

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #13: CORRESPONDENCE OF INTEREST

A. HRPDC Committee Appointment Letter.

Attached is a letter from City of Suffolk City Manager, Ms. Selena Cuffee-Glenn, appointing City of Suffolk Comprehensive Planning Manager, Ms. Claire Jones as an alternate to the Special Committee on Recurrent Flooding and Sea Level Rise.

Attachment 13-A

B. Letter of Appreciation

Attached is a letter from the York County, City of Poquoson Department of Social Services to the HRPDC Environmental Education Staff in regards to the plant some good bookmarks and their service to community.

Attachment 13-B

C. HRPDC Comment Letter

Attached is the March 11, 2015 letter detailing the HRPDC's comments for DEQ's draft Nonpoint Source Nutrient Credit Regulations.

Attachment 13-C

D. Urban Areas Security Initiative (UASI) Response Letter

Attached is a letter from Assistant Administrator for Grant Programs, Brian E. Kamoie, responding to the concerns raised by the HRPDC in relation to the FY 2015 Risk Validation Process.

Attachment 13-D



CITY MANAGER

CITY OF SUFFOLK

P.O. BOX 1858, SUFFOLK, VIRGINIA 23439-1858

PHONE: (757) 514-4012

March 4, 2015

Mr. Randy Keaton
Interim Executive Director
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, Virginia 23320

RE: Special Committee on Recurrent Flooding and Sea Level Rise

Dear Mr. Keaton:

Please be advised that Shanda Davenport, former Current Planning Manager with the City of Suffolk and alternate member of the Special Committee on Recurrent Flooding and Sea Level Rise, is no longer employed by the City of Suffolk. In that regard, please be advised that Claire Jones, the City's Comprehensive Planning Manager, will serve as the City's new alternate voting member of the Special Committee on Recurrent Flooding and Sea Level Rise.

Should you have any questions pertaining to this matter, please do not hesitate to contact me.

Sincerely,

Selena Cuffee-Glenn
City Manager

pc: Patrick Roberts, Deputy City Manager
Scott Mills, AICP, Director of Planning and Community Development
Claire Jones, AICP, Comprehensive Planning Manager

RECEIVED

MAR 12 2015

HRPDC

Attachment 13-A



COUNTY OF YORK - CITY OF POQUOSON
DEPARTMENT OF SOCIAL SERVICES



301 GOODWIN NECK ROAD
YORKTOWN, VIRGINIA 23692
(757) 890-3787
FAX (757) 890-3934

March 9, 2015

Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, Virginia 23320

Dear staff,

Our behalf of our staff, I would like to take a moment to thank you for the Plant Some Good bookmarks to use in our special programs.

These are a great tool to promote in our community – environmentally as well as in recognition of the many ways that our community members contribute to the betterment of our world.

Again, thank you for your service to our community.

Sincerely,

Cheryl Ferreira, MSW
Resource Development
Coordinator

RECEIVED

MAR 12 2015

HRPDC
Attachment 13-B

MEMBER
JURISDICTIONS

March 11, 2015

CHESAPEAKE

Department of Environmental Quality

Attention: Debra Harris

629 East Main Street

FRANKLIN

P.O. Box 1105

Richmond, VA 23218

GLOUCESTER

RE: 9VAC25-900 Certification of Nonpoint Source Nutrient Credits

HAMPTON

Dear Ms. Harris:

ISLE OF WIGHT

The Hampton Roads Planning District Commission (HRPDC) appreciates the opportunity to provide comments on the draft Nonpoint Source Nutrient Credit regulations. The localities represented by the HRPDC support the concept of expanding nutrient credit trading. We applaud the state for creating a certification process that will allow localities more flexibility to meet stormwater quality objectives.

JAMES CITY

NEWPORT NEWS

The HRPDC would appreciate the DEQ's consideration of the following comments.

NORFOLK

1. **The definition of "Management area" in the draft regulation is appropriate for the urban sector and should not be revised.** The definition of "management area" is important to establish a fair baseline that must be met before credits can be certified for trading. Requiring all contiguous parcels to the same landowner to meet the baseline is a good balance between the more extreme options of requiring baseline only on the parcel with the nutrient-generating activity and requiring baseline for all of the properties that the landowner or locality owns.

POQUOSON

PORTSMOUTH

SMITHFIELD

SOUTHAMPTON

2. **The certification process should include a public hearing, instead of public notification. A public hearing is particularly important to address concerns if proposed credits are based on a new technology.** Without a public hearing, objections to new technologies could be pursued by challenging MS4 or Construction General Permit compliance. Resolving concerns about new technologies before the credits are put on the registry provides more certainty for credit market participants.

SUFFOLK

SURRY

VIRGINIA BEACH

3. **The draft regulation should state that entities holding MS4 permits will not be required to make up for nutrient load reductions in the MS4 service area that are met by purchasing credits.** Credits purchased by developers to meet the immediate requirements of the Construction General Permit could be discounted or eliminated by future policy decisions. The draft regulation creates an opportunity for nutrient-generating activities to be approved that are not included in the MS4 Chesapeake Bay TMDL Special Condition guidance

WILLIAMSBURG

YORK

Ms. Debra Harris

March 11, 2015

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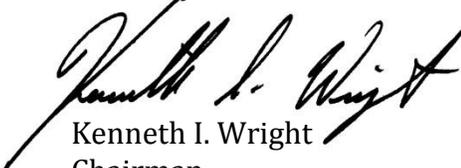
These activities are particularly vulnerable to future discounts tied to Chesapeake Bay Program decisions. Localities would like DEQ to ensure that localities will not be required to make up for those discounted or lost nutrient reductions in their future MS4 permits.

4. **The proposed regulations should be more protective of local water quality. Specifically, in Section 9VAC25-900-90C2c impaired waters with no approved local TMDL should limit the exchange of credits to the following hierarchy:**
 - a. **Upstream of where the discharge reaches impaired waters if credits are available;**
 - b. **Within the same 12-digit HUC, if credits are available**
 - c. **Within the same 10-digit HUC.**

The draft regulation allows exchange of credits within the same 8-digit HUC and adjacent 8-digit HUC. The 8-digit HUC scale is too large. Credits could be purchased hundreds of miles from impaired waters which would have no impact on improving local water quality. This proposed language still allows trading even when DEQ has determined that the local water body is impaired but limits trades to a more reasonable scale in order to promote improvements to water quality.

Thank you for your consideration.

Sincerely,



Kenneth I. Wright
Chairman

WSK/jc



March 31, 2015

Kenneth I. Wright
Chairman
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, VA 23320

Dear Mr. Wright:

Thank you for your recent letter to Deputy Administrator Timothy Manning regarding the Virginia Beach-Norfolk-Newport News, VA-NC Metropolitan Statistical Area (MSA) in support of the Urban Areas Security Initiative (UASI) grant program. As FEMA's Assistant Administrator for Grant Programs, I am responding on Deputy Administrator Manning's behalf. I understand the level of effort required to review the risk data and I appreciate your partnership in this process. The following provides a response to the additional information in your recent inquiry.

MSA Footprint

As required by the *Homeland Security Act of 2002*, as amended," for the purposes of the risk calculation, the geographical boundaries used are county-based Metropolitan Statistical Areas (MSAs), as defined by the Office of Management and Budget (OMB) and implemented by the U.S. Census Bureau (the most recent MSA definitions were released in February 2013). The MSA definition can be found at <http://www.census.gov/population/metro/data/metrodef.html>.

Based on this MSA definition, the Virginia Beach-Norfolk-Newport News, VA-NC MSA includes the following counties:

- Chesapeake (VA)
- Gloucester (VA)
- Hampton (VA)
- Isle of Wight (VA)
- James City (VA)
- Mathews (VA)
- Newport News (VA)
- Norfolk (VA)
- Poquoson (VA)
- Portsmouth (VA)
- Suffolk (VA)
- Virginia Beach (VA)
- Williamsburg (VA)
- York (VA)
- Currituck (NC)
- Gates (NC)

Critical Infrastructure

Identification and prioritization of critical infrastructure—the destruction or disruption of which could have catastrophic national or regional consequences—provides the foundation for infrastructure protection and risk reduction programs and activities executed by the Department of Homeland Security (DHS) and its public and private sector partners. DHS historically has executed this responsibility through the National Critical Infrastructure Prioritization Program (NCIPP), an

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annual data call to sector, state, and territorial partners. The data call is based on criteria developed by the National Protection and Programs Directorate and is conducted in accordance with the *Implementing Recommendations of the 9/11 Commission Act of 2007* (Pub. L. No. 110-53).

The resulting NCIPP Level 1 and Level 2 List prioritizes those assets, systems and clusters whose destruction or disruption could result in catastrophic national or regional consequences. The potential consequences of a disruptive or destructive event are evaluated in the same way across the country, as it is through the application of standard criteria that consistency can be assured. The Virginia Beach-Norfolk-Newport News, VA-NC MSA is encouraged to work with the Virginia State Deputy Homeland Security Advisor Adam Thiel (Adam.Thiel@governor.virginia.gov) to identify and nominate infrastructure meeting the NCIPP criteria during the annual NCIPP data call. The Fiscal Year (FY) 2016 NCIPP data call is currently open and will close on May 1, 2015 and the results will inform the FY 2016 risk profiles.

The Department of Defense (DoD), as the Sector Specific Agency for the Defense Industrial Base (DIB), continuously analyzes the capabilities of the assets that make up the DIB sector in light of ever-changing national security requirements and technology developments. Based on this, assets are added to or removed from the list of DIB critical assets on a routine basis. The risk formula currently only counts the number of Defense Industrial Base facilities located in a MSA or state and does not rate facilities higher or lower based on their mission importance.

It is important to note that the DIB Sector does not include U.S. Government owned military facilities but rather the private sector companies and supply chains providing products and services to support national defense. The risk formula does include military personnel as a data element in the consequence index. The FY 2015 military personnel data source is the DoD FY 2014 Base Structure Report (data as of 30 September 2013). The count includes active duty, reserve, guard troops, and civilian personnel. The FY 2014 Base Structure Report (BSR) reports annual military personnel using data obtained from the Defense Manpower Data Center (DMDC). DHS is exploring adding a base criticality factor into the risk formula in coordination with DoD.

From a critical infrastructure perspective, as with all nuclear generation stations, all states and MSAs within 75-miles of a facility receive credit for the facility with regards to the FEMA Risk Profile. Therefore despite Surry Nuclear Power Station being located outside of the boundary of the MSA, it was included in the National Infrastructure Index count for Virginia Beach-Norfolk-Newport MSA.

Threat

Threat analysis considers specific, implied and potential physical terrorist threats based on Intelligence Community (IC) reporting and FBI information. The threat assessment includes IC disseminated threat reporting that revealed known and credible violent extremist plots, casings, threats, or aspirations.

As in FY 2014, DHS, Office of Intelligence & Analysis (I&A) continues to consider terrorist threats derived from individuals and groups associated with or inspired by al-Qa'ida and other foreign terrorist groups or individuals. I&A also considered those threats posed by violent domestic

Kenneth I. Wright
March 31, 2015
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extremists—domestic terrorism—that are inspired by ideologies other than that espoused by al-Qa'ida.

I&A included a two year review of Intelligence Community disseminated threat reporting to supplement FBI information. For FY 2015, the timeframe was July 2012 through June 2014. This timeframe allowed I&A to capture the current threat reporting while recognizing the dynamic nature of Homeland threat environment. Reporting prior to this timeframe is outside the scope of the analysis. Reporting after this timeframe will be considered for incorporation into the threat analysis that is used in future risk profiles.

Threat analysis does not include the notional potential attractiveness of a target to a possible terrorist, or the consequences of any attack to infrastructure within a particular jurisdiction. These aspects fall outside the scope of the threat analysis, but would be captured in other aspects of the risk formula.

Economic Index

The economic index is a measure that is proportional to the amount of economic disruption that could be caused by a generalized terrorist attack on an area. It is taken to be the gross domestic product (GDP) of the entity. Your suggestion for including cascading national effects will be considered for future grant years but currently a nationally available data source for this information has not been identified.

Port Data

Facilities specially related to ports may be eligible for funding under the Port Security Grant Program (PSGP), but are not specifically considered as part of the state and MSA risk analysis. However, the economic activity related to the port would be reflected in the gross domestic product that is captured in the Economic Index portion of the risk analysis.

I appreciate your interest in the FY 2015 Risk Validation Process and look forward to working with you on future homeland security issues. If you have any further questions or concerns, please have a member of your staff contact the Centralized Scheduling and Information Desk at askcsid@fema.gov.

Sincerely,



Brian E. Kamoie
Assistant Administrator for Grant Programs

CC: MaryAnn E. Tierney, Region III Administrator