from preventable waterborne disease.

The Centers for Disease control names the disinfection of water as one of the top 10 public health accomplishments of the 20th century.

In the United States, water utilities monitor for more than 100 contaminants and must meet close to 90 regulations for water safety and quality.

Child cavity rates have been reduced by 20-40% where fluoridation of tap water has been implemented.

The United Nations has dubbed 2005-2015 the 'Water for Life Decade,' and its seeking to reduce by half the proportion of people without access to safe drinking water.

Every year, water utilities provide customers with a detailed report on the quality of their drinking water. Take a look at yours to get a better idea of where your drinking water comes from and what it takes to treat and transport this life elixir straight to your home. Chances are, you won't take it for granted the next time you reach for the tap!

"Isle Be Green" Kickoff

Isle of Wight County is site for pilot plastic bag recycling



"Isle Be Green" kicks off on August 5th at the Smithfield Square Shopping Center at 9am. The project is a partnership between Isle of Wight County Rural Economic Development and the Retail Alliance, with funding from the Department of Environmental Quality, to increase plastic bag recycling.

The project will include parking lot signage, totes as an alternative to plastic bags, increased plastic bag recycling containers and a contest for school-aged children. Based on the success of this project, it is hoped that a similar effort can be expanded across the region.

Rain Gardens & Rain Barrels

Reducing runoff, erosion and pollution



Clean water is important to each of us as individuals, but water quality is also a regional concern. And HR STORM is a regional effort dedicated to educating citizens about what each of us can do to improve water quality and manage stormwater on personal and community property. Working together, we will improve water quality and make a difference now and for the future.

Diverting water from your downspout into rainwater catchment systems, like rain gardens or rain barrels, has several advantages:

- Reduces the volume of water flowing into the stormdrain system
- Lowers the percentage of roof top rainfall as a component of urban runoff
- Backup source of water during times of drought or between rain showers
- Helps to keep our creeks and beaches clean
- Naturally softened water - great for delicate houseplants, auto cleaning and window washing
- Chlorine-free water helps maintain a healthy biotic community in the soil

HR STORM has been encouraging the use of rain gardens and rain barrels to reduce pollution flowing into our waterways.

New Website Now LIVE!



Kitchen grease, from both home cooks and commercial kitchens, is a significant cause of sanitary sewer overflows (SSOs) in Hampton Roads. Do your part by using smart kitchen practices to prevent grease from clogging your drains and the environment.

Visit FatFreeDrains.com to learn more about how you can protect our region's sanitary sewer system and save yourself a visit from the plumber!

Use this area to provide your subscribers information about your organization.

Sincerely,

Julia B. Hillegass, Senior Planner
HRPDC

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AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #9: FY 2008 – 2009 ANNUAL REPORT TO DHCD

The Regional Cooperation Act requires that Planning District Commissions report annually to the Department of Housing and Community Development and to the Commission on their activities. This report is a requirement of the annual contract between DHCD and the HRPDC and follows a format prescribed by DHCD. This report is keyed to the provisions of the Regional Cooperation Act detailing the responsibilities of Planning District Commissions. A number of supporting materials – Budget, Work Program, Publications List and List of Commissioners is also submitted to DHCD as part of the annual report.

Enclosed is the FY 2008 – 2009 Annual Report to the Department of Housing and Community Development. Historically, reporting to the HRPDC has been handled through the Annual Report in October. The HRPDC staff requests that the HRPDC approve the report for submission to the DHCD in compliance with the Regional Cooperation Act and the Annual Contract between the DHCD and the Hampton Roads Planning District Commission.

Enclosure

RECOMMENDED ACTION:

Approve the Annual Report as meeting the requirements of the Regional Cooperation Act and the Annual DHCD Contract.

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #10: IMPLEMENTATION PLANS FOR BACTERIAL TMDLS IN THE BACK BAY AND NORTH LANDING RIVER WATERSHEDS

The Hampton Roads Planning District Commission is currently working with the Virginia Department of Environmental Quality and the region's localities to develop Implementation Plans for completed TMDLs within Hampton Roads, and to facilitate outreach for TMDLs currently under development. This project is part of an agreement executed in April 2007 between the HRPDC and DEQ.

As part of this agreement, HRPDC staff partnered with the City of Virginia Beach to complete TMDL Implementation Plans for bacterial impairments in Nanney Creek, Milldam Creek, and Middle West Neck Creek. In order to protect water quality throughout the City, Virginia Beach has chosen to develop Implementation Plans on a watershed scale. The Implementation Plans for the Back Bay and North Landing River Watersheds follow the template for Implementation Plans in Hampton Roads developed by HRPDC and Virginia Beach through the development of the Lynnhaven River Watershed Implementation Plan.

Enclosed separately are the Executive Summaries for the two Implementation Plans. Both plans have been reviewed and approved by staff from the City of Virginia Beach. Following approval by the HRPDC, the reports will be submitted to DEQ to satisfy the terms of the DEQ grant to the HRPDC and to the City of Virginia Beach for formal consideration.

Enclosures – Separate – Commissioners Only

RECOMMENDED ACTION:

Approve the reports as meeting the terms of the DEQ grant and authorize submittal to DEQ and to the City of Virginia Beach.

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #11: REGIONAL BACTERIA SOURCE TRACKING STUDY

The Clean Water Act requires the Virginia Department of Environmental Quality (DEQ) to identify impaired surface waters (streams, lakes, and estuaries) in the Commonwealth every two years. Waters that are impaired must receive a Total Maximum Daily Load (TMDL) for the pollutant causing the impairment and an Implementation Plan must be prepared to clean up the waterway.

Bacterial impairments are common; however, the sources of the bacteria (human, pet, livestock, and wildlife) are rarely known. Thus, localities are left to develop broad-based implementation plans that target all possible sources.

The Hampton Roads Planning District Commission staff has been leading a regional effort to develop a bacterial identification methodology for the Hampton Roads region. Proven genetic techniques will be used to differentiate bacteria sources at the species level so that TMDL plans can be designed and targeted to address the cause of the bacterial impairment. University researchers will conduct the study, which the Hampton Roads Sanitation District and the following localities have agreed to fund: Isle of Wight, James City County, Norfolk, Portsmouth, Suffolk, Virginia Beach, Williamsburg and York County. HRSD will contract with the researchers to conduct the study on behalf of the HRPDC and participating localities.

RECOMMENDED ACTION:

Authorize the Executive Director to execute a contract with HRSD to produce a Regional Bacteria Source Tracking Study.

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #12: DECONSTRUCTION OF NASA WIND TUNNELS

The National Aeronautics and Space Administration's Langley Research Center has proposed the deconstruction of several wind tunnels at the Langley Research Center. NASA has previously determined that these facilities are no longer needed and they have been abandoned. All facilities are located on land leased by NASA on Langley Air Force Base. They have been determined to be potentially eligible for inclusion on the National Register of Historic Places. As a result, NASA is evaluating alternatives to the deconstruction of the facilities.

As indicated in the attached letter, NASA has requested advice from the HRPDC as to interest in operating and maintaining the wind tunnels. Secondly, NASA is requesting HRPDC assistance in finding other alternative uses for the facilities.

The HRPDC staff has developed the attached draft letter indicating that the HRPDC is not interested in operating and maintaining the facilities. It indicates that the HRPDC would be willing to work with NASA and others in exploring other alternatives to the deconstruction of these facilities.

Attachments

RECOMMENDED ACTION:

Approve the attached letter responding to NASA's inquiry about HRPDC operation and maintenance of these facilities.

National Aeronautics and
Space Administration
Langley Research Center
Hampton, VA 23681-2199



August 13, 2009

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Reply to Attn of:

Dwight L. Farmer
Executive Director
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, VA 23320

Dear Mr. Farmer:

The National Aeronautics and Space Administration's Langley Research Center (NASA LaRC) has several of its wind tunnel facilities proposed for deconstruction. Among those being considered are the Low Turbulence Pressure Tunnel (LTPT) complex which also includes the 16-inch and 6 by 28-inch Transonic Tunnel Facility and the 6-inch by 19-inch Transonic Tunnel Facility. The facilities are abandoned and NASA has determined they are no longer needed. The project is intended to reduce the Center's infrastructure and allow LaRC to direct limited resources towards facilities that support NASA's overall mission, both currently and in the future. Deconstruction activities would include the dismantling and extracting of reusable and recyclable materials prior to the removal of the buildings.

The facilities are located on land leased from Langley Air Force Base. Since NASA LaRC has determined that the facilities are potentially eligible for the National Register of Historic Places, we plan to consult with the Virginia State Historic Preservation Office (SHPO) and the Advisory Council on Historic Preservation (ACHP) regarding the proposed deconstruction. On past similar projects, the SHPO and ACHP have stressed that NASA must explore alternatives to deconstruction, such as adaptive reuse or operated by a third party.

In order to address their concerns, NASA requests your assistance in exploring alternatives to deconstruction of the facilities. We would like to know if the Hampton Roads Planning District Commission would consider operating and maintaining the wind tunnels or finding some other alternative use for the facilities. Enclosed is a location map and photographs of the facilities for your review. Additional information on the facilities is available at <http://gis.larc.nasa.gov/historic/larc>.

We appreciate your feedback and any other ideas you may have regarding alternatives. We request your response by September 7, 2009.

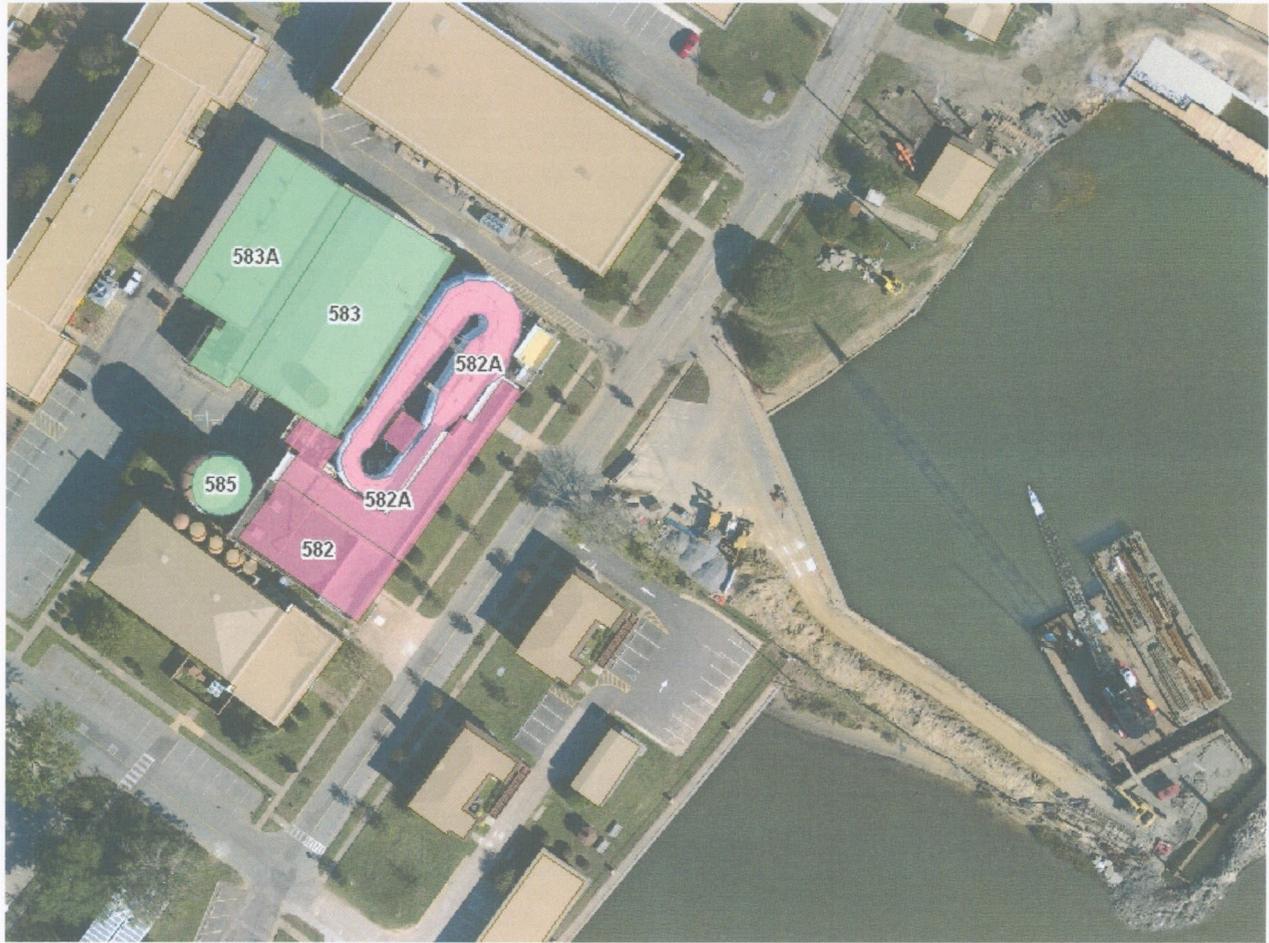
Please feel free to contact Ms. Mary Gainer, the LaRC Cultural Resource Specialist at 757-864-7762 or mary.e.gainer@nasa.gov if you have any questions regarding this request.

Cordially,

A handwritten signature in black ink, appearing to read "RTH", written in a cursive style.

Rodney T. Harris
Chief Architect
Center Master Planner
Historic Preservation Officer

Enclosures



Building 582

Property Name: East Compressor Building

Address: 191 Thornell Avenue

Property Type: Testing Facility

Construction Date: 1921



Building 582A

Property Name: Low-Turbulence Pressure Tunnel

Address: 582A Thornell Avenue

Property Type: Testing Facility

Construction Date: 1940



Building 583

Property Name: 16 Inch & 6x28 Transonic Wind Tunnel

Address: 583 Plumb Street

Property Type: Research Facility/Laboratory

Construction Date: 1938



Building 583A

Property Name: 16 Inch & 6x28 Transonic Wind Tunnel Storage

Address: 583A Plumb Street

Property Type: Storage Facility

Construction Date: 1929



Building 585

Property Name: 6x19 Inch Transonic Wind Tunnel

Address: 585 Thompson Street

Property Type: Research Facility/Laboratory

Construction Date: 1934



BRUCE C. GOODSON, CHAIRMAN • STAN D. CLARK, VICE CHAIRMAN • JAMES O. McREYNOLDS, TREASURER
DWIGHT L. FARMER, EXECUTIVE DIRECTOR/SECRETARY

September 16, 2009

Mr. Rodney T. Harris
Chief Architect, Center Master Planner
and Historic Preservation Officer
Langley Research Center
National Aeronautics and Atmospheric Administration
100 NASA Road, Mail Code 241
Hampton, Virginia 23681

RE: Wind Tunnel Deconstruction Alternatives (ENV: General)

Dear Mr. Harris:

Thank you for your letter of August 13, 2009 concerning the proposed deconstruction of the Low Turbulence Pressure Tunnel complex, including the Low Turbulence Pressure Tunnel Facility and the Transonic Tunnel Facility.

At its Executive Committee Meeting of September 16, 2009, the Hampton Roads Planning District Commission reviewed your proposal for the deconstruction. The HRPDC recognizes the potential historic value of these facilities. In previous comments on a number of projects at Langley Research Center, the HRPDC has recognized this potential historic value and has pointed out that the environmental impact associated with the deconstruction should be minimal if the project conforms to all state and local requirements.

The HRPDC appreciates your offer to assume operation and maintenance activities associated with these facilities. However, this type of activity lies outside the traditional and appropriate responsibilities of the HRPDC. Based on this, the Hampton Roads Planning District, Commission acted on September 16, 2009 to decline your offer. The HRPDC would be happy to work with NASA and other appropriate parties in further evaluating options for the beneficial reuse of these facilities.

If you have any questions or need further information, please contact John Carlock of the HRPDC staff.

Sincerely,

Dwight L. Farmer
Executive Director/Secretary

JMC/DLF/fh

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #13: COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDS)

In May of this year, the Hampton Roads Partnership launched *Vision Hampton Roads*, a planning process that follows the formal requirements set forth by the Economic Development Administration (EDA), commonly referred to as a Comprehensive Economic Development Strategy (CEDS). You may recall that Robert Gittler, Economic Development Specialist for the EDA, met with the PDC in April to discuss the CEDS process during a visit to the region.

The CEDS process will provide a living, breathing regional plan or roadmap for Hampton Roads. The plan will describe the economic condition of the Hampton Roads metropolitan region, capture elements of previous economic development plans, and will include broad strategies and specific actions of prioritized importance that will position Hampton Roads as a leader in the global economy.

The approach to the Comprehensive Economic Development Strategy (CEDS) process is to leverage existing regional organizations (such as the HRPDC, HREDA, Opportunity, Inc., Peninsula Council for Workforce Development, Chambers of Commerce, HRMFFA, etc.) to provide both leadership and support. In order to ensure that the process runs effectively and efficiently, the Partnership engaged Kaufman & Canoles Consulting, experienced in the region and CEDS planning.

Partnership President Dana Dickens and Consultant Doug Smith will provide an update on progress made to date on both process and product. Support from each of the localities that comprise the Hampton Roads Planning District will be important.

The HRPDC is being requested to concur with the issues identified by the CEDS Subcommittee. Please note that this is the opportunity for the Commission to add, modify or delete issues.

RECOMMENDED ACTION:

Concur with the issues identified by the CEDS Subcommittees.

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #14: STORMWATER MANAGEMENT REGULATIONS - UPDATE

At the July 2009 HRPDC Quarterly Commission Meeting, the HRPDC staff provided the Commission with an overview of the regulations governing stormwater management proposed by the Virginia Department of Conservation and Recreation (DCR). Comments developed by the HRPDC staff in cooperation with the Regional Stormwater Management Committee were reviewed. Based on Commission discussion of the proposed comments, a number of modifications were made. Following review of the revised comments by the Chairman, in accordance with Commission action, a comment package was submitted to DCR for consideration. A copy of the final comment package is attached.

DCR received considerable public input on the proposed regulations. Since the public comment period closed on August 21, 2009, DCR has spent considerable effort in developing potential revisions to the regulations. Potential revisions have been reviewed with an invited group of stakeholders representing local governments and the development and environmental communities.

Another public comment opportunity before the Board of Soil and Water Conservation has been scheduled for September 17, 2009. At press time, it is expected that proposed revisions will be released for review prior to the Executive Committee meeting. The HRPDC staff will review the proposed revisions, assuming their availability, prior to the HRPDC Executive Committee meeting.

In addition, the General Assembly's Joint Commission on Administrative Rules (JCARS) will receive briefings on the proposed changes at its meeting on September 16, 2009.

The HRPDC staff will brief the Commission on the proposed regulations. A recommended action will be presented based on the HRPDC staff review of the proposed changes in relation to the earlier HRPDC comments.

Attachment

RECOMMENDED ACTION:

To be determined.



August 11, 2009

Mr. Joseph H. Maroon, Director
Department of Conservation and Recreation
203 Governor Street, Suite 302
Richmond, VA 23219

Dear Mr. Maroon:

While the members of the Hampton Roads Planning District Commission (HRPDC) recognize the substantial effort undertaken by the staff of the Department of Conservation and Recreation (DCR) in developing the proposed revisions to the Virginia Stormwater Regulations, 4 VAC 50-60, we continue to have significant concerns about the impact of these Regulations on the cost of housing, development patterns, and water quality.

At the Commission meeting on July 15, 2009, the HRPDC acted to endorse the following position and attached comments reflecting its discussion of the technical issues raised by the HRPDC staff and members of the Regional Stormwater Management Committee. The HRPDC believes that these technical and financial concerns must be addressed in order to ensure that future long-term local government compliance with Municipal Separate Storm Sewer System (MS4) permits and the Chesapeake Bay TMDL is not jeopardized by unachievable standards.

- The draft VSMP Permit Regulations creates a financial disincentive to redevelop urban areas, especially very small sites, and consequently increases the negative impact of development on water quality.
 - A regional cost-benefit analysis conducted by area A/E firms found that it was thirty times more expensive to remove one pound of phosphorus from redevelopment projects compared to new development projects (see Table 1).
 - The Department of Planning and Budget commented that, “Higher phosphorus control costs in high density developments create financial disincentives that may work at cross purposes with larger watershed objectives.”
- The proposed Regulations are in conflict with House Bill 3202 that requires localities with high growth rates to designate Urban Development Areas (UDA) and with the Smart Growth principles encouraged by EPA.
 - Development within an UDA under this regulation would be prohibitively expensive, and would likely eliminate the option for affordable housing.

Mr. Joseph H. Maroon
August 11, 2009
Page 2

- Proposed provisions for watershed management plans to offset the cost of redevelopment are inadequate and incomplete.
 - These plans will take time and considerable resources for the local governments to develop, and will likely not be complete when the Regulations become effective or when the local governments are required to adopt the Program.

The Commission requests the following DCR actions:

1. Establish a TAC to develop the needed guidance and sufficient timelines for the creation of watershed management plans that encourage retrofits and increasing urban density. DCR's publication, *Local Watershed Planning in Virginia* could serve as a valuable starting point for such guidance.
2. Retain the existing requirement to decrease the phosphorus load for redevelopment projects by ten percent of the existing load.
3. Add a provision for localities to grant a waiver for properties contained within the locally designated urban development areas (UDAs).
4. Expand the toolbox of best management practices within urbanized areas to include smart growth BMPs as described in the EPA publication *Using Smart Growth Techniques as Stormwater Best Management Practices*.

Although the Hampton Roads Planning District Commission and the members of the HRPDC Regional Stormwater Management Committee believe that considerable progress has been made in developing a regulatory system to address the water quality and quantity issues associated with stormwater, we cannot support the Regulations as currently proposed for the reasons stated above. Attached is an extended list of technical concerns and recommended revisions to the proposed Regulations.

We look forward to continue working with DCR to address the above-noted concerns and to continue improving the regulations to the benefit of the Commonwealth.

Sincerely,



Bruce C. Goodson
Chairman

JLT/kg
Attachments

cc: L. Preston Bryant, Jr., Secretary of Natural Resources
Hampton Roads General Assembly Delegation

Attachment 1
HRPDC Comments on Proposed Revisions to Virginia Stormwater Regulations
4 VAC 50-60

As you are aware, twelve of the Hampton Roads region's local governments operate Stormwater Management Programs under Municipal Separate Storm Sewer System (MS4) Permits from the Department of Conservation and Recreation. Other localities are developing or implementing comparable programs. Concurrently, the U.S. Environmental Protection Agency, in cooperation with the states, is developing a TMDL for the Chesapeake Bay. In tandem, the permit requirements and the TMDL make local governments ultimately responsible for long-term compliance. Therefore, it is imperative that the state regulations set achievable standards that will facilitate local government compliance with their MS4 Permits and the pending TMDL requirements. The HRPDC believes that the technical and financial concerns raised through its review of the proposed regulation must be addressed in order to ensure that future long-term compliance is not jeopardized by unachievable standards and requirements.

In addition to the concerns of the Commission outlined in the cover letter, the members of the Regional Stormwater Management Committee of the Hampton Roads Planning District Commission have the following technical concerns and recommendations:

Concern: The proposed Regulations attempt to enforce the technical criteria for post construction stormwater through administration of the Construction General Permit. The resulting Regulations are far too prescriptive in how the local programs will be administratively operated, particularly for those localities which have had programs in place for many years. Development review for local governments encompasses far more than stormwater plan review and the "one size fits all" approach will place an unnecessary burden on the local programs.

Requested Revision: Separate the administration of the VSMP General Permit for Discharges of Stormwater from Construction Activities from the technical requirements to treat the discharge from post-construction stormwater runoff. Allow for review and approval of the local programs based on a set of minimum criteria, but allow for the local program to develop specific program administration details (i.e. review time frames, the timing of fee collection, etc.) as part of their standard operating procedures. This will allow for the most efficient use of local resources.

Concern: Fee collection and administration by local governments will require new systems and changes to existing procedures. In addition, "permit fees" must be collected at the time of plan submittal to cover local plan review even though an actual permit may never be issued.

Requested Revision: Maintain the current statewide fee schedule for the VSMP General Permit for Discharges of Stormwater from Construction Activities and allow delegated local governments to permit and adopt their own fee schedules for the review, inspection and maintenance of stormwater Best Management Practices (BMPs) for post-construction runoff.

Concern: The BMP specifications and removal efficiencies do not reflect the physiographic characteristics or pollutants of concern, particularly nitrogen and bacteria, in the Coastal Plain. Compliance with the proposed technical criteria will place a staggering load on municipalities to inspect and enforce maintenance and replacement of multiple short life infiltration BMPs and other runoff reduction practices that do not work well in the Coastal Plain and do not fully address water quality concerns.

Requested Revisions: DCR should adopt a Stormwater Design Supplement for the Coastal Plain that accounts for the physical constraints, allows for deviations from the BMP specifications and technical criteria, and provides guidance on BMPs effective in removing bacteria and other pollutants of concern.

Concern: The supporting BMP Clearinghouse and Stormwater Management Handbook, which are referenced throughout the proposed regulations, have not yet been completed, thoroughly reviewed by professionals, or utilized in actual development. The full impact of the regulations cannot be evaluated without all the associated references available for review as well.

Requested Revision: Allow at least one year from the approval date of the proposed Regulations to the effective date for full review and field verification of the BMP design specifications as well as the proposed water quantity criteria.

Concern: Master Plan developments have been approved under a stormwater master plan concept and are in various stages of completion. Sites currently under design will be under construction for at least the next 10 years.

Requested Revision: Add a grandfathering provision to the proposed Regulations that addresses how these developments will be handled with respect to the proposed technical criteria and BMP specifications. Additionally, there needs to be language which addresses projects which have been approved under the current criteria, but which have not started construction at the time the new criteria become effective. These projects should be allowed to be constructed as initially approved.

Concern: The definition of "adequate channel" in the proposed Regulations states that a wetland can be an adequate channel if the storm event can pass into it without overtopping its banks. Isolated non-tidal wetlands do not contain an outfall. While an

isolated tidal wetland may be able to take on an individual storm event's runoff without overtopping its banks, there will be periods of rainy weather where runoff from several storms will accumulate, and flooding onto adjacent properties will occur.

Requested Revision: If the term "wetland" is kept in the definition of "adequate channel", then the definition should be modified to exclude isolated wetlands. Wetlands must be connected to a waterway to adequately serve as an outfall channel.

Concern: The proposed Regulation allows local programs to establish limitations on the use of specific BMPs only through the submission of the proposed limitation and written justification to the department. Many localities already have local ordinances that prohibit the use of BMP types that are inappropriate for their jurisdiction.

Requested Revision: The Regulation should be revised to allow BMP use limitations through written justification to the department or by an existing local ordinance and associated documents such as a Public Facilities Manual.

Concern: Table 1: *BMP Pollutant Removal Efficiencies* is more appropriate in guidance. These technical criteria are closely linked to the Virginia Stormwater Management Handbook, which is presently in the process of being updated, and to the BMP Clearinghouse, which is in the early stages of development. The Committee is concerned that the criteria are being incorporated in regulations and that the regulated community will not have benefit of the evolving technical support for these criteria.

Requested Revision: Remove Table 1 from the proposed Regulations and simply reference the Clearinghouse and Handbook or include Table 1 in the Clearinghouse. This change will facilitate future modifications of the criteria without requiring regulatory action as the state of our knowledge about stormwater controls continues to increase.

Concern: The Department of Planning and Budget's Economic Analysis points out many unknown costs and potentially very high costs to implement the proposed regulations. The costs will ultimately impact all segments of the population. It is unknown whether the implementation of the regulations will provide significant improvements in water quality, and to the extent that they will only apply to new development they may have little impact on current water quality conditions. Fees collected from permit issuance are proposed to pay for program implementation at the state and local level, however, during the current economic downturn development applications have severely declined and very little revenue will be generated. The state (DCR) as well as local governments will be ill prepared to fund the administration of this program.

Requested Revision: DCR should consider the concerns expressed in the Economic Analysis and, with the involvement of stakeholders, resolve the concerns prior to finalizing the proposed regulations.

Concern: Some sites, particularly urban redevelopment sites, may be too small to achieve pollutant load reductions on site.

Requested Revision: Allow consideration for special circumstances to utilize more creative approaches to water quality, including an offset program managed by the state to collect funds for water quality improvement projects.

Concern: The proposed regulation calls for substantial increases in the permit application and maintenance fees for small MS4s. The permit application fee will increase 6 fold from \$600 to \$4,000, and the localities will be required to pay an additional annual fee of \$4,000. For a five year permit, this is a 30 fold increase in costs to the small MS4 from \$600 to \$20,000.

Requested Revision: DCR should consider a more reasonable cost increase to small MS4s that will not be as burdensome as the proposed 3000% increase.

Concern: The current regulations include loads from managed turf areas in a site's pollutant load potential, but do not include any nutrient reduction credits from non structural management practices.

Requested Revision: DCR should add a nutrient management plan BMP option to the spreadsheet to allow certain types of development to reduce nutrient pollution through the use of non structural BMPs.

Table 1: Comparison of Current Virginia Stormwater Regulations and Proposed Regulations*

Type of Development	Total Acres	Number of Projects	Average Imperviousness	Calculated Annual TP Load			Annual TP Reduction Required			
				Current (lbs)	Proposed (lbs)	Percent Change	Current (lbs)	Proposed (lbs)	Current (%)	Proposed (%)
All	404	11	69%	521	570	9%	336	451	44%	65%
New Development	397	7	56%	508	556	9%	332	445	59%	78%
Redevelopment	8	4	92%	13	14	6%	3	6	19%	43%
Residential	191	4	57%	274	300	10%	187	244	50%	70%
Non Residential	213	7	76%	247	270	9%	149	207	41%	62%

Type of Development	Additional TP Reduced Annually by Proposed Regs		Total Stormwater Costs*			Stormwater Costs per lb*			Stormwater Costs per acre		
	lbs	Percent change	Current Regs	Proposed Regs	Percent Increase	Current Regs	Proposed Regs	Percent Increase	Current Regs	Proposed Regs	Percent Increase
All	115	34%	\$3,185,476	\$17,623,974	453%	\$9,489	\$39,095	312%	\$7,876	\$43,575	453%
New Development	113	34%	\$2,589,047	\$12,573,448	386%	\$7,789	\$28,258	263%	\$6,527	\$31,696	386%
Redevelopment	3	77%	\$596,429	\$5,050,526	747%	\$180,736	\$863,338	378%	\$76,859	\$650,841	747%
Residential	57	30%	\$1,489,462	\$10,505,862	605%	\$7,967	\$43,117	441%	\$7,790	\$54,950	605%
Non Residential	58	39%	\$1,696,014	\$7,118,112	320%	\$11,403	\$34,364	201%	\$7,953	\$33,378	320%

*Analysis conducted by HRPDC staff using data compiled by the Tidewater Builders Association.

**Costs include capital costs and land value of structural stormwater management facilities, but do not include long term maintenance costs associated with the facilities.

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #15: PROJECT STATUS REPORT

A. Joint Environmental Committees

The Regional Stormwater Management Committee (RSMC) and Hampton Roads Chesapeake Bay Committee (HRCBC) met on August 6 and September 3, 2009.

The Committee received briefings on the following issues:

- U. S. Environmental Protection Agency – Chesapeake Bay TMDL
- Virginia Department of Environmental Quality – Mid-Atlantic Regional Council on the Ocean (MARCO)
- Department of Conservation and Recreation, Division of Soil and Water Conservation – Proposed Stormwater Management Regulations
- Department of Conservation and Recreation, Division of Chesapeake Bay Local Assistance – CBPA Phase III Program and Compliance Evaluation
- Department of Transportation – Secondary Street Acceptance Requirements
- HRPDC Staff – Energy Efficiency and Conservation Block Grant Program
- HRPDC Staff – Stormwater Management Regulations
- HRPDC Staff – Virginia Geographic Information Network, State GIS Strategic Plan

The Committee also received updates on a number of regional and local program activities.

In August, the Committee continued its review of the proposed DCR Stormwater Management Regulations and revisions to the HRPDC Comment Package. In September, the Committee received an update on the DCR process for addressing public comments on the proposed regulations.

The HRPDC staff continues to work with the RSMC on a number of activities including:

- The draft MS4 Stormwater Permits for the region's six Phase I localities - the cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth and Virginia Beach – remain under development. The Committee and staff continue to work with DCR staff to ensure regional consistency among the permits and to address continuing concerns over the standards to be achieved through the permits.
- The Phase I localities held a special meeting with stormwater legal counsel and DCR staff on July 16, 2009 to discuss recommended modifications to the currently proposed Phase I Permits. The revisions to the permit text, being developed by the region, are designed to address state and federal expectations, while minimizing the risks to the Phase I localities. A follow-up meeting is scheduled for September 11, 2009.

- The Phase I localities met on July 21, 2009 with staff from DCR and the U.S. Environmental Protection Agency (Region 3) to discuss the region's recommendations on modifying the proposed Phase I Permits. This meeting also included representatives from Phase I localities in the Richmond and Northern Virginia regions.
- Both the Phase I and Phase II localities are developing their annual reports for FY 2008 – 2009. As in past years, the HRPDC staff is preparing a number of sections for these reports. The Annual Reports for both Phase I and Phase II localities are due in October.

B. Directors of Utilities Committee

The Directors of Utilities Committee met on August 5 and September 2, 2009. The Committee received briefings on the following:

- USGS – Groundwater Water Quality Study
- HRPDC staff – Groundwater Program activities, Regional Water Supply Plan and July 9th State Water Commission Meeting
- Committee members – Updates on SSO Consent Order and Virginia Coal and Energy Commission study of uranium mining in Virginia
- HRPDC staff –Annual water and sewer rate data update, Hampton Roads H2O – Help To Others – Program, Regional Bacteria Study, NOAA Climate Change Education Project

The Capacity Team Subcommittee continues to meet weekly. All participants in the Regional SSO Consent Order continue to meet all deadlines under the Order.

The HRPDC staff continues to provide support to localities and DEQ on the web-based Sanitary Sewer Overflow Reporting System.

The HRPDC staff is continuing to facilitate the regional effort to address fats, oils and grease in the sanitary sewer system. At press time, HRSD and several localities have approved the Memorandum of Agreement, approved by the HRPDC in November, on enforcement of the fats, oils and grease program. It remains under consideration by the other participating localities.

The HRPDC staff and Committee members continue to address issues associated with the State Corporation Commission interpretations of state regulations dealing with the marking of sewer laterals on private property. VML is considering a proposal for inclusion in its 2010 Legislative Agenda, which is consistent with the direction being pursued by the Committee.

The HRPDC staff reviewed the analysis of two recent groundwater mitigation claims.

The Committee continued discussions of the Groundwater Mitigation Program Memorandum of Agreement, which is scheduled for renewal in December 2009. The Committee has completed its reevaluation of the MOA and has developed appropriate revisions. The HRPDC staff will brief the Commission on the renewal of the MOA in October.

The HRPDC staff briefed the Committee on the Notices of Intended Regulatory Action, issued by DEQ on July 6, 2009, to amend the state's Groundwater Management Regulations. The proposed amendments would expand the Eastern Virginia Groundwater Management Area and potentially make a number of changes to the withdrawal permit process. A public hearing was held in James City County on August 13, 2009. The HRPDC staff and Committee developed recommendations on proposed revisions to the state's Groundwater Management Regulations and submitted those recommendations to DEQ. Two local government representatives have been selected to serve on the DEQ Technical Advisory Committee for this regulation. They are: Larry Foster, General Manager, James City Service Authority (HRPDC) and Ron Harris, Newport News WaterWorks (AWWA).

The HRPDC staff is continuing to work with the localities in developing the regional water supply plan. Plan development has been delayed by the recent court decision and associated developments impacting the Proposed King William Reservoir. The additional time is required to properly evaluate the impact of this decision on the region.

C. Emergency Management Project Update

House Joint Resolution 155

HJR 155 required a review of the emergency responses by the localities of the Hampton Roads region, including responses across jurisdictional lines. The HRPDC submitted the first of two reports to the General Assembly in December 2008. The research, interviews of public safety officials, and analysis for the final report remains in progress. The Emergency Management staff is continuing to take an in-depth look at what would be necessary to facilitate dispatchers' ability to see across jurisdictional lines and to know what responders may be available in neighboring localities. The Emergency Management staff is also examining any other issues relevant to accomplishing the purposes of the study, including the need for any additional enabling legislation and will provide appropriate recommendations. In conducting its study, the Emergency Management staff is

including representatives from the fire departments, EMS or rescue departments and police departments of each locality in the region.

Debris Management

The Emergency Management staff continued to support regional debris management and the monitoring of the regional debris reduction and removal contracts to ensure compliance with the changes reflected in the FEMA and FHWA policy changes. Regional Debris Management contract support will continue as needed for the current contracts and their subsequent option years out to 2013. The Emergency Management staff, along with Southeastern Public Service Authority of Virginia, Virginia Peninsulas Public Service Authority, localities and other subject matter experts met in August to discuss the status of the current contracts, updated pricing and any needed revisions for this hurricane season, reviewed federal and state program requirement changes with state officials from VDEM and VDEQ, and discussed the Emergency Management staff's role in supporting localities when debris contracts need to be activated. Current Virginia Department of Emergency Management (VDEM) debris contracting efforts reflect the region's contract pricing layout. This helps localities compare pricing and capabilities to best fit their needs.

Hampton Roads Regional Jail and Inmate Evacuation

The Emergency Management staff continues to support the Regional Inmate Evacuation Planning as a new initiative started in FY09 at the request of the Hampton Roads Regional Jail and Inmate Evacuation Committee. Support has consisted of drafting planning templates, reviewing plans drafted, acquiring and supporting jail/inmate emergency management training, and promoting regional collaboration between emergency management, law enforcement, and corrections officials. The Emergency Management staff will be refocusing some of the committee's efforts at the next meeting in September to align planning efforts with the Regional Catastrophic Planning Grant Program to facilitate holistic planning.

Hampton Roads Tactical Regional Area Network (HRTacRAN)

The EM Staff has facilitated a new subtask, under the FY05 Port Security contract with ZelTech, on behalf of the Hampton Roads Interoperability Communications Advisory Committee (HRICAC) to develop a bid specification for the follow-on service and maintenance of the HRTacRAN and to assist with the procurement of those services. ZelTech contracted with Engineering Associates, Inc (with the HRICACs approval) to perform this technical task. Engineering Associates, Inc. continues to perform its task in coordination with representative members of the HRICAC with on-site visits and regular correspondence to develop the bid specifications and RFP.

Peninsula Local Emergency Planning Commission (PLEPC)

The Emergency Management staff continues to support of the Peninsula Local Emergency Planning Committees (LEPC) by providing technical assistance to develop, maintain, and update local and regional Hazardous Materials Emergency Response Plans in accordance with SARA Title III. Currently, the

PLEPC has asked the Emergency Management staff to update its website to ensure compliance. Also, the PLEPC has asked the Emergency Management staff to support the development of a grant application (once the guidance is released in early fall) for funds to update the current Peninsula Local Emergency Response Plan which needs to be updated.

FY10 Healthcare Organization Emergency Preparedness Seminars (HOEPS)

The Emergency Management staff, in conjunction with a planning committee, has begun planning for this annual regional seminar for hospitals, assisted living facilities, nursing homes, group homes, dialysis centers, and home health care agencies on the Peninsula and Southside of Hampton Roads. The seminar was focused on helping these organizations make and implement emergency operations plans and continuity of operations plans for their facility. The dates for this event have been scheduled for May 2010 with a seminar to be held on the Peninsula and the Southside.

Hazard Mitigation Planning

The Emergency Management staff has been asked by the Emergency Managers in south Hampton Roads (Norfolk, Virginia Beach, Portsmouth, Suffolk, and Isle of Wight) for support in applying for hazard mitigation grant funds to update the Southside Hampton Roads Hazard Mitigation Plan. The plan will require an update in FY11 and the staff will provide administrative support to make the application and secure funds for this effort.

Regional Catastrophic Planning Grant Program (RCPGP) Support

The Regional Catastrophic Planning Team (RCPT) for the Regional Catastrophic Planning Grant Program (RCPGP), established in Hampton Roads by the Department of Homeland Security in 2008, selected consultants to begin working on the project. The three work groups (1) Mass Evacuation and Transportation Planning; (2) Mass Care and Shelter Planning; and (3) Commodities and Resource Management, have begun meeting and working toward the goals and objectives established by the RCPT. The HRPDC staff will continue its support of the grant to the Regional Catastrophic Planning Team for the three workgroups to ensure existing projects and data are integrated.

Urban Area Security Initiative (UASI)

The Emergency Management staff continues to support the Hampton Roads Urban Areas Security Initiative (UASI) Grant Program for the Urban Area Working Group (UAWG). The UASI program funds address the unique planning, equipment, training, and exercise needs of high-threat, high-density Urban Areas, and assist them in building an enhanced and sustainable capacity to prevent, protect against, respond to, and recover from acts of terrorism. Recent efforts have been focused on developing and implementing the coming grant application period (FY 2010). Outreach activities to all stakeholders are being conducted through multiple committees and associations to ensure a holistic approach for this program. The grant guidance for the FY10 UASI grant is not expected to be released until late October, but the staff has taken a proactive approach to alleviate some of the challenges and short time frame associated

with applying for this grant. This advanced effort will result in a more comprehensive grant application package to DHS that is aligned with the goals and objectives of the Commonwealths Homeland Security Strategic Plan and Hampton Roads Homeland Security Strategic Plan.

Additionally, representatives from the Virginia Tidewater Consortium for Higher Education Security and Emergency Preparedness Committee and Virginia Modeling, Analysis, and Simulation Center have been added as members to the UAWG to represent Higher Education for Homeland Security initiatives for the UASI program.

Hampton Roads Medical Special Needs WebEOC Implementation Update (FY07 & FY08 UASI Project)

The implementation of WebEOC within Hampton Roads is part of a larger UASI funded regional initiative to expand and enhance emergency preparedness planning and outreach related to the region's population with special needs. The ability to use WebEOC for strengthening regional collaboration in areas other than special needs planning is noted as an added benefit in supporting emergency planning, response and recovery efforts in consequence management. The original scope of the project called for the implementation of a Hampton Roads Regional ESiWebFUSION server to be connected to two existing instances of WebEOC (James City County and Virginia Beach) and nine new instances of WebEOC (a regional instance, and eight local instances located in Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Williamsburg, and York County).

In August of 2009, the critical milestone of installing and/or connecting all eleven instances of WebEOC to both the Hampton Roads ESiWebFUSION server and VDEM ESiWebFUSION server was reached. With all of these instances of WebEOC connected, it allows emergency management officials to share and view data with other jurisdictions in Hampton Roads and VDEM in real time. The processes and procedures for sharing information are currently under development and will be forthcoming in the next year.

To facilitate information sharing among all sixteen jurisdictions within Hampton Roads the scope of the project was amended in May of 2009 to include installation of WebEOC in Gloucester and Poquoson. These installations are scheduled to occur in September. Additionally access to the regional WebEOC server will be given to the remaining 4 jurisdictions (Isle of Wight, Surry, Franklin, and Southampton), which did not have the resources to support an individual instance of WebEOC, to allow them to share information regionally.

The next phase of the project will also involve configuring the WebEOC and ESiWebFUSION systems to facilitate emergency preparedness planning for the medical special needs population. This work includes developing a conduit to transfer information submitted to the Hampton Roads Medical Special Needs Registry at www.hrspecialneeds.org (under development) to each city/county

instance of WebEOC. The information transferred will be city/county specific and used for planning purposes only by emergency management officials. The information will be displayed on a Medical Special Needs board within WebEOC once development and testing is completed. A public outreach plan is in development and is expected to be implemented by January 2010 advertising the website and registry after the Commission and local government representatives and stakeholders have been briefed by the Emergency Management staff.

Maritime Security and Response (FY 2007 UASI Project)

The Virginia Area Maritime Security Committee (AMSC) continues to be supported by the Emergency Management staff as the Committee continues to develop and test a plan that provides an all-hazard operational framework and long-term preparedness program for facilitating the recovery of the U.S. Marine Transportation System (MTS) from a natural, technological, or man-made disaster. A central component of this program is the pre-incident preparation of an MTS Unit (MTSU) by the Captain of the Port (COTP) in partnership with the AMSC, port stakeholders, local public safety officials (i.e. emergency management, fire and law enforcement agencies) and the establishment of an MTS Recovery Unit (MTSRU). The Emergency Management staff provides emergency planning and exercise support (as outlined in the DHS approved FY07 UASI investment) for MTS recovery planning and preparation by serving as an advisory member to the director of the MTSRU, AMSC, and COTP.

Currently, the Emergency Management staff is working with the AMSC, VDEM, and a contractor (CRA) to develop and support a Tabletop Exercise (TTX) on November 10, 2009. The purpose of the TTX is to examine and discuss policies, procedures and coordination of a port response to a major disruption of maritime business in Hampton Roads and port recovery operations. The exercise will be held at Tidewater Community College Advance Technology Theater located on the Virginia Beach campus from 8a.m. until 12 noon. Invitations will be forthcoming to pre-identified stakeholders.

Multi-Region Target Capabilities Assessment (FY08 UASI Project)

On May 15, 2009 a request for proposals (RFP) for a Multi-Region Target Capabilities Assessment was publically announced. The announcement appeared on the HRPDC website, The Virginian Pilot, Daily Press, Richmond Times, and the minority newspaper, the New Journal and Guide. The RFP was open for 26 days and by the June 10, 2009 deadline seven proposals had been received. All proposals received met the eligibility requirements specified in the RFP. A multi-region selection committee consisting of representatives from both the Hampton Roads and Central Virginia regions conducted an initial review of proposals on June 19, 2009. The initial proposal review meeting included a discussion of all received proposals including the strengths and weaknesses of each. At the consensus of the selection committee the top three proposers were invited to a final selection interview.

The final selection interview was conducted on July 9, 2009 with the following consulting companies; CNA, IEM, and Michael Baker Jr., Inc. CNA was selected by the selection committee. Upon notifying CNA of their selection, CNA has since submitted a price proposal which was negotiated down to the budget allocated with the UASI grant funds. A draft contract, terms and conditions has been developed and is currently being vetted for legal review by the HRPDC and CNA. Upon mutual agreement and pending no legal challenges that would hinder execution of the contract, the contract will be executed by mid-September followed by a kickoff meeting to start work immediately.

Pet Sheltering Support (FY09 UASI Project)

The development of a newly developed Pet Planning subcommittee by RETMAC is supported by the Emergency Management staff. Support is being provided to research equipment and supplies needed to assist localities in implementing pet plans developed for disasters and management of pets at shelters. The intent of this project is to procure trailers with equipment and supplies (as allowed by grant guidance) specifically for assisting pet management at shelters in localities.

First Responder Authentication Credential (FRAC)

The Emergency Management (EM) staff continues to foster the First Responder Authentication Credential (FRAC) pilot program in Hampton Roads initiated and lead by the Governor's Office of Commonwealth Preparedness (OCP) through State Homeland Security Grant funds. The FRAC initiative is serving as a model credentialing program for other regions to enhance cooperation between federal, state, local, private and volunteer sector Emergency Responders before and during a critical incident. As the operational component of this initiative, the Hampton Roads Credentialing Committee has been working through many components of this program to include selection of personnel to be utilized as part of this process, where to put the issuance stations, and how to maintain the program. The issuance of FRACs was anticipated to start in August 2009 upon approval of the contract with the service providers of the FRAC cards and issuance stations. However, the period of performance and associated costs outlined in the draft contract for this project was not in synchronization of the grant guidance and above the allocated funding awarded by the Virginia Department of Emergency Management (VDEM) grants department. The HRPDC has been working with OCP to come to a resolution to ensure all aspects of the project meet the federal grant guidance dictated by the Department of Homeland Security (DHS). We anticipate a resolution by the end of September 2009 so that the project may continue.

Critical Infrastructure/Key Resources (CI/KR)

Strategic planning by the Emergency Management staff for the development of a regional Critical Infrastructure and Key Resources (CIKR) program has been initiated in coordination with the Office of Commonwealth Preparedness Critical Infrastructure Protection Coordinator. Planning efforts in July and August consisted of; (1) identifying and tentatively securing State Homeland Security Grant funds, (2) identifying stakeholders and supporting personnel to draft a clear mission, vision, and goals for the program that supports the key stakeholders

from the 18 public and private sectors identified in the National Infrastructure Protection Plan (NIPP), (3) and supporting the NIPP and the Virginia Infrastructure Protection Plan released in July 2008. Grant funding allocation letters are expected to be received in the next month as DHS releases FY09 funding to the Commonwealth from the DHS Homeland Security Grant Program (HSGP). This will be followed by a formal grant application to be awarded the funds.

D. American Planning Association Training Series

For the second year, with assistance from the Virginia Chapter of the American Planning Association (APA Virginia), the HRPDC has purchased the American Planning Association's 7-part Advanced Intensive/Intensive Encore Audio/Web Conference Training Series for 2009-2010. The package includes access to live webcasts and DVD copies of each program that will be made available to planners not able to attend the live programs. The HRPDC offers the courses to anyone involved or interested in local planning, particularly those needing to accrue the 32 credits now required to maintain accreditation as members of the American Institute of Certified Planners. The series will provide a total of 10.5 Certification Maintenance (CM) credits. A schedule is included below.

- Project Management: September 30, 2009; 4:00 p.m.–5:30 p.m. ET; CM |1.5
- Monetizing Sustainability: October 14, 2009; 4:00 p.m.–5:30 p.m. ET; CM |1.5
- Performance Measurement in Transportation Planning: January 20, 2010; 4:00 p.m.–5:30 p.m. ET; CM |1.5
- Redevelopment and Revitalization for a New Era: March 17, 2010; 4:00 p.m.–5:30 p.m. ET; CM |1.5
- Development Finance and Pro Formas: April 21, 2010; 4:00 p.m.–5:30 p.m. ET; CM |1.5
- Design Graphics for Planning: May 12, 2010; 4:00 p.m.–5:30 p.m. ET; CM |1.5
- 2010 Planning Law Review: June 30, 2010; 4:00 p.m.–5:30 p.m. ET; CM |1.5

As the year progresses, other APA Training opportunities may be made available through the HRPDC.

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #16: FOR YOUR INFORMATION

A. Light Rail: Virginia Beach Transit Extension Study

The Federal Transit Administration (FTA), in cooperation with the Hampton Roads Transit (HRT) and the Virginia Department of Rail and Public Transportation, is preparing a Supplemental Draft Environmental Impact Statement (SDEIS) to evaluate extending fixed guide-way transit service to the City of Virginia Beach as an extension of the Tide Light Rail Project. The FTA is requesting that the HRPDC and HRTPO become a participating agency in the environmental review process pursuant to Section 6002 of Safe, Accountable, Flexible and Efficient Transportation Equity Act: A Legacy for Users (attachment). HRPDC staff will coordinate with HRT staff in completing this request. At the appropriate time, the HRPDC staff will also coordinate review of the Supplemental Draft EIS with the Virginia Department of Environmental Quality and the affected localities.

Attachment

B. Off-Shore Energy Coordination with Military Operations

Attached for your information is a letter from Congressman Glenn Nye to President Obama and several Cabinet Secretaries urging development of a coordinated federal process to ensure compatibility between military operations and offshore energy development.

Attachment

C. Other Correspondence

Attachments



3400 Victoria Boulevard, Hampton, Virginia 23661
Phone: 757-222-6000 ~ Southside Fax: 757-222-6103
Peninsula Fax: 757-222-6195 ~ www.hrtransit.org

August 4, 2009

Bruce C. Goodson, Chair
Hampton Roads Planning District Commission
The Regional Building
723 Woodlake Drive
Chesapeake, Virginia 23320

Subject: Virginia Beach Transit Extension Study
Environmental Impact Statement
Invitation to Become a Participating Agency

Dear Mr. Goodson,

The Federal Transit Administration (FTA), in cooperation with Hampton Roads Transit (HRT) and the Virginia Department of Rail and Public Transportation, is preparing a **Supplemental Draft Environmental Impact Statement (SDEIS)** to evaluate extending fixed guideway transit service to the City of Virginia Beach as an extension of the Tide Light Rail Project, currently under construction in the City of Norfolk. FTA is requesting that your agency become a participating agency in the environmental review process pursuant to Section 6002 of the Safe, Accountable, Flexible and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). This designation does not imply that your agency supports, has jurisdiction over, or has a special expertise with respect to evaluation of the project, only that it has an interest in some aspect of the proposed project.

Pursuant to SAFETEA-LU, participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project. We suggest that your agency's role in the development of the above project should include the following as they relate to your areas of expertise:

1. Provide meaningful and early input on the purpose and need, range of alternatives to be considered, and the methodologies and level of detail required in alternatives analysis.
2. Participate in coordination meetings and joint field review as appropriate.
3. Timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

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HRPDC

September 9, 2009
Princess Anne High School
4400 Virginia Beach Blvd.
Virginia Beach, VA 23462-3198
6:00 p.m. – 8:00 p.m.

September 10, 2009
Va. Beach Convention Center
1000 19th Street
Virginia Beach, VA 23451-5674
6:00 p.m. – 8:00 p.m.

Written comments or questions concerning the proposed action and the EIS should be addressed to *Jayne Whitney* and should be received by *September 5, 2009, or within 30 days of receipt of this letter* at the following address:

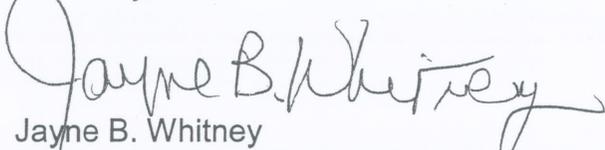
Ms. Jayne B. Whitney
Sr. Vice President for Development
Hampton Roads Transit
3400 Victoria Blvd.
Hampton, VA 23661

If you wish to become a cooperating agency in the environmental review process, please contact the Federal Transit Administration at the following address:

Ms. Letitia A. Thompson
Regional Administrator
Federal Transit Administration
1760 Market Street, Suite 500
Philadelphia, PA 19103-4124

Thank you for your participation and interest in this project.

Sincerely,


Jayne B. Whitney
Sr. Vice President for Development

Cc: Ms. Letitia Thompson, FTA Region III
Mr. Michael S. Townes, HRT
Document Control: DR009-49947-DE726

Enclosure (Project area map)



Virginia Beach Transit Extension Study

Project Study Area



GLENN NYE
2ND DISTRICT, VIRGINIA

116 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-4602
(202) 225-4215
FAX: (202) 225-0145

4772 EUCLID ROAD, SUITE E
VIRGINIA BEACH, VA 23462
PHONE: (757) 326-6201
FAX: (757) 326-6209

P.O. Box 447
23386 FRONT STREET
ACCOMAC, VA 23301
PHONE: (757) 789-5092
FAX: (757) 789-5095

Congress of the United States
House of Representatives
Washington, DC 20515-4602

September 1, 2009

HOUSE ARMED SERVICES
COMMITTEE
READINESS SUBCOMMITTEE
SEAPOWERS AND EXPEDITIONARY FORCES
SUBCOMMITTEE
OVERSIGHT AND INVESTIGATIONS
SUBCOMMITTEE
HOUSE COMMITTEE
ON
VETERANS' AFFAIRS
SUBCOMMITTEE ON HEALTH
HOUSE SMALL BUSINESS
COMMITTEE
CHAIRMAN, SUBCOMMITTEE ON
CONTRACTING AND TECHNOLOGY
SUBCOMMITTEE ON TAX AND FINANCE

President Barack Obama
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

The Honorable Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20013

The Honorable Steven Chu
Secretary of Energy
1000 Independence Avenue, SW
Washington, DC 20585

The Honorable Janet Napolitano
Secretary of Homeland Security
Department of Homeland Security
Washington, DC 20528

The Honorable Ray LaHood
Secretary
Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear President Obama, Secretary Gates, Secretary Chu, Secretary Napolitano, and Secretary LaHood:

Over the past several years, there have been a number of proposals for generating or harvesting energy in areas offshore from Virginia's coastline. As our nation increasingly focuses on efforts to reduce or eliminate its dependence on foreign energy, and the federal government works to meet renewable energy goals, it is likely that the number and variety of proposals to develop energy in these areas will continue to expand.

It is in our clear economic, environmental, and national security interest to develop new sources of energy, and to draw upon clean, renewable resources off our coasts. Virginia is poised to be a leader in this effort, and to help the United States take the lead in new energy industries and technologies.

Although I am strongly supportive of efforts to develop energy assets for our nation, I recognize that certain energy development concepts in Virginia's offshore regions may require specific efforts to ensure that they are compatible with military training and operations, homeland defense requirements, and air traffic safety needs. As such, I request your assistance in addressing the following issues:

1. Does the Department of Defense have a single point of contact that is responsible for coordinating efforts to evaluate the impact on surface, subsurface, aviation, and other military operations and training activities of offshore energy proposals and for representing the service's position on such proposals? Do the Department of Homeland Security and Department of Transportation have similar points of contact for evaluating the impact of offshore energy proposals on homeland defense activities, air traffic control, and other transportation requirements? If not, I urge that you consider establishing such a position in each of these agencies.
2. Have the Departments of Defense, Homeland Security, and Transportation evaluated the potential impacts on current and future military training activities and operations, homeland security activities, and transportation requirements, of energy development in the Virginia offshore area under consideration for leasing as the Mid-Atlantic Proposed Oil and Gas Lease Sale 220? Is it possible to characterize the types of energy development that would (and would not) impact such activities in the area?
3. Does the Department of Energy have the appropriate structure and staffing to provide technical advice to the Departments of Defense, Homeland Security, and Transportation during their efforts to evaluate the impacts of offshore energy development on military, homeland security, and transportation activities?
4. To what extent have the Departments of Defense, Homeland Security, and Transportation evaluated the impacts of offshore wind turbine "farms" on military, homeland security, and transportation activities? Have any of these agencies established positions on the compatibility of such a farm with current and future activities in the region?
5. In recent years, there have been numerous media reports on the impact of wind turbines on radar systems. To what extent have the Departments of Defense, Homeland Security, and Transportation evaluated these impacts and considered developing a "test bed" to allow aggressive development of mitigation solutions?
6. Is there an interagency process in place to ensure cooperation between the appropriate Departments of jurisdiction to ensure that offshore energy development activities are properly evaluated by the agencies whose activities would be most impacted, and that those impacts are considered before proceeding with a project? If not, do you believe that such a process should be established?

7. The Department of Defense is the single largest energy consumer in the United States and the American Reinvestment and Recovery Act included \$120 million to improve the energy efficiency of Defense installations and \$300 million for military research into alternative power.

Earlier this year, the Army invited bids from the private sector to lease land at Ft. Irwin to build a 500-megawatt solar project to achieve energy efficiencies and reduce their enormous energy costs. Has the Department of Defense looked into similar public/private ventures in Hampton Roads, Virginia considering the vast military installations in Hampton Roads and the massive energy costs of those installations?

As demonstrated by my questions, I believe it is of critical importance that the federal government has a process in place to evaluate the impacts of offshore energy development activities. As I am also supportive of continuing to increase our nation's independence from foreign energy sources, such an evaluation process must be efficient, effective, and include those federal departments with the expertise necessary to carry out the effort.

I would appreciate it if your staff would contact my Legislative Director, Andreas Mueller, to follow-up on the specifics of this letter. I thank you for your efforts to work with me on such matters of concern, and look forward to your response.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Glenn Nye', with a long, sweeping horizontal line extending to the right.

Glenn Nye
Member of Congress

SENATE OF VIRGINIA



JOHN MILLER
1ST SENATORIAL DISTRICT
ALL OF THE CITY OF POQUOSON, PART OF
YORK COUNTY, AND PART OF THE CITIES OF
HAMPTON AND NEWPORT NEWS
POST OFFICE BOX 6113
NEWPORT NEWS, VIRGINIA 23606

COMMITTEE ASSIGNMENTS:
EDUCATION AND HEALTH
GENERAL LAWS AND TECHNOLOGY
REHABILITATION AND SOCIAL SERVICES
TRANSPORTATION

September 1, 2009

The Honorable Bruce C. Goodson
Chairman
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, VA 23320

Dear Bruce:

I have received your recent letter regarding the concerns members of the Hampton Roads Planning District Commission have with proposed draft Virginia Stormwater Regulations.

I share some of your concerns and would hope that they will be addressed as the process continues to move forward.

I appreciate you letting me know where your members stand on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "John", written over a faint circular stamp.

Senator John Miller
1st District

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HRPDC

July 20, 2009

Thank you for the prompt response to the request for info for the JRMG Camp in Franklin, Va. I would like to thank you and inform you that the children enjoyed the info on H₂O conservation and all of the other info given. Our camp this year was JRMG Camp Going Green Recycling, Reusing and Reducing! All the materials sent tied into our motto perfectly.
Thank you!

Lizie Sager M.G.C.
Camp Coordinator



August 18, 2009

Ms. Shernita Bethea
Housing and Human Services Manager
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, VA 23320

Dear Ms. Bethea:

On behalf of the Virginia Association of Planning District Commissions, I would like to express our sincere appreciation for your time and effort in serving as a speaker for the VAPDC 2009 Summer Conference: *Preparing for Prosperity*.

One of the primary benefits VAPDC offers to those involved is educational opportunities and you played no small part in providing knowledge and information on a timely topic for our participants.

Early reviews of the conference have been complimentary of both the speakers and the content of their presentations. Thank you for helping us to make this conference a success.

Sincerely,

Coleman Speece
VAPDC President
Southside Planning District Commission

▼ 11712C, Jefferson Avenue, #250, ▼ Newport News, VA 23606 ▼
▼ Phone: 757-412-2664 ▼ Fax: 866-873-3690 ▼
▼ Email: vapdc@associationbuilders.com ▼ Website: www.vapdc.org ▼

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AUG 24 2009

HRPDC

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #17: OLD/NEW BUSINESS