

AGENDA
HAMPTON ROADS PLANNING DISTRICT COMMISSION
EXECUTIVE COMMITTEE MEETING
December 15, 2011

- 9:30 1. Call to Order
2. Public Comment Period
3. Submitted Public Comments
4. Approval/Modification of Agenda
- CONSENT AGENDA**
5. Minutes of November 17, 2011 Executive Committee Meeting
6. Treasurer's Report
7. Regional Reviews – Monthly Status Report
 A. PNRS Reviews
 B. Environmental Impact Assessment/Statement Review
8. Sea Grant Application – Hampton Roads Adaptation Forum
9. Hampton Roads Watershed Roundtable Grant
10. Urban Area Security Initiative Contract for WebEOC Mapper
11. Urban Area Security Initiative Contract Amendment for Upgrades to the Hampton Roads Medical Special Need Registry

REGULAR AGENDA

- 9:40 12. Hampton Roads Regional Benchmarking Study
9:50 13. Hampton Roads Energy Corridor and Energy Forecast
10:00 14. Chesapeake Bay Total Maximum Daily Load (TMDL) Update
10:10 15. 2012 HRPDC Legislative Agenda
16. Nominating Committee Report/Election of Vice-Chair
17. Resolutions of Appreciation
18. Retreat Schedule
19. HRPDC Action Items: Three-Month Tentative Schedule
20. Project Status Reports and Advisory Committee Summaries
21. Old/New Business

ADJOURNMENT

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #1: CALL TO ORDER

The meeting will be called to order by the Chair at 9:30 a.m.

ITEM #2: PUBLIC COMMENT PERIOD

Members of the public are invited to address the Hampton Roads Planning District Commission. Each speaker is limited to three minutes.

ITEM #3: SUBMITTED PUBLIC COMMENTS

There are no recently submitted written public comments. Any new written public comments will be distributed as a handout at the meeting.

ITEM #4: APPROVAL/MODIFICATION OF AGENDA

Members are provided an opportunity to add or delete items from the agenda. Any item for which a member desires consideration from the Hampton Roads Planning District Commission should be submitted at this time, as opposed to under “Old/New Business”.

Hampton Roads Planning District Commission
Executive Committee Meeting
Minutes of November 17, 2011

The Executive Committee Meeting of the Hampton Roads Planning District Commission was called to order at 9:30 a.m. at the Regional Boardroom, 723 Woodlake Drive, Chesapeake, Virginia, with the following in attendance:

EXECUTIVE COMMITTEE:

Stan D. Clark, Chairman (IW)	McKinley Price (NN)
Thomas Shepperd, Vice Chairman (YK)	J. Randall Wheeler (PQ)*
James O. McReynolds, Treasurer (YK)*	Kenneth Wright (PO)*
Alan Krasnoff (CH)*	Selena Cuffee-Glenn (SU)
Brenda Garton (GL)	Tyrone Franklin (SY)
Molly Joseph Ward (HA)	Louis R. Jones (VB)
Bruce Goodson (JC)	Jackson C. Tuttle, II (WM)

Executive Director:

Dwight L. Farmer

EXECUTIVE COMMITTEE (ABSENT)

June Fleming (FR)	Michael W. Johnson (SH)
Paul D. Fraim (NO)	Clyde Haulman (WM)

OTHER COMMISSIONERS:

William E. Harrell (CH)	Neil Morgan (NN)
Ella P. Ward (CH)	Sharon Scott (NN)*
Amar Dwarkanath (CH)	James K. Spore (VB)
Ross A. Kearney (HA)	Barbara Henley (VB)
Mary Bunting (HA)	Robert M. Dyer (VB)
Robert Middaugh (JC)*	Harry E. Diezel (VB)

*Late arrival or early departure.

OTHERS RECORDED ATTENDING:

Henry Ryto (Citizen); Earl Sorey, Rachel Friend (CH); Stanley Stein, Bryan Pennington (NO); Eric Nielsen (SU); Brian DeProfio (HA); Beverly Walkup (IW); Michael King, Jerri Wilson (NN); Buddy Green (PQ); Ellis James (Sierra Club Observer); Patticis Ctute, Dean McClain, Jack Hornbeck (HRCC); Carolyn McPherson (Light Rail NOW); Brenda Hardison (Chesapeake Taxpayer Alliance); Rob Sinclair, W. Dewey Hurley (Branscome Infrastructure) Peter Huber (Willcox & Savage), Germaine Fleet (Biggs & Fleet); Staff: John M. Carlock, Camelia Ravanbakht, Rick Case, Jennifer Coleman, Kathlene Grauberger, Greg Grootendorst, Julia B. Hillegass, Frances Hughey, Jim Hummer, Robert Jacobs, Whitney Katchmark, Sara Kidd, Robert Lawrence, Mike Long, Benjamin McFarlane, Jai McBride, Kelli Peterson, Tiffany Smith, Jenny Tribo, Joe Turner, Chris Vaigneur.

Chairman Clark 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 very much, Mr. Chairman and I do apologize for being late. It is a little tough out there on the interstate. My name is Ellis W. James, I reside here in City of Norfolk and I would like to call the HRPDC's attention to something that now is going to come to the forefront of our concerns. The question of lifting the moratorium on uranium mining is heating up to say the least and I would urge each one of the communities to pay close attention to the potential impact on each of the cities and the counties with respect to the possible lifting of that moratorium. It is very obvious that the study that many people have been waiting for is not going to do the job in terms of determining what the potential impacts and contamination possibilities will provide if we lift the moratorium. It is simply this, the study will not make recommendations about whether or not uranium mining will be permitted nor will the study include site specific assessments and it goes on from there. I would like to urge each one of the communities to take a close look at this and even if you are not on the Lake Gaston pipeline, there are other intakes and I think it would be very, very important for each community to take a close look at this issue. Thank you, Mr. Chairman.

(Commissioner Wheeler arrives)

APPROVAL/MODIFICATION OF AGENDA

Chairman Clark stated there was one modification to the agenda - Item #16 Old/New Business, Nominating Committee Appointment. He asked if there were any more changes to the agenda. Hearing none, he asked for a motion to approve the agenda with the modification.

Commissioner Kearney Moved to approve the agenda with the modification; seconded by Commissioner Shepperd. The Motion carried.

CONSENT AGENDA

The Consent Agenda contained the following Items:

Minutes of October 20, 2011 Annual Commission Meeting

Treasurer's Reports

Regional Reviews

A. PNRS Items Reviews

Franciscan Brethren of St. Philip Application for Federal Assistance - Franciscan Brethren of St. Philip

B. Environmental Impact Assessment/Statement Review

Demolition of Aircraft Landing Dynamics Facility, NASA Langley Research Center –
National Aeronautics and Space Administration

Streets of Greenbrier – U.S. Housing and Urban Development

Amendments to FY 2012 Budget

Contract Amendments – Water Resources Continuing Services

- A. URS Task Order #4
- B. CH2M Hill Task Order No. 3

Contract – Working Waterfronts Plan

Chairman Clark asked for a motion to approve the Consent Agenda.

Commissioner Jones Moved to approve the Consent Agenda; seconded by Commissioner Kearney. The Motion carried.

LEGISLATIVE AGENDA

Chairman Clark introduced John Carlock to present the Legislative Agenda briefing.

Mr. Carlock stated he would briefly go through the proposed legislative agenda for FY 12 and talk about the background on some of the items and provide the Commission with staff recommendations.

Mr. Carlock stated the legislative agenda was developed with input from the Advisory Committees, local government legislative packages, VML, VACO, VAPDC, and the American Planning Association and is based on programs and projects the region is pursuing. There are a number of things that came up in the Governor's Reform Commission. It has been at least a decade since the HRPDC did a legislative agenda. Over the last several years the HRPDC has taken action on a number of items that were case-specific and project-specific and most recently the Chesapeake Bay TMDL. A year ago the Commission adopted a Statement of Principles related to a number of legislative items that are reflected in the legislative package.

(Mayor Krasnoff arrives)

Mr. Carlock stated his presentation will focus on funding, housing, environmental initiatives and state government administration. The funding issue of water quality is presently a Water Quality Improvement Fund at the state level which has been funded through a combination of things. A percentage of the state surplus and specific appropriations of the money from that fund has been targeted for Chesapeake Bay clean up, for sewage treatment plant upgrades and agricultural cost sharing and a limited degree for stormwater management. The recommendation is that the Commission support full

funding of the water quality improvement fund and support consideration of costs for TMDL, MS4 Permit and SSO Implementation. In the past, the state has funded work in Richmond and Lynchburg on combined sewer overflows out of those funds.

Mr. Carlock stated the land acquisition for the City of Virginia Beach has been pursued for the protection of Oceana because of the last round of BRAC. It has been particularly important in maintaining Oceana and keeping it in a positive state, the funding should continue.

Commissioner Bunting stated Hampton will be putting in for funds for land acquisition around Langley Air Force Base based upon a joint land use study that identified concerns that Langley had relative to incompatibility around Langley Air Force Base and with upcoming BRAC related issues, Hampton has identified some concerns. We pursue similar funding to support Langley Air Force Base because Langley is equally important to the region and Hampton requests to amend this to include support for NAS Oceana to continue and also include Langley Air Force Base.

Mr. Carlock stated HRPDC staff will make the addition.

Mr. Carlock stated the next item is restoration of PDC funding. In FY 2001 HRPDC received about \$.24 per capita; the current contribution through the Department of Housing and Community Development is \$.09 per capita. It would be helpful for the Commission if the state would restore that funding to the former level.

(Commissioner Scott arrives)

Commissioner Kearney stated under the topic septic tanks, the HRPDC is asking that we get the Virginia Department of Health and not localities to govern the septic tanks used across the Commonwealth.

Mr. Carlock stated the HRPDC is suggesting that the Health Department should be the ones that monitor whether people are getting their required pump out every five years within the Chesapeake Bay preservation areas.

(Commissioner Wright arrives)

Commissioner Kearney stated the point he was making will there be an advantage to having the state do this instead of the localities, counties, cities or towns? He did not see where it would be more efficient.

Mr. Carlock stated the data and the records on septic tanks are maintained by the health departments and the local staff has agreed since the Chesapeake Bay Preservation Act was originally enacted that this is a health department responsibility because they have the records and it would be much easier for them to handle than for the localities to collect data from the health departments, and then do the notification, monitoring and tracking.

Chairman Clark asked if the proposal actually changes how the septic tanks processes are applied or just data collection.

Mr. Carlock replied just on the monitoring to make sure that the homeowner who has a septic tank complies with the five year pump-out requirement.

(Commissioner McReynolds arrives)

Commissioner Shepperd asked if homeowners will also be responsible for pick up if some EPA regulations come in through TMDL Chesapeake Bay cleanup where they are more stringent. Who will be responsible for notification and enforcement?

Mr. Carlock stated for that particular piece is still to be determined. We can talk about some of the other pieces that are recommended by the Steering Committee for septic tanks.

Commissioner Shepperd stated he did not understand how this will be efficient for this Commission. Its sounds like it may be less efficient because it will end up with another level passing information down to the municipalities to do the same job they are already doing.

Mr. Carlock stated the legislative package can be amended to take that out. It is in there because it has been a longstanding concern of local staff that this is a health department responsibility. But it would be very easy to take that out and put things back in the context of the TMDL.

Chairman Clark stated if the Commission does a general legislative packet and there is some significant dissent, then pull those things and go forward with the items that we have a wide consensus on.

Commissioner Kearney stated he was not questioning what they are doing, the question is where is the efficiency involved in this.

Chairman Clark stated unless otherwise indicated, that particular statement comes out.

(Commissioner Middaugh arrives)

Mr. Carlock asked if the Commission would like to finish with the septic tank issues at this point and then go back to housing.

Mr. Carlock stated as part of the TMDL Steering Committee effort the septic tank issues were identified as a particular concern and additional legislation was needed from the state to allow localities to do what needed to be done to address the septic tank component of the TMDL. The Steering Committee convened a subcommittee which spent a couple of meetings looking at this issue to see what needed to be done in order to address these concerns.

The HRPDC staff support the following recommendations: 1) To seek legislative changes necessary to establish a tax credit program for people who are upgrading or replacing their existing septic tanks with the new technology it is more expensive than traditional septic tanks and this would facilitate the homeowners to comply with what we will have to do with the TMDL; 2) to grant all localities the authority to require hook-ups to sewer lines when appropriate. The counties' staffs indicated at the present time they do not always have the authority to require that, and this would facilitate county effort to extend sewers and to get septic tanks that were problematic off line; 3) to establish cost share programs to assist homeowners with the cost of required upgrades or replacement of their septic tanks. There are limited programs in some regions around the state that have been relatively effective. There are some monies both on the environmental side and Department of Housing and Community Development side that could be expanded to include this.

Commissioner Goodson stated he wanted to revisit the health department issue. Is there a potential of this becoming an unfunded mandate for localities if the state gives it to the localities to handle this responsibility and to monitor?

Mr. Carlock stated it is a requirement for the local governments. This has been under the Chesapeake Bay Preservation Act for years.

Commissioner Garton stated she thought this was one of the issues why that item was included. The shift of the cost is already on the localities; and if state shifted it back to the health department, it would predominantly be borne by the state and not the localities. It would be a cost issue.

Commissioner Kearney stated he wanted to clarify this because he was not opposed to this but he wanted to make sure it was done efficiently. On the item where it says "seek legislative change to establish necessary tax credit" he would like to insert "state tax credits" and not to be local tax credits.

Chairman Clark stated it is a well-taken amendment.

Mr. Carlock stated since there are no more questions or comments on septic tanks, he would now talk about the housing items.

The Secure and Fair Enforcement and Mortgage Licensing Act of 2008 established the requirement for mortgage loan originators to be certified. There are programs at the local level and regional agencies such as HRPDC to assist homebuyers, through the provision of the downpayment and closing cost assistance. The recommendation from the housing groups is that the state law be amended to provide an exception for those people who are not originating the loans to continue doing what they are doing and not have to go through the licensing and certification process. If passed, it would facilitate local programs operating and facilitating the efforts that the planning district handles. The Governor recently announced support of the Housing Trust Fund as a resource to decrease homelessness. It would be a dedicated stream of funding for affordable housing and

homeless prevention and the recommendation is that state funding support the establishment of that trust fund.

Mr. Carlock stated the issue on uranium mining is to support maintenance of the moratorium on uranium mining. The City of Virginia Beach is pursuing the study on uranium mining and Virginia Beach's studies indicated uranium mining has potential for adverse impacts on Lake Gaston and Southside Hampton Roads' water supply. The recommendation is that the moratorium is maintained to provide the opportunity for experts to review the studies. Virginia Beach is pursuing the state to make some sense out of this before the legislature acts on the moratorium.

Mr. Carlock stated the next issue was the recycling requirements. The Commission discussed a couple of months ago the localities are required to achieve a 25% recycling rate. Two proposals would assist localities in meeting the 25% and at the same time support private industry in the development of facilities, job creation and better markets for the recycled materials. The HRPDC staff supports legislation enabling authority for the localities to require glass recycling; as well as incentives which could be tax incentives for the facilitation by the state in getting through the permit process for businesses that recycle certain materials.

Mr. Carlock stated on the environmental education issues, the HRPDC previously supported the federal and state legislation to pursue the program known as the No Child Left Inside Act. The environmental initiative which addresses the TMDL would assist localities in meeting some of the requirements. The tree canopy requirement is enabling legislation to allow localities to adopt preservation programs and set requirements. Research has indicated that tree planting and tree preservation will assist in meeting the water quality requirements in the TMDL. The agricultural side of TMDL is with cost share programs. At the present time state staff is marginally adequate to cover that program and the amount of funding is marginally adequate so the recommendation is the appropriate state funding go into that cost share program for agricultural nonpoint pollution.

On the state administration issues, the Department of Conversation and Recreation has proposed further consolidation of their stormwater related programs, Stormwater Act, Bay Preservation Act and Erosion and Sediment Control Act which would make more of one stop shop at the state level. HRPDC staff recommendation is that we support that and at the same time, support the state's preliminary proposal to require all localities in Chesapeake Bay Watershed to administer the Stormwater Management Program. With a couple of exceptions the localities are required to administer that program because they are covered by the Chesapeake Bay Preservation Act or Stormwater Permits.

Mr. Carlock stated the next item is support creation of federal facilities and defense industry caucus at the General Assembly level to further enhance and support localities in dealing with defense industry, which will be particularly important as we go forward in budget cuts. The last two items are traditional elements of the HRPDC dealing with environmental funding with water quality programs to continue opposing state taxes, fees or surcharges on local services and to continue opposing unfunded mandates.

Commissioner Goodson asked to change the wording to say local services not city services.

Mr. Carlock stated he would.

Chairman Clark stated on the unfunded mandates it states furthermore the HRPDC oppose shifting of fiscal responsibility from the state to localities for existing programs could we add in parenthesis, i.e., especially transportation matters.

Commissioner Cuffee-Glenn stated there is no legislative agenda for the TPO to discuss, but the issue of eminent domain the constitutional amendment that is going before the General Assembly. She understood it was imminent and was going to pass; but she noted for the City of Suffolk and for some of the other localities, the definition of loss of profits and loss of access, how it is going to impact everyone or do we not want to comment at all. She was curious about the Commission and their interest on how it will impact us as communities.

Chairman Clark stated at the VACO conference we took official position against that in our legislative agenda as well.

Commissioner Cuffee-Glenn stated that was just a question.

Chairman Clark stated we have to have our own comfort level. We are not a lobbying group.

Mr. Tuttle stated the Commission could use VACO and VML language.

Chairman Clark stated Commission staff can be instructed to find out their official positions on that matter and incorporate that into this legislative agenda.

Commissioner Goodson stated he did not see it being an issue for the PDC and did not see why it needed to be added.

Commissioner Cuffee-Glenn stated it is going to have a tremendous impact.

Commissioner Goodson stated yes, on the localities.

Commissioner Cuffee-Glenn stated we do not have to necessarily take the position, but at least monitor and know what is going on. It will impact what localities do day in and day out, because an increase of costs to the taxpayers is something we all should have some concern about, whether with this body or another body.

Chairman Clark stated he was not sure the Commission should include it or not.

Mr. Farmer stated he thought the process would be to have it on the Chief Administrative Officers (CAO's) agenda for discussion. He indicated staff will make a recommendation at the December PDC meeting on this particular issue after they had a chance to go through specific concerns by localities.

Commissioner Cuffee-Glenn stated she did not want the elected bodies to not monitor this because it is going to be tremendous for us as a community all around.

Chairman Clark stated we will bring it back.

Mayor Krasnoff asked Mr. Carlock when he was talking about tree canopy being applicable only to the localities currently within Planning District 8. Who is Planning District 8?

Mr. Carlock stated Northern Virginia has the requirements. They got the requirements through assisting them on air quality issues because they are non-attainment and the recommendation here is that it be available to localities in Hampton Roads.

Mayor Krasnoff asked when you say available are you talking about local options? The reason he asked is the City of Chesapeake has been a tree city for a very long time. But yet when I have seen others talk about canopy and coverage, it became extremely expensive to construction, and increased in the construction and business costs and some of the ways they were doing it did not make any sense as it related to parking lots or surrounding. It became so expensive it did not make any sense and got to the point where they said just cluster it in one area to make sure whatever they are asking for is not going to be a burden on an industry potentially one that is already having its concerns related to the economy such as the construction and development industry. As long as we are not going to be told we must do this, he certainly supports anybody efforts. However, he has seen the burden if it doesn't become reasonable in terms of the coverage for trees. He has seen the negative effects of placing it on developers and what it costs.

Chairman Clark stated the language in the Virginia Code to allow Virginia localities to make it optional.

Mayor Krasnoff stated as long as it is optional because he did not want to put the industry on notice it is going to get more expensive.

Chairman Clark stated we have seen those places where "allow" has become "shall" in the General Assembly at some point in time. He understands it is optional for the localities.

Mr. Carlock stated the staff recommendation is the Commission approve the legislative agenda as amended and authorize the Chairman to transmit it to General Assembly for consideration.

Chairman Clark requested the legislative agenda be amended and brought back to the Commission at its December meeting.

Mr. Farmer stated staff will come back with an amended document for discussion in December.

Commissioner Shepperd stated in reference to the agricultural program, he thought there was a program through the soil and water directors that addressed this agricultural Best Management Practice for farming at least management in soil and for some of the TMDL

discussion. He was concerned about how this came about as an input, his concern was, in the farming community, considering their issue with TMDL, they are picking up greater load and responsibility, where the communities are getting less of a load and the sewer systems have already picked up part of the load it his concern was what are we trying to get here when we encourage implementation of priority best management practices? Is this leading to additional costs?

Mr. Carlock stated there is an additional cost associated with the TMDL. The recommendation is that we provide adequate funding to support the cost share program to assist in meeting that requirement.

Commissioner Shepperd stated the legislative agenda calls for a well financed and fully staffed state program. That cost is to the state; are we saying they are not well staffed?

Mr. Carlock stated not adequately staffed and not adequately funded to assist the farmers in meeting the farmer's obligations under the TMDL.

Commissioner Shepperd stated considering we do not know what the TMDL is and that is a broad statement, he was concerned this may be leaning back towards the farming community which is already controversial, and he is not sure where we are going to end up. Are we saying how about doing better management or better work as opposed to some recommendation?

Mr. Carlock stated we can attempt to clarify next month, but the programs that are listed there, the priority best management practices, are things that farmers are already being encouraged to do to meet water quality whether it is the Bay TMDL or the TMDL issue in a local stream. We are suggesting there needs to be adequate funding from the state which will go through the soil and water conversation districts to assist the farmers in meeting those requirements.

Commissioner Shepperd stated the wording should be to that effect. What Mr. Carlock stated is something positive to the farming community; we are supporting them in their endeavors to improve farming. He thought it could be re-worded in a manner that would come out as a positive approach to the farming community as opposed to something put on the back of the farming community under this TMDL effort.

Mr. Carlock confirmed that could be done.

Chairman Clark stated at the Virginia Association of Counties meeting, he and Mr. Goodson attended a forum, Secretary Connaughton and Mr. Wirley, and apparent their philosophy is to continue to have to juggle their finances to do federal matches, maintain money and debt service, and they are going forward anticipating no effort or no will in the General Assembly either from the administration or General Assembly to do revenue streams for transportation and although the Secretary would not come forward with any details, he was confident there will be substantial steps towards devolution of transportation costs to localities whether that means less money for lane miles or secondary roads; whatever it is it is coming, and despite some pointed questions to the Secretary about what that meant

and how it happens he said he did not know but the clear indication was it is coming in some way, shape or form, to be continued at this point in time, but it looks like we are looking at another year of no new revenue streams. The new underlying fundamental issue for transportation is no new revenue streams for transportation.

Mayor Krasnoff asked based on what Mr. Clark said, are we talking about including transportation in this package? The reason is the Virginia Transportation Infrastructure back using VRA as its source of lending money, which is three to one leverage. If they did the Virginia Infrastructure Bank it would be five to one leverage which would give our localities an opportunity to gain more money. That is something that might come up in the legislature. Is that something we want to talk about or leave as is?

Chairman Clark stated he did not think the Commission knows enough about what is going to be proposed. We need to stay as general as possible on this issue. He brought that up to let everyone know what the breaking word was at that forum.

CHESAPEAKE BAY TOTAL MAXIMUM DAILY LOAD (TMDL)

Chairman Clark introduced Ms. Tribo to give the presentation on the Chesapeake Bay Total Maximum Daily Load.

Ms. Tribo stated her presentation would be in two parts. First, she wanted to address some of the questions that followed the TMDL presentation at the October meeting and then discuss the recent communications from EPA and Virginia since that meeting and propose recommended actions for moving forward in this process.

Ms Tribo stated there were three main questions from the October meeting she would like to address: 1) What are the benefits of implementing the management actions required by the TMDL? 2) What is the uncertainty of the modeled water quality improvements? 3) How can localities determine if water quality is improving due to implementation actions? The management actions that localities are being asked to implement such as wastewater upgrades, nutrient management and stormwater improvements will reduce the amount of nutrients and sediments delivered to local water bodies and eventually to the Chesapeake Bay. For the first questions, Ms. Tribo presented a graph that outlines the ecological response in the bay to those reductions. The graph showed less sediment equals clear water, which means more under water grasses will grow to provide habitat for more fish, oysters and crabs. Less nutrient means less algae, which means less dead algae, which means more oxygen which makes fish and crabs happy and they can breathe under water, which means a healthy bay and more aquatic life.

Ms. Tribo stated the second question, is the uncertainty in the model predictions has received lot of attention since release of the draft TMDL last year. One of Hampton Roads' comments requested that the uncertainty be quantified. Both the scientific and technical advisory committees of the Bay Program partnership and National Academy of Sciences have recommended that EPA conduct quantitative uncertainty analysis of the models. It has not been completed to date. Sources of uncertainty come from errors in the model inputs as well as processes that are excluded or misrepresented in the models. The Bay

Program and EPA have committed to developing a framework to better identify and manage these uncertainties and to work better with local partners to develop better, more accurate input data.

The third question, how do we know if management actions are having the intended effect? One way of evaluating progress is through the bay models. Implemented management actions are input into the model and the resulting load reductions are calculated by the watershed model. Accuracy of those results not only depends on minimizing uncertainty in the model but on the quality of the input data given to the state and EPA by local governments. That is why accurate tracking and reporting by local governments is essential. The watershed model determines if the nutrient and sediment loadings are being met but the monitoring determines if the water quality standards are being achieved. The water quality model is used to predict under what conditions the standards will be met, but actual data determines the success or failure. The model is helpful in simulating progress because it allows us to look at the actions under average conditions while monitoring data reflects short-term variations due to extreme weather events. The model is periodically calibrated based on the water quality data so an increase in monitoring frequency and stations with local data improves the accuracy of those model predictions.

Ms. Tribo presented two maps the first map illustrated tidal water quality monitoring stations throughout the bay watershed that are used to evaluate the water quality in the bay and to calibrate the water quality model; the second map showed the current and planned non-tidal stations that are used to measure the delivered loads of nutrient and sediment and calibrate the watershed model and refine the loading rates from the various land uses. The Bay Program is currently proposing to expand the monitoring with 36 stations. There are no stations in the Hampton Roads area because currently all the stations for the watershed model are non-tidal stations and the loading rates from the land use in Hampton Roads are estimated using the data from those up-stream calibration stations. Due to the flatness of the coastal plain and other factors loading of sediments and nutrients in this area might be different than other parts of the state that have more hills and more topography.

Ms. Tribo stated in order to improve model predictions, localities can add more monitoring stations, and that data will allow localities to better track the effectiveness of the management actions overtime. The rough cost estimate based on a partnership study between Fairfax and Northern Virginia and USGS (they are already doing intensive monitoring study in their area) the equipment and start up costs about \$40,000 per site, and that might be greater in tidal area where more equipment is involved and the operation maintenance cost is about \$75,000 a site. In coordination with localities' staff, the HRPDC staff plans to coordinate with the Bay Program to investigate the cost and feasibility of monitoring effort that could be used to help re-calibrate the model for the 2017 progress evaluations, with the intended result of improving the estimated urban loads from the coastal plain.

Commissioner Kearney stated he thought the debate last time was EPA changed the fact with regard to what localities were calibrating. Has that been determined what we are calibrating with these stations?

Ms. Tribo stated she was not sure of the question.

Chairman Clark stated calibrating or measuring.

Commissioner Kearney stated measuring what.

Ms. Tribo stated the stations are measuring nutrients and sediment loads as well as dissolved oxygen concentrations.

Commissioner Shepperd asked in the Bay.

Ms. Tribo stated yes.

Commissioner Shepperd stated that has not changed since day one. That was the four elements that were planned all along.

Ms. Tribo stated the question that was brought up last time was whether or not the localities would be tracking loads, actual numbers or whether they would be reporting more about management actions and levels of effort and I will address that in the second part of the presentation.

Chairman Clark stated the questions last time was how do we know what we are doing is working.

Ms. Tribo asked for any other questions on this part.

Chairman Clark stated let Ms. Tribo finish and then we will have questions.

Ms. Tribo stated after the October Commission meeting, HRPDC sent letters to EPA and Virginia. EPA letter asked for a resolution of the individual waste load allocation from the TMDL and the Virginia letter asked for guidance on the Phase II implementation process in light of the communication between EPA and Virginia in late September or early October.

HRPDC has not received a letter from EPA, but their staff did make some comments at the November 7 meeting of the Virginia Phase II Stakeholder Advisory Group and the localities should have received a letter from DCR dated November 9. At the November 7 meeting of the Virginia Stakeholder Advisory Group that is working on the Phase II Implementation Plan, a member of the group that represents local governments asked DCR and EPA to address whether individual waste water allocations would be removed from the TMDL. Catherine Antos' who is EPA Phase II Implementation Plan Leader stated the bay jurisdictions, the states should, submit their requested revisions to TMDL, including removing the waste allocations to EPA as part of the states' Phase II WIP submittals and those requested provisions will be made when the TMDL is revised in July of 2012.

Ms. Tribo stated the main theme of the letter from DCR has been a shift in focus from establishing local reduction goals to BMP implementation levels of effort. Our question to the state last time was what does this mean? The state provided a request for five pieces of information from local governments: 1) develop a current BMP inventory of the best management practices within the locality; 2) evaluation of land use/land cover information. The state has provided a format for local governments to submit this data; 3) they want localities to review the scenarios that the state created in the Phase I Implementation Plan and then they want the localities to develop their own preferred local scenarios that provide similar level of treatment; 4) develop a strategy that is necessary to implement those scenarios; and 5) identify the resources needed to implement the strategies. What does this mean? Virginia will not be submitting information to EPA at the local government scale. Virginia still wants numbers from local governments so they can create scenarios at a larger scale. If locals do not submit information to Virginia, the state will use the current data and the Phase I WIP strategies to define the locality obligations.

The four other requested pieces of information are things that localities have been working on since the spring and are consistent with HRPDC staff recommendations in October based on our reading of EPA's October letter. Most localities expect to complete the first two tasks the BMP inventory and the land cover data by the first part of December, and now the focus is on producing strategies and identifying resource needs. Due to inaccuracy in the model data and uncertainty of model predictions, many local government staffs are uncomfortable providing specific implementation scenarios to DCR.

The Regional Implementation Plan Steering Committee recommended only submitting strategies to DCR. In light of the new DCR communication and Virginia's intent to use the Phase I Implementation Plan information as defaults if locals do not provide numbers, HRPDC staff discussed with local government stormwater staffs and they developed a compromise.

Ms Tribo stated the HRPDC recommended action is that localities could submit information on program level goals and any specific BMP levels they are comfortable with to HRPDC staff and they would translate those numbers and program goals into a regional numeric scenario that would be submitted to Virginia through their Virginia assessment scenario tool which has been developed and that could provide localities with some flexibility and by submitting that and it still fulfills DCR's request for locality level information. The localities would still submit an individual plan to DCR that focuses on the narrative strategies addressing items one, two, four and five of their request in the letter. HRPDC staff would translate the locality information into a regional input file that could then be appended to locality reports that would fulfill item number three in the letter. The information would need to be provided to HRPDC staff by the end of December in order for HRPDC staff to coordinate with local governments to get that included in their Phase II WIP submittal which is due February 1st to the state to be included in their submittal to EPA in March.

The second recommended action is to authorize HRPDC to write a letter, in participation with other Planning Commissions, to request that Virginia recommend as part of its Phase II WIP submittal, that the waste allocations and TMDL be removed from TMDL when it is revised in July.

Chairman Clark asked for questions.

Commissioner Shepperd stated Ms. Tribo had referenced discussion on the model, he thought there were multiple models.

Ms. Tribo stated yes, there are multiple models; the water quality model, watershed model and air model.

Commissioner Shepperd stated he wanted to make sure they had not created a single model.

Ms. Tribo stated no.

Commissioner Shepperd stated under the calibration stations, the plan was for two year tests and after the thing is implemented, they come back and say how the whole bay is being cleaned up; is that still part of the program?

Ms. Tribo stated the two year milestone that was set up are the model evaluated processes. The way the two year milestones work, the states develop how much management actions they think will be implemented on two year schedules and then submit those to EPA and EPA runs the models to tell us if we are on target with the goals we said we would achieve in that time frame. The water quality data is analyzed annually in terms of assessing if the water quality data are meeting the standard.

Commissioner Shepperd stated his question was on the buying or adding of additional monitoring stations he did not understand why localities would want to do that. Who would do the readings and what would we improve?

Ms. Tribo stated there needs to be more discussion with the Bay Program and with USGS on how it would be designed. Part would be to try to distinguish between in a tidal area what load is going out versus coming in to help us better understand what is coming off the land, and it would help us refine the estimates of the nutrient and sediment that the loads that build up on the land are delivered. The Fairfax project is using USGS to conduct the study, but there are other options. HRPDC staff are just beginning those conversations with Bay Program staff to see what can be done and what our role would be in that process we will keep the Commission updated on those discussions.

Commissioner Shepperd said one of the most important things here to talk about is the Virginia letter to localities on the shift, basically it is a strategy shift and because DEQ and EPA felt we were not moving forward, and we are moving away from the local reduction goals to the BMP implementation and there is a list of requested information from local governments. Who made that request?

Ms. Tribo stated the request came from DCR in the letter dated November 9th.

Commissioner Shepperd stated the real question is are we actually moving forward? The reason he asked, because at the VACO conference they had issue where they talked about water quality and when he left the meeting, his sense was they were not taking it serious because they did not think EPA would get past the confusion and uncertainties. In 2017, localities are supposed to have 60% implemented he felt the state was not taking it seriously. We are still trying to figure out how to measure and implement.

Ms. Tribo stated the November letter says that the state is moving forward and they would like the localities to move forward with them by providing this information to them. Therefore our recommended action is that localities develop information on items one, two, four and five and then provide information to HRPDC so we can develop a regional submittal for item number three, which would be a region-wide scenario of management actions that would be implemented.

Commissioner Shepperd stated he had a lot more questions, but he thought it was important and localities talk with HRPDC staff who will translate strategies that this body be attuned to that translation. The staff doing it without this body being really attended to. That is going to end up going to be cost factor and we need to understand the relationship of the tax dollars to that strategy and translation of whatever Chesapeake does to York County to any other part of the municipalities. He expressed his appreciation for the staff's briefings.

Commissioner Middaugh stated in item two how do you get the waste load allocation. Are we going away from that to a more narrow strategy and where does the allocation come into this?

Ms. Tribo stated the final TMDL included individual load reduction requirements for the Phase I stormwater permit localities for the six biggest localities in the region. If those numbers stay in the TMDL then they will have to be translated in the next round of stormwater permits issued to those localities. There is not a way to measure whether it is being met or not because those waste allocations were calculated using the older version of the model. HRPDC is asking those be taken out because it is not appropriate to use the model in that way to calculate those numbers and not the way the model should be used, so that the permits then would have more narrative description of what the localities are expected to do and be consistent with reductions in TMDL, but then they would develop more specific scenarios as part of their next permit.

Commissioner Middaugh asked if for Phase I of the TMDL is the balance of the allocations is expected to be projected.

Ms. Tribo stated no, there will not be individual allocations for Phase II localities.

Chairman Clark asked for a motion.

Commissioner Tuttle Moved to approve the recommendation of Regional Chesapeake Bay Steering Committee to only include narrative program level strategies in local government Phase II WIP submission to Virginia and Authorize the Executive Director to send a response letter to Virginia upon receipt of expected letter to local governments and PDCs; seconded by Commissioner Goodson. The Motion carried.

HRPDC ACTION ITEMS: THREE MONTH TENTATIVE SCHEDULE

No questions or comments were noted.

PROJECT STATUS REPORTS

No questions or comments were noted.

CORRESPONDENCE OF INTEREST

No questions or comments were noted.

OLD/NEW BUSINESS

The Chairman asked the Nominating Committee to bring a slate of names to the HRPDC meeting on December 15, 2011, for the Chairman and Vice Chairman, for the Hampton Roads Planning District Commission. He asked Vice-Chair Shepperd to chair the committee.

Mayor Krasnoff Moved that Nominating Committee designate a Chairman and elect a new Vice-Chair; seconded by Mayor Price. The Motion carried.

ADJOURNMENT

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

Stan D. Clark
Chairman

Dwight L. Farmer
Executive Director/Secretary

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #6: TREASURER'S REPORT

**FISCAL YEAR 2012
11/30/2011
BALANCE SHEET**

ASSETS		LIABILITIES & NET ASSETS	
Cash & Cash Equivalents	377,966	Current Liabilities	1,110,907
Accounts Receivables	1,074,621	Net Assets	5,107,079
Investments	3,437,304		
Other Current Assets	664		
Net Capital Assets	<u>1,327,432</u>		
Total Assets	<u>6,217,986</u>	Total Liabilities & Equity	<u>6,217,986</u>

STATEMENT OF REVENUES AND EXPENDITURES

REVENUES	Annual Budget	Current Month	YTD
Grant and Contract Revenue	6,967,682	312,427	1,998,444
VDHCD State Allocation	151,943	-	75,971
Interest Income	15,000	161	2,567
Local Jurisdiction Contributions	1,362,766	-	682,594
Other Local Assessment	1,696,891	-	706,994
Sales and Miscellaneous Revenue	551,150	-	15,020
Special Contracts	1,723,517	-	-
Total Revenue	<u>12,468,949</u>	<u>312,588</u>	<u>3,481,589</u>
EXPENDITURES			
Personnel	4,334,115	320,797	1,665,891
Standard Contracts	215,905	13,138	86,266
Special Contracts / Pass-Through	7,147,491	230,806	1,447,942
Office Services	771,438	46,172	225,299
Capital Assets		-	-
Total Expenses	<u>12,468,949</u>	<u>610,913</u>	<u>3,425,398</u>
Agency Balance	<u>-</u>	<u>(298,325)</u>	<u>56,191</u>

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #7: 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. There were no outstanding comments as of December 2, 2011 on this project.

Attachment 7A - PNRS

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 7B – Environmental Impact Assessment/Statement Review

Project Notification and Reviews

Date 12/2/2011 **CH #** VA121130-1023760

Title Assistance Proposal for Abex Corporation (RIFS OU-2)

Applicant Virginia Department of Environmental Quality

State/Federal Program Hazardous Substance Response Trust Fund

Type of Impact Portsmouth

Project Staff Sara Kidd

Project Description

DEQ will utilize funds from this program to conduct oversight of the EPA remediation taking place at the Abex Corp. Superfund Site in Portsmouth, VA.

Federal	\$18,826.00	Local	\$0.00
Applicant	\$0.00	Other	\$0.00
State	\$0.00	Income	\$0.00
TOTAL		\$18,826.00	

Environmental Impact Reviews

Received 11/4/2011

Number 11-182F

Name Heron's Landing Apartments

Sponsor U.S. Department of Housing and Urban Development

Description

The City of Chesapeake has submitted a federal consistency certification under 15 CFR, part 930, subpart F for the construction of the Heron's Landing Apartments in the City of Chesapeake. The City of Chesapeake is the lead agency for the project which will be constructed by the Virginia Supportive Housing (VSH). The cities of Chesapeake, Portsmouth, Virginia Beach, Norfolk and Suffolk will provide federal funding to VSH for construction of sixty Supportive Room Occupancy (SRO) apartments on a four-acre parcel located 1,000 feet northeast of the intersection of Compostella Road and Military Highway. The apartments will house single, homeless individuals. The City of Chesapeake's federal consistency certification finds the proposed action consistent with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities Chesapeake

Finding

The proposal appears to be consistent with local and regional plans and policies.

Comments Sent 11/15/2011

Final State Comments Received 11/23/2011

Received 11/7/2011

Number 11-184F

Name Force Structure Change, Langley Air Force Base

Sponsor DOD/U.S. Air Force

Description

The U.S. Air Force (USAF) intends to increase the number of F-22A aircraft currently assigned to Langley Air Force Base (AFB) by adding six additional F-22A aircraft to the 1st Fighter Wing (1 FW), and stand up a T-38A aircraft detachment of 14 training aircraft within the 1st Fighter Wing (1 FW). The purpose of the proposed force structure changes of F-22 and T-38A aircraft at Langley AFB would be to provide additional Air Force capabilities at a strategic location to meet mission responsibilities for worldwide deployment. The increase of six F-22 aircraft and beddown of up to fourteen T-38A aircraft would provide enhanced capabilities while efficiently using Langley AFB facilities. Existing facilities at Langley AFB can accommodate the additional aircraft and personnel associated with the proposed force structure changes. Therefore, Langley would not require construction of any new facilities. However, Langley may install aircraft arresting equipment at the ends of the runway for T-38A aircraft. No airspace modifications are proposed for the additional F-22A or T-38A aircraft. The USAF has submitted a federal consistency determination that finds the proposed action consistent, to the maximum extent practicable, with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities Hampton

Finding

The proposal appears to be consistent with local and regional plans and policies.

Comments Sent 12/2/2011

Final State Comments Received

Received 11/14/2011

Number 11-189F

Name Oceana Salvage Yard Access Road and Burial Unit, Naval Air Station Oceana

Sponsor DOD/U.S. Navy

Description

The Department of the Navy (Navy) proposes to remove contaminants and contaminated soil along the Oceana Salvage Yard Access Road at Naval Air Station (NAS) Oceana in the City of Virginia Beach. The Access Road and Burial Unit are located along the eastern boundary of the NAS Oceana property. Navy investigations identified lead-contaminated soil and buried debris, crushed car batteries and debris within and along the Access Road and its shoulders and within an area identified as the Burial Unit. Additionally, areas of surface debris and debris mounds were encountered near the Access Road and Burial Unit. The removal action consists of capping the Access Road, excavating and restoring the Access Road shoulders and the Burial Unit, removal of non-roadway associated debris and restoration of the site. The Navy has submitted a federal consistency determination that finds the proposed action consistent, to the maximum extent practicable, with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities Virginia Beach

Finding

Comments Sent

Final State Comments Received

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #8: SEA GRANT APPLICATION – HAMPTON ROADS ADAPTATION FORUM

SUBJECT:

Authorize the execution of a grant application along with Virginia Sea Grant and Old Dominion University to establish and fund the Hampton Roads Adaptation Forum.

BACKGROUND:

As part of its efforts to promote discussion of and adaptation to the impacts of climate change on Hampton Roads localities, Old Dominion University and Virginia Sea Grant have invited HRPDC to participate in a joint application for national Sea Grant Funding for a regional forum. The Hampton Roads Adaptation Forum will result in a local community-university partnership that will build on and add to existing local adaptation capacity over a two-year period. Specific actions will include: (1) appointing a Forum coordinator and establishing a coordinating mechanism; (2) administering a Forum, including identifying members, holding quarterly meetings, and establishing working groups; (3) designing and implementing a knowledge management system to enhance capacity; (4) designing and hosting two facilitated public town hall meetings; and (5) tracking implementation of specific adaptation solutions adopted by localities. The Principal Investigator for the grant proposal is Dr. Troy Hartley, Director of Virginia Sea Grant. Co-Principal Investigators include Dr. C. Ariel Pinto, Graduate Program Director of the Department of Engineering Management & Systems Engineering at ODU and Dr. Larry Atkinson, Director of the ODU Climate Change and Sea Level Rise Initiative. HRPDC Regional Planner Benjamin McFarlane has also been invited to participate as a Co-Principal Investigator. The required local government match is \$50,000, which is expected to be achieved through in-kind local and regional staff participation in forum and work group meetings.

Funding Request: \$100,000

Local Government Match: \$50,000 (in-kind)

Period of Performance: February 1, 2012 – January 31, 2014

RECOMMENDED ACTION:

Authorize the Executive Director to participate in the grant application along with Virginia Sea Grant and Old Dominion University to establish and fund the Hampton Roads Adaptation Forum and to execute an agreement with them if the grant is awarded.

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #9: HAMPTON ROADS WATERSHED ROUNDTABLE GRANT

SUBJECT:

The Virginia Department of Conservation and Recreation provides annual financial assistance to support regional watershed roundtables, including the Hampton Roads Watershed Roundtable.

BACKGROUND:

For several years, the HRPDC staff has received grant funding from the Department of Conservation and Recreation (DCR) to facilitate the activities of the Hampton Roads Watershed Roundtable. The Roundtable is comprised of representatives of private sector interest groups and the region's local governments. Generally meeting quarterly to address water quality and related environmental issues, the Roundtable provides a networking and information exchange opportunity. The HRPDC staff is working with staff from DCR to develop a scope of work and funding package to support this activity during Calendar Year 2012. The grant proposal is due by December 15, 2011.

Grant Amount: \$8,000

Period of Performance: January 1, 2012 through December 31, 2012.

RECOMMENDED ACTION:

Authorize the Executive Director to submit a proposal to DCR for the Hampton Roads Watershed Roundtable and to execute a Contract with DCR when a grant is offered.

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #10: URBAN AREA SECURITY INITIATIVE CONTRACT FOR WEBEOC MAPPER

SUBJECT:

Amend an existing contract with ESi Acquisitions Inc. for the procurement of WebEOC Mapper.

BACKGROUND:

The UASI Program provides financial assistance to address the unique multi-disciplinary planning, operations, equipment, training, and exercise needs of high-threat, high-density urban areas, and to assist in building and sustaining capabilities to prevent, protect against, respond to, and recover from threats or acts of terrorism.

In fiscal year 2007, the Regional Emergency Management Technical Advisory Committee (REMTAC) began an initiative to address special needs issues in emergency management planning. One of the results of this initiative was the installation of WebEOC, crisis-management software, within the region. While WebEOC has multiple uses for Emergency Managers during an event and day-to-day activities, the primary purpose of procuring this software is to work in conjunction with a special needs registry to enhance preparedness planning for the special needs population.

The special needs planning initiative was continued using the fiscal years 2008 through 2011 UASI funding. Currently, there is a surplus of funds in the fiscal year 2008 UASI Special Needs initiative. During the October 2011 meeting, REMTAC agreed to use this surplus to procure WebEOC Mapper. WebEOC Mapper adds a GIS component to WebEOC that allows emergency managers to create a dynamic, geographically-based common operating picture without the need for specialized GIS or mapping expertise.

A quote totaling \$337,187.00 has been obtained from ESi Acquisitions Inc. to install WebEOC Mapper within those jurisdictions that have expressed interest in utilizing the software. The jurisdictions include: Hampton, Suffolk, Chesapeake, Newport News, York, Williamsburg, Gloucester, Portsmouth, James City, and Virginia Beach. This amount would expend the remaining funds in the fiscal year 2008 Medical Special Needs initiative, as well as unallocated funds from fiscal year 2010.

RECOMMENDED ACTION:

Authorize the Executive Director to execute a contract amendment with ESi Acquisitions Inc. for procurement of WebEOC Mapper.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #11: URBAN AREA SECURITY INITIATIVE CONTRACT AMENDMENT FOR UPGRADES TO THE HAMPTON ROADS MEDICAL SPECIAL NEEDS REGISTRY

SUBJECT:

Amend an existing contract with Solutrix LLC for upgrades and edits to the Hampton Roads Medical Special Needs Registry.

BACKGROUND:

The UASI Program provides financial assistance to address the unique multi-disciplinary planning, operations, equipment, training, and exercise needs of high-threat, high-density urban areas, and to assist in building and sustaining capabilities to prevent, protect against, respond to, and recover from threats or acts of terrorism.

In fiscal year 2007, the Regional Emergency Management Technical Advisory Committee (REMTAC) began an initiative to address special needs issues in emergency management planning. One of the results of this initiative was the installment of an online regional special needs registry to assist emergency managers in preparedness planning.

The registry is currently functional but requires additional upgrades and edits to enhance functionality as requested by REMTAC. A quote has been obtained from Solutrix LLC in the amount of \$2,707.00 to make the additional changes to the Hampton Roads Special Needs Registry.

RECOMMENDED ACTION:

Authorize the Executive Director to execute a contract amendment with Solutrix LLC for the upgrades and edits to the Hampton Roads Special Needs Registry.

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #12: HAMPTON ROADS REGIONAL BENCHMARKING STUDY

SUBJECT:

The Hampton Roads Regional Benchmarking Study is an annual publication produced by staff. The document will be presented to the Commission.

BACKGROUND:

In the Regional Cooperation Act, the Code of Virginia calls for planning district commissions to collect and maintain demographic, economic and other data concerning the region and member localities, and act as a state data center affiliate in cooperation with the Virginia Employment Commission.

In keeping with this mandate, HRPDC staff has completed the seventh annual Regional Benchmarking Study. This publication includes a locality profile for all 16 jurisdictions as well as graphical illustrations for 91 regional benchmarks covering the economy, demographics, housing, transportation, and various quality of life indicators. Each graph is accompanied by a brief explanation regarding the purpose of the benchmark and the current condition in Hampton Roads. Complete data tables for each of the data sets are included in the appendix. The report is enclosed separately. Mr. Greg C. Grootendorst, Chief Economist, will make a brief presentation on the report.

RECOMMENDED ACTION:

Approve the release of the Hampton Roads Regional Benchmarking Study.

Enclosure – Separate

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #13: HAMPTON ROADS ENERGY CORRIDOR AND ENERGY FORECAST

SUBJECT:

Receive briefing on future energy demand in Hampton Roads and determine course of action on Hampton Roads Energy Corridor Concept.

BACKGROUND:

At its July 2011 Board Meeting, the Hampton Roads Military and Federal Facilities Alliance received a briefing on the concept of the Hampton Roads Energy Corridor. The energy corridor concept would be designed to provide long-term sustainable power options for the region's major federal facilities and act as a centerpiece for business development, research and development, education and training for the region, state and U.S. It would involve a partnership among commercial, state and federal activities to include provision of energy and power purchasing agreements.

The Hampton Roads Energy Corridor Concept would involve integrating a wide range of energy production alternatives and facilities focusing on sustainable energy, including potential use of small mobile nuclear reactors. The HRPDC staff is developing a report discussing the variety of energy production options and their implications for the region. This concept and discussion will be valuable input to that study.

During the HRMFFA discussion of this topic, it was recommended that Dominion Power brief the HRPDC on its long-term forecast of energy demand capacity and production for the Hampton Roads region. A representative from Dominion Power will brief the Commission on Dominion's forecast and discuss the Hampton Roads Energy Corridor Concept.

RECOMMENDED ACTION:

Determine if the HRPDC should pursue a "regional" effort to address a long-term energy program.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #14: CHESAPEAKE BAY TOTAL MAXIMUM DAILY LOAD (TMDL)

SUBJECT:

In response to the November 9, 2011 letter from DCR to localities, the Hampton Roads localities have determined that the best way to meet the State's requirement while protecting the interests of local governments is for the Hampton Roads Planning District Commission to compile Phase II WIP scenarios from localities and submit an aggregate input deck to Virginia as an appendix to local government submittals to DCR.

BACKGROUND:

The director of the Department of Conservation and Recreation (DCR), Mr. David Johnson, sent a letter on November 9, 2011 to local governments identifying the state's data needs for the Chesapeake Bay TMDL Phase II Watershed Implementation Plan. The requests included:

1. Develop a current BMP inventory.
2. Evaluate the land use / land cover information.
3. Review the 2017 and 2025 BMP scenarios as identified in the Phase I WIP and develop preferred local scenarios that provide a similar level of treatment.
4. Develop strategies to implement the preferred BMP scenarios.
5. Identify any resource needs to implement the strategies and BMP scenarios.

To address the State's request, the Hampton Roads Planning District Commission endorsed the following process at its meeting on November 17, 2011:

1. Localities will each submit an individual plan to DCR that focuses on narrative strategies and includes items 1, 2, 4, and 5.
2. HRPDC staff will translate strategies into a report with two regional BMP scenarios of the cumulative local strategies to address item 3. One scenario would address the portion of Hampton Roads in the James River basin and the other would address the York River basin. The regional report will be presented at the HRPDC Quarterly Commission Meeting on January 19, 2012. Following Commission action, it will be provided to the localities for submission to DCR as an appendix to each locality plan.

In order to meet this schedule, localities will need to submit data to HRPDC no later than December 28, 2011. The proposed schedule was discussed with the Chesapeake Bay TMDL Steering Committee at its December 1, 2011 meeting. It has been provided to the Chief Administrative Officer of the participating localities.

Whitney Katchmark, Principal Water Resources Engineer, will provide a presentation reviewing the deliverables that HRPDC and localities need to prepare.

RECOMMENDED ACTION:

Endorse the data submittal process.

Attachment 14: Sample Letter from VA DCR to local governments



COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

203 Governor Street
Richmond, Virginia 23219-2010
(804) 786-1712

November 9, 2011

The Honorable Paul Fraim
Mayor, City of Norfolk
810 Union Street, Suite 1001
Norfolk, Virginia 23510

Mr. Marcus Jones
City Manager, City of Norfolk
810 Union Street, Suite 1001
Norfolk, Virginia 23510

Dear Mayor Fraim and Mr. Jones:

As previously communicated, Virginia is in the process of developing a Phase II Watershed Implementation Plan (WIP) to help guide the cleanup efforts for the Chesapeake Bay. The Phase II WIP will be a refinement of the Phase I WIP that was developed to address the Chesapeake Bay TMDL. In our review of the recent revision to the Chesapeake Bay model that EPA is using to estimate nutrient loads to the Bay, we have identified several key problems with the model. Many of these issues stem from the improper representation of nutrient management planning on agricultural lands. We are working diligently with EPA to resolve these concerns.

In light of the above concerns about the Chesapeake Bay watershed model, we are pursuing two concurrent paths. First, we will continue discussions with EPA on how to refine the model to more accurately reflect the real benefits of agricultural nutrient management planning.

Second, as discussions with EPA progress, we will continue with the Phase II WIP planning process. Due to the limitations of the model we are modifying our approach. The most significant change will be a shift in focus away from establishing local reduction goals to BMP implementation levels of effort. Accordingly, we are slightly modifying the information we are asking local governments, Planning District Commissions (PDC) and Soil and Water Conservation Districts to provide in support of the WIP II document (note that most of the information is the same as previously requested):

- Develop a current BMP inventory – this information will be used to update implementation progress data in the Chesapeake Bay model;
- Evaluate the land use / land cover information included in the model and provide more accurate land cover information you may have – this will be of tremendous assistance in ensuring that model revisions made in the future will more accurately reflect land use information in your locality;

The Honorable Paul Fraim
Mr. Marcus Jones
November 9, 2011
Page 2

- Review the 2017 and 2025 BMP scenarios as identified in the Phase I WIP and develop preferred local BMP scenarios that provide a similar level of treatment – identified local BMP scenarios will be aggregated and incorporated into the Phase II WIP;
- Develop strategies to implement the preferred BMP scenarios – strategies will also be aggregated and used in the development of Virginia’s Phase II WIP; and
- Identify any resource needs to implement the strategies and BMP scenarios – this information will be used in drafting Virginia’s Phase II WIP and developing of cost estimates for the implementation of the WIP.

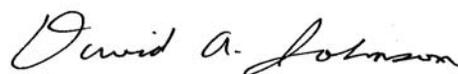
To achieve these objectives, we will provide you with the latest Chesapeake Bay model information for your area, recognizing that the model shortcomings will likely raise questions. We will provide access to an online tool called the Virginia Assessment and Scenario Tool (VAST), which will allow you to develop alternative BMP implementation scenarios and serve as a mechanism for you to report your information to the state. Training to local government staff has taken place on the use of the VAST tool throughout the state and hopefully these sessions have been beneficial. The deadline for submission of local information in support of the Phase II WIP is February 1, 2012. If local information is not provided before that date, the BMP scenarios developed as part of the Phase I WIP process in 2010 will be used as the default information for your locality.

To further assist you, we have provided grant funding for Phase II planning assistance and offered several sources of technical assistance to both PDCs and local governments. Specific information about sources of assistance has been communicated to your staff. Your staff will also be provided with a template for submission of the strategy and resource needs described above.

The approach the Commonwealth is using is one that we believe will result in the development of a plan that contains strategies that are both cost effective and locally appropriate. It is intended to allow flexibility for localities to use local information and existing program capacity to inform the development of Virginia’s Phase II Watershed Implementation Plan. We will continue to work closely with the PDCs, localities, and Soil and Water Conservation Districts to assist and facilitate the process. We hope that you will continue to engage and participate, so that we may work together to achieve our common goals of improving the quality of local streams and the Chesapeake Bay over the next 15 years and into the future.

If you have questions regarding this process, please do not hesitate to contact Joan Salvati at (804) 225-3444.

Sincerely,



David A. Johnson

c: Dwight L. Farmer, Executive Director, Hampton Roads Planning District Commission

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #15: 2012 LEGISLATIVE AGENDA

SUBJECT:

Adopt a legislative agenda for the Hampton Roads Planning District Commission for 2012.

BACKGROUND:

In preparation for the 2012 Session of the Virginia General Assembly, the HRPDC staff recommends the HRPDC consider developing a legislative agenda.

Based on discussions at the November 17, 2011 HRPDC Executive Committee meeting, the HRPDC staff has revised the draft Legislative Agenda as presented at that meeting. Revisions to reflect discussions among the Chief Administrative Officers and the Chesapeake Bay TMDL Steering Committee have also been included. However, this draft statement of issues is not inclusive of all potential state and federal legislative matters that are of interest to the region's localities. It reflects the legislative statements and agendas of the Virginia Municipal League, Virginia Association of Counties, American Planning Association – Virginia Chapter and the member localities.

Attached is a copy of the revised draft 2012 Legislative Agenda and a redline version to facilitate review of the changes.

HRPDC Deputy Executive Director, John Carlock, will brief the Commission on the revisions to the 2012 Legislative Agenda.

RECOMMENDED ACTION:

Approve the attached HRPDC Legislative Agenda for 2012.

Attachments: 15A Legislative Agenda
15B Legislative Agenda – Redline Version

HAMPTON ROADS PLANNING DISTRICT COMMISSION 2012 LEGISLATIVE AGENDA

In preparation for the 2012 Session of the Virginia General Assembly, the staff of the Hampton Roads Planning District Commission has developed this 2012 Legislative Agenda. It outlines, based on ongoing HRPDC projects, prior HRPDC legislative positions and work of the region's localities, a series of issues that warrant regional attention during the upcoming legislative sessions. It also provides a recommendation or recommendations addressing each of the issues for consideration by the HRPDC.

Secure and Fair Enforcement for Mortgage Licensing Act of 2008 (S.A.F.E Act)

HRPDC supports legislation, proposed by the Virginia Housing Coalition, providing an exception to the definition of "mortgage loan originator" allowing local government entities and regional agencies, such as HRPDC, to assist homebuyers, through the provision of downpayment and closing cost assistance without meeting the same criteria as mortgage loan originators.

Virginia Housing Trust Fund

Housing trust funds are distinct funds established by city, county, or state governments that receive ongoing dedicated sources of public funding to support the preservation and production of affordable housing opportunities for families and individuals to access decent affordable housing. Several local and state organizations are advocating for the creation of a state housing trust fund. Governor McDonnell recently announced support of the Housing Trust Fund as a resource to decrease homelessness by fifteen percent by 2013. The HRPDC supports the establishment of the Virginia Housing Trust Fund.

Stormwater Management Program Consolidation

The Department of Conservation and Recreation proposes to integrate implementation of the Erosion and Sediment Control Act, Chesapeake Bay Preservation Act, Virginia Stormwater Management Act and expand the requirement to administer a qualified local program to all localities within the Commonwealth. HRPDC supports this proposed amendment.

Based on the work of the Governor's Commission on Government Reform and Restructuring, the Governor has proposed moving the Municipal Separate Storm Sewer System (MS4) Permit Program from the Department of Conservation and Recreation to the Department of Environmental Quality. This proposal follows the recent efforts by the Department of Conservation and Recreation to reorganize and better integrate the stormwater programs. The impact of this proposal on the region's localities is not clear and requires further evaluation. The HRPDC will monitor and evaluate this proposal.

Water Quality Funding

Virginia's local governments face mounting costs for water quality improvements for sewage treatment plants, urban stormwater, combined sewer overflows (CSOs), and sanitary sewer overflows (SSOs). In response to federal and state legislation, regulation and policies, the federal government and the Commonwealth should provide adequate funding for these water quality improvements.

The HRPDC urges the General Assembly to maintain its commitment to water quality through dedicated and adequate state appropriations to the Water Quality Improvement Fund and to make full and timely payments under point source upgrade contracts with local governments. The HRPDC supports the issuance of \$300 million in bonds to allow the Commonwealth to meet its obligations for its share of wastewater treatment projects. Concurrently, the General Assembly should address costs associated with the permit requirements of Municipal Separate Storm Sewer Systems (MS4) Permits, associated new EPA regulations and the Chesapeake Bay TMDL and Virginia Watershed Implementation Plan.

Proposed Nutrient Credit Expansion

The General Assembly is expected to consider a proposal to expand nutrient credits during its 2012 Session. The HRPDC supports the expansion of the Nutrient Credit program to include all sectors addressed by the Chesapeake Bay TMDL. The program should allow credit trading between sectors such as urban stormwater and wastewater treatment plants. It should include enabling authority allowing localities to establish local nutrient credit programs and banks to allow them to set priorities to improve and protect local water quality. The program should also provide a framework for localities to include BMPs on private property as part of their Municipal Separate Storm Sewer System (MS4) Permit compliance if they provide funding or incentives to private property owners to build or maintain BMPs.

Uranium Mining

The HRPDC requests the General Assembly maintain the moratorium on uranium mining or the consideration of such, until at least the 2013 General Assembly session. Furthermore, the General Assembly is requested to direct the Department of Mines, Minerals, and Energy to not pursue development of regulations for uranium mining until after completion of and full consideration of the studies, which are presently underway.

Federal Facilities

The Hampton Roads region relies significantly on the defense industry. Two proposals are moving forward from Hampton Roads localities to enhance state support for the industry and for protection of existing facilities. To assist its member localities to ensure the continued viability of the defense industry in Hampton Roads, the HRPDC supports proposals to:

- Create the Virginia Federal Facilities and Defense Industry Caucus.
- Maintain state funding for the land acquisition program supporting mitigation of encroachment around NAS Oceana.
- Provide state funding for the land acquisition program supporting mitigation of encroachment around Langley Air Force Base (now Joint Base Langley-Fort Eustis).

Recycling Requirements

Each locality in the Commonwealth, individually or through a regional collaboration, is required to achieve a 25% recycling rate. A key constraint to local ability to achieve or exceed this recycling rate has been the lack of markets for the materials as well as access to industries that recycle or reuse the material. Recycling is an economic development tool as well as an environmental tool.

Despite increased public awareness of the benefits of recycling, beverage container recycling has been declining in recent years, while the amount of beverage containers that are being sold and consumed has increased over time.

The HRPDC supports legislation that would:

- Grant localities the authority to require certain businesses to recycle glass.
- Prioritize incentives to businesses that recycle materials, such as glass, paper and electronics, while concurrently providing new employment opportunities.

Eminent Domain

The General Assembly will consider a proposed constitutional amendment addressing eminent domain. Legislation enacted in 2011 requires the General Assembly to again consider and pass the proposed amendment in 2012, prior to it being presented to the voters. The amendment language is shown below.

*That the General Assembly shall pass no law whereby private property, the right to which is fundamental, shall be damaged or taken except for public use. **No private property shall be damaged or taken for public use without just compensation to the owner thereof.** No more private property may be taken than necessary to achieve the stated public use. **Just compensation shall be no less than the value of the property taken, lost profits and lost access, and damages to the residue caused by the taking.** The terms "lost profits" and "lost access" are to be defined by the General Assembly. A public service company, public service corporation, or railroad exercises the power of eminent domain for public use when such exercise is for the authorized provision of utility, common carrier, or railroad services. In all other cases, a taking or damaging of private property is not for public use if the primary*

*use is for private gain, private benefit, private enterprise, **increasing jobs, increasing tax revenue, or economic development**, except for the elimination of a public nuisance existing on the property. The condemnor bears the burden of proving that the use is public, without a presumption that it is.*

The HRPDC is very concerned about the serious and permanent consequences of this proposal, including creation of new property rights in terms of awards for lost access and lost profits. These are concepts that have not been supported in prior Court decisions as speculative and are likely to lead to additional litigation and increased delay and costs for public infrastructure projects. The HRPDC does not support passage of this legislation in its current form.

Septic Tanks

The Chesapeake Bay TMDL establishes limits on the amount of nitrogen, phosphorus, and sediment that can enter the Bay. As part of the effort to meet the nitrogen limits set forth in the TMDL, reductions in the nitrogen load from the onsite sewage system sector must be achieved. Monitoring of septic tank pumpout (once per 5 years), as required by the Chesapeake Bay Preservation Act, should be conducted by the Virginia Department of Health not by localities. The HRPDC supports the following recommendations:

- Seek legislative changes necessary to establish state tax credits for upgrade/replacement of existing conventional systems with nitrogen reducing systems, or connection to existing sewer.
- Look into steps for gaining General Assembly approval to grant all counties the authority to require hook-ups to existing sewer lines when appropriate.
- Develop, in cooperation with state agencies, a legislative proposal to establish a cost share program, similar to what is done with the Agricultural BMP Cost Share Program, to assist with the cost of required upgrades or replacements and incentivize non-failing septic system owners to upgrade to a denitrifying system.
- Amend the Chesapeake Bay Preservation Act to require that regulation and enforcement of septic tank pumpout requirements be conducted by the Virginia Department of Health. Localities would continue to maintain an inventory and tracking system for septic tank locations.

Sea Level Rise and Coastal Flooding

The HRPDC has identified the issue of sea level rise as a critical issue facing Hampton Roads. HRPDC staff studies to date have focused on the magnitude of the problem and its potential implications to the region. Ongoing work is addressing options for adaptation. The City of Norfolk has requested that the Commonwealth conduct a one-year study to examine the overall effectiveness of current adaptation efforts to address relative sea level rise and coastal flooding in Virginia's shoreline and coastal communities. The HRPDC supports the proposed study as an initiative that will provide critical information for the entire region's efforts.

Environmental Education

The HRPDC continues to support passage of federal legislation known as the No Child Left Inside Act of 2009 and companion legislation that may be considered at the state level. This legislation would require each state to develop an environmental literacy plan to include environmental education standards and teacher training, as well as funding to support program development. This legislation would address one of the key findings of the research conducted in Hampton Roads over the past year by HR GREEN. The legislative proposal was endorsed by the HRPDC in November 2010.

Agriculture Programs

HRPDC supports a well-financed and fully staffed state program to address the problem of non-point source runoff from agricultural operations. The program continues to include cost-share assistance to agriculture and should effectively encourage and incentivize implementation of priority best management practices such as nutrient management planning, use of cover crops, continuous no-till farming, development of forested riparian buffers, livestock stream exclusion and other practices essential to meeting agriculture's share of the Chesapeake Bay TMDL and Virginia Watershed Implementation Plan.

Expand Authority for Tree Canopy Requirements

HRPDC supports the amendment of Virginia Code Section 15.2-961.1 that would enable all Virginia localities to adopt an ordinance containing a set of tree canopy preservation requirements based on development density. Section 15.2-961.1 was adopted during the 2008 General Assembly session and is currently applicable only to the localities within Planning District Eight. Increasing the urban tree canopy is an inexpensive method to reduce nutrient loading through runoff reduction and will allow localities to reduce the cost of achieving nutrient reductions for urban stormwater.

Restoration of Funding to PDCs

In FY 2001, HRPDC received \$366,628 or \$0.24 per capita in basic funding from the Commonwealth's budget through the Department of Housing and Community Development. The legislative agenda of the Virginia Association of Counties supports overall funding of Virginia's Planning District Commissions at a level of \$0.35 per capita or a minimum of \$100,000 per commission, whichever is greater. The Department of Conservation and Recreation (DCR) is relying on PDCs to facilitate the development of locality specific nutrient reductions in Phase II of the State's Watershed Implementation Plan.

HRPDC supports restoration of funding to Virginia's Planning District Commissions at the FY 2001 level of \$0.24 per capita.

State Fees on Local Government Services (water, sewer, solid waste)

HRPDC strongly opposes the imposition of a state fee, tax or surcharge on water, sewer, solid waste or any service provided by a local government or authority to finance the nutrient reductions imposed by the Chesapeake Bay TMDL.

Unfunded Mandates

HRPDC opposes unfunded mandates by the Commonwealth. When funding for a mandated program is altered, the mandate should be suspended until full funding is restored. When legislation with a cost to localities is passed by the General Assembly, the cost should be borne by the state, and the legislation should contain a sunset clause providing that the mandate is not binding on localities until funding by the Commonwealth is provided. Furthermore, HRPDC opposes the shifting of fiscal responsibility from the state to localities for existing programs. Any unfunded mandate or shifting of responsibility, such as maintenance of state transportation facilities or litter control, should be accompanied by a full fiscal and program analysis to determine the relative costs to the state and to the locality and to assure the state is meeting its full funding responsibility before taking effect.

HAMPTON ROADS PLANNING DISTRICT COMMISSION FISCAL YEAR 2012 LEGISLATIVE AGENDA

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AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #16: NOMINATING COMMITTEE REPORT/ELECTION OF VICE-CHAIR

SUBJECT:

The HRPDC Bylaws provide that if a vacancy occurs in the Vice-Chairman's position, the Hampton Roads Planning District Commission will elect a new Vice-Chairman.

BACKGROUND:

Due to the recent local government elections, the Chairman's term will end on December 31, 2011. The By-Laws provide that "the Vice-Chairman shall be expected to serve as Chairman, following the expiration of the incumbent Chairman's term of office." The By-Laws do not provide for an automatic succession to the position of Vice-Chairman in this case. Therefore, it will be necessary to elect a new Vice-Chairman for the Commission.

At the November 17, 2011 Executive Committee meeting, Chairman Clark reappointed the Nominating Committee. Mr. Thomas G. Shepperd, Jr., Chair of the Nominating Committee will present the report of the Nominating Committee recommending an individual to serve as Vice-Chairman.

The Nominating Committee Members include:

Thomas G. Shepperd, Jr. (YK)	Thomas Smigiel (NO)
Ella P. Ward (CH)	W. Eugene Hunt, Jr. (PQ)
Barry Cheatham (FR)	Kenneth Wright (PO)
Gregory Woodard (GL)	Anita T. Felts (SH)
Ross A. Kearney II (HA)	Linda T. Johnson (SU)
Stan D. Clark (IW)	John M. Seward (SY)
Bruce C. Goodson (JC)	Louis R. Jones (VB)
Sharon Scott (NN)	Clyde Haulman(WM)

The Chair and Vice Chair must come from separate "Subdivisions" and be elected officials. In accordance with the By-Laws, current Vice-Chairman Thomas G. Shepperd, Jr. will serve the balance of the term of Chairman. The Bylaws provide that election of officers shall be by voice vote, unless changed by a majority of those present. Each member of the Commission is entitled to one vote.

RECOMMENDED ACTION:

Elect a Vice-Chair to complete the unexpired term of Vice-Chairman Shepperd

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #17: RESOLUTIONS OF APPRECIATION

The HRPDC Board will recognize Commissioners Stan Clark, Bruce Goodson and Anita Felts for their contributions to the Hampton Roads Planning District.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #18: HRPDC ANNUAL RETREAT

SUBJECT:

Approve the schedule and format for HRPDC Retreat in February 2012.

BACKGROUND:

The HRPDC normally holds its Annual Retreat in lieu of the February Executive Committee Meeting. The Retreat serves as an opportunity for the Commission to receive briefings from HRPDC staff on pending critical issues facing the region and to determine which of those issues should receive emphasis in the Unified Planning Work Program for the ensuing Fiscal Year.

For 2012, the Retreat will be held on February 16, 2012. The Retreat will require more than the normal one (1) hour block devoted to an Executive Committee Meeting. The HRPDC staff suggests the Commission consider convening at 11:30 with the meeting adjourning around 1:30 and including a working lunch.

The Commission may also discuss its preferred format for the Retreat.

RECOMMENDED ACTION:

Approve the time and format for the February 2012 Annual Retreat.

AGENDA NOTE- HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #19: HRPDC ACTION ITEMS: THREE-MONTH TENTATIVE SCHEDULE

The HRPDC staff has developed a tentative schedule of issues that will come before the Commission for action over the next three months. These issues are the primary action items the Commission will be considering. Other items may be added depending on new priority requests from the Commission, state and federal legislative and regulatory activities and new funding opportunities.

January 2012

Regional Economic Forecast
Chesapeake Bay TMDL
UASI Program Briefing

February 2012

Annual Retreat

March 2012

Chesapeake Bay TMDL
Housing Program Update
Sea Level Rise Briefing
Coastal Resources Management Program Report

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #20: PROJECT STATUS REPORTS AND ADVISORY COMMITTEE SUMMARIES

A. HAMPTON ROADS CHESAPEAKE BAY COMMITTEE AND REGIONAL STORMWATER MANAGEMENT COMMITTEE MINUTES

The summary minutes of December 1, 2011 Hampton Roads Chesapeake Bay Committee and Regional Stormwater Management Committee Meeting are attached.

Attachment 20A

B. SUMMARY MINUTES OF THE CHESAPEAKE BAY TMDL STEERING COMMITTEE MEETING

The summary minutes of the December 1, 2011 Chesapeake Bay TMDL Steering Committee are attached.

Attachment 20B

C. PROJECT STATUS REPORT

Attached are status reports on other HRPDC programs.

Attachment 20C

ATTACHMENT 1A
THE DRAFT SUMMARY OF THE MEETING OF THE
HAMPTON ROADS CHESAPEAKE BAY COMMITTEE, THE
REGIONAL STORMWATER MANAGEMENT COMMITTEE AND THE
CHESAPEAKE BAY IMPLEMENTATION SUBCOMMITTEE
December 1, 2011

The Joint Environmental Committee met on December 1, 2011. The following items were discussed.

- Mr. Benjamin McFarlane, HRPDC, updated the Committee on the status of various climate change related projects underway in the region, including Coastal Zone Management projects at HRPDC, collaborative projects with Old Dominion University and the University of Virginia, and several projects that are proposed or beginning.
- Mr. McFarlane briefed the Committee on the Working Waterfronts planning process that is currently getting underway. This process is being led by the Virginia Institute of Marine Science and includes participation by three other planning district commissions in addition to HRPDC, including the Accomack-Northampton, Middle Peninsula, and Northern Neck PDCs.
- Ms. Jenny Tribo, HRPDC, updated the Committee on the status of the Chesapeake Bay TMDL Phase II Watershed Implementation Plan.
- Ms. Tribo and Ms. Whitney Katchmark, HRPDC, briefed the Committee on the proposed Stormwater program budget. The Committee voted to recommend approval of the budget by the Commission.
- Ms. Virginia Sneed, Regulatory Programs Manager in the Department of Conservation and Recreation, briefed the Committee on changes to local program adoption in response to new stormwater regulations. DCR is developing new guidance and tools for localities.
- Ms. J. Rax-McBride, HRPDC, briefed the Committee on a HRPDC project funded by the Virginia Coastal Zone Management Program that will provide guidance to localities in adopting policy or plan changes to meet requirements from state regulations and the Chesapeake Bay TMDL.
- HRPDC staff led a discussion of items currently in the proposed HRPDC legislative agenda. The Committee discussed items related to the organization of DCR and DEQ, eminent domain, and responsibility for enforcing septic tank maintenance requirements.

Meeting of the Regional Steering Committee for the Chesapeake Bay Phase II Watershed Implementation Plan:

The Regional Steering Committee for the Chesapeake Bay Phase II Watershed Implementation Plan (WIP) met on December 1, 2011. The following items were addressed during the meeting:

- HRPDC staff briefed the Committee on the Stormwater Subcommittee's and the HRPDC Board's discussion of Virginia's November letter to local governments within the Bay Watershed outlining the expectations for Phase II cooperation and data submittal. The Stormwater subcommittee and the HRPDC Board recommended that local governments should: 1) use VAST to update BMP and land use data; 2) submit narratives on strategies and funding gaps to Virginia using the attached templates; 3) submit information and data to HRPDC staff on BMP scenarios that local governments can implement. HRPDC staff will take the information and data that local governments provide and create a Regional VAST scenario. HRPDC staff reviewed this process and proposed schedule for data submission to HRPDC and Virginia. There were no objections to this approach. Localities will proceed with the development of local plans and the submittal of data to HRPDC by December 28, 2011 for the Regional VAST scenario.
- HRPDC staff summarized reports by the Chesapeake Stormwater Network, the Maryland Department of the Environment, and the Virginia Senate Finance Committee that provide information on nutrient removal efficiencies, non-traditional management actions, and the cost of implementing the Bay TMDL. Staff then presented a draft BMP decision matrix developed in part based on these documents, and explained how the matrix, along with cost estimating tools developed by Maryland, may assist localities in evaluating and selecting BMPs for use in strategies. Some localities commented that such a tool will be useful to them immediately, while other localities will likely rely on their existing CIP-related procedures for prioritizing actions. HRPDC staff will convene a work group consisting of volunteers from the Committee to review and comment on the BMP decision matrix. The final matrix is anticipated for distribution by mid-December.
- HRPDC staff reviewed the analysis and calculation of land areas owned and operated by VDOT that local governments can exclude from their nutrient reduction goals. Staff presented the results and explained how the analysis could be augmented to derive estimates of VDOT pervious and impervious land areas. Localities may contact HRPDC staff to provide any additional data to help validate estimates or request a copy of the analysis. The results will be incorporated into the Regional VAST scenario.

PROJECT STATUS REPORTS

1. Regional Housing Program

Hampton Roads Loan Fund Partnership

The Housing and Human Services staff was recently notified of their FY12 award of HOME funds from the Department of Housing and Community Development. (DHCD). The Hampton Roads Planning District Commission was awarded \$87,500 to provide down payment and closing cost assistance to qualified individuals in Planning District #23. A training teleconference will be held to educate regional partners on the new guidelines for funding and discuss the current mortgage criteria changes. The HRPDC hopes to request additional funds in the spring of 2012.

Housing & Human Services Technical Assistance

The staff attended the Virginia Governor's Housing Conference in November. The Governor's Housing Conference is the largest and most comprehensive housing-related event in Virginia. The staff assisted in the development of a regional exhibit that showcased affordable housing opportunities and activities in the Hampton Roads area. Planners from the HRTPO as well as the HRPDC jointly attended a special pre-conference training entitled "***Getting Transportation and Housing Right***". Local planners from James City County, Newport News, York County and Virginia Beach also participated in this interactive session. Utilizing the "Transportation and Housing Alliance Toolkit", developed by Thomas Jefferson Planning District Commission, planners were given information on how to fully integrate transportation, housing planning, and accessibility into more successful community planning. The HRPDC is exploring more opportunities to strengthen the linkage between housing and transportation in the effort of creating better communities.

2. Regional Economics Program

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. Staff also provides special reports on topics of timely significance. Over the past month, staff produced a report on the implications of the super committee failing to act and have responded to information requests from individuals, member localities, regional organizations, and the media.

HRPDC Annual Economic Forecast

Each January, the HRPDC Economics Department delivers a regional economic forecast. This effort includes a review of trends in the regional economy over the preceding year along with a detailed regional forecast for the coming year. Staff are

currently preparing for the forecast which will be delivered at the HRPDC Quarterly Meeting on January 19, 2012.

3. Emergency Management Project Update

Regional Emergency Management Technical Advisory Committee (REMTAC)

The Emergency Management staff continues to manage and support the Regional Emergency Management Technical Advisory Committee and its associated tasks and committees. Below is a summary of the meeting from November 25, 2011:

- It was agreed that REMTAC FY08 UASI Project Funds would be allocated to supplement funding an emergency generator for a Gloucester shelter and additional regional WebEOC System enhancements.
- Lessons learned from Hurricane Irene were discussed. It was agreed to perform several website enhancements as well as survey emergency management on the utility of the special needs registry and possibly survey registrants as well.
- Special Needs Subcommittee Progress: The Subcommittee discussed public outreach initiatives recommended by the Public Outreach Workgroup. Public and private transportation logistics issues highlighted during Irene were discussed and are being addressed by the Subcommittee.

Hampton Roads Regional Jail and Inmate Evacuation Committee

The HRPDC on behalf of the Jail and Inmate Evacuation Committee has released an RFP for a functional jail assessment. The assessment is funded by the FY 10 UASI grant.

Hampton Roads Tactical Regional Area Network (HRTacRAN)

HRPDC staff continues to work with Virginia Beach to begin HRTacRAN redundant system installation. In review, Virginia Beach (as recipient of the FY08 UASI Communication award) received approval from the Department of Homeland Security (DHS) to modify the FY08 UASI grant to support HRTacRAN. The intent was to utilize a preexisting contract. However, a contract to support this initiative could not be found requiring Virginia Beach to go out for bid. With the addition of the bid process, Virginia Beach requires additional time to expend the funds before the end of the FY08 performance period (currently extended to February 29, 2012). HRPDC staff and Virginia Beach continue to explore several options to utilize allocated FY08 UASI funds.

Since the October update, the HRPDC has formally requested an extension from DHS. The decision is still pending and would constitute an exception on the part of DHS as extension requests are usually not considered until the last 60 days of the performance period (January 1, 2012 for the fiscal year 2008) However, during the October 24, 2011, Urban Area Work Group (UAWG) meeting, the Virginia Department of Emergency Management (VDEM) indicated that work on the fiscal

year 2008 project must be completed by February 29, 2012, but Virginia Beach would be allowed an additional 60 days to close out the project administratively. Based on this information, communications representatives from Virginia Beach indicated that it would be possible to release the bid without approval of the extension. Furthermore, a preexisting contract may have been discovered that could be utilized to install the redundant HRTacRan microwave ring.

Peninsula Local Emergency Planning Commission (PLEPC)

The quarterly PLEPC meeting was held on November 17, 2011.

FY12 Healthcare Organization Emergency Preparedness Seminars (HOEPS)

The HOEPS committee met in November and further focused seminar goals and objectives. Conflicting conferences were identified and are being resolved. One facility manager of a Sentara facility on the coast with evacuation/reentry experience is confirmed as a keynote speaker, with a possible second speaker being investigated in the areas affected by wildfires in Texas.

Hazard Mitigation Planning

The HRPDC and Hazard Mitigation Planning Committee plan updates (for the Southside Hampton Roads Hazard Mitigation Plan, the Franklin Hazard Mitigation Plan and the Southampton Hazard Mitigation Plan) are nearly complete and are being scheduled for adoption. The City of Franklin and Southside Hampton Roads Plans have been reviewed and are undergoing final corrections in response to minor FEMA comments for formal approval. The Southampton County plan is expected to begin review shortly.

Regional Catastrophic Planning Grant Program (RCPGP) Support

The Emergency Management staff continues to support the Regional Catastrophic Planning Team (RCPT) to ensure existing projects and data are integrated.

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 October meeting, the FY 08 project managers briefed the UAWG on the status on their initiatives and provided a spending plan to close projects out before the end of the extended fiscal year 2008 performance period. Based on the presentations, the UAWG decided to allow all FY08 projects to retain their funding. As such, all FY08 projects have until February 29, 2012 to be completed. The UAWG will ask for a project briefing in February, 2012 for initiatives funded with the fiscal year 2009 UASI grant. Lastly, Hampton Roads has not been awarded fiscal year 2011 funds as they are currently tied to the award of the State Homeland Security Grant Program (SHSGP), which is still going through the application process.

Hampton Roads Medical Special Needs

The Special Needs Subcommittee was briefed by the RCPT as it relates to special needs planning, sheltering status and other findings. Separately, the initial findings of the Hurricane Irene After Action Report being developed by the Endependence Center were discussed with possible follow up, based upon the report's recommendations once finalized. The Special Needs website and registry (www.hrspecialneeds.org) continues to be populated by/for citizens with special needs in Hampton Roads. The registry continues to mature and find better utility by emergency management, while recognizing the continuing need to manage public expectations of local capabilities.

Multi-Region Target Capabilities Assessment (FY08 UASI Project)

The project was completed following the adoption of the Hampton Roads Homeland Security Strategy by the Urban Area Working Group in October.

Pet Sheltering Support (FY09 UASI Project)

The project has been completed.

Hampton Roads Critical Infrastructure Protection Program (HR CIPP)

HRPDC staff is working with the Office of Homeland Security and Veterans Affairs to reengage stakeholders and the HR CIPP working group.

4. HR Green

Staff continues to promote a consistent regional environmental message via www.askHRgreen.org and the associated blog.



Initial data from our fats, oils and grease (FOG) Thanksgiving campaign:

Online Impressions	# of Ads	Click Thru Rate
Radio	230,690	data not provided by vendor
PilotOnline	83,512	0.18%
DailyPress.com	66,092	0.35%
Total Campaign	380,294	0.25%
	**Industry average click thru rate is .09%	
Total Impressions	380,394	Cost per impression: \$.02



Radio Spots	# of ads
:60	78
:15	12
:05	10
Total	100

5. Sustainable Communities Regional Planning Grant Program

The HRPDC and HRTPO staff submitted an application on October 6, 2011 for the Department of Housing and Urban Development's Sustainable Communities Regional Planning Grant Program. HRPDC and HRTPO staffs briefed the Boards of the HRPDC on the grant proposal during the Board meetings held on July 21, 2011. The application was developed through cooperation between the HRPDC and HRTPO staffs, locality staffs, and the Hampton Roads Center for Civic Engagement.

Unfortunately, the HRPDC proposal was not awarded funding through the program. The HRPDC staff will distribute the Proposal and related materials to the Chief Administrative Officers and Planning Directors of the participating localities and the regional agency partners in this proposal.

6. Hampton Roads H2O – Help to Others – Program Status Report

The Hampton Roads H2O – Help to Others – Program was re-launched this past November. H2O is a community-based, nonprofit, 501(c)3 program that assists people in crisis through the generosity of donations. Through H2O, families or individuals in danger of losing residential water service because of a family crisis can receive one-time financial assistance to pay their local public utility and/or HRSD bill. Donation envelopes are included in citizen's November or December HRSD bills. The current donation period runs until January. Funds will be available for eligible citizens in February. More information about the program can be found at: http://www.hrpdcva.gov/H2O/H2O_Home.asp.

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #21: OLD/NEW BUSINESS