

AGENDA
HAMPTON ROADS PLANNING DISTRICT COMMISSION
QUARTERLY COMMISSION MEETING
July 21, 2010

RESOLUTIONS OF APPRECIATION

9:30 CALL TO ORDER

PUBLIC COMMENT

9:40 APPROVAL/MODIFICATION OF AGENDA

CONSENT AGENDA

1. Minutes of June 16, 2010
2. Treasurer's Report
3. Regional Reviews – Monthly Status Report
 - A. PNRS Reviews
 - B. Environmental Impact Assessment/Statement Review
4. HRPDC Commission Member Handbook
5. Green Infrastructure Grant Proposal

9:50 6. Climate Change/Sea Level Rise Presentation

10:00 7. Operation Sail (OpSail 2012)

10:10 8. Hampton Roads H2O – Help To Others – Program Memorandum of Agreement

10:15 9. HUD Sustainable Communities Regional Planning Grants Program

10:20 10. Nominating Committee Appointment

10:25 11. Project Status Report

12. For Your Information

13. Correspondence of Interest

14. Old/New Business

ADJOURNMENT

AGENDA NOTE - HRPDC QUARTERLY COMMISSION MEETING

ITEM #1: MINUTES OF JUNE 16, 2010

Minutes of the June 16, 2010 meeting are attached.

Attachment

RECOMMENDED ACTION:

Approval

Hampton Roads Planning District Commission
Executive Committee Meeting
Minutes of June 16, 2010

The Executive Committee Meeting of the Hampton Roads Planning District Commission was called to order at 9:40 a.m. at the Regional Boardroom, 723 Woodlake Drive, Chesapeake, Virginia, with the following in attendance:

EXECUTIVE COMMITTEE:

| | |
|--------------------------------------|----------------------------|
| Bruce C. Goodson, Chairman (JC) | Paul D. Fraim (NO) |
| Stan D. Clark, Vice Chairman (IW)* | Douglas L. Smith (PO)* |
| James O. McReynolds, Treasurer (YK)* | Michael W. Johnson (SH) |
| Alan P. Krasnoff (CH) | Tyrone Franklin (SY) |
| Gregory Woodard (GL)* | Louis R. Jones (VB) |
| Molly Joseph Ward (HA)* | Jackson C. Tuttle II (WM)* |
| Joe S. Frank (NN) | |

EXECUTIVE COMMITTEE (ABSENT)

| | |
|-------------------------|--------------------------|
| June Fleming (FR) | Selena Cuffee-Glenn (SU) |
| Brenda Garton (GL) | William D. Sessoms (VB) |
| J. Randall Wheeler (PQ) | Jeanne Zeidler (WM) |

OTHER COMMISSIONERS:

| | |
|-------------------------|--------------------------|
| Amar Dwarkanath (CH) | Kenneth L. Chandler (PO) |
| William E. Harrell (CH) | James K. Spore (VB)* |
| Ella P. Ward (CH) | Barbara Henley (VB) |
| W. Douglas Caskey (IW) | Thomas Shepperd (YK)* |
| Sanford B. Wanner (JC)* | |
| Sharon Scott (NN)* | |

*Late arrival or early departure.

OTHERS RECORDED ATTENDING:

John Gergely, Henry Ryto, Terri Boothe, Ellis James (Citizens); Earl Sorey (CH); Keith Cannady, (HA); Bryan Pennington, Jeff Raliski, Stanley Stein (NO); Mark Schnauffer (VB); Ron Thompson – Tidewater Emergency Management System; Bill Bell - FTAC Co-Chair; Jim Flaherty - Whitney, Bradley & Brown, Inc.; Philip Shucet - HRT; John Cosgrove – House of Delegates; David White - VMA; L. Frank Mach, U.S. DOT Maritime Administration; Peter Huber – Willcox & Savage; Germaine Fleet – Biggs & Fleet; Staff: Dwight Farmer, John Carlock, Rick Case, James Clary, Nancy Collins, Jennifer Coleman, Kathlene Grauberger, Greg Grootendorst, Richard Flannery, Julia Hillegass, Jim Hummer, Rob Jacobs, Brett Kerns, Mike Kimbrel, Robert Lawrence, Benjamin McFarlane, Brian Miller, Joe Paulus, Kelli Peterson, Camelia Ravanbakht, Joe Turner, Jenny Tribo, Chris Vaigneur and Tara Walker.

Chairman Goodson called the Hampton Roads Planning District Commission Executive Committee meeting to order.

PUBLIC COMMENT

One person requested to address the Hampton Roads Planning District Commission.

Ellis W. James

Thank you Mr. Chairman, members of the Commission, my name is Ellis W. James. I am a lifelong resident of Norfolk, Virginia. The tragedy in the Gulf is still with us and getting worse and I would like to urge all of you to connect the dots and make sure that you fully understand the implications of what is happening to our fellow citizens in the Gulf, how it relates to Hampton Roads and the Mid-Atlantic region. This morning there is information out of the Gulf that indicates approximately ten thousand gallons per day of hydrocarbons are spilling out of the well. Now, I know that the numbers become mind numbing and they have changed and rotated almost on a daily basis sometimes. But that estimate comes from a very reliable Professor at FSU, Ian McDonald and he has been fairly accurate as we have proceeded through this situation. Why is it important for us here? There is every indication that the problems at the federal level with MMS are not restricted to the federal level. I am quite concerned about the possibility that some of our folks at the State level have become comfortable with the culture that has existed at the federal level for quite some time. If this is the case that might explain why there is still the significant push to do offshore drilling off the Mid-Atlantic and specifically off of Virginia and North Carolina. I would hope that we would urge those in this room normally when we haven't hit a day like today traffic wise, there would be representatives here who could address those issues. I hope for those of you who are here that you will analyze the situation and then speak to these individuals who are our representatives in the General Assembly, and urge them to take note of this situation and see if they can address some of these cultural and core issues that seem to prevalent in MMS. Thank you, Mr. Chairman.

Chairman Goodson stated he would be moving the Resolutions of Appreciation to the end of the meeting and also move item number six, the Virginia Retirement Resolution, after item number seven discussion of the operating budget.

CONSENT AGENDA

The Consent Agenda contained the following Items:

Minutes of May 19, 2010

Treasurer's Report

Regional Reviews

A. PNRS Items Review

25 Year CZM Implementation Application

Chesapeake Bay Program Point Source and Toxics Information Management /Data Analysis Support

VADEQ FY 10 Chesapeake Bay Monitoring

VADEQ Tracking Wetlands in Virginia

B. Environmental Impact Assessment/Statement Reviews

Demolition of Mason Creek Bridge, Structure LP-69, at Naval Station Norfolk – DOD/Navy

Improvements to Back Bay National Wildlife Refuge Entrance – Federal Highway Administration

2010 Hampton Roads Data Book

EECBG Funding

Commissioner McReynolds Moved to approve the Consent Agenda; seconded by Commissioner Fraim. The Motion Carried.

FY 2011 HRPDC Operating Budget

Chairman Goodson asked Mr. Farmer to give a quick overview of the budget. Mr. Farmer indicated he was very grateful for the Commissioners approving their budgets that included the HRPDC and HRTPO. Mr. Farmers stated Nancy Collins would present the summary of the 2011 budgets for the HRPDC and the HRTPO.

Ms. Collins indicated the 2011 budget for the HRPDC and HRTPO would be a combined report and thanked our localities and Commissioners for their continued commitment to the HRPDC and HRTPO Organizations for their funding. Ms. Collins indicated the HRPDC and HRTPO continued funding at the 82 cents per capita despite the decline the PDC had been experiencing from the State and DHCD. The DHCD grant has continued to fall to the current low of \$132,000 for fiscal year 2011, which is a 64% drop in ten years.

Ms Collins stated that while local member contributions have increased or have been sustained over the same time period, the HRPDC is presenting a balanced budget for fiscal year 2011. In order to accomplish this, HRPDC had to reduce personnel costs by almost \$300,000, which means three full-time positions and one part-time position remained unfunded and one position was reclassified down from an administrator to a manager level, and one position was reclassified from full-time to part-time and reclassified down one level. Ms. Collins indicated HRPDC general operations were also reduced by over \$160,000.

Ms. Collins indicated in addition to the regular operating budget, HRPDC has a list of new reserve accounts it is establishing for required and anticipated future expenditures. In addition, the leave liability reserve has been part of the financial records since inception and covers the active employees' guaranteed leave pay out at separation. Both of these will be shown as liabilities on the balance sheets as these funds are required to be paid out at future dates. This action will place these amounts outside the available unrestricted fund balance to assure availability in future years. The unallocated funds balance will exceed \$1.8 million. These funds are available for unanticipated activities that may be reimbursable expenditures until funds can be requested and received.

(Commissioner Tuttle arrives)

Chairman Goodson indicated that next year the Commission will produce a separate budget for the HRPDC and HRTPO.

Mayor Frank stated it is important to separate the budgets because there are two separate organizations and each group should vote on its budget.

Mayor Frank also questioned the line item for the public participation plan - \$355,700. He compared it to Northern Virginia's budget of \$371,000. Mayor Frank was concerned about the figures. Mayor Frank acknowledged the work on the public outreach was important to be successful. However, he also stated when you do not have pay increases and are laying people off, you are not going to be as robust as you are in ability to deliver services. He asked that staff take a look at that as the organization moves forward.

Mr. Farmer stated that he failed to indicate the budget does reflect this. This is also the third year the entire staff has had a pay freeze on COLA and merits. He also explained the organization would come back to the TPO during the year and start to unveil the things that it is going to do.

Mayor Frank stated that if the HRPDC was able to effectuate some savings and has not given staff any salary increases in three years, perhaps there may be enough to give each employee a small bonus to express a sense of appreciation.

Mr. Farmer indicated he would come back to the PDC Board with this recommendation later this year.

Commissioner Frank Moved to approve the budget, second by Commissioner Caskey. The Motion Carried.

Virginia Retirement System Resolution

Chairman Goodson stated the Commission has typically used the rules the localities and local governments use to pay the employee part of the Virginia Retirement. After its 2010 session, the General Assembly now allows localities to make a choice and have two classes of employees. The first class is if you were employed before July 1, 2010, the HRPDC would continue to pay the employee's share. Class two employees, those hired on or after July 1, 2010, would be required to pay the employee portion. Mr. Goodson stated the General Assembly allowed localities to make a choice and many will soon be voting on that choice. Some of the localities have chosen to continue that payment, although Virginia Beach has not chosen to do that, Mr. Goodson indicated James City had not made a decision.

Mr. Farmer stated Mr. Spore wanted to know what the PDC's unfunded VRS reliability was. Mr. Farmer indicated Ms. Collins reported \$140,000 is fully funded in the FY 2011 budget and there are no unfunded liabilities in VRS with or without this action per the audit report and recommendations.

Commissioner Fraim stated that at this point with the budget cuts and tight money and difficulty with revenue sources, it is time for employees to contribute to their retirement.

Commissioner Frank Moved to adopt the resolution; seconded by Commissioner Tuttle.

Chairman Goodson requested a roll call vote. Yes: Mr. Caskey, Mr. Johnson, Mr. Franklin, Mr. McReynolds, Mayor Krasnoff, Mayor Frank, and Mr. Tuttle, No: Mr. Goodson, Mayor Fraim, Mr. Jones, and Mr. Chandler.

The Motion Carried.

FY 2011 HRPDC Unified Planning Work Program

(Commissioners Clark, Wanner, Smith, Shepperd and Woodard arrive.)

Chairman Goodson introduced Mr. John Carlock to present the FY 2011 HRPDC Unified Planning Work Program (UPWP). Mr. Carlock stated the work program is a contractual requirement the HRPDC has with the state for limited state appropriation of funds and commitment on the part of the HRPDC for services and work that are to be performed on behalf of the Commission and its localities. The UPWP provides background on what the Commission is, the committee structures and the legislative charge to the Commission.

Mr. Carlock stated the UPWP includes the introductory material, task descriptions, descriptions of work, costs, funding sources and products. Mr. Carlock indicated climate change and sea level rise are grants from the state Coastal Zone Management program which runs about halfway through the year and the other starts in January which enables the Commission to continue the process of developing strategies for adaptation and mitigation as it goes through the course of the year. Mr. Carlock stated there are a couple of tasks in the emergency management section looking at recovery, planning and dealing with critical infrastructure.

Commissioner Franklin Moved to approve the HRPDC Work Program; seconded by Commissioner Clark. The Motion Carried.

(Mayor Ward arrives.)

TMDL Implementation Plans for the Upper Nansemond River and Mills and Powhatan Creeks

Chairman Goodson stated that Ms. Tribo would present the TMDL Implementation Plans for the Upper Nansemond River and Mill and Powhatan Creeks.

Ms. Tribo stated Total Maximum Daily Load is the maximum amount of pollutant that a water body can receive and still meet its designated use. It is a planning tool to help Department of Environmental Quality (DEQ) and localities develop pollution reduction goals to improve water quality in impaired water bodies. DEQ is identifying impaired

waters through their monitoring program and evaluation program, developing the load studies to determine the amount of pollutant reductions necessary, and then partnering with local governments to develop the implementation plans which will identify the measures necessary to achieve those pollutant reduction goals. DEQ will evaluate potential sources of the pollutant and will collect water quality data and develop water quality models to calculate the pollutant loads and the reductions

Ms. Tribo stated the HRPDC has partnered with local governments and DEQ to develop implementation plans for the upper Nansemond and Shingle Creek in Suffolk and Mill Creek and Powhatan Creek in James City County. Both were impaired for bacteria, shell fishing and swimming. HRPDC worked with DEQ to identify local government stakeholders as well as interested citizens or citizen groups. The stakeholder group met to review the data from the TMDL study. Their focus will be on reducing human sources and pollutant bacteria through existing programs and identifying ways to expand those programs and identifying best management practices that will reduce the pollutant and then formulating a system to evaluate the progress and effectiveness of the actions.

Ms. Tribo indicated that implementation is a phased process. The first phase was to identify programs that are already happening or planned and can happen in the next five years. Phase two and phase three are five to fifteen years programs that will be implemented or evaluated. Isle of Wight and Suffolk are conducting septic tank pump-out programs, storm sewer marking and extensive sanitary sewer improvements through their consent order, as well as pet waste education programs and participating in regional bacteria source tracking.

(Commissioners Scott, and Spore arrives)

Regional Fats Oil and Grease Program

Chairman Goodson introduced Ms. Julia Hillegass to present the Regional Fats Oils and Grease Program.

Ms. Hillegass gave an update on the progress of the regional Fats, Oils and Grease abatement program. The fats, oils and grease technical committee developed much of the technical documents associated with the program including a model ordinance, grease control device guidelines, and enforcement response. This information was vetted through the Capacity Team that meets weekly to deal with issues of the DEQ consent order and their actions are then approved by the HRPDC Directors of Utilities Committees.

Ms Hillegass stated the HRPDC has continued to solicit input from various affected stakeholders, primarily focusing on food service establishments that include restaurants, assisted living facilities, schools and daycare centers. HRPDC will continue to work with local governments to get information from and to the affected entities.

Ms. Hillegass indicated the purpose of the ordinance was to help stakeholders that were affected by the requirements to control, fats, oils and grease in the sanitary sewer system. The HRPDC wants to ensure that those entities that have establishments across jurisdictional boundaries have a program similar in all localities they might deal with. All

localities that have approved ordinances are requiring registration of their grease control devices. One locality has set a deadline for registration with a financial incentive to register by the deadline. Proper maintenance is required of all the grease control devices. Regional training courses and certification have been developed and are required for grease haulers that service those devices and remove what is called the yellow grease or fryer grease which can be recycled.

Ms. Hillegass indicated the ordinance covers inspections, record keeping, hauler requirements, and ordinances to charge fees should you need to sustain the program. It also lays out violations and penalties. In terms of enforcement, the main thing that the Commission tries to convey to the affected parties is the very first step on the part of localities is education. Many food service establishments do not know what they have to do, where their inside grease traps or grease interceptors are, if they have an outside grease interceptor. They are not able to train their staff consistently to comply with the requirements of keeping their yellow grease containers safe and secure. It is conveyed in the trainings the first step is getting a handle on what they have and what sort of maintenance will be required.

Ms. Hillegass stated there is a Memorandum of Agreement the Commission passed in November of 2008 that complies with the special order of consent and it clearly delineated areas of responsibility that currently exist. If a locality does not have an ordinance but has a problem area in their sanitary sewer system and can connect it to a particular food service establishment or other facility, it can call Hampton Roads Sanitation District for their enforcement assistance.

Ms. Hillegass stated the HRPDC is continuing with a variety of public information and education opportunities through advertising such as social media, a variety of publications, public affairs programs, and seasonal press releases. A newspaper will go to all area fourth graders that will include information from all of HRPDC regional environmental programs and it includes FOG as well. The PDC is pursuing funding to expand the program, and the priority will be to have an automated on-line certification program for food service establishments and grease haulers so they can take in this information at their leisure and take a test and become certified on line on their time.

Mr. Franklin wanted to know when training goes into effect as far as the consent order.

Ms. Hillegass indicated that each locality has to achieve compliance in a variety of ways. Implementation of local ordinances could be reported in the locality's annual report.

Project Status Reports

No questions or comments were noted

Correspondence of Interest

No questions or comments were noted

For Your Information

No questions or comments were noted

Resolution of Appreciation

Chairman Goodson recognized four members who are concluding their service on the Commission and in local government: Rosa Lawrence of Franklin, Mayor Jeanne Zeidler of Williamsburg, Mayor Joe S. Frank of Newport News and Councilman Douglas L. Smith of Portsmouth. Two members were present and Chairman Goodson presented Mayor Joe S. Frank and Commissioner Douglas L. Smith Resolutions of Appreciation. The Commission and staff recognized both with applause.

Adjournment

With no further business to come before the Hampton Roads Planning District Commission, The meeting adjourned at 10:30 am

Dwight L. Farmer
Executive Director/Secretary

Bruce C. Goodson
Chairman

AGENDA NOTE - HRPDC QUARTERLY COMMISSION MEETING

ITEM #2: TREASURER'S REPORT

**FISCAL YEAR 2010
JUNE 30, 2010
BALANCE SHEET**

| ASSETS | | LIABILITIES & NET ASSETS | |
|-------------------------|-------------------------|---------------------------------------|-------------------------|
| Cash & Cash Equivalents | 206,316 | Current Liabilities | 567,155 |
| Accounts Receivables | 352,366 | Net Assets | 5,026,448 |
| Investments | 3,535,610 | | |
| Other Current Assets | 664 | | |
| Net Capital Assets | <u>1,498,646</u> | | |
| Total Assets | <u>5,593,603</u> | Total Liabilities & Equity | <u>5,593,603</u> |

STATEMENT OF REVENUES AND EXPENDITURES

| REVENUES | Annual Budget | Current Month | YTD |
|----------------------------------|--------------------------|--------------------------|--------------------------|
| Grant and Contract Revenue | 12,751,264 | 692,762 | 8,288,817 |
| VDHCD State Allocation | 228,491 | 19,041 | 228,492 |
| Interest Income | 25,000 | 146 | 29,465 |
| Local Jurisdiction Contributions | 1,346,171 | - | 1,346,170 |
| Other Local Assessment | 1,281,943 | - | 1,538,013 |
| Sales and Contract Revenue | 1,078,120 | 4,892 | 51,179 |
| Total Revenue | <u>16,710,989</u> | <u>716,841</u> | <u>11,482,136</u> |
| EXPENDITURES | | | |
| Personnel | 4,269,377 | 298,167 | 3,828,792 |
| Standard Contracts | 188,985 | 11,891 | 191,355 |
| Special Contracts / Pass-Through | 11,045,564 | 756,327 | 6,729,039 |
| Office Services | 866,972 | 67,885 | 570,906 |
| Capital Assets | 149,950 | - | - |
| Total Expenses | <u>16,520,848</u> | <u>1,134,271</u> | <u>11,320,091</u> |
| Agency Balance | <u>190,141</u> | <u>(417,430)</u> | <u>162,045</u> |

HRPDC Quarterly Commission Meeting - July 21, 2010

AGENDA NOTE - HRPDC QUARTERLY COMMISSION 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 July 14, 2010, 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.

Date 6/17/2010 **CH #** VA100615-2723760

Title VA Development of Wetland Program Plan, Database Improvements and Continuing Monitoring Strategy for Virginia

Applicant Virginia Department of Environmental Quality

State/Federal Program EPA-Regional Wetland Program Development Grants

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

Project Description

DEQ will utilize funds from this program to continue to make significant progress in the development of the comprehensive nontidal wetland regulatory program, refinement of our permitting/compliance database to track impacts, compliance and compensation by watershed, and continued refinement of our wetland monitoring and assessment tools for use in management decision-making and integration within our water quality programs.

FUNDING

| | | | | | |
|----------------|------------------|--------------|---------------------|--------------|----------------|
| \$457,413.00 | \$68,625.00 | \$86,882.00 | \$0.00 | \$0.00 | \$0.00 |
| Federal | Applicant | State | Local | Other | Program |
| TOTAL | | | \$612,920.00 | | |

Environmental Impact Reviews

Date Received

Number

Name

Sponsor

Description

Affected Localities

Finding

Comments Sent

Final State Comments Received

Date Received

Number

Name

Sponsor

Description

HUD is currently processing an application for mortgage insurance, under its 221(d)(4) program, from SLN 5100 LP, which will finance construction of the Proposed SLN 5100 Apartments.

The subject property consists of approximately 26.57 acres and is the former location of Newport News General Hospital. The subject property currently consists of wooded undeveloped land, paved parking areas, and driveways and undeveloped land covered with gravel in the vicinity of the former hospital structure footprint. The subject property is bounded by Macedonia Baptist Church, undeveloped grassland, and the Gethsemane Baptist Church construction site to the northwest; single-family residential properties to the northeast; commercial and industrial properties to the southeast; and Marshall Avenue and Brookridge Apartments to the southwest. The subject property is the proposed location of an eleven (11) building, 264-unit multi-family apartment complex with a clubhouse and swimming pool.

Affected Localities

Finding

Comments Sent

Final State Comments Received

Date Received 6/16/2010

Number 10-103F

Name Calvert Cliffs Nuclear Power Plant, Unit 3 Combined License

Sponsor US Nuclear Regulatory Commission

Description

By letter dated July 13, 2007, the U.S. Nuclear Regulatory Commission (NRC) received a partial application from UniStar Nuclear Development, LLC, on behalf of Constellation Generation Group, LLC and UniStar Nuclear Operating Services, LLC (collectively known as UniStar), for a combined construction permit and operating license (combined license or COL) for Calvert Cliffs Nuclear Power Plant (CCNPP) Unit 3 to be located adjacent to the existing Units 1 and 2 in Calvert County, Maryland. Part 1 of the application contained the applicant's Environmental Report (ER) and site suitability information and was accepted on January 25, 2008. Part 2, which contained the balance of information required for a COL application, was received on March 14, 2008 and was accepted on June 3, 2008. On July 7, 2008, Constellation Generation Group, LLC withdrew as an applicant and Calvert Cliffs 3 Nuclear Project, LLC joined as an applicant. The application was supplemented by letters between June 2008 and September 2009. Revision 6 of the application was submitted on September 30, 2009. The NRC staff's review is based on Revision 6 of the application, the applicant's responses to staff's requests for additional information (RAI), and supplemental letters from the applicant.

The proposed actions related to the Calvert Cliffs Unit 3 application are (1) NRC issuance of a COL for construction and operation of a new nuclear unit at the Calvert Cliffs site and (2) Corps permit action on a Department of the Army (DA) Individual Permit application pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899.

Affected Localities HRPDC

Finding

Based on our review of the information provided, we do not believe that the proposed project would have a significant impact on air and water resources or jurisdictions in the Hampton Roads region.

Comments Sent 6/29/2010

Final State Comments Received

Date Received

Number

Name

Sponsor

Description

The Department of the Navy submitted a federal consistency determination (FCD) for improvements to Chambers Field at Naval Station Norfolk. The Navy is proposing to rehabilitate the stormwater drainage system, improve the safety zones and repair taxiways. The proposed project will include filling approximately 3.45 acres of non-tidal emergent wetlands. The FCD states that the project will be consistent to the maximum extent practicable with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities

Finding

Comments Sent

Final State Comments Received

Date Received

Number

Name

Sponsor

Description

The Virginia Port Authority (VPA) proposes to make gate improvements at Norfolk International Terminals-South marine terminal located in the City of Norfolk. The proposed improvements will take place at five sites in the marine terminal including: the existing transfer zones (2 sites); interchange area; adjacent to the south security gate; and adjacent to the existing clerk buildings. Elements of the proposed improvement include: the installation of small booths adjacent to the lanes of the north and south Transfer Zones to include the installation of an electronic data recording system to keep track of incoming and outgoing containers; the installation of new intercoms, T-poles, lights and cameras at the truck interchange area; the relocation of an earthen berm sound barrier to allow the construction of a new exit road and customer service parking; the construction of a small building to house service counters and security personnel; and the construction of a 10,000 to 20,000 square-foot building and associated parking area to house clerks who will operate the new appointment and dispatch systems.

Affected Localities

Finding

Comments Sent

Final State Comments Received

AGENDA NOTE - HRPDC QUARTERLY COMMISSION MEETING

ITEM #4: COMMISSION MEMBER HANDBOOK

SUBJECT

The HRPDC staff has produced a Commission Member Handbook to address the need for Commissioner orientation.

BACKGROUND

For a number of years, the HRPDC staff has provided orientation to new Commissioners on an ad hoc basis through individual briefings, occasional groups briefings, when there a number of new Commissioners arriving at one time and through mailings to new Commissioners. To facilitate the orientation process and to provide all HRPDC Commissioners with a ready reference to basic information about the HRPDC, the staff has produced a Commission Member Handbook for the HRPDC. The Handbook briefly describes the HRPDC, its statutory mandate, funding, scope of activities and relationship to the HRTPO. The Handbook includes the following sections:

Introduction Section 1
Regional Cooperation Act Section 2
Relationship Between HRPDC and HRTPO Section 3
Membership Section 4
Charter and Bylaws..... Section 5
Staff Contacts..... Section 6
Meetings Section 7
Agendas..... Section 8
Committees Section 9
ProgramsSection 10
CommunicationsSection 11
Financial Statement.....Section 12
Freedom of Information ActSection 13
VAPDC InformationSection 14

Enclosure – Commission Member Handbook

RECOMMENDED ACTIONS

Approve the HRPDC Commission Member Handbook

AGENDA NOTE - HRPDC QUARTERLY COMMISSION MEETING

ITEM #5: GREEN INFRASTRUCTURE GRANT PROPOSAL

SUBJECT:

The National Association of Regional Councils (NARC), in cooperation with the U.S. Forest Service, has requested applications from regional councils to support green infrastructure planning and promotion.

BACKGROUND:

The HRPDC has a long history of green infrastructure planning and associated educational efforts, including the Southern Watershed Special Area Management Program (SWAMP) and A Green Infrastructure Plan for the Hampton Roads Region, approved by the HRPDC at the April 2010 Quarterly Meeting. During this period, the HRPDC also produced an educational video and brochure on Green Infrastructure. The video has been shown on a number of local government cable access channels and has been used by both HRPDC and state staff in educational activities.

The proposal submitted to NARC builds upon the ongoing HRPDC work in this area, as well as the region's ongoing work in climate change. It provides for the establishment of a new website devoted to green infrastructure planning and projects in Hampton Roads, updating of the educational video, conduct of a workshop on green infrastructure and development of a standard presentation for use by HRPDC and local staff. The Hampton Roads Watershed Roundtable, which is facilitated by the HRPDC staff, will be used to promote/assist/support public involvement and awareness of this program.

NARC expects to award two grants with awards announced on or about July 21, 2010. Award winners will be identified as 2010 Regional Centers of Excellence.

The grant proposal was submitted to NARC on June 30, 2010. If awarded, it will be included in the UPWP and Budget for FY 2011, when they submit the grant proposal to the National Association of Regional Councils amended in November.

RECOMMENDED ACTIONS:

Authorize the Executive Director to accept a grant offer if one is made.

AGENDA NOTE - HRPDC QUARTERLY COMMISSION MEETING

ITEM 6#: CLIMATE CHANGE/SEA LEVEL PRESENTATION

SUBJECT:

To effectively address issue of sea level rise, the region needs to acquire highly accurate, consistent regional LIDAR coverage.

BACKGROUND:

During previous HRPDC staff presentations on the issues of climate change and sea level rise, the staff has pointed out the critical need for an accurate consistent coverage of the region with LIDAR elevation data. LIDAR is the acronym for **L**ight **D**etection **A**nd **R**anging systems. Integrating lasers, Global Position Systems (GPS) and inertial navigation systems (INS), LIDAR produces more accurate elevation data than any of the individual technologies. In November 2009, the HRPDC endorsed a proposal by the state to acquire LIDAR data for a portion of the Virginia Coastal Plain, including part of Hampton Roads. Although the state was successful in obtaining funding, the available funds were not sufficient to acquire coverage in Hampton Roads. They are being used in adjacent localities. Some Hampton Roads localities have obtained LIDAR data for all or portion of the locality.

Dr. James V. Koch, President Emeritus and Board of Visitors Professor of Economics at Old Dominion University, has developed a research proposal that could assist the region in making the case for additional state or federal funding to obtain the necessary data.

Dr. Koch will brief the Commission on the issue of sea level rise, the need for LIDAR data and his preliminary thoughts on the financial implications of sea level rise to the region.

RECOMMENDED ACTIONS:

The HRPDC should partner with Dr. Koch on a cooperative preliminary assessment of the economic and financial implications of sea level rise on Hampton Roads.

The HRPDC should aggressively pursue funding to support acquisition of high resolution and consistent LIDAR elevation data for all of Hampton Roads.

STAFF COMMENTARY:

The HRPDC, at its February 2010 retreat identified climate change and sea level rise as a critical issue for consideration during 2011. The HRPDC staff is continuing its analysis of climate change and sea level rise issues as the basis for developing a framework for mitigating the negative impacts. Dr. Koch's work should complement those efforts.

AGENDA NOTE - HRPDC QUARTERLY COMMISSION MEETING

ITEM #7: Operation Sail (OpSail 2012)

SUBJECT:

Resolution to endorse and support OpSail 2012.

BACKGROUND:

OpSail 2012 is a national event to commemorate the Bicentennial of the War of 1812 and the *Star-Spangled Banner*. Virginia is one of five official ports to host the international naval tall ship fleet and to be engaged in the Department of Defense's national bicentennial commemoration.

OpSail 2012 has been endorsed by the Virginia Commission on the Bicentennial of the War of 1812 as a signature event for the Commonwealth. It provides excellent opportunities for Hampton Roads communities to plan affiliate events that commemorate the historic themes and to capitalize on the educational, marketing and tourism initiatives that will be developed in conjunction with event.

Ms. Karen Scherberger, Executive Director for Norfolk Festevents, will be present to provide a brief overview of OpSail 2012.

RECOMMENDED ACTION:

Authorize the Chairman to sign the attached resolution endorsing and supporting OpSail 2012.

Attachment



Commemoration of the Bicentennial of the War of 1812
OpSail 2012 Virginia
June 6-12, 2012
Norfolk/Hampton Roads, Virginia

Background

OpSail 2012 is an international military and maritime project sponsored by the **US Department of Defense and OpSail, Inc. based in New York, New York.**

Norfolk/Port of Hampton Roads was selected by the Chief of Naval Operations in 2009 as one of five ports to participate in this national Bicentennial Commemoration (**New Orleans, LA, Virginia, Baltimore, MD, Boston, MA, and New York, NY.**)

OpSail 2012 Virginia was endorsed January 6, 2010 by the **Virginia Commission on the Bicentennial of the War of 1812** as a signature event for the Commonwealth.

Significance of OpSail 2012 Virginia to Hampton Roads and the Commonwealth of Virginia:

- ♦ Places Hampton Roads and Virginia in a position of honor as one of five states selected by the United States Government;
- ♦ Creates an opportunity to advance the rich, historical relationship between Virginia and Military Forces;
- ♦ Creates a platform to support the initiatives of the Virginia Commission (War 1812);
- ♦ Guarantees worldwide recognition for Virginia's Port, Tourism, and other Regional and Commonwealth priorities;
- ♦ Guarantees Direct Economic Impact on the Region's and Virginia's participating communities via attendance/tourism at events;
- ♦ Creates a strategic platform for Regional and Commonwealth Protocol/Diplomatic/Economic Development events;
- ♦ Guarantees strategic Marketing Opportunities for the Region, the Commonwealth and participating communities.

Goals and Objectives

OpSail 2012 Virginia Planned Initiatives

1. To establish ***OpSail 2012 Virginia*** as the "WOW" Signature Event for the Commonwealth of Virginia's Bicentennial of the War of 1812;
2. To position ***OpSail 2012 Virginia*** as a key participant in the national OpSail2012 project with the other national ports;
3. To position ***OpSail 2012 Virginia*** as the "platform event" for additional cities and communities throughout the region and Commonwealth for participation using ***OpSail 2000*** as a model for organization and engagement;
4. To create significant, meaningful and measurable economic and social impact for the Commonwealth and participating communities through the following initiatives:
 - A) Virginia Tourism Initiatives
 - B) Historical Initiatives
 - C) Educational Initiatives
 - D) Economic Development Initiatives
 - E) International Military Relations Initiatives
 - F) International Government Relations Initiatives
 - G) Virginia Port Initiatives
 - H) Maritime Trades Initiatives
 - I) Cultural Initiatives
 - J) Government Engagement
 - K) Community and Civic Engagement
 - L) Corporate Engagement
 - M) Commemorative Events and Activities



**HAMPTON ROADS PLANNING DISTRICT COMMISSION
RESOLUTION 2010-02**

**A RESOLUTION OF THE HAMPTON ROADS PLANNING DISTRICT COMMISSION TO
ENDORSE AND SUPPORT OPERATION SAIL 2012**

WHEREAS, Operation Sail (OpSail) 2012 is a national military and maritime project sponsored by the U.S. Department of Defense to commemorate the Bicentennial of the War of 1812 and the *Star-Spangled Banner*; and

WHEREAS, OpSail 2012 Virginia has been endorsed by the Virginia Commission on the Bicentennial of the War of 1812 as a signature event for the Commonwealth; and

WHEREAS, the City of Norfolk, Virginia was selected to be one of five official ports of call to participate in the Bicentennial Commemoration; and

WHEREAS, the sixteen cities and counties of Hampton Roads embrace this historic world-class event and support the joint efforts of the planning and execution of OpSail 2012; and

WHEREAS, Hampton Roads recognizes the importance and potential great benefit to the region and state of this rare opportunity.

NOW, THEREFORE, BE IT RESOLVED that the Hampton Roads Planning District Commission does hereby pledge support of OpSail 2012 and encourages all citizens of the region to join in the international camaraderie that it will foster.

APPROVED and ADOPTED by the Hampton Roads Planning District Commission at its meeting on the twenty-first day of July 2010.

Bruce C. Goodson
Chairman
Hampton Roads
Planning District Commission

Dwight L. Farmer
Executive Director/Secretary
Hampton Roads
Planning District Commission

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #8: HAMPTON ROADS H2O – HELP TO OTHERS – PROGRAM MEMORANDUM OF AGREEMENT

SUBJECT:

Approve Memorandum of Agreement governing the operations of the Hampton Roads H2O Program.

BACKGROUND:

The H2O Program was established by the HRPDC and the participating jurisdictions in 1999. It was incorporated as a 501(c)(3) nonprofit corporation under Virginia law in 2007. Appropriate paperwork has been filed with the Internal Revenue Service requesting tax deductible status. The Board of Directors of the Hampton Roads H2O Program consists of the Director of Utilities of the participating localities and the General Manager of the Hampton Roads Sanitation District. The HRPDC staff provides staff support for the Program.

The purpose of the Hampton Roads H2O – Help to Others – Program is to solicit community contributions, which are used to provide one time per year financial aid to families or individuals in danger of losing residential water service due to a non-payment of a water or related utilities bill due to a family crisis.

The Memorandum of Agreement (MOA) is an agreement between the Hampton Roads H2O Program Board of Directors, Hampton Roads Sanitation District and Hampton Roads Planning District Commission. It formalizes the relationship among and the responsibilities of the three entities for program operation and management.

HRPDC Principal Water Resources Planner Whitney Katchmark will brief the Commission on the H2O Program and the MOA.

RECOMMENDATION:

Authorize the Executive Director to execute the Hampton Roads H2O – Help to Others – Program Memorandum of Agreement.

STAFF COMMENTARY:

The Hampton Roads H2O Program Board of Directors met on July 7, 2010, approved the Memorandum of Agreement and authorized the Board Chairman to execute the MOA on its behalf.

**MEMORANDUM OF AGREEMENT
ESTABLISHING THE
HAMPTON ROADS H2O - HELP TO OTHERS - PROGRAM**

This Memorandum of Agreement (“Agreement”), entered into this ____ day of ____ 2010, among and between HRPDC, Hampton Roads H2O – Help to Others - Board of Directors, and HRSD (collectively, the “parties”) establishes and maintains the Hampton Roads H2O - Help to Others - Program.

WHEREAS, Section 15.2-4200 of the Code of Virginia enables local governments to establish Planning District Commissions; and

WHEREAS, localities in the Hampton Roads region have requested the Hampton Roads Planning District Commission to administer and coordinate a regional program to provide financial aid to families or individuals in danger of losing residential water service; and

WHEREAS, the Hampton Roads H2O – Help to Others – Program has been established to administer and coordinate a regional program to provide financial aid to families or individuals in danger of losing residential water service; and

WHEREAS, the Articles of Incorporation have been approved by the Hampton Roads Planning District Commission (HRPDC), Hampton Roads Directors of Utilities Committee (HRDUC), Hampton Roads Sanitation District (HRSD), fifteen participating localities, and the Virginia State Corporation Commission; and

WHEREAS, the Bylaws of the Hampton Roads H2O – Help to Others - Program have been approved by the HRPDC, HRDUC, and fifteen participating localities; and

WHEREAS, the incorporation of the Hampton Roads H2O – Help to Others - Program established a Board of Directors to manage the affairs of the corporation, designated HRPDC as the coordinating agency, and HRSD as the fiscal agent; and

WHEREAS, the incorporation of the Hampton Roads H2O – Help to Others – Program established administrative procedures by which to carry out the Program; and

WHEREAS, the parties desire to memorialize their understanding and delineate their respective responsibilities with regard to the Hampton Roads H2O Help to Others Program in accordance with this Agreement.

NOW THEREFORE, the signatory parties enter into the following Agreement.

BASIC PREMISES

The purpose of the Hampton Roads H2O – Help to Others - Program is to solicit community contributions, which are used to provide one time per year financial aid to families or

individuals in danger of losing residential water service due to a non-payment of a water or related utilities bill due to a family crisis.

H2O – HELP TO OTHERS – BOARD OF DIRECTORS RESPONSIBILITIES

Under the terms of this Agreement, the H2O – Help to Others - Board of Directors is responsible for the following:

- Program management in accordance with the Articles of Incorporation, Bylaws and administrative procedures
- Evaluate program operation and effectiveness
- Modify program operations and administration when necessary
- Approve annual program administrative budget
- Approve addition of new localities to the program
- If not otherwise specified by resolution, meet on the first Wednesday in November of each year

HRPDC RESPONSIBILITIES

Under the terms of this Agreement, HRPDC is responsible for the following:

- Provide administrative staff support to the Hampton Roads H2O – Help to Others – Board of Directors
- Act as coordinating agency
- Design and write public information materials
- Print media material and donation collection envelopes
- Maintain H2O – Help to Others – Program website, including development of content
- Respond to questions and inquires from the H2O – Help to Others - Program website

HRSD RESPONSIBILITIES

Under the terms of this Agreement, HRSD is responsible for the following:

- Serve as central accounting and collection agency for donations to the H2O – Help to Others - Program
- Distribute funds from regional pool to the water or related utility to pay the individual's/family's bill
- Provide tax exempt receipt for donations over \$250
- Provide bi-annual reporting of available funds for each utility
- Maintain database of distributed vouchers

METHOD OF FINANCING

Administrative costs are paid for by the water utilities, HRSD and HRPDC.

The Hampton Roads Directors of Utilities Committee approves media budget and staff time as part of the annual water program.

Participating municipal water utilities and HRSD must coordinate fundraising efforts to coincide with each other.

The amount of available financial aid for families or individuals in danger of losing residential water service is based on donation funding.

AVAILABILITY OF FUNDS

Performance by the HRPDC of its responsibilities under this Agreement is subject to the availability of funding from the signatory local governments. Failure of the local governments to provide the necessary funding to support these activities will constitute a Notice to Modify or Terminate the Agreement. Donations will not be used for administrative staff support.

MODIFICATION

All proposed modifications of this Memorandum of Agreement must be submitted in writing, recommended for approval by the H2O – Help to Others – Board of Directors, reviewed by the Hampton Roads Directors of Utilities Committee, and recommended for approval of the Directors of Utilities Committee to HRPDC, and accepted by all signatories. This Agreement shall not be modified without the prior written consent of the parties, and such consent shall be evidenced by a written instrument signed by the parties' authorized representatives.

DURATION AND TERMINATION

This Agreement will have a term of five years. To conform to local government charter and Virginia Code requirements, the funding provisions of this Agreement will be subject to annual appropriations.

OWNERSHIP OF PROPERTY

It is not the intent of the signatories that the Memorandum of Agreement will result in the purchase, ownership, leasing, holding, or conveying of any real property.

INDEMNITY

It is the intent of the signatories that no signatory will be held liable for any damage or associated penalties caused by or associated with the failure of any other signatory to discharge its duties or to exercise due diligence in discharging its duties under this Agreement, and that no signatory, by entering this Agreement, waives any defenses or immunities available to it at law, including, but not limited to, those set forth in Section 15.2-970 of the Code of Virginia.

List of Signatories

Signature pages will be signed in counterparts.

HAMPTON ROADS PLANNING DISTRICT COMMISSION

HAMPTON ROADS SANITATION DISTRICT

H2O – HELP TO OTHERS – BOARD OF DIRECTORS

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #9: HUD SUSTAINABLE COMMUNITIES REGIONAL PLANNING GRANTS PROGRAM

SUBJECT:

HRPDC Proposal Concept for HUD's Sustainable Communities Planning Grant Program

BACKGROUND:

The Department of Housing and Urban Development (HUD) has announced its intention to offer competitive grant funding through its Sustainable Communities Planning Grant Program [SCPG Program]. The Program, funded at \$100 million (and an additional \$40 million for a Community Planning Challenge Grants Program), is to support multi-jurisdictional regional planning efforts that integrate housing, economic development, and transportation decision-making in a manner that empowers jurisdictions to consider the interdependent challenges of economic growth, social equity, and environmental impact simultaneously. Grants will be limited by population; large metropolitan areas (regions with over 500,000 residents) will be eligible for between \$500,000 and \$5 million. Proposals are currently being solicited by HUD from June 25, 2010 to August 23, 2010, with grants announced by late September 2010. Attached is a summary of the grant program Notice of Funds Availability (NOFA) prepared by the National Association of Regional Councils (NARC) (Attachment 9A).

The NOFA outlines the application structure, program expectations, and the expected final product from the grantee. The SCPG Program includes funding for two categories: Regional Plans for Sustainable Development and implementation plans for existing Regional Plans for Sustainable Development. The program also details the required 'consortium' of regional partners that will need to be engaged in this endeavor. Among the partners required in the consortium are the regional planning agency, regional MPO, regional principal city, member localities to represent a minimum of half of the regional population, and a regional nonprofit organization, foundation, or educational institution that has the capacity to engage a diverse representation of the general population. Other regional partners such as transit agencies and housing authorities are suggested and encouraged to be involved in the regional consortium, per the information outlined in the NOFA.

The HRPDC staff is working with local government representatives to develop a project proposal for application to this grant program. The current concept envisions a regional effort consisting of the HRPDC as the lead entity working with HRTPO, member localities, and regional partners to develop a Regional Development Framework (Attachment 9B). The goal of the Regional Development Framework would be to improve the regional integration of local plans, accounting for initiatives within different livability areas including transportation, housing, environment, land use, and other applicable areas of interest as outlined in the NOFA.

Attached is a Memorandum of Understanding (MOU) between the HRPDC and the participants of the proposed Hampton Roads Regional Sustainability Consortium for HRPDC Board consideration and approval (Attachment 9C). The MOU endorses the HRPDC staff proposal concept, designates the HRPDC as the lead agent in the approved proposal, as well as pledge support as a consortium member for the approved proposal.

John M. Carlock, HRPDC Deputy Executive Director, will brief the Commission on the SCPG Program and HRPDC proposal concept, and the Memorandum of Understanding.

Attachment #-A - NARC Summary of Sustainable Communities Planning Grant Program NOFA

Attachment #-B - HRPDC Regional Development Framework Concept

Attachment #-C - Memorandum of Understanding – Sustainable Communities Consortium

RECOMMENDED ACTION:

1. Endorse the SCPG Program and HRPDC staff proposal concept via a Memorandum of Understanding.
2. Support concurrent endorsement via a Memorandum of Understanding with member localities and other potential partners in the consortium by August 20, 2010, for inclusion in the grant application.
3. Authorize the Executive Director/Secretary to execute the Memorandum of Understanding.

STAFF COMMENTARY:

HRPDC and HRTPO staffs have previously briefed TTAC and various HRPDC advisory committees and working groups on this grant program. The HRPDC authorized the Executive Director/Secretary to submit a proposal and accept a grant award if offered at its Executive Committee meeting on May 19, 2010. HRPDC and HRTPO staffs are currently working with local government staff representatives to develop the application proposal.



HUD Sustainable Communities Regional Planning Grant Program

The U.S. Department of Housing and Urban Development (HUD) released a Notice of Funding Availability (NOFA) on the FY2010 appropriated \$100 million regional integrated planning grants, of which \$2 million will be set aside for capacity support grants to be issued separately. This signifies the next step in the federal interagency Sustainable Communities Partnership (Partnership) between HUD, U.S. Department of Transportation and U.S. Environmental Protection Agency, and the below information synthesizes the funding opportunity. Click [HERE](#) to access the NOFA and related information.

HUD CONTACT

Zuleika K. Morales-Romero
Office of Sustainable Housing and Communities
U.S. Department of Housing and Urban Development
Tel: 202.402.7683
Email: Zuleika.K.Morales@hud.gov

APPLICATION PERIOD

The application period ends on Monday, August 23.

GENERAL INFORMATION

This grant program will support **metropolitan and multijurisdictional planning efforts** that integrate housing, land use, economic and workforce development, transportation and infrastructure investments that empower jurisdictions to consider the interdependent challenges of:

1. Economic Competitiveness and Revitalization
2. Social equity, inclusion and access to opportunity
3. Energy use and climate change
4. Public health and environmental impact

The grant program places **priority on partnerships**, particularly those that are nontraditional, to translate the six Livability Principles into strategies.

Program goals include:

- Fostering the development of sustainable communities that are consistent with the Livability Principles
- Supporting metropolitan areas and multijurisdictional partnerships that commit to adopt integrated plans, strategies and management tools
- Facilitating strong alliances of residents and regional interest groups to maintain a long-term vision and support sustainable development practices
- Building greater transparency and accountability within planning and implementation
- Expediting implementation of Livability Principles through local zoning and land use law changes that remove sustainability barriers
- Aligning local, state and tribal capital improvement programs with the Livability Principles
- Assisting all regions towards sustainability and livability, and preparing for implementation and on-the-ground results

Partnership's Six Livability Principles

1. Provide more transportation choices
2. Promote equitable, affordable housing
3. Enhance economic competitiveness
4. Support existing communities
5. Coordinate and leverage federal policies and investment
6. Value Communities and neighborhoods

Program outcomes will be regional plans that produce the following:

- Shared elements in regional transportation, housing, water and air quality plans tied to local land use and capital investment plans
- Aligned federal planning and investment resources that mirror local and regional strategies
- Increased participation and decision-making in creating and implementing long-range visions by populations traditionally marginalized in the planning process
- Reduced social and economic disparities for low-income and communities of color
- Decrease in Vehicle Miles Traveled (VMT) and transportation-related emissions
- Decrease in combined housing and transportation costs/household
- Increase in share of residential and commercial construction on underutilized infill development to encourage revitalization, while minimizing displacement in neighborhoods for disadvantaged persons
- Increase in low and very low-income housing near transit and employment centers



GENERAL INFORMATION cont.

HUD many select applicants for **Preferred Sustainability Status**, which indicates a great level of integration and advancement, and allows for increased benefits. If this status is given to an applicant without a grant of funding, the applicant will be eligible for next year’s competition.

PROGRAM FUNDING

Approximately \$98 million will be made available through this NOFA in the form of **Cooperative Agreements**, with at least \$25 million awarded to regions with a population of less than 500,000. Awards will be based on regional population and geographic boundaries and the performance period will not exceed 36 months.

The program will support **two funding categories**:

- (1) Creation of Regional Plans for Sustainable Development (RPSD)
- (2) Detailed Execution Plans and Programs. Awards will be based on regional population and geographic boundaries

The **population categories** for applicants are (*applicant must identify as one category*):

Large Metropolitan Regions = 500,000 population or more

Medium-Sized Regions = 200,000 to 499,999 population

Small-Sized Regions, Rural Communities, and Small Town Areas = 200,000 population or less

FUNDING CATEGORIES

Applicants may select only ONE category when applying, and determine which population category to specify:

(1) Creation of Regional Plans for Sustainable Development

- Creation of new plans or updating existing plans
- Plans must address integrated housing, economic development, transportation, energy, water and environmental quality
- Support stakeholder driven visioning and scenario planning exercises
- Work with HUD to determine locally appropriate performance metrics consistent with the performance metrics of the Partnership and Livability Principles

(2) Detailed Execution Plans and Programs

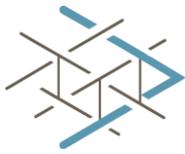
- Support fine-tuning of existing regional plans
- Support preparation of detailed execution plans for an adopted RPSD
- Support pre-development planning activities for a catalytic project(s) that are within the plan
- Applicants must outline implementation steps and ongoing governance assignments

POPULATION CATEGORIES

For the purposes of the NOFA, a region is categorized as the following:

1. Geographic area (can be larger) that includes a Metropolitan Planning Organization (MPO), or the jurisdictions of two or more adjacent MPOs; Metropolitan Statistical Area (MSA) or Micropolitan Statistical Area; Metropolitan Division if the region is within a Combined Statistical Area with a population exceeding 7 million
2. Non-defined area that is outside of the MSA or Metropolitan Division, and can establish self-designated boundaries of the region.

| Type of Applicant | Population Range | Appropriate Geographic Area | Grant Amount |
|--|--------------------|---|--|
| Large Metropolitan Regions | 500,000+ | MSA, Metropolitan Division, or one or more MPOs | Minimum \$500,000 Maximum \$5 million |
| Medium Sized Regions | 200,000 to 499,999 | MSA, Micropolitan Statistical Area, or one or more MPOs | Minimum \$200,000 Maximum \$2 million |
| Small Sized Regions, Rural Communities and Small Towns | 200,000 or less | Micropolitan Statistical Area, one or more MPOs, self-designated boundaries | Minimum \$100,000 Maximum \$1 million |



COST SHARING/MATCH REQUIREMENTS

Matching funds are not required. However, applicants must provide 20% of the requested funding amount in leveraged resources in the form of cash and/or verified in-kind contributions or a combination of these sources. Successful applicants must have the required amount of leveraged resources (20%) at the time of signing the cooperative agreement. Applicants will receive credit for leveraging resources in excess of the 20%. In-kind contributions may be in the form of staff time, donated materials, or services.

ELIGIBLE APPLICANTS

Eligible applicants are multijurisdictional and multisector partnership consisting of a consortium of government entities and non-profit partners.

1. Consortium that includes the jurisdictions of MPO(s), a MSA, a Micropolitan Statistical Area, or Metropolitan Division, as well as:
 - Traditional principal city (cities) within the boundaries of the region within MSA
 - City, county, or any other unit of general local government with the largest population
 - Additional cities, counties or units of general local government and Indian Tribes to ensure no less than 50% of the population residents are represented
 - MPO or regional planning organization (if multiple MPOs, all MPOs that have jurisdiction within the region)
 - Non-profit organization, foundation or education institution to engage a diverse population
2. Consortium for non-defined area must include:
 - Cities, counties or units of general local government and Indian Tribes representing at least 50% of the population residents
 - Existing Rural Planning Organization or Council of Government
 - Non-profit organization, foundation or education institution to engage a diverse population

Additional consortium partners can also include state government, Council of Governments, rural planning organization, one or more local or regional transportation agencies, special districts, unified school districts, one or more Indian Tribes, multi-tribal organization, additional non-profit organizations, foundations, educational institutions, or any public authorities, districts, business leadership groups, or regional governmental organizations. Private and for-profit entities may participate.

While working through a consortium effort, there must be a **lead applicant** identified which is a part of the consortium. The lead applicant must submit the application, execute the cooperative agreement and assume fiscal responsibility if selected. A partnership agreement, MOU or proof of commitment of the consortium must be submitted with the application. If selected for granting, a formal consortium agreement, including member responsibilities and a timeline, must be executed no later than 120 days after start date. A lead applicant may only be the lead for ONE application.

ELIGIBLE ACTIVITIES

Eligible activities include tasks necessary to develop a comprehensive Regional Plan for Sustainable Development (RPSD), to align investments with this plan, to improve the management capability to implement the plan, and to develop relevant policy, planning, and evaluation capacity.

Activities include, but are not limited to:

1. Establish coordinated intergovernmental planning and secure agreements among partners.
2. Develop a comprehensive Regional Plan for Sustainable Development (RPSD), at a minimum consisting of:
 - Adopt a housing plan
 - Incorporate equity and fair housing analysis into regional planning
 - Advance regional transportation planning to increase modal choice, needed investments, and environmental improvements
 - Advance water infrastructure planning for drinking water, wastewater and stormwater
 - Perform environmental planning
 - Plan for economic development activities
 - Conduct scenario planning to project economic growth possibilities
 - Conduct comprehensive climate change impact assessments to guide regional planning and implementation strategies
3. Identify immediate and long-term policies
4. Align infrastructure investment to ensure equitable land use planning consistent with the RPSD



NARC

Building Regional Communities



ELIGIBLE ACTIVITIES cont.

5. Ensure public decision-making and meaningful resident participation throughout visioning, development and implementation of RPSD, including public hearings, meetings, websites, forums, charrettes, etc.
6. Identify measures to track the progress toward creating sustainable communities through statistical and qualitative analysis of specific indicators
7. Strengthen management and decision-making capacities
8. Engage in site-specific planning and design of capital projects or programs to be included in the RPSD and of regional significance as associated with implementing the RPSD – ONLY ELIGIBLE FOR CATEGORY 2 APPLICANTS
9. Preparation of administrative and regulatory measures
10. Studies and research on the legal authorities
11. Technical planning studies

APPLICATION & SUBMISSION REQUIREMENTS

Applicants must do the following for applying:

1. Select only ONE applicant population category and funding category
2. Must NOT submit above maximum grant amount per population category
3. Provide a Resolution of Outstanding Civil Rights Matters
4. Provide a Code of Conduct that describe ways to adhere to the code
5. Have established financial management system that meets federal standards
6. Comply with applicable fair housing and civil rights requirements

Submission requirements:

Applicants should submit applications on www.grants.gov, and follow system requirements, which includes required forms and instructions.

Application requirements:

1. Narrative/Rating Factors Response
 - Maximum of 25 pages, 8.5"X11" paper with 12 point font with no less than ¾" margins on all sides
 - Any materials to be included in formal review should be incorporated into this 25 page limit
 - Should discuss what is included in the appendices
 - Must Include:
 - Capacity of Applicant and Relevant Organizational Experience and Factor 1 Form
 - Needs/Extent of the Problem and Factor 2 Form
 - Leveraging and Matching Resources and Factor 4 Form
 - Other Materials such as Organizational Chart, bios or resumes for key personnel and proof of partnership
2. Abstract
 - Summary of objectives and expected results
 - Maximum of 2 pages
3. Application checklist (voluntary)
 - Indicating the required items for complete submission
 - Forms required:
 - SF-424 Application for Federal Assistance
 - SF-424 Supplemental Survey on Equal Opportunity for Applicants
 - HUD-424-CBW HUD Detailed Budget Worksheet and Budget Justification Narrative
 - HUD-2880 Applicant/Recipient Disclosure/Update Report
 - SF-LLL Disclosure of Lobbying Activities
 - HUD-96011 Third Party Documentation Facsimile Transmittal
4. Appendices
 - Photos, maps and charts that describe the local condition
 - Maximum of 15 pages



APPLICATION REVIEW CRITERIA

The following highlight the rating criteria that HUD will use in evaluating applications. Much of what HUD details out in this part of the NOFA is helpful in pulling together required parts of the application. Review pages 37 through 61 in the NOFA for more information.

| Rating Factors | Points |
|---|------------|
| Capacity of the Applicant and Relevant Organizational Experience <ul style="list-style-type: none"> Organizational Capacity and Qualifications (7 points) Capacity and Qualification of Key Personnel (3 point) | 10 Total |
| Need/Extent of the Problem | 10 Total |
| Soundness of Approach - Category 1 and 2 <ul style="list-style-type: none"> General Description of Proposed Regional Plan for Sustainable Development (10 points) Process to Develop a Regional Plan for Sustainable Development (17 points) Governance and Management (15 points) Project Implementation Schedule (5 points) Applications Budget Proposal (3 points) HUD's Departmental Policy Priorities (5 points) | 55 Total |
| Matching and Leveraging Resources | 5 Total |
| Achieving Results and Program Evaluation | 20 Total |
| Economic Distress Bonus Points | 2 Total |
| TOTAL | 102 |

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HAMPTON ROADS PROPOSAL FOR SUSTAINABLE COMMUNITIES PLANNING GRANT PROGRAM

BACKGROUND: The *Sustainable Communities Planning Grant Program* (SCPG Program), administered by the Department of Housing and Urban Development (HUD), provides an opportunity for regions to address multiple concerns through an integrated planning process. Hampton Roads, with a population of approximately 1.6 million, is eligible for a SCPG Program grant between \$500,000 and \$5 million. A minimum of 20% of the funds must come through leverage resources (either in-kind or cash). The plan must have a timeline of at least 20 years, with established benchmarks every 3 to 5 years, with the planning process being done within 3 years. The process will be overseen by a consortium consisting of the Hampton Roads Planning District Commission (HRPDC), the Hampton Roads Transportation Planning Organization, local governments, a to-be-determined non-profit organization, foundation, or educational institution, and other potential regional partners. A steering committee representing the consortium members will provide guidance to HRPDC staff during the project. HRPDC will be the lead applicant and will manage the project.

The goals of the SCPG Program are to share elements from different regional plans, align planning and investment decisions, increase participation from traditionally marginalized populations, reduce social and economic disparities, reduce costs and environmental impacts from housing and transportation, promote existing communities, and increase access to transit and employment for lower income households.

FRAMEWORK OVERVIEW: The Regional Plan for Sustainable Development for Hampton Roads, Hampton Roads 2040, will be a framework that will guide development and policy decisions at the regional and local level over the next thirty years. The document will build on existing regional and local plans and integrate future planning for housing, transportation, economic development, land use, and environmental preservation. The plan will incorporate the Livability Principles adopted by HUD to create a more sustainable vision for Hampton Roads. These principles are:

- 1) Provide more transportation choices;
- 2) Promote equitable, affordable housing;
- 3) Enhance economic competitiveness;
- 4) Support existing communities;
- 5) Coordinate policies and leverage investment; and,
- 6) Value communities and neighborhoods

PLAN STRUCTURE: The plan will consist of four major parts, including the following:

- 1) Background;
- 2) Plan Methodology;
- 3) Scenario, Strategy, & Policy Planning;
- 4) Implementation and Performance Plan;

The first section of the Plan will be a background section describing the region and previous regional planning efforts. This section will establish the need for a regional development framework. The second section will describe the methods used for the plan, including the public participation process and the involvement of organizations and local governments, including consortium members. The third section will describe the regional development framework, and will include subsections on transportation, housing, the environment, land use, economic development, and public services. Each of these subsections will analyze existing policies and plans, develop alternative scenarios and strategies, and address their impacts to existing communities, quality of life, and each other. The fourth section will describe the implementation process for the regional development framework and establish goals and performance metrics for each sector.

PLAN OBJECTIVE/GOALS: It is the intent of Hampton Roads 2040 to achieve the following objectives upon development and implementation:

- 1) Advance regional planning for housing, transportation, water infrastructure, environmental and land use decision-making, and economic development to help the region address several critical issues, including growth, climate change and sea level rise, transportation congestion, and economic competitiveness;
- 2) Utilize public engagement and scenario planning to create and analyze several potential futures for Hampton Roads;
- 3) Identify short- and long-term policies for regional and local decision-making;
- 4) Align infrastructure and land use planning;
- 5) Incorporate public participation;
- 6) Identify methods to track progress; and,
- 7) Development of an integrated regional plan that considers diverse issues simultaneously.

Memorandum of Understanding
Between
The Hampton Roads Planning District Commission
And
Participants of the proposed Hampton Roads Regional Sustainability Consortium

This Memorandum of Understanding, entered into this 21st day of July 2010, among and between the Hampton Roads Planning District Commission, hereinafter referred to as HRPDC, and the participants of the proposed Hampton Roads Regional Sustainability Consortium, hereinafter referred to as HRRSC, for the purpose of the Sustainable Communities Regional Planning Grant Program, administered by the Department of Housing and Urban Development, hereinafter referred to as HUD, establishes the broad responsibilities of the signatories in developing and implementing a Regional Development Framework for the Hampton Roads region.

WHEREAS, the Consolidated Appropriations Act of 2010, approved December 16, 2009, provided a total of \$150 million to HUD for a Sustainable Communities Initiative to improve regional planning efforts that integrate housing and transportation decisions, and increase the capacity to improve land use and zoning;

WHEREAS, the Sustainable Communities Initiative has allocated \$100 million for the Sustainable Communities Regional Planning Grant Program, hereinafter referred to as the Program;

WHEREAS, the Program will place a priority on investing in partnerships that translate the Livability Principles into strategies that direct long-term development and reinvestment, demonstrate a commitment to addressing issues of regional significance, utilize data to set and monitor progress toward performance goals, and engage stakeholders and citizens in meaningful decision-making roles;

WHEREAS, the Program seeks to invest in regional partnership proposals that either develop a Regional Plan for Sustainable Development or a Detailed Execution Plan or Program, which are submitted between June 25, 2010 and August 23, 2010;

WHEREAS, the Program seeks to invest in regional partnerships, organized as a consortium that includes the regional planning agency, the principal city, and localities representing a minimum of half the regional population, the regional Metropolitan Planning Organization, a nonprofit organization, foundation, or educational institution within the region that has the capacity to engage a diverse representation of the general population, and additional regional partners and stakeholders;

WHEREAS, the Program has the expectation that the regional partnerships that are supported in this grant program have the capacity and expertise to carry out the submitted proposal, as well as supply a minimum of twenty percent (20%) leveraged resources (cash or in-kind) for the proposal; and

WHEREAS, the HRPDC has determined that the development of a Regional Development Framework as a proposal concept for submission to the Program. The proposal will achieve the following:

- Improve the regional integration of local plans
- Development of a multidisciplinary regional planning approach to address the various livability principles and livability program areas (e.g. Transportation, Housing, Land Use, Environment, Emergency Management, etc.)

NOW THEREFORE, the signatory parties enter into the following Understanding:

HRPDC RESPONSIBILITIES

Under the terms of this Understanding, HRPDC is responsible for the following:

1. The HRPDC staff will develop the proposal concept of a Regional Development Framework for submission to the Program on the behalf of the HRRSC.
2. The HRPDC will serve as the lead agent within the HRRSC in carrying out and administering the approved proposal within the Program guidelines.
3. Provide administrative staff support to the region in developing the Regional Development Framework.
4. Manage a consultant effort, if necessary, to complete the Regional Development Framework.
5. Work with all Hampton Roads localities and appropriate public & private entities to obtain the required financial resources and leverage to support the development of the Regional Development Framework.
6. Work with all Hampton Roads localities and appropriate public entities to ensure that the completed Regional Development Framework is incorporated into their local or entity comprehensive plans.
7. Work with all Hampton Roads localities and appropriate public & private entities to seek future funding to maintain the Regional Development Framework.

PARTICIPANTS OF THE PROPOSED HRRSC RESPONSIBILITIES

Under the terms of this Understanding, participants in the proposed HRRSC are responsible for the following:

1. Endorses the HRPDC proposal concept for submission to the Program
2. Pledge cooperative agreement as a regional partner within the HRRSC in carrying out the approved proposal within Program guidelines.
3. Provide timely input to HRPDC in response to requests for data and information.
4. Provide timely technical and policy review of the Regional Development Framework.
5. Work with HRPDC staff and representatives of the region's other localities to utilize the Regional Development Framework in their local or entity comprehensive plans and related activities.
6. Work with HRPDC staff and representatives of the region's other localities to develop a system for maintaining the Regional Development Framework.

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed by their duly authorized officers via signature page counterparts as of the date first set forth above.

List of Signatories

Signature pages will be signed in counterparts.

HAMPTON ROADS PLANNING DISTRICT COMMISSION

HAMPTON ROADS TRANSPORTATION PLANNING ORGANIZATION

LIST 16 MEMBER LOCAL GOVERNMENTS

OTHERS

SIGNATURE PAGE FOR THE HAMPTON ROADS PLANNING DISTRICT COMMISSION

IN WITNESS WHEREOF, the following individuals execute this Memorandum of Understanding

Executive Director, Hampton Roads Planning District Commission

Executive Director, Hampton Roads Transportation Planning Organization

List 16 Member Local Governments

Others

Hampton Roads Planning District Commission

By: _____

Date: _____

Attest: _____

Date: _____

AGENDA NOTE - HRPDC QUARTERLY COMMISSION MEETING

ITEM #10: APPOINT HRPDC 2010-2011 NOMINATING COMMITTEE

SUBJECT:

Chairman to appoint Nominating Committee

BACKGROUND:

At its meeting in October, the Commission elects its officers for the upcoming year. The HRPDC Charter and Bylaws limit the terms of Chairman and Vice Chairman to two (2) consecutive one-year terms in succession. The Treasurer and Secretary are elected for a term of one year, but may serve consecutive terms. Therefore, the HRPDC needs to elect a Chairman, Vice Chairman, Treasurer and Secretary.

The Chairman will appoint a Nominating Committee to bring a slate of names for Chairman, Vice Chairman, Treasurer and Secretary as well as each government's representative for the Executive Committee to the HRPDC Annual Meeting on October 20, 2010. The following currently serve as the HRPDC Nominating Committee:

| | |
|-----------------|-------------------------|
| Chesapeake: | Ella P. Ward |
| Franklin: | Vacant |
| Gloucester: | Gregory Ward |
| Hampton: | Ross A. Kearney II |
| Isle of Wight: | Stan D. Clark |
| James City: | Bruce C. Goodson |
| Newport News: | Vacant |
| Norfolk: | Barclay C. Winn |
| Poquoson: | Gordon C. Helsel, Jr. |
| Portsmouth: | Vacant |
| Southampton: | Anita T. Felts |
| Suffolk: | Linda T. Johnson |
| Surry: | John M. Seward |
| Virginia Beach: | Louis R. Jones |
| Williamsburg: | Vacant |
| York: | Thomas G. Shepperd, Jr. |

The Chair and Vice Chair must come from separate Subdivisions and be elected officials. The offices of Treasurer and Secretary shall be elected for a term of one year or until their successors are elected or until they resign or are removed from office. The Chair and Vice Chair shall be elected for two one-year terms or until their successors are elected or until they resign or are removed from office. The offices of Secretary and Treasurer must be voted on an annual basis but need not be elected officials and may succeed themselves.

The current officers and their terms are:

Chairman – Bruce C. Goodson – 2008-2010
Vice Chairman – Stan D. Clark – 2008-2010
Treasurer – James O. McReynolds – 2009-2010 (Since 2002)
Secretary – Dwight L. Farmer – 2009-2010 (Since 2008)

As provided in the Bylaws, the Executive Committee is a standing committee of the Commission. It consists of sixteen members, each from a different participating jurisdiction.

RECOMMENDED ACTION:

Chairman appoint Nominating Committee and designate a Chairman.

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #11: PROJECT STATUS REPORTS

A. Joint Environmental Committee

The Joint Environmental Committee met on July 1, 2010. The meeting included:

- Resolutions of appreciation from the Committee for Mr. Wayland Bass of James City County, Mr. Jeff Bliemel of the City of Poquoson, and Mr. Eric Walberg of the HRPDC staff for their work with the Committee.
- An update from Ms. Jenny Tribo on the status of the Chesapeake Bay TMDL.
- A briefing from Ms. Julia Hillegass on a Notice of Intended Regulatory Action for Pesticide Discharges to Surface Waters.
- A presentation from Mr. Gamal Hassan, PE, of HWR, on technologies for modeling stormwater and water quality impacts.
- A discussion of a change to the regional stormwater budget.
- An update from HRPDC staff on various grants being looked into or pursued, including a Green Infrastructure education grant from the National Association of Regional Councils, and Community Challenge Grants and the Sustainable Communities Planning Grant Program from HUD.
- A discussion of steps to be taken to complete the transition to a public advisory committee, including the establishment of bylaws. A subcommittee of representatives of the Regional Stormwater Management and Chesapeake Bay Committees was established to work with representatives of the Directors of Utilities Committee in drafting Committee Bylaws.
- A briefing on the potential sale to private industry of satellite bandwidth currently used by weather and environmental data transmissions by USGS and NOAA.
- An update from DCR-CBLA on recent actions by the Chesapeake Bay Local Assistance Board information and resources available on their website.
- Status reports and updates from localities and other Committee members.

B. Stormwater Management Program and Chesapeake Bay Program

- Stormwater Management Program:
The Department of Conservation and Recreation (DCR) has formed a Regulatory Advisory Panel (RAP) to assist the Department in considering revisions to the Virginia Soil and Water Conservation Board's Virginia Stormwater Management Program (VSMP) Permit Regulations. The first meeting of the RAP will be at the Virginia State Capital on July 23, 2010 at 10:00 am.
- DCR is currently in negotiations with Fairfax County to renew their Municipal Separate Storm Sewer System (MS4) permit. HRPDC staff and members of the Regional Stormwater Committee have reviewed the permit and drafted a letter of concerns to DCR. PDC staff will be meeting with DCR staff to discuss these issues and the timeline for permit renewal in the coming weeks.

- Chesapeake Bay TMDL Update:
EPA released draft nitrogen and phosphorus targets for the Chesapeake Bay TMDL on July 1, 2010. The draft Allocations and related correspondence are included in Agenda Item #13. Sediment targets are expected to be released on August 15. The Chesapeake Bay States have until September 1, 2010 to submit a draft Watershed Implementation Plan (WIP) to EPA that details how these reductions will be met. Virginia has formed a Stakeholder Advisory Group (SAG) to aid DEQ in DCR in developing the strategies for the WIP. At the last SAG meeting on June 15, 2010, source sector workgroups for agriculture, wastewater, urban/suburban lands, and onsite systems. HRPDC staff attended the urban/suburban workgroup meeting on July 12, 2010.

C. Directors of Utilities Committee

The Directors of Utilities Committee met on July 7, 2010. The following matters were addressed at the meeting:

- Following approval of the H2O – Help to Others – Program MOA by the H2O Board of Directors, the Directors of Utilities Committee recommended that the Hampton Roads Planning District Commission approve the H2O – Help to Others – Program Memorandum of Agreement.
- The Committee nominated Mr. Joe Durant, Newport News, to serve on the Bylaws Subcommittee to draft bylaws for the Directors of Utilities Committee.
- The HRPDC staff submitted a comment letter on behalf of the Committee to the Federal Communications Commission regarding the proposed leasing or sale of the 1675-1710 MHz Band. The letter expressed the region's dependence on the availability of NOAA's weather forecasting, tracking of hurricanes, and predictions of flood conditions; and that any reduction in availability would impact the region's ability to prepare for and respond to emergencies. The region is also a USGS cooperator and has funded the installation of real-time groundwater monitoring stations which use the 16750-1700 MHz band.
- The HRPDC staff submitted a comment letter on behalf of the Committee to the Department of Environmental Quality regarding the Pesticide NOIRA. The letter discussed the use of pesticides in the region for control of algae in water supply reservoirs and for mosquito control; and also recommended individuals to serve on the Technical Advisory Committee. The Committee asked staff to also submit the comments to the EPA.
- The Committee asked staff to develop comments on the possible changes to the NPDES Regulations regarding satellite collection systems and SSOs, which are presently being considered by the U.S. Environmental Protection Agency and to develop draft comments on the proposed Groundwater regulations. Both matters will be considered by the Committee at its August meeting.

D. Emergency Management Project Update

Debris Management

A date for the annual debris management meeting has been coordinated with SPSA, VPPSA, and VDEM. The date is July 19, 2010 and will be at the HRPDC.

Hampton Roads Regional Jail and Inmate Evacuation Committee

The committee met again on July 8th and began drafting an RFP to solicit a consultant to conduct the functional jail assessments for emergency operation plan enhancements and development of jail evacuation planning.

Hampton Roads Tactical Regional Area Network (HRTacRAN)

The EM Administrator continues to work with the Hampton Roads Interoperability Communications Advisory Committee (HRICAC) Oversight Group in an effort to find a funding solution for sustainment of the system for follow-on service and maintenance procurement. The FY10 Port Security Grant Application that was submitted to VDEM in March 2010 as a potential temporary solution for sustainment was not selected for funding. However, the FY07 Port Security Grant has some leftover funding that may be applied to this project. Also, the FY09 Port Security Grant application period will open soon and those funds applied for and not received for FY10 will be applied for.

Peninsula Local Emergency Planning Commission (PLEPC)

A grant application was submitted to VDEM, by the City of Hampton on behalf of the PLEPC, for funds to update the current Peninsula Local Emergency Response Plan. On March 1st, the Emergency Management staff were informed that the City of Hampton was granted this the award in the requested amount. All funds must be exhausted by September 2010. The HRPDC is willing to support the work for this grant and assist with the management of the project with the City of Hampton and PLEPC; however, no progress has been made.

FY10 Healthcare Organization Emergency Preparedness Seminars (HOEPS)

The Emergency Management staff led and completed the seminar with public health partners and multiple health care organizations on May 6th and 7th. Participant feedback is being compiled and will be provided soon. Also, the HOEPS planning committee will be meeting in this month to begin planning next year's event.

Hazard Mitigation Planning

The grant applications for updating the Southside Hampton Roads Hazard Mitigation Plan, the Franklin Hazard Mitigation Plan and the Southampton Hazard Mitigation Plan are in the process of review at with a notification of an announcement of an award expected in the summer of 2010 and funding made available in early fall 2010. FEMA has requested additional information from Southampton County on their application and the staff are reaching out to the County Administrative staff for support to fulfill the requested information.

The Emergency Management staff continues to work with the City of Hampton's Emergency Manager by providing support to update the Peninsula Hazard Mitigation plan. An RFP was released through the City of Hampton and a pre-proposal meeting with potential proposers was held on May 26. A meeting with all the Peninsula emergency managers took place on July 6 to select a consultant for this project. Pending any other contracting requirements to be met, the City of Hampton will work with the selected vendor to establish a contract with the hopes that work will begin in late July 2010.

The City of Portsmouth has contacted the EM staff at the HRPDC regarding participation in updating their flood plain management plan. Staff has attended the kick-off meeting in June and will continue to participate in this planning process until complete.

Regional Catastrophic Planning Grant Program (RCPGP) Support

The Emergency Management staff continues to support the Regional Catastrophic Planning Team and the three workgroups to ensure existing projects and data is integrated. The three workgroups are (1) Evacuation and Transportation, (2) Commodities, Resources, and Volunteers, and (3) Mass Care and Sheltering.

Urban Area Security Initiative (UASI)

The Emergency Management staff continues to manage and support the Hampton Roads Urban Areas Security Initiative (UASI) Grant Program for the Urban Area Working Group (UAWG). During the May UAWG meeting, the consultant performing the Capabilities Assessment work brief the UAWG on the strategy to be employed for updating the Hampton Roads Homeland Security Strategy. A small subcommittee, consisting of specific disciplines, will work with the consultants to draft the revised strategy for submission to the UAWG

Discussions and planning for future grant years continues with the refinement of a tool to track all projects under the UASI grant that have been requested, supported, and requires sustainment in the future. The UAWG has indicated that they want to ensure a portion of future grant funds are made available for sustainment with the rest dedicated towards new projects that will only be supported by the soon to be revised Hampton Roads Homeland Security Strategy.

The FY07 UASI grant is nearing completion. A few projects have not been completed and an extension request for 6 months has been submitted by the Virginia Department of Emergency Management to DHS on behalf of the UAWG.

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

The WebEOC Subcommittee met in June and has developed an implementation plan for institutionalizing WebEOC based on the workshop and training conducted on June 8th.

The Special Needs website and registry (www.hrspecialneeds.org) reconstruction is nearly complete to include accessibility requirements being met. It is expected to be back up and running by late July 2010 and be fully functional as initially envisioned by the Emergency Management community.

Maritime Security and Response (FY08 UASI Project)

Staff continues to solicit input from the Area Maritime Security Committee for the FY08 UASI project that is a follow-on project from FY07. At this time, it is also unclear whether the AMSC will utilize the funds available for this project. If not, further direction will be sought from DHS via VDEM.

Multi-Region Target Capabilities Assessment (FY08 UASI Project)

The Emergency Management staff, on behalf of and in cooperation with the HR and Central Virginia (Richmond area) UASI regions, provide program management and implementation support for the Target Capabilities Assessment (TCA), through the UASI Grant program. Interviews with localities in Hampton Roads for assessing the selected target capabilities began in late January and are in progress. All sixteen have been completed as of June 9th. The consultant will now take all the data and begin analyzing it to determine what the strengths and gaps are for the region against the DHS Target Capabilities List. Also, now that all the data has been compiled, it allows the region to begin setting metrics in order to determine if a capability has been met and to what degree. The final component to be developed is the revision to the Hampton Roads Homeland Security Strategy as indicated above in the UASI section. A plan for revising this plan has been developed and has been structured to ensure all homeland security partners (local, regional, state, and federal) have the opportunity to participate.

Pet Sheltering Support (FY09 UASI Project)

The Committee supporting this effort met and finalized what equipment and supplies need to be procured for the trailers to support pet management in shelters. Some of the equipment and supplies are not allowable under the grant guidelines and staff drafted a letter to DHS via VDEM requesting a waiver for those items not allowed. VDEM has reviewed this request and has provided a waiver for the unallowable supplies with DHS concurrence. Staff will be working with the procurement staff to establish a contract mechanism to begin procuring the trailers.

First Responder Authentication Credential (FRAC)

The Emergency Management (EM) staff continues to advance 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. OCP continues to work with Verizon to establish the issuing stations. The Hampton Roads Fire Chiefs Association has been working with OCP's project manager in order to have the FRAC's first issued to the fire service throughout Hampton Roads. The FRAC issuance system was demonstrated at Newport News City Hall on July 7 to show the Hampton Roads Fire Chiefs the equipment and process. The contractor providing the equipment is finishing up with

some updates and then the system will need to be certified as production ready. As soon as that happens we will be up and running by the end of July.

Hampton Roads Critical Infrastructure Protection Program (HR CIPP)

Strategic planning by the Emergency Management staff for the development of a regional Critical Infrastructure and Key Resources (CIKR) program is on-going in coordination with the Office of Commonwealth Preparedness Critical Infrastructure Protection Coordinator.

The development of a regional workshop with private and public stakeholders has been completed. Invitations for the July 14 workshop were sent on May 28 with nearly 58 RSVP's received. This workshop invites business/industry and infrastructure owners and operators, government, and academic leaders in risk analysis and business security strategy development to explore the benefits, costs, and risks of developing a regional critical infrastructure protection plan for improving regional resilience. The results of the workshop will improve the capability of organizations to improve continuity of operations and community resilience, and to decrease the overall level of risk to critical infrastructure and the public and private sectors. Moreover, the results will implement key objectives of the National Infrastructure Protection Plan (NIPP) and the Virginia Critical Infrastructure Protection and Resiliency Strategic Plan (VCIPRSP).

2010 Department of Education's Emergency Management for Higher Education (EMHE) Grant

As part of the grant application process, colleges and universities in the region have the opportunity to apply for grant funds "to develop, or review and improve, and fully integrate campus based all-hazards emergency management planning efforts for institutions of higher education." The College of William and Mary and the Virginia Tidewater Consortium for Higher Education (which represented Old Dominion University, Eastern Virginia Medical School, Virginia Wesleyan College, and Christopher Newport University) requested and received a letter of support for the grant application. We are currently awaiting notification of the award.

Hampton Roads CAO Table Top Exercise

On Thursday, May 27, 2010 the Virginia Department of Emergency Management (VDEM), conducted a Tabletop Exercise (TTX) in Hampton, VA at the Peninsula Workforce Development Conference Center. The purpose of the VDEM Region 5 Hampton Roads Chief Administrative Officers (CAO) TTX was to engage the senior executives in consequence-based, decision-making activities involving large-scale catastrophic events and the strategic implications of these decisions on regional and local levels.

The strategic objectives were to (1) Discuss and examine local executive leader understanding of strategic emergency preparedness concepts related to local, regional and State capabilities to evacuate populations in response to a catastrophic weather event and (2) Discuss and examine local executive leader understanding of

strategic emergency preparedness concepts related to local, regional and State capabilities to provide mass care and sheltering of large, diverse populations in response to a catastrophic weather event.

An After Action Report and Improvement Plan are being developed in coordination with the regions Emergency Managers from all HRPDC jurisdictions that attended. The report is expected to be complete by early August.

National Emergency Communications Plan Goal 1 Assessment by DHS

The Department of Homeland Security (DHS) sent representatives to Hampton Roads on June 12, 2010, during Harborfest, to observe Hampton Roads' progress toward Goal 1 of the National Emergency Communications Plan. Hampton Roads is one of 64 Urban Areas designated by the Department of Homeland Security for the Urban Areas Security Initiative Grant Program. As a participant in this program, DHS periodically reviews various aspects of preparedness for these designated Urban Areas. During the 2010 Harbor Fest, the Department of Homeland Security's Office of Emergency Communications observed Hampton Roads' progress toward Goal 1 of the National Emergency Communications Plan which states:

“By 2010, 90 percent of all high-risk urban areas designated within the UASI are able to demonstrate response-level emergency communications within one hour for routine events involving multiple jurisdictions and agencies.”

For Goal 1, demonstration of response-level emergency communications during a planned event was to be observed in each UASI region nationally. Through a planning group stood-up from the membership of the Urban Area Working Group that included stakeholders from the Hampton Roads Interoperable Communications Advisory Committee, Norfolk Police (Homeland Security Commanding Officer), Fire, and Communications Department, the Marine Incident Response Team Director, and the U.S. Coast Guard, this effort was well coordinated and managed. The OEC will utilize Federal and State/local peer observers to attend Harbor Fest to determine if the primary operational leadership is able to effectively demonstrate response-level communications during a planned event.

The observance of Hampton Roads' progress toward Goal 1 of the National Emergency Communications Plan was very successful and DHS has already provided a draft After Action Report. The report was vetted by the planning group and a final version should be delivered within the next month. The Commission will receive a full brief of this report in September 2010.

E. Regional Economics Program Report

Technical Assistance

Economics staff routinely provides technical assistance and support to member jurisdictions and regional organizations. Information from both the HRPDC Data Book and the Commission's Benchmarking Study provides easy access to a great

deal of regional information. Over the past month, staff has provided information to individuals, member localities, regional organizations, and the media.

Census 2010

HRPDC staff continue to act as a Regional Census Partner to the U.S. Census Bureau. Census information has been added to the organization publications and the Commission's website. HRPDC staff serve on complete count committees at both the regional and jurisdictional levels, and has offered a variety of services to the Census Bureau.

Regional Competitiveness

Staff has begun work on a regional competitiveness study. The purpose of the study is to review the components of growth in competitive economies and evaluate the regional capacity for growth. This analysis will include an in-depth analysis of the region's occupational and industrial composition, with a particular focus on the region's labor supply.

Hampton Roads Data Book

Staff has completed work on the Hampton Roads Data Book. The 2010 Data Book contains a variety of current and historical time series data on the region's population, income and earnings, employment, labor force, retail sales, building permits, real estate, lodging, ports, vehicle registrations, and local tax collections. The Data Book represents part of our efforts to fulfill § 15.2-4208 of the Code of Virginia, which requires planning district commissions to collect and maintain demographic, economic and other data concerning the region and member localities.

Hampton Roads Economic Quarterly

The summer edition of the Hampton Roads Economic Quarterly will be released in July. Each quarterly publication includes an analysis of the region's current economic condition and several graphics that include the most recent information available for the regional economy.

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #12: FOR YOUR INFORMATION

A. VAPDC Summer Conference and Board Membership

The Nominating Committee of the Virginia Association of Planning District Commissions (VAPDC) has nominated Mr. Bruce Goodson to serve as a Director on their Board of Directors for the 2010-2011 term.

The VAPDC will be holding its Summer Conference at the Cavalier at the Beach from July 29 – 31, 2010. Registration is now open for this event at: www.vapdc.org. Invited speakers include Gov. McDonnell; Sean Connaughton, Secretary of Transportation; and James Cheng, Secretary of Commerce & Trade.

B. Items of general interest are also attached for your information.

Attachments

C. Newly Elected Officials Orientation Briefing

The May 2010 local elections saw twelve (12) individuals elected to City Councils throughout Hampton Roads. On June 24, 2010, the Hampton Roads Planning District Commission, in cooperation with a number of other regional agencies, hosted six (6) of the newly elected officials for a luncheon briefing in the HRPDC Board Room. The purpose of the briefing was to provide them with a brief introduction to the several regional agencies that serve the Hampton Roads' local governments. Participants in the briefing included staff from the Hampton Roads Planning District Commission, Hampton Roads Transportation Planning Organization, Hampton Roads Partnership, Hampton Roads Economic Development Alliance, Hampton Roads Chamber of Commerce, Peninsula Work Force Development Center, Opportunity, Inc. and the Hampton Roads Military and Federal Facilities Alliance. Comments from the new Councilpersons who represented the Cities of Chesapeake, Hampton and Norfolk indicated their appreciation for this opportunity. Based on this, the HRPDC and HRTPO staffs will work with the other regional agencies to provide a similar briefing after the November elections. In addition, the HRPDC and HRTPO staffs will provide an orientation for new Commission and Board members in the near future.



OFFICE OF THE CITY CLERK

CITY OF SUFFOLK

441 MARKET STREET
PHONE: (757) 514-4018

P. O. BOX 1858,

SUFFOLK, VA 23439
FAX: (757) 538-1527

June 3, 2010

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

Dear Mr. Farmer:

At its meeting held June 2, 2010, City Council reappointed Mayor Linda T. Johnson and City Manager Selena Cuffee-Glenn as Suffolk's members to the Hampton Roads Planning District Commission, for a term effective July 1, 2010, and expiring on June 30, 2012.

Should you have any questions, please feel free to contact me at 757-514-4018.

Sincerely,

Erika S. Dawley, CMC
City Clerk

Enclosures

c: Mayor Linda T. Johnson
City Manager Selena Cuffee-Glenn

RECEIVED
JUN 10 2010
HRPDC

June 24, 2010

Mayor Alan P. Krasnoff
1006 Cuervo Court
Chesapeake, VA 23322

Dear Mayor Krasnoff:

I am pleased to advise you that City Council, at its meeting of June 22, 2010, reappointed you to your second term on the Hampton Roads Planning District Commission. Your term will begin on July 13, 2010 and expires on July 12, 2012.

Your Certificate of Appointment is enclosed. As required by State law, you must take the Oath of Office prior to taking your voting position on the Board/Commission. Failure to be sworn in prior to taking your seat on the Hampton Roads Planning District Commission could result in all actions of the Board/Commission on which you participate as an active member being nullified. The oath is administered by Ms. Faye Mitchell, Clerk of the Circuit Court. Please contact Ms. Mitchell's office at 382-3000 to arrange to take your oath. Again, it is necessary to be sworn in before you take your position on the Board/Commission.

By copy of this letter, the chairperson/liaison will be notified of your appointment and will advise you of the next meeting date. In the near future, you will receive additional information regarding this appointment from the Office of the City Attorney. This information includes the Freedom of Information Act (FOIA) recently amended by the Virginia State Legislature. Section 2.2-3702 of the Act requires officials of any public body to read and familiarize themselves with the information contained in the FOIA. Additionally, Section 2.2-3701 of the Act defines a public body as "...any legislative body, any authority, board, bureau, commission, district or agency of the Commonwealth or of any political subdivision of the Commonwealth ...supported wholly or principally by public funds." Carefully review the information contained in the FOIA when your package arrives from the City Attorney's office.

Should you have any questions, please call Sandy Ussery, Deputy City Clerk, 382-6151.

Sincerely,


for Dolores A. Moore, MMC
City Clerk

DAM:smu

Enclosure

cc: Faye Mitchell, Clerk of the Circuit Court
Ronald S. Hallman, City Attorney
Nancy G. Parr, Commonwealth's Attorney
✓ Kelly Peterson, Liaison, Hampton Roads Planning District Commission

*"The City of Chesapeake adheres to the principles of equal employment opportunity.
This policy extends to all programs and services supported by the City."*

RECEIVED

JUN 28 2010

HRPDC

CERTIFICATE OF APPOINTMENT

I, Dolores A. Moore, City Clerk, City of Chesapeake, Virginia, do hereby certify that

Alan P. Krasnoff

was appointed by Chesapeake City Council to serve on the

Hampton Roads Planning District Commission

for a term to begin July 13, 2010 and expires on July 12, 2012.

IN WITNESS WHEREOF, I hereunto set my hand and cause the Seal of the City of Chesapeake, Virginia, to be affixed hereto this Twenty-fourth day of June, 2010.

Dolores A. Moore

Dolores A. Moore, MMC
City Clerk



June 24, 2010

Council Member C. E. "Cliff" Hayes, Jr.
632 Blossom Arch
Chesapeake, VA 23320

Dear Council Member Hayes:

I am pleased to advise you that City Council, at its meeting of June 22, 2010, reappointed you to your third term on the Hampton Roads Planning District Commission. Your term will begin on July 13, 2010 and expires on July 12, 2012.

Your Certificate of Appointment is enclosed. As required by State law, you must take the Oath of Office prior to taking your voting position on the Board/Commission. Failure to be sworn in prior to taking your seat on the Hampton Roads Planning District Commission could result in all actions of the Board/Commission on which you participate as an active member being nullified. The oath is administered by Ms. Faye Mitchell, Clerk of the Circuit Court. Please contact Ms. Mitchell's office at 382-3000 to arrange to take your oath. Again, it is necessary to be sworn in before you take your position on the Board/Commission.

By copy of this letter, the chairperson/liason will be notified of your appointment and will advise you of the next meeting date. In the near future, you will receive additional information regarding this appointment from the Office of the City Attorney. This information includes the Freedom of Information Act (FOIA) recently amended by the Virginia State Legislature. Section 2.2-3702 of the Act requires officials of any public body to read and familiarize themselves with the information contained in the FOIA. Additionally, Section 2.2-3701 of the Act defines a public body as "...any legislative body, any authority, board, bureau, commission, district or agency of the Commonwealth or of any political subdivision of the Commonwealth ...supported wholly or principally by public funds." Carefully review the information contained in the FOIA when your package arrives from the City Attorney's office.

Should you have any questions, please call Sandy Ussery, Deputy City Clerk, 382-6151.

Sincerely,


for Dolores A. Moore, MMC
City Clerk

DAM:smu

Enclosure

cc: Faye Mitchell, Clerk of the Circuit Court
Ronald S. Hallman, City Attorney
Nancy G. Parr, Commonwealth's Attorney
Kelly Peterson, Liaison, Hampton Roads Planning District Commission

CERTIFICATE OF APPOINTMENT

I, Dolores A. Moore, City Clerk, City of Chesapeake, Virginia, do hereby certify that

C. E. "Cliff" Hayes, Jr.

was appointed by Chesapeake City Council to serve on the

Hampton Roads Planning District Commission

for a term to begin July 13, 2010 and expires on July 12, 2012.

IN WITNESS WHEREOF, I hereunto set my hand and cause the Seal of the City of Chesapeake, Virginia, to be affixed hereto this Twenty-fourth day of June, 2010.

Dolores A. Moore

Dolores A. Moore, MMC
City Clerk





CITY OF NEWPORT NEWS

VIRGINIA

OFFICE OF THE CITY CLERK

MABEL WASHINGTON JENKINS, MMC
CITY CLERK

(757) 926-8634 OFFICE
(757) 926-8599 FAX

July 8, 2010

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

RE: Council Representation for the Hampton Roads Planning District Commission

Dear Mr. Farmer:

It gives me a great deal of pleasure to inform you that City Council, at its meeting on June 8, 2010, appointed The Honorable McKinley L. Price, DDS, and reappointed The Honorable Sharon P. Scott (alternate), to serve a two-year term of office on the Hampton Roads Planning District Commission. Their terms of office will begin immediately, and will expire June 30, 2012.

For the HRTPO, Council has designated The Honorable McKinley L. Price, DDS, and The Honorable Herbert H. Bateman, Jr. (alternate) to serve indefinite terms of office.

Please do not hesitate to contact me if I can assist you in any way.

Very truly yours,

Mabel Washington Jenkins, MMC
City Clerk

MWJ:jp

cc: The Honorable McKinley L. Price, DDS
The Honorable Sharon P. Scott

RECEIVED
JUL 12 2010
HRPDC

AGENDA NOTE - HRPDC QUARTERLY COMMISSION MEETING

ITEM #13: CORRESPONDENCE OF INTEREST

A. LETTER, CAPTAIN P.B. TRAPP TO NATALIE EASTERDAY

Attached is a letter from Captain P.B. Trapp, USCG, to Natalie Easterday thanking her for her contributions the June 17, 2010 U.S. Coast Guard training on hurricane awareness and family readiness.

Attachment A

B. LETTER, DAVID A. JOHNSON TO JOHN CARLOCK

Attached is a letter from Mr. David A. Johnson, Director, Department of Conservation and Recreation to John Carlock, inviting his participation on the Regulatory Advisory Panel advising the Virginia Soil and Water Conservation Board on the Stormwater Management Regulations.

Attachment B

C. LETTER, DAVID K. PAYLOR TO JOHN CARLOCK

Attached is a letter from Mr. David K. Paylor, Director, Department of Environmental Quality, to John Carlock, inviting his participation on the State Water Supply Plan Advisory Committee to advise DEQ on Virginia water resources policies and programs. The Advisory Committee was established pursuant to SB 569 by the General Assembly in 2010.

Attachment C

D. LETTER, SHAWN M. GARVIN TO DOUGLAS DOMENECH

Attached is a letter from Mr. Shawn M. Garvin, Regional Administrator for the U.S. Environmental Protection Agency, to Virginia Secretary of Natural Resources Doug Domenech, providing a copy of the draft waste load allocations for the Chesapeake Bay TMDL. The HRPDC staff is analyzing the information and is participating in a series of meetings with state and local agencies to discuss this material. The HRPDC staff expects to have a briefing for the Commission at the September Executive Committee meeting.

Attachment D

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
U. S. Coast Guard
Fifth District

431 Crawford Street
Portsmouth, VA 23704-5004
Staff Symbol: dcs
Phone: (757) 398-1704
Fax: (757) 398-1707
Email: Patrick.B.Trapp@uscg.mil

1320
18 Jun 2010

Assistant Regional Emergency Management Planner Hampton Roads
Planning District Commission
Attn: Ms. Easterday
723 Woodlake Drive
Chesapeake, VA 23320

Dear Ms. Easterday,

On behalf of Admiral Wayne Justice and myself, thank you for the outstanding effort you provided in supporting my recent training on hurricane awareness and family readiness on the morning of 17 June 2010.

I truly appreciate the information and useful knowledge you provided for this training and personally want to acknowledge your professionalism. You provided District Five and Atlantic Area personnel with valuable information to help safeguard themselves as well as their families in the event of a natural disaster. The data you provided will allow Coast Guard personnel and their families to properly prepare and if necessary evacuate the Hampton Roads area.

Thank you again for helping to make this training an informative event and for a job well done!

Sincerely,

A handwritten signature in black ink, appearing to read "P.B. Trapp".

P.B. TRAPP
Captain, U. S. Coast Guard



COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

203 Governor Street
Richmond, Virginia 23219-2010
(804) 786-6124

July 2, 2010

Mr. John Carlock
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, Virginia 23220

Dear Mr. Carlock: *John*

I am writing to formally invite you to participate as a member of the Virginia Soil and Water Conservation Board's Regulatory Advisory Panel (RAP) that will be continuing the discussions on the Commonwealth's Stormwater Management Program (VSMP) Permit Regulations (Parts I, II, and III). The RAP will have an important role in helping the Board consider what amendments to make to the existing set of final regulations that the Board currently has suspended.

This past legislative General Assembly Session, a bill was passed that instructs the Board to assemble a RAP and that the amended regulation be effective within 280 days after the establishment of the U.S. Environmental Protection Agency's Chesapeake Bay - wide TMDL, but no later than December 1, 2011. As such, we need to begin our work now and be aware of the work of the stakeholder advisory group that is assisting the Commonwealth in the development of the TMDL implementation plan. The first RAP meeting is scheduled for July 23rd in Senate Room #3 of the Capitol from 10:00 a.m to 3:00 p.m. At the meeting we will identify key issues and may assign subcommittees to work on the various subject areas. Prior to the meeting, we will send you an agenda for the first meeting, directions, a complete TAC membership roster, and any background materials you may need.

I wish to express the appreciation of the Board and the Department of Conservation and Recreation for your willingness to participate and I thank you for your commitment to this regulatory process. We look forward to working with you over the next several months on this important regulatory action. If you have any questions or concerns about this RAP, please do not hesitate to contact Christine Watlington, DCR Policy and Budget Analyst at (804)786-5678 or David Dowling, DCR Policy Planning, and Budget Director at (804)786-2291.

Sincerely,

A handwritten signature in black ink, appearing to read "David A. Johnson".

David A. Johnson
Director

cc: Members, Virginia Soil and Water Conservation Board
David C. Dowling
Jack E. Frye
C. Lee Hill

Attachment 13B

RECEIVED
JUL 08 2010
HRPDC



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

TDD (804) 698-4021

www.deq.virginia.gov

Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
1-800-592-5482

June 24, 2010

Mr. John Carlock
HRPDC
723 Woodlake Drive
Chesapeake, Virginia 23320

Dear Mr. Carlock:

In the 2003 General Assembly Session, legislation was enacted to require the development of local and regional water supply planning for all local governments in the Commonwealth. Funding and staffing for the legislation was established in late 2005. Since that time, the Department of Environmental Quality has been working with the local governments and supporting agencies to develop these plans.

In the 2010 session, the General Assembly enacted legislation through SB569 forming the State Water Supply Plan Advisory Committee. The State Water Supply Plan Advisory Committee will advise DEQ in the development of policies and programs to ensure that the Commonwealth's water resources are utilized equitably, efficiently, and sustainably for the benefit of all Virginians.

You have been recommended as someone who can provide meaningful input to this process, and I invite you to participate as a member of this Committee. Given the scope, the time line, and the importance of the task, the State Water Supply Plan Advisory Committee will be convened quickly. Legislation requires the Committee meet at least twice each calendar year. It is anticipated that quarterly meetings will be held beginning in the Fall of 2010 and concluding in the late Summer of 2012.

The first meeting of the State Water Supply Plan Advisory Committee will be in Richmond in July or August. We will poll members to determine the most convenient date. The State Water Supply Plan Advisory Committee must complete its work by December 31, 2012, as this is the date the act expires. If you believe you can make this very significant contribution and are interested in serving, please confirm your interest by July 16, 2010.

RECEIVED

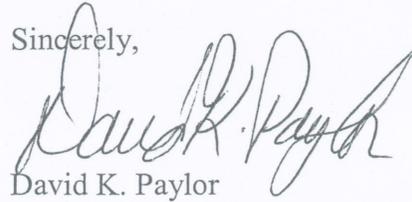
JUN 29 2010

HRPDC

Mr. Carlock
Page 2

I look forward to working with you to better protect and manage our water resources. Please contact Scott Kudlas, Director, Office of Surface and Ground Water Supply Planning, at (804) 698-4456 if you have any questions and/or to confirm your participation. Additional details about the first meeting and location will follow.

Sincerely,

A handwritten signature in black ink, appearing to read "David K. Paylor". The signature is fluid and cursive, with a large initial "D" and "P".

David K. Paylor



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

JUL 1 2010

The Honorable Doug Domenech
Secretary
Department of Natural Resources
1111 East Broad Street
Richmond, Virginia 23219

Dear Secretary Domenech:

I thank you for your continued commitment to the Bay restoration partnership. As we develop the Chesapeake Bay Total Maximum Daily Load (TMDL) and Watershed Implementation Plans (WIPs), we have faced some challenging issues. It is critical that the Partnership remain strong as we work through any remaining differences and show the citizens of the watershed that we can deliver on our commitments, complete a TMDL by the end of 2010, and put forth aggressive, defensible implementation plans that will put in place all necessary actions, by no later than 2025, to fully restore the Bay and tidal rivers – with an interim goal of 60% or more being accomplished by 2017.

As I have said before, restoring the health of the Bay and our rivers will not be easy. If it were, we would have completed the necessary restoration actions long ago. Every one of the Bay jurisdictions has a significant role to play. Fortunately, through the Chesapeake Bay Program partnership, we have a scientific understanding of the Bay ecosystem that is the envy of other restoration efforts around the U.S. and the world. In addition to abundant scientific information and monitoring data, we have state-of-the-art computer models that provide us with an irreplaceable tool to help guide and formulate our restoration efforts and inform our actions. But the models are just that – tools. Armed with these tools, we, the senior policy makers that represent the Bay watershed partners, must decide upon the actions necessary to meet our restoration commitments.

I wish to emphasize that the ongoing Bay restoration effort will be an adaptive process. We have afforded opportunities in the schedule to make corrections and adjust course as necessary while we continue to learn from the science and the results of our restoration actions.

We are at a critical point in the Bay Partnership and our combined restoration effort. It is imperative as we move forward, that we meet our commitments, measure continued progress toward our goals, and confirm for the public that we will fully restore the health of the Chesapeake Bay and rivers. I welcome the opportunity to work closely with you and the other Bay restoration partners to finalize the Bay TMDL and advance implementation actions.

In earlier correspondence, EPA notified the Bay watershed jurisdictions that we would provide draft allocations for nitrogen and phosphorus for each jurisdiction by July 1, 2010. I write to you today in fulfillment of that commitment. Also note that by August 15, I will notify the jurisdictions of their draft sediment allocations. I want to thank the many dedicated staff within each of the jurisdictions and EPA who have labored many long hours to develop these draft allocations. The enclosed tables detail the jurisdictions' major river basin nitrogen and phosphorus draft allocations in the Bay and its tidal rivers as well as a "temporary reserve" that may be revised or removed in 2011 when Phase II WIPs are developed (see Temporary Reserve section below for further explanation).

As you review these draft nutrient allocations, it is important to keep in mind several key assumptions behind their development and how we expect they will be used as we move forward with the development of the Bay TMDL and the jurisdictions' WIPs.

Nutrient Allocations and Potential for Modification

The nitrogen and phosphorus draft allocations included with this letter are intended to be used to inform the jurisdictions of their WIP development. They may be modified subject to EPA's review of each jurisdiction's draft and final WIPs [see Tables 1 and 2]. EPA may also modify these draft allocations in the draft or final TMDL to reflect input received during the TMDL public review period and the agency's review of the implementation framework provided in the jurisdictions' WIPs.

The draft allocations are also subject to change based upon refinements in 2011 to the Phase 5.3 Chesapeake Bay Watershed Model as requested by the jurisdictions. As stated in my recent letter on June 11, 2010, any adjustments to draft allocations as a result of the agreed upon watershed model refinements to address nutrient management effectiveness and suburban land use will be incorporated into the Phase II WIP development and submission process in 2011. EPA does not expect to pursue making further modifications to the Phase 5.3 model prior to the 2017 Phase III WIP development process.

Water Quality Standards

EPA developed the draft nutrient allocations provided with this letter under the assumption that the jurisdictions with Bay tidal waters – Maryland, Virginia, Delaware and the District of Columbia – would adopt currently proposed water quality standards revisions by the date the final TMDL is established. These revisions would incorporate the proposed Bay criteria assessment and designated uses refinements contained in the fifth addendum to the original 2003 Chesapeake Bay water quality criteria document issued by EPA in May, 2010. This Bay criteria addendum reflects the latest scientific findings and technical advances in the application and assessment of Bay water quality criteria. The draft allocations also assume that Maryland will soon propose (and timely adopt) modifications of its water quality standards regulations to include a lower Chester River deep-channel restoration variance, to recognize the periodic presence of a deep-water use in the South, Severn and Magothy Rivers, and to include a site-specific dissolved oxygen criterion for the Pocomoke River. The draft allocations also assume that, in addition to the jurisdictions' timely adoption of these water quality standards revisions,

EPA has sufficient time to perform the necessary review of these revisions and ultimately approves them as consistent with the Clean Water Act. If the jurisdictions do not adopt these revised standards, or if EPA does not approve them by the time the final TMDL is established, EPA would establish the Bay TMDL based on alternative draft allocations reflective of the states' and District's existing Bay water quality standards. EPA is working in close cooperation with each of these four jurisdictions and will ascertain the need for alternative draft allocations if obstacles are encountered.

EPA Expectations for WIPs

EPA has clearly articulated its expectations for the jurisdictions' WIPs in correspondence issued on November 4, 2009, in the April 2, 2010 document entitled *A Guide for EPA's Evaluation of Phase I Watershed Implementation Plans*, and through periodic calls and webinars. We will continue to use the expectations contained in those documents and communications to ascertain the adequacy of jurisdictions' draft and final WIPs. EPA has been working closely with staff in all seven jurisdictions to assist in WIP development and will continue to do so over the ensuing months. In addition, we have made substantial technical and financial resources available to assist in the WIP development process.

Potential Federal Backstop Actions

In a letter dated December 29, 2009, I summarized several potential actions that EPA could pursue to "ensure that jurisdictions develop and implement appropriate Watershed Implementation Plans, attain appropriate two-year milestones of progress, and provide timely and complete information to an effective accountability system for monitoring pollutant reductions." EPA intends to work closely and cooperatively with the jurisdictions in the development of effective implementation programs in line with the previous guidance. The capacity still exists for each jurisdiction to work with EPA staff to evaluate various "what if" scenarios to achieve the necessary nutrient reductions. However, in the event that WIP submittals to EPA are inadequate to ensure continued progress and fulfillment of the Partnership's commitments to achieve Bay water quality standards and implement the TMDL's allocations, EPA is prepared to take appropriate "backstop" actions as necessary.

Schedule

On June 11, 2010, I sent representatives of the seven Bay watershed jurisdictions a letter containing a revised schedule for development of the Bay TMDL and all three phases of the WIPs. EPA has adjusted the schedule, where possible, to provide additional time and flexibility to address concerns raised by partners at the April 2010 Principals' Staff Committee (PSC) meeting as well as in individual follow-up discussions. In keeping with that schedule, I am today providing you with the basinwide, jurisdictional, and major river basin draft allocations for nitrogen and phosphorus. By August 15, I will provide the basinwide, jurisdictional, and major river basin draft allocations for sediment. By September 1, EPA expects jurisdictions to submit draft WIPs which sub-allocate these nutrient and sediment jurisdictional and major river basin draft allocations among source sectors and the 92 Bay TMDL segmentsheds. After review of the respective state's Phase I WIPs and allocations, EPA would propose for comment (on September

24 for a 45-day public comment period) the draft Bay TMDL. The draft TMDL's allocations will be informed by the information in the jurisdictions' WIPs and EPA anticipates the TMDL's allocations would be consistent with the jurisdiction's WIP allocations if EPA determines they are set at a level necessary to implement the applicable water quality standards. Following the completion of the public comment period, EPA expects the jurisdictions to revise their WIPs as necessary and submit final WIPs to EPA by November 29. EPA expects the jurisdictions to submit their Phase II and III WIPs, with revisions to the jurisdiction's allocations, according to the schedule included in my letter of June 11, 2010.

Temporary Reserve

As discussed at the April 29-30, 2010 PSC meeting and further described in the June 11, 2010 letter, EPA has included a separate Temporary Reserve, for both nitrogen and phosphorus, of five percent for each jurisdiction that will be applied for purposes of WIP development and incorporating "contingency actions" [see Table 3]. EPA expects jurisdictions to incorporate contingency actions into their WIPs as a separate suite of actions to be undertaken in the event that the 2011 refinements to the Phase 5.3 Chesapeake Bay Watershed Model result in draft allocations lower than those provided with this letter. Contingency actions should be described in similar detail to implementation actions included in the jurisdiction's WIPs for the 2017-2025 timeframe.

This Temporary Reserve has been included to account for the possibility that the 2011 refinements to the Phase 5.3 Chesapeake Bay Watershed Model result in draft allocations to the jurisdictions lower than those provided in this letter.

The additional five percent Temporary Reserve was derived based on two main factors: 1) the basinwide nitrogen draft allocation changed approximately five percent when transitioning from Phase 5.2 of the Chesapeake Bay Watershed Model (approximately 200 million pounds in fall 2009) to Phase 5.3 (approximately 187 million pounds currently), therefore, the additional model revisions are not expected to result in changes to draft allocations that are any greater than that extent; and 2) very preliminary, rough cut, model runs suggest that the two forthcoming refinements to the model will alter basinwide nutrient draft allocations by five percent or less.

Depending on the results of the 2011 model refinements, the Temporary Reserve will be revised or removed as appropriate during the 2011 Phase II WIP development process. In parallel, if needed, jurisdictions can submit for public comment and EPA approval any proposed modifications to the Bay TMDL draft allocations.

Establishing the Allocation for Air Sources

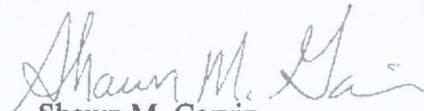
It is important to note that the basinwide nitrogen allocation identifies 15.7 million pounds of atmospheric deposition loads direct to Chesapeake Bay and tidal tributary surface waters. EPA anticipates that this loading cap will be achieved through implementation of federal Clean Air Act regulations by EPA and the states through 2020. Projected reductions in atmospheric nitrogen deposition loads to the surrounding watershed over this same time period are already accounted for within the individual jurisdiction and major river basin nitrogen draft



allocations. Any additional nitrogen reductions realized through more stringent air pollution controls at the jurisdictional level, beyond minimum federal requirements, may be credited to the individual jurisdictions through future revisions to the jurisdictions' WIPs, two-year milestones, and the Bay TMDL tracking and accounting framework.

I appreciate your willingness to work in partnership with EPA to develop the Chesapeake Bay TMDL and Watershed Implementation Plans that will ensure that the Bay and rivers are restored. I look forward to working with you to advance our mutual Bay restoration goals. If you have any questions regarding the draft allocations presented with this letter or the TMDL development process, please do not hesitate to contact me or the Mrs. LaRonda Koffi, Virginia State Liaison, at (215) 814-5374.

Sincerely,


Shawn M. Garvin
Regional Administrator

Enclosures

Table 1 - Chesapeake Bay Watershed Nitrogen and Phosphorus Draft Allocations by Basin

Table 2 - Chesapeake Bay Watershed Nitrogen and Phosphorus Draft Allocations by
Jurisdiction

Table 3 - Chesapeake Bay Watershed Nitrogen and Phosphorus Temporary Reserve by
Jurisdiction

cc: State and D.C. Agency PSC Representatives

**Table 1.
Chesapeake Bay Watershed Nitrogen and Phosphorus Draft Allocations by Basin**

| Basin/Jurisdiction | Nitrogen Draft Allocations (million pounds per year) | Phosphorus Draft Allocations (million pounds per year) |
|--|---|---|
| SUSQUEHANNA | | |
| NY | 8.23 | 0.52 |
| PA | 71.74 | 2.31 |
| MD | 1.08 | 0.05 |
| SUSQUEHANNA Total | 81.06 | 2.88 |
| EASTERN SHORE | | |
| DE | 2.95 | 0.26 |
| MD | 9.71 | 1.09 |
| PA | 0.28 | 0.01 |
| VA | 1.21 | 0.16 |
| EASTERN SHORE Total | 14.15 | 1.53 |
| WESTERN SHORE | | |
| MD | 9.74 | 0.46 |
| PA | 0.02 | 0.001 |
| WESTERN SHORE Total | 9.76 | 0.46 |
| PATUXENT | | |
| MD | 2.85 | 0.21 |
| PATUXENT Total | 2.85 | 0.21 |
| POTOMAC | | |
| PA | 4.72 | 0.42 |
| MD | 15.70 | 0.90 |
| DC | 2.32 | 0.12 |
| VA | 17.46 | 1.47 |
| WV | 4.67 | 0.74 |
| POTOMAC Total | 44.88 | 3.66 |
| RAPPAHANNOCK | | |
| VA | 5.84 | 0.90 |
| RAPPAHANNOCK Total | 5.84 | 0.90 |
| YORK | | |
| VA | 5.41 | 0.54 |
| YORK Total | 5.41 | 0.54 |
| JAMES | | |
| VA | 23.48 | 2.34 |
| WV | 0.02 | 0.01 |
| JAMES Total | 23.50 | 2.35 |
| Total Basin/Jurisdiction Draft Allocation | 187.44 | 12.52 |
| Atmospheric Deposition Draft Allocation¹ | 15.70 | -- |
| Total Basinwide Draft Allocation | 203.14 | 12.52 |

¹ Cap on atmospheric deposition loads direct to Chesapeake Bay and tidal tributary surface waters to be achieved by federal air regulations through 2020.

| Jurisdiction/Basin | Nitrogen Draft Allocations (million pounds per year) | Phosphorus Draft Allocations (million pounds per year) |
|--|---|---|
| PENNSYLVANIA | | |
| Susquehanna | 71.74 | 2.31 |
| Potomac | 4.72 | 0.42 |
| Eastern Shore | 0.28 | 0.01 |
| Western Shore | 0.02 | 0.001 |
| PA Total | 76.77 | 2.74 |
| MARYLAND | | |
| Susquehanna | 1.08 | 0.05 |
| Eastern Shore | 9.71 | 1.09 |
| Western Shore | 9.74 | 0.46 |
| Patuxent | 2.85 | 0.21 |
| Potomac | 15.70 | 0.90 |
| MD Total | 39.09 | 2.72 |
| VIRGINIA | | |
| Eastern Shore | 1.21 | 0.16 |
| Potomac | 17.46 | 1.47 |
| Rappahannock | 5.84 | 0.90 |
| York | 5.41 | 0.54 |
| James | 23.48 | 2.34 |
| VA Total | 53.40 | 5.41 |
| DISTRICT OF COLUMBIA | | |
| Potomac | 2.32 | 0.12 |
| DC Total | 2.32 | 0.12 |
| NEW YORK | | |
| Susquehanna | 8.23 | 0.52 |
| NY Total | 8.23 | 0.52 |
| DELAWARE | | |
| Eastern Shore | 2.95 | 0.26 |
| DE Total | 2.95 | 0.26 |
| WEST VIRGINIA | | |
| Potomac | 4.67 | 0.74 |
| James | 0.02 | 0.01 |
| WV Total | 4.68 | 0.75 |
| Total Basin/Jurisdiction Draft Allocation | 187.44 | 12.52 |
| Atmospheric Deposition Draft Allocation² | 15.70 | -- |
| Total Basinwide Draft Allocation | 203.14 | 12.52 |

² Cap on atmospheric deposition loads direct to Chesapeake Bay and tidal tributary surface waters to be achieved by federal air regulations through 2020.

**Table 3.
Chesapeake Bay Watershed Nitrogen and Phosphorus
Temporary Reserve by Jurisdiction³**

| Jurisdiction/Basin | Nitrogen Temporary Reserve (million pounds per year) | Phosphorus Temporary Reserve (million pounds per year) |
|------------------------------------|---|---|
| PENNSYLVANIA | 3.84 | 0.14 |
| MARYLAND | 1.95 | 0.14 |
| VIRGINIA | 2.67 | 0.27 |
| DISTRICT OF COLUMBIA | 0.12 | 0.01 |
| NEW YORK | 0.41 | 0.03 |
| DELAWARE | 0.15 | 0.01 |
| WEST VIRGINIA | 0.23 | 0.04 |
| TOTAL TEMPORARY RESERVE | 9.37 | 0.63 |

³ EPA has included a Temporary Reserve of 5 percent for each jurisdiction that will be applied for purposes of Watershed Implementation Plan development and incorporating "contingency actions" necessary to meet allocations.

AGENDA NOTE - HRPDC QUARTERLY COMMISSION MEETING

ITEM #14: OLD/NEW BUSINESS